

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

1. File Number: <p style="text-align: center; font-weight: bold;">49951</p>	2. Status Change Date: <p style="text-align: center;">11/29/2018</p>	3. Field Office: <p style="text-align: center; font-weight: bold;">02</p>	4. GMD: <p style="text-align: center; font-weight: bold;">02</p>
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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) New to system <input type="checkbox"/> Person ID <u>24653</u> Add Seq# _____  <b>C B &amp; JOAN K SHOWALTER 8803 E ARLINGTON RD HAVEN KS 67543</b>	7c. Landowner(s) New to system <input type="checkbox"/> Person ID <u>55501</u> Add Seq# _____  <b>DORIS J SHOWALTER LIVING TRUST DORIS J SHOWALTER - TRUSTEE 8803 E ARLINGTON RD HAVEN KS 67573-8211</b>
7b. Landowner(s) New to system <input type="checkbox"/> Person ID <u>65898</u> Add Seq# _____  <b>DORIS MUELLER SHOWALTER LIVING TRUST 8803 E ARLINGTON ROAD HAVEN KS 67543</b>	7d. Misc New to system <input type="checkbox"/> Person ID _____ Add Seq# _____

8. WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No <b>7a</b>  Person ID _____ Add Seq# _____ Notarized WUC Form <input type="checkbox"/>	9. Use of Water:    Changing? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water <input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN <input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON <input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG <input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____
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10. Completion Date: 12/31/2019    11. Perfection Date: 12/31/2023    12. Exp Date: \_\_\_\_\_

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

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

Date Prepared: 11/7/18    By: BM  
Date Entered: 11/29/2018    By: UH  
12/31

File No. **49951**      15. Formation Code:      Drainage Basin: **Arkansas River**      County: **RENO**      Special Use:      Stream:

16. Points of Diversion										17. Rate and Quantity				
MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W		Authorized		Additional		Overlap PD Files
										Rate gpm	Quantity af	Rate gpm	Quantity af	
CHK	86483	NW SW NE	30	24S	4W	5	3351	2007	GC	800	249.2	800	249.2	None
CHK	86484	NW SW NE	30	24S	4W	6	3351	2007	1/3					
CHK	86485	SW SW NE	30	24S	4W	7	3651	2007	2/3					
CHK	86486	NW SW NE	30	24S	4W	8	3051	2007	3/3					

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 **12/31/2019**      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
MOD DEL ENT	PUSE	S	T	R	ID	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE								
						CHK	68661	30	24S	4W	5			18				40	40										98
CHK	68662	25	24S	5W	2			40	40														80	7b					

Comments:

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

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

**TO:** Files

**DATE:** October 24, 2018

**FROM:** Brandon Milner

**RE:** Application, File No. 49,951

CB Showalter has filed the referenced application to appropriate 249.2 acre-feet of groundwater at diversion rate of 800 gallons per minute for irrigation use. The proposed point of diversion is a battery of wells (3) with a geographic center located in the Northeast Quarter of Section 30, Township 24 South, Range 4 West, Reno, County, Kansas. The proposed appropriation is located within the Equus beds groundwater beds and the source of supply will be the Equus Beds. The 178-acre place of use and point of diversion are owned by the Doris J Showalter Living Trust and the Doris Mueller Showalter Living Trust. The applicant has signed the application form affirming legal access to the point of diversion.

The requested quantity of 249.2 acre-feet applied to 178 acres will provide 1.4 acre-feet per acre, which is the maximum reasonable quantity for irrigation use in Reno County, per K.A.R. 5-3-24.

Two test logs at the point of diversion show a 10' to 15' layer of clay under topsoil. This is underlain by a 40' to 50' layer of fine to medium sands underlain by a clay layer. The static water level is at 10 feet, providing 40 – 50 feet of saturated thickness.

There were seven wells that were identified by the applicant within one-half mile of the proposed point of diversion, as notification letters were sent to all owners of the wells on August 1, 2018. No comments of any kind were received from these well owners. The closest domestic well is located 1,000 feet from the applicant's well. According to our records the closest non-domestic well is located one quarter mile away. The proposed point of diversion meets minimum well spacing criteria to all existing wells per the requirements in 5-22-2.

The point of diversion is located within the Equus Bed Groundwater Management District. (GMD 2). A copy of the application was provided to GMD 2 for their review and recommendation. A letter was received from GMD 2 on October 1<sup>st</sup>, 2018 recommending approval of the application. Based on the GMD 2 safe yield analysis, a total of 4021.0 acre-feet may be appropriated. Existing water rights have already appropriated 2159.2 acre-feet, providing a difference of 1861.8 acre-feet currently available for appropriation. Based on the GMD 2 recommendation, the application meets safe yield criteria.

Jeff Lanterman, Water Commissioner for the Stafford Field Office, recommended approval of the referenced application in an November 6, 2018 e-mail. Based on the above discussion, it is recommended that the referenced application be approved.

Brandon Milner  
Environmental Scientist  
Permits Unit

STATE OF KANSAS

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



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

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

**FILE COPY**

**C B & JOAN K SHOWALTER  
8803 E ARLINGTON RD  
HAVEN KS 67543**

December 4, 2018

RE: Application, File No. 49,951

Dear Water User:

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,

Kristen Baum  
New Applications Unit Supervisor  
Water Appropriation Program

Enclosures

pc: Stafford Field Office  
GMD#2

THE STATE  OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION  
and  
PERMIT TO PROCEED**  
(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,951** of the applicant

**C B & JOAN K SHOWALTER  
8803 E ARLINGTON RD  
HAVEN KS 67543**

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 **December 11, 2017**.
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	
30	24S	4W			18			40	40										98
25	24S	5W			40	40													80

3. That the authorized source from which the appropriation shall be made is groundwater from the stream or basin, to be withdrawn by means a battery of three (3) well whose geographical center is located in the Northwest Quarter of the Southwest Quarter of the Northeast Quarter (NW¼ SW¼ NE¼) of Section 30, more particularly described as being near a point 3,351 feet North and 2,007 feet West of the Southeast corner of said section, in Township 24 South, Range 4 West, Reno County, Kansas located substantially as shown on the topographic map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **249.2 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, 2019** 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, 2023** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

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

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

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

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

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

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

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

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

15. That the geographical center of the wells drilled and constructed under the authority of this permit shall comply with the required minimum well spacing of 960 feet to any domestic wells and 1620' to non-domestic wells pursuant to K.A.R. 5-22-2.

16. 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 pursuant to K.A.R. 5-1-1 (n).

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

18. 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.

19. 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.

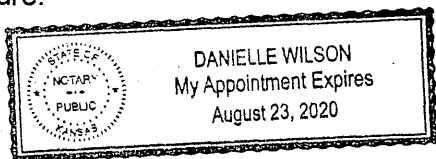
Ordered this 29th day of November, 2018, in Manhattan, Riley County, Kansas.

*Lane P. Letourneau*

Lane P. Letourneau, P.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 29th day of November 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



*Danielle Wilson*

Notary Public

**RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW**

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

### CERTIFICATE OF SERVICE

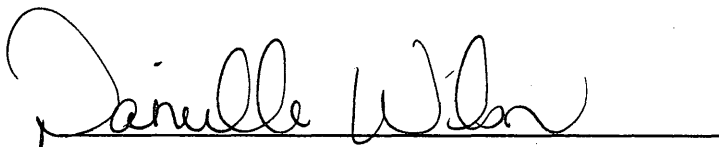
On this 4<sup>th</sup> day of December, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,951, dated November 29, 2018 was mailed postage prepaid, first class, US mail to the following:

**C B & JOAN K SHOWALTER  
8803 E ARLINGTON RD  
HAVEN KS 67543**

With photocopies to:

Stafford Field Office

GMD 2



Division of Water Resources





APPLICATION COMPLETE  
11/21/17  
Reviewer an

KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 49,951  
This item to be completed by the Division of Water Resources.

WATER RESOURCES  
RECEIVED

**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.)

DEC 11 2017

12:19  
KS DEPT OF AGRICULTURE

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

1. Name of Applicant (Please Print): CB Showalter  
Address: 8803 E Arlington Rd.  
City: Haven State KS Zip Code 67543  
Telephone Number: (620) 465-3480

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Arkansas River Basin - Equus Beds (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 249.2 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. 2 GMD 2 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G/S County EN By AW Date 12/11/17  
Code REZ Fee \$ 300 TR # \_\_\_\_\_ Receipt Date 12/17/17 Check # 1060

12/21/2017 ULM

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 SW quarter of the NE quarter of Section 30, more particularly described as being near a point 3351 feet North and 2007 feet West of the Southeast corner of said section, in Township 24 South, Range 4W East/West (circle one), Reno County, Kansas.
- (B) One in the SW quarter of the SW quarter of the NE quarter of Section 30, more particularly described as being near a point 3651 feet North and 2007 feet West of the Southeast corner of said section, in Township 24 South, Range 4W East/West (circle one), Reno County, Kansas.
- (C) One in the NW quarter of the SW quarter of the NE quarter of Section 30, more particularly described as being near a point 3051 feet North and 2007 feet West of the Southeast corner of said section, in Township 24 South, Range 4W East/West (circle one), Reno County, Kansas.
- (D) One in the NW quarter of the SW quarter of the NE quarter of Section 30, more particularly described as being near a point 3351 feet North and 2007 feet West of the Southeast corner of said section, in Township 24 South, Range 4 East/West (circle one), Reno County, Kansas.

\* Geo center

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):

Doris J Showalter Living Trust

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

8803 E Arlington Rd. Haven, KS 67543

\_\_\_\_\_  
(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 9-27, 2017. cb Showalter  
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 3 well Battery  
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) 3/2019  
(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 3/2019  
(Mo/Day/Year)

\* LAB/DWR

- 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.

no overlapping place of use or point of diversion  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WATER RESOURCES  
RECEIVED

DEC 11 2017

KS DEPT OF AGRICULTURE

SCANNED

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>5/16/17</u>	_____	_____	_____
Total depth of well	<u>60</u>	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	<u>10</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 Tenant

(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):

Doris J Showalter Living Trust 8803 E Arlington Rd. Haven, KS 67543

(name, address and telephone number)

Doris Mueller Showalter Living Trust 8803 E Arlington Rd. Haven, KS 67543

(name, address and telephone number)

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

Dated at Halstead, Kansas, this 27 day of SEP, 2017.

(month)

(year)

CB Showalter

(Applicant Signature)

By \_\_\_\_\_

(Agent or Officer Signature)

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

Assisted by Steve Flaherty

gmd2/Hydrogeologist

(office/title)

Date: 9/27/17

## IRRIGATION USE SUPPLEMENTAL SHEET

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

Name of Applicant (Please Print): CB Showalter

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: Doris J Showalter Living Trust.

ADDRESS: 8803 E Arlington Rd. Haven, KS 67543

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
30	24	4W			18			40	40										98

**Landowner of Record** NAME: Doris mueller Showalter liv trust

ADDRESS: 8803 E Arlington Rd. Haven, KS 67543

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
25	24	5W			40	40													80

**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	

Total 178ac

WATER RESOURCES  
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DEC 11 2017

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

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

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
<u>Avans Loam</u>	<u>30</u>	<u>.6-2.0 in/hr</u>	<u>                    </u>
<u>Farnum and Funmar loams</u>	<u>56</u>	<u>.2-.6 in/hr</u>	<u>                    </u>
<u>Penalosa silt loam</u>	<u>3</u>	<u>.06-.2 in/hr</u>	<u>                    </u>
<u>Shellabarger-malim complex</u>	<u>11</u>	<u>.6-2 in/hr</u>	<u>                    </u>
<u>Total:</u>	<u>100 %</u>		

b. Estimate the average land slope in the field(s): 3 %

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

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

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

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

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: Not Yet Available psi

(2) What is the sprinkler package design rate? Not Yet Available 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? Not Yet Available feet

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

e. Crop(s) you intend to irrigate. Please note any planned crop rotations: Corn, Wheat, Soy, Milo

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). Crop Consultant

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

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

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
<u>Avans Loam</u>	<u>30</u>	<u>.6-2.0 in/hr</u>	<u>                    </u>
<u>Farnum and Funmar loams</u>	<u>56</u>	<u>.2-.6 in/hr</u>	<u>                    </u>
<u>Penalosa silt loam</u>	<u>3</u>	<u>.06-.2 in/hr</u>	<u>                    </u>
<u>Shellabarger-malim complex</u>	<u>11</u>	<u>.6-2 in/hr</u>	<u>                    </u>
<b>Total:</b>	<b>100 %</b>		

b. Estimate the average land slope in the field(s): 3 %

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

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

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

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

d. System design features:

i. Describe how you will control tailwater:

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- (1) Estimate the operating pressure at the distribution system: Not Yet Available psi
- (2) What is the sprinkler package design rate? Not Yet Available 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? Not Yet Available feet
- (4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations: Corn, Wheat, Soy, Milo

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). Crop Consultant

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## Wells Within ½ Mile

- 1) Domestic Well  
WESTFAHL, KENNETH L TRUST  
7910 E RED ROCK RD  
HAVEN, KS 67543-8085
- 2) Domestic Well  
WESTFAHL, MARIE REV TRUST  
8014 E RED ROCK RD  
HAVEN, KS 67543
- 3) Domestic Well  
MORGAN, ARDEAN MARIE  
7603 E RED ROCK RD  
HAVEN, KS 67543
- 4) Domestic Well  
VAUGHN, CHRISTINE E & LAUGHLIN, ARLEEN M & DAVID R  
10018 S KENT RD  
HAVEN, KS 67543
- 5) Domestic Well  
GEFFERT, LYNN H & KATHLEEN D  
10515 S WILLISON RD  
HAVEN, KS 67543
- 6) Irrigation Well #45468  
SHOWALTER, DORIS J LIV TRUST  
8803 E ARLINGTON RD  
HAVEN, KS 67543-8211
- 7) Irrigation Well #41908  
BAUMAN, KENNETH L TEST TRUST  
C/O BAUMAN, JAMES  
8311 E GREENFIELD RD  
HAVEN, KS 67543

WATER RESOURCES  
RECEIVED

DEC 11 2017

KS DEPT OF AGRICULTURE

SCANNED

## Milner, Brandon [KDA]

---

**From:** Lanterman, Jeff [KDA]  
**Sent:** Tuesday, November 6, 2018 3:28 PM  
**To:** Milner, Brandon [KDA]  
**Cc:** Conant, Cameron [KDA]  
**Subject:** FW: Pending Application 49,951  
**Attachments:** Memo 49951 Revised\_BM.docx; 49951 app map.pdf; 49951 test log.pdf; 49951 spacing map.pdf; 49951 cam spacing map.jpg

Brandon;

This looks good to approve. With our normal 300' radius for final installation these wells could potentially be drilled in a location that does not meet spacing to the surrounding wells.

Please add a condition that says the wells shall be installed in a location that meets spacing to all surrounding wells, 960' to domestic wells and 1620' from other non domestic wells. This has been done in the past Kristen should have a canned permit condition that works.

This becomes kind of an issue because our completion reg says they have a 300' radius to install the proposed wells. If they play that 300' radius incorrectly they could infringe on spacing to a surrounding well. This is a tight enough area it looks like they shoe horned this battery in so that it barely meets spacing to several wells. This condition would ensure that they put the wells where they told us they are.

---

**From:** Conant, Cameron [KDA]  
**Sent:** Tuesday, November 6, 2018 2:16 PM  
**To:** Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>  
**Subject:** FW: Pending Application 49,951

Jeff, this is a battery of wells for Irrigation in eastern RN County. GMD#2 has reviewed and recommended approval. They determined that this location meets SY and also meets spacing of 1620' to all nearby permitted wells and 960' to any domestic wells. GMD assisted with this application and they appear to have properly marked and we ultimately notified 7 nearby wells...none of which provided comments back to us.

[http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs\\_id=375507097474502](http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=375507097474502) (1 mile South-stable WL's)

[http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs\\_id=375514097463102](http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=375514097463102) (1.5 miles SE-stable WL's)

[http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs\\_id=375718097484004](http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=375718097484004) (1.25 mile NW-stable WL's)

[http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs\\_id=375603097463103](http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=375603097463103) (1.25 mile E-stable WL's)

Please look at the "49951 spacing map and 49951 cam spacing map". Note that it seems this battery could move any direction (but stay within the 300' authorized radius) and potentially violate spacing to either File No. 45,468 to the NE (owned by the applicant) or File No. 41,908 to the south (owned by Bauman), or the nearest domestic to the NW. I think we should add an additional condition that the completed battery of wells must meet all spacing requirements to nearby permitted irrigation wells and nearby domestic wells. We should make sure that language is clear in the approval letter also. This seems to be an instance where the application was "fit" into a tight window and has the potential to violate spacing which could cause issues.

I think this application can be recommended for approval with the additional condition about meet spacing to all nearby wells when completed. The area hydrographs appear to be pretty stable and SY has been met. Please pass on to Brandon if you agree...let me know if you want to discuss the additional condition any more in depth.

Cameron

---

**From:** Milner, Brandon [KDA]

**Sent:** Wednesday, October 31, 2018 11:10 AM

**To:** Lanterman, Jeff [KDA] <[Jeff.Lanterman@ks.gov](mailto:Jeff.Lanterman@ks.gov)>; Conant, Cameron [KDA] <[Cameron.Conant@ks.gov](mailto:Cameron.Conant@ks.gov)>

**Subject:** Pending Application 49,951

Jeff,

Attached is a memo for the above referenced application. This is a new well proposed for irrigation in Reno Co. It is within the boundaries of GMD2 and they recommended approval. Five domestic wells were notified in the process and no comments were received.

Please provide your recommendation. Thanks!

***Brandon Milner*** | Environmental Scientist

Kansas Dept. of Agriculture | Division of Water Resources

**Address:** 1320 Research Park Dr., Manhattan, KS 66502

**Phone:** 785-564-6631

**Website:** <http://agriculture.ks.gov/divisions-programs/dwr>

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



DIRECTORS:  
DAVID BOGNER  
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BOB SEILER  
DAVID STROBERG

## EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

313 SPRUCE STREET • HALSTEAD, KANSAS 67056-1925 • PHONE (316) 835-2224 • FAX (316) 835-2225 • equusbeds@grid2.org • www.grid2.org

October 1, 2018

Chief Engineer, Division of Water Resources  
Attn: Kristen Baum  
1320 Research Park Dr.  
Manhattan, KS 66502

Re: Appropriation Application File No. 49951 - CB Showalter

Dear Ms. Baum:

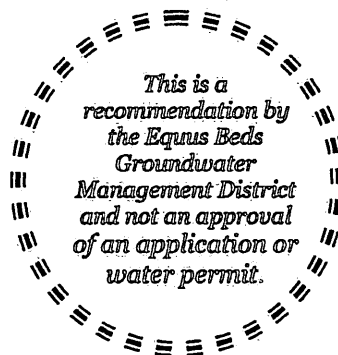
The Equus Beds Groundwater Management District No. 2 reviewed the referenced new application on October 1, 2018, using the District's Revised Management Program (effective May 1, 1995), and Rules and Regulations K.A.R. 5-22-1 through 5-22-17.

The new application complies with the Revised Aquifer Management program approved by the Chief Engineer and with the District's Rules and Regulations K.A.R. 5-22-1 through 5-22-17. Therefore, the new application is recommended for approval by the Equus Beds Groundwater Management District No. 2.

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

Sincerely,  
EQUUS BEDS GROUNDWATER  
MANAGEMENT DISTRICT NO. 2

Tim Boese  
Manager  
TDB/STF



Enclosures

pc: CB Showalter, Applicant  
Doris J Showalter Living Trust & Doris Mueller Showalter Living Trust, Landowner  
Jeff Lanterman, Division of Water Resources - Stafford

## EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2 FINAL APPLICATION REVIEW CHECKLIST

1) Application No. 49951 Date filed: 12/11/17  
 2) Applicant: CB Showalter County: Reno  
 3) Proposed maximum quantity: 249.2 acre-feet/year Rate: 800 GPM  
 4) Proposed Use: Irrigation  
 5) P/D location: NW SW NE 30-24S-4W Geo Center: North 3351 ft, West 2007 ft  
 6) Number and type of points of diversion listed on the application Battery of 3 Wells

7) Meter required K.A.R. 5-22-4a or K.A.R. 5-22-8?  Yes  No, Why \_\_\_\_\_

8) Meets Safe Yield K.A.R. 5-22-7?  Yes  No  N/A  
 (a) Total allowable appropriations: 4021.00 af/yr  
 (b) Total existing appropriations: 2159.2 af/yr  
 (c) Total small user exemptions: 0.00 af/yr  
 (d) Total non-consumptive use: 0.00 af/yr  
 (e) Total consumptive use: 2159.20 af/yr  
 (Total existing appropriations) - (Total non-consumptive use)  
 (f) exempt from regulation?  Yes  No,  
 Cite exemption: \_\_\_\_\_

9) Meets Well Spacing K.A.R. 5-22-2?  Yes  No  N/A  
 (a) POD in enhanced well spacing area?  Yes  No  
 (b) Domestic well spacing interval: >960 ft  
 (c) Non-Domestic well spacing interval: >1620 ft

10) Meets Max Reasonable Quantity K.A.R. 5-22-14?  Yes  No  N/A  
 (a) Irrigation max quantity: 1.4 acre-feet / acre  
 application paragraph 3 value (acre-feet) / proposed acres = Q  
 (b) Stockwater max quantity: \_\_\_\_\_ GPD \_\_\_\_\_ unit  
 (c) Industry max quantity: \_\_\_\_\_ Acre  
 Industry standard: \_\_\_\_\_  
 (d) Municipal max quantity: \_\_\_\_\_ GCD  
 Lesser of either 200 GCD or  
 $1:10 * (X - Y) * 365 d * (z + t)$   
 X - Average of last three years usage in Gallons per Capita per Day (GCD)  
 Y - water usage for industries that use over 200,000 gal/yr (GCD)  
 Z - Projected population in 20 years  
 T - Reasonable projected water use for industries that use over 200,000 gallons per year (GCD)  
 (e) Pond max quantity is \_\_\_\_\_  
 (Net evap + seepage)/12 x pond area + any initial fill  
 (f) Groundwater pit max Q: \_\_\_\_\_  
 Net evap \* pit area/12

11) Reasonable rate for intended use?  Yes  No  N/A  
 12) Depth to water: 6 ft bls at observation well: EB217A

13) Date reviewed: 10/1/18  
 14) Reviewed by: S. Flaherty Title: Hydrogeologist *Renewal 10-1-18*  
 15) District recommendation:  Approve  Deny  Other, see comment *T. Rosen*

### 16) Comments and Calculations:

Review complete for a new application submitted by CB Showalter for Irrigation Use in Reno County.  
 No Overlapping Place of Use  
 No Overlapping Point of Diversion  
 Surrounding Well Owner Notifications sent  
 No Well Owner Inquiries  
 No supplementary Rate/Quantity Limitations  
 Approximately 2 miles downgradient of the easternmost extent of the Yoder TCE plume  
 No Special Use Areas or IGUCAs  
 Item 10: 249.2 AF / 178 acres = 1.4 AF/A  
 Recommend approval, complies with K.A.R. 5-22-1 through 5-22-17

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



DIRECTORS:  
DAVID BOGNER  
JOE PAJOR  
DALE SCHMIDT  
BOB SEILER  
DAVID STROBERG

## EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

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

October 1, 2018

CB Showalter  
8803 E. Arlington Rd.  
Haven, KS 67543

Re: Appropriation Application File No. 49951

Dear Mr. Showalter:

The Equus Beds Groundwater Management District No. 2 made a recommendation to the Division of Water Resources that new application No. 49951 be approved. Pursuant to K.A.R. 5-22-4a, the well battery described in the application must be equipped with a District approved water flowmeter. The well battery is located in the Northwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 30, Township 24 South, Range 4 West, Reno County.

The well battery must be properly equipped with an approved meter within 30 days after the approved well battery is operational and prior to its operation. If more time is needed to install the meter or modify an existing meter installation, you may request an extension of time. The request must be made to the District before the end of the 30-day period.

Enclosed is a Flow Meter Installation form to be completed and returned to this office after completion of the meter installation or modifications. A copy of the Division of Water Resources' meter installation notification form (Notice and Proof of Completion of Works) may be substituted for the District form. Upon receiving the completed form, the District will inspect the installation.

Also enclosed is a copy of water meter and installation specifications. The water meter must meet these specifications and the list of certified water meters provided under K.A.R. 5-1-12, for District approval. The list of certified water meters can be obtained by contacting the District or at the following link: <http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters>. If you have any questions about the District's metering program or the enclosed material, please contact the District for assistance.

Sincerely,  
EQUUS BEDS GROUNDWATER  
MANAGEMENT DISTRICT NO. 2

Tim Boese  
Manager  
TDB/sf

Enclosures

Pc: Jeff Lanterman, Division of Water Resources, Stafford

H:\MSOFFICE\LETTERS\METER\NewApplication\#49951\_Showalter.docx

**Baum, Kristen [KDA]**

---

**From:** Rebecca Wilson <rwilson@gmd2.org>  
**Sent:** Tuesday, October 2, 2018 5:11 PM  
**To:** Baum, Kristen [KDA]  
**Cc:** Engelbrecht, Jessica [KDA]  
**Subject:** 49951 Approval Letter and Meter Installation Letter  
**Attachments:** 49951 Approval Recommendation Letter 10-01-18.pdf; 49951 Meter Installation Letter 10-01-18.pdf

*EXTERNAL:* This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good afternoon!

Attached you will find the Application Approval Letter and Meter Installation Letter from Manager Tim Boese for #49951.

Please let me know if you have any difficulties opening the attachments.

Thanks!

*Rebecca Wilson*

Rebecca Wilson  
Administrative Assistant  
Equus Beds GMD2  
313 Spruce Street  
Halstead, KS 67056  
316-835-2224  
316-835-2225 Fax  
rwilson@gmd2.org  
www.gmd2.org

## Whitesell, Alex [KDA]

---

**From:** Whitesell, Alex [KDA]  
**Sent:** Wednesday, September 05, 2018 11:07 AM  
**To:** 'Rebecca Wilson'  
**Subject:** RE: Extension Request #49951

Rebecca, an extension of 30 days, until October 5, 2018 is fine. I will make a note of it in the file.

Thanks,

Alex Whitesell  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, KS  
(785) 564 - 6631

**My email has changed** [alex.whitesell@ks.gov](mailto:alex.whitesell@ks.gov)

---

**From:** Rebecca Wilson [<mailto:rwilson@gmd2.org>]  
**Sent:** Wednesday, September 05, 2018 9:57 AM  
**To:** Whitesell, Alex [KDA]  
**Subject:** Extension Request #49951

*EXTERNAL:* This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hello, Alex!

Steve Flaherty is requesting a 30 day extension from the date of this email to review file #49951. Please advise.

Thanks!

*Rebecca Wilson*

Rebecca Wilson  
Administrative Assistant  
Equus Beds GMD2  
313 Spruce Street  
Halstead, KS 67056  
316-835-2224  
316-835-2225 Fax  
[rwilson@gmd2.org](mailto:rwilson@gmd2.org)  
[www.gmd2.org](http://www.gmd2.org)



STATE OF KANSAS

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

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



GOVERNOR JEFF COLYER, M.D. **FILE COPY**  
JACKIE MCCLASKEY, SECRETARY OF AGRICULTURE

August 16, 2018

EQUUS BEDS GMD NO 2  
313 SPRUCE ST  
HALSTEAD KS 67056

Re: Application  
File No. 49,951

Dear Sir or Madam:

We are enclosing a copy of the application referred to above which appears to be in proper form.

We are delaying any further action for a period of 15 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 a 785-564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

Enclosure(s)

pc: Stafford City Field Office

SCANNED

STATE OF KANSAS

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

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



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

August 1, 2018

LYNN H & KATHLEEN D GEFFERT  
10515 S WILLISON RD  
HAVEN KS 67543

**FILE COPY**

RE: Application  
File No. 49,951

Dear Sir or Madam:

This is to advise you that CB Showalter has filed the application referred to above for permit to appropriate 249.2 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

a battery of three (3) wells with a geographic center located in the Northwest Quarter of the Southwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 30, more particularly described as being near a point 3,351 feet North and 2,007 feet West of the Southeast corner of said section, in Township 24 South, Range 4 West, Reno County, Kansas.

A copy of an aerial photograph depicting the location of the proposed point of diversion is also enclosed. 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(s) of the applicant's point(s) of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office within 15 days from the date of this letter.

If you have any questions, please contact me at (785) 564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

AJW:

Enclosure(s)

pc: Stafford Field Office  
GMD No. 2

SCANNED

STATE OF KANSAS

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



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

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

August 1, 2018

CHRISTINE E & LAUGHLIN VAUGHN  
ARLEEN M & DAVID R  
10018 S KENT RD  
HAVEN KS 67543

RE: Application  
File No. 49,951

Dear Sir or Madam:

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If you have any questions, please contact me at (785) 564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Whitesell".

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

AJW:  
Enclosure(s)  
pc: Stafford Field Office  
GMD No. 2

SCANNED

STATE OF KANSAS

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



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

August 1, 2018

BAUMAN, KENNETH L TEST TRSUT  
JAMES BAUMAN  
8311 E GREENFIELD RD  
HAVEN KS 67543

RE: Application  
File No. 49,951

Dear Sir or Madam:

This is to advise you that CB Showalter has filed the application referred to above for permit to appropriate 249.2 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

a battery of three (3) wells with a geographic center located in the Northwest Quarter of the Southwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 30, more particularly described as being near a point 3,351 feet North and 2,007 feet West of the Southeast corner of said section, in Township 24 South, Range 4 West, Reno County, Kansas.

A copy of an aerial photograph depicting the location of the proposed point of diversion is also enclosed. 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(s) of the applicant's point(s) of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office within 15 days from the date of this letter.

If you have any questions, please contact me at (785) 564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Whitesell".

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

AJW:  
Enclosure(s)  
pc: Stafford Field Office  
GMD No. 2

SCANNED

STATE OF KANSAS

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



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

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

August 1, 2018

WESTFAHL, MARIE REV TRUST  
8014 E RED ROCK RD  
HAVEN KS 67543

RE: Application  
File No. 49,951

Dear Sir or Madam:

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

August 1, 2018

ARDEAN MARIE MORGAN  
7603 E RED ROCK RD  
HAVEN KS 67543

RE: Application  
File No. 49,951

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

August 1, 2018

WESTFAHL, KENNETH L TRUST  
7910 E RED ROCK RD  
HAVEN KS 67543

RE: Application  
File No. 49,951

Dear Sir or Madam:

This is to advise you that CB Showalter has filed the application referred to above for permit to appropriate 249.2 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

a battery of three (3) wells with a geographic center located in the Northwest Quarter of the Southwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 30, more particularly described as being near a point 3,351 feet North and 2,007 feet West of the Southeast corner of said section, in Township 24 South, Range 4 West, Reno County, Kansas.

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Environmental Scientist  
Water Appropriation Program

AJW:

Enclosure(s)

pc: Stafford Field Office  
GMD No. 2

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

December 20, 2017

CB SHOWALTER  
8803 E ARLINGTON RD  
HAVEN KS 67543

**FILE COPY**

RE: Application  
File No. 49951

Dear Sir or Madam:

Your application for permit to appropriate water in 30-24S-4W in Reno 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) 564-6637. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: STAFFORD Field Office  
GMD 2

SCANNED



\_\_\_\_\_  
(Date)

Kansas Department of Agriculture  
Division of Water Resources  
David W. Barfield, Chief Engineer  
1320 Research Park Drive  
Manhattan, Kansas 66502

Re: Application File No. 49,951

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

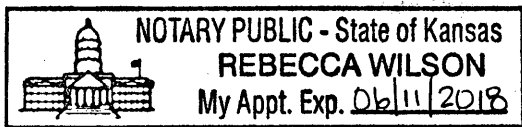
I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

CB Showalter  
Signature of Applicant

State of Kansas )  
County of HARVEY ) ss

CB SHOWALTER  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 27th day of SEPTEMBER, 2017.



Rebecca Wilson  
Notary Public

My Commission Expires: 06/11/2018

WATER RESOURCES  
RECEIVED

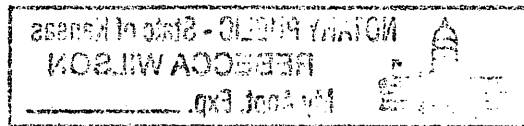
DEC 11 2017

**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.

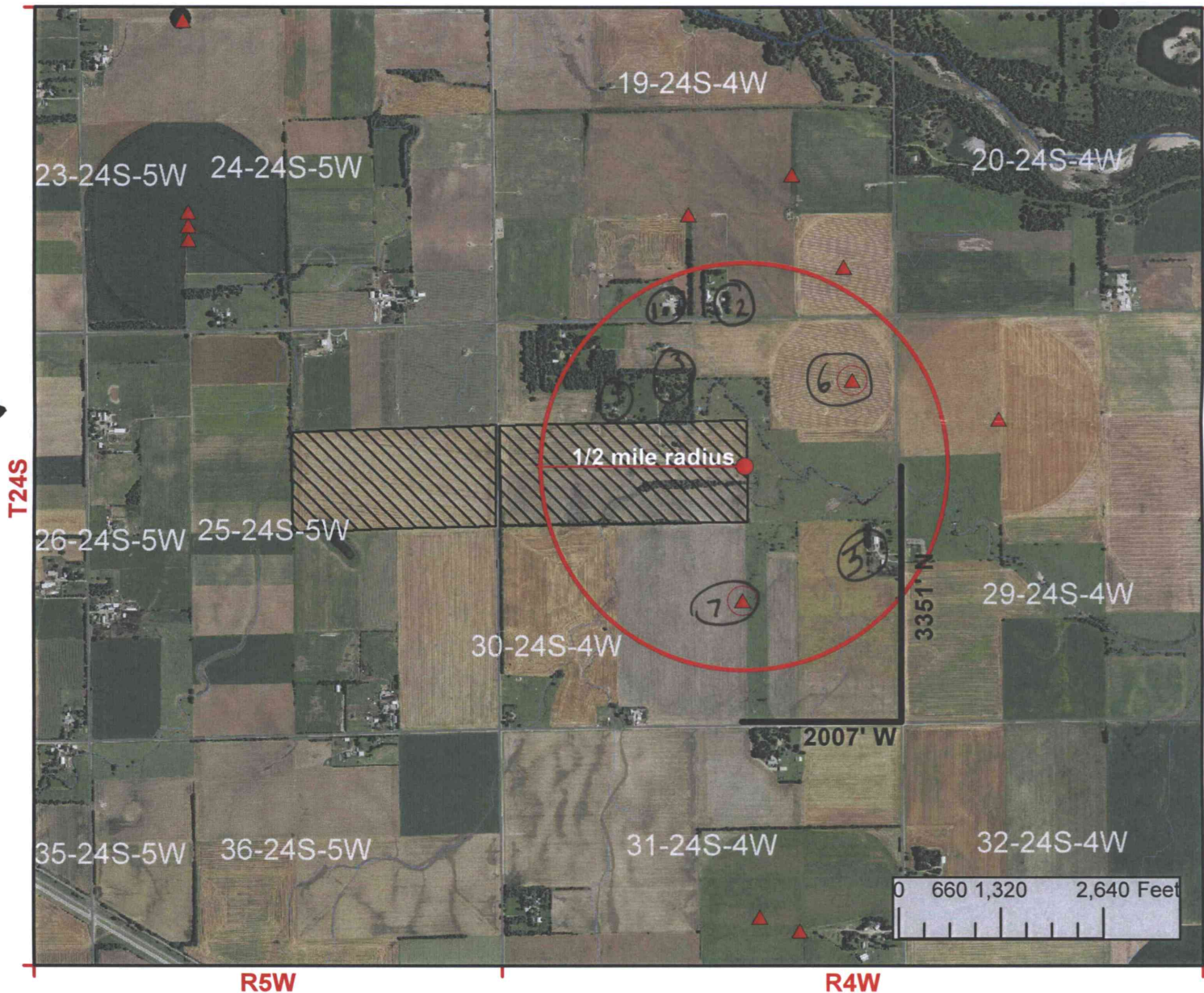
Arkansas River  
Big Blue River  
Chapman Creek  
Chikaskia River  
Cottonwood River  
Delaware River  
Little Arkansas River  
Little Blue River  
Marais des Cygnes River  
Medicine Lodge River  
Mill Creek (Wabaunsee Co. area)  
Neosho River

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



# New Application Map

49,951



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.

CB Showalter  
Signature

9-27-17  
Date

- New Application
- Application No. To Change:
  - Point of Diversion
  - Place of Use
  - Use Made of Water

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

WATER RESOURCES RECEIVED

See attached list for surrounding well owners

DEC 11 2017

# Equus Beds Groundwater Management District No. 2

SPACING EVALUATION 49951 FOR CB SHOWALTER

LOCATION: NWSWNE (3350'N & 2007'W) 30-24S-04W, Reno County

SPECIAL USE AREA: None

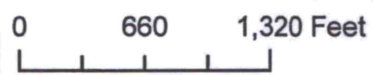
Prepared By: STEVE FLAHERTY Date: 9/7/2018



USDA-FSA-APFO Aerial Photography Field Office

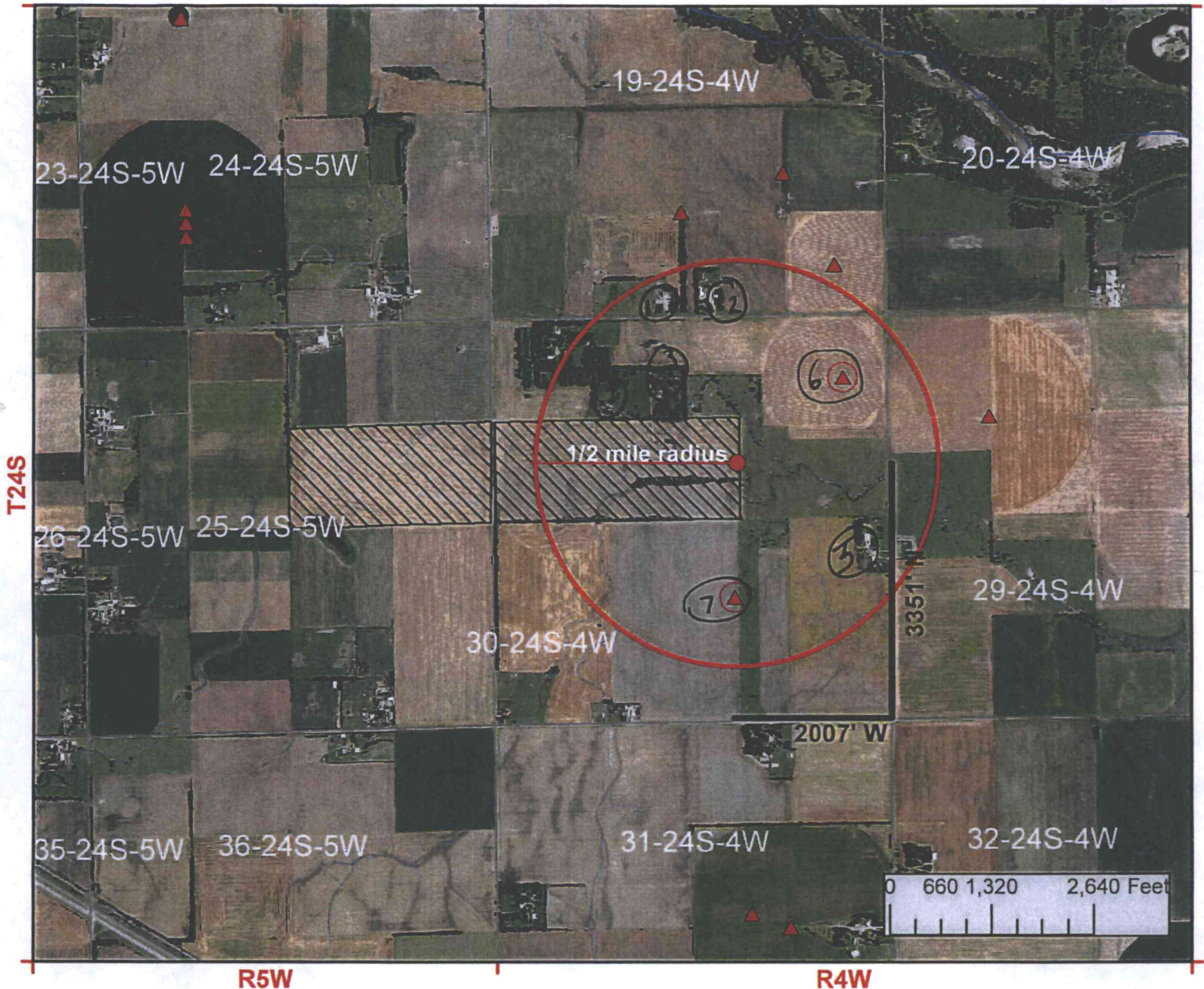
## Map Legend

- Monitoring Well
- GMD2 Boundary
- bedrock
- Proposed Point of Diversion
- ▲ Existing Point of Diversion
- Burton IGUCA
- Hollow Nikkel SWQUA
- McPherson IGUCA
- Enhanced Well Spacing Area
- Application Suspension Area



# New Application Map

49,951



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.

CB Showalter  
Signature

9-27-17  
Date

- New Application
- Application No. To Change:
  - Point of Diversion
  - Place of Use
  - Use Made of Water

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

WATER RESOURCES RECEIVED

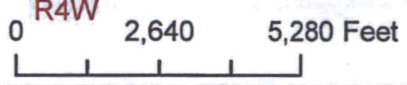
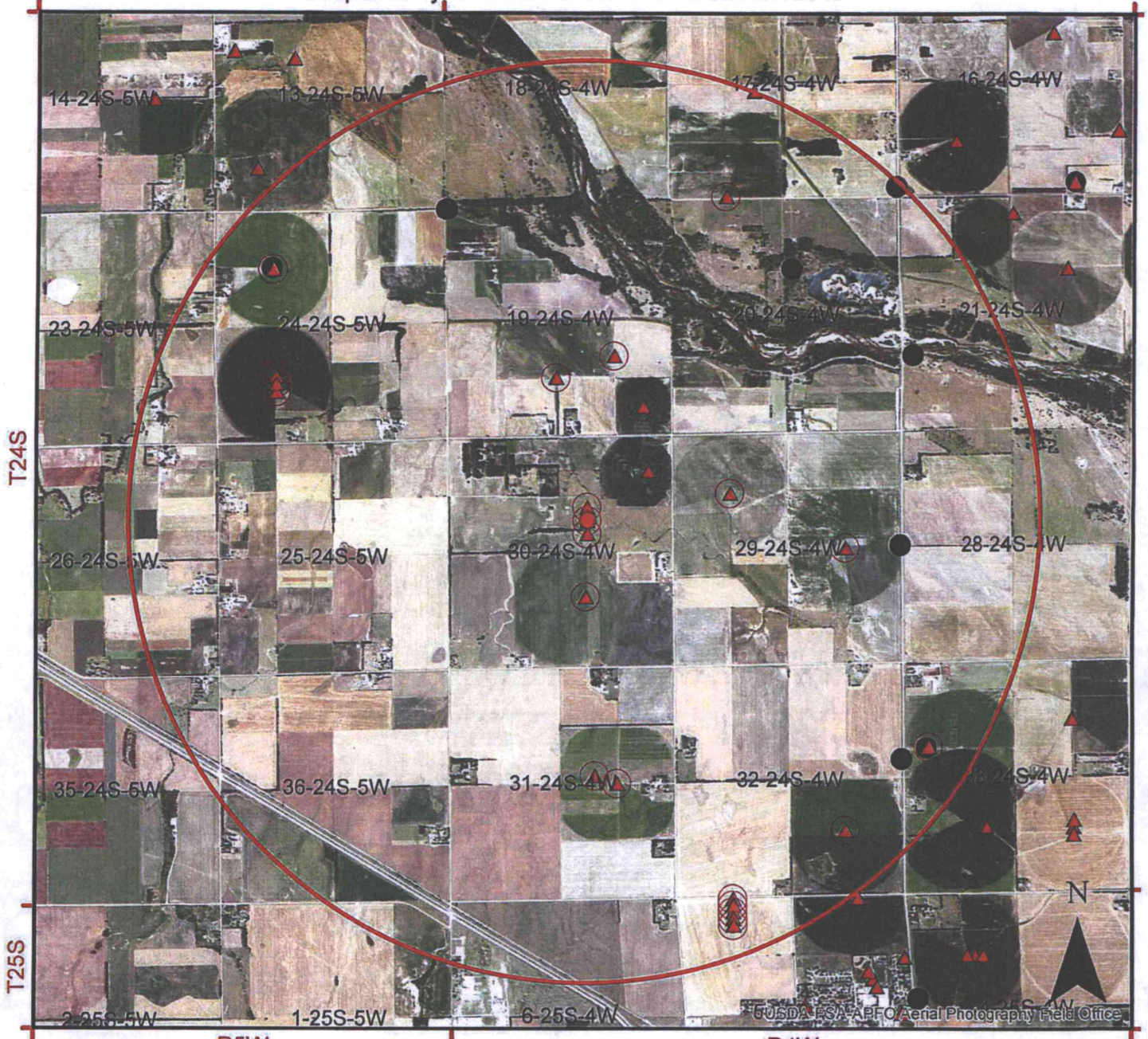
See attached list for surrounding well owners

DEC 11 2017

# Equus Beds Groundwater Management District No. 2

SAFETYIELD EVALUATION 49951 FOR CB SHOWALTER  
 LOCATION: NWSWNE (3350'N & 2007'W) 30-24S-04W, Reno County  
 SPECIAL USE AREA: None

Prepared By: STEVE FLAHERTY Date: 9/7/2018



## Map Legend

- Monitoring Well
- GMD2 Boundary
- bedrock
- Proposed Point of Diversion
- ▲ Existing Point of Diversion
- Burton IGUCA
- Hollow Nickel SWQUA
- McPherson IGUCA
- Enhanced Well Spacing Area
- Application Suspension Area

**SAFEYIELD EVALUATION 49951 FOR CB SHOWALTER**  
**LOCATION: NWSWNE (3350'N & 2007'W) 30-24S-04W, Reno County**  
**SPECIAL USE AREA: None**  
**EVALUATION DATE:- 9/7/2018**

Total Areas: 8,042 acres; Area in 3 inch discharge zone: 0 acres; Area in 6 inch discharge zone: 8,042 acres

FILE_ID	WELL_ID	TOWNSHIP	RANGE	SECTION	QUALIFIER	USE	AUTHQUANTITY
A00120800	2657	24S	05W	24	11703960	IRR	0
A00120800	2658	24S	05W	24	15203960	IRR	0
A00120800	1720	24S	05W	24	13453960	IRR	115
A01462100	125	24S	04W	31	26311353	IRR	120
A02963000	525	24S	04W	33	33304750	IRR	83
A03087900	1366	24S	04W	31	28201880	IRR	118
A03215000	1748	24S	05W	24	39603960	IRR	71
A03900200	999	24S	05W	24	39553980	IRR	49
A04130700	554	24S	04W	19	6470682	IRR	45
A04190800	2221	24S	04W	30	16142056	IRR	153
A04314800	2532	24S	04W	32	14821376	IRR	192
A04352400	2620	24S	04W	29	39233995	IRR	91
A04368400	2674	24S	04W	29	39233995	IRR	91
A04493300	2916	24S	05W	24	15203960	IRR	0
A04493300	2917	24S	05W	24	11703960	IRR	0
A04493300	2915	24S	05W	24	13453960	IRR	46
A04546800	3030	24S	04W	30	44600593	IRR	63
A04885400	4158	24S	04W	29	26401320	IRR	224
A04901900	4246	24S	04W	33	33304750	IRR	27.7
A04926700	4385	24S	04W	19	18201348	IRR	144.2
A04926800	4384	24S	04W	19	13302690	IRR	0
A04940000	4864	25S	04W	5	49504200	IRR	166.6
A04940000	4865	25S	04W	5	52504200	IRR	0
A04940000	4866	25S	04W	5	51004200	IRR	0
A04940000	4867	25S	04W	5	48004200	IRR	0
A04940000	4868	25S	04W	5	46504200	IRR	0
A04964300	4896	24S	04W	17	414000	IRR	110.5
A04995100P	5123	24S	04W	30	33512007	IRR	249.2
A04995100P	5124	24S	04W	30	36512007	IRR	0
A04995100P	5125	24S	04W	30	30512007	IRR	0
<b>Allowable Appropriations</b>		<b>4,021.00</b>			<b>Total Existing Appropriation</b>		<b>2,159.20</b>
<b>Small User Quantity</b>		<b>0</b>			<b>Non Consumptive Appropriations</b>		<b>0</b>
<b>Remaining SUQ</b>		<b>45</b>			<b>Consumptive Appropriations</b>		<b>2,159.20</b>
<b>Note- Values are in acre-feet</b>					<b>Available Appropriations</b>		<b>1,861.80</b>