

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

| | | | |
|----------------------------------|---|------------------------------|---------|
| 1. File Number: 49,890 | 2. Status Change Date: 4/2/2019 | 3. Field Office: 2 | 4. GMD: |
|----------------------------------|---|------------------------------|---------|

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

| | |
|---|---|
| <p>7a. Applicant(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID 65682 Add Seq# _____</p> <p>DANIEL J SHORT ET AL 721 W AVE A CALDWELL KS 67022</p> | <p>7c. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p> |
| <p>7b. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p> <p>7a</p> | <p>7d. Landowner New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p> |

| | |
|--|---|
| <p>8. WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: right;">Person ID _____ Add Seq# _____ Notarized WUC Form <input type="checkbox"/></p> <p>7a</p> | <p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input checked="" type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p> |
|--|---|

10. Completion Date: 12/31/2020 11. Perfection Date: 12/31/2024 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: **2/26/2019** By: **AM**
Date Entered: **4/18/2019** By: **LLM**

File No. **49,890** 15. Formation Code: Drainage Basin: **Chikaskia River** County: **HP** Special Use: Stream:

16. Points of Diversion

| MOD DEL ENT | PDIV | Qualifier | S | T | R | ID | 'N | 'W |
|------------------|-----------------|-----------|------------|-----------|----------|-------------|------------|----|
| MOD 82169 | SE NE SE | 6 | 32S | 6W | 6 | 1589 | 241 | |

17. Rate and Quantity **MOD ADDL QTY**

| Authorized | | Additional | | Overlap PD Files |
|--------------|--------------|-------------|--------------|------------------|
| Rate gpm | Quantity af | Rate gpm | Quantity af | |
| 1,200 | 89.06 | 1200 | 89.06 | <i>none</i> |

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

19. Limitation: _____ mg/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 20** Date Acceptable Meter Installed _____

21. Place of Use

| MOD DEL ENT | PUSE | S | T | R | ID | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | Total | Owner | Chg? NO | Overlap Files |
|------------------|----------|------------|-----------|----------|----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------------|-------|-------|-------------|---------------|
| | | | | | | 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 | | | | |
| MOD 68511 | 5 | 32S | 6W | 7 | | | | | | | | | | | | | | | | | 64 | | | <i>none</i> | |
| MOD 68512 | 6 | 32S | 6W | 3 | | | | | | | | | | | | | | | | | 6.5 | | | <i>none</i> | |

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
MEMORANDUM

TO: Files

DATE: February 26, 2019

FROM: Austin McColloch

RE: Application, File No. 49,890

Daniel Short has filed the referenced application to appropriate groundwater for irrigation use, requesting a one well, a quantity of 89.06 acre-feet, and a diversion rate of 1,200 gallons per minute. The point of diversion is to be located in the Southeast Quarter of the Northeast Quarter of the Southeast Quarter of Section 6, in Township 32 South, Range 6 West, Harper County within the drainage basin of the Chikaskia River. There are no other water rights overlapping the point of diversion or place of use. However, the applicants family had a previous irrigation water right, File No. 31,164 that was authorized nearly the same point of diversion and place of use as the pending application, though never used. The applicant has signed the application form stating he has legal access to the point of diversion.

The source of water for the pending application appears to be Quaternary System deposits based on the test hole log submitted and other area well logs. The specific method for calculating safe yield for unconfined groundwater aquifers is described in K.A.R. 5-3-11. An initial safe yield analysis of pending Application, File No. 49,890 was determined to be based on the following criteria: Safe Yield = Area of Consideration x potential annual recharge x percent of recharge available

| | |
|---|---------------------------|
| 8,042 acres x 2.0 inches x 50% = 8,042 acre-inches / 12 = | 670.21 acre-feet |
| Prior Appropriations within the area of consideration = | 748.7 acre-feet |
| Total quantity of water available = | <u>0 acre-feet</u> |

Per K.A.R. 5-1-1(ttt) "Safe Yield" means the long-term sustainable yield of the source of supply, including hydraulically connected surface water or groundwater. Per K.A.R. 5-3-11(d)(1)(D) "Calculated Recharge" means that portion of the average annual precipitation that becomes recharge to the unconfined aquifer, calculated using the data shown on water resources investigations report 87-4230, plate no. 4, dated 1987, prepared by the United States geological survey, hereby adopted by reference, interpolated to the nearest tenth of an inch, unless better or more specific recharge data for the area of consideration, basin, or aquifer is supplied by the applicant or is already available to the chief engineer.

The applicant was sent a letter on September 4, 2018 explaining the safe yield evaluation and stating that it would be recommended to the Chief Engineer that pending application, File No. 49,890 be denied and dismissed due to failure to meet safe yield criteria, as required by K.A.R. 5-3-10 and 5-3-11. The applicant was provided 15 days to either (1) submit additional information to our office or (2) request additional time beyond the 15 days to submit additional information. In a written response received from the applicant on October 26, 2018, several issues pertinent to potential aquifer recharge in this local area were presented. As defined above, the calculated recharge can be modified if better, site specific data is provided by the applicant. These include:

- Consistent static water levels, indication the aquifer is not declining. Well measurements from when the old file was active in 1980 showed a static water level of 12 feet, measurements from 10/22/2018 shows a static water level of 10.6 feet.
- File No. 48,056 located approximately 3,870 feet away successfully demonstrated that area water levels are receiving sufficient recharge with no decline.

The point of diversion is located near the boundary separating the less than 2 inches of recharge from an area where the recharge to the aquifer typically ranges from 2 to 3 inches. Therefore, it appears that recharge to the aquifer in this immediate area could be reasonably increased based on the above information. Using a value midway between the 2 and 3 inches provides the following:

| | |
|---|-------------------------------|
| 8,042 acres x 2.5 inches x 50% = 8,042 acre-inches / 12 = | 837.76 acre-feet |
| Prior Appropriations within the area of consideration = | 748.7 acre-feet |
| Total quantity of water available = | <u>89.06 acre-feet</u> |

Based on the revised calculated recharge value, the application requesting 89.06 acre-feet complies with safe yield and can be further processed.

A well log drilled in 1980 for the original well submitted with the additional information shows a fine sand layer from 15 to 22 feet with another layer at 26 to 38 feet and another layer at 40 to 60 feet with a coarse to fine gravel layer from 63 to 80 feet, where bedrock (shale) was encountered. Static water level was 12 feet below ground surface with an estimated yield of 1,000 gallons per minute.

The point of diversion is located within South Central Kansas Designated Unit Area CHK-14. Per the requirements of K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile radius of the point of diversion, which establishes the area of consideration. However, for points of diversion located within a Designated Unit Area, safe yield evaluation is a two-step approach. The first step is to determine that water is available in the specific Designated Unit Area, and then the 2-mile area of consideration is reviewed. For this application, it was determined that Designated Unit Area CHK-14 still has approximately 695 acre-feet of water available for appropriation. As noted above, evaluation of the area of consideration provided 89.06 acre-feet available for appropriation, and the application requesting 89.06 acre-feet complies with safe yield.

The applicant and a review of KGS WWC5 well logs revealed 14 possible nearby wells within one-half mile of the proposed point of diversion. Nearby notification letters were sent on December 31, 2018. Three (3) phone responses were received expressing concern and one (1) email letter was received from Randall Adler opposing the new appropriation.

The requested quantity of water, 89.06 acre-feet, is reasonable to irrigate the proposed 72.4 acres identified in the application. This is the minimum reasonable of 1.23 acre-foot per acre for Harper County Kansas.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. A water level measurement tube is required because the proposed well exceeds 100 gpm.

domestics
approx 1100'+ away and on
the opposite side of the creek

non-domestic approx 1450' away

Austin McColloch
Environmental Scientist

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Acting Secretary

Laura Kelly, Governor

April 12, 2019

DANIEL J SHORT ET AL
721 W AVE A
CALDWELL KS 67022

FILE COPY

RE: Appropriation of Water, File No. 49,890

Dear Sir or Madam:

Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit.

Notice must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

An acceptable water flowmeter must be installed on the diversion works authorized by this permit prior to using water. An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at www.kswaterusereport.org.

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Enclosed is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

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

KAB:am
Enclosure(s)
pc: Stafford Field Office

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Acting 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. **49,890** of the applicant

DANIEL J SHORT ET AL
721 W AVE A
CALDWELL KS 67022

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

1. That the priority date assigned to such application is **August 17, 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 | |
| 5 | 32S | 6W | | | | | | | | | 25.0 | 35.0 | 4.0 | | | | | | 64.0 |
| 6 | 32S | 6W | | | | | | | | | | | | | 4.0 | | | | 6.5 |

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE¼ NE¼ SE¼) of Section 6, more particularly described as being near a point 1,589 feet North and 241 feet West of the Southeast corner of said section, in Township 32 South, Range 6 West, Harper 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 **1,200 gallons per minute (2.67 c.f.s.)** and to a quantity not to exceed **89.06 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, 2020** 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, 2024** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

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

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

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

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

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

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

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

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

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

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

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

Ordered this 2nd day of April, 2019, 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 2nd day of April, 2019, 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, KS 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, KS 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.

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


CERTIFICATE OF SERVICE

On this 12th day of April, 2019, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,890, dated April 2, 2019 was mailed postage prepaid, first class, US mail to the following:

DANIEL J SHORT ET AL
721 W AVE A
CALDWELL KS 67022

With photocopies to:

Stafford Field Office



Division of Water Resources

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www.agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Acting Secretary

Laura Kelly, Governor

March 22, 2019

RANDALL ALDER
240 E US HWY 160
HARPER KS 67058

FILE COPY

Re: Pending Application, File No. 49,890

Dear Mr. Alder:

This will acknowledge receipt of your email, received in this office on January 22, 2019 in which you expressed objections to the proposed appropriation of groundwater by Daniel Short under the above referenced application. The application is proposing to appropriate groundwater for irrigation use.

We are in the process of thoroughly reviewing this pending application to ensure that it complies with the Kansas Water Appropriation Act and applicable rules and regulations. The Chief Engineer is required to approve applications for water appropriation unless the proposed appropriation will impair existing water rights or prejudicially and unreasonably affect the public interest. Impairment is indicated if existing water rights will experience an unreasonable lowering of the static water level.

The applicable rules and regulations (K.A.R. 5-4-4) require that new non-domestic wells must meet specific spacing guidelines based on the source of water supply in order to minimize the potential that existing water wells of any kind would be impaired. The source of water (aquifer) for this pending application appears to be Quaternary deposits, based on the information submitted. This source of water requires a minimum well spacing of 660 feet from any existing domestic well, and 1,320 feet from any non-domestic well.

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

Division of Water Resources - Stafford Field Office
300 S Main St
Stafford, KS 67578-1521
Telephone: 620-234-5311

If an applicant without cause fails to comply with the provisions of the permit and its terms, conditions and limitations, it could result in the forfeiture of the priority date, revocation of the permit and dismissal of the application. If you have any questions, please contact me at (785) 564-6627 or Kristen.Baum@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,

Kristen A. Baum
Environmental Scientist
Water Appropriation Program

pc: Stockton Field Office

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

APPLICATION COMPLETE
2/25/19
Reviewer KAB

File Number 49890
This item to be completed by the Division of Water Resources.

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

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

1. Name of Applicant (Please Print): Daniel J Short POA
Address: 721 W Ave A
City: Caldwell State KS Zip Code 67022
Telephone Number: (620) 243-3552

2. The source of water is: surface water in _____ (stream)
OR groundwater in Chikaskia River (S.-C. KS DUA-CHK14) (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 151.2 ^{AS} 99.06 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 1,200 gallons per minute OR _____ cubic feet per second.

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

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

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

| | | | |
|----------------------|-------------------|--|--|
| For Office Use Only: | | F.O. <u>2</u> GMD <u>0</u> Meets K.A.R. 5-3-1 (YES/NO) Use <u>IRR</u> Source <u>(G) S</u> County <u>HP</u> By <u>AdW</u> Date <u>6/17/17</u> | |
| Code <u>RES</u> | Fee \$ <u>300</u> | TR # _____ | Receipt Date <u>8/17/17</u> Check # <u>11619</u> |

DWR 1-100 (Revised 02/12/2014)

RECEIVED

RECEIVED

DEC 13 2018

AUG 17 2017

11:38

Stafford Field Office
Division of Water Resources

KS DEPT OF AGRICULTURE

8/21/2017 WM SCANNED

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 SE quarter of the NE quarter of the SE quarter of Section 6, more particularly described as being near a point 1,589 feet North and 241 feet West of the Southeast corner of said section, in Township 32 South, Range 6 West, Harper County, Kansas.

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

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

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

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

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

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

(name, address and telephone number)

(name, address and telephone number)

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

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

Executed on 8-7, 2017.

Daniel J. Shatt POA
Applicant's Signature

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

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

and (was) completed (by) 12/30/1980?
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be ASAP
(Mo/Day/Year)

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

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

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

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

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required N.A.

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

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

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

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

None

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

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

| Well location as shown in paragraph No. | (A) | (B) | (C) | (D) |
|---|-------|-------|-------|-------|
| Date Drilled | _____ | _____ | _____ | _____ |
| Total depth of well | _____ | _____ | _____ | _____ |
| Depth to water bearing formation | _____ | _____ | _____ | _____ |
| Depth to static water level | _____ | _____ | _____ | _____ |
| Depth to bottom of pump intake pipe | _____ | _____ | _____ | _____ |

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

Owner
(owner, tenant, agent or otherwise)

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

(name, address and telephone number)

(name, address and telephone number)

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

Dated at Harper, Kansas, this 14th day of August, 2017.
(month) (year)

Daniel J Short
(Applicant Signature)

By Daniel J Short POA
(Agent or Officer Signature)

Daniel J Short
(Agent or Officer - Please Print)

Assisted by MJM/SFFO ESII Date: 9/4/2014
(office/title)

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**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 49890

Name of Applicant (Please Print): Daniel J Short

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: Daniel J Short 60%
ADDRESS: 721 W Ave A Caldwell, Ks 67022

| S | T | R | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL |
|----------------|-----|----|-----|----|----|----|-----|----|----|----|-----|----|----|----|-----|----|----|-----|-------|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| 5 | 32S | 6W | 20 | | | 2 | | | | | | 25 | 35 | 4 | | | | | 22 |
| 6 | 32S | 6W | | | | | | | | | | 40 | 40 | 5 | | 4 | | 25 | 85 |
| Combined Total | | | | | | | | | | | | | | | | | | 108 | |

*As per map
64 need 12-13-18
6.5
70.5*

Landowner of Record NAME: Robert D Short 10%
ADDRESS: 1325 Paire View Rd. El Dorado 67042

| S | T | R | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL |
|--------------|----------------|---------------|---------------|----|----|--------------|-----|----|----|----|-----|---------------|---------------|--------------|-----|----|----|----------------|---------------|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| 5 | 32S | 6W | 20 | | | 3 | | | | | | | | | | | | | 23 |
| 6 | | | | | | | | | | | | 40 | 40 | 5 | | | | | 85 |
| | | | | | | | | | | | | | | | | | | 108 | |

See above

Landowner of Record NAME: David L Short 10%
ADDRESS: 360 E Hwy 160 Harper, Ks 67058

| S | T | R | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL |
|--------------|----------------|---------------|---------------|----|----|--------------|-----|----|----|----|-----|---------------|---------------|--------------|-----|----|----|----------------|---------------|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| 5 | 32S | 6W | 20 | | | 3 | | | | | | | | | | | | | 23 |
| 6 | | | | | | | | | | | | 40 | 40 | 5 | | | | | 85 |
| | | | | | | | | | | | | | | | | | | 108 | |

See above

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IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49890

Name of Applicant (Please Print): _____

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: Teresa D Short 10%
ADDRESS: 4418 Brookes Court Manhattan Ks 66052

| S | T | R | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL | | |
|---|-----|----|-----|----|----|----|-----|----|----|----|-----|----|----|----|-----|----|----|----------------|-------|-----|------|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | | | |
| 5 | 32S | 6W | 20 | | | 3 | | | | | | 25 | 35 | 4 | | | | | 23 | 64 | |
| 6 | 32S | 6W | | | | | | | | | | 40 | 40 | 5 | | 4 | | | 2.5 | 85 | 6.5 |
| | | | | | | | | | | | | | | | | | | Combined Total | | 108 | 70.5 |

Landowner of Record NAME: Timothy D Short 10%
ADDRESS: 8111 E. 32nd St North Ste 100
Wichita Ks 67226

| S | T | R | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL | |
|--------------|----------------|---------------|---------------|----|----|--------------|-----|----|----|----|-----|---------------|---------------|--------------|-----|----|----|----------------|---------------|--|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | | |
| 5 | 32S | 6W | 20 | | | 3 | | | | | | | | | | | | | 23 | |
| 6 | 32S | 6W | | | | | | | | | | 40 | 40 | 5 | | | | | 85 | |
| | | | | | | | | | | | | | | | | | | 108 | | |

See above

Landowner of Record NAME: _____
ADDRESS: _____

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

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

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

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

b. Estimate the average land slope in the field(s): 0.2 %

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

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

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

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

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

(2) What is the sprinkler package design rate? _____ gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

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

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

Wheat - Soybeans - Cotton - Corn - Canola

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).

Use soil monitor.

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

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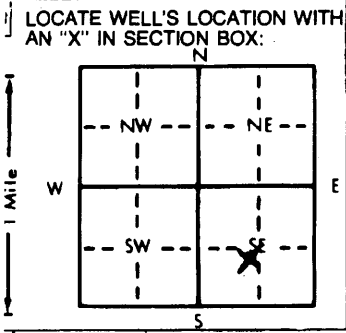
KS DEPT. OF AGRICULTURE

49890

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

1 LOCATION OF WATER WELL: Fraction NE 1/4 SW 1/4 SE 1/4 Section Number 6 Township Number T 32 S Range Number R 6 E
 County: HARPER
 Distance and direction from nearest town or city, street address of well if located within city?
1/2 E OF HARPER, KS

2 WATER WELL OWNER: Robert Short
 RR#, St. Address, Box #: Harper, Kansas Board of Agriculture, Division of Water Resources
 City, State, ZIP Code: Application Number:



4 DEPTH OF COMPLETED WELL: 80 ft. ELEVATION: _____
 Depth(s) Groundwater Encountered 1. 12 ft. 2. _____ ft. 3. _____ ft.
 WELL'S STATIC WATER LEVEL: 12 ft. below land surface measured on mo/day/yr DEC 30 80
 Pump test data: Well water was 29 ft. after 1 hours pumping 500 gpm
 Est. Yield 1000 gpm: Well water was 33 ft. after 1 hours pumping 700 gpm
 Bore Hole Diameter: 30 in. to 80 ft., and _____ in. to _____ 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 to Department? Yes _____ No _____; If yes, mo/day/yr sample was submitted
 Water Well Disinfected? Yes No _____

3 TYPE OF BLANK CASING USED:
 1 Steel 3 RMP (SR) 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued _____ Clamped _____
 2 PVC 4 ABS 6 Asbestos-Cement 9 Other (specify below) Welded
 7 Fiberglass _____ Threaded _____
 Blank casing diameter 16 in. to 28 ft., Dia. _____ in. to _____ ft., Dia. _____ in. to _____ ft.
 Casing height above land surface: 12 in., weight 32.7 lbs./ft. Wall thickness or gauge No. 1.88

TYPE OF SCREEN OR PERFORATION MATERIAL:
 1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 11 Other (specify) _____
 2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 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
 7 Torch cut 10 Other (specify) _____

SCREEN-PERFORATED INTERVALS: From 28 ft. to 80 ft., From _____ ft. to _____ ft.
 From _____ ft. to _____ ft., From _____ ft. to _____ ft.
 GRAVEL PACK INTERVALS: From _____ ft. to _____ ft., From _____ ft. to _____ ft.
 From 10 ft. to 80 ft., From _____ ft. to _____ ft.

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

What is the nearest source of possible contamination:
 1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 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

Direction from well? _____ How many feet? _____

| FROM | TO | LITHOLOGIC LOG | FROM | TO | LITHOLOGIC LOG |
|------|----|---|------|----|----------------|
| 0 | 2 | Top soil | | | |
| 2 | 15 | Clay, brown | | | |
| 15 | 22 | Sand, fine to med | | | |
| 22 | 26 | Clay, brown | | | |
| 26 | 38 | Sand, fine to coarse and med gravel | | | |
| 38 | 40 | Clay, red and sandy | | | |
| 40 | 60 | Sand, fine to coarse and fine gravel, loose | | | |
| 60 | 63 | Clay, tan | | | |
| 63 | 68 | Sand, fine to coarse and fine gravel, silty | | | |
| 68 | 80 | Sand, fine to coarse and fine to coarse gravel, loose | | | |
| 80 | 85 | 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) DEC 30 80 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 325 This Water Well Record was completed on (mo/day/yr) JUNE 30 81 under the business name of Central Well & Pump Inc. Pratt, Kansas 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 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 32

R 6

E

E

SEC. 6

NE 1/4 SW 1/4 SE 1/4

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August 13, 2017

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

Reference: Well owners within $\frac{1}{2}$ mile radius

206 E US Hwy 160

| | | |
|---|---|---|
| Delbert Hostetler 895 NE 40 Avenue Harper, KS 67058 ✓ | Casey Hodges 1416 Washington Street Harper, KS 67058-1458 ✓ | Clark Johnson 1223 Monroe St Harper, KS 67058-1330 |
| Ellen Olivier 216 E US Hwy 160 Harper, KS 67058 ✓ | Albert Cinelli 232 E US Hwy 160 Harper, KS 67058 ✓ | Randall Alder 240 E US Hwy 160 Harper, KS 67058 ✓ |
| Vietta Easley 170 E US Hwy 160 Harper, KS 67058 ✓ | Mark Darnell, Darnell Electric 174 E US Hwy 160 Po Box 338 Harper, KS 67058 ✓ | Steve Adelhardt 165 E US Hwy 160 Harper, KS 67058 ✓ |
| Galen Stevens 198 E US Hwy 160 Harper, KS 67058 | Harper United Methodist Church 1268 E 14 th Street Po Box 365 Harper, KS 67058 ✓ | Albert Drouhard 610 Ash Street Harper, KS 67058 ✓ |

Kenneth Gung
520 Boone
" "

Gregory Fisher
194 E US Hwy 160
Harper KS 67058

180 E US Hwy 160
" "

Terry Ghare
221 E US Hwy 160
" "

Rex Kirkwood
11809 SE 140th
Norwich KS 67114

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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

November 27, 2018

DANIEL J SHORT ET AL
721 W AVE A
CALDWELL KS 67022

RE: Pending Application, File No. 49,890

Dear Sir or Madam:

We have received and considered the additional information you submitted on October 26, 2018. The information submitted is consistent with neighboring information on the local aquifer in your area. 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. With consideration into the information you provided, safe yield was determined to be 837.27 acre-feet, and existing water rights have appropriated 748.7 acre-feet, providing a difference of **89.06 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 89.06 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 Harper 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 63.6 acres that could be irrigated, up to a maximum of approximately 72.4 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 Aerial 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 Garden City office when completed.

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 **December 27, 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 (620) 276-2901 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

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Division of Water Resources



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McColloch, Austin [KDA]

From: Lanterman, Jeff [KDA]
Sent: Monday, February 25, 2019 12:25 PM
To: Conant, Cameron [KDA]; McColloch, Austin [KDA]
Subject: RE: Recommendation New App File No. 49890

Austin I concur with Cameron.

In the future If we deviate from safe yield procedure we need a substantial study from a Hydro-Geologist or model results that show it is safe to do it. Similar to what was done in the lower Ark.

I wonder if we need to suggest that happen to technical services.

Thanks
Jeff

From: Conant, Cameron [KDA]
Sent: Monday, February 25, 2019 11:18 AM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: FW: Recommendation New App File No. 49890

Austin;

Please note that I didn't agree with the use of 2.5 and 50% on 48056 and ended up passing on a recommendation on that one. However, I understand the precedent with 48056 puts us in a tough position

The FO recommendation is that we stick with 2" and 50% and our standard safe yield procedure here (or to remain consistent with 48056 the FO can pass on recommendation of this file).

I appreciate that you were able to adjust the place of use down to meet the SY calculation and maintain a reasonable quantity on the revised acreage.

Jeff

From: McColloch, Austin
Sent: Tuesday, February 5, 2019 2:08 PM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Cc: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: Recommendation New App File No. 49890

Jeff and Cameron,

Attached is my draft memo for New App. File No. 49890 submitted by Daniel Short. The initial requested quantity has been decreased to comply with (adjusted) Safe Yield, along with the place of use to maintain reasonable quantity. Let me know if you have any questions or need something changed.

Thanks,

Austin McColloch
Kansas Department of Agriculture
Garden City Field Office
<http://agriculture.ks.gov/>
Ph: (620) 276-2901

McColloch, Austin [KDA]

From: RANDALL ALDER <randall.alder@att.net>
Sent: Tuesday, January 22, 2019 10:15 AM
To: McColloch, Austin; RANDALL ALDER
Subject: Fw: Application File No. 49890

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.

Subject: Application File No. 49890

Division of Water Resources
Garden City Field Office
2508 Jones Street
Garden City, KS 67846

Attention Mr. Austin McColloch

This letter concerns Application File No. 49,890.

Sir:

I live with in close proximity to Mr. Short's proposed well which after reading file letter and conversation with Mr . McColloch, and talking to neighbors about this well location. Are how would this effect our wells that are all approximately 45' to 50' some are shallower. General concession not many are in favor of this well or if our wells are effected who pays for re drilling our existing wells to a depth that would be unaffected by Mr. Shorts well. Another point is you need to protect your water rights from pollution and misuse.

Thanks for your consideration;
Randall Alder from
randall.alder@att.net
Phone #316-253-8590

STATE OF KANSAS



DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
GARDEN CITY FIELD OFFICE
2508 JOHNS STREET
GARDEN CITY, KS 67846-2804

PHONE: (620) 276-2901
FAX: (620) 276-9315
www.agriculture.ks.gov

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

December 31, 2018

KENNETH GAUG
520 BOONE ST
HARPER KS 67058

Application,
File No. 49,890

Dear Sir or Madam:

This is to advise you that Daniel Short has filed the application referred to above for permit to appropriate 89.06 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 1,200 gallons per minute from a well or wells located as follows:

one (1) well located near center of the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) Section 6, more particularly described as being near a point 1,589 feet North and 241 feet West of the Southeast corner of said section, in Township 32 South, Range 6 West, Harper County, Kansas.

A copy of a topographic map 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 (620) 276-2901. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,

Austin McColloch
Environmental Scientist
Water Appropriation Program

Enclosure
pc: Stafford Field Office

SCANNED

STATE OF KANSAS



DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
GARDEN CITY FIELD OFFICE
2508 JOHNS STREET
GARDEN CITY, KS 67846-2804

PHONE: (620) 276-2901
FAX: (620) 276-9315
www.agriculture.ks.gov

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

December 31, 2018

ELLEN OLIVIER
216 E US HWY 160
HARPER KS 67058

Application,
File No. 49,890

Dear Sir or Madam:

This is to advise you that Daniel Short has filed the application referred to above for permit to appropriate 89.06 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 1,200 gallons per minute from a well or wells located as follows:

one (1) well located near center of the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) Section 6, more particularly described as being near a point 1,589 feet North and 241 feet West of the Southeast corner of said section, in Township 32 South, Range 6 West, Harper County, Kansas.

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If you have any questions, please contact me at (620) 276-2901. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,

Austin McColloch
Environmental Scientist
Water Appropriation Program

Enclosure
pc: Stafford Field Office

SCANNED

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
GARDEN CITY FIELD OFFICE
2508 JOHNS STREET
GARDEN CITY, KS 67846-2804

STATE OF KANSAS



PHONE: (620) 276-2901
FAX: (620) 276-9315
www.agriculture.ks.gov

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

December 31, 2018

VIETTA EASLEY
170 E US HWY 160
HARPER KS 67058

Application,
File No. 49,890

Dear Sir or Madam:

This is to advise you that Daniel Short has filed the application referred to above for permit to appropriate 89.06 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 1,200 gallons per minute from a well or wells located as follows:

one (1) well located near center of the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) Section 6, more particularly described as being near a point 1,589 feet North and 241 feet West of the Southeast corner of said section, in Township 32 South, Range 6 West, Harper County, Kansas.

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Austin McColloch
Environmental Scientist
Water Appropriation Program

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STATE OF KANSAS



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

December 31, 2018

TERRY GHERE
221 E US HWY 160
HARPER KS 67058

Application,
File No. 49,890

Dear Sir or Madam:

This is to advise you that Daniel Short has filed the application referred to above for permit to appropriate 89.06 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 1,200 gallons per minute from a well or wells located as follows:

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FAX: (620) 276-9315
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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

December 31, 2018

CASEY HODGES
206 E US HWY 160
HARPER KS 67058

Application,
File No. 49,890

Dear Sir or Madam:

This is to advise you that Daniel Short has filed the application referred to above for permit to appropriate 89.06 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 1,200 gallons per minute from a well or wells located as follows:

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STATE OF KANSAS



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

December 31, 2018

ALBERT CINELLI
232 E US HWY 160
HARPER KS 67058

Application,
File No. 49,890

Dear Sir or Madam:

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Sincerely,

Austin McColloch
Environmental Scientist
Water Appropriation Program

Enclosure
pc: Stafford Field Office

SCANNED

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
GARDEN CITY FIELD OFFICE
2508 JOHNS STREET
GARDEN CITY, KS 67846-2804

STATE OF KANSAS



PHONE: (620) 276-2901
FAX: (620) 276-9315
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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

December 31, 2018

MARK DARNELL
174 E US HWY 160
PO BOX 338
HARPER KS 67058

Application,
File No. 49,890

Dear Sir or Madam:

This is to advise you that Daniel Short has filed the application referred to above for permit to appropriate 89.06 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 1,200 gallons per minute from a well or wells located as follows:

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Austin McColloch
Environmental Scientist
Water Appropriation Program

Enclosure
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SCANNED

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
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2508 JOHNS STREET
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FAX: (620) 276-9315
www.agriculture.ks.gov

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

December 31, 2018

HARPER UNITED METHODIST CHURCH
1268 E 14TH ST
PO BOX 365
HARPER KS 67058

Application,
File No. 49,890

Dear Sir or Madam:

This is to advise you that Daniel Short has filed the application referred to above for permit to appropriate 89.06 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 1,200 gallons per minute from a well or wells located as follows:

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Austin McColloch
Environmental Scientist
Water Appropriation Program

Enclosure
pc: Stafford Field Office

SCANNED

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
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2508 JOHNS STREET
GARDEN CITY, KS 67846-2804



PHONE: (620) 276-2901
FAX: (620) 276-9315
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GOVERNOR JEFF COLYER, M.D.
JACKIE MCCLASKEY, SECRETARY OF AGRICULTURE

December 31, 2018

GREGORY FISHER
194 E US HWY 160
HARPER KS 67058

Application,
File No. 49,890

Dear Sir or Madam:

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STATE OF KANSAS



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

December 31, 2018

RANDALL ALDER
240 E US HWY 160
HARPER KS 67058

Application,
File No. 49,890

Dear Sir or Madam:

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Austin McColloch
Environmental Scientist
Water Appropriation Program

Enclosure
pc: Stafford Field Office

STATE OF KANSAS



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DIVISION OF WATER RESOURCES
GARDEN CITY FIELD OFFICE
2508 JOHNS STREET
GARDEN CITY, KS 67846-2804

PHONE: (620) 276-2901
FAX: (620) 276-9315
www.agriculture.ks.gov

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

December 31, 2018

ALBERT DROUHARD
180 E US HWY 160
HARPER KS 67058

Application,
File No. 49,890

Dear Sir or Madam:

This is to advise you that Daniel Short has filed the application referred to above for permit to appropriate 89.06 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 1,200 gallons per minute from a well or wells located as follows:

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Austin McColloch
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Water Appropriation Program

Enclosure
pc: Stafford Field Office

SCANNED

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
GARDEN CITY FIELD OFFICE
2508 JOHNS STREET
GARDEN CITY, KS 67846-2804

STATE OF KANSAS



PHONE: (620) 276-2901
FAX: (620) 276-9315
www.agriculture.ks.gov

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

December 31, 2018

STEVE ADELHARDT
165 E US HWY 160
HARPER KS 67058

Application,
File No. 49,890

Dear Sir or Madam:

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

December 31, 2018

REX KRIKWOOD
11809 SE 140TH
NORWICH KS 67118

Application,
File No. 49,890

Dear Sir or Madam:

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STATE OF KANSAS



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

December 31, 2018

DILBERT HOSTETLER
895 NE 40TH AVE
HARPER KS 67058

Application,
File No. 49,890

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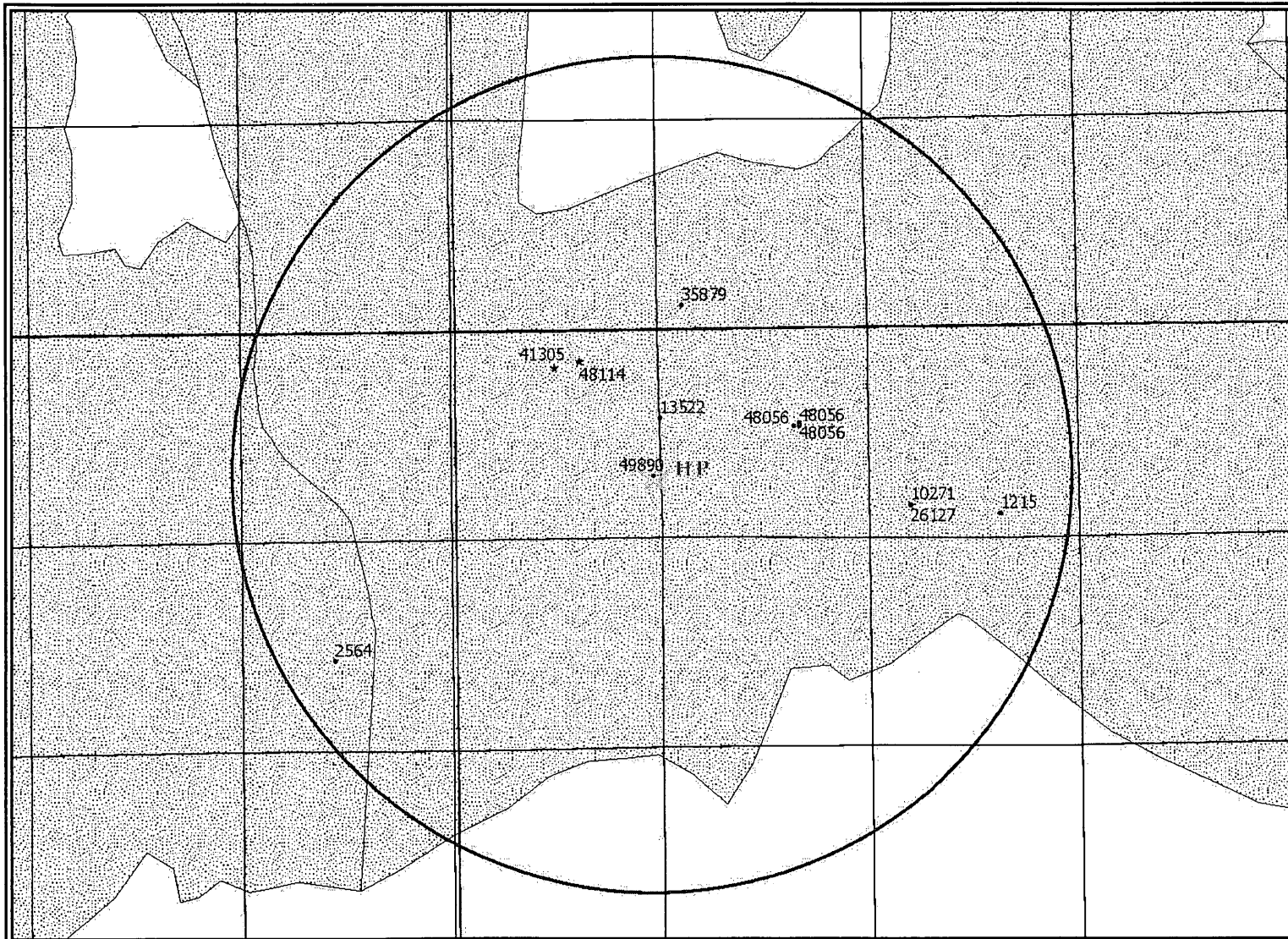
Sincerely,

Austin McColloch
Environmental Scientist
Water Appropriation Program

Enclosure
pc: Stafford Field Office

SCANNED

Safe Yield Report Sheet
Water Right- A4989000
Point of Diversion in 06-32S-06W
Footages from SE corner- 1,589 feet North 241 feet West



Analysis Results

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

The safe yield based on the variables listed below is 837.76 AF.

Total prior appropriations in the circle is ~~899.90~~ AF. *748.7*

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

89.06 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 2.5 inches.

The percent of recharge available for appropriation is 50%.

Authorized Quantity values are as of 16-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 9 water rights and 10 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 1215 00 | IRR | NK | G | | SW | SW | SE | 610 | 2000 | 04 | 32 | 06W | 3 | WR | 99.00 | 99.00 | 66.00 | 66.00 |
| A 2564 00 | IRR | NK | G | | NE | NE | SW | 0 | 0 | 12 | 32 | 07W | 4 | WR | 197.00 | 197.00 | 201.00 | 201.00 |
| A 10271 00 | IRR | NK | G | | NE | SW | SW | 825 | 4300 | 04 | 32 | 06W | 2 | WR | 72.00 | 72.00 | 62.00 | 62.00 |
| A 13522 00 | IRR | NK | G | | SW | SW | NW | 3013 | 5249 | 05 | 32 | 06W | 5 | WR | 143.00 | 143.00 | 111.00 | 111.00 |
| A 26127 00 | IRR | NK | G | | NE | SW | SW | 825 | 4300 | 04 | 32 | 06W | 2 | WR | 39.00 | 0.00 | 112.00 | 50.00 |
| A 35879 00 | IRR | NK | G | | SW | SW | SW | 556 | 4636 | 32 | 31 | 06W | 1 | WR | 79.00 | 79.00 | 138.90 | 138.90 |
| A 48056 00 | IRR | LR | G | | SE | SW | NE | 2880 | 1775 | 05 | 32 | 06W | 3 | WR | 132.00 | 132.00 | 92.00 | 92.00 |
| Same | IRR | LR | G | | SE | SW | NE | 2880 | 1800 | 05 | 32 | 06W | 7 | WR | | | | |
| Same | IRR | LR | G | | SE | SW | NE | 2880 | 1750 | 05 | 32 | 06W | 8 | WR | | | | |
| A 48114 00 | IND | KE | G | | SW | NW | NE | 4472 | 2080 | 06 | 32 | 06W | 5 | WR | 26.70 | <u>26.70</u> | | |
| A 49890 00 | IRR | AY | G | | SE | NE | SE | 1589 | 241 | 06 | 32 | 06W | 6 | WR | 151.20 | 151.20 | 108.00 | 108.00 |

Limitations

| File Number | Seq Num | Limitations |
|-------------|---------|---|
| A 26127 00 | 1 | 72 AF/YR @450 GPM COM/W #10271 ON LAND LISTED IN CERT |

Kansas Dept. of Agriculture
 Water Resources Division
 Manhattan, KS

I am writing in regards to water rights in Sec. 6-32S-6W Harper, Co. KS, which we reapplied for last year. Our well file is #49890 and was drilled in December 30 1980. I have been speaking with both Austin from Garden City and Cameron from Stafford field offices both have been very helpful. I have found that the water level in our well in Sec. 6 is now 10 ft 6" measured 10/22/18 and when drilled in 1980 it was 12 ft from the surface, so 38 years after drilled, fluid level is now higher. This is after wells on Long, Stonebreaker, and Hostetler have all been producing all summer. We have a sand pit directly west of our farm land in Sec 6, when everyone's farm ponds dried up and there fish all died our pond never got below 8 ft deep and our fish lived. I believe showing fresh water was coming in at all times for oxygen. We own ground all along Sand Creek, I am 62 years old and I believe Sand Creek has never gone dry to my knowledge. My Grandfather and Dad drilled what was the first irrigation well in this area in Sec. 4-32S-6W in July of 1953 just to the East. The water level was at 18 ft from the surface, this well has been in constant production since 1953, measurement taken 10/26/18 was 20 ft 4", this has three new wells drilled directly East less than 1/4 mile from our well running almost year round. Looking at Arial photos three dams have been put in from a 1/4 to 2 miles north of this well on Jordan creek, which is within 200' from our well drilled in Sec. 4. We have never had a problem in 65 years producing enough water to run our systems. I believe our well #49890 to be in a highly permeable reservoir with a very quick recharge time. With all of the wells running to the north and east of us according to your gauge in April of 2018 of

WATER RESOURCES
 RECEIVED
 OCT 26 2018

KS DEPT OF AGRICULTURE

SCANNED

12.9 we recharged to 10' 6" even after all wells were producing all summer.

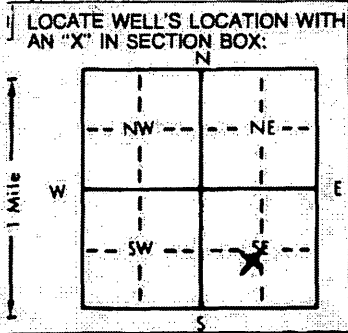
Thank you for your help in this matter.

Dan Short

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

1 LOCATION OF WATER WELL: Fraction NE 1/4 SW 1/4 SE 1/4 Section Number 6 Township Number T 32 S R 6 EW
 County: HARPER
 Distance and direction from nearest town or city street address of well if located within city?
1/2 E OF HARPER, KS

2 WATER WELL OWNER: Robert Short
 RR#, St. Address, Box #: Harper, Kansas
 City, State, ZIP Code: _____
 Board of Agriculture, Division of Water Resources
 Application Number: _____



4 DEPTH OF COMPLETED WELL: 80 ft. ELEVATION: _____
 Depth(s) Groundwater Encountered: 1 12 ft. 2 _____ ft. 3 _____ ft.
 WELL'S STATIC WATER LEVEL: 12 ft. below land surface measured on mo/day/yr DEC 30 80
 Pump test data: Well water was 29 ft. after 1 hours pumping 500 gpm
 Est. Yield 1000 gpm: Well water was 33 ft. after 1 hours pumping 700 gpm
 Bore Hole Diameter: 30 in. to 80 ft. and _____ in. to _____ ft.
 WELL WATER TO BE USED AS:
 1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 11 Injection well
 2 Irrigation 4 Industrial 7 Lawn and garden only 10 Observation well 12 Other (Specify below) _____
 Was a chemical/bacteriological sample submitted to Department? Yes _____ No If yes, mo/day/yr sample was submitted _____
 Water Well Disinfected? Yes No _____

3 TYPE OF BLANK CASING USED:
 1 Steel 3 RMP (SR) 5 Wrought Iron 8 Concrete tile CASING JOINTS: Glued _____ Clamped _____
 2 PVC 4 ABS 6 Asbestos-Cement 9 Other (specify below) Welded
 7 Fiberglass _____ Threaded _____
 Blank casing diameter 16 in. to 28 ft. Dia _____ in. to _____ ft. Dia _____ in. to _____ ft.
 Casing height above land surface 12 in. weight 32.7 lbs./ft. Wall thickness or gauge No. 1.88

TYPE OF SCREEN OR PERFORATION MATERIAL:
 1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 11 Other (specify) _____
 2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 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
 7 Torch cut 10 Other (specify) _____
 SCREEN-PERFORATED INTERVALS: From 28 ft. to 80 ft. From _____ ft. to _____ ft.
 From _____ ft. to _____ ft. From _____ ft. to _____ ft.
 GRAVEL PACK INTERVALS: From _____ ft. to _____ ft. From _____ ft. to _____ ft.
 From 10 ft. to 80 ft. From _____ ft. to _____ ft.

3 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other _____
 Grout intervals: From 0 ft. to 10 ft. From _____ ft. to _____ ft. From _____ ft. to _____ ft.
 What is the nearest source of possible contamination:
 1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 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) NONE
 13 Insecticide storage _____
 Direction from well? How many feet?

| FROM | TO | LITHOLOGIC LOG | FROM | TO | LITHOLOGIC LOG |
|------|----|---|------|----|--------------------------|
| 0 | 2 | Top soil | | | |
| 2 | 15 | Clay, brown | | | |
| 15 | 22 | Sand, fine to med | | | |
| 22 | 26 | Clay, brown | | | |
| 26 | 38 | Sand, fine to coarse and med gravel | | | |
| 38 | 40 | Clay, red and sandy | | | |
| 40 | 60 | Sand, fine to coarse and fine gravel, loose | | | |
| 60 | 63 | Clay, tan | | | WATER RESOURCES RECEIVED |
| 63 | 68 | Sand, fine to coarse and fine gravel, silty | | | |
| 68 | 80 | Sand, fine to coarse and fine to coarse gravel, loose | | | OCT 26 2018 |
| 80 | 85 | Shale, red | | | |
| | | | | | KS DEPT OF AGRICULTURE |

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) DEC 30 80 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 325 This Water Well Record was completed on (mo/day/yr) JUNE 30 81 under the business name of Central Well & Pump Inc. Pratt, Kansas by (signature) Edith Ann Smith
 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.

After 38 yrs of wells pumping around it water level is 1' above where it was drilled in 1980 Oct 26 2018 10:06

SCANNED

OFFICE USE ONLY T 32 R 6 E60 SEC 6 NE 1/4 SW 1/4 SE 1/4

Test holes drilled in 1980 in Sec. 5 & 6
315-6W

672-2884

- Well # 200' SW of Test #1
- Test #2 200' ENE of point
- Test #3 200' SW of Test #1
- 12 5' in of earth
- 11 6 in 250' S of 1103
- 11 7 in 330' W and 100' W of S corner
- 11 8 in
- 11 9 in 100' E and 200' S of NW
- 21 1/4 34' sand & gravel
- 11 10 660' W of NE corner of SW of sec 5

Trig point well in corner at 3 test holes

- Test #1 18'-52' sand-gravel
- 53-55 clay
- 55-80 sand to corner gravel
- Test #2 8-16 sand-gravel
- 16-20 clay
- Test #3 4-12 sand
- 12-18 Blue Clay
- 18-36 sand-gravel
- Test #8 16-36 sand-gravel
- 36-39 clay
- 39-50 sand-gravel

| | | | |
|------------------|-----------------------------|---|---|
| Harper Siltstone | | | |
| | Shale, silty and sandy, red | 1 | 9 |

31-6-5bbb-- Sample log of test hole augered by Federal and State Geological Surveys, June 1955, in NW cor. sec. 5, T. 31 S., R. 6 W., at sec. line on south road shoulder 150 feet east of bridge. Surface altitude, 1,539.0 feet; depth to water, 14.40 feet.

| Quaternary--Lower Pleistocene | | | |
|-------------------------------|--|----|----|
| Nebraskan and Kansan Stages | | | |
| | Silt, black | 2 | 2 |
| | Silt, red, contains sand and gravel | 2 | 4 |
| | Sand and gravel, fine to coarse | 2 | 6 |
| | Sand and gravel, fine to coarse, some silt | 4 | 10 |
| | Clay, sandy, tan | 5 | 15 |
| | Sand, fine to coarse | 10 | 25 |
| | Sand and gravel, fine to coarse | 7 | 32 |

| Permian--Leonardian | | | |
|---------------------|-------------------|---|----|
| Harper Siltstone | | | |
| | Shale, silty, red | 1 | 33 |

31-6-6bbb-- Sample log of test hole augered by Federal and State Geological Surveys, June 1956, in NW cor. sec. 6, T. 31 S., R. 6 W., on south road shoulder 280 feet east of sec. line fence. Surface altitude, 1,575.2 feet; depth to water, 42.00 feet.

| Quaternary--Lower Pleistocene | | | |
|-------------------------------|-------------------------------------|----|----|
| Nebraskan and Kansan Stages | | | |
| | Silt, brown | 2 | 2 |
| | Gravel, clayey, brown | 3 | 5 |
| | Gravel and sand, fine to coarse | 4 | 9 |
| | Sand, fine to coarse | 6 | 15 |
| | Sand and gravel, fine to coarse | 9 | 24 |
| | Clay, sand, and gravel, interbedded | 6 | 30 |
| | Sand and gravel, fine to coarse | 20 | 50 |

SCANNED

KS DEPT OF AGRICULTURE

OCT 26 2008

WATER RESOURCES
RECEIVED

| Well | NE cor. sec. | Ta | 10.0 | 4 | N | Silt | Slope deposits | Irr | Land surface | 0.0 | 1,298.8 | Dry | 7-18-1955 | Test hole by U.S.G.S. and K.G.S. |
|------------|------------------|----|------|----|---|--------------|------------------------------|-----|--------------|-----|---------|-------|-----------|----------------------------------|
| 32-5-33aaa | NE cor. sec. 33 | Ta | 10.0 | 4 | N | | | | Land surface | 0.0 | 1,298.8 | Dry | 7-18-1955 | Test hole by U.S.G.S. and K.G.S. |
| 32-6-1aaa | NE cor. sec. 1 | Ta | 35.0 | 4 | N | Sand, gravel | Slope deposits | | Land surface | 0.0 | 1,356.6 | 20.00 | 7-18-1955 | Test hole by U.S.G.S. and K.G.S. |
| 32-6-1bbb | NW cor. sec. 1 | Ta | 38.0 | 4 | N | Sand, gravel | Slope deposits | | Land surface | 0.0 | 1,362.9 | 22.50 | 7-18-1955 | Test hole by U.S.G.S. and K.G.S. |
| 32-6-3aaa | NE cor. sec. 3 | Ta | 23.0 | 4 | N | Sand, gravel | Slope deposits | | Land surface | 0.0 | 1,371.4 | | 7-18-1955 | Test hole by U.S.G.S. and K.G.S. |
| 32-6-64cca | NE SW SW sec. 3 | Tc | 50.0 | 4 | N | Sand, gravel | Slope deposits | | Land surface | 0.0 | 1,375.1 | 20 | 7-6-1953 | Test hole |
| 32-6-4aaa | NE cor. sec. 4 | Ta | 25.0 | 4 | N | Sand, gravel | Slope deposits | | Land surface | 0.0 | 1,384.2 | 24.20 | 7-18-1955 | Test hole by U.S.G.S. and K.G.S. |
| 32-6-4bbb | NW cor. sec. 4 | Ta | 30.0 | 4 | N | Sand, gravel | Slope deposits | | Land surface | 0.0 | 1,385.4 | 17.60 | 7-18-1955 | Test hole by U.S.G.S. and K.G.S. |
| 32-6-4dfe | SW SW SE sec. 4 | D | 80.0 | 16 | S | Sand, gravel | Slope deposits | T,F | Land surface | 0.0 | 1,376.4 | 18 | 7-1953 | Estimated yield 300. Log given. |
| 32-6-6aaa | NE cor. sec. 6 | Ta | 40.0 | 4 | N | Sand, gravel | Slope deposits | | Land surface | 0.0 | 1,406.7 | 16.80 | 7-18-1955 | Test hole by U.S.G.S. and K.G.S. |
| 32-6-6aac | SW NE NE sec. 6 | T | 74.0 | 4 | N | Sand, gravel | Slope deposits | | Land surface | 0.0 | 1,405.6 | 17.00 | 8-1-1955 | Test hole by U.S.G.S. and K.G.S. |
| 32-6-9aac | SW NE NE sec. 9 | D | 67.0 | 18 | S | Sand, gravel | Slope deposits | T,G | Base of pump | 0.2 | 1,373.7 | 21.80 | 7-1-1955 | Estimated yield 560. |
| 32-6-9bad1 | SE NE NW sec. 9 | Tc | 50.0 | 4 | N | Sand, gravel | Wisconsinan terrace deposits | | Land surface | 0.0 | | 15 | 7-6-1953 | Test hole |
| 32-6-9bad2 | SE NE NW sec. 9 | Tc | 40.0 | 4 | N | Sand, gravel | Wisconsinan terrace deposits | | Land surface | 0.0 | | 14 | 7-6-1953 | Test hole |
| 32-6-9bic | SW NW NW sec. 9 | Ta | 24.0 | 4 | N | Sand, gravel | Slope deposits | | Land surface | 0.0 | 1,378.0 | | 7-18-1955 | Test hole by U.S.G.S. and K.G.S. |
| 32-6-12lan | NE NE SE sec. 12 | Ta | 24.0 | 4 | N | Sand, gravel | Slope deposits | | Land surface | 0.0 | 1,343.9 | Dry | 7-10-1956 | Test hole by U.S.G.S. and K.G.S. |
| 32-6-13aad | SE NE NE sec. 13 | Ta | 15.0 | 4 | N | Sand, gravel | Slope deposits | | Land surface | 0.0 | 1,309.9 | Dry | 7-15-1956 | Test hole by U.S.G.S. and K.G.S. |
| 32-6-13dan | NE NE SE sec. 13 | Ta | 20.0 | 4 | N | Sand, gravel | Wisconsinan terrace deposits | | Land surface | 0.0 | 1,318.4 | 11.20 | 7-10-1956 | Test hole by U.S.G.S. and K.G.S. |

*Measured
10-26-18
20' 4"
65 1/2 x 90
181*



STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
GARDEN CITY FIELD OFFICE
2508 JOHNS STREET
GARDEN CITY, KS 67846-2804

PHONE: (620) 276-2901
FAX: (620) 276-9315
www.agriculture.ks.gov



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

October 11, 2018

DANIEL J SHORT ET AL
721 W AVE A
CALDWELL KS 67022

New Application,
File No. 49,890

Dear Sir or Madam:

We are in receipt of your phone call request for an extension of time to supply additional information to the Chief Engineer, received in the office of the Chief Engineer on September 5, 2018.

We are delaying any further action November 5, 2018, to allow you time to submit your additional information concerning this application.

Please submit your information within the allotted time, or any authorized extension of time thereof. If you have any questions, please contact me at (620) 276-2901. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Austin McColloch
Environmental Scientist
Water Appropriation Program

Enclosure
pc: Stafford Field Office

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
GARDEN CITY FIELD OFFICE
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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

September 17, 2018

DANIEL J SHORT ET AL
721 W AVE A
CALDWELL KS 67022

New Application,
File No. 49,890

Dear Sir or Madam:

We are in receipt of your request for an extension of time to supply additional information to the Chief Engineer, received in the office of the Chief Engineer on September 13, 2018.

We are delaying any further action October 5, 2018, to allow you time to submit your additional information concerning this application.

Please submit your information within the allotted time, or any authorized extension of time thereof. If you have any questions, please contact me at (620) 276-2901. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Austin McColloch
Environmental Scientist
Water Appropriation Program

Enclosure
pc: Stafford Field Office

Austin:

After our conversation on the phone I did talk with JC Long about his water rights he was reinstated with. I am asking for more time in accordance with the letter I received 9/4/18 from your office to compile information on our well in Sec. 6-32S-6W Harper Co. KS file #49890

Thanks

Dan Short

A handwritten signature in cursive script that reads "Dan Short".

RECEIVED

SEP 13 2018

Garden City Field Office
Division of Water Resources

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
GARDEN CITY FIELD OFFICE
2508 JOHNS STREET
GARDEN CITY, KS 67846-2804



PHONE: (620) 276-2901
FAX: (620) 276-9315
www.agriculture.ks.gov

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

September 4, 2018

DANIEL J SHORT ET AL
721 W AVE A
CALDWELL KS 67022

New Application,
File No. 49,890

Dear Sir or Madam:

We have reviewed your application, which proposes to pump 151.2 acre-feet of water, at a maximum rate of 1,200 g.p.m. for irrigation purposes.

The Kansas Water Appropriation Act and related regulations govern whether your application can be approved. That act states, in part:

"In ascertaining whether a proposed use will prejudicially and unreasonably affect the public interest, the Chief Engineer shall take into consideration:

- . . . (2) the area, safe yield and recharge rate of the appropriate water supply;
- (3) the priority of existing claims of all persons to use the water of the appropriate water supply;
- (4) the amount of each claim to use water from the appropriate water supply; and
- (5) all other matters pertaining to such questions . . ." K.S.A. 82a-711.

The rules and regulations, in K.A.R. 5-3-9 and K.A.R. 5-3-10, further state that an application may not be approved if its proposed use will exceed the safe yield of the source of water supply. The area of your proposed appropriation has been determined to be fully appropriated based on the safe yield calculation contained in K.A.R. 5-3-11. Therefore, it will be recommended to the Chief Engineer that Application, File No. 49,890 be denied and dismissed due to failure to meet the required safe yield criteria.

We are advising you of this recommendation in order to allow you an opportunity to submit additional information (such as hydrologic analysis) to show why our evaluation should be reconsidered. **You have a period of 15 days (until September 20, 2018) to either (1) submit additional information to our office or (2) to request additional time beyond the 15 days to submit additional information.** If you wish to request additional time, you must do so in writing, before the 15 day period expires. Such a request should state what steps are being taken to obtain the information and the amount of time you will need to supply the information to our office.

If you do not request more time within the 15 day period, or if your request is not granted, the above-referenced application will be submitted to the Chief Engineer for final decision based on the recommendation stated above. If you do submit additional information within the 15 day period or any authorized extension, that information will be given due consideration prior to final action on the application.

(over)

If you have any questions, please contact me at (620) 276-2901 or Jeff Lanterman, Water Commissioner, Stafford Field Office at (620) 234-5311 or Kristen Baum, New Application Supervisor at (785) 564-6637. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

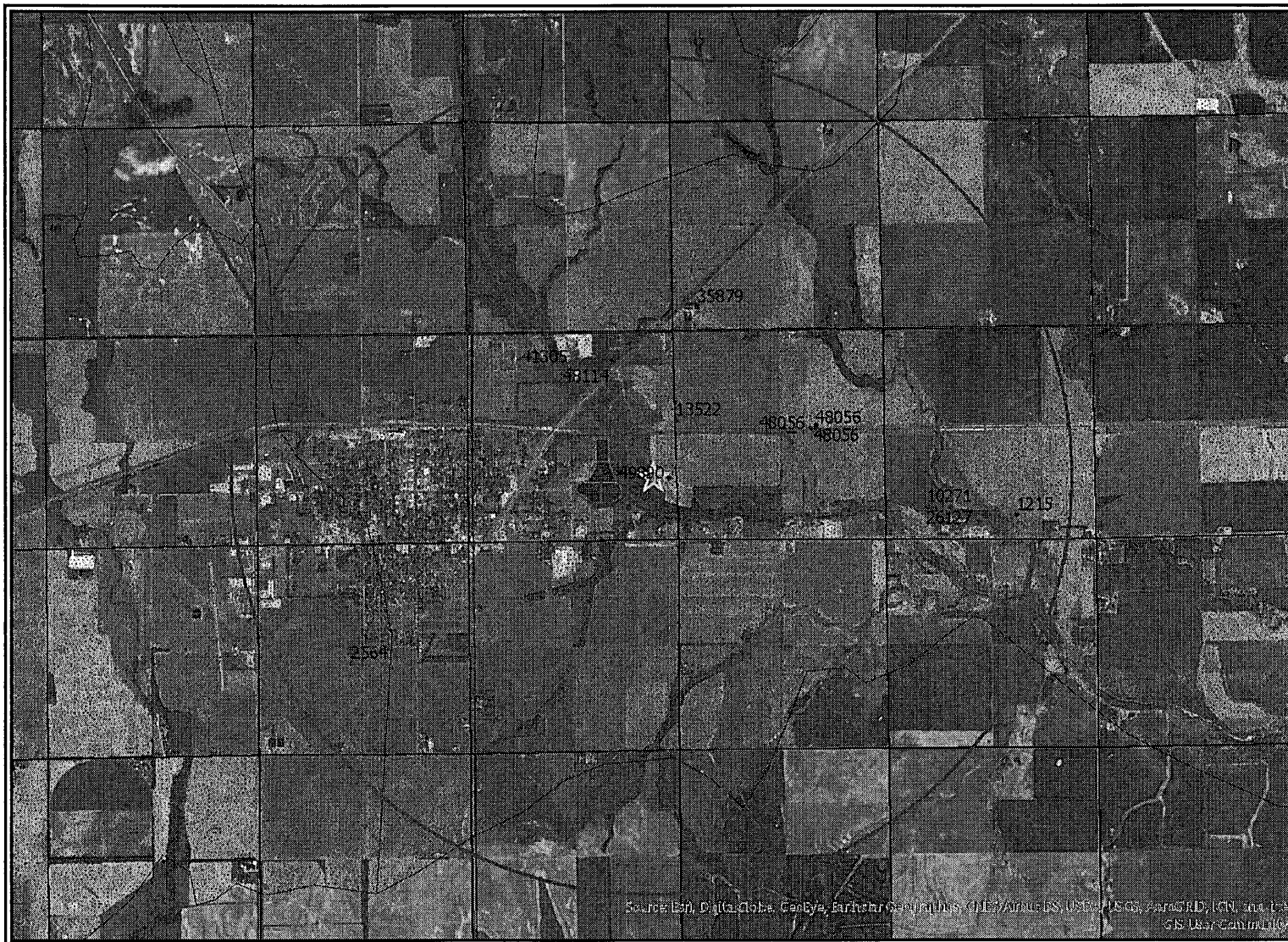
A handwritten signature in black ink, appearing to read "Austin McColloch". The signature is written in a cursive style with a large initial "A" and "M".

Austin McColloch
Environmental Scientist
Water Appropriation Program

Enclosure

pc: Stafford Field Office

Safe Yield Report Sheet
Water Right- Proposed Point of Diversion
Point of Diversion in 06-32S-06W
Footages from SE corner- 1,589 feet North 641 feet West



Analysis Results

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

The safe yield based on the variables listed below is 670.21 AF.

Total prior appropriations in the circle is ~~899.90~~ AF. **748.7**

Total quantity of water available for appropriation is 0.00 AF.

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 2.0 inches.

The percent of recharge available for appropriation is 50%.

Authorized Quantity values are as of 21-FEB-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 9 water rights and 10 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 1215 00 | IRR | NK | G | | SW | SW | SE | 610 | 2000 | 04 | 32 | 06W | 3 | WR | 99.00 | 99.00 | 66.00 | 66.00 |
| A 2564 00 | IRR | NK | G | | NE | NE | SW | 0 | 0 | 12 | 32 | 07W | 4 | WR | 197.00 | 197.00 | 201.00 | 201.00 |
| A 10271 00 | IRR | NK | G | | NE | SW | SW | 825 | 4300 | 04 | 32 | 06W | 2 | WR | 72.00 | 72.00 | 62.00 | 62.00 |
| A 13522 00 | IRR | NK | G | | SW | SW | NW | 3013 | 5249 | 05 | 32 | 06W | 5 | WR | 143.00 | 143.00 | 111.00 | 111.00 |
| A 26127 00 | IRR | NK | G | | NE | SW | SW | 825 | 4300 | 04 | 32 | 06W | 2 | WR | 39.00 | 0.00 | 112.00 | 50.00 |
| A 35879 00 | IRR | NK | G | | SW | SW | SW | 556 | 4636 | 32 | 31 | 06W | 1 | WR | 79.00 | 79.00 | 138.90 | 138.90 |
| A 48056 00 | IRR | LR | G | | SE | SW | NE | 2880 | 1775 | 05 | 32 | 06W | 3 | WR | 132.00 | 132.00 | 92.00 | 92.00 |
| Same | IRR | LR | G | | SE | SW | NE | 2880 | 1800 | 05 | 32 | 06W | 7 | WR | | | | |
| Same | IRR | LR | G | | SE | SW | NE | 2880 | 1750 | 05 | 32 | 06W | 8 | WR | | | | |
| A 48114 00 | IND | KE | G | | SW | NW | NE | 4472 | 2080 | 06 | 32 | 06W | 5 | WR | 26.70 | <u>26.70</u> | | |
| A 49890 00 | IRR | AY | G | | SE | NE | SE | 1589 | 241 | 06 | 32 | 06W | 6 | WR | 151.20 | 151.20 | 108.00 | 108.00 |

Limitations

| File Number | Seq Num | Limitations |
|-------------|---------|---|
| A 26127 00 | 1 | 72 AF/YR @450 GPM COM/W #10271 ON LAND LISTED IN CERT |

Summary Report Sheet
Total Authorized Quantity in Acre-Feet

49890
1-30-18
KAB/DWR

Appropriated quantities are as of 1/30/2018 and are based on non-dismissed, active water rights and unapproved water right applications. There are 26 water rights and 25 points of diversion selected.

Authorized quantity values are in acre-feet (AF).

Water Source and Use Made of Water Matrix:

| | DOM | IND | IRR | MUN | REC | STK | OTHER | TOTAL |
|---------|------|-------|----------|------|------|------|-------|----------|
| SURFACE | 0.00 | 60.00 | 110.60 | 0.00 | 0.00 | 0.00 | 0.00 | 170.60 |
| GROUND | 0.00 | 30.37 | 1,523.20 | 0.00 | 0.00 | 0.00 | 0.00 | 1,553.57 |
| TOTAL | 0.00 | 90.37 | 1,633.80 | 0.00 | 0.00 | 0.00 | 0.00 | 1,724.17 |

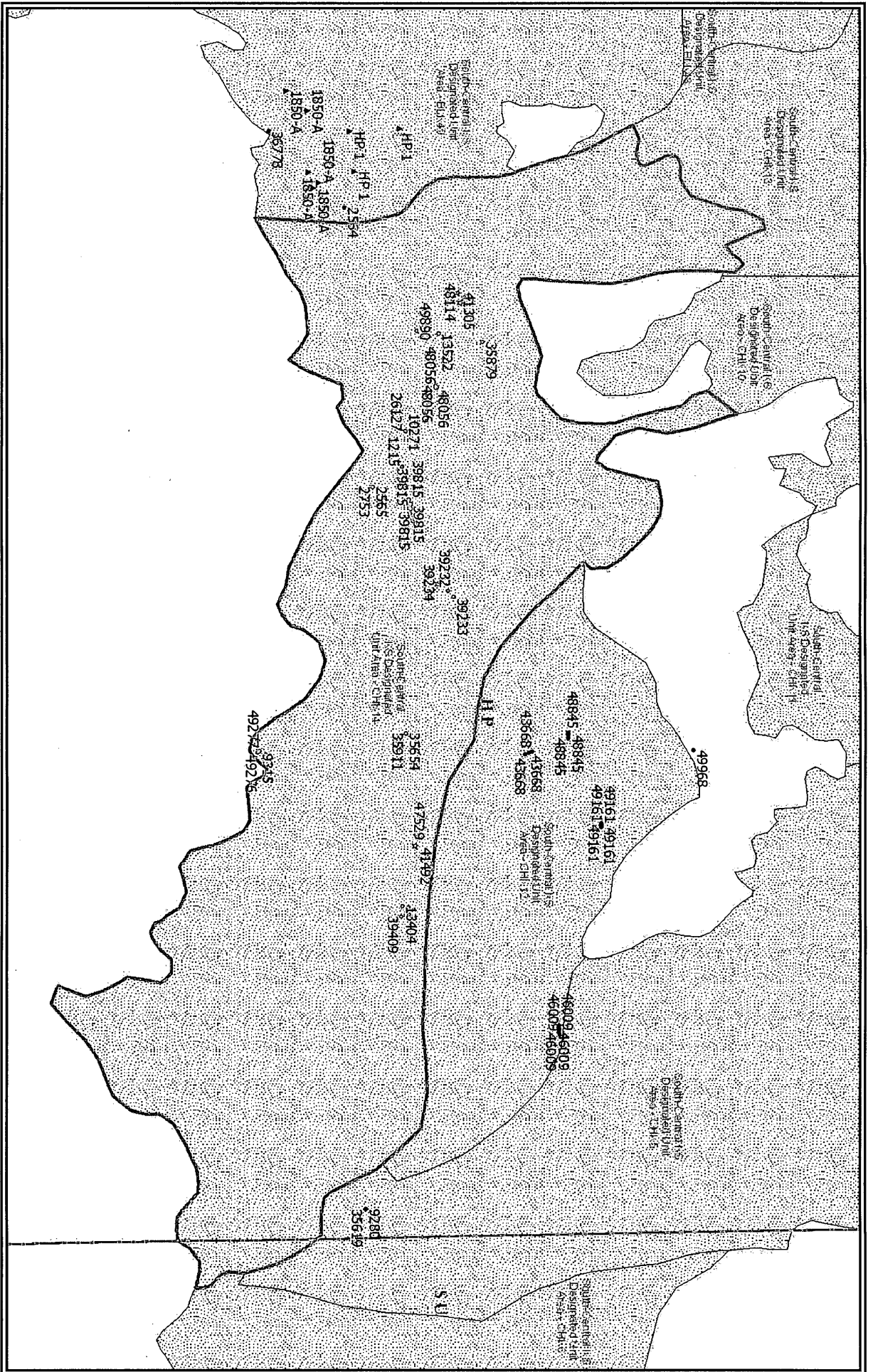
includes 49890 @ 151.2 AF)

Irrigated Acres by Source:

Surface: 119.00 Ground: 1,264.90 Total: 1,383.90

CHK 14 - 2268 AF

available



South-Central's
Designated Unit
Area - CHA-13

South-Central's
Designated Unit
Area - CHA-13

South-Central's
Designated Unit
Area - CHA-13

South-Central's
Designated Unit
Area - CHA-13

South-Central's
Designated Unit
Area - CHA-13

South-Central's
Designated Unit
Area - CHA-13

South-Central's
Designated Unit
Area - CHA-13

HP 1
HP 1
HP 1
1850-A
1850-A
1850-A
36778

41305
48114 13522 48056
49890 48056 48056
10271 39815 39815
26127 1215 39815 39815
38879
39232
39234
2753
2565

South-Central's
Designated Unit
Area - CHA-13

HP

9345
49272 49272

South-Central's
Designated Unit
Area - CHA-13

48845 48845
48845
43668 43668
43668 43668
49161 49161
49161 49161

47529 41492
13404
39409

46009 46009
46009 46009

9280
35649

S.U.

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49890 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49890 00 IRR

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

1589 Feet North and 241 Feet West of the Southeast Corner of Section 6 T 32S R 6W

GROUNDWATER ONLY

| File Number | Use | ST | SR | Dist (ft) | Q4 | Q3 | Q2 | Q1 | FeetN | FeetW | Sec | Twp | Rng | ID | Batt | Auth_Quan | Add_Quan | Unit |
|--------------|-----|-----|----|-----------|-------|----|----|----|-------|-------|-------|-----|-----|----|-------|-----------|----------|------|
| A__ 1215 | 00 | IRR | NK | G | 8806 | -- | SW | SW | SE | 610 | 2000 | 4 | 32 | 6W | 3 | 99.00 | 99.00 | AF |
| A__ 2564 | 00 | IRR | NK | G | 9248 | -- | NE | NE | SW | ----- | ----- | 12 | 32 | 7W | 4 | 197.00 | 197.00 | AF |
| A__ 2565 | 00 | IRR | NK | G | 10505 | -- | CS | NE | NE | ----- | ----- | 9 | 32 | 6W | 1 | 69.00 | 69.00 | AF |
| A__ 2753 | 00 | IRR | NK | G | 10505 | -- | CS | NE | NE | ----- | ----- | 9 | 32 | 6W | 1 | 38.00 | 38.00 | AF |
| A__ 10271 | 00 | IRR | NK | G | 6495 | -- | NE | SW | SW | 825 | 4300 | 4 | 32 | 6W | 2 | 72.00 | 72.00 | AF |
| A__ 13522 | 00 | IRR | NK | G | 1462 | -- | SW | SW | NW | 3013 | 5249 | 5 | 32 | 6W | 5 | 143.00 | 143.00 | AF |
| A__ 26127 | 00 | IRR | NK | G | 6495 | -- | NE | SW | SW | 825 | 4300 | 4 | 32 | 6W | 2 | 39.00 | .00 | AF |
| A__ 35879 | 00 | IRR | NK | G | 4350 | -- | SW | SW | SW | 556 | 4636 | 32 | 31 | 6W | 1 | 79.00 | 79.00 | AF |
| A__ 48056 | 00 | IRR | LR | G | 3878 | -- | SE | SW | NE | 2880 | 1775 | 5 | 32 | 6W | 3 G 2 | 132.00 | 132.00 | AF |
| Same | | | | | 3854 | -- | SE | SW | NE | 2880 | 1800 | 5 | 32 | 6W | 7 B 2 | | | |
| Same | | | | | 3901 | -- | SE | SW | NE | 2880 | 1750 | 5 | 32 | 6W | 8 B 2 | | | |
| A__ 48114 | 00 | IND | KE | G | 3420 | -- | SW | NW | NE | 4472 | 2080 | 6 | 32 | 6W | 5 | 26.70 | 26.70 | AF |
| A__ 49890 | 00 | IRR | AY | G | 0 | -- | SE | NE | SE | 1589 | 241 | 6 | 32 | 6W | 6 | 151.20 | 151.20 | AF |
| T__ 20129341 | 00 | IND | GY | G | 3809 | -- | NW | NW | NE | 4720 | 2410 | 6 | 32 | 6W | 3 | 100.00 | 100.00 | AF |

| Total Net Quantities Authorized: | Direct | Storage |
|----------------------------------|---------|---------|
| Total Requested Amount (AF) = | 151.20 | .00 |
| Total Permitted Amount (AF) = | 126.70 | .00 |
| Total Inspected Amount (AF) = | 132.00 | .00 |
| Total Pro_Cert Amount (AF) = | .00 | .00 |
| Total Certified Amount (AF) = | 697.00 | .00 |
| Total Vested Amount (AF) = | .00 | .00 |
| TOTAL AMOUNT (AF) = | 1106.90 | .00 |

An * after the source of supply indicates a pending application for change under the file number.
 An * after the ID indicates a 15 AF exemption was granted under the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

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

1589 Feet North and 241 Feet West of the Southeast Corner of Section 6 T 32S R 6W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

| File Number | Use | ST | SR |
|----------------------------|-----|-----|------|
| A__ 1215 | 00 | IRR | NK G |
| > C HOWARD SHORT REV TRUST | | | |
| > | | | |
| > 215 E 14TH | | | |
| > HARPER KS 67058 | | | |
| >----- | | | |
| A__ 2564 | 00 | IRR | NK G |
| > AMERICAN WARRIOR INC | | | |
| > DUANE LIDDEKE | | | |
| > PO BOX 66 | | | |

> NORWICH KS 67118

>-----

A__ 2565 00 IRR NK G

> BRIAN HOSTETLER

>

> 7348 SE CHIEFTAIN

> KIOWA KS 67070

>-----

A__ 2753 00 IRR NK G

> BRIAN HOSTETLER

>

> 7348 SE CHIEFTAIN

> KIOWA KS 67070

>-----

A__ 10271 00 IRR NK G

> C HOWARD SHORT REV TRUST

>

> 215 E 14TH

> HARPER KS 67058

>-----

A__ 13522 00 IRR NK G

> BRIAN HOSTETLER

>

> 7348 SE CHIEFTAIN

> KIOWA KS 67070

>-----

A__ 26127 00 IRR NK G

> C HOWARD SHORT REV TRUST

>

> 215 E 14TH

> HARPER KS 67058

>-----

A__ 35879 00 IRR NK G

> BRUCE STONEBRAKER

>

> 523 S PARKWAY ST

> NORWICH KS 67118

>-----

A__ 48056 00 IRR LR G

> LONG TERM FINANCIAL HOLDINGS LLC

> C/O JC LONG

> 201 W HARVEY

> WELLINGTON KS 67152

>-----

A__ 48114 00 IND KE G

> WHITE IRON INC

>

> 3170 N OHIO ST

> WICHITA KS 67219

>-----

A__ 49890 00 IRR AY G

> DANIEL J SHORT ET AL



1320 Research Park Drive
Manhattan, Kansas 66502
Jackie McClaskey, Secretary

Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

August 18, 2017

DANIEL J SHORT
721 W AVE A
COLDWELL KS 67022

FILE COPY

RE: Application
File No. 49890

Dear Sir or Madam:

Your application for permit to appropriate water in 6-32S-6W in Harper County, was received and has been assigned the file number noted above.

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

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

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

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

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

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

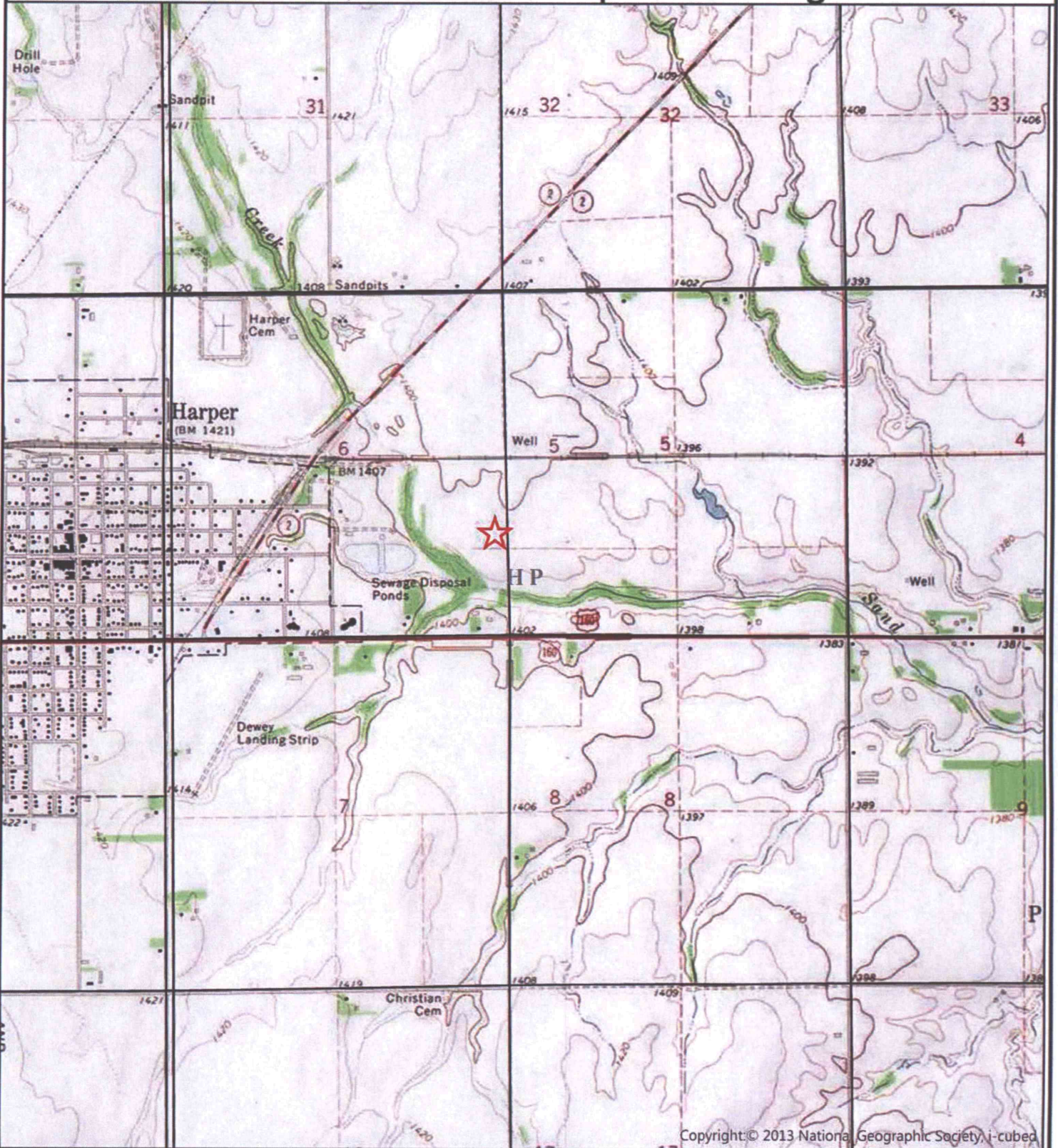
Sincerely,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: STAFFORD Field Office
GMD

SCANNER

File No. 49,890 Township 32S Range 6W



0 0.25 0.5 1 Miles

All wells of any kind within a half mile of the proposed point(s) of diversion are shown above:

RECEIVED

Signature

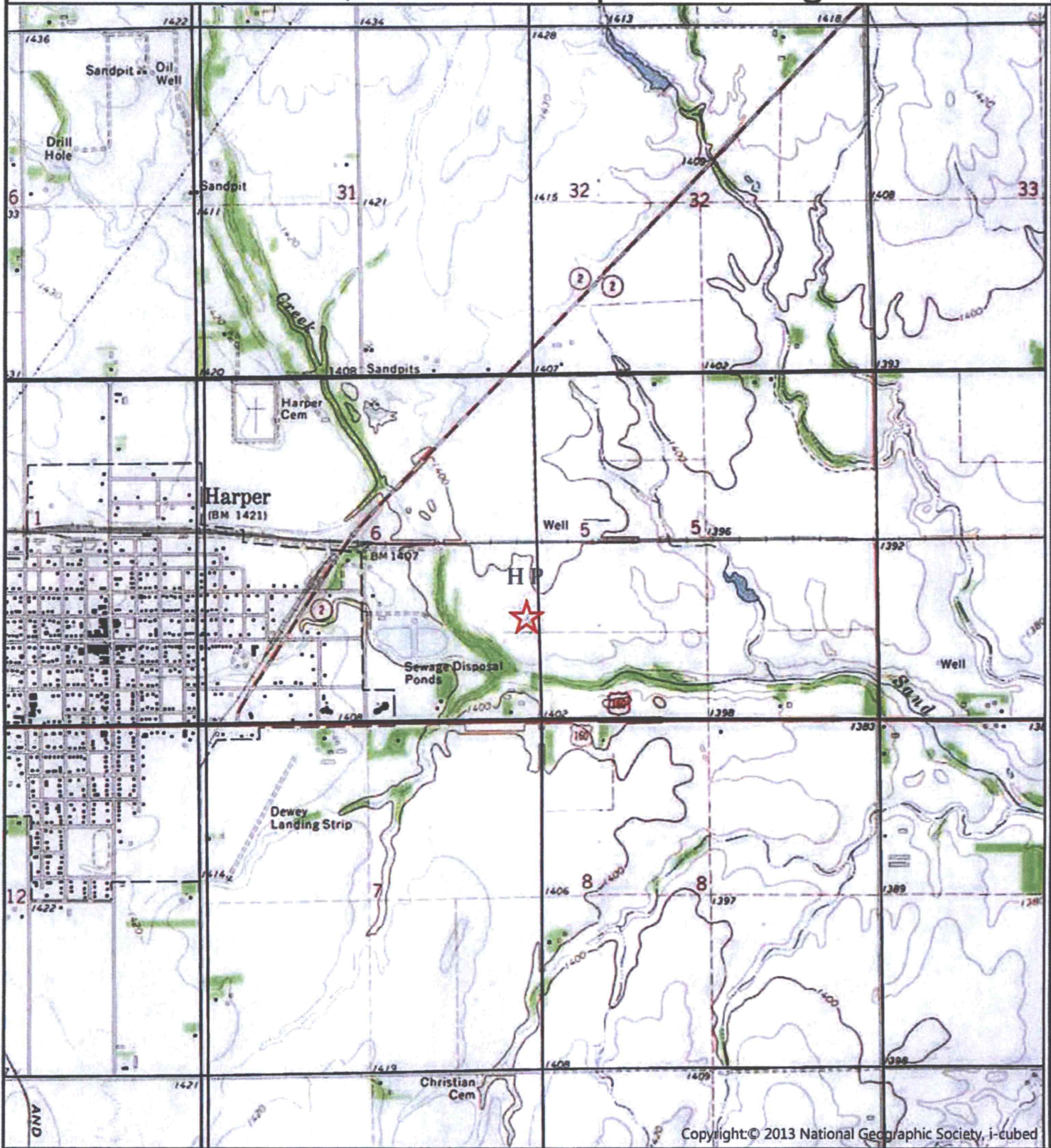
Date

DEC 13 2018

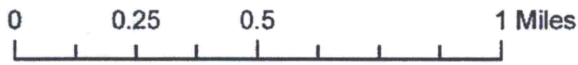


Kansas Department of Agriculture
Division of Water Resources
27 Nov 2018

File No. 49,890 Township 32S Range 6W



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 Proposed Point of Diversion



Kansas Department of Agriculture
Division of Water Resources

28 Dec 2018

User amccalloch

SCANNED



2000
800

feet
meters

Google earth

RECEIVED

DEC 13 2018

Stafford Field Office
Division of Water Resources