



File No. **49,494**      15. Formation Code: 112      Drainage Basin: **SALINE RIVER**      County: **RS**      Special Use:      Stream:

16. Points of Diversion										17. Rate and Quantity					
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	N	W	Authorized		Additional		Overlap PD Files
											Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	
<b>MOD</b>	<b>84779</b>	<b>SW NW SE</b>			<b>7</b>	<b>11</b>	<b>12W</b>	<b>4</b>	<b>1650</b>	<b>2317 (Geo-Ctr)</b>	<b>800</b>	<b>104.24</b>	<b>800</b>	<b>104.24</b>	<b>NONE</b>
<b>ENT</b>	<b>85704</b>	<b>SW NW SE</b>			<b>7</b>	<b>11</b>	<b>12W</b>		<b>1650</b>	<b>2590 (Batt 1 of 4)</b>					
<b>ENT</b>	<b>85705</b>	<b>SW NW SE</b>			<b>7</b>	<b>11</b>	<b>12W</b>		<b>1650</b>	<b>2420 (Batt 2 of 4)</b>					
<b>ENT</b>	<b>85706</b>	<b>SW NW SE</b>			<b>7</b>	<b>11</b>	<b>12W</b>		<b>1650</b>	<b>2220 (Batt 3 of 4)</b>					
<b>ENT</b>	<b>85707</b>	<b>SW NW SE</b>			<b>7</b>	<b>11</b>	<b>12W</b>		<b>1650</b>	<b>2040 (Batt 4 of 4)</b>					

18. Storage: Rate \_\_\_\_\_ NF      Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF      Additional Quantity \_\_\_\_\_ ac/ft

19. Limitation: \_\_\_\_\_ at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_

20. Meter Required?  Yes  No      To be installed by **12/31/2017**      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					
<b>MOD</b>	<b>67452</b>	<b>7</b>	<b>11S</b>	<b>12W</b>	<b>2</b>	<b>WITHIN BOUNDARIES OF RWD NO. 1, ELLSWORTH CTY KS AND IMMEDIATE VICINITY</b>																<b>7a</b>	<b>No</b>	<b>49,503</b>
<b>ENT</b>	<b>68095</b>	<b>7</b>	<b>11S</b>	<b>12W</b>	<b>CITY OF BROOKVILLE &amp; IMMEDIATE VICINITY</b>																<b>7a</b>	<b>No</b>	<b>49,503</b>	
<b>ENT</b>	<b>68096</b>	<b>7</b>	<b>11S</b>	<b>12W</b>	<b>CITY OF DORRANCE &amp; IMMEDIATE VICINITY</b>																<b>7a</b>	<b>No</b>	<b>49,503</b>	
<b>ENT</b>	<b>68097</b>	<b>7</b>	<b>11S</b>	<b>12W</b>	<b>CITY OF ELLSWORTH &amp; IMMEDIATE VICINITY</b>																<b>7a</b>	<b>No</b>	<b>49,503</b>	
<b>ENT</b>	<b>68098</b>	<b>7</b>	<b>11S</b>	<b>12W</b>	<b>CITY OF GORHAM &amp; IMMEDIATE VICINITY</b>																<b>7a</b>	<b>No</b>	<b>49,503</b>	
<b>ENT</b>	<b>68099</b>	<b>7</b>	<b>11S</b>	<b>12W</b>	<b>CITY OF LURAY &amp; IMMEDIATE VICINITY</b>																<b>7a</b>	<b>No</b>	<b>49,503</b>	
<b>ENT</b>	<b>68100</b>	<b>7</b>	<b>11S</b>	<b>12W</b>	<b>CITY OF PARADISE &amp; IMMEDIATE VICINITY</b>																<b>7a</b>	<b>No</b>	<b>49,503</b>	
<b>ENT</b>	<b>68101</b>	<b>7</b>	<b>11S</b>	<b>12W</b>	<b>CITY OF WALDO &amp; IMMEDIATE VICINITY</b>																<b>7a</b>	<b>No</b>	<b>49,503</b>	
<b>ENT</b>	<b>68102</b>	<b>7</b>	<b>11S</b>	<b>12W</b>	<b>WITHIN BOUNDARIES OF RWD NO. 2, OSBORN CTY KS AND IMMEDIATE VICINITY</b>																<b>7a</b>	<b>No</b>	<b>49,503</b>	
<b>ENT</b>	<b>68103</b>	<b>7</b>	<b>11S</b>	<b>12W</b>	<b>WITHIN BOUNDARIES OF RWD NO. 7, SALINE CTY KS AND IMMEDIATE VICINITY</b>																<b>7a</b>	<b>No</b>	<b>49,503</b>	
<b>ENT</b>	<b>68104</b>	<b>26</b>	<b>13S</b>	<b>14W</b>	<b>INDUSTRIAL FACILITY (N2 NE)</b>																<b>7a</b>	<b>No</b>	<b>49,503</b>	

Comments:

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**  
**M E M O R A N D U M**

**TO:** Files

**DATE:** October 20, 2016

**FROM:** Doug Schemm

**RE:** Applications, File Nos. 49,494 and 49,503

Ellsworth County Rural Water District No. 1 has filed the above referenced applications proposing to appropriate groundwater for municipal use. The points of diversion are both located in the Southeast Quarter of Section 7, Township 11 South, Range 12 West in Russell County. For both applications, a representative of the District signed the forms stating that they have access to the points of diversion. There are no overlapping water rights on the points of diversion or place of use.

The applicant is currently obtaining their water from Kanopolis Reservoir through a water purchase contract with the Kansas Water Office. The current contract has a maximum allowable withdrawal of 400 million gallons. The purpose of these applications is to provide the District with an alternative source of water, and also assist them in meeting future demands. The District has provided supporting information that indicates they used 305 million gallons in 2014, and have estimated that water needs could increase to 560 million gallons by 2035. Based on safe yield analysis (see below), Application, File No. 49,494 requested quantity of 104.24 million gallons is all available. For Application, File No. 49,503 only an additional 21.96 million gallons is available, this provides a total quantity of water of 126.2 million gallons when the files are combined. This quantity is significantly less than the District is already using, so justification of this quantity is certainly met. Approval of these applications will simply allow them to purchase less water under their contract.

The applicant identified one nearby domestic well (Dwight Cornwell) and three nearby municipal supply wells (City of Luray) located within 1,000 feet. An initial review of the applications indicated that File No. 49,494 failed to meet spacing to the domestic well, and both applications failed to meet spacing to the City of Luray municipal wells (authorized under RS-003 and 31,683). The applicant was sent a letter on July 5, 2016 detailing failure to comply with required well spacing. The applicant (with the assistance of their consultant, Scott Ross) met with the City of Luray and the domestic well owner to discuss these well spacing issues. Subsequent to these discussions, DWR has received a "Domestic Well Spacing Consent Form" signed by Mr. Dwight Cornwell giving the District permission to install their well under File No. 49,494. In addition, DWR received "Voluntary Waiver of Hearing and Dismissal of Water Right" forms for both Vested Water Right, File No. RS-003, and Water Right, File No. 31,683. These dismissals will be processed in conjunction with the approval of these new applications.

Due to the unknown number and locations of domestic wells within one-half mile, and in keeping with standard protocol, the applicant chose to use a public notice to inform nearby well owners. The public notice was published in the *Russel County News* on September 22, September 29, and October 6, 2016, with a comment period ending on October 21, 2016. No responses of any kind were received related to the public notice.

Per K.A.R. 5-4-4, new non-domestic wells must meet specific spacing guidelines based on the source of water supply in order to minimize the potential that existing water wells of any kind would be impaired. The source of water (aquifer) for these pending applications appears to be Wolf Creek and Coon Creek alluvium. Since the source is the alluvium, the minimum well spacing is 1,320 feet from any existing non-domestic well, and 660 feet from any existing domestic well in the same source of supply. The nearest potential domestic well, other than Mr. Cornwell's domestic well discussed above, is located over 1,200 feet away, and with the dismissal of the City of Luray wells there are no other non-domestic wells within the two mile radius circle.

The proposed points of diversion under the pending applications do not meet minimum well spacing criteria to each other per the requirements in K.A.R. 5-4-4, which suggest 1,320 feet well spacing for "all other aquifers". The points of diversion (geographic centers of the well batteries) are 692 feet apart. However, K.A.R. 5-4-4 also provides that the spacing guidelines are not applicable if the required minimum well spacing criteria are not necessary to prevent direct impairment. There are several unique circumstances that should be considered in this specific instance.

- The wells in a municipal well field are operated as a system, and are not likely to be separated or divided in any way in the future.
- Municipal wells are not generally operated at the same time, but instead alternate pumping, lessening potential impact to each other, and allowing recovery of groundwater at the other wells.
- The wells are producing from a shallow, unconfined aquifer and their individual pumping rates and length of operation will be limited to what is physically available from the source of supply, which will address typical drawdown concerns (i.e. cone of depression) to each other.

Therefore, per K.A.R. 5-4-4, the required minimum well spacing criteria is not necessary to prevent direct impairment in this specific instance, and the proposed well spacing is sufficient to prevent direct impairment and to protect the public interest. The wells comply with well spacing from all other existing wells, which will protect the public interest.

LIDAR and topographic map review provide a detailed extent of the alluvial aquifer based on contour data. Per K.A.R. 5-3-11, which applies to safe yield evaluations for all unconfined aquifers, the area of consideration is the extent of the alluvial aquifer. For File No. 49,494, the aquifer extent was determined to be 3,593 acres. With a recharge of 1.7 inches and 75% available, safe yield was determined to be 381.76 acre-feet. With the dismissal of the City of Luray files, there are no prior appropriations, leaving 381.76 acre-feet available, and the application requesting 319.9 acre-feet complies with safe yield. For File No. 49,503, the aquifer extent was determined to be 3,561 acres. With a recharge of 1.74 inches and 75% available, safe yield was determined to be 387.3 acre-feet. With the applicant's prior appropriation, this leaves only 67.4 acre-feet available. In order to allow flexibility in pumping, determine the most efficient operating scenario, and in keeping with similar applications, this pending application will be approved for the requested 104.24 million gallons, but limited in quantity of water to 126.2 million gallons (387.3 acre-feet) when combined with senior File No. 49,494. This complies with safe yield, which is based on additional quantity of water values only.

Based on additional information provided by the applicant, and a review of the extent of the area contained within the District's boundary, the following place of use was determined:

within the boundaries of Rural Water District No. 1, Ellsworth County, Kansas and immediate vicinity; the City of Brookville, Kansas and immediate vicinity; the City of Dorrance, Kansas and immediate vicinity; the City of Ellsworth, Kansas and immediate vicinity; the City of Gorham, Kansas and immediate vicinity; the City of Luray, Kansas and immediate vicinity; the City of Paradise, Kansas and immediate vicinity; the City of Waldo, Kansas and immediate vicinity; within the boundaries of Rural Water District No. 2, Osborne County, Kansas and immediate vicinity; within the boundaries of Rural Water District No. 7, Saline County, Kansas and immediate vicinity; and at an industrial facility located in the North Half of the Northeast Quarter of Section 26, Township 13 South, Range 14 West, Russell County, Kansas.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R 5-1-12.

In an e-mail message, dated October 17, 2016, Kelly Stewart, Water Commissioner of the Stockton Field Office, indicated he had no objection to the approval of the referenced applications. Based on the above discussion, the area is open to new appropriations, the applications meet safe yield and well spacing criteria, and they will provide an alternative source of water for the District, it is recommended that the referenced applications be approved.

Doug Schemm  
Environmental Scientist  
Topeka Field Office

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

November 4, 2016

ELLSWORTH COUNTY RWD NO 1  
% KELI HABIGER  
103 NORTH DOUGLAS AVE  
ELLSWORTH KS 67439

**FILE COPY**

Re: Appropriation of Water, File Nos. 49,494 and 49,503

Dear Sir or Madam:

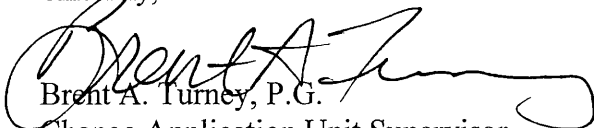
There are enclosed permits to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the sources and at the locations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

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these permits. Water meters are required and you must install them prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meters should be used to provide the information required on the annual water use reports. 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 these permits. Enclosed are forms which may be used to notify the Chief Engineer that the proposed diversion works have been completed for each file.

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 these permits 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 these permits. Failure to comply with this regulation will result in the dismissal of your permits or your water rights. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00 per file number. There is also enclosed an information sheet setting forth the procedure to obtain Certificates of Appropriation which will establish the extent of your water rights.

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

Sincerely,

  
Brent A. Turney, P.G.  
Change Application Unit Supervisor  
Water Appropriation Program

BAT:dws

Enclosures

pc: Stockton Field Office  
Scott Ross



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION  
and  
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

**FILE COPY**

This is to certify that I have examined Application, **File No. 49,494** of the applicant

**ELLSWORTH COUNTY RWD NO 1  
103 NORTH DOUGLAS AVE  
ELLSWORTH KS 67439**

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 **October 28, 2015**.
2. That the water sought to be appropriated shall be used for municipal use within the boundaries of Rural Water District No. 1, Ellsworth County, Kansas and immediate vicinity; the City of Brookville, Kansas and immediate vicinity; the City of Dorrance, Kansas and immediate vicinity; the City of Ellsworth, Kansas and immediate vicinity; the City of Gorham, Kansas and immediate vicinity; the City of Luray, Kansas and immediate vicinity; the City of Paradise, Kansas and immediate vicinity; the City of Waldo, Kansas and immediate vicinity; within the boundaries of Rural Water District No. 2, Osborne County, Kansas and immediate vicinity; within the boundaries of Rural Water District No. 7, Saline County, Kansas and immediate vicinity; and at an industrial facility located in the North Half of the Northeast Quarter of Section 26, Township 13 South, Range 14 West, Russell County, Kansas.
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 Southwest Quarter of the Northwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 7, more particularly described as being near a point 1,650 feet North and 2,317 feet West of the Southeast corner of said section, in Township 11 South, Range 12 West, Russell 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 **104.24 million gallons** (319.9 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, 2017** 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, 2036 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 re-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 *4<sup>th</sup>* day of *November*, 2016, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,494, dated *November 1, 2016* was mailed postage prepaid, first class, US mail to the following:

ELLSWORTH COUNTY RWD NO 1  
103 NORTH DOUGLAS AVE  
ELLSWORTH KS 67439

With photocopies to:

SCOTT E ROSS  
WATER RIGHTS INVESTIGATIVE SERVICE LLC  
209 SOUTH ASH ST  
STOCKTON KS 67669

Stockton Field Office



Division of Water Resources



APPLICATION COMPLETE

10/21/2016  
Reviewer DWS

THE STATE OF KANSAS



WATER RESOURCES RECEIVED

JAN 14 2016

12:01

KS DEPT OF AGRICULTURE

KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

WATER RESOURCES RECEIVED

FEB 22 2016

KS DEPT OF AGRICULTURE

File Number 49,494  
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.)

WATER RESOURCES RECEIVED

OCT 28 2015

1:29

KS DEPT OF AGRICULTURE

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

1. Name of Applicant (Please Print): Ellsworth County Rural Water District No. 1  
Address: 103 North Douglas Ave.  
City: Ellsworth State KS Zip Code 67439  
Telephone Number: (785) 472-4486

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Saline River (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 319.9 acre-feet OR 104,239 mgd gallons per calendar year, to be diverted at a maximum rate of 800 gallons per minute OR 1.78 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. 3 GMD 0 Meets K.A.R. 5-3-1 (YES/NO) Use MUN Source C/S County RS By AJW Date 10/20/15  
Code 252 Fee \$ 300 TR # 12018048 Receipt Date 10/28/15 Check # 031903

\* See September 19, 2016 email from

Scott Ross for geo-center location. DWS/DWR  
and individual well locations 9/19/2016

FILE NO. 49,494

SW NW SE 1650' N & 2040' W Sec. 7, 11 S, 12 W Russell Co.

4 of 4 (E)

5. The location of the proposed wells, pump sites or other works for diversion of water request 60 days to locate

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. 60 days to locate a battery of wells

Geo-Center \*

(A) One in the SW quarter of the NW quarter of the SE quarter of Section 7, more particularly described as being near a point 1650 feet North and 2317 feet West of the Southeast corner of said section, in Township 11 South, Range 12 East West (circle one), Russell County, Kansas.

1 of 4

(B) One in the SW quarter of the NW quarter of the SE quarter of Section 7, more particularly described as being near a point 1650 feet North and 2590 feet West of the Southeast corner of said section, in Township 11 South, Range 12 East West (circle one), RS County, Kansas.

2 of 4

(C) One in the SW quarter of the NW quarter of the SE quarter of Section 7, more particularly described as being near a point 1650 feet North and 2420 feet West of the Southeast corner of said section, in Township 11 South, Range 12 East West (circle one), RS County, Kansas.

3 of 4

(D) One in the SW quarter of the NW quarter of the SE quarter of Section 7, more particularly described as being near a point 1650 feet North and 2220 feet West of the Southeast corner of said section, in Township 11 South, Range 12 East West (circle one), RS 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):

Vanan and Brenda Mullender see the attached access agreement

(name, address and telephone number)

2692 South 150th Ave, Waldo, KS. 67673

(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 October 28, 2015.

Kelita Berger

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.

8. The proposed project for diversion of water will consist a battery of 4 wells and systems for municipal use

(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) June 2016

(Month/Day/Year - each was or will be completed)

9. The first actual application of water for the proposed beneficial use was or is estimated to be June 2016

(Mo/Day/Year)

- 10. 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.

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

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

- If yes, show the Water Structures permit number here \_\_\_\_\_
- If no, explain here why a Water Structures permit is not required no surface water is requested

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

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

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

- 13. 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.

Only other source of water for the Ellsworth County RWD No. 1 is a water supply contract with the Kansas Water Office.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WATER RESOURCES RECEIVED

FEB 22 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

JAN 14 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

OCT 28 2015  
SCANNED

KS DEPT OF AGRICULTURE

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

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

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

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

Operator  
(owner, tenant, agent or otherwise)

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

Patrons of the Ellsworth County RWD No. 1  
(name, address and telephone number)

103 N. Douglas Ave, Ellsworth, KS. 67439  
(name, address and telephone number)

17. 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 Ellsworth, Kansas, this 28 day of October, 2015.  
(month) (year)

Keli Habiger  
(Applicant Signature)

Rural Water District No. 1 Ellsworth Co., Kansas

By Superintendent of Finance & Administration  
(Agent or Officer Signature)

Keli Habiger  
(Agent or Officer - Please Print)

Assisted by Scott E. Ross of WRIS General Manager Date: 10/28/2015  
(office/title)



**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



Applicant's Name ELLSWORTH Co. RWD No. 1  
(Please Print)

**MUNICIPAL (PUBLIC WATER SUPPLY) APPLICATION  
SUPPLEMENTAL INFORMATION SHEET**

Application File Number  
49494  
(assigned by DWR)

**SECTION 1: PRESENT WATER USE SUMMARY (IF NO PREVIOUS MUNICIPAL WATER USE HAS BEEN UTILIZED, PROCEED TO SECTION 3)  
NOTE: WORKSHEET FOR WATER PUMPED, PURCHASED, AND SOLD BY YOUR WATER DISTRIBUTION SYSTEM.**

Column 1 Raw Water Diverted Under Your Rights	Column 2 <u>KWD</u> Water Purchased From All Sources	Column 3 Water Sold to Other Public Water Suppliers	Column 4 Water Sold to Your Industrial, Stock, and Bulk Customers	Column 5 Water Sold to Your Residential and Commercial Customers	Column 6 Other Metered Water	Column 7 Remaining Water Used (See Below Explanation)
- 0 -	305,527,000	44,840,000	NA	202,305,000	4,588,000	48,794,000
<b>TOTAL WATER = Columns 1 + 2</b>		<b>ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6</b>				<b>UNACCOUNTED FOR WATER</b>

**UNACCOUNTED FOR WATER = TOTAL WATER - ACCOUNTED FOR WATER**

- Column 1: The amount of raw water diverted from all of your points of diversion.
- Column 2: The amount of water purchased wholesale from all other public water supply systems or the Kansas Water Office.
- Column 3: The amount of water sold wholesale to all other public water supply systems.
- Column 4: The amount of water sold retail to all industrial, pasture, stockwater, feedlot, and bulk water service connections. Include the amount of water sold to all farmsteads using at least 200,000 gallons of water per year.
- Column 5: The amount of water sold retail to your residential and commercial customers and to industries and farmsteads using less than 200,000 gallons of water per year.
- Column 6: The amount of water used that is metered at individual service connections and supplied free, such as for public service, treatment processes, and connections receiving free water.
- Column 7: The amount of remaining water used. The gallons reported in this column are found by adding the numbers in Columns 1 and 2 and subtracting the numbers in Columns 3, 4, 5, and 6.

**UNACCOUNTED FOR WATER**

Use the following to calculate your distribution system's Unaccounted For Water:

Start with the amount in Column 1 and add the amount in Column 2, then subtract the amounts in Columns 3, 4, 5, and 6 leaving an amount of water representing your unaccounted for water to enter in Column 7.

Use the following to calculate the percent Unaccounted For Water versus the Total Water of your system:

$$\text{Percent Unaccounted For Water} = \frac{\text{Unaccounted For Water}}{\text{Total Water (Columns 1,2)}} \times 100$$

If this number exceeds 20%, please explain the large amount of unaccounted for water and describe any steps being taken to reduce it.

**SECTION 2: PAST WATER USE**

**COMPLETE THE FOLLOWING TABLE FROM YOUR PAST WATER USE RECORDS.**

	Column 1 Raw Water Diverted Under Your Rights	Column 2 Water Purchased From All Sources	Column 3 Water Sold to Other Public Water Suppliers	Column 4 Water Sold to Your Industrial, Stock, and Bulk Customers	Column 5 Water Sold to Your Residential and Commercial Customers	Column 6 Other Metered Water	Column 7 Remaining Water Used (See Above Explanation)
20 years ago	166,149,000	- 0 -	55,890,000	NA	63,798,000	- 0 -	46,361,000
15 years ago	167,283,000	- 0 -	41,858,000	NA	76,912,000	- 0 -	49,013,000
10 years ago	193,381,000	- 0 -	51,106,000	NA	94,815,000	16,463,000	30,997,000
5 years ago	- 0 -	272,334,000	451,331,000	NA	146,632,000	112,710,000	70,100,000
	<b>TOTAL WATER = Columns 1 + 2</b>		<b>ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6</b>				<b>UNACCOUNTED FOR WATER</b>

DWR 1-100.24 (Revised 08/15/2002)

**WATER RESOURCES  
RECEIVED**

**WATER RESOURCES  
RECEIVED**

**OCT 28 2015  
SCANNED**

**JAN 14 2016**

**KS DEPT OF AGRICULTURE**

**KS DEPT OF AGRICULTURE**

**SECTION 3: PROJECTED FUTURE WATER NEEDS**

PLEASE COMPLETE THE FOLLOWING TABLE SHOWING YOUR FUTURE WATER REQUIREMENTS FOR THE NEXT 20 YEARS:

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
	Raw Water Diverted Under Your Rights	Water Purchased From All Sources	Water Sold to Other Public Water Suppliers	Water Sold to Your Industrial, Stock, and Bulk Customers	Water Sold to Your Residential and Commercial Customers	Other Metered Water	Remaining Water Used (See Explanation on other side)
Year 5	360,466,050	- 0 -	194,334,000	120,280,300	81,455,150	18,917,087	54,520,487
Year 10	426,674,100	- 0 -	230,028,000	142,372,600	96,416,300	22,391,654	64,534,454
Year 15	492,882,150	- 0 -	265,722,000	164,464,900	111,377,450	25,866,221	74,548,421
Year 20	559,090,200	- 0 -	301,416,000	186,557,200	127,338,600	29,340,788	84,562,388
	TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6			UNACCOUNTED FOR WATER	

**SECTION 4: POPULATION AND SERVICE CONNECTIONS**

ESTIMATE THE NUMBER OF PERSONS DIRECTLY SERVED BY YOUR WATER DISTRIBUTION SYSTEM

PAST POPULATION - PROVIDE INFORMATION BELOW:  
(CENSUS BUREAU INFORMATION)

LAST 20 YEARS	POPULATION
20 years ago	2174
15 years ago	2514
10 years ago	2831
5 years ago	3851
Last Year	4176

PROJECTED FUTURE POPULATION

ESTIMATE FUTURE POPULATION AND SUBSTANTIATE NUMBERS ON SEPARATE ATTACHMENTS

NEXT 20 YEARS	POPULATION
Year 5	4600
Year 10	5100
Year 15	6200
Year 20	6300

Provide number of current active service connections:

1160 Residential      \_\_\_\_\_ Industrial      9 Wholesale Other (specify) \_\_\_\_\_  
40 Commercial      241 Pasture/ Stockwater/ Feedlot      1450 Total

**SECTION 5: PRESENT GALLONS PER PERSON PER DAY**

CALCULATE YOUR GALLONS PER PERSON PER DAY

Water in Columns 5, 6, and 7 + Population + 365 Days/Year = Gallons per Person per Day

$\frac{260,687,000}{4176} + 365 \text{ Days/Year} = 171$  GALLONS PER PERSON PER DAY.

**SECTION 6: AREA TO BE SERVED**

Describe the area to be served or provide the legal description of the location where the water is to be used including any other city of water supply system (i.e. Rural Water District):

Ro. Co. RWD No. 2; portions of Ro. Co. RWD #3, City of Victoria, White Energy in Russell; City of Russell, Mitchell Co. RWD #1 See map

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

WATER RESOURCES RECEIVED

FEB 22 2016

KS DEPT OF AGRICULTURE

To: Kansas Department of Agriculture  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, KS 66502  
Telephone: (785) 564-6645

Re: Domestic Well Spacing  
Consent Form

Domestic Well Adjacent  
to Application File No. 49,494

I, Dwight E Cornwell, own a well in the NW  
Quarter of the NW Quarter of the NW Quarter of Section 7,  
Township 11 South, Range 12 ~~West~~ East, Russell County, Kansas.

Water from this well is used only for domestic purposes as follows:

- household use;
- watering of livestock, poultry, farm and domestic animals used in operating a farm; and/or
- irrigation of lands not exceeding a total of two (2) acres in area for the growing of gardens, orchards and lawns.

RECEIVED

AUG 26 2016

Stockton Field Office  
Division of Water Resources  
RECEIVED

SEP 01 2016

Topeka Field Office  
DIVISION OF WATER RESOURCES

I understand that an application for a permit to appropriate water, Application, File No. 49,494, has been filed with the Division of Water Resources and that the applicant seeks to use water from a well located closer to my domestic well than allowed by the rules and regulations of the Chief Engineer, in particular K.A.R. 5-4-4.

I hereby give my permission to the applicant to install a well at a location approximately 630 feet from my domestic well if the same is allowed and permitted by the Chief Engineer.

By giving my permission, I do not waive any right I may have to file a complaint with the Chief Engineer or to make a written request to secure water, pursuant to K.A.R. 5-4-1, if the use of my well becomes impaired such that I am unable to exercise my domestic water right, nor do I waive any other rights I may have under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer.

WATER RESOURCES  
RECEIVED

AUG 29 2016

I acknowledge that my permission has been given freely and voluntarily. I further acknowledge that I have not entered any agreement either oral or in writing with any person(s) including the Applicant, land owner, or any representative or agent of the applicant or land owner that condition my permission on giving up any of my rights under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer or that condition my permission on reliance on any person or entity other than the Chief Engineer to investigate any claims of impairment I may make with respect to my domestic well or to secure water to satisfy my domestic water right.

Dwight E. Cornwell

Signature

5839 194<sup>th</sup> Blvd

Address (please print)

Luray, KS 67649-9210

City/Town, State (please print)

(785) 698-2361

Phone

State of Kansas

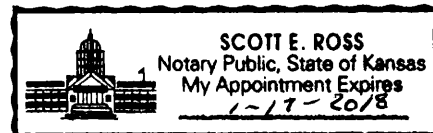
County of Russell

Signed or attested before me on 8/22/2018 by DWIGHT E. CORNWELL  
(Please print name of signatory)

Scott E. Ross

Scott E. Ross  
Notary Public

[My appointment expires: 1/17/2019]



WATER RIGHTS INVESTIGATIVE SERVICE  
209 SOUTH ASH ST. STOCKTON, KANSAS 67669-1921 (785) 543-8254

**September 19, 2016**

Kansas Department of Agriculture  
Division of Water Resources - Topeka Field Office  
C/O Douglas Schemm  
6531 SE Forbes Ave., Suite B  
Topeka, KS 66619

RE: New Applications for  
Ellsworth Co. RWD No. 1  
49,494 & 49,503

Dear Mr. Schemm:

The following are the anticipated locations of wells under Application File No. 49,494 and 49,503.

**Application File No. 49,494**

Geo Center 1650' North X 2317' West

- (1) Well 1650' N X 2590' W
- (1) Well 1650' N X 2420' W
- (1) Well 1650' N X 2220' W
- (1) Well 1650' N X 2040' W

**Application File No. 49,503**

Geo Center 1650' North X 1627' W

- (1) Well 1650' N X 1360' W
- (1) Well 1650' N X 1520' W
- (1) Well 1650' N X 1720' W
- (1) Well 1650' N X 1950' W

**All in Section 7, Township 11 South, Range 12 West in Russell County, KS.**

We expect to complete these wells along the north boundary line of the Vanan Mulander property in an east/west orientation.

If you have any questions, please don't hesitate to contact me at the address and telephone number on this correspondence.

Sincerely;

Scott E. Ross  
General Manager  
Water Rights Investigative Services

WATER RIGHTS INVESTIGATIVE SERVICE  
209 SOUTH ASH ST. STOCKTON, KANSAS 67669-1921 (785) 543-8254

# 49,494 + 49,503

STATE OF KANSAS  
RUSSELL  
COUNTY SS.

# Affidavit of Publication

RECEIVED  
OCT 25 2016  
Topeka Field Office  
DIVISION OF WATER RESOURCES

Frank Mercer, being first duly sworn, deposes and says: That he is owner of Russell County News, a bi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in Russell County, Kansas, with a general paid circulation on a bi-weekly basis in Russell County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a bi-weekly published two days a week and has been published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Russell, Kansas, in said county as second class matter.

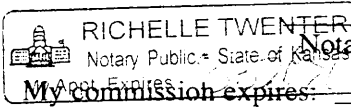
That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 3 consecutive Weeks the first publication thereof being made as aforesaid on the 22<sup>nd</sup> day of September, 2016.

with subsequent publications being made on the following dates:

Sept. 21, 2016 \_\_\_\_\_, 20\_\_\_\_  
Oct 6, 2016 \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_, 20\_\_\_\_

Signed: \_\_\_\_\_

Subscribed and sworn to before me this 14<sup>th</sup> day of Oct, 2016.

 RICHELLE TWENTER  
Notary Public - State of Kansas  
My Commission Expires: \_\_\_\_\_  
Notary Public's Signature \_\_\_\_\_

Publication Fee \$ 157.50  
Affidavit, Notary's Fee \$ .50  
Additional copies @ \$ \_\_\_\_\_  
Total Publication Fee \$ 158.00

## Legal Notice

applications will be accepted through October 21, 2016.

800 gallons per minute from separate batteries of wells.

(First published in the Russell County News Thursday, Sept. 22, 2016)

Written comments or questions regarding the applications may be directed to the Office of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502. If you wish more information concerning these applications, you may also contact Douglas Schemm, Environmental Scientist, in the Water Appropriation Program at (785) 296-3495. Sept. 22, 29, Oct. 6

The geographic centers of the well batteries are located in the Southeast Quarter (SE¼) of Section 7, in Township 11 South, Range 12 West, Russell County, Kansas. Anyone with existing wells in the immediate vicinity of these proposed points of diversion is invited to submit written comments regarding Applications, File Nos. 49,494 and 49,503. Persons submitting comments should specifically indicate their interest in the proposed appropriations of water. Comments regarding these

Ellsworth County Rural Water District No. 1 has filed Applications, File Nos. 49,494 and 49,503, for permits to appropriate water for beneficial use, with the Division of Water Resources, Kansas Department of Agriculture. Application File No. 49,494 is requesting 104,239 million gallons of groundwater, and Application, File No. 49,503 is requesting 104,239 million gallons of groundwater, for municipal use. Both files are requesting a diversion rate of

Don't know

1973

the answer was  
you need a  
lot of

Don't



**Schemm, Doug**

---

**Subject:** FW: Publication from Russell Co. newspaper on File Nos. 49,494 and 49,503

---

**From:** Stewart, Kelly  
**Sent:** Monday, October 17, 2016 2:01 PM  
**To:** Schemm, Doug  
**Cc:** Billinger, Mark; Hageman, Rebecca  
**Subject:** RE: Publication from Russell Co. newspaper on File Nos. 49,494 and 49,503

Doug,

I have no objection to the approval of the referenced applications.

Kelly

---

**From:** Schemm, Doug  
**Sent:** Monday, October 17, 2016 12:34 PM  
**To:** Stewart, Kelly <[Kelly.Stewart@ks.gov](mailto:Kelly.Stewart@ks.gov)>  
**Cc:** Billinger, Mark <[Mark.Billinger@ks.gov](mailto:Mark.Billinger@ks.gov)>  
**Subject:** FW: Publication from Russell Co. newspaper on File Nos. 49,494 and 49,503

We now have everything needed to complete these 2 files. I'm proposing limiting the junior file to what's available per safe yield quantity.

Please review,  
Thanks, Doug

**From:** Scott Ross [<mailto:water.rights.llc@gmail.com>]  
**Sent:** Monday, October 17, 2016 9:13 AM  
**To:** Schemm, Doug  
**Subject:** Publication from Russell Co. newspaper on File Nos. 49,494 and 49,503

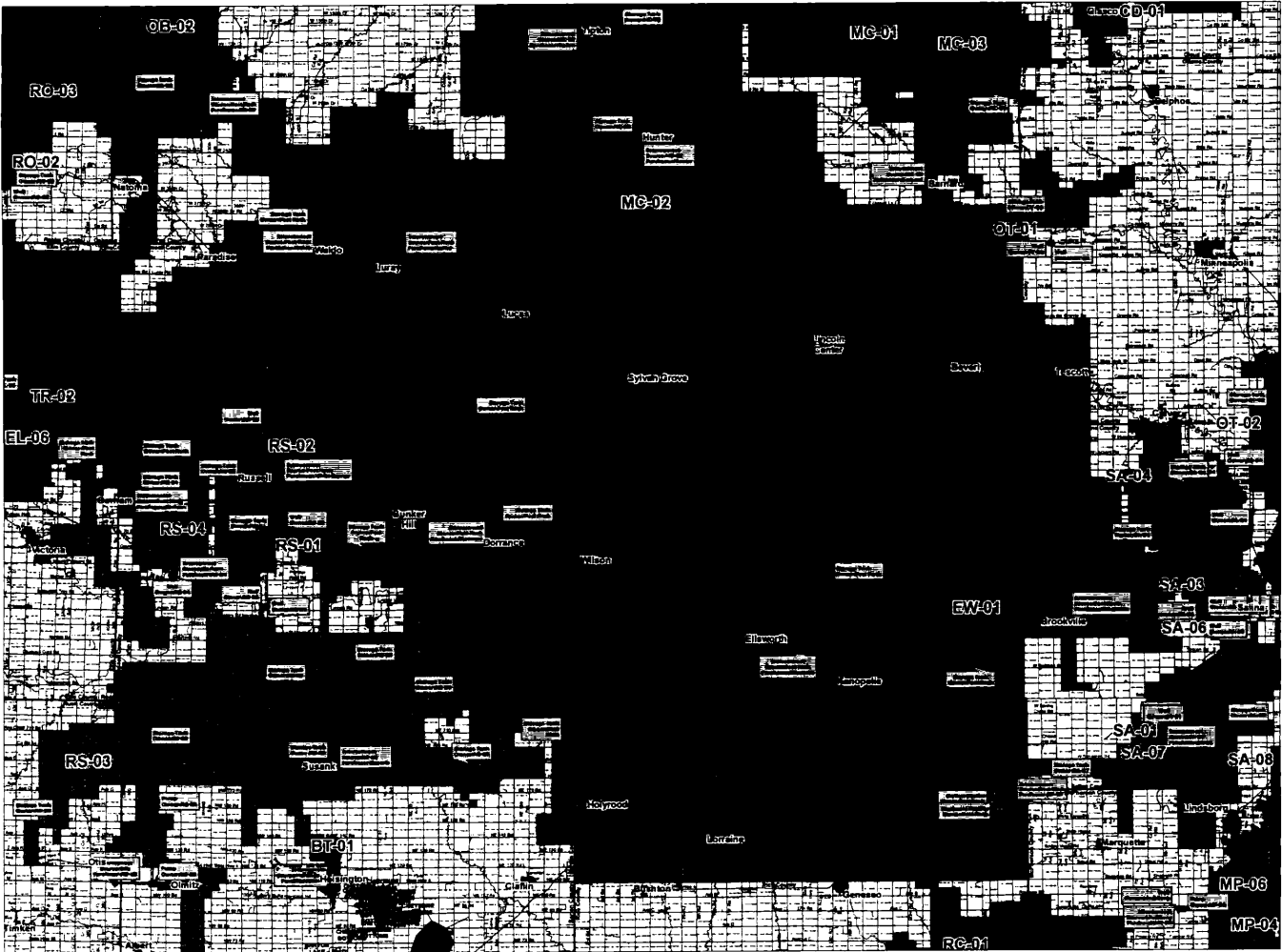
Doug,

I have attached the copy of publication affidavit from the Main Street Media Inc., publishers of the Russell County news paper.

I'll send you the original via snail mail.

Scott

Ellsworth County RWD No. 01

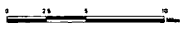
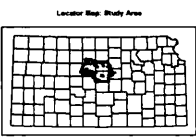


**Legend**

- Interconnect
- Pump
- Storage Tank
- Surface Intake
- Treatment Facility
- Well

**Water Mains**

- Less than 4 inch
- 4 to 6 inch
- greater than 6 inch
- Roads
- Streams
- PLSS
- County Boundary
- City Boundary
- Lakes



Produced by Kansas Rural Water Association  
with the cooperation of the Kansas Water Office  
and the Data Access and Support Center  
October 2015

**Schemm, Doug**

---

**From:** Scott Ross <water.rights.llc@gmail.com>  
**Sent:** Wednesday, October 19, 2016 12:42 PM  
**To:** Schemm, Doug  
**Subject:** Ellsworth County RWD No. 1

*2 acres  
64AF*

Doug,

Sorry for the delay. These are the wholesale customers served by EW RWD No. 1 aka Post Rock RWD.

- Brookville \* ✓
- Dorrance\* ✓
- Ellsworth\* ✓
- Gorham ✓
- Luray ✓
- Osborne County RWD #2 ✓
- Paradise ✓
- Saline RWD #7\* ✓
- Waldo ✓
- Oneok (Natural Gas)\*
- White Energy (Russell)\* ✓

However, the way this is being set up, only the following will actually be served by these new applications:

- Osborne Co. RWD No. 2,
- Luray,
- Waldo,
- Gorham
- Paradise

I don't know whether or not you need a complete overlap of rights.

But the eastern rights (\*) will not be served by the groundwater source.

Let me know if you have questions. I'll be in field Thursday and Friday, but try my cell:

785-543-8254.

Scott

**Scott E. Ross**

General Manager

Water Rights Investigative Service LLC

209 South Ash ST. Stockton, KS. 67669

785-543-8254

STATE OF KANSAS  
RUSSELL  
COUNTY

SS.

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Said newspaper is a bi-weekly published two days a week and has been published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Russell, Kansas, in said county as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 3 consecutive weeks the first publication thereof being made as aforesaid on the 23rd day of September, 2016.


with subsequent publications being made on the following dates:

Sept. 21, 2016 \_\_\_\_\_, 20\_\_\_\_  
Oct 6, 2016 \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_, 20\_\_\_\_

Signed:

*Frank Mercer*

Subscribed and sworn to before me this 17th day of Sept, 2016.

 RICHELLE TWENNER  
Notary Public - State of Kansas  
My Notary Public's Signature  
My Notary Public's Commission Expires: 8/31/2018

Publication Fee \$ 157.50  
Affidavit, Notary's Fee \$ 50  
Additional copies @ \$ \_\_\_\_\_  
Total Publication Fee \$ 158.00

## Legal Notice



(First published in the *Russell County News* Thursday, Sept. 22, 2016)

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applications will be accepted through October 21, 2016.

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Sept. 22, 29, Oct. 6

## Schemm, Doug

---

**From:** Scott Ross <water.rights.llc@gmail.com>  
**Sent:** Wednesday, September 14, 2016 2:03 PM  
**To:** Schemm, Doug  
**Subject:** Re: Ellsworth RWD No. 1 49,494 and 49,503  
**Attachments:** DWR test hole logs at Geo Centers of each app..pdf

Doug,

Here are the two logs closest to the geo centers of the apps. The formation gets deeper as we move west. Thus, the shallower test hole should be assigned to the east application and the deeper on to the farthest west #49,494 application. After a some discussion we are in agreement that the source will not include any of the Dakota. The "rock and sandrock" at the bottom of the east hole is reworked sandstone consisting of some sandstone cobbles in a clay matrix. The west well has "sand and hard rock" at the bottom of the hole is I believe the top of the Lincoln sandstone element of the Dakota it is well cemented and acts as an aquitard in this area. The only leakage I found in drilling this area is from the occasional fracture of this substrate. We do not intend to produce any water from below this boundary.

I'll get you the locations of the wells in the battery in a couple of days.

Scott

**Scott E. Ross**  
General Manager  
Water Rights Investigative Service LLC  
209 South Ash ST. Stockton, KS. 67669  
785-543-8254

On Wed, Sep 14, 2016 at 1:48 PM, Schemm, Doug <[Doug.Schemm@ks.gov](mailto:Doug.Schemm@ks.gov)> wrote:

Great. Thanks.

**From:** Scott Ross [<mailto:water.rights.llc@gmail.com>]  
**Sent:** Wednesday, September 14, 2016 1:42 PM

**To:** Schemm, Doug

**Subject:** Re: Ellsworth RWD No. 1 49,494 and 49,503

Doug,

We did a number of test holes, I'll get you the one's closest to the Geo Centers.

Scott

**Scott E. Ross**

General Manager

Water Rights Investigative Service LLC

209 South Ash ST. Stockton, KS. 67669

785-543-8254

On Wed, Sep 14, 2016 at 12:44 PM, Schemm, Doug <[Doug.Schemm@ks.gov](mailto:Doug.Schemm@ks.gov)> wrote:

Scott,

At some point I will need the individual well locations within the well batteries for both files.

Also did you do any test holes? If you did, it would be great to have the well logs.

Thanks,

Doug

## Kopp, Kenneth

---

**From:** Stewart, Kelly  
**Sent:** Friday, January 22, 2016 1:57 PM  
**To:** Kopp, Kenneth  
**Cc:** Hageman, Rebecca  
**Subject:** RE: Locations of Geo Centers for File Nos. 49,494 and 49,503

Ken,

As a follow-up to our telephone conversation on this date, I feel that 82a-710 does apply and these applications should be dismissed for failure to return. Additionally, I feel that DWR made a good faith effort to remind the applicants of the deadline by sending the Dec. 1 & Dec. 21 letters. Finally, there is a junior pending application in close proximity to these two applications and could be adversely impacted if we fail to dismiss these applications according to statute.

Kelly

**From:** Kopp, Kenneth  
**Sent:** Wednesday, January 20, 2016 1:36 PM  
**To:** Stewart, Kelly  
**Subject:** FW: Locations of Geo Centers for File Nos. 49,494 and 49,503

I need your input on this set of applications from Ellsworth RWD 1. We returned the applications for 60 days to locate the points of diversion. They have given us points by email (below) but the applications have not been returned to us. We did send reminder letters. (Dec. 1 and Dec. 21.) The deadlines for both have now passed. Can we dismiss because they did not return the applications or should we call and tell them to return the applications with the rest of the information we asked for? We do not have test hole logs or the MDS acknowledgement form.

I think K.S.A. 82a-710 would allow us to dismiss.

Ken

**From:** Scott Ross [<mailto:water.rights.llc@gmail.com>]  
**Sent:** Saturday, December 19, 2015 12:50 PM  
**To:** Kopp, Kenneth; Keli Habiger; JP Metzler  
**Subject:** Locations of Geo Centers for File Nos. 49,494 and 49,503

Ken,

Pursuant to your request for locations on the points of diversion under the above referenced file numbers. Attached is a map with the locations of those wells and those of the only two know wells within one half mile. Other wells may be located within the City of Luray and we'll likely do the pubic notice as these applications progress.

Geo Center of the East Battery under 49,503 is 1605' North X 1557' West of the Southeast Corner of Sec. 7, T11S, R12W in Russell Co. KS.



Geo Center of the West Battery under 49,494 is 1605' North X 2263' West of the Southeast Corner of Sec. 7, T11S, R12 W in Russell Co. KS.

Finally, I will list with this e-mail the owners of the two know nearby wells.

Dennis Cornwell Luray, KS. 67649

City of Luray 115 South Main St. Luray, KS. 67649

Scott

**Scott E. Ross**

General Manager

Water Rights Investigative Service LLC

209 South Ash ST. Stockton, KS. 67669

785-543-8254

**Keli Habiger**

---

**From:** Scott Ross <water.rights.llc@gmail.com>  
**Sent:** Saturday, December 19, 2015 12:50 PM  
**To:** Ken Kopp; Keli Habiger; JP Metzler  
**Subject:** Locations of Geo Centers for File Nos. 49,494 and 49,503  
**Attachments:** Post Rock well location maps for DWR.jpg

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Dennis Cornwell Luray, KS. 67649  
City of Luray 115 South Main St. Luray, KS. 67649

Scott

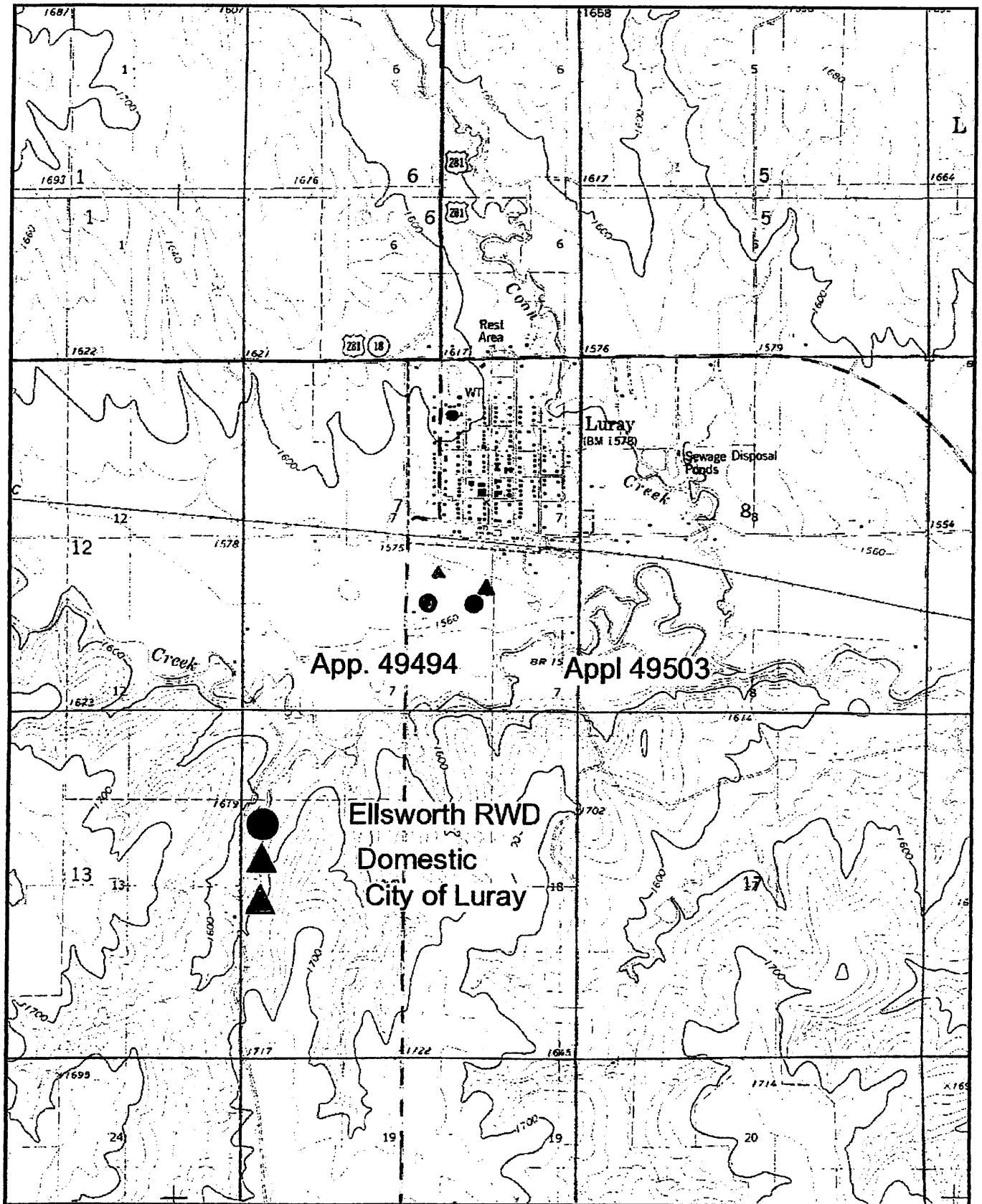
**Scott E. Ross**  
General Manager  
Water Rights Investigative Service LLC  
209 South Ash ST. Stockton, KS. 67669  
785-543-8254

**WATER RESOURCES  
RECEIVED**

**JAN 14 2016**

**KS DEPT OF AGRICULTURE**

**SCANNED**



Universal Transverse Mercator (UTM) Projection Zone 14  
North American Datum of 1983

1:24000 scale

WATER RESOURCES  
RECEIVED



JAN 14 2016  
SCANNED

KS DEPT OF AGRICULTURE

#49,494

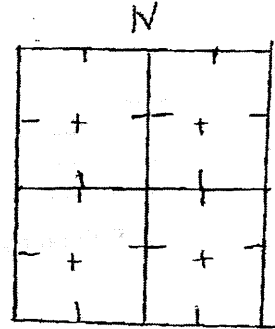
KARST WATER WELL DRILLING & SERVICE

2240 E. 8<sup>TH</sup> ST

HAYS, KS 67601

TEST LOG

JOB NUMBER Test Hole # 12 cased  
 OF \_\_\_\_\_ NO: \_\_\_\_\_  
 FOR Post Rock Luray Ks  
 DATE DRILLED 11-9-15  
 LOCATION 1/4 1/4 SECTION NO. \_\_\_\_\_  
 T \_\_\_\_\_ S, R \_\_\_\_\_ W/E \_\_\_\_\_ COUNTY \_\_\_\_\_ STATE Ks  
 \_\_\_\_\_ FSL \_\_\_\_\_ FEL \_\_\_\_\_



DEPTH	FORMATION THICKNESS	FORMATION	REMARKS
0-1		Top Soil	
1-15		Clay with hints of sand	
15-19		Sandy Clay	
19-25		Loose Rock & Sand	
25-30		Limstone Rock & Sand	
30-44		Sandy Clay with Rock	
44-50		Mud's Loose Rock	
50-70		Loose Rock & Sand	
<del>70-82</del>	70-82	Sand & Hard Rock	

@ 97 p.m. static dropped to 87'

started test pumping at 5:20 PM at 97 p.m.

STATIC WATER LEVEL 20' from ground level

WATER SAMPLES	PPM CHLORIDE	OTHER TESTS
TO _____	_____	_____
TO _____	_____	_____
TO _____	_____	_____
TO _____	_____	_____

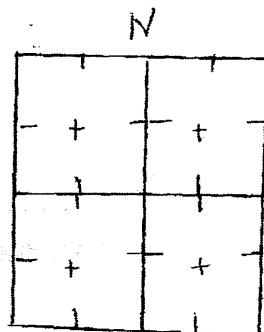
KARST WATER WELL DRILLING & SERVICE

2240 E. 8<sup>TH</sup> ST

HAYS, KS 67601

TEST LOG

JOB NUMBER Test Hole #11 Cased  
 OF \_\_\_\_\_ NO: \_\_\_\_\_  
 FOR Post Rock Luray KS  
 DATE DRILLED 11-5-75  
 LOCATION 1/4 1/4 SECTION NO. \_\_\_\_\_  
 T \_\_\_\_\_ S, R \_\_\_\_\_ W/E \_\_\_\_\_ COUNTY \_\_\_\_\_ STATE KS  
 \_\_\_\_\_ FSL, \_\_\_\_\_ FEL



DEPTH	FORMATION THICKNESS	FORMATION	REMARKS
0-4		Top Soil	
4-13		Gumbo Clay	
13-14		Britty Clay	
14-15		Sand	
15-17		Clay & Rock	
17-29		Loose Rock & Sand	
29-30		Clay	
30-38		River Mud & Sand	
38-45		Gravel & Fine Sand	
45-50		Gravel & River Mud	
50-70		Rock & Sandrock	
70-75		Grey Clay	

@ 105 gpm static dropped to 30'

Started test pumping at 5:40 P.M. at 105 gpm

STATIC WATER LEVEL 15 1/2' from ground level

WATER SAMPLES	PPM CHLORIDE	OTHER TESTS
TO _____	_____	_____
TO _____	_____	_____
TO _____	_____	_____
TO _____	_____	_____

49,494

**Keli Habiger**

---

**From:** Scott Ross <water.rights.llc@gmail.com>  
**Sent:** Saturday, December 19, 2015 12:50 PM  
**To:** Ken Kopp; Keli Habiger; JP Metzler  
**Subject:** Locations of Geo Centers for File Nos. 49,494 and 49,503  
**Attachments:** Post Rock well location maps for DWR.jpg

Ken,

Pursuant to your request for locations on the points of diversion under the above referenced file numbers. Attached is a map with the locations of those wells and those of the only two know wells within one half mile. Other wells may be located within the City of Luray and we'll likely do the pubic notice as these applications progress.

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Finally, I will list with this e-mail the owners of the two know nearby wells.

Dennis Cornwell Luray, KS. 67649

City of Luray 115 South Main St. Luray, KS. 67649

Scott

**Scott E. Ross**  
General Manager  
Water Rights Investigative Service LLC  
209 South Ash ST. Stockton, KS. 67669  
785-543-8254

WATER RESOURCES  
RECEIVED

FEB 22 2016

49,494



# Rural Water District No. 1, Ellsworth Co., Kansas

103 N. Douglas Ellsworth, KS 67439 ♦ Phone (785) 472-4486 ♦ [www.postrockrwd.com](http://www.postrockrwd.com)



February 17, 2016

Mr. Kenneth Kopp, P.G.  
Water Appropriation Program  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, KS 66502

Re: Water Application, 49,494  
Water Application, 49,503

Dear Mr. Knop,

Please find the enclosed applications and supporting information for referenced files. Also included is information from a recent system analysis that was completed for the Water District to show evidence of how future projections were computed and also e-mail correspondences. Additionally, due to the proposed water source quality, Reverse Osmosis Treatment is anticipated. Thus the reason for the higher Filter Backwash and Unaccounted for Water numbers on future projections.

If you have any questions please feel free to call.

Sincerely,

Keli Habiger  
Superintendent of Finance and Administration  
Rural Water District No. 1, Ellsworth Co., Kansas

WATER RESOURCES  
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FEB 22 2016

KS DEPT OF AGRICULTURE

## II. Background Information

The purpose of this analysis was to examine the historical and future water demands, the water rate structure, and the condition of the system infrastructure. Recommendations for maintenance and options for improvement and expansion of the system are also explored. This analysis also provides information for the District Board in determining if pursuing additional water sources is warranted.

## III. Water Demand and Revenue

### A. Historical and Future Demand

Raw water is currently drawn from Kanopolis Reservoir, which is the sole source for the District. The water is purchased from the State of Kansas through a water purchase contract with the Kansas Water Office, with the approval of the Kansas Water Authority. A copy of this purchase agreement is included in Appendix I.

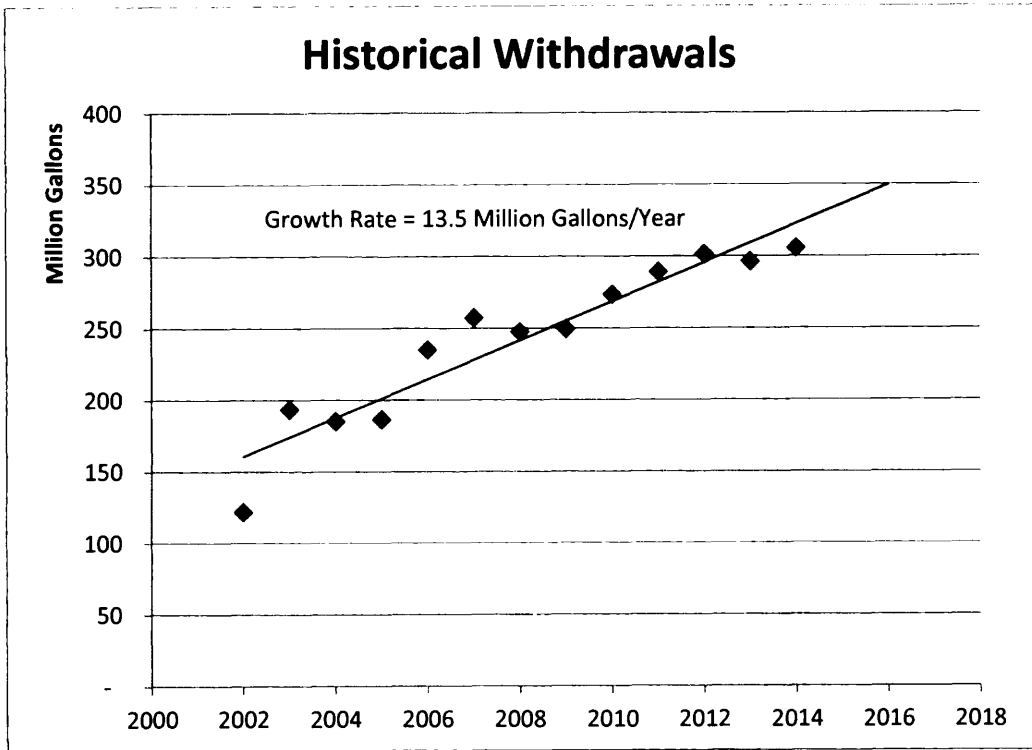
The District has experienced increasing demand for water over time. Figure 1 on Page 9 shows the trend in raw water withdrawals from Kanopolis Reservoir. Demand increases have been fueled by a steady increase of new customers, drought conditions, and water sales to the White Energy ethanol production facility located in the western portion of the distribution system. Water withdrawals reached 305 million gallons in 2014. Figure 2 on Page 9 shows a linear projection of historical raw water withdrawals that predicts withdrawals reaching 400 million gallons per year by 2020, which is the maximum allowable withdrawal under the purchase contract. The linear projection further predicts raw water withdrawals reaching 606 million gallons in 2035.

Actual increases in future demand will depend on the District's efforts to market additional water sales and modify the distribution system to deliver the additional water. Additional water sales may require the acquisition of additional water sources and treatment options. When considering water marketing opportunities, the District should carefully compare the cost of water source acquisition, treatment, and distribution with the potential revenue to be generated from the additional sales to ensure positive revenue from the additional sales.

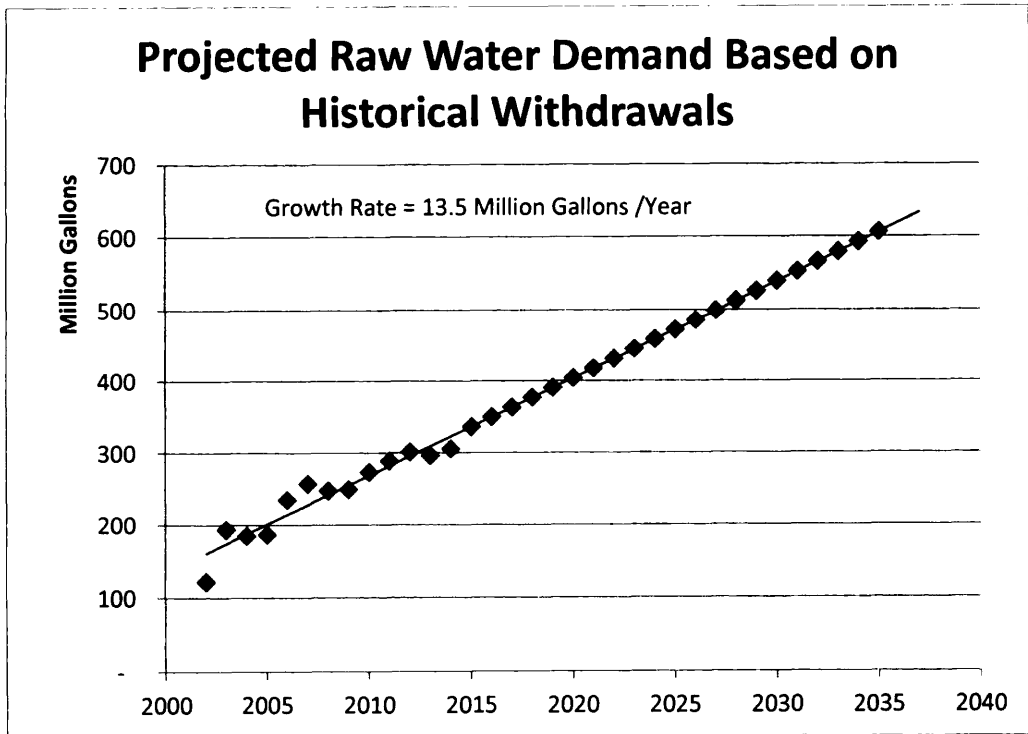
If the District is inclined to market additional water sales, the District should approach municipalities and rural water districts located within and adjacent to the District. Potential opportunities include the City of Russell and the City of Victoria, who have expressed interest in water deliveries from the District. The City of Ellsworth is currently a wholesale customer of the District, but has not purchased significant volumes of water in the past. The City of Ellsworth is currently interested in purchasing more water. These entities, as well as numerous additional municipalities and rural water districts could also be approached to market additional water sales.

The District has participated in discussions with City of Russell staff concerning water delivery to the City of Russell. An analysis was completed in 2014 to determine the infrastructure modifications required to deliver additional water to the City using the existing water source. The cost of the modifications and the effect of raw water withdrawals were also analyzed. A copy of this report is included in Appendix III.





**FIGURE 1 – RAW WATER WITHDRAWALS**



**FIGURE 2 – LINEAR RAW WATER DEMAND PROJECTION**

WATER RESOURCES  
RECEIVED

FEB 22 2016

KS DEPT OF AGRICULTURE

File # 49,494  
 meets safe yield  
 Requesting 319.9 AF

**Analysis Results**

The selected PD is in an area to new appropriations.  
 The safe yield, based on the variables listed below is 381.76 AF.  
 Total prior appropriation in the circle is ~~746.91~~ AF. **0 AF**  
 Total quantity of water available for appropriation is ~~0.00~~ AF.

**381.76 AF**

**Safe Yield Variables**

The area used for the analysis is set at 3593 acres.  
 Potential annual recharge of the area is estimated to be 1.7 inches.  
 The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 13-SEP-2016 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.

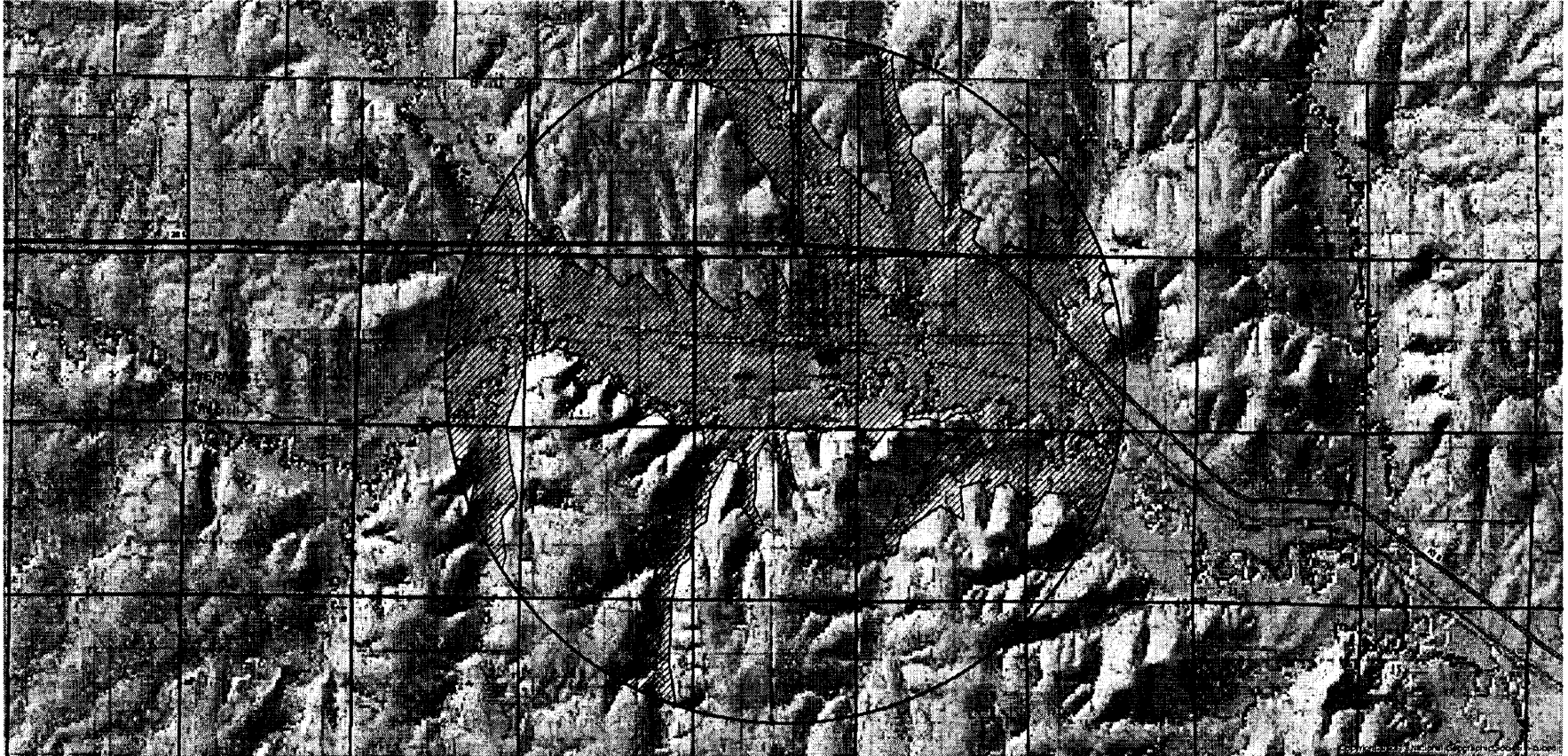
There are 5 water right(s) and 6 point(s) of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth_Quant	Add_Quant	Tacres	Nacres
A 31683	00	MUN	NK	G		CE	NW	SE	1900	1340	07	11	12W	2	WR	<del>24.25</del>	<del>24.25</del>	- Voluntary Dismissal
Same		MUN	NK	G		CE	NW	SE	1980	1340	07	11	12W	3	WR			
Same		MUN	NK	G		CE	NW	SE	1840	1340	07	11	12W	1	WR			
A 49494	00	MUN	AY	G				SE	1320	3960	07	11	12W	4	WR	<del>319.90</del>	<del>319.90</del>	- Sr. Pending
A 49503	00	MUN	AY	G				SE	1320	1320	07	11	12W	5	WR	<del>319.90</del>	<del>319.90</del>	
A 49512	00	MUN	AY	G		SW	NE	SE	1769	1316	07	11	12W	6	WR	<del>46.83</del>	<del>46.83</del>	
V RS 3	00	MUN	AA	G		CE	NW	SE	1900	1340	07	11	12W	2	WR	<del>36.83</del>	<del>36.83</del>	- Voluntary Dismissal
Same		MUN	AA	G		CE	NW	SE	1980	1340	07	11	12W	3	WR			
Same		MUN	AA	G		CE	NW	SE	1840	1340	07	11	12W	1	WR			

Safe Yield Report Sheet  
Proposed Water Right Application  
Point of Diversion in SWSWNWSE 07-11S-12W  
FILE NO. 49,494 (1605'N & 2263'W)

---

---



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---

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

1605 ft N and 2263 ft W of the SE Corner of Section 7, T 11S, R 12W

Located at: 98.694865 West Longitude and 39.108045 North Latitude

GROUNDWATER ONLY

```

=====
File Number   Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan Unit
A__ 31683 00 MUN NK G      956 -- CE NW SE 1840 1340 7 11 12W 1      24.25      24.25 AF
Same
Same
A__ 49494 00 MUN AY G     1721 -- -- -- SE 1320 3960 7 11 12W 4      319.90     319.90 AF
A__ 49503 00 MUN AY G      985 -- -- -- SE 1320 1320 7 11 12W 5      319.90     319.90 AF
A__ 49512 00 MUN AY G      961 -- SW NE SE 1769 1316 7 11 12W 6       46.03      46.03 AF
VRS      3 00 MUN AA G      956 -- CE NW SE 1840 1340 7 11 12W 1       36.83      36.83 AF
Same
Same
=====

```

```

=====
Total Net Quantities Authorized:   Direct           Storage
Total Requested Amount (AF) =      685.83           .00
Total Permitted Amount (AF) =           .00           .00
Total Inspected Amount (AF) =           .00           .00
Total Pro_Cert Amount (AF) =           .00           .00
Total Certified Amount (AF) =         24.25           .00
Total Vested Amount (AF) =           36.83           .00
TOTAL AMOUNT (AF) =          746.91           .00
=====

```

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

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

98.694865 West Longitude and 39.108045 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

```

=====
File Number   Use ST SR
A__ 31683 00 MUN NK G
> CITY OF LURAY
> ATT: CITY CLERK
> PO BOX 158
> LURAY KS 67649
-----
A__ 49494 00 MUN AY G
> ELLSWORTH RWD 01
> A/K/A POST ROCK RWD
> PO BOX 25 304 N DOUGLAS
> ELLSWORTH KS 67439
-----
A__ 49503 00 MUN AY G
> ELLSWORTH RWD 01
> A/K/A POST ROCK RWD
> PO BOX 25 304 N DOUGLAS
> ELLSWORTH KS 67439
=====

```

>-----

A\_\_ 49512 00 MUN AY G

- > CITY OF LURAY
- > ATT: CITY CLERK
- > PO BOX 158
- > LURAY KS 67649

>-----

VRS 3 00 MUN AA G

- > CITY OF LURAY
- > ATT: CITY CLERK
- > PO BOX 158
- > LURAY KS 67649

>-----

=====

Public Notice  
File Nos. 49,494 and 49,503

Ellsworth County Rural Water District No. 1 has filed Applications, File Nos. 49,494 and 49,503, for permits to appropriate water for beneficial use, with the Division of Water Resources, Kansas Department of Agriculture. Application File No. 49,494 is requesting 104.239 million gallons of groundwater, and Application, File No. 49,503 is requesting 104.239 million gallons of groundwater, for municipal use. Both files are requesting a diversion rate of 800 gallons per minute from separate batteries of wells. The geographic centers of the well batteries are located in the Southeast Quarter (SE¼) of Section 7, in Township 11 South, Range 12 West, Russell County, Kansas.

Anyone with existing wells in the immediate vicinity of these proposed points of diversion is invited to submit written comments regarding Applications, File Nos. 49,494 and 49,503. Persons submitting comments should specifically indicate their interest in the proposed appropriations of water. Comments regarding these applications will be accepted through October 21, 2016.

Written comments or questions regarding the applications may be directed to the Office of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502. If you wish more information concerning these applications, you may also contact Douglas Schemm, Environmental Scientist, in the Water Appropriation Program at (785) 296-3495.

**WATER WELL RECORD**

**Form WWC-5**

Division of Water Resources; App. No.

**12 West**

<b>1 LOCATION OF WATER WELL:</b> County: <b>Russell</b>	Fraction <b>NE 1/4 NW 1/4 SE 1/4</b>	Section Number <b>&amp;7</b>	Township Number <b>T 11 S</b>	Range/Number <b>R 13 E/W</b>
--	---	---------------------------------	----------------------------------	---------------------------------

Distance and direction from nearest town or city street address of well if located within city? **Per Description south end of Luray**

**Global Positioning Systems** (decimal degrees, min. of 4 digits)  
 Latitude: \_\_\_\_\_  
 Longitude: \_\_\_\_\_  
 Elevation: \_\_\_\_\_  
 Datum: \_\_\_\_\_  
 Data Collection Method: \_\_\_\_\_

**2 WATER WELL OWNER:** **City of Luray** *water Rights*

RR#, St. Address, Box # : \_\_\_\_\_  
 City, State, ZIP Code : **Luray Ks.**

**3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:**

**4 DEPTH OF COMPLETED WELL** ..... **55** ..... ft.

Depth(s) Groundwater Encountered (1)..... **29** ..... ft. (2)..... **40** ..... ft. (3)..... ft.  
 WELL'S STATIC WATER LEVEL..... **16** ..... ft. below land surface measured on mo/day/yr..... **1/5/2009**  
 Pump test data: Well water was..... **22** ..... ft. after..... **1** ..... hours pumping..... **50** ..... gpm  
 Est. Yield..... gpm: Well water was..... **22** ..... ft. after..... **3** ..... hours pumping..... **50** ..... gpm  
 WELL WATER TO BE USED AS: 5 ~~Public water supply~~ 8 Air conditioning 11 Injection well  
 1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)  
 2 Irrigation 4 Industrial 7 Domestic (lawn & garden) 10 Monitoring well

Was a chemical/bacteriological sample submitted to Department? Yes ..... No  .....; If yes, mo/day/yr  
 Sample was submitted..... Water well disinfected? Yes  ..... No .....

**5 TYPE OF CASING USED:**

1 Steel	3 RMP (SR)	6 Asbestos-Cement	9 Other (specify below)	CASING JOINTS: Glued <input checked="" type="checkbox"/> Clamped.....
2 <del>PVC</del>	4 ABS	7 Fiberglass		Welded.....

Blank casing diameter ..... in. to ..... **40** ..... ft., Diameter ..... in. to ..... ft., Diameter ..... in. to ..... ft.  
 Casing height above land surface..... **24** ..... in., Weight..... lbs./ft. Wall thickness or guage No. **40** *sched*

**TYPE OF SCREEN OR PERFORATION MATERIAL:**

1 Steel	3 Stainless Steel	5 Fiberglass	7 <del>PVC</del>	9 ABS	11 Other (Specify) .....
2 Brass	4 Galvanized Steel	6 Concrete tile	8 RM (SR)	10 Asbestos-Cement	12 None used (open hole)

**SCREEN OR PERFORATION OPENINGS ARE:**

1 Continuous slot	3 <del>Mill slot</del>	5 Gauzed wrapped	7 Torch cut	9 Drilled holes	11 None (open hole)
2 Louvered shutter	4 Key punched	6 Wire wrapped	8 Saw Cut	10 Other (specify) .....	

**SCREEN-PERFORATED INTERVALS:** From..... **41** ..... ft. to ..... **55** ..... ft., From ..... ft. to ..... ft.  
 From..... ft. to ..... ft., From ..... ft. to ..... ft.

**GRAVEL PACK INTERVALS:** From..... **55** ..... ft. to ..... **28** ..... ft., From ..... ft. to ..... ft.  
 From..... ft. to ..... ft., From ..... ft. to ..... ft.

**6 GROUT MATERIAL:**  Neat cement 2 Cement grout 3 Bentonite 4 Other .....

Grout Intervals: From..... **0** ..... ft. to ..... **27** ..... ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.

What is the nearest source of possible contamination:

1 Septic tank	4 Lateral lines	7 Pit privy	10 Livestock pens	13 Insecticide Storage	16 Other (specify below)
2 Sewer lines	5 Cess pool	8 Sewage lagoon	11 Fuel storage	14 Abandoned water well	
3 Watertight sewer lines	6 Seepage pit	9 Feedyard	12 <del>Landfill Storage</del>	15 Oil well/gas well	

Direction from well? ..... **north** ..... How many feet? **300**

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	3	topsoil			
4	18	clay			
19	21	fine sand			
22	28	clay			
29	36	sand			
37	39	silty clay with fine sand			
40	43	gravel and rock			
44	55	shale			

**7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION:** This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) **12/21/2008** and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. **767**..... This Water Well Record was completed on (mo/day/year) **1/4/2009**..... under the business name of **Mid Kansas Water Well Service LLC** by (signature) *Ben Taylor*

**INSTRUCTIONS:** Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5522. Send one to WATER WELL OWNER and retain one for your records. Fee of \$5.00 for each constructed well. Visit us at <http://www.kdhe.state.ks.us/geo/waterwells>.

**WATER WELL RECORD**

**Form WWC-5**

Division of Water Resources; App. No.  

<b>1 LOCATION OF WATER WELL:</b> County: <u>Russell</u>	Fraction <u>SE 1/4 NE 1/4 NE 1/4</u>	Section Number <u>7</u>	Township Number <u>T 11 S</u>	Range Number <u>R 12 E/W</u>
Distance and direction from nearest town or city street address of well if located within city?		<b>Global Positioning Systems</b> (decimal degrees, min. of 4 digits) Latitude: _____ Longitude: _____ Elevation: _____ Datum: _____ Data Collection Method: _____		

**2 WATER WELL OWNER:** City of Luray  
RR#, St. Address, Box # : 101 S. Main St.  
City, State, ZIP Code : Luray, KS 67449

<b>3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:</b>	<b>4 DEPTH OF COMPLETED WELL</b> ..... <u>5.0</u> ..... ft.																									
<table border="1" style="margin: auto; border-collapse: collapse;"> <tr><td style="width: 20px;">N</td><td style="width: 20px;"> </td><td style="width: 20px;"> </td><td style="width: 20px;"> </td><td style="width: 20px;">E</td></tr> <tr><td>W</td><td>--NW--</td><td>--NE--</td><td style="text-align: center;">X</td><td></td></tr> <tr><td></td><td> </td><td> </td><td> </td><td></td></tr> <tr><td></td><td>--SW--</td><td>--SE--</td><td></td><td></td></tr> <tr><td style="text-align: center;">S</td><td> </td><td> </td><td> </td><td></td></tr> </table>	N				E	W	--NW--	--NE--	X								--SW--	--SE--			S					Depth(s) Groundwater Encountered (1)..... ft. (2)..... ft. (3)..... ft. WELL'S STATIC WATER LEVEL..... <u>16</u> ..... ft. below land surface measured on mo/day/yr. <u>6-17-08</u> . Pump test data: Well water was .....ft. after..... hours pumping..... gpm Est. Yield.....gpm: Well water was .....ft. after..... hours pumping..... gpm WELL WATER TO BE USED AS: 5 Public water supply    8 Air conditioning    11 Injection well 1 Domestic    3 Feedlot    6 Oil field water supply    9 Dewatering <u>12 Other (Specify below)</u> 2 Irrigation    4 Industrial    7 Domestic (lawn & garden)    10 Monitoring well <u>Supply</u> .....
N				E																						
W	--NW--	--NE--	X																							
	--SW--	--SE--																								
S																										
	Was a chemical/bacteriological sample submitted to Department? Yes ..... No <u>X</u> .....; If yes, mo/day/yr Sample was submitted..... Water well disinfected? Yes <u>X</u> No .....																									

**5 TYPE OF CASING USED:**

5 Wrought Iron	8 Concrete tile	CASING JOINTS: <u>Glued</u> ..... Clamped.....
1 Steel	3 RMP (SR)	6 Asbestos-Cement
<u>2 PVC</u>	4 ABS	7 Fiberglass
		9 Other (specify below)
		10 Asbestos-Cement
		11 Other (Specify)
		12 None used (open hole)

Blank casing diameter ..... 5 ..... in. to ..... 3.0 ..... ft., Diameter ..... in. to ..... ft., Diameter ..... in. to ..... ft.  
 Casing height above land surface..... 2.0 ..... in., Weight ..... 160 ..... lbs./ft. Wall thickness or gauge No. .... 2.14 .....

**TYPE OF SCREEN OR PERFORATION MATERIAL:**

1 Steel	3 Stainless Steel	5 Fiberglass	<u>7 PVC</u>	9 ABS	11 Other (Specify)
2 Brass	4 Galvanized Steel	6 Concrete tile	8 RM (SR)	10 Asbestos-Cement	12 None used (open hole)

**SCREEN OR PERFORATION OPENINGS ARE:**

1 Continuous slot	3 Mill slot	5 Gauzed wrapped	7 Torch cut	9 Drilled holes	11 None (open hole)
2 Louvered shutter	4 Key punched	6 Wire wrapped	<u>8 Saw cut</u>	10 Other (specify)	

**SCREEN-PERFORATED INTERVALS:** From ..... 30 ..... ft. to ..... 50 ..... ft., From ..... ft. to ..... ft.  
 From ..... ft. to ..... ft., From ..... ft. to ..... ft.

**GRAVEL PACK INTERVALS:** From ..... 50 ..... ft. to ..... 28 ..... ft., From ..... ft. to ..... ft.  
 From ..... ft. to ..... ft., From ..... ft. to ..... ft.

**6 GROUT MATERIAL:** 1 Neat cement 2 Cement grout 3 Bentonite 4 Other Hole Plug

Grout Intervals: From ..... 28 ..... ft. to ..... 0 ..... ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.

What is the nearest source of possible contamination:

1 Septic tank	4 Lateral lines	7 Pit privy	10 Livestock pens	13 Insecticide storage	16 Other (specify below)
2 Sewer lines	5 Cess pool	8 Sewage lagoon	11 Fuel storage	14 Abandoned water well	
<u>3 Watertight sewer lines</u>	6 Seepage pit	9 Feedyard	12 Fertilizer storage	15 Oil well/gas well	

Direction from well? ..... West ..... How many feet? ..... 40 .....

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
<u>0</u>	<u>3</u>	<u>Top Soil</u>			
<u>3</u>	<u>12</u>	<u>Brown Clay</u>			
<u>12</u>	<u>17</u>	<u>Brown Clay Broken lime stone 70/30</u>			
<u>17</u>	<u>25</u>	<u>Broken lime stone - small to fine sand</u>			
<u>25</u>	<u>28</u>	<u>River mud</u>			
<u>28</u>	<u>32</u>	<u>River mud and broken lime stone</u>			
<u>32</u>	<u>47</u>	<u>Broken limestone, small to fine sand 4/10 streaks of tan clay</u>			
<u>47</u>	<u>50</u>	<u>River mud slight</u>			

**7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION:** This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 6-17-08 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 134 This Water Well Record was completed on (mo/day/year) 6-19-08 under the business name of Rasercourt Bernis Ert by (signature) Jesse Dadeau

**INSTRUCTIONS:** Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5522. Send one to WATER WELL OWNER and retain one for your records. Fee of \$5.00 for each constructed well. Visit us at <http://www.kdheks.gov/waterwell/index.html>.



**WATER WELL RECORD**

**Form WWC-5**

Division of Water Resources App. No.  

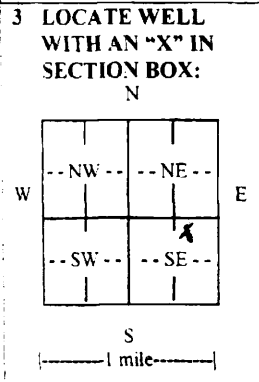
**1 LOCATION OF WATER WELL:** Fraction  $\frac{1}{4}$  NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  Section Number 7 Township No. T 11 S Range Number R 12  E  W

County: Russell

Street/Rural Address of Well Location; if unknown, distance & direction from nearest town or intersection: If at owner's address, check here  South edge of Luray

**Global Positioning System (GPS) information:**  
 Latitude: ..... (in decimal degrees)  
 Longitude: ..... (in decimal degrees)  
 Elevation: .....  
 Datum:  WGS 84,  NAD 83,  NAD 27  
 Collection Method:  
 GPS unit (Make/Model: .....)  
 Digital Map/Photo,  Topographic Map,  Land Survey  
 Est. Accuracy:  <3 m,  3-5 m,  5-15 m,  >15 m

**2 WATER WELL OWNER:** MHW Ent. Inc.  
 RR#, Street Address, Box #: 819 E Rve Drive  
 City, State, ZIP Code : Sylvania Grove, KS 67481



**4 DEPTH OF COMPLETED WELL** 72 ..... ft.

Depth(s) Groundwater Encountered (1)..... ft. (2)..... ft. (3)..... ft.

WELL'S STATIC WATER LEVEL 20 ..... ft. below land surface measured on mo/day/yr. 9-24-14

Pump test data: Well water was.....ft. after..... hours pumping..... gpm

EST. YIELD N/A .....gpm. Well water was.....ft. after..... hours pumping..... gpm

Bore Hole Diameter 10 .....in. to 72 .....ft., and .....in. to .....ft.

WELL WATER TO BE USED AS:  Public water supply  Geothermal  Injection well  
 Domestic  Feedlot  Oil field water supply  Dewatering  Other (Specify below)  
 Irrigation  Industrial  Domestic-lawn & garden  Monitoring well  Stock

Was a chemical/bacteriological sample submitted to Department?  Yes  No

If yes, mo/day/yr sample was submitted.....

Water well disinfected?  Yes  No

**5 TYPE OF CASING USED:**  Steel  PVC  Other .....

CASING JOINTS:  Glued  Clamped  Welded  Threaded

Casing diameter .5 ..... in. to .72 ..... ft., Diameter ..... in. to ..... ft., Diameter ..... in. to ..... ft.

Casing height above land surface 18 ..... in., Weight SDR-26 ..... lbs./ft., Wall thickness or gauge No. ....

TYPE OF SCREEN OR PERFORATION MATERIAL:  
 Steel  Stainless Steel  PVC  Other (Specify) .....  
 Brass  Galvanized Steel  None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:  
 Continuous slot  Mill slot  Gauze wrapped  Torch cut  Drilled holes  None (open hole)  
 I.ouvered shutter  Key punched  Wire wrapped  Saw cut  Other (specify) .....

SCREEN-PERFORATED INTERVALS: From 72 ..... ft. to 32 ..... ft., From ..... ft. to ..... ft.  
 From ..... ft. to ..... ft., From ..... ft. to ..... ft.

GRAVEL PACK INTERVALS: From 72 ..... ft. to 20 ..... ft., From ..... ft. to ..... ft.  
 From ..... ft. to ..... ft., From ..... ft. to ..... ft.

**6 GROUT MATERIAL:**  Neat cement  Cement grout  Bentonite  Other .....

Grout Intervals: From ..... ft. to ..... ft., From 20 ..... ft. to 0 ..... ft., From ..... ft. to ..... ft.

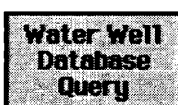
What is the nearest source of possible contamination:  
 Septic tank  Lateral lines  Pit privy  Livestock pens  Insecticide storage  Other (specify below)  
 Sewer lines  Cesspool  Sewage lagoon  Fuel storage  Abandoned water well  
 Watertight sewer lines  Seepage pit  Feedyard  Fertilizer storage  Oil well/gas well  Creek

Direction from well North ..... Distance from well 50 ft.

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	3	Top soil			
3	16	Sandy brown clay			
16	21	Broken limestone			
21	55	Soft, sandy gray clay			
55	57	Broken white rock			
57	72	Gray shale			

**7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION:** This water well was  constructed,  reconstructed, or  plugged under my jurisdiction and was completed on (mo/day/year) 9-24-14 ..... and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 134 ..... This Water Well Record was completed on (mo/day/year) 10-2-14 ..... under the business name of Rosencrantz- Bemis Ent Inc ..... by (signature) *Mara Bemis*

**INSTRUCTIONS:** Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks and check the correct answers. Send three copies (white, blue, pink) to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5524. Send one copy to WATER WELL OWNER and retain one for your records. Include fee of \$5.00 for each constructed well. Visit us at <http://www.kdheks.gov/waterwell/index.html>.



## Specific Water Well Detail

## Well T11S, R12W, Sec. 8, NWNENW, Action: Constructed

Location Info	
County: Russell	Location: T11S, R12W, Sec. 8, NWNENW
Owner: SCHNEIDER	Status: Constructed
Directions: IN LURAY KS	
Longitude: -98.6808956	Latitude: 39.1174531
Longitude and latitude calculated by Survey from township-range-section-quarter calls. Only good to within the quarter call accuracy.	
<a href="#">View well on interactive map</a> This link will create a new window and display an interactive map of this well and its neighbors.	
General Info	
Well Depth: 60 ft.	Elevation: ft.
Static Water Level: 30 ft.	Est. Yield: 15 gpm.
Well Use: Lawn and Garden - domestic only	
DWR Applic. #:	Other ID:
Driller Info	
Driller: Karst Water Well Drilling & Service, Inc.	License #: 199
Comp. Date: 15-May-1989	
Chemical Sample Submitted?: No	
Casing Info	
Casing Type: PVC	
Diam: 5 in. to 40 ft.	
Diam: 0 in. to 0 ft.	
Diam: 0 in. to 0 ft.	
Grout Info	
Grout used: NEAT CEMENT	
From: 0 to 24 ft.	
From: 0 to 0 ft.	
From: 0 to 0 ft.	
Source of Possible Contamination	
Source: none	
Direction from well:	Distance: 0

<b>Screen and Perforation Info</b>	
<b>Screen Type:</b> TORCH CUT	<b>Screen Openings:</b> SAW CUT
<b>From:</b> 40 ft. to 60 ft.	<b>From:</b> 0 ft. to 0 ft.
<b>From:</b> 0 ft. to 0 ft.	<b>From:</b> 0 ft. to 0 ft.
<b>Lithologic Log</b>	
(log data not edited or checked by the KGS.)	
<b>From:</b> 0 ft. to 35 ft.	<b>Type:</b> CLAY
<b>From:</b> 35 ft. to 52 ft.	<b>Type:</b> GRAVEL
<b>From:</b> 52 ft. to 60 ft.	<b>Type:</b> SHALE

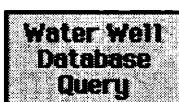
Kansas Geological Survey

Comments to [webadmin@kgs.ku.edu](mailto:webadmin@kgs.ku.edu)

URL=<http://www.kgs.ku.edu/Magellan/WaterWell/index.html>

Display Programs Updated July 2, 2014

Data added continuously.



## Specific Water Well Detail

## Well T11S, R12W, Sec. 18, SESESW, Action: Constructed

Location Info	
County: Russell	Location: T11S, R12W, Sec. 18, SESESW
Owner: MEYER	Status: Constructed
Directions: LURAY 1S	
Longitude: -98.6969377	Latitude: 39.0900341
Longitude and latitude calculated by Survey from township-range-section-quarter calls. Only good to within the quarter call accuracy.	
<a href="#">View well on interactive map</a> This link will create a new window and display an interactive map of this well and its neighbors.	
General Info	
Well Depth: 185 ft.	Elevation: ft.
Static Water Level: 145 ft.	Est. Yield: 18 gpm.
Well Use: Domestic	
DWR Applic. #:	Other ID:
Driller Info	
Driller: Kelly's Water Well Service, Inc.	License #: 186
Comp. Date: 28-Apr-1989	
Chemical Sample Submitted?: No	
Casing Info	
Casing Type: PVC	
Diam: 5 in. to 145 ft.	
Diam: 0 in. to 0 ft.	
Diam: 0 in. to 0 ft.	
Grout Info	
Grout used: NEAT CEMENT	
From: 0 to 20 ft.	
From: 0 to 0 ft.	
From: 0 to 0 ft.	
Source of Possible Contamination	
Source: LIVESTOCK PENS	
Direction from well:	Distance: 0

<b>Screen and Perforation Info</b>	
<b>Screen Type:</b> TORCH CUT	<b>Screen Openings:</b> SAW CUT
<b>From:</b> 145 ft. to 185 ft.	<b>From:</b> 0 ft. to 0 ft.
<b>From:</b> 0 ft. to 0 ft.	<b>From:</b> 0 ft. to 0 ft.
<b>Lithologic Log</b> (log data not edited or checked by the KGS.)	
<b>From:</b> 0 ft. to 100 ft.	<b>Type:</b> CLAY
<b>From:</b> 100 ft. to 185 ft.	<b>Type:</b> SANDSTONE

---

Kansas Geological Survey

Comments to [webadmin@kgs.ku.edu](mailto:webadmin@kgs.ku.edu)

URL=<http://www.kgs.ku.edu/Magellan/WaterWell/index.html>

Display Programs Updated July 2, 2014

Data added continuously.

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

January 28, 2016

KELI HABIGER  
ELLSWORTH COUNTY RWD NO 1  
103 NORTH DOUGLAS AVE  
ELLSWORTH KS 67439

Re: Pending New Applications  
File Nos. 49,494 and 49,503

Dear Ms Habiger:

Upon review of your above referenced applications returned to our office on January 14, 2016, it was noted that you did not provide all of the required information. Please review our letters dated November 6, 2015, and November 23, 2015, and provide the following information to complete the applications.

Paragraph No. 5 of your applications must describe **the locations for each of the individual wells comprising the proposed batteries of wells**. This information must also be plotted on your topographical maps.

The locations of all other water wells of every kind within one-half mile ( $\frac{1}{2}$ ) of the points of diversion must be plotted on the topographical maps. Each well should be identified as to its use (e.g. domestic, irrigation, industrial, etc.) and must **include the name and mailing address of the well owner**. A signed statement must be included on the maps declaring that all wells within one-half mile ( $\frac{1}{2}$ ) of the points of diversion have been plotted, or it should declare that none exist.

Paragraph No. 13 of the applications request well information so the source of supply of the proposed wells may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of wells or test holes within 300 feet of the proposed points of diversion. Please supply the indicated information and test hole logs or driller's logs with the returned applications.

The public water supply (municipal use) supplemental sheet must be completed to show projected future water needs and projected future population served, in order to fully understand your application and to determine whether the proposed quantity is reasonable. Please complete sections 3, 4, 5 and 6.

The original applications are being returned so that you may comply with the above instructions. In order to retain their priority of filing, the original applications and attachments must be returned to this office with the requested information on or before **February 29, 2016**. According to law, default in refileing of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

(over)

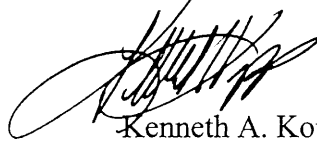
ELLSWORTH COUNTY RWD 1

File Nos. 49,494 and 49,503

Page 2 of 2

If you have any questions, please contact me at (785) 564-6640. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth A. Kopp', written over the word 'Sincerely,'.

Kenneth A. Kopp, P.G.  
New Applications Unit Supervisor  
Water Appropriation Program

Enclosures

pc: Stockton Field Office

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700

**Kansas**  
Department of Agriculture  
agriculture.ks.gov

900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

December 1, 2015

ELLSWORTH RWD 01  
A/K/A POST ROCK RWD  
PO BOX 25 304 N DOUGLAS  
ELLSWORTH KS 67439

Re: Pending Application,  
File No. 49,494

Dear Sir or Madam:

The Division of Water Resources returned the above referenced application to you for additional information on November 6, 2015, and the current deadline for your response is December 28, 2015. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original application and requested information needs to be returned to this office on or before **December 28, 2015**, or within any authorized extension of time thereof. According to law, default in refiling of the completed application and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

If an extension of time is necessary to supply the requested information, please request the extension of time in writing before **December 28, 2015**. Provide information as to why the additional time is needed and how much additional time is requested. Please note that since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 564-6627 or by email at kristen.baum@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Kristen A. Baum  
Environmental Scientist  
Water Appropriation Program

SCANNED

pc: Stockton Field Office



1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

November 6, 2015

ELLSWORTH COUNTY RWD NO1  
KELI HABIGER  
103 NORTH DOUGLAS AVE  
ELLSWORTH KS 67439

Re: Pending Application,  
File No. 49,494

Dear Sir or Madam:

After a preliminary review of your above referenced application for permit to appropriate water received in this office on October 28, 2015, it is being returned to you for additional information. In your original application, you requested a 60-day period of time in which to determine the precise location for your point of diversion within a specified quarter section tract of land described as the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 7, in Township 11 South, Range 12 West, Russell County, Kansas.

Once you've determined the precise location for your point of diversion, complete the rest of Paragraph No. 5 of your application by providing the description for the 10-acre tract location of the point of diversion as well as the feet distances North and West of the Southeast corner of the Section. The location of the point of diversion must also be plotted on the topographical map included. In the case of a battery of wells, please provide the description of the location of the proposed geographic center of the well battery, as well as **the location for each of the individual wells comprising the battery of wells**.

The locations of all other water wells of every kind within one-half mile ( $\frac{1}{2}$ ) of the point of diversion must be plotted on the topographical map as well. Each well should be identified as to its use (e.g. domestic, irrigation, industrial, etc.) and must **include the name and mailing address of the well owner**. A signed statement should be included on the map declaring that all wells within one-half mile ( $\frac{1}{2}$ ) of the point of diversion have been plotted, or it should declare that none exist. Please provide this information once you have established your point of diversion.

Paragraph No. 13 of the application requests well information so the source of supply of the proposed well may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of a well or test hole within 300 feet of the proposed point of diversion. Please supply the indicated information and a test hole log or a driller's log with the returned application. Also, the enclosed "Minimum Desirable Streamflow" form must be signed and notarized.

In order to retain its priority of filing, the original application and attachments must be returned to this office with the requested information on or before **December 28, 2015**, or within any authorized extension of time thereof. According to law, default in refileing of the completed application and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

(over)

SCANNED

ELLWORTH COUNTY RWD 1

11/6/15

Page 2 of 2

If you have any questions, please contact me at (785) 564-6627 or by email at kristen.baum@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Kristen A. Baum". The signature is written in a cursive style with a large initial "K".

Kristen A. Baum  
Environmental Scientist  
Water Appropriation Program

enclosures

pc:

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



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

November 2, 2015

ELLSWORTH COUNTY RURAL WATER DISTRICT  
103 NORTH DOUGLAS AVE  
ELLSWORTH KS 67439

RE: Application  
File No. 49494

Dear Sir or Madam:

Your application for permit to appropriate water in 7-11S-12W in Russell 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.**

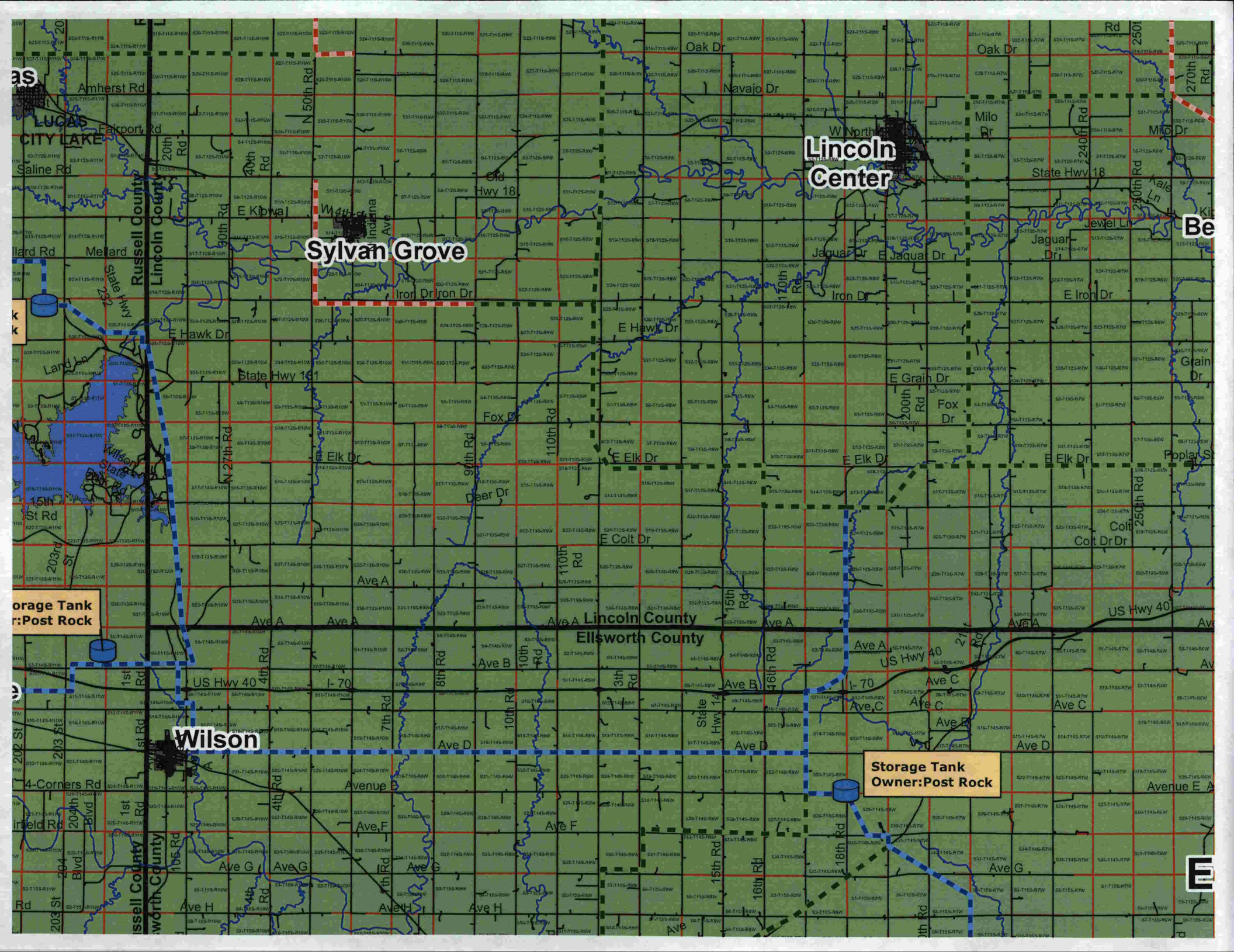
If you have any questions, please contact me at (785) 564-6634. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Kopp", written over a white background.

Kenneth A. Kopp, P.G.  
New Application Unit Supervisor  
Water Appropriation Program

KAK: DLW  
pc: STOCKTONField Office  
GMD 0



as  
CITY LAKE

Amherst Rd  
Fairport Rd  
Saline Rd

Willard Rd  
Mellard Rd

Land

Wilson State Park

15th St Rd

203rd St

Storage Tank  
Owner: Post Rock

Wilson

4 Corners Rd

202 St

Wilson

Wilson

Wilson

Wilson

Wilson

Wilson

Wilson

Sylvan Grove

Lincoln Center

Storage Tank  
Owner: Post Rock





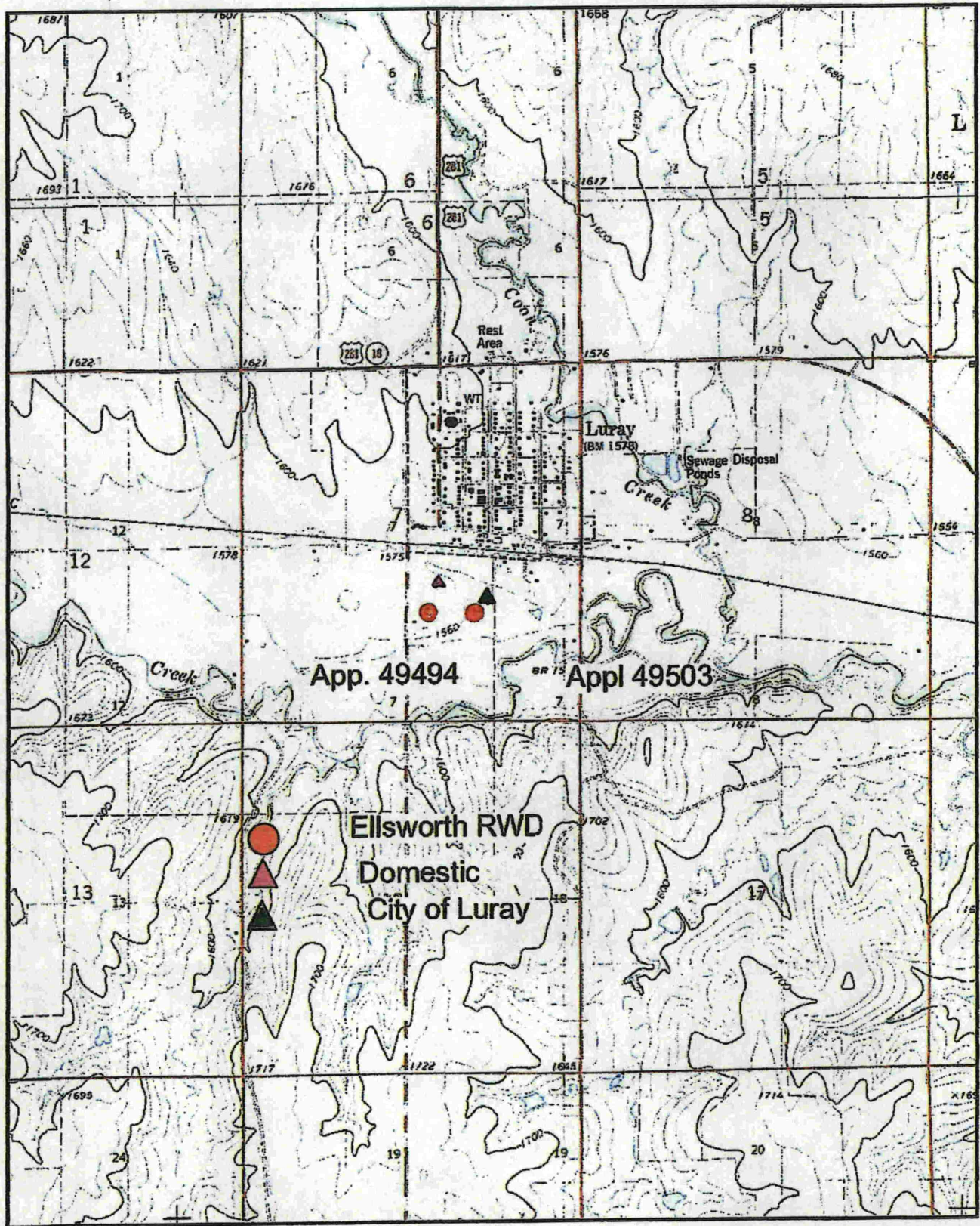
ELLSWORTH COUNTY RWD NO. 1  
 FILE NOS. 49,494 AND 49,503  
 Sec. 7, T11S, R12W  
 Russell County



1:12,000

- Domestic Well
- Proposed Point of Diversion

All known wells within one-half mile of the proposed point of diversion are shown on this map.



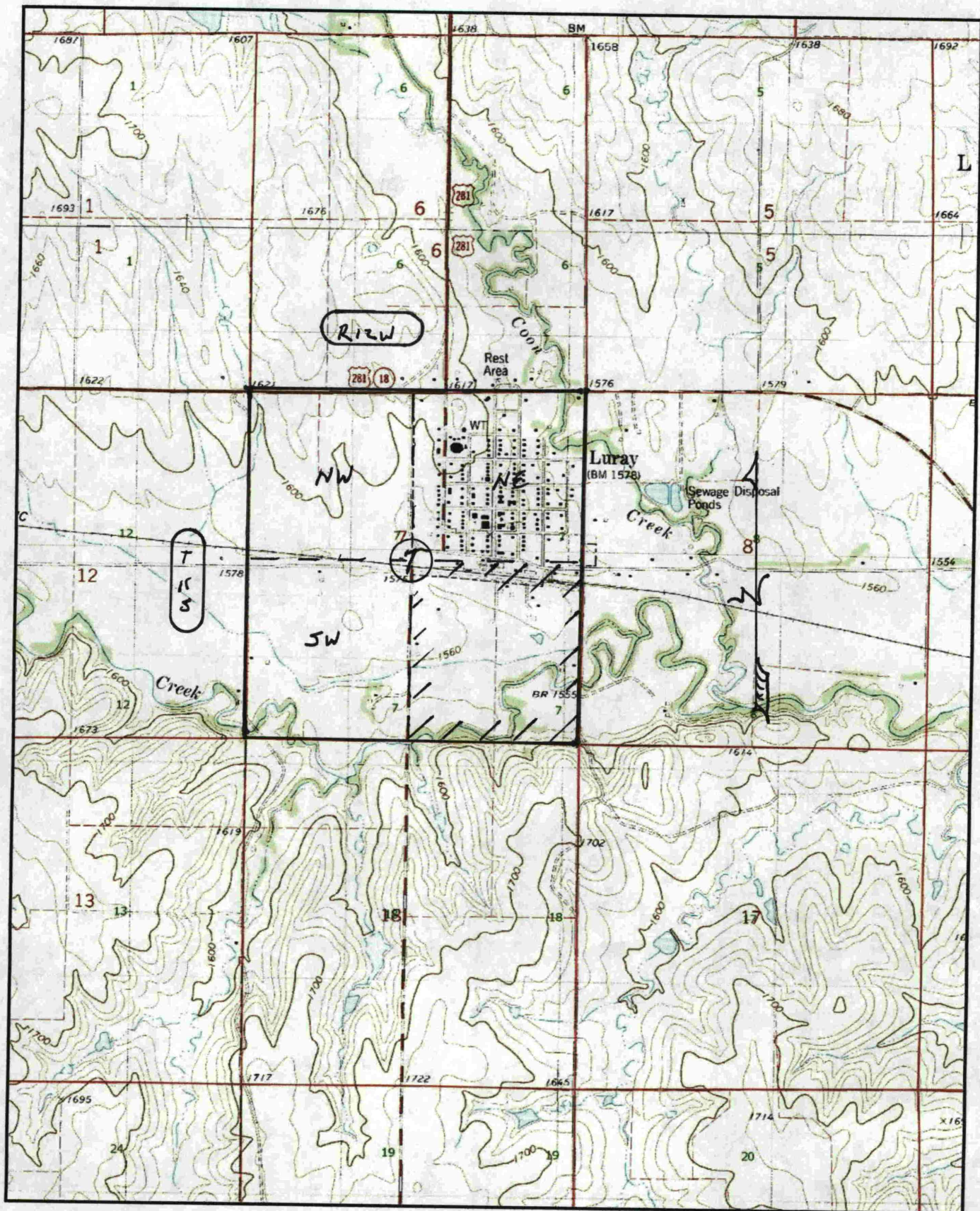
Universal Transverse Mercator (UTM) Projection Zone 14  
 North American Datum of 1983

1:24000 scale



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**FEB 22 2016**



Universal Transverse Mercator (UTM) Projection Zone 14  
 North American Datum of 1983

WATER RESOURCES RECEIVED 1:24000 scale  
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JAN 14 2016

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OCT 28 2015

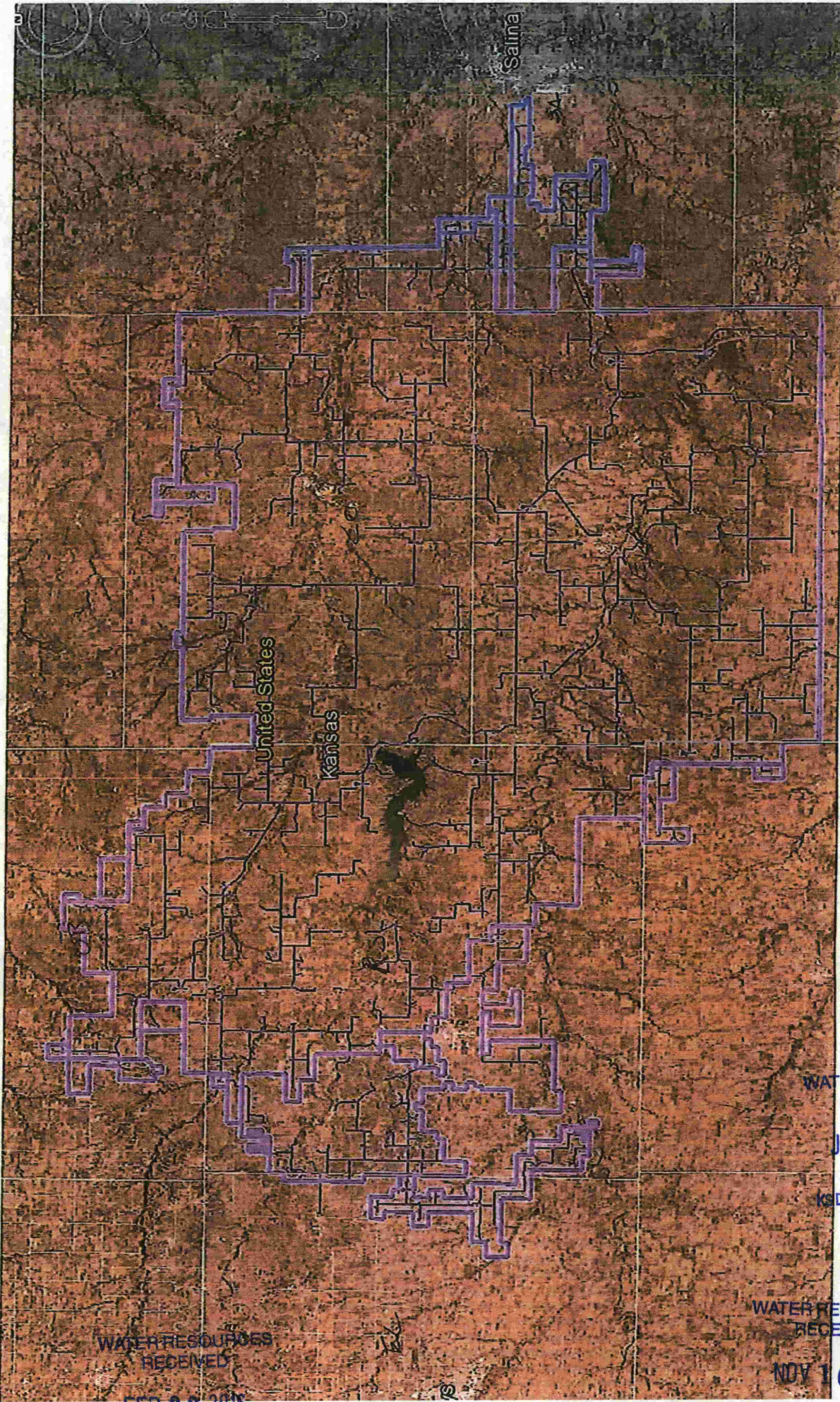
Magnetic declination of 2 arc. east of map  
 on March 17, 2011

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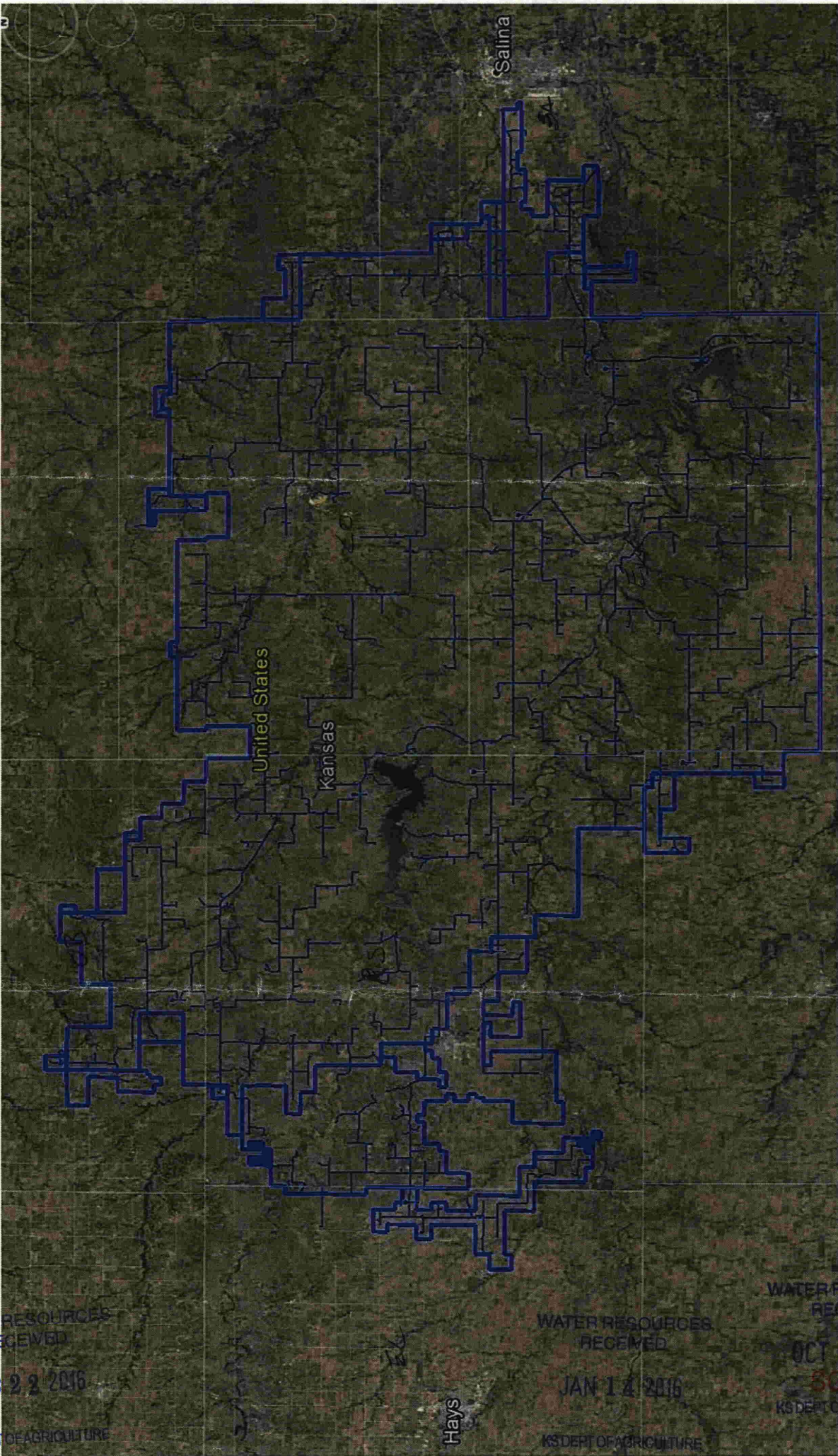




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