

File No. **49,547** 15. Formation Code: Drainage Basin: County: Special Use: Stream:

16. Points of Diversion											
T	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
DEL	84991	NE	SW	NW		27	26S	1W	12	3780	4320

17. Rate and Quantity				
Authorized		Additional		
Rate	Quantity	Rate	Quantity	Overlap PD Files
gpm/cfs	af/mgy	gpm/cfs	af/mgy	
				NONE

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

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

20. Meter Required? Yes No To be installed by _____ Date Acceptable Meter Installed _____

21. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
T	MOD	DEL	ENT	PUSE	S	T	R	ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼								
DEL	56518*																												

Comments: *** THERE ARE NO OVERLAPPING FILES IN PLACE OF USE WITH THIS DISMISSED FILE.**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: August 8, 2018

FROM: Doug Schemm

RE: Application, File No. 49,547

R & R Realty LLC filed the above referenced new application proposing to appropriate 25 acre-feet of groundwater at a diversion rate of Natural Evaporation from a proposed groundwater pit. The proposed point of diversion was the geographic center of the groundwater pit located in the Northeast Quarter of the Southwest Quarter of the Northwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 3,780 feet North and 4,320 feet West of the Southeast corner of said section, in Township 26 South, Range 1 West, Sedgwick County, Kansas.

The applicant's consultant, Baughman Company was contacted by telephone on August 1, 2018 to request additional information, and they stated that the applicant had chosen not to pursue this REC project. He requested that the application be dismissed, and a "Voluntary Dismissal of an Application for Permit to Appropriate Water" form was subsequently received in our office on August 8, 2018, signed by the applicant (Jay Russell). A Findings and Order has been prepared to dismiss this file as requested.

Doug Schemm
Environmental Scientist
Topeka Field Office

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777

900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov



GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

R & R REALTY LLC
% JAY RUSSELL
PO BOX 75337
WICHITA KS 67275-0337

September 6, 2018
FILE COPY

Re: Application, File No. 49,547

Dear Mr. Russell:

Enclosed is the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 49,547, as you requested in the "Voluntary Dismissal of an Application for Permit to Appropriate Water" form received in our office on August 8, 2018.

This order shall become final agency action without further notice to the parties, if a request for hearing or a petition for administrative review is not filed in a manner set forth in the enclosed order.

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.

Sincerely,

A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:dws
Enclosures
pc: Stafford Field Office
GMD 2
Edgewater HOA



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**FINDINGS AND ORDER
IN THE MATTER OF THE
DISMISSAL OF APPLICATION
FILE NO. 49,547**

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 January 27, 2016, the Chief Engineer received an application from R & R Realty LLC for permit to appropriate groundwater for beneficial use, assigned File No. 49,547, proposing the appropriation of 25 acre-feet of water, at a maximum requested diversion rate of natural evaporation, for recreational use. The proposed point of diversion (geographical center of the groundwater pit) was to be located in the Northeast Quarter of the Southwest Quarter of the Northwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 3,780 feet North and 4,320 feet West of the Southeast corner of said section, in Township 26 South, Range 1 West, Sedgwick County, Kansas.
2. That on August 1, 2018, the applicant's consultant, Baughman Company, P.A. was contacted by telephone to request additional information regarding the pending application. The consultant stated that the applicant was no longer going to pursue this project and he requested the application be dismissed.
3. That a signed "Voluntary Dismissal of an Application for Permit to Appropriate Water" form for Application, File No. 49,547 was received in the office of the Chief Engineer on August 8, 2018.
4. That the application should be dismissed and its priority forfeited as requested by the applicant.

ORDER

NOW, THEREFORE, it is the decision and order of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, that effective the date of this order, in accordance with the law, Application, File No. 49,547, is herewith dismissed and the priority assigned to it is considered to be forfeited.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Ordered this 31st day of August, 2018, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 31st day of August, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

Notary Public

CERTIFICATE OF SERVICE

On this ~~6th~~ day of ~~September~~, 2018, I hereby certify that the foregoing Dismissal of Application, File No. 49,547, dated ~~August 31st~~, 2018 was mailed postage prepaid, first class, US mail to the following:

R & R REALTY LLC
JAY RUSSELL
PO BOX 75337
WICHITA KS 67275-0337

With photocopies to:

EDGEWATER HOA
HOA MANAGEMENT SERVICES
900 N TYLER SUITE 7
WICHITA KS 67212

Stafford Field Office
Groundwater Management District No. 2



Division of Water Resources

Voluntary Dismissal of an Application for Permit to Appropriate Water

8.8.18

(Date)

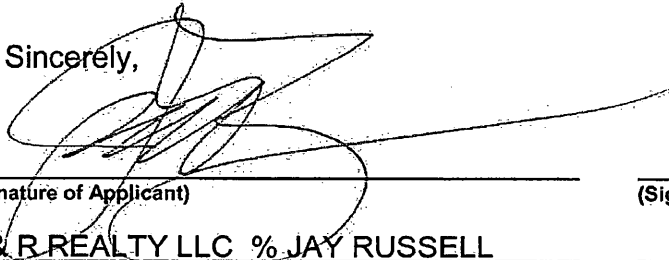
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

RE: Application File No. 49,547

Chief Engineer:

We are submitting this statement in regard to Application for Permit to Appropriate Water, File No. 49,547. We are the applicant who filed this application. We now wish to voluntarily withdraw said application. We realize such withdrawal means the application will be dismissed and whatever priority it may have had will be forfeited. Please withdraw Application File No. 49,547. By signing below, We also acknowledge the waiver of any right to a hearing or appeal that We may have had in regards to this Application.

Sincerely,



(Signature of Applicant)

R & R REALTY LLC % JAY RUSSELL

(Please print name here)

P.O. BOX 75337

(Mailing Address)

WICHITA KS 67275-0337

(City, State, Zip)

(Signature of Applicant)

(Please print name here)

(Mailing Address)

(City, State, Zip)

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

October 6, 2017

BURNES AND MCDONNELL
ATTN DANIEL CLEMENT
800 E FIRST ST N, SUITE 400
WICHITA KS 67202

FILE COPY

RE: New Application, File No. 49,547

Dear Mr. Clement:

Upon reviewing the referenced application for permit to appropriate groundwater for recreational use, it was determined that notification of potential nearby well owners would be best accomplished by publication of a public notice.

Enclosed is a copy of a notice to be published in a local newspaper once a week for three consecutive weeks at the applicant's expense. Copies of the notice as published are to be submitted within two weeks of the final publication date, or you may arrange for the newspaper to provide an affidavit of publication, which should be forwarded to us.

If the date given in the notice does not allow at least 15 days for public comment following the final publication date, this office should be contacted for permission to revise the date in the notice to allow adequate time for comments.

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

Sincerely,

Austin McColloch
Environmental Scientist
Water Appropriation Program

Enclosures

pc: R & R Realty, LLC
Stafford Field Office
Groundwater Management District No. 2

PUBLIC NOTICE

File No. 49,547

Page 2

R & R Realty, LLC has filed an application with the Kansas Department of Agriculture, Division of Water Resources, 1320 Research Park Drive, Manhattan, Kansas, 66502, for permit to appropriate water for beneficial use, identified as File No. 49,547, which proposes to appropriate groundwater in the drainage basin of Arkansas River, to be diverted by means of one (1) groundwater pit with a geographical center located in the Northeast Quarter of the Southwest Quarter of the Northwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 3,780 feet North and 4,320 feet West of the Southeast corner of said section, in Township 26 South, Range 1 West, Sedgwick County, Kansas, in an amount of 25 acre-feet per calendar year to be diverted by means of natural evaporation for recreational use. Any interested party is invited to submit written comments to this office on or before (*date should be 15 days after final publication*). Persons submitting written comments should specifically indicate their interest in the application in a clear and concise manner.

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49,547
This item to be completed by the Division of Water Resources.

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JAN 27 2016
11:23
KS DEPT OF AGRICULTURE

APPLICATION FOR PERMIT TO
APPROPRIATE WATER FOR BENEFICIAL USE

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

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

1. Name of Applicant (Please Print): R & R REALTY, LLC
Address: PO Box 75337
City: WICHITA State KS Zip Code 67275
Telephone Number: (316) 722-2417

2. The source of water is: surface water in _____ (stream)
OR groundwater in ARKANSAS RIVER (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 25.0 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of EVAP gallons per minute OR _____ cubic feet per second.

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

4. The water is intended to be appropriated for (Check use intended):
(a) Artificial Recharge (b) Irrigation (c) Recreational (d) Water Power
(e) Industrial (f) Municipal (g) Stockwatering (h) Sediment Control
(i) Domestic (j) Dewatering (k) Hydraulic Dredging (l) Fire Protection
(m) Thermal Exchange (n) Contamination Remediation

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

For Office Use Only:							
F.O. <u>2</u>	GMD <u>2</u>	Meets K.A.R. 5-3-1 (YES/NO)	Use <u>REL</u>	Source <u>G/S</u>	County <u>SG</u>	By <u>AJW</u>	Date <u>1/27/16</u>
Code <u>REG</u>	Fee \$ <u>no</u>	TR # _____	Receipt Date <u>1/27/16</u>	Check # <u>42085</u>			

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

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

- (A) One in the NE quarter of the SW quarter of the NW quarter of Section 27, more particularly described as being near a point 3780 feet North and 4320 feet West of the Southeast corner of said section, in Township 26 South, Range 1 East/West (circle one), Sedgwick County, Kansas.
- (B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

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

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

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

 (name, address and telephone number)
SAME AS APPLICANT
 (name, address and telephone number)

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

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

Executed on 15 OCTOBER, 2015. _____
 Applicant's Signature

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

- 7. The proposed project for diversion of water will consist of GROUNDWATER PIT
 (number of wells, pumps or dams, etc.)
 and (was)(will be) completed (by) 12.31.2020
 (Month/Day/Year - each was or will be completed)
- 8. The first actual application of water for the proposed beneficial use was or is estimated to be 05.01.16
 (Mo/Day/Year)

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- 9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
 Yes No If "yes", a check valve shall be required.

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

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

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

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

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

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

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

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

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

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

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	_____	_____	_____	_____
Total depth of well	_____	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

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

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

(name, address and telephone number)

(name, address and telephone number)

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

Dated at WICHITA, Kansas, this 10 day of OCTOBER, 2015.
(month) (year)

(Applicant Signature)
By _____
(Agent or Officer Signature)
JAY RUSSELL, AGENT
(Agent or Officer - Please Print)

Assisted by TREVOR KUETH, PE BAUGHMAN CO, Date: 10 OCT 2015
(office/title)

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**RECREATIONAL USE
SUPPLEMENTAL SHEET**

File No. 49,547

Name of Applicant (Please Print): R:R REALTY LLC

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

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

• WATER WILL BE AN AMENITY FOR A RESIDENTIAL /
COMMERCIAL PROPERTY.

• WATER REQUESTED WILL BE USED VIA EVAPORATION FROM
15 ACRE (SURFACE) PIT.

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

ESTIMATED FUTURE WATER DIVERTED/STORED	
NEXT 5 YEARS	WATER TO BE DIVERTED (ACRE-FEET OR GALLONS)
Year 1	8.4 ac.ft
Year 2	16.8 ac.ft
Year 3	25.0 ac.ft
Year 4	25.0 ac.ft
Year 5	25.0 ac.ft

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

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

NE 1/4 SW 1/4 NW 1/4 SEC 27 T 26S R 1W

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

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- 1) Don Hayes
4356 N Ridge Road
Wichita, KS 67205
- ✓ 2) Anthony Loux
4400 N Ridge Road
Wichita, KS 67205
- ✓ 3) Cipriani Living Trust
4430 N Ridge Road
Wichita, KS 67205
- ✓ 4) Patricia Hampton
4434 N Ridge Road
Wichita, KS 67205
- ✓ 5) Bernice Thatch
4500 N Ridge Road
Wichita, KS 67205
- ✓ 6) Gregory Brenn
4520 N Ridge Road
Wichita, KS 67205
- ✓ 7) Julianna & Kenneth Kerr
10302 W Jamesburg St
Wichita, KS 67212
- ✓ 8) David Fellows
7015 W 45th St N
Wichita, KS 67205
- ✓ 9) Thomas Kingery
7005 W 45th St N
Wichita, KS 67205
- ✓ 10) Howard Buhrle
1200 Mistletoe Ln
Kingwood, TX 77339
- ✓ 11) Same as 10
- ✓ 12) Michael & Shelly Johnson
6607 W 45th St N
Wichita, KS 67205
- ✓ 13) Midland Baptist Church
4200 Church Cir
Wichita, KS 67205
- ✓ 14) Matt & Amy Unruh
4411 Ridge Port St
Wichita, KS 67205
- ✓ 15) Charlie Rich
4411 N Ridge Road
Wichita, KS 67205
- ✓ 16) James & Vonda Thompson
4419 N Ridge Road
Wichita, KS 67205
- ✓ 17) James Nichols
4425 N Ridge Road
Wichita, KS 67205
- ✓ 18) Mark & Mary Reed
4435 N Ridge Road
Wichita, KS 67205

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SCANNED

99,547



BAUGHMAN
BETTER BY [DESIGN]

January 25, 2016

Ms. Erin McGrogan
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502

**RE: APPLICATION FOR APPROPRIATION OF GROUND WATER
HAYES PROPERTY – RIDGE & HOOVER ROAD**

Dear Ms. McGrogan:

Please find enclosed an application to appropriate ground water in the NE ¼, SE ¼, NW ¼, of Section 27 T26S R1E. This is generally located just to the south and east of the Ridge Road and Hoover Road intersection. The application is for a groundwater pit exposing 15 acres with the use of water being evaporation only. The pit will be for recreational use, with this submittal including the recreational use supplemental sheet.

If there are any questions or if you need additional information please feel free to contact me.

Sincerely,
Baughman Company, P.A.

Trevor R. Kurth, P.E. CFM
Director of Water Resources Engineering

Cc: File

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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

January 27, 2016

R & R REALTY LLC
PO BOX 75337
WICHITA KS 67275

RE: Application
File No. 49547

Dear Sir or Madam:

Your application for permit to appropriate water in 27-26S-1E in Sedgwick County, was received and has been assigned the file number noted above.

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

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

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

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

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

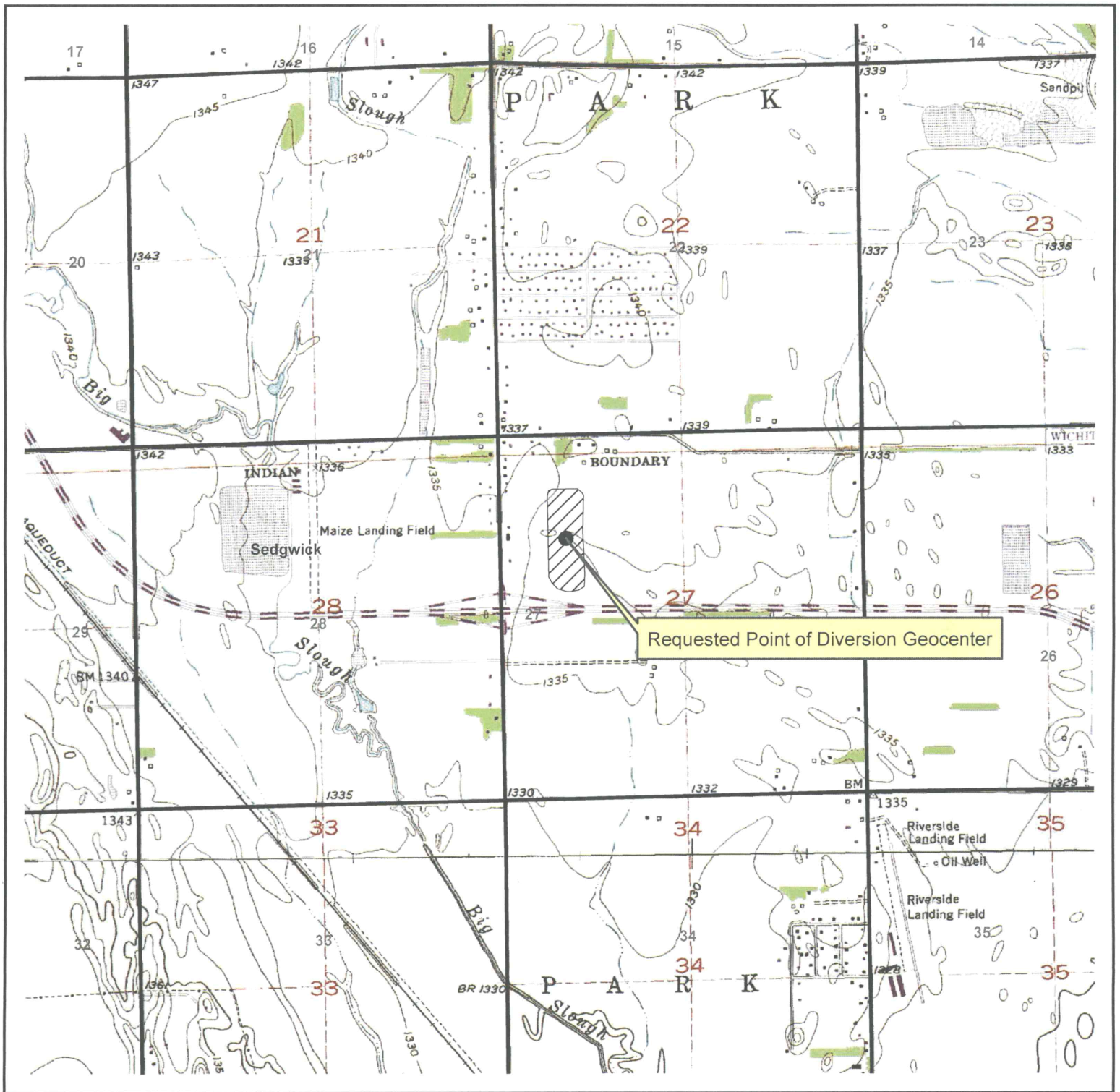
If you have any questions, please contact me at (785) 564-6634. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

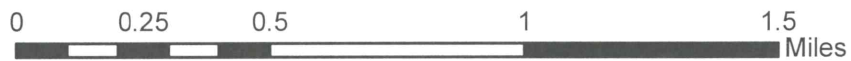
KAK: DLW
pc: STAFFORDField Office
GMD 2

SCANNED



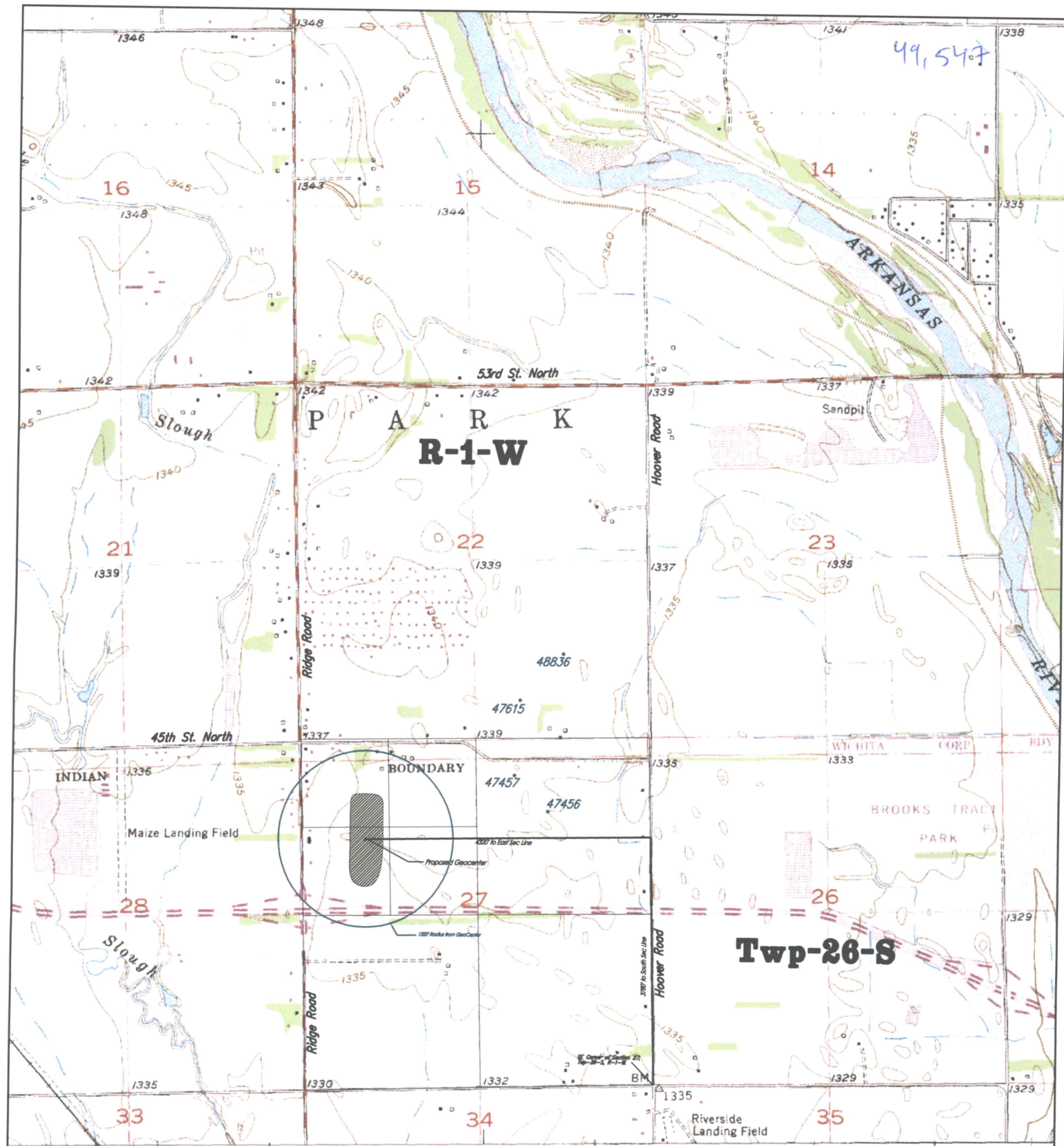
Legend

- Point of Diversion



New Application for Beneficial Use File No. 49,547

Proposed Point of Diversion
Section 27, Township 26S, Range 1W
Sedgwick County, Kansas

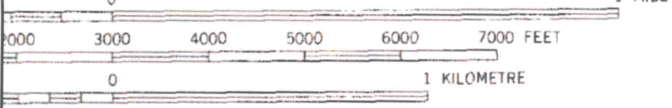


49,547

P A R K
R-1-W

Twp-26-S

(WICHITA WEST) 6559 III NW
SCALE 1:24 000



FOUR INTERVAL 5 FEET
ODETIC VERTICAL DATUM OF 1929

Scale 1:2000
September 18, 2015

**WATER RESOURCES
RECEIVED**

JAN 27 2016

- ROAD CLAS
- Primary highway, hard surface
- Secondary highway, hard surface
- Interstate Route



SCANNED

QUADRANGLE LOCATION