

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO
CHANGE THE PLACE OF USE, THE
POINT OF DIVERSION OR THE USE
MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT**



State of Kansas

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

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**12:50
KS DEPT OF AGRICULTURE**

1. Application is hereby made for approval of the Chief Engineer to change the

Place of Use

(Check one or more) Point of Diversion

Use Made of Water

File No. 16,599

2. Name of applicant: Ellinwood Land and Cattle Inc. Kurt Rugan

Address: 618 SE 110 Ave.

City, State and Zip: Ellinwood, KS. 67526-9211

Phone Number: 620 564-3271 E-mail address: kurtarugan@hotmail.com

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: Same as Applicant

Address: _____

City, State and Zip: _____

Phone Number: () _____

E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): _____

Will allow us to more efficiently irrigate the authorized place of use and run a full circle.

The change(s) will be completed by as soon as approved

(Date)

For Office Use Only:															
F.O. Code	<u>2</u>	GMD	<u>5</u>	Meets K.A.R. 5-5-1 (YES/NO)	<u>(YES)</u>	Use	<u>IRR</u>	Source	<u>(S)</u>	County	<u>BT</u>	By	<u>ASW</u>	Date	<u>12/5/16</u>
			<u>CPV</u>	Fee \$	<u>200</u>	TR #		Receipt Date	<u>12/5/16</u>	Check #	<u>9256</u>				

4. The presently authorized place of use is:

Owner of Land — NAME: Heather Rugan

ADDRESS: 618 SE 110 Ave. Ellinwood, KS. 67526

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
24	20S	14W													25	30	30	30	115

List any other water rights that cover this place of use. NONE

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

List any other water rights that cover this place of use. _____

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: Heather Rugan

ADDRESS: 618 SE 110 Ave. Ellinwood, KS. 67526

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
24	20S	14W													29.5	30.5	28	27	115

List any other water rights that cover this place of use. NONE

Owner of Land — NAME: Heather Rugan

***** (Reversion Acres) *****

ADDRESS: 618 SE 110 Ave. Ellinwood, KS. 67526

***** Reversion Acres ***** See Map

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
24	20S	14W													16	3	28	27	74

List any other water rights that cover this place of use. _____

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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6. The presently authorized point(s) of diversion is One Well (Provide description and number of points)

7. The proposed point(s) of diversion is No change to point of Diversion (Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the NC SE Quarter of Section 24, Township 20 South, Range 14 (W), in Barton County, Kansas, 1320 feet North 1320 feet West of Southeast corner of section. Authorized Rate 1000 Authorized Quantity 102
 (DWR use only: Computer ID No. 10 GPS 1347 feet North 1365 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

9. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that wi _____

10. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Qu: of Section _____, Township _____ Sol in _____ County, Kansas, _____ feet North _____ Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet)
 This point will not be changed This point will be changed as follow
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Qu: of Section _____, Township _____ Sol in _____ County, Kansas, _____ feet North _____ Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that wil _____

*per phone call,
3 yrs evap
w/ some initial
fill

KAB
12-2-16

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____

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12. The presently authorized use of water is for Irrigation purposes.

It is proposed that the use be changed to No change purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

Place of Use monitoring agreement with GMD #5 and 5 year allocation per 5-5-11(b)

No net increase in acres than is currently authorized.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to NA (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to NA gallons per minute (____ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

a. If a change in the location of the point(s) of diversion is proposed, show:

- 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
- 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
- 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.

b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

To the best of our knowledge the proposed changes will not impair existing water rights.

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

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Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Great Bend, Kansas, this 13th day of December, 2016.

Heather R. Ragan
(Owner)

NA
(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)


(Spouse)

(Please Print)

(Please Print)

State of Kansas)
County of Barton) SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 13th day of December, 2016.

 **State of Kansas - Notary Public**
Michell Koil
My Commission Expires 5-11-2019 Michell Koil
Notary Public

My Commission Expires 5-11-2019

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

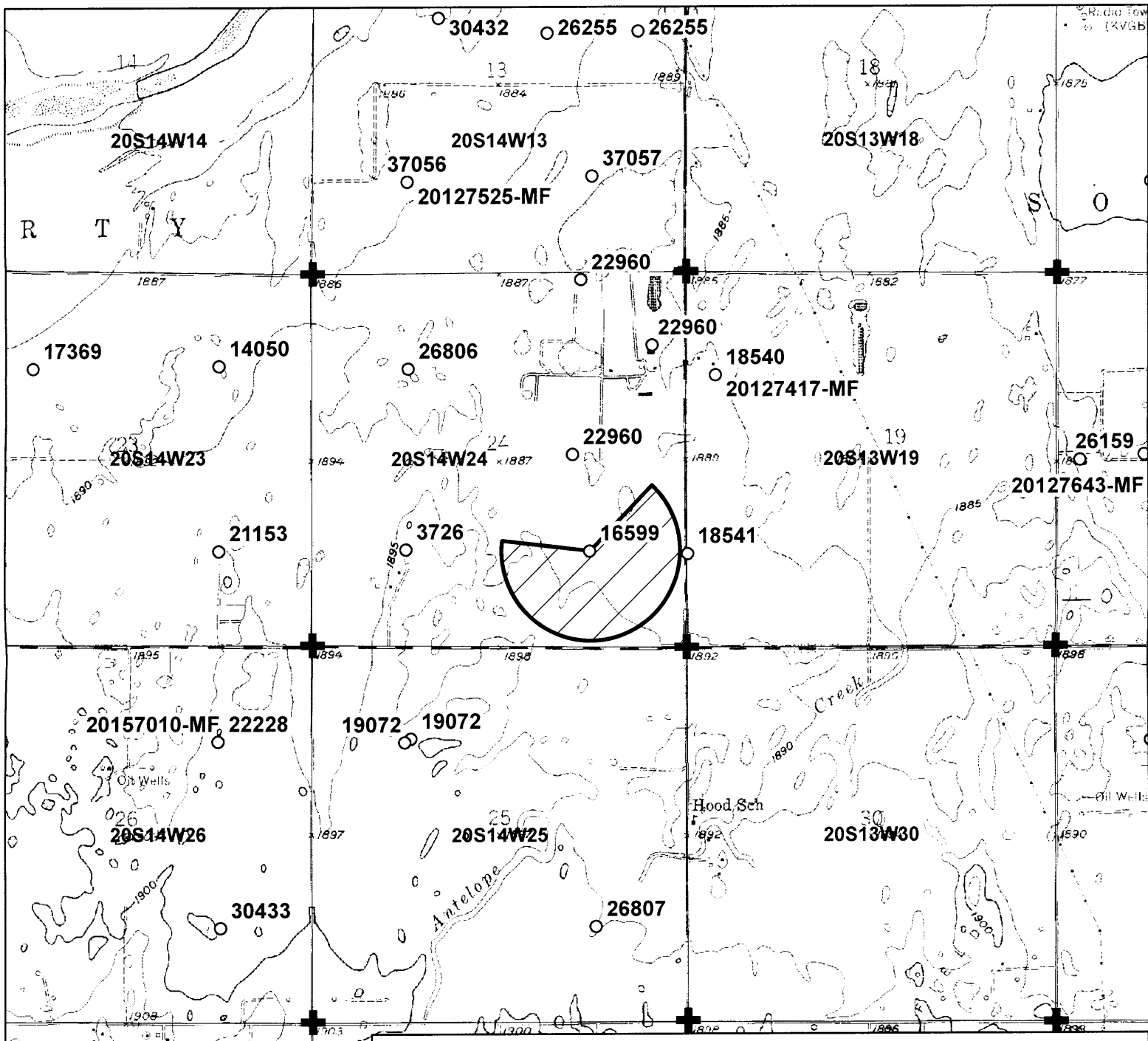
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12/15/2014

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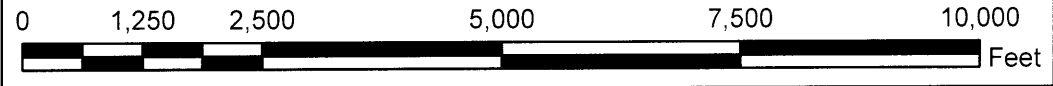
Legend

- Water Appropriations
- ⊕ Section Corner
- Half Mile Circle
- Section Line

Place of Use


pu

- ▨ Reversion



Water Right, File No. 16599
 Change in Place of Use Application
 Reversion Acre Map
 24-20-14W
 Barton County

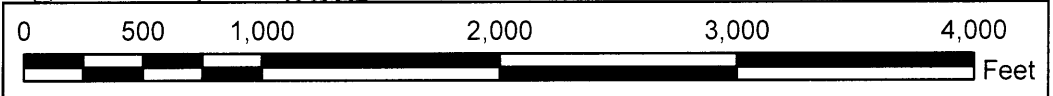
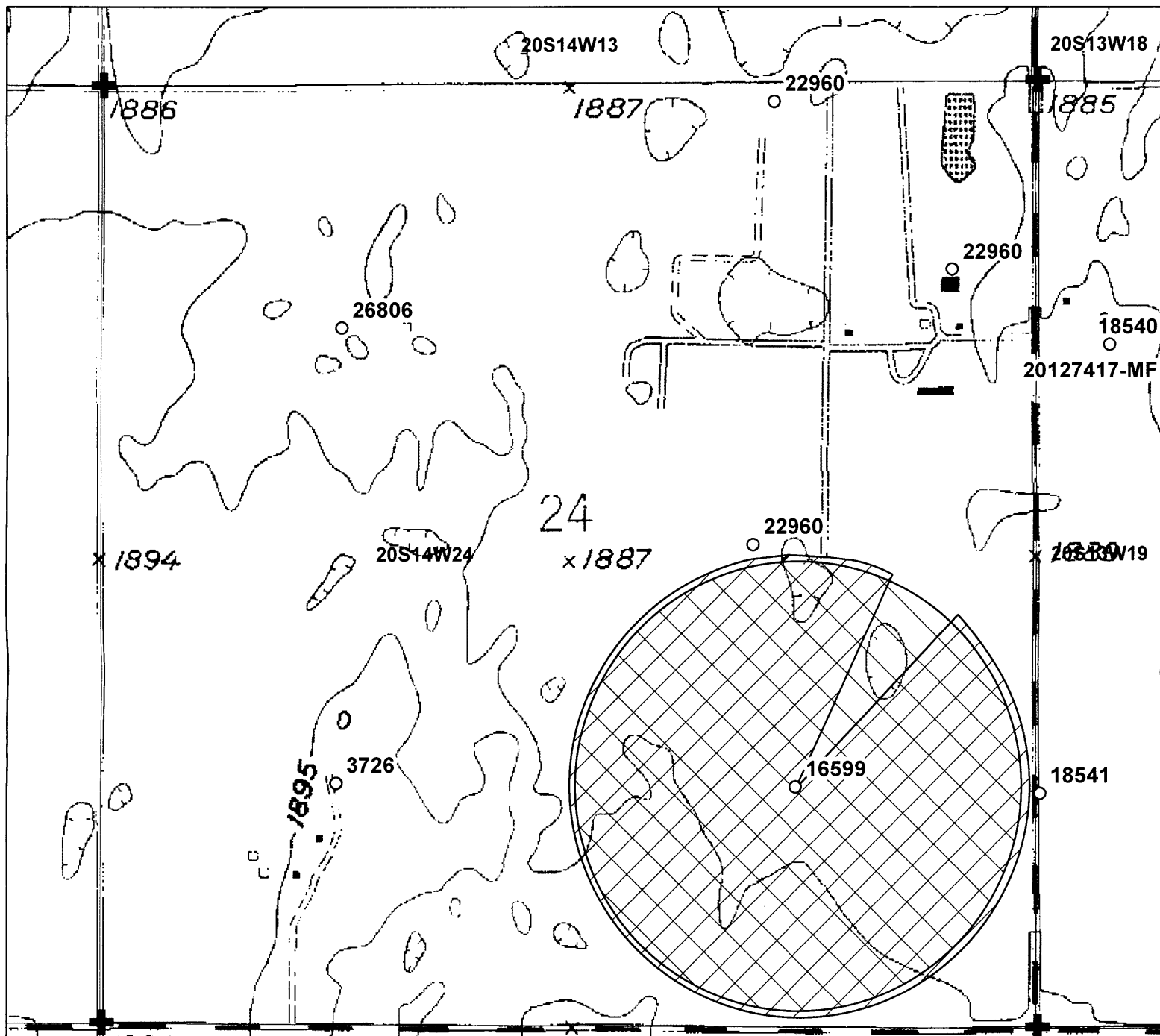
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Legend

- Water Appropriations
- ⊕ Section Corner
- ◻ Half Mile Circle
- ▭ Section Line

Place of Use

- ▨ Authorized
- ▧ Proposed

Water Right, File No. 16599
 Change in Place of Use Application
 Up Close Map
 24-20-14W
 Barton County

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8/30/16 EKF-SFFO

- (7) Changes in the Memorandum of Understanding between GMD No. 5 and the Division may affect the above-referenced files. If the Memorandum of Understanding related to K.A.R. 5-5-11 between the GMD No. 5 and the Division is rescinded because of the fault of GMD No. 5, the authorized place of use will revert to the equivalent of the base acres at a location specifically set forth in the change approval.

By signing below, I am indicating that I have reviewed and understand the items set forth above and agree that I am willing to abide by those conditions if my application for change in place of use is approved.

Arthur R. Ruzan
Signature

Signature

Signature

Signature

State of Kansas)
County of Barton)

I hereby certify that the foregoing document was signed in my presence and sworn before me this 1st day of December, 2016.

Michelle Keil
Notary Public

My commission expires 5-11-2019.

 State of Kansas -Notary Public
Michelle Keil
My Commission Expires 5-11-2019

Signature, Division of Water Resources' Staff
Person Assisting in the Review

www.ck12.org
CK-12
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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

December 5, 2016

ELLINWOOD LAND AND CATTLE INC
618 SE 110 AVE
ELLINWOOD, KS

RE: File No. 16599

FILE COPY

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use PU
- point of diversion
- use made of water

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. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. 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,

A handwritten signature in cursive script that reads "Brent A. Turney".

Brent A Turney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: dlw

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

pc: STAFFORD Field Office GMD 5

CERTIFIED ENGINEERING DESIGN, P.A.

1935 West Maple
Wichita, KS 67213-3311
(316) 262-8808 Office
(316) 262-1669 Fax

LETTER OF TRANSMITTAL

DATE: November 22, 2016

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

Re: Surface Water Rights Application
South Hutchinson, Reno County, KS

FROM: Harlan D. Foraker, P.E. *HDF*

COMMENTS: Attached is a surface water rights application for 30 ac-ft for a recreational pond at the Frontier Commerce Park Addition in South Hutchinson, Reno County, Kansas. A \$200 application fee is attached. Please review the application, maps and plans for the proposed permit and ponds and notify us if any further information is required. If you have questions or require additional information please call me at 316.262.8808.

attachments

cc by email: Mr. Richard Graber, Prairie Land Management, 4104 S. Herron Road, Hutchinson, KS, 66501

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WATER RESOURCES
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DEC 02 2016

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Baum, Kristen

From: Harlan Foraker <hforaker@cedpa.com>
Sent: Friday, December 02, 2016 11:45 AM
To: Baum, Kristen
Subject: RE: Frontier Commerce Park Water Rights application

Yes natural flows is acceptable as I did not know what value to put for this. Also can you advise what the typical timeline is for review and consideration for approval of these water permits? I just need to advise Richard Graber what to expect. Thanks.

Harlan D. Foraker, P.E., President
Certified Engineering Design, P.A.
1935 West Maple
Wichita, KS 67213-3311
PH:(316)262-8808
FAX:(316)262-1669

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From: Baum, Kristen [<mailto:Kristen.Baum@ks.gov>]
Sent: Friday, December 02, 2016 11:35 AM
To: Harlan Foraker
Subject: RE: Frontier Commerce Park Water Rights application

Thanks for the additional information. One more thing I'd like to clarify – the rate of diversion you've requested is 500 gpm. This will be in the form of natural flows, correct? If so, we would describe the rate as "natural flows" rather than a specific gpm.

Thanks,

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

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

From: Harlan Foraker [<mailto:hforaker@cedpa.com>]
Sent: Friday, December 02, 2016 11:16 AM
To: Baum, Kristen
Subject: Frontier Commerce Park Water Rights application

Kristen: Attached are the updated documents as we discussed. I checked the pond surface area at the spillway elevation and the surface area is actually 4.42 acres. Also attached is Sheet 50 which contains the final plat for Frontier Commerce Park Addition from the street improvement plans which contains the Owner's Certificate and the signature for Prairie Land Management LLC owned by Richard Graber. Please review and let me know if you have any questions or require additional information.



Harlan D. Foraker, P.E., President
Certified Engineering Design, P.A.
1935 West Maple
Wichita, KS 67213-3311

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Phillips, Janelle

From: Phillips, Janelle
Sent: Wednesday, August 24, 2016 8:11 AM
To: 'Harlan Foraker'
Subject: RE: Frontier Commerce Park Drainage Boundary

This will acknowledge receipt of your request for a water structures permit determination. The project will consist of the construction of a pit pond at a location in the NE ¼ of Section 35, Township 23 South, Range 6 West, Reno County, Kansas.

We have reviewed the information received and concluded that this project is not jurisdictional under K.S.A. 82a-301 to 305a, because the drainage area for this stream is less than 640 acres. A DWR permit will not be required for this project.

Please note that other local, state, or federal requirements may still apply. If you have any questions, please contact me at 785-564-6656.

Janelle N. Phillips, P.E., C.F.M., LEED-AP
Water Structures Program
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan, KS 66502
785-564-6656
My email has changed: janelle.phillips@ks.gov

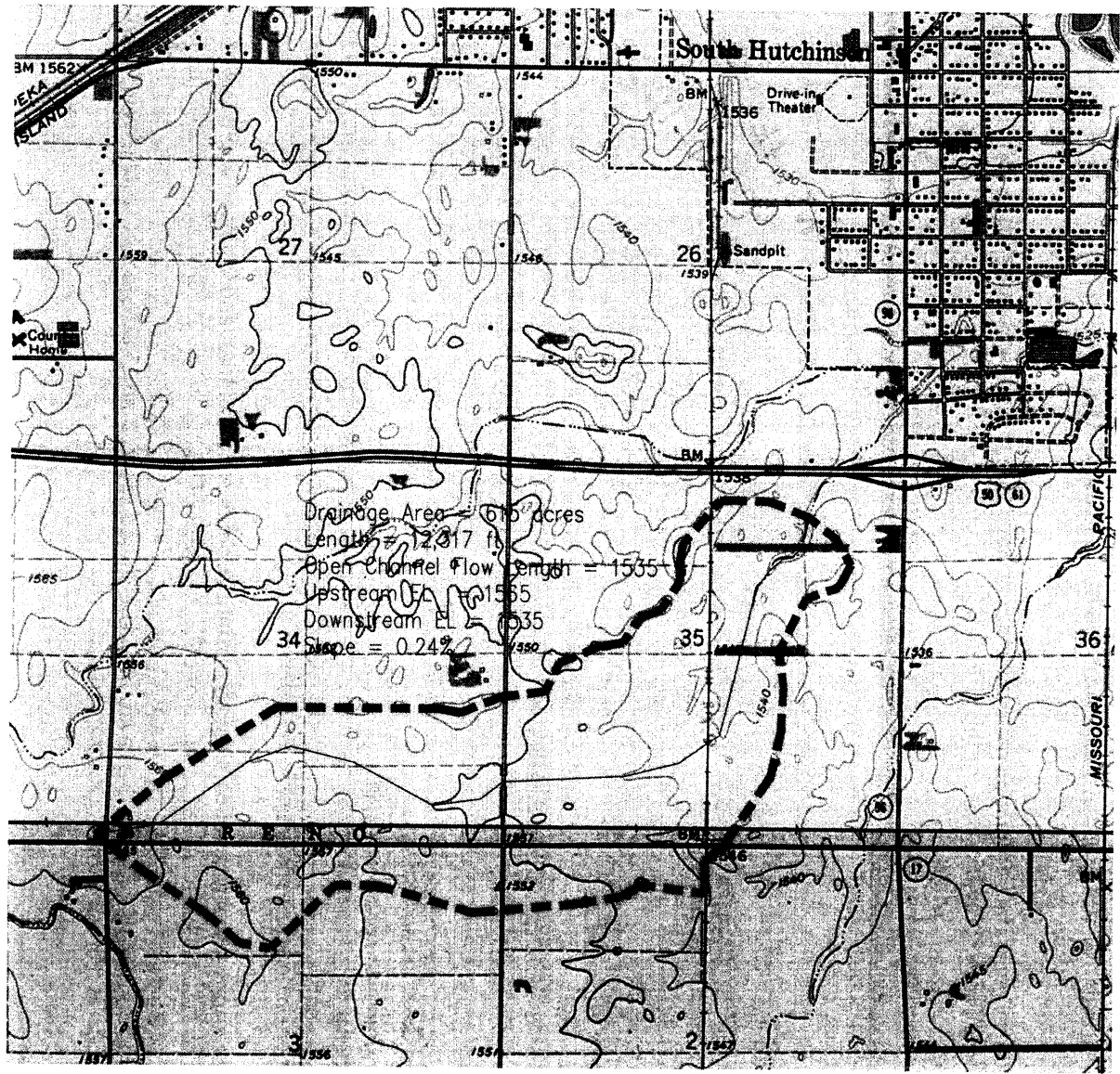
WSI #
CRN-120

From: Harlan Foraker [<mailto:hforaker@cedpa.com>]
Sent: Tuesday, August 23, 2016 6:01 PM
To: Phillips, Janelle
Cc: lmills@cedpa.com
Subject: Frontier Commerce Park Drainage Boundary

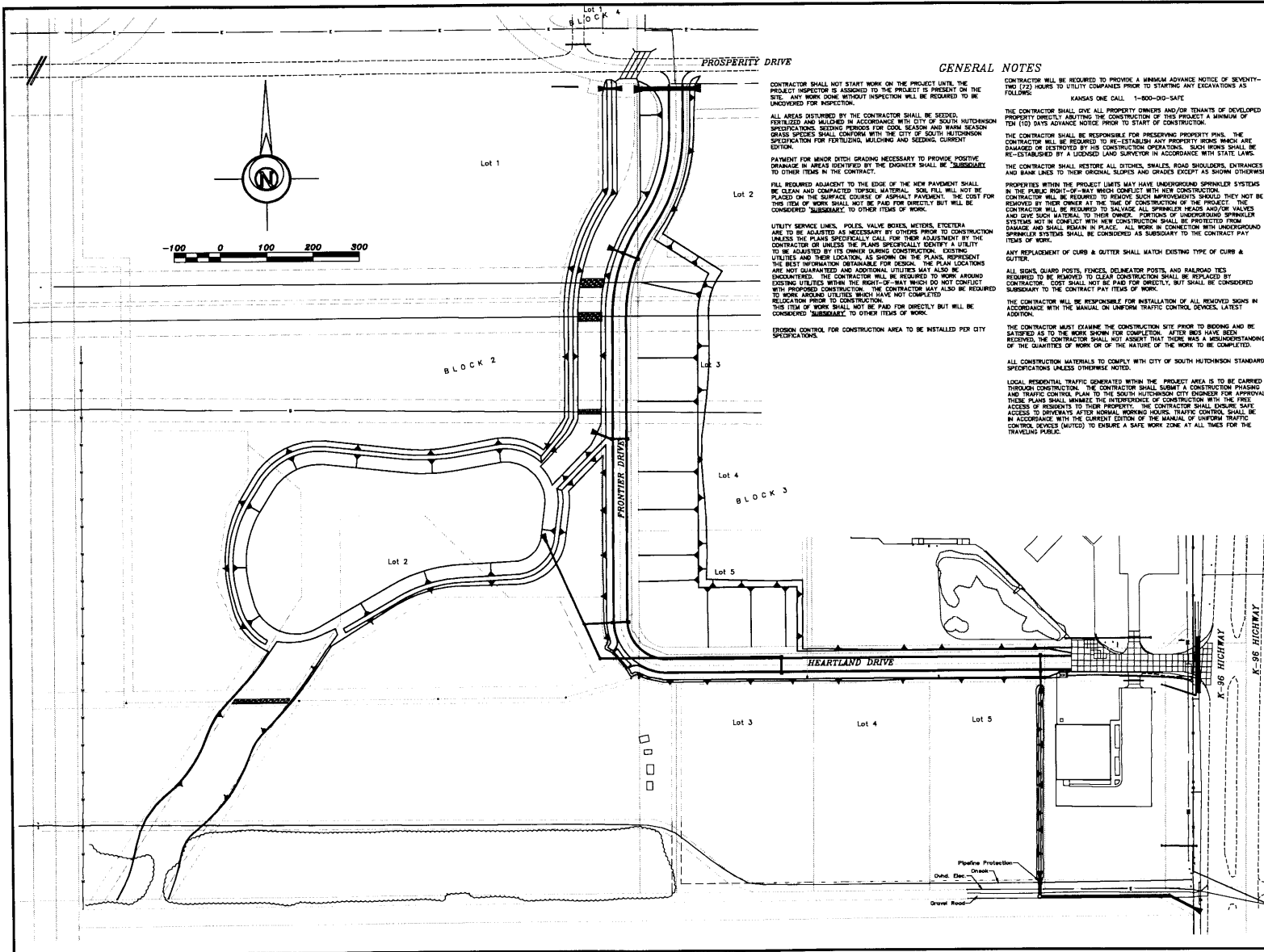
Janelle: Attached is the drainage boundary map for Frontier Commerce Park Street and Drainage Improvement project in South Hutchinson, Reno County, KS. It is located south of US50 and west of 96 highway. The drainage area is outlined and measured to and existing RCB across Prosperity Drive however the pond excavation begins 900' south of Prosperity Drive. As site plan is attached. I am proposing that the pond excavation will be limited to less than 15 acre feet of storage volume until the water right can be obtained. Let me know your observations.



Harlan D. Foraker, P.E., President
Certified Engineering Design, P.A.
1935 West Maple
Wichita, KS 67213-3311
PH:(316)262-8808
FAX:(316)262-1669



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GENERAL NOTES

CONTRACTOR SHALL NOT START WORK ON THE PROJECT UNTIL THE PROJECT INSPECTOR IS ASSIGNED TO THE PROJECT IS PRESENT ON THE SITE. ANY WORK DONE WITHOUT INSPECTION WILL BE REQUIRED TO BE UNDOVOR FOR INSPECTION.

ALL AREAS DISTURBED BY THE CONTRACTOR SHALL BE SEED, FERTILIZED AND MULCHED IN ACCORDANCE WITH CITY OF SOUTH HUTCHINSON SPECIFICATIONS. SEEDING PERIODS FOR COOL SEASON AND WARM SEASON GRASS SPECIES SHALL CONFORM WITH THE CITY OF SOUTH HUTCHINSON SPECIFICATION FOR FERTILIZING, MULCHING AND SEEDING, CURRENT EDITION.

PAYMENT FOR MINOR DITCH GRADING NECESSARY TO PROVIDE POSITIVE DRAINAGE IN AREAS IDENTIFIED BY THE ENGINEER SHALL BE SUBSIDIARY TO OTHER ITEMS IN THE CONTRACT.

FILL REQUIRED ADJACENT TO THE EDGE OF THE NEW PAVEMENT SHALL BE CLEAN AND COMPACTED TOPSOIL MATERIAL. SOIL WILL NOT BE PLACED ON THE SURFACE COURSE OF ASPHALT PAVEMENT. THE COST FOR THIS ITEM OF WORK SHALL NOT BE PAID FOR DIRECTLY, BUT WILL BE CONSIDERED SUBSIDIARY TO OTHER ITEMS OF WORK.

UTILITY SERVICE LINES, POLES, VALVE BOXES, METERS, ETCETERA ARE TO BE ADJUSTED AS NECESSARY BY OTHERS PRIOR TO CONSTRUCTION UNLESS THE PLANS SPECIFICALLY CALL FOR THEIR ADJUSTMENT BY THE CONTRACTOR OR UNLESS THE PLANS SPECIFICALLY IDENTIFY A UTILITY TO BE ADJUSTED BY ITS OWNERS DURING CONSTRUCTION. EXISTING UTILITIES AND THEIR LOCATION, AS SHOWN ON THE PLANS, REPRESENT THE BEST INFORMATION OBTAINABLE FOR DESIGN. THE PLAN LOCATIONS ARE NOT GUARANTEED AND ADDITIONAL UTILITIES MAY ALSO BE ENCOUNTERED. THE CONTRACTOR WILL BE REQUIRED TO WORK AROUND EXISTING UTILITIES WITHIN THE RIGHT-OF-WAY WHICH DO NOT CONFLICT WITH PROPOSED CONSTRUCTION. THE CONTRACTOR MAY ALSO BE REQUIRED TO WORK AROUND UTILITIES WHICH HAVE NOT COMPLETED RELOCATION PRIOR TO CONSTRUCTION. THIS ITEM OF WORK SHALL NOT BE PAID FOR DIRECTLY, BUT WILL BE CONSIDERED SUBSIDIARY TO OTHER ITEMS OF WORK.

EROSION CONTROL FOR CONSTRUCTION AREA TO BE INSTALLED PER CITY SPECIFICATIONS.

CONTRACTOR MUST EXAMINE THE CONSTRUCTION SITE PRIOR TO BIDDING AND BE SATISFIED AS TO THE WORK SHOWN FOR COMPLETION. AFTER BIDS HAVE BEEN RECEIVED, THE CONTRACTOR SHALL NOT ASSERT THAT THERE WAS A MISUNDERSTANDING OF THE QUANTITIES OF WORK OR OF THE NATURE OF THE WORK TO BE COMPLETED.

ALL CONSTRUCTION MATERIALS TO COMPLY WITH CITY OF SOUTH HUTCHINSON STANDARD SPECIFICATIONS UNLESS OTHERWISE NOTED.

LOCAL RESIDENTIAL TRAFFIC OPERATING WITHIN THE PROJECT AREA IS TO BE MAINTAINED THROUGHOUT CONSTRUCTION. THE CONTRACTOR SHALL SUBMIT A CONSTRUCTION PHASING AND TRAFFIC CONTROL PLAN TO THE SOUTH HUTCHINSON ENGINEER FOR APPROVAL. THESE PLANS SHALL MINIMIZE THE INTERFERENCE OF CONSTRUCTION WITH THE FREE ACCESS TO RESIDENTS TO THEIR PROPERTIES. THE CONTRACTOR SHALL ENSURE SAFE ACCESS TO DRIVEWAYS AFTER NORMAL WORKING HOURS. TRAFFIC CONTROL SHALL BE IN ACCORDANCE WITH THE CURRENT EDITION OF THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) TO ENSURE A SAFE WORK ZONE AT ALL TIMES FOR THE TRAVELING PUBLIC.

CONTRACTOR WILL BE REQUIRED TO PROVIDE A MINIMUM ADVANCE NOTICE OF SEVENTY-TWO (72) HOURS TO UTILITY COMPANIES PRIOR TO STARTING ANY EXCAVATIONS AS FOLLOWS:
 KANSAS ONE CALL 1-800-DO-SAFE

THE CONTRACTOR SHALL GIVE ALL PROPERTY OWNERS AND/OR TENANTS OF DEVELOPED PROPERTY DIRECTLY ADJUTING THE CONSTRUCTION OF THIS PROJECT A MINIMUM OF TEN (10) DAYS ADVANCE NOTICE PRIOR TO START OF CONSTRUCTION.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR PRESERVING PROPERTY PINS. THE CONTRACTOR WILL BE REQUIRED TO RE-ESTABLISH ANY PROPERTY BOUNDS WHICH ARE DAMAGED OR DESTROYED BY HIS CONSTRUCTION OPERATIONS. SUCH BOUNDS SHALL BE RE-ESTABLISHED BY A LICENSED LAND SURVEYOR IN ACCORDANCE WITH STATE LAWS.

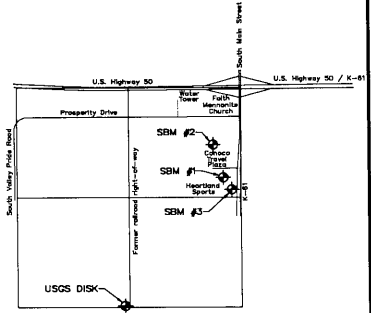
THE CONTRACTOR SHALL RESTORE ALL DITCHES, SWALES, ROAD SHOULDERS, ENTRANCES AND BANK LINES TO THEIR ORIGINAL SLOPES AND GRADES EXCEPT AS SHOWN OTHERWISE.

PROPERTIES WITHIN THE PROJECT LIMITS MAY HAVE UNDERGROUND SPRINKLER SYSTEMS IN THE PUBLIC RIGHT-OF-WAY WHICH COME IN WITH NEW CONSTRUCTION. THE CONTRACTOR WILL BE REQUIRED TO REMOVE SUCH IMPROVEMENTS SHOULD THEY NOT BE REMOVED BY THEIR OWNERS AT THE TIME OF CONSTRUCTION OF THE PROJECT. THE CONTRACTOR WILL BE REQUIRED TO SALVAGE ALL SPRINKLER HEADS AND/OR VALVES CONTROL BOXES AND TO REMOVE ALL PORTIONS OF UNDERGROUND SPRINKLER AND GIVE SUCH MATERIAL TO THEIR OWNERS. PORTIONS OF UNDERGROUND SPRINKLER SYSTEMS NOT IN CONFLICT WITH NEW CONSTRUCTION SHALL BE PROTECTED FROM DAMAGE AND SHALL REMAIN IN PLACE. ALL WORK IN CONNECTION WITH UNDERGROUND SPRINKLER SYSTEMS SHALL BE CONSIDERED AS SUBSIDIARY TO THE CONTRACT PAY ITEMS OF WORK.

ANY REPLACEMENT OF CURB & GUTTER SHALL MATCH EXISTING TYPE OF CURB & GUTTER.

ALL SIGNS, GUARD POSTS, FENCES, DELINEATOR POSTS, AND RAILROAD TIES REQUIRED TO BE REMOVED TO CLEAR CONSTRUCTION SHALL BE REPLACED BY CONTRACTOR. COST SHALL NOT BE PAID FOR DIRECTLY, BUT SHALL BE CONSIDERED SUBSIDIARY TO THE CONTRACT PAY ITEMS OF WORK.

THE CONTRACTOR WILL BE RESPONSIBLE FOR INSTALLATION OF ALL REMOVED SIGNS IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION.



VERTICAL AND HORIZONTAL PROJECT CONTROL:

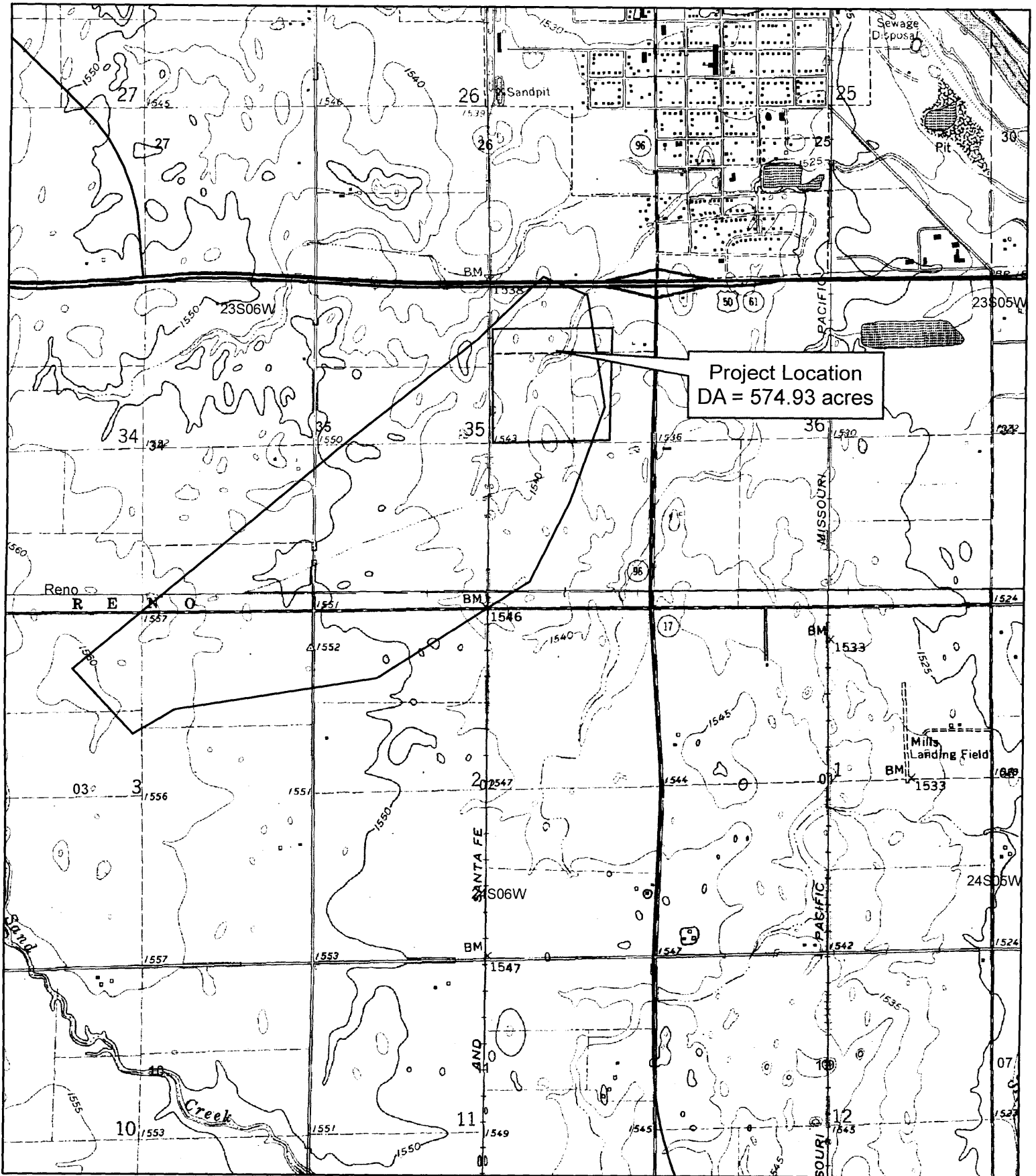
N=1788070.7750 E=1470673.5000
 USGS Azimuth Mark disk set in concrete post stamped "Fair As Me" located 27 feet North of the centerline of West Morgan Avenue approximately 1/2 mile West of K-61 and 50 feet West of the former AT&SF railroad (now wooded & razed). Elevation=1546.73 (NAV088)

SBM #1 N=1801078.7487 E=1473213.7078
 Square set on the Southwest corner of a concrete pad for an electric box that is 163ft west of the entrance to Heartland Outdoor Store. Elevation=1538.65 (NAV088)

SBM #2 N=1801844.4099 E=1472978.1586
 Blue capped rebar in concrete 167ft West and 84ft North of the Northeast corner of the Conoco Plaza 50 truck parking lot. Elevation=1540.28 (NAV088)

SBM #3 N=1800785.5778 E=1473408.4046
 Blue square set in the South edge of the concrete and 205 feet East of the Southwest corner of the Heartland Outdoor concrete parking lot. Elevation=1537.11 (NAV088)

FRONTIER COMMERCE PARK LAYOUT SHEET STREET IMPROVEMENTS		
SOUTH HUTCHINSON, KANSAS		
CERTIFIED ENGINEERING DESIGN, P.A.		
1935 WEST MAPLE WICHITA, KANSAS 67213		
PH.(316)262-8808 FAX.(316)262-1689		
DESIGNED: HDF	SCALE: 1"=100'	SHEET: 2
DRAWN: WAK	DATE: 07/20/2018	TOTAL: 47
CHECKED: HDF	GED FILE: GSS 02014-767	

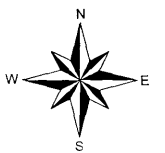


Project Location
DA = 574.93 acres

1:24,000



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

December 5, 2016

PRAIRIE LAND MANAGEMENT LLC
4104 S HERRON RD
HUTCHINSON KS 67501

FILE COPY

RE: Application
File No. 49736

Dear Sir or Madam:

Your application for permit to appropriate water in 35-23S-6W in Reno 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,

A handwritten signature in cursive script that reads "Brent A. Turney".

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

BAT: dlw
pc: STAFFORD Field Office
GMD

SCANNED