

Kansas Department of Agriculture  
 Division of Water Resources  
**CHANGE: P/D & PU WORKSHEET**

Document Signature LPL

1. File Number: <b>47635 D1</b>	2. Status Change Date: <i>2/13/2017</i>	3. Change Num: <b>C2</b>	4. Field Office: <b>02</b>	5. GMD:	
6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: <b>8/27/15</b>	
8a. Applicant(s) New to system <input type="checkbox"/>  <b>CORNEJO &amp; SONS INC 2060 E TULSA PO BOX 16204 WICHITA KS 67216</b>		Person ID <b>38760</b> Add Seq# _____	8c. PC <i>by owner</i> New to system <input type="checkbox"/>  <b>RSRNHP LLC JAY RUSSELL PO BOX 75337 WICHITA KS 67275</b>		Person ID <b>64907</b> Add Seq# _____
8b. Landowner(s) New to system <input type="checkbox"/>  <b>CORNEJO &amp; SONS INC 2060 E TULSA PO BOX 16204 WICHITA KS 67216</b>		Person ID <b>38760</b> Add Seq# _____	8d. WUC New to system <input type="checkbox"/>  <b>RSRNHP LLC JAY RUSSELL PO BOX 75337 WICHITA KS 67275</b>		Person ID <b>64907</b> Add Seq# _____
9. Documents and Enclosure(s): <input type="checkbox"/> DWR Meter(s) Date to Comply: _____ <input checked="" type="checkbox"/> N & P Date to Comply: <u>12/31/17</u>					
<input type="checkbox"/> Anti-Reverse Meter Letter <input type="checkbox"/> Meter Seal <input type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <i>NEW APP \$400 DUE</i> <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E					
<input type="checkbox"/> Conservation Plan                Date Required: _____                Date Approved: _____                Date to Comply: _____					
10. Use Made of Water    From: _____    To: _____					
Date Prepared: <b>10/27/16</b> By: <b>li</b> Date Entered: <i>2/14/2017</i> By: <i>UM</i>					

File No. **47635 D1**      11. County: **SG**      Basin: **ARKANSAS RIVER**      Stream: **NA**      Formation Code: **113**      Special Use: **NA**

12. Points of Diversion										Rate and Quantity					
MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Authorized		Additional		
ENT											Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	Overlap PD Files
DEL	64221	NW SE SW		35	26	1W	4	1275	3696		NE	1.630 (5 AF)	NE	1.630	47635 D2
ENT	76323	SW NE NW		2	27S	1W	7	4310	3780		NE	1.630	NE	1.630	48069 47241 & 49572

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

14. Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_  
 Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_

15. 5YR Allocation:      Allocation Type \_\_\_\_\_      Start Year \_\_\_\_\_      5 YR Amount \_\_\_\_\_      Amount Unit \_\_\_\_\_      Base Acres \_\_\_\_\_      Comment \_\_\_\_\_

16. Place of Use		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files				
MOD	DEL	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								
ENT	PUSE	S	T	R	ID																				
ENT	62154	2	27S	1W	7	E½ NW¼ & NC E½ W½ NW¼ SAND & GRAVEL PIT 42.0 ACRE																	<b>8b &amp; 8c</b>	YES	48069 47241 & 49572
DEL	61521	35	26S	1W	5	3 AC W/IN 78 AC GROUNDWATER PIT																			

Comments: ~~Check Special Conditions: BERMING REQUIREMENTS FOR SAND PITS~~ Remove per LI  
 Pit Project - Jr File Proj #76 Other or Jr. Evap per AAT

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

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

**TO:** Files

**DATE:** January 11, 2017

**FROM:** Leslie Ireland

**RE:** Water Right,  
File Nos. 47,241, 47,635-D1, 48,069 & 48,836  
Application, File No. 49,572

Steven P. Hatfield on behalf of Cornejo & Sons, Incorporated as owner of the referenced water rights have filed applications on August 27, 2015, for approval to change the place of use and point of diversion authorized for industrial use for a sand plant under File Nos. 47,241 & 48,069 with additional quantity provided by File No. 47,635-D1. Jay Russell on behalf of RSRNHP, LLC, filed a new application for industrial use on March 4, 2016, that was assigned File No. 49,572. Jay Russell on behalf of R & R Realty, Inc., also filed a change in place of use with a reduction in quantity that was received on March 4, 2016, under File No 48,836. The reduced quantity will be picked up under the new appropriation, File No. 49,572, to provide evaporative loss for the existing pit under File No. 47,241, 47,635-D1 & 48,069. All of the referenced files with the exception of File No. 48,836 will create a groundwater pit in the Northwest Quarter of Section 2, Township 27 South, Range 1 West, Sedgwick County. Eventually File Nos. 47,241, 47,635-D1, 48,069 & 49,572 will become the Pearl Beach Addition, with File No. 48,836 to remain authorized for a future housing development.

The referenced water rights appear to not be abandoned as per K.S.A. 82a-718. The rights appear to be in compliance with K.S.A. 82a-732. A dredge under File No. 20149062 has been operating in the area for File No. 48,836 and a dredge under File No. 999022 and processing product under File No. 999022-PT are approved for the area proposed under the existing rights, File Nos. 47,241, 47,635-D1 & 48,069, and the new application, File No. 49,572.

File No. 47,635-D1 is authorized 5.0 acre-feet (AF) (1.629 million gallons (mgy) at the rate of natural evaporation (NE), from a 3 acre exposure located in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 35, Township 26, Range 1 West, Sedgwick County. The 3.0 surface acres and 5 AF of annual evaporation will move to the South making a complete overlap of File Nos. 47,241, 47,635-D1, 48,069 & 49,572. The change in point of diversion will move the geographic center authorized by File No. 47635-D1 approximately 2,334 feet to the South. This change will remain in the same source of supply as this area has been designated for both pits as Main Stem Alluvium (Code 113) of the Arkansas River.

File No. 47,635-D1, will provide only a portion of the quantity to increase the size of the nearby groundwater pit located in Section 2, in Township 27, both in Range 1 West, Sedgwick County. The 42 acre groundwater pit will be authorized by File Nos. 47,635-D1; 48,069 & 49,572, eventually becoming the residential development, Pearl Beach Addition.

File No. 48,836 is authorized for industrial use; it does not have an overlap in place of use except the dredge under File No. 20149062. This separate groundwater pit has until 2016 to complete and 2036 to perfect. Its groundwater pit is located in the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 22, Township 26 South, Range 1 West, (22-26-1W) Sedgwick County authorized 150 acre-feet (AF) at the rate of natural evaporation from a pit that was to complete at 90 acres. The proposed change is to modify and reduce the pit size to 86.23 acres and reduce the quantity to 143.72 AF. This modification which appears to only reduce the outer edge will remove 3.77 acres and allow 6.28 AF to be available for the pit in 2-26-1W.

The small quantity and acres that will be made available by the reduction will be picked up under the new application, File No. 49,572 and combined with existing rights, File Nos. 47,241; 48,069 and 47,635-D1. This shifting of quantity is allowed by K.A.R. 5-13-7, *Offsets for evaporation of groundwater*. The modifications of the pit under File No. 48,836, will not require the geographic center to be modified. It will remain authorized at 1,220 feet North and 1,270 feet West of the Southeast corner of 22-26-1W. The owner also completed the form *Request to Reduce* for the quantity and place of use that will be reduced under File No. 48,836.

The appropriation under File No. 48,836, is located within the boundaries of the Equus Beds Groundwater Management District No. 2. In a letter dated October 21, 2016, Tim Boese, Manager, of the district recommended approval of the requested modification of the pit.

File No. 49,572 is a new application proposing 2.047 million gallons (6.28 AF) per calendar year at the rate of natural evaporation from the geographic center of a pit in the Northeast Quarter of the Northwest Quarter of Section 2 approximately 4,310 feet North and 3,780 feet West of the Southeast corner of Section 2, in Township 27, Rang 1 West, Sedgwick County, Kansas. The proposed existing 42 acre sand and gravel pit will overlap with File Nos. 47,241, 47,635-D1, 48,069 & 49,572. A safe yield evaluation shows there to be no water available for appropriation. The new application and change applications will be processed by K.A.R. 5-13-1 through 9. The original maps did not represent the final pit design. On September 19, 2016 an updated map was received depicting the correct design, but listed incorrect feet distances for the geographic center. The feet distances were within 300 feet of the existing geographic center so they were corrected to that of the exiting pit. A "Notice of Intent to Expand a Pit" was received on September 13, 2016 and a Minimum Desirable Streamflow was received on March 4, 2016. The pit is located in a area that has an average annual potential net evaporation of 20 inches per acre per year as determined by K.A.R. 5-6-3, *Potential net evaporation*, therefore the evaporative loss would be considered to have a substantially adverse impact on the area groundwater supply as it exceeds 18 inches per acre per year as detailed in K.A.R. 5-13-2, *Determination of substantially adverse impact on the area groundwater supply*. Due to the location of the pit it must comply with K.A.R. 5-13-3 and the groundwater evaporation must be permitted for the expansion hence the quantity that will be provided by the reduction of File No. 48,836 as allowed by K.A.R. 5-13-7 and quantity will be provided per K.A.R. 5-13-8 and receive 100% credit.. It does appear that the proposed appropriation under File No. 49,572 can't be exempt from meeting safe yield as the proposal did not meet all of the requirements of K.A.R. 5-13-4, *Exemption*, specifically being in operation prior to 1999, so it must meet the requirements of K.A.R. 5-13-5. As detailed in K.A.R. 5-13-6, the annual quantity for the evaporative loss is:

$$42 \text{ acres} \times 20 \text{ inches} \div 12 \text{ inches per foot} = 70 \text{ acre-feet or } 22.810 \text{ million gallons}$$

A portion of the 70 AF is authorized by the existing rights:

<u>File No.</u>	<u>Quantity, mgy</u>
47,241	15.123
47,635-D1	1.630
48,069	4.008
49,572	2.047

The combined total 22.808 million gallons will just provide the potential net evaporation for the modified groundwater pit.



This pit is not located within the boundaries of a groundwater management district. The required notification nearby landowners with water rights was completed by letter. No comments were received.

The original permits under File Nos. 47,241 & 47,290 did not require the area around the groundwater pit be constructed and maintained to prohibit any untreated surface drainage from entering the aquifer through the excavated pit. The new permit under File No. 49,572, will require the same conditions as the senior rights requiring construction to prevent degradation to the water quality of the source of supply, which would cause impairment to existing water rights.

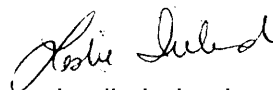
File No. 47,241 & 48,069 authorized the existing pit in the Northeast Quarter of Section 2. The submitted changes in place of use for each right are to modify the groundwater pit located in the Northeast Quarter of Section 2, Township 27, Range 1 West, Sedgwick County for the placement of houses for a residential development. The applications will comply with K.A.R. 5-5-3 *Change in consumptive use*. They propose the same 42 acres as that proposed under File No. 49,572 and 47,635-D1 and the quantities supplied by these two rights should insure consumptive use is not increased.

The WRIS database indicates only File No. 47,635-D1 to be within one-half (1/2) mile of the proposed existing geographic center of the pit in Section 2. As this is also a groundwater pit the 2,334 feet between the geographic centers should not result in impairment.

As required, the owners identified well owners located within one-half (1/2) mile were notified of the proposed new application and changes for this pit. The letters for File No. 48,836 resulted in several calls from the domestic well owners of the Childs Acres addition located in the North Half of the Southwest Quarter of 22-26-1W. No other comments were received from the other letters were sent, and no written comments were received.

In an e-mail message dated January 6, 2017, Jeff Lanterman, Water Commissioner of the Stafford Field Office recommended approval of the new application and requested changes.

Based on the above discussion that quantity is available for the new appropriation via an offset of water and the approval will not impair any senior water rights, the changes to the existing water rights will not alter the local source of supply or result in impairment of existing rights and that consumptive use will not be increased, it has been recommended that the referenced applications be approved.



Leslie Ireland  
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

CORNEJO & SONS INC  
STEVEN P HATFIELD  
2060 E TULSA  
PO BOX 16204  
WICHITA KS 67216

February 16, 2017

**FILE COPY**

RE: Appropriation of Water,  
File Nos. 47,241; 47,635-D1 & 48,069

Dear Mr. Hatfield:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced files.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approvals for change. Please be reminded that the specific conditions of the permits remain, specifically that the area around the pits shall be graded or bermed so as to exclude overflow of surface water from entering the pit. Records in this office indicate that the required, Notification of the Completion of the Diversion Works, and the \$400.00 Field Inspection Fee have not been submitted for File Nos. 47,635-D1 & 48,069.

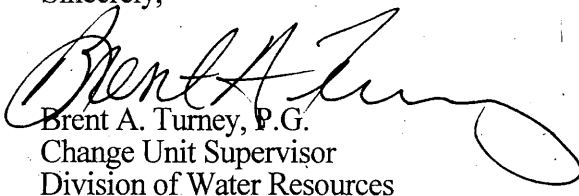
Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of the appropriation.

If for any reason, you require an extension of time to complete, you must request it before the expiration of time set forth in the permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

If you have any questions, please contact our staff at the Stafford Field Office at (620) 234-5311. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Additional information regarding appropriations of water and any forms may be found on the Kansas Department of Agriculture web site, <http://www.agriculture.ks.gov/dwr/>.

Sincerely,



Brent A. Turney, P.G.  
Change Unit Supervisor  
Division of Water Resources

BAT:LL:li  
Enclosures  
pc: Stafford Field Office  
Jay Russell, RSRNHP LLC

THE STATE



OF KANSAS

**KANSAS DEPARTMENT OF AGRICULTURE**

Jackie McClaskey, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**

David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION  
FOR  
CHANGE IN PLACE OF USE  
AND  
POINT OF DIVERSION  
APPROPRIATION OF WATER  
FILE NO. 47,635-D1**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Steven P. Hatfield on behalf of Cornejo & Sons Incorporated, 2060 E. Tulsa, PO Box 16204, Wichita, Kansas 67216, received in this office on August 27, 2015, for approval of a change in the place of use, under the Approval of Application, File No. 47,635, as modified and amended by the Order of the Chief Engineer dated September 8, 2015, which administratively divided Appropriation of Water, File No. 47,635, for permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized place of use, shall be described as

a sand and gravel pit with a projected surface area not to exceed 42.0 acres located in the East Half of the Northwest Quarter ( $E\frac{1}{2} NW\frac{1}{4}$ ), and near the center of the East Half of the West Half of the Northwest Quarter ( $E\frac{1}{2} W\frac{1}{2} NW\frac{1}{4}$ ) of Section 2, in Township 27 South, Range 1 West, Sedgwick County, Kansas, and

the authorized point of diversion shall be described as

a geographic center located in the Southwest Quarter of the Northeast Quarter of the Northwest Quarter ( $SW\frac{1}{4} NE\frac{1}{4} NW\frac{1}{4}$ ) of Section 2, more particularly described as being near a point 4,310 feet North and 3,780 feet West of the Southeast corner of said section, both in Township 27 South, Range 1 West, Sedgwick County, Kansas

located substantially as shown on the topographic map accompanying the application to change the place of use and point of diversion.

That the groundwater pit shall be constructed, maintained and operated in a manner that will prevent degradation to the water quality of the source of supply, which would cause impairment to existing water rights.

Installation of the works for diversion of water shall be completed on or before December 31, 2017, or within any authorized extension of time. The applicant shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

In all other respects, the Approval of Appropriation, File No. 47,635, for permit to appropriate water for beneficial use, is as stated and set forth in the approval August 19, 2011, and amended by the aforementioned order.

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. Any person aggrieved by this Summary Order may petition for administrative review, pursuant to K.S.A. 82a-708b(a) 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 13<sup>th</sup> day of February, 2017, at Topeka, Shawnee County, Kansas.

*Lane P. Letourneau*

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

State of Kansas        )  
                                  ) SS  
County of Riley        )

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of February, 2017, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.

*Danielle Wilson*

Notary Public



CERTIFICATE OF SERVICE

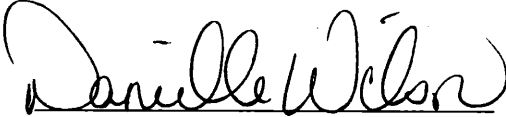
On this <sup>16<sup>th</sup></sup> day of *February*, 2017, I hereby certify that the attached original Approval of Application, for Change in the Authorized Place of Use and Point of Diversion, under Appropriation of Water, File No. 47,635-D1, dated *February 13, 2017* was mailed postage prepaid, first class, US mail to the following:

Cornejo & Sons, Inc.  
Steven P. Hatfield  
2060 E. Tulsa  
PO Box 16204  
Wichita, KS 67216

With Photocopies sent to:

RSRNHP LLC  
Jay Russell  
PO Box 75337  
Wichita, KS 67275

Stafford Field Office  
Groundwater Management District No. 2

  
Danielle Wilson  
Division of Water Resources

Submit To: CHIEF ENGINEER  
 Division of Water Resources  
 Kansas Department of Agriculture  
 1320 Research Park Drive  
 Manhattan, KS 66502  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

**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.

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

- (Check one or more)
- Place of Use
  - Point of Diversion
  - Use Made of Water

WATER RESOURCES  
RECEIVED

SEP 13 2016

KS DEPT OF AGRICULTURE

File No. 47,635-D1

WATER RESOURCES  
RECEIVED

AUG 27 2015

11:38

KS DEPT OF AGRICULTURE

2. Name of applicant: CORNEJO & SONS INC

Address: 2060 E TULSA PO BOX 16204

City, State and Zip: WICHITA KS 67216

Phone Number: (316)522-4596

E-mail address: SHATFIELD@CORNEJOMATERIALS.COM

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

Name of water use correspondent: SAME

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): \_\_\_\_\_

Move this water right onto expanding sand and gravel pit currently authorized under File Nos. 47,241 and 48,069.

The change(s) (was) (will be) completed by ASAP

(Date)

**For Office Use Only:**

F.O. 2 GMD 0 Meets K.A.R. 5-5-1 (YES/NO) Use IND Source GS County SG By KAB Date 8/27/15  
 Code C-2 Fee \$ 400 TR # \_\_\_\_\_ Receipt Date 8/27/15 Check # 2036658

15009151

9/8/2015 ULM  
entered under #47635

APPLICATION COMPLETE  
10-27-16

SCANNED

Reviewer: LS

12. The presently authorized use of water is for IND 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.  
The PU change is merely moving a small portion of groundwater already authorized to cover evaporation at one pit to another adjacent pit.

(Please show any calculations here.)

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

15. It is requested that the maximum rate of diversion of water be reduced to N/A 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](http://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.

ARKANSAS RIVER ALLUVIUM – PITS ARE ADJACENT.

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.

NA

WATER RESOURCES  
RECEIVED

WATER RESOURCES  
RECEIVED

SEP 13 2016

AUG 27 2015

KS DEPT OF AGRICULTURE

SCANNED  
KS DEPT OF AGRICULTURE

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

4. The presently authorized place of use is:

Owner of Land — NAME: CORNEJO & SONS INC

ADDRESS: 2060 E TULSA PO BOX 16204 WICHITA KS 67216

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	
35	26S	1W	3 ACRES OF GROUNDWATER PIT IN SW																

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: CORNEJO & SONS INC

ADDRESS: 2060 E. TULSA PO BOX 16204 WICHITA KS 67216

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	
2	27S	1W	GROUNDWATER PIT (NW) <del>38.23 ACRES</del> 42 ACRES*																

List any other water rights that cover this place of use. 47,241 AND 48,069 } 49,572 \*

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	

WATER RESOURCES RECEIVED SEP 13 2016  
 WATER RESOURCES RECEIVED AUG 27 2015

KS DEPT OF AGRICULTURE

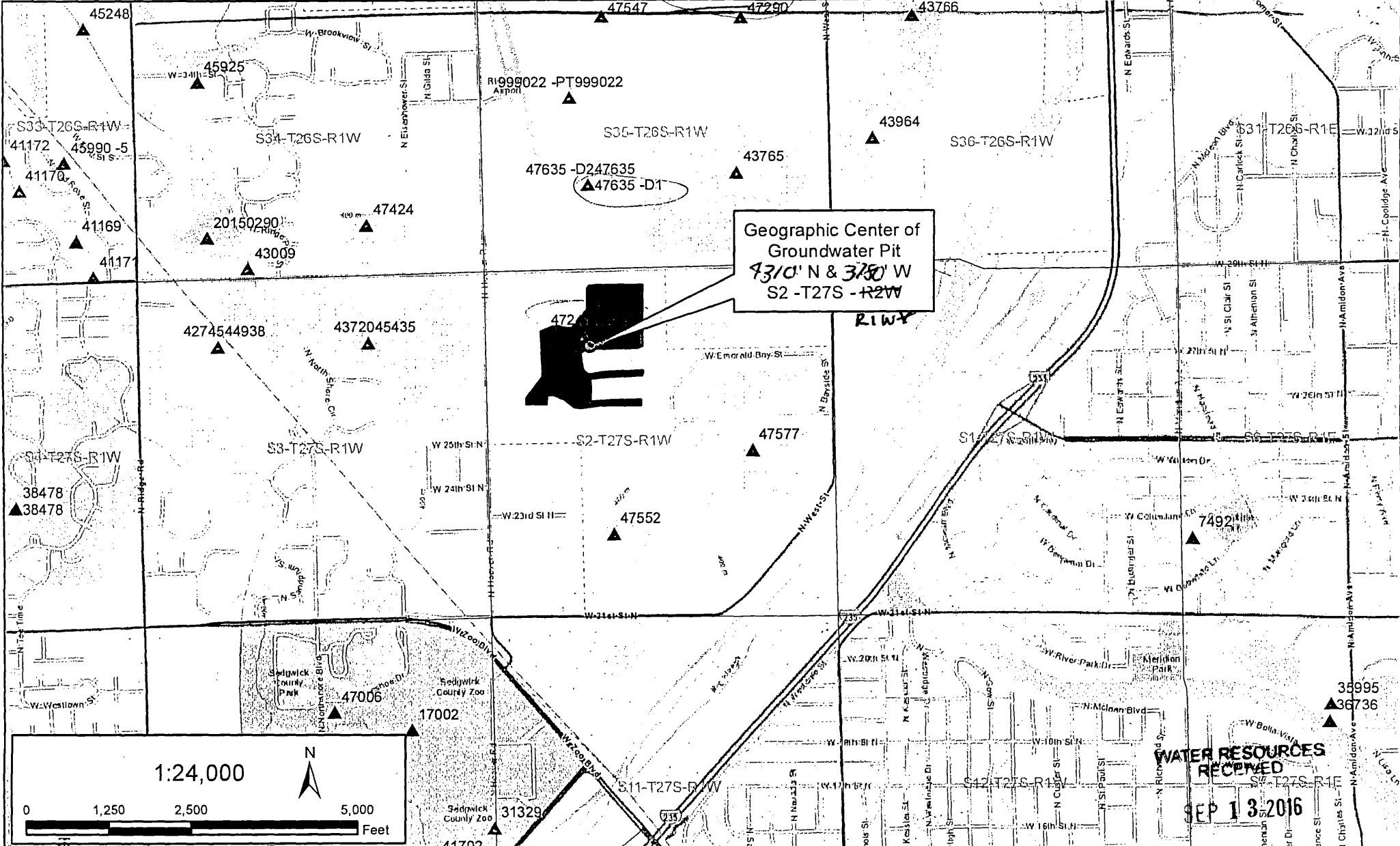
KS DEPT OF AGRICULTURE

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

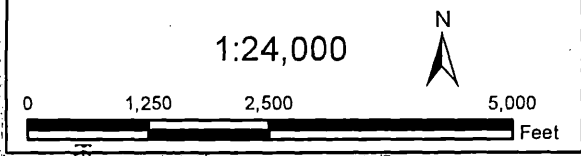
IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

\* LI/OWN 12/30/15 6/15/16 PER SCANNED 3/4/16 LTR SCANNED





Geographic Center of Groundwater Pit  
 4310' N & 3180' W  
 S2-T27S-R2W



WATER RESOURCES RECEIVED  
 SEP 13 2016

SCANNED

DEPT OF AGRICULTURE  
 MAR 2016  
 WATER RESOURCES RECEIVED

WATER RESOURCES RECEIVED

**Legend**

- Closed Place of Use
- PLSS Sections
- Permitted Water Rights
- Proposed Point of Diversion

**BURNS  
 McDONNELL**

\* LS/aw KS DEPT OF AGRICULTURE  
 New Application  
 Pearl Beach Addition  
 Groundwater Pit  
 42 Acres Total

- 6. The presently authorized point(s) of diversion (is) (are) GEO-CENTER OF GROUNDWATER PIT  
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) GEO-CENTER OF GROUNDWATER PIT  
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**  
 One in the NW Quarter of the SE Quarter of the SW Quarter of Section 35, Township 26S South, Range 1W in SEDGWICK County, Kansas, 1,275 feet North 3,696 feet West of Southeast corner of section. Authorized Rate NE Authorized Quantity 5 Acre-Feet  
 (DWR use only: Computer ID No. 64221 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 SW Quarter of the NE Quarter of the NW Quarter of Section 2, Township 27 South, Range 1W in SEDGWICK County, Kansas, 4,310 feet North 3,780 feet West of Southeast corner of section. Proposed Rate NE Proposed Quantity 5 Acre-Feet  
 This point is:  Additional Well  Geo Center List other water rights that will use this point: 47,341\* & 48,069 & 48,836 (pdiv ID: 76323)

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 will use this point \_\_\_\_\_

10. **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 will use this point \_\_\_\_\_

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

WATER RESOURCES RECEIVED NA

WATER RESOURCES RECEIVED

SEP 13 2015 IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

AUG 27 2015

KS DEPT OF AGRICULTURE

SCANNED

SCANNED

KS DEPT OF AGRICULTURE

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.

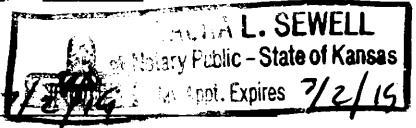
Dated at Wichita, Kansas, this 6th day of August, 2015.

St P Hubbell  
(Owner) Agent  
Steven P Hubbell  
(Please Print)  
(Owner)  
(Please Print)  
(Owner)  
(Please Print)

(Spouse)  
(Please Print)  
(Spouse)  
(Please Print)  
(Spouse)  
(Please Print)

State of Kansas }  
County of Sedgwick } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 6th day of August, 2015.



Laura L Sewell  
Notary Public

My Commission Expires

**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.**

WATER RESOURCES RECEIVED

SEP 13 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

AUG 27 2015

KS DEPT OF AGRICULTURE 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

August 23, 2016

CORNEJO & SONS INC  
STEVEN P HATFIELD  
2060 E TULSA  
PO BOX 16204  
WICHITA KS 67216

RE: Water Right, File Nos. 47,241; 47,635-D1 & 48,069

Dear Mr. Hatfield,

Upon review of the applications for approval of the Chief Engineer to change the place of use under the referenced file numbers which were received in the office of the Chief Engineer on June 13, 2016, found that additional information is needed.

Effective July 1, 2016, Senate Bill No. 337, enacted by the Legislature of the State of Kansas, requires the Division of Water Resources to notify all water right owners with a point of diversion within half a mile of a water right pending a request to change the water right. As required by K.A.R. 5-5-2a, *Complete change application*, please plot on the enclosed map the location of all water wells of any kind (**including domestic wells**) within one-half (½) mile of the water right that will be change. You must list the name of the owner of the land on which the well is located, and provide their mailing address. As it appears that there are several residences in the area an alpha or numeric identification and list may also be utilized to supply the needed information. Additionally, you must sign where indicated on the application's map certifying that all water wells of any kind located within one-half (½) mile have been plotted. Please find enclosed the original applications and maps for the referenced files so that you may comply.

Per K.A.R. 5-13-1, *Notice of intent to open or expand a sand and gravel pit operation*. The proposal that will open or expand a sand and gravel pit operation shall have a completed notice of intent to open or expand a sand and gravel pit operation on a form prescribed by the chief engineer before opening or expanding the sand and gravel pit operation.

Our records do not indicate that a *Notice of Intent to Open or Expand a Sand & Gravel Operation* form has been submitted for the proposed expansion of the pit has been requested by the referenced applications. Enclosed is a *Notice of Intent* form, which must be submitted for the proposed expansion of the sand and gravel pit operation.

**FILE COPY**

FILE NOS. 47,241; 47,635-D1 & 48,069

August 22, 2016

Page 2 of 2

Please provide the requested information on the *Notice of Intent*, the ownership information and the needed signature on the maps representing the referenced files. The same information is being requested from Jay Russell, for his applications submitted under File Nos. 48,836 & 49,572.


In order that the applications will retain their priority date of filing, the original applications and attachments must be returned, along with the requested updates, to this office on or before **September 22, 2016**, or within any authorized extension of time thereof. According to the law, default in the refileing of the completed applications and attachments as outlined above, within the time allowed, shall constitute forfeiture of the priority date and dismissal of the applications.

Should you need to request additional time in which to return the applications please do so prior to the deadline. You may email me at [leslie.ireland@ks.gov](mailto:leslie.ireland@ks.gov) to request additional time in which to provide the required information and return the applications. Please state in your request the amount of time that is needed.

Assistance is available from your local agency office located in Stafford Kansas. Please call (620) 234-5311 to set an appointment time and assure the availability of staff to assist you.

If you have any questions, please contact me at (785) 564-6633, or Brent Turney, P.G., Change Application Unit Supervisor 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,



Leslie Ireland  
Change Application Unit  
Water Appropriation Program

**FILE COPY**

LI  
Enclosures  
pc: Stafford Field Office  
Jay Russell

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

August 23, 2016

CORNEJO & SONS INC  
STEVEN P HATFIELD  
2060 E TULSA  
PO BOX 16204  
WICHITA KS 67216

RE: Water Right, File Nos. 47,241; 47,635-D1 & 48,069

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**FILE COPY**

FILE NOS. 47,241; 47,635-D1 & 48,069

August 22, 2016

Page 2 of 2

Please provide the requested information on the *Notice of Intent*, the ownership information and the needed signature on the maps representing the referenced files. The same information is being requested from Jay Russell, for his applications submitted under File Nos. 48,836 & 49,572.

In order that the applications will retain their priority date of filing, the original applications and attachments must be returned, along with the requested updates, to this office on or before **September 22, 2016**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed applications and attachments as outlined above, within the time allowed, shall constitute forfeiture of the priority date and dismissal of the applications.

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If you have any questions, please contact me at (785) 564-6633, or Brent Turney, P.G., Change Application Unit Supervisor 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,



Leslie Ireland  
Change Application Unit  
Water Appropriation Program

**FILE COPY**

LI  
Enclosures  
pc: Stafford Field Office  
Jay Russell

# BURNS MCDONNELL

February 26, 2016

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

Re: New Appropriation Application  
Pending Change Applications 47241, 47635-D1, 48069, & 48836

Dear Mr. Barfield:

Enclosed is an application for a new appropriation of groundwater totaling 6.28 Acre-Feet intended to allow for exposure of an additional 3.77 acres of water at the Pearl Beach housing development located in Wichita, Kansas (Water Right Nos 47241, 47635, and 48069).

The new application quantity will be supported by an offset from a partial reduction in quantity of water right 48836 located northwest of the proposed geographic center of the proposed groundwater pit.

The pending change applications currently on file for Water Right Nos. 47241, 47635, and 48069 will be amended to reflect the total proposed place of use of 42 acres.

Sincerely,



Daniel Clement  
Staff Hydrogeologist

DWC/dwc

Enclosures

WATER RESOURCES  
RECEIVED

MAR 04 2016

KS DEPT OF AGRICULTURE  
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

February 1, 2016

CORNEJO & SONS INC  
STEVEN P HATFIELD  
2060 E TULSA  
PO BOX 16204  
WICHITA KS 67216

RE: File No. 47,635, Division Approved September 8, 2015  
Change Application April 1, 2014  
File No. 47,635-D1, Change Application August 27, 2015  
File Nos. 47,241 & 48,069

Dear Mr. Hatfield:

The division of the appropriation of water authorized under File No. 47,635, into File Nos. 47,635-D1 & 47,635-D2, approved on September 8, 2015, finds the application to change the place of use and point of diversion received in this office on April 1, 2014, for File No. 47,635 is no longer needed and does not appear to reflect the currently authorized appropriations. Please complete the enclosed form that will expedite the dismissal of this application for change.

Reference is made to your more recent application for approval of the Chief Engineer to change the point of diversion and place of use under File No. 47,635-D1, received in our office on August 27, 2015. This application proposes a place of use that is currently authorized by File Nos. 47,241 & 48,069, which is described and shown on the application map as being in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section 2, in Township 27 South, Range 1 West, Sedgwick County, Kansas.

The aerial map submitted with the application for change under File No. 47,635-D1, proposes a place of use that would appear to be described as being in portions of Section 2 described as:

The Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) and in the Southeast Quarter of the Northwest Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ ) and in the Northeast Quarter of the Southwest Quarter of the Northwest (NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ ) and in the Northwest Quarter of the Southeast Quarter of the Northwest Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section 2, in Township 27, Range 1 West, Sedgwick County, Kansas.

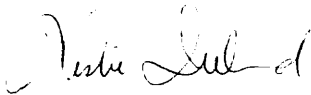
Each application for change in place of use should describe completely different land or exactly the same land as previously authorized or demonstrate compliance with K.A.R. 5-3-5n, *Authorized place of use*. The application to change the place of use under File No. 47,635-D1 proposed a groundwater pit with a total exposure of 38.23 acres.

Because your existing permits, Appropriation of Water, File Nos. 47,241 & 48,069, are only authorized an exposure of 35.2 acres, you must file applications to change the authorized place of use under these existing permits.

Enclosed please find applications that have been completed to update the place of use under File Nos. 47,241 & 48,069. Please review these applications, sign in the presence of a notary and return them to our office with the filing fee of two hundred dollars (\$200.00) for each application.

If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently. You may reach me at (785) 564-6633.

Sincerely,



Leslie Ireland  
Change Application Unit  
Water Appropriation Program

LI:li  
Enclosures  
pc: Stafford Field Office

THE STATE OF KANSAS



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

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION  
FOR CHANGE IN POINT OF DIVERSION  
AND PLACE OF USE UNDER  
APPROPRIATION OF WATER, FILE NO. 47,241**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application Christopher D. Blasdel on behalf of LaFarge North America, 3500 N West Street, Wichita, Kansas 67205, received in this office on March 7, 2013, for approval of a change in the location of the point of diversion and place of use for permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, that the changes relate to the same local source of supply and that the application should be and is hereby approved.

The effective date of the changes shall be the date this order is executed by the Chief Engineer, after which the location of the authorized point of diversion shall be:

one (1) sand and gravel pit with a geographic center located in the Southwest Quarter of the Northeast Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section 2, more particularly described as being near a point 4,310 feet North and 3,780 feet West of the Southeast corner of said section, Township 27 South, Range 1 West, Sedgwick County, Kansas,

*Handwritten notes:*  
L007U  
R5B6  
DU7  
|||

and the authorized place of use shall be described as:

a sand and gravel pit with a projected surface area not to exceed 35.2 acres located in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section 2, Township 27 South, Range 1 West, Sedgwick County, Kansas,

located substantially as shown on the map accompanying the application to change the point of diversion and place of use.

Installation of the works for diversion of water shall be completed on or before December 31, 2018, or within any authorized extension of time. The water right owner shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

In all other respects, the Approval of Application, File No. 47,241, for permit to appropriate water for beneficial use, is as stated and set forth in the approval dated June 29, 2011.

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.

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 1, 2016

CORNEJO & SONS INC  
STEVEN P HATFIELD  
2060 E TULSA  
PO BOX 16204  
WICHITA KS 67216

RE: File No. 47,635, Division Approved September 8, 2015  
Change Application April 1, 2014  
File No. 47,635-D1, Change Application August 27, 2015  
File Nos. 47,241 & 48,069

Dear Mr. Hatfield:

The division of the appropriation of water authorized under File No. 47,635, into File Nos. 47,635-D1 & 47,635-D2, approved on September 8, 2015, finds the application to change the place of use and point of diversion received in this office on April 1, 2014, for File No. 47,635 is no longer needed and does not appear to reflect the currently authorized appropriations. Please complete the enclosed form that will expedite the dismissal of this application for change.

Reference is made to your more recent application for approval of the Chief Engineer to change the point of diversion and place of use under File No. 47,635-D1, received in our office on August 27, 2015. This application proposes a place of use that is currently authorized by File Nos. 47,241 & 48,069, which is described and shown on the application map as being in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section 2, in Township 27 South, Range 1 West, Sedgwick County, Kansas.

The aerial map submitted with the application for change under File No. 47,635-D1, proposes a place of use that would appear to be described as being in portions of Section 2 described as:

The Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) and in the Southeast Quarter of the Northwest Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ ) and in the Northeast Quarter of the Southwest Quarter of the Northwest (NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ ) and in the Northwest Quarter of the Southeast Quarter of the Northwest Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section 2, in Township 27, Range 1 West, Sedgwick County, Kansas.

Each application for change in place of use should describe completely different land or exactly the same land as previously authorized or demonstrate compliance with K.A.R. 5-3-5n, *Authorized place of use*. The application to change the place of use under File No. 47,635-D1 proposed a groundwater pit with a total exposure of 38.23 acres.

SCANNED

RE: File Nos. 47,635; 47,635-D1; 47,241 & 48,069

Page2

Because your existing permits, Appropriation of Water, File Nos. 47,241 & 48,069, are only authorized an exposure of 35.2 acres, you must file applications to change the authorized place of use under these existing permits.

Enclosed please find applications that have been completed to update the place of use under File Nos. 47,241 & 48,069. Please review these applications, sign in the presence of a notary and return them to our office with the filing fee of two hundred dollars (\$200.00) for each application.

If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently. You may reach me a (785) 564-6633.

Sincerely,



Leslie Ireland  
Change Application Unit  
Water Appropriation Program

LI:li  
Enclosures  
pc: Stafford Field Office ✓

one (1) sand and gravel pit with a geographical center located in the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW¼ SE¼ SW¼) of Section 35, more particularly described as being near a point 1,275 feet North and 3,696 feet West of the Southeast corner of said section, at a diversion rate of **natural evaporation** and a quantity not to exceed **125 acre-feet** of water per calendar year, for industrial use at a sand and gravel pit with a surface area not to exceed 75 acres located within a 78 acre area in the Southwest Quarter (SW¼) of Section 35, all in Township 26 South, Range 1 West, Sedgwick County, Kansas.

4. That Appropriation of Water, File No. 47,635-D1 and Appropriation of Water, File No. 47,635-D2 shall share equal priorities in time within the overall priority established under Appropriation of Water, File No. 47,635.
5. That the agreement is binding on heirs and successors in interest.

#### ORDER

NOW, THEREFORE, it is the conclusion of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, that Appropriation of Water, File No. 47,635, should be divided and such separation will be entered into the records for administrative purposes as set forth below.

**Appropriation of Water, File No. 47,635-D1**, to be owned by Comejo & Sons, Inc., to have a priority date of November 5, 2010, and to be comprised of:

one (1) sand and gravel pit with a geographical center located in the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW¼ SE¼ SW¼) of Section 35, more particularly described as being near a point 1,275 feet North and 3,696 feet West of the Southeast corner of said section, at a diversion rate of **natural evaporation** and a quantity not to exceed **5 acre-feet** of water per calendar year, for industrial use at a sand and gravel pit with a surface area not to exceed three (3) acres located within a 78 acre area in the Southwest Quarter (SW¼) of Section 35, all in Township 26 South, Range 1 West, Sedgwick County, Kansas.

**Appropriation of Water, File No. 47,635-D2**, to be owned by Comejo & Sons, Inc., to have a priority date of November 5, 2010, and to be comprised of:

one (1) sand and gravel pit with a geographical center located in the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW¼ SE¼ SW¼) of Section 35, more particularly described as being near a point 1,275 feet North and 3,696 feet West of the Southeast corner of said section, at a diversion rate of **natural evaporation** and a quantity not to exceed **125 acre-feet** of water per calendar year, for industrial use at a sand and gravel pit with a surface area not to exceed 75 acres located within a 78 acre area in the Southwest Quarter (SW¼) of Section 35, all in Township 26 South, Range 1 West, Sedgwick County, Kansas.

That Appropriation of Water, File No. 47,635-D1 and Appropriation of Water, File No. 47,635-D2 shall share equal priorities in time within the overall priority established under Appropriation of Water, File No. 47,635.

That this division agreement is binding on heirs and successors in interest.

In all other respects, the approval of Appropriation of Water, File No. 47,635, for permit to appropriate water for beneficial use, is as stated and set forth in the Approval of Application and Permit to Proceed dated August 19, 2011.

**FINDINGS AND ORDER  
IN THE MATTER OF THE DIVISION  
OF APPROPRIATION OF WATER, FILE NO. 47,635**

After Due consideration, the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (hereinafter referred to as the "Chief Engineer"), makes the following findings and order:

**FINDINGS**

1. That on August 19, 2011, the Chief Engineer approved Appropriation of Water, File No. 47,635 for permit to appropriate water for industrial use, authorizing the use of groundwater to be withdrawn by means of a sand and gravel pit with a projected geographical center located in the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 35, more particularly described as being near a point 1,275 feet North and 3,696 feet West of the Southeast corner of said section, in Township 26 South, Range 1 West, Sedgwick County, Kansas, for industrial use for **natural evaporation** loss of a quantity not to exceed **130 acre-feet** of water per calendar year from a sand and gravel pit with a projected surface area not to exceed 78 acres located in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 35, all in Township 26 South, Range 1 West, Sedgwick County, Kansas.
2. That the appropriation of water described in Item 1 of these Findings shall be perfected by the actual application of water to the approved use on or before December 31, 2032.
3. That on August 19, 2015, the office of the Chief Engineer received a signed and notarized *Application to Divide a Water Right* form from Cornejo & Sons, Inc. 2060 E Tulsa, PO Box 16204, Wichita, KS, 67216, signed by Steven Hatfield, Agent, requesting as owners, that Appropriation of Water, File No. 47,635, be divided into two (2) portions with the following assignments:

**Appropriation of Water, File No. 47,635-D1**, to be owned by Cornejo & Sons, Inc., to have a priority date of November 5, 2010, and to be comprised of:

one (1) sand and gravel pit with a geographical center located in the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 35, more particularly described as being near a point 1,275 feet North and 3,696 feet West of the Southeast corner of said section, at a diversion rate of **natural evaporation** and a quantity not to exceed **5 acre-feet** of water per calendar year, for industrial use at a sand and gravel pit with a surface area not to exceed three (3) acres located within a 78 acre area in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 35, all in Township 26 South, Range 1 West, Sedgwick County, Kansas.

**Appropriation of Water, File No. 47,635-D2**, to be owned by Cornejo & Sons, Inc., to have a priority date of November 5, 2010, and to be comprised of:

WATER RIGHT INFORMATION REPORT FOR : 47635 D1

RIGHT TYPE: Appropriation

SOURCE: Groundwater USE: IND

CURRENT STATUS: Approved Pending Completion

PRIORITY DATE: 05-NOV-10

CURRENT COMPLETE BY DATE: 31-DEC-16

COMPLETION ACKNOWLEDGED DATE:

CURRENT PERFECT BY DATE: 31-DEC-32

YEAR PERFECTED:

CERTIFICATE ISSUED DATE:

.....

APPLICANT(S) :

> CORNEJO & SONS INC 2060 E TULSA PO BOX 16204 WICHITA KS 67216

> PERSON ID (Old Address Code): 38760

> CORRESPONDENT SEQUENCE NUMBER: 1

>-----

.....

WATER USE CORRESPONDENT(S) :

> CORNEJO & SONS INC 2060 E TULSA PO BOX 16204 WICHITA KS 67216

> PERSON ID (Old Address Code): 38760

> CORRESPONDENT SEQUENCE NUMBER: 1

>-----

.....

ACTION TRAIL:

05-NOV-10 Pending Initial Review

24-MAY-11 New Application Initial Review Began

25-MAY-11 New App Suspended Pending Action On (Another?) Right

15-AUG-11 New App Suspended For Comments From Field Office

16-AUG-11 Pending Final Action (Non Chief Engineer)

19-AUG-11 Approved Pending Completion N+P BY 31-DEC-16 PERF BY 31-DEC-32

01-APR-14 C1 Change App Pd Pu Filed

15-DEC-14 Landower Chg - Cornejo & Sons Inc

15-DEC-14 Wur From Fly High Inc To Cornejo & Sons Inc

19-AUG-15 Request To Divide Water Right Received

27-AUG-15 C2 Change App Pd Pu Filed

08-SEP-15 Water Right Divided

08-SEP-15 F & O - Divided Water Right

25-FEB-16 C1 Change Pd Dismissed Pu Dismissed

.....

CONSERVATION CONTRACT ACTION TRAIL:

.....

CONSERVATION PLAN ACTION TRAIL:

.....

SPECIAL CONDITIONS:

.....

QUANTITIES:

>AUTHORIZED 5.000 AF ADDITIONAL 5.000 AF

.....

RATES:

>AUTHORIZED .000 NE ADDITIONAL .000 NE

.....

LIMITATIONS: None

*2*  
1.629 mgd



.....

STORAGE QUANTITIES: No active storage quantities associated with IND use under this water right  
 STORAGE RATES: No active storage rates associated with IND use under this water right

.....

AUTHORIZED POINTS(S) OF DIVERSION

Section 35, T 26, R 1W, ID 4 (Internal PDIV\_ID = 64221)

QUALIFIERS: NW SE SW

DIST. FROM SE CORNER: 1275 ft North 3696 ft West

NUMBER OF WELLS: 1

COMMENT:

OLD LONGITUDE: OLD LATITUDE:

NEW LONGITUDE: 97.402171 NEW LATITUDE: 37.741416

GPS LONGITUDE: GPS LATITUDE:

GPS FEET NORTH: GPS FEET WEST:

COUNTY: SEDGWICK

FIELD OFFICE: STAFFORD FIELD OFFICE

GMD :

BASIN: ARKANSAS RIVER

STREAM:

SPECIAL\_USE\_AREA(S):

AQUIFER(S):

> MAIN STEM ALLUVIUM

TEST INFORMATION:

METER ACTION TRAIL:

OVERLAPS:

> A 47635 D2 IND

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.....

AUTHORIZED PLACE(S) OF USE

Section 35, T 26, R 1W, ID 5 (Internal PUSE\_ID = 61521)

OWNER: CORNEJO & SONS INC

Address: 2060 E TULSA

\*\* PO BOX 16204

\*\* WICHITA KS 67216

COMMENT: 3 AC W/IN 78 AC GROUNDWATER PIT

OVERLAPS:

> A 47635 D2 IND

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.....

WATER USE INFORMATION:

Year	Qualifiers	SC	ID	Date Rcvd	Hours	GPM	Acre-feet	Code	Ac_Irr	Date Msrd	Wtr_Dp	Well_Dp	Reel	Blip
2015	1275N	3696W	35	4	18-FEB-16		.0	I	N/A	N/A	N/A	94	685	



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 22, 2016

SUPERIOR SELF STORAGE OF WICHITA LLC  
5800 W 29TH N  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

Dear Sir or Madam:

This letter is to **provide notice** as required by Kansas Senate House Bill No. 337, which became



Sam Brownback, Governor

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NIXIE 672 DE 1260 0010/13/16

RETURN TO SENDER  
NO MAIL RECEIPTABLE  
UNABLE TO FORWARD

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66506 02 1W 0001375991

6C: 66502500020 \*1860-05664-13-21

*Leslie Ireland*

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

RICHARD BEN PARKHURST JR  
5354 W 23RD N  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

Dear Sir or Madam:

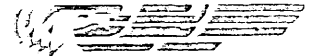
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Sam Brownback, Governor

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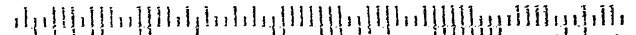
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RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

3 CRDTNMB 67205  
66502500020

BC: 66502500020 \*1968-05208-26-17



Sincerely,

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

DAVID L WILLIAMS  
2517 N HOOVER  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

Dear Sir or Madam:

This letter is to **provide notice** as required by Kansas Senate House Bill No. 337, which became effective on July 1, 2016.

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Sam Brownback, Governor

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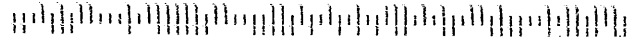
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NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

3 GRDTNMB 67205  
66502>5000

BC: 66502500020 \*1960-04218-27-21



Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office

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



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

Jackie McClaskey, Secretary


Governor Sam Brownback

September 22, 2016

CORNEJO & SONS LLC  
3010 N HOOVER  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

Dear Sir or Madam:

  
**S** Sam Brownback, Governor  
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*ASD*

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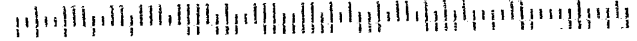
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UNABLE TO FORWARD

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66502YV000

BC: 66502500020 \*1960-04869-27-21



Secretary,

*Leslie Ireland*

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback


September 22, 2016

MJ & HSR ENTERPRISES LLC  
2521 N HOOVER  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

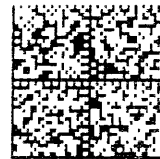
Dear Sir or Madam:

As required by Kansas Senate House Bill No. 227, which became

 Sam Brownback, Governor  
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*Handwritten signatures: ASH and UK*

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FIRST CLASS



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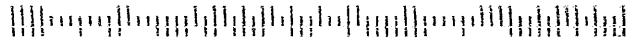
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UNABLE TO FORWARD

3 GRDTNMB 67205  
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BC: 66502500020 \*1960-04870-27-21



*Leslie Ireland*

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

WILLIAM G & LAURIE J STONE  
3057 N HOOVER  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

Dear Sir or Madam:



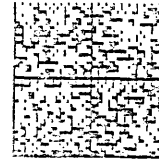
Sam Brownback, Governor

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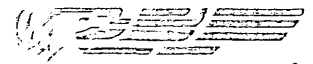
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NIXIE 672 DE 1266 6669/26/16

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NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

4 GRTN...  
6650250020

BC: 6650250020 \*1860-05991-26-19

Sincerely,

*Handwritten signature of Leslie Ireland*

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

HARELDA KAY GOLDSTON  
2557 N SUNNY LANE  
WICHITA KS 67205

**COPY**

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

Dear Sir or Madam:

This letter is to **provide notice** as required by Kansas Senate House Bill No. 337, which became effective on July 1, 2016.

The owners of the referenced appropriations of water have filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture. The applications propose to change in the configuration of the existing place of use and a new appropriation under File No. 49,572, for an additional 2.047 million gallons of water (6.28 acre-feet) per calendar year at the rate of natural evaporation from an existing groundwater pit to be authorized as:

one (1) groundwater pit of approximately 42 surface acres with a geographical center located in the Southwest Quarter of the Northeast Quarter of the Northwest Quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section 2, in Township 27 South, Range 1 West, Sedgwick County, Kansas.

Information supplied by the applicant indicates that you as a nearby landowner may have a well or wells in this vicinity therefore you are being notified as required by Senate House Bill No. 337.

If you have any questions, please contact our office, my desk phone is (785) 564-6633, or Brent Turney 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 "Leslie Ireland".

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office



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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

ORVILLE L & ROSALINDA P KRAFT  
2541 N SUNNY LANE  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

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Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office

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(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

JOHN D MCNEW ETUX  
2548 N SUNNY LANE  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

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Sincerely,

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Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

JOHN D MCNEW ETUX  
5633 W 25TH N  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

Dear Sir or Madam:

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Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

LARRY & JANESEA E AUSTIN  
2559 N HOOVER  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

Dear Sir or Madam:

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Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office

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(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

MJ & HSR ENTERPRISES LLC  
2521 N HOOVER  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

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Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

DAVID L WILLIAMS  
2517 N HOOVER  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

Dear Sir or Madam:

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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

MICHAEL R & PATRICIA M TRUMPP  
2501 N HOOVER  
WICHITA KS 67205

RE: Appropriation of Water  
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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

AMY K & SHERRY FAST  
2446 N HOOVER  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

DON SANDLIAN  
2549 N HOOVER  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

DAVID L WILLIAMS  
2537 N HOOVER  
WICHITA KS 67205

RE: Appropriation of Water  
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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

PEGGY L COOK  
2452 N HOOVER  
WICHITA KS 67205

RE: Appropriation of Water  
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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

BILL & DIANA RHILEY  
5410 W 23RD N  
WICHITA KS 67205

RE: Appropriation of Water  
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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

JOHNSONVILLE LLC  
2530 N HOOVER  
WICHITA KS 67205

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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

RICHARD GRONNIGER  
5400 W 23RD N  
WICHITA KS 67205

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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

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5354 W 23RD N  
WICHITA KS 67205

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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

BUDDY GENE MULLENS  
5310 W 23RD N  
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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

MARK & TRINA K BAUER  
2615 N HOOVER  
WICHITA KS 67205

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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

WILLIAM W & JOY K CARP  
2700 N HOOVER  
WICHITA KS 67205

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September 22, 2016

EDWINA C CARP REV TRUST  
2714 N HOOVER  
WICHITA KS 67205

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2721 N HOOVER  
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Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

GREGORY H & ANGELINA M BOWMAN  
2987 N HOOVER  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

Dear Sir or Madam:

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Topeka, Kansas 66612  
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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

MARK J REHWINKEL & HOLLY S LIV TRUST  
2919 N HOOVER  
WICHITA KS 67205

RE: Appropriation of Water  
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900 SW Jackson, Room 456  
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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

BROOKE B GRIZZELL REV TRUST  
5937 W 29TH N  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

SUPERIOR SELF STORAGE OF WICHITA LLC  
5800 W 29TH N  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

JOLYNN OAKMAN  
5706 W 29TH N  
WICHITA KS 67205

RE: Appropriation of Water  
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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

MARY S OAKMAN  
5620 W 29TH N  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

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Environmental Scientist  
Water Appropriation Program

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Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

MARY OAKMAN  
5618 W 29TH N  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
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Environmental Scientist  
Water Appropriation Program

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Manhattan, Kansas 66502  
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Topeka, Kansas 66612  
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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

WANDA J & LAWRENCE W ZIMMERMAN  
3025 N HOOVER  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
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Governor Sam Brownback

September 22, 2016

JOHN Q RANNEY  
3035 N HOOVER  
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(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

RICHARD D KULP  
3045 N HOOVER  
WICHITA KS 67205

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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

MICHAEL D & GWENDOLYN F VANCE  
3055 N HOOVER  
WICHFTA KS 67205

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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

WILLIAM G & LAURIE J STONE  
3057 N HOOVER  
WICHITA KS 67205

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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

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WICHITA KS 67205

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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

DONALD SANDLIAN JR  
3101 N HOOVER  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

LORI E BINGHAM  
3223 N HOOVER  
WICHITA KS 67205

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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

CORNEJO & SONS LLC  
3010 N HOOVER  
WICHITA KS 67205

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Sincerely,

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

EBE LLC  
4900 W 21ST N  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

Dear Sir or Madam:

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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

CITY OF WICHITA  
CITY HALL 8TH FLOOR  
455 N MAIN ST  
WICHITA KS 67205

RE: Appropriation of Water  
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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

JAMES ALAN & HEATHER RENEE SINKO  
4315 ERRERALD BAY ST  
WICHITA KS 67205

RE: Appropriation of Water  
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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

MAX & DEBRA OGDEN  
4311 EMERALD BAY ST  
WICHITA KS 67205

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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

JUSTIN J & TANYA M ROBELLI  
4307 EMERALD BAY ST  
WICHITA KS 67205

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Governor Sam Brownback

September 22, 2016

TYLER W & KYLEE A FRANCIS  
4401 EMERALD BAY ST  
WICHITA KS 67205

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Governor Sam Brownback

September 22, 2016

JASON P & KELLY L WATKINS  
4405 EMERALD BAY ST  
WICHITA KS 67205

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Governor Sam Brownback

September 22, 2016

BRADLEY P & ELIZABETH A HENSLEY  
4409 EMERALD BAY ST  
WICHITA KS 67205

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Governor Sam Brownback

September 22, 2016

LEIN T NGUYEN  
4601 EMERALD BAY ST  
WICHITA KS 67205

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Governor Sam Brownback

September 22, 2016

CHARLES A & CAROL E OHARA  
4605 EMERALD BAY ST  
WICHITA KS 67205

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September 22, 2016

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4609 EMERALD BAY ST  
WICHITA KS 67205

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Governor Sam Brownback

September 22, 2016

ELIDA E MICHEL  
4613 EMERALD BAY ST  
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September 22, 2016

MICHAEL A & TABITHA L RICHARDSON  
4617 EMERALD BAY ST  
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Governor Sam Brownback

September 22, 2016

MARY BETH WINGER REV TRUST  
4621 EMERALD BAY ST  
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If you have any questions, please contact our office, my desk phone is (785) 564-6633, or Brent Turney 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 "Leslie Ireland".

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

MATTHEW E & DELORES K BRANDT  
2601 N PARADISE ST  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

Dear Sir or Madam:

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(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

KEITH E & BETTY S HARTMAN  
2604 N PARADISE ST  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

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Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

KEVIN D & HEATHER G POTE  
2608 N PARADISE ST  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

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(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

KEVIN L & LACHELLE L PETERSON  
2612 N PARADISE CT  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

THOMAS A BUTTS  
2616 N PARADISE CT  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

MICHAEL T & SARA A WRIGHT  
2620 N PARADISE CT  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

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Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office

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



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Topeka, Kansas 66612  
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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

LEE T REMPEL  
2624 N PARADISE CT  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

GINGER L FARNEY TRUST  
2628 N PARADISE CT  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

YAO YING YANG & JENNIFER A OLSEN  
2632 N PARADISE CT  
WICHITA KS 67205

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File Nos. 47,241; 47,635-D1 & 48,069  
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(785) 564-6700



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Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

RICHARDT & SHERRI L SUTCLIFFE  
2636 N PARADISE CT  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
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Governor Sam Brownback

September 22, 2016

DENNIS L & DEBORAH L PHELPS  
2640 N PARADISE CT  
WICHITA KS 67205

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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

BRAD E & JANICE E YAEGER  
2644 N PARADISE CT  
WICHITA KS 67205

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Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

ANDREWS & FRANCESCA R BEARD  
2648 N PARADISE CT  
WICHITA KS 67205

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(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

STUART E & LIANE E CARTER  
2652 N PARADISE CT  
WICHITA KS 67205

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Governor Sam Brownback

September 22, 2016

ERIK C FRANKS  
2656 N PARADISE CT  
WICHITA KS 67205

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Governor Sam Brownback

September 22, 2016

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2660 N PARADISE CT  
WICHITA KS 67205

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The owners of the referenced appropriations of water have filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture. The applications propose to change in the configuration of the existing place of use and a new appropriation under File No. 49,572, for an additional 2.047 million gallons of water (6.28 acre-feet) per calendar year at the rate of natural evaporation from an existing groundwater pit to be authorized as:

one (1) groundwater pit of approximately 42 surface acres with a geographical center located in the Southwest Quarter of the Northeast Quarter of the Northwest Quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section 2, in Township 27 South, Range 1 West, Sedgwick County, Kansas.

Information supplied by the applicant indicates that you as a nearby landowner may have a well or wells in this vicinity therefore you are being notified as required by Senate House Bill No. 337.

If you have any questions, please contact our office, my desk phone is (785) 564-6633, or Brent Turney 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 "Leslie Ireland".

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 22, 2016

MICHAEL C RACINE  
2664 N PARADISE CT  
WICHITA KS 67205

RE: Appropriation of Water  
File Nos. 47,241; 47,635-D1 & 48,069  
Permit, File No. 49,572

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This letter is to **provide notice** as required by Kansas Senate House Bill No. 337, which became effective on July 1, 2016.

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Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office

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

CORNEJO & SONS INC  
PO BOX 16204  
WICHITA KS 67216

August 28, 2015

RE: File No. 47635-D1

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/PD
- 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,

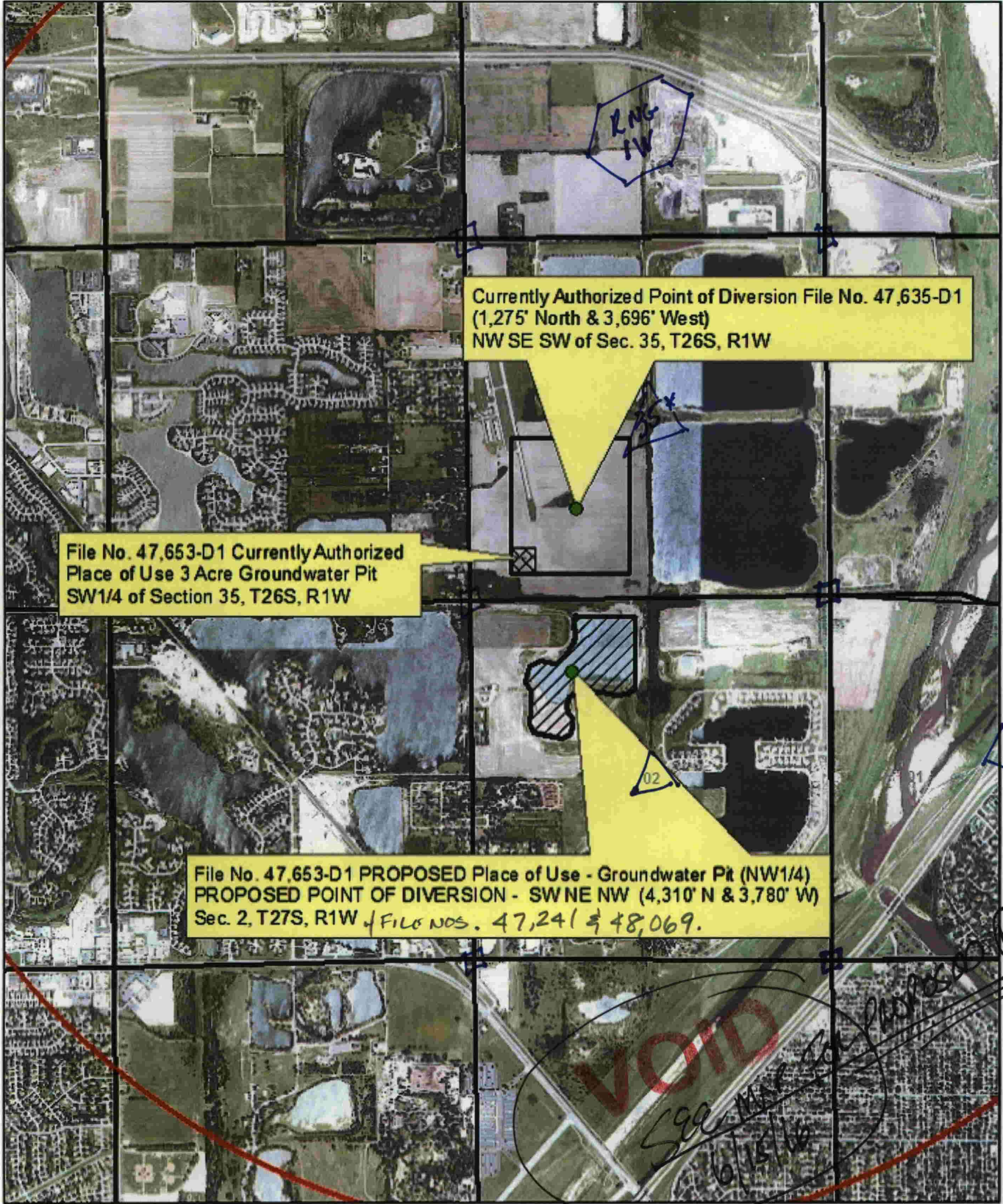
A handwritten signature in cursive script that reads "Brent A. Turney".

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

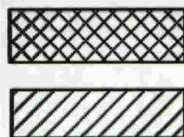
BAT: dlw  
pc: STAFFORD Field Office  
0



FILE NO. 47,635-D1 - AUTHORIZED AND PROPOSED  
PLACE OF USE AND POINT OF DIVERSION



WATER RESOURCES  
RECEIVED  
**1:24,000**  
SEP 13 2016



Currently Authorized Place of Use

Proposed Place of Use

WATER RESOURCES  
RECEIVED

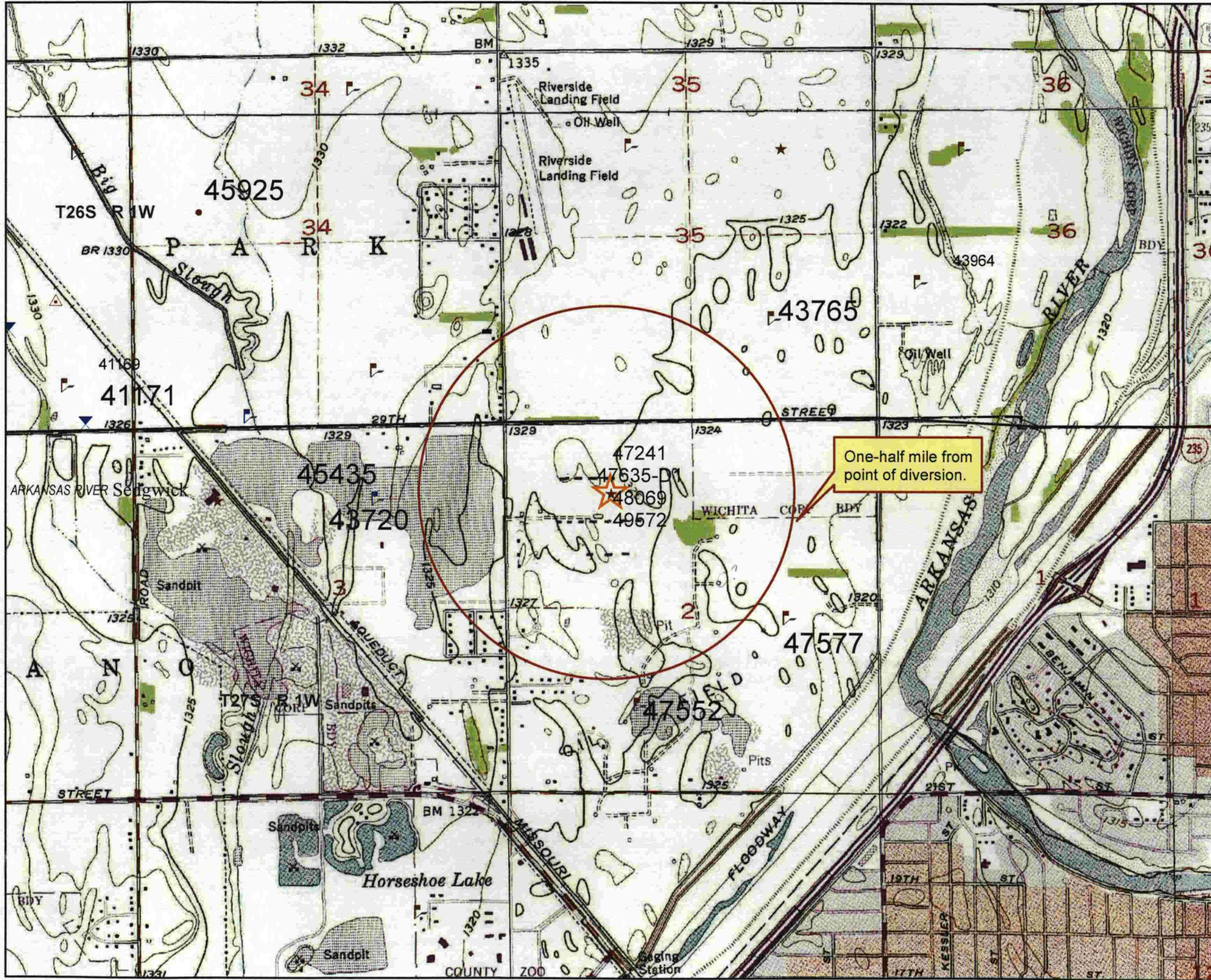
AUG 27 2015

SCANNED  
KS DEPT OF AGRICULTURE

KS DEPT OF AGRICULTURE

SCANNED  
\* 25/12/15 12/30/15





**Legend**

**WIMAS\_PD**

**S\_UMW**

- △ G\_DOM
- ★ G\_IND
- G\_IRR
- ▤ G\_REC
- ✕ S\_ART
- ▤ S\_REC
- ☐ STRUCTURE

I certify that all wells within 1/2 mile have been plotted.

X \_\_\_\_\_  
Applicant

**Index Map**

