

Kansas Department of Agriculture  
 Division of Water Resources  
**TERM PERMIT NEW APPLICATION WORKSHEET**

1. File Number: <b>20189043</b>		2. Status Change Date: <b>8/30/2018</b>		3. Field Office: <b>4</b>		4. GMD: <b>3</b>	
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 type="checkbox"/> N of C Form <input checked="" type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter							
7a. Applicant(s) New to system <input type="checkbox"/>				7c. Landowner(s) New to system <input type="checkbox"/>			
		Person ID <b>61425</b>				Person ID _____	
		Add Seq# _____				Add Seq# _____	
<p>MICKEY G ROSS 16022 18 RD MEADE KS 67864-9031</p>							
7b. Landowner(s) New to system <input type="checkbox"/>				7d. Misc. New to system <input type="checkbox"/>			
		Person ID <b>1171</b>				Person ID _____	
		Add Seq# _____				Add Seq# _____	
<p>KAY BERGHAUS LIVING TRUST PO BOX 602 MEADE KS 67864</p>							
8. WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No 7b				9. Use of Water:    Changing? <input type="checkbox"/> Yes <input type="checkbox"/> No			
		Person ID _____				<input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water <input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN <input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON <input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG <input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____	
		Add Seq# _____					
		Notarized WUC Form _____					
10. Completion Date: _____			11. Perfection Date: _____			12. Exp Date: <b>12/31/2018</b>	
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: _____							
						Date Prepared: <b>8/13/2018</b> By: <b>AM</b>	
						Date Entered: <b>9/5/2018</b> By: <b>LLM</b>	

File No. **20189043**      15. Formation Code:      Drainage Basin: **Crooked Creek**      County: **ME**      Special Use:      Stream:

16. Points of Diversion

MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
MOD			1243	CW SE	19	31S	28W	5	1320	2600

17. Rate and Quantity

Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
<b>1,200</b>	<b>130</b>	<b>0</b>	<del>130</del>	<b>30,950</b>

18. Storage: Rate \_\_\_\_\_ NF      Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF      Additional Quantity \_\_\_\_\_ ac/ft

19. Limitation: \_\_\_\_\_ 626 \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_ 25,031  
 Limitation: \_\_\_\_\_ 242 \_\_\_\_\_ af/yr at \_\_\_\_\_ 1200 \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_ 30,950

20. Meter Required?  Yes     No      To be installed by 12/31/2018      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use

MOD	DEL	ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	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	NE ¼	NW ¼	SW ¼	SE ¼							
CHK			15015	19	31S	28W	1																40	40	40	40	160	7b		13,158; 25,031; 30,950
ENT			4320	29	31S	28W	3	34	40	20	20																114	7b		30,950

Comments:

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**M E M O R A N D U M**

**TO:** Files

**DATE:** August 13, 2018

**FROM:** Austin McColloch

**RE:** Term Permit,  
File No. 20189043

The term permit referenced above has been filed by Mick Ross, proposing to appropriate 130 acre-feet of groundwater at a rate of 1,200 gallons per minute for irrigation use. The point of diversion is located in the Crooked Creek drainage basin. The application was filed to allow the applicant to use more water from the proposed well for the 2018 irrigation season while not increasing the overall quantity on the place of use through offset from another well that also covers a portion of the same place of use.

The term permit has a period of use from August 1, 2018 through December 31, 2018. The safe yield requirements set forth in K.A.R. 5-3-11 and 5-23-4 are not applicable to term permits of five (5) years or less. Therefore, this term permit is exempt from safe yield criteria.

The proposed point of diversion is currently authorized by Water Right, File Nos. 30,950. An offset of 130 acre-feet from un-used quantity of water from Water Right, File No. 25,031 will ensure that no additional water will be diverted from the source of supply over what is currently authorized for irrigation use on the place of use.

The proposed place of use overlaps a portion with Water Right, File Nos. 13,158; 25,031 & 30,950. The place of use covers 274 acres located in Section 19 & Section 29 in Township 31 South, Range 28 West, Meade County.

The point of diversion is subject to a 1,600 feet spacing distance to other points of diversion for all non-domestic and non-temporary water rights. The closest Water Right, File No. 25,031, is located 2,576 feet away. Therefore, the application complies with well spacing criteria.

The quantity of water approved under this permit is further limited to the quantity which combined with Water Right, File No. 25,031, will provide a total not to exceed 626 acre-feet of water per calendar year, for irrigation use.

The quantity of water and rate of diversion approved under this permit is further limited to the quantity which combined with Water Right, File No. 30,950, will provide a total not to exceed 242 acre-feet of water per calendar year at a total rate of diversion not exceed 1,200 gallons per minute (2.67 c.f.s.) from the point of diversion.

In an email dated August 7, 2018 a copy of the application was sent to GMD No. 3 along with a request to make a recommendation. In a letter dated August 13, 2018, Jason Norquest, Assistant Manager of Southwest Kansas Groundwater Management District No. 3, indicated that application complies with the current management program and he further recommends approval of the applications at this time.

In an email on August 15, 2018, Mike Meyer, Water Commissioner of the Garden City Field Office, has recommended approval of the referenced term application.

Based on the above discussion, it appears that the proposed use of water is reasonable for irrigation use. Therefore, it is recommended that approval of the referenced term permit application to end on December 31, 2018.

Austin McColloch  
Environmental Scientist

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777

900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov



GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

MICKEY G ROSS  
16022 18 RD  
MEADE KS 67864-9031

September 6, 2018 **FILE COPY**

RE: Term Permit,  
File No. 20189043

Dear Sir or Madam:

Your application for a term permit to appropriate water for beneficial use has been examined, approved, and is being returned herewith for your records. Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in Exhibit A of this permit. Please note the term period for this permit is from August 1, 2018 until December 31, 2018.

The approval of your application constitutes a term permit to appropriate water for beneficial use as set forth in the application. It does not constitute authority under K.S.A. 82a-301 through 305, to construct any dam or other obstruction; it does not give authority to any right-of-way, or authorize injury to, or trespass upon, public or private property, nor does it obviate the necessity of assent from federal or Local Governmental authorities, when necessary. Please be advised that K.S.A. 82a-728 sets forth, in essence, that it is unlawful to divert or threaten to divert water for the type of use you propose without first acquiring approval of the Chief Engineer of the Division of Water Resources.

An acceptable water meter is required and shall be installed on the diversion works authorized by this term permit in accordance with K.A.R. 5-1-4, and shall be installed prior to water being put to beneficial use. Notification of installation of the meter must be received in the office of the Chief Engineer within thirty (30) days of installation of the meter. A form for this purpose and for your convenience is enclosed. Accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined, shall be maintained by the applicant, 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.

If you have any questions, please contact our office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum  
New Application Unit Supervisor  
Division of Water Resources

KAB:am  
Enclosure(s)

pc: Kay Berghaus Living Trust  
Garden City Field Office  
Southwest Kansas GMD No. 3

8/15/18

Reviewer AM

Submit To: CHIEF ENGINEER  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, Kansas 66502  
<http://agriculture.ks.gov/dwr>

APPLICATION FOR TERM PERMIT WATER RESOURCES RECEIVED

- GROUNDWATER
  - SURFACE WATER
- (check one)

JUL 27 2018

11:22



State of Kansas

STATUTORY FILING FEE MUST ACCOMPANY THIS APPLICATION  
(Make check payable to the Kansas Department of Agriculture)

20189043

1. Applicant: (Please print or type)  
Name MICK ROSS  
Street 16022 18 RD  
City and State MEADE KS 67864  
Zip Code \_\_\_\_\_ Telephone No. (620)  
E-Mail Address \_\_\_\_\_  
Social Security I.D. No. \_\_\_\_\_  
and/or Taxpayer I.D. No. \_\_\_\_\_

2. Location of Point of Diversion:  
Sec. 19, Twp. 31, Rng. 28, (W),  
Meade County, Kansas.  
Distance from Southeast Corner of Section:  
1320 feet North from Southeast Corner  
2600 feet West from Southeast Corner  
NOTE: If point of diversion is not site specific (i.e. groundwater pit) show the approximate geographic center.

3. Water Use Data:  
Proposed Max. Pumping Rate (gpm) 1200 (limited to 1200)  
Amount Requested (acre-feet) 130 (additional)  
per calendar year  
Depth of Well (feet) 410  
Date (completed) (will be completed) 8/1/2018  
Drainage Basin crooked  
Name of Stream \_\_\_\_\_

4. Water is to be used for (briefly describe proposed use and explain the rate and quantity requested):  
Irrigation use. need more water autoorized, will ovepump otherwise  
will offset from well #25031

5. Location of place of use:  
pivot se of 19-31-28w  
NE 29-31-28W

6. Period of use:  
Commencing date: august 1, 2018  
Ending Date: december 31, 2018 Also enter on Item 12

If off-stream pit, check here .  
Will pit floor intersect water table? Yes  No

7. Location of the proposed point of diversion and those of other water users within 1/2 mile shall be indicated on the diagram to the lower-left, scale 1 inch = 2,000 feet. If surface water, indicate on the diagram the course of the stream, and its name. List other D.W.R. permit numbers that cover the requested point(s) of diversion or place of use here:  
File No. 25031 same owner, no other wells  
pd/pu overlap with File No. 30950 with this request

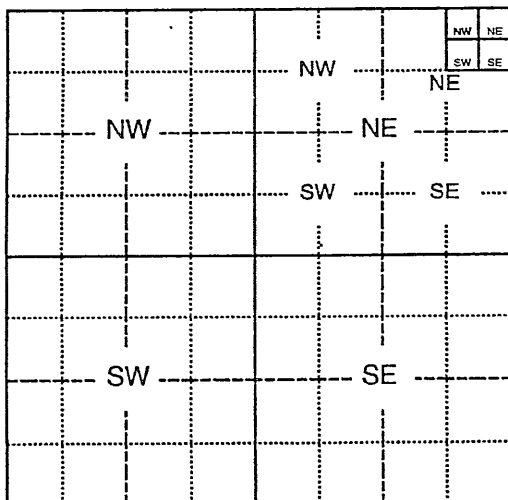
FEE SCHEDULE

1. The filing fee for an application is based on the maximum amount of water use proposed within a year. Except for storage, the fee is:
- | Acre-feet     | Fee      |
|---------------|----------|
| 0-100         | \$200.00 |
| 101-320       | \$300.00 |
| More than 320 | \$300.00 |
- plus \$20 for each additional 100 acre-feet or any part thereof.
2. The fee for an application in which storage is requested, is:
- | 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.
4. A request for an extension of time to extend the term of a term permit shall be accompanied by a fee of \$100.00.
5. There is a separate application form for domestic use. Do not use this form for domestic use.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons  
1 million gallons equal 3.07 acre-feet



Assisted by tpm

For Office Use Only:  
F.O. 4 GMD 3 Meets K.A.R. 5-3-1 (YES/NO) Use IR2 Source (S) S County ME By AW Date 7/27/18  
Code \_\_\_\_\_ Fee \$ 300 TR # \_\_\_\_\_ Receipt Date 7/27/18 Check # 2607

8/10/18 ADAMINED

8. For groundwater use, list below all wells within 1/2 mile of the proposed well, and plot locations upon the diagram on reverse side. If additional space is needed, attach a map.

Other wells –

Well A Owner(s): Dean KAY BERGHAUS LIVING TRUST  
Address: \_\_\_\_\_

Well B Owner(s): \_\_\_\_\_  
Address: \_\_\_\_\_

9. For surface water use, list below the names and addresses of all landowners from a point 1/2 mile upstream to a point 1/2 mile downstream of the tract of land upon which the point of diversion is located. If additional space is needed, attach sheet.

Tract A Owner(s): \_\_\_\_\_  
Address: \_\_\_\_\_

Tract B Owner(s): \_\_\_\_\_  
Address: \_\_\_\_\_

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

KAY BERGHAUS LIVING TRUST PO Box 602 Meade KS 67864  
Dean Berghaus Living Trust (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 \_\_\_\_\_, 20\_\_\_\_ Mickey Ross  
Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

11. The applicant states that the information set hereon is true and accurate to the best of his/her knowledge.

12. The applicant agrees to waive any right to a hearing on the matter of abandonment of this appropriation right and further agrees that this appropriation right may be dismissed and terminated upon completion of the proposed project, said dismissal date to be on December 31, 2018 or within any extension of time authorized by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

13. The applicant agrees to provide water to nearby water users, at no charge to said users, should their rights to use water become impaired by the project proposed by this application.

14. Water use contact person (in event emergency contact is needed):

Name: Mickey Ross Telephone No. (620) 482-4120

Mickey Ross or \_\_\_\_\_  
(Signature of Applicant) Authorized Representative Date  
Mickey Ross \_\_\_\_\_  
Applicant's Name Printed Title

**DO NOT WRITE BELOW THIS LINE**

**CONDITIONS OF APPROVAL:**

The applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined. Accurate and complete records shall be furnished to 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.

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.

The Chief Engineer specifically retains jurisdiction in this matter with authority to make such reasonable reductions in the approved rate of diversion and quantity authorized, and such changes in other terms, conditions, and limitation set forth in this approval and permit to proceed as may be deemed to be in the public interest.

See Exhibit "A" for Additional Conditions  
of Term Permit File No. 20189043

**APPLICATION APPROVED**  
PERMIT NUMBER: 20189043  
DATE ISSUED: 8/30/18  
EXPIRATION DATE: 12/31/2018  
WATER METER REQUIRED: YES X NO





This is a final agency action as defined in K.S.A. 77-607(b). You may pursue judicial review of this order as provided in the Kansas Act for Judicial Review (K.S.A. 77-601 et seq.). A petition for judicial review must be filed in a Kansas court of competent jurisdiction within 30 days after service of this order as provided in K.S.A. 77-613. The agency officer designated to receive service of a petition for judicial review on behalf of the Kansas Department of Agriculture is Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564-6777.

Ordered this 30<sup>th</sup> day of August, 2018, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

Lane P. Letourneau, P.G.  
Program Manager  
Water Appropriation Program  
Kansas Department of Agriculture

State of Kansas )  
                                      ) SS  
County of Riley )

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of August, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson  
Notary Public

**CERTIFICATE OF SERVICE**

On this 6<sup>th</sup> day of September, 2018, I hereby certify that the foregoing Approval of Term Permit, File No. 20189043, dated August 30<sup>th</sup>, 2018 was mailed postage prepaid, first class, US mail to the following:

MICKEY G ROSS  
16022 18 RD  
MEADE KS 67864-9031

With photocopies to:

KAY BERGHAUS LIVING TRUST  
PO BOX 602  
MEADE KS 67864

Garden City Field Office  
Groundwater Management District No. 3

Danielle Wilson

Division of Water Resources

## McColloch, Austin

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**From:** Meyer, Mike [KDA]  
**Sent:** Wednesday, August 15, 2018 4:28 PM  
**To:** McColloch, Austin  
**Subject:** RE: Recommendation Term Permit File No. 20189043

Please proceed

*Mike*

**From:** McColloch, Austin  
**Sent:** Wednesday, August 15, 2018 4:20 PM  
**To:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>  
**Subject:** RE: Recommendation Term Permit File No. 20189043

Here is the GMD rec.

Austin McColloch  
Environmental Scientist  
Ph: (620) 276-2901

**From:** McColloch, Austin  
**Sent:** Wednesday, August 15, 2018 4:05 PM  
**To:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>  
**Subject:** Recommendation Term Permit File No. 20189043

Mike,

Attached is my draft memo for Term Permit File No. 20189043 submitted by Mick Ross. This overlaps in PD& PU with Water Right, File No. 30950 and is using offset from nearby WR 25031. Please take a look at the limitations to see if they make sense. Let me know if you need more information or have questions.

Thanks,

Austin McColloch  
Environmental Scientist  
Ph: (620) 276-2901

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 30950 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 30950 00 IRR

Water Right and Points of Diversion Within 1.00 miles of point defined as:

1320 Feet North and 2600 Feet West of the Southeast Corner of Section 19 T 31S R 28W

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit	
A__ 3149 00	IRR	NK	G	5096	--	SW	SW	SE	475	2453	24	31	29W	4		258.00	258.00	AF	
A__ 13158 00	IRR	NK	G	3356	--	NC	SW	NE	3300	1980	30	31	28W	1		724.00	724.00	AF	
Same				5096	--	SW	SW	SE	475	2453	24	31	29W	4		373.00	373.00	AF	
A__ 16295 00	IRR	NK	G	2731	--	SW	NW	NE	4050	2550	19	31	28W	1		353.00	353.00	AF	
Same				3670	NC	W2	W2	NW	3960	5150	19	31	28W	2		281.00	281.00	AF	
A__ 25031 00	IRR	NK	G	2576	--	--	--	--	1345	5230	19	31	28W	4		626.00	626.00	AF	
A__ 28580 00	IRR	NK	G	4664	--	SE	SE	NE	2775	75	25	31	29W	2		309.00	309.00	AF	
A__ 30950 00	IRR	NK	G	0	--	--	--	CW	SE	1320	2600	19	31	28W	5		112.00	112.00	AF
T_20189043 00	IRR	AY	G	0	--	--	--	CW	SE	1320	2600	19	31	28W	5		130.00	130.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	130.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	3036.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	3166.00	.00

*Spacing still MET*

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

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

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1.00 miles of point defined as:

1320 Feet North and 2600 Feet West of the Southeast Corner of Section 19 T 31S R 28W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 3149 00	IRR	NK	G
> KAY BERGHAUS LIVING TRUST			
>			
> PO BOX 602			
> MEADE KS 67864			
-----			
A__ 13158 00	IRR	NK	G
> KAY BERGHAUS LIVING TRUST			
>			
> PO BOX 602			
> MEADE KS 67864			
-----			
A__ 16295 00	IRR	NK	G
> MICKEY G ROSS			
>			

> 16022 18 RD  
> MEADE KS 67864

-----  
A\_ 25031 00 IRR NK G  
> KAY BERGHAUS LIVING TRUST  
>  
> PO BOX 602  
> MEADE KS 67864  
-----

- Offset offered from this well  
- Under utilized past years

-----  
A\_ 28580 00 IRR NK G  
> KAY BERGHAUS LIVING TRUST  
>  
> PO BOX 602  
> MEADE KS 67864  
-----

-----  
A\_ 30950 00 IRR NK G  
> KAY BERGHAUS LIVING TRUST  
>  
> PO BOX 602  
> MEADE KS 67864  
-----

- Major OP last few years  
- Penalty of no pumping in 2019  
- Will finish this year

-----  
T\_20189043 00 IRR AY G  
> MICKEY G ROSS  
>  
> 16022 18 RD  
> MEADE KS 67864  
-----

=====

#####

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

MICK ROSS  
MICK ROSS  
16022 18 RD  
MEADE, KS 67864

8/1/2018

RE: Application, File No. **20189043**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application for a permit to appropriate water for beneficial use. Your application has been assigned the file number referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the application is unlawful.

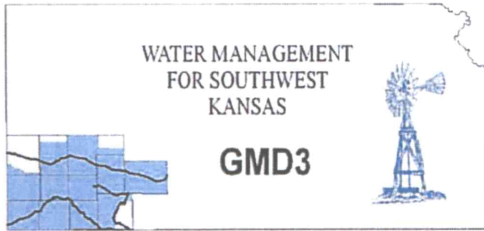
Additional information about the process may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any other questions, please contact our office at 785-564-6640 or your local Garden City Field Office at 620-276-2901. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Kristen A. Baum". The signature is written in a cursive, flowing style.

Kristen A. Baum  
New Application Unit Supervisor  
Division of Water Resources

SCANNED



**Southwest Kansas**  
**Groundwater Management District No. 3**  
2009 E. Spruce Street  
Garden City, Kansas 67846  
(620) 275-7147 phone (620) 275-1431 fax  
[www.gmd3.org](http://www.gmd3.org)

August 13, 2018

Austin J. McColloch  
Kansas Department of Ag  
Division of Water Resources  
2508 N Johns Street  
Garden City, Kansas 67846

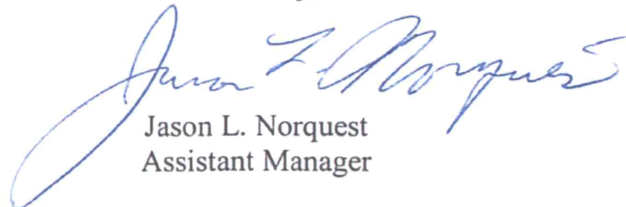
RE: Term Permit, File No. 20189043

Dear Austin:

We have completed a review of the application for the above referenced term permit. The application is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The applicant is requesting the term permit to finish out the 2018 season while working on a permanent solution for the past overpumping. The term permit will ensure that the current crop can make it through the season and not waste the water that has been applied. The base water right, 30950, will be suspended as penalty in the 2019 season. Spacing is still met to neighboring wells, even with the added 130AF request. We do not view this as new water being appropriated since usage is offset by water not pumped from another irrigation well in the system, water right 25031, which is within a half mile of this proposed well. The applicant will be reviewing possible changes to cropping practices and/or water rights to eliminate the overpumping in the future. It is therefore recommended that the application be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

A handwritten signature in blue ink, which appears to read "Jason L. Norquest".

Jason L. Norquest  
Assistant Manager

## GMD3 Change Review

File No(s): 20189043.

DWR office: GC.

App filed to change: Term.

Is Landowner(s) correct in WRIS: Yes.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS?   .

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-23-3 ~~XXXXXXXXXX~~

Point of diversion ID No(s)    being changed.

	ft. North	ft. West	
Authorized PD			
Proposed PD			
Difference	0	0	
a2 + b2 = c2	0	0	0

GPS for proposed PD: Lat:    Long:   .

Is proposed PD stacking on existing WRs? 30950 (base).

Is Proposed PU overlapping existing WRs? yes.

Land Owner(s) notified:   .

Name   . Name   .

Address   . Address   .

Zip   . Zip   .

Neighboring certified well(s) notified:   .

Name   . Name   .

Address   . Address   .

Zip   . Zip   .

Domestic well(s) notified:   .

Name   . Name   .

Address   . Address   .

Zip   . Zip   .

Base Acres:   .

Perfected Acres:   .

Irr. Return-Flow   %

Base 112  
Term 130  
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242 AF

1600' spacing

**Penalty order issued on base right, late in 2018 season, that will suspend any usage in 2019. Term filed to finish out the current crop so that the previous water applied is not wasted.**

**Offset offered from WR 25031, which has not averaged full usage in past years and it is within a half mile of the term permit well.**


Is a waiver needed: No.

Final Recommendation: After review of all available information, spacing is met to neighboring wells with the additional requested AF. The base WR 30950 will be suspended in 2019. However in order to finish out current crop and ensure current

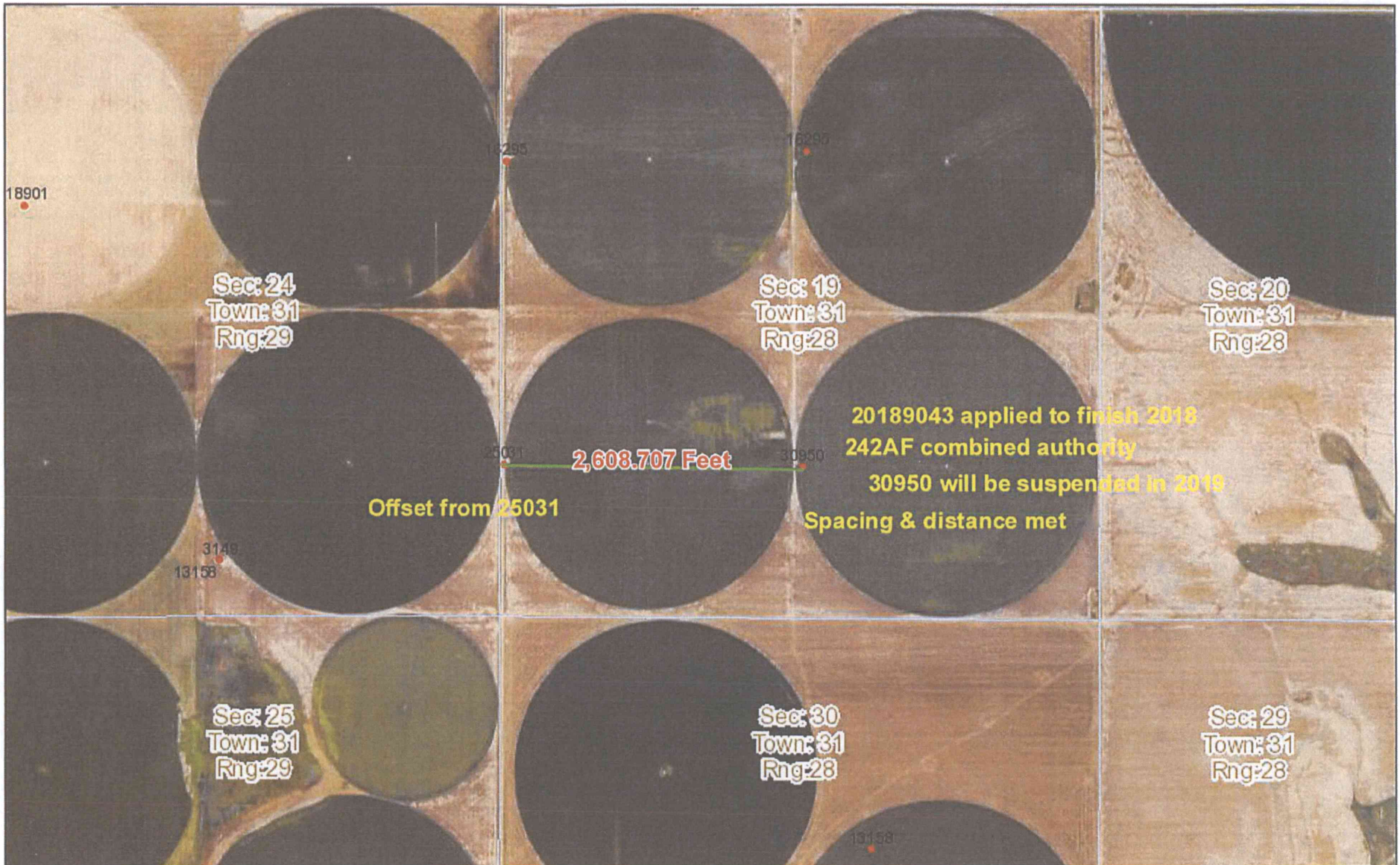
## GMD3 Change Review

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pumping this year is not wasted by lose of crop, this term is needed. Applicant will have the next season to work out a permanent plan to eliminate the problem. Staff therefore recommends approval of the term permit to finish out the 2018 season.

A handwritten signature in blue ink, consisting of a stylized, elongated shape followed by a small '2'.





August 13, 2018  
09:48 AM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

<b>Wells</b>	+	CON	●	FPR	▲	MUN	⚡	THX	
?	Other	☒	DEW	+	HYD	▢	REC	?	Empty
●	IRR	⬇	DOM	★	IND	⊗	STK	□	Sections

