

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

1. File Number: 49,682	2. Status Change Date: 4/24/2017	3. Field Office: 03	4. GMD:
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5. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

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

7a. Applicant(s) Person ID **4753**
 New to system Add Seq# **1**

**CITY OF ELLIS
 815 JEFFERSON
 ELLIS KS 67637**

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

**GLEN & PENNY HAFLINGER
 25007 J RD
 WAKEENEY KS 67672** *No!*

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

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

**GROUNDWATER ASSOCIATES INC
 109 W 1ST AVE
 PO BOX 792
 GODDARD KS 67052**

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: **12/31/2018** 11. Perfection Date: **12/31/2038** 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: **3/27/17** By: **AJW**
 Date Entered: **4/26/2017** By: **UM**

File No. **49,682** 15. Formation Code: 210 Drainage Basin: Saline County: TREGO Special Use: Stream: na

16. Points of Diversion										17. Rate and Quantity				
T										Authorized		Additional		
MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	Overlap PD Files
MOD	85504		SW SW NE	33	11S	22W	4	3,025	2,340	300	46.92	300	46.92	
ENT	86070		SW SW NE	33	11S	22W		3,025	2,540					
ENT	86071		SW SW NE	33	11S	22W		3,025	2,140					
<i>Battery # 2022</i>														

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

19. Limitation: **185 MG/YR (567 af)** af/yr at _____ gpm (_____ cfs) when combined with file number(s) **EL-003; 8,651; 49,311; 49,372**
 Limitation: **51.28 MG/YR (157.38 af)** af/yr at _____ gpm (_____ cfs) when combined with file number(s) **49631**

20. Meter Required? Yes No To be installed by **12/31/2018** Date Acceptable Meter Installed _____

21. Place of Use	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
✓ 20907																		7a	No	See below

Comments: **PU overlap with file nos. EL-003; 8,651; 49,311; 49,372**
0 additional water for the place of use. Approving as all additional quantity to protect safe-yield.

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: March 24, 2017

FROM: Alex Whitesell

RE: Application, File Nos. 49,631 and 49,682

The City of Ellis has filed the above referenced applications for a permit to appropriate water for municipal use in Trego County. Both of the referenced applications are part of the City's ongoing investigation into another source of supply.

Based on information submitted with File Nos. 49,311 and 49,372, which were approved March 23, 2016 for the City of Ellis, the referenced pending applications will be limited to the City's senior files providing no additional quantity of water. These new applications will therefore be limited to EI 3; 8,651; 49,311; and 49,372 and meet the reasonable quantity requirements. This will put a limitation of 185 MG/YR on the Place of Use.

The source of water for the pending application was determined to be Ogallala formation, based on test hole logs and area wells logs.

The two new applications authorized quantities will allow them the flexibility of diverting water from different points of diversion; however the authorized quantities will be limited to 157.38 acre-feet, the quantity available in safe yield. Due to the Place of Use limitation, the applications will be approved for zero additional quantity on the place of use but will be limited to the quantity of water available for safe yield in the two mile circle. The two-mile circle will then be fully appropriated.

The area of the proposed point of diversion is open to new appropriations, subject to safe yield. The specific method for calculating safe yield for unconfined groundwater aquifers is described in K.A.R. 5-3-11. The safe yield area of consideration is the entire two-mile circle, 8,042 acres, calculated using 0.91 inches of potential annual recharge and 75% recharge available for appropriation. The safe yield was calculated to be 457.39 acre-feet with total prior appropriation of 300.01 acre-feet leaving 157.38 acre-feet available for appropriation. Therefore, the application meets safe yield when limited to this quantity between the two files.

The application is subject to well spacing, as required by K.A.R. 5-4-4. There are no other appropriated wells within 1,320 feet, and there is one domestic well reported within 660 feet of the proposed geographic center of the battery of wells. The domestic well is located 308 feet from the proposed geographic center and therefore does not meet well spacing. The application does not meet spacing; therefore, a "Domestic Well Spacing Consent Form" from the nearby well owner was submitted. The form was submitted by Delmer Lynn and/or Glenn and Penny Haflinger who are also the owners of the point of diversion.

There are no nearby well owners to notify.

In an email message March 22, 2017, Kelly Stewart, Water Commissioner of the Stockton Field Office recommended approval of the application.

Based on the above discussion and the available information, it is recommended that the referenced application be approved.



Alex Whitesell
Environmental Scientist
Water Appropriation Program

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

April 26, 2017

FILE COPY

CITY OF ELLIS
815 JEFFERSON
ELLIS KS 67637

RE: Appropriation of Water
File Nos. 49,631 and 49,682

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 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.

Enclosed is a form which must be used to notify the Chief Engineer that the proposed diversion works have been completed. 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. 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 enclosed permit. 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, P.G.
Change Application Unit Supervisor
Division of Water Resources

BAT:ajw
Enclosures

pc: Stockton Field Office
Glen and Penny Haflinger
Groundwater Associates Inc



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. 49,682 of the applicant

**CITY OF ELLIS
815 JEFFERSON
ELLIS KS 67637**

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

1. That the priority date assigned to such application is **August 1, 2016**.
2. That the water sought to be appropriated shall be used for municipal use within the City of Ellis, Kansas and immediate vicinity.
3. That the authorized source from which the appropriation shall be made is groundwater to be withdrawn by means of a battery of two (2) wells with a geographic center located in the Southwest Quarter of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 33, more particularly described as being near a point 3,025 feet North and 2,340 feet West of the Southeast corner of said section, in Township 11 South, Range 22 West, Trego 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 **300 gallons per minute (0.67 c.f.s.)** and to a quantity not to exceed **46.92 million gallons** (144 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, 2018** 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, 2038** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.
7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.
9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.
10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.
11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.
12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.
13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).
14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.
15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.
16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.
17. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.
18. That this permit is further limited such that all wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply and be limited to a total maximum diversion rate not in excess of 800 gallons per minute (1.78 c.f.s.).
19. That the quantity of water approved under this permit is further limited to the quantity which combined with Vested Water Right EL-003; Water Right, File No. 8,651; and Appropriation of Water, File Nos. 49,311, 49,372 and 49,631, will provide a total **not to exceed 185 million gallons** (567 acre-feet) of water per calendar year, for municipal use as described herein.
20. That the quantity of water approved under this permit is further limited to the quantity which combined with Appropriation of Water, File No. 49,631, will provide a total **not to exceed 51.28 million gallons** (157.38 acre-feet) of water per calendar year, for municipal use as described herein.

21. That the permit holder shall submit a progress report to the office of the Chief Engineer by March 1, following the tenth full calendar year after the permit was issued. The progress report must be submitted on a form prescribed by the Chief Engineer, and shall compare annual water use projected in the original application with the actual annual water use for the prior 10 years. The progress report must document compliance with the approved conservation plan, contain sufficient details to determine the extent of perfection of the water right during the previous ten years, and demonstrate how the water right, in association with other water rights, meets the municipal use need.

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 24th day of April, 2017, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 24th day of April, 2017, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson
Notary Public

CERTIFICATE OF SERVICE

On this *20th* day of *April*, 2017, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,682, dated *April 24, 2017* was mailed postage prepaid, first class, US mail to the following:

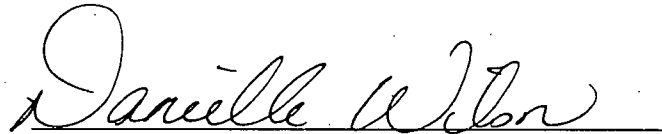
CITY OF ELLIS
815 JEFFERSON
ELLIS KS 67637

With photocopies to:

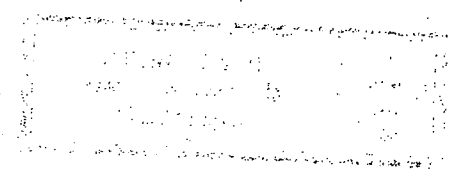
GLEN AND PENNY HAFLINGER
25007 J ROAD
WAKEENEY KS 67672

GROUNDWATER ASSOCIATES INC
109 W 1ST AVE
PO BOX 792
GODDARD KS 67052

Stockton Field Office



Division of Water Resources



KANSAS DEPARTMENT OF AGRICULTURE
Dale A. Rodman, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49,082
This item to be completed by the Division of Water Resources.

APPLICATION COMPLETE
03/22/2014
Reviewer AWW/DW12

**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
AUG 01 2016
2:17
KS DEPT OF AGRICULTURE

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,
109 SW 9th Street, Second Floor, Topeka, KS 66612-1283:

1. Name of Applicant (Please Print): CITY OF ELLIS
Address: 815 JEFFERSON
City: ELLIS State KS Zip Code 67637
Telephone Number: (785) 726-4812
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 144 acre-feet OR 46.92 gallons per calendar year, to be diverted at a maximum rate of 300 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) <input type="checkbox"/> Artificial Recharge | (b) <input type="checkbox"/> Irrigation | (c) <input type="checkbox"/> Recreational | (d) <input type="checkbox"/> Water Power |
| (e) <input type="checkbox"/> Industrial | (f) <input checked="" type="checkbox"/> Municipal | (g) <input type="checkbox"/> Stockwatering | (h) <input type="checkbox"/> Sediment Control |
| (i) <input type="checkbox"/> Domestic | (j) <input type="checkbox"/> Dewatering | (k) <input type="checkbox"/> Hydraulic Dredging | (l) <input type="checkbox"/> Fire Protection |
| (m) <input type="checkbox"/> Thermal Exchange | (n) <input type="checkbox"/> Contamination Remediation | | |

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

For Office Use Only:							
F.O. <u>3</u>	GMD <u>0</u>	Meets K.A.R. 5-3-1 (YES/NO) <u>YES</u>	Use <u>MUN</u>	Source <u>G/S</u>	County <u>TR</u>	By <u>AWW</u>	Date <u>8/2/16</u>
Code <u>REZ</u>	Fee \$ <u>300</u>	TR # _____	Receipt Date <u>8/1/16</u>	Check # <u>26080</u>			

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.

CENTER OF BATTERY

(A) One in the SW quarter of the SW quarter of the NE quarter of Section 33, more particularly described as being near a point 3025 feet North and 2390 feet West of the Southeast corner of said section, in Township 11 South, Range 22 East/West (circle one), TREGO County, Kansas.

* (B) One in the SW quarter of the SW quarter of the NE quarter of Section 33, more particularly described as being near a point 3025 feet North and 2540 feet West of the Southeast corner of said section, in Township 11 South, Range 22 East/West (circle one), _____ County, Kansas.

(C) One in the SW quarter of the SW quarter of the NE quarter of Section 33, more particularly described as being near a point 3025 feet North and 2190 feet West of the Southeast corner of said section, in Township 11 South, Range 22 East/West (circle one), _____ County, Kansas.

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

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

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

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

GLEN AND Penny HAEGLINGER, 25007 J ROAD, WAKEENEY, KS
(name, address and telephone number) 785-743-5613

(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 July 29, 2016. David B. McDaniel Mayor
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 TWO WELLS (number of wells, pumps or dams, etc.) and (was) (will be) completed (by) 31 Dec 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 31 Dec 2017 (Mo/Day/Year)

WATER RESOURCES RECEIVED

* Per phone conversation 4/4/17 ADW/DWR

SCANNED

AUG 01 2016

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 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

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

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

VEL3, 8651, 3753A, 49311, 49372, 49631 APPLICATION

WATER RESOURCES
RECEIVED

AUG 01 2016

SCANNED

KS DEPT OF AGRICULTURE

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

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

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	<u>APR 5, 2016</u>			
Total depth of well	<u>107'</u>			
Depth to water bearing formation	<u>37'</u>			
Depth to static water level	<u>49.45'</u>			
Depth to bottom of pump intake pipe	<u>105'</u>			

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

AGENT
(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):

CITY OF ELLIS, 815 JEFFERSON, ELLIS, KANSAS 67637
(name, address and telephone number) 785-726-4812

(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 ELLIS, Kansas, this 29 day of July, 2016.
(month) (year)

[Signature]
(Applicant Signature)

[Redacted]
APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By [Signature]
(Agent or Officer Signature)

and/or
APPLICANT(S) TAXPAYER I.D. NO.(S)

(Agent or Officer - Please Print)

Assisted by BRAD VINCENT GROUND WATER ASSO. Date: 18 JULY 2016
(office/title)

WATER RESOURCES RECEIVED

AUG 01 2016

(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. 49,682

Minimum Desirable Streamflow

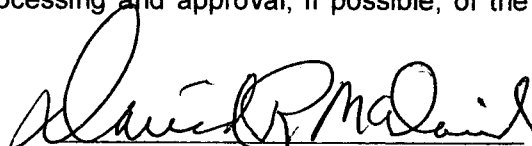
Dear Sir:

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.

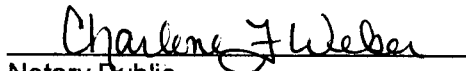
I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.


Signature of Applicant

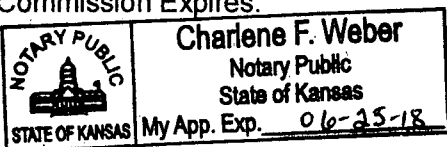
State of Kansas)
County of Ellis) ss

David R. McDaniel
(Print Applicant's Name)

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


Notary Public

My Commission Expires:



WATER RESOURCES
RECEIVED

AUG 01 2016

SCANNED

KS DEPT OF AGRICULTURE

42682



5 Apr 2016

City of Ellis

TH 3-16 400' N & 100' E of SW cor. of the NE 1/4. Section 33, T11S, R22W Elev 2350'
GPS N 39° 3.189' W 99° 46.103'

SWL 49.45' @GL (Jun 21, 2016)

- 0 - 3' Top soil
- 3 - 10 Clay br
- 10 - 16 Cemented sand
- 16 - 23 Clay br
- 23 - 36 Sand br f-c, gravel f-c
- 36 - 37 Clay br
- 37 - 44 Sand br f-c, gravel f-c
- 44 - 47 Cemented sand
- 47 - 55 Sand br f-c, gravel f-m, clay streaks
- 55 - 75 Sand br f-c, so. gravel f
- 75 - 90 Sand br/rd sand f-c, gravel f
- 90 - 107 Sand tan f-m
- 107 - 112 Clay wh & yel
- 112 Shale br

Set 2" screen 77' - 107'

Logged by Brad Vincent, Ground Water Associates
Datum: 1927North American

WATER RESOURCES
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AUG 01 2016

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KS DEPT OF AGRICULTURE

Applicant's Name City of Ellis
(Please Print)

MUNICIPAL (PUBLIC WATER SUPPLY) APPLICATION
SUPPLEMENTAL INFORMATION SHEET

Application File Number
491631, 491002
(assigned by DWR)

noted in 1000 of gallons

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. *Thru June 2016*

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 Below Explanation)
<u>27,619</u>			<u>155</u>	<u>21,410</u>	<u>1,848</u>	<u>4,206</u>
TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6				UNACCOUNTED FOR WATER

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	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 Above Explanation)
20 years ago	<u>76,180</u>				<u>63,120</u>		<u>13,060</u>
15 years ago	<u>84,909</u>				<u>65,075</u>	<u>5173</u>	<u>14,661</u>
10 years ago	<u>81,158</u>			<u>428</u>	<u>67,871</u>	<u>7909</u>	<u>4,930</u>
5 years ago *	<u>69,532</u>			<u>440</u>	<u>55,025</u>	<u>6191</u>	<u>7,876</u>
	TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6				UNACCOUNTED FOR WATER

* water conservation efforts began in 2006

KS DEPT OF AGRICULTURE

AUG 01 2016

WATER RESOURCES RECEIVED

KS DEPT OF AGRICULTURE

SCANNED

WATER RESOURCES RECEIVED
MAY 01 2016

SECTION 3: PROJECTED FUTURE WATER NEEDS

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

	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 Explanation on other side)
Year 5	86,980,555	0	0	440,000	69,241,960	7,989,000	9,309,595
Year 10	92,486,832			468,000	73,471,580	8,816,520	9,930,732
Year 15	95,592,256			476,008	75,962,705	8,811,524	10,242,027
Year 20	100,079,197			488,008	79,453,830	9,414,594	10,722,771
	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	1891
15 years ago	1900
10 years ago	1827
5 years ago	1952
Last Year	2062

PROJECTED FUTURE POPULATION

ESTIMATE FUTURE POPULATION AND SUBSTANTIATE NUMBERS ON SEPARATE ATTACHMENTS

NEXT 20 YEARS	POPULATION
Year 5	2137
Year 10	2212
Year 15	2287
Year 20	2362

Provide number of current active service connections:

871 Residential 5 Industrial 33 Other (specify) City, shops
72 Commercial 10 Pasture/ Stockwater/ Feedlot 991 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

$$\frac{27,464,000}{\text{Amount of water in Columns 5, 6, and 7 of Section 1}} \div \frac{2062}{\text{Population from Last Year of Section 4}} \div 365 \text{ Days/Year} = \underline{36.49} \text{ GALLONS PER PERSON PER DAY.}$$

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): _____

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

* ASW/DNR Based on 49,372 supplemental sheet



KS DEPT OF AGRICULTURE

AUG 01 2016

KS DEPT OF AGRICULTURE

MAY 02 2016

WATER RESOURCES RECEIVED

WATER RESOURCES RECEIVED

491031

SCANNED

49682

SECTION 3: PROJECTED FUTURE WATER NEEDS

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

	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 Explanation on other side)
Year 5							
Year 10							
Year 15							
Year 20							
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	
15 years ago	
10 years ago	
5 years ago	
Last Year	

PROJECTED FUTURE POPULATION .

ESTIMATE FUTURE POPULATION AND SUBSTANTIATE NUMBERS ON SEPARATE ATTACHMENTS

NEXT 20 YEARS	POPULATION
Year 5	
Year 10	
Year 15	
Year 20	

Provide number of current active service connections: (2015)

871 Residential 5 Industrial 33 Other (specify) _____
72 Commercial 10 Pasture/ Stockwater/ Feedlot 991 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

$$\frac{27,464,000}{\text{Amount of water in Columns 5, 6, and 7 of Section 1}} \div \frac{\text{Population from Last Year of Section 4}}{365 \text{ Days/Year}} = \text{GALLONS PER PERSON PER DAY.}$$

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): _____

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

WATER RESOURCES RECEIVED.

AUG 01 2016

SCANNED

KS DEPT OF AGRICULTURE

Applicant's Name City of F. Ellis
(Please Print)

MUNICIPAL (PUBLIC WATER SUPPLY) APPLICATION
SUPPLEMENTAL INFORMATION SHEET

Application File Number
49310, 49311 + 49,372
(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	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 Below Explanation)
TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6				UNACCOUNTED FOR WATER

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:
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	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 Above Explanation)
20 years ago	84,908,880	0	0	0	65,075,000	720,000	3,694,100
15 years ago	81,157,300	0	0	428,000	67,870,500	7,939,400	4,929,900
10 years ago	67,208,000	0	0	498,000	57,176,000	8,412,000	3,127,000
5 years ago	69,532,000	0	0	440,000	55,025,000	6,991,000	7,976,000
	TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6				UNACCOUNTED FOR WATER

SECTION 3: PROJECTED FUTURE WATER NEEDS

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

	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 Explanation on other side)
Year 5	86,980,555	0	0	440,000	69,241,960	7,989,000	9,309,595
Year 10	92,686,832	0	0	468,000	73,471,580	8,816,520	9,930,732
Year 15	95,592,256	0	0	476,000	75,962,705	8,911,524	10,242,027
Year 20	100,079,197	0	0	488,000	79,453,830	9,414,596	10,722,771
	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	1891
15 years ago	1900
10 years ago	1827
5 years ago	1952
Last Year	2068

PROJECTED FUTURE POPULATION

ESTIMATE FUTURE POPULATION AND SUBSTANTIATE NUMBERS ON SEPARATE ATTACHMENTS

NEXT 20 YEARS	POPULATION
Year 5	2137
Year 10	2212
Year 15	2287
Year 20	2362

Provide number of current active service connections:

872 Residential 5 Industrial 29 Other (specify) _____
72 Commercial 8 Pasture/ Stockwater/ Feedlot 986 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

$$\frac{51,852,000}{2068} + 365 \text{ Days/Year} = 68.7 \text{ GALLONS PER PERSON PER DAY}$$

Amount of water in Columns 5, 6, and 7 of Section 1 Population from Last Year of Section 4

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 or water supply system (i.e. Rural Water District):

Ellis City Limits

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

Whitesell, Alex

From: Stewart, Kelly
Sent: Wednesday, March 22, 2017 8:28 AM
To: Whitesell, Alex
Cc: Billinger, Mark; Hageman, Rebecca
Subject: RE: City of Ellis 49,631 and 49,682

Alex,

I have no objection to the approval of these applications.

Kelly

From: Whitesell, Alex
Sent: Tuesday, March 21, 2017 3:11 PM
To: Stewart, Kelly <Kelly.Stewart@ks.gov>
Subject: City of Ellis 49,631 and 49,682

Kelly,

Could you please provide a recommendation for these files?

This is the first municipal file and one with multiple limitation for me. Therefore, there are probably mistakes to be corrected. Thank you for your help and input on these.

Alex Whitesell
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS
(785) 564 - 6631

My email has changed alex.whitesell@ks.gov

Ground Water Associates, Inc.

109 W. 1st Ave., P.O. Box 792, Goddard, Ks 67052 • 316-262-3322

March 14, 2017

Alex Whitesell, Environmental Scientist
New Applications
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502-5000

Subject: City of Ellis pending water applications in the NE ¼ Section 33, T11S, R22W

Dear Alex,

This letter is written to clarify the city's request for water from the two applications filed in the NE ¼ Section 33, T11S, R22W. The east application 49,631 requested 122 acre feet and the west, 144 acre feet of water. Our information indicates there is 144 total acre feet to be appropriated from both sites combined. We are requesting this total amount from both applications.

Please call with any questions, cell 316-734-8567 or office 316-550-6177.

Best regards,



Brad C. Vincent, P.G.
Ground Water Associates, Inc.



EXPERTISE IN WATER & WELLS

To: Kansas Department of Agriculture
Division of Water Resources
109 SW 9th Street, 2nd Floor
Topeka, KS 66612-1283
Telephone: (785) 296-3717

Re: Domestic Well Spacing
Consent Form

WATER RESOURCES
RECEIVED

FEB 23 2017

KS DEPT OF AGRICULTURE

I, Delmer Lynn &/or Glenn & Penny ^{Hafliger}, own a well in the SE
Quarter of the SE Quarter of the NE Quarter of Section 33,
Township 11 South, Range 21 West/East, Trego 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.

I understand that an application for a permit to appropriate water, Application, File No. 49631, has been filed with the Division of Water Resources and that the applicant seeks to use water from battery of wells located closer to my domestic well than allowed by the rules and regulations of the Chief Engineer, in particular K.A.R. Penny Hafliger. I hereby give my permission to the applicant to install battery of wells at a location approximately 300 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.

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.

Penny Hafliger
Signature

25007 J Rd
Address (please print)

Wakeeney KS
City/Town, State (please print)

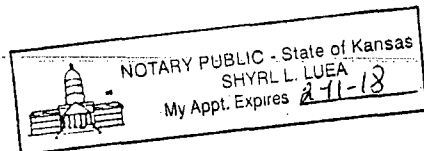
(785) 769-4979
Phone

State of KANSAS

County of ELLIS

Signed or attested before me on 2-19-17 by Penny Hafliger
(Please print name of signatory)

Shyrl L. Luea
Notary Public



[My appointment expires: 2-11-18]

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

February 10, 2017

CITY OF ELLIS
ATT: CITY CLERK
815 JEFFERSON
ELLIS KS 67637

FILE COPY

RE: Pending Application, File No. 49,631

Dear Sir or Madam:

We have reviewed your application referenced above, which proposes to appropriate groundwater for municipal use from a well located in the Southeast Quarter of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 33, more particularly described as being near a point 3,225 feet North and 400 feet West of the Southeast corner of said section, in Township 11 South, Range 22 West, Trego County, Kansas.

Based on the well log you provided and other nearby wells, the source of water (aquifer) for this pending application appears to be Ogallala. Per K.A.R. 5-4-4, based on your source of supply, 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 proposed well described in your pending application is located less than this required spacing distance from nearby domestic wells.

Based on the above information, it will be recommended to the Chief Engineer that the pending application be denied and dismissed due to the failure to meet minimum well spacing criteria, as required by K.A.R. 5-4-4. We are advising you of this recommendation in order to allow you an opportunity to submit additional information to show why our evaluation should be reconsidered. You have a period of 15 days (until February 25, 2017) to either (1) submit additional information to our office or (2) request additional time beyond the 15 days to submit additional information. If you wish to request additional time, you must do so in writing, before the 15 day period expires. Such a request should state what steps are being taken to obtain the information and the amount of time you will need to supply the information to our office. The required information must include an engineering report or similar type of hydrologic analysis to show that the spacing can be decreased without impairing existing water rights or prejudicially and unreasonably affecting the public interest.

Additionally, per K.A.R. 5-4-4(c)(2), you may receive written permission from the domestic well owner to reduce well spacing. Enclosed is a Domestic Well Spacing Consent Form which the domestic well owner may sign, notarize, and return to give permission to reduce the spacing.

(over)

SCANNED

If you do not request more time within the 15 day period, or if your request is not granted, the above-referenced application will be submitted to the Chief Engineer for final decision based on the recommendation stated above. Any relevant credible information submitted within the time allowed will be given due consideration, prior to final action on the application. If you have any other questions, please contact me at (785) 564-6631.

Sincerely,



Alex Whitesell
Environmental Scientist
Water Appropriation Program

Enclosure

pc: Stockton Field Office

Ground Water Associates, Inc.

109 W. 1st Ave., P.O. Box 792, Goddard, Ks 67052 | • 316-262-3322

WATER RESOURCES
RECEIVED

AUG 01 2016

July 21, 2016

KS DEPT OF AGRICULTURE

David Barfield, P.E. - Chief Engineer
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502-5000

Subject: City of Ellis Water Applications, Section 33, T11S, R22W

Dear Mr. Barfield:

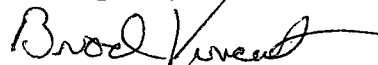
This letter is written to transmit the enclosed applications for two permits to appropriate water for the City of Ellis, Kansas. The previously filed application, 49631, information is complete and is being returned. This application is for an east site in Section 33, T11S, R22W. We are now filing a new application for a west site in Section 33. To the best of our knowledge 122 acre feet of water is available at the east site and there is 144 acre feet available at the west site in Section 33. We also understand that a combined limiting factor will be placed on these two well sites.

We have drilled test holes and test wells at both sites. Both sites have been test pumped and KDHE samples collected.

Three applications were processed this last spring, 49310, 49311 and 49372 for the city in Section 34, T11S, R22W. Subsequently, applications 49311 and 49372 were permitted and 49310 was not permitted due to the proximity to the springs located in Section 27, T11S, R22W. This new application, along with the previously filed 49631 application would permit enough additional water to justify the great cost of piping water to the city from a new well field. By spreading the well field pumping out to four different sites, located in both Section 33 and Section 34, and with all four sites approximately one half mile apart, we will have less of an impact on the aquifer in any one area.

Please advise us if other information is needed for your processing of these applications.

Best regards,



Brad Vincent, P.G.

Ground Water Associates, Inc.

pc: Alan Scheuerman, Public Works
Director, City of Ellis

SCANNED



EXPERTISE IN WATER & WELLS

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

July 1, 2016

CITY OF ELLIS
815 JEFFERSON
ELLIS KS 67637

Re: Pending Application,
File No. 49,631

Dear Sir or Madam:

In response to the written request by mail received in this office on July 1, 2016, the Chief Engineer is allowing an extension of time for sixty (60) days, in which to supply further information concerning the above referenced file. The original application was returned to you on May 9, 2016, and with this extension of time, the revised deadline will be **September 5, 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 its priority of filing, the original application and attachments must be returned to this office with the requested information on or before **September 5, 2016**, 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 you have any questions, please contact me at (785) 564-6631 or by email at alex.whitesell@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, appearing to read "Alex Whitesell".

Alex Whitesell
Environmental Scientist
Water Appropriation Program

pc: Stockton Field Office
Ground Water Associates, Inc.

Ground Water Associates, Inc.

109 W. 1st Ave., P.O. Box 792, Goddard, Ks 67052 • 316-262-3322

June 30, 2016

Alex Whitesell – Environmental Scientist
Water Appropriation Scientist
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502-5000

Subject: City of Ellis, Pending Application 49,631

Dear Mr. Whitesell,

This letter is written to request additional time to complete our investigation of Section 33, T11S, R2W for the City of Ellis, Kansas. We thank-you for your letter dated May 9, reminding us of the July 5, 2016 dismissal date of this application.

Ground Water Associates has over seen the drilling, test pumping and collection of KDHE water samples of two test wells located in the northeast quarter of Section 33, T11S, R2W. We are currently waiting on KDHE to send us the results from these test wells.

Before we select a final well site we need to review the analysis of the KDHE water samples. We are requesting an additional 60 days to provide the additional information required. Please contact us with further questions.

WATER RESOURCES
RECEIVED

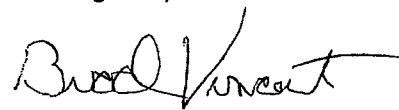
JUL 01 2016

KS DEPT OF AGRICULTURE

Pc: Amy Buton, City Clerk
City of Ellis, Kansas

Alan Scheuerman, Public Works
City of Ellis, Kansas

Best regards,



Brad C. Vincent, P.G.
Ground Water Associates
316-734-8567



EXPERTISE IN WATER & WELLS

SCANNED

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

June 9, 2016

CITY OF ELLIS
815 JEFFERSON
ELLIS KS 67637

Re: Pending Application,
File No. 49,631

Dear Sir or Madam:

The Division of Water Resources returned the above referenced application to you for additional information on May 9, 2016, and the current deadline for your response is July 5, 2016. 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 **July 5, 2016**, 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 **July 5, 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 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

SCANNED



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

May 9, 2016

CITY OF ELLIS
815 JEFFERSON
ELLIS KS 67637

Re: Pending Application,
File No. 49,631

Dear Sir or Madam:

After a preliminary review of your above referenced application for permit to appropriate water received in this office on May 2, 2016, 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 Northeast Quarter (NE $\frac{1}{4}$) of Section 33, in Township 11 South, Range 22 West, Trego 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.

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. A request to publish a public notice is also acceptable.

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. Also, the enclosed "Minimum Desirable Streamflow" form must be signed and notarized, and the enclosed "Municipal Use Supplemental Sheet" form must be completed. These forms should be returned with your application as well.

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 **July 5, 2016**, 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.

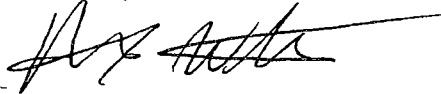
SCANNED

(over)

City of Ellis
May 9, 2016
Page 2 of 2

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,

A handwritten signature in black ink, appearing to read "Alex Whitesell", with a long horizontal line extending to the right.

Alex Whitesell
Environmental Scientist
Water Appropriation Program

enclosures

pc: Stockton Field Office

Applicant's Name City of Ellis
(Please Print)

MUNICIPAL (PUBLIC WATER SUPPLY) APPLICATION
SUPPLEMENTAL INFORMATION SHEET

Application File Number
491631, 491002
(assigned by DWR)

noted in 1000 of gallons

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. *Thru June 2016*

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 Below Explanation)
<u>27,619</u>			<u>155</u>	<u>21,410</u>	<u>1,848</u>	<u>4,206</u>
TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6			UNACCOUNTED FOR WATER	

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:
Percent Unaccounted = $\frac{\text{Unaccounted For Water}}{\text{Total Water (Columns 1,2)}} \times 100$
If the 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	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 Above Explanation)
20 years ago	<u>76,180</u>				<u>63,120</u>		<u>13,060</u>
15 years ago	<u>84,909</u>				<u>65,075</u>	<u>5173</u>	<u>14,661</u>
10 years ago	<u>81,158</u>			<u>428</u>	<u>67,871</u>	<u>7909</u>	<u>4,930</u>
5 years ago *	<u>69,532</u>			<u>440</u>	<u>55,025</u>	<u>6191</u>	<u>7,876</u>
	TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6			UNACCOUNTED FOR WATER	

* water conservation efforts began in 2006

WATER RESOURCES RECEIVED
 AUG 01 2016
 KS DEPT OF AGRICULTURE

KS DEPT OF AGRICULTURE

SCANNED



1320 Research Park Drive
Manhattan, Kansas 66502

Jackie McClaskey, Secretary

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

August 2, 2016

CITY OF ELLIS
815 JEFFERSON
ELLIS KS 67637

RE: Application
File No. 49682

Dear Sir or Madam:

Your application for permit to appropriate water in 33-11S-22W in Trego County, was received and has been assigned the file number noted above.

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

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

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

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

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

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

Sincerely,

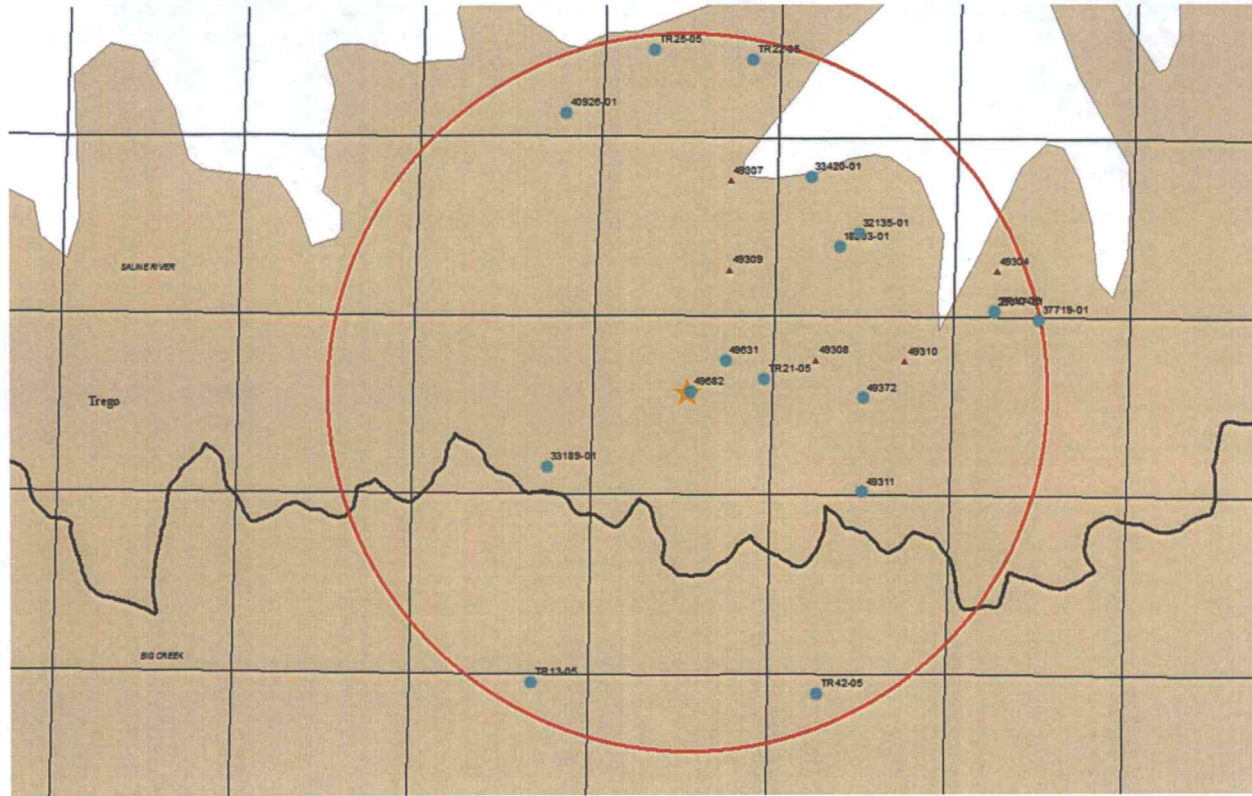
Brent A Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT: ALH
pc: STOCKTON Field Office
GMD

SCANNED

49,682

Safe Yield Report Sheet
Proposed Water Right Application
Point of Diversion in NWSWSWNE 33-11S-22W



Analysis Results

 The selected PD is in an area to new appropriations.
 The safe yield, based on the variables listed below is 457.39 AF.
 Total prior appropriation in the circle is 587.89 AF.
 Total quantity of water available for appropriation is 0.00 AF.

Safe Yield Variables

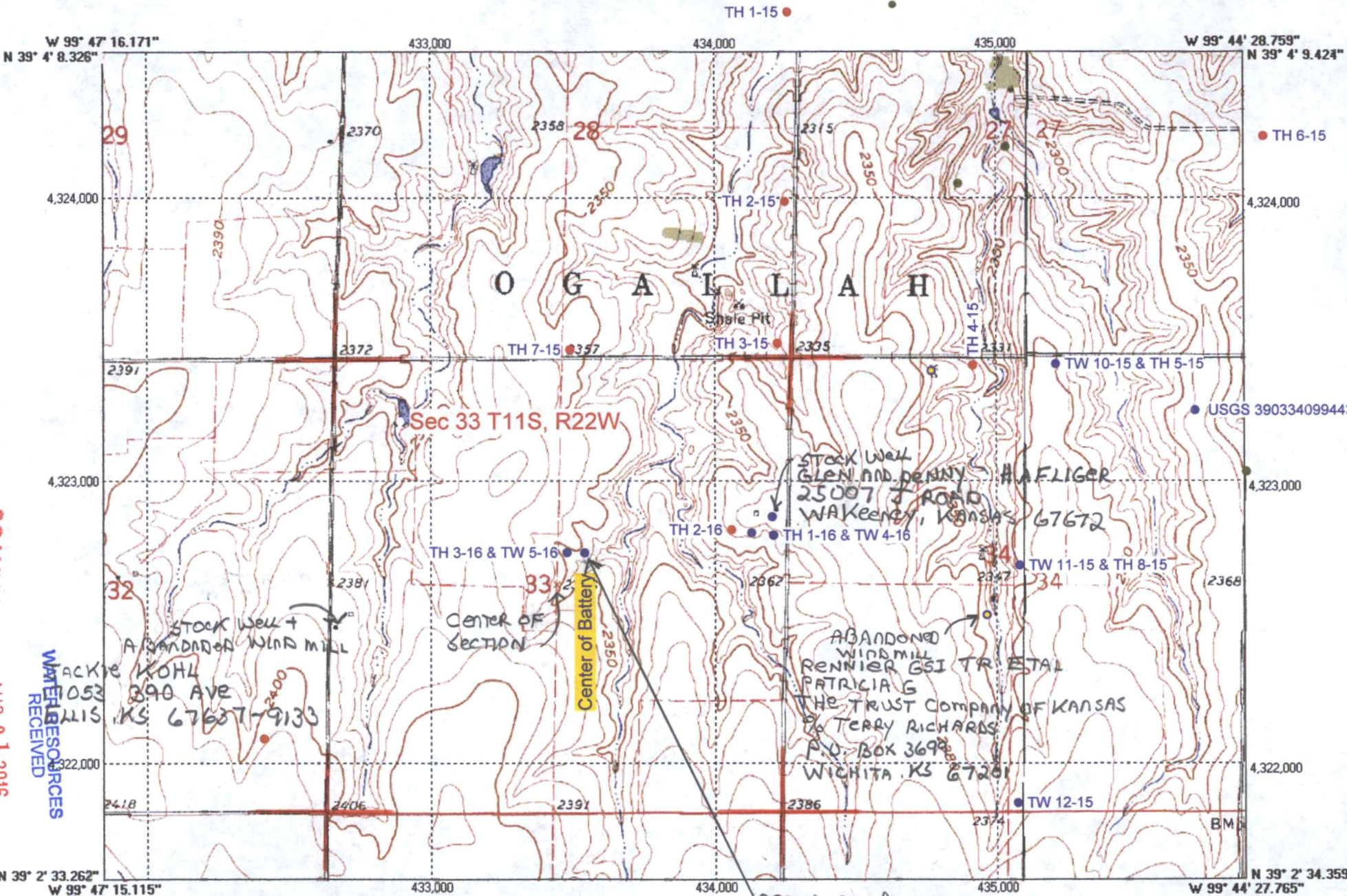
 The area used for the analysis is set at 8,042 acres.
 Potential annual recharge of the area is estimated to be 0.91 inches.
 The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 22-NOV-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 17 water right(s) and 17 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	18263	01	DOM	NK	G	NW	SE	SW	2019	3354	27	11	22W	2	WR	0.12	0.12		
A	25347	01	DOM	NK	G		CS	SW	118	4020	26	11	22W	5	WR	5.13	5.13		
A	32135	01	DOM	NK	G	NE	NE	NW	2418	2784	27	11	22W	1	WR	0.12	0.12		
A	33189	01	DOM	NK	G	NW	SE	SE	765	1285	32	11	22W	1	WR	0.12	0.12		
A	33420	01	DOM	NK	G	SE	NW	NW	4080	4200	27	11	22W	3	WR	0.12	0.12		
A	37719	01	DOM	NK	G	NW	NW	NE	5180	2625	35	11	22W	1	WR	0.31	0.31		
A	40926	01	DOM	NK	G	W2	W2	SE	SE	660	1050	20	11	22W	1	WR	0.25	0.25	
A	49311	00	MUN	GY	G	SW	SW	SE	100	2540	34	11	22W	3	WR	150.01	150.01		
A	49372	00	MUN	GY	G	SW	SW	NE	2870	2525	34	11	22W	4	WR	150.01	150.01		
A	49631	00	MUN	AY	G		NE		3960	1320	33	11	22W	3	WR	122.00	122.00		
A	49682	00	MUN	AY	G	SW	SW	NE	3025	2340	33	11	22W	4	WR	144.00	144.00		
V TR	10	05	DOM	AA	G	SE	SW	SW	130	4020	26	11	22W	1	WR	4.67	4.67		
V TR	13	05	DOM	AA	G	NE	NW	NE	5120	1655	08	12	22W	1	WR	4.02	4.02		
V TR	21	05	DOM	AA	G	NE	SE	NE	3420	170	33	11	22W	1	WR	0.49	0.49		
V TR	22	05	DOM	AA	G	NW	NE	SE	2310	763	21	11	22W	1	WR	0.46	0.46		
V TR	25	05	DOM	AA	G	NW	NE	SW	2558	3651	21	11	22W	3	WR	0.89	0.89		
V TR	42	05	DOM	AA	G	NW	NE	NW	4884	3803	10	12	22W	3	WR	5.19	5.19		

5/1/2015

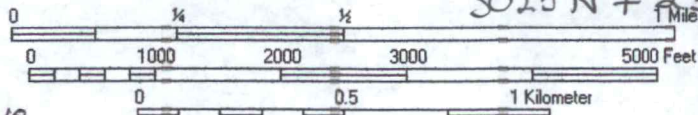


SCANNED AUG 01 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

1927 North American Datum; 1,000-meter UTM grid zone 14
Generated by BigTopo (www.igage.com)
Map compiled from USGS Quads: WaKeeney East; KS Mouth of Shaw Creek; KS



Center of Battery 3025 N + 2340' W OF SE COR SECTION 33

ALL WELLS WITHIN 1/2 mile, HAVE BEEN LOCATED. Brook Kuret

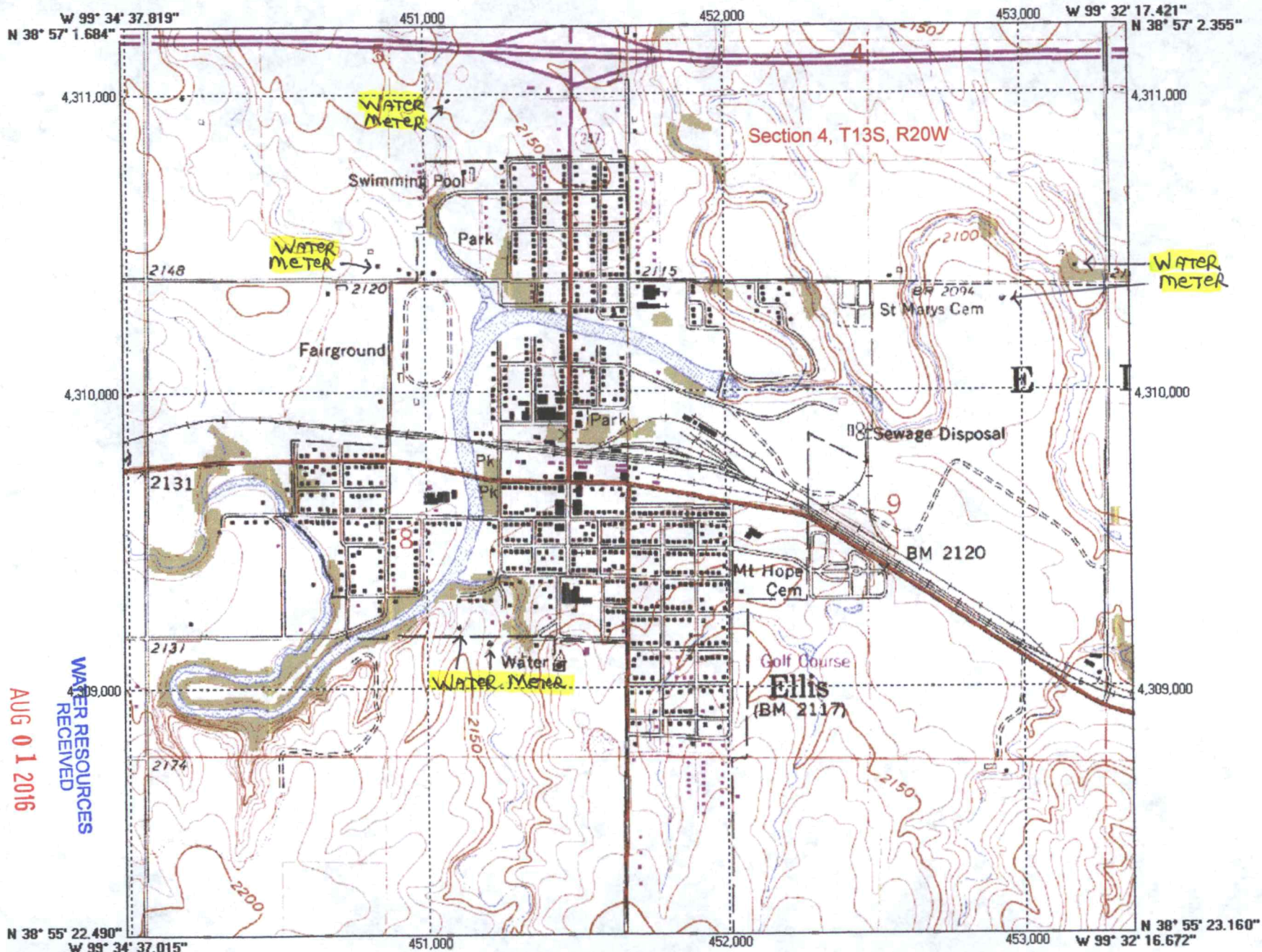


City of Ellis

WALLEY

PLACE OF USE: CITY OF ELLIS, KANSAS AND IMMEDIATE VICINITY

bigtopo.EllisCity



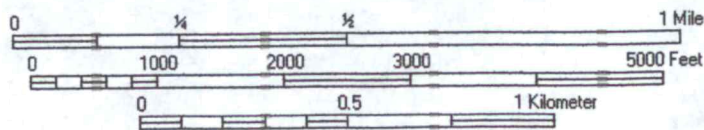
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KS DEPT OF AGRICULTURE

AUG 01 2016

WATER RESOURCES
WATER RECEIVED

1927 North American Datum; 1,000-meter UTM grid zone 14
Generated by BigTopo (www.igage.com)
Map compiled from USGS Quads: Ellis; KS



City of Ellis

4946 82