

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

1. File Number: <b>49731</b>	2. Status Change Date: <u>4/21/2017</u>	3. Field Office: <b>02</b>	4. GMD:
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5. Status:    Approved            Denied by DWR/GMD            Dismiss by Request/Failure to Return

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

7a. Applicant(s)                      Person ID **34924**  
New to system             Add Seq# \_\_\_\_\_

**WESTERN PACIFIC FARMS INC**  
**2257 100TH RD**  
**COPELAND KS 67837**

7b. Landowner(s)                     Person ID \_\_\_\_\_  
New to system              Add Seq# \_\_\_\_\_

**7A**

7c. Landowner(s)                     Person ID \_\_\_\_\_  
New to system              Add Seq# \_\_\_\_\_

7d. Misc.                                Person ID \_\_\_\_\_  
New to system              Add Seq# \_\_\_\_\_

8. WUR Correspondent                Person ID \_\_\_\_\_  
New to system             Add Seq# \_\_\_\_\_  
Overlap File (s) WUC                Notarized WUC Form   
Agree  Yes  No

**7a.**

9. Use of Water:    Changing?    Yes    No

Groundwater    Surface Water

IRR            REC            DEW            MUN

STK            SED            DOM            CON

HYD DRG    WTR PWR    ART RECHRG

IND SIC: \_\_\_\_\_    OTHER: \_\_\_\_\_

10. Completion Date: 12/31/2018      11. Perfection Date: 12/31/2022      12. Exp Date: \_\_\_\_\_

13. Conservation Plan Required?  Yes  No Date Required: \_\_\_\_\_ Date Approved: \_\_\_\_\_ Date to Comply: \_\_\_\_\_

14. Water Level Measuring Device?  Yes  No Date to Comply: 12/31/2018 Date WLMD Installed: \_\_\_\_\_

Date Prepared: 4/17/17           By: **MJM**  
Date Entered: 4/24/2017       By: **UM**

File No. **49,731**      15. Formation Code: 100      Drainage Basin: Cimarron River #1      County: CA      Special Use:      Stream:

16. Points of Diversion								17. Rate and Quantity						
MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		
ENT										Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	Overlap PD Files
ENT	86046		NWNWSW	32	32S	25W		2235	5120					Bat 1 of 4
ENT	86047		SWNWSW	32	32S	25W	1	1945	5120	800	435.61	800	435.61	NONE
ENT	86048		SWNWSW	32	32S	25W		1655	5120					Batt 2 of 4
ENT	86049		SWNWSW	32	32S	25W		1945	4830					Batt 3 of 4
ENT	86050		SWNWSW	32	32S	25W		1945	5270					Batt 4 of 4
Battery ID #2019														

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
MOD	DEL	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
ENT	PUSE	S	T	R	ID																
MOD	68117	6	33S	25W	1	4	39	39	16	9.5			1.5					11	23	143	7b.
MOD	68116	31	32S	25W	1			15			3	15	40	7		26		38	38	182	7b

Comments:

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

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

**TO:** Files

**DATE:** April 17, 2017

**FROM:** Matt Meier

**RE:** Application, File No. 49,731

Western Pacific Farm Inc. has filed the referenced application to appropriate groundwater for irrigation use, requesting a battery of four (4) wells, a quantity of 435.61 acre-feet, and a diversion rate of 800 gallons per minute. The proposed geo-center of the battery of wells is to be located in the Southwest Quarter of the Northwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 32, more particularly described as being near a point 1,945 feet North and 5,120 feet West of the Southeast corner of said section, Township 32 South, Range 25 West, Clark County, in the Cimarron River drainage basin within the boundaries of South-Central Kansas Designated Unit Area- CIM71. There are no overlapping water rights on the proposed place of use or point of diversion. The proposed place of use is owned by Western Pacific Farm Inc. The applicant has signed the application form stating that he has legal access to the point of diversion. The requested point of diversion, place of use, and quantity were all modified during the processing of the application at the applicant's request. Due to an error on application vs the submitted map the Proposed PD was initially listed as in Section 31, T33S, R25W. The applicant had submitted a drillers test hole log showing the proposed PD located in Section 32, T32S, R25W when initially filed and wanted to use location as proposed pd. After discussing with the applicant and within Field Office it was decided that due to the error on the application vs map, drillers log submitted showing correct location when initially filed, and no other non-domestic wells being located within a 6-mile area of the proposed PD the application would be corrected to show PD in Section 32, T32S, R25W.

The applicant identified one domestic well within one-half mile of the proposed well (which is owned by the applicant) and no existing non-domestic wells (which Wris confirmed). No nearby well notification letters were sent out. There are no non-domestic point of diversions within 2 miles. Based off the map submitted with the application, the nearest domestic well appears to be approximately 930 feet away. The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be one-quarter mile to all other non-domestic wells and 660 feet to domestic wells.

A test hole log was submitted with the application and shows topsoil from 0 to 2 feet, brown sandy clay from 2 to 11 feet, blue clay from 11 to 22 feet, fine to medium sand and gravel with clay stringers from 22 to 33 feet, fine to medium sand and gravel from 33 to 51 feet, fine to medium sand and gravel with clay ledges from 51 to 75 feet, and red bed from 75 to 90 feet below ground. Static water level was 5 feet below ground surface which provides a saturated thickness of 70 feet.

The point of diversion is located within South Central Kansas Designated Unit Area CIM71 which is currently open to new appropriations. Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile circle radius of the point of diversion, which establishes the area of consideration. Evaluation of the area of consideration included the extent of the unconfined aquifer, which provided an area of consideration of 8,042 acres. With a potential annual recharge of 1.3 inches, and 50% of recharge available for appropriation, safe yield was determined to be 435.61 acre-feet. Existing water rights have appropriated 0 acre-feet, providing a difference of 435.61 acre-feet available for appropriation, and the application requesting 435.61 acre-feet complies with safe yield. The initial requested quantity was 601.6 but was reduced at the applicants request to meet safe yield.

The requested quantity of water, 435.61 acre-feet, is reasonable to irrigate the proposed 325 acres identified in the application. This is the minimum reasonable quantity allowable of 1.34 acre-feet per acre for Clark County, Kansas. 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.

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.

Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the referenced application on April 17, 2017. Based on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

Matt Meier  
Environmental Scientist  
Permits 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

April 24, 2017

**FILE COPY**

WESTERN PACIFIC FARMS INC  
C/O PRESTON WITHERS  
2257 100TH RD  
COPELAND KS 67837

RE: Application  
File No. 49,731

Dear Mr. Withers:

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.

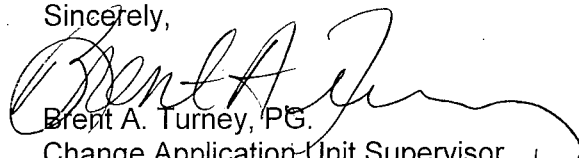
Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit. A water meter is required and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide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

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

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time 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,

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

Enclosures  
pc: Stafford Field Office



**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. 49,731** of the applicant

**WESTERN PACIFIC FARMS INC**  
**2257 100TH RD**  
**COPELAND KS 67837**

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 **November 16, 2016**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
31	32S	25W			15				3	15	40	7		26		38	38		182
6	33S	25W	4	39	39	16	9.5			1.5					11	23			143

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of four (4) wells, the geographic center of which is to located in the Southwest Quarter of the Northwest Quarter of the Southwest Quarter (SW¼ NW¼ SW¼) of Section 32, more particularly described as being near a point 1,945 feet North and 5,120 feet West of the Southeast corner of said section, in Township 32 South, Range 25 West, Clark County, located substantially as shown on the map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **435.61 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2018** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2022** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.
7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.
8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.
9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.
10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.
11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.
12. That 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 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.
14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.
15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.
16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.
17. That this permit is further limited such that all wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply, and shall supply water to a common distribution system.

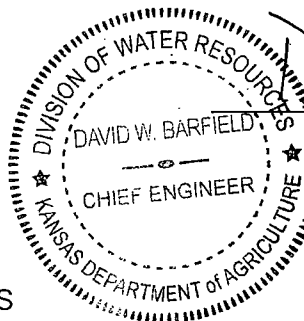
This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

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 21<sup>st</sup> day of April, 2017, in Topeka, Shawnee County, Kansas.



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

State of Kansas                    )  
  ) SS  
County of Riley                    )

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of April, 2017, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



Karen Hunter  
Notary Public



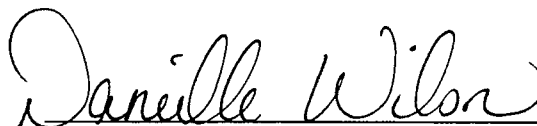
## CERTIFICATE OF SERVICE

On this 24<sup>th</sup> day of April, 2017, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,731, dated April 29<sup>th</sup> 2017 was mailed postage prepaid, first class, US mail to the following:

WESTERN PACIFIC FARMS INC  
2257 100TH RD  
COPELAND KS 67837

With photocopies to:

Stafford Field Office

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

Division of Water Resources

THE STATE OF KANSAS



APPLICATION COMPLETE  
 11/16/16  
 Reviewer MJM

KANSAS DEPARTMENT OF AGRICULTURE  
 Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
 David W. Barfield, Chief Engineer

WATER RESOURCES RECEIVED

File Number 49,731  
 This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

JAN 06 2017

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

NOV 16 2016

KS DEPT OF AGRICULTURE

Filing Fee Must Accompany the Application  
 (Please refer to Fee Schedule attached to this application form.)

12:35  
 KS DEPT OF AGRICULTURE

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,  
 1320 Research Park Drive, Manhattan, KS 66502:

1. Name of Applicant (Please Print): Western Pacific Farm Inc.  
 Address: 2257 100 RD  
 City: Copeland State KS Zip Code 67837  
 Telephone Number: (620) 272-1376

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
 OR  groundwater in Cimarron River (S.C. KS DUA - CIM71) (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. *\* 4/17/17 quantity reduced to meet S.F. confirmed via email & phone with applicants*

3. The maximum quantity of water desired is 435.61 acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of 800 gallons per minute OR \_\_\_\_\_ cubic feet per second.

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

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

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

For Office Use Only:							
F.O. <u>2</u>	GMD <u>0</u>	Meets K.A.R. 5-3-1 (YES/NO) <u>(YES)</u>	Use <u>IRR</u>	Source <u>(G) S</u>	County <u>CA</u>	By <u>AW</u>	Date <u>11/16/16</u>
Code <u>12E3</u>	Fee \$ <u>360</u>	TR # _____	Receipt Date <u>11/16/16</u>	Check # <u>9104</u>			

SCANNED

11/16/2016 LLM

\* 4/17/17 applicant confirmed via phone wanted to use place holders for wells 2-4 of battery.

File No. 49,731

**Requesting 60 days to locate**

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.

Bat 1 of 4

(A) One in the NW quarter of the NW quarter of the SW quarter of Section 32 more particularly described as being near a point 2235 feet North and 5120 feet West of the Southeast corner of said section, in Township 32 South, Range 25 West, Clark N 37.21739 W 100.07288 County, Kansas.

Geo-Center

(B) One in the SW quarter of the NW quarter of the SW quarter of Section 32, more particularly described as being near a point 1945 feet North and 5120 feet West of the Southeast corner of said section, in Township 32 South, Range 25 East (West circle one), Clark County, Kansas.

Bat 2 of 4

(C) One in the SW quarter of the NW quarter of the SW quarter of Section 32, more particularly described as being near a point 1655 feet North and 5120 feet West of the Southeast corner of said section, in Township 32 South, Range 25 East (West circle one), Clark County, Kansas.

Bat 3 of 4

(D) One in the SW quarter of the NW quarter of the SW quarter of Section 32, more particularly described as being near a point 1945 feet North and 4830 feet West of the Southeast corner of said section, in Township 32 South, Range 25 East (West circle one), Clark County, Kansas.

Bat 4 of 4

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):

Same as Applicant  
(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 November 14, 2016. [Signature]  
Applicant's Signature

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

7. The proposed project for diversion of water will consist of 4 Wells & Pump  
(number of wells, pumps or dams, etc.)

and will be completed (by) ASAP  
(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 ASAP  
(Mo/Day/Year)

WATER RESOURCES RECEIVED

WATER RESOURCES RECEIVED

JAN 06 2017

NOV 16 2016

SCANNED

- 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 N.A.

- 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.

None  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	<u>9-15-16</u>	_____	_____	_____
Total depth of well	<u>90'</u>	_____	_____	_____
Depth to water bearing formation	<u>75'</u>	_____	_____	_____
Depth to static water level	<u>5'</u>	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

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

Owner  
(owner, tenant, agent or otherwise)

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

Same as Applicant  
(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 Copeland, Kansas, this 14<sup>th</sup> day of November, 2016.  
(month) (year)

  
(Applicant Signature)

By PRESIDENT  
(Agent or Officer Signature)

PRESTON WITHERS  
(Agent or Officer - Please Print)

Assisted by MJM/SFFO ESII Date: 8/29/2016  
(office/title)

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## IRRIGATION USE SUPPLEMENTAL SHEET

File No. \_\_\_\_\_

Name of Applicant (Please Print): Western Pacific Farm Inc.

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

**Landowner of Record** NAME: Western Pacific Farm Inc.

ADDRESS: 2257 100 Rd Copeland, KS 67837

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
31	32S	25W			15			3	15	40	7		26		38	38		182	

**Landowner of Record** NAME: Western Pacific Farm Inc.

ADDRESS: 2257 100 Rd Copeland, KS 67837

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6	33S	25W	4	39	39	16	9.5			1.5					11	23		143	
Total Acres																	325		

**Landowner of Record** NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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

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

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

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

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

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

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

- Center pivot      \_\_\_\_\_ Center pivot - LEPA      \_\_\_\_\_ "Big gun" sprinkler
- \_\_\_\_\_ Gravity system (furrows)      \_\_\_\_\_ Gravity system (borders)      \_\_\_\_\_ Sideroll sprinkler

Other, please describe: \_\_\_\_\_

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

- (1) Estimate the operating pressure at the distribution system: \_\_\_\_\_ psi
- (2) What is the sprinkler package design rate? \_\_\_\_\_ gpm
- (3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? \_\_\_\_\_ feet
- (4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

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

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

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January 3, 2017

File# 49731

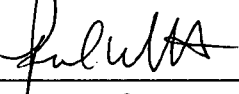
There is a domestic well within ½ mile of the PD. It is in the SE/4 of section 31-32S-25W. However, it is the same owner as the owner of the proposed well under File# 49731. The owner of the well and the owner of the domestic well, who are one in the same, do hereby acknowledge the PD and the domestic well are within ½ mile of each other, and do hereby approve of the well and it's operation.

Sec 31-32-25 Land owner:

  
\_\_\_\_\_ date: 1-3-17

Western Pacific Farms, Inc.  
Preston Withers, President  
2257 100<sup>th</sup> Road  
Copeland, KS 67837

Sec 32-32-25 Well owner

  
\_\_\_\_\_ date: 1-3-17

Western Pacific Farms, Inc.  
Preston Withers, President  
2257 100<sup>th</sup> Road  
Copeland, KS 67837

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**JAN 06 2017**

**KS DEPT OF AGRICULTURE**

**SCANNED**





49,737

Hydro/Henkle is ready to drill this well, IF there is anything I can do to get this application approved quickly, please call me @ 620.272.1376.

Thanks,

Preston Withers

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NOV 16 2016

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JAN 06 2017

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KS DEPT OF AGRICULTURE

January 3, 2017

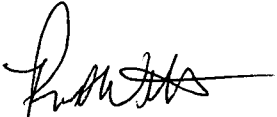
Permit # 49731

Alex Whitesell,

I completed the application with the PD location noted to the 10 acre legal description. And also included the name/address of the domestic well owner that is within ½ mile, which is one in the same owner.

As you will see on the topographical map, the best test hole we found was several hundred feet into section 32, just east of section 31. And there were also some typo errors in regards to Township 32S versus 33S. Both townships are involved but must be correctly used with defining section 6 and section 31 & 32.

Thank you. If there is anything else that I need to do to complete the application, please call me as quickly as possible at 620-272-1376. We are hoping to get his approved, the underground laid to the place of use, and the pivot erected before the April planting season.



Preston Withers  
620-272-1376

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**JAN 06 2017**

**KS DEPT OF AGRICULTURE**

**SCANNED**

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

December 2, 2016

WESTERN PACIFIC FARM INC  
2257 100 RD  
COPELAND KS 67837

Re: Pending Application,  
File No. 49,731

Dear Sir or Madam:

After a preliminary review of your above referenced application for permit to appropriate water received in this office on November 16, 2016, it is being returned to you for additional information. In your original application, you requested a 60-day period of time in which to determine the precise location for your point of diversion within a specified quarter section tract of land described as the Southeast Quarter (SE<sup>1</sup>/<sub>4</sub>) of Section ~~31~~, in Township ~~31~~ South, Range 25 West, Clark County, Kansas.

*NW NW SW 32*

Once you've determined the precise location for your point of diversion, complete the rest of Paragraph No. 5 of your application by providing the description for the 10-acre tract location of the point of diversion as well as the feet distances North and West of the Southeast corner of the Section. The location of the point of diversion must also be plotted on the topographical map included. In the case of a battery of wells, please provide the description of the location of the proposed geographic center of the well battery, as well as **the location for each of the individual wells comprising the battery of wells**.

The locations of all other water wells of every kind within one-half mile (1/2) of the point of diversion must be plotted on the topographical map as well. Each well should be identified as to its use (e.g. domestic, irrigation, industrial, etc.) and must **include the name and mailing address of the well owner**. A signed statement should be included on the map declaring that all wells within one-half mile (1/2) of the point of diversion have been plotted, or it should declare that none exist. Please provide this information once you have established your point of diversion.

In order to retain its priority of filing, the original application and attachments must be returned to this office with the requested information on or before **January 16, 2017**, or within any authorized extension of time thereof. According to law, default in refiling of the completed application and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 564-6631 or by email at alex.whitesell@ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

WATER RESOURCES  
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JAN 06 2017

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enclosures  
pc: Stafford Field Office

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

December 23, 2016

**FILE COPY**

WESTERN PACIFIC FARM INC  
2257 100 RD  
COPELAND KS 67837

Re: Pending Application,  
File No. 49,731

Dear Sir or Madam:

The Division of Water Resources returned the above referenced application to you for additional information on December 2, 2016, and the current deadline for your response is January 16, 2016. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original application and requested information needs to be returned to this office on or before **January 16, 2016**, or within any authorized extension of time thereof. According to law, default in refileing of the completed application and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

If an extension of time is necessary to supply the requested information, please request the extension of time in writing before **January 16, 2016**. Provide information as to why the additional time is needed and how much additional time is requested. Please note that since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 564-6631 or by email at alex.whitesell@ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office

SCANNED

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

December 2, 2016

**FILE COPY**

WESTERN PACIFIC FARM INC  
2257 100 RD  
COPELAND KS 67837

Re: Pending Application,  
File No. 49,731

Dear Sir or Madam:

After a preliminary review of your above referenced application for permit to appropriate water received in this office on November 16, 2016, it is being returned to you for additional information. In your original application, you requested a 60-day period of time in which to determine the precise location for your point of diversion within a specified quarter section tract of land described as the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 31, in Township 33 South, Range 25 West, Clark County, Kansas.

Once you've determined the precise location for your point of diversion, complete the rest of Paragraph No. 5 of your application by providing the description for the 10-acre tract location of the point of diversion as well as the feet distances North and West of the Southeast corner of the Section. The location of the point of diversion must also be plotted on the topographical map included. In the case of a battery of wells, please provide the description of the location of the proposed geographic center of the well battery, as well as **the location for each of the individual wells comprising the battery of wells**.

The locations of all other water wells of every kind within one-half mile ( $\frac{1}{2}$ ) of the point of diversion must be plotted on the topographical map as well. Each well should be identified as to its use (e.g. domestic, irrigation, industrial, etc.) and must **include the name and mailing address of the well owner**. A signed statement should be included on the map declaring that all wells within one-half mile ( $\frac{1}{2}$ ) of the point of diversion have been plotted, or it should declare that none exist. Please provide this information once you have established your point of diversion.

In order to retain its priority of filing, the original application and attachments must be returned to this office with the requested information on or before **January 16, 2017**, or within any authorized extension of time thereof. According to law, default in refileing of the completed application and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 564-6631 or by email at alex.whitesell@ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

enclosures  
pc: Stafford Field Office

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

1945 ft N and 5120 ft W of the SE Corner of Section 32, T 32S, R 25W

Located at: 100.072468 West Longitude and 37.216569 North Latitude

GROUNDWATER ONLY

#49,731  
meets  
spacing

=====  
File Number Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth\_Quan Add\_Quan Unit  
=====

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

100.072468 West Longitude and 37.216569 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

=====  
File Number Use ST SR  
=====

## Meier, Matt

---

**From:** Preston Withers <pwithers@ucom.net>  
**Sent:** Wednesday, April 12, 2017 9:22 PM  
**To:** Meier, Matt  
**Subject:** RE: Application 49,731

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

Ok, yes, let's use the driller's location. It looks the most accurate physically

Preston Withers

---

**From:** Meier, Matt [mailto:Matt.Meier@ks.gov]  
**Sent:** Friday, April 07, 2017 2:25 PM  
**To:** Preston Withers  
**Subject:** RE: Application 49,731

Preston,

I finished reviewing your amendments and everything looks good except for Geo-Center location for well battery which I wanted to double check with you on. I created the two included maps which shows the location of well you marked on your map (with geo-center shown 290' South of it) and location that plots on the map for the well based on GPS the driller provided (with geo-center shown 290' South of it).

I wanted to verify with you which geo-center location you wanted to use since there was a difference between where you showed it (after moving 290'S) and drillers location. Once you choose I'll finish getting the application updated and modified for final approval.

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

---

**From:** Preston Withers [mailto:pwithers@ucom.net]  
**Sent:** Thursday, April 6, 2017 10:04 AM  
**To:** Meier, Matt <Matt.Meier@ks.gov>  
**Subject:** RE: Application 49,731

IS EVERYTHING LOOKING GOOD SO FAR? OR ANY MORE AMENDMENTS NEEDED?PW

---

**From:** Meier, Matt [mailto:Matt.Meier@ks.gov]  
**Sent:** Tuesday, April 04, 2017 2:56 PM  
**To:** Preston Withers  
**Subject:** RE: Application 49,731



Preston,

I received your email and will begin looking over the modifications and let you know if any further changes are needed.

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

---

**From:** Preston Withers [<mailto:pwithers@ucom.net>]  
**Sent:** Tuesday, April 4, 2017 2:40 PM  
**To:** Meier, Matt <[Matt.Meier@ks.gov](mailto:Matt.Meier@ks.gov)>  
**Subject:** RE: Application 49,731

I think I've covered all the needed updates.

Page 1 adjusts the quantity of water to 435.61 ac ft.

Page 2 footnotes that the GPS used the NAD 27 coordinate system, and locates the GEO CTR 290' (feet) due south of well site (A).

Page 6 & 7 are aerial maps designating the PD, Domestic well, and Place of Use with the acres noted as 325 acres. These aerial maps supersede Pages 8 & 9.

Page 10 is the irrigation use Supplemental sheet that I need help completing with the acres by the quarter of a quarter of a section.

And I think that covers all the amendments.

Preston Withers  
620 272 136

---

**From:** Meier, Matt [<mailto:Matt.Meier@ks.gov>]  
**Sent:** Monday, April 03, 2017 3:40 PM  
**To:** [pwithers@ucom.net](mailto:pwithers@ucom.net)  
**Subject:** Application 49,731

Hello Preston,

Attached is a pdf scan of the letter I'm sending out in the mail to day which outlines a number of issues that will need to be addressed prior to your application being completely processed and a copy of the application in its current form. Once you have a chance to look over the letter feel free to contact me via email or phone to get the issues addressed.

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

 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

April 3, 2017

WESTERN PACIFIC FARMS INC  
2257 100TH RD  
COPELAND KS 67837

RE: Pending Application, File No. 49,731

Dear Mr. Withers:

After review of the above referenced application for permit to appropriate water for beneficial use, additional information is required before the application can be fully processed. 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.

Part 5 of the new application requires the footages to be listed from the Southeast Corner of the Section, which are currently missing. The actual footages will need to be listed, instead of just the GPS location which doesn't include what coordinate system it is in. Footages for the individual well locations, of which 4 were requested on the application, will also need to be provided. Should you not know the exact locations for the wells place holders can be used. Additionally, there is some discrepancy between the geo-center locations showed on the two different maps. Please identify which map is correct for the planned Geo-Center location.

Finally, the application fails to meet Safe Yield at its current requested amount of 601.6 acre-feet. The specific method for calculating safe yield for unconfined groundwater aquifers is described in K.A.R. 5-3-11. Per K.A.R. 5-3-11(d)(1), the safe yield area of consideration represents the portion of the two-mile circle located within the limit of the unconfined aquifer expressed in acres (8042 acres for this file). Calculated recharge is 1.3 inches, and for hydrologic units within the Cimarron River Basin, 50 percent of the calculated recharge can be considered to be available for appropriation. The safe yield determination is summarized below.

Safe Yield = Area of Consideration x potential annual recharge x percent of recharge available

8,042 acres x 1.3 inches x 50% = 5227.3 acre-inches / 12 = 435.61 acre-feet

Prior Appropriations within the area of consideration = 0 acre-feet

Total quantity of water available = 435.61 acre-feet

Therefore, it will be recommended to the Chief Engineer that pending application, File No. 49,731 be denied and dismissed due to the failure to meet safe yield criteria, as required by K.A.R. 5-3-10 and K.A.R. 5-3-11. Should you wish to obtain the remaining 435.61 acre-feet of safe yield your requested quantity and application will need to be modified and returned, otherwise the application will be denied.

If you wish to obtain the remaining 435.61 acre-feet of water you will also need to reduce your requested place of use. Minimum reasonable acre-feet per acre for Clark county is 1.34 acre-feet per acre. With 435.61 acre-feet of safe yield available the maximum amount of acres you could request is 325 acres. If you wish to maintain the maximum acre-feet per acre, which for Clark county is 1.6 acre-feet per acre, you will need to reduce your requested acres to 272 acres.

SCANNED



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

We are advising you of this recommendation in order to allow you an opportunity to submit additional information to show why our evaluation should be reconsidered. You have a period of 30 days (**until May 3, 2017**) to either (1) submit additional information to our office or (2) request additional time beyond the 30 days to submit additional information. If you wish to request additional time, you must do so **in writing**, before the 30 day period expires. Such a request should state what steps are being taken to obtain the information and the amount of time you will need to supply the information to our office. If you do not request more time within the 30 day period, or if your request is not granted, the above- referenced application will be submitted to the Chief Engineer for final decision based on the recommendation stated above. Any relevant credible information submitted within the time allowed will be given due consideration, prior to final action on the application. If you have any questions, please contact me at (620) 234-5311 or at [Matt.Meier@ks.gov](mailto:Matt.Meier@ks.gov). 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

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

November 16, 2016

WESTERN PACIFIC FARM INC.  
2257 100 RD  
COPELAND KS 67837

**FILE COPY**

RE: Application  
File No. 49731

Dear Sir or Madam:

Your application for permit to appropriate water in 31-33S-25W in Clark County, was received and has been assigned the file number noted above.

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

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

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

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

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

If you have any questions, please contact me at (785) 564-6645. 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 black ink that reads "Brent A. Turney".

Brent A Turney, P.G.  
Change Application Unit Supervisor **KS DEPT OF AGRICULTURE**  
Water Appropriation Program

**WATER RESOURCES  
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**JAN 06 2017**

BAT: dlw  
pc: STAFFORD Field Office  
GMD

**SCANNED**

# 32S25W32

Your Location on Map

Drillers Location

290'S Drillers Location  
1945'N & 5120'W

290'S Your Location on Map  
2042'N & 4858'W

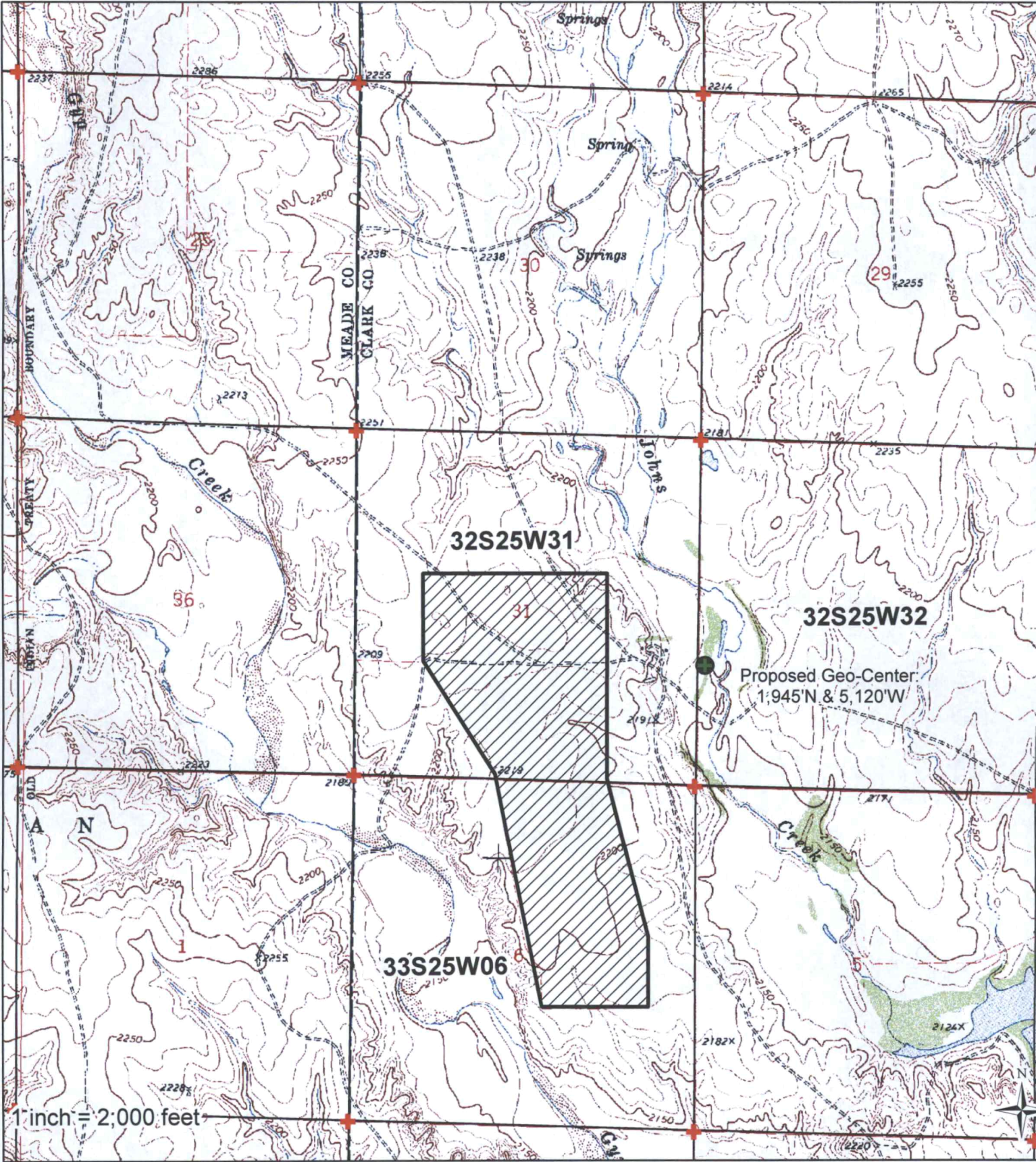
300' Radius

1 inch = 600 feet







File No. #49,731

4/17/17 Updated maps



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

-  Proposed PD
-  Proposed Place Of Use
-  Domestic Wells
-  Water Rights

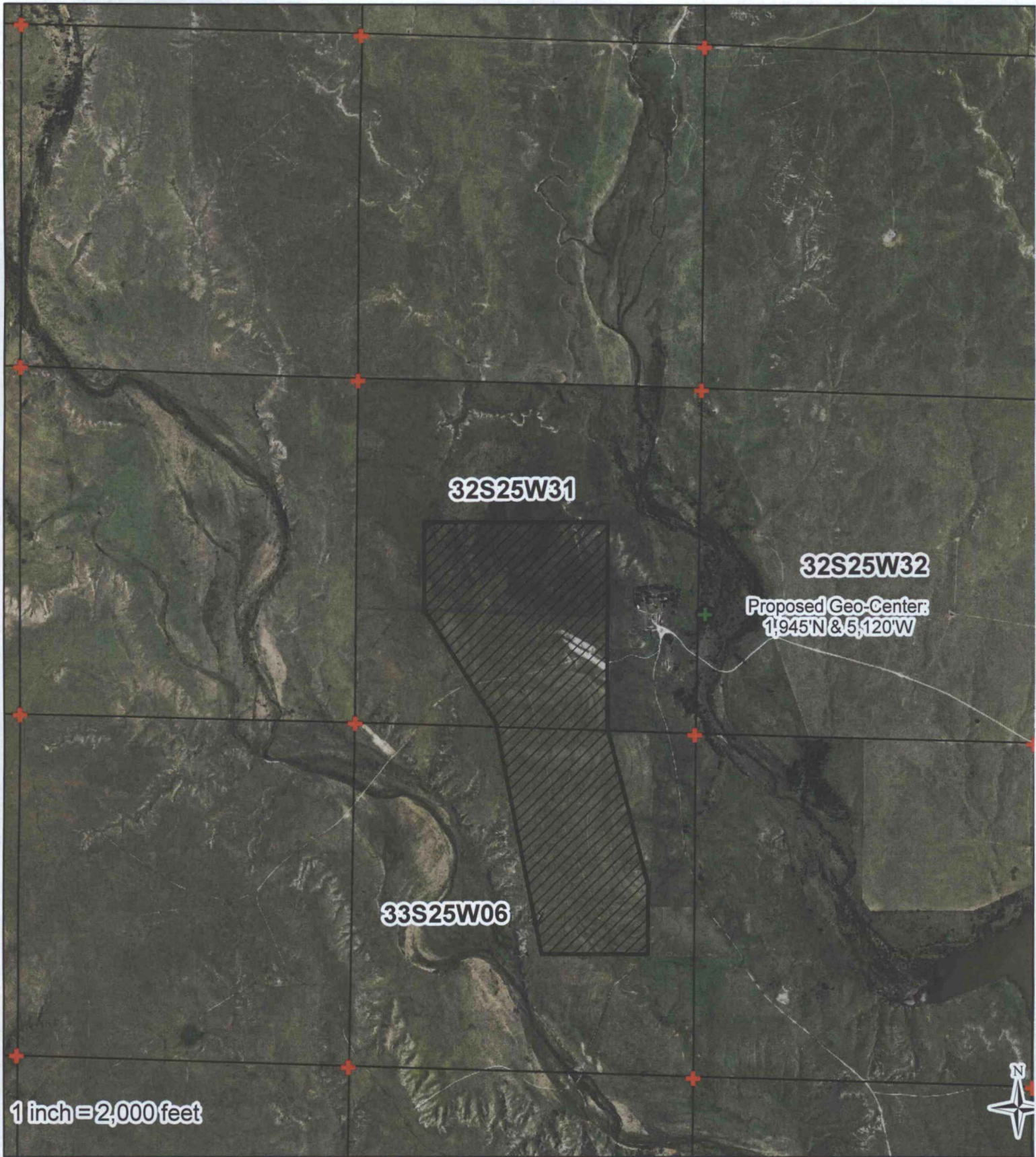
Signature \_\_\_\_\_ Date \_\_\_\_\_

0 800 1 600 3 200 4 800 6 400





Created By: Matt Meier  
F.O. 2  
Date: 4/17/2017

4/17/17 updated maps

File No. #49,731



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

-  ProposedPD
-  ProposedPlaceOfUse
-  Domestic Wells
-  Water Rights

Signature \_\_\_\_\_ Date \_\_\_\_\_

0 800 1 600 3 200 4 800 6 400





Created By: Matt Meier  
 F.O. 2  
 Date: 4/17/2017

File No. #49,731

4/17/17 updated maps



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

-  Proposed PD
-  Proposed Place of Use
-  Domestic Wells
-  Water Rights

Signature \_\_\_\_\_ Date \_\_\_\_\_

0 400 800 1 600 2 400 3 200

Created By: Matt Meier  
F.O. 2  
Date: 4/17/2017