

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

1. File Number: <p style="text-align: center; font-size: 1.2em;">50,003</p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;">7/30/2019</p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">2</p>	4. GMD: <p style="text-align: center; font-size: 1.2em;">2</p>
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5. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

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

<p>7a. Applicant(s) <input type="checkbox"/> New to system <input type="checkbox"/> Person ID 15721 Add Seq# _____</p> <p>MILFERD L SCHMIDT 2816 EISENHOWER RD CANTON KS 67428</p>	<p>7c. Landowner(s) <input type="checkbox"/> New to system <input type="checkbox"/> Person ID _____ Add Seq# _____</p>
<p>7b. Landowner(s) <input type="checkbox"/> New to system <input type="checkbox"/> Person ID _____ Add Seq# _____</p>	<p>7d. Misc. <input type="checkbox"/> New to system <input type="checkbox"/> Person ID _____ Add Seq# _____</p>

<p>8. WUR Correspondent <input type="checkbox"/> New to system <input type="checkbox"/> Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No Person ID 65512 Add Seq# _____ Notarized WUC Form <input type="checkbox"/></p> <p>JAY BULLINGER 957 26TH AVE CANTON KS 67428</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input 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>
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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: **7/2/2019** By: **KJN**
Date Entered: **7/31/2019** By: **LLM**

File No. **50,003** 15. Formation Code: 100/600 Drainage Basin: Little Arkansas River County: MP Special Use: Stream:

16. Points of Diversion										17. Rate and Quantity				
MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W		Authorized		Additional		
										Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	Overlap PD Files
CHK	38961	NE SW SW	11	20S	1W	1	750	4150		35.7	320	35.7	320	33164
							704							

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

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

20. Meter Required? Yes No To be installed by **12/31/2020** Date Acceptable Meter Installed _____

21. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
MOD DEL ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼								
CHK	17728	11	20S	1W	1					8.0	.5	6.5	34										49	7a	no	33164			

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: June 18, 2019

FROM: Kris Neuhauser

RE: Application, File No. 50,003; and
Water Right, File No. 33,164

Milferd Schmidt, Trustee of Schmidt Family Trust, has filed the above referenced new application (File No. 50,003) proposing to appropriate 35.7 acre-feet of groundwater per calendar year at a diversion rate not to exceed 320 gallons per minute for irrigation use from one well. The application will form an identical overlap in both point of diversion and place of use with Water Right, File No. 33,164, located in the Southwest Quarter of Section 11, Township 20 South, Range 1 West, McPherson County, Kansas.

The applicant noted that the feet distances for the point of diversion and the irrigated acres for the place of use of Water Right, File No. 33,164 are better described on New Application, File No. 50,003. A Findings and Order is included with the New Application, better describing the point of diversion and place of use for Water Right, File No. 33,164.

This point of diversion is within Groundwater Management District No. 2. The well is 58 feet deep and appears to be pulling groundwater from the Equus Beds. It was noted by the applicant that the point of diversion and place of use for Water Right, File No. 33,164 are better described as identified on Application, File No. 50,003. These modifications are listed on the worksheet included with the file.

Five nearby well owners were notified by former employee Alex Whitesell on August 29, 2018. One letter from Nelson and Lola Nickel was sent back (received in this office on September 6, 2018), who expressed concern that their domestic well would be negatively affected by the approval of this application. However, no specific hydrologic information was provided to support their concerns (beyond the well depth being 20 feet). A letter acknowledging these concerns was sent back to Mr. and Mrs. Nickel on September 6, 2018.

This being said, it appears Mr. and Mrs. Nickel took the initiative to drill a new domestic well to a deeper and more appropriate depth of 54 feet. The well record was completed on November 9, 2018 (via WWC-5 well logs).

This domestic well is roughly 1,500 feet to the West of Water Right, File No. 33,164, which complies with well spacing criteria. A tributary of the Little Arkansas River runs between them. With the maximum rate of diversion limited to 320 gallons per minute under Water Right, File No. 33,164, and a quantity of 35.7 acre-feet, the proposed application should not impair Mr. and Mrs. Nickel's well.

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.

In a letter dated March 15, 2019, Tim Boese, Manager of Equus Beds Groundwater Management District No. 2, recommended the application be approved.

In an email discussion on June 13, 2019, Jeff Lanterman, Water Commissioner of the Stafford Field Office, gave a recommendation that the new application should be approved.

Based on the above discussion, approval of the application will not impair any senior water rights nor prejudicially or unreasonably affect the public interest. Therefore, it is recommended that the referenced application be approved.



Kris Neuhauser
Environmental Scientist
Water Appropriation Program

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, Secretary

Laura Kelly, Governor

August 6, 2019

MILFERD L SCHMIDT
2816 EISENHOWER RD
CANTON KS 67428

FILE COPY

Re: Appropriation of Water, File No. 50,003

Dear Mr. Schmidt:

There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approval documents. A water meter is required on the proposed diversion works and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report. Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00. There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB: kjn
Enclosures

pc: Loren Schmidt
Jay Bullinger
Stafford Field Office
Equus Beds GMD No. 2

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, 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. 50,003 of the applicant

MILFERD L SCHMIDT
2816 EISENHOWER RD
CANTON KS 67428

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 **March 7, 2018**.
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		
11 20S 1W										8	.5	6.5	34					49

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 Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE¼ SW¼ SW¼) of Section 11, more particularly described as a point 704 feet North and 4,150 feet West of the Southeast corner of said section, in Township 20 South, Range 1 West, McPherson County, Kansas, located substantially as shown on the aerial map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **320 gallons per minute (0.71 c.f.s.)** and to a quantity not to exceed **35.7 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.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

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

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

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary. To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

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

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

Ordered this 30th day of July, 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 30th day of July, 2019, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

Notary Public

CERTIFICATE OF SERVICE

On this 10th day of August, 2019, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,003, dated July 30th, 2019 was mailed postage prepaid, first class, US mail to the following:

MILFERD L SCHMIDT
2816 EISENHOWER RD
CANTON KS 67428

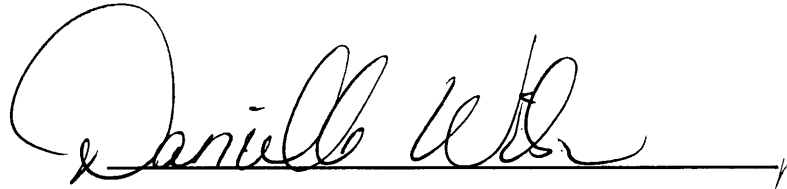
With photocopies to:

LOREN SCHMIDT
PO BOX 173
CANTON KS 67428

JAY BULLINGER
957 26TH AVE
CANTON KS 67428

Stafford Field Office

Equus Beds GMD No. 2



Division of Water Resources

APPLICATION COMPLETE

6/13/2019

Reviewer KSN



THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

Water Resources

Received

MAR 07 2018

11:02

KS Dept Of Agriculture

I hereby certify that this instrument is a true and correct copy of the original as purported. Dated at Manhattan, Kansas this 18th day of June, 2019

File Number 50003 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, Kansas 66502:

1. Name of Applicant (Please Print): Schmidt Family Trust, c/o Milferd Schmidt, Trustee

Address: 2816 Eisenhower Road

City: Canton State KS Zip Code 67428

Telephone Number: (820) 367-6248

2. The source of water is: surface water in _____ (stream) OR groundwater in Little Arkansas River Basin - Equus Beds Aquifer (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 35.7 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 320 gallons per minute OR _____ cubic feet per second.

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

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

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

For Office Use Only: F.O. 2 GMD 3 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G/S County MP By DW Date 3/7/18 Code REG Fee \$ 200 TR # _____ Receipt Date 3/7/18 Check # 701

3/12/2018 UH

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 NE quarter of the SW quarter of the SW quarter of Section 11, more particularly described as being near a point 704 feet North and 4150 feet West of the Southeast corner of said section, in Township 20 South, Range 1W East/West (circle one), McPherson 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):

Schmidt Family Trust, c/o Milferd Schmidt, Trustee, 2816 Eisenhower Road, Canton, KS 67428. 620-367-6248

(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 Feb. 16, 2018.

Milferd L. Schmidt
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
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) 7/26/1980 under Water Permit #33184
(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 6/1/2018
(Mo/Day/Year)

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 NA
- If no, explain here why a Water Structures permit is not required NA

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 ½ 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 ½ mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ 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.

Water Right No. 33164 - Same point of diversion & place of use. Please note the point of diversion
& place of use on this application better describes the point of diversion authorized by Water Right No. 33164
and the place of use authorized by and irrigated by Water Right No. 33164. A correctional order for
Water Right No. 33164 should be issued to better describe the point of diversion and place of use.

Water Resources
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MAR 07 2018

KS Dept Of Agriculture

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	7/26/1980			
Total depth of well	58'			
Depth to water bearing formation	16'			
Depth to static water level	10'			
Depth to bottom of pump intake pipe	55'			

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):

Schmidt Family Trust, c/o Milferd Schmidt, Trustee, 2816 Eisenhower Road, Canton, KS 67428. 620-367-6248

(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 Canton, Kansas, this 16 day of February, 2018.
(month) (year)

Milferd I. Schmidt
 (Applicant Signature)

By _____
 (Agent or Officer Signature)

 (Agent or Officer - Please Print)

Assisted by T. Boese GMD2/Manager Date: February 5, 2018
(office/title)

PRODUCTION UNIT
 10/10/18
 10/10/18
 10/10/18

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 50003

Name of Applicant (Please Print): Schmidt Family Trust, c/o Milferd Schmidt, Trustee

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: Schmidt Family Trust, c/o Milferd Schmidt, Trustee

ADDRESS: 2816 Eisenhower Road, Canton, KS 67428

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
11	20S	1W										8	0.5	6.5	34					49

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		

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		

Water Resources
Received

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

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

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
<u>Farnum Loam</u>	<u>100</u>	<u>0.20-0.60</u>	<u>5</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): 1 %

Estimate the maximum land slope in the field(s): 2 %

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: Will schedule and apply irrigation to eliminate run-off

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: 27 psi

(2) What is the sprinkler package design rate? 320 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? ~30 feet

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

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

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). Will contract with crop consultant

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

Neuhauser, Kris [KDA]

From: Lanterman, Jeff [KDA]
Sent: Thursday, June 13, 2019 3:45 PM
To: Neuhauser, Kris [KDA]
Cc: Conant, Cameron [KDA]; Tim Boese
Subject: FW: New Application, File No. 50,003 Rec Request
Attachments: 50003 Approval Recommendation Letter 3-15-19.pdf; 50003 Memo To File.docx; 50003 app map.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Kris;

I think this can be approved. I do think we need to do a correctional order on 33164 as Tim and Cameron noted to make sure everything is an identical overlap.

That being said this appears to be a fringe aquifer area that I have concerns about. Not a whole lot of saturated thickness and the nearest observation wells are showing a declining trend. We will have to keep an eye on things. Just a mile east of here we would use a safe yield of 75% 2.9". Seems more reasonable for this area.

Thanks
Jeff

From: Conant, Cameron [KDA]
Sent: Thursday, June 13, 2019 11:29 AM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: FW: New Application, File No. 50,003 Rec Request

Jeff, this is a new application to cover an existing short water right. This new application would allow a full 1.3AF/acre in McPherson County. This is located barely in GMD#2 and barely within our FO boundary.

Tim ran the SY on this one to be the entire portion in the district at 3" recharge, this app met SY and there were 297.7 AF remaining in the circle.

http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=381936097252201 (unknown depth-Tim referenced this one in his review---~1 mile west)

http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=381836097265201 (75' depth---~3 miles west)

A nearby did submit a letter of concern. They have an existing well that is only about 20' deep so I'm not sure how that is working very well regardless of this application. They are #2 on the application map and are located about 1440' away. There is now a new domestic log on file owned by the Nickel's. They apparently took the initiative and drilled a new domestic well to an appropriate depth. They are now sitting in shale at 54' deep (irrigation well is 58' deep).
<http://www.kgs.ku.edu/Hydro/WWC5/W/20S1/520075.pdf> (new letter of concern domestic log)

I think we can recommend approval of this new application for additional water. We need to make sure Kris (or someone in HQ) drafts a F&O/CO to fix the senior file p/d and p/u description to match up with the new

application. Elizabeth and Tim had an email in the senior file that notes the issue and they agreed the best way to fix is F&O when the new app was worked.

Please pass on to Kris if you agree.

Cameron

From: Neuhauser, Kris [KDA]
Sent: Thursday, June 13, 2019 10:52 AM
To: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Cc: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: RE: New Application, File No. 50,003 Rec Request

Hi Cameron, yes here you go!

Kris

From: Conant, Cameron [KDA]
Sent: Thursday, June 13, 2019 10:37 AM
To: Neuhauser, Kris [KDA] <Kris.Neuhauser@ks.gov>
Subject: FW: New Application, File No. 50,003 Rec Request

Hey Kris, can I see the GMD review and recommendation please? I'd like to see there SY and see if they did any review of the nearby water levels. Thanks,

Cameron

From: Neuhauser, Kris [KDA]
Sent: Monday, June 10, 2019 12:21 PM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Cc: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: New Application, File No. 50,003 Rec Request

Jeff,

Here is my draft memo for New Application, File No. 50,003. Been diving in head first to a quite a few new apps recently; my first crack at a lot of different kinds.

If you have any suggestions or edits let me know and I'll be sure to take notes!

Thanks,

Kris Neuhauser

Environmental Scientist
Kansas Department of Agriculture, Division of Water Resources
Address: 1320 Research Park Drive, Manhattan, KS 66502
Phone: (785)564-6643
Website: <http://agriculture.ks.gov/divisions-programs/dwr>

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



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

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

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

March 15, 2019

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

Re: Appropriation Application No. 50003 – Schmidt Family Trust

Dear Mr. Neuhauser:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced application on March 15, 2019, using the District's Revised Management Program (effective May 1, 1995), and Rules and Regulations K.A.R. 5-22-1 through 5-22-17.

The District's review found that the proposed point of diversion and place of use will form an identical overlap with Water Right No. 33164, subject to the point of diversion and place of use for No. 33164 being corrected to match Water Right No. 50003. Please note that the point of diversion and place of use for Water Right No. 33164 are better described as identified on Application No. 50003.

The application complies with the Revised Aquifer Management program approved by the Chief Engineer and with the District's Rules and Regulations K.A.R. 5-22-1 through 5-22-17. Based upon the review, the application is recommended for approval by the Equus Beds Groundwater Management District No. 2, subject to the point of diversion and place of use being corrected on Water Right No. 33164 to match Application No. 50003, and the maximum rate of diversion of No. 50003 being further limited to 320 gallons per minute when combined with Water Right No. 33164.

Please contact the District should you have any questions regarding the review or recommendation.

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

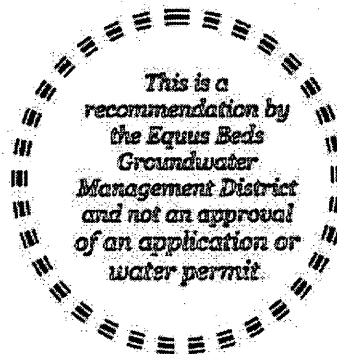
Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager

TDB/db

Enclosures

pc: Schmidt Family Trust, c/o Milferd Schmidt, Trustee, Applicant and Landowner
Nelson and Lola Nickel, nearby well owners
Jeff Lanterman, Division of Water Resources, Stafford



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

1) Application No. 50003 Date filed: 3/07/18
 2) Applicant: Schmidt Family Trust c/o Milferd Schmidt, Trustee County: MP
 3) Proposed maximum quantity: 35.7 acre-feet/year Rate: 320 GPM
 4) Proposed Use: Irrigation
 5) P/D location: NE SW SW 11-20S-1W Geo Center: North 704 ft, West 4150 ft
 6) Number and type of points of diversion listed on the application 1 Well

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

8) Meets Safe Yield K.A.R. 5-22-7? Yes No N/A

(a) Total allowable appropriations: 1364.75 af/yr
 (b) Total existing appropriations: 1067.05 af/yr
 (c) Total small user exemptions: 0.00 af/yr
 (d) Total non-consumptive use: 0.00 af/yr
 (e) Total consumptive use: 1067.05 af/yr
 (Total existing appropriations) – (Total non-consumptive use)
 (f) exempt from regulation? Yes No
 Cite exemption: _____

9) Meets Well Spacing K.A.R. 5-22-2? Yes No N/A

(a) POD in enhanced well spacing area? Yes No
 (b) Domestic well spacing interval: <660 ft
 (c) Non-Domestic well spacing interval: >1320 ft

10) Meets Max Reasonable Quantity K.A.R. 5-22-14? Yes No N/A

(a) Irrigation max quantity: 1.3 acre-feet / acre
 application paragraph 3 value (acre-feet) / proposed acres = Q
 (b) Stockwater max quantity: _____ GPD _____ unit
 (c) Industry max quantity: _____ Acre
 Industry standard: _____
 (d) Municipal max quantity: _____ GCD
 Lesser of either 200 GCD or
 $1.10 * (X - Y) + 365 d * (z + t)$
 X - Average of last three years usage in Gallons per Capita per Day (GCD)
 Y - water usage for industries that use over 200,000 gal/yr (GCD)
 Z - Projected population in 20 years
 T - Reasonable projected water use for industries that use over 200,000 gallons per year (GCD)
 (e) Pond max quantity is _____
 (Net evap + seepage)/12 x pond area + any initial fill
 (f) Groundwater pit max Q: _____
 Net evap * pit area/12

11) Reasonable rate for intended use? Yes No N/A

12) Depth to water: 15.28 bis at observation well: AN190

13) Date reviewed: March 15, 2019

14) Reviewed by: T. Boese Title: Manager

15) District recommendation: Approve Deny Other, see comment

16) Comments and Calculations:

Review Complete for a new application submitted by Nancy Cokeley for Irrigation Use in Reno County
 Proposed PD and PU forms identical overlap with No. 33164, which is authorized for 28 AF/Y @ 320 GPM. Based on District GPS of No. 33164 existing well and aerial photos and examination of PU, No. 33164 should be corrected to match PD and PU proposed by No. 50003
 Surrounding Well Owner Notifications Sent. DWR received one letter of concern from nearby domestic well owners Nelson & Lola Nickel, which is located about 1,400 west-northwest of NO. 50003 proposed well.
 A review of nearby water-level data at AN190 shows the water table in this area fairly stable for the period of record 2000-2019
 Item 9b: Domestic well owned by applicant within 660 feet of proposed well. Signed spacing consent form submitted by the domestic well owner.
 Item 10: $35.7 \text{ AF} + 28 \text{ AF} = 63.7 \text{ AF} / 49 \text{ acres} = 1.3 \text{ AF/A}$
 Recommend Approval, complies with K.A.R. 5-22-2 through 5-22-17. Also recommend No. 33164 PD and PU are corrected to match No. 50003 proposed PD & PU.

Equus Beds Groundwater Management District No. 2 Safe Yield Evaluation #50003 - Schmidt Family Trust NESWSW (704'N & 4150'W) 11-20S-01W, McPherson County Prepared By: T. Boese Date: 3/15/2019



Map Legend	
<ul style="list-style-type: none"> Proposed Point of Diversion Area of Consideration Boundary Monitoring Wells Points of Diversion District Boundary 	<ul style="list-style-type: none"> Major Highway Other Roadway Major Stream Other Water Feature County Boundary City Boundary

0.45 0.225 0 0.45 Miles

Equus Beds Groundwater Management District No. 2
 313 Spruce Street, Halstead, KS 67058
 316-835-2224, equusbeds@gmd2.org

SAFEYIELD EVALUATION NO. 50003 - SCHMIDT FAMILY TRUST
LOCATION: NESWSW (704'N & 4150'W) 11-20S-01W, McPherson County

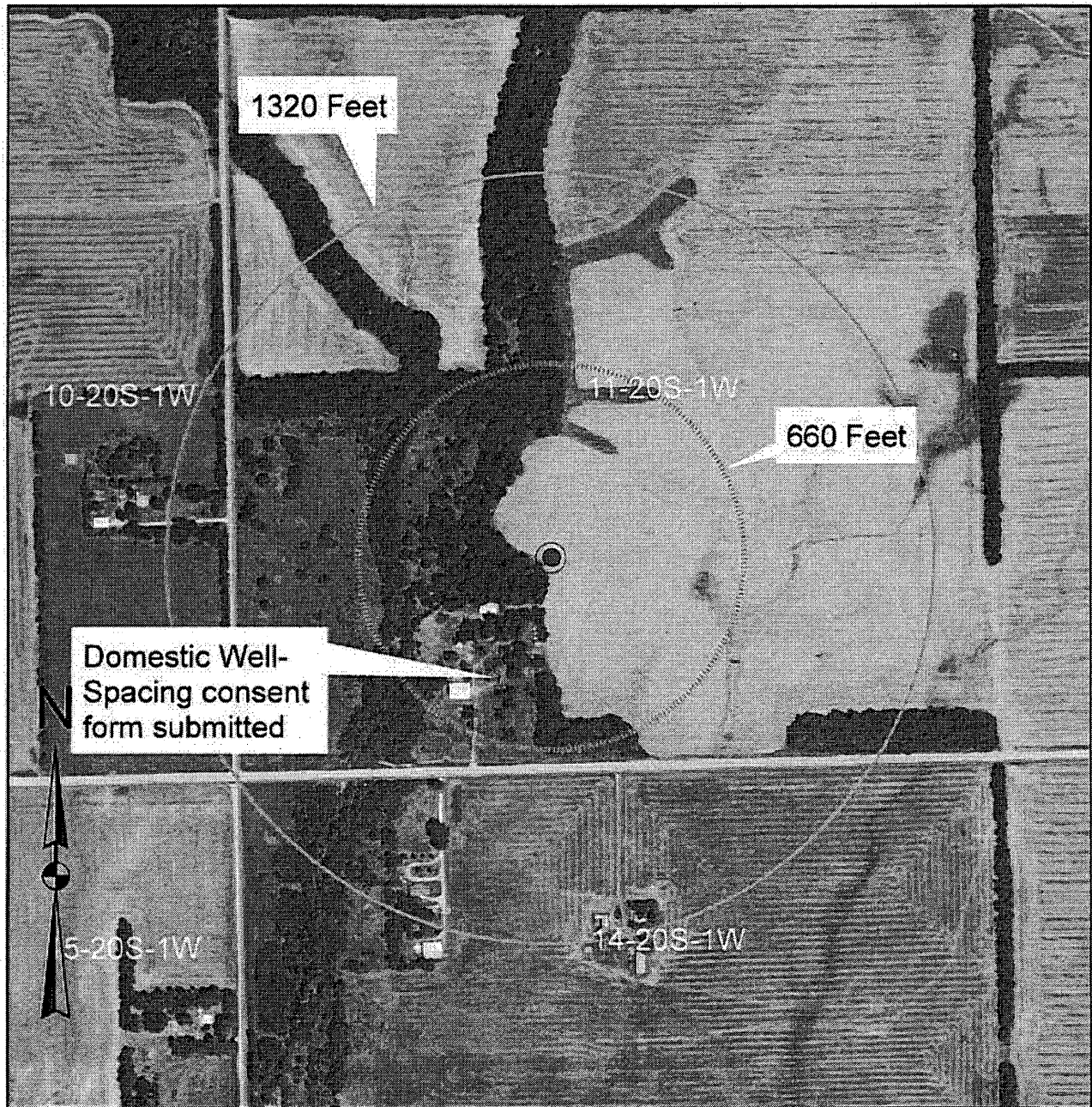
SPECIAL USE AREA: None

EVALUATION DATE:- 3/15/2019

Total Areas: 5,459 acres; Area in 3 inch discharge zone: 5,459 acres; Area in 6 inch discharge zone: 0 acres

FILE_ID	WELL_ID	TOWNSHIP	RANGE	SECTION	QUALIFIER	USE	AUTHQUANTITY
A00496700	550	20S	01W	10	SWSWNE	IRR	17
A01664600	820	20S	01W	22	50255150	IRR	87
A01664600	4124	20S	01W	22	51005200	IRR	0
A01664600	4125	20S	01W	22	49505100	IRR	0
A02125700	859	20S	01W	16	26482039	IRR	118
A02960100	1052	20S	01W	15	12803960	IRR	114
A02960100	1053	20S	01W	15	26003870	IRR	66
A03023400	890	20S	01W	10	26504215	IRR	57
A03222500	514	20S	01W	2	33604260	IRR	8
A03316400	1066	20S	01W	11	7044150	IRR	28
A03355300	174	20S	01W	9	5800860	IRR	173
A03510400	146	20S	01W	22	50255150	IRR	86
A03510400	4126	20S	01W	22	51005200	IRR	0
A03510400	4127	20S	01W	22	49505100	IRR	0
A03537900	367	20S	01W	15	26003870	IRR	60
A04252500	2406	20S	01W	10	26504215	IRR	17
A04262000	2424	20S	01W	10	26504215	IRR	74
A04851300	4100	20S	01W	16	41430204	IRR	126.35
A04851300	4142	20S	01W	16	42980059	IRR	0
A04851300	4143	20S	01W	16	39880349	IRR	0
A05000300P	5230	20S	01W	11	7044150	IRR	35.7
Allowable Appropriations		1,364.75			Total Existing Appropriation		1,067.05
Small User Quantity		0			Non Consumptive Appropriations		0
Remaining SUQ		45			Consumptive Appropriations		1,067.05
Note- Values are in acre-feet					Available Appropriations		297.7

Equus Beds Groundwater Management District No. 2
Spacing Evaluation #50003 - Schmidt Family Trust
NESWSW (704'N & 4150'W) 11-20S-01W, McPherson County
Prepared By: T. Boese Date: 3/15/2019



● Proposed Point of Diversion	Map Legend
⚡ Area of Consideration Boundary	— Major Highway
⊙ Monitoring Wells	— Other Roadway
▲ Points of Diversion	— Major Stream
□ District Boundary	— Other Water Feature
	□ County Boundary
	■ City Boundary

0.069 0.0325 0 0.065 Miles

Equus Beds Groundwater Management District No. 2
 313 Spruce Street, Halstead, KS 67056
 316-835-2224, equusbeds@gmd2.org

Baum, Kristen [KDA]

From: Baum, Kristen [KDA]
Sent: Tuesday, November 13, 2018 8:06 AM
To: 'Rebecca Wilson'
Subject: RE: 50003 Recommendation Extension Request

Sure, that's no problem.

Thanks,

Kristen A. Baum
Division of Water Resources – Water Appropriations
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan KS 66502
(785) 564-6627

My email address has changed: kristen.baum@ks.gov

From: Rebecca Wilson <rwilson@gmd2.org>
Sent: Friday, November 9, 2018 4:00 PM
To: Baum, Kristen [KDA] <Kristen.Baum@ks.gov>
Subject: 50003 Recommendation Extension Request

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.

Happy Friday!

We are a little behind schedule with our review process. Could we please have a 30 day extension to review this file?

Thanks!

Rebecca Wilson

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

Baum, Kristen [KDA]

From: Baum, Kristen [KDA]
Sent: Friday, October 12, 2018 1:49 PM
To: 'Rebecca Wilson'
Subject: RE: 50003 Recommendation Extension Request

No problem. I'll make a note in the file.

Thanks,

Kristen A. Baum
Division of Water Resources – Water Appropriations
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan KS 66502
(785) 564-6627

My email address has changed: kristen.baum@ks.gov

From: Rebecca Wilson <rwilson@gmd2.org>
Sent: Friday, October 12, 2018 1:31 PM
To: Baum, Kristen [KDA] <Kristen.Baum@ks.gov>
Subject: 50003 Recommendation Extension Request

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

Hello, Kristen!

Tim Boese is requesting a 30 day extension from the date of this email to review file #50003. Please advise.

Thanks!

Rebecca Wilson

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

STATE OF KANSAS

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



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

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

September 19, 2018

EQUUS BEDS GMD NO 2
313 SPRUCE ST
HALSTEAD KS 67056

Re: Application
File No. 50,003

FILE COPY

Dear Sir or Madam:

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

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning this application.

Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

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

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

Enclosure(s)

pc: Stafford Field Office

SCANNED

STATE OF KANSAS

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



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

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

September 6, 2018

COPY

NELSON & LOLA NICKEL
1019 28TH AVE
CANTON KS 67428

Re: Pending Application
File No. 50,003

Dear Sir or Madam:

This will acknowledge receipt of your letter dated September 6, 2018, in which you expressed comments concerning the proposed appropriation of groundwater by Schmidt Family Trust under the above referenced application.

Your comments have been considered, and approval of the application, if granted, will authorize diversion of water only when it does not impair existing rights. Should the diversion of water under this application substantially impair your earlier rights, you should notify the field office in your area. The field office in your area is:

Kansas Department of Agriculture
Division of Water Resources - Stafford Field Office
300 S. Main Street
Stafford, KS 67578

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 785-564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

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

Alex Whitesell
Environmental Scientist
Water Appropriation Program

Pc: Stafford Field Office
GMD No. 2

Water Resources
Received

Sept. 7, 2018

SEP 06 2018

Department of Agriculture
Alex Whitesell

KS Dept Of Agriculture

RE: Application
File No. 50,003

This letter is in response to the informational letter sent to us for the application for permit for the Schmidt Family Trust.

This application for the increased water usage has given us great concern. The well on our property is used to keep our household and garden. Our well is shallow, only about 20 feet deep. We are afraid that if the Schmidt well is permitted to more than double its usage, that our well may become non-productive. If that happens, our home and property will lose a considerable amount of value. This could force us to move to a different location, leaving behind a home that has been in this family since the 1950's.

As we are nearing retirement age, we do not have the extra funds it would take to hook up to rural water or drill a new well. We acquired an estimate for rural water when we purchased this property in 2004. The estimate at that time was a little over \$12,000.

(continued)

The cost to drill a deeper well may be a little less than that amount, but would still be several thousand dollars, and no guarantee for good water. This would make a considerable hardship for us to fund at this time in life

Please consider all this when you make your decision for the permit.

Could you please notify us of the decision that is made so we have a little heads up on what to expect?

Thank you

Nelson and Lola Nickel
1019 28th Ave.
Canton, KS 67428
620-628-4581

Water Resources
Received

SEP 06 2018

KS Dept Of Agriculture

STATE OF KANSAS

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



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

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

August 29, 2018

NELSON & LOLA NICKEL
1019 28TH AVE
CANTON KS 67428

COPY

RE: Application
File No. 50,003

Dear Sir or Madam:

This is to advise you that the Schmidt Family Trust has filed the application referred to above for permit to appropriate 35.7 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 320 gallons per minute from a well or wells located as follows:

one (1) well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 11, more particularly described as being near a point 704 feet North and 4,150 feet West of the Southeast corner of said section, in Township 20 South, Range 1 West, McPherson County, Kansas.

A copy of an aerial photograph depicting the location of the proposed point of diversion is also enclosed. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location(s) of the applicant's point(s) of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office within 15 days from the date of this letter.

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

Sincerely,

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

Alex Whitesell
Environmental Scientist
Water Appropriation Program

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

STATE OF KANSAS

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



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

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

August 29, 2018

CHARLES & TERESA UNRUH
1074 28TH AVE
CANTON KS 67428

RE: Application
File No. 50,003

Dear Sir or Madam:

This is to advise you that the Schmidt Family Trust has filed the application referred to above for permit to appropriate 35.7 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 320 gallons per minute from a well or wells located as follows:

one (1) well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 11, more particularly described as being near a point 704 feet North and 4,150 feet West of the Southeast corner of said section, in Township 20 South, Range 1 West, McPherson County, Kansas.

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

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

AJW:

Enclosure(s)

pc: Stafford Field Office
GMD No. 2

STATE OF KANSAS

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



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

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

August 29, 2018

STACY & STEVEN VOGTS
1552 27TH AVE
CANTON KS 67428

RE: Application
File No. 50,003

Dear Sir or Madam:

This is to advise you that the Schmidt Family Trust has filed the application referred to above for permit to appropriate 35.7 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 320 gallons per minute from a well or wells located as follows:

one (1) well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 11, more particularly described as being near a point 704 feet North and 4,150 feet West of the Southeast corner of said section, in Township 20 South, Range 1 West, McPherson County, Kansas.

A copy of an aerial photograph depicting the location of the proposed point of diversion is also enclosed. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location(s) of the applicant's point(s) of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office within 15 days from the date of this letter.

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

Sincerely,

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

Alex Whitesell
Environmental Scientist
Water Appropriation Program

AJW:

Enclosure(s)

pc: Stafford Field Office
GMD No. 2

STATE OF KANSAS

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



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

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

August 29, 2018

RODNEY & ROBERTA LOUCKS REV TRUST
2811 EISENHOWER RD
CANTON KS 67428

RE: Application
File No. 50,003

Dear Sir or Madam:

This is to advise you that the Schmidt Family Trust has filed the application referred to above for permit to appropriate 35.7 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 320 gallons per minute from a well or wells located as follows:

one (1) well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 11, more particularly described as being near a point 704 feet North and 4,150 feet West of the Southeast corner of said section, in Township 20 South, Range 1 West, McPherson County, Kansas.

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

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

AJW:

Enclosure(s)

pc: Stafford Field Office
GMD No. 2

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
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900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

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

August 29, 2018

DENNIS & MARY BITKOFER REV TRUST
1135 29TH AVE
CANTON KS 67428

RE: Application
File No. 50,003

Dear Sir or Madam:

This is to advise you that the Schmidt Family Trust has filed the application referred to above for permit to appropriate 35.7 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 320 gallons per minute from a well or wells located as follows:

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

Sincerely,

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

Alex Whitesell
Environmental Scientist
Water Appropriation Program

AJW:

Enclosure(s)

pc: Stafford Field Office
GMD No. 2

Application Map - File No. 50003 **COPY**



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

Melbert J. Schmidt
Signature

Feb 16, 2018
Date

- New Application**
- Application No. _____ To Change:**
 - Point of Diversion
 - Place of Use
 - Use Made of Water
 - Proposed Point of Diversion
 - Existing Points of Diversion
 - Proposed Place of Use
 - Authorized Place of Use

Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address)

- 1) See Attached list
- 2) **Water Resources Received**
- 3) **MAR 07 2018**

KS Dept Of Agriculture

50003

FEE SCHEDULE

- 1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

- 2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

- 3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

Water Resources
Received

MAR 07 2018

KS Dept Of Agriculture

50003

**DOMESTIC WATER WELL OWNER
WATER WELL SPACING CONSENT FORM**

K.A.R. 5-22-2(e)(4)

I, Schmidt Family Trust, c/o Miferd Schmidt, own a domestic well at 2816 Eisenhower Road,
Name Domestic Water Well Owner Address
Canton, KS, 67428, 620-367-6248,
City State Postal Code Telephone

to supply water for domestic needs and use. That said water well was drilled and constructed
on 07 / 26 / 1980
MM DD YY

I understand and acknowledge that Schmidt Family Trust, c/o Milferd Schmidt has either
Applicant Name
filed a change in point of diversion application on existing water permit # _____ or new
application # _____ for a water permit to withdraw or appropriate groundwater for non-
domestic beneficial use.

That the application described the location of a proposed non-domestic water well or water well
battery in the NE 1/4 SW 1/4 SW 1/4 of Section 11, Township 20
South, Range 1 West, McPherson County, and will allow the withdrawal of
35.7 acre-feet per year at 320 gallons per minute for irrigation
use.

The applicant has informed me that the proposed non-domestic water well or water well battery
is within the minimum required spacing interval of 660 or 960 feet, respectively, of my domestic
well.

Having full knowledge of the above and without waiving any right to file an impairment
complaint with the Chief Engineer, Division of Water Resources, I grant my permission to locate
said well or well battery less than the minimum required spacing interval from my domestic well.

Dated at Canton, Kansas, this 16 day of February 2018.

Signed by: Milferd Schmidt
Domestic Well Owner

Witnessed by: Loren Schmidt

Address: PO Box 173 210 W Osage
Canton, KS 67428

Telephone: 620-334-0621

Water Resources
Received
MAR 07 2018

KS Dept Of Agriculture

**** PIVOT PRINTOUT ****

50003

Water Resources
Received

MAR 07 2018

KS Dept Of Agriculture

INMAN IRRIGATION INC.

RR 1

INMAN KANSAS 67546

APRIL 20 1992

PREPARED FOR:

MILFORD SCHMIDT

1980 VALLEY 4271 MODIFIED

LINE	DESCRIPTION	AMOUNT	DATE	ACCOUNT	DEBIT	CREDIT	BALANCE	DATE	ACCOUNT	DEBIT	CREDIT	BALANCE
56		18.68	4/13/07									
57		401.35	4/13/07									
58		490.11	4/13/07									
59		16.03	4/13/07									
60		106.02	4/13/07									
61		17.02	4/13/07									
62		515.44	4/13/07									
63		523.89	4/13/07									
64		532.65	4/13/07									
65		512.02	4/13/07									
66		18.15	4/13/07									
67		489.37	4/13/07									
68		550.35	4/13/07									
69		11.47	4/13/07									
70		360.27	4/13/07									
71		497.86	4/13/07									
72		18.19	4/13/07									
73		505.97	4/13/07									
74		501.22	4/13/07									
75		440.58	4/13/07									
76		17.02	4/13/07									
77		617.60	4/13/07									
78		326.37	4/13/07									
79		241.28	4/13/07									
80		643.67	4/13/07									
81		10.72	4/13/07									
82		100.81	4/13/07									
83		200.72	4/13/07									
84		576.18	4/13/07									
85		600.24	4/13/07									
86		622.52	4/13/07									
87		311.12	4/13/07									
88		17.50	4/13/07									
89		200.12	4/13/07									
90		215.70	4/13/07									
91		222.86	4/13/07									
92		100.00	4/13/07									
93		200.00	4/13/07									
94		200.00	4/13/07									
95		200.00	4/13/07									
96		200.00	4/13/07									
97		200.00	4/13/07									
98		200.00	4/13/07									
99		200.00	4/13/07									
100		200.00	4/13/07									

TOTAL GPM : 200.75

PLEASE PRINT ADDRESS PRINT

ACT 2011 107 1000000000

Water Resources Received

MAR 07 2018

KS Dept Of Agriculture

PIPE SYSTEM WITH AIR-NO BELLEVALLE :

	PSI - 10%	PSI	PSI - 10%
PIPING PRESSURE	20.5	35	15.0
TOTAL GPM	285.14	100.50	213.26
IN-SOIL GPM	27.89	27.92	31.27
END PRESSURE	20.62	43.92	47.27
PERCEPTE LOSS	1.94	1.56	1.73

***** HYDRULIC COMPANY *****

LINE NUMBER	PIPING	PIPE	DEPTH	ALTIMETER	PIPE	WATER	WATER	WATER	WATER
1	10.00	10.00	1.00	1.00	0.015	0.56	0.29	0.27	0.27
2	2.40	41.56	42.50	6.12	0.016	0.50	0.67	0.81	0.81
	12.04	29.03	29.04	0.08	0.019	0.50	0.67	1.08	1.08
3	15.70	399.06	399.28	0.35	0.014	0.50	0.47	0.84	0.84
4	2.12	12.44	12.58	0.22	0.019	0.50	0.67	0.84	0.84
TOTAL	23.01	290.99	290.23	0.21	0.01	0.50	0.67	0.84	0.84

ADDRESS OF DEPENDENCIES

- 1 BEL 620 8.00 GPM
- 1 BEL 620 2.5 GPM
- 1 HA 800 3.0 GPM
- 1 BEL 620 5.00 GPM
- 1 BEL 620 5.00 GPM
- 1 BEL 620 5.00 GPM
- 1 BEL 620 11.00 GPM
- 1 BEL 620 11.00 GPM
- 1 BEL 620 2.00 GPM

Water Resources
Received
MAR 07 2018

INMAN IRRIGATION

WISH-5414N - MILFERD SCHMIDT

SPAN #1 66, 72, 2-78, 2-72, 66, 60

SPAN #2 & #3 60, 66, 2-72, 3-78, 2-72, 66, 60

SPAN #4 60, 66, 2-72, 2-78, 2-72, 66, 60

OVERHANG 2-60

Water Resources
Received

MAR 07 2018

KS Dept Of Agriculture

PRECIPITATION (MMPT)

WISLA 541 111
 APRIL 26 1997

DEALER - INMAN IRRIGATION INC.
 LENGTH UNDER PIPE = 250.00
 50 RPM MOTORS

IRRIGATOR - MILFORD SCHMIDT
 GPM UNDER PIPE = 260.00
 POUND TIRES

PRECIPITATION - INCHES : TIMER SETTING - % : TIME - HOURS

PRECIPITATION - INCHES	TIMER SETTING - %	TIME - HOURS
.17	100.00	12.405
.2	84.73	14.2
.25	67.30	17.70
.3	55.19	21.2
.35	48.42	24.85
.4	42.57	28.70
.45	37.06	31.94
.5	31.89	35.49
.6	25.24	37.50
.7	21.01	42.65
.8	17.10	51.70
.9	13.17	63.80
1	10.00	78.90
1.25	13.56	85.73
1.5	11.3	106.41
1.75	9.68	124.24
2	8.42	141.07
2.25	7.43	159.72
2.5	6.72	177.41
3	5.45	212.53
3.5	4.84	248.40
4	4.28	285.95

Water Resources
 Received

MAR 07 2018

KS Dept Of Agriculture

14	15.67	110.07	1.72	2.07	24.33	47.10	NEL 630 2.00 FPH	17
15	15.67	110.23	1.72	2.07	24.33	47.10	NEL 630 2.00 FPH	18
16	17.66	115.74	2.70	2.67	49.49	47.93	NEL 630 2.00 FPH	19
17	17.66	114.36	2.70	2.67	49.49	47.93	NEL 630 2.00 FPH	20
18	17.61	75.119	2.64	2.55	41.94	44.36	NEL 630 2.00 FPH	21
19	18.15	131.28	2.93	2.96	44.34	44.88	NEL 630 2.00 FPH	22
20	18.15	130.06	2.93	2.96	44.34	44.88	NEL 630 2.00 FPH	23
21	18.15	130.06	2.93	2.96	44.34	44.88	NEL 630 2.00 FPH	24
22	18.15	130.06	2.93	2.96	44.34	44.88	NEL 630 2.00 FPH	25
23	17.99	119.61	2.98	2.96	41.02	46.82	NEL 630 2.00 FPH	26
24	17.99	119.55	2.98	2.96	41.02	46.82	NEL 630 2.00 FPH	27
25	15.75	204.32	3.15	3.06	41.02	46.82	NEL 630 2.00 FPH	28
26	15.75	213.23	3.15	3.06	41.02	46.82	NEL 630 2.00 FPH	29
27	16.41	230.59	3.53	3.09	41.02	46.82	NEL 630 2.00 FPH	30
28	16.41	229.84	3.53	3.09	41.02	46.82	NEL 630 2.00 FPH	31
29	17.02	238.96	3.79	3.50	44.17	46.82	NEL 630 2.00 FPH	32
30	17.02	245.92	3.79	3.50	44.17	46.82	NEL 630 2.00 FPH	33
31	18.07	261.55	4.02	3.88	44.15	46.55	NEL 630 2.00 FPH	34
32	18.07	270.91	4.14	4.21	49.04	46.08	NEL 630 2.00 FPH	35
33	18.07	280.30	4.37	4.21	49.04	46.08	NEL 630 2.00 FPH	36
34	12.66	298.60	4.57	4.21	44.15	46.48	NEL 630 2.00 FPH	37
35	12.66	297.98	4.57	4.21	44.15	46.48	NEL 630 2.00 FPH	38
36	16.67	304.24	4.80	4.24	43.92	46.39	NEL 630 2.00 FPH	39
37	16.67	313.65	4.80	4.24	43.92	46.39	NEL 630 2.00 FPH	40
38	17.02	321.11	5.21	5.15	41.94	41.97	NEL 630 2.00 FPH	41
39	17.02	328.52	5.21	5.15	41.94	41.97	NEL 630 2.00 FPH	42
40	17.41	327.28	5.27	5.28	43.08	42.16	NEL 630 2.00 FPH	43
41	17.41	326.85	5.27	5.28	43.08	42.16	NEL 630 2.00 FPH	44
42	17.15	365.42	5.75	6.25	43.05	42.11	NEL 630 2.00 FPH	45
43	17.15	372.94	5.75	6.25	43.05	42.11	NEL 630 2.00 FPH	46
44	17.47	384.56	5.79	5.79	43.81	46.08	NEL 630 2.00 FPH	47
45	17.47	383.56	5.79	5.79	43.81	46.08	NEL 630 2.00 FPH	48
46	15.70	398.66	5.89	6.39	43.78	46.04	NEL 630 2.00 FPH	49
47	15.70	406.36	5.89	6.39	43.78	46.04	NEL 630 2.00 FPH	50
48	12.61	415.21	6.39	6.32	43.74	45.98	NEL 630 2.00 FPH	51
49	12.61	415.21	6.39	6.32	43.74	45.98	NEL 630 2.00 FPH	52
50	17.02	432.22	6.67	6.75	43.71	45.88	NEL 630 2.00 FPH	53
51	17.02	440.14	6.87	6.74	43.48	45.93	NEL 630 2.00 FPH	54
52	15.67	456.28	6.72	6.74	43.55	46.25	NEL 630 2.00 FPH	55
53	15.67	456.28	6.72	6.74	43.55	46.25	NEL 630 2.00 FPH	56

Water Resources
Received

MAR 07 2018

KS Dept Of Agriculture

1990 VEHICLE 4071 MODIFIED

APRIL 20 1992

MSB 4414

DEALER
MORGAN INDIANAPOLIS
SP. 1
MORGAN PATTERNS 475-14

INDICATOR
MOTOR MOUNT

Water Resources
Received
MAR 07 2018

KS Dept Of Agriculture

TOTAL TARET APR 300.00
TOTAL PROSESSOR 49.00
FINISH TARET APR 39.50
NUMBER OF QUIETS 00
TYPE I.D. AND LENGTH

EXCUTION FACTOR USED
TOTAL LENGTH
NUMBER OF TUBES
NUMBER OF SPRINGERS

140
782.92
1
42

51.780 752.92

PHILTON WOOD REGULATORS - ON PLANTS
AND REGULATORS
WEEKS SERVICE 6 FT OR 3.00 PER PIPE
CONDITION - HEADQUARTER FROM SURFACE NOT COVERED DETRIMENTAL WATER PROTECT
ELEVATION IS 9 FT UP AND 1 FT DOWN

WHEEL NO.	LAST WHEEL	ALIGNMENT TO FRONT	GRN WASH	GRN DEL.	PIPE PSI	WHEEL PSI	SPRINKLER LABEL AND NOZZLE SIZE	GRN DEL.	GRN PSI	WHEEL PSI
1		5.35								
2		11.30								
3		17.80								
4	51.35	39.25	1.00	2.00	41.57	43.35	DEL 250 2.0 FCM			
5		44.67								
6		52.53								
7	59.84	62.88	1.39	2.00	49.34	49.35	DEL 250 2.0 FCM			
8		67.00								
9		78.16								
10	84.05	88.54	1.82	3.00	48.20	49.23	DEL 250 2.0 FCM			
11		92.28								
12		105.62								
13	89.07	110.91	2.07	2.00	44.21	47.15	DEL 250 2.0 FCM			

***** W A R N I N G *****

WATER APPLICATION UNIFORMITY OBTAINED WITH THIS SYSTEM CAN BE REVERSIBLY AFFECTED BY MANY VARIABLES INCLUDING THE IMPROPER MAKEUP OR INSTALLATION OF THE SPRINKLER OR SPRAY NOZZLE PACKAGE, OBSTRUCTED NOZZLES, MAINTAINING INCORRECT PIVOT PRESSURE, UNFAVORABLE CLIMATIC CONDITIONS, TIGHT AND/OR SLOPING SOILS, IMPROPER END GUN ARC SETTINGS, ERRATIC AND IMPROPER OPERATING SPEED OF THE SYSTEM, POOR QUALITY OF WATER WITH LUBRICATIVES, CORROSIVES, AND/OR SOLIDS WHICH CAN CAUSE PLUGGING AND JAMMING, AS WELL AS INHERENT VARIABLES IN THE MANY COMPONENTS COMPRISING THE SYSTEM. THEREFORE WESTERN IRRIGATION SUPPLY HOUSE, INC., MAKES NO WARRANTY AS TO THE UNIFORMITY OF COVERAGE OBTAINED FROM THIS WATER APPLICATION PRINTOUT OTHER THAN ITS MATHEMATICAL ACCURACY.

IT IS THE RESPONSIBILITY OF THE END USER TO DETERMINE IF ANY INCOMPATIBILITY EXISTS BETWEEN THE WATER DISTRIBUTION DEVICES AND THE CROP, THE SOIL, AND THE PHYSICAL STRUCTURE OF THE MECHANICAL MOVE SYSTEM. WESTERN IRRIGATION SUPPLY HOUSE, INC., THEREFORE, DISCLAIMS ANY LIABILITY FOR DAMAGES DUE TO FAILURE OF THE SYSTEM TO PERFORM AS CONTEMPLATED.

Water Resources
Received

MAR 07 2018

KS Dept Of Agriculture

FIGURES PRESENTED ON THIS COMPUTER PRINTOUT ARE BASED ON THE FOLLOWING:

1. DATA FURNISHED TO WESTERN IRRIGATION SUPPLY HOUSE, INC., ON PIPE LENGTH, DIAMETER, SURFACE FINISH, OUTLET SPACINGS, WATER FLOW, PIVOT PRESSURE AND ALL OTHER APPLICABLE INFORMATION.
2. THERE IS 100% WATER APPLICATION EFFICIENCY (ZERO WIND VELOCITY AND NO EVAPORATION).
3. PIVOT PRESSURE IS MEASURED ON THE MAIN HORIZONTAL DISTRIBUTION PIPE JUST AFTER THE LAST ELBOW.
4. MAIN PIPE PRESSURE IS CALCULATED AS IF THE PIPE IS ALWAYS LEVEL.
5. SPRINKLER OR SPRAY NOZZLE BASE PRESSURE MAY BE LESS THAN MAIN LINE PIPE PRESSURE DUE TO THE USE OF PRESSURE REGULATORS. WHERE DROP PIPES ARE USED THE STATIC HEAD IS ADDED TO AND FRICTION LOSS IS SUBTRACTED FROM THE MAIN LINE PIPE PRESSURE TO DETERMINE INLET PSI. REGULATORS ARE CONSIDERED MOUNTED AT THE SAME HEIGHT AS THE SPRINKLING DEVICE.

Feb. 16, 2018
(Date)

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

Re: Application
File No. _____

Minimum Desirable Streamflow

Dear Sir:

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

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

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

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

Milfred Schmidt
Signature of Applicant

State of Kansas)
County of McPherson) ss

Schmidt Family Trust, c/o Milfred Schmidt, Trustee
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 15th day of February, 2018.



Ryan R. Christiansen
Notary Public

My Commission Expires: Sept. 12, 2020

Water Resources
Received

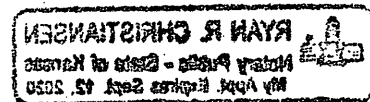
MAR 07 2018

**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

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

Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River



WABAUNSEE COUNTY
KANSAS
1900

1 LOCATION OF WATER WELL
 County: McPHERSON Fraction NW 1/4 SW 1/4 SW 1/4 Section Number 11 Township Number T 20 S Range Number R 1 SW

Distance and direction from nearest town or city? 4 mi South + 1 mi EAST OF CANTON Ks. Street address of well if located within city?

2 WATER WELL OWNER: MILFRED SCHMIOT
 RR#, St. Address, Box #: Rt. 1 Board of Agriculture, Division of Water Resources
 City, State, ZIP Code: CANTON, Ks. Application Number: 33164

3 DEPTH OF COMPLETED WELL: 58 ft. Bore Hole Diameter: 30 in. to 58 ft., and _____ in. to _____ ft.
 Well Water to be used as:
 1 Domestic 3 Feedlot 5 Public water supply 8 Air conditioning 11 Injection well
 2 PVC 4 Industrial 6 Oil field water supply 9 Dewatering 12 Other (Specify below) _____
 Irrigation 7 Lawn and garden only 10 Observation well

Well's static water level: 10 ft. below land surface measured on 7 month 25 day 80 year
 Pump Test Data: Well water was 55 ft. after 2 hours pumping. 425 gpm.
 Est. Yield 400 gpm: Well water was _____ ft. after _____ hours pumping _____ gpm

4 TYPE OF BLANK CASING USED:
 1 Steel 3 RMP (SR) 5 Wrought iron 8 Concrete tile Casing Joints: Glued _____ Clamped
 2 PVC 4 ABS ~~5 Asbestos-Cement~~ 9 Other (specify below) _____ Welded _____
 7 Fiberglass Threaded _____
 Blank casing dia: 16 in. to 38 ft., Dia _____ in. to _____ ft., Dia _____ in. to _____ ft.
 Casing height above land surface: 24 in., weight 32 lbs./ft. Wall thickness or gauge No. 17.5 in
 TYPE OF SCREEN OR PERFORATION MATERIAL:
 1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) ~~10 Asbestos-cement~~
 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-Perforation Dia: 16 in. to 58 ft., Dia _____ in. to _____ ft., Dia _____ in. to _____ ft.
 Screen-Perforated Intervals: From 38 ft. to 58 ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.
 Gravel Pack Intervals: From 15 ft. to 58 ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.

5 GROUT MATERIAL: 1 Neat cement 2 Cement grout ~~3 Bentonite~~ 4 Other _____
 Grouted Intervals: From 3 ft. to 15 ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.
 What is the nearest source of possible contamination:
 1 Septic tank 4 Cess pool 7 Sewage lagoon 10 Fuel storage 14 Abandoned water well
 2 Sewer lines 5 Seepage pit 8 Feed yard 11 Fertilizer storage 15 Oil well/Gas well
 3 Lateral lines 6 Pit privy ~~9 Livestock pens~~ 12 Insecticide storage 16 Other (specify below) _____
 13 Watertight sewer lines
 Direction from well: SOUTH How many feet 500? Water Well Disinfected? Yes _____ No
 Was a chemical/bacteriological sample submitted to Department? Yes _____ No If yes, date sample submitted _____ month _____ day _____ year Pump installed? Yes No _____
 If Yes: Pump Manufacturer's name: WESTERN LAND ROLLER Model No. 6 m HP 40 Volts _____
 Depth of Pump Intake: 55 ft. Pumps Capacity rated at 400 gpm gal./min.
 Type of pump: 1 Submersible 2 Turbine 3 Jet 4 Centrifugal 5 Reciprocating 6 Other _____

6 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on _____ month _____ day 26 day 1980 year
 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 138
 This Water Well Record was completed on _____ month _____ day 26 day 80 year under the business name of PETERSON IRR. INC. by (signature) Mike Peterson

LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:	FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHOLOGIC LOG
	0	4	TOP SOIL			
	4	12	BROWN SANDY CLAY			
	12	16	GRAY SANDY CLAY			
	16	20	FINE SAND			
	20	27	FINE SAND WITH BROWN CLAY			Water Resources Received
	27	34	FINE TO MEDIUM SAND			
	34	36	BROWN SANDY CLAY			
	36	40	MEDIUM SAND + GRAVEL			
	40	41	BROWN CLAY			
	41	57	MEDIUM SAND			
ELEVATION:	57	58	GREEN SHALE			

Depth(s) Groundwater Encountered 1. 16 ft. 2. _____ ft. 3. _____ ft. 4. _____ ft. (Use a second sheet if needed)
 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, Water Well Contractors, Topeka, KS 66620. Send one to WATER WELL OWNER and retain one for your records.

OFFICE USE ONLY
T
R
R
SEC
11
1/4 SW 1/4 SW 1/4

INPUTS	
Target Section Definition	
Section	11
Township	20
Range	1
Range Direction	w
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-97.404280
Target Latitude	38.320690

NAD27

Load Data and Compute

Instructions

1. Enter values for section, township, range and range direction.
2. Enter **NAD27** or **NAD83** longitude and latitude of target point.
3. Click "Load Data and Compute" button.
4. Use feet distances corresponding to datum of target point.

Longitude changed

Latitude changed

**Water Right No. 33164
well**

UTM - NAD27

639495
4242395

1/24/2018

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	38.31862808	-97.40837853
NW	38.33307798	-97.40840820
NE	38.33326121	-97.39012761
SE	38.31876521	-97.39012794
Degrees Longitude per Foot		3.48563977E-06
Degrees Latitude per Foot		2.74593753E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	751	-1176
NW	-4511	-1184
NE	-4578	4060
SE	701	4060

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	38.31861900	-97.40806600
NW	38.33306900	-97.40809600
NE	38.33325200	-97.38981600
SE	38.31875600	-97.38981600
Degrees Longitude per Foot		3.48563933E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	754	-1086
NW	-4508	-1095
NE	-4575	4150
SE	704	4150

Difference (NAD83 Minus NAD27)		
Corner	Corner Latitudes	Corner Longitudes
SW	0.00000908	-0.00031253
NW	0.00000898	-0.00031220
NE	0.00000921	-0.00031161
SE	0.00000921	-0.00031194
Difference (NAD83 Minus NAD27)		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	-3.29352126	-89.66202661
NW	-3.34907716	-89.56735138
NE	-3.43400205	-89.39874250
SE	-3.34173592	-89.49341666

Water Resources
Received

MAR 07 2018

KS Dept Of Agriculture

50003

Wells Within ½ Mile

1. Domestic Well
Charles & Teresa Unruh
1074 28th Avenue
Canton, KS 67428
2. Domestic Well
Nelson & Lola Nickel
1019 28th Avenue
Canton, KS 67428
3. Domestic Well
Stacy & Steven Vogts
1552 27th Avenue
Canton, KS 67428
4. Domestic Well
Rodney & Roberta Loucks Rev. Trust
2811 Eisenhower Road
Canton, KS 67428
5. Domestic Well
Dennis & Mary Bitikofer Rev. Trust
1135 29th Avenue
Canton, KS 67428
6. Domestic Well
Applicant

Water Resources
Received

MAR 07 2018

KS Dept Of Agriculture

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

March 9, 2018

SCHMIDT FAMILY TRUST

MILFERD SCHMIDT, TRUSTEE
2816 EISENHOWER ROAD
CANTON KS 67428

RE: Application
File No. 50003

Dear Sir or Madam:

Your application for permit to appropriate water in 11-20S-1W in McPherson County, was received and has been assigned the file number noted above.

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

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

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

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

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

If you have any questions, please contact me at (785) 564-6637. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw

Application Map - File No. 50003



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

Mulford J. Schmidt
Signature

Feb 16, 2018
Date

- New Application
- Application No. _____ To Change:
- Point of Diversion
- Place of Use
- Use Made of Water
- Proposed Point of Diversion
- Existing Points of Diversion
- Proposed Place of Use
- Authorized Place of Use

Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address)

- 1) See Attached list
- 2)

Water Resources Received
- 3)

MAR 07 2018

KS Dept Of Agriculture