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

1. File Number:	2. Status Change Date:	3. Field Office:	4. GMD:
49,123	10/13/2016	**02**	**0**

5. Status: ☒ Approved ☐ Denied by DWR/GMD ☐ Dismiss by Request/Failure to Return

6. Enclosures: ☒ Check Valve ☒ N of C Form ☐ Water Tube ☐ Driller Copy ☒ Meter

7a. Applicant(s) — Person ID **36756**
New to system ☐ — Add Seq# _____

PHILIP A HARDEN
602 W 5TH PO BOX 746
ASHLAND KS 67831

7b. Landowner(s) — Person ID _____
New to system ☐ — Add Seq# _____

7a

7c. Landowner(s) — Person ID _____
New to system ☒ — Add Seq# _____

7d. Misc. — Person ID _____
New to system ☐ — Add Seq# _____

8. WUR Correspondent — Person ID **36756**
New to system ☐ — Add Seq# _____
Overlap File (s) WUC — Notarized WUC Form ☐
Agree ☒ Yes ☐ No

7a.

9. Use of Water: Changing? ☐ Yes ☒ No
☒ Groundwater ☐ Surface Water
☒ IRR ☐ REC ☐ DEW ☐ MUN
☐ STK ☐ SED ☐ DOM ☐ CON
☐ HYD DRG ☐ WTR PWR ☐ ART RECHRG
☐ IND SIC: _____ ☐ OTHER: _____

10. Completion Date: **12/31/2017** 11. Perfection Date: **12/31/2021** 12. Exp Date: _____

13. Conservation Plan Required? ☐ Yes ☒ No Date Required: _____ Date Approved: _____ Date to Comply: _____

14. Water Level Measuring Device? ☐ Yes ☒ No Date to Comply: _____ Date WLMD Installed: _____

Date Prepared: **10/11/2016** By: **BAT**
Date Entered: 10/17/2016 By: LLM

File No. **49,123**	15. Formation Code: **200 / 330**	Drainage Basin: Republican River	County: CA	Special Use:	Stream:

16. Points of Diversion T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	17. Rate and Quantity Authorized Rate gpm	Quantity af	Additional Rate gpm	Quantity af	Overlap PD Files
√	12350	NWNWSE	31	31	21W	1	2597	2062	700	132	270	0	2875, 41787
									20127510				

18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

19. Limitation: _____ af/yr at 700 gpm (1.56 cfs) when combined with file number(s) 2875 AND 41,787

Limitation: 132 af/yr at _____ gpm (_____ cfs) when combined with file number(s 2875

20. Meter Required? ☒ Yes ☐ 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 NE ¼	NE¼ NW ¼	NE¼ SW ¼	NE¼ SE ¼	NW¼ NE ¼	NW¼ NW ¼	NW¼ SW ¼	NW¼ SE ¼	SW¼ NE ¼	SW¼ NW ¼	SW¼ SW ¼	SW¼ SE ¼	SE¼ NE ¼	SE¼ NW ¼	SE¼ SW ¼	SE¼ SE ¼	Total	Owner	Chg? NO	Overlap Files
√	~~87619~~	31	31	21W	1	3	37	37	3	30			30									140	7a	No	2875 20127510
	40708																								

Comments:

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

Kansas
Department of Agriculture
agriculture.ks.gov

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

Jackie McClaskey, Secretary

Governor Sam Brownback

October 17, 2016

PHILIP A HARDEN
602 W 5TH
ASHLAND KS 67831

FILE COPY

Appropriation of Water, File No. 49,123

Dear Mr. Harden:

There is enclosed a permit to appropriate water authorizing you to proceed with 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 these approval documents. A water meter is required on the proposed diversion works 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 originally set forth in the permit to complete diversion works or to perfect an appropriation. If 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 an 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 will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

BAT
Enclosures

pc: Stafford Field Office

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
MEMORANDUM

TO: Files **DATE:** October 11, 2016

FROM: Brent A. Turney **RE:** Application, File No. 49,123

Phillip A. Harden has filed the above referenced new application proposing to appropriate 132 acre-feet of groundwater for irrigation use at a diversion rate of 700 gallons per minute. The proposed point of diversion is an existing well located in the drainage basin of the Bluff Creek (Cimarron).

The proposed point of diversion is currently authorized under Water Right, File Nos. 2,875, for irrigation use and 41,787, for stockwatering use, and place of use with Water Right, File No. 2,875, which is authorized a total of 132 acre-feet of water at a rate of diversions not to exceed 430 gallons per minute. The proposed appropriation is only requesting additional rate of diversion and will be limited to 700 gallons per minute when combined with overlapping senior File Nos. 2,875 and 41,787. The quantity will be limited to 132 acre-feet when combined with the senior water right, File No. 2,875 for irrigation use. The requested quantity of water of 132 acre-feet applied to 140 acres is only 0.95 acre-feet per acre, which is the less than maximum allowable for Clark County, however, the applicant has been applying effluent from a nearby feedlot along with the quantity authorized by his water right.

There is one irrigation well, owned by the applicant, one stockwatering well, and two domestic wells within one-half mile of the existing point of diversion. Nearby well notification letters were sent to the owners of the stockwatering well and domestic wells. The owner of the domestic wells, Danny Rich, responded with a complaint that his rights have been and will be impaired. Mr. Rich has had an ongoing impairment complaint against the applicant and the owner of the nearby stockwatering well. However, in a statement dated November 13, 2015, Mr. Rich withdrew his impairment complaint because the owners of the stockwatering well and owner of the application completed water wells that allowed Mr. Rich to continue his domestic use of water. Because the previous impairment was for surface water and the actual surface water source is not present for much of the time, the additional rate pumped under this permit should not impair his existing domestic use of groundwater. The proposed point of diversion meets minimum well spacing to all existing wells.

Information contained in overlapping Water Right, File No. 2,875, indicates that the source of supply for the existing well appears Tertiary system and the unconfined Dakota aquifer system.

Because the application is only requesting additional rate of diversion only, it is allowed by K.A.R. 5-4-5(b)(2) and is exempt form safe yield.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which 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 through K.A.R 5-1-12. If any chemicals will be injected into the water pumped under this permit, a check valve will also be required. A water level measurement device will also be required on the diversion works.

In an email dated todays date, Jeff Lanterman, Water Commissioner of the Stafford Field Office, recommended approval of the referenced application.

The application is not subject to safe yield, the point of diversion meets minimum well spacing criteria, the application complies with safe yield criteria, and approval will not impair senior water rights, it is recommended that the referenced application be approved.

Brent A. Turney
Change Application Unit Supervisor

THE STATE OF KANSAS

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. 49,123** of the applicant

PHILLIP A HARDEN
602 W 5TH
ASHLAND KANSAS 67831

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 **August 1, 2014**.

2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

			NE¼				NW¼				SW¼				SE¼				TOTAL
Sec.	Twp.	Range	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
31	31S	21W	3	37	37	3	30			30									140

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 Northwest Quarter of the Northwest Quarter of the Southeast Quarter (NW¼ NW¼ SE¼) of Section 31, more particularly described as being near a point 2,597 feet North and 2,062 feet West of the Southeast corner of said section, in Township 31 South, Range 21 West, Clark 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 **700 gallons per minute (1.56 c.f.s.)** and to a quantity not to exceed **132 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 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.

18. This appropriation right is further limited to a rate of diversion which when combined with the Water Right, File Nos. 2,875 and 41,787, will provide a total rate of diversions not to exceed 700 gallons per minute (1.56 c.f.s.) from the point of diversion described herein.

19. This appropriation right is further limited to a quantity of water which when combined with the Water Right, File No. 2,875, will provide a total quantity of water not to exceed 132 acre-feet of water per calendar year for irrigation use on the land described herein.

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer, or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. The applicant, if aggrieved by this Order, may petition for administrative review, pursuant to K.S.A. 82a-711(c) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564-6777.

Ordered this 13th day of October, 2016, in Topeka, Shawnee County, Kansas.

DIVISION OF WATER RESOURCES
DAVID W. BARFIELD
CHIEF ENGINEER
KANSAS DEPARTMENT of AGRICULTURE

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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 13th day of October, 2016, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

STATE OF KANSAS NOTARY PUBLIC
KAREN HUNTER
My Appointment Expires
October 24, 2018

Notary Public

CERTIFICATE OF SERVICE

On this 17th day of October, 2016, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,123, dated October 13, 2016 was mailed postage prepaid, first class, US mail to the following:

PHILIP A HARDEN
602 W 5TH
ASHLAND KS 67831

With photocopies to:

Stafford Field Office

Danielle Wilson

Division of Water Resources

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

Kansas
Department of Agriculture
agriculture.ks.gov

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

Jackie McClaskey, Secretary

Governor Sam Brownback

October 12, 2016

DANNY AND KAY RICH
3572 CR M
ASHLAND KS 67831 antique

FILE COPY

RE: New Application
File No. 49,123

Dear Mr. and Mrs. Rich:

This will acknowledge receipt of your letter received in this office on July 12, 2016, in which you expressed comments concerning the application for Approval of Application and Permit to Proceed under File No. 49,123.

We understand your concerns that the well proposed by the above referenced application may impair your existing water rights. However, we have reviewed the potential impacts the proposed well may have on your existing wells and have determined that it appears there will be little chance for direct impairment. The application will only allow the well to pump an additional 270 gallons per minute from the existing well, no additional quantity of water will be authorized by the referenced application. With regards to past impairment it appears that Phillip Harden and Ashland Feeders have taken steps to satisfy and resolve the impairment to your domestic water rights. We trust that the remedy to your domestic water rights will be sufficient to prevent impairment.

Your comments have been considered, and approval of the application will authorize diversion of water only when it does not impair existing rights. Should the diversion of water under this application substantially impair your earlier rights, you should notify the field office in your area. The field office in your area is:

Division of Water Resources
300 S. Main Street
Stafford, KS 67578-1521
Telephone Number: (620) 234-5311

If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

SCANNED

BAT
pc: Stafford Field Office

Water Right CA2-5

Philip A. Harden and Ashland Feeders has made the improvements that Dan Rich has requested in the letter dated January 8, 2013 from Lane L. Frymire.

These improvements to Section 31 T31 R21 and Section 36 T31 R22 will fully satisfy and resolve impairment of my livestock water right CA2-5 caused by the pumping within their respective water allocations of Water Right 2875, Water Right 16860, and Water Right 39,368 which are the irrigation wells of Philip A. Harden and the livestock wells of Ashland Feeders, Inc. I am sending this document to withdrawing the impairment complaint(s) I have made with Kansas Division of Water Resources.

TAMMY D. VIGIL
Notary Public - State of Kansas
My Appt. Expires 1-24-17

Danny C. Rich

Tammy D Vigil

ACKNOWLEDGEMENT

STATE OF Kansas) COUNTY OF Clark)

The foregoing instrument was acknowledged before me this 13th day of November, ~~2014~~ 2015

My Commission expires: Jan 24, 2017

Turney, Brent

From: Lanterman, Jeff
Sent: Tuesday, October 11, 2016 4:07 PM
To: Turney, Brent
Cc: Conant, Cameron
Subject: RE: 49123 add rate only

Brent;

We have been over this several times and with our meeting with Lane and David regarding possible implications from the past impairment complaint I think this can be approved.

GMD 2 recommended the McPherson apps for approval with a passel of permit conditions today. I don't know how you will even write some of those conditions. My thoughts are to use the KISS method on em. We can talk about it when it is time. Kind of micromanaged.

Jeff

From: Turney, Brent
Sent: Tuesday, October 11, 2016 2:43 PM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Subject: 49123 add rate only

Jeff,
Can you review and give me a recommendation for Phillip Harden?
Thanks,
Brent

7/10/26

Brent A. Turney P.G.
Charge Appliction Unit Supervisor
Water Appropriation Program

RE: File No 49,123

Dear Mr Turney,
I had talked to your office and was told you were out of the office. They gave me an extension until July 15th. Thank you for the extension.

I am very much opposed to Phillip Harden's application to up his pumping rate to 700 gallons a minute on the wells located in 3l-31-21.

He (Harden) is claiming that he needs more pumping rate in order to pump after he puts numerous gallons of waste water on from the Ashland Feeders. He continues to over pump his rate and continues to irrigate after large rains. His running of waste water continues to drain onto our pastures and has effected the quality of our water. Thanks to Govenor Brownback and Water Resources Mr Harden has even sold water to the oil companies during our impairment. Should there not be compensation for that???

As you should very well know from all the phone conversations and letters we have written to Water Resources that I purchased my property in March of 1972. Over the years this location (of wells in question) have changed to several different landowners. I should have senior rights over Phillip Harden and the Ashland Feeders. **But I am coninually having to fight for the little water I have**. My crops have failed, my grass pastures (60 acres of very good buffalo grass) have died, numerous trees have died the creek that runs thru my property is dry. I realize drought was part of this but the fact is that they are using so much water and it is taking away and depleting the resevoir. The number of cattle has increased from 4,500 to 18,000 in Ashland Feeders. We are not aware if they are still using continuous flow waterers. We were never notified when your office increased the water rate, cause of course we would have apposed this but was never given the chance.

In 2014, Water Resources confirmed that we had a water impairment. It was agreed that Phillip Harden and Ashland Feeders would make sure we had livestock water in this area. To my knowledge Ashland Feeders is the one that paid for the well, tanks etc. If they are given more pumping rate it will continue to deplete the resevoir. So there goes our livestock water! How is this fair??? They arent concerned about our crops. Usually crops and livestock go hand in hand. Why should they contine to have good crops and not us.

WATER RESOURCES
RECEIVED

JUL 12 2016

SCANNED

KS DEPT OF AGRICULTURE

Ashland Feeders water well is approximately 200 yards from pasture fence line. Harden's 2 wells are 20 feet from my fence line.

Our land use to have beautiful trees, a running creek and lush grass for our cattle before the miss-use of water by Mr Harden and the feedlot.

What is going happen to our State if you continually give large amounts of acre-feet-of water to all those that irrigate. There are so many irrigation users and feedlots that are wasting water and it is not fair to the little people and our future generations. The whole water appropriations have been made without following your own rules. Soon we will all be on rations. Sorry to say it is all about the mighty dollar and greed.

We trust you will notify us on your decision. Let your conscience be your guide.

Sincerely,

Danny and Kay Rich
2572 CR M
Ashland, Ks 67831

WATER RESOURCES
RECEIVED

JUL 12 2016

KS DEPT OF AGRICULTURE

SCANNED

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

Kansas
Department of Agriculture
agriculture.ks.gov

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

Jackie McClaskey, Secretary

Governor Sam Brownback

FILE COPY

June 22, 2016

DANNY RICH
2572 CR M
ASHLAND KS 67831

Re: Application
File No. 49,123

Dear Mr. Rich:

This is to advise you that Phillip A. Harden has filed the application referred to above for permit to appropriate 132 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 700 gallons per minute (additional rate only) from a well or wells located as follows:

one (1) well located in the Northwest Quarter of the Northwest Quarter of the Southeast Quarter (NW¼ NW¼ SE¼) of Section 31, more particularly described as being near a point 2,597 feet North and 2,062 feet West of the Southeast corner of said section, in Township 31 South, Range 21 West, Clark County, Kansas.

Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office within 15 days from the date of this letter.

If you have any questions, please contact me at 785-564-6645. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

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

BAT
pc: Stafford Field Office

SCANNED

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 49123
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED
AUG 01 2014
3:30
KS DEPT OF AGRICULTURE

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.)

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): Philip A Harden

   Address: 602 W 5th PO Box 746

   City: Ashland State KS Zip Code 67831

   Telephone Number: (641) 777-9876

2. The source of water is: ☐ surface water in _____ (stream)

   OR ☒ groundwater in Bluff Creek (Cimarron) South-Central KS DUA - BLC38 (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 132 (0 Additional) acre-feet per calendar year,

   to be diverted at a maximum rate of 700 gallons per minute.

   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. 2 GMD 5 Meets K.A.R. 5-3-1 (YES / NO) Use IRR Source GW S County CA By AGL Date 8-1-14
Code Fee Fee $ 300 TR # Receipt Date 8-1-14 Check # 1566

DWR 1-100 (Revised 02/04/2013)

SCANNED

8/7/2014 CM

File No. _____

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 NW quarter of the NW quarter of the SE quarter of Section 31, more particularly described as being near a point 2,597 feet North and 2,062 feet West of the Southeast corner of said section, in Township 31 South, Range 21 West , Clark 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 (¼) 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 29 July, 2014. Philip A. Harden
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.

7. The proposed project for diversion of water will consist of One well & One Pump
(number of wells, pumps or dams, etc.)
and (was) completed (by) Existing Well
(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 Existing Well
(Mo/Day/Year)

WATER RESOURCES
RECEIVED
AUG 01 2014
KS DEPT OF AGRICULTURE
SCANNED

File No. _____

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 ½ 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 ½ mile, please advise us.

(c) If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ 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.

Asking for additional rate only, wants to limit to 700gpm when combined with existing rights

Will overlap Point of Diversion with Water Rights File Nos. 2,875 (Irr) & 41,787 (Stockwatering, Standby well)

Will overlap Place of Use with Water Right File No. 2,875

20127510 - MFA(2,875)

WATER RESOURCES
RECEIVED

AUG 01 2014

KS DEPT OF AGRICULTURE

SCANNED

File No. _____

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	1971			
Total depth of well	107'			
Depth to water bearing formation				
Depth to static water level	35'			
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 owner.
(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):

_____
(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 Ashland, Kansas, this 29 day of July (month), 2014 (year).

Phillip A. Harden
(Applicant Signature)

513-50-4112
APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By _____
(Agent or Officer Signature)

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

_____
(Agent or Officer - Please Print)

Assisted by Matt Meier Environmental Scientist (office/title) Date: 6/5/14

WATER RESOURCES
RECEIVED

SCANNED AUG 01 2014

KS DEPT OF AGRICULTURE

IRRIGATION USE
SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): Philip A ~~Harding~~ Harden

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: PhilipA ~~Harding~~ Harden

ADDRESS: 602 W 5th PO Box 746 Ashland, KS 67831

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
31	31	21	3	37	37	3	30			30									140

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

WATER RESOURCES
RECEIVED

AUG 01 2014

SCANNED

KS DEPT OF AGRICULTURE

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

   a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
Carey silt loam	40%	1"/hr	
Harney silt loam	22%	0.3"/hr	
Roxbury silt loam	21%	0.5"/hr	
Pratt loamy fine sand	12%	2"/hr	
Lincoln loamy sand	4%	2"/hr	
Total:	100 %		

   b. Estimate the average land slope in the field(s): 1.3 %

      Estimate the maximum land slope in the field(s): 4 %

   c. Type of irrigation system you propose to use (check one):

      X Center pivot ____ Center pivot - LEPA ____ "Big gun" sprinkler

      ____ Gravity system (furrows) ____ Gravity system (borders) ____ Sideroll sprinkler

      Other, please describe: _____

   d. System design features:

      i. Describe how you will control tailwater: Sloped areas are terraced

      ii. For sprinkler systems:

         (1) Estimate the operating pressure at the distribution system: 15 psi

         (2) What is the sprinkler package design rate? 700 gpm

         (3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? 25 feet

         (4) Please include a copy of the sprinkler package design information.

   e. Crop(s) you intend to irrigate. Please note any planned crop rotations:
      Alfalfa - rotate to wheat when stand thins out
      Wheat
      sorghum

   f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).
      I have a soil moisture sensor probe

You may attach any additional information you believe will assist in informing the Division of the need for your request.

WATER RESOURCES
RECEIVED
AUG 01 2014
KS DEPT OF AGRICULTURE
SCANNED

Nearby Well Owners

2875
Owned by Applicant

8294 01 DOM
DANNY C RICH
2572 CRM
ASHLAND KS 67831

16860

Owned by Applicant

39368

PRATT FEEDERS INC (CLARK CO)
D/B/A ASHLAND FEEDERS
2590 CR L
ASHLAND KS 67831

41787

PRATT FEEDERS INC (CLARK CO)
D/B/A ASHLAND FEEDERS
2590 CR L
ASHLAND KS 67831

CA 1 5 DOM

DANNY C RICH
2572 CRM
ASHLAND KS 67831

Please list any additional Domestic Well Owners names and addresses below that are located within ½ of Proposed Point of Diversion and mark approximate locations on Map.

WATER RESOURCES
RECEIVED
AUG 0 1 2014
KS DEPT OF AGRICULTURE
SCANNED

Soils Inventory Report

PHILIP A HARDEN

Map Unit Symbol	Map Unit Name	Intake Group (rate)	Acres	Percent
2234	Roxbury silt loam, channeled	5 (0.5"/hr)	27.5	21%
2612	Harney silt loam, 0 to 1 percent slopes	3(0.3"/hr)	29.5	22%
5411	Carey silt loam, 0 to 1 percent slopes	7 (1.0"/hr)	40	30%
5412	Carey silt loam, 1 to 3 percent slopes	7 (1.0"/hr)	9.8	7%
5413	Carey silt loam, 3 to 6 percent slopes	7 (1.0"/hr)	4	3%
5928	Pratt loamy fine sand, 1 to 5 percent slopes	11 (2.0"/hr)	16.4	12%
6057	Lincoln loamy sand, occasionally flooded	11 (2.0"/hr)	5	4%
	Total:		132.2	100%

WATER RESOURCES
RECEIVED
AUG 01 2014
KS DEPT OF AGRICULTURE
SCANNED

Figure 2 – Theis analysis showing drawdown of 2 feet at the nearest water hole of Dan Rich after pumping 132 acre-feet from well File No. 2,875 at 430 gallons per minute.

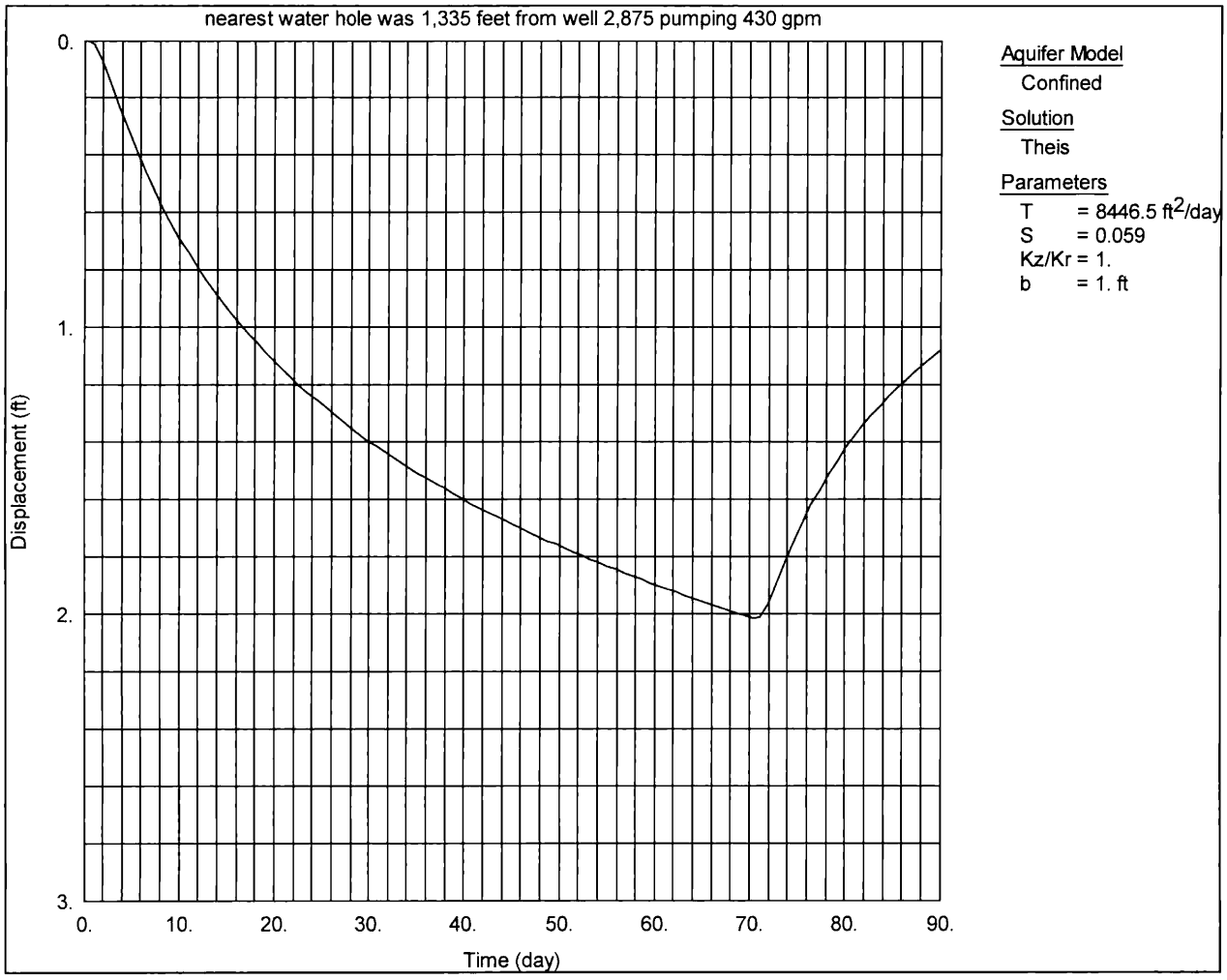
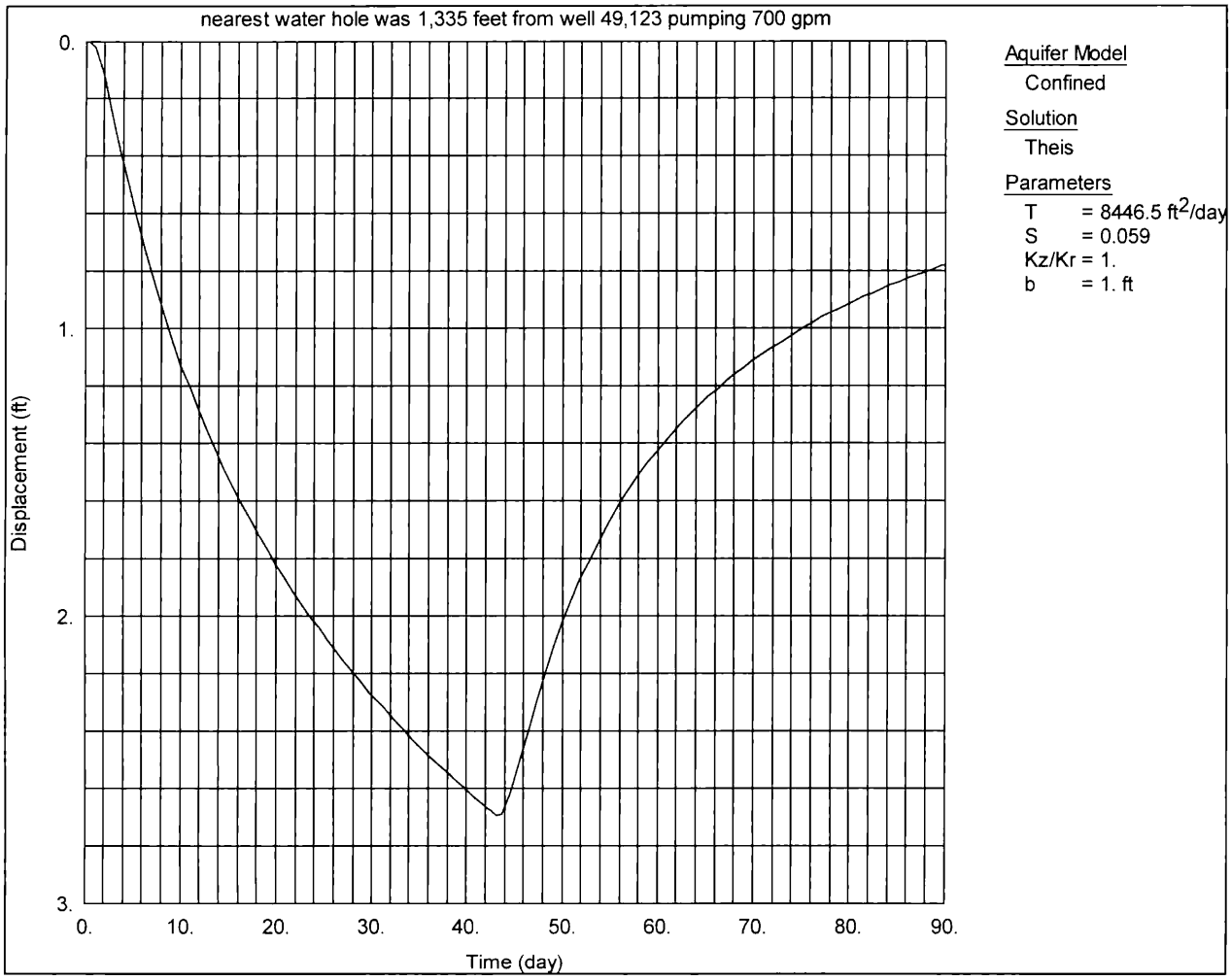


Figure 3 – Theis analysis showing drawdown of about 2.7 feet at the nearest water hole of Dan Rich after pumping 132 acre-feet from well File No. 49,123 at 700 gallons per minute.



Ground Water Associates, Inc.

109 W. 1st Ave., P.O. Box 792, Goddard, Ks 67052-0792 • 316-262-3322

January 6, 2016

WATER RESOURCES
RECEIVED
JAN 11 2016
KS DEPT OF AGRICULTURE

Kenneth A. Kopp P.G., New Application Unit Supervisor
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502-5000

Subject: Philip A. Harden WR ~~48,644~~ 49123 Application

Dear Ken,

This letter is written to transmit additional information concerning the request for an increased pumping rate on the application currently pending, file number 48644. Charts of drawdown projections were provided with our April 25, 2014 and October 2, 2015 reports. We can provide these copies if needed.

Ground Water Associates has run drawdown projections using Theis Prediction Solution, Aquifer Test Pro 3.5, Waterloo Hydrogeologic. We used the average transmissivity of 63,180 g/d/ft (8,459 ft^2/day) and storitivity of 0.0590 from page 22 of 41, Division of Water Resources report "Vested Water Right No. CA 2-5, 26 April 2012."

Projections were run at pumping rates of 430 gpm for 70 days (100,800 minutes) and 700 gpm for 43 days (61,920 minutes), both pumping a total 43,344,000 gallons or approximately 132 acre feet. Distances to both water holes and Bluff Creek were determined using GPS readings. Distance to wells CA 1 and 8294 from the Philip Harden irrigation well were determined using Matt Meier's topographic map supplied to Mr. Harden by the Division of Water Resources (DWR) Stafford field office.

725 feet – distance to Bluff Creek from Philip Harden irrigation well

1700 feet - " " well CA 1 " " "

2000 feet - " " well 8294 " " "

3360 feet - " " closest water hole to Philip Harden irrigation well

4087 feet - " " furthest west water hole from Philip Harden irrigation Well

Drawdown projections do not include any recharge from rain fall.

KAK/DWR

SCANNED

Distance from pumping well	Drawdown pumping 430 gpm for 70 days	Drawdown pumping 700 gpm for 43 days
725 feet	2.9392 feet	4.1767 feet
1700	1.6692	2.2952
2000	1.3938	1.6692
3360	0.7431	0.7788
4087	0.5265	0.4946

Geology

There is no Geology and Ground-Water Resources Bulletin for Clark County. Two WWC5 records for wells drilled for Dan Rich show a drastic difference in shale depth plus sand and gravel between the east and west 5" wells. The west WWC5 (8294?) has sand and gravel from 6 - 14' and 34' – 42' with red clay/shale at 42' or 1958' of elevation. The east WWC5 (CA-1?) shows sand and gravel from 22' - 90' and 98' - 148' with red clay/shale at 1857' elevation. The west well site had 31' of water in 2000 and the east well site 108' in 2015. In just over 0.50 mile east to west there is 100' more sand/gravel. We suggest the upper sand is recent alluvium associated with Bluff Creek and the lower sand and gravel is Ogallala formation. However, both might be Ogallala formation.

Conclusion

Increasing the pumping rate from 430 gpm to 700 gpm will not adversely affect the water holes located west of the Harden irrigation well. Our projections show slightly more drawdown at the closest water hole (less than ½ inch) and slightly less drawdown (less than ½ inch) at the furthest water hole.

The topographic map included with this report indicates that Bluff Creek is an intermittent flowing stream. Near the Harden irrigation well Bluff Creek may be affected by the increased pumping rate but precipitation will have a greater influence. The west Dan Rich WWC5 drill log does show tan clay from 0 - 6' and gray clay from 14' to 34' which could be a barrier reducing the pumping influence on the creek. The east Dan Rich WWC5 shows tan clay down to 22'.

Neither 5" well, CA1 or 8294 will be significantly affected do to the increased pumping rate. Increased drawdown of 3.3 inches at the 8294 well and 7.5 inches at well CA1 will not affect the wells given the saturated thickness of between 31' and 108' of water at the well sites.

WATER RESOURCES
RECEIVED

JAN 11 2016

KS DEPT OF AGRICULTURE

SCANNED

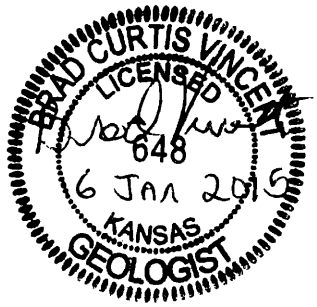
Please advise us if more information is needed for your processing of the application.

Best regards,

Brad Vincent

Brad C. Vincent, P.G.
Ground Water Associates

pc: Philip A. Harden



WATER RESOURCES
RECEIVED

JAN 11 2016

KS DEPT OF AGRICULTURE

SCANNED

West Well 8294 ?

KGS Hydrology | Water Well Database Query

Scan of WWC5 Form

Ground Elevation 2000'

WATER WELL RECORD Form WWC-5 KSA 82a-1212

1 LOCATION OF WATER WELL: County: Clark | Fraction: SE ¼ NW ¼ SW ¼ | Section Number: 31 | Township Number: T 31 S | Range Number: R 21 E/W

Distance and direction from nearest town or city street address of well if located within city? 8 miles North of Sitka

2 WATER WELL OWNER: Danny Rich

RR#, St. Address, Box # : HC1

City, State, ZIP Code : Ashland Kansas 67831

Board of Agriculture, Division of Water Resources Application Number:

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX: N / NW / NE / W / E / SW / SE / S — 1 Mile

4 DEPTH OF COMPLETED WELL 44 ft. ELEVATION:

Depth(s) Groundwater Encountered 1. ft. 2. ft. 3. ft

WELL'S STATIC WATER LEVEL 11 ft. below land surface measured on mo/day/yr 7-18-2000

Pump test data: Well water was ft. after hours pumping gpm

Est. Yield gpm Well water was ft. after hours pumping gpm

Bore Hole Diameter 6 7/8 in. to 44 ft., and in to ft.

WELL WATER TO BE USED AS: 1 Domestic 2 Irrigation 3 Feedlot 4 Industrial 5 Public water supply 6 Oil field water supply 7 Lawn and garden only 8 Air conditioning 9 Dewatering 10 Monitoring well 11 Injection well 12 Other (Specify below)

Was a chemical/bacteriological sample submitted to Department? Yes No X ; If yes, mo/day/yr sample was submitted

Water Well Disinfected? Yes X No

5 TYPE OF BLANK CASING USED: 1 Steel 2 PVC 3 RMP (SR) 4 ABS 5 Wrought iron 6 Asbestos-Cement 7 Fiberglass 8 Concrete tile 9 Other (specify below)

CASING JOINTS: Glued X Clamped Welded Threaded

Blank casing diameter 5 in. to 34 ft., Dia in. to ft., Dia in. to ft.

Casing height above land surface 12 in., weight lbs./ft. Wall thickness or gauge No. SDR-26

TYPE OF SCREEN OR PERFORATION MATERIAL: 7 PVC

1 Steel 2 Brass 3 Stainless steel 4 Galvanized steel 5 Fiberglass 6 Concrete tile 8 RMP (SR) 9 ABS 10 Asbestos-cement 11 Other (specify) 12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE: 6 Saw cut

1 Continuous slot 2 Louvered shutter 3 Mill slot 4 Key punched 5 Gauzed wrapped 6 Wire wrapped 7 Torch cut 8 Saw cut 9 Drilled holes 10 Other (specify) 11 None (open hole)

SCREEN-PERFORATED INTERVALS: From 34 ft. to 44 ft., From ft. to ft.

From ft. to ft., From ft. to ft.

GRAVEL PACK INTERVALS: From 25 ft. to 44 ft., From ft. to ft.

From ft. to ft., From ft. to ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other

Grout Intervals: From 3 ft. to 25 ft., From ft. to ft., From ft. to ft.

What is the nearest source of possible contamination:

1 Septic tank 2 Sewer lines 3 Watertight sewer lines 4 Lateral lines 5 Cess pool 6 Seepage pit 7 Pit privy 8 Sewage lagoon 9 Feedyard 10 Livestock pens 11 Fuel storage 12 Fertilizer storage 13 Insecticide storage 14 Abandoned water well 15 Oil well/Gas well 16 Other (specify below)

Direction from well? North How many feet? 60

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	6	Top Clay			
6	14	Sand & Gravel			
14	34	Gray Clay			
34	42	Sand & Gravel			
42	44	Red Clay SHALE FORMATION		1958	

WATER RESOURCES RECEIVED JAN 11 2016 KS DEPT OF AGRICULTURE

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 7-18-2000 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 653 This Water Well Record was completed on (mo/day/yr) 8-7-2000 under the business name of Dan Hayse Water Well Service by (signature) Dan Hayse

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Topeka, Kansas 66620-0001 Telephone: 913-296-5545. Send one to WATER WELL OWNER and retain one for your records

31' OF Water (SATURATED THICKNESS)

SCANNED

EAST WELL CAI ?

WATER WELL RECORD Form WWC-5

1240936

Division of Water Resources App. No. _____ Well ID _____

☑ Original Record ☐ Correction ☐ Change in Well Use

1 LOCATION OF WATER WELL: County: Clark	Fraction: SE¼ NE¼ NE¼ SE¼	Section Number: 31	Township Number: T 31 S	Range Number: R 21 ☐ E ☑ W

2 WELL OWNER: Last Name: Rich First: Dan
Business:
Address: 2572 CR M
Address:
City: Ashland State: KS ZIP: 67831

Street or Rural Address where well is located (if unknown, distance and direction from nearest town or intersection): If at owner's address, check here: ☐
At intersection of HWY 34 and CO Rd M well is South-East of the scale.

3 LOCATE WELL WITH "X" IN SECTION BOX:
N / W / E / S; NW, NE, SW, SE; X in SE
|---------1 mile---------|

4 DEPTH OF COMPLETED WELL: 148 ft.
Depth(s) Groundwater Encountered: 1) 40 ft. 2) ..... ft. 3) ..... ft., or 4) ☐ Dry Well
WELL'S STATIC WATER LEVEL: 40 ft.
☑ below land surface, measured on (mo-day-yr) 01/29/2015
☐ above land surface, measured on (mo-day-yr).....
Pump test data: Well water was ..... ft. after..... hours pumping ..... gpm
Well water was ..... ft. after..... hours pumping ..... gpm
Estimated Yield: 50 gpm
Bore Hole Diameter: 8.75 in. to 148 ft. and ..... in. to ..... ft.

5 Latitude: 37.299025 (decimal degrees)
Longitude: 99.635957 (decimal degrees)
Datum: ☑ WGS 84 ☐ NAD 83 ☐ NAD 27
Source for Latitude/Longitude:
☑ GPS (unit make/model: Google Earth)
(WAAS enabled? ☐ Yes ☐ No)
☐ Land Survey ☐ Topographic Map
☐ Online Mapper: .....

6 Elevation: 2004 ft. ☑ Ground Level ☐ TOC
Source: ☐ Land Survey ☐ GPS ☐ Topographic Map ☑ Other KOLAR

7 WELL WATER TO BE USED AS:
1. Domestic: ☐ Household ☐ Lawn & Garden ☑ Livestock
2. ☐ Irrigation
3. ☐ Feedlot
4. ☐ Industrial
5. ☐ Public Water Supply: well ID .....
6. ☐ Dewatering: how many wells? .....
7. ☐ Aquifer Recharge: well ID .....
8. ☐ Monitoring: well ID .....
9. Environmental Remediation: well ID ..... ☐ Air Sparge ☐ Soil Vapor Extraction ☐ Recovery ☐ Injection
10. ☐ Oil Field Water Supply: lease .....
11. Test Hole: well ID ..... ☐ Cased ☐ Uncased ☐ Geotechnical
12. Geothermal: how many bores? ..... a) Closed Loop ☐ Horizontal ☐ Vertical b) Open Loop ☐ Surface Discharge ☐ Inj. of Water
13. ☐ Other (specify): .....

Was a chemical/bacteriological sample submitted to KDHE? ☐ Yes ☑ No If yes, date sample was submitted: .....
Water well disinfected? ☑ Yes ☐ No

8 TYPE OF CASING USED: ☐ Steel ☑ PVC ☐ Other ..... CASING JOINTS: ☑ Glued ☐ Clamped ☐ Welded ☐ Threaded
Casing diameter 5 in. to 108 ft., Diameter ..... in. to ..... ft., Diameter ..... in. to ..... ft.
Casing height above land surface 18 in. Weight ..... lbs./ft. Wall thickness or gauge No. 200#

TYPE OF SCREEN OR PERFORATION MATERIAL:
☐ Steel ☐ Stainless Steel ☐ Fiberglass ☑ PVC ☐ Other (Specify) .....
☐ Brass ☐ Galvanized Steel ☐ Concrete tile ☐ None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:
☐ Continuous Slot ☑ Mill Slot ☐ Gauze Wrapped ☐ Torch Cut ☐ Drilled Holes ☐ Other (Specify) .....
☐ Louvered Shutter ☐ Key Punched ☐ Wire Wrapped ☐ Saw Cut ☐ None (Open Hole)

SCREEN-PERFORATED INTERVALS: From 108 ft. to 148 ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.
GRAVEL PACK INTERVALS: From 24 ft. to 148 ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.

9 GROUT MATERIAL: ☐ Neat cement ☐ Cement grout ☑ Bentonite ☐ Other .....
Grout Intervals: From 2 ft. to 24 ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.

Nearest source of possible contamination:
☐ Septic Tank ☐ Lateral Lines ☐ Pit Privy ☐ Livestock Pens ☐ Insecticide Storage
☐ Sewer Lines ☐ Cess Pool ☐ Sewage Lagoon ☐ Fuel Storage ☑ Abandoned Water Well
☐ Watertight Sewer Lines ☐ Seepage Pit ☐ Feedyard ☐ Fertilizer Storage ☐ Oil Well/Gas Well
☐ Other (Specify) .....
Direction from well? South Distance from well? 10 ft.

10 FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	22	Tan clay			
22	90	sand and gravel			WATER RESOURCES
90	98	blue clay			RECEIVED
98	148	sand and gravel			
148	149	red clay 5 HOLE ELEVATION	1857'		JAN 11 2016
					Notes: KS DEPT OF AGRICULTURE

11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was ☑ constructed, ☐ reconstructed, or ☐ plugged under my jurisdiction and was completed on (mo-day-year) 2/2/2015 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 101 This Water Well Record was completed on (mo-day-year) 2/5/2015 under the business name of Bartel Well Drilling, Inc.

Send one copy to WATER WELL OWNER and retain one for your records. Fee of $5.00 for each constructed well.
KS Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-3565.
Visit us at http://www.kdheks.gov/waterwell/index.html KSA 82a-1212

108' OF WATER GROUND ELEVATION 2005' EST.

SCANNED

Kansas
Department of Agriculture

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

FILE COPY

June 22, 2016

ASHLAND FEEDERS
2590 CR L
ASHLAND KS 67831

Re: Application
File No. 49,123

Dear Sir or Madam:

This is to advise you that Phillip A. Harden has filed the application referred to above for permit to appropriate 132 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 700 gallons per minute (additional rate only) from a well or wells located as follows:

one (1) well located in the Northwest Quarter of the Northwest Quarter of the Southeast Quarter (NW¼ NW¼ SE¼) of Section 31, more particularly described as being near a point 2,597 feet North and 2,062 feet West of the Southeast corner of said section, in Township 31 South, Range 21 West, Clark County, Kansas.

Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office within 15 days from the date of this letter.

If you have any questions, please contact me at 785-564-6645. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

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

BAT
pc: Stafford Field Office

SCANNED

Kopp, Kenneth

From: Lanterman, Jeff
Sent: Thursday, January 14, 2016 4:54 PM
To: Kopp, Kenneth; Letourneau, Lane; Conant, Cameron
Subject: RE: Phil Harden (49123)

I wonder if we would consider approving this if Phil could get a letter of consent from Dan Rich?

I don't know any other way. I think I would like some assurances from Dan that if he allowed this application he wouldn't request to secure water or claim impairment again. I would think Phil would want those kind of assurances. I guess they have drilled some wells for Dan and equipped them. I don't know who did it or paid for it but I think it was the feedlot.

Otherwise I think we should go ahead and deny it since we have already found impairment here and this appears to make it worse. If we deny it I am sure that there will be a hearing and we need to be able to defend the science we did in the impairment.

From: Munson, John
Sent: Thursday, January 14, 2016 4:23 PM
To: Kopp, Kenneth; Lanterman, Jeff; Letourneau, Lane; Conant, Cameron
Cc: Beightel, Chris
Subject: RE: Phil Harden (49123)

Ken,

Thanks for letting me review the Brad Vincent letter and analysis.

I attached a memo regarding my review to this email. Please let me know if you would like me to do anything else.

If the memo needs to be printed out I will be glad to sign it.

John

From: Kopp, Kenneth
Sent: Thursday, January 14, 2016 10:53 AM
To: Lanterman, Jeff; Letourneau, Lane; Conant, Cameron
Cc: Beightel, Chris; Munson, John
Subject: RE: Phil Harden (49123)

On Jan. 6, we received information from Phil Harden and Groundwater Associates, regarding Harden's pending new application for additional rate only from his existing irrigation well, currently authorized by File Nos. 2875 and 41787. As you may recall, Harden's justification for approval is that pumping his irrigation well at a higher rate would actually cause less impact to Dan Rich, since water would be pumped for a shorter duration. I've given a copy of the letter and supporting documents to John Munson for review, but it does not appear to substantiate that claim. In fact, GWA's information shows it would (logically) have slightly more drawdown at Dan Rich's nearest domestic sites.

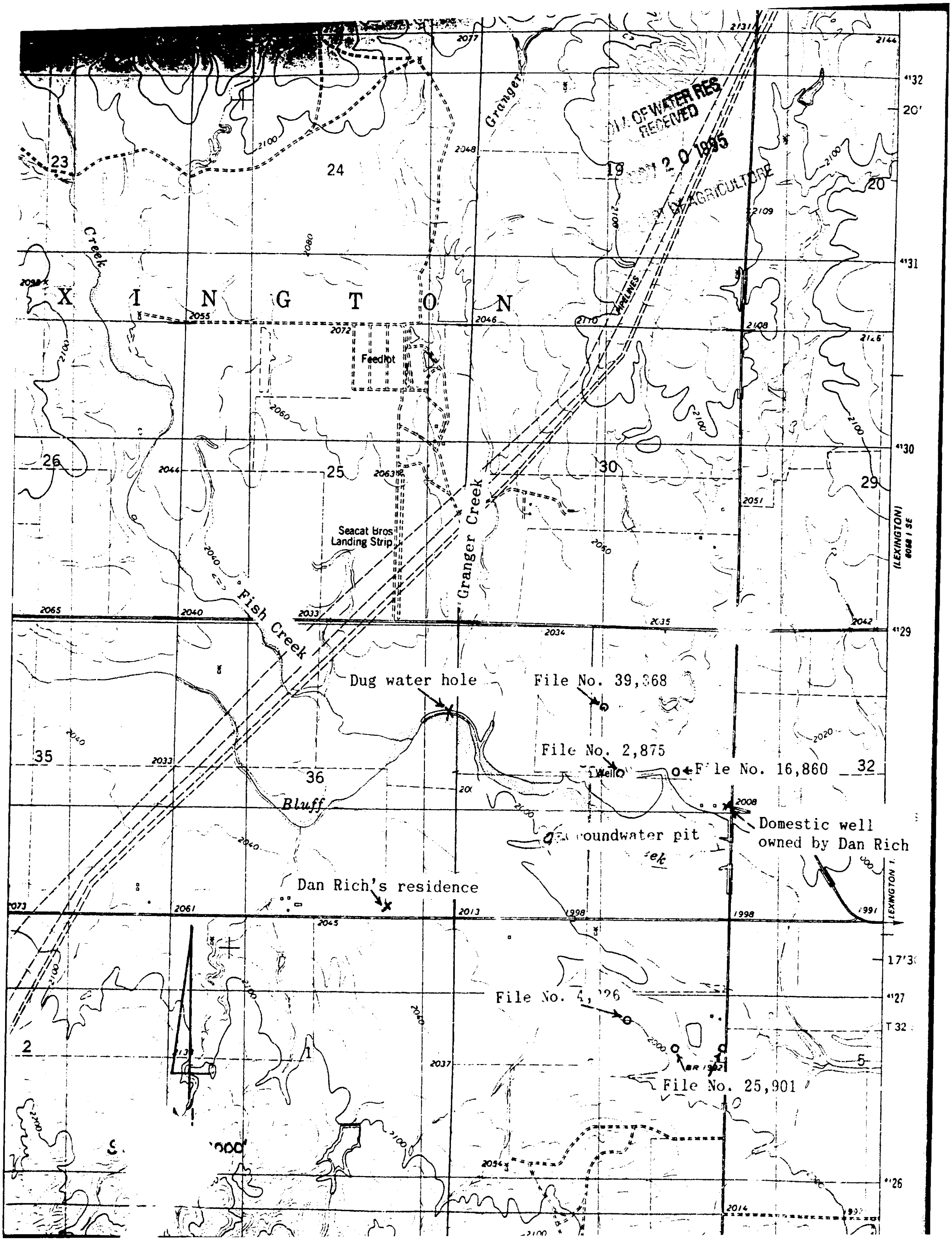
I am not sure about the status of Rich's impairment complaint. Harden claims that Rich has agreed to drop his impairment claim if the feedlot drilled new wells for him. It is my understanding that while new wells have been drilled for Rich, the complaint has not been withdrawn. I don't think it should be a factor in our decision.

Ken

From: Kopp, Kenneth
Sent: Friday, August 14, 2015 2:58 PM
To: Lanterman, Jeff
Cc: Conant, Cameron; Letourneau, Lane; Munson, John
Subject: RE: Phil Harden (49123 app)

Brad Vincent called to ask about what we wanted for Harden's application. I told Brad that we would need additional information to substantiate Harden's claim that increased rate and shorter duration pumping would have less or no impact on the sites Dan Rich uses for domestic purposes. The information Harden has submitted shows what impact would happen on the sites in Section 36, but doesn't mention anything about the closer sites in Section 35.

Ken


Dug water hole
File No. 39,?68
File No. 2,875
File No. 16,860
Domestic well
owned by Dan Rich
roundwater pit
Dan Rich's residence
File No. 4,?26
File No. 25,901
Granger Creek
Fish Creek
Creek
Feedlot
Seacat Bros
Landing Strip
Bluff
PIPELINES
Well
X I N G T O N
(LEXINGTON)
RECEIVED
1995

KANSAS STATE BOARD OF AGRICULTURE
Division of Water Resources

INITIAL REVIEW

TO: FILES

DATE: 7-26-95

FROM: Mark D. Jennings, HYDROLOGIST

RE: FILE NO. 41787

APPLICANT Pratt Feeders (dba Ashland Feeders)

WUC

USE Stockwatering

COUNTY Clark FO 2 ~~GMD~~

~~SURFACE WATER~~/GROUNDWATER (circled)

TEST LOG - YES (NO) M.D.S. BASIN - YES (NO)

~~STREAM~~/DRAINAGE BASIN Bluff Crk (Cimarron)

SOURCE OF SUPPLY Alluvium/Terrace

REASONABLE R&Q 1.35 4.14 AF million gal/yr @ 1200 GPM = Reasonable? (Basically a back up well to 39368)

PLACE OF USE Stock watering; Feedlots N 1/2 N 1/2 + E 1/2 E 1/2

Sec 25, T31S, R22W

POINT OF DIVERSION Irrig. well

OVERLAPS P/D 39367 P/D 2875

STUDY AREA

CLOSED AREA YES (NO)

CONSERVATION PLAN N/A

APP. & MAP AGREE NO

PROPER FORM NO

CHEMIGATION NO

LETTERS SENT Ack/INFO 8-1-95

TRANSMISSIVITY:

COMPUTER REPORTS AND WELL MAPS CHECKED? YES NO

SAFE YIELD Existing approp. in Bluff Crk Alluvium = 1436 AF/yr

COMMENTS Need to cut to one P/D

- Footages on either P/D don't match map. Should match 2875

- Limit Q to 39368?

- Any other wells in 1/2 mile - need statement

- Backup well should be in permit??

- Safe yield? Need 15 AF exempt?

DWR 1-100.15 (Revised 09/91)

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 to 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.

xxxxxxx12xxx [redacted]

13. That an acceptable water flow meter shall be installed on the diversion works authorized by this permit in accordance with specifications adopted by the Chief Engineer on February 27, 1985, shall be maintained in an operating condition satisfactory to the Chief Engineer, and shall be used to provide information required on the annual water use report (including the meter reading at the beginning and ending 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.

xxxxxxx18xxx [redacted]

19. That 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 to be perfected, and such changes in other terms, conditions, and limitations set forth in this approval and permit to proceed as may be deemed to be in the public interest.

20. That the appropriation sought shall not be in addition to any quantity of water appropriated under Appropriation of Water, File No. 39,368. The appropriation sought shall be relied upon for standby purposes only, for periods of time when water cannot be obtained from the well under Appropriation of Water, File No. 39,368.

21. That the quantity of water and rate of diversion approved under this permit is further limited to the quantity and rate which combined with Appropriation of Water, File No. 39,368, will provide a total not to exceed 72.66 million gallons (223 acre-feet) of water per calendar year to be diverted at a maximum diversion rate not in excess of 1,200 gallons per minute (2.67 c.f.s.) for stockwatering use.

Dated this 28th day of September, 1995

David L. Pope, Chief Engineer, P.E.
Division of Water Resources
Kansas State Board of Agriculture

DIV. OF WATER RES
RECEIVED
NOV 2 0 1995
KS DEPT OF AGRICULTURE

DIVISION OF WATER RESOURCES
Stafford Field Office

MEMORANDUM

TO: The Files

DATE: May 5, 1995

FROM: Patrick H. Dic[illegible]

RE: Complaint Investigation
Dan Rich

On April 5th, 1995 a letter was received from Dan Rich of Route 1, Box 128, Ashland, Kansas. In his letter Mr. Rich was concerned with the lowering of the water table in Clark County.

On April 6th, 1992 a similar visit was made to Mr. Rich on his concerns of water level declines and water usage from nearby water right holders.

On May 2, 1995, Mr. Rich was contacted about his concerns of groundwater declines in the alluvial valley of Bluff Creek. Also, Cory Filson, a neighbor of Mr. Rich was present during the investigation.

The groundwater pit located approximately 1,420' North and 3,400' West of he Southeast corner of Section 31, Township 31 South, Range 21 West, Clark County, Kansas was viewed. The staff gage Mr. Rich had installed showed the depth of the pit to be 6'11". Information in the Stafford Field Office reports the gage reading on August 8, 1994 at 8.5'deep. The gage reading during the April 6th, 1992 visit was 6'9' deep.

Bluff Creek north of Mr. Rich's groundwater pit had a small flow into a hole in the creek bed. There was no water flowing out of the hole.

Upstream, to the west, Mr. Rich had dug another hole so that his cattle can obtain water to drink. Further upstream to this hole, Fish Creek joins Bluff Creek. Fish Creek had approximately 1.5 c.f.s. (not measured) flowing in it. This was probably due to runoff from recent rainfall. At the west property line of Mr. Rich, located near the center of the east half of Section 36 Township 31 South, Range 22 West, Clark County, Kansas, there was very little flow approximately less than 0.1 c.f.s.(not measured) in Bluff Creek.

During conversation with Mr. Rich and Mr. Filson, there was concern of the location of the sewage lagoons and burial of dead animals and veterinary medicines and supplies on Ashland Feeders. This was raised because the of the drainage into Fish Creek and Granger Creek which join Bluff Creek on Mr. Rich's property.

Water levels were measured in the following wells:

	D/W@LSD	1992MEAS.	CHANGE
Rich's Domestic well	25.48	26.99	1.51
File No. 2,875	43.95	44.12	0.17
File No. 16,860	37.13	38.61	1.48

There was no flow in Granger Creek at the South side of Section 30, Township 31 South, Range 21 West, Clark County Kansas.

There was approximately 1.5 c.f.s. (not measured) flowing under the bridge on Fish Creek in the Southwest Quarter of Section 25, Township 31 South, Range 21 West, Clark County, Kansas.

Approximately 0.10 c.f.s. (not measured) was flowing under the bridge located along the south side of Section 26, Township 31 South, Range 22 West, Clark County, Kansas.

The well covered by File Number 39,368 operated by Ashland Feeders was checked. The well was pumping, so no water level measurement was obtained. It was noted that the water flow meter appears to have been replaced. The serial number of the current flow meter is 95-735-4. On August 8, 1994 the meter installed was a McCrometer flow meter with serial number of 89-6-50007N. On May 8, 1995, David Freelove of Ashland feeders called the Stafford Field Office and reported that the flowmeter was replaced. Also, he felt the old meter was over registering since it was installed.

The two east wells, owned by Mr. Filson, covered by File Number 25,901 were measured. The well located in the Southwest quarter of the Southeast quarter of the Northeast quarter of Section 6, Township 32 South, Range 21 West, Clark County, Kansas was measured at 14.89' below land surface. And the well located in the Southeast of the Southeast of the Northeast quarter of Section 6, Township 32 South, Range 21 west, Clark County Kansas was measured at 11.97' below land surface. This well was measured 11.96' below land surface on April 6, 1992. at this time the irrigation well covered by File Nos. 4,826 and 25,901 was pumping. Mr. Filson reported that this well has been pumping for approximately 60 hours.

Mr. Rich's domestic well located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 36, township 31 South range 22 West, Clark County, Kansas, was measured at 28.47' below land surface. This compares to 28.03' below land surface when measured on April 6, 1992. Mr. Rich reported that this well had been measured two weeks prior to my arrival at 30'3" to water.

Precipitation information from the Kansas State University, Weather Data Library was reviewed for the year 1984 through 1994. The normal average rainfall for the area, based on precipitation data from 1951 through 1980 is 21.55".

During the last ten years, six years had above average precipitation. The four years with below average precipitation were:

1988 17.53"
1990 19.32"
1991 13.94"
1994 17.51"

Water usage data from the Division of Water Resources was reviewed. Special attention was given to the area water appropriations' usage.

ACRE-FEET REPORTED PUMPED, FROM W.U.R. FILE NOS.

YEAR	PRECIPITATION	2,875	16,860	39,368	4,826	25,901	TOTAL DIVERTED FROM AREA
1984	21.85	924.0	89.0	65.9	172.6	57.5	1309
1985	24.95	*	*	*	51.5	36.8	88.3
1986	23.98	*	*	*	*	*	0
1987	26.60	0.0	0.0	0.0	*	*	0
1988	17.53	55.4	290.3	0.0	0.0	CRP	345.7
1989	27.72	37.5	195.7	0.0	30.1	CRP	263.3
1990	19.32	39.3	205.2	43.5	41.7	CRP	329.7
1991	13.94	251.2	74.2	180.7	265.7	CRP	771.8
1992	25.37	77.3	20.9	266.6	21.5	CRP	386.3
1993	23.15	149.6	24.3	315.0	35.5	CRP	524.6
1994	17.51	132.0	52.8	298.8	189.1	CRP	672.7
1995							0

* NO REPORT RECIEVED

Ashland Feeders went into business in late 1990. Mr. Rich said he had done work for the feedyard and has assisted with the piumbing of waterers and building of sewage ponds. Water level data showed the water levels were higher in 1995 than 1992.

pc: KDHE

Report Date Thursday, August 13 2015

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49123 00

##########

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49123 00 IRR

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

2597 Feet North and 2062 Feet West of the Southeast Corner of Section 31 T 31S R 21W

Both SURFACE WATER and GROUNDWATER

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 2875	00 IRR	NK	G	0	--	NW	NW	SE	2597	2062	31	31	21W	1		132.00	132.00	AF
A__ 4826	00 IRR	NK	G	4551	--	NC	SW	NE	3308	1972	6	32	21W	1		175.00	175.00	AF
A__ 8294	01 DOM	NK	G	1769	--	SW	NE	SW	1420	3400	31	31	21W	8		3.75	3.75	AF
A__ 16860	00 IRR	NK	G	1072	--	NW	NE	SE	2450	1000	31	31	21W	2		81.00	81.00	AF
A__ 24775	00 IRR	NK	G	9541	--	SE	NE	SE	1630	90	5	32	21W	1		428.00	428.00	AF
Same				7653	--	NE	NW	SE	2458	1892	5	32	21W	3		231.00	231.00	AF
A__ 25901	00 IRR	NK	G	4551	--	NC	SW	NE	3308	1972	6	32	21W	1		115.00	.00	AF
A__ 30739	00 IRR	NK	G	8095	--	NW	NE	SE	2440	1302	5	32	21W	7		127.00	74.00	AF
A__ 39367	00 STK	NK	G	10358	--	--	NW	SW	2200	4380	19	31	21W	1		28.00	28.00	AF
A__ 39368	00 STK	NK	G	1378	NC	W2	W2	NE	3954	2301	31	31	21W	3		210.99	210.99	AF
A__ 41787	00 STK	NK	G	0	--	NW	NW	SE	2597	2062	31	31	21W	1		4.14	.00	AF
A__ 49123	00 IRR	AY	G	0	--	NW	NW	SE	2597	2062	31	31	21W	1		132.00	.00	AF
T__20127510	MF IRR	GY	G	0	--	NW	NW	SE	2597	2062	31	31	21W	1		660.00	.00	AF
VCA 1	5 DOM	AA	G	1982	--	NE	NE	SE	2000	180	31	31	21W	7		.43	.43	AF
VCA 2	5 DOM	AA	S	4852	--	NE	NW	SE	2640	1840	36	31	22W	2		1.28	.00	AF
VCA 3	5 DOM	AA	G	4878	--	SW	SE	SE	200	1200	36	31	22W	1		5.56	5.56	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.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) =	1363.74	.00
Total Vested Amount (AF) =	5.99	.00
TOTAL AMOUNT (AF) =	1369.72	.00

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 2.00 miles of point defined as:

2597 Feet North and 2062 Feet West of the Southeast Corner of Section 31 T 31S R 21W

Both SURFACE WATER and GROUNDWATER

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 2875	00 IRR	NK	G

> PHILIP A HARDEN
>
> 7621 FARRELL DR
> AMARILLO TX 79121

>----------

File Number	Use	ST	SR
A__ 4826	00 IRR	NK	G

> FILSON FARMS INC

>
> PO BOX 92
> PROTECTION KS 67127
>---
A__ 8294 01 DOM NK G
> DANNY C RICH
>
> 2572 CRM
> ASHLAND KS 67831
>---
A__ 16860 00 IRR NK G
> PHILIP A HARDEN
>
> 7621 FARRELL DR
> AMARILLO TX 79121
>---
A__ 24775 00 IRR NK G
> MIKE HARDEN
>
> PO BOX 97
> ASHLAND KS 67831
>---
A__ 25901 00 IRR NK G
> FILSON FARMS INC
>
> PO BOX 92
> PROTECTION KS 67127
>---
A__ 30739 00 IRR NK G
> MIKE HARDEN
>
> PO BOX 97
> ASHLAND KS 67831
>---
A__ 39367 00 STK NK G
> PRATT FEEDERS INC(CLARK CO)
> D/B/A ASHLAND FEEDERS
> 2590 CR L
> ASHLAND KS 67831
>---
A__ 39368 00 STK NK G
> PRATT FEEDERS INC(CLARK CO)
> D/B/A ASHLAND FEEDERS
> 2590 CR L
> ASHLAND KS 67831
>---
A__ 41787 00 STK NK G
> PRATT FEEDERS INC(CLARK CO)
> D/B/A ASHLAND FEEDERS
> 2590 CR L
> ASHLAND KS 67831
>---

A__ 49123 00 IRR AY G
> PHILIP A HARDEN
>
> 602 W 5TH PO BOX 746
> ASHLAND KS 67831
>----------
T__20127510 MF IRR GY G
> PHILIP A HARDEN
>
> 7621 FARRELL DR
> AMARILLO TX 79121
>----------
VCA 1 5 DOM AA G
> DANNY C RICH
>
> 2572 CRM
> ASHLAND KS 67831
>----------
VCA 2 5 DOM AA S
> DANNY C RICH
>
> 2572 CRM
> ASHLAND KS 67831
>----------
VCA 3 5 DOM AA G
> DANNY C RICH
>
> 2572 CRM
> ASHLAND KS 67831
>----------
==========

##########

Kopp, Kenneth

From: Lanterman, Jeff
Sent: Tuesday, August 04, 2015 11:35 AM
To: Kopp, Kenneth; McGrogan, Erin
Cc: Conant, Cameron
Subject: RE: Phil Harden (49123 app)

Chris, Jim and John were all involved. But mostly John.

Jeff

From: Kopp, Kenneth
Sent: Tuesday, August 04, 2015 11:32 AM
To: Lanterman, Jeff; McGrogan, Erin
Cc: Conant, Cameron
Subject: RE: Phil Harden (49123 app)

Everything from the application is in DocuWare. There are a couple of pages of work product in there from GWA, but no detailed report from Bob or Brad to substantiate Phil's claim about less impact with higher rate and shorter duration pumping. Who was working on this impairment case in technical services?

Ken

From: Lanterman, Jeff
Sent: Thursday, July 30, 2015 3:05 PM
To: Kopp, Kenneth; McGrogan, Erin
Cc: Conant, Cameron
Subject: FW: Phil Harden (49123 app)

Wanted to let you know Phil called out here.

I really didn't know what to tell him at this point the app is not in my shop. I had Matt check the new app spreadsheet and it is currently listed as unassigned.

I think we should figure out some way to process this thing but it is going to take a village to do it.

TS and the CE found that Dan Rich is being impaired by this well.

a. Phil had a study by Groundwater Associates that he turned in with the application (I don't think I have seen it) that showed the higher rate of flow would not further impair Dan. Higher rate shorter duration.
b. If this is approved... Phil (and the Feedlot) have said that they will drill Dan a couple domestic wells to supply water to his cattle. Dan has somewhat agreed that if this happens his impairment is solved.

We should get this thing moving through the system. I would want some assurances from Phil that IF we approve this he will follow through with the impairment plan. I would like something from Dan that if he gets a couple wells drilled he is done with his impairment claim. This has been stagnating for a while now. We could kill a couple birds with one stone.

Jeff

From: McGrogan, Erin
Sent: Monday, July 13, 2015 9:57 AM
To: Lanterman, Jeff
Cc: Kopp, Kenneth; Conant, Cameron
Subject: FW: Phil Harden (49123 app)

Jeff, Philip Harden called today regarding the new application File No. 49,123 which was received in DWR August 1, 2014. The application proposes 132 AF (ZERO ADDITONAL) at a rate of 700 gallons per minute from existing well. The point of diversion overlaps Water Right File No. 2,875 (Irrigation) and 41,787 (Stockwatering-standby well). We have several overlaps in PD and PU and an existing active 20127510 MF that overlaps with 2,875. It appears there are multiple issues with this and no progress in processing with the new application. Mr. Harden has provided a pump test with the new application and GPS distance on nearby wells. Along with the existing issues the PD is located within SCKDUA-BLC38 and within the Bluff Creek (Cimarron) basin. There has been no further processing of this application at the HQ level. I will call Mr. Harden back and let him know that we have no further information on the status of his new application and he if he has additional questions he can contact your office for further information next week.
Erin

From: Conant, Cameron
Sent: Monday, July 13, 2015 9:17 AM
To: McGrogan, Erin
Subject: FW: Phil Harden (49123 app)

From: Rockel, Richard A.
Sent: Friday, December 05, 2014 1:15 PM
To: Lanterman, Jeff; Letourneau, Lane; Beightel, Chris
Cc: Conant, Cameron
Subject: RE: Phil Harden (49123 app)

He gave me a call a couple weeks ago and said much of the same. One problem we have here is the senior water right is in a MYFA. So far we have not pursued the path of approving a new application on top of a suspended water right in a MYFA.

Could probably be done, but would have some ugly limitations to a term and senior right. If that path is decided on, we would need to be ready to approve more new apps stacked on MYFA wells. I believe we already have a couple that propose this, or propose an overlap in place of use.

Richard

From: Lanterman, Jeff
Sent: Friday, December 05, 2014 1:02 PM
To: Rockel, Richard A.; Letourneau, Lane; Beightel, Chris
Cc: Conant, Cameron
Subject: Phil Harden (49123 app)

Wanted to move this one up the flagpole. Phil Harden just called.

He and the feedlot and Dan Rich have come to an agreement as to drilling Dan's wells. Trying to end this impairment complaint. Dan will withdraw his impairment if they drill his wells.

BUT Phil says he is not going to "write that check" if his additional rate application gets denied. I guess this is fine if he would rather just get his Irrigation well completely shut off. But I believe that this would also affect the feedlot in the area who is also JR to Rich. I talked to Mick at the feedlot who is trying to get this done but is caught in the middle.

Is there any way we can start processing the Harden app and give him an answer. I don't think there should be a priority problem in the area.

I don't know if it can be approved. We have found that this well can impact the stream and the Rich water rights. BUT since they are going to drill him some wells does it matter? Is he impaired if they are supplying his water?

Im on the fence. Phil says he needs the rate to be able to mix with the feedlot effluent for land application. I think this is a valid concern because when he is not using effluent he probably can't easily nozzle down to what his well is authorized very easily. For example if he is nozzled for 700 GPM and he is pumping 400 gpm water and 300 gpm effluent =700 GPM. But if he is only pumping water at his auth. rate of 430 then his nozzles aren't going to work properly. He needs the high rate to be able to handle the feedlots effluent effectively and timely is his argument.

Could we start to process this. We might want to ask David if he would even be willing to approve this under these circumstances.

Jeff Lanterman, Water Commissioner
Kansas Department of Agriculture
Division of Water Resources
(620)234-5311
Jeff.Lanterman@kda.ks.gov
www.ksda.gov/dwr

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

AUG 01 2014

KS DEPT OF AGRICULTURE

SCANNED

Turney, Brent

From: Lanterman, Jeff
Sent: Wednesday, April 27, 2016 9:51 AM
To: Turney, Brent
Subject: FW: Water Right CA2-5
Attachments: 2016_04_27_09_58_54.pdf

This might shed some light on the Phil Harden rate increase application. I believe we should send surrounding letters so that Dan Rich can comment. Get that out of the way.

From: Lanterman, Jeff
Sent: Wednesday, April 27, 2016 9:37 AM
To: Beightel, Chris; Barfield, David; Letourneau, Lane; Bagley, Jim; Munson, John
Cc: Conant, Cameron
Subject: FW: Water Right CA2-5

Ashland Feeders and Phil Harden have completed wells, solar pumps and tanks for Dan Rich.

So Dan completed this letter withdrawing his impairment claim. He states he is fully satisfied with what they have done for him. Mick Sharp with Ashland feeders called this morning. He says he had the letter for some time but had been holding on to it.

This looks good to me. I will add it to Docuware under all the referenced files.

Where do we go from here? Do we need to send some correspondence to 2875, 16860 and 39368 and Dan Rich regarding status of the complaint.

Thanks

Jeff Lanterman, Water Commissioner
Kansas Department of Agriculture
Division of Water Resources
(620)234-5311
Jeff.Lanterman@kda.ks.gov
www.ksda.gov/dwr

From: Tammy Vigil [mailto:tammy@ashlandfeeders.com]
Sent: Wednesday, April 27, 2016 9:28 AM
To: Lanterman, Jeff
Subject: Water Right CA2-5

Attached

Regarding Ashland Feeders and Philip Harden agreement with Dan Rich.

DEALER - TEETER IRRIGATION
P.O. - 663028

IRRIGATOR - PHIL HARDIN
FIELD NO. - N 1/2 31-31-21

SPAN 1 POS/LEN	SPAN 2 POS/LEN	SPAN 3 POS/LEN	SPAN 4 POS/LEN	SPAN 5 POS/LEN	SPAN 6 POS/LEN	SPAN 7 POS/LEN	SPAN 8 POS/LEN	ENDBOOM POS/LEN
1 - 138	13 - 120	34 - 120	55 - 120	76 - 120	97 - 120	115 - 120	133 - 120	155 - 120
2 - 141	14 - 123	35 - 123	56 - 123	77 - 123	98 - 120	116 - 120	134 - 123	156 - 120
3 - 141	15 - 126	36 - 126	57 - 126	78 - 126	99 - 126	117 - 126	135 - 126	157 - 120
4 - 144	16 - 129	37 - 129	58 - 129	79 - 129	100 - 129	118 - 129	136 - 129	158 - 120
5 - 144	17 - 135	38 - 135	59 - 135	80 - 135	101 - 132	119 - 132	137 - 135	159 - 120
6 - 144	18 - 138	39 - 138	60 - 138	81 - 138	102 - 135	120 - 135	138 - 138	
7 - 141	19 - 138	40 - 138	61 - 138	82 - 138	103 - 135	121 - 135	139 - 138	
8 - 141	20 - 141	41 - 141	62 - 141	83 - 141	104 - 138	122 - 138	140 - 141	
9 - 138	21 - 141	42 - 141	63 - 141	84 - 141	105 - 138	123 - 138	141 - 141	
10 - 132	22 - 144	43 - 144	64 - 144	85 - 144	106 - 138	124 - 138	142 - 144	
11 - 129	23 - 144	44 - 144	65 - 144	86 - 144	107 - 138	125 - 138	143 - 144	
12 - 123	24 - 144	45 - 144	66 - 144	87 - 144	108 - 138	126 - 138	144 - 144	
	25 - 144	46 - 144	67 - 144	88 - 144	109 - 135	127 - 135	145 - 144	
	26 - 144	47 - 144	68 - 144	89 - 144	110 - 132	128 - 132	146 - 144	
	27 - 141	48 - 141	69 - 141	90 - 141	111 - 132	129 - 132	147 - 141	
	28 - 138	49 - 138	70 - 138	91 - 138	112 - 129	130 - 129	148 - 138	
	29 - 138	50 - 138	71 - 138	92 - 138	113 - 123	131 - 123	149 - 138	
	30 - 135	51 - 135	72 - 135	93 - 135	114 - 120	132 - 120	150 - 135	
	31 - 129	52 - 129	73 - 129	94 - 129			151 - 129	
	32 - 126	53 - 126	74 - 126	95 - 126			152 - 126	
	33 - 123	54 - 123	75 - 123	96 - 123			153 - 123	
							154 - 120	

SUMMARY OF DROPS

17 - 120 IN DROP
13 - 123 IN DROP
12 - 126 IN DROP
15 - 129 IN DROP
7 - 132 IN DROP
16 - 135 IN DROP
32 - 138 IN DROP
19 - 141 IN DROP
28 - 144 IN DROP

TOTAL OF 159 DROPS

WATER RESOURCES
RECEIVED
AUG 01 2014
KS DEPT OF AGRICULTURE
SCANNED

Application for 700 GPM

12 June, 2014

Ground Water Associates ran a pumping drawdown simulation using the Theis Prediction Solution (results attached). It showed pumping at the higher 700 gpm rate for 43 days will create less drawdown at the historic locations where cattle were watered than pumping for 70 days at 430 gpm. These locations were determined from archived NRCS aerial photos and interpreted by an NCRS technician. Dan Rich confirmed the water holes were near the west property line, 4087' or further from well 2875. Once the pumping at the 700 GPM rate reaches the 132 acre-ft limit and is shut off, the aquifer will begin recovering and based on the transmissivity, will be fully recovered in a few days. So after 43 days, the drawdown caused by the 700 gpm pumping rate will become less and less than the 430 gpm drawdown. The science shows pumping at 700 gpm will cause less impairment to the surface water right in Bluff Creek than pumping at 430 gpm for a longer time.

The current pump and fixed speed electric motor were installed in 1981 and set to pump at 700 gpm. This well has been pumped at the 700 gpm rate for the past 32 years by 3 different owners. A 430 gpm pumping rate will reduce watering efficiency and waste water. It takes 43 days to pump the 132 acre-ft allotment at 700 gpm, and 70 days at 430 gpm. This greatly increases the exposure of the irrigation water spray to the sun and wind. Based on hydrological data, it will increase evaporation losses by 60%, and will reduce the efficiency for applying water.

This irrigation system is also used to dispense the lagoon water for Ashland Feeders Feedlot. Per the feedlot manager, they sized their entire runoff water containment system to be compatible to my irrigation system and 700 gpm pumping rate. Their lagoon pumps are fixed speed electric motors and pumps and are also set to pump at 700 GPM. The irrigation system cannot accommodate a 700 gpm pumping rate when nozzled for 430 gpm, and it is not practical to switch the irrigation nozzle packages between pumping brown feedlot runoff water and ground water. To meet KDHE requirements, the feedlot needs this irrigation system and acres for dispersing their lagoon water. The KDHE wants them to have the capacity to empty their lagoons in a specified time period, and a lower pumping rate will not meet this requirement. This will create a major problem for not only the feedlot losing their source to get rid of their lagoon water, but will create potential environmental issues for everyone in the vicinity.

The combination of these factors shows that granting a 700 gpm pumping rate will cause less impairment to CA2-5, and is in the public interest. To change this 32 year pumping rate will require a new pump and motor and a new nozzle package at great expense but will provide no benefit to anyone but will waste water through higher evaporative losses, and create potential environmental issues.

Ashland Feeders and I have agreed to pay for 2 stock water wells on Dan Rich property. This will eliminate any possible impairment concerns and complaints.

Regards,

Philip A. Harden

Philip A. Harden

WATER RESOURCES
RECEIVED

AUG 01 2014 SCANNED

KS DEPT OF AGRICULTURE

25 April 2014

Phil Harden

Water Right 2875

Distance from pumping well	Drawdown pumping 430 gpm for 70 days	Drawdown pumping 700 gpm for 43 days
725 feet	2.9392 feet	4.1767 feet
3360	0.7431	0.7788
4087	0.5265	0.4946

Theis Prediction Solution. Aquifer Test Pro 3.5, Waterloo Hydrogeologic, December 2002.

Using the average transmissivity of 63,180 g/d/ft (8,450 ft^2/day) and storitivity of 0.0590. From page 22 of 41, Division of Water Resources report "Vested Water Right No. CA 2-5". 26 April 2012.

725' is the distance from water right 2875 well to Bluff Creek.

3360' is the closest water hole from water right 2875 as measured by P. Harden using a handheld GPS.

4087' is the closest water hole from water right 2875 that has water when Bluff Creek is not flowing. Measured by P. Harden using a handheld GPS

WATER RESOURCES
RECEIVED

AUG 0 1 2014 SCANNED

KS DEPT OF AGRICULTURE

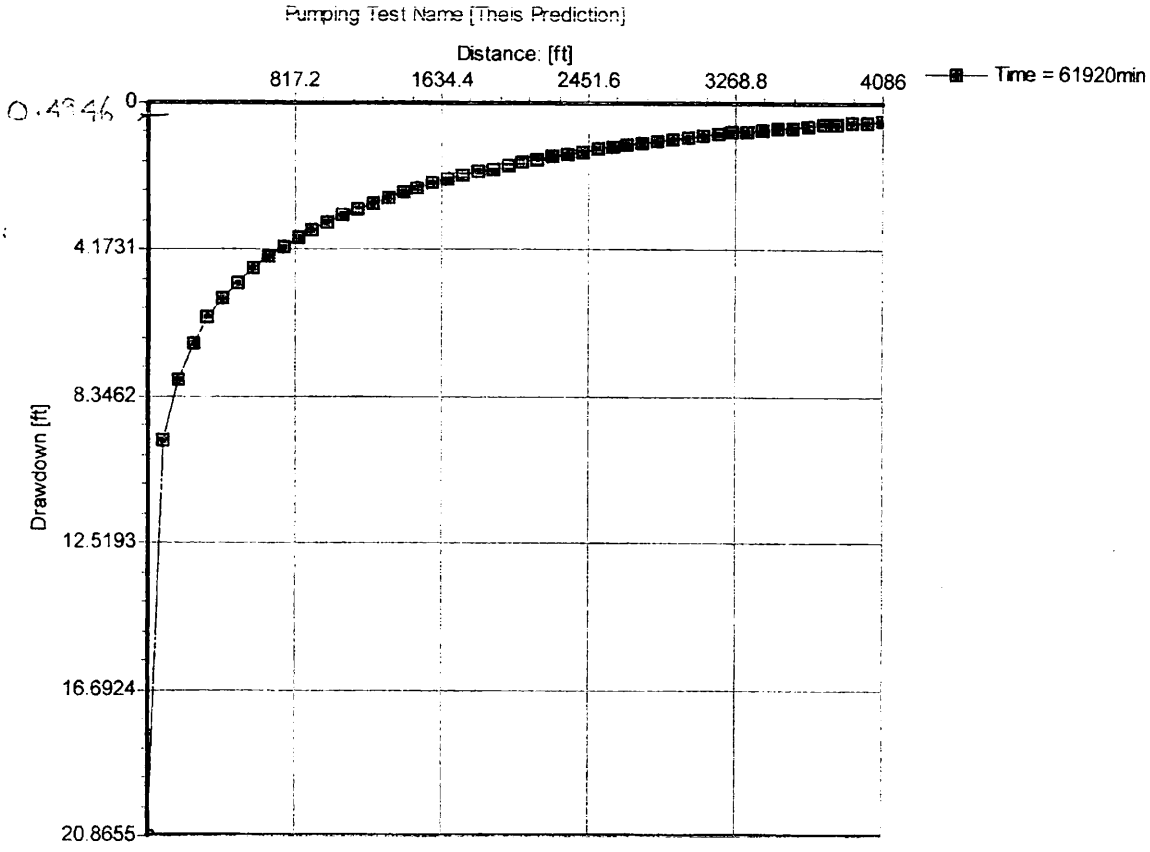
Ground Water Associates
1999 N. Amidon St., Suite 218
Wichita, Kansas 67203
Phone: (316) 262-3322

Pumping Test Analysis Report

Project: Phil Harden

Number:

Client:



Pumping Test: **Pumping Test Name**

Analysis Method: **Theis Prediction**

Analysis Results:

Transmissivity:	8.45E+3 [ft²/d]
Storativity:	5.90E-2

Test parameters:

Pumping Well:		Aquifer Thickness:	
		Drawdown vs. Distance	
		Min. Distance:	1 [ft]
		Max. Distance:	4087 [ft]
Discharge Rate:	700 [U.S. gal/min]	Time:	61920 [min]
Number of Data Points:	50		

Comments:

Transmissivity = 63,180 g/d/ft (8450 ft sq/d)
Storativity = 0.059
Pumping 700 gpm for 43 days

Evaluated by: Brad Vincent, P.G.

Evaluation Date: 4/25/2014

WATER RESOURCES
RECEIVED

AUG 01 2014

KS DEPT OF AGRICULTURE

SCANNED

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

Kansas
Department of Agriculture

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

August 4, 2014

PHILIP A HARDEN
602 W 5TH PO BOX 746
ASHLAND KS 67831

RE: Application
File No. 49,123

Dear Sir or Madam:

Your application for permit to appropriate water in 31-31S-21W, in Clark 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,

Richard Rockel
New Application Unit Supervisor
Water Appropriation Program

RAR: al
pc: Stafford Field Office

SCANNED

File No. 49,123 - With a Two (2) Mile Buffer

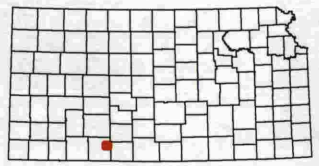
Legend

WIMAS_PD

S_UMW

- G_DOM
- G_IRR
- G_STK
- S_DOM

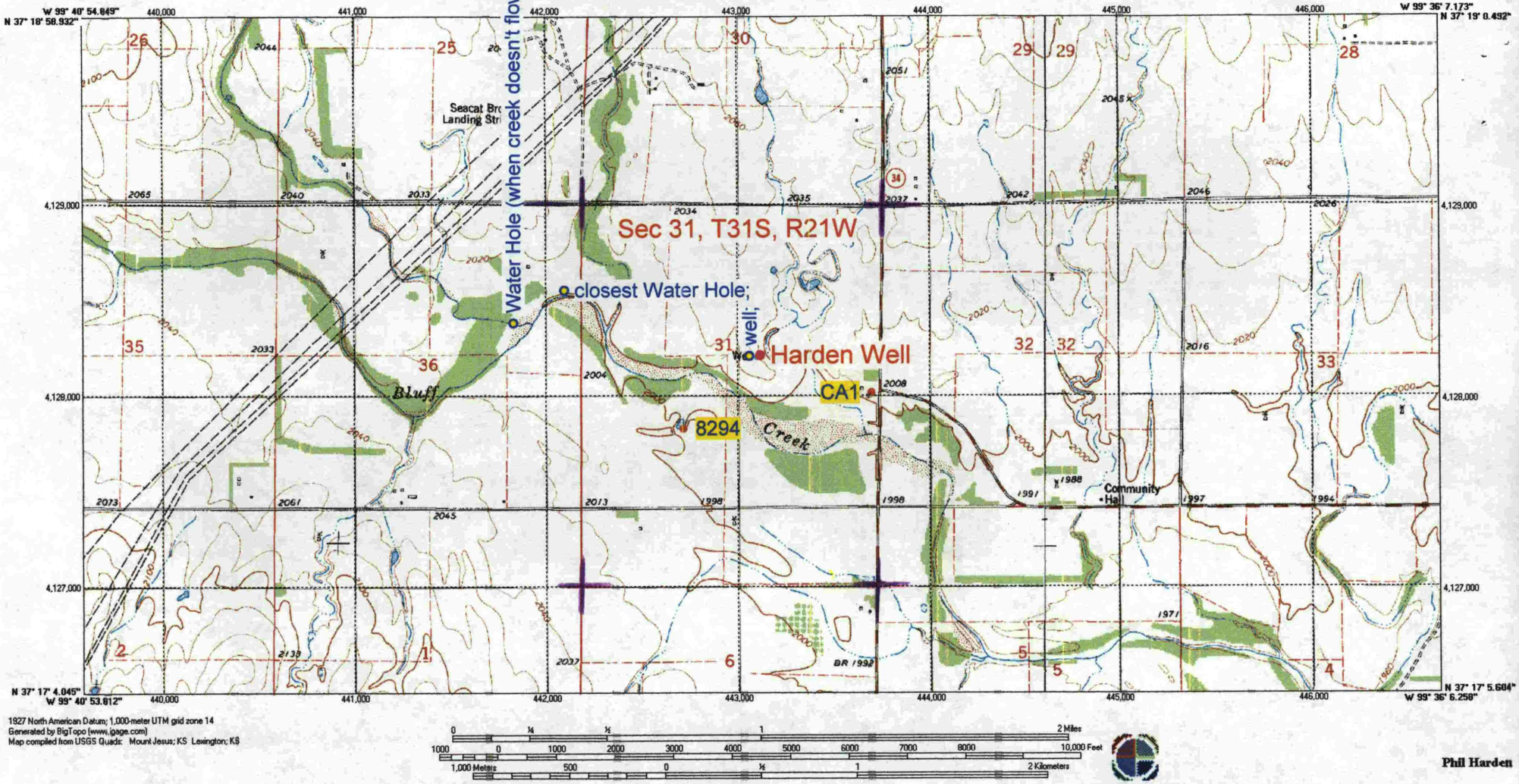
Index Map



0 0.35 0.7 1.4 2.1 2.8 Miles

This map was created by KAK/DWR

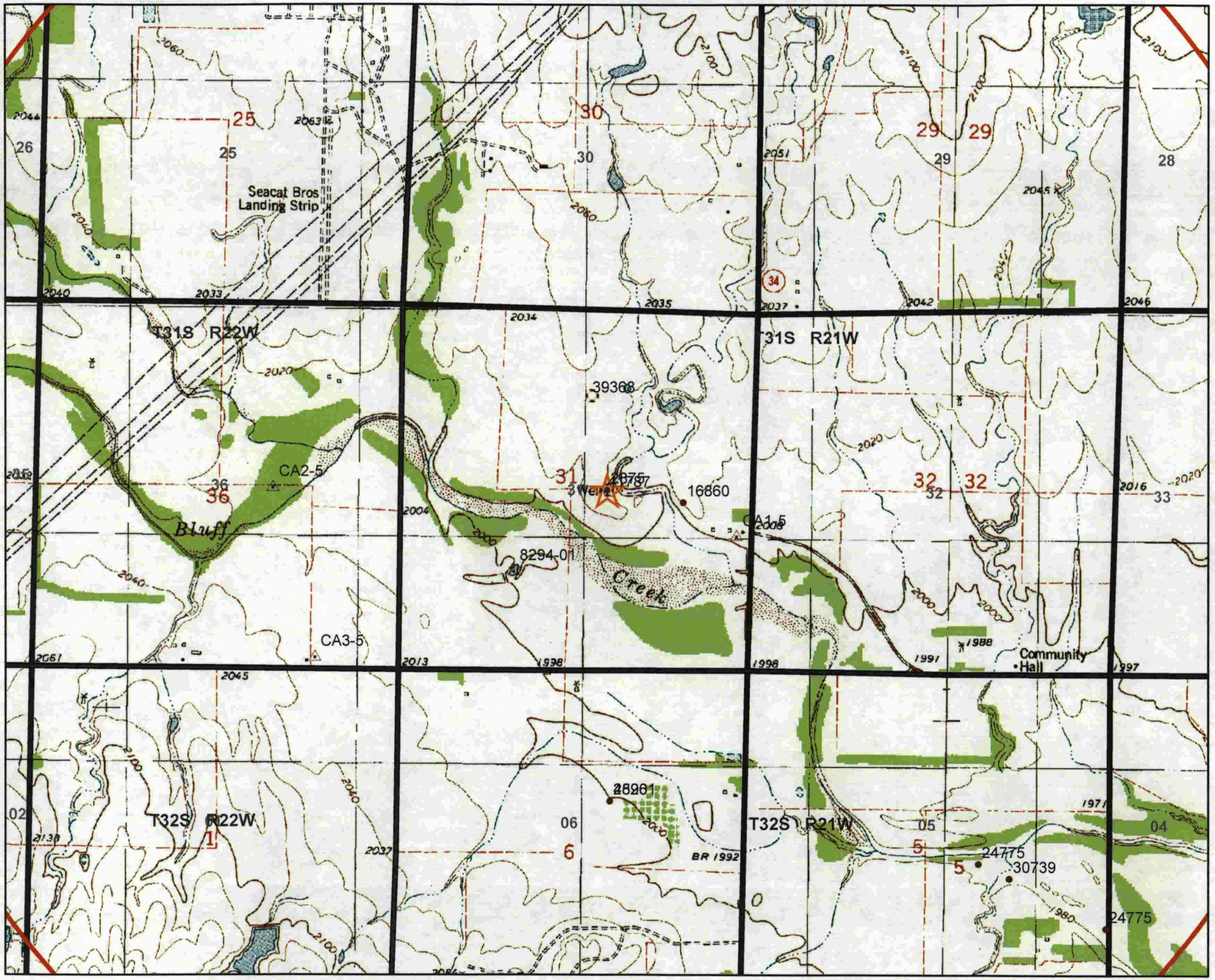
bigtopo.Harden



Phil Harden

WATER RESOURCES
RECEIVED
JAN 11 2016
KS DEPT OF AGRICULTURE
SCANNED

File No. 49,123 - Phil Harden - Existing Well Locations



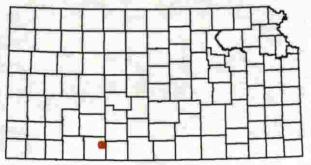
Legend

WIMAS_PD

S_UMW

- G_DOM
- G_IRR
- G_STK
- S_DOM

Index Map



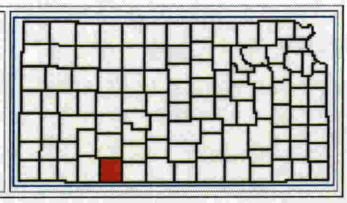
0 0.15 0.3 0.6 0.9 1.2 Miles

This map was created by WIMAS on 8/13/2015 12:19:52 PM

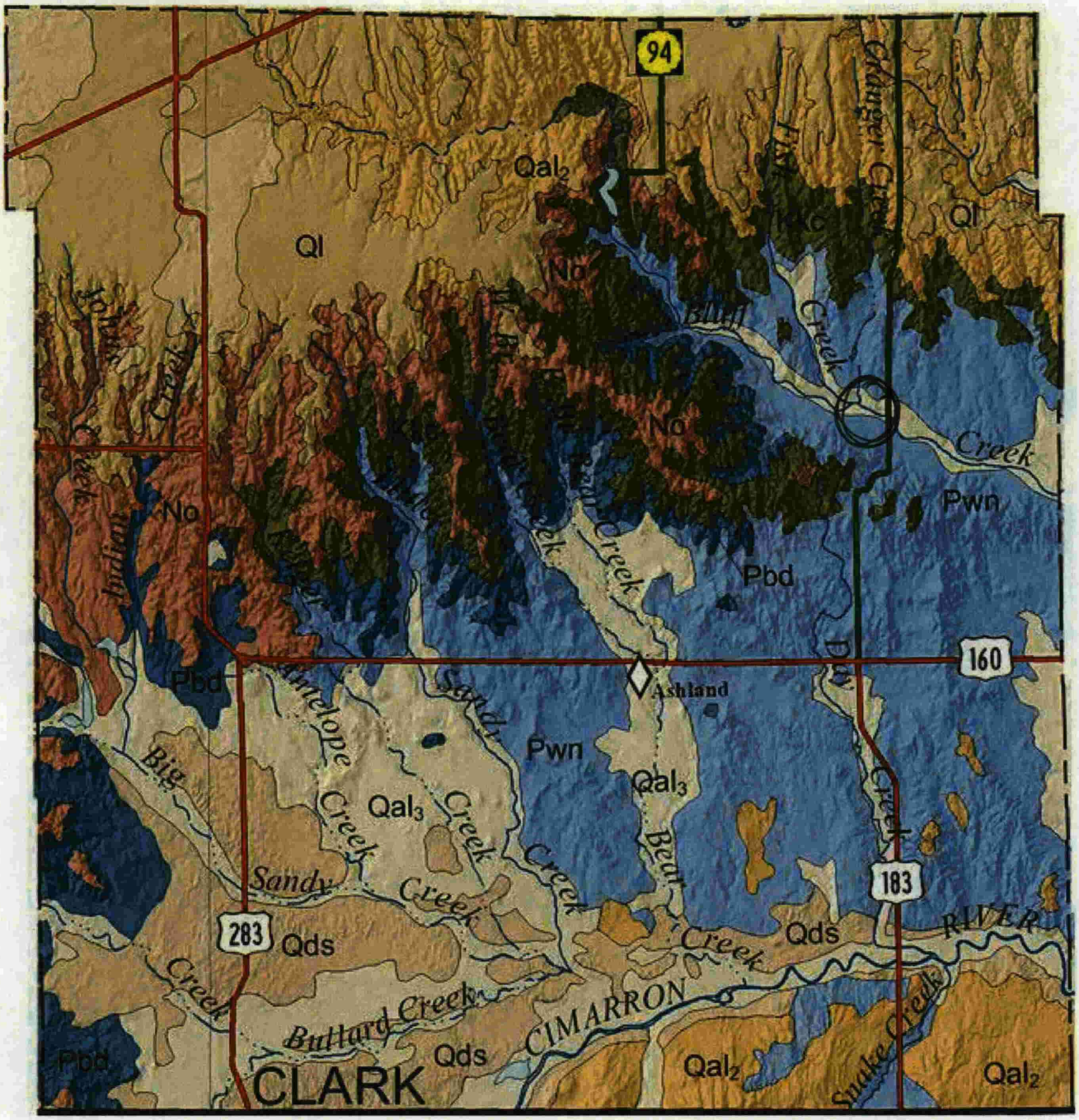
KGS Geology

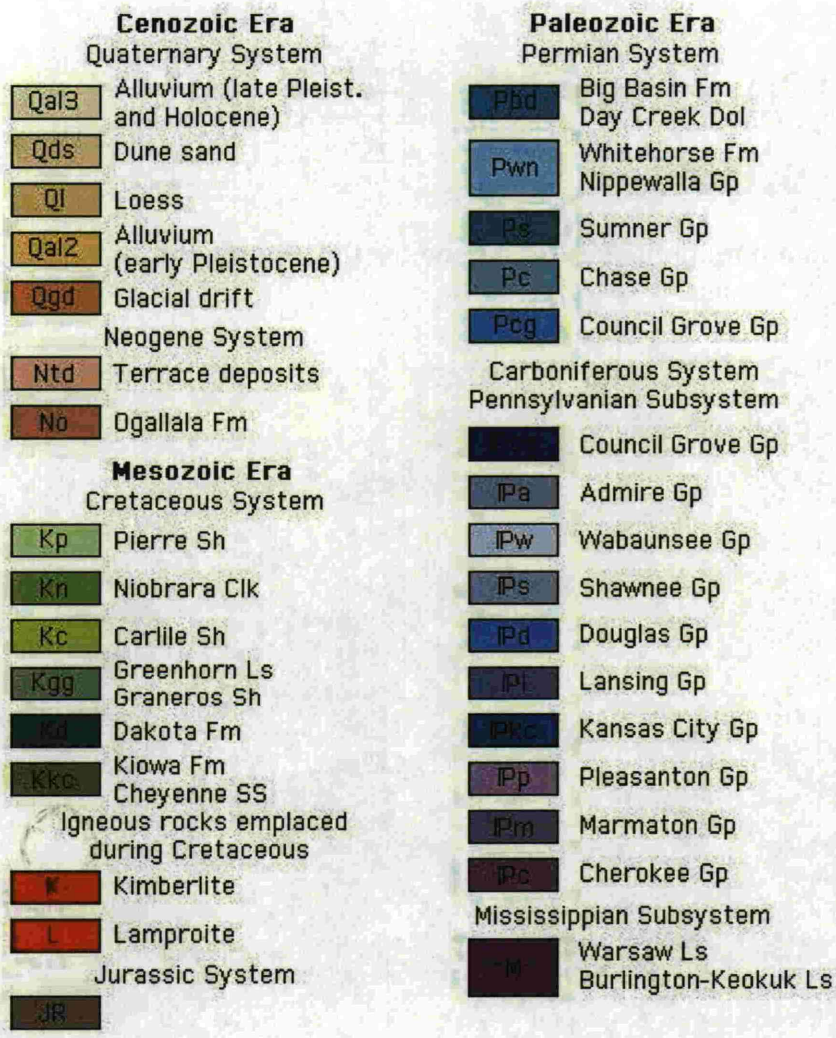
Clark County

Map Index



Because no detailed digital mapping has been done for this county, this map is extracted from the state geologic map.





Publication Info

No publications available.

GIS Data

The Kansas Data Access and Support Center (DASC) has ArcInfo coverages available for this geologic data.

Cartographic Services, Kansas Geological Survey
Updated June 30, 2008
Comments to webadmin@kgs.ku.edu
URL=http://www.kgs.ku.edu/General/Geology/County/abc/clark.html

MEMORANDUM

To: File

From: John Munson, Environmental Specialist

Date: January 14, 2016

Subject: Application, File No. 49,123

Application, File No. 49,123 was filed on August 1, 2014 for 132 acre-feet per calendar year at a maximum pumping rate of 700 gallons per minute. Presently the well is authorized to pump only 430 gallons per minute for the 132 acre-feet by Water Right, File No. 2,875. I reviewed the discussion Brad Vincent provided in the conclusion of his letter dated January 6, 2016 and the analysis relating to drawdown at the nearest watering hole for Vested Right, File No. CA2-5 on Bluff Creek. The conclusion is in error in that the nearest water hole was located about 1,335 feet from well 2,875 and proposed well 49,123 not 3,360 feet where drawdown was analyzed in the letter. The map he provided is in error in that it shows a plot labeled "closest Water Hole" at a location near the water hole dug farthest from the irrigation well.

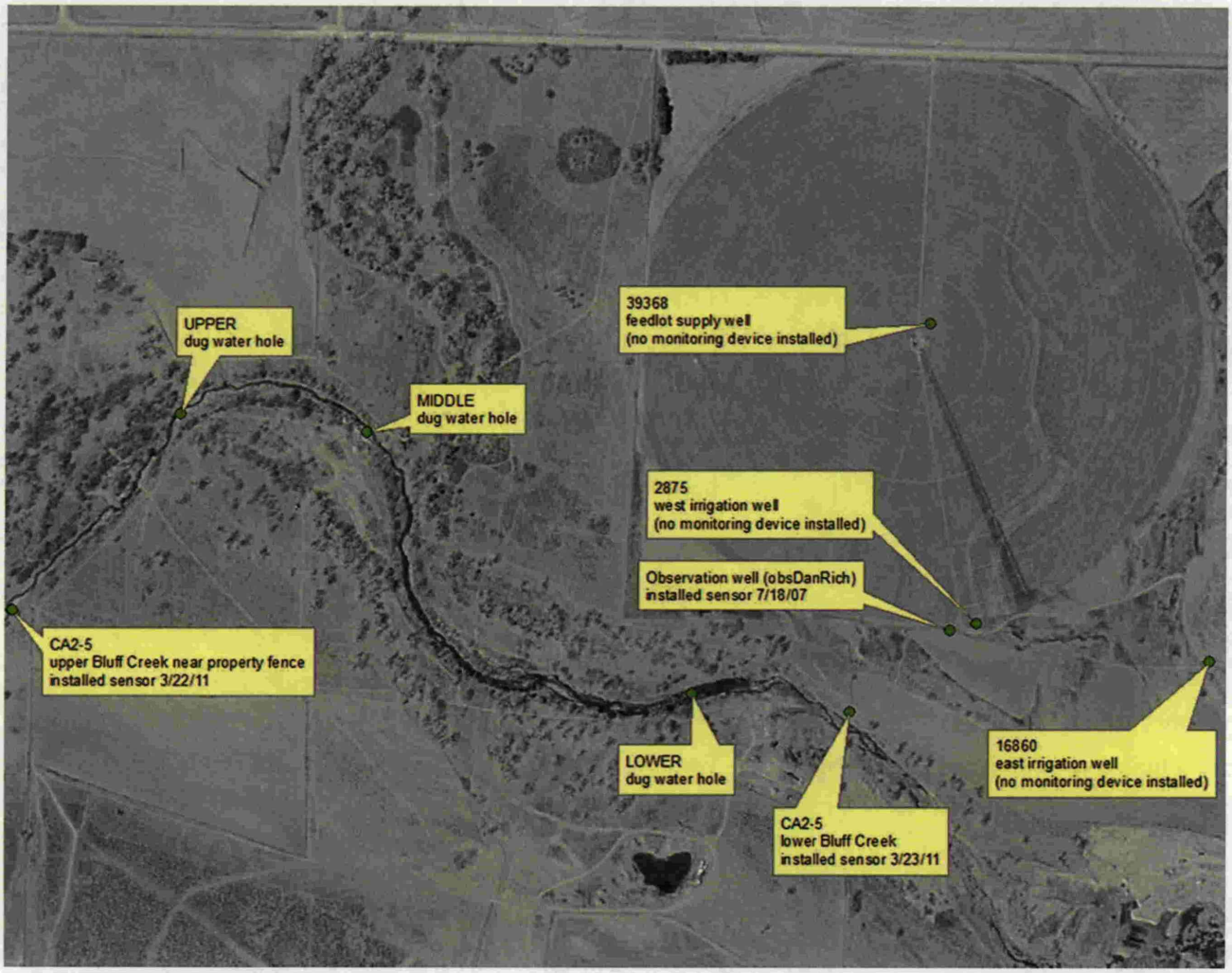
Figure 1 below is a copy of Figure 3 on page 8 from the Technical Report of the investigation of the impairment claim in the matter of Water Right, File No. CA 2-5 of Dan Rich. This shows the location of the nearest water hole labeled "LOWER dug water hole". Page 7 of the Technical Report describes the location of the nearest hole as only about one-eighth of a mile upstream of the lower Bluff Creek monitoring site and the report shows that monitoring site as only 700 feet from the irrigation well.

Figure 2 below shows Theis analysis of drawdown due to pumping well File No. 2,875 at 430 gallons per minute for 132 acre-feet. The maximum drawdown at the nearest water hole is about 2 feet at about 70 days of pumping.

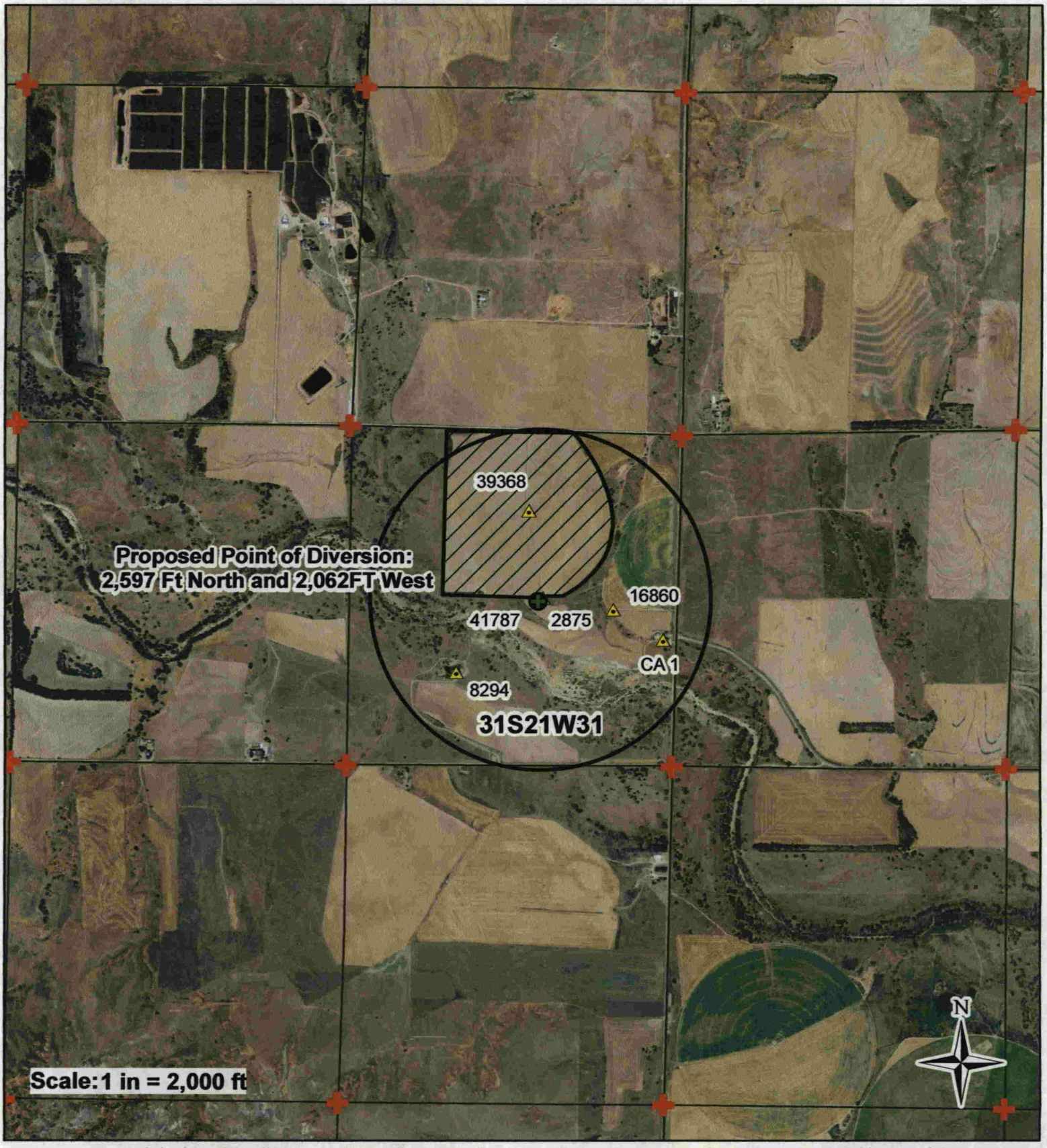
Figure 3 below shows Theis analysis of drawdown due to pumping well File No. 49,123 at 700 gallons per minute for 132 acre-feet. The maximum drawdown at the nearest water hole is about 2.7 feet at about 43 days. Pumping 700 gpm produces drawdown of 2 feet at about 24 days.

Pumping 700 gpm instead of 430 gpm could not only cause an additional drawdown of 0.7 feet or about 35% increase in drawdown, but the maximum drawdown of 2 feet could be reached in only about 24 days if pumping 700 gpm as opposed to about 70 days if pumping 430 gpm.

Figure 1 – Copy of Figure 3 from the Technical Report of the impairment claim of Dan Rich showing the location of the nearest dug water hole labeled "LOWER dug water hole" and its proximity to irrigation well 2875 (now proposed File No. 49,123).



File No. _____



I declare that all water wells or diversion sites using the same source of supply and within ½ mile of the proposed point of diversion have been plotted on the application map.

Proposed Point of Diversion

Domestic Wells

WATER RESOURCES
RECEIVED
AUG 01 2014
KS DEPT OF AGRICULTURE

Created By: Matt Meier

SCANNED

PHIL HARDEN GPS READINGS 24 APR 2014

Google earth

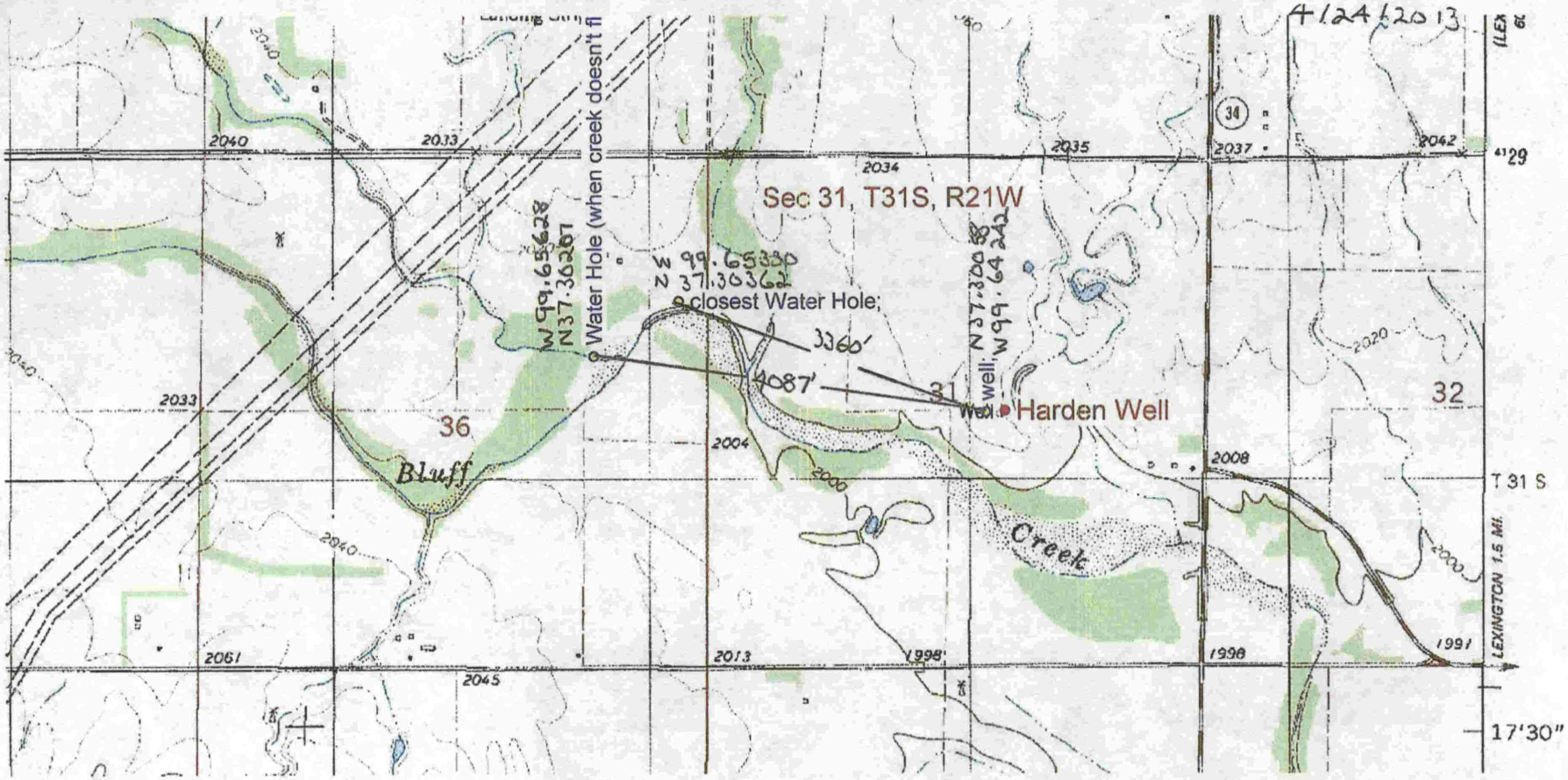
miles 1
km 2

IRRIGATION WELL 37.30058 N
99.64242 W

WATER HOLE
37.30362 N
99.65380 W

WATER HOLE
WHEN CREEK NOT FLOWING
37.30207 N
99.65628 W

SCANNED
KS DEPT OF AGRICULTURE
WATER RESOURCES
RECEIVED
AUG 01 2014



SCANNED

WATER RESOURCES
RECEIVED
AUG 0 1 2014
KS DEPT OF AGRICULTURE

'Mount Jesus; KS'; Scale: 1" = 0.311Mi 500Mt 1,642Ft, 1 Mi = 3.216" , 1 cm = 197Mt