

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

1. File Number: <p style="text-align: center; font-size: 1.2em;">49,676</p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;">11/16/2016</p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">2</p>	4. GMD: <p style="text-align: center; font-size: 1.2em;">5</p>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input checked="" type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
<p>7a. Applicant(s) Person ID <u>63189</u> New to system <input type="checkbox"/> Add Seq# <u>1</u></p> <p>ERIC D DUNN IRR FAMILY TRUST 12748 SE 160TH AVE NORWICH KS 67118-9058</p>	<p>7c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>		
<p>7b. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p> <p>7a.</p>	<p>7d. Misc. Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>		
<p>8. WUR Correspondent Person ID _____ New to system <input type="checkbox"/> Add Seq# _____ Overlap File (s) WUC Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7a.</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR <input checked="" type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>		
10. Completion Date: <u>12/31/2017</u>		11. Perfection Date: <u>12/31/2021</u>	
12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
<p>Date Prepared: 11/2/2016 By: AM Date Entered: 11/16/2016 By: LLM</p>			

File No. 49,676	15. Formation Code:	Drainage Basin: NF NINNESCAH RIVER	County: SF	Special Use:	Stream:																
16. Points of Diversion			17. Rate and Quantity																		
T MOD DEL ENT			Authorized			Additional															
PDIV Qualifier S T R ID 'N 'W			Rate gpm			Quantity af			Rate gpm			Quantity af			Overlap PD Files						
CHK 85457 NE SE SW 31 25S 12W 2 784 3135			300			15			300			15			NONE						
18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft																					
19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____																					
Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____																					
20. Meter Required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No To be installed by 12/31/2017 Date Acceptable Meter Installed _____																					
21. Place of Use		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
T MOD DEL ENT		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				
PUSE S T R ID																					
CHK 67522 31 25S 12W 1														6	7	6	3	22	7a.	No	11,398
CHK 15361 32 25S 12W 1										.4	13.6	4						18	7a.	No	11,398
Comments: ADD 15 AF EXCEPTION TO ACTION TRAIL & SPECIAL CONDITIONS																					

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: November 2, 2016

FROM: Austin McColloch

RE: Water Right,
File No. 11,398
New Application,
File No. 49,676

Eric Dunn of Hooray Ranch, owner of File No. 11,398 has filed an application for approval to change the place of use and a new application to appropriate water for beneficial use, File No. 49,676 for recreational use. The applications were received on July 21, 2016.

Change Application File No. 11,398

The referenced file number do not appear to be abandoned as per K.S.A. 82a-718.

File No. 11,398 is currently authorized 46 acre-feet of groundwater to be diverted at a maximum rate of 215 gallons per minute from a well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 32, more particularly described as being near a point 921 feet North and 4,301 feet West of the Southeast corner of said section, in Township 25 South, Range 12 West, Stafford County, Kansas. There is no proposed change in rate, quantity or location of the point of diversion.

The place of use is currently 160 acres in the Southwest Quarter (SW $\frac{1}{4}$) of Section 32. This application for change in place of use proposes multiple wetlands located in Section 31 & 32 with a total of 40 surface acres. This will create an overlap in place of use with New Application, File No. 49,676. Due to the nature of the recreational use there will be no increase in consumptive use with the proposed change in place of use.

The applicant identified one (1) nearby well not owned by the applicant located within one-half mile of this existing well. Nearby well owner letter was sent out on September 21, 2016, referencing the proposed change application. No response of any kind has been received.

New Application, File No. 49,676

The filed new application is proposing to appropriate 15 acre-feet of groundwater at a diversion rate of 300 gallons per minute for recreational use from one (1) well located in the Northeast Quarter of the Southeast Quarter of the Southwest Quarter (NE¼ SE¼ SW¼) of Section 31, more particularly described as being near a point 784 feet North and 3,135 feet West of the Southeast corner of said section, in Township 25 South, Range 12 West, Stafford County, Kansas. This is a 15 acre-feet exemption due to the fact that the proposed PD is located in GMD No. 5 closed and restricted section.

The proposed place of use is multiple wetlands located in Section 31 & 32 with a total of 40 surface acres. This will create an overlap in place of use with Water Right, File No. 11,398. The wetlands will be used for seasonal recreational use approximately five months out of the year and drained at the end of the season until the following year.

The combined proposed quantity of 61 acre-feet will supply some evaporative loss and seasonal filling to a depth of 1.5 feet onto the wetlands. The multiple wetlands total 40 surface acres and will not require any structure permitting. The proposed quantity is justified as follows:

$$40 \text{ surface acres} \times 1.5 \text{ foot depth} = 60 \text{ acre-feet}$$

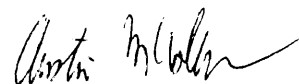
The applicant identified two (2) nearby wells not owned by the applicant located within one-half mile of this proposed well. Nearby well owner letter was sent out on September 21, 2016, referencing the proposed new application. No response of any kind has been received.

Both files are located within the boundaries of Big Bend Groundwater Management District No. 5. Copies of the applications were sent to GMD No. 5 on October 10, 2016 for recommendations. GMD No. 5 provided recommendations for approval on November 1, 2016. Per GMD No. 5 review, both applications meet their rules and regulations. Both applications are subject to the District's well equipment regulation K.A.R. 5-25-5 for a required flow meter.

Both points of diversion are located within the N. F. Ninnescah River Basin and are subject to minimum desirable stream flow.

In an email dated November 2, 2016, with Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of both applications.

Based on the above discussion, that the change and new application are reasonable, that impairment to existing water rights is unlikely. It is recommended that the change application for File No. 11,398 and new application File No. 49,676 are approved.



Austin McColloch
Environmental Scientist

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

ERIC D DUNN IRR FAMILY TRUST
12748 SE 160TH AVE
NORWICH KS 67118-9058

November 17, 2016

FILE COPY

RE: Appropriation of Water, File No. 49,676

Dear Mr. Dunn:

There is enclosed a permit to appropriate water authorizing you 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), 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 this permit. A water meter is required and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

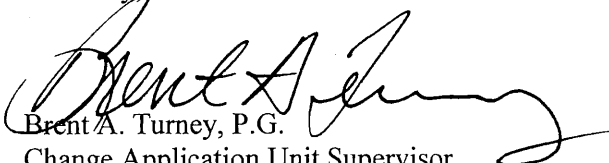
Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed. All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time set forth in the permit to complete diversion works or to perfect an appropriation.

For any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for 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 establish the extent of your water right.

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 to that we may help you more efficiently.

Sincerely,



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

BAT:am

Enclosures

pc: Stafford Field Office
Groundwater Management District No. 5



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)

This is to certify that I have examined Application, **File No. 49,676** of the applicant

**ERIC D DUNN IRR FAMILY TRUST
12748 SE 160TH AVE
NORWICH KS 67118-9058**

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 **July 21, 2016**.
2. That the water sought to be appropriated shall be used for recreational use in a wildlife marsh located in the Southeast Quarter of Section 31 and the Southwest Quarter of Section 32, both in Township 25 South, Range 12 West, Stafford County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Northeast Quarter of the Southeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 31, more particularly described as being near a point 784 feet North and 3,135 feet West of the Southeast corner of said section, in Township 25 South, Range 12 West, Stafford 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** (0.66 c.f.s.) and to a quantity not to exceed **15 acre-feet** of water for any calendar year.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2017**, or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$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 accompanied by the required statutory fee, which is currently \$100.00.
6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2021**, or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$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 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.

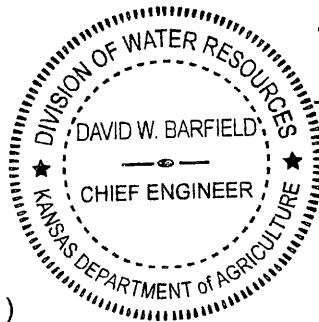
This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

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 16th day of November, 2016, in Topeka, Shawnee County, Kansas.



David W Barfield

David W. Barfield, P.E.
Chief Engineer
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 16th day of November, 2016, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



Karen Hunter

Notary Public

CERTIFICATE OF SERVICE

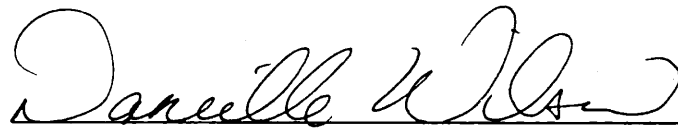
On this 17th day of November, 2016, I hereby certify that the foregoing Approval of Application, File No. 49,676, dated November 16, 2016 was mailed postage prepaid, first class, US mail to the following:

ERIC D DUNN IRR FAMILY TRUST
12748 SE 160TH AVE
NORWICH KS 67118-9058

With photocopies to:

Stafford Field Office

Groundwater Management District No. 5



Division of Water Resources

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

APPLICATION COMPLETE
11/21/16
Reviewer AM

File Number 49,676
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

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.)

JUL 21 2016
11:15
KS DEPT OF AGRICULTURE

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

1. Name of Applicant (Please Print): Eric Dunn/Hooray Ranch
Address: 12748 SE 160th Avenue
City: Norwich State KS Zip Code 67118
Telephone Number: (316) 304-3956

2. The source of water is: surface water in _____ (stream)
OR groundwater in North Fork Ninnescah 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. **15AF Small Use Exemption**

3. The maximum quantity of water desired is 15 acre-feet OR _____ 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) Artificial Recharge (b) Irrigation (c) Recreational (d) Water Power
(e) Industrial (f) Municipal (g) Stockwatering (h) Sediment Control
(i) Domestic (j) Dewatering (k) Hydraulic Dredging (l) Fire Protection
(m) Thermal Exchange (n) Contamination Remediation

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

For Office Use Only:							
F.O. <u>2</u>	GMD <u>5</u>	Meets K.A.R. 5-3-1 (YES/NO) <u>YES</u>	Use <u>REC</u>	Source <u>G/S</u>	County <u>SF</u>	By <u>AJW</u>	Date <u>7/21/16</u>
Code <u>REG</u>	Fee \$ <u>200</u>	TR # _____	Receipt Date <u>7/21/16</u>	Check # <u>1903</u>			

SCANNED

7/25/2016 LCM

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.

(A) One in the NE quarter of the SE quarter of the SW quarter of Section 31, more particularly described as being near a point 784 feet North and 3,135 feet West of the Southeast corner of said section, in Township 25 South, Range 12 W, Stafford County, Kansas.

(B) 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.

(C) 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.

(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):

Same as applicant
(name, address and telephone number)

(name, address and telephone number)

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

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

Executed on July 20, 2016. E. D. Du
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 1 well and pump
(number of wells, pumps or dams, etc.)

and was completed (by) Existing well
(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 ASAP
(Mo/Day/Year)

WATER RESOURCES
RECEIVED

JUL 21 2016

SCANNED

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 N.A.

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.

Will overlap PU with WR #11,398. WR#11,398 has a pending change in PU to be worked in conjunction
with the application to form a complete PU overlap.

WATER RESOURCES RECEIVED

SCANNED JUL 21 2016

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	_____	_____	_____	_____
Total depth of well	_____	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

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

Owner
(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):

Same as Applicant
(name, address and telephone number)

(name, address and telephone number)

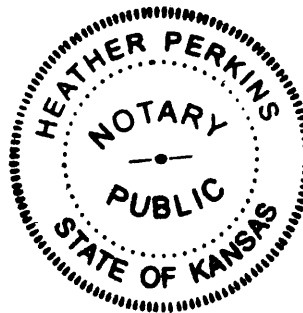
16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at Wichita, Kansas, this 20th day of July, 2016.
(month) (year)

[Signature]
(Applicant Signature)

By [Signature]
(Agent or Officer Signature)

Heather D. Perkins
(Agent or Officer - Please Print)



Assisted by MJM ESII Date: 6/16/2016
(office/title)

WATER RESOURCES
RECEIVED

SCANNED

JUL 21 2016

**RECREATIONAL USE
SUPPLEMENTAL SHEET**

File No. 49,676

Name of Applicant (Please Print): Eric Dunn/Hooray Ranch

1. Please indicate type of recreational use (boating, fishing, swimming, etc.): Hunting

2. Please summarize how the water will be used and justify the quantity of water requested: _____

Will be used to fill multiple ponds and temporary pools for duck hunting.

3. Please complete the following table showing estimated future water requirements:

ESTIMATED FUTURE WATER DIVERTED/STORED	
NEXT 5 YEARS	WATER TO BE DIVERTED (ACRE-FEET OR GALLONS)
Year 1	15AF
Year 2	15AF
Year 3	15AF
Year 4	15AF
Year 5	15AF

Please attach any additional information, tables, or curves showing past, present and estimated future water requirements to substantiate the amount of water requested.

4. Please designate the legal description of the location where the water is to be used by providing the fractional part of the Section, Township and Range.

Multiple ponds/temporary pools, totaling 40 acres located in the South Half of Section 31,

Township 25S, Range 12W and 320 acres located in the West Half of Section 32, Township 25S,

Range 12 W Stafford, County. Will Overlap PU with WR#11,398.

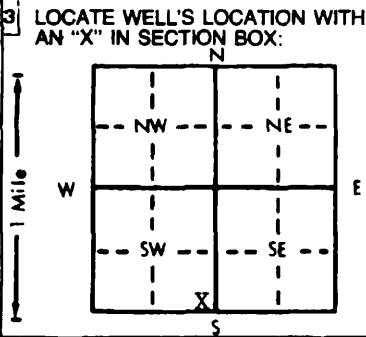
You may attach any additional information you believe will assist in informing the Division of the WATER RESOURCES need for your request. RECEIVED

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

1 LOCATION OF WATER WELL: County: Stafford	Fraction SE ¼ SE ¼ SW ¼	Section Number 31	Township Number T 25 S	Range Number R 12W E/W
--	-----------------------------------	-----------------------------	----------------------------------	----------------------------------

Distance and direction from nearest town or city street address of well if located within city?
11 S, 3½ E of St. John, Kansas

2 WATER WELL OWNER: **PIA Partnership**
 RR#, St. Address, Box # : **1015 N. Linden Circle**
 City, State, ZIP Code : **Wichita, Ks. 67206**
 Board of Agriculture, Division of Water Resources
 Application Number:



4 DEPTH OF COMPLETED WELL: **72** ft. ELEVATION: **Unknown**
 Depth(s) Groundwater Encountered: **1 22** ft. 2. ft. 3. ft.
 WELL'S STATIC WATER LEVEL: **22** ft. below land surface measured on **mo/day/yr** **10/30/92**
 Pump test data: Well water was ft. after hours pumping gpm
 Est. Yield: **60** gpm; Well water was ft. after hours pumping gpm
 Bore Hole Diameter: **8** in. to **72** ft., and in. to ft.
 WELL WATER TO BE USED AS:
 5 Public water supply 8 Air conditioning 11 Injection well
 1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)
 2 Irrigation 4 Industrial 7 Lawn and garden only 10 Monitoring well
 Was a chemical/bacteriological sample submitted to Department? Yes No ; If yes, mo/day/yr sample was submitted
 Water Well Disinfected? Yes No

5 TYPE OF BLANK CASING USED:
 1 Steel 3 RMP (SR) 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued Clamped
 2 PVC 4 ABS 6 Asbestos-Cement 9 Other (specify below) Welded
 7 Fiberglass Threaded
 Blank casing diameter: **5** in. to **52** ft., Dia. in. to ft., Dia. in. to ft.
 Casing height above land surface: **12** in., weight **2.8** lbs./ft. Wall thickness or gauge No. **Sch. 40**
 TYPE OF SCREEN OR PERFORATION MATERIAL:
 1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 10 Asbestos-cement
 2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 11 Other (specify)
 12 None used (open hole)
 SCREEN OR PERFORATION OPENINGS ARE:
 1 Continuous slot 3 Mill slot 5 Gauzed wrapped 8 Saw cut 11 None (open hole)
 2 Louvered shutter 4 Key punched 6 Wire wrapped 9 Drilled holes
 7 Torch cut 10 Other (specify)
 SCREEN-PERFORATED INTERVALS: From **52** ft. to **72** ft., From ft. to ft.
 From ft. to ft., From ft. to ft.
 GRAVEL PACK INTERVALS: From **20** ft. to **72** ft., From ft. to ft.
 From ft. to ft., From ft. to ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other
 Grout Intervals: From **0** ft. to **20** ft., From ft. to ft., From ft. to ft.
 What is the nearest source of possible contamination:
 1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well
 2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well
 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below)
 13 Insecticide storage **In pasture**
 Direction from well? How many feet?

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	20	Clay			
20	72	Sand and gravel			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) **10/30/92** and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. **186**. This Water Well Record was completed on (mo/day/yr) **11/30/92** under the business name of **Kelly's Water Well Service, Inc.** by (signature) *[Handwritten Signature]*

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

7-20-16
(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
109 SW 9th Street, 2nd Floor
Topeka, Kansas 66612-1283

Re: Application
File No. _____

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.

Eric D. Dunn
Signature of Applicant

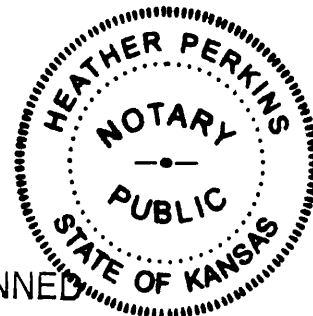
State of Kansas)
County of Sedgwick) ss

Eric D. Dunn
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 20th day of July, 2016.

Heather Perkins
Notary Public

My Commission Expires: March 25, 2018



WATER RESOURCES
RECEIVED

JUL 21 2016

FEE SCHEDULE

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

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

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

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

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

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

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

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

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

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

WATER RESOURCES
RECEIVED

JUL 21 2016

SCANNED

KS DEPT OF AGRICULTURE

McColloch, Austin

From: Lanterman, Jeff
Sent: Wednesday, November 2, 2016 3:37 PM
To: McColloch, Austin
Cc: Conant, Cameron
Subject: FW: Recommendation, File Nos. 11,398 & 49,676
Attachments: 11398_49676_Memo.doc; Hooray Ranch map.pdf

Austin;

Go ahead and approve the change application and the new application. Appreciate your work on this.

Thanks
Jeff

From: Conant, Cameron
Sent: Wednesday, November 2, 2016 1:36 PM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Subject: FW: Recommendation, File Nos. 11,398 & 49,676

Jeff, the issue with the MDS consent form has been resolved. It was included and signed, but put with the incorrect file. We have it and it will be included with the new application.

Since MDS is sorted out, the review from earlier stands. Hopefully this new app and change fixes an ongoing compliance issue on this land. Please pass on to Austin that the change and the new app can be approved if you agree.

Cameron

From: Conant, Cameron
Sent: Wednesday, November 02, 2016 11:09 AM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Subject: FW: Recommendation, File Nos. 11,398 & 49,676

Jeff, this is the new, revised, Hooray Ranch ponds South of Stafford. Austin included the new 15AF application to cover one of the illegal wells found by GMD#5 during an inspection as well as the p/u change application on the senior file to make a complete overlap with the ponds Hooray Ranch intends to fill for hunting.

I've attached the map showing the proposed place of use.

I think both applications can be recommended for approval...**providing we have a signed MDS consent form. I do not see an MDS form in Docuware at this time.**

Please pass on to Austin if you agree that both applications can be approved as long as we have the signed MDS form. If we don't have the form, can't recommend approval and we need to get it.

Cameron

From: McColloch, Austin
Sent: Wednesday, November 02, 2016 10:38 AM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Cc: Conant, Cameron <Cameron.Conant@ks.gov>
Subject: Recommendation, File Nos. 11,398 & 49,676

Good morning,

I would like your recommendation on the above referenced files submitted by Eric Dunn.

Thanks,

Austin McColloch
Environmental Scientist
Ph: (785) 564-6643

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

October 10, 2016

FILE COPY

BIG BEND KANSAS GMD #5
ORRIN FERIL
125 S MAIN ST
STAFFORD KANSAS 67578

Re: Water Right,
File No. 11,398
New Application,
File No. 49,676

Dear Mr. Feril:

We are enclosing copies of the referenced applications, which was submitted by Eric Dunn and appears to be in proper form, for your review.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning these applications. Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (785) 564-6643. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,

Austin McColloch
Environmental Scientist
Water Appropriation Program

Enclosure
pc: Stafford 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

September 21, 2016

JAMES W GRIFFITH
235 NE 110TH ST
IUKA KS 67853

FILE COPY

Re: Application
File No. 49,676

Dear Mr. Griffith:

This is to advise you that Eric Dunn has filed the application referred to above for permit to appropriate 15 acre-feet of water per calendar year for recreational use to be diverted at a maximum rate of 300 gallons per minute from a well or wells located as follows:

one (1) well located in the NE Quarter of the SE Quarter of the SW Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 31, more particularly described as being near a point 784 feet North and 3,135 feet West of the Southeast corner of said section, in Township 25 South, Range 12 West, Stafford County, Kansas.

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

If you have any questions, please contact me at (785) 564-6643. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Austin J. McColloch".

Austin J. McColloch
Environmental Scientist
Water Appropriation Program

Enclosure(s)

pc: Stafford Field Office
Groundwater Management District No. 5

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

July 22, 2016

ERIC DUNN
12748 SE 160TH AVENUE
NORWICH KS 67118

RE: Application
File No. 49676

Dear Sir or Madam:

Your application for permit to appropriate water in 31-25S-12W in Stafford 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.

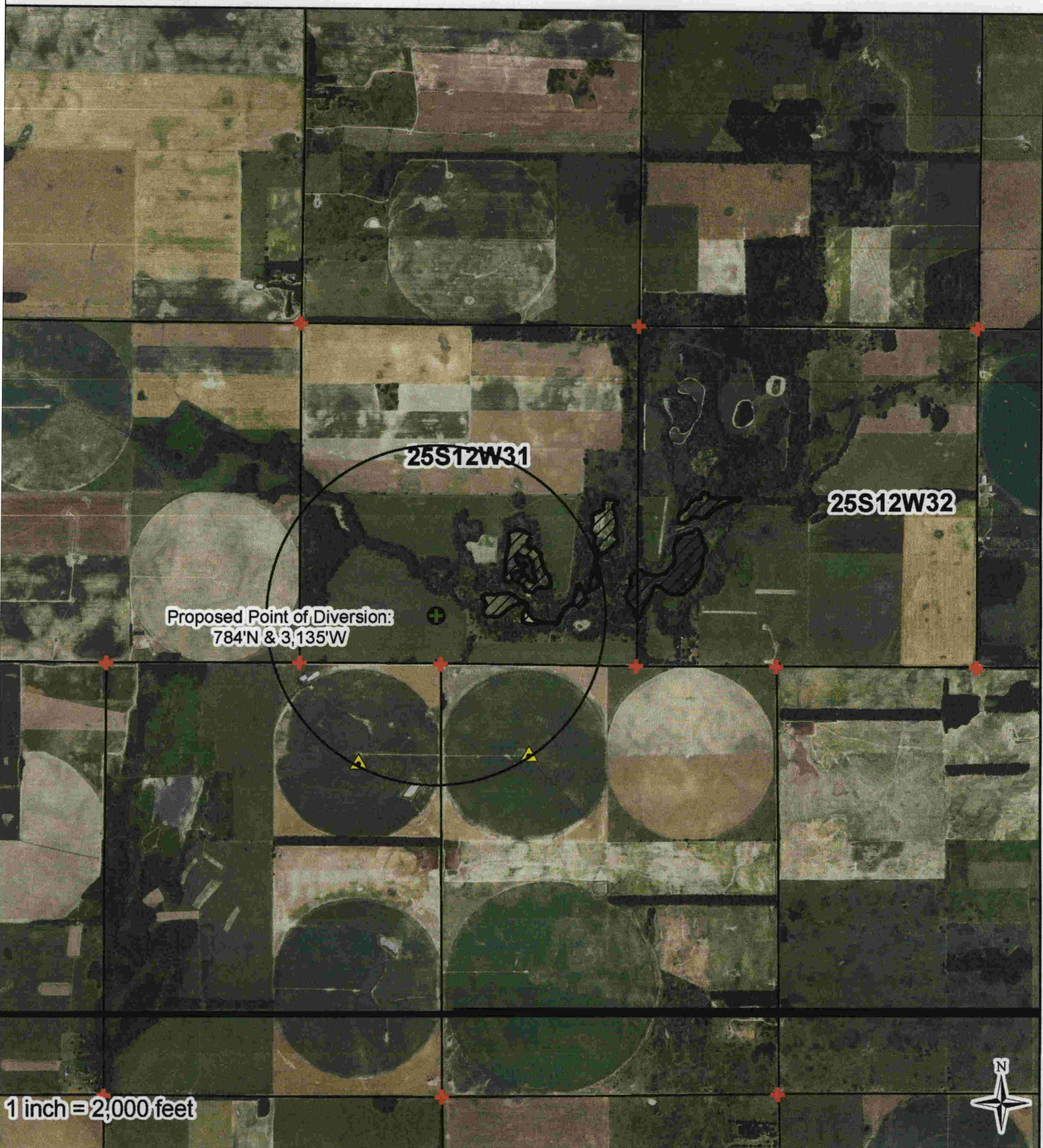
Sincerely,

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

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

BAT: ALH
pc: STAFFORD Field Office
GMD 5

SCANNED



Proposed Point of Diversion:
784'N & 3,135'W

25S12W31

25S12W32

1 inch = 2,000 feet



I declare that all water wells or diversion sites using the same source of supply and within 1/4 mile of the proposed point of diversion have been plotted on the application map.

- ★ Domestic Wells
- ⊕ Proposed PD
- ▲ Water Rights
- ⊕ SFFOsec_corners
- ▨ Proposed Place Of Use

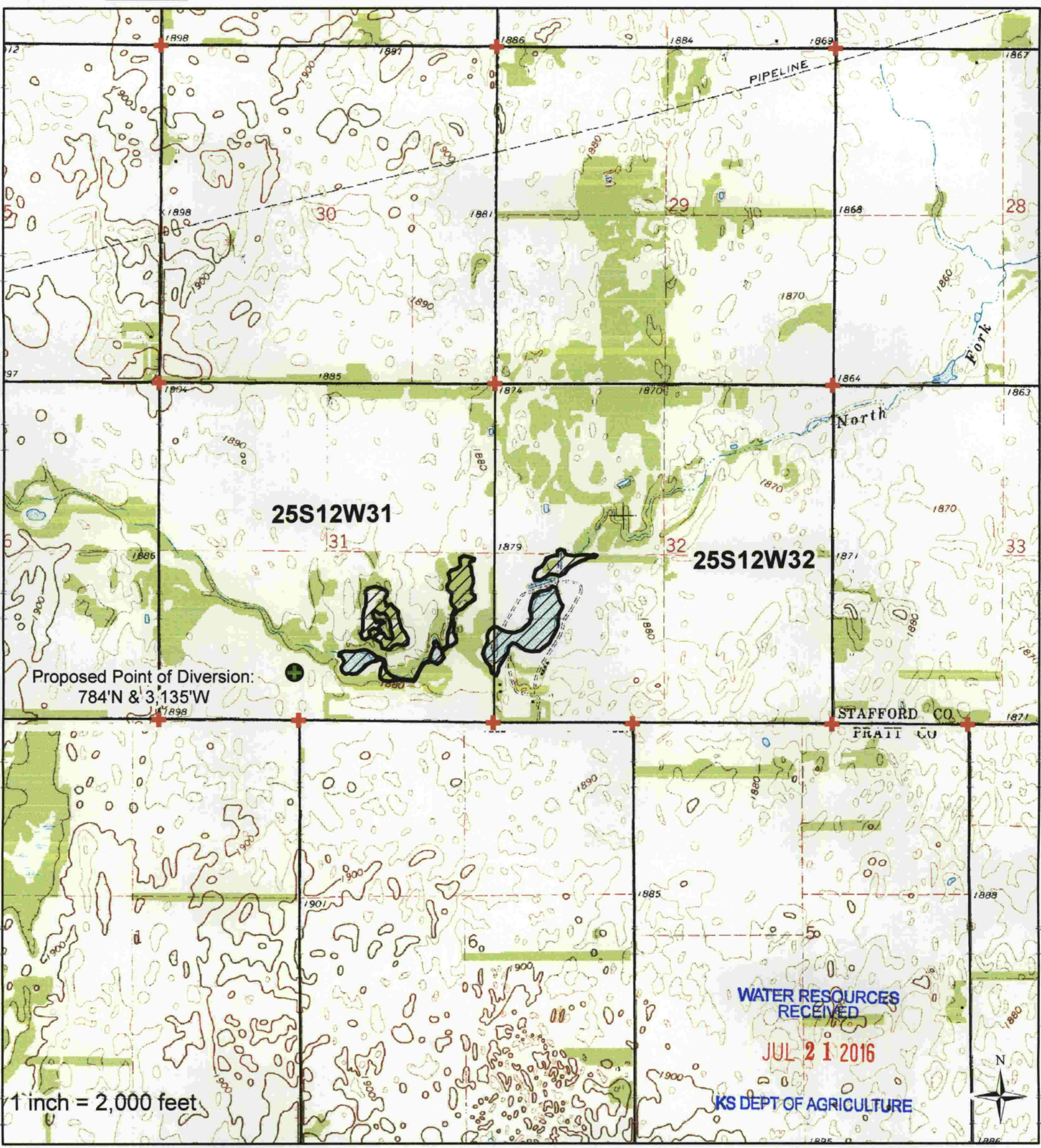
Eric D. D... 7-20-16
Signature Date



WATER RESOURCES RECEIVED

JUL 21 2016
Created By: Matt Meier
F.O. 2
Date: 6/16/2016
CANNED

File No. _____



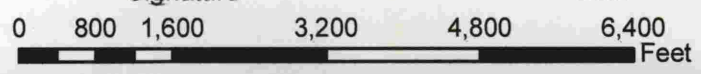
I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

- ★ Domestic Wells
- ProposedPD
- ▲ Water Rights
- ⊕ SFFOsec_corners
- ▨ ProposedPlaceOfUse

Eric D. ... 7-20-16

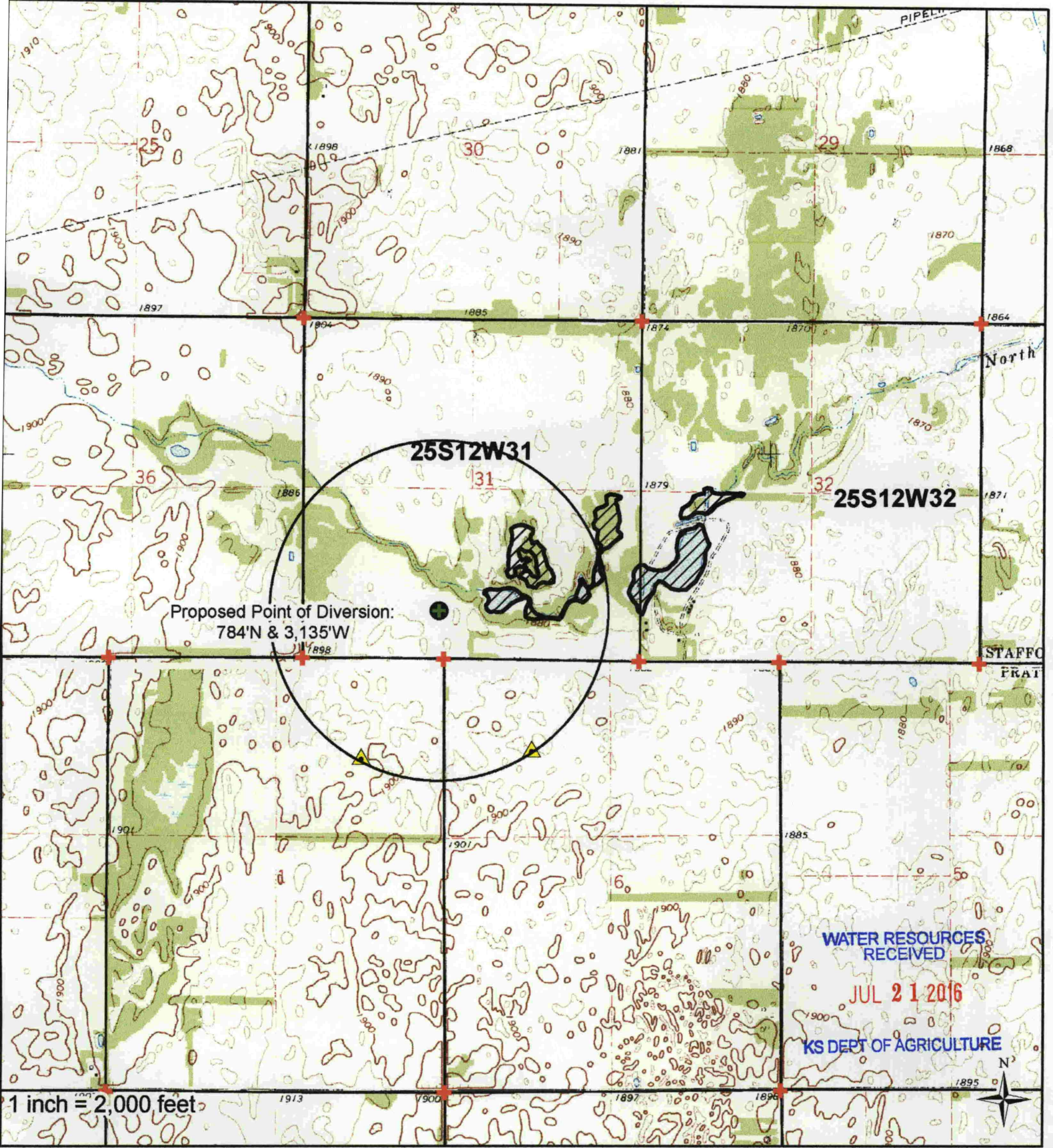
 Signature Date

Created By: Matt Meier
 F.O. 2
 Date: 5/27/2016



SCANNED

File No. _____



Proposed Point of Diversion:
784'N & 3,135'W

25S12W31

25S12W32

WATER RESOURCES
RECEIVED
JUL 21 2016
KS DEPT OF AGRICULTURE

1 inch = 2,000 feet

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

★ Domestic Wells

● Proposed PD

▲ Water Rights

⊕ SFFOsec_comers

▨ Proposed Place of Use

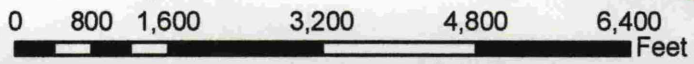
Eric D. Dan

7-20-16

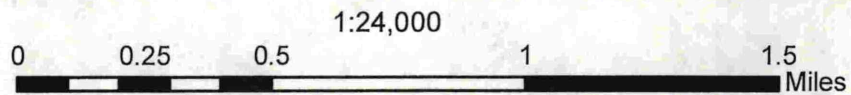
Signature

Date

Created By: Matt Meier
F.O. 2
Date: 6/16/2016



SCANNED



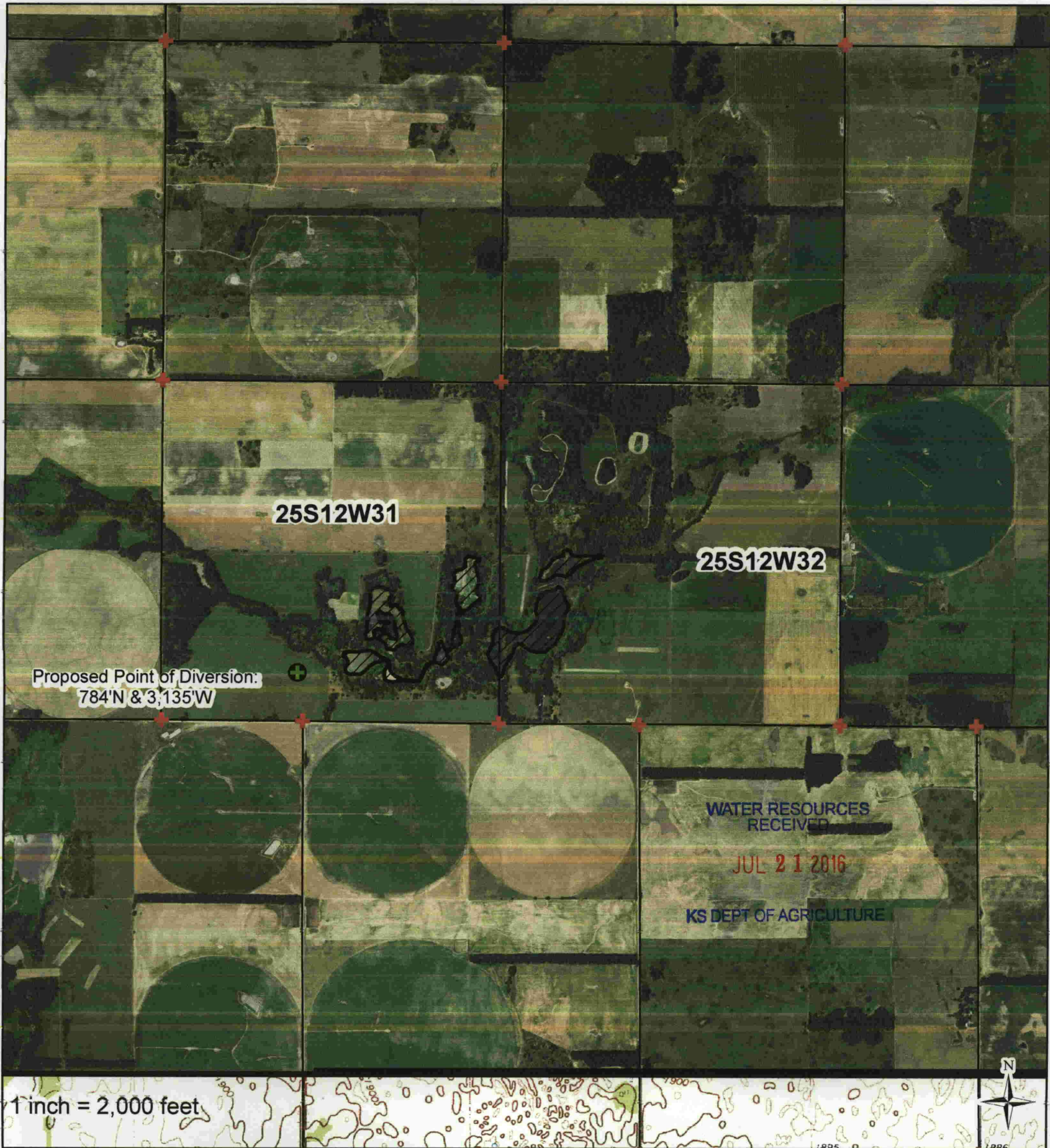
New Application, File No. 49,676

Proposed Point of Diversion
 Section 31 - Township 25 South - Range 12 West
 Stafford County, Kansas

FILE COPY

49,676

File No. _____



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

- ★ Domestic Wells
- Proposed PD
- ▲ Water Rights
- ⊕ SFFOsec_corners
- ▨ ProposedPlaceOfUse

Eric D. Dan
Signature

7-20-16
Date

SCANNED

Created By: Matt Meier
FIG. 2
Date: 5/27/2016

