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

| 1. File Number: | 2. Status Change Date: | 3. Field Office: | 4. GMD: |
|---|---|---|---|
| **49,561** | 8/25/2016 | **3** | **0** |

5. Status: ☒ Approved ☐ Denied by DWR/GMD ☐ Dismiss by Request/Failure to Return

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

7a. Applicant(s) Person ID **33475**
New to system ☐ Add Seq# _____

**KEN BERRY**
**1624 N 70TH RD**
**MINNEAPOLIS KS 67467**

7b. Landowner(s) Person ID **64894**
New to system ☐ Add Seq# _____

CARLEEN BERRY
746 PRAIRIE RD
MINNEAPOLIS KS 67467

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

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

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

**7a.**

9. Use of Water: Changing? ☐ Yes ☒ No
☒ Groundwater ☐ Surface Water
☒ IRR ☐ REC ☐ DEW ☐ MUN
☐ STK ☐ SED ☐ DOM ☐ CON
☐ HYD DRG ☐ WTR PWR ☐ ART RECHRG
☐ IND SIC: _____ ☐ OTHER: _____

10. Completion Date: **12/31/2017** 11. Perfection Date: **12/31/2021** 12. Exp Date: _____

13. Conservation Plan Required? ☐ Yes ☒ No Date Required: _____ Date Approved: _____ Date to Comply: _____

14. Water Level Measuring Device? ☐ Yes ☒ No Date to Comply: _____ Date WLMD Installed: _____

Date Prepared: **8/9/2016** By: **DWS**
Date Entered: 8/25/2016 By: CM

| File No. **49,561** | 15. Formation Code:113/ **330** | Drainage Basin: SOLOMON RIVER | County: OT | Special Use: | Stream: |
|---|---|---|---|---|---|

| 16. Points of Diversion T MOD DEL ENT | PDIV | Qualifier | S | T | R | ID | 'N | 'W | | 17. Rate and Quantity Authorized Rate gpm | Authorized Quantity af | Additional Rate gpm | Additional Quantity af | Overlap PD Files |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **MOD** | **85052** | **SW SW SW** | **17** | **10** | **4W** | **1** | **200** | **4,650** | **(Geo-Ctr)** | **800** | **205** | **800** | **205** | **NONE** |
| **ENT** | 85560 | **SW SW SW** | **17** | **10** | **4W** | **1** | **200** | **4,775** | **(Batt 1 of 4)** | | | | | |
| **ENT** | 85561 | **SW SW SW** | **17** | **10** | **4W** | **1** | **200** | **4,900** | **(Batt 2 of 4)** | | | | | |
| **ENT** | 85562 | **SE SW SW** | **17** | **10** | **4W** | **1** | **200** | **4,525** | **(Batt 3 of 4)** | | | | | |
| **ENT** | 85563 | **SE SW SW** | **17** | **10** | **4W** | **1** | **200** | **4,400** | **(Batt 4 of 4)** | | | | | |
| | | Battery ID #1977 | | | | | | | | | | | | |

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

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

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

20. Meter Required? ☒ Yes ☐ No To be installed by **12/31/2017** Date Acceptable Meter Installed _____

| 21. Place of Use T MOD DEL ENT | PUSE | S | T | R | ID | NE¼ NE ¼ | NE¼ NW ¼ | NE¼ SW ¼ | NE¼ SE ¼ | NW¼ NE ¼ | NW¼ NW ¼ | NW¼ SW ¼ | NW¼ SE ¼ | SW¼ NE ¼ | SW¼ NW ¼ | SW¼ SW ¼ | SW¼ SE ¼ | SE¼ NE ¼ | SE¼ NW ¼ | SE¼ SW ¼ | SE¼ SE ¼ | Total | Owner | Chg? NO | Overlap Files |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| √ | **67588** | | | | | | | | | | | | | | | | | | | | | | **7b.** | **NO** | **NONE** |
| | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | |

Comments:

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

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

**TO:** Files **DATE:** August 9, 2016

**FROM:** Doug Schemm **RE:** Application, File No. 49,561

Ken Berry has filed the above referenced new application to appropriate 205 acre-feet of groundwater at a diversion rate of 800 gallons per minute for irrigation use, from a proposed battery of four wells. The place of use is wholly owned by Carleen Berry. The applicant has signed the application form stating he has access to the point of diversion. The geographic center of the well battery is located in the Southwest Quarter of Section 17, Township 10 South, Range 4 West, in Ottawa County. The requested quantity of water of 205 acre-feet, is just a few acre-feet less than the maximum allowable to irrigate the proposed 160 acres (1.3 Acre-Feet per acre is the maximum allowed in Ottawa County).

The source of water for the pending application appears to be primarily the alluvium, with a small amount of the unconfined Dakota aquifer system based on the test hole log that was submitted, and other nearby wells. Coarse sand and gravel extended from 44 feet to 76 feet below ground surface, with the notation of "with sandstone" on the well log at the bottom of the gravel layer. Only shale bedrock was encountered below this depth, which is atypical for this area, where most other well logs depict subsequent sequences of sandstone bedrock generally detected at deeper depths. Static water level was not provided on the well log, however nearby wells indicate that static water levels correlate with the sand and gravel layer. In addition, the application form (Paragraph No. 13) states that "depth to water bearing formation" was 44 feet (top of the sand and gravel layer). Maintaining consistency with senior files in this area, for wells producing from both sources, the extent of the alluvium is considered to be the limit of the unconfined aquifer.

K.A.R. 5-3-11 applies to safe yield evaluations for all unconfined aquifers. One of the specific criteria is to determine the extent of the unconfined aquifer, which as discussed above, is limited to the extent of the alluvium, which was determined to be an area of consideration of 4,877 acres. With 2.6 inches of recharge and 75% of recharge available, safe yield was determined to be 792.5 acre-feet. Existing appropriations total 542 acre-feet, leaving 250.5 acre-feet available, and therefore the application requesting 205 acre-feet, complies with safe yield criteria. Note that the initially proposed location of the point of diversion (74'N & 4,604'W) was modified slightly to meet safe yield, and the applicant agreed to this modification in a July 20, 2016 telephone discussion.

The applicant identified two domestic wells within one-half mile of the proposed point of diversion, and he signed the map showing their locations. Nearby notification letters were sent out on July 27, 2016. No responses of any kind were received. The point of diversion (geo-graphic center of well battery) complies with well spacing criteria for the unconfined Dakota aquifer system of one-quarter mile to domestic wells and one-half mile to non-domestic wells. The nearest domestic well is over 1,400 feet away, and the nearest non-domestic well is over 5,200 feet away.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. The applicant has submitted a signed a Minimum Desirable Streamflow form, which has been properly notarized. By completing this statement, the applicant affirms his/her knowledge that there could be times when the diversion of water may not be allowed under this permit.

In an August 8, 2016 e-mail, Kelly Stewart, Water Commissioner, Stockton Field Office, recommended approval of the referenced application. Based on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

## Schemm, Doug

**From:** Stewart, Kelly
**Sent:** Monday, August 08, 2016 11:06 AM
**To:** Schemm, Doug
**Cc:** Billinger, Mark; Hageman, Rebecca
**Subject:** RE: Ken Berry 49,561

Doug,

I have no objection to the approval of this application.

---

**From:** Schemm, Doug
**Sent:** Monday, August 8, 2016 10:41 AM
**To:** Stewart, Kelly <Kelly.Stewart@ks.gov>
**Cc:** Billinger, Mark <Mark.Billinger@ks.gov>
**Subject:** Ken Berry 49,561

This one meets the regs. File No. 49,562 is being dismissed for failure to meet safe yield.

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

August 25, 2016

KEN BERRY
1624 N 70TH RD
MINNEAPOLIS KS 67467

**FILE COPY**

RE: Appropriation of Water, File No. 49,561

Dear Mr. Berry:

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

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approval documents. A water meter is required on the proposed diversion works and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently $100.00.

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

BAT:dws
Enclosures
pc: Stockton Field Office
Carleen Berry

THE STATE OF KANSAS

**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

FILE COPY

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,561** of the applicant

**KEN BERRY**
**1624 N 70TH RD**
**MINNEAPOLIS KS 67467**

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 **February 16, 2016**.

2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

| | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Sec. Twp. Range | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 17 10S 4W | | | | | | | | | 40 | 40 | 40 | 40 | | | | | 160 |

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 Southwest Quarter of the Southwest Quarter (SW¼ SW¼ SW¼) of Section 17, more particularly described as being near a point 200 feet North and 4,650 feet West of the Southeast corner of said section, in Township 10 South, Range 4 West, Ottawa 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 **205 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, 2021** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of $100.00.

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

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

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

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

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

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

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

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

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

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

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

18. That this permit is limited such that all wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply, and shall supply water to a common distribution system.

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer, or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. The applicant, if aggrieved by this Order, may petition for administrative review, pursuant to K.S.A. 82a-711(c) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

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

Ordered this 25th day of August, 2016, in Topeka, Shawnee County, Kansas.

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

State of Kansas )
) SS
County of Riley )

The foregoing instrument was acknowledged before me this 25th day of August, 2016, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.

STATE OF KANSAS NOTARY PUBLIC
DANIELLE WILSON
My Appointment Expires
August 23, 2020

Notary Public

## CERTIFICATE OF SERVICE

On this 25 day of August, 2016, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,561, dated August 25, 2016 was mailed postage prepaid, first class, US mail to the following:

KEN BERRY
1624 N 70TH RD
MINNEAPLOIS KS 67467

With photocopies to:

CARLEEN BERRY
746 PRAIRIE RD
MINNEAPOLIS KS 67467

Stockton Field Office

Division of Water Resources

APPLICATION COMPLETE
8/12/2016
Reviewer DWS

THE STATE OF KANSAS

RECEIVED
JUN 28 2016
Topeka Field Office
DIVISION OF WATER RESOURCES

**KANSAS DEPARTMENT OF AGRICULTURE**
Jackie McClaskey, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**
David W. Barfield, Chief Engineer

File Number 49,561
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED
JUN 20 2016
1:11
KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED
FEB 16 2016
12:45
KS DEPT OF AGRICULTURE

# APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

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

1. Name of Applicant (Please Print): Ken Berry
   Address: 1624 N 70th RD
   City: Minneapolis State KS Zip Code 67467
   Telephone Number: (785) 392 7379

2. The source of water is: ☐ surface water in _____ (stream)
   OR ☒ groundwater in Salt Creek (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 205 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 800 gallons per minute OR _____ cubic feet per second.

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

4. The water is intended to be appropriated for **(Check use intended):**

| | | | |
|---|---|---|---|
| (a) ☐ Artificial Recharge | (b) ☒ Irrigation | (c) ☐ Recreational | (d) ☐ Water Power |
| (e) ☐ Industrial | (f) ☐ Municipal | (g) ☐ Stockwatering | (h) ☐ Sediment Control |
| (i) ☐ Domestic | (j) ☐ Dewatering | (k) ☐ Hydraulic Dredging | (l) ☐ Fire Protection |
| (m) ☐ Thermal Exchange | (n) ☐ Contamination Remediation | | |

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

**For Office Use Only:**
*F.O.* 3 *GMD* 0 *Meets K.A.R. 5-3-1* (YES / NO) *Use* IRR *Source* (G) S *County* OT *By* AW *Date* 2/16/16
*Code* 2E2 *Fee $* 300 *TR #* 1602308 7 *Receipt Date* 2/16/16 *Check #* 6499

DWR 1-100 (Revised 06/16/2014)

SCANNED
2/23/2016 LM

49,561

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

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

| Soil Name | Percent of field (%) | Intake Rate (in/hr) | Irrigation Design Group |
|---|---|---|---|
| Hord Silt loam | 52 | .3 | |
| Detroit silty clay loam | 38 | .15 | |
| Sutphen silty clay | 10 | .05 | |
| Total: | 100 % | | |

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

      Estimate the maximum land slope in the field(s): 1 %

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

      X Center pivot ___ Center pivot - LEPA ___ "Big gun" sprinkler

      ___ Gravity system (furrows) ___ Gravity system (borders) ___ Sideroll sprinkler

      Other, please describe: _____

   d. System design features:

      i. Describe how you will control tailwater:

      N/A

      ii. For sprinkler systems:

         (1) Estimate the operating pressure at the distribution system: 30.0 psi

         (2) What is the sprinkler package design rate? 800 gpm

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

         (4) Please include a copy of the sprinkler package design information. To be completed upon permit approval

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

      Corn → Soybeans → Wheat

   f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

      Based upon stress level of plants and point in growth cycle.

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

* Revised geo-ctr location to meet safe yield. Applicant agreed in 7/20/16 phone call.

File No. 49,561

*4 of 4 SE SW SW 200'N & 4,400'W 17-10S-4W, OT Co.

5. The location of the proposed wells, pump sites or other works for diversion of water is:

**Note:** For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

Request 60 days to locate suitable well location

Geo Ctr

(A) One in the SW quarter of the SW quarter of the SW quarter of Section 17, more particularly described as being near a point 74 200* feet North and 4604 4650* feet West of the Southeast corner of said section, in Township 10 South, Range 4 East/West (circle one), Ottawa County, Kansas.

Request preliminary safe yield center of 1/4 section

1 of 4 (B) One in the SW quarter of the SW quarter of the SW quarter of Section 17, more particularly described as being near a point 200 feet North and 4775 feet West of the Southeast corner of said section, in Township 10 South, Range 4 East/West (circle one), OT County, Kansas.

2 of 4 (C) One in the SW quarter of the SW quarter of the SW quarter of Section 17, more particularly described as being near a point 200 feet North and 4900 feet West of the Southeast corner of said section, in Township 10 South, Range 4 East/West (circle one), OT County, Kansas.

3 of 4 (D) One in the SE quarter of the SW quarter of the SW quarter of Section 17, more particularly described as being near a point 200 feet North and 4,525 feet West of the Southeast corner of said section, in Township 10 South, Range 4 East/West (circle one), OT 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 (¼) 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):

Carleen Berry 746 Prairie Rd Minneapolis, KS 67467 785 392 2522
(name, address and telephone number)

(name, address and telephone number)

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

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

Executed on 2-8, 2016. [signature]
Applicant's Signature

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

7. The proposed project for diversion of water will consist of Battery of 4 wells - Line up east to west per Applicant
(number of wells, pumps or dams, etc.)
and (was)(will be) completed (by) 12-31-2017.
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be 5-1-2017.
(Mo/Day/Year)

WATER RESOURCES RECEIVED
JUN 20 2016
KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED
FEB 16 2016
KS DEPT OF AGRICULTURE

DWS | DWR
SCANNED 7/26/16

File No. 49,561

9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?

☐ Yes ☒ No If "yes", a check valve shall be required.

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

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

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

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

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

(a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.

(b) If the application is for groundwater, please show the location of any existing water wells of any kind within ½ mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within ½ mile, please advise us.

(c) If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.

(d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.

(e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

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

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

_____

_____

_____

_____

_____

WATER RESOURCES
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JUN 20 2016

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FEB 16 2016
KS DEPT OF AGRICULTURE

File No. 49,561

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

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

| Well location as shown in paragraph No. | (A) | (B) | (C) | (D) |
|---|---|---|---|---|
| Date Drilled | 6-8-16 | | | |
| Total depth of well | 180' | | | |
| Depth to water bearing formation | 44' | | | |
| Depth to static water level | | | | |
| Depth to bottom of pump intake pipe | | | | |

14. The relationship of the applicant to the proposed place where the water will be used is that of tenant (owner, tenant, agent or otherwise).

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

Carleen Berry 746 Prairie Rd Minneapolis, KS 67467 785 392 2522
(name, address and telephone number)

(name, address and telephone number)

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

Dated at Minneapolis, Kansas, this 8 day of February (month), 2016 (year).

(Applicant Signature)

By
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by _____ _____ Date: _____
(office/title)

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KS DEPT OF AGRICULTURE

SCANNED

# IRRIGATION USE
# SUPPLEMENTAL SHEET

File No. 49,561

Name of Applicant (Please Print): Ken Berry

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

**Landowner of Record** NAME: Carleen Berry

ADDRESS: 746 Prairie RD Minneapolis KS 67467

| S | T | R | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| 17 | 10 | 4W | | | | | | | | | 40 | 40 | 40 | 40 | | | | | 160 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

**Landowner of Record** NAME:

ADDRESS:

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

**Landowner of Record** NAME:

ADDRESS:

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

#49,561

WATER RESOURCES RECEIVED FEB 16 2016 KS DEPT OF AGRICULTURE

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49,561

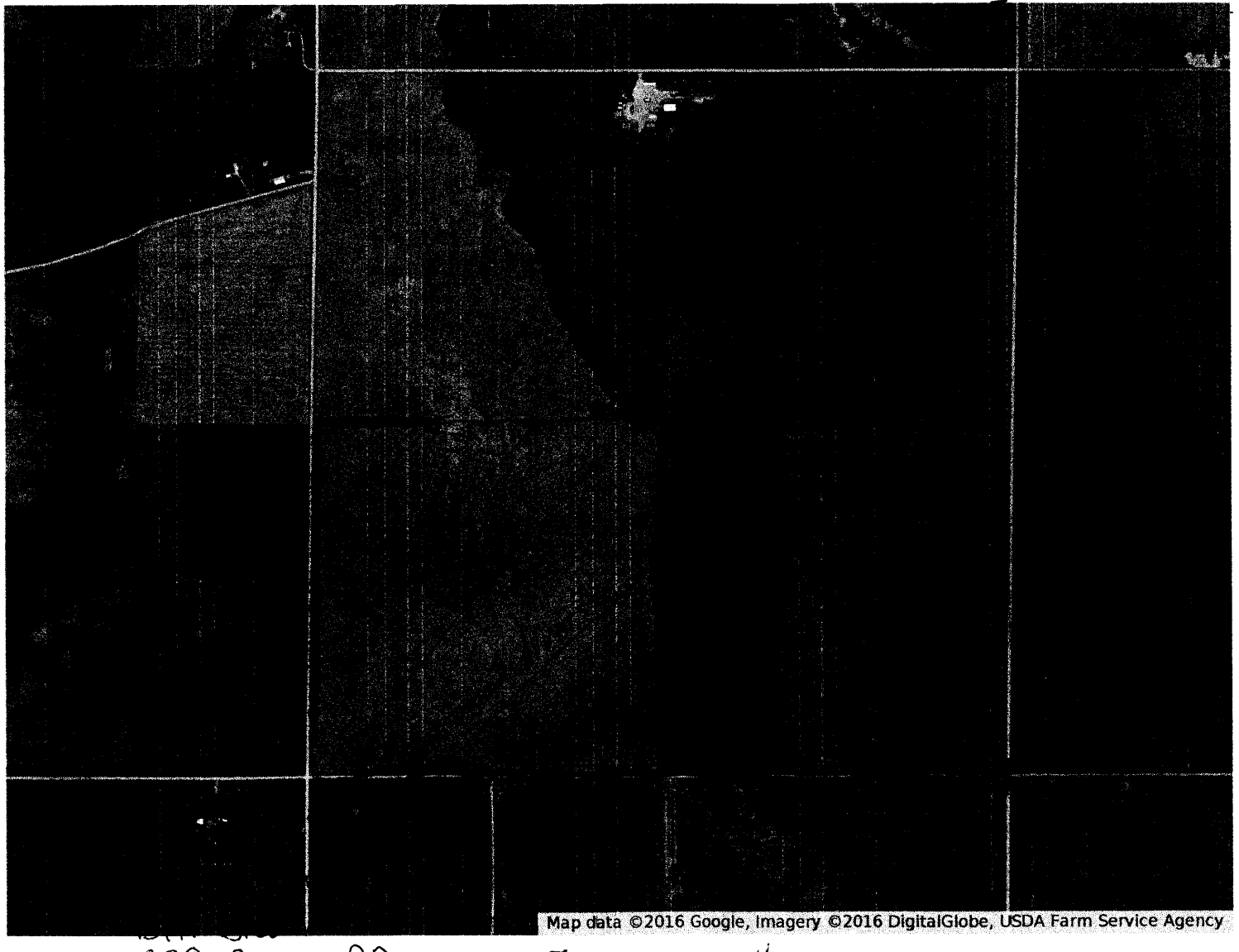
# Proposed Irrigation Site

17-10-4 Map

All wells of any kind within 1/2 mile of the requested point of diversion ~~have been~~ plotted

Signed: [signature]

Date: 2-8-16




WATER RESOURCES RECEIVED JUN 20 2016 KS DEPT OF AGRICULTURE

688 Oxbow RD
Minneapolis, KS 67467

⊗ Domestic well
Jocky Stratton
956 Star Shine
Minneapolis, KS 67467

# 49,561


# *Sargent Drilling*

INDUSTRIAL ENGINEERING
COMPLETE MUNICIPAL AND INDUSTRIAL
WELL AND PUMP SERVICE

PO Box 367
Geneva, NE 68361-0367

846 South 13th St.

Phone: (402) 759-3902
1-888-496-3902


## TEST HOLE LOG

| | |
|---|---|
| CUSTOMER: Ken Berry | |
| WELL ID: TH 2016-1<br>LOCATION: SW ¼ SW ¼, 17-T10S-R4W, Ottawa Co., KS | |
| LATITUDE: 39° 10' 33.5"<br>LONGITUDE: 097° 47' 48.8"<br>ELEVATION: 1,306'<br>FOOTAGES: 74' feet from the South section line and 676' feet from the West section line | |
| DATE: 6/8/2016 | DRILLED BY: Scott |

SWL:
PWL

| from feet | - | to feet | |
|---|---|---|---|
| 0 | | 20 | Top soil and brown clay |
| 20 | | 32 | Silty brown clay |
| 32 | | 44 | Blue clay |
| 44 | | 60 | Fine, medium, coarse sand and fine to medium gravel |
| 60 | | 76 | Fine, medium, coarse sand and fine to medium gravel with sandstone |
| 76 | | 80 | Red and white shale |
| 80 | | 100 | Red, white, blue, brown, and gray shale |
| 100 | | 120 | Gray, black, white, and blue shale |
| 120 | | 140 | Gray shale with hard strips |
| 140 | | 160 | Gray shale with hard layers |
| 160 | | 180 | Gray shale |

sh

4/29/16
(Date)

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

Re: Application
File No. 49,561

Minimum Desirable Streamflow

Dear Sir:

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

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

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

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

Signature of Applicant

Kenneth Berry
(Print Applicant's Name)

State of Kansas )
) ss
County of Ottawa )

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 29 day of April, 2016.

Rebecca K Myers
Notary Public

My Commission Expires: 9/14/19

NOTARY PUBLIC STATE OF KANSAS
REBECCA K. MYERS
My Appt. Exp. 9/14/19

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JUN 20 2016
KS DEPT OF AGRICULTURE

DWR 1-100.171 (Revised 03/27/2008)

**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

49,561
Application
Requesting 205 AF
meets safe Yield

**Analysis Results**

The selected PD is in an area to new appropriations.
The safe yield, based on the variables listed below is 792.51 AF.
Total prior appropriation in the circle is 903.00 AF. - 361 = 542
Total quantity of water available for appropriation is ~~0.00~~ AF.
250.5 AF

**Safe Yield Variables**

The area used for the analysis is set at 4877 acres.
Potential annual recharge of the area is estimated to be 2.6 inches.
The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 12-JUL-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 6 water right(s) and 9 point(s) of diversion within the circle.

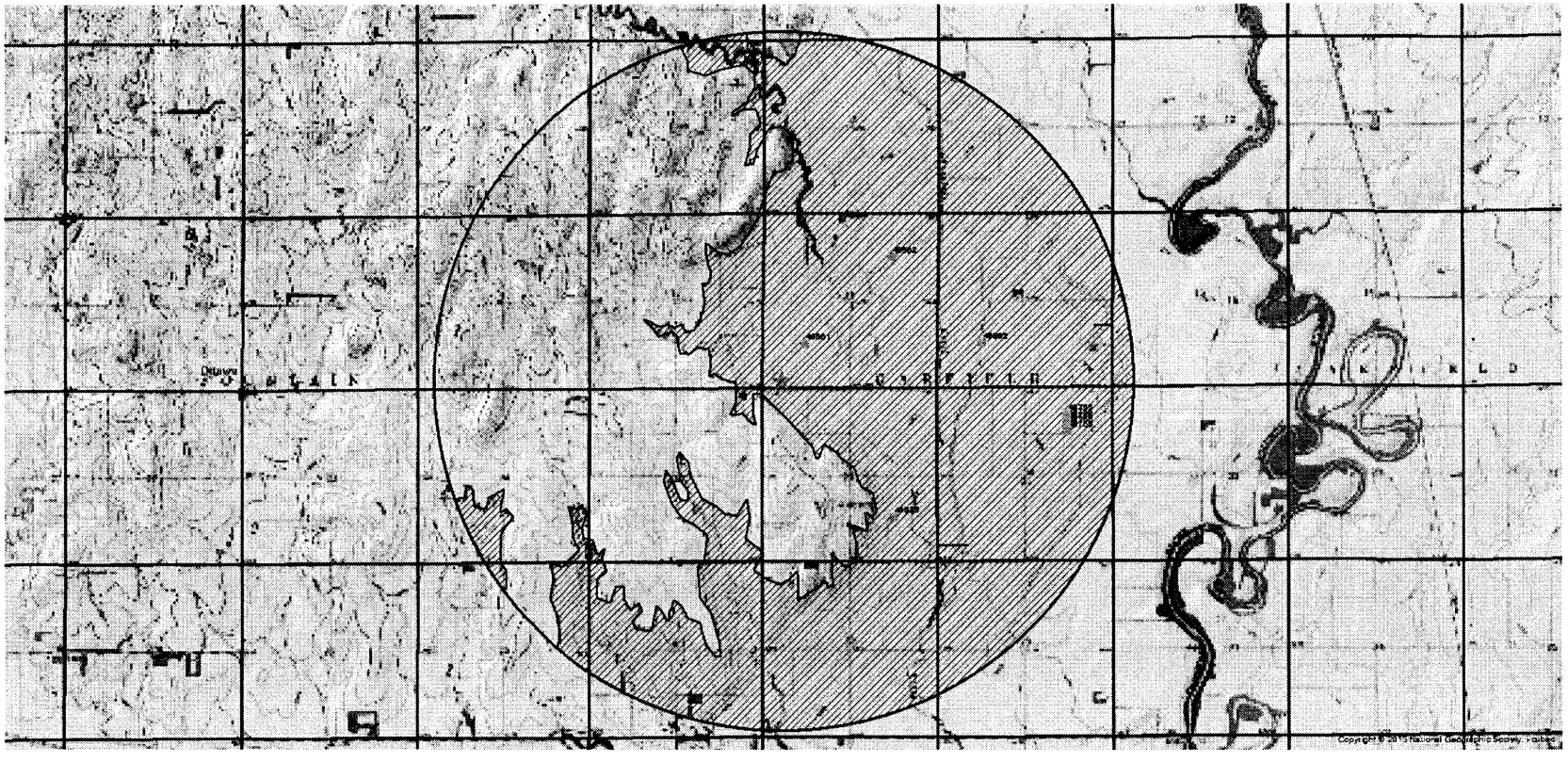
| File | Number | Use | ST | SR | Q4 | Q3 | Q2 | Q1 | FeetN | FeetW | Sec | Twp | Rng | ID | Qind | Auth_Quant | Add_Quant | Tacres | Nacres |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| A | 45912 00 | IRR | LR | G | | | NC | SW | 1309 | 3897 | 16 | 10 | 04W | 1 | WR | 169.00 | 169.00 | 150.00 | 150.00 |
| A | 47991 00 | IRR | LO | G | | | NC | SW | 1309 | 3897 | 16 | 10 | 04W | 1 | WR | 26.00 | 26.00 | 150.00 | 0.00 |
| A | 48755 00 | IRR | HK | G | | SE | NW | NE | 4165 | 1341 | 21 | 10 | 04W | 1 | WR | 208.00 | 208.00 | 160.00 | 160.00 |
| Same | | IRR | HK | G | | SE | NW | NE | 4290 | 1341 | 21 | 10 | 04W | 2 | WR | | | | |
| Same | | IRR | HK | G | | SE | NW | NE | 4415 | 1341 | 21 | 10 | 04W | 3 | WR | | | | |
| Same | | IRR | HK | G | | SE | NW | NE | 4040 | 1341 | 21 | 10 | 04W | 4 | WR | | | | |
| Same | | IRR | HK | G | | NE | SW | NE | 3915 | 1341 | 21 | 10 | 04W | 5 | WR | | | | |
| A | 48935 00 | IRR | KE | G | | NE | SW | SE | 1250 | 1570 | 20 | 10 | 04W | 1 | WR | 139.00 | 139.00 | 107.00 | 107.00 |
| A | 49561 00 | IRR | AY | G | | | | SW | 1320 | 3960 | 17 | 10 | 04W | 1 | WR | 205.00 | 205.00 | 160.00 | 160.00 |
| A | 49562 00 | IRR | AY | G | | | | NE | 3960 | 1320 | 17 | 10 | 04W | 2 | WR | 156.00 | 156.00 | 121.00 | 121.00 |

361

# 49,561

Safe Yield Report Sheet
Proposed Water Right Application
Point of Diversion in SESWSWSW 17-10S-04W
FILE NO. 49,561 (200'N & 4,650'W)

==========



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#49,561

Report Date Tuesday, July 26 2016

meets spacing all > ½ mile

Water Rights and Points of Diversion Within 2.00 miles of point defined as:
200 ft N and 4650 ft W of the SE Corner of Section 17, T 10S, R 4W
Located at: 97.796799 West Longitude and 39.176315 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__ 45912 | 00 IRR | LR | G | 6155 | -- | -- | NC | SW | 1309 | 3897 | 16 | 10 | 4W | 1 | | 169.00 | 169.00 | AF |
| A__ 47991 | 00 IRR | LO | G | 6155 | -- | -- | NC | SW | 1309 | 3897 | 16 | 10 | 4W | 1 | | 26.00 | 26.00 | AF |
| A__ 48755 | 00 IRR | HK | G | 8701 | -- | SE | NW | NE | 4165 | 1341 | 21 | 10 | 4W | 1 | G 4 | 208.00 | 208.00 | AF |
| Same | | | | 8683 | -- | SE | NW | NE | 4290 | 1341 | 21 | 10 | 4W | 2 | B 4 | | | |
| Same | | | | 8667 | -- | SE | NW | NE | 4415 | 1341 | 21 | 10 | 4W | 3 | B 4 | | | |
| Same | | | | 8721 | -- | SE | NW | NE | 4040 | 1341 | 21 | 10 | 4W | 4 | B 4 | | | |
| Same | | | | 8743 | -- | NE | SW | NE | 3915 | 1341 | 21 | 10 | 4W | 5 | B 4 | | | |
| A__ 48935 | 00 IRR | KE | G | 5241 | -- | NE | SW | SE | 1250 | 1570 | 20 | 10 | 4W | 1 | | 139.00 | 139.00 | AF |
| A__ 49561 | 00 IRR | AY | G | 1316 | -- | -- | -- | SW | 1320 | 3960 | 17 | 10 | 4W | 1 | | 205.00 | 205.00 | AF |
| A__ 49562 | 00 IRR | AY | G | 5023 | -- | -- | -- | NE | 3960 | 1320 | 17 | 10 | 4W | 2 | | 156.00 | 156.00 | AF |

| Total Net Quantities Authorized: | Direct | Storage |
|---|---|---|
| Total Requested Amount (AF) = | 361.00 | .00 |
| Total Permitted Amount (AF) = | 347.00 | .00 |
| Total Inspected Amount (AF) = | 195.00 | .00 |
| Total Pro_Cert Amount (AF) = | .00 | .00 |
| Total Certified Amount (AF) = | .00 | .00 |
| Total Vested Amount (AF) = | .00 | .00 |
| TOTAL AMOUNT (AF) = | 903.00 | .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:
97.796799 West Longitude and 39.176315 North Latitude
GROUNDWATER ONLY
WATER USE CORRESPONDENTS:

| File Number | Use | ST | SR |
|---|---|---|---|
| A__ 45912 | 00 IRR | LR | G |

> DOUGLAS W & REBECCA J HEIMER
>
> 1420 E HEDBERG RD
> ASSARIA KS 67416

| File Number | Use | ST | SR |
|---|---|---|---|
| A__ 47991 | 00 IRR | LO | G |

> DOUGLAS W & REBECCA J HEIMER
>
> 1420 E HEDBERG RD
> ASSARIA KS 67416

| File Number | Use | ST | SR |
|---|---|---|---|
| A__ 48755 | 00 IRR | HK | G |

> BERGEN FARMS LLC
>
> PO BOX 721200

```
>  NORMAN OK 73070
>---------------------------------------
A__   48935 00 IRR KE G
>   GOTTI FARMS
>  GRANT GOTTI
>  10 N 100TH RD
>  CULVER KS 67484
>---------------------------------------
A__   49561 00 IRR AY G
>  CARLEEN BERRY
>
>  746 PRAIRIE RD
>  MINNEAPOLIS KS 67467
>---------------------------------------
A__   49562 00 IRR AY G
>  KEN BERRY
>
>  1624 N 70TH RD
>  MINNEAPOLIS KS 67467
>---------------------------------------
```

==========

Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Kansas
Department of Agriculture
*Division of Water Resources*

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Sam Brownback, Governor

July 27, 2016

JOCKY STRATTON
956 STARSHINE
MINNEAPOLIS KS 67467

Re: Pending Application, File No. 49,561

Dear Sir or Madam:

This is to advise you that Ken Berry has filed the application referred to above for a permit to appropriate 205 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion (geographic center of well battery) is located as follows:

> In the Southwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 17, in Township 10 South, Range 4 West, Ottawa County, Kansas.

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

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

Doug Schemm

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Enclosure

pc: Ken Berry

Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Kansas
Department of Agriculture
*Division of Water Resources*

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Sam Brownback, Governor

July 27, 2016

BILL BROWN
688 OXBOW RD
MINNEAPOLIS KS 67467

Re: Pending Application, File No. 49,561

Dear Sir or Madam:

This is to advise you that Ken Berry has filed the application referred to above for a permit to appropriate 205 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion (geographic center of well battery) is located as follows:

In the Southwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 17, in Township 10 South, Range 4 West, Ottawa County, Kansas.

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

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

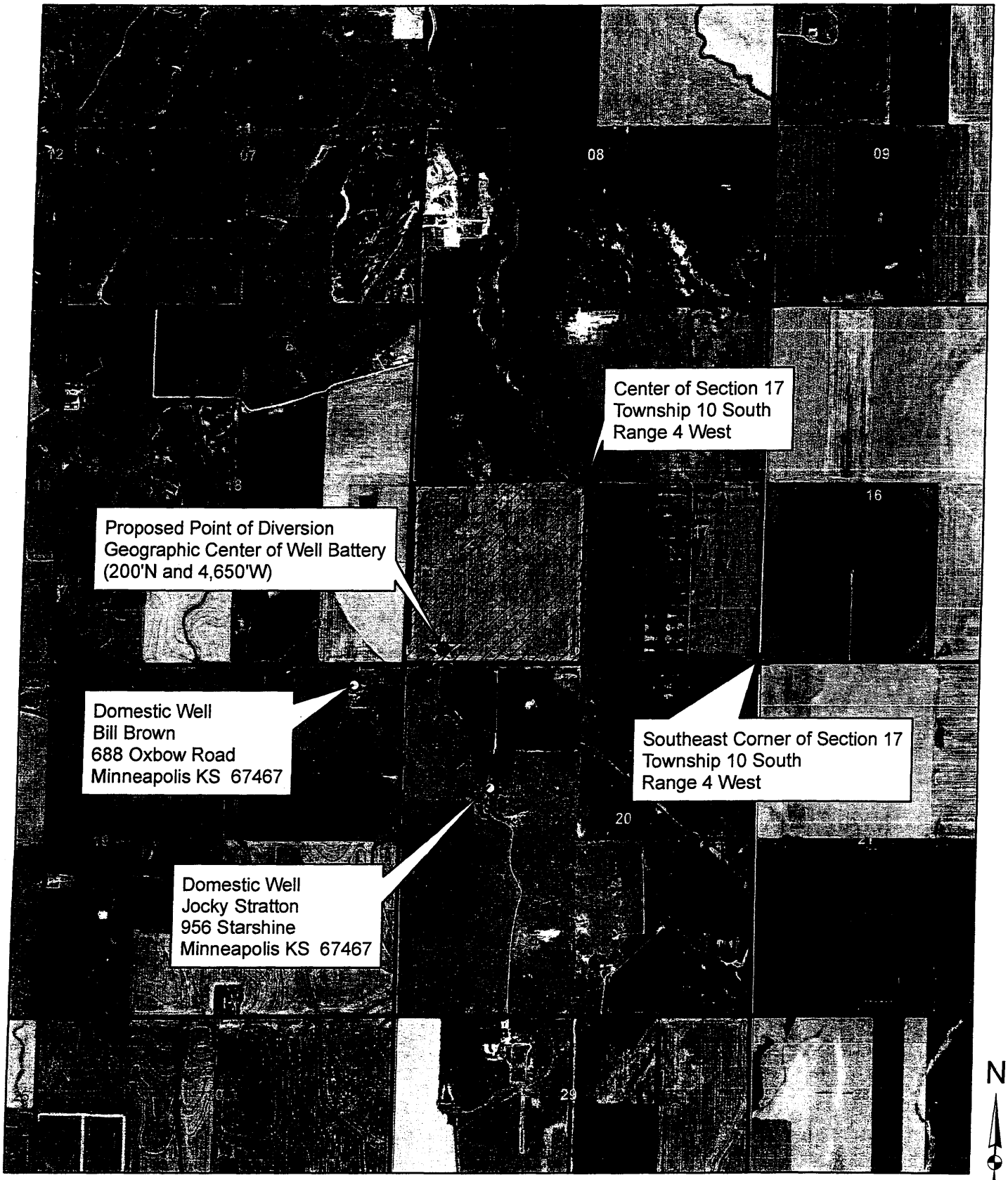
Sincerely,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Enclosure

pc: Ken Berry

# KEN BERRY - APPLICATION, FILE NO. 49,561
## Section 17, Township 10 South, Range 4 West
## Ottawa County




1:24,000

Proposed Place of Use

Proposed Point of Diversion

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

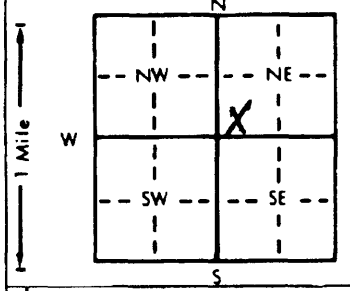
WATER WELL RECORD Form WWC-5 KSA 82a-1212

| 1 LOCATION OF WATER WELL: | Fraction | Section Number | Township Number | Range Number |
|---|---|---|---|---|
| County: Ottawa | SW ¼ SW ¼ NE ¼ | 20 | T 10 (S) | R 4 (E)/W |

Distance and direction from nearest town or city street address of well if located within city? To Ada Rd. & 6.4 Miles West To 80th Rd. & 6J From Minneapolis 6J North 1 Mile 1 mile North & ¾ West on Nugget

2 WATER WELL OWNER: Jocky Stinson
RR#, St. Address, Box # : 726 Oxbow
City, State, ZIP Code : Minneapolis Ks 67467
Board of Agriculture, Division of Water Resources
Application Number:

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




4 DEPTH OF COMPLETED WELL 120 ft. ELEVATION:
Depth(s) Groundwater Encountered 1. 68 ft. 2. ft. 3. ft.
WELL'S STATIC WATER LEVEL 60 ft. below land surface measured on mo/day/yr
Pump test data: Well water was ft. after hours pumping gpm
Est. Yield 20 gpm: Well water was ft. after hours pumping gpm
Bore Hole Diameter 10 in. to 120 ft., and in. to ft.
WELL WATER TO BE USED AS: 5 Public water supply 8 Air conditioning 11 Injection well
(1) Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)
2 Irrigation 4 Industrial 7 Lawn and garden only 10 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 BLANK CASING USED: 5 Wrought iron 8 Concrete tile CASING JOINTS: (Glued) Clamped
1 Steel 3 RMP (SR) 6 Asbestos-Cement 9 Other (specify below) Welded
(2) PVC 4 ABS 7 Fiberglass Threaded
Blank casing diameter 5 in. to 100 ft., Dia in. to ft., Dia in. to ft.
Casing height above land surface 2' in., weight Sch 40 lbs./ft. Wall thickness or gauge No.

TYPE OF SCREEN OR PERFORATION MATERIAL: (7) PVC 10 Asbestos-cement
1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 11 Other (specify)
2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE: 5 Gauzed wrapped 8 Saw cut 11 None (open hole)
1 Continuous slot (3) Mill slot 10/1000's 6 Wire wrapped 9 Drilled holes
2 Louvered shutter 4 Key punched 7 Torch cut 10 Other (specify)

SCREEN-PERFORATED INTERVALS: From 100 ft. to 120 ft., From ft. to ft.
From ft. to ft., From ft. to ft.
GRAVEL PACK INTERVALS: From 25 ft. to 120 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
Grout Intervals: From 0 ft. to 25 ft., From ft. to ft., From ft. to ft.

What is the nearest source of possible contamination:
1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well
2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well
3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below)
13 Insecticide storage
Direction from well? South How many feet? 200'

| FROM | TO | LITHOLOGIC LOG | FROM | TO | PLUGGING INTERVALS |
|---|---|---|---|---|---|
| 0 | 1 | Top Soil | | | |
| 1 | 20 | Sandy Clay | | | |
| 20 | 28 | Sand | | | |
| 28 | 35 | Tan Shale | | | |
| 35 | 40 | Grey Shale | | | |
| 40 | 68 | Red Shale (Water) | | | |
| 68 | 80 | Sand Stone & Fine Sand | | | |
| 80 | 120 | Fine Sand | | | |

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 8/21/99 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 451 This Water Well Record was completed on (mo/day/yr) 9/23/99
under the business name of Holderman Well Drilling by (signature) Craig Holderman CWP

INSTRUCTIONS: Use typewriter or ball point pen. *PLEASE PRESS FIRMLY* and *PRINT* clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Topeka, Kansas 66620-0001. Telephone: 913-296-5545. Send one to WATER WELL OWNER and retain one for your records.

OFFICE USE ONLY T R E/W SEC. ¼ ¼ ¼

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

1 LOCATION OF WATER WELL: County: OTTOWA | Fraction: NE ¼ NE ¼ NE ¼ | Section Number: 18 | Township Number: T 10 S | Range Number: R 4 E/W

Distance and direction from nearest town or city? 4 N 5 W MINNEAPOLIS | Street address of well if located within city?

2 WATER WELL OWNER: DWAYNE BROWN
RR#, St. Address, Box # : RT 3
City, State, ZIP Code : MINNEAPOLIS, KANSAS 67467
Board of Agriculture, Division of Water Resources Application Number:

3 DEPTH OF COMPLETED WELL 88 ft. Bore Hole Diameter 8 in. to 88 ft., and ____ in. to ____ ft.

Well Water to be used as: (1) Domestic 2 Irrigation 3 Feedlot 4 Industrial 5 Public water supply 6 Oil field water supply 7 Lawn and garden only 8 Air conditioning 9 Dewatering 10 Observation well 11 Injection well 12 Other (Specify below)

Well's static water level 43 ft. below land surface measured on 6 month 24 day 80 year

Pump Test Data: Well water was NA ft. after ____ hours pumping ____ gpm
Est. Yield 15 gpm: Well water was ____ ft. after ____ hours pumping ____ gpm

4 TYPE OF BLANK CASING USED: 1 Steel (2) PVC 3 RMP (SR) 4 ABS 5 Wrought iron 6 Asbestos-Cement 7 Fiberglass 8 Concrete tile 9 Other (specify below)
Casing Joints: Glued X Clamped ____ Welded ____ Threaded ____

Blank casing dia 12 in. to 12 ft., Dia ____ in. to ____ ft., Dia ____ in. to ____ ft.
Casing height above land surface 12 in., weight ____ lbs./ft. Wall thickness or gauge No .258

TYPE OF SCREEN OR PERFORATION MATERIAL: (2) PVC 1 Steel 2 Brass 3 Stainless steel 4 Galvanized steel 5 Fiberglass 6 Concrete tile 8 RMP (SR) 9 ABS 10 Asbestos-cement 11 Other (specify) 12 None used (open hole)

Screen or Perforation Openings Are: 1 Continuous slot 2 Louvered shutter 3 Mill slot 4 Key punched 5 Gauzed wrapped 6 Wire wrapped 7 Torch cut (8) Saw cut 9 Drilled holes 10 Other (specify) 11 None (open hole)

Screen-Perforation Dia 5 in. to 88 ft., Dia ____ in. to ____ ft., Dia ____ in to ____ ft.
Screen-Perforated Intervals: From 68 ft. to 88 ft., From ____ ft. to ____ ft.
From ____ ft. to ____ ft., From ____ ft. to ____ ft.
Gravel Pack Intervals: From 10 ft. to 88 ft., From ____ ft. to ____ ft.
From ____ ft. to ____ ft., From ____ ft. to ____ ft.

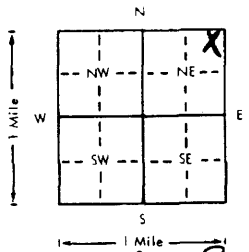
5 GROUT MATERIAL: (1) Neat cement 2 Cement grout 3 Bentonite 4 Other ____
Grouted Intervals: From 0 ft. to 10 ft., From ____ ft. to ____ ft., From ____ ft. to ____ ft.

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

Direction from well N EAST How many feet 150 ? Water Well Disinfected? Yes X No
Was a chemical/bacteriological sample submitted to Department? Yes ____ No X ; If yes, date sample was submitted ____ month ____ day ____ year: Pump Installed? Yes ____ No X
If Yes: Pump Manufacturer's name ____ Model No. ____ HP ____ Volts ____
Depth of Pump Intake ____ ft. Pumps Capacity rated at ____ gal./min.
Type of pump: 1 Submersible 2 Turbine 3 Jet 4 Centrifugal 5 Reciprocating 6 Other

6 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (X) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on 6 month 24 day 80 year and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 359
This Water Well Record was completed on 6 month 27 day 80 year under the business name of DARYL COX & SONS INC by (signature) Daryl Cox

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




ELEVATION: 1300?

| FROM | TO | LITHOLOGIC LOG | FROM | TO | LITHOLOGIC LOG |
|---|---|---|---|---|---|
| 0 | 3 | TOPSOIL | | | |
| 3 | 6 | BROWN CLAY | | | |
| 6 | 8 | SANDROCK | | | |
| 8 | 11 | RED CLAY | | | |
| 11 | 18 | SANDROCK | | | |
| 18 | 34 | BLUE CLAY | | | |
| 34 | 52 | RED CLAY | | | |
| 52 | 88 | SANDROCK | | | |
| 88 | | HARD ROCK | STOP | | |

Depth(s) Groundwater Encountered 1. ____ ft. 2. ____ ft. 3. ____ ft. 4. ____ ft. (Use a second sheet if needed)

INSTRUCTIONS: Use typewriter or ball point pen, *please press firmly* and *PRINT* clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Division of Environment, Water Well Contractors, Topeka, KS 66620. Send one to WATER WELL OWNER and retain one for your records.

OFFICE USE ONLY T 10 R 4 E/W SEC. 18 NE ¼ NE ¼ NE ¼

# WATER WELL RECORD Form WWC-5

Division of Water Resources App. No. _____ Well ID _____

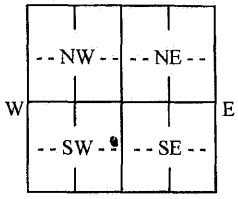
☐ Original Record ☐ Correction ☐ Change in Well Use

**1 LOCATION OF WATER WELL:** County: OTTAWA | Fraction: SE¼ SE¼ NE¼ SW¼ | Section Number: 7 | Township Number: T 10 S | Range Number: R 4 ☐ E ☒ W

**2 WELL OWNER:** Last Name: BOLLIED First: RON
Business:
Address: 718 E 9TH
Address:
City: MINNEAPOLIS State: KS ZIP: 67467

Street or Rural Address where well is located (if unknown, distance and direction from nearest town or intersection): If at owner's address, check here: ☐
½ MILE NORTH OF INTERSECTION 60TH RD AND PRAIRIE RD. EAST SIDE

**3 LOCATE WELL WITH "X" IN SECTION BOX:**




**4 DEPTH OF COMPLETED WELL:** 90 ft.
Depth(s) Groundwater Encountered: 1) 80 ft. 2) ..... ft. 3) ..... ft., or 4) ☐ Dry Well
WELL'S STATIC WATER LEVEL: 55 ft.
☒ below land surface, measured on (mo-day-yr) 05-16-13
☐ above land surface, measured on (mo-day-yr) .....
Pump test data: Well water was 70 ft. after ½ hours pumping BAILING gpm
Well water was ..... ft. after ..... hours pumping ..... gpm
Estimated Yield: 8 gpm
Bore Hole Diameter: 9 in. to 90 ft. and ..... in. to ..... ft.

**5 Latitude:** ..... (decimal degrees)
**Longitude:** ..... (decimal degrees)
Datum: ☐ WGS 84 ☐ NAD 83 ☐ NAD 27
Source for Latitude/Longitude:
☐ GPS (unit make/model: .....)
(WAAS enabled? ☐ Yes ☐ No)
☐ Land Survey ☐ Topographic Map
☐ Online Mapper: .....

**6 Elevation:** ..... ft. ☐ Ground Level ☐ TOC
Source: ☐ Land Survey ☐ GPS ☐ Topographic Map ☐ Other .....

**7 WELL WATER TO BE USED AS:**
1. Domestic: ☐ Household ☐ Lawn & Garden ☒ Livestock
2. ☐ Irrigation
3. ☐ Feedlot
4. ☐ Industrial
5. ☐ Public Water Supply: well ID .....
6. ☐ Dewatering: how many wells? .....
7. ☐ Aquifer Recharge: well ID .....
8. ☐ Monitoring: well ID .....
9. Environmental Remediation: well ID ..... ☐ Air Sparge ☐ Soil Vapor Extraction ☐ Recovery ☐ Injection
10. ☐ Oil Field Water Supply: lease .....
11. Test Hole: well ID ..... ☐ Cased ☐ Uncased ☐ Geotechnical
12. Geothermal: how many bores? ..... a) Closed Loop ☐ Horizontal ☐ Vertical b) Open Loop ☐ Surface Discharge ☐ Inj. of Water
13. ☐ Other (specify): .....

**Was a chemical/bacteriological sample submitted to KDHE?** ☐ Yes ☒ No If yes, date sample was submitted: .....
Water well disinfected? ☒ Yes ☐ No

**8 TYPE OF CASING USED:** ☐ Steel ☒ PVC ☐ Other ..... CASING JOINTS: ☒ Glued ☐ Clamped ☐ Welded ☐ Threaded
Casing diameter 5 in. to 79 ft., Diameter ..... in. to ..... ft., Diameter ..... in. to ..... ft.
Casing height above land surface 24 in. Weight 1.60 lbs./ft. Wall thickness or gauge No. SDR 26

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

SCREEN OR PERFORATION OPENINGS ARE:
☐ Continuous Slot ☒ Mill Slot .025 ☐ Gauze Wrapped ☐ Torch Cut ☐ Drilled Holes ☐ Other (Specify) .....
☐ Louvered Shutter ☐ Key Punched ☐ Wire Wrapped ☐ Saw Cut ☐ None (Open Hole)

SCREEN-PERFORATED INTERVALS: From 70 ft. to 90 ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.
GRAVEL PACK INTERVALS: From 25 ft. to 90 ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.

**9 GROUT MATERIAL:** ☐ Neat cement ☐ Cement grout ☒ Bentonite ☐ Other .....
Grout Intervals: From 0 ft. to 25 ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.

**Nearest source of possible contamination:**
☐ Septic Tank ☐ Lateral Lines ☐ Pit Privy ☐ Livestock Pens ☐ Insecticide Storage
☐ Sewer Lines ☐ Cess Pool ☐ Sewage Lagoon ☐ Fuel Storage ☐ Abandoned Water Well
☐ Watertight Sewer Lines ☐ Seepage Pit ☐ Feedyard ☐ Fertilizer Storage ☐ Oil Well/Gas Well
☐ Other (Specify) ..... OPEN PASTURE NONE APPARENT
Direction from well? ..... Distance from well? ..... ft.

| 10 FROM | TO | LITHOLOGIC LOG | FROM | TO | LITHO. LOG (cont.) or PLUGGING INTERVALS |
|---|---|---|---|---|---|
| 0 | 1 | TOP SOIL BROWN | | | |
| 1 | 24 | IRONSTONE & SANDSTONE | BROWN | | |
| 24 | 80 | CLAY MULTI COLORED | FIRM | | |
| 80 | 85 | SANDSTONE FINE GRAIN | GRAY | | |
| 85 | 90 | SHALE RED | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

**Notes:**

**11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION:** This water well was ☒ constructed, ☐ reconstructed, or ☐ plugged under my jurisdiction and was completed on (mo-day-year) 05-16-13 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 388 This Water Well Record was completed on (mo-day-year) 05-16-13 under the business name of PESTINGER PUMP SERVICE

INSTRUCTIONS: Send one copy to WATER WELL OWNER and retain one copy for your records. Submit fee of $5.00 for each constructed well along with one (white) copy to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone (785) 296-3565.

Visit us at http://www.kdheks.gov/waterwell/index.html KSA 82a-1212 Revised 9/10/2012

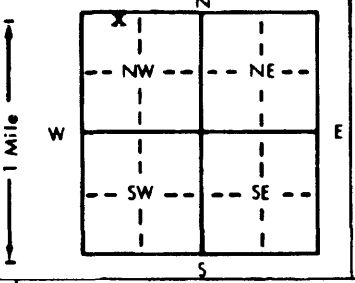
WATER WELL RECORD Form WWC-5 KSA 82a-1212

1 LOCATION OF WATER WELL: County: OTTAWA | Fraction: NE ¼ NW ¼ NW ¼ | Section Number: 8 | Township Number: T 10 S | Range Number: R 4 E/W

Distance and direction from nearest town or city street address of well if located within city?
718 QUARTZ OTTAWA COUNTY PERMIT #98-242

2 WATER WELL OWNER: GARY ROLPH
RR#, St. Address, Box # : 718 QUARTZ
City, State, ZIP Code : MINNEAPOLIS, KS. 67467
Board of Agriculture, Division of Water Resources
Application Number:

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




4 DEPTH OF COMPLETED WELL 50.5 ft. ELEVATION:
Depth(s) Groundwater Encountered 1. 16.9 ft. 2. ft. 3. ft.
WELL'S STATIC WATER LEVEL 16.9 ft. below land surface measured on mo/day/yr
Pump test data: Well water was 25.6 ft. after 1 hours pumping 30 gpm
Est. Yield 50+ gpm: Well water was ft. after hours pumping gpm
Bore Hole Diameter 9 in. to 51 ft., and in. to ft.
WELL WATER TO BE USED AS: 1 Domestic 2 Irrigation 3 Feedlot 4 Industrial 5 Public water supply 6 Oil field water supply 7 Lawn and garden only 8 Air conditioning 9 Dewatering 10 Monitoring well 11 Injection well 12 Other (Specify below)
Was a chemical/bacteriological sample submitted to Department? Yes No X; If yes, mo/day/yr sample was submitted
Water Well Disinfected? Yes X No

5 TYPE OF BLANK CASING USED: 1 Steel 2 PVC 3 RMP (SR) 4 ABS 5 Wrought iron 6 Asbestos-Cement 7 Fiberglass 8 Concrete tile 9 Other (specify below)
CASING JOINTS: Glued X Clamped Welded Threaded
Blank casing diameter 5 in. to 40.5 ft., Dia in. to ft., Dia in. to ft.
Casing height above land surface 18 in., weight 160 lbs./ft. Wall thickness or gauge No. SDR 26

TYPE OF SCREEN OR PERFORATION MATERIAL: 7 PVC
1 Steel 2 Brass 3 Stainless steel 4 Galvanized steel 5 Fiberglass 6 Concrete tile 8 RMP (SR) 9 ABS 10 Asbestos-cement 11 Other (specify) 12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE: 1 Continuous slot 2 Louvered shutter 3 Mill slot .035 4 Key punched 5 Gauzed wrapped 6 Wire wrapped 7 Torch cut 8 Saw cut 9 Drilled holes 10 Other (specify) 11 None (open hole)

SCREEN-PERFORATED INTERVALS: From 40.5 ft. to 50.5 ft., From ft. to ft.
From ft. to ft., From ft. to ft.
GRAVEL PACK INTERVALS: From 33 ft. to 50.5 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
Grout Intervals: From 6 ft. to 26 ft., From 30 ft. to 33 ft., From ft. to ft.

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

| FROM | TO | LITHOLOGIC LOG | FROM | TO | PLUGGING INTERVALS |
|---|---|---|---|---|---|
| 0 | 9 | SAND FINE TAN | | | |
| 9 | 51 | SANDSTONE TAN FINE GRAIN CLEAN | | | |

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 10-17-98 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 388 This Water Well Record was completed on (mo/day/yr) 10-17-98 under the business name of PESTINGER PUMP SERVICE by (signature)

INSTRUCTIONS: Use typewriter or ball point pen. *PLEASE PRESS FIRMLY* and *PRINT* clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Topeka, Kansas 66620-0001. Telephone: 913-296-5545. Send one to WATER WELL OWNER and retain one for your records.

OFFICE USE ONLY T R E/W SEC. ¼ ¼ ¼

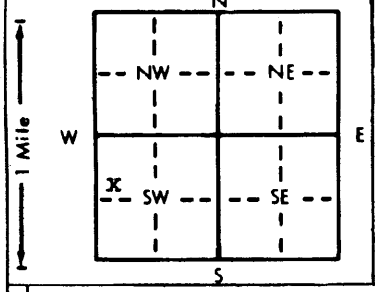
WATER WELL RECORD Form WWC-5 KSA 82a-1212

1 LOCATION OF WATER WELL: County: Ottawa | Fraction: SW ¼ NW ¼ SW ¼ | Section Number: 19 | Township Number: T 10 S | Range Number: R 4 E/W

Distance and direction from nearest town or city street address of well if located within city?
2 North, 6 West, ¼ North of Minneapolis

2 WATER WELL OWNER: Edith Bower
RR#, St. Address, Box # : Route 3
City, State, ZIP Code : Minneapolis, Kansas 67467
Board of Agriculture, Division of Water Resources Application Number:

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




4 DEPTH OF COMPLETED WELL 97 ft. ELEVATION:
Depth(s) Groundwater Encountered 1. 43 ft. 2. ft. 3. ft.
WELL'S STATIC WATER LEVEL 43 ft. below land surface measured on mo/day/yr 8/10/1982
Pump test data: Well water was NA ft. after hours pumping gpm
Est. Yield 20 gpm: Well water was ft. after hours pumping gpm
Bore Hole Diameter 8 in. to 97 ft., and in. to ft.
WELL WATER TO BE USED AS: 5 Public water supply 8 Air conditioning 11 Injection well
XX 1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)
2 Irrigation 4 Industrial 7 Lawn and garden only 10 Observation well
Was a chemical/bacteriological sample submitted to Department? Yes No X; If yes, mo/day/yr sample was submitted
Water Well Disinfected? Yes X No

5 TYPE OF BLANK CASING USED: 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued X Clamped
1 Steel 3 RMP (SR) 6 Asbestos-Cement 9 Other (specify below) Welded
XX 2 PVC 4 ABS 7 Fiberglass Threaded
Blank casing diameter 5 in. to 77 ft., Dia in. to ft., Dia in. to ft.
Casing height above land surface 12 in., weight 3 lbs./ft. Wall thickness or gauge No. .258

TYPE OF SCREEN OR PERFORATION MATERIAL: XX 7 PVC 10 Asbestos-cement
1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 11 Other (specify)
2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 12 None used (open hole)

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

SCREEN-PERFORATED INTERVALS: From 77 ft. to 97 ft., From ft. to ft.
From ft. to ft., From ft. to ft.
GRAVEL PACK INTERVALS: From 14 ft. to 97 ft., From ft. to ft.
From ft. to ft., From ft. to ft.

6 GROUT MATERIAL: XX 1 Neat cement 2 Cement grout 3 Bentonite 4 Other
Grout Intervals: From 4 ft. to 14 ft., From ft. to ft., From ft. to ft.

What is the nearest source of possible contamination:
XX 1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well
2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well
3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below)
13 Insecticide storage
Direction from well? North How many feet? 200

| FROM | TO | LITHOLOGIC LOG | FROM | TO | LITHOLOGIC LOG |
|---|---|---|---|---|---|
| 0 | 3 | topsoil | | | |
| 3 | 12 | brown clay | | | |
| 12 | 90 | sandrock | | | |
| 90 | 95 | blue clay | | | |
| 95 | 97 | red clay | | | |
| 97 | | stop | | | |

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 8/10/1982 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 359 This Water Well Record was completed on (mo/day/yr) 9/8/1982 under the business name of Daryl Cox & Sons Inc. by (signature) Daryl Cox

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

OFFICE USE ONLY T 10 R 4 E/W SEC. 19 SW¼ NW¼ SW¼

# FEE SCHEDULE

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

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

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

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

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

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

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

**MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE**

**ATTENTION**

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

**CONVERSION FACTORS**

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

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

June 17, 2016

KEN BERRY
1624 N 70TH RD
MINNEAPOLIS KS 67467

Re: Pending Applications,
File Nos. 49,560, 49,561, 49,562 and 49,563

Dear Mr. Berry:

In response to your written request by electronic mail received in this office on June 16, 2016, the Chief Engineer is allowing an extension of time for thirty (30) days, in which to supply further information concerning the above referenced files. The original applications were returned to you on February 25, 2016 , and with this extension of time, the revised deadline will be **July 20, 2016**.

Extension requests are evaluated on a case by case basis. Since it appears that no pending application would be adversely affected by granting this extension, you are being allowed an additional 60 days. If you determine that additional time will be needed, you may submit another request for an extension prior to the deadline given above. 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.

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 **July 20, 2016**, or within any authorized extension of time thereof. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

If you have any questions, please contact me at (785) 564-6631 or by email at alex.whitesell@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,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

pc: Stockton Field Office

## Whitesell, Alex

**From:** Ken Berry <berryseeds@nckcn.com>
**Sent:** Thursday, June 16, 2016 2:45 PM
**To:** Whitesell, Alex
**Subject:** Extension of time for file #'s 49,560, 49561, 49,562, & 49563

June 16, 2016

Dear Mr. Whitesell,

I am writing you to ask for an extension of time to complete the applications 49560, 45561, 45562, and 45563. The current deadline is June 20th. I have had the test hole drilling completed and am waiting on the paperwork from the drilling company so that I can include it in my applications and return them to your office. I expect to receive it very soon. However, time has run out to get it forwarded on to you by the 20th of this month. I would like to request a short extension in filing time to allow the applications to make it to you by a new deadline. Thank you for your attention to this matter.

Sincerely
Ken Berry
785-392-7379

--
Using Opera's revolutionary email client: http://www.opera.com/mail/

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

May 19, 2016

KEN BERRY
1624 N 70TH RD
MINNEAPOLIS KS 67467

Re: Pending Applications,
File Nos. 49,560, 49,561, 49,562 and 49,563

Dear Mr. Berry:

The Division of Water Resources returned the above referenced applications to you for additional information on February 25, 2016, and the current deadline for your response is June 20, 2016. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original applications and requested information needs to be returned to this office on or before **June 20, 2016**, or within any authorized extension of time thereof. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

If an extension of time is necessary to supply the requested information, please request the extension of time in writing before **June 20, 2016**. 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) 564-6631 or by email at alexander.whitesell@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,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

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

April 18, 2016

KEN BERRY
1624 N 70TH RD
MINNEAPOLIS KS 67467

Re: Pending Applications,
File Nos. 49,560, 49,561, 49,562 and 49,563

Dear Mr. Berry:

In response to your written request by electronic mail received in this office on April 14, 2016, the Chief Engineer is allowing an extension of time for sixty (60) days, in which to supply further information concerning the above referenced files. The original applications were returned to you on February 25, 2016, and with this extension of time, the revised deadline will be **June 20, 2016**.

Extension requests are evaluated on a case by case basis. Since it appears that no pending application would be adversely affected by granting this extension, you are being allowed an additional 60 days. If you determine that additional time will be needed, you may submit another request for an extension prior to the deadline given above. 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.

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 **June 20, 2016**, or within any authorized extension of time thereof. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

If you have any questions, please contact me at (785) 564-6631 or by email at alex.whitesell@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,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

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

March 16, 2016

KEN BERRY
1624 N 70TH RD
MINNEAPOLIS KS 67467

Re: Pending Applications,
File Nos. 49,560, 49,561, 49,562 and 49,563

Dear Mr. Berry:

The Division of Water Resources returned the above referenced applications to you for additional information on February 25, 2016, and the current deadline for your response is April 18, 2016. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original applications and requested information needs to be returned to this office on or before **April 18, 2016**, or within any authorized extension of time thereof. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

If an extension of time is necessary to supply the requested information, please request the extension of time in writing before **April 18, 2016**. 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) 564-6631 or by email at alexander.whitesell@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,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

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

February 25, 2016

KEN BERRY
1624 N 70TH RD
MINNEAPOLIS KS 67467

Re: Pending Applications,
File Nos. 49,560, 49,561, 49,562 and 49,563

Dear Mr. Berry:

After a preliminary review of your above referenced applications for permits to appropriate water received in this office on February 16, 2016, they are being returned to you for additional information. In your original applications, you requested a 60-day period of time in which to determine the precise locations for your points of diversion within specified quarter section tracts of land in Ottawa County, Kansas.

Once you've determined the precise locations for your points of diversion, complete the rest of Paragraph No. 5 for each of your applications 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 locations of the points of diversion must also be plotted on the topographical map(s) 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**.

It was noted that there a several households in the vicinity of your proposed points of diversion. The locations of all other water wells of every kind within one-half mile (½) of the points of diversion must be plotted on the topographical map(s) 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(s) declaring that all wells within one-half mile (½) of the points of diversion have been plotted, or it should declare that none exist. This information was included with your application but there appear to be households that are not listed on your maps.

Paragraph No. 13 of the application requests 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. Also, the enclosed "Minimum Desirable Streamflow" form must be signed and notarized.

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 **April 18, 2016**, or within any authorized extension of time thereof. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the applications.

(over)

If you have any questions, please contact me at (785) 564-6631 or by email at alexander.whitesell@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,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

enclosures
pc: Stockton Field Office

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

Kansas
Department of Agriculture

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

February 17, 2016

KEN BERRY
1624 N 70TH RD
MINNEAPOLIS KS 67467

RE: Application
File No. 49561

Dear Sir or Madam:

Your application for permit to appropriate water in 17-10S-4W in Ottowa 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,

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

KAK: DLW
pc: STOCKTONField Office
GMD

SCANNED

# KEN BERRY - APPLICATION, FILE NO. 49,561
## Section 17, Township 10 South, Range 4 West
## Ottawa County


1:24,000

Proposed Place of Use

Proposed Point of Diversion

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

*See attached map with Applicant Signature