

49102

File No. 49,103 15. Formation Code: 190 Drainage Basin: LITTLE ARKANSAS RIVER County: HV Special Use: Stream:

16. Points of Diversion										17. Rate and Quantity						
T	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
	MOD				NE NE NW	21	24S	1W	9	5230	3200	800	140.4	800	50.4	NONE

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

19. Limitation: 140.4 af/yr at _____ gpm (_____ cfs) when combined with file number(s) 29,392
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

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

21. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
T	MOD	DEL	ENT	PUSE	S	T	R	ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼								
	CHK			3711	21	24S	1W	1		26	19	28	35										108	7a	NO	29,392			

Comments: OBSERVATION WELLS & WATER QUALITY MONITORING REQUIRED

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: May 24, 2017

FROM: Austin McColloch

RE: Application, File No. 49,102

Michael P. McGinn has submitted the referenced file proposing 140.4 acre-feet of groundwater at a rate of 800 gallons per minute from one (1) well for irrigation use. The proposed point of diversion is located in the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 21, Township 24 South, Range 1 West, Harvey County. The place of use is 108 acres located in the Northwest Quarter of Section 21, Township 24 South, Range 1 West, Harvey County and is a complete overlap in place of use with Water Right, File No. 29,392. The proposed point of diversion is located within the boundaries of the Equus Beds Groundwater Management District No. 2 and within the Little Arkansas River basin.

The proposed quantity of 140.4 acre-feet is reasonable based on K.A.R. 5-3-24 for irrigation use within Harvey County. The requested quantity will be limited when combined with Water Right File No. 29,392 on the described place of use. Water Right File No. 29,392 is authorized 90 acre-feet at a rate of 700 gallons per minute and the point of diversion is located within 1,800 feet from the proposed point of diversion under the referenced file.

The applicant provided the listing of three nearby domestic well owners all located outside of the required well spacing radius of 660 feet based on K.A.R. 5-22-2 within the Groundwater Management District No. 2. The fourth well is non-domestic and is owned by the applicant and authorized under File No. 29,392. The notification letters were sent by DWR Doug Schemm and dated April 14, 2015. On April 30, 2015 a written comment was received from six nearby well and property owners directed to Doug Schemm. A reply response was addressed to the concerned nearby well owners on May 5, 2015. There is only one non-domestic well owner listed within a one-half mile radius according to the DWR WRIS database. This is the authorized Water Right File No. 29,392 owned by the applicant. It appears the nearby well owners are concerned about the fluctuating water table and decreased flow of surface water in the nearby tributaries.

A request for review with a copy of the application was sent to the Groundwater Management District No. 2 on May 11, 2015. Multiple extension requests were requested from the District and approved in order to review the pending senior files during the remainder of 2015 and early 2016. The District recommend approval of the application in a correspondence dated March 4, 2016 with the following conditions: In order to satisfy the safe yield requirements, the District recommended that the applicant voluntarily dismiss existing Appropriation of Water File Nos. 47,899 and 47,901 in order to approve the referenced file. That the authorized proposed point of diversion must meet all well spacing regulations especially to any nearby domestic wells, that the proposed quantity be limited when combined with Water Right File No. 29,392 for the quantity of 140.4 acre-feet on the authorized place of use. That the applicant installs a monitoring well as directed in item 4 of the recommendation and that the groundwater monitoring schedule is maintained with emphasis on water table fluctuations and the ability to obtain water quality samples.

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 chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the referenced application on December 21, 2016 with the conditions recommended by the Groundwater Management District No. 2 on March 4, 2016. Based on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.



Austin McColloch
Environmental Scientist
Water Appropriation Program

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Jackie McClaskey, Secretary

Governor Sam Brownback

MICHAEL P & SUSANNAH M MCGINN REV TRUSTS
1123 W 4TH ST
SEDGWICK KS 67135

June 7, 2017

FILE COPY

Re: Appropriation of Water
File No. 49,102

Dear Sir or Madam:

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 as well as the documents titled "Observation Well Specifications for Groundwater Level or Water Quality (Inorganic) Monitoring" and "Groundwater Monitoring Plan for Water Appropriation, File No. 49,102" submitted by GMD No. 2. 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 must be used to provide the information required on the annual water use report.

The enclosed form must be used to notify the Chief Engineer that the proposed diversion works have been completed. Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works and pay the field inspection fee within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. 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 enclosed permit. 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 this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

KAB:am

Enclosures

pc: Stafford Field Office
Groundwater Management District No. 2



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. 49,102 of the applicant

**MICHAEL P & SUSANNAH M MCGINN REV TRUSTS
1123 W 4TH ST
SEDGWICK KS 67135**

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 **June 25, 2014**.

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

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
21	24S	1W					26	19	28	35									108

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 Northeast Quarter of the Northeast Quarter of the Northwest Quarter (NE¼ NE¼ NW¼), of Section 21, more particularly described as being near a point 5,230 feet North and 3,200 feet West of the Southeast corner of said section, in Township 24 South, Range 1 West, Harvey 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 **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **140.4 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, 2018** 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, 2022** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

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

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

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

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

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

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

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

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

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

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

18. That the quantity of water and rate of diversion approved under this permit is further limited to the quantity which combined with Water Right, File No. 29,392, will provide a total not to exceed **140.4 acre-feet** of water per calendar year for irrigation use on the authorized place of use as described herein.

19. That the well drilled and constructed under the authority of this permit shall comply with the required minimum well spacing of 660 feet to any senior domestic well pursuant to K.A.R. 5-22-2.

20. That the water right owner shall install and maintain a groundwater monitoring well at a location specified and approved by the Chief Engineer. Such observation well shall be installed and equipped to allow monitoring of water levels or water quality. Installation of the groundwater monitoring well and the associated equipment shall be at the expense of the water right owner.

That the groundwater monitoring well shall be located at the following point:

One (1) observation well located in the Northwest Quarter of the Northeast Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 21, more particularly described as being near a point 5,230 feet North and 3,750 feet West of the Southeast corner of said section, in Township 24 South, Range 1 West, Harvey County, Kansas.

21. That in addition to the specifications and conditions adopted by the Chief Engineer and set forth in K.A.R. 5-6-13 Section IV for the construction of observation wells; the observation well shall be constructed with PVC SCHED-40 casing having a minimum nominal diameter of 2 inches, that is protected by a steel 6 X 6 inch square well protector that is of 5 feet minimum length and has a lockable lid. The monitoring well and square well protector shall be seated in a standard concrete well pad. The top of the 2 inch observation well shall be approximately 9 inches below the top of the square well protector.

22. That the monitoring well shall be constructed and developed to ensure that it is hydraulically connected to the same aquifer as the well authorized by this water right and the well must be advanced to the bedrock surface. The observation well required herein shall be maintained, by the water right owner, in a condition that is satisfactory to the Chief Engineer.

23. That the requirements imposed by Equus Beds Groundwater Management District (GMD) No. 2, attached as "Groundwater Monitoring Plan for Water Appropriation, File No. 49,102" and "Observation Well Specifications for Groundwater Level or Water Quality (Inorganic) Monitoring" be implemented, at the applicant's expense.

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.

GROUNDWATER MONITORING PLAN
for
WATER APPROPRIATION FILE No. 49102 – McGinn Land Co.

Prepared by
Equus Beds Groundwater Management District No. 2
March 4, 2016

A SCOPE - To monitor and record water quality and water level changes in the Equus Beds Aquifer in an area that encompasses the point of diversion described by Water Appropriation Application No. 49102.

B DATA COLLECTION

B.1 Data collection points may include the proposed production well and dedicated observation wells.

B.2 The data collection point locations are described as:

B.2.1 One irrigation well in the northeast quarter of the northeast quarter of the northwest quarter of Section 21, Township 24 south, Range 1 west, Harvey County, approximately 5,230 feet north and 3,200 feet west of the apparent southeast section corner

B.2.2 One observation well in the northwest quarter of the northeast quarter of the northwest quarter of Section 21, Township 24 south, Range 1 west, Harvey County, approximately 5,230 feet north and 3,750 feet west of the apparent southeast section corner

B.3 Each data collection point shall be assigned an identification character and marked so as to be easily visible on the data collection point.

B.4 The water permit owner is responsible for water level measurements and collection and analysis of an initial baseline water sample.

B.5 A trained and qualified person, as determined by the Division of Water Resources and the Equus Beds Groundwater Management District, shall conduct all measurements and sample collection.

B.6 The water permit owner shall provide the Equus Beds Groundwater Management District and the Division of Water Resources rights of ingress and egress to the monitoring well as may be reasonably necessary for data gathering or sample collection.

C DATA COLLECTION RECORDS

C.1 The water permit owner shall maintain accurate permanent records of all water level measurements and water quality analyses.

C.2 All water level measurements shall be recorded to the nearest 0.1 foot.

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- C.3 Record data for each water level measurement shall include:
 - C.3.1 Identification of the data collection point by identification character and legal description;
 - C.3.2 Date of measurement;
 - C.3.3 Time of measurement;
 - C.3.4 Name of person making measurement;
 - C.3.5 Description and elevation of measuring point;
 - C.3.6 Measurement of depth to water from measuring point in feet;
 - C.3.7 Computed depth to water from land surface;
 - C.3.8 Computed water table elevation;
 - C.3.9 If the data collection point is a production well, the date the well was last operated, and
 - C.3.10 Any field observations that may have an effect on the water table.
- C.4 Record data for the initial baseline inorganic water quality analysis shall include:
 - C.4.1 Laboratory name, address and telephone number;
 - C.4.2 Laboratory certification identification number issued by the Kansas Department of Health and Environment;
 - C.4.3 Identification of the data collection point by identification character and legal description;
 - C.4.4 Name of sample collector;
 - C.4.5 Time and date sample was collected;
 - C.4.6 Depth sample was collected;
 - C.4.7 Total depth of the well;
 - C.4.8 Depth to the top of the screen and length of screened interval of the well;
 - C.4.9 Date sample was received by the water chemistry laboratory;
 - C.4.10 Date analysis was performed or reported;
 - C.4.11 Results of analysis, and
 - C.4.12 Name of analyst.

D EQUIPMENT

- D.1 Water level measurements shall be made using one of the following devices:
 - D.1.1 A chalked steel tape with a weight attached to the lower end and graduated to a minimum of 0.1 foot;
 - D.1.2 An M-scope or electric tape graduated to a minimum of 0.1 foot;
 - D.1.3 A factory calibrated pressure transducer;
 - D.1.4 Equipment must be clean and free of any contaminants, and
 - D.1.5 Other devices approved by the Division of Water Resources and the Equus Beds Groundwater Management District.

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- D.2 Initial water quality sample shall be:
 - D.2.1 Taken after water standing in the well casing and in the annulus adjacent to the well screen is removed so that formation water replaces the standing water;
 - D.2.2 Collected by means of:
 - D.2.2.1 A bladder pump;
 - D.2.2.2 A bailer with a double check valve and a bottom emptying device;
 - D.2.2.3 An air lift pump;
 - D.2.2.4 A centrifugal pump, or
 - D.2.2.5 a turbine pump,
 - D.2.3 Placed in new, clean, high-density polyethylene, eight ounce (oz), sample container free of contaminants and sealed with a polyethylene threaded cap, (or container provided by the analyzing laboratory):
 - D.2.3.1 The sample container shall be marked with a durable and waterproof label.
 - D.2.3.2 The label shall contain:
 - D.2.3.2.1 Data collection identification number;
 - D.2.3.2.2 Name of the collector;
 - D.2.3.2.3 Date and time of the sample collection, and
 - D.2.3.2.4 Legal description of the data collection point.
 - D.2.4 Cooled to 4° C and protected from contaminants, and
 - D.2.5 Delivered to a certified laboratory within 24 hours of collection.

E FREQUENCY OF WATER LEVEL MEASUREMENTS

- E.1 An initial water level measurement shall be taken at the data collection point, described in paragraph B.2.2, prior to the installation of the proposed diversion works (irrigation well(s)) described in water permit application #49102.
- E.2 Upon installation of the proposed diversion works, water level measurements shall commence on the data collection points described in paragraphs B.2.1 and B.2.2 (irrigation well and observation well) for a period of ten (10) years as described:
 - E.2.1 Water level measurements shall be collected on a monthly basis for two years.
 - E.2.2 Monthly measurements shall be collected during the first full week beginning with the first Monday of each month.
 - E.2.3 After two years of monthly measurements, water level measurements shall be collected on a quarterly basis for three years.
 - E.2.4 Quarterly measurements shall be collected during the first full week beginning with the first Monday of each calendar quarter.

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- E.2.5 After three years of quarterly measurements, water level measurements shall be collected on an annual basis for five years.
- E.2.6 Annual measurements shall be collected during the first full week beginning with the first Monday of each calendar year.
- E.3 Measurements may extend beyond ten (10) years, if it is found by the Chief Engineer, Division of Water Resources and the Board of Directors, Equus Beds Groundwater Management District No. 2 that such data is necessary to:
 - E.3.1 Determine groundwater level changes at the site;
 - E.3.2 Prevent impairment of existing wells and water rights, or
 - E.3.3 Determine other site conditions.

F FREQUENCY AND ANALYSIS OF WATER QUALITY SAMPLES

- F.1 An initial water quality sample shall be collected and analyzed from the data collection point, described in paragraph B.2.2, prior to the operation of the proposed diversion of works (irrigation well(s)) described in water permit application #49102.
- F.2 An initial water quality sample shall be collected and analyzed from the data collection point described in paragraph B.2.1 immediately following its completion.
- F.3 Type of water quality analysis to be performed on each initial sample shall be an inorganic analysis comprised of minerals and metals and including specific conductance.
- F.4 All water chemistry analysis shall be performed by a laboratory certified by the Kansas Department of Health and Environment to perform such analyses.

G REPORTING

- G.1 The applicant shall furnish all water level measurements and water quality analyses performed on the data collection points to the Chief Engineer, Division of Water Resources and the Equus Beds Groundwater Management District, within ten days of a measurement or receipt of an analysis.

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Topeka Field Office
DIVISION OF WATER RESOURCES

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

OBSERVATION WELL SPECIFICATIONS FOR GROUNDWATER LEVEL OR WATER QUALITY (INORGANIC) MONITORING

SECTION 1 - GENERAL

1.01—The contractor shall furnish all necessary supervision, labor, tools, materials and equipment, except as maybe noted, to properly drill and construct groundwater observation wells.

1.02--The contractor shall furnish a certificate of insurance to the water permit owner for Workers' Compensation (\$500,000 bodily, \$500,000 property, \$500,000 disease); Comprehensive General Liability, including XCU liability coverage (\$500,000); Property Damage Liability (\$500,000); and Automobile Liability Insurance (\$500,000).

1.03--The Equus Beds Groundwater Management District No. 2 shall furnish a site geologist for the following purposes:

1.03.1.to inspect the well and site during and after well construction and completion;

1.03.2.to determine the well completion and screen depth and placement of the gravel pack ;

1.03.3.to make measurements or collect samples as maybe necessary; and

1.03.4.other matters that may arise during the project that are not listed in the Observation Well Specifications for Groundwater Level or Water Quality Inorganic) Monitoring, location map and these specifications.

1.04--The contractor shall protect any adjacent equipment, drainage ditches, pavements, crops, fences, above and below ground utility lines and any other site work liable to damage from the execution of this work. Repair of damaged areas shall be made as approved by the water permit owner or the Equus Beds Groundwater Management District No. 2 at the contractor's expense.

1.05--The contractor shall have a valid and current water well contractors drilling license issued by the State of Kansas.

1.06--The contractor shall complete a Kansas Department of Health and Environment form WWC-5 for each well drilled and constructed. The form shall be typed and submitted to the Kansas Department of Health and Environment the Equus Beds Groundwater Management District No. 2, and the water permit owner not later than 30 days upon completion of a well.

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1.07--The contractor shall remove all drilling and grouting equipment from the borehole when drilling and construction operations are suspended for the day or interrupted by an unforeseen circumstance.

1.08--The contractor and/or water permit owner shall notify the Equus Beds Groundwater Management District a minimum of 72 hours prior to drilling operations and shall schedule drilling and well construction to allow District staff to witness the drilling and well construction.

SECTION 2- SITE PREPARATION

2.01--The contractor or a representative of the contractor shall identify or locate above and below ground utilities. If necessary, utility locations shall be marked.

2.02--Subject to the approval of the site geologist; the staked observation well location may be moved for safety reasons or to avoid property or equipment damage.

2.03--When the use of wooden or steel planking will not provide rig stabilization; rough grading, cutting and filling shall be permitted for drilling rig stabilization.

2.04--The contractor shall erect and maintain guardrails, lights, temporary enclosures or other equipment as required to safeguard the public.

SECTION 3 - DRILLING

3.01--Pursuant to K.S.A. 82a-1201 through 82a-1215 and amendments thereto, all drilling shall comply with the Kansas Department of Health and Environment Article 30 (Water Well Contractor's License; Water Well Construction and Abandonment).

3.02--The minimum diameter of the borehole shall be six inches from ground level to total depth (TD).

3.03--A portable above-ground drill tank or pit shall be used to circulate drilling fluid and contain drill cuttings.

3.04--Prior to setting casing the borehole TD shall be "tagged" or measured to determine borehole depth.

3.05--Any portion of the borehole that penetrates greater than five feet into bedrock, as determined by the site geologist, shall be plugged back to the observation well's TD.

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3.06--Any borehole that is not completed due to unforeseen circumstances shall be plugged from TD to ground level.

SECTION 4 - WELL CONSTRUCTION

4.01--Pursuant to K.S.A. 82a-1201 through 82a-1215 and amendments thereto, well construction shall comply with the Kansas Department of Health and Environment Article 30 (Water Well Contractor's License; Water Well Construction and Abandonment).

4.02--All materials used in the construction of each well shall be properly prepared and installed according to manufacturers' specifications.

4.03--A two inch PVC, schedule 40, slip cap shall be glued to the bottom end of the screen prior to screen installation.

4.04--A ten foot section or joint of two-inch diameter, PVC, schedule 40, slip joint, screen with 0.030 openings shall be set at TD.

4.05--Two-inch diameter, PVC, schedule 40, bell joint, well casing shall be installed from the screen to seven feet below land surface.

4.06--A two-inch diameter, PVC, schedule 40, threaded and slip end, female adapter shall be installed on the PVC well casing. The slip end shall be installed on the PVC well casing using glue and two galvanized screws that do not penetrate the inside surface of the well casing when tightened.

4.07--A prefabricated two-inch diameter, galvanized casing consisting of two, threaded, five feet sections coupled together shall be installed. A non-toxic thread sealing compound shall be used on the threaded joints.

4.08--A two-inch diameter, PVC, schedule 40, threaded, cap shall be installed, without thread sealing compound, on the well casing opening. A 1/8" diameter vent hole shall be drilled through the side of the cap.

4.08—The completed observation well shall be protected by a steel 6 X 6 inch square well protector that is of 5 feet minimum length and has a lockable lid. The monitoring well and square well protector shall be seated in a standard well pad.

4.09—The top of the observation well shall be 9 inches below the top of the square well protector.

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SECTION 5 - GRAVEL PACK

5.01--Pursuant to K.S.A. 82a-1201 through 82a-1215 and amendments thereto, installation of the gravel pack shall comply with the Kansas Department of Health and Environment Article 30 (Water Well Contractor's License; Water Well Construction and Abandonment).

5.02--Immediately after the well screen and casing has been installed in the borehole; a gravel pack shall be installed from TD to a maximum of five feet above the top of the screen.

5.03--The gravel pack shall be placed in the same hydrologic unit or zone as determined by the site geologist and shall not connect multiple hydrologic units or zones.

5.04--The gravel pack material shall be clean sand 1/8 inch to 1/4 inch in diameter, placed with a tremie pipe.

5.05--After installation, the top of the gravel pack shall be "tagged" or measured to determine placement. Additional gravel pack shall be added, if needed.

SECTION 6 - GROUTING

6.01--Pursuant to K.S.A. 82a-1201 through 82a-1215 and amendments thereto, grouting shall comply with the Kansas Department of Health and Environment Article 30 (Water Well Contractor's License; Water Well Construction and Abandonment).

6.02--Bentonite clay grout shall be installed in the annular space from the top of the gravel pack to ground level.

6.03--The grout shall be plugging sodium bentonite clay such as that manufactured under the trade name of "HolePlug" or an equivalent approved by the site geologist.

6.04--The grout shall be installed or placed with a tremie pipe or as recommended by the manufacturer.

6.05--Grout intervals less than or equal to 70 feet shall be plugged with sodium bentonite clay such as that manufactured under the trade name of "HolePlug" or an equivalent approved by the site geologist.

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6.06--Grout intervals greater than 70 feet shall be plugged with a grout mixture consisting of fresh water and commercial grouting or plugging sodium bentonite clay containing high solids such as that manufactured under the trade name of "Volclay grout" or an equivalent approved by the site geologist. The grout mixture shall be as per manufacturer's recommendations to achieve a minimum weight of 9.4 pounds per gallon of mix. The grout shall be installed or placed with a tremie pipe.

6.07--Grout intervals for all wells from ten feet below land surface to land surface shall be grouted pursuant to Section 6.05.

SECTION 7 - WELL DEVELOPMENT AND SITE CLEANUP

7.01--To insure the well is functioning properly; each well shall be sufficiently developed to remove any drilling fluid and cuttings from the well and gravel pack.

7.02--Litter, drill cuttings and other materials associated with the drilling and construction of the well shall be removed and properly disposed of by the contractor.

7.03--Upon completion of the well, all drilling equipment shall be removed from the site as soon as possible and the site returned to pre-drilling conditions.

SECTION 8 - LOGGING

8.01--To determine the lithology of the unconsolidated material from ground level to TD; the contractor shall collect and log drilling samples at a maximum sample interval of five feet and less, if needed to determine lithology.

APPLICATION COMPLETE

Reviewer _____

THE STATE OF KANSAS



APPLICATION COMPLETE

5/16/17

Reviewer AM

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49102
This item to be completed by the Division of Water Resources.

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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.)

JUN 25 2014

1:43 pm

KS DEPT OF AGRICULTURE

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

1. Name of Applicant (Please Print): Michael P. McGinn
Address: 1123 W. 4th Street
City: Sedgwick State KS Zip Code 67135
Telephone Number: (316) 772-5050

2. The source of water is: surface water in _____ (stream)
OR groundwater in Little Arkansas River Basin - Equus Beds Aquifer (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 140.4 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 800 gallons per minute OR _____ cubic feet per second.

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

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

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

For Office Use Only:
F.O. 7 GMD 7 Meets K.A.R. 5-3-1 (YES/NO) Use HW Source G/S County HW By AGL Date 6-25-14
Code REZ Fee \$ 300 TR # _____ Receipt Date 6-25-14 Check # 7397

SCANNED
6/26/2014 CLM

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 NE quarter of the NE quarter of the NW quarter of Section 21, more particularly described as being near a point 5230 feet North and 3200 feet West of the Southeast corner of said section, in Township 24 South, Range 1W East/West (circle one), Harvey County, Kansas.
- (B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

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

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

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

Michael P. McGinn Revocable Trust & Susannah M. McGinn Revocable Trust

 (name, address and telephone number)
1123 W. 4th Street, Sedgwick, Kansas 67135. 316-772-5050

 (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 June 9, 2014 _____
 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

 (number of wells, pumps or dams, etc.)
 and ~~was~~(will be) completed (by) 5/1/2015

 (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 6/1/2015

 (Mo/Day/Year)

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

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

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

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

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

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

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

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

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

Water Right No. 29392 - Same place of use, different point of diversion.

The proposed quantity of 140.4 AF to be further limited to 140.4 AF when combined with No. 29392.

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

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

Well location as shown in paragraph No. (A) (B) (C) (D)

Date Drilled _____

Total depth of well _____

Depth to water bearing formation _____

Depth to static water level _____

Depth to bottom of pump intake pipe _____

** Applicant requests a waiver of the test log requirement & will submit the well as constructed log.*

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):

Michael P. McGinn Revocable Trust & Susannah M. McGinn Revocable Trust

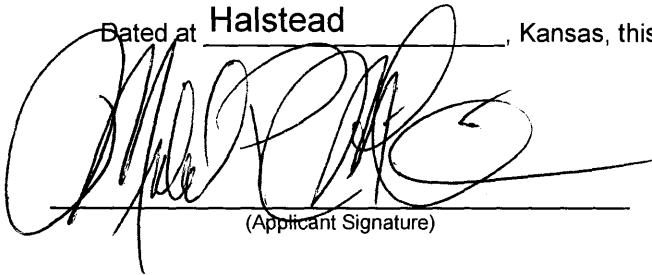
(name, address and telephone number)

1123 W. 4th Street, Sedgwick, Kansas 67135. 316-772-5050

(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 Halstead, Kansas, this 9th day of June, 2014.
(month) (year)



(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by T. Boese

GMD2 / Manager
(office/title)

Date: June 9, 2014

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49,102

Name of Applicant (Please Print): Michael P. McGinn

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: Michael P. McGinn Revocable Trust & Susannah M. McGinn Revocable Trust
 ADDRESS: 1123 W. 4th Street, Sedgwick, KS 67135

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21	24S	1W					26	19	28	35									108

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	

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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
<u>Detroit Silty Clay Loam</u>	<u>19</u>	<u>0.06-0.20</u>	<u>3</u>
<u>Hobbs Silt Loam</u>	<u>81</u>	<u>0.60-2.00</u>	<u>5</u>
_____	_____	_____	_____
_____	_____	_____	_____
<u>Total:</u>	<u>100 %</u>		

b. Estimate the average land slope in the field(s): Less than 1 %

Estimate the maximum land slope in the field(s): 1 %

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

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: Will schedule and apply irrigation to eliminate run-off

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: 35 psi

(2) What is the sprinkler package design rate? 650 gpm *Existing pivot, will re-nozzle to 800 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? ~20 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: Corn, Wheat, Milo, Soybeans

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). Will contract with crop consultant.

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

Wells Within ½ Mile

1. Irrigation Well – No. 29392
Michael P. & Susannah McGinn
1123 W. 4th Street
Sedgwick, KS 67135
2. Domestic Well
Christopher McGinn
6901 SW 72nd Street
Sedgwick, KS 67135
3. Domestic Well
Bernadine Manning
6908 SW 72nd Street
Sedgwick, KS 67135
4. Domestic Well
Stephen & Jane Kill
6524 SW 72nd Street
Sedgwick, KS 67135

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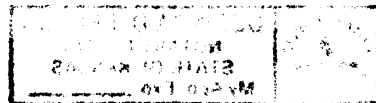
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**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River



McGrogan, Erin

From: Conant, Cameron
Sent: Wednesday, December 21, 2016 2:06 PM
To: McGrogan, Erin; Lanterman, Jeff
Subject: FW: File Nos, 49,102; 49,131, and 49,134 McGinn Land Co LLC and Dismissals of File Nos. 47,899 and 47,901
Attachments: 49131 Memo To File.rtf; 49102 Memo To File.rtf; 49134 Memo To File.rtf

Erin, Jeff and I are together looking this packet over. We think 49,102 is good for approval. As proposed this meets all applicable rules and regs. We noted and reviewed the nearby complaint, but water levels appear fairly stable and the complaint letter didn't cite specific data backed hydrologic concerns.

Go ahead and continue with this one with the additional GMD conditions regarding the completed well meeting spacing to all nearby wells...no 300' spacing games. Jeff agrees with the GMD proposed GW level monitoring program as that will help if additional complaints come in. It will be nice to have the ability to put a transducer in the OBS well if merited by complaint.

The other reviews will be coming shortly.

Cameron & Jeff

From: McGrogan, Erin
Sent: Thursday, December 01, 2016 11:18 AM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Cc: Conant, Cameron <Cameron.Conant@ks.gov>
Subject: File Nos, 49,102; 49,131, and 49,134 McGinn Land Co LLC and Dismissals of File Nos. 47,899 and 47,901

Jeff and Cameron, This is a package of five files for the McGinn Land Co. that date back to 2014. Attached are the memos for each file. Since there are multiple packs of information in each of the files from NBWO responses, to GMD 2 conditions, please refer to Docuware for the March 4, 2016 recommendations provided by the District along with comment letters. Jeff- Cameron knows the background of this package since I had a discussion with him today on these files.

Thank you.

Erin

Erin McGrogan, Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502
785.564.6640
Erin.McGrogan@ks.gov

FRED SEILER, PRESIDENT
VIN KISSICK, VICE PRESIDENT
JEFF WINTER, SECRETARY
MIKE MCGINN, TREASURER
TIM BOESE, MANAGER
THOMAS A. ADRIAN, ATTORNEY



DIRECTORS:
DAVID BOGNER
ALAN BURGHART
JOE PAJOR
BOB SEILER
DAVID STROBERG

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

313 SPRUCE STREET • HALSTEAD, KANSAS 67056-1925 • PHONE (316) 835-2224 • FAX (316) 835-2225 • equusbeds@gmd2.org • www.gmd2.org
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March 4, 2016

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Chief Engineer, Division of Water Resources
Attn: Douglas W. Schemm, Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, KS 66619

Topeka Field Office
DIVISION OF WATER RESOURCES

Re: Application 49102 – McGinn Land Co. LLC

Dear Mr. Schemm:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced application on March 4, 2016, using the District's Revised Management Program (effective May 1, 1995) and Rules and Regulations K.A.R. 5-22-1 through 5-22-17. The application complies with the Revised Aquifer Management program approved by the Chief Engineer and with the District's Rules and Regulations K.A.R. 5-22-1 through 5-22-17.

Based upon the review findings, the application is recommended for approval by the Equus Beds Groundwater Management District No. 2, subject to the following conditions:

1. Water Permit Nos. 47899 and 47901 are dismissed as requested by the applicant;
2. The authorized well, as drilled and constructed, complies with the minimum well spacing requirements to senior domestic and non-domestic wells as described in K.A.R. 5-22-2;
3. The proposed quantity of water is limited to 140.4 AF/Y when combined with Water Right No. 29392;
4. The installation of one groundwater monitoring well, at the owner's expense, to be located approximately 5,250 feet north and 3,750 feet west of the southeast corner of Section 21, Township 24 South, Range 1 West, Harvey County;
5. The implementation of the enclosed groundwater-monitoring schedule, which includes monitoring for both water table fluctuation and initial water quality;
6. Construction of the monitoring well pursuant to District specifications (copy enclosed) to allow for inorganic water quality analyses; and

A District decision may be appealed to the District Board of Directors by submitting a written petition to the District office within 30 days from date of this notification, pursuant to K.A.R. 5-22-12.

Please contact the District should you have any questions regarding the review or recommendation.

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager
TDB/db

Enclosures

pc: McGinn Land Co. LLC., Applicant and Landowner
Jeff Lanterman, Division of Water Resources, Stafford
Bernadine Manning; Frank Harper; Brad Mosiman; Stephen D. Kill; Doug Niles;
Francis J. Harper;



SCANNED

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EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

OBSERVATION WELL SPECIFICATIONS FOR GROUNDWATER LEVEL OR WATER QUALITY (INORGANIC) MONITORING

SECTION 1 - GENERAL

1.01—The contractor shall furnish all necessary supervision, labor, tools, materials and equipment, except as maybe noted, to properly drill and construct groundwater observation wells.

1.02--The contractor shall furnish a certificate of insurance to the water permit owner for Workers' Compensation (\$500,000 bodily, \$500,000 property, \$500,000 disease); Comprehensive General Liability, including XCU liability coverage (\$500,000); Property Damage Liability (\$500,000); and Automobile Liability Insurance (\$500,000).

1.03--The Equus Beds Groundwater Management District No. 2 shall furnish a site geologist for the following purposes:

1.03.1.to inspect the well and site during and after well construction and completion;

1.03.2.to determine the well completion and screen depth and placement of the gravel pack ;

1.03.3.to make measurements or collect samples as maybe necessary; and

1.03.4.other matters that may arise during the project that are not listed in the Observation Well Specifications for Groundwater Level or Water Quality Inorganic) Monitoring, location map and these specifications.

1.04--The contractor shall protect any adjacent equipment, drainage ditches, pavements, crops, fences, above and below ground utility lines and any other site work liable to damage from the execution of this work. Repair of damaged areas shall be made as approved by the water permit owner or the Equus Beds Groundwater Management District No. 2 at the contractor's expense.

1.05--The contractor shall have a valid and current water well contractors drilling license issued by the State of Kansas.

1.06--The contractor shall complete a Kansas Department of Health and Environment form WWC-5 for each well drilled and constructed. The form shall be typed and submitted to the Kansas Department of Health and Environment the Equus Beds Groundwater Management District No. 2, and the water permit owner not later than 30 days upon completion of a well.

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1.07--The contractor shall remove all drilling and grouting equipment from the borehole when drilling and construction operations are suspended for the day or interrupted by an unforeseen circumstance.

1.08--**The contractor and/or water permit owner shall notify the Equus Beds Groundwater Management District a minimum of 72 hours prior to drilling operations and shall schedule drilling and well construction to allow District staff to witness the drilling and well construction.**

SECTION 2- SITE PREPARATION

2.01--The contractor or a representative of the contractor shall identify or locate above and below ground utilities. If necessary, utility locations shall be marked.

2.02--Subject to the approval of the site geologist; the staked observation well location may be moved for safety reasons or to avoid property or equipment damage.

2.03--When the use of wooden or steel planking will not provide rig stabilization; rough grading, cutting and filling shall be permitted for drilling rig stabilization.

2.04--The contractor shall erect and maintain guardrails, lights, temporary enclosures or other equipment as required to safeguard the public.

SECTION 3 - DRILLING

3.01--Pursuant to K.S.A. 82a-1201 through 82a-1215 and amendments thereto, all drilling shall comply with the Kansas Department of Health and Environment Article 30 (Water Well Contractor's License; Water Well Construction and Abandonment).

3.02--The minimum diameter of the borehole shall be six inches from ground level to total depth (TD).

3.03--A portable above-ground drill tank or pit shall be used to circulate drilling fluid and contain drill cuttings.

3.04--Prior to setting casing the borehole TD shall be "tagged" or measured to determine borehole depth.

3.05--Any portion of the borehole that penetrates greater than five feet into bedrock, as determined by the site geologist, shall be plugged back to the observation well's TD.

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3.06--Any borehole that is not completed due to unforeseen circumstances shall be plugged from TD to ground level.

SECTION 4 - WELL CONSTRUCTION

4.01--Pursuant to K.S.A. 82a-1201 through 82a-1215 and amendments thereto, well construction shall comply with the Kansas Department of Health and Environment Article 30 (Water Well Contractor's License; Water Well Construction and Abandonment).

4.02--All materials used in the construction of each well shall be properly prepared and installed according to manufacturers' specifications.

4.03--A two inch PVC, schedule 40, slip cap shall be glued to the bottom end of the screen prior to screen installation.

4.04--A ten foot section or joint of two-inch diameter, PVC, schedule 40, slip joint, screen with 0.030 openings shall be set at TD.

4.05--Two-inch diameter, PVC, schedule 40, bell joint, well casing shall be installed from the screen to seven feet below land surface.

4.06--A two-inch diameter, PVC, schedule 40, threaded and slip end, female adapter shall be installed on the PVC well casing. The slip end shall be installed on the PVC well casing using glue and two galvanized screws that do not penetrate the inside surface of the well casing when tightened.

4.07--A prefabricated two-inch diameter, galvanized casing consisting of two, threaded, five feet sections coupled together shall be installed. A non-toxic thread sealing compound shall be used on the threaded joints.

4.08--A two-inch diameter, PVC, schedule 40, threaded, cap shall be installed, without thread sealing compound, on the well casing opening. A 1/8" diameter vent hole shall be drilled through the side of the cap.

4.08—The completed observation well shall be protected by a steel 6 X 6 inch square well protector that is of 5 feet minimum length and has a lockable lid. The monitoring well and square well protector shall be seated in a standard well pad.

4.09—The top of the observation well shall be 9 inches below the top of the square well protector.

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DIVISION OF WATER RESOURCES

SECTION 5 - GRAVEL PACK

5.01--Pursuant to K.S.A. 82a-1201 through 82a-1215 and amendments thereto, installation of the gravel pack shall comply with the Kansas Department of Health and Environment Article 30 (Water Well Contractor's License; Water Well Construction and Abandonment).

5.02--Immediately after the well screen and casing has been installed in the borehole; a gravel pack shall be installed from TD to a maximum of five feet above the top of the screen.

5.03--The gravel pack shall be placed in the same hydrologic unit or zone as determined by the site geologist and shall not connect multiple hydrologic units or zones.

5.04--The gravel pack material shall be clean sand 1/8 inch to 1/4 inch in diameter, placed with a tremie pipe.

5.05--After installation, the top of the gravel pack shall be "tagged" or measured to determine placement. Additional gravel pack shall be added, if needed.

SECTION 6 - GROUTING

6.01--Pursuant to K.S.A. 82a-1201 through 82a-1215 and amendments thereto, grouting shall comply with the Kansas Department of Health and Environment Article 30 (Water Well Contractor's License; Water Well Construction and Abandonment).

6.02--Bentonite clay grout shall be installed in the annular space from the top of the gravel pack to ground level.

6.03--The grout shall be plugging sodium bentonite clay such as that manufactured under the trade name of "HolePlug" or an equivalent approved by the site geologist.

6.04--The grout shall be installed or placed with a tremie pipe or as recommended by the manufacturer.

6.05--Grout intervals less than or equal to 70 feet shall be plugged with sodium bentonite clay such as that manufactured under the trade name of "HolePlug" or an equivalent approved by the site geologist.

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6.06--Grout intervals greater than 70 feet shall be plugged with a grout mixture consisting of fresh water and commercial grouting or plugging sodium bentonite clay containing high solids such as that manufactured under the trade name of "Volclay grout" or an equivalent approved by the site geologist. The grout mixture shall be as per manufacturer's recommendations to achieve a minimum weight of 9.4 pounds per gallon of mix. The grout shall be installed or placed with a tremie pipe.

6.07--Grout intervals for all wells from ten feet below land surface to land surface shall be grouted pursuant to Section 6.05.

SECTION 7 - WELL DEVELOPMENT AND SITE CLEANUP

7.01--To insure the well is functioning properly; each well shall be sufficiently developed to remove any drilling fluid and cuttings from the well and gravel pack.

7.02--Litter, drill cuttings and other materials associated with the drilling and construction of the well shall be removed and properly disposed of by the contractor.

7.03--Upon completion of the well, all drilling equipment shall be removed from the site as soon as possible and the site returned to pre-drilling conditions.

SECTION 8 - LOGGING

8.01--To determine the lithology of the unconsolidated material from ground level to TD; the contractor shall collect and log drilling samples at a maximum sample interval of five feet and less, if needed to determine lithology.

GROUNDWATER MONITORING PLAN
for
WATER APPROPRIATION FILE No. 49102 – McGinn Land Co.

Prepared by
Equus Beds Groundwater Management District No. 2
March 4, 2016

A **SCOPE** - To monitor and record water quality and water level changes in the Equus Beds Aquifer in an area that encompasses the point of diversion described by Water Appropriation Application No. 49102.

B **DATA COLLECTION**

B.1 Data collection points may include the proposed production well and dedicated observation wells.

B.2 The data collection point locations are described as:

B.2.1 One irrigation well in the northeast quarter of the northeast quarter of the northwest quarter of Section 21, Township 24 south, Range 1 west, Harvey County, approximately 5,230 feet north and 3,200 feet west of the apparent southeast section corner

B.2.2 One observation well in the northwest quarter of the northeast quarter of the northwest quarter of Section 21, Township 24 south, Range 1 west, Harvey County, approximately 5,230 feet north and 3,750 feet west of the apparent southeast section corner

B.3 Each data collection point shall be assigned an identification character and marked so as to be easily visible on the data collection point.

B.4 The water permit owner is responsible for water level measurements and collection and analysis of an initial baseline water sample.

B.5 A trained and qualified person, as determined by the Division of Water Resources and the Equus Beds Groundwater Management District, shall conduct all measurements and sample collection.

B.6 The water permit owner shall provide the Equus Beds Groundwater Management District and the Division of Water Resources rights of ingress and egress to the monitoring well as may be reasonably necessary for data gathering or sample collection.

C **DATA COLLECTION RECORDS**

C.1 The water permit owner shall maintain accurate permanent records of all water level measurements and water quality analyses.

C.2 All water level measurements shall be recorded to the nearest 0.1 foot.

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MAR 10 2016

Topeka Field Office
DIVISION OF WATER RESOURCES

- C.3 Record data for each water level measurement shall include:
- C.3.1 Identification of the data collection point by identification character and legal description;
 - C.3.2 Date of measurement;
 - C.3.3 Time of measurement;
 - C.3.4 Name of person making measurement;
 - C.3.5 Description and elevation of measuring point;
 - C.3.6 Measurement of depth to water from measuring point in feet;
 - C.3.7 Computed depth to water from land surface;
 - C.3.8 Computed water table elevation;
 - C.3.9 If the data collection point is a production well, the date the well was last operated, and
 - C.3.10 Any field observations that may have an effect on the water table.
- C.4 Record data for the initial baseline inorganic water quality analysis shall include:
- C.4.1 Laboratory name, address and telephone number;
 - C.4.2 Laboratory certification identification number issued by the Kansas Department of Health and Environment;
 - C.4.3 Identification of the data collection point by identification character and legal description;
 - C.4.4 Name of sample collector;
 - C.4.5 Time and date sample was collected;
 - C.4.6 Depth sample was collected;
 - C.4.7 Total depth of the well;
 - C.4.8 Depth to the top of the screen and length of screened interval of the well:
 - C.4.9 Date sample was received by the water chemistry laboratory;
 - C.4.10 Date analysis was performed or reported;
 - C.4.11 Results of analysis, and
 - C.4.12 Name of analyst.

D EQUIPMENT

- D.1 Water level measurements shall be made using one of the following devices:
- D.1.1 A chalked steel tape with a weight attached to the lower end and graduated to a minimum of 0.1 foot;
 - D.1.2 An M-scope or electric tape graduated to a minimum of 0.1 foot;
 - D.1.3 A factory calibrated pressure transducer;
 - D.1.4 Equipment must be clean and free of any contaminants, and
 - D.1.5 Other devices approved by the Division of Water Resources and the Equus Beds Groundwater Management District.

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Topeka Field Office
DIVISION OF WATER RESOURCES

- D.2 Initial water quality sample shall be:
 - D.2.1 Taken after water standing in the well casing and in the annulus adjacent to the well screen is removed so that formation water replaces the standing water;
 - D.2.2 Collected by means of:
 - D.2.2.1 A bladder pump;
 - D.2.2.2 A bailer with a double check valve and a bottom emptying device;
 - D.2.2.3 An air lift pump;
 - D.2.2.4 A centrifugal pump, or
 - D.2.2.5 a turbine pump,
 - D.2.3 Placed in new, clean, high-density polyethylene, eight ounce (oz), sample container free of contaminants and sealed with a polyethylene threaded cap, (or container provided by the analyzing laboratory):
 - D.2.3.1 The sample container shall be marked with a durable and waterproof label.
 - D.2.3.2 The label shall contain:
 - D.2.3.2.1 Data collection identification number;
 - D.2.3.2.2 Name of the collector;
 - D.2.3.2.3 Date and time of the sample collection, and
 - D.2.3.2.4 Legal description of the data collection point.
 - D.2.4 Cooled to 4^o C and protected from contaminants, and
 - D.2.5 Delivered to a certified laboratory within 24 hours of collection.

E FREQUENCY OF WATER LEVEL MEASUREMENTS

- E.1 An initial water level measurement shall be taken at the data collection point, described in paragraph B.2.2, prior to the installation of the proposed diversion works (irrigation well(s)) described in water permit application #49102.
- E.2 Upon installation of the proposed diversion works, water level measurements shall commence on the data collection points described in paragraphs B.2.1 and B.2.2 (irrigation well and observation well) for a period of ten (10) years as described:
 - E.2.1 Water level measurements shall be collected on a monthly basis for two years.
 - E.2.2 Monthly measurements shall be collected during the first full week beginning with the first Monday of each month.
 - E.2.3 After two years of monthly measurements, water level measurements shall be collected on a quarterly basis for three years.
 - E.2.4 Quarterly measurements shall be collected during the first full week beginning with the first Monday of each calendar quarter.

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- E.2.5 After three years of quarterly measurements, water level measurements shall be collected on an annual basis for five years.
- E.2.6 Annual measurements shall be collected during the first full week beginning with the first Monday of each calendar year.
- E.3 Measurements may extend beyond ten (10) years, if it is found by the Chief Engineer, Division of Water Resources and the Board of Directors, Equus Beds Groundwater Management District No. 2 that such data is necessary to:
 - E.3.1 Determine groundwater level changes at the site;
 - E.3.2 Prevent impairment of existing wells and water rights, or
 - E.3.3 Determine other site conditions.

F FREQUENCY AND ANALYSIS OF WATER QUALITY SAMPLES

- F.1 An initial water quality sample shall be collected and analyzed from the data collection point, described in paragraph B.2.2, prior to the operation of the proposed diversion of works (irrigation well(s)) described in water permit application #49102.
- F.2 An initial water quality sample shall be collected and analyzed from the data collection point described in paragraph B.2.1 immediately following its completion.
- F.3 Type of water quality analysis to be performed on each initial sample shall be an inorganic analysis comprised of minerals and metals and including specific conductance.
- F.4 All water chemistry analysis shall be performed by a laboratory certified by the Kansas Department of Health and Environment to perform such analyses.

G REPORTING

- G.1 The applicant shall furnish all water level measurements and water quality analyses performed on the data collection points to the Chief Engineer, Division of Water Resources and the Equus Beds Groundwater Management District, within ten days of a measurement or receipt of an analysis.

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MAR 10 2016

Topeka Field Office
DIVISION OF WATER RESOURCES

SAFEYIELD EVALUATION - NO. 49102 - MCGINN LAND CO. LLC
LOCATION: NENENW (5230'N & 3200'W) 21-24S-01W, Harvey County
SPECIAL USE AREA: None
EVALUATION DATE:- 3/4/2016

Total Areas: 7,629 acres; Area in 3 inch discharge zone: 0 acres; Area in 6 inch discharge zone: 7,629 acres

FILE_ID	WELL_ID	TOWNSHIP	RANGE	SECTION	QUALIFIER	USE	AUTHQUANTITY
VC058	2043	24S	01W	18	4501500	BF	104
A04212700	2289	24S	01W	9	35201260	MUN	0
A04212800	2290	24S	01W	16	27000650	MUN	0
VC057	2042	24S	01W	18	14502375	BF	104
A02939200	1121	24S	01W	21	46004900	IRR	90
A04721300	3569	24S	01W	21	13201340	IRR	172
A04721400	3570	24S	01W	28	27001400	IRR	71
A04367200	2667	24S	01W	8	39900068	IRR	89
VC068	2053	24S	01W	28	28004900	BF	104
VC069	2054	24S	01W	28	19253875	BF	104
VC070	2055	24S	01W	28	9503000	BF	104
A03161500	44	24S	01W	15	39304960	IRR	29
A02911400	49	24S	01W	29	38765246	IRR	156
A02490200	55	24S	01W	28	41130290	IRR	44
A04141900	2202	24S	01W	16	39301510	MUN	0
A04734100	3755	24S	01W	21	26300090	IRR	0
A04734100	3756	24S	01W	21	26300286	IRR	0
A04734100	3757	24S	01W	21	26300482	IRR	0
A04734100	3758	24S	01W	21	26300678	IRR	0
A04734100	3696	24S	01W	21	26300384	IRR	253.5
A027925D1	699	24S	01W	19	12981320	IRR	163
A03161500	43	24S	01W	15	39305160	IRR	31
VC060	2045	24S	01W	19	34750300	BF	104
VC061	2046	24S	01W	20	38254300	BF	104
VC062	2047	24S	01W	20	25503950	BF	104
VC063	2048	24S	01W	20	19002700	BF	104
VC064	2049	24S	01W	20	13001500	BF	104
VC065	2050	24S	01W	29	52001425	BF	104
VC066	2051	24S	01W	29	42500625	BF	104
VC067	2052	24S	01W	29	30000925	BF	104
A04288900	2478	24S	01W	8	13120005	IRR	91
A04141800	2201	24S	01W	9	25900090	MUN	572.5
VC059	2044	24S	01W	19	44251200	BF	104
A02527300	1340	24S	01W	29	13401325	IRR	180
A04787600	3826	24S	01W	17	39601300	IRR	84.5
A04789900	3827	24S	01W	9	12202650	IRR	0
A04790100	3828	24S	01W	16	52501100	IRR	0
A04798200	3855	24S	01W	9	504750	IRR	45.5
A04910200	4222	24S	01W	21	52303200	IRR	50.4
A04913400	4229	24S	01W	16	52501100	IRR	0
A04913100	4230	24S	01W	9	12202650	IRR	0

Allowable Appropriations	3,814.50	Total Existing Appropriation	3,578.40
Small User Quantity	0	Non Consumptive Appropriations	0
Remaining SUQ	45	Consumptive Appropriations	3,578.40
Note- Values are in acre-feet		Available Appropriations	236.1

MAR 10 2016



Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov
Sam Brownback, Governor

September 14, 2015

GROUNDWATER MANAGEMENT DISTRICT NO 2
% TIM BOESE
313 SPRUCE ST
HALSTEAD KS 67056-1925

Re: Pending Application, File No. 49,102 – Michael McGinn

Dear Mr. Boese:

In response to your written request received by electronic mail in our office on September 14, 2015, the Chief Engineer is allowing an extension of time for 60 days for the above referenced file. With this extension of time the revised response date is **November 14, 2015**. This extension of time appears reasonable based on the need to thoroughly review nearby well owner concerns and necessary actions on senior files in the local area.

We are delaying any further action to allow you time to submit recommendations concerning this file. Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (785) 296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Doug Schemm".

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

SCANNED

May 11, 2015

GROUNDWATER MANAGEMENT DISTRICT NO 2
% TIM BOESE
313 SPRUCE ST
HALSTEAD KS 67056-1925

Re: Pending Application, File No. 49,102

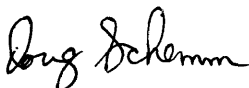
Dear Mr. Boese:

We are enclosing a copy of the application referred to above which appears to be in proper form. Nearby well owner notification letters were sent out on April 14, 2015 to nearby well owners. A telephone call was received from Mr. Stephen Kill, and a letter was received from another nearby domestic well owner, both expressing concerns about this pending application. The letter was signed by several nearby landowners.

We are delaying any further action for a period of **30 days** from the date of this letter to allow you time to submit your recommendations concerning this application. Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (785) 296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Enclosure

SCANNED



Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov

Sam Brownback, Governor

May 5, 2015

BERNADINE MANNING
6908 SW 72ND ST
SEDGWICK KS 67135

Re: Pending Application, File No. 49,102

Dear Ms. Manning:

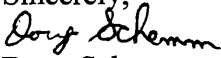
This will acknowledge receipt of your letter, received in this office on April 30, 2015 in which you expressed concerns regarding the proposed appropriation of groundwater by Michael P. McGinn under the above referenced application for irrigation use. We are in the process of thoroughly reviewing this pending application to ensure that it complies with the Kansas Water Appropriation Act and applicable rules and regulations. The Chief Engineer is required to approve applications for water appropriation unless the proposed appropriation will impair existing water rights or prejudicially and unreasonably affect the public interest. Impairment is indicated if existing water rights will experience an unreasonable lowering of the static water level.

In addition, this pending application will also be undergoing further review by Equus Beds Groundwater Management District No.2 (GMD No. 2), and they will be provided a copy of your letter. Your comments, and any recommendations made by GMD No. 2, will be considered by the Chief Engineer prior to final action on the referenced application.

Finally, the rules and regulations (K.A.R. 5-4-1) require the Chief Engineer to investigate any complaint that a prior right to the use of water is being impaired. If such impairment is found, the Chief Engineer must secure water to satisfy prior water rights. Therefore, if this application is approved by the Chief Engineer, and you believe the diversion of water is impairing your water right, you should notify Jeff Lanterman, Water Commissioner, Stafford Field Office, as follows, so that an investigation can be conducted.

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,

Doug Schemm
Environmental Scientist
Topeka Field Office

SCANNED

pc: Equus Beds Groundwater Management District No. 2
Stafford Field Office

Bernadine Manning
3908 SW 72ND St
Sedgwick, Kansas 67135

RECEIVED
APR 30 2015
Topeka Field Office
DIVISION OF WATER RESOURCES

April 27, 2015

Douglas W. Schemm
Environmental Scientist
Kansas Division of Water Resources
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Dear Mr. Schemm,

Thank you for the opportunity to make comments in regard to pending application #49102. I live on the property to the immediate north of the application and have so for nearly 50 years.

My house is directly on the east side of Emma Creek. Prior to the past 5 years, there were occasional times during an extremely long dry period during the summer that the creek would quit running but it was very rare. In the past 5 years it has been dry every year for long periods of time. When the irrigation season starts you can almost guarantee that the creek will be drying up in just a matter of days, particularly if a significant rainfall event doesn't occur. I often wonder why in other parts of the state they talk about minimum streamflow and yet it doesn't seem to even be on the radar regarding the creek that I live on.

Remember, I have lived here nearly 50 years. Things have changed recently and what seems to be as quite rapidly. When you drive down Ridge Rd it seems as though another irrigation system is going up all the time. In recent years, the City of Newton has also added several municipal supply wells in the immediate area. The local Groundwater Management District Board doesn't seem show any interest in addressing the huge increase in development in the area. Perhaps it's because a sitting board member has directly benefitted from many of these additional permits and this one in question is just one more.

I'm asking for your help to intervene where the local management district has not. I am just one of several people in this community that are concerned about this. If some sort of action isn't taken, the development will continue. I have asked several neighbors and landowners in the area to sign this letter. If you do nothing else, please consider delaying this permit as well as any additional pending permits until a more thorough study of the area can be completed.

Sincerely,

Bernadine Manning

SCANNED

Bernadine Manning

Frank Harper 8426 S Ridge Rd Sedgwick KS 67135
Bernadine Manning 5631 S Ridge Rd Sedgwick KS 67135
Stephen D Kill 6524 S.W. 72ND Sedgwick KS
Doug NILES 4410 SW 96th Sedgwick KS
FRANCIS J HARPER 8100S RIDGERD SEDGWICK, KS
Amelia Harper
Bernadine Manning
67135
Joe Harper

The logo features the word "Kansas" in a large, serif font. Above the letters "a", "n", and "s" is a decorative arch containing a series of small stars. Below the word "Kansas" are the words "Department of Agriculture" and "Division of Water Resources" in a smaller, sans-serif font.

Kansas
Department of Agriculture
Division of Water Resources

Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov
Sam Brownback, Governor

April 14, 2015

STEPHEN & JANE KILL
6524 SW 72ND ST
SEDGWICK KS 67135

Re: Pending New Application, File No. 49,102

Dear Sir or Madam:

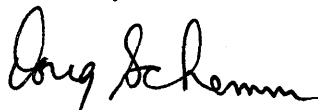
This is to advise you that Michael P. McGinn has filed the application referred to above for a permit to appropriate 140.4 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from one well located as follows:

In the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (NE¹/₄ NE¹/₄ NW¹/₄) of Section 21, in Township 24 South, Range 1 West, in Harvey County, Kansas.

A map is enclosed indicating the location of the proposed point of diversion. 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 or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Doug Schemm".

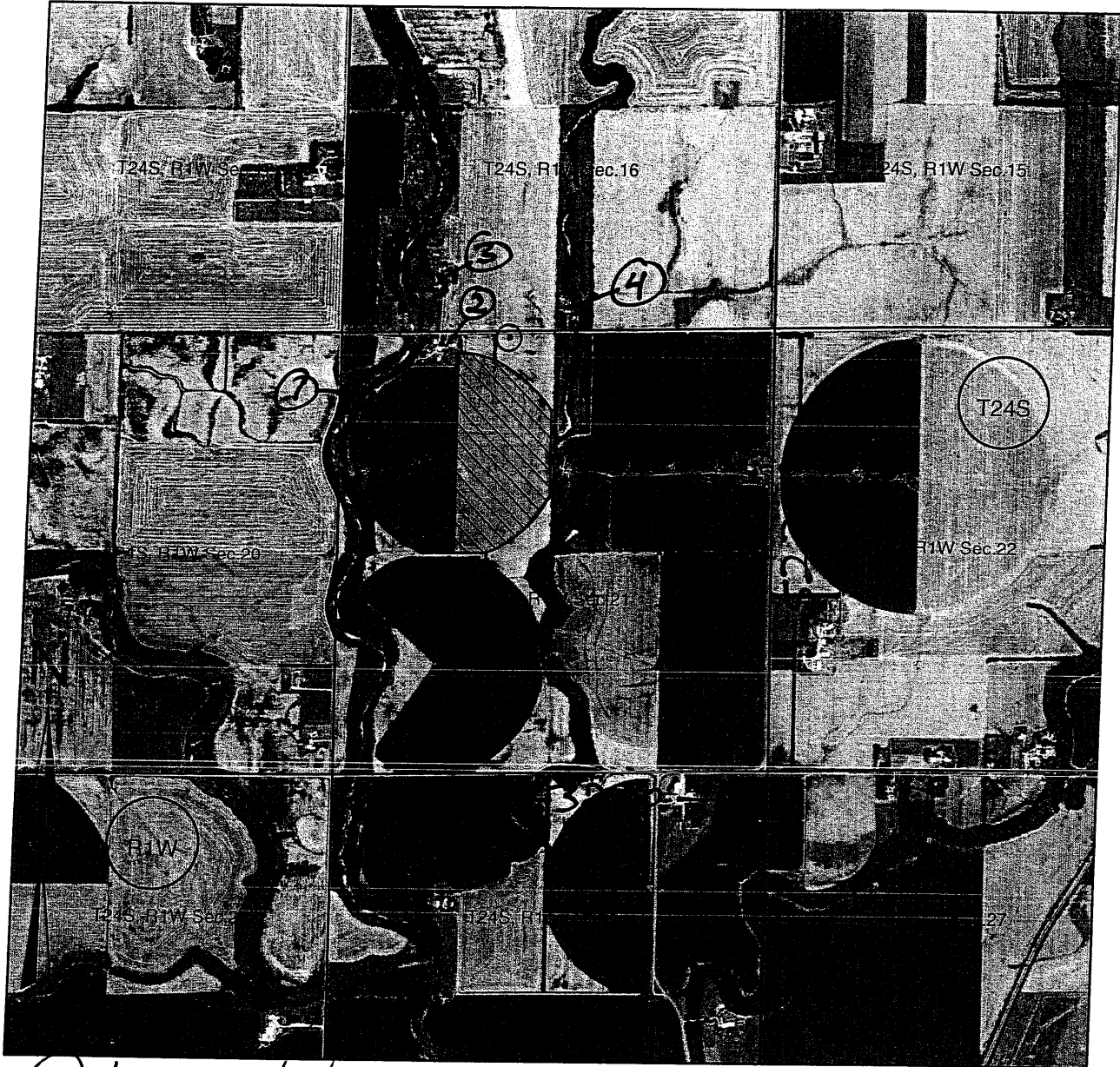
Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Enclosure

pc: Michael McGinn
GMD 2

SCANNED

Application Map - File No. 49,102



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

[Signature]
Signature

6-9-14
Date

- New Application**
- Application No. _____ To Change:**

- Point of Diversion
- Place of Use
- Use Made of Water
- Proposed Point of Diversion
- Existing Points of Diversion
- Proposed Place of Use
- Authorized Place of Use

Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address)

- 1) *See Attached*
- 2) **WATER RESOURCES RECEIVED**
JUN 25 2014
- 3) **KS DEPT OF AGRICULTURE**
SCANNED


Kansas
Department of Agriculture
Division of Water Resources

Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov
Sam Brownback, Governor

April 14, 2015

CHRISTOPHER MCGINN
6901 SW 72ND ST
SEDGWICK KS 67135

Re: Pending New Application, File No. 49,102

Dear Sir or Madam:

This is to advise you that Michael P. McGinn has filed the application referred to above for a permit to appropriate 140.4 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from one well located as follows:

In the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (NE¹/₄ NE¹/₄ NW¹/₄) of Section 21, in Township 24 South, Range 1 West, in Harvey County, Kansas.

A map is enclosed indicating the location of the proposed point of diversion. 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 or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,



Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Enclosure

pc: Michael McGinn
GMD 2

SCANNED

Application Map - File No. 49,102



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

[Signature]
Signature

6-9-14
Date

- New Application**
- Application No. _____ To Change:**
 - Point of Diversion
 - Place of Use
 - Use Made of Water
 - Proposed Point of Diversion
 - Existing Points of Diversion
 - Proposed Place of Use
 - Authorized Place of Use

Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address)

- 1) See Attached
- 2)
- 3)

WATER RESOURCES
RECEIVED

JUN 25 2014

KS DEPT OF AGRICULTURE
SCANNED


Kansas
Department of Agriculture
Division of Water Resources

Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov
Sam Brownback, Governor

April 14, 2015

BERNADINE MANNING
6908 SW 72ND ST
SEDGWICK KS 67135

Re: Pending New Application, File No. 49,102

Dear Sir or Madam:

This is to advise you that Michael P. McGinn has filed the application referred to above for a permit to appropriate 140.4 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from one well located as follows:

In the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 21, in Township 24 South, Range 1 West, in Harvey County, Kansas.

A map is enclosed indicating the location of the proposed point of diversion. 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 or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,



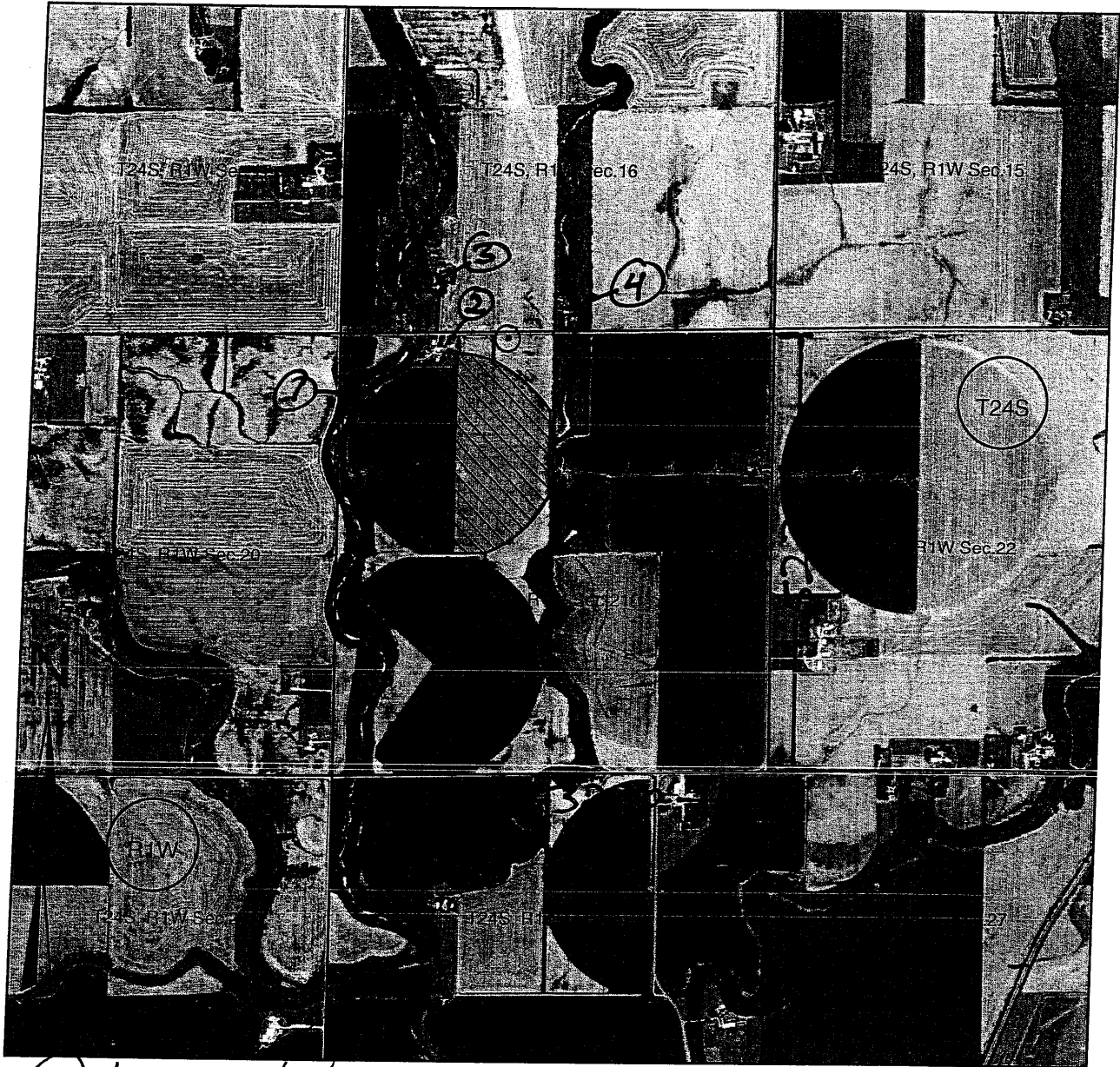
Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Enclosure

pc: Michael McGinn
GMD 2

SCANNED

Application Map - File No. 49,102



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

[Signature]
Signature

6-9-14
Date

- New Application
- Application No. _____ To Change:

- Point of Diversion
- Place of Use
- Use Made of Water
- Proposed Point of Diversion
- Existing Points of Diversion
- Proposed Place of Use
- Authorized Place of Use

Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address)

- 1) *See Attached*
- 2) WATER RESOURCES RECEIVED
JUN 25 2014
- 3) KS DEPT OF AGRICULTURE
SCANNED

WATER RIGHT INFORMATION REPORT FOR : 29392 00

RIGHT TYPE: Appropriation

SOURCE: Groundwater USE: IRR

CURRENT STATUS: Certificate Issued

PRIORITY DATE: 21-MAR-77

CURRENT COMPLETE BY DATE: 31-DEC-78

COMPLETION ACKNOWLEDGED DATE: 29-NOV-77

CURRENT PERFECT BY DATE: 31-DEC-82

YEAR PERFECTED:

CERTIFICATE ISSUED DATE: 22-NOV-91

.....

APPLICANT(S):

> MARY A VOLKLAND TRUST FARMERS NATL CO #17219 PO BOX 370 DERBY KS 67037

> PERSON ID (Old Address Code): 18629

> CORRESPONDENT SEQUENCE NUMBER: 1

>-----

.....

WATER USE CORRESPONDENT(S):

> MICHAEL P & SUSANNAH M MCGINN REV TRUSTS 1123 W 4TH ST SEDGWICK KS 67135

> PERSON ID (Old Address Code): 11495

> CORRESPONDENT SEQUENCE NUMBER: 1

>-----

.....

ACTION TRAIL:

- 21-MAR-77 Pending Initial Review
- 23-NOV-77 Approved Pending Completion N+P BY 31-DEC-78 PERF BY 31-DEC-82
- 29-NOV-77 Completed Pending Inspection
- 28-MAY-86 Of Wichita-Attn:Roger Lemon Jr
- 28-MAY-86 Corres & Wur From Mary A Volkland-Trust To First National Bank
- 01-NOV-90 Inspected Pending Perfection
- 01-NOV-90 Fir Cont Se Rec'D
- 22-NOV-91 Certificate Issued
- 22-NOV-91 Corres & Wur From 1st Nat'L Bk/Wichita To Mary A Volkland Tr
- 22-NOV-91 Record Yr.1978:663gpm Grated Pipe,538gpm Sprinkler
- 29-JUL-97 Wur From Mary A Volkland Trust To Intrust Bank Na
- 02-NOV-07 Wur From Intrust Bank Na To Mary A Volkland Trust
- 30-SEP-11 Landowner Chg - Michael P & Susannah M Mcginn
- 30-SEP-11 Wur From Mary A Volkland Trust To Michael P & Susannah M Mcginn
- 17-JUN-14 C1 Fo Change App Pu Filed
- 21-JUL-14 C1 Fo Change Pu Approved COMPLY BY 31-DEC-14
- 10-NOV-14 Gmd Compliance Check/In Compliance

.....

CONSERVATION CONTRACT ACTION TRAIL:

.....

CONSERVATION PLAN ACTION TRAIL:

.....

SPECIAL CONDITIONS:

.....

QUANTITIES:

>AUTHORIZED 90.000 AF ADDITIONAL 90.000 AF

.....

RATES:

>AUTHORIZED 700.000 gpm ADDITIONAL 700.000 gpm

.....
LIMITATIONS: None
.....

STORAGE QUANTITIES: No active storage quantities associated with IRR use under this water right
STORAGE RATES: No active storage rates associated with IRR use under this water right

.....
AUTHORIZED POINTS(S) OF DIVERSION
Section 21, T 24, R 1W, ID 1 (Internal PDIV_ID = 22462)
QUALIFIERS: SW NW NW
DIST. FROM SE CORNER: 4600 ft North 4900 ft West
NUMBER OF WELLS: 1

COMMENT:
OLD LONGITUDE: 97.443256 OLD LATITUDE: 37.954245
NEW LONGITUDE: 97.443689 NEW LATITUDE: 37.953972
GPS LONGITUDE: GPS LATITUDE:
GPS FEET NORTH: GPS FEET WEST:

COUNTY: HARVEY
FIELD OFFICE: STAFFORD FIELD OFFICE

GMD : 2
BASIN: LITTLE ARKANSAS RIVER

STREAM:
SPECIAL_USE_AREA(S):

AQUIFER(S):
TEST INFORMATION:
> 25-JUL-90 663 Field Inspection Test

METER ACTION TRAIL:
METER INFORMATION:
Date Installed : Currently Installed? Y
> Manufacturer: MCCROMETER Model: MD308-1300
> Type: Propellor Serial No.: 02-8-2742
> Meter Unit: Acre-feet Meter Size: 5 Inch Multiplier: .001
> Portable Pump Installation? Multiple PDs? Straightening Vanes?
> Measuring Chamber? Meter Comment: 11/10/2014 GMD INSPECTION

METER INFORMATION:
Date Installed : Currently Installed? N
> Manufacturer: Not available Model:
> Type: Not Available Serial No.:
> Meter Unit: N/A Meter Size: 10 Inch Multiplier: N/A
> Portable Pump Installation? N Multiple PDs? N Straightening Vanes? N
> Measuring Chamber? Meter Comment:

OVERLAPS:

.....

AUTHORIZED PLACE(S) OF USE
Section 21, T 24, R 1W, ID 1 (Internal PUSE_ID = 3711)
OWNER: MICHAEL P & SUSANNAH M MCGINN REV TRUSTS

Address:
** 1123 W 4TH ST
** SEDGWICK KS 67135
Total acres authorized = 108.00 Acres

| NE | NW | SW | SE |

| NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |
 | .00| .00| .00| .00| 26.00| 19.00| 28.00| 35.00| .00| .00| .00| .00| .00| .00| .00| .00|

COMMENT:

OVERLAPS:

> A 49102 00 IRR

 :::::::::::::::

WATER USE INFORMATION:

Year	Qualifiers	SC	ID	Date Rcvd	Hours	GPM	Acre-feet	Code	Ac_Irr	Date Msrd	Wtr_Dp	Well_Dp	Reel	Blip		
2015	4600N	4900W	21	1 02-MAR-16		86.0	A	108		N/A	N/A	93	1900			
2014	4600N	4900W	21	1 02-MAR-15		86.0	A	108		N/A	N/A	89	610			
2013	4600N	4900W	21	1 03-MAR-14		86.0	A	108		N/A	N/A	84	1101			
2012	4600N	4900W	21	1 28-FEB-13		76.0	A	100		N/A	N/A	79	1131			
2011	4600N	4900W	21	1 27-FEB-12		87.0	A	100		N/A	N/A	73	921			
2010	4600N	4900W	21	1 11-FEB-11		87.0	A	108		N/A	N/A	66	948			
2009	4600N	4900W	21	1 22-FEB-10		73.0	A	108		N/A	N/A	60	2631			
2008	4600N	4900W	21	1 26-FEB-09		700	69.0	A	108		N/A	N/A	55	1430		
2007	4600N	4900W	21	1 15-JAN-08		88.0	A	108		N/A	N/A	47	1053			
2006	4600N	4900W	21	1 14-MAY-07		88.0	A	108		N/A	N/A	44	1687			
2005	4600N	4900W	21	1 01-MAR-06		800	84.0	A	110		N/A	N/A	38	35		
2004	4600N	4900W	21	1 11-FEB-05	667	750	81.0	A	108		N/A	N/A	30	705		
2003	4600N	4900W	21	1 02-FEB-04	972	750	106.0	A	110		N/A	N/A	23	2313		
2002	4600N	4900W	21	1 07-FEB-03		E	N/A		N/A	N/A		18	231			
2002	4600N	4900W	21	1 07-FEB-03		Comment: CONVERSION OF SYSTEM TO CENTER PIVOT										
2001	4600N	4900W	21	1 28-FEB-02		J	N/A		N/A	N/A		14	188			
2001	4600N	4900W	21	1 28-FEB-02		Comment: NON-FUNCTIONING										
2000	4600N	4900W	21	1 01-MAR-01		530	21.0	A		20 27-FEB-01		21	140	7 2894		
1999	4600N	4900W	21	1 28-FEB-00		530	20.0	A		20 26-JAN-00		21	140	3 1650		
1998	4600N	4900W	21	1 01-MAR-99		535	12.0	A		12 18-JAN-99		20	140	94 2753		
1997	4600N	4900W	21	1 27-FEB-98		3	N/A		23-JAN-98	206	N/A	88	2463			
1996	4600N	4900W	21	1 26-FEB-97		525	7.0	A		20 15-JAN-97		2158	144	82 924		
1995	4600N	4900W	21	1 26-FEB-96	0	850	7.0	7		20 01-FEB-96		21	144	76 640		
1994	4600N	4900W	21	1 28-FEB-95	250	525	31.0	7		61 01-JAN-95		22	140	71 2293		
1993	4600N	4900W	21	1 28-FEB-94	175	525	11.0	7		20 01-JAN-94		20	144	65 2246		
1992	4600N	4900W	21	1 22-FEB-93	252	525	21.0	7		69 01-JAN-93		19	144	58 3087		
1991	4600N	4900W	21	1 11-FEB-92	0	0	52.0	7		76 01-JAN-92		23	144	52 1287		
1990	4600N	4900W	21	1 14-FEB-91	0	0	53.0	7		81 01-JAN-91		23	144	46 2149		
1990	4600N	4900W	21	1 14-FEB-91		Comment: 505-HRS, 525-GPM, GRAIN & SOYBEANS										
1989	4600N	4900W	21	1 07-FEB-90	172	700	22.2	G		66 01-JAN-90		22	144	40 1567		
1988	4600N	4900W	21	1	375	550	38.0	G		70 31-JAN-89		22	144	35 1869		
1987	4600N	4900W	21	1	322	525	31.0	7		68 27-JAN-88		21	144	29 3325		
1987	4600N	4900W	21	1		Comment: SIGNED BY ROGER W LEMON JR										
1986	4600N	4900W	21	1	220	525	23.0	7		84 05-FEB-86		20	144	26 938		
1985	4600N	4900W	21	1	307	525	347.0	7		88 03-JAN-86		20	144	21 1772		
1984	4600N	4900W	21	1	600	550	59.0	7		80 23-JAN-85		22	144	16 3543		
1983	4600N	4900W	21	1	529	550	53.6	G		85 23-JAN-84		22	144	10 1697		
1982	4600N	4900W	21	1	0	550	50.0	7		01-JAN-83		20	N/A	5 944		
1981	4600N	4900W	21	1	546	525	52.8	G		105 01-JAN-82		19	144	2 433		
1981	4600N	4900W	21	1		Comment: AMT IN METERED-51228										

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49102 00

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AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49102 00 IRR

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

5230 Feet North and 3200 Feet West of the Southeast Corner of Section 21 T 24S R 1W

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit	
A__ 24902 00	IRR	NK	G	7027	--	SE	NE	NE	4113	290	28	24	1W	3		44.00	44.00	AF	
A__ 25273 00	IRR	NK	G	9797	--	--	NC	SE	1340	1325	29	24	1W	2		180.00	180.00	AF	
A__ 27925 D1	IRR	NK	G	9600	--	--	NC	SE	1298	1320	19	24	1W	3		163.00	163.00	AF	
A__ 29114 00	IRR	NK	G	9915	--	--	CW	NW	3876	5246	29	24	1W	8		156.00	156.00	AF	
A__ 29392 00	IRR	NK	G	1818	--	SW	NW	NW	4600	4900	21	24	1W	1		90.00	90.00	AF	
A__ 31615 00	IRR	NK	G	5214	--	NW	SW	NW	3930	5160	15	24	1W	1		31.00	31.00	AF	
Same				5343	--	NW	SW	NW	3930	4960	15	24	1W	2		29.00	29.00	AF	
A__ 41418 00	MUN	KE	G	8553	--	NE	NE	SE	2590	90	9	24	1W	2		572.50	572.50	AF	
A__ 41419 00	MUN	KE	G	4353	--	NE	SW	NE	3930	1510	16	24	1W	1		572.50	.00	AF	
A__ 42127 00	MUN	KE	G	9109	--	NW	SE	NE	3520	1260	9	24	1W	5		500.01	.00	AF	
A__ 42128 00	MUN	KE	G	3769	--	SE	SE	NE	2700	650	16	24	1W	2		500.01	.00	AF	
A__ 42889 00	IRR	NK	G	7007	--	--	CE	SE	1312	5	8	24	1W	3		91.00	91.00	AF	
A__ 43672 00	IRR	NK	G	9615	--	--	CE	NE	3999	68	8	24	1W	4		89.00	89.00	AF	
A__ 47213 00	IRR	LR	G	4330	--	--	NC	SE	1320	1340	21	24	1W	2		172.00	172.00	AF	
A__ 47214 00	IRR	MM	G	8022	--	SE	SW	NE	2700	1400	28	24	1W	4		71.00	71.00	AF	
A__ 47341 00	IRR	LO	G	3833	--	NE	NE	SE	2630	384	21	24	1W	4 G	4	253.50	253.50	AF	
Same				4054	--	NE	NE	SE	2630	90	21	24	1W	5 B	4				
Same				3905	--	NE	NE	SE	2630	286	21	24	1W	6 B	4				
Same				3761	--	NE	NE	SE	2630	482	21	24	1W	7 B	4				
Same				3622	--	NW	NE	SE	2630	678	21	24	1W	8 B	4				
A__ 47876 00	IRR	KE	G	5310	--	--	NC	NE	3960	1300	17	24	1W	6		84.50	84.50	AF	
A__ 47899 00	IRR	KE	G	6625	--	NE	SE	SW	1220	2650	9	24	1W	7		170.30	170.30	AF	
A__ 47901 00	IRR	KE	G	5731	--	NW	NE	NE	5250	1100	16	24	1W	3		104.00	104.00	AF	
A__ 47982 00	IRR	KE	G	5654	--	SW	SW	SW	50	4750	9	24	1W	8		45.50	45.50	AF	
A__ 49102 00	IRR	AY	G	0	--	NE	NE	NW	5230	3200	21	24	1W	9		140.40	140.40	AF	
A__ 49131 00	IRR	AY	G	6625	--	NE	SE	SW	1220	2650	9	24	1W	7		201.50	201.50	AF	
A__ 49134 00	IRR	AY	G	5731	--	NW	NE	NE	5250	1100	16	24	1W	3		174.20	174.20	AF	
T__20127298	MF	IRR	GY	G	9600	--	--	NC	SE	1298	1320	19	24	1W	3		631.13	.00	AF

FO-2; GMD-2
1320' well
SPACING

Applicants

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	516.10	.00
Total Permitted Amount (AF) =	976.80	.00
Total Inspected Amount (AF) =	425.50	.00
Total Pro_Cert Amount (AF) =	71.00	.00
Total Certified Amount (AF) =	873.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2862.40	.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:

5230 Feet North and 3200 Feet West of the Southeast Corner of Section 21 T 24S R 1W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

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File Number Use ST SR

A__ 24902 00 IRR NK G
> FRANK J & MARY M HARPER
>
> 8426 S RIDGE RD
> SEDGWICK KS 67135

>-----

A__ 25273 00 IRR NK G
> KURR LAND LLC
> DARYL WEDEL MANAGER
> 301 N MAIN ST STE 110
> NEWTON KS 67114

>-----

A__ 27925 D1 IRR NK G
> JOHN F WEBER
>
> 247 MAIN
> HALSTEAD KS 67056

>-----

A__ 29114 00 IRR NK G
> LOYD FARMS LLP
>
> 415 W 6TH ST
> SEDGWICK KS 67135

>-----

A__ 29392 00 IRR NK G
> MICHAEL P & SUSANNAH M MCGINN REV TRUSTS
>
> 1123 W 4TH ST
> SEDGWICK KS 67135

>-----

A__ 31615 00 IRR NK G
> C G & DEBORAH K MCGINN
>
> 6618 S RIDGE RD
> SEDGWICK KS 67135

>-----

A__ 41418 00 MUN KE G
> PUBLIC WHOLESALE WATER SUPPLY DIST #17
>
> PO BOX 426
> NEWTON KS 67114

>-----

A__ 41419 00 MUN KE G
> PUBLIC WHOLESALE WATER SUPPLY DIST #17
>
> PO BOX 426
> NEWTON KS 67114

>-----

A__ 42127 00 MUN KE G
> PUBLIC WHOLESALE WATER SUPPLY DIST #17
>
> PO BOX 426
> NEWTON KS 67114

A__ 42128 00 MUN KE G
> PUBLIC WHOLESALE WATER SUPPLY DIST #17
>
> PO BOX 426
> NEWTON KS 67114

A__ 42889 00 IRR NK G
> EDWARD J & TRICIA R WEBER
>
> 247 MAIN ST
> HALSTEAD KS 67056

A__ 43672 00 IRR NK G
> EDWARD J & TRICIA R WEBER
>
> 247 MAIN ST
> HALSTEAD KS 67056

A__ 47213 00 IRR LR G
> MCGINN LAND CO LLC
>
> 1123 W 4TH ST
> SEDGWICK KS 67135

A__ 47214 00 IRR MM G
> MCGINN LAND CO LLC
>
> 1123 W 4TH ST
> SEDGWICK KS 67135

A__ 47341 00 IRR LO G
> JOE & DONNA L HARPER TRUST
>
> 8100 S RIDGE RD
> SEDGWICK KS 67135

A__ 47876 00 IRR KE G
> MCGINN LAND CO LLC
>
> 1123 W 4TH ST
> SEDGWICK KS 67135

A__ 47899 00 IRR KE G
> MCGINN LAND CO LLC
>
> 1123 W 4TH ST

> SEDGWICK KS 67135

>-----

A__ 47901 00 IRR KE G

> MCGINN LAND CO LLC

>

> 1123 W 4TH ST

> SEDGWICK KS 67135

>-----

A__ 47982 00 IRR KE G

> MCGINN LAND CO LLC

>

> 1123 W 4TH ST

> SEDGWICK KS 67135

>-----

A__ 49102 00 IRR AY G

> MICHAEL P & SUSANNAH M MCGINN REV TRUSTS

>

> 1123 W 4TH ST

> SEDGWICK KS 67135

>-----

A__ 49131 00 IRR AY G

> MCGINN LAND CO LLC

>

> 1123 W 4TH ST

> SEDGWICK KS 67135

>-----

A__ 49134 00 IRR AY G

> MCGINN LAND CO LLC

>

> 1123 W 4TH ST

> SEDGWICK KS 67135

>-----

T__20127298 MF IRR GY G

> JOHN F WEBER

>

> 247 MAIN

> HALSTEAD KS 67056

>-----

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USE TYPEWRITER OR BALL POINT PEN-PRESS FIRMLY, PRINT CLEARLY.

WATER WELL RECORD
KSA 82a-1201-1215

#29,392

Kansas Department of Health and Environment-Division of Environment
(Water well Contractors)
Topeka, Kansas 66620

1. Location of well:		County HARVEY	Fraction NW 1/4 NW 1/4 NW 1/4	Section number 21	Township number T 24 S R 1 NW	Range number
2. Distance and direction from nearest town or city: 2 No			3. Owner of well: MARY F BOKLAND ESTATE R.R. or street: SEOGWICK KANSAS City, state, zip code: 67135			
4. Locate with "X" in section below: IRRIGATION WELL			6. Bore hole dia. 30 in. Completion date 5-16-77 Well depth 144 ft.			
			7. <input type="checkbox"/> Cable tool <input type="checkbox"/> Rotary <input type="checkbox"/> Driven <input type="checkbox"/> Dug <input type="checkbox"/> Hollow rod <input type="checkbox"/> Jetted <input type="checkbox"/> Bored <input checked="" type="checkbox"/> Reverse rotary			
5. Type and color of material			8. Use: <input type="checkbox"/> Domestic <input type="checkbox"/> Public supply <input type="checkbox"/> Industry <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Air conditioning <input type="checkbox"/> Stock <input type="checkbox"/> Lawn <input type="checkbox"/> Oil field water <input type="checkbox"/> Other			
			9. Casing: Material TRANS Height: Above or below MNC Threaded <input type="checkbox"/> Welded <input type="checkbox"/> Surface 2 1/2 in. RMP <input type="checkbox"/> PVC <input type="checkbox"/> Weight 32 lbs./ft. Dia. 1 1/2 in. to 1 1/4 ft. depth Wall Thickness: inches or Dia. <input type="checkbox"/> in. to <input type="checkbox"/> ft. depth gage No. 3 1/4 "			
			10. Screen: Manufacturer's name AURORA TILE CO. Type TRANSITE Dia. 1 1/2 in. Slot/gauze 1/8 Length 52' MNC Set between 92 ft. and 144 ft. ft. and ft. Gravel pack? <input checked="" type="checkbox"/> Size range of material 1/4 "			
			11. Static water level: <input type="checkbox"/> mo./day/yr. 20 ft. below land surface Date 5-17-77			
			12. Pumping level below land surfaces: 47 ft. after 1 hrs. pumping 1200 g.p.m. ft. after hrs. pumping g.p.m. Estimated maximum yield 1500 g.p.m.			
			13. Water sample submitted: <input type="checkbox"/> mo./day/yr. Yes <input checked="" type="checkbox"/> No Date			
			14. Well head completion: <input type="checkbox"/> Pitless adapter <input type="checkbox"/> Inches above grade			
			15. Well grouted? <input checked="" type="checkbox"/> yes Banded clay With: <input type="checkbox"/> Neat cement <input type="checkbox"/> Bentonite <input type="checkbox"/> Concrete Depth: From 0 ft. to 12 ft.			
			16. Nearest source of possible contamination: None ft. 100 Direction NE Type well Well disinfected upon completion? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
			17. Pump: <input type="checkbox"/> Not installed Manufacturer's name Western Land Pump Model number 577 HP 60 Volts 110 Length of drop pipe 90 ft. capacity 900 g.p.m. Type: <input type="checkbox"/> Submersible <input checked="" type="checkbox"/> Turbine <input type="checkbox"/> Jet <input type="checkbox"/> Reciprocating <input type="checkbox"/> Centrifugal <input type="checkbox"/> Other			
18. Elevation:			20. Water well contractor's certification: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. Peterson 2M inc 13879 Business name License No. Address Lindsborg, Kansas Signed Wally Peterson Date 6-2-77 Authorized representative			
19. Remarks:			21. (Use a second sheet if needed)			
Topography: <input type="checkbox"/> Hill <input type="checkbox"/> Slope <input type="checkbox"/> Upland <input checked="" type="checkbox"/> Valley						

24
1
24
1
1/4 NW 1/4 NW 1/4

WATER WELL RECORD

Form WWC-5

Division of Water Resources; App. No.

47213

1 LOCATION OF WATER WELL: County: Sedgwick Fraction 1/4 NW 1/4 SE 1/4 Section Number 21 Township Number T 24 S Range Number R 1 E

Distance and direction from nearest town or city street address of well if located within city? RRI in Sedgwick, KS

Global Positioning Systems (decimal degrees, min. of 4 digits)
 Latitude: _____
 Longitude: _____
 Elevation: _____
 Datum: _____
 Data Collection Method: _____

2 WATER WELL OWNER: McGrinn Farms
 RR#, St. Address, Box #: RRI
 City, State, ZIP Code: Sedgwick, KS 67135

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:

NW	NE
SW	X

4 DEPTH OF COMPLETED WELL 120 ft.

Depth(s) Groundwater Encountered (1)..... 27 ft. (2)..... ft. (3)..... ft.
 WELL'S STATIC WATER LEVEL..... 2.7 ft. below land surface measured on mo/day/yr... 2/13/09
 Pump test data: Well water was.....ft. after..... hours pumping..... gpm
 Est. Yield... 800 gpm: Well water was.....ft. after..... hours pumping..... gpm
 WELL WATER TO BE USED AS: 5 Public water supply 8 Air conditioning 11 Injection well
 1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)
 Irrigation 4 Industrial 7 Domestic (lawn & garden) 10 Monitoring well

Was a chemical/bacteriological sample submitted to Department? Yes No ; If yes, mo/day/yr Sample was submitted..... Water well disinfected? Yes No

5 TYPE OF CASING USED: 5 Wrought Iron 8 Concrete tile CASING JOINTS: Glued... Clamped.....
 1 Steel 3 RMP (SR) 6 Asbestos-Cement 9 Other (specify below) Welded.....
 PVC 4 ABS 7 Fiberglass Threaded.....
 Blank casing diameter 16" in. to ft., Diameter in. to ft., Diameter in. to ft.
 Casing height above land surface..... 12 in., Weight 14 lbs./ft. Wall thickness or guage No. SCH 40

TYPE OF SCREEN OR PERFORATION MATERIAL:
 1 Steel 3 Stainless Steel 5 Fiberglass PVC 9 ABS 11 Other (Specify)
 2 Brass 4 Galvanized Steel 6 Concrete tile 8 RM (SR) 10 Asbestos-Cement 12 None used (open hole)

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

SCREEN-PERFORATED INTERVALS: From..... 80 ft. to 120 ft., From ft. to ft.
 From..... ft. to ft., From ft. to ft.

GRAVEL PACK INTERVALS: From..... 20 ft. to 120 ft., From ft. to ft.
 From..... ft. to ft., From ft. to ft.

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

Grout Intervals: From..... 3 ft. to 20 ft., From ft. to ft., From ft. to ft.

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

Direction from well? none open field How many feet?

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	24	Clay			
24	45	sand			
45	47	coarse sand			
47	52	clay			
52	60	med. sand			
60	61	clay			
61	88	med. sand			
88	90	clay			
90	118	med. sand			
118	120	shale			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo/day/year) 2/13/09 and this record is true to the best of my knowledge and belief.
 Kansas Water Well Contractor's License No. 238 This Water Well Record was completed on (mo/day/year) 2/13/09
 under the business name of Premier Pump & Well Service (signature) Ernie Kueber

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, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5522. Send one to WATER WELL OWNER and retain one for your records. Fee of \$5.00 for each constructed well. Visit us at <http://www.kdheks.gov/waterwell/index.html>.

CORRECTION(S) TO WATER WELL RECORD (WWC-5)

(to rectify lacking or incorrect information)

County: Harvey

Location listed as:

Location ~~changed to:~~

Section-Township-Range: _____

21-24 S-1 W

Fraction (1/4 1/4 1/4): _____

C SE

Other changes: Initial statements: Sedgwick County

Changed to: Harvey County

Comments: _____

verification method: Written & legal descriptions, position on plat map, and water right record (WIMAS) for same owner at same location, and mapping tool on KGS website. initials: ARL date: 6/17/2009

submitted by: Kansas Geological Survey, Data Resources Library, 1930 Constant Ave., Lawrence, KS 66047-3726
to: Kansas Dept of Health & Environment, Bureau of Water, 1000 SW Jackson, Suite 420, Topeka, KS 66612-1367.

WATER WELL RECORD

Form WWC-5

Division of Water Resources App. No.

1 LOCATION OF WATER WELL: County: <u>Harvey</u>	Fraction <u>NW 1/4 NE 1/4 SE 1/4 1/4</u>	Section Number <u>21</u>	Township No. <u>T 24 S</u>	Range Number <u>R 1</u> <input type="checkbox"/> E <input checked="" type="checkbox"/> W
Street/Rural Address of Well Location; if unknown, distance & direction from nearest town or intersection: If at owner's address, check here <input checked="" type="checkbox"/> . <u>8100 S Ridge Rd Sedgwick, KS 67135</u>		Global Positioning System (GPS) information: Latitude: (in decimal degrees) Longitude: (in decimal degrees) Elevation: Datum: <input type="checkbox"/> WGS 84, <input type="checkbox"/> NAD 83, <input type="checkbox"/> NAD 27 Collection Method: <input type="checkbox"/> GPS unit (Make/Model:) <input type="checkbox"/> Digital Map/Photo, <input type="checkbox"/> Topographic Map, <input type="checkbox"/> Land Survey Est. Accuracy: <input type="checkbox"/> <3 m, <input type="checkbox"/> 3-5 m, <input type="checkbox"/> 5-15 m, <input type="checkbox"/> >15 m		
2 WATER WELL OWNER: <u>Frank Harper</u> RR#, Street Address, Box #: <u>8100 S Ridge Rd</u> City, State, ZIP Code : <u>Sedgwick, KS 67135</u>				

3 LOCATE WELL WITH AN "X" IN SECTION BOX: N S -----1 mile-----	4 DEPTH OF COMPLETED WELL <u>.113</u> ft. Depth(s) Groundwater Encountered (1) <u>.27</u> ft. (2) ft. (3) ft. WELL'S STATIC WATER LEVEL <u>.27</u> ft. below land surface measured on mo/day/yr. <u>4/18/10</u> Pump test data: Well water was ft. after hours pumping gpm EST. YIELD <u>.800</u> gpm. Well water was ft. after hours pumping gpm Bore Hole Diameter <u>.30</u> in. to <u>.113</u> ft., and in. to ft. WELL WATER TO BE USED AS: <input type="checkbox"/> Public water supply <input type="checkbox"/> Geothermal <input type="checkbox"/> Injection well <input type="checkbox"/> Domestic <input type="checkbox"/> Feedlot <input type="checkbox"/> Oil field water supply <input type="checkbox"/> Dewatering <input type="checkbox"/> Other (Specify below) <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Domestic-lawn & garden <input type="checkbox"/> Monitoring well Was a chemical/bacteriological sample submitted to Department? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, mo/day/yr sample was submitted..... Water well disinfected? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---

5 TYPE OF CASING USED: Steel PVC Other

CASING JOINTS: Glued Clamped Welded Threaded
Casing diameter .16 in. to .65 ft., Diameter in. to ft., Diameter in. to ft.
Casing height above land surface .12 in., Weight .16 lbs./ft., Wall thickness or gauge No. Sch40

TYPE OF SCREEN OR PERFORATION MATERIAL:
 Steel Stainless Steel PVC Other (Specify)
 Brass Galvanized Steel None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:
 Continuous slot Mill slot Gauze wrapped Torch cut Drilled holes None (open hole)
 Louvered shutter Key punched Wire wrapped Saw cut Other (specify)

SCREEN-PERFORATED INTERVALS: From .65 ft. to .113 ft., From ft. to ft.
From ft. to ft., From ft. to ft.

GRAVEL PACK INTERVALS: From .20 ft. to .113 ft., From ft. to ft.
From ft. to ft., From ft. to ft.

6 GROUT MATERIAL: Neat cement Cement grout Bentonite Other

Grout Intervals: From .3 ft. to .20 ft., From ft. to ft., From ft. to ft.

What is the nearest source of possible contamination:
 Septic tank Lateral lines Pit privy Livestock pens Insecticide storage Other (specify below)
 Sewer lines Cesspool Sewage lagoon Fuel storage Abandoned water well
 Watertight sewer lines Seepage pit Feedyard Fertilizer storage Oil well/gas well none - open field

Direction from well Distance from well

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	25	Clay			
25	45	Sand to Small Gravel			
45	65	Clay			
65	111	Medium to Fine Sand			
111	113	Shale			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo/day/year) 4/18/10 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 238. This Water Well Record was completed on (mo/day/year) 4/26/10 under the business name of Premier Pump and Well Service, Inc. by (signature) Patricia A. Hein

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks and check the correct answers. Send three copies (white, blue, pink) to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5522. Send one copy to WATER WELL OWNER and retain one for your records. Include fee of \$5.00 for each constructed well. Visit us at <http://www.kdheks.gov/waterwell/index.html>.



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

June 26, 2014

MICHAEL P. MCGINN
1123 W 4TH STREET
SEDGWICK KS 67135

RE: Application
File No. 49,102

Dear Sir or Madam:

Your application for permit to appropriate water in 21-24S-1W, in Harvey 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 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,

Douglas W. Schemm
New Application Unit Supervisor
Water Appropriation Program

DWS: al
pc: Stafford Field Office
GMD 2

SCANNED

Application Map - File No. 49,102



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

[Signature]
Signature

6-9-14
Date

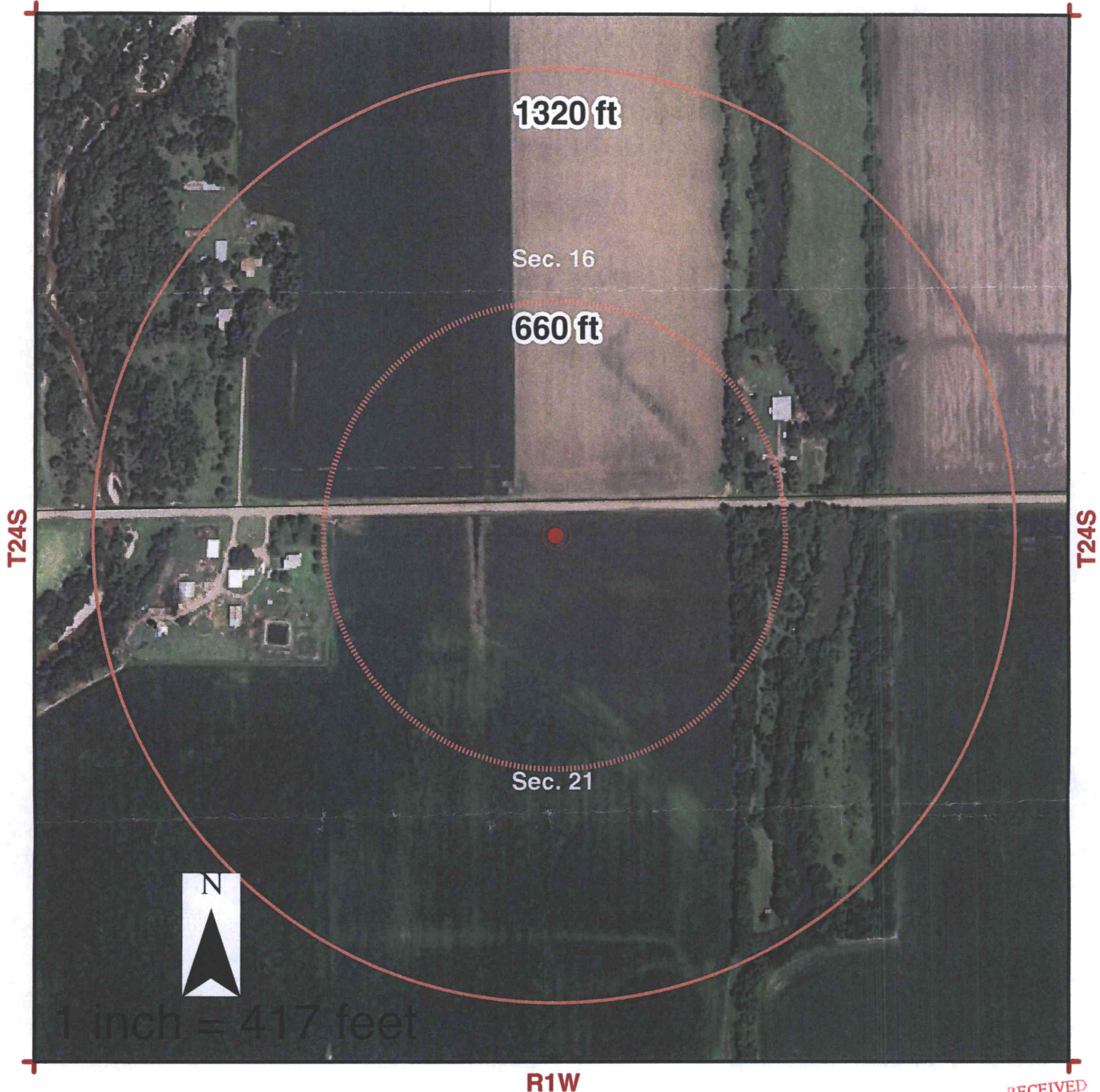
- New Application**
- Application No. _____ To Change:**
 - Point of Diversion
 - Place of Use
 - Use Made of Water
 - Proposed Point of Diversion
 - Existing Points of Diversion
 - Proposed Place of Use
 - Authorized Place of Use

Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address)

- 1) *See Attached*
- 2)
- 3)

WATER RESOURCES RECEIVED
JUN 25 2014
KS DEPT OF AGRICULTURE
SCANNED

Equus Beds Groundwater Management District No. 2
 Spacing Evaluation #49102 - Mike McGinn
 NENENW (5230'N & 3200'W) 21-24S-01W, Harvey County
 Prepared By: S. Flaherty Date: 5/12/2015



Map Legend

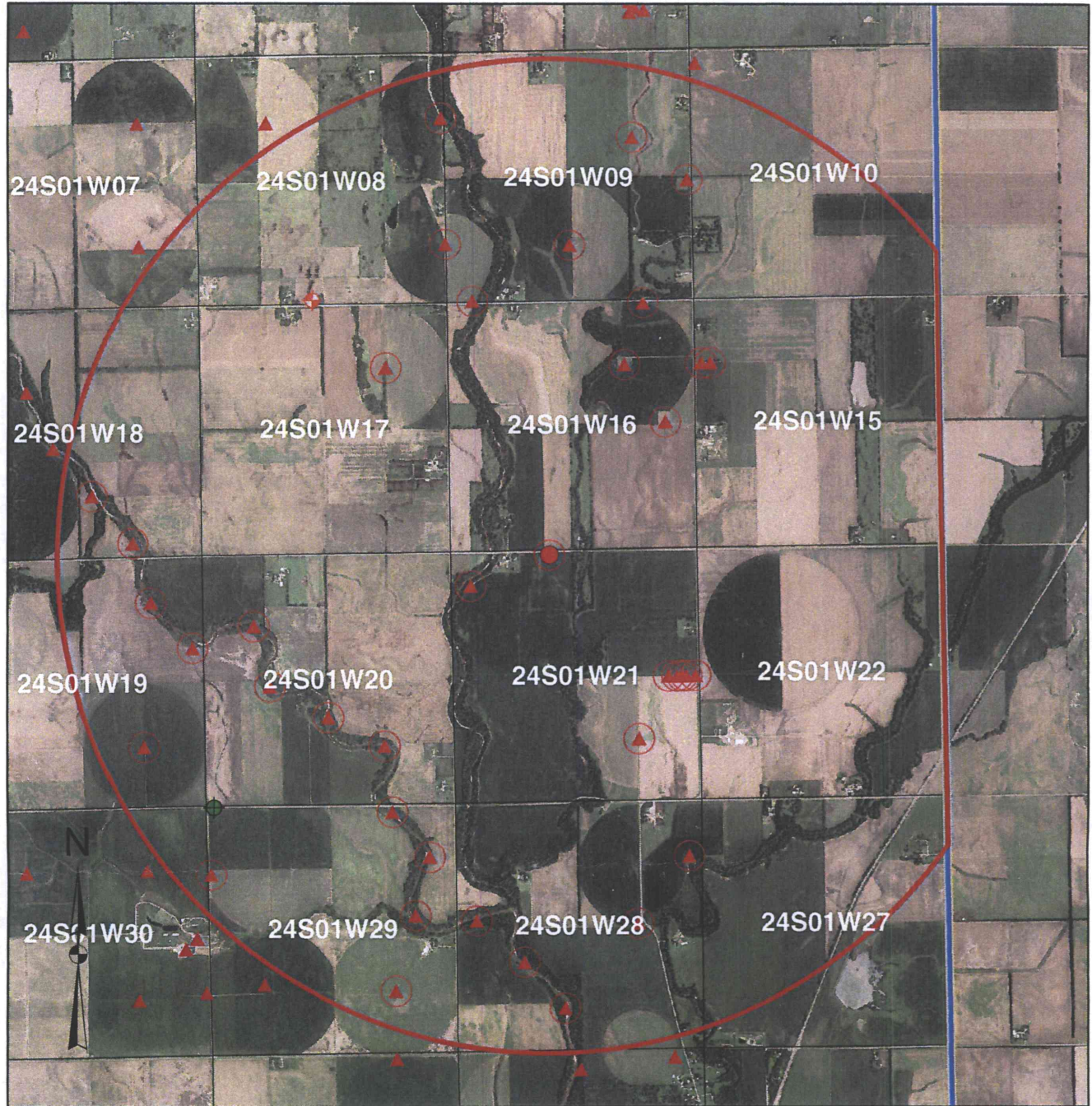
- | | |
|-------------------------|-------------------------------|
| Monitoring Wells | |
| ● P_Wells | ● Proposed Point of Diversion |
| ● AN_Wells | □ District Boundary |
| ⊕ EB_Wells | ▲ Points of Diversion |
| ● IW_Wells | |

Burrton IGUCA
 Hollow Nikkel SWQUA
 McPherson IGUCA
 Enhanced Well Spacing Area

Equus Beds Groundwater Management District No. 2
 313 Spruce Street, Halstead, KS 67056
 316-835-2224, equusbeds@gmd2.org

RECEIVED
 MAR 10 2016
 Topeka Field Office
 DIVISION OF WATER RESOURCES

Equus Beds Groundwater Management District No. 2
 Safeyield Evaluation No. 49102 - McGinn Land Co. LLC
 NENENW (5230'N & 3200'W) 21-24S-01W, Harvey County
 Prepared By: T. Boese Date: 3/4/2016



● Proposed Point of Diversion	Map Legend	Burrton IGUCA	RECEIVED
∩ Area of Consideration Boundary	Major Highway	Hollow Nickel SWQUA	WAR 10 2016
● Monitoring Wells	Other Roadway	McPherson IGUCA	Topka Field Office
▲ Points of Diversion	Major Stream	Enhanced Well Spacing Area	DIVISION OF WATER RESOURCES
District Boundary	Other Water Feature	Permian Surface Bedrock	
0.5 0.25 0 0.5 Miles	County Boundary		
	City Boundary		

Equus Beds Groundwater Management District No. 2
 313 Spruce Street, Halstead, KS 67056
 316-835-2224, equusbeds@gmd2.org

**File No. 49,102 Michael P. McGinn
Section 21 Township 24 South Range 1 West**

(5,230 feet North, 3,200 Feet West)

Harvey County, Kansas

