



File No. **49,441**      15. Formation Code: **210**      Drainage Basin: **Arkansas River**      County: **FO**      Special Use:      Stream:

16. Points of Diversion									17. Rate and Quantity				
T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		
									Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	Overlap PD Files
√	84593	NWNWNW	24	27S	25W	8	5180	4670	150	15	150	15	None
√	84594	NWNENW	24	27S	25W	9	5180	3900					
DEL	84592	NENWNW	24	27S	25W	7	5180	4285					

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

19. Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_  
 Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_

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

21. Place of Use		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	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								
√	67199	24	27S	25W	4	RV Park in the North half of the Northwest ¼ of Northwest ¼ (N2 N¼ N¼) N2 NW¼ NW¼																7b.			None

Comments: **Applicant is requesting two wells, one primary well and one standby well**  
*\* 15 AF exemption \**

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

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

**TO:** Files

**DATE:** May 17, 2017

**FROM:** Matt Meier

**RE:** Application, File No. 49,441

Michael Klein has filed the referenced application to appropriate groundwater for Municipal use, requesting one (1) primary well and one (1) standby well, a quantity of 15 acre-feet, and a diversion rate of 150 gallons per minute. The proposed primary well is to be located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section 24, more particularly described as being near a point 5,180 feet North and 4,670 feet West of the Southeast corner of said section, in Township 27 South, Range 25 West, Ford County, within the Arkansas River drainage basin. The proposed standby well is to be 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 24, more particularly described as being near a point 5,180 feet North and 3,900 feet West of the Southeast corner of said section, in Township 27 South, Range 25 West, Ford County, within the Arkansas River drainage basin. In order to qualify as a standby well, per K.A.R. 5-1-2, all of the following requirements shall be met:

(a) The well shall be maintained in operable condition and be capable of being hooked to a power source within a reasonable amount of time to allow the well to function effectively as a standby well.

(b) Both the primary well or wells and the standby well or wells shall be required to be metered by order of the chief engineer or as a condition of the water right or permit.

(c) The standby well shall be located close enough to the primary well so that both wells withdraw water from the same local source of supply. However, a standby well shall not be required to meet the well spacing requirements from the standby well to the primary well.

(d) The standby well shall be authorized to divert the same rate and quantity as the primary well or wells. A limitation clause shall be placed on any water right or permit authorizing a standby well or wells limiting the standby well to no more than the rate and quantity authorized for the primary well or wells. With the limitation clause or clauses in effect, the standby well or wells shall not be counted in any safe yield, allowable appropriation, depletion or similar type of analysis.

(e) A primary well and a standby well shall not be operated at the same time, unless one of the wells is being operated for maintenance, testing, fire protection, or a similar reason.

The proposed point of diversion is located within the boundaries of Southwest Kansas Groundwater Management District 3. There are no other water rights overlapping the proposed point of diversion or place of use. The proposed place of use is owned by Michael Klein. The applicant has signed the application form stating that they have legal access to the point of diversion. The application is a 15 acre-feet small user exemption.

The applicant identified 10 domestic wells within one-half mile of the proposed well and 1 non-domestic wells, which WRIS confirmed. Nearby well notification letters were sent out September 7, 2016. A phone call and letter were received from Mark Dirks, both in opposition to approval of the application, and a letter was received from Paul Wetzal who was also against approval. According to the WRIS database, the nearest non-domestic point of diversion (File No. 24,987) is located 2,291 feet away. Based on the site map the nearest domestic well which is not owned by the applicant, applicant's domestic well is located within 300' and he submitted a domestic well spacing consent form for, is approximately 1,300 feet away. The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-23-3 for wells located within Southwest Kansas Groundwater Management District No. 3 and for 15 acre-feet or less, the minimum well spacing should be 660 feet to all other non-domestic wells and 660 feet to domestic wells.

The applicant provided information for his existing well, as it was located within 300 feet of his proposed point of diversion, and a nearby well instead of test hole log as he couldn't secure the funds to obtain test hole without a loan which he couldn't get until after approval. The applicants well was listed as a depth of 145 feet with a static water level at 123 feet (applicant was unable to locate well log and driller had died so unable to get). The submitted nearby well shows top soil from 0 to 20 feet, fine to coarse sand from 20 to 120 feet, fine to coarse sand and clay from 120 to 140 feet, fine to coarse sand from 140 to 160 feet, fine to coarse sand and clay from 160 to 180 feet, clay and blue shale from 180 to 200 feet, blue shale from 200 to 280 feet, gray clay from 280 to 320 feet, gray clay and sandstone layers from 320 to 340 feet, gray clay from 340 to 420 feet, gray clay and sandstone layers from 420 to 440 feet, sandstone from 440 to 460 feet, sandstone with red and gray clay from 460 to 500 feet, and sandstone from 500 to 645 feet below ground. Static water level was listed at 196 feet.

The requested quantity of water, 15 acre-feet, is for municipal use in a RV park identified in the application. Based off the supporting information the applicant submitted with the application the requested quantity appears to be reasonable. There are multiple pending applications in this general area of the state, and they are being worked in priority order to ensure that senior applications are provided the available water.

A copy of the application was submitted to Southwest Kansas Groundwater Management District No. 3 on November 28, 2016. GMD #3 recommended approval of the application in a letter, received via email, on April 5, 2017. In the letter they said the application is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 and recommended approval of the application.

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. A water level measurement tube is required because this is a proposed new well exceeding 100 gpm.

The proposed application is subject to minimum desirable streamflow requirements. The applicant signed, notarized, and returned the required form to our office.

Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the referenced application on April 22, 2016. Based on the above discussion, well spacing and safe yield criteria are met (as there are no other 15 acre-feet exemptions in a ½ mile radius circle around the proposed point of diversion), 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.

Matthew J. Meier  
Environmental Scientist  
Water Appropriations Unit

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 6, 2017

**FILE COPY**

MICHAEL D KLEIN  
11105 PRIMROSE RD  
DODGE CITY KS 67801

RE: Application, File No. 49,441

Dear Mr. Klein:

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 this permit, with specific reference to Paragraph No. 19 describing the criteria for use of the standby well. A water meter is required on the re-diversion works and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

Kristen A. Baum  
New Application Unit Supervisor  
Water Appropriation Program

Enclosures

pc: Stafford Field Office  
GMD#3



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION  
and  
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,441** of the applicant

**MICHAEL D KLEIN  
11105 PRIMROSE RD  
DODGE CITY KS 67801**

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

1. That the priority date assigned to such application is **August 14, 2015**.
2. That the water sought to be appropriated shall be used for municipal use within the proposed RV Park located in the North Half of the Northwest Quarter of the Northwest Quarter (N $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section 24, Township 27 South, Range 25 West, Ford County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one primary well and one standby well, described as follows:

one (1) **primary** well located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section 24, more particularly described as being near a point 5,180 feet North and 4,670 feet West of the Southeast corner of said section, in Township 27 South, Range 25 West, Ford County, Kansas, located substantially as shown on the topographic map accompanying the application.

one (1) **standby** 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 24, more particularly described as being near a point 5,180 feet North and 3,900 feet West of the Southeast corner of said section, in Township 27 South, Range 25 West, Ford 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 **150 gallons per minute (0.334 c.f.s.)** and to a quantity not to exceed **15 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 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, 2038** 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 an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).
13. 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.
14. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.
15. 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.
16. 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.
17. 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.

18. That the permit holder shall submit a progress report to the office of the Chief Engineer by March 1, following the tenth full calendar year after the permit was issued. The progress report must be submitted on a form prescribed by the Chief Engineer, and shall compare annual water use projected in the original application with the actual annual water use for the prior 10 years. The progress report must document compliance with the approved conservation plan, contain sufficient details to determine the extent of perfection of the water right during the previous ten years, and demonstrate how the water right, in association with other water rights, meets the municipal use need.

19. That the well described herein as the standby well shall be used exclusively at such time the well herein described as the primary well is inoperable due to mechanical, maintenance, or power failure. Use of the standby well under these limiting conditions does not allow the authorized quantity of water or rate of diversion under this file to be exceeded.

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

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

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

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

Ordered this 5<sup>th</sup> day of June, 2017, in Topeka, Shawnee County, Kansas.

*Lane P. Letourneau*

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

State of Kansas )  
                          ) SS  
County of Riley )

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of June, 2017, by Lane P. Letourneau, L.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



*Danielle Wilson*  
Notary Public



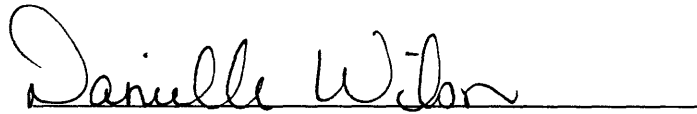
## CERTIFICATE OF SERVICE

On this 10<sup>th</sup> day of June, 2017, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,441, dated June 5<sup>th</sup>, 2017 was mailed postage prepaid, first class, US mail to the following:

MICHAEL D KLEIN  
11105 PRIMROSE RD  
DODGE CITY KS 67801

With photocopies to:

Stafford Field Office  
Southwest Kansas Groundwater Management District No. 3

A handwritten signature in cursive script that reads "Danielle Wilson". The signature is written in black ink and is positioned above a solid horizontal line.

Division of Water Resources

APPLICATION COMPLETE  
11/3/16  
Reviewer: MSM

THE STATE OF KANSAS



WATER RESOURCES RECEIVED

AUG 14 2015

11:42  
KS DEPT OF AGRICULTURE

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

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 49441  
This item to be completed by the Division of Water Resources.

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

UNACCEPTABLE FOR PRIORITY  
WATER RESOURCES RECEIVED  
JUL 8 2015  
10:10  
KS DEPT OF AGRICULTURE

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

1. Name of Applicant (Please Print): Michael D. Klein  
Address: 11105 Primrose Road  
City: Dodge City State KS Zip Code 67801  
Telephone Number: (620) 430-0326

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Ark River (drainage basin)

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

3. The maximum quantity of water desired is 15 acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of 150 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

RECEIVED  
NOV 03 2015  
NOV 02 2015

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.

State Field Office  
Division of Water Resources  
Division of Water Resources

For Office Use Only:							
F.O. <u>2</u>	GMD <u>3</u>	Meets K.A.R. 5-3-1 (YES/NO)	Use <u>MUN</u>	Source <u>G/S</u>	County <u>FO</u>	By <u>KAB</u>	Date <u>8/14/15</u>
Code _____	REG	Fee \$ <u>200</u>	TR # <u>16005667</u>	Receipt Date <u>8/14/15</u>	Check # <u>2752</u>		

8/20/2015 UM

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

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

(A) One in the NW quarter of the NW quarter of the NW quarter of Section 24, more particularly described as being near a point 5180 feet North and 4670 feet West of the Southeast corner of said section, in Township 27 South, Range 25 East (West (circle one)), Ford County, Kansas.

Primary

(B) One in the NW quarter of the ~~NW~~ <sup>NE</sup> quarter of the NW quarter of Section 24, more particularly described as being near a point 5180 feet North and 3900 feet West of the Southeast corner of said section, in Township 27 South, Range 25 East (West (circle one)), Ford County, Kansas.

Stand-by

KAB/DWR  
8-14-15

(C) One in the ~~NW~~ quarter of the ~~NW~~ quarter of the NW quarter of Section 24, more particularly described as being near a point 5135 feet North and 4966 feet West of the Southeast corner of said section, in Township 27 South, Range 25 East (West (circle one)), Ford County, Kansas.

MY PERSONAL  
RESIDENTIAL  
WELL

(D) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.

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

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

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

\_\_\_\_\_  
(name, address and telephone number)

\_\_\_\_\_  
(name, address and telephone number)

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

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

Executed on August 10, 2015. Michael D. Klein  
Applicant's Signature

7. The proposed project for diversion of water will consist of 1 primary + 1 Stand-by  
(number of wells, pumps or dams, etc.)  
and (was)(will be) completed (by) DEPENDANT ON APPROVAL  
(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 DEPENDANT ON APPROVAL  
(Mo/Day/Year)

WATER RESOURCES  
RECEIVED

AUG 14 2015

KS DEPT OF AGRICULTURE

UNACCEPTABLE FOR PRIORITY

WATER RESOURCES  
RECEIVED

JUL 0 2015

KS DEPT OF AGRICULTURE

RECEIVED

NOV 03 2016

Stafford Field Office  
Division of Water Resources

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

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

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

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

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

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

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

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

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

*NA*

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WATER RESOURCES RECEIVED

AUG 14 2015

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED UNACCEPTABLE FOR PRIORITY

JUL 6 2015

NOV 03 2016

KS DEPT OF AGRICULTURE Jefford Field Office Division of Water Resources

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			1973 +/-	
Total depth of well			145'	
Depth to water bearing formation				
Depth to static water level			123'	
Depth to bottom of pump intake pipe			138'	

*Info written inside well 15  
by well drillers.*

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

owner  
(owner, tenant, agent or otherwise)

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

\_\_\_\_\_  
(name, address and telephone number)

\_\_\_\_\_  
(name, address and telephone number)

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

Dated at 12:00 p.m., Kansas, this 2 day of July, 2015.  
*Revised m.k. 2:00 pm, 10 day of August m.k. 2015*

Michael A. Klein  
(Applicant Signature)  
Michael D. Klein

514 58 9801  
APPLICANT(S) SOCIAL SECURITY  
IDENTIFICATION NUMBER(S)

By \_\_\_\_\_  
(Agent or Officer Signature)

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

\_\_\_\_\_  
(Agent or Officer - Please Print)

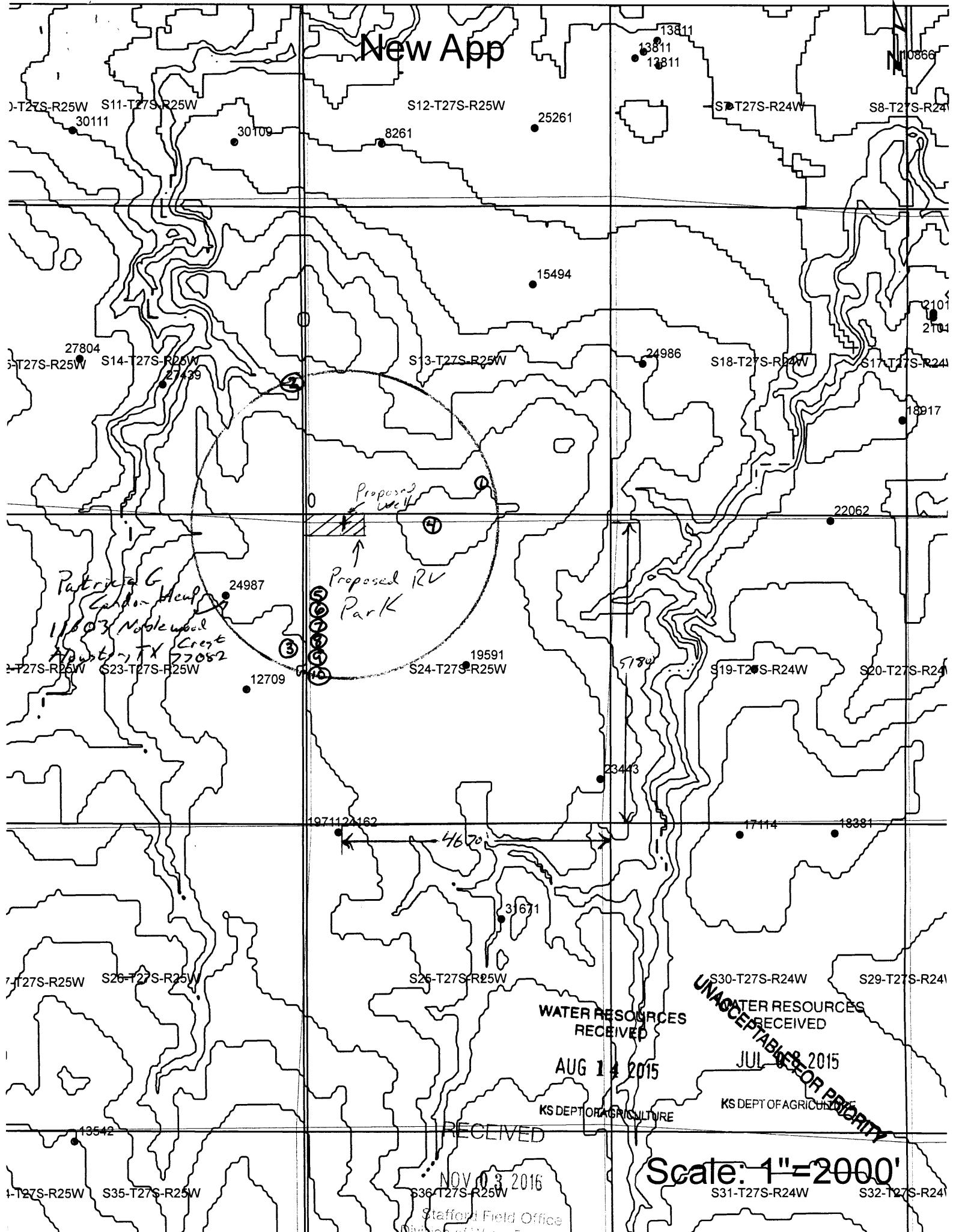
Assisted by \_\_\_\_\_ (office/title) Date: \_\_\_\_\_

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JUL 0 2015  
KS DEPT OF AGRICULTURE

# New App



S10-T27S-R25W S11-T27S-R25W  
30111 30109

S12-T27S-R25W

S17-T27S-R24W

S8-T27S-R24

S13-T27S-R25W S14-T27S-R25W  
27804 27439

S13-T27S-R25W

S18-T27S-R24W

S17-T27S-R24

S15-T27S-R25W S23-T27S-R25W  
24987 12709

S24-T27S-R25W

S19-T27S-R24W

S20-T27S-R24

S25-T27S-R25W S26-T27S-R25W

S25-T27S-R25W

S30-T27S-R24W

S29-T27S-R24

S34-T27S-R25W S35-T27S-R25W

S36-T27S-R25W

S31-T27S-R24W

S32-T27S-R24

*Patricia G. Gordon-Haup  
11803 Noblewood  
Avenue, TX 77052  
Crest*

*Proposed well*  
*Proposed RV Park*

4670'

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Stafford Field Office  
Division of Water Resources

Scale: 1"=2000'

To: Kansas Department of Agriculture  
Division of Water Resources  
109 SW 9<sup>th</sup> Street, 2nd Floor  
Topeka, KS 66612-1283  
Telephone: (785) 296-3717

Re: Domestic Well Spacing  
Consent Form

I, Michael D. Klein, own a well in the NW  
Quarter of the NW Quarter of the NW Quarter of Section 24,  
Township 27 South, Range 25 West East, Ford County, Kansas.  
Water from this well is used only for domestic purposes as follows:

- household use;
- watering of livestock, poultry, farm and domestic animals used in operating a farm; and/or
- irrigation of lands not exceeding a total of two (2) acres in area for the growing of gardens, orchards and lawns.

I understand that an application for a permit to appropriate water, Application, File No. 49,441, has been filed with the Division of Water Resources and that the applicant seeks to use water from one (1) well located closer to my domestic well than allowed by the rules and regulations of the Chief Engineer, in particular K.A.R.

5-4-4. I hereby give my permission to the applicant to install one (1) well at a location approximately 300' feet from my domestic well if the same is allowed and permitted by the Chief Engineer.

By giving my permission, I do not waive any right I may have to file a complaint with the Chief Engineer or to make a written request to secure water, pursuant to K.A.R. 5-4-1, if the use of my well becomes impaired such that I am unable to exercise my domestic water right, nor do I waive any other rights I may have under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer.

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I acknowledge that my permission has been given freely and voluntarily. I further acknowledge that I have not entered any agreement either oral or in writing with any person(s) including the Applicant, land owner, or any representative or agent of the applicant or land owner that condition my permission on giving up any of my rights under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer or that condition my permission on reliance on any person or entity other than the Chief Engineer to investigate any claims of impairment I may make with respect to my domestic well or to secure water to satisfy my domestic water right.

Michael D. Klein  
Signature

11105 Primrose Road  
Address (please print)  
Dodge City, Ks. 67801  
City/Town, State (please print)

(620) 430-0326  
Phone

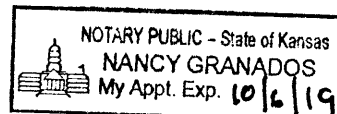
State of Kansas

County of Ford

Signed or attested before me on 11/1/16 by Michael D. Klein  
(Please print name of signatory)

Nancy Granados  
Notary Public

[My appointment expires: 10/6/19]





**Overlook RV Park**  
**(Estimated Water Usage)**

This summary is based on the construction of an initial 60 camp sites in phase 1 plus an additional 40 later on with phase 2, totaling 100 campsites.

Whether attracting construction workers or families who visit for tourism purposes, it is expected that there would be between 2 and 4 occupants per site, especially with children. This summary is based on an average of 3 occupants per site.

Being highly doubtful that there would ever be 100% occupancy throughout the year, this summary assumes an average annual occupancy rate of 2/3 or 66% in estimating potential usage demands.

There are 4 primary use categories which are **Laundry, Showers and Toilets** (both in the bath houses), and other **Campsite** usage such as cleaning, dishes, cooking, etc. With hookups provided for water and sewer services, the incentive to conserve is removed. Therefore for the purposes of this estimate, it is assumed that showers and toilet use will be in the bathhouse. Also listed is **Miscellaneous** use for things like cleaning bath houses, laundry and recreation areas, rest room usage in office, recreation and laundry rooms, occasional flushing of sewer lines, etc.

The estimated usage requirements are as follows:

**Laundry:** (40 gallons per use) (100 sites used every other day or 50 sites per day) (2 loads per use, one being for whites and the other for colors) = 4,000 gallons/day or **1,460,000 gallons per year.**

**Showers:** (8 minutes per shower) (2.5 gallons/minute) (3 people per site) (100 sites) = 6,000 gallons/day or **2,190,000 gallons per year.**

**Toilets:** (5 flushes/day) (3.5 gallons/flush) (3 people per site) (100 sites) = 5,250 gallons/day or **1,916,250 gallons per year.**

**Campsite:** Estimated (30 gallons/day for miscellaneous use) (100 sites) = 3,000 gallons/day or **1,095,000 gallons per year.**

**Miscellaneous:** 2,000 gallons/day or **730,000 gallons per year.**

Total usage if 100% occupied = 7,391,250 gallons

**Estimated expected maximum usage at 66% = 4,878,225 gallons**

Prepared By: Michael D. Klein (Owner)

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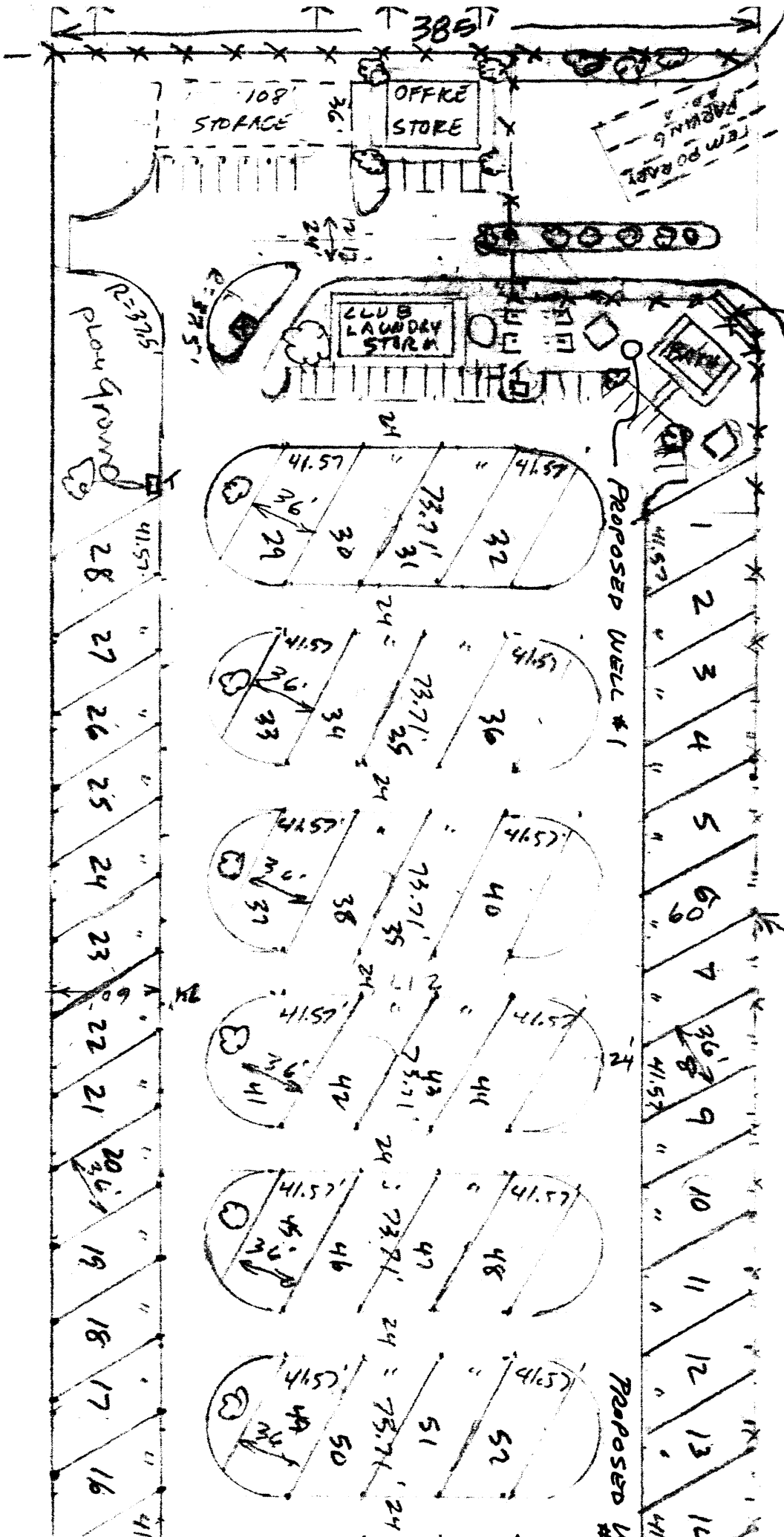
Stafford Field Office  
Division of Water Resources

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- ◇ = Barbage (covered)
- T = Trash Dumpsters
- ⊞ = Horseshoes
- = Hot tub N. OF Clubhouse

979

WATER RESOURCES RECEIVED

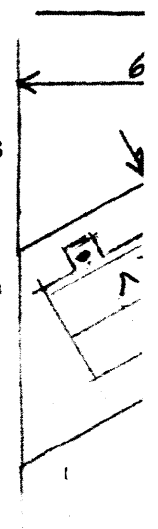
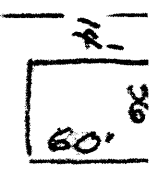
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WATER RESOURCES RECEIVED

JUL 20 2015

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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

**SPECIAL MINERAL SEARCH /  
WATER SEARCH**

**FROM  
HIGH PLAINS LAND & TITLE, DODGE CITY, KANSAS**

STATE OF KANSAS, COUNTY OF FORD, SS:

We, the undersigned, of hereby state that we have reviewed the filed records in the Office of the Register of county and state, affecting the MINERALS ONLY to the following described real estate, to-wit:

**TRACT 1**

North Half of Tract One (1), Block One (1), Wiseman Tracts, a subdivision located in part of the Northwest Quarter (NW/4) of Section Twenty-four (24), Township Twenty-seven (27) South, Range Twenty-five (25) West, Ford County, Kansas, according to the Plat thereof.

**TRACT 2**

South Half of Tract One (1), all of Lots Two (2), Three (3) and Four (4), Block One (1), Wiseman Tracts, a subdivision located in part of the Northwest Quarter (NW/4) of Section Twenty-four (24), Township Twenty-seven (27) South, Range Twenty-five (25) West, Ford County, Kansas, according to the Plat thereof.

**TRACT 3**

A tract of land in the Northwest Quarter (NW/4) of Section Twenty-four (24), Township Twenty-seven (27) South, Range Twenty-five (25) West of the 6<sup>th</sup> P.M., Ford County, Kansas, according to the Government Survey thereof and more fully described as follows: Beginning Sixty (60) feet East and Twenty-five (25) feet South of the Northwest corner (NW/C) of said Quarter Section, the same being the intersection of the present East right of way line of U.S. Highway 283, as now established, and the South right of way line of the County Road running along the North line of said Quarter Section, as now established; thence East Four Hundred Twenty-five (425) feet along the South line of said County Road; thence South Three Hundred Twenty-five (325) feet at right angles to the North line of said Quarter Section; thence West Four Hundred Twenty-five (425) feet parallel to the North line of said Quarter Section to the East line of said highway right of way; thence North Three Hundred Twenty-five (325) feet along the East line of said highway right of way to the point of beginning. Containing Three and Seventeen Hundredths acres, more or less.

**TRACT 4**

A tract of land in the Northwest Quarter (NW/4) of Section Twenty-four (24), Township Twenty-seven (27) South, Range Twenty-five (25) West of the 6<sup>th</sup> P.M., Ford County, Kansas, and more fully described as follows: Commencing at the Northwest corner of said Section 24-27-25; thence on an assumed bearing of N 90 degrees 00 minutes 00 seconds East a distance of 485.00 feet along the North line of said Section Twenty-four (24) to the True Point of Beginning, said point being 25.00 feet North of the Northeast corner of a tract described in the Ford County Register of Deeds, Book 201 Page 449; thence on a bearing of S 00 degrees 00 minutes 00 seconds West a distance of 350.00 feet along the East line and extended East line of said tract described in said Book 201, Page 449 to a point on the North line of a tract described in the Ford County Register of Deeds, Book 196, Page 557; thence on a bearing of N 90 degrees 00 minutes 00 seconds East a distance of 979.00 feet along the North line of said tract described in said Book 196, Page 557 to a point on the West line of a tract described in the Ford County Register of Deeds, Book 212, Page 150; thence on a bearing of N 00 degrees 00 minutes 00 seconds East a distance of 350.00 feet along the line of said tract described in said Book 212, Page 150, to the North line of said section 24, thence on a bearing of N 90 degrees 00 minutes 00 seconds West a distance of 979.00 feet along the North line of said Section 24 to the Point of Beginning.

Contains 242.650 square feet or 7.8662 acres, more or less, and being subject to easements and rights of way of record.

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**AUG 14 2015**

**KANSAS DEPT OF AGRICULTURE  
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**AUG 03 2015**

**State Field Office  
Register of Water Resources**

**WATER RESOURCES  
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**JUL 08 2015**

**KANSAS DEPT OF AGRICULTURE**

PARTIAL LIST OF DEEDS OF RECORD:

WARRANTY DEED – JOINT TENANCY dated March 23, 1970, filed May 15, 1970 at 9:10 A. M., Recorded in Book 148 at Pages 21-22, executed by Orville Harper and Evelyn Harper, his wife; Frank Harper and Norma J. Harper, his wife and Belva Jean Ford and William J. Ford, her husband to G. H. Wiseman, Jr. and Mary Frances Wiseman, his wife. (Undivided one-half (1/2) interest.

WARRANTY DEED JOINT TENANCY dated February 27, 1970, filed January 8, 1975 at 10:00 A.M., Recorded in Book 159 at Page 26, executed by Ralph Opie and Ruth Opie, his wife to G. H. Wiseman, Jr. and Mary Frances Wiseman, his wife. (Undivided one half (1/2) interest.

WARRANTY DEED JOINT TENANCY dated January 25, 1978, filed January 25, 1978 at 4:20 P.M., Recorded in Book 167 at Page 31, executed by G. H. Wiseman, Jr. a/k/a George H. Wiseman, Jr. and Mary Frances Wiseman, husband and wife to George Niles Wiseman and Susan Jane Wiseman, his wife. RE: Tract in NW/4 Three and seventeen hundredths acres.

WARRANTY DEED JOINT TENANCY dated July 16<sup>th</sup>, 1991, filed July 16, 1991 at 2:30 A.M., Recorded in Book 195 Page 816, executed by George H. Wiseman, Jr. and Mary P. Wiseman, husband and wife to Mervin Sinclair and Jean Sinclair, husband and wife. (shown for information only)

CORRECTION WARRANTY DEED dated November 22, 1991, filed November 27, 1991 at 3:05 P.M., Recorded in Book 196 at Page 557, executed by George H. Wsieman, Jr. and Mary F. Wiseman, husband and wife; to Mervin Sinclair and Jean Sinclair, husband and wife

QUITCLAIM DEED – JOINT TENANCY dated December 22, 1993, filed January 31, 1994 at 4:10 P.M., Recorded in Book 201 at Page 747, executed by Mervin Sinclair and Jean Sinclair, husband and wife to George Niles Wiseman and Susan Jane Wiseman .

QUIT CLAIM DEED dated March 1, 1999, filed December 27, 1999 at 2:10 P.M., Recorded in Book 214 at Page 761, executed by Mary Frances Wiseman, a/k/a Mary F. Wiseman, a single person to George Niles Wiseman. (all NW/4 except E/70 acres)

KANSAS QUIT-CLAIM DEED dated May 1, 2004, filed July 12, 2004 at 2:30 P.M., Recorded in Book 224 at Pages 89-90, executed by Marcy Frances Wiseman, a/k/a Mary F. Wiseman n/k/a Mary F. Wiseman McGugin and Rex C. McGugin, her husband to George Niles Wiseman.

WARRANTY DEED dated May 3, 2004, filed July 12, 2004 at 2:30 P.M., Recorded in Book 224 at Page 91, executed by George Niles Wiseman and Susan Wiseman his wife to George Niles Wiseman and Susan Wiseman, his wife. (tr. 4)

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QUIT CLAIM DEED dated November 14, 2007, filed December 21, 2007 at 11:20 A.M., Recorded in Book 231 at Page 507, executed by Mary Frances Wiseman a/k/a Mary F. Wiseman n/k/a Mary F. Wiseman McGugin and Rex C. McGugin, wife and husband to George Niles Wiseman and Susan Jane Wiseman.

KS DEPT OF AGRICULTURE WATER RESOURCES RECEIVED

(Tr. 1 & 2)

GENERAL WARRANTY DEED dated December 18, 2007, filed December 21, 2007 at 11:20 A.M., Recorded in Book 231 at Pages 508-509 executed by George Niles Wiseman and Susan Jane Wiseman, husband and wife to Ella Jean Robb. (Tr. 1, 2, 3, 4)

JUL 18 2015

KS DEPT OF AGRICULTURE

GENERAL WARRANTY DEED dated August 30, 2010, filed November 15, 2010 at 2:50 P.M., Recorded in Book 236 at Pages 832-833, executed by Ella Jean Robb, a single person to Michael Klein. (Tr. 1, 2, 4)

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GENERAL WARRANTY DEED dated August 30, 2010, filed November 15, 2010 at 2:50 P.M., Recorded in Book 236 Page 834, executed by Ella Jean Robb, a single person to Michael Klein. (Tr. 3)

Station Field Office Division of Water Resources

in Book 237 at Page 236, executed by Michael Klein, a single person to Bernard E. Weller, Jr. (All Lot 1, Block 1, Wiseman Tr)

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AFFIDAVIT OF NON PRODUCTION filed April 3, 1981 at 1:50 P.M., Recorded in Book 45 at Page 625, executed by George H. Wiseman, Jr. (All NW/4)

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OIL AND GAS LEASE dated July 20, 2007, filed September 4, 2007 at 9:00 A.M., Recorded in Book 50 at Pages 711-713, executed by George Niles Wiseman and Susan Wiseman, also known as Susan Jane Wiseman, his wife to Blue Ridge Petroleum Corporation.

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LEASE EXTENSION AFFIDAVIT filed June 24, 2010 at 9:00 A.M., Recorded in book 140 at Pages 41-42, executed by Blue Ridge Petroleum Corporation. Extension of lease.

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CERTIFICATE OF APPROPRIATION FOR BENEFICIAL USE OF WATER, Water Right, File No. 19,591, Priority Date August 28, 1972.

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**SHOWN FOR INFORMATION ONLY:**

WATER WELL AGREEMENT dated July 16, 2009, filed November 13, 2009 at 2:55 P.M., Recorded in Book 133 at Page 701, executed by and between Gerald B. May and Bonnie J. May to Heather May.

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This certificate is made upon the mutual understanding that the maker thereof has not examined all instruments and proceedings in the chain of title to above real estate; that such information is not a guarantee of title and that the maker thereof shall not be liable for defects in the title to the above described real estate.

Dated at Dodge City, Kansas, this 7<sup>th</sup> day of July, 2014.

**HIGH PLAINS LAND & TITLE**

  
**DIANE L. EBELING,  
LICENSED ABTRACTER**

WATER RESOURCES  
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AUG 14 2015

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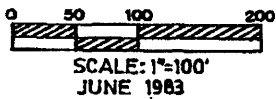
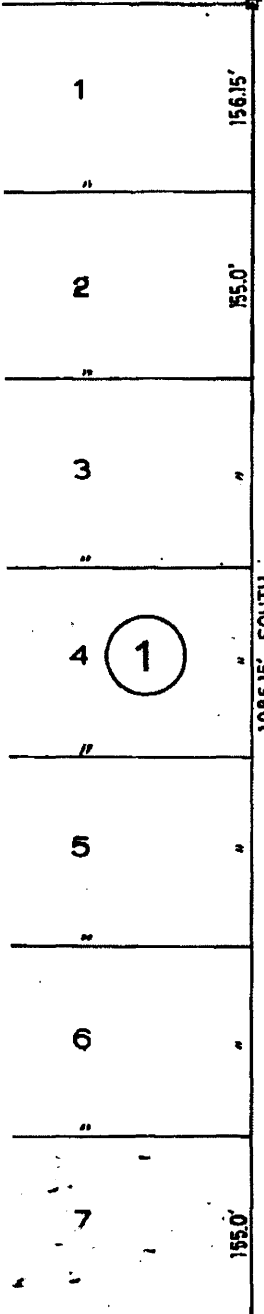
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Stafford Field Office  
Division of Water Resources

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KS DEPT OF AGRICULTURE

S. 89° 50' 30" E.  
282.0'



**LEGEND**

- DENOTES 4"x4" CONCRETE MON.
- DENOTES 1/2" IRON PIN
- △ DENOTES SECTION CORNERS

**REFERENCES:**

- I. 1.4"x4" CONCRETE MONUMENT  
2. NO PERMANENT VISIBLE OBJECTS FOR REFERENCE
- II. 1.4"x4" CONCRETE MONUMENT  
2. SPIKE & WASHER TOP FENCE CORNER POST 633' S.S.W.  
3. SPIKE & WASHER TOP FENCE CORNER POST 984' N.E.
- III. 1.4"x4" CONCRETE MONUMENT  
2. SPIKE & WASHER TOP FENCE POST 6.17' S.S.W.  
3. SPIKE & WASHER TOP FENCE POST 15.6' N.N.W.

**CLOSURE COMPUTATIONS**

BEARING	DIST.	SIN	COS	NORTH	SOUTH	EAST	WEST
S. 89° 50' 30" E.	282.0'	1.0000	0.0028		.79	282.0	
SOUTH	1086.15'	0.0000	1.0000		1086.15		
WEST	282.0'	1.0000	0.0000				282.0
NORTH	1086.93'	0.0000	1.0000	1086.93			
TOTALS	2737.08			1086.93	1086.94	282.0	282.0

**REFERENCES CONT.**

- IV. 1.4"x4" CONCRETE MONUMENT  
2. SPIKE & WASHER TOP FENCE POST 21.7' N.  
3. SPIKE & WASHER IN SIDE FENCE POST 1.7' E.

WATER RESOURCES  
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AUG 14 2015

KS DEPT OF AGRICULTURE

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS AND PROPRIETORS OF THE FOLLOWING DESCRIBED TRACT OF LAND UPON WHICH WISEMAN TRACTS, A SUBDIVISION THEREOF, IS LOCATED TO WIT:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 24, TOWNSHIP 27 SOUTH, RANGE 25 WEST, FORD COUNTY, KANSAS. THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION 24 FOR 350.0 FEET; THENCE SOUTH 89° 50' 30" EAST TO A POINT ON THE EAST RIGHT OF WAY LINE OF HIGHWAY 283, SAID POINT BEING THE POINT OF BEGINNING. THENCE CONTINUING ALONG THE SAME LINE FOR 282.0 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID SECTION 24 FOR 1086.15 FEET; THENCE WEST FOR 282.0 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF HIGHWAY 283; THENCE NORTH ALONG THE EAST RIGHT OF WAY LINE OF HIGHWAY 283 FOR 1086.93 FEET TO THE POINT OF BEGINNING. CONTAINING 7.03 ACRES MORE OR LESS.

WE FURTHER CERTIFY THAT ALL STREETS, AVENUES, ALLEYS, AND EASEMENTS INCLUDED IN THIS SUBDIVISION ARE FULLY SET FORTH AND DEFINED IN THE ACCOMPANYING PLAT AND ARE INTENDED TO BE AND ARE HEREBY DEDICATED AND OR REDEDICATED TO THE PUBLIC FOR PUBLIC USE.

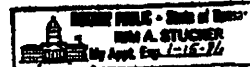
*George H. Wiseman, Jr.*  
GEORGE H. WISEMAN, JR.

*Mary Frances Wiseman*  
MARY FRANCES WISEMAN

STATE OF KANSAS  
COUNTY OF FORD

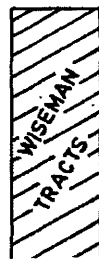
BE IT REMEMBERED THAT ON THIS 20<sup>th</sup> DAY OF June, 1983, BEFORE ME, A NOTARY IN AND FOR SAID COUNTY AND STATE, CAME GEORGE H. WISEMAN, JR. AND MARY FRANCES WISEMAN TO ME PERSONALLY KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING, AND DULY ACKNOWLEDGE THE EXECUTION OF SAME, IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

MY COMMISSION EXPIRES 1-15-86



*Lisa A. Stueben*  
NOTARY PUBLIC

S. HIGHWAY 283 TO DODGE CITY



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Stafford Field Office  
Division of Water Resources

THIS PLAT OF WISEMAN TRACTS HAS BEEN SI APPROVED BY FORD COUNTY REGIONAL PLANNIN THIS 18<sup>th</sup> DAY OF July, 1983.

*Paul D. Chaffee*  
SECRETARY: PAUL D. CHAFFEE

*Chairman*  
CHAIRMAN: A

THE DEDICATION SHOWN ON THIS PLAT ACCEP OF COMMISSIONERS OF FORD COUNTY, FORD COUN THIS 18<sup>th</sup> DAY OF July, 1983.

*Vern Birney*  
COMMISSIONER: VERN BIRNEY

*Chairman*  
CHAIRMAN: A

*Robert L. Sobbo*  
COMMISSIONER: ROBERT L. SOBBO

*Lucille Keck*  
COUNTY CLERK: LUCILLE KECK

UNACCEPTABLE FOR PRIORIT  
JUL 08 1983  
KS DEPT OF AGRICULTURE

STATE OF KANSAS  
COUNTY OF FORD

THIS IS TO CERTIFY THAT THIS INSTRUMENT V RECORD IN THE REGISTER OF DEEDS OFFICE ON DAY OF July, 1983 IN BOOK D PAGE 151.  
+ 20.00 filing fee

REGISTER OF DEEDS: JUANITA GULICK

ENTER ON TRANSFER RECORD THIS 20<sup>th</sup> DAY OF

*Lucille Keck*  
COUNTY CLERK: LUCILLE KECK

I STEVEN K. BACHENBERG, A LICENSED PROF IN THE STATE OF KANSAS, HEREBY CERTIFY THA ACCURATELY SURVEYED AND PLATTED WISEMAN THAT ALL BOUNDARY CORNERS AND CONTROL P SET AS REQUIRED BY ORDINANCE.

BACHENBERG & HOLCOMB ASSOCIATES  
DODGE CITY, KANSAS

*Steven K. Bach*  
STEVEN K. BACH

REVIEWED AND APPROVED BY COUNTY ENGINEER KANSAS THIS 18<sup>th</sup> DAY OF JULY, 1983

*F. Sal*  
COUNTY ENGINEER



Landowners (domestic wells)

SECTION 13

① Joe Urban, 11160 Primrose Road, D.C. Ks. 67801

SECTION 14 ② Steve Day, 11455 Hwy 283, D.C. Ks. 67801

SECTION 23 ③ Jeffrey Loach, 11539 Hwy 283, D.C. Ks. 67801

SECTION 24

④ REED DAY, 11143 PRIMROSE ROAD, D.C. Ks. 67801

⑤ MARK DIRKS, 11522 Hwy 283, D.C. Ks. 67801

⑥ M. WILLIAMS, 11526 Hwy 283, D.C. Ks. 67801

⑦ MERVIN SINCLAIR, 11534 Hwy 283, D.C. Ks. 67801

⑧ PAUL WETZEL, 11538 Hwy 283, D.C. Ks. 67801

⑨ Leonard Hoskins, 11544 Hwy 283, D.C. Ks. 67801

⑩ DAVID ROBB, 11576 Hwy 283, D.C. Ks. 67801

RECEIVED

NOV 03 2016

Stafford Field Office  
Division of Water Resources

WATER RESOURCES  
RECEIVED

AUG 14 2015

KS DEPT OF AGRICULTURE

UNACCEPTABLE FOR PRIORITY

WATER RESOURCES  
RECEIVED

JUL 08 2015

KS DEPT OF AGRICULTURE

Draft

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

**MEMORANDUM**

**TO:** Files

**DATE:** April 17, 2016

**FROM:** Matt Meier

**RE:** Application, File No. 49,441

Michael Klein has filed the referenced application to appropriate groundwater for Municipal use, requesting one (1) primary well and one (1) standby well, a quantity of 15 acre-feet, and a diversion rate of 150 gallons per minute. The proposed primary well is to be located in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section 24, more particularly described as being near a point 5,180 feet North and 4,670 feet West of the Southeast corner of said section, in Township 27 South, Range 25 West, Ford County, within the Arkansas River drainage basin. The proposed standby well is to be 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 24, more particularly described as being near a point 5,180 feet North and 3,900 feet West of the Southeast corner of said section, in Township 27 South, Range 25 West, Ford County, within the Arkansas River drainage basin. The proposed point of diversion is located within the boundaries of Southwest Kansas Groundwater Management District 3. There are no other water rights overlapping the proposed point of diversion or place of use. The proposed place of use is owned by Michael Klein. The applicant has signed the application form stating that they have legal access to the point of diversion. The application is a 15 acre-foot small user exemption.

The applicant identified 10 domestic wells within one-half mile of the proposed well and 1 non-domestic wells, which WRIS confirmed. Nearby well notification letters were sent out September 7, 2016. A phone call and letter were received from Mark Dirks, both in opposition to approval of the application, and a letter was received from Paul Wetzel who was also against approval. According to the WRIS database, the nearest non-domestic point of diversion (File No. 24,987) is located 2,291 feet away. Based on the site map the nearest domestic well which is not owned by the applicant, applicant's domestic well is located within 300' and he submitted a domestic well spacing consent form for, is approximately 1,300 feet away. The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-23-3 for wells located within Southwest Kansas Groundwater Management District No. 3 and for 15 acre-feet or less, the minimum well spacing should be 660 feet to all other non-domestic wells and 660 feet to domestic wells.

The applicant provided information for his existing well, as it was located within 300 feet of his proposed point of diversion, and a nearby well instead of test hole log as he couldn't secure the funds to obtain test hole without a loan which he couldn't get until after approval. The applicants well was listed as a depth of 145 feet with a static water level at 123 feet (applicant was unable to locate well log and driller had died so unable to get). The submitted nearby well shows top soil from 0 to 20 feet, fine to coarse sand from 20 to 120 feet, fine to coarse sand and clay from 120 to 140 feet, fine to coarse sand from 140 to 160 feet, fine to coarse sand and clay from 160 to 180 feet, clay and blue shale from 180 to 200 feet, blue shale from 200 to 280 feet, gray clay from 280 to 320 feet, gray clay and sandstone layers from 320 to 340 feet, gray clay from 340 to 420 feet, gray clay and sandstone layers from 420 to 440 feet, sandstone from 440 to 460 feet, sandstone with red and gray clay from 460 to 500 feet, and sandstone from 500 to 645 feet below ground. Static water level was listed at 196 feet.

The requested quantity of water, 15 acre-feet, is for municipal use in a RV park identified in the application. Based off the supporting information the applicant submitted with the application the requested quantity appears to be reasonable. There are multiple pending applications in this general area of the state, and they are being worked in priority order to ensure that senior applications are provided the available water.

A copy of the application was submitted to Southwest Kansas Groundwater Management District No. 3 on November 28, 2016. GMD #3 recommended approval of the application in a letter, received via email, on April 5, 2017. In the letter they said the application is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 and recommended approval of the application.

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. A water level measurement tube is required because this is a proposed new well exceeding 100 gpm.

The proposed application is subject to minimum desirable streamflow requirements. The applicant signed, notarized, and returned the required form to our office.

Based on the above discussion, well spacing and safe yield criteria are met (as there are no other 15 acre-feet exemptions in a ½ mile radius circle around the proposed point of diversion), 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.

Matthew J. Meier  
Environmental Scientist  
Water Appropriations Unit

*Concur w/ Recommendation  
Approve it  
J. Hartman W.C.*

## Meier, Matt

---

**From:** Jason Norquest <norquest@gmd3.org>  
**Sent:** Wednesday, April 5, 2017 10:20 AM  
**To:** Meier, Matt  
**Subject:** RE: 49441 Status  
**Attachments:** 49441\_Review\_NewApp\_040517.pdf

Matt, first of all, sorry for the huge delay. I got caught up in meetings and other things and kept putting this off. I appreciate the reminder notice. Attached is a scan of the review letter. It seems to fall within the guidelines for a new 15AF exemption. The Responses you got back were interesting. The one seemed to deal more with the issue of the RV Park and not water related. Seems no other domestic well in the area raised a concern. The second from the irrigation right holder made a point that could be for the whole area, but this application has more than enough spacing to that well and we are dealing with what would be a very junior right with relative small quantity. The only real concern I would bring out is the possible use of his existing well. I did assist him with the applications and went through the meaning and usage of that existing well as a standby, but might be something to point out again to ensure he understands.

Other than that, I don't think I am missing anything with the application. If I am please let me know. I will try to get you the hard copy in the mail today for you. Again, sorry for the VERY late response to you, I will try to keep on time in future. Have a good day.

### *Jason Norquest*

Assistant Manager, GMD3  
Office: 620-275-7147 Cell: 620-271-1289  
[norquest@gmd3.org](mailto:norquest@gmd3.org)  
[www.gmd3.org](http://www.gmd3.org)

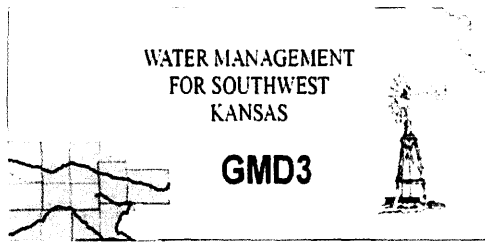
**From:** Meier, Matt [mailto:Matt.Meier@ks.gov]  
**Sent:** Thursday, March 30, 2017 2:31 PM  
**To:** Jason Norquest <norquest@gmd3.org>  
**Subject:** 49441 Status

Hello Jason,

I was wanting to check the status of File No. 49,441 which I sent to your office in an email on November 28, 2016 for review. Mostly was just doing a follow up to see if your office was needing more time for review and verify had received it.

Thanks,

Matt Meier  
Environmental Scientist  
Stafford Field Office  
[Matt.meier@ks.gov](mailto:Matt.meier@ks.gov)  
620-234-5311



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

---

April 5, 2017

Division of Water Resources  
% Matt Meier  
2508 N Johns Street  
Garden City, Kansas 67846

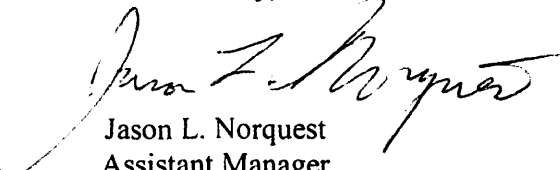
RE: Application for New Appropriation  
Water Appropriation, File No. 49441

Dear Thomas:

We have assisted and completed a review of the application for the above referenced appropriation. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The response from Neighborhood notice were taken into account. One was more against the proposed RV lot and not mentioning the water in the area. The second was from an irrigation right that more than meets spacing, however this application is for a small, junior amount. The applicant stated and signed a waiver of spacing to his own domestic well on the property that he wished to have it as a possible standby well. As long as the applicant fully understands the meaning and purpose of the standby well, this would be within the rules. Seeing as how this is a small quantity requested and will have junior status, it is therefore recommended that the application be approved at this time.

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

Sincerely,



Jason L. Norquest  
Assistant Manager

  
**Kansas**  
Department of Agriculture  
Division of Water Resources

Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521  
Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311  
Fax: (620) 234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

November 28, 2016

GROUNDWATER MANAGEMENT DISTRICT NO 3  
% Jason Norquest  
2009 E Spruce Street  
Garden City, KS 67846

Re: Pending Application, File No. 49,411

Dear Mr. Norquest:

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 September 7, 2016. A Phone call was received from well owner Mark Dirks to state he was against approval of the application. Letters were received from well owners Paul Wetzel and Mark Dirks to express their concerns with the new application and state they were against its approval. No other contact was received.

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 (620) 234-5311. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Matt Meier  
Environmental Scientist  
Water Appropriation Program

Enclosure

pc:

## Meier, Matt

---

**From:** Meier, Matt  
**Sent:** Monday, November 28, 2016 9:52 AM  
**To:** norquest@gmd3.org  
**Subject:** File No. 49441 Review Request  
**Attachments:** 49441 gmd 3 request.doc; 49441 Part 1.pdf; 49441 Part 2.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Jason,

Attached is a copy of File No. 49,441 (15 acre-feet for municipal use) which is ready for review by your office. The applicant submitted a signed domestic well spacing consent form, as the proposed well fails spacing to his domestic well, and is requesting that a combination of information from his domestic well and nearby well logs be used instead of a test hole log. If you have any questions or need anything re-scanned please let me know.

Thanks,  
Matt

Matt Meier, Environmental Scientist  
Kansas Department of Agriculture  
Division of Water Resources  
Stafford Field Office  
(620) 234-5311  
[Matt.Meier@ks.gov](mailto:Matt.Meier@ks.gov)  
[www.ksda.gov/dwr](http://www.ksda.gov/dwr)

November 1, 2016

Matt Meier  
Stafford Field Office  
300 S. Main St.  
Stafford, Ks. 67578-1521

Dear Matt,

I have signed and notarized the forms you sent. I have also attached a copy of a recent drilling log that is directly east of my site. As I mentioned, I am unable to drill a new test well until I get financing for my campground and RV Park project, and can't get financing until I get approval for water.

My personal well was drilled around 1973 and the well driller has since passed away so I have no access to his records. I do have drilling information that is written inside my well and have included it on item 13 of the application.

Hopefully this gives you the information you need and I want to thank you for your consideration.

Sincerely,



Michael D. Klein



# Kansas

Department of Agriculture  
Division of Water Resources

Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311  
Fax: (620) 234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

October 14, 2016

Paul Wetzel  
11538 Hwy 283  
Dodge City, KS 67801

Re: Pending Application, File No. 49,441

Dear Mr. Wetzel:

This will acknowledge receipt of your letter, received in this office on September 16, 2016 in which you expressed concerns regarding the proposed appropriation of groundwater by Michael Klein under the above referenced application and that you were against approval of the application. A copy of the letter has been added to the file and your statement against approval of the application has been noted and will be considered going forward.

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 and the final review will determine if the application is recommended for approval or denial. 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.

Additionally, 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 permit 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 made.

Division of Water Resources  
Stafford Field Office  
300 S Main Street  
Stafford, Kansas 67578-1342  
Telephone: 620-234-5311

If an applicant without cause fails to comply with the provisions of the permit and its terms, conditions and limitations, it could result in the forfeiture of the priority date, revocation of the permit and dismissal of the application. If you have any further questions, please contact me at 620-234-5311. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Matt Meier  
New Application Unit  
Water Appropriation Program

pc:

SCANNED

# Kansas

Department of Agriculture  
Division of Water Resources

Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311  
Fax: (620) 234-6900  
www.agriculture.ks.gov  
Sam Brownback, Governor

October 14, 2016

Mark Dirks  
11522 US Hwy 283  
Dodge City, KS 67801

Re: Pending Application, File No. 49,441

Dear Mr. Dirks:

This will acknowledge receipt of your letter, received in this office on September 21, 2016 in which you expressed concerns regarding the proposed appropriation of groundwater by Michael Klein under the above referenced application and your objection to the approval of the application. Your specific concern of declining water levels in the area, resulting in both irrigation and domestic wells being impacted, has been noted and will be considered going forward. A copy of the letter and your objection to the approval of the application has been added to the file.

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 and the final review will determine if the application is recommended for approval or denial. 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.

Additionally, 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 permit 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 made.

Division of Water Resources  
Stafford Field Office  
300 S Main Street  
Stafford, Kansas 67578-1342  
Telephone: 620-234-5311

If an applicant without cause fails to comply with the provisions of the permit and its terms, conditions and limitations, it could result in the forfeiture of the priority date, revocation of the permit and dismissal of the application. If you have any further questions, please contact me at 620-234-5311. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Matt Meier  
New Application Unit  
Water Appropriation Program

pc:

SCANNED

## Meier, Matt

---

**From:** Michael Klein <surveyormike@live.com>  
**Sent:** Wednesday, October 05, 2016 1:36 PM  
**To:** Meier, Matt  
**Subject:** Water Well Application No. 49,441

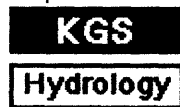
Matt,

As we discussed, my submittals were due on October 7, 2 days from now. I had been ill and want to thank you for the 30 day extension we discussed.

Also, regarding being able to use the drilling log for my personal well, the well driller has passed away and his records are not available. I have found a recent drilling log on line that is near my property and hope that it will suffice. I need to include any drilling expense in a loan package and can't get the loan until I know for sure that I can get water for the Campground site. Also, I have drilling information shown in item 13 of the application that is written inside my well if that helps.

Thank you again for the extension and I will get this information to you as soon as I am able.

Thanks,  
Mike Klein  
11105 Primrose Road  
Dodge City, Ks. 67801  
620.430.0326  
[surveyormike@live.com](mailto:surveyormike@live.com)



Water Well  
Database  
Query

## Specific Water Well Detail

# Well T27S, R25W, Sec. 24, NE NW NE NW, Action: Constructed

Location Info		
<b>Owner:</b> Day, Reed		<b>Status:</b> Constructed
<b>Location:</b> T27S, R25W, Sec. 24, NE NW NE NW		<b>County:</b> Ford
<b>Directions:</b> from 56 and 283: 2 mi S on 283, .25 mi E		
<b>Longitude:</b> -100.0077056	<b>Latitude:</b> 37.6922979	Datum NAD 27
Longitude and latitude from GPS measurements.		
<b>GPS Longitude:</b> -100.00812	<b>GPS Latitude:</b> 37.69232	Datum WGS84
<b>View well on interactive map</b> This link will create a new window and display an interactive map of this well and its neighbors.		
General Info		
<b>Well Depth:</b> 645 ft.		<b>Elevation:</b> 2580 ft.
<b>Static Water Level:</b> 196 ft.		<b>Est. Yield:</b> 35 gpm.
<b>Comp. Date:</b> 21-May-2013		<b>Well Use:</b> Domestic
<b>DWR Applic. #:</b>		<b>Other ID:</b>
Driller Info		
<b>Driller:</b> Nash Water Well Service, LLC		<b>License #:</b> 846
Scanned Form		
View scan of this form in PDF format.		
You will need the <a href="#">Acrobat PDF Reader</a> , available free from Adobe, to read this file.		
Lithologic Log (Log data entered by KGS.)		
<b>From:</b> 0 ft. to 20 ft.	topsoil, clay, fine sand	
<b>From:</b> 20 ft. to 80 ft.	fine sand	
<b>From:</b> 80 ft. to 100 ft.	fine medium sand	
<b>From:</b> 100 ft. to 120 ft.	fine coarse sand	

SCANNED

<b>From:</b> 120 ft. to 140 ft.	fine coarse sand and clay
<b>From:</b> 140 ft. to 160 ft.	fine coarse sand
<b>From:</b> 160 ft. to 180 ft.	fine coarse sand and clay
<b>From:</b> 180 ft. to 200 ft.	clay, blue shale
<b>From:</b> 200 ft. to 280 ft.	blue shale
<b>From:</b> 280 ft. to 320 ft.	gray clay
<b>From:</b> 320 ft. to 340 ft.	gray clay and sandstone layers
<b>From:</b> 340 ft. to 420 ft.	gray clay
<b>From:</b> 420 ft. to 440 ft.	gray clay, sandstone layers
<b>From:</b> 440 ft. to 460 ft.	sandstone
<b>From:</b> 460 ft. to 500 ft.	sandstone, red and gray clay in layers
<b>From:</b> 500 ft. to 645 ft.	sandstone

Kansas Geological Survey

Comments to [webadmin@kgs.ku.edu](mailto:webadmin@kgs.ku.edu)

URL=<http://www.kgs.ku.edu/Magellan/WaterWell/index.html>

Display Programs Updated July 2, 2014

Data added continuously.

SCANNED

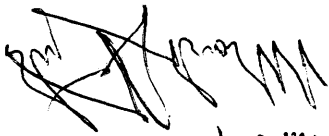
RECEIVED

SCANNED

SEP 21 2016

Stafford Field Office  
Division of Water Resources

MY # 15 820 338 1217  
MARK C. DIRKS  
11522 W5 HWY 283  
DODGE CITY, KS. 67801

  
SINCERELY

I WOULD LIKE TO OBJECT TO THE ISSUANCE  
OF A PERMIT FOR MIKE KIEN TO DRILL A WELL  
FOR THE ~~PURPOSE~~ PURPOSE OF SUPPLYING WATER  
FOR THE RV ~~PARK~~ PARK HE IS PROPOSING.  
OUR WATER LEVELS ARE DROPPING OFF IN  
THIS AREA. ONE IRR. WELL ~~3/8~~ 3/8 MILE TO THE NW  
OF PROPOSED WELL HAS BEEN TAKEN OUT OF  
PRODUCTION DUE TO LACK OF WATER. OTHER IRR. WELLS  
IN THE AREA HAVE DROPPED OFF SIGNIFICANTLY. THERE  
ARE NUMEROUS DOMESTIC WELLS NEARBY THAT  
EVENTUALLY WILL BE AFFECTED BY ~~ADDITIONAL~~ ADDITIONAL  
DRAW FROM OUR GROUND WATER.

TO: MORT MEIER  
IN REFERENCE TO W941 FILE NUMBER

September 14, 2016

Matt Meier  
Stafford Field Office  
300 S. Main St.  
Stafford KS 67578-1521

Re: Pending Application, File No. 49,441

Dear Matt:

This is in reference to the letter dated September 7<sup>th</sup> I received, regarding a water well permit application by Michael Klein located:

Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 24, Township 27  
South, Range 25 West, Ford County, Kansas.

After visiting with other neighbors involved, I have come to the conclusion that I am not in favor of the permit for the water well being issued. I think the ground this permit is intended for should remain for homes. I also feel the location is not appropriate for an RV Park.

If you have any further questions you can contact me at 620-338-6979.

Sincerely,



Paul Wetzel

RECEIVED

SEP 16 2016

Stafford Field Office  
Division of Water Resources

Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521  
Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Jeff Lanterman, Water Commissioner

**Kansas**  
Department of Agriculture  
Division of Water Resources

Phone: (620) 234-5311  
Fax: (620) 234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

September 7, 2016

MICHAEL D KLEIN  
11105 PRIMROSE RD  
DODGE CITY KS 67801

RE: Pending Application, File No. 49,441

Dear Mr. Klein:

After further review of the above referenced application for permit to appropriate water for beneficial use, it is being returned to you for additional information. K.A.R. 5-3-4, states in part, each application for a permit to appropriate water for beneficial use shall contain all the information requested for the proposed uses as specified in the prescribed application form and any other information that may be required for a complete understanding of the proposed appropriation.

Per K.A.R. 5-4-4, a minimum spacing distance of 660 feet is required between the proposed well and domestic wells. Based on information provided in the application, the proposed well fails to meet spacing to an existing domestic well (your well). Part 2 (K.A.R. 5-4-4(c)(2)) allows the spacing interval between a domestic well to be reduced provided written permission has been included with the application. Please fill out and return the included domestic well spacing consent form.

Paragraph No. 13 of the application & K.A.R. 5-3-4d require well information so the source of supply of the proposed appropriation may be determined. Since the proposed well is located within 300 feet of your personal well you can use the domestic well instead of a test hole log; however, we request that you submit a copy of the actual drillers log for the well.

Finally the application is missing a signed and notarized Minimum Desirable Streamflow. Please sign and return the enclosed Minimum Desirable Streamflow form.

We are advising you of these requirements in order to allow you an opportunity to supply the requested information, as required. In order for the application to retain its priority of filing, the original application and attachments must be returned, with the requested information, to this office on or before **October 7, 2016**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments as outlined above, within the time allowed, **shall constitute forfeiture of your priority date and dismissal of the application.**

If you have any questions, please contact me at (620) 234-5311. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Matt Meier  
New Application Unit  
Water Appropriation Program

Enclosure  
pc:

**SCANNED**



# Kansas

Department of Agriculture  
*Division of Water Resources*

Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311  
Fax: (620) 234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

September 7, 2016

PARKER FARMS PARTNERSHIP  
11864 113 RD  
DODGE CITY KS 67801

Re: Pending Application, File No. 49,441

Dear Sir or Madam:

This is to advise you that Michael Klein has filed the application referred to above for a permit to appropriate 15 acre-feet of groundwater per calendar year for Municipal use (for an RV Park) to be diverted at a maximum rate of 150 gallons per minute. The proposed point of diversion for 49,441 is one (1) wells located as follows:

Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 24, Township 27 South, Range 25 West, Ford County, Kansas.

A map is enclosed indicating the location of the proposed well. 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 (620) 234-5311. If you call, please reference the file number so I can help you more efficiently. Mailed comments can be sent to the Stafford Field Office at 300 S. Main St. Stafford, KS 67578-1521.

Sincerely,



Matt Meier  
Environmental Scientist  
Water Appropriations Program

Enclosure

pc:

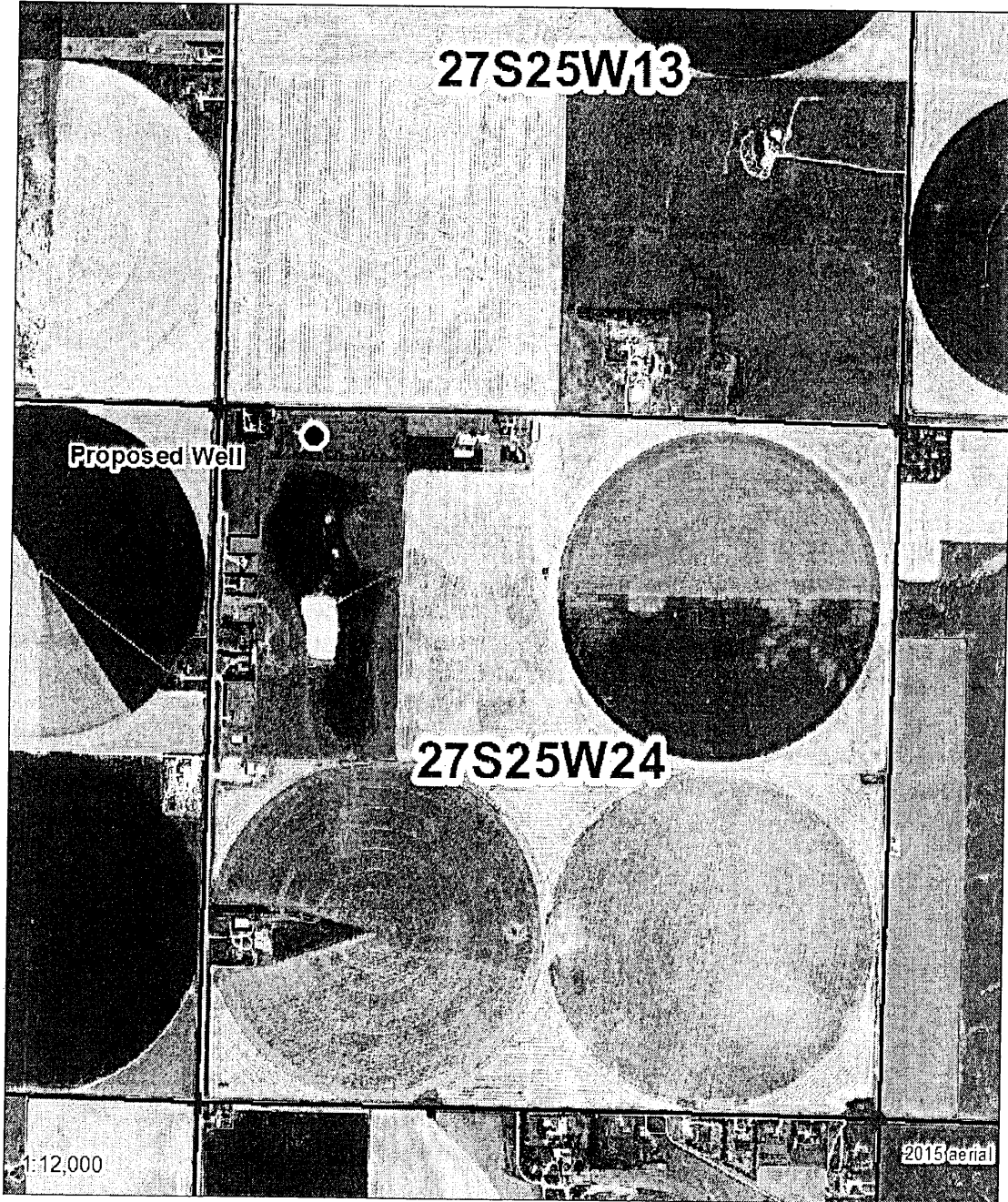
SCANNED

Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521  
Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Jeff Lanterman, Water Commissioner

# Kansas

Department of Agriculture  
Division of Water Resources

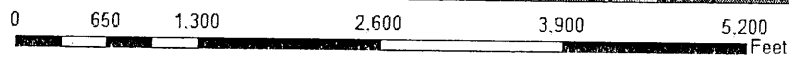
Phone: (620) 234-5311  
Fax: (620) 234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor



**Legend**

- Section Corners
- Section Lines

MJM-DWR 9/7/16



Proposed Water Appropriation, File No. 49,411  
24-27S-25W  
Ford County



# Kansas

Department of Agriculture  
Division of Water Resources

Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521

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[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

September 7, 2016

Mark Dirks  
11522 Hwy 283  
Dodge City, KS 67801

Re: Pending Application, File No. 49,441

Dear Sir or Madam:

This is to advise you that Michael Klein has filed the application referred to above for a permit to appropriate 15 acre-feet of groundwater per calendar year for Municipal use (for an RV Park) to be diverted at a maximum rate of 150 gallons per minute. The proposed point of diversion for 49,441 is one (1) wells located as follows:

Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 24, Township 27 South, Range 25 West, Ford County, Kansas.

A map is enclosed indicating the location of the proposed well. 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.

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Sincerely,



Matt Meier  
Environmental Scientist  
Water Appropriations Program

Enclosure

pc:

SCANNED

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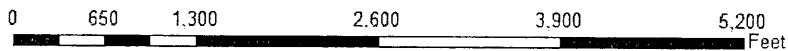
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**Legend**

- + Section Corners
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MJM-DWR 9/7/16



Proposed Water Appropriation, File No. 49,411  
24-27S-25W  
Ford County



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*Division of Water Resources*

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[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

September 7, 2016

Paul Wetzel  
11538 Hwy 283  
Dodge City, KS 67801

Re: Pending Application, File No. 49,441

Dear Sir or Madam:

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Matt Meier  
Environmental Scientist  
Water Appropriations Program

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[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

September 7, 2016

Reed Day  
11143 Primrose Road  
Dodge City, KS 67801

Re: Pending Application, File No. 49,441

Dear Sir or Madam:

This is to advise you that Michael Klein has filed the application referred to above for a permit to appropriate 15 acre-feet of groundwater per calendar year for Municipal use (for an RV Park) to be diverted at a maximum rate of 150 gallons per minute. The proposed point of diversion for 49,441 is one (1) wells located as follows:

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Matt Meier  
Environmental Scientist  
Water Appropriations Program

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**Legend**

- + Section Corners
- ▭ Section Lines

MJM-DWR 9/7/16

Proposed Water Appropriation, File No. 49,411  
24-27S-25W  
Ford County



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Sam Brownback, Governor

September 7, 2016

Joe Urban  
11160 Primrose Road  
Dodge City, KS 67801

Re: Pending Application, File No. 49,441

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Environmental Scientist  
Water Appropriations Program

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MJM-DWR 9/7/16

Proposed Water Appropriation, File No. 49,411  
24-27S-25W  
Ford County



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Sam Brownback, Governor

September 7, 2016

Steve Day  
11455 Hwy 283  
Dodge City, KS 67801

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Matt Meier  
Environmental Scientist  
Water Appropriations Program

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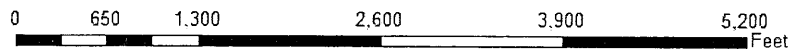
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**Legend**

-  Section Corners
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MJM-DWR 9/7/16



Proposed Water Appropriation, File No. 49,411  
24-27S-25W  
Ford County



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Sam Brownback, Governor

September 7, 2016

Jeffrey Loesch  
11539 Hwy 283  
Dodge City, KS 67801

Re: Pending Application, File No. 49,441

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Water Appropriations Program

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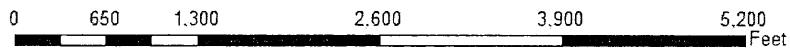
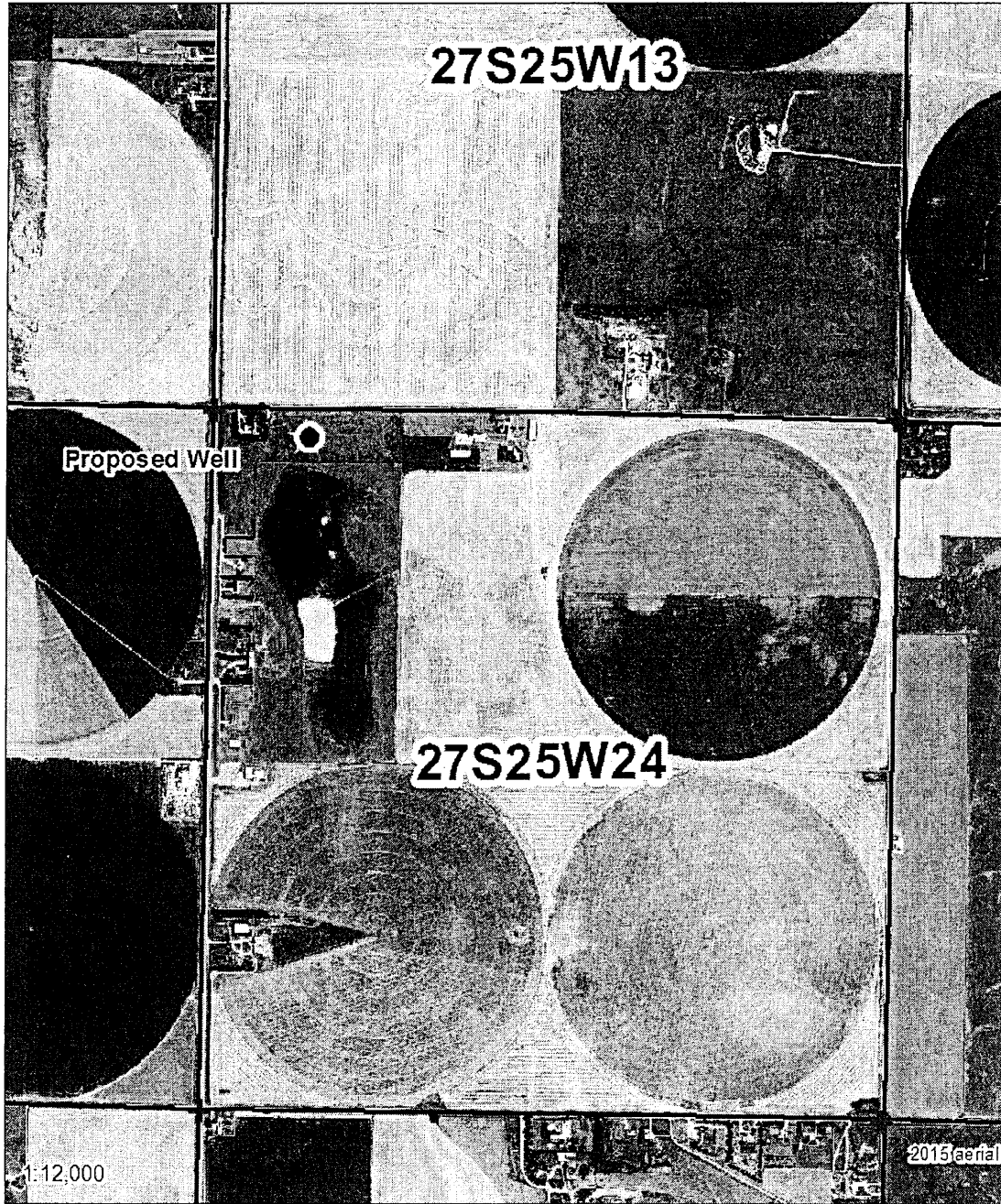
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Legend	
	Section Corners
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MJM-DWR 9/7/16

Proposed Water Appropriation, File No. 49,411  
24-27S-25W  
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Sam Brownback, Governor

September 7, 2016

M. Williams  
11526 Hwy 283  
Dodge City, KS 67801

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Environmental Scientist  
Water Appropriations Program

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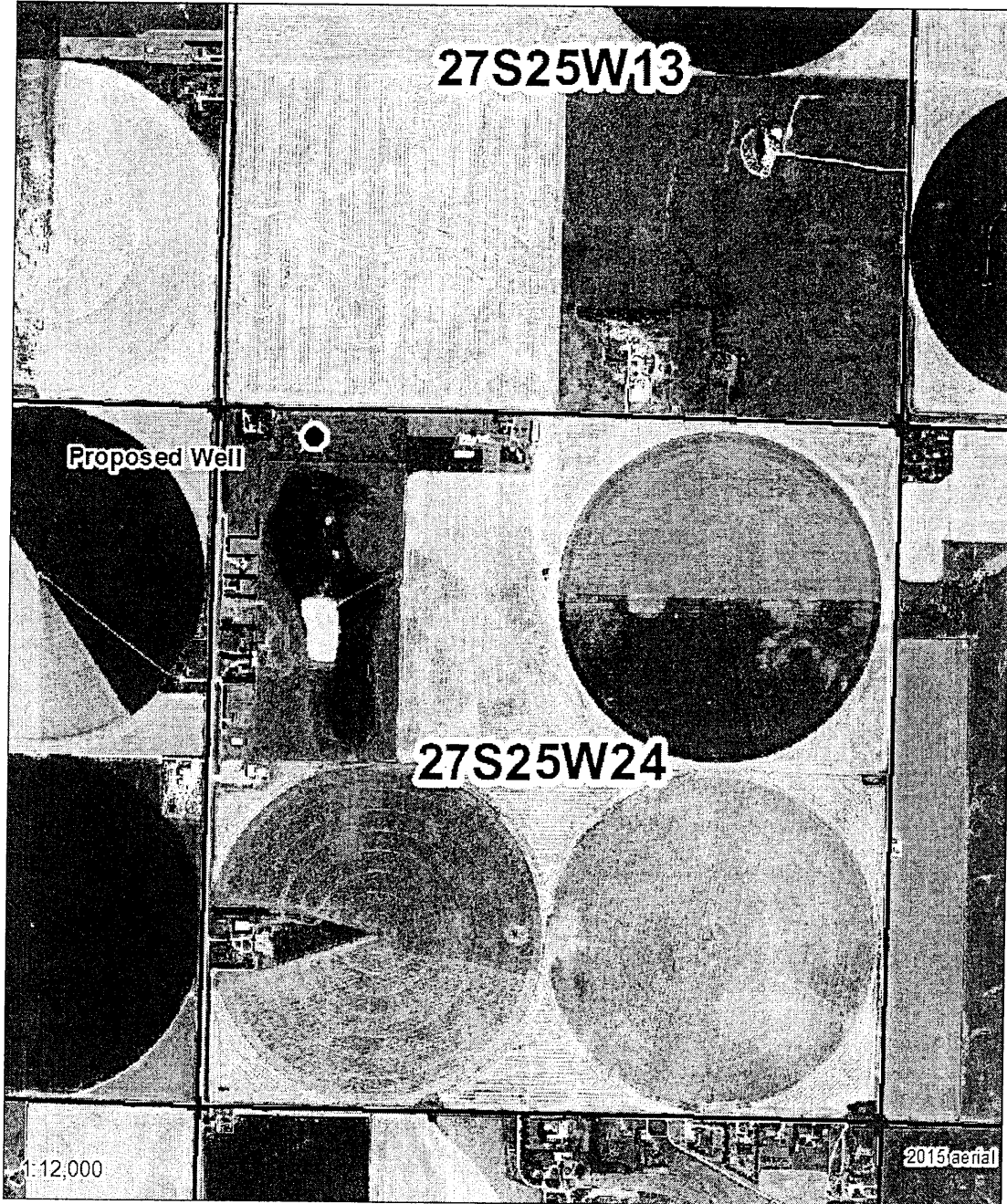
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**Legend**

- Section Corners
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MJM-DWR 9/7/16

Proposed Water Appropriation, File No. 49,411  
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Sam Brownback, Governor

September 7, 2016

Mervine Sineclair  
11534 Hwy 283  
Dodge City, KS 67801

Re: Pending Application, File No. 49,441

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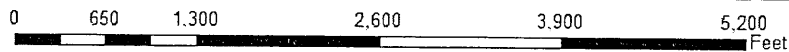
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MJM-DWR 9/7/16



Proposed Water Appropriation, File No. 49,411  
24-27S-25W  
Ford County



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Sam Brownback, Governor

September 7, 2016

Leonard Hoskins  
11544 Hwy 283  
Dodge City, KS 67801

Re: Pending Application, File No. 49,441

Dear Sir or Madam:

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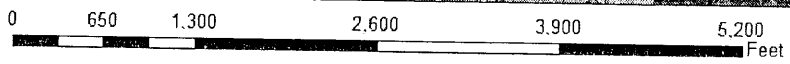
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MJM-DWR-9/7/16



Proposed Water Appropriation, File No. 49,411  
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Sam Brownback, Governor

September 7, 2016

David Robb  
11576 Hwy 283  
Dodge City, KS 67801

Re: Pending Application, File No. 49,441

Dear Sir or Madam:

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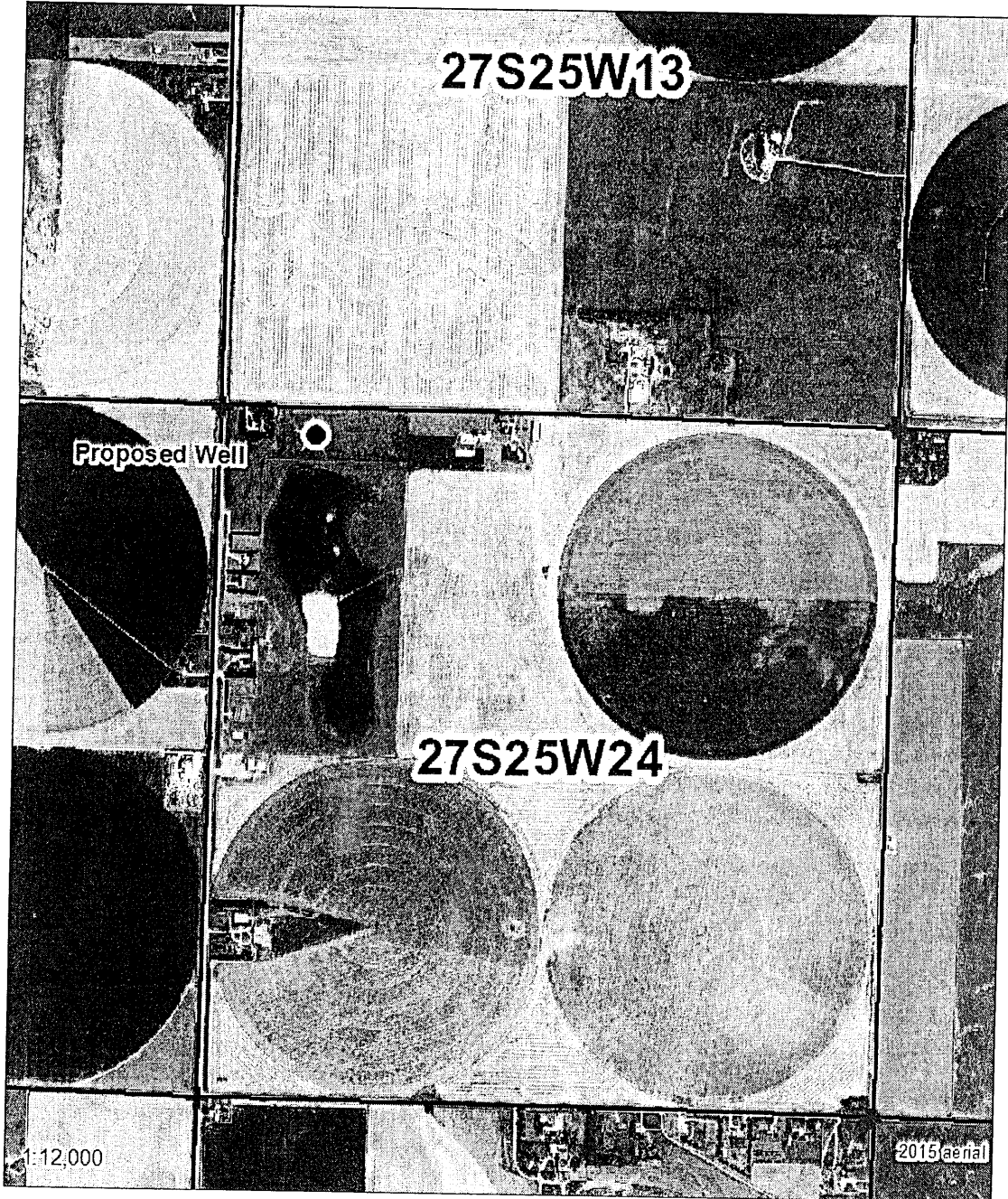
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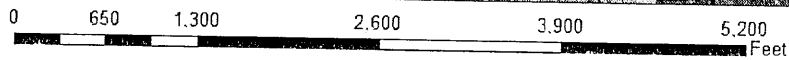
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MJM-DWR 9/7/16



Proposed Water Appropriation, File No. 49,411  
24-27S-25W  
Ford County



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

§180 ft N and 4670 ft W of the SE Corner of Section 24, T 27S, R 25W

Located at: 100.012566 West Longitude and 37.692098 North Latitude

#49441

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__	3577	00	IRR	NK	G	9798	--	NC	S2	NW	3290	3690	22	27	25W	1	230.00	230.00	AF
A__	4827	00	IRR	NK	G	7262	--	NW	NE	NE	5230	1320	22	27	25W	2	240.00	240.00	AF
A__	4941	00	IRR	NK	G	7262	--	NW	NE	NE	5230	1320	22	27	25W	2	500.00	260.00	AF
A__	8261	00	IRR	NK	G	6615	--	--	NC	SW	1080	3960	12	27	25W	1	276.00	276.00	AF
A__	8745	00	IRR	NK	G	7262	--	NW	NE	NE	5230	1320	22	27	25W	2	488.00	.00	AF
A__	10866	00	IRR	NK	G	9737	--	SE	NE	SW	1655	3170	7	27	24W	9	248.00	248.00	AF
A__	12709	00	IRR	NK	G	3235	--	NW	NE	SE	-----	-----	23	27	25W	1	320.00	320.00	AF
A__	13811	00	IRR	NK	G	9584	--	--	--	--	2410	4325	7	27	24W	8	80.00	80.00	AF
A__	13811	00	STK	NK	G	9503	--	--	--	--	2580	4720	7	27	24W	3	12.85	12.85	AF
Same						9888	--	--	--	--	2820	4385	7	27	24W	4	6.55	6.55	AF
Same						9619	--	--	--	--	2640	4600	7	27	24W	5	7.49	7.49	AF
A__	15494	00	IRR	NK	G	5365	--	--	NC	NE	-----	-----	13	27	25W	1	292.00	292.00	AF
A__	17114	00	IRR	NK	G	8769	--	NE	NE	NW	5200	2850	30	27	24W	1	180.00	180.00	AF
A__	17128	00	IRR	NK	G	7628	--	SW	SW	NE	2700	2600	19	27	24W	1	300.00	300.00	AF
A__	18381	00	IRR	NK	G	10118	--	NW	NE	NE	5200	1200	30	27	24W	2	320.00	320.00	AF
A__	18917	00	IRR	NK	G	9942	--	SE	NE	SE	1650	60	18	27	24W	1	278.00	278.00	AF
A__	19591	00	IRR	NK	G	3258	--	SW	SW	NE	2768	2480	24	27	25W	4	260.00	260.00	AF
A__	19711	00	IRR	NK	G	5281	--	NW	NW	NW	5230	4700	25	27	25W	1	148.00	148.00	AF
A__	22062	00	IRR	NK	G	8525	--	NW	NE	NE	5250	1270	19	27	24W	2	340.00	340.00	AF
A__	23363	00	IRR	NK	G	7262	--	NW	NE	NE	5230	1320	22	27	25W	2	200.00	200.00	AF
A__	23443	00	IRR	NK	G	6208	--	NE	SE	SE	799	271	24	27	25W	5	439.00	439.00	AF
A__	24162	00	IRR	NK	G	5281	--	NW	NW	NW	5230	4700	25	27	25W	1	160.00	49.00	AF
A__	24986	00	IRR	NK	G	5966	--	--	--	--	2670	4563	18	27	24W	2	314.00	314.00	AF
A__	24987	00	IRR	NK	G	2291	--	--	NC	NE	3960	1323	23	27	25W	2	260.00	260.00	AF
A__	25261	00	IRR	NK	G	7631	--	--	NC	SE	1320	1300	12	27	25W	2	264.00	264.00	AF
A__	27439	00	IRR	NK	G	3911	--	NW	NW	SE	2280	2440	14	27	25W	4	256.00	256.00	AF
A__	27804	00	IRR	NK	G	5294	--	--	NC	W2	2656	3872	14	27	25W	3	260.00	260.00	AF
A__	30109	00	IRR	NK	G	6846	--	NW	SE	SE	1120	1130	11	27	25W	2	160.00	160.00	AF
A__	30111	00	IRR	NK	G	8221	--	--	NC	SW	1330	3930	11	27	25W	3	224.00	224.00	AF
A__	31671	00	IRR	NK	G	7342	--	NE	SW	NE	3710	1880	25	27	25W	3	96.00	96.00	AF
						385	--	NE	NW	NW	5180	4285	24	27	25W	7 G 2	15.00	15.00	AF
Same						0	--	NW	NW	NW	5180	4670	24	27	25W	8 B 2			
Same						770	--	NW	NE	NW	5180	3900	24	27	25W	9 B 2			

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	15.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	6320.89	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	6335.89	.00

An \* after the source of supply indicates a pending application for change for the file number.  
 An \* after the ID indicates a 15 AF exemption was granted for the file number.  
 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:

100.012566 West Longitude and 37.692098 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

=====

File Number Use ST SR

A\_\_ 3577 00 IRR NK G

> HAMILTON LAND LLC

>

> 10217 RIDGE RD

> DODGE CITY KS 67801

>-----

A\_\_ 4827 00 IRR NK G

> HAMILTON LAND LLC

>

> 10217 RIDGE RD

> DODGE CITY KS 67801

>-----

A\_\_ 4941 00 IRR NK G

> HAMILTON LAND LLC

>

> 10217 RIDGE RD

> DODGE CITY KS 67801

>-----

A\_\_ 8261 00 IRR NK G

> MARK D FISCHER

>

> PO BOX 131

> WRIGHT KS 67882

>-----

A\_\_ 8745 00 IRR NK G

> HAMILTON LAND LLC

>

> 10217 RIDGE RD

> DODGE CITY KS 67801

>-----

A\_\_ 10866 00 IRR NK G

> LOREN A DOLL

>

> 11449 LARIAT WAY

> DODGE CITY KS 67801

>-----

A\_\_ 12709 00 IRR NK G

> GARY KENNETH HARSHBERGER

>

> 10905 WILDFIRE RD

> MINNEOLA KS 67865

>-----

A\_\_ 13811 00 IRR NK G

> LOREN A DOLL

>

> 11449 LARIAT WAY  
> DODGE CITY KS 67801

-----  
A\_\_ 13811 00 STK NK G

> LOREN A DOLL

> 11449 LARIAT WAY

> DODGE CITY KS 67801

-----  
A\_\_ 15494 00 IRR NK G

> 2J2C FARMS LLC

> GARY KENNETH HARSHBERGER

> 10905 WILDFIRE RD

> MINNEOLA KS 67865

-----  
A\_\_ 17114 00 IRR NK G

> MARK D FISCHER

> PO BOX 131

> WRIGHT KS 67882

-----  
A\_\_ 17128 00 IRR NK G

> SPOHR CATTLE COMPANY

> % DENNIS SPOHR

> 11864 113 RD

> DODGE CITY KS 67801

-----  
A\_\_ 18381 00 IRR NK G

> MARK D FISCHER

> PO BOX 131

> WRIGHT KS 67882

-----  
A\_\_ 18917 00 IRR NK G

> SPOHR CATTLE COMPANY

> % DENNIS SPOHR

> 11864 113 RD

> DODGE CITY KS 67801

-----  
A\_\_ 19591 00 IRR NK G

> SPOHR FARMS

> 11864 113 RD

> DODGE CITY KS 67801

-----  
A\_\_ 19711 00 IRR NK G

> AARON GERDES

> 11225 UPLAND RD

> DODGE CITY KS 67801

-----  
A\_\_ 22062 00 IRR NK G



> DARRELL & BEVERLY BLEW TRUST

>

> 11805 112 RD

> DODGE CITY KS 67801

>-----

A\_\_ 23363 00 IRR NK G

> HAMILTON LAND LLC

>

> 10217 RIDGE RD

> DODGE CITY KS 67801

>-----

A\_\_ 23443 00 IRR NK G

> AARON GERDES

>

> 11225 UPLAND RD

> DODGE CITY KS 67801

>-----

A\_\_ 24162 00 IRR NK G

> AARON GERDES

>

> 11225 UPLAND RD

> DODGE CITY KS 67801

>-----

A\_\_ 24986 00 IRR NK G

> DARRELL & BEVERLY BLEW TRUST

>

> 11805 112 RD

> DODGE CITY KS 67801

>-----

A\_\_ 24987 00 IRR NK G

> PARKER FARMS PARTNERSHIP

>

> 11864 113 RD

> DODGE CITY KS 67801

>-----

A\_\_ 25261 00 IRR NK G

> MARK D FISCHER

>

> PO BOX 131

> WRIGHT KS 67882

>-----

A\_\_ 27439 00 IRR NK G

> ROGER A JONES

>

> 11802 QUAKER RD

> DODGE CITY KS 67801

>-----

A\_\_ 27804 00 IRR NK G

> NORMAN SPOHR

>

> 11864 113 RD

> DODGE CITY KS 67801

>-----

A\_ 30109 00 IRR NK G

> CITY OF DODGE CITY

>

> PO BOX 880

> DODGE CITY KS 67801

>-----

A\_ 30111 00 IRR NK G

> CITY OF DODGE CITY

>

> PO BOX 880

> DODGE CITY KS 67801

>-----

A\_ 31671 00 IRR NK G

> HAROLD WAYNE JACKSON

>

> 1007 LONGBRANCH RD

> DODGE CITY KS 67801

>-----

A\_ 49441 00 MUN AY G

> MICHAEL D KLEIN

>

> 11105 PRIMROSE RD

> DODGE CITY KS 67801

>-----

=====



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

August 18, 2015

MICHAEL D KLEIN  
11105 PRIMROSE RD  
DODGE CITY KS 67801

RE: Application  
File No. 49441

Dear Sir or Madam:

Your application for permit to appropriate water in 24-27S-25W in Ford County, was received and has been assigned the file number noted above.

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

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

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

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

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

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Brent A. Turney".

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

BAT: dlw  
pc: STAFFORD Field Office  
GMD 3

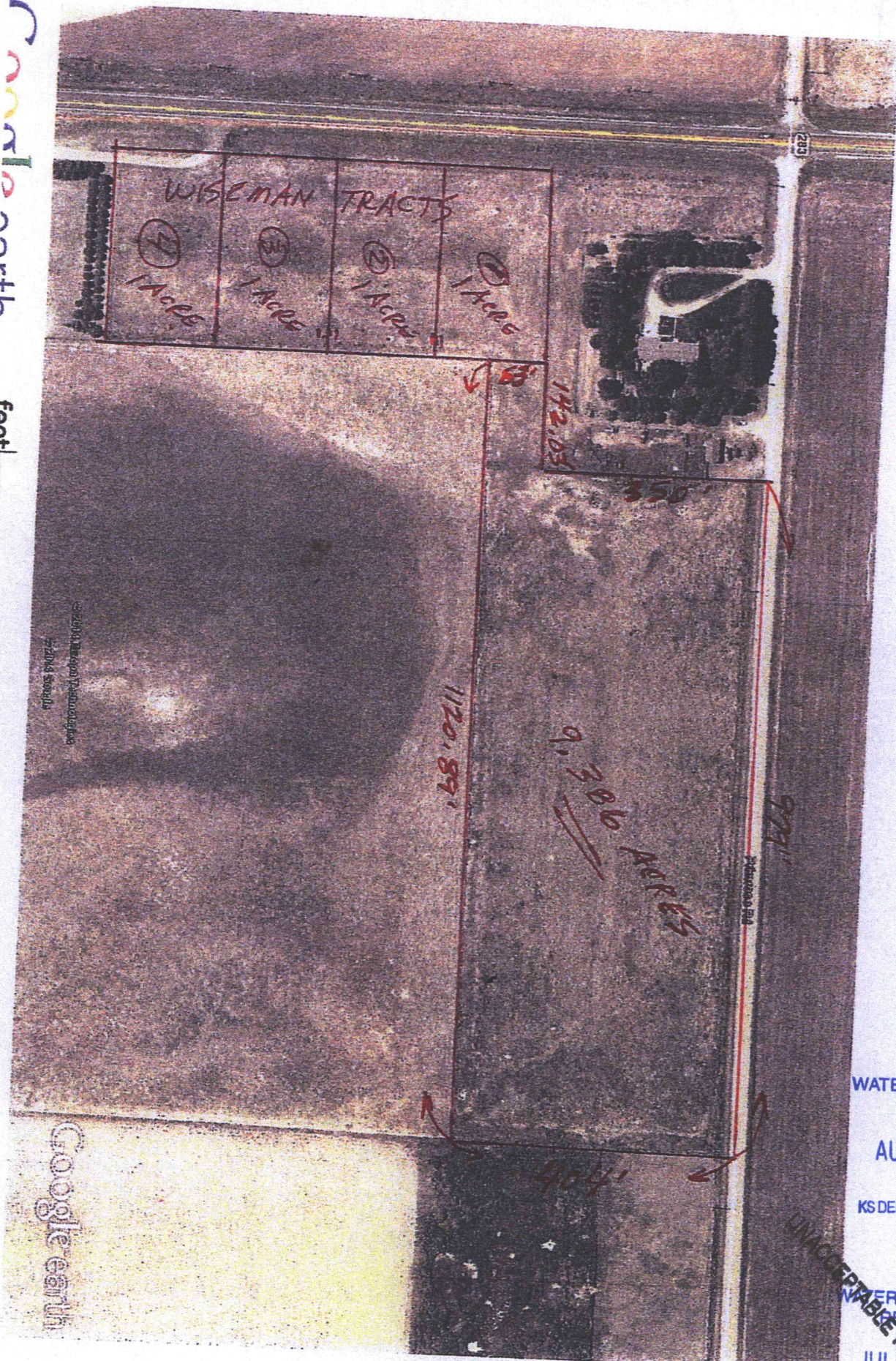
Carta north

feet

900

Google earth

©2014 Google, Inc. All rights reserved.



WATER RESOURCES RECEIVED

AUG 14 2015

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

JUL 6 2015

KS DEPT OF AGRICULTURE

UNACCEPTABLE FOR PRIORITY

AUG 14 2015

LEGAL DESCRIPTION

KS DEPT OF AGRICULTURE

Tract 1:

North Half of Tract One (1), Block One (1), Wiseman Tracts, a subdivision located in part of the Northwest Quarter (NW/4) of Section Twenty-four (24), Township Twenty-seven (27) South, Range Twenty-five (25) West, according to the recorded Plat thereof.

Tract 2:

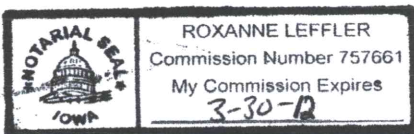
South Half of Tract One (1), and all of Tracts Two (2), Three (3) and Four (4), Block One (1), Wiseman Tracts, a subdivision located in part of the Northwest Quarter (NW/4) of Section Twenty-four (24), Township Twenty-seven (27) South, Range Twenty-five (25) West, according to the recorded Plat thereof.

Tract 4:

A tract of land in the Northwest Quarter (NW/4) of Section Twenty-four (24), Township Twenty-seven (27) South, Range Twenty-five (25) West of the 6<sup>th</sup> P.M., Ford County, Kansas, and more fully described as follows: Commencing at the Northwest corner of said Section 24-27-25; thence on an assumed bearing of N 90 degrees 00 minutes 00 seconds East a distance of 485.00 feet along the North line of said Section Twenty-four (24) to the True Point of Beginning, said point being 25.00 feet North of the Northeast corner of a tract described in the Ford County Register of Deeds, Book 201, Page 449; thence on a bearing of S 00 degrees 00 minutes 00 seconds West a distance of 350.00 feet along the East line and extended East line of said tract described in said Book 201, Page 449, to a point on the North line of a tract described in the Ford County Register of Deeds, Book 196, Page 557; thence on a bearing of N 90 degrees 00 minutes 00 seconds East a distance of 979.00 feet along the North line of said tract described in said Book 196, Page 557, to a point on the West line of a tract described in the Ford County Register of Deeds, Book 212, Page 150; thence on a bearing of N 00 degrees 00 minutes 00 seconds East a distance of 350.00 feet along the West line of said tract described in said Book 212, Page 150, to the North line of said Section 24; thence on a bearing of N 90 degrees 00 minutes 00 seconds West a distance of 979.00 feet along the North line of said Section 24 to the Point of Beginning. Contains 242,650 square feet or 7.8662 acres, more or less, and being subject to easements and rights of way of record.

*Proposed RV Park Area*

STATE OF IOWA, APPANOOSE COUNTY, ss.  
BE IT REMEMBERED, That on this 3<sup>rd</sup> day of September, 2010, before me,  
the undersigned, a notary public in and for the County and State aforesaid, came  
Ella Jean Robb, a single person



who is personally known to me to be the same person who executed the foregoing deed, and duly acknowledged in the execution of the same.  
IN TESTIMONY WHEREOF, I have herunto subscribed my name and affixed my official seal on the day and year last above written.

*Roxanne Leffler*

My appointment expires

Notary Public

GENERAL WARRANTY DEED

8 3 2

FROM

TO

THIS DEED, Made this 30th day of August, 2010

between Ella Jean Robb, a single person

of Monroe County, in the State of Iowa of the first part, and Michael Klein

of Ford County, in the State of Kansas of the second part,

WATER RESOURCES RECEIVED AUG 14 2015

WITNESSETH, That party of the first part, in consideration of

the sum of Ten and  $\frac{no}{100}$  Dollars,

the receipt of which is hereby acknowledged, does by these presents

convey and warrant unto party of the second part, his

heirs and assigns, all the following-described real estate situated in the County

of Ford and State of Kansas, to-wit:

KS DEPT OF AGRICULTURE

Michael Klein 1105 Primrose Dodge City KS 67801 Entered in Transfer Record in my office, this 19th day of Nov, 2010 Shawn Seidel County Clerk. STATE OF KANSAS. Ford County, ss. This instrument was filed for record on the 15th day of November 2010, at 2:50 o'clock P.M., and duly recorded in Book 236 of Deeds, at page 832-833. Brenda Payne Register of Deeds. By [Signature] Deputy. FEES. Register of Deeds, for recording, \$ 12.00 County Clerk, for transfer, \$ Total, \$ 12.00

INDEXED GRANTOR GRANTEE NUMERICAL PHOTOGRAPHED

SEE ATTACHED LEGAL

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, forever.

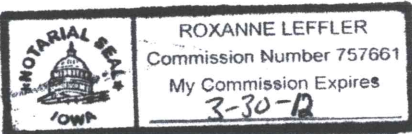
And party of the first part, for herself her heirs, executors and administrators, does hereby covenant, promise and agree to and with party of the second part that at the delivery of these presents she is lawfully seized in her own right, of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above granted and described premises, with the appurtenances; that the same are free, clear, discharged and unincumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and incumbrances of what nature or kind soever except; easements, restrictions and special assessments of record

and that she will warrant and forever defend the same unto party of second part, his heirs and assigns, against party of the first part, her heirs, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, party of the first part has hereunto subscribed her name, the day and year first above written.

Ella Jean Robb Ella Jean Robb

STATE OF IOWA, APPANOOSE COUNTY, ss. BE IT REMEMBERED, That on this 3rd day of September, 2010, before me, the undersigned, a notary public in and for the County and State aforesaid, came Ella Jean Robb, a single person



who is personally known to me to be the same person who executed the foregoing deed, and duly acknowledged in the execution of the same.

IN TESTIMONY WHEREOF, I have herunto subscribed my name and affixed my official seal on the day and year last above written.

[Signature] Notary Public

My appointment expires

GENERAL WARRANTY DEED

8 3 4

FROM

TO

Michael Klein  
11105 Primrose Rd. Dodge City KS 67801

THIS DEED, Made this 30th day of August, 2010

between Ella Jean Robb, a single person

My personal residence just west of proposed RY Park with existing well shown in S+13 (c).

of Monroe County, in the State of Iowa of the first part, and Michael Klein

of Ford County, in the State of Kansas of the second part,

WATER RESOURCES RECEIVED

AUG 14 2015

KS DEPT OF AGRICULTURE

WITNESSETH, That party of the first part, in consideration of

the sum of Ten and no/100 Dollars,

the receipt of which is hereby acknowledged, does by these presents convey and warrant unto party of the second part, his

heirs and assigns, all the following-described real estate situated in the County of Ford and State of Kansas, to-wit:

Entered in Transfer Record in my office, this 19th day of Nov. 2010  
Sharon Skelton  
County Clerk.

STATE OF KANSAS, Ford County, ss.

This instrument was filed for record on the 15th day of November 2010, at 2:50 o'clock P.M., and duly recorded in Book 236 of Deeds, at page 834

By Brenda Pojor Register of Deeds, Deputy.

FEEES.

Register of Deeds, for recording, \$ 8.00  
County Clerk for transfer, \$  
Total, \$ 8.00

A tract of land in the Northwest Quarter (NW/4) of Section Twenty-four (24), Township Twenty-seven (27) South, Range Twenty-five (25) West of the 6th P.M., Ford County, Kansas, according to the Government Survey thereof and more fully described as follows: Beginning Sixty (60) feet East and Twenty-five (25) feet South of the Northwest corner (NW/c) of said Quarter Section, the same being the intersection of the present East right of way line of U.S. Highway 283, as now established, and the South right of way line of the County Road running along the North line of said Quarter Section, as now established; thence East Four Hundred Twenty-five (425) feet along the South line of said County Road; thence South Three Hundred Twenty-five (325) feet at right angles to the North line of said Quarter Section; thence West Four Hundred Twenty-five (425) feet parallel to the North line of said Quarter Section to the East line of said highway right of way; thence North Three Hundred Twenty-five (325) feet along the East line of said highway right of way to the point of beginning. Containing Three and Seventeen Hundredths acres, more or less.

INDEXED  
GRANTOR  
GRANTEE  
NUMERICAL  
PHOTOGRAPHED

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, forever.

And party of the first part, for herself, her heirs, executors and administrators, does hereby covenant, promise and agree to and with party of the second part that at the delivery of these presents she is lawfully seized in her own right, of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above granted and described premises, with the appurtenances; that the same are free, clear, discharged and unincumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and incumbrances of what nature or kind soever except; easements, restrictions and special assessments of record

and that she will warrant and forever defend the same unto party of second part, his heirs and assigns, against party of the first part, her heirs, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

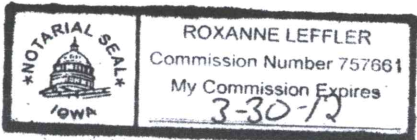
IN WITNESS WHEREOF, party of the first part has hereunto subscribed her name, the day and year first above written.

Ella Jean Robb  
Ella Jean Robb

STATE OF IOWA, APPANOOSE COUNTY, ss. BE IT REMEMBERED, That on this 3rd day of September, 2010, before me, the undersigned, a notary public in and for the County and State aforesaid, came Ella Jean Robb, a single person

who is personally known to me to be the same person who executed the foregoing deed, and duly acknowledged in the execution of the same.

IN TESTIMONY WHEREOF, I have herunto subscribed my name and affixed my official seal on the day and year last above written.



My appointment expires

Roxanne Leffler  
Notary Public

August 12, 2015

Kristen A. Baum  
Ks. Dept. of Agriculture  
1320 Research Park Drive  
Manhattan, Ks. 66502

Dear Kristen,

Thank you for getting back with me so quickly. Jason Norquest from District 3 had assisted me with the application and I thought I had the necessary information the first time so my apologies.

This is the only application I have so I revised the original to include the additional information you requested, and attached a new check.

No. 3 asks for the "maximum" gallons per minute. I based this amount on 60 camp sites all using showers at the same time which is very doubtful, but possible. Most usage will be during daytime and evening hours and be very intermittent.

No. 5 (B), I have added location information for a proposed backup or standby well.


No. 5 (C), I have added location information for my personal residential well. I have also used this well for information you requested in item 13 as it is within 300'.

I have signed the section denoting that I own the land including the diversion point, and also have enclosed copies of my deeds to both my personal residence as well as the RV park site.

My situation is that I can't invest any dollars in engineering, planning, test holes, construction, loan applications, etc. until I know for sure that I will be able to get the rights to use the water. USDA officials have told me that there is a very good chance they may be able to guarantee a loan for me to do the planning and construction, but without the permission to use the water, I can't move forward with anything, even answer questions 7 and 8 with any kind of certainty.

Hopefully I have provided the necessary information for you to move forward with the permitting process. If you have any questions, you can call me on my cell at 620.430.0326 or by email at [surveyormike@live.com](mailto:surveyormike@live.com).

Thank you in advance for your consideration!!

  
Michael D. Klein

WATER RESOURCES  
RECEIVED

AUG 14 2015

KS DEPT OF AGRICULTURE

RECEIVED

NOV 03 2016

State Office  
Division of Water Resources





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

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

Jackie McClaskey, Secretary

Governor Sam Brownback

July 8, 2015

MICHAEL D KLEIN  
11105 PRIMROSE RD  
DODGE CITY KS 67801

Re: Unacceptable Application

Dear Mr. Klein:

Returned herewith is your Application for Permit to Appropriate Water for Beneficial Use received by the Division of Water Resources on July 8, 2015 with Check No. 2740 in the amount of \$200. This application is not acceptable for filing in its present form.

Your application does not indicate the rate of the proposed diversion. Please indicate the maximum rate of the proposed diversion in Paragraph No. 3 of the application. Keep in mind that once a number and priority date are assigned to your application, neither the quantity nor the rate of diversion may be increased. *150 gal/min*

In Paragraph Nos. 5 and 7 you have indicated that the proposed diversion will consist of a primary and a stand-by well; however, only one location was provided. If more than one well is requested to be authorized by this application, the locations for each of the individual wells must be provided in Paragraph No. 5.

Effective July 1, 2009, K.S.A. 82a-709 requires all applicants for new appropriation rights for the beneficial use of water in the State of Kansas to provide evidence of legal access to or control of the point of diversion from the landowner or the landowner's authorized representative. Applicants may provide a copy of a recorded deed, lease, easement or other document with the application. The deed information included with this application appears to pertain to mineral rights only, and not ownership to the land. **In lieu of providing this documentary evidence, you may sign Paragraph No. 6 of the original permit application (where indicated), which constitutes a sworn statement.** Please note that the enclosed new application must bear an original signature. Photocopies or fax signatures are not acceptable.

Paragraph No. 13 of the application requests well information so the source of supply of the proposed well may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of a well or test hole within 300 feet of the proposed point of diversion. Please supply the indicated information and a test hole log or a driller's log with the returned application.

Upon return of the acceptable application with required original signatures and information, it will be assigned a priority based upon the date and time it is received in the office of the Chief Engineer. If you have any questions, please contact me at (785) 564-6627 or [Kristen.Baum@kda.ks.gov](mailto:Kristen.Baum@kda.ks.gov).

Sincerely,

Kristen A. Baum  
Environmental Scientist  
Water Appropriation Program

WATER RESOURCES  
RECEIVED

AUG 14 2015

KS DEPT OF AGRICULTURE

enclosure