

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

1. File Number: 49,958	2. Status Change Date: 8/31/2018	3. Field Office: 02	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 **65911**
New to system Add Seq# _____

CHRIS BOYD
12001 NW SPRING CREEK RD
MEDICINE LODGE KS 67104

7c. Landowner(s) Person ID **65912**
New to system Add Seq# _____

CALVIN E & CARLA J BOYD REV TRUST
3501 NW PARK
MEDICINE LODGE KS 67104

7b. Landowner(s) Person ID **65913**
New to system Add Seq# _____

CARLA BEA ZIELKE LIVING TRUST
5201 E 53RD N
KECHI KS 67067

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

8. WUR Correspondent Person ID **63189**
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: _____ 11. Perfection Date: _____ 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: **8/12/2018** By: **AM**
Date Entered: **9/5/2018** By: **UM**

File No. **49,958** 15. Formation Code: Drainage Basin: **Medicine Lodge** County: **BA** Special Use: Stream:

16. Points of Diversion										
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
DEL	86509									

17. Rate and Quantity				
Authorized			Additional	
Rate gpm	Quantity af		Rate gpm	Quantity af
			Overlap PD Files	

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 _____ 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 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						
DEL	68677																												
DEL	68678																												

Comments: **FAILURE TO RETURN**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: August 13, 2018

FROM: Austin McColloch

RE: Application, File No. 49,958

Chris Boyd filed a new application for appropriation of water for beneficial use, File No. 49,958, which was received on December 26, 2017. The application is proposing the appropriation of 254.8 acre-feet of groundwater for irrigation use at a diversion rate of 1,200 gallons per minute. The proposed well was to be located in the Southwest Quarter of the Northwest Quarter of the Northeast quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 9, more particularly described as being near a point 4,603 feet North and 2,077 feet West of the Southeast corner of said section, in Township 30 South, Range 12 West, Barber County, Kansas within the Medicine Lodge Drainage Basin. The source of water appears to be Quaternary deposits. There are no overlapping files for the proposed point of diversion or place of use.

The safe yield determination was based on Area of Consideration x potential annual recharge x percent of recharge available, as follows: 8,042 acres x 1.8 inches x 50% = 7,237.8 acre-inches / 12 = 603.19 acre-feet. Prior appropriations within the same area of consideration total 569 acre-feet, leaving 34.19 acre-feet available for appropriation.

The applicant was sent a letter on July 12, 2018 explaining the available appropriation per by K.A.R. 5-3-11. It was explained that the available appropriation in the area is 34.19 acre feet and the application must be amended to comply with safe yield. The applicant was also informed that with the reduction in quantity, a reduction in the place of use must also be made in order to comply with maximum reasonable quantity. The applicant was provided 30 days (until August 12, 2018) to either (1) submit additional information to our office/ amend the requested quantity and place of use or (2) request additional time beyond the 30 days to submit additional information.

No additional information or request for extension of any kind was received from the applicant. Therefore, it is recommended that application File No. 49,958 be denied and dismissed for failure to return the application with the required information, within the time allowed.

A Findings and Order has been prepared to dismiss the application under the referenced file.

Austin McColloch
Environmental Scientist

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

September 6, 2018

CHRIS BOYD
12001 NW SPRING CREEK RD
MEDICINE LODGE KS 67104

RE: Dismissal of Application, File No. 49,958

Dear Mr. Boyd:

The referenced application was returned to you for additional information on July 12, 2018. Enclosed are the Findings and Orders by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 49,958, for failure to return the original applications and provide the required information, prior to the final deadline of August 12, 2018.

This is a final agency action. If you choose to appeal this decision or any finding or part thereof, you must do so by filing a petition for review in the manner set forth in the enclosed order.

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

Sincerely,

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

KAB:am

Enclosure(s)

pc: Stafford Field Office
Carla Zielke Living Trust
Calvin & Carla Boyd Rev Trust

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**FINDINGS AND ORDER
IN THE MATTER OF THE
DISMISSAL OF APPLICATION
FILE NO. 49,958**

After due consideration, the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (hereinafter referred to as the "Chief Engineer"), makes the following findings and order:

FINDINGS

1. That on December 26, 2017, the Chief Engineer received an application from Chris Boyd for permit to appropriate water for beneficial use, assigned File No. 49,958, proposing the appropriation of 254.8 acre-feet of groundwater, per calendar year, for irrigation use, at a maximum requested diversion rate of 1,200 gallons per minute, from a point of diversion located in the Northeast Quarter (NE¼) of Section 9, Township 30 South, Range 12 West, Barber County, Kansas.
2. That in accordance with K.S.A. 82a-710 and K.A.R. 5-3-11, the application was returned to the applicant on July 12, 2018, with a letter requesting additional information in order to comply with safe yield requirements.
3. That by letter dated July 12, 2018, the applicant was provided a deadline of August 12, 2018, in which to return the application with the required information and was notified that the application would be dismissed if it was not returned within the time allowed or within any authorized extension of time thereof.
4. That no request for additional time has been received, nor has the required information been submitted.
5. That in accordance with K.S.A. 82a-710 and K.A.R. 5-3-11, the application, described in Paragraph No. 1, shall be denied and dismissed for failure to return the application with the required information, within the time allowed.

ORDER

NOW, THEREFORE, It is the decision and order of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, that effective the date of this order, in accordance with the law, Application, File No. 49,958, is herewith dismissed and the priority assigned to it is considered to be forfeited.

**RIGHT TO PETITION FOR REVIEW
UNDER THE KANSAS JUDICIAL REVIEW ACT**

This is a final agency action as defined in K.S.A. 77-607(b). You may pursue judicial review of this Order as provided in the Kansas Judicial Review Act, K.S.A. 77-601 et seq. A petition for judicial review must be filed in a Kansas court of competent jurisdiction within 30 days after service of this Order as provided in K.S.A. 77-613. The agency officer designated to receive service of a petition for judicial review on behalf of the Kansas Department of Agriculture is the Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Dr. Manhattan, KS 66502.

Ordered this *31st* day of *August*, 2018, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this *31st* day of *August*, 2018, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson
Notary Public

CERTIFICATE OF SERVICE

On this *6th* day of *September*, 2018, I hereby certify that the foregoing Order, dated *August 31st*, 2018, was mailed postage prepaid, first class, US mail to the following:

CHRIS BOYD
12001 NW SPRING CREEK RD
MEDICINE LODGE KS 67104

With photocopies to:

CARLA BEA ZIELKE LIVING TRUST
5201 E 53RD N
KECHI KS 67067

CALVIN E & CARLA J BOYD REV TRUST
3501 NW PARK
MEDICINE LODGE KS 67104

Stafford Field Office

Danielle Wilson
Division of Water Resources

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

July 12, 2018

FILE COPY

CHRIS BOYD
12001 NW SPRING CREEK RD
MEDICINE LODGE KS 67104

RE: Pending Application, File No. 49,958

Dear Sir or Madam:

We have completed a preliminary review of your application referenced above, and it is being returned to you for additional information. The source of water for the pending application appears to be Quaternary System deposits, based on the test hole log that was submitted. 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. Safe yield was determined to be 603.19 acre-feet, and existing water rights have appropriated 569 acre-feet, providing a difference of **34.19 acre-feet** of water available.

Per K.A.R. 5-3-11(c)(2) if there is sufficient water available to reasonably satisfy part of the request, then the application shall be approved for the quantity available if the remaining quantity is reasonable for the proposed use. Therefore, if you elect to pursue your proposed irrigation project, **the quantity of water you requested must be reduced to 34.19 acre-feet.** In addition, you must reduce the acreage for your proposed place of use to ensure that this quantity is reasonable for the proposed use. In order to comply with K.A.R. 5-3-19 for Barber County, the maximum reasonable annual quantity of water for irrigation use is 1.4 acre-feet per acre. **With your reduced quantity of water, this would equate to a minimum of approximately 24 acres that could be irrigated, up to a maximum of approximately 27.6 acres.** Your original application is being returned to you so that you may revise the requested quantity of water and place of use. Please revise the enclosed topographic map and the "Irrigation Use Supplemental Sheet" to depict the reduced acreage. Please initial any changes that have been made on the application and on the attachments, and return the originals to our office when completed. In addition, please sign and date the topographic map stating all wells within a half mile are shown.

We are advising you of these requirements in order to allow you an opportunity to supply the requested information, as required. In order for the application to retain its priority of filing, the original application and attachments must be returned, with the requested information, to this office on or before **August 12, 2018**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments as outlined above, within the time allowed, **shall constitute forfeiture of your priority date and dismissal of the application.** If you have any questions, please contact me at (785) 564-6643 or Austin.McColloch@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,

Austin McColloch
Environmental Scientist
Division of Water Resources

Enclosure(s)
pc: Stafford Field Office

SCANNED

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

WATER WELL RECORD
KSA 82a-1201-1215

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

W 1

1. Location of well:	County Barber	Fraction SW 1/4 NW 1/4	Section number 5	Township number T 30 S	Range number R 12 E/W
2. Distance and direction from nearest town or city: 2 1/2 S 1 1/2 E			3. Owner of well: Curtis Rose		
Street address of well location if in city: Sawyer			R.R. or street: City, state, zip code: Sawyer, Kansas 67134		
* Locate with "X" in section below:		Sketch map:		6. Bore hole dia. 10 in. Completion date 3-31-76 Well depth 124 ft.	
		7. Cable tool <input checked="" type="checkbox"/> Rotary <input type="checkbox"/> Driven <input type="checkbox"/> Dug <input type="checkbox"/> Hollow rod <input type="checkbox"/> Jetted <input type="checkbox"/> Bored <input type="checkbox"/> Reverse rotary		8. Use: <input checked="" type="checkbox"/> Domestic <input type="checkbox"/> Public supply <input type="checkbox"/> Industry	
				<input type="checkbox"/> Irrigation <input type="checkbox"/> Air conditioning <input type="checkbox"/> Stock <input type="checkbox"/> Lawn <input type="checkbox"/> Oil field water <input type="checkbox"/> Other	
5. Type and color of material		From		To	
earth		0		3	
gyp clay		3		30	
yellow clay - gyp strips		30		55	
Sandy clay - Tan		55		85	
Very fine sand		85		95	
sandy clay		95		108	
Fine sand		108		114	
Coarse sand		114		124	
				10. Screen: Manufacturer's name Jess and Lowell	
				Type RMP Dia. 5"	
				Slot/gauze 1/16 Length 10'	
				Set between 114 ft. and 124 ft.	
				Gravel pack? yes Size range of material 1/16-3/8	
				11. Static water level: 84 ft. below land surface Date 3-31-76	
				12. Pumping level below land surfaces: _____ ft. after _____ hrs. pumping _____ g.p.m. _____ ft. after _____ hrs. pumping _____ g.p.m. Estimated maximum yield 50 g.p.m.	
				13. Water sample submitted: _____ mo./day/yr. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Date _____	
				14. Well head completion: _____ Pitless adapter 24 Inches above grade	
				15. Well grouted? yes With: _____ Neat cement <input checked="" type="checkbox"/> Bentonite _____ Concrete _____ Depth: From 0 ft. to 10 ft.	
				16. Nearest source of possible contamination: ft. 300 Direction West Type Draw Well disinfected upon completion? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
				17. Pump: <input checked="" type="checkbox"/> Not installed Manufacturer's name _____ Model number _____ HP _____ Volts _____ Length of drop pipe _____ ft. capacity _____ g.p.m. Type: <input type="checkbox"/> Submersible <input type="checkbox"/> Turbine <input type="checkbox"/> Jet <input checked="" type="checkbox"/> Reciprocating <input type="checkbox"/> Centrifugal <input type="checkbox"/> Other	
18. Elevation:		19. Remarks:		20. Water well contractor's certification:	
Topography: <input checked="" type="checkbox"/> Hill <input type="checkbox"/> Slope <input type="checkbox"/> Upland <input type="checkbox"/> Valley		Pasture well Customer set windmill and pump		This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. 103 Hank Bruse Water Well Serv. Business name _____ License No. _____ Address 1117 Stout Signed Jaime Bruse Date 8-3-76 Authorized representative	

30
 124
 5 SW 1/4 NW 1/4

Forward the white, blue and pink copies to the Department of Health and Environment

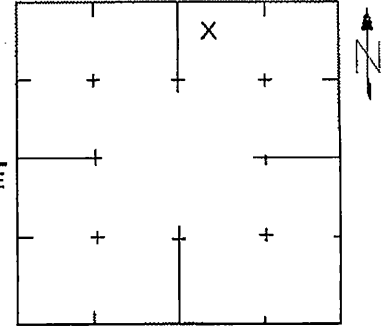
Form WWC-5

49958

CLARKE WELL & EQUIPMENT, INC.
FORMATION TEST HOLE / 2" OB WELL

FORMATION TEST ONLY []
PLUGGED []

988
JOB NUMBER 14579
WELL OWNER Calvin Boyd WELL NO. TH-3-17
WELL USE Formation Test APPR. NO.
LEGAL NW 1/4 NW 1/4 NE 1/4 Sect 9 Twp 30 S Rng 12 W Barber COUNTY KS STATE
FSL, FEL
GPS - 532208 E 4145140 N Zone 14 NAD 27

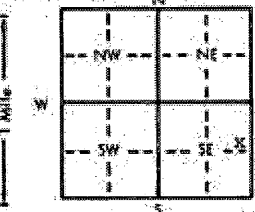


Formation Log SIZE HOLE 5 " DIA., Electric Log [] SWL 76.80 FGL SECTION 9

Table with 5 columns: FROM, TO, FEET, FORMATION / COMMENTS, SAMPLES TAKEN. Rows describe geological layers: Topsoil (0-3), Clay (3-6), Sand & gravel (6-20), Cemented sand (20-21), Clay (21-39), Sand & gravel (39-110), Sand (110-143), Clay (143-147), Sand (147-167), Shale (167-170). Includes a 'WATER RESOURCES RECEIVED' stamp and 'DEC 26 2017' date stamp.

43553

4486 South Well WATER WELL RECORD Form WWC-5 KSA 82a-1212

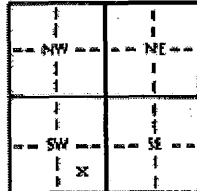
1 LOCATION OF WATER WELL: County: Barber		Fraction: NE 1/4 SE 1/4 SE 1/4		Section Number: 9	Township Number: T 30 S	Range Number: R 12 EW
Distance and direction from nearest town or city street address of well if located within city? Approximately 4 miles west and 1 3/4 miles south of Isabel						
2 WATER WELL OWNER: Name, St. Address, Box # City, State, ZIP Code		Calvin & Carla Boyd 12001 NW Spring Creek Road Medicine Lodge, KS 67104		Board of Agriculture, Division of Water Resources Application Number: 43-553		
3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX: 		4 DEPTH OF COMPLETED WELL: 129 ft. N. ELEVATION: Unknown Depth(s) Groundwater Encountered: 1. ft. 2. ft. 3. ft. WELL'S STATIC WATER LEVEL: 79 ft. below land surface measured on mo/day/yr: 4-7-00 Pump test data: Well water was not ch'd ft. after hours pumping Est. Yield unknown gpm. Well water was ft. after hours pumping gpm Bore Hole Diameter: 24 in. to 129 ft. and in. to ft. WELL WATER TO BE USED AS: 1 Domestic 3 Feedlot 5 Public water supply 8 Air conditioning 11 Injection well 2 Irrigation 4 Industrial 7 Lawn and garden only 10 Monitoring well 12 Other (Specify below) Was a chemical/bacteriological sample submitted to Department? Yes No X If yes, mo/day/yr sample was submitted Water Well Disinfected? Yes No X				
5 TYPE OF BLANK CASING USED: 1 Steel 3 RMP (SR) 5 Wrought iron 6 Concrete tile CASING JOINTS: Glued X Clamped 2 PVC 4 ABS 7 Fiberglass 9 Other (specify below) Welded Blank casing diameter: 12 in. to 108 ft. Dia. in. to ft. Dia. in. to ft. Casing height above land surface: 12 in. weight: 10.31 lbs./ft. Wall thickness or gauge No. 420 TYPE OF SCREEN OR PERFORATION MATERIAL: 1 Steel 3 Stainless steel 5 Fiberglass 6 RMP (SR) 7 PVC 10 Asbestos-cement 2 Brass 4 Galvanized steel 8 Concrete tile 9 ABS 11 Other (specify) 12 None used (open hole) SCREEN OR PERFORATION OPENINGS ARE: 1 Continuous slot 3 Mill slot 5 Gauzed wrapped 8 Saw cut 11 None (open hole) 2 Louvered shutter 4 Key punched 6 Wire wrapped 9 Drilled holes 10 Other (specify) Bridge Slot SCREEN-PERFORATED INTERVALS: From: 108 ft. to 128 ft. From: ft. to ft. GRAVEL PACK INTERVALS: From: 70 ft. to 129 ft. From: ft. to ft.						
6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other Road Sand Grout intervals: From: 0 ft. to 23 ft. From: ft. to ft. From: 23 ft. to 70 ft. What is the nearest source of possible contamination: 1 Sepsic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well 2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below) 13 Insecticide storage None known Direction from well? How many feet?						
FROM		TO		LITHOLOGIC LOG		FROM TO PLUGGING INTERVALS
0		3		Topsoil		
3		14		Clay, brown		
14		16		Sand and gravel, fine, medium, coarse		
16		26		Clay, brown and white, caliche		
26		84		Sand and gravel, fine, medium, coarse		
84		94		Clay, brown, some sand		
94		127		Sand and gravel, fine, medium		
127		129		Shale, red		
7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 4-7-00 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 185. This Water Well Record was completed on (mo/day/year) 4-24-00 under the business name of Clarke Well & Equipment, Inc. by (signature) <i>Clark</i>						
INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Topeka, Kansas 66603-0001. Telephone: 913-296-2243. Send one to WATER WELL OWNER and retain one for your records.						

OFFICE USE ONLY

43378

4485

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

1 LOCATION OF WATER WELL: County: Barber		Fraction NC 1/4 SE 1/4 SW 1/4	Section Number 4	Township Number T 30 S	Range Number R 12 E/W
Distance and direction from nearest town or city street address of well if located within city? Approximately 5 miles west and 3/4 mile south of Isabel					
2 WATER WELL OWNER: Name: Calvin & Carla Boyd RR#, St. Address, Box #: 12001 NW Spring Creek Rd. City, State, ZIP Code: Medicine Lodge, KS 67104		Board of Agriculture, Division of Water Resources Application Number: 43,378			
3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX: 		DEPTH OF COMPLETED WELL: 164 ft. ELEVATION: UNKNOWN Depth(s) Groundwater Encountered: ft. 1. _____ ft. 2. _____ ft. 3. _____ ft. WELL'S STATIC WATER LEVEL: 62 ft. below land surface measured on (m/day)yr 3-15-00 Pump test data: Well water was not ch'd. ft. after _____ hours pumping _____ gpm Est. Yield unknown gpm: Well water was _____ ft. after _____ hours pumping _____ gpm Bore Hole Diameter: 2 1/2 in. to 165 ft., and _____ in. to _____ ft. WELL WATER TO BE USED AS: 1 Domestic 2 Irrigation 3 Feedlot 4 Industrial 5 Public water supply 6 Oil field water supply 7 Lawn and garden only 8 Air conditioning 9 Dewatering 10 Monitoring well 11 Injection well 12 Other (Specify below) Was a chemical/bacteriological sample submitted to Department? Yes _____ No _____ X _____ If yes, (m/day)yr sample was submitted _____ Water Well Disinfected? Yes _____ No _____ X _____			
5 TYPE OF BLANK CASING USED: 1 Steel 2 PVC 3 RMP (SRP) 4 ABS Blank casing diameter: 16 in. to 113 in. Dia. Casing height above land surface: 12 in. weight: 16, 15 lbs./ft. Wall thickness or gauge No. 500		5 Wrought iron 6 Asbestos-Cement 7 Fiberglass 8 Concrete tile 9 Other (specify below) CASING JOINTS: Glued _____ X _____ Clamped _____ Welded _____ Threaded _____			
TYPE OF SCREEN OR PERFORATION MATERIAL: 1 Steel 2 Brass 3 Stainless steel 4 Galvanized steel SCREEN OR PERFORATION OPENINGS ARE: 1 Continuous slot 2 Louvered shutter 3 1/2 Mil slot 4 Key punched		5 Fiberglass 6 Concrete tile 7 PVC 8 RMP (SRP) 9 ABS 10 Asbestos-cement 11 Other (specify) 12 None used (open hole) 8 Gauzed wrapped 9 Saw cut 10 Other (specify) 11 None (open hole) 6 Wire wrapped 7 Torch cut 8 Drilled holes 9 Other (specify)			
SCREEN-PERFORATED INTERVALS: From: 113 ft. to 163 ft. From: _____ ft. to _____ ft. GRAVEL PACK INTERVALS: From: 100 ft. to 165 ft. From: _____ ft. to _____ ft.		SCREEN-PERFORATED INTERVALS: From: _____ ft. to _____ ft. From: _____ ft. to _____ ft. GRAVEL PACK INTERVALS: From: _____ ft. to _____ ft. From: _____ ft. to _____ ft.			
6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other Grout intervals: From: 24 ft. to 100 ft. From: 4 - 24 ft. to _____ ft. From: _____ ft. to _____ ft.		Concrete Pump Foundation What is the nearest source of possible contamination: 1 Septic tank 2 Sewer lines 3 Water/tight sewer lines 4 Lateral lines 5 Cess pool 6 Soapage pit 7 Fill privy 8 Sewage lagoon 9 Feedyard 10 Livestock pens 11 Fuel storage 12 Fertilizer storage 13 Insecticide storage 14 Abandoned water well 15 Oil well/Gas well 16 Other (specify below) 17 None known Direction from well? _____ How many feet? _____			
LITHOLOGIC LOG		LITHOLOGIC LOG			
FROM	TO	DESCRIPTION	FROM	TO	DESCRIPTION
0	4	Topsoil	135	163	Sand and gravel, fine, medium, some coarse
4	15	Sand, fine, medium			
15	27	Clay, brown and gray	163	165	Shale, red
27	40	Sand and gravel, fine, medium, coarse			
40	54	Sand and gravel, fine, medium			
54	55	Clay, brown			
55	58	Sand and gravel, fine, medium, coarse			
58	61	Clay			
61	96	Sand and gravel, fine, medium, coarse			
96	106	Clay, brown, sandy			
106	134	Sand and gravel, fine, medium			
134	135	Clay streak			
7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (m/day)yr 3-15-00 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 185. This Water Well Record was completed on (m/day)yr 3-17-00 under the business name of Clarke Well & Equipment, Inc. by (signature)					
INSTRUCTIONS: Use spewer at top joint per PLUGGING GUIDE and PERMITS ONLY. Please fill in blanks, underline or circle the correct answer. Send 1st three copies to Kansas Department of Health and Environment, Bureau of Water, Topeka, Kansas 66620-5001. Telephone: 913-268-5545. Send one to WATER WELL OWNER and retain one for your records.					

OFFICE USE ONLY
T
R
SEC
W
K

37278

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

1] LOCATION OF WATER WELL: County: Barber Fraction CENTER OF NORTH 1/4 1/4 1/4 Section Number 4 Township Number T 30 S Range Number R 12 E/W

Distance and direction from nearest town or city street address of well if located within city? Approx. 2 miles south and 2 1/2 east of Sawyer, KS

2] WATER WELL OWNER: Kent Brubaker RR#, St. Address, Box #: Board of Agriculture, Division of Water Resources City, State, ZIP Code: Sawyer, KS 67134 Application Number: unknown

3] LOCATE WELL'S LOCATION WITH AN 'X' IN SECTION BOX: [Diagram showing a 2-mile square divided into four quadrants (NW, NE, SW, SE) with an 'X' in the NW quadrant.] 4] DEPTH OF COMPLETED WELL: 196 ft. ELEVATION: unknown. WELL'S STATIC WATER LEVEL: 80 ft. below land surface measured on 8-17-84. Pump test data: Well water was not checked. Est. Yield: 900 gpm. Bore Hole Diameter: 24 in. to 196 ft. WELL WATER TO BE USED AS: 5 Public water supply, 8 Air conditioning, 11 Injection well, 1 Domestic, 3 Feedlot, 6 Oil field water supply, 9 Dewatering, 12 Other (Specify below), 2 Irrigation, 4 Industrial, 7 Lawn and garden only, 10 Observation well. Was a chemical/bacteriological sample submitted? Yes No X. Water Well Disinfected? Yes No X.

5] TYPE OF BLANK CASING USED: 1 Steel, 2 PVC, 3 RMP (SR), 4 ABS, 5 Wrought iron, 6 Asbestos-Cement, 7 Fiberglass, 8 Concrete tile, 9 Other (specify below), 10 Asbestos-cement. CASING JOINTS: Glued, Clamped, Welded, Threaded.

Blank casing diameter: 16 in. to 136 ft. Dia. Casing height above land surface: 12 in., weight: 36, 87 lbs./ft. Wall thickness or gauge No. 219. TYPE OF SCREEN OR PERFORATION MATERIAL: 1 Steel, 2 Brass, 3 Stainless steel, 4 Galvanized steel, 5 Fiberglass, 6 Concrete tile, 7 PVC, 8 RMP (SR), 9 ABS, 10 Asbestos-cement, 11 Other (specify), 12 None used (open hole).

SCREEN OR PERFORATION OPENINGS ARE: 1 Continuous slot, 2 Louvered shutter, 3 Mill slot, 4 Key punched, 5 Gauzed wrapped, 6 Wire wrapped, 7 Torch cut, 8 Saw cut, 9 Drilled holes, 10 Other (specify) DOERR Bridge Slot, 11 None (open hole).

SCREEN-PERFORATED INTERVALS: From 136 ft. to 196 ft. GRAVEL PACK INTERVALS: Annular fill From 10 ft. to 90 ft.

6] GROUT MATERIAL: 1 Neat cement, 2 Cement grout, 3 Bentonite, 4 Other. Grout Intervals: From 0 ft. to 10 ft.

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

Direction from well? all. How many feet? Table with columns: FROM, TO, LITHOLOGIC LOG. Rows: 0-11 (Topsoil & white clay & limestone), 11-80 (Sand & gravel, very fine to fine, few thin streaks of clay), 80-105 (Sand & gravel, med. to fine, some coarse, clean), 105-150 (Sand & gravel, fine to very fine some med. streaks, clean), 150-155 (Soft brown clay), 155-196 (Sand & gravel, fine to very fine, clean).

7] CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 8-17-84 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 185. This Water Well Record was completed on (mo/day/yr) 9-14-84 under the business name of Clarke Well & Eq., INC. by (signature) [Signature]

INSTRUCTIONS: Use typewriter or ball point pen, PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Division of Environment, Environmental Geology Section, Topeka, KS 66620. Send one to WATER WELL OWNER and retain one for your records.

OFFICE USE ONLY T R EW SEC 1/4 1/4

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49958 00

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AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49958 00 IRR

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

4603 Feet North and 2077 Feet West of the Southeast Corner of Section 9 T 30S R 12W

GROUNDWATER ONLY

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File Number   Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan Unit
A__ 37278 00 IRR NK G      4562 -- -- NC N2 3870 2680 4 30 12W 1      180.00 180.00 AF
A__ 43378 00 IRR NK G      1713 -- NC SE SW 513 3331 4 30 12W 2      194.00 194.00 AF
A__ 43553 00 IRR NK G      4006 -- NE SE SE 1062 204 9 30 12W 6 G 3 195.00 195.00 AF
Same          3772 -- SE NE SE 1414 63 9 30 12W 2 B 3
Same          4076 -- NE SE SE 908 356 9 30 12W 3 B 3
Same          4186 -- NE SE SE 864 194 9 30 12W 5 B 3
A__ 49958 00 IRR AY G      0 -- SW NW NE 4603 2077 9 30 12W 7      254.80 254.80 AF
T__20177013 MF IRR GY G    1713 -- NC SE SW 513 3331 4 30 12W 2      933.09 .00 AF
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Total Net Quantities Authorized:   Direct      Storage
Total Requested Amount (AF) =      254.80          .00
Total Permitted Amount (AF) =          .00          .00
Total Inspected Amount (AF) =          .00          .00
Total Pro_Cert Amount (AF) =          .00          .00
Total Certified Amount (AF) =      569.00          .00
Total Vested Amount (AF) =          .00          .00
TOTAL AMOUNT (AF) =      823.80          .00
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An * after the source of supply indicates a pending application for change under the file number.
 An * after the ID indicates a 15 AF exemption was granted under the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

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

4603 Feet North and 2077 Feet West of the Southeast Corner of Section 9 T 30S R 12W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

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=====
File Number   Use ST SR
A__ 37278 00 IRR NK G
> KENT E BRUBAKER
>
> 80225 SE 50TH AVE
> SAWYER KS 67134
>-----
A__ 43378 00 IRR NK G
> CALVIN & CARLA BOYD
>
> 12001 NW SPRING CREEK RD
> MEDICINE LODGE KS 67104
>-----
A__ 43553 00 IRR NK G
> CALVIN & CARLA BOYD
>
> 12001 NW SPRING CREEK RD

```

> MEDICINE LODGE KS 67104

>-----

A__ 49958 00 IRR AY G

> CHRIS BOYD

>

> 12001 NW SPRING CREEK RD

> MEDICINE LODGE KS 67104

>-----

T__20177013 MF IRR GY G

> CALVIN & CARLA BOYD

>

> 12001 NW SPRING CREEK RD

> MEDICINE LODGE KS 67104

>-----

=====

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Analysis Results

The selected PD is in an area OPEN to new appropriations.

The safe yield based on the variables listed below is 603.19 AF.

Total prior appropriations in the circle is ~~823.80~~ AF. *569 AF*

Total quantity of water available for appropriation is ~~0.00~~ AF.

34.19 AF available

Safe Yield Variables

The area used for the analysis is set at 8,042 acres.

The potential annual recharge at the circle center is estimated to be 1.8 inches.

The percent of recharge available for appropriation is 50%.

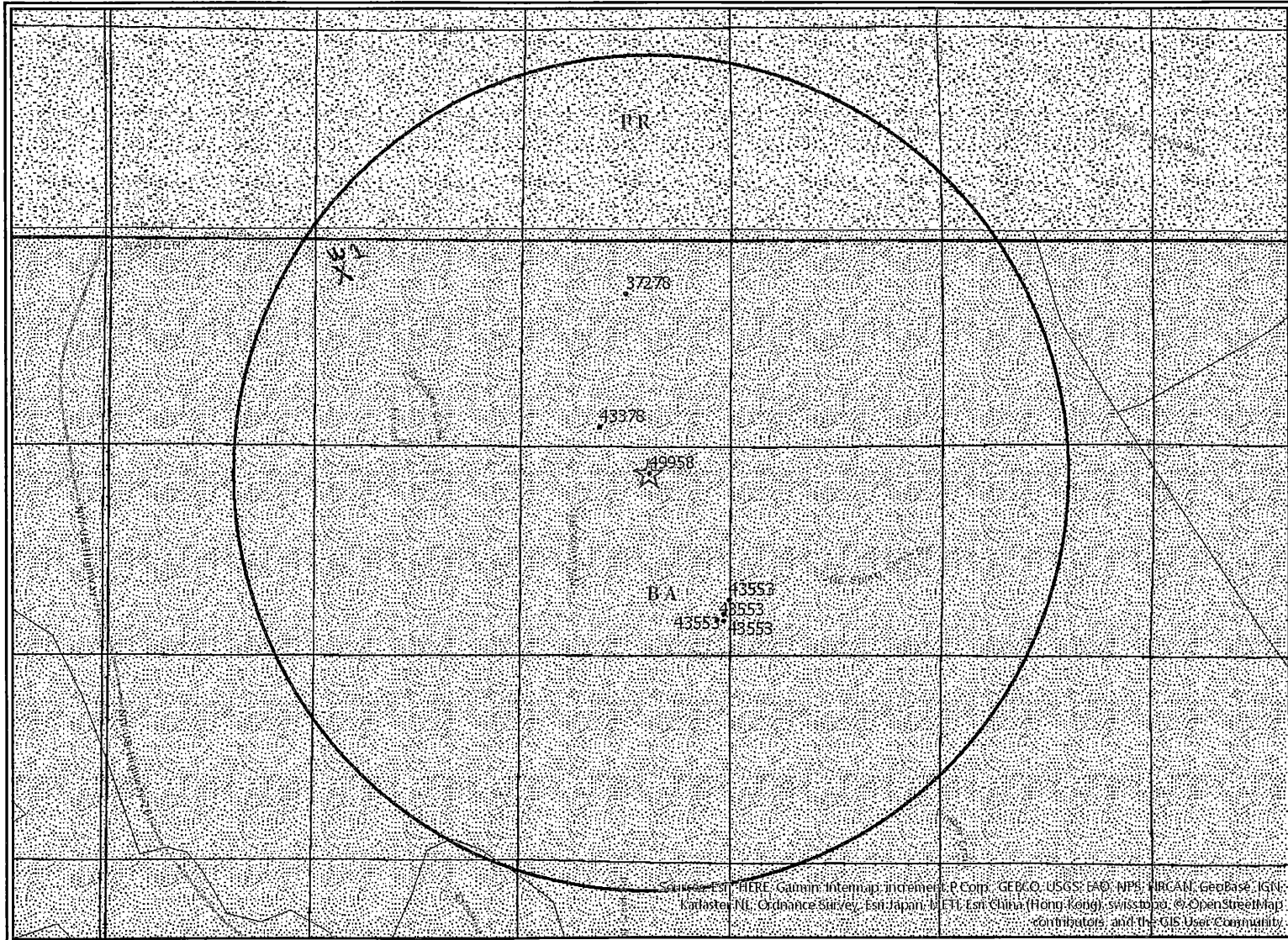
Authorized Quantity values are as of 11-JUL-2018 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 4 water rights and 7 points of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
A 37278 00	IRR	NK	G			NC	N2	3870	2680	04	30	12W	1	WR	180.00	180.00	159.50	159.50
A 43378 00	IRR	NK	G			NC	SE SW	513	3331	04	30	12W	2	WR	194.00	194.00	129.00	129.00
A 43553 00	IRR	NK	G			SE	NE SE	1414	63	09	30	12W	2	WR	195.00	195.00	130.00	130.00
Same	IRR	NK	G			NE	SE SE	908	356	09	30	12W	3	WR				
Same	IRR	NK	G			NE	SE SE	864	194	09	30	12W	5	WR				
Same	IRR	NK	G			NE	SE SE	1062	204	09	30	12W	6	WR				
A 49958 00	IRR	AY	G			SW	NW NE	4603	2077	09	30	12W	7	WR	254.80	254.80	182.00	182.00

569 AF

Safe Yield Report Sheet
Water Right- A4995800
Point of Diversion in 09-30S-12W
Footages from SE corner- 4,603 feet North 2,077 feet West





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 29, 2017

CHRIS BOYD
12001 NW CPRING CREEK RD
MEDICINE LODGE KS 67104

FILE COPY

RE: Application
File No. 49958

Dear Sir or Madam:

Your application for permit to appropriate water in 9-30S-12W in Barber 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

SCANNED