

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;"><b>50,318</b></p>	2. Status Change Date: <p style="text-align: center; color: purple; font-size: 1.2em;"><b>2/17/2020</b></p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;"><b>2</b></p>	4. GMD: <p style="text-align: center; font-size: 1.2em;"><b>0</b></p>
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5. Status:     Approved                       Denied by DWR/GMD                       Dismiss by Request/Failure to Return

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

7a. Applicant(s)                      Person ID **40648**  
New to system                       Add Seq# \_\_\_\_\_

**GALEN D & STACEY DEUTSCH**  
**785 AVENUE N**  
**CHASE KS 67524-9462**

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

**7a.**

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

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

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

**7a**

9. Use of Water:    Changing?     Yes     No

Groundwater                       Surface Water

IRR                       REC                       DEW                       MUN

STK                       SED                       DOM                       CON

HYD DRG     WTR PWR                       ART RECHRG

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

10. Completion Date: 12/31/2021                      11. Perfection Date: 12/31/2025                      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: **1/28/20**                      By: **DWS**  
Date Entered:                      2/18/2020  
LMoody

File No. **50,318**      15. Formation Code: **100**      Drainage Basin: **COW CREEK**      County: **RC**      Special Use:      Stream:

16. Points of Diversion										
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
<b>MOD</b>			<b>87767</b>	<b>NW NW SE</b>	<b>6</b>	<b>20</b>	<b>9W</b>	<b>17</b>	<b>2401</b>	<b>2341 (Geo-Ctr)</b>
	<b>ENT</b>		<b>87934</b>	<b>NW NW SE</b>	<b>6</b>	<b>20</b>	<b>9W</b>		<b>2601</b>	<b>2341 (Batt 1 of 4)</b>
	<b>ENT</b>		<b>87935</b>	<b>NW NW SE</b>	<b>6</b>	<b>20</b>	<b>9W</b>		<b>2401</b>	<b>2541 (Batt 1 of 4)</b>
	<b>ENT</b>		<b>87936</b>	<b>NW NW SE</b>	<b>6</b>	<b>20</b>	<b>9W</b>		<b>2201</b>	<b>2341 (Batt 1 of 4)</b>
	<b>ENT</b>		<b>87937</b>	<b>NW NW SE</b>	<b>6</b>	<b>20</b>	<b>9W</b>		<b>2401</b>	<b>2141 (Batt 1 of 4)</b>
<b>BATTERY ID: 2167</b>										

17. Rate and Quantity <b>MOD QTY</b>				
Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
<b>800</b>	<b>237.19</b>	<b>800</b>	<b>237.19</b>	<b>NONE</b>

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 **12/31/2021**      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼						
<b>MOD</b>			<b>61517</b>	<b>6</b>	<b>20</b>	<b>9W</b>	<b>3</b>																						
			<b>69706</b>	<b>7</b>	<b>20</b>	<b>9W</b>	<b>1</b>	<b>35</b>	<b>35</b>																				

Comments:

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

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

**TO:** Files

**DATE:** January 28, 2020

**FROM:** Doug Schemm

**RE:** Application, File No. 50,318

Galen Deutsch has filed the referenced application to appropriate 237.19 acre-feet of groundwater for irrigation use at a diversion rate of 800 gallons per minutes from a proposed battery of wells. The well battery would be located in the Southeast Quarter of Section 6, Township 20 South, Range 9 West, Rice County, within the drainage basin of the Cow Creek. The proposed acreage (revised to 184 acres) is wholly owned by the applicant and the applicant has signed the application form stating that he has legal access to the point of diversion. The point of diversion is located outside of the boundaries of GMD #5.

Note that the initial application had requested 306 acre-feet to be applied to 219 acres. However, a safe yield analysis determined that only 237.24 acre-feet was available. The applicant was sent a letter on January 14, 2020 explaining the safe yield calculation, and requesting that he reduce his place of use to a reasonable value. The applicant returned a revised site map showing the reduced place of use. The requested quantity of water of 237.19 acre-feet applied to 184 acres, provides for 1.3 acre-feet per acre, which is slightly less than the maximum allowable of 1.4 acre-feet per acre for Rice County, Kansas. NIR calculations show this is a reasonable quantity of water.

The applicant identified one domestic well within one-half mile of the proposed point of diversion, and the WRIS database shows one irrigation well (File No. 47,373). Nearby well owner letters were sent out on January 14, 2020. A telephone call was received from the domestic well owner who supported the application. According to the WRIS database, the nearest non-domestic point of diversion is located over 2,500 feet away, while the site map indicates that the nearest domestic well is over 2,000 feet away. The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be one-quarter mile to all other non-domestic wells and 660 feet to domestic wells.

A well log submitted with the pending application shows a silty clay layer from 4 feet to 28 feet below ground surface, underlain by a fine sand and gravel layer, extending from 28 feet to 41 feet below ground surface, with a static water level of 8 feet below ground surface. This provides a saturated thickness of 33 feet. This aquifer is typical for this area of the state showing reworked quaternary material. The nearby senior file is designated as producing from the Meade/Grand Island Formation. The WIZARD database contains a well in the Southwest Quarter of Section 36, T19S, R10W (File No. 42,035) that shows a steady water level since 2015 and then an increased level in 2019. Please note that the well under File No. 42,035 is very similar to the applicant's well, with a total depth of 46 feet, a sand and gravel layer about 10 feet thick, and a shallow static water level of 9 feet below ground surface. This well was certified for 99 acre-feet at 515 gpm.

Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile circle radius of the point of diversion, which establishes the area of consideration. It was determined that the aquifer extends across the entire 2-mile circle, which is consistent with senior file processing. This provides for an area of consideration of 8042 acres. With a potential annual recharge of 1.8 inches, and 75% of recharge available for appropriation, safe yield was determined to be 904.78 acre-feet. Existing water rights have appropriated 667.54 acre-feet, providing a difference of 237.24 acre-feet available for appropriation, and the application reduced to 237.19 acre-feet complies with safe yield criteria.

Galen Deutsch  
Application, File No. 50,318  
Page 2

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 will be required because this is a proposed well exceeding 100 gpm.

The proposed application is subject to minimum desirable streamflow requirements. The applicant signed, notarized, and submitted the required form to our office.

In a January 27, 2020 e-mail, Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the referenced application. Based on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

## Schemm, Doug [KDA]

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**From:** Lanterman, Jeff [KDA]  
**Sent:** Monday, January 27, 2020 4:54 PM  
**To:** Schemm, Doug [KDA]  
**Cc:** Conant, Cameron [KDA]  
**Subject:** FW: 50318 Deutsch  
**Attachments:** 50318 Memo To File.doc.docx; 50318 Place of Use Map.pdf; 50318 Safe Yield Report.pdf; 50318 test log.pdf

Doug we think this is good to go. Approve it.

Jeff

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**From:** Conant, Cameron [KDA] <Cameron.Conant@ks.gov>  
**Sent:** Monday, January 27, 2020 1:55 PM  
**To:** Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>  
**Subject:** FW: 50318 Deutsch

Jeff, this permit was revised to meet SY. The p/u was reduced to correspond with the reduced quantity available from the SY analysis (SY and revised place of use is attached). The quantity per acre was revised down to 237.19 AF to be used on 184 acres, or 1.29AF/acre, the max reasonable is 1.4AF/acre. The test log is attached, the well is completed to 50' depth which is similar to the other nearby irrigation projects. You tested the nearest irrigation project in 2014 for Mr. Heine at 450 gpm. We have notified all nearby wells and 2 days remain for written comments. Doug will let us know if any additional comments come in.

[http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs\\_id=381701098190001](http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=381701098190001) (4 miles SE of proposed well, 75')

[http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs\\_id=381918098152601](http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=381918098152601) (1 mile S of proposed well, 32' deep, stopped measuring in 2015)

[http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs\\_id=382052098225601](http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=382052098225601) (1.5 miles NW of proposed well, 46' deep, began measuring in 2015)

[http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs\\_id=382259098221301](http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=382259098221301) (2.5 north, spotty measurements)

I included multiple hydrographs of similar depths from 1-4 miles from the proposed well. All the hydrographs appear pretty stable, one has a really long history. The area seems to have shallow, but stable water level, there was decline in 2011-2013 years but water levels have recovered.

I think we can recommend approval of this application. Please pass on to Doug if you agree. Doug, if there are any comments in the last couple days, please let us know.

Cameron

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**From:** Schemm, Doug [KDA] <[Doug.Schemm@ks.gov](mailto:Doug.Schemm@ks.gov)>  
**Sent:** Monday, January 27, 2020 12:31 PM  
**To:** Lanterman, Jeff [KDA] <[Jeff.Lanterman@ks.gov](mailto:Jeff.Lanterman@ks.gov)>; Conant, Cameron [KDA] <[Cameron.Conant@ks.gov](mailto:Cameron.Conant@ks.gov)>  
**Subject:** 50318 Deutsch

Hello Stafford,

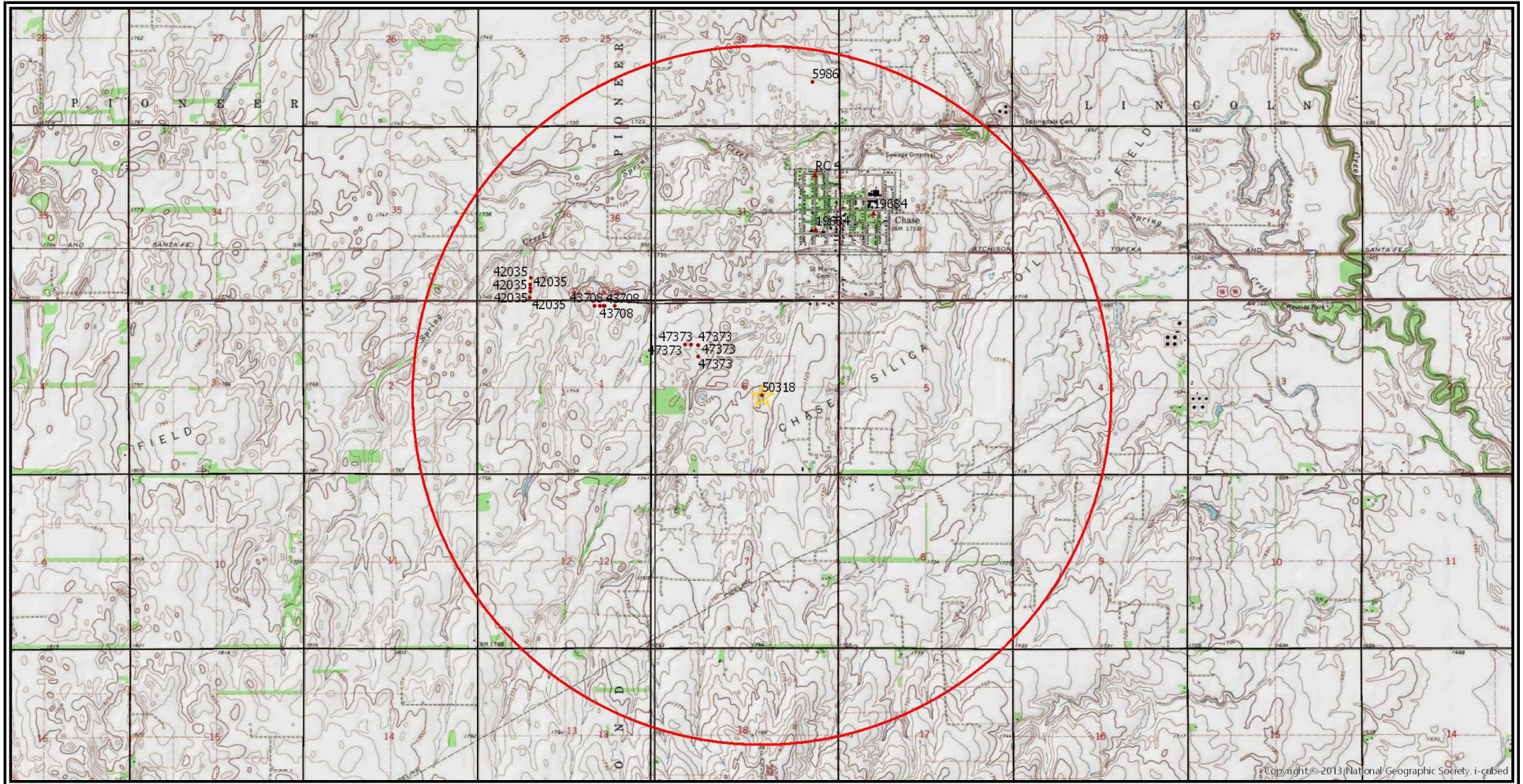
Reduced quantity and place of use. Meets all the regs. Have water levels for File No. 42,035, which is very similar well log to applicant's (about a mile and ½ away).

Please review,

Doug



**Safe Yield Report Sheet**  
**Water Right- A5031800**  
**Point of Diversion in 06-20S-09W**  
**Footages from SE corner- 2,401 feet North 2,341 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 904.78 AF.

Total prior appropriations in the circle is 973.54 AF. - 306 AF = 667.54 AF

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

Application File No. 50,318 - Reduced to 237.19 AF  
Meets Safe Yield  
dws/dwr 1/27/20

## Safe Yield Variables

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

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

The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 13-JAN-2020 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 7 water rights and 20 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 5986 00	IRR	NK	G		NC	E2	SE	0	0	30	19	09W	1	WR	39.00	39.00	80.00	80.00
A 19684 00	MUN	NK	G		NC	NE	SE	1980	660	31	19	09W	2	WR	122.39	84.49 ✓		
Same	MUN	NK	G		SE	SW	NW	2700	4290	32	19	09W	2	WR				
A 42035 00	IRR	NK	G		SW	SE	SW	373	3692	36	19	10W	1	WR	99.00	99.00	66.00	66.00
Same	IRR	NK	G		SW	SE	SW	672	3680	36	19	10W	5	WR				
Same	IRR	NK	G		SW	SE	SW	74	3703	36	19	10W	2	WR				
Same	IRR	NK	G		SW	SE	SW	475	3685	36	19	10W	4	WR				
Same	IRR	NK	G		SW	SE	SW	271	3694	36	19	10W	3	WR				
V RC 4 00	MUN	AA	G					3819	744	31	19	09W	3	WR	73.65	73.65		
A 43708 00	IRR	NK	G		NE	NW	NE	5130	1466	01	20	10W	1	WR	181.00	181.00	122.00	122.00
Same	IRR	NK	G		NE	NW	NE	5129	1581	01	20	10W	2	WR				
Same	IRR	NK	G		NE	NW	NE	5129	1730	01	20	10W	3	WR				
Same	IRR	NK	G		NE	NW	NE	5133	1429	01	20	10W	4	WR				
Same	IRR	NK	G		NW	NE	NE	5130	1116	01	20	10W	5	WR				
A 47373 00	IRR	LO	G					3849	4426	06	20	09W	7	WR	190.40	190.40	136.00	136.00
Same	IRR	LO	G					3935	4270	06	20	09W	8	WR				
Same	IRR	LO	G					3939	4488	06	20	09W	9	WR				
Same	IRR	LO	G					3939	4678	06	20	09W	10	WR				
Same	IRR	LO	G					3582	4270	06	20	09W	11	WR				
A 50318 00	IRR	AY	G		NW	NW	SE	2401	2341	06	20	09W	17	WR	<del>306.00</del>	<del>-306.00</del>	219.00	97.00

## Limitations

File Number	Seq Num	Limitations
A 19684 00	1	51.53MGY COM/W #RC-004 ✓

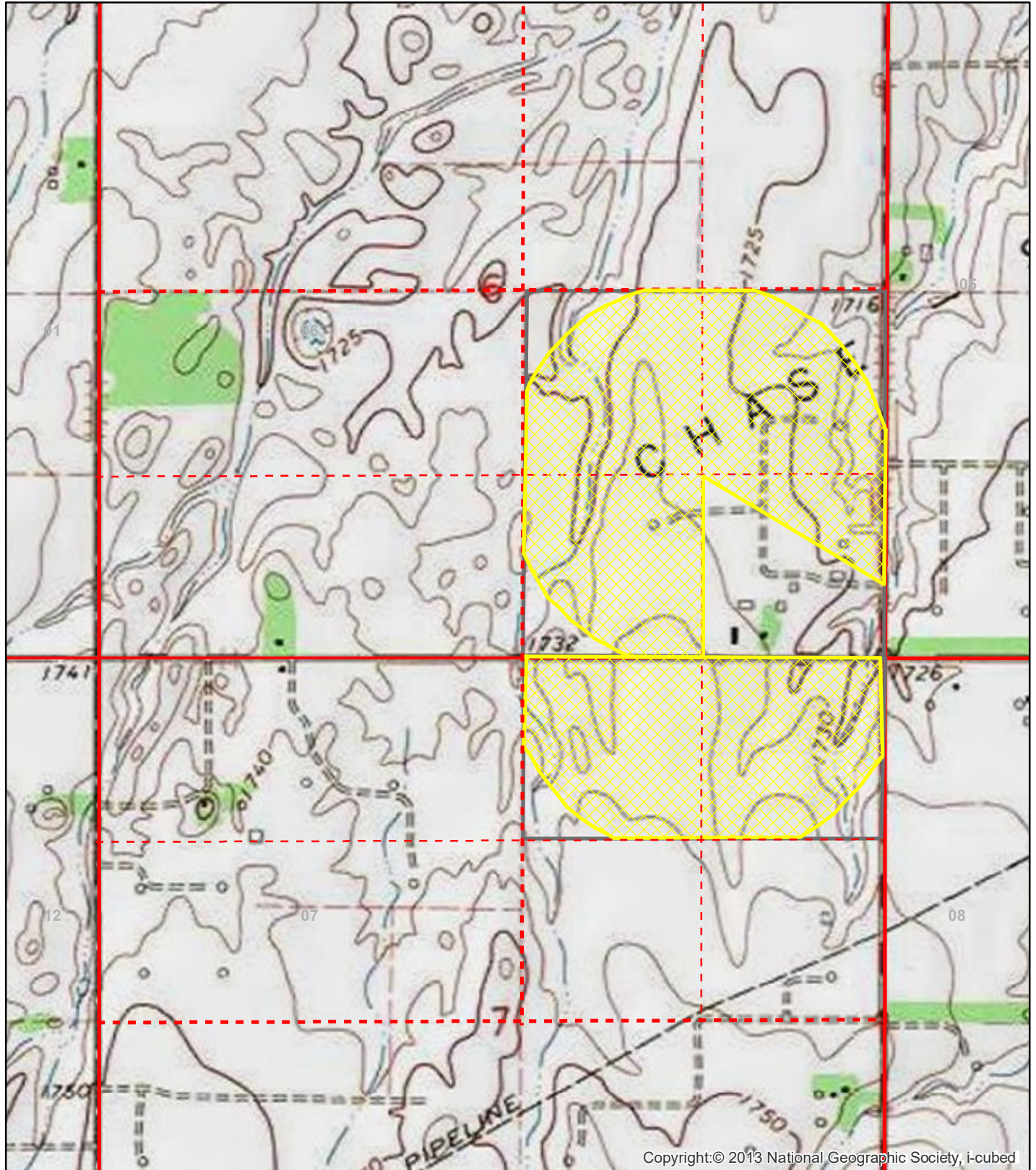






GALEN DEUTSCH  
FILE NO. 50,318 - PLACE OF USE MAP  
SECTIONS 6 & 7, T20S, R9W

1:12,000



Copyright:© 2013 National Geographic Society, i-cubed



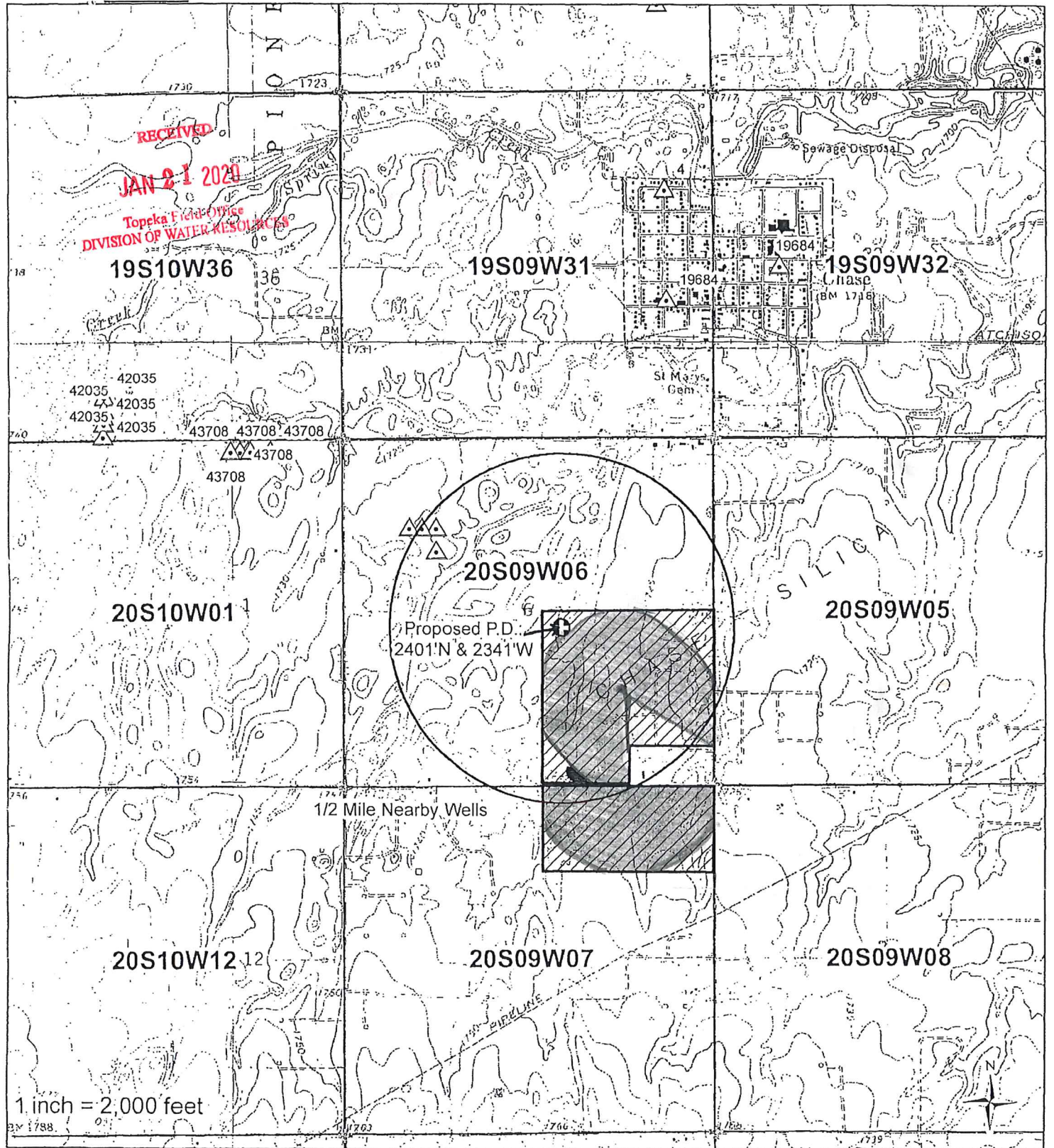
Proposed Place of Use



\* proposed place of use for Irrigation area indicated by shaded area.\*

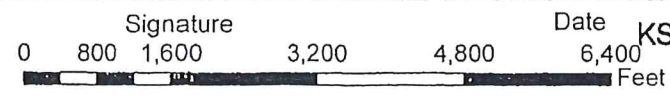
50318

File No.



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

- Proposed PD
- Proposed Place of Use
- Water Rights
- SFFOsec\_corners



Date

NOV 25 2019

KS Dept Of Agriculture

Created By: Matt Meier  
Date: 11/15/2019

Water Resources  
Received

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

GALEN D & STACEY DEUTSCH  
785 AVENUE N  
CHASE KS 67524-9462

February 18, 2020

RE: Appropriation of Water, File No. 50,318

FILE COPY

Dear Mr. and Mrs. Deutsch:

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.kswateruserreport.org](http://www.kswateruserreport.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](http://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:dws  
Enclosure(s)

pc: Stafford Field Office

  
**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. 50,318** of the applicant

**GALEN D & STACEY DEUTSCH**  
**785 AVENUE N**  
**CHASE KS 67524-9462**

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

1. That the priority date assigned to such application is **November 25, 2019**.
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		
6 20S 9W														34	34	34	12	114
7 20S 9W	35	35																70

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of four (4) wells with a geographic center located in the Northwest Quarter of the Northwest Quarter of the Southeast Quarter (NW¼ NW¼ SE¼) of Section 6, more particularly described as being near a point 2,401 feet North and 2,341 feet West of the Southeast corner of said section, in Township 20 South, Range 9 West, Rice County, Kansas located substantially as shown on the topographic map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **237.19 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, 2021** 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, 2025** 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 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.





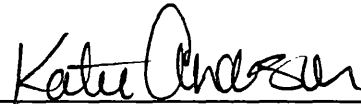
### CERTIFICATE OF SERVICE

On this 18<sup>th</sup> day of February, 2020, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,318, dated February 17, 2020 was mailed postage prepaid, first class, US mail to the following:

GALEN D & STACEY DEUTSCH  
785 AVENUE N  
CHASE KS 67524-9462

With photocopies to:

Stafford Field Office



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Division of Water Resources