

Kansas Department of Agriculture
Division of Water Resources
PERMIT OF NEW APPLICATION WORKSHEET

1. File Number: <p style="text-align: center; font-size: 1.2em;">49,287</p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;">7/19/2016</p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">4</p>	4. GMD: <p style="text-align: center; font-size: 1.2em;">3</p>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
<p>7a. Applicant(s) Person ID <u>5845</u> New to system <input type="checkbox"/> Add Seq# <u>1</u></p> <p>GARDEN CITY CO-OP INC BOX 838 106 N 6TH GARDEN CITY KS 67846</p>	<p>7c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>		
<p>7b. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p> <p>7a.</p>	<p>7d. Misc. Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>		
<p>8. WUR Correspondent Person ID _____ New to system <input type="checkbox"/> Add Seq# _____ Overlap File (s) WUC Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7a.</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input checked="" type="checkbox"/> IND SIC: <u>2875</u> <input type="checkbox"/> OTHER: _____</p>		
10. Completion Date: <u>12/31/2017</u> 11. Perfection Date: <u>12/31/2021</u> 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
<p>Date Prepared: 7/15/2016 By: AM Date Entered: <u>7/25/2016</u> By: <u>LCM</u></p>			

File No. 49,287	15. Formation Code: 211	Drainage Basin: Arkansas River	County: Finney	Special Use:	Stream:								
16. Points of Diversion T MOD DEL PDIV ENT Qualifier S T R ID 'N 'W			17. Rate and Quantity Authorized Additional Rate gpm Quantity mgy Rate gpm Quantity mgy Overlap PD Files										
CHK 84044 SW SW SW 19 23S 33W 5 403 4892			100 15 100 15 NONE										
18. Storage: Rate _____ NF Quantity _____ ac/ft			Additional Rate _____ NF Additional Quantity _____ ac/ft										
19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____													
Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____													
20. Meter Required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No To be installed by 12/31/2017 Date Acceptable Meter Installed _____													
21. Place of Use T MOD DEL ENT PUSE S T R ID		NE¼		NW¼		SW¼		SE¼		Total	Owner	Chg? NO	Overlap Files
		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼
CHK 66707 19 23S33W 4						Industrial Use							7a.
Comments: ADD 15 AF EXCEPTION TO ACTION TRAIL & SPECIAL CONDITIONS													

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

GARDEN CITY CO-OP INC
BOX 838
106 N 6TH
GARDEN CITY KS 67846

July 25, 2016

FILE COPY

RE: Appropriation of Water, File No. 49,287

Dear Sir or Madam:

There is enclosed a permit to appropriate water authorizing you to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit. A water meter is required and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed. All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time set forth in the permit to complete diversion works or to perfect an appropriation.

For any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which establish the extent of your water right.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready to that we may help you more efficiently.

Sincerely,

Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT:am

Enclosures

pc: Garden City Field Office
Groundwater Management District No. 3



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**

(This is not a Certificate of Appropriation)

This is to certify that I have examined Application File No. 49,287 of the applicant

**GARDEN CITY CO-OP INC
BOX 838
106 N 6TH
GARDEN CITY KS 67846**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **February 17, 2015**.
2. That the water sought to be appropriated shall be used for industrial use at a chemical mixing facility located in the Southwest Quarter of Section 19, Township 23 South, Range 33 West, Finney County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$), of Section 19, more particularly described as being near a point 403 feet North and 4,892 feet West of the Southeast corner of said section, in Township 23 South, Range 33 West, Finney County, Kansas, located substantially as shown on the topographic map accompanying the application.
4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **100 gallons per minute (0.22 c.f.s.)** and to a quantity not to exceed **15 acre-feet** of water for any calendar year.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2017** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.
6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2021** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.
7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

17. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

CERTIFICATE OF SERVICE

On this 25th day of July, 2016, I hereby certify that the foregoing Approval of Application, File No. 49,287, dated July 19th 2016 was mailed postage prepaid, first class, US mail to the following:

GARDEN CITY CO-OP INC
BOX 838
106 N 6TH
GARDEN CITY KS 67846

With photocopies to:

Garden City Field Office

Groundwater Management District No. 3

Amber S. Herring

Division of Water Resources

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
MEMORANDUM

TO: Files

DATE: July 15, 2016

FROM: Austin McColloch

RE: Application, File No. 49,287

Garden City Co-Op Inc. has filed the above referenced application proposing to appropriate water at a maximum rate of 100 gallons per minute, and at 15 acre-feet per calendar year for industrial use. The applicant is requesting a 15 acre-feet exemption based on K.A.R. 5-23-4. The application was received in the Office of the Chief Engineer on February 17, 2015. The proposed application is in the drainage basin of the Arkansas River. The source of supply appears to be the Ogallala formation (211).

The point of diversion is located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 19 more particularly described as being near a point 403 feet North and 4,892 feet West of the Southeast Quarter of said section, in Township 23 South, Range 33 West, Finney County, Kansas. There are no other 15 acre-feet exemption diversion works within two (2) miles of this point.

Two (2) wells within $\frac{1}{2}$ mile of the point of diversion were identified. The wells identified do not meet well spacing requirements as per K.A.R. 5-23-3. There does not appear to be any domestic wells. The two wells identified within a half mile of the proposed point of diversion are owned by The Garden City Company. In a letter dated January 8, 2015 that was received with the application, the Garden City Company expressed their knowledge of the diversion works and that they have no objection to the proposed new appropriation. In a letter of recommendation from GMD #3 a waiver of well spacing was requested due to the fact that it is dealing with a small quantity (15 AF) and the only neighboring wells have signed a letter stating they have no issue with the new water right. Because of this letter and no other wells identified in the area, no nearby letters were sent.

The point of diversion is located within the boundary of Groundwater Management District No. 3. A letter was sent to GMD No. 3 for a recommendation on the application on June 22, 2016. GMD No. 3 provided a recommendation for approval on July 14, 2016 with the approval of the waiver of K.A.R. 5-23-3.

The application has been reviewed by Mike Meyer, Water Commissioner at the Garden City Field Office. In an email dated July 15, 2016, Mr. Meyer recommended the approval of the application.

In accordance with K.S.A. 82a-706(c), the Chief Engineer retains full authority to require any water user to install meters, gauges, or other measuring devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 thru K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. A proposed rate of 100 gallons per minute requires a water level measuring tube.

Based on the above discussion, approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.



Austin McColloch
Environmental Scientist

THE STATE



OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

WAIVER OF REGULATION

K.A.R. 5-23-3(a)(1)

Date: 7/19/16

Re: Application of Appropriation, File No. 49,287

1. That K.A.R. 5-23-3(a)(1) states in part, that the minimum well spacing shall be based on the maximum annual quantity of water in acre-feet authorized and requested for the proposed well or authorized and requested by a senior application, permit or water right.
2. K.A.R. 5-23-3(a)(1) requires a minimum well spacing of 2,300 feet between wells authorized more than 500 acre-feet.
3. The proposed point of diversion, for File No. 49,287 and the well authorized by File Nos. 2,405 & FI-189 are approximately 2,284 & 1,485 feet apart respectively.
4. That the quantity authorized by the proposed well is 15 acre feet.
5. Attached with the application was a letter from the two Water Rights owner, The Garden City Company, stating that they did not have an issue with the application since it was for a small amount and supported the waiver.
6. Southwest Groundwater Management District No. 3, Board of Directors recommended approval of the proposed application with a waiver of the spacing.
7. That a waiver of K.A.R. 5-23-3(a)(1) will not prejudicially or unreasonably affect the public interest and will not impair any existing water rights.

Comments:

A handwritten signature in black ink that reads "David W. Barfield".

David W. Barfield, P.E.
Chief Engineer
Division of Water Resources

Kansas Department of Agriculture
 Division of Water Resources
WAIVER REQUEST & WAIVER RULE WORKSHEET

File Number: 49,287

FO: 4 GMD: 3

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
IND	7/14/2016	26	GMD 3	Well Spacing	Well to Well Spacing
Rule Number	Date Granted	Date Denied	Justification:	Dealing with a small quantity (15 AF) and only neighboring wells have signed letter stating they have no issue with the new water right. Recommended waiver request and approval from GMD 3.	
K.A.R. 5-23-3(a)(1)	7/19/2016				

WAIVER RULE:

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive

Date Prepared 7/15/2016 By AM

Date Entered 7/25/2016 By UM

FEB 17 2015

4:01
KS DEPT OF AGRICULTURE

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Dale A. Rodman, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49287
This item to be completed by the Division of Water Resources.

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE
Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

UNACCEPTABLE FOR PRIORITY
WATER RESOURCES RECEIVED
JAN 28 2015
11:51
KS DEPT OF AGRICULTURE

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,
109 SW 9th Street, Second Floor, Topeka, KS 66612-1283:

1. Name of Applicant (Please Print): Garden City CO-OP Inc.
Address: P.O. Box 838
City: Garden City State KS Zip Code 67846
Telephone Number: (620) 275-6161

2. The source of water is: surface water in _____ (stream)
OR groundwater in A.K. River (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 15 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 100 gallons per minute OR _____ cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):
(a) Artificial Recharge (b) Irrigation (c) Recreational (d) Water Power
(e) Industrial (f) Municipal (g) Stockwatering (h) Sediment Control
(i) Domestic (j) Dewatering (k) Hydraulic Dredging (l) Fire Protection
(m) Thermal Exchange (n) Contamination Remediation

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:
F.O. 4 GMD 3 Meets K.A.R. 5-3-1 (YES/NO) Use IND Source G/S County FI By KAG Date 2-18-15
Code REG Fee \$ 200 TR # _____ Receipt Date 2-17-15 Check # 86769

APPLICATION COMPLETE
7/15/2016
Reviewer AM

SCANNED 2/26/2015
LLM

5. The location of the proposed wells, pump sites or other works for diversion of water is:

Note: For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

- (A) One in the SW quarter of the SW quarter of the SW quarter of Section 19, more particularly described as being near a point 463 feet North and 4892 feet West of the Southeast corner of said section, in Township 23 South, Range 33 East/West (circle one), Finney County, Kansas.
- (B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print):

(name, address and telephone number)

(name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 30, 2015. _____
Applicant's Signature

7. The proposed project for diversion of water will consist of One well, pump + discharge
(number of wells, pumps or dams, etc.)
and (was/will be) completed (by) _____
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be _____
(Mo/Day/Year)

- 9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
 Yes No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

- 10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources? Yes No

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required _____

- 11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

- 12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

WATER RESOURCES RECEIVED

FEB 17 2015

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED
UNACCEPTABLE FOR PRIORITY
JAN 23 2015
SCANNED

KS DEPT OF AGRICULTURE

13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from: Test holes Well as completed Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	_____	_____	_____	_____
Total depth of well	_____	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of

Agent
(owner/tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

The Garden City Co-op, Inc 106 N 6th Garden City, KS 67846 (620) 275-6161
(name, address and telephone number)

(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at Garden City, Kansas, this 12 day of JANUARY, 2015
(month) (year)

The Garden City Co-op, Inc
(Applicant Signature)

48-0231740
APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By [Signature]
(Agent or Officer Signature)

and/or APPLICANT(S) TAXPAYER I.D. NO.(S)

Brent Merz
(Agent or Officer - Please Print)

Assisted by _____ Date: _____
(office/title)

WATER RESOURCES RECEIVED

FEB 17 2015

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

SCANNED

UNACCEPTABLE FOR PRIORITY
JAN 23 2015

KS DEPT OF AGRICULTURE

THE GARDEN CITY COMPANY

P.O. Box 597
GARDEN CITY, KANSAS 67846
PHONE: 620-276-3246 FAX: 620-276-2795

Ronald A. Conway
VICE PRESIDENT/GENERAL MANAGER

January 8, 2015

Kansas Department of Agriculture
Division of Water Resources
David Barfield, P.E., Chief Engineer
109 SW 9th Street
Topeka, KS 66612-1283

RE: New Appropriation

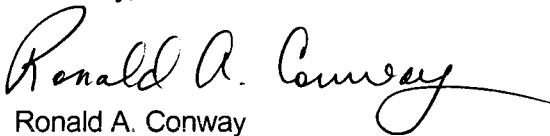
Dear Mr. Barfield, P.E.:

This is intended to advise you that we have no objection to the proposed new appropriation seeking to authorize a new well for industrial use, with the well located at:

One (1) new well located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW)(SW)(SW) of Section 19 more particularly described as being near a point 403 feet North and 4,892 feet West of the Southeast corner of said Section in Township 23 South, Range 33 West, Finney County, Kansas.

We feel the small requested amount will not have an effect on our wells and believe that the intended use would be of benefit to the agriculture area.

Sincerely,


Ronald A. Conway

WATER RESOURCES
RECEIVED
UNACCEPTABLE FOR PRIORITY
JAN 23 2015
KS DEPT OF AGRICULTURE

WATER RESOURCES
RECEIVED

FEB 17 2015

KS DEPT OF AGRICULTURE

SCANNED

McColloch, Austin

From: Meyer, Mike
Sent: Friday, July 15, 2016 10:42 AM
To: McColloch, Austin
Subject: RE: Recommendation File No. 49,287

I recommend approval

Thank you

From: McColloch, Austin
Sent: Friday, July 15, 2016 10:36 AM
To: Meyer, Mike <Mike.Meyer@ks.gov>
Cc: Makens, Thom <Thom.Makens@ks.gov>
Subject: Recommendation File No. 49,287

Good Afternoon,

I would like your recommendation on File No. 49,287. Attached is my memo.

Thanks,

Austin McColloch
Environmental Scientist
(785) 546-6643

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

403 ft N and 4892 ft W of the SE Corner of Section 19, T 23S, R 33W

Located at: 100.991839 West Longitude and 38.033700 North Latitude

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist	(mi)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A_ 274	00	IRR	NK	G	1.69	--	SE	NW	NW	4000	4000	18	23	33W	2		320.00	320.00	AF
Same					1.98	--	NW	NW	NE	5200	2225	18	23	33W	6				
A_ 2405	00	IRR	NK	G	.43	--	SW	SW	SE	130	2625	19	23	33W	4		1215.00	1215.00	AF
A_ 2406	00	IRR	NK	G	1.80	--	SE	NW	SE	1375	1680	29	23	33W	3		890.00	890.00	AF
A_ 2411	00	IRR	NK	G	1.19	--	NW	NE	NW	5200	3811	24	23	34W	2		640.00	640.00	AF
A_ 2413	00	IRR	NK	G	1.81	--	SW	SW	SE	154	2264	26	23	34W	8		800.00	640.00	AF
A_ 3473	00	IRR	NK	G	1.85	--	NW	NW	NE	5200	2257	32	23	33W	4		72.00	72.00	AF
A_ 3514	00	IRR	NK	G	1.89	--	NW	NW	SW	2300	5240	32	23	33W	10		240.00	240.00	AF
A_ 7193	D2	IRR	NK	G	1.54	--	NW	NE	NE	5186	1220	23	23	34W	9		850.00	628.00	AF
Same					1.19	--	NW	NE	NW	5200	3811	24	23	34W	2		487.00	360.00	AF
A_ 7193	D4	IRR	NK	G	1.94	--	NE	SE	SW	829	3156	14	23	34W	9		500.00	500.00	AF
A_ 7193	DD	IRR	NK	G	1.52	--	SW	SW	SE	100	2145	20	23	33W	4		950.00	950.00	AF
A_ 7193	DE	IRR	NK	G	1.63	--	NE	NE	SE	2500	550	18	23	33W	3		700.00	275.00	AF
Same					1.09	--	--	--	--	858	4980	18	23	33W	7		950.00	374.00	AF
A_ 7193	DG	IRR	NK	G	.58	--	--	--	--	2650	5100	30	23	33W	1		950.00	816.00	AF
Same					1.25	--	SW	SE	SE	190	1240	30	23	33W	3		1050.00	902.00	AF
A_ 13939	00	IRR	NK	G	1.56	--	SW	NW	SW	-----	-----	13	23	34W	1		306.00	306.00	AF
A_ 18700	00	IRR	NK	G	1.69	--	SE	NW	NW	4000	4000	18	23	33W	2		618.00	298.00	AF
Same					1.98	--	NW	NW	NE	5200	2225	18	23	33W	6				
A_ 19917	00	IRR	NK	G	1.31	--	--	--	--	2620	3960	29	23	33W	2		160.00	160.00	AF
A_ 23054	00	IRR	NK	G	1.74	--	NW	NW	SE	2071	2498	31	23	33W	3		419.20	419.20	AF
A_ 23752	00	IRR	NK	G	1.42	--	--	--	--	3470	5100	31	23	33W	4		304.00	304.00	AF
A_ 24582	00	IRR	NK	G	1.59	--	SW	SE	NE	2740	1220	36	23	34W	8		320.00	320.00	AF
A_ 28291	00	IRR	NK	G	1.50	--	SW	SW	SE	100	2490	23	23	34W	3		720.00	720.00	AF
A_ 31760	00	IRR	NK	G	.58	--	SE	SE	NW	2675	2810	19	23	33W	2		870.00	.00	AF
A_ 35059	00	IRR	NK	G	1.49	--	SW	SW	SE	2400	2610	13	23	34W	2		224.00	224.00	AF
A_ 49287	00	IND	AY	G	.00	--	SW	SW	SW	403	4892	19	23	33W	5		15.00	15.00	AF
T_20119056	00	IND	GY	G	1.98	--	SW	NW	SW	1650	4950	23	23	34W	6		96.80	96.80	AF
T_20129446	00	IND	GY	G	1.69	--	SW	NW	SE	1784	2518	26	23	34W	7		161.30	161.30	AF
VFI 96	00	IRR	AA	G	1.32	--	NW	NW	NW	-----	-----	20	23	33W	1		320.00	320.00	AF
VFI 188	00	IRR	AA	G	1.26	--	SW	NW	SW	1903	5215	25	23	34W	3		640.00	640.00	AF
VFI 189	00	IRR	AA	G	.28	--	NW	NE	NE	4628	780	25	23	34W	4		1280.00	1280.00	AF
VFI 199	00	IRR	AA	G	1.60	--	SW	NW	NW	-----	-----	36	23	34W	1		480.00	480.00	AF
VFI 200	D2	MUN	AA	G	1.98	--	SE	SW	SE	650	1500	36	23	34W	7		230.00	230.00	AF
VFI 202	00	IRR	AA	G	1.49	--	NW	SW	NE	3400	2600	31	23	33W	1		180.00	180.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	15.00	.00
Total Permitted Amount (AF) =	258.10	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	11573.20	.00
Total Vested Amount (AF) =	3130.00	.00
TOTAL AMOUNT (AF) =	14976.30	.00

An * after the source of supply indicates a pending application for change for the file number.

An * after the ID indicates a 15 AF exemption was granted for the file number.

FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

WATER RESOURCES
RECEIVED

FEB 17 2015

KS DEPT OF AGRICULTURE

WATER RESOURCES
RECEIVED

UNACCEPTABLE FOR PRIORITY
23 2015
KS DEPT OF AGRICULTURE

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

June 22, 2016

FILE COPY

GROUNDWATER MANAGEMENT DISTRICT #3
2009 E SPRUCE ST
GARDEN CITY KANSAS 67846

Re: New Application,
File No. 49,287

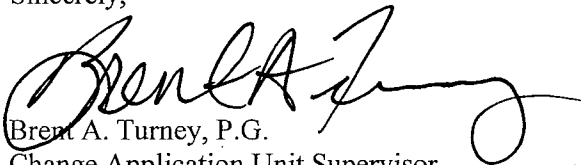
Dear Sir or Madam:

We are enclosing a copy of the referenced application, which were submitted by Garden City Co-op Inc. and appears to be in proper form, for your review.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendation concerning this application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,


Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

Enclosure
pc: Garden City Field Office

SCANNED



1320 Research Park Drive
Manhattan, Kansas 66502
Jackie McClaskey, Secretary

Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

February 25, 2015

GARDEN CITY CO-OP INC
PO BOX 838
GARDEN CITY KS 67846

RE: Application
File No. 49287

Dear Sir or Madam:

Your application for permit to appropriate water in 19-23-33-W in Finney County, was received and has been assigned the file number noted above.

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor . . .

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6643. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

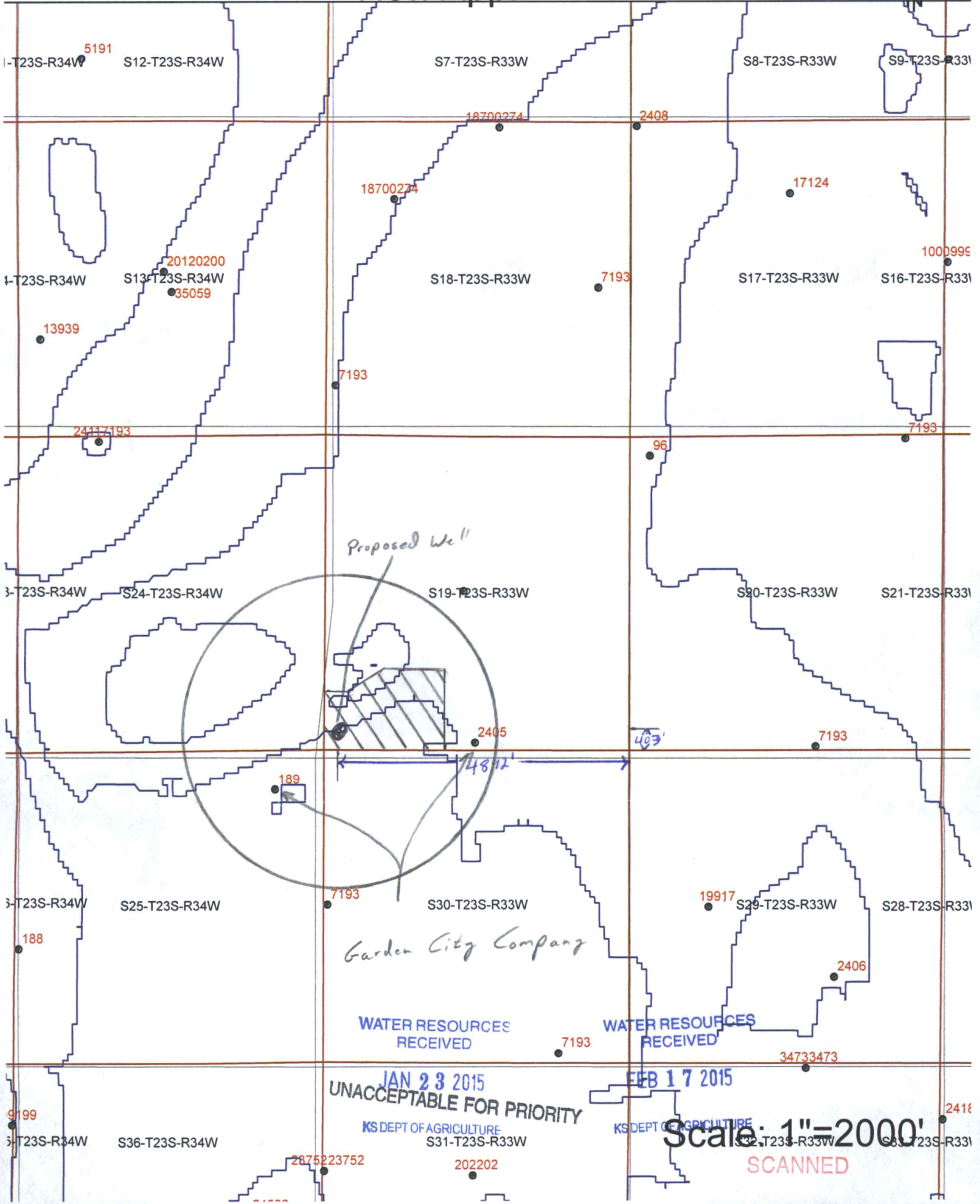
Sincerely,

Brent Turney, L.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: GARDEN CITY Field Office
GMD 3

SCANNED

New App.



Proposed Well

Garden City Company

JAN 23 2015
UNACCEPTABLE FOR PRIORITY
KS DEPT OF AGRICULTURE
S31-T23S-R33W

FEB 17 2015

KS DEPT OF AGRICULTURE

Scale: 1"=2000'

SCANNED

