

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

1. File Number: <p style="text-align: center; font-size: 1.2em;">49,620</p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;">6/7/2018</p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">02</p>	4. GMD:
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5. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

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

7a. Applicant(s) Person ID **64833**
New to system Add Seq# _____

SHELLY S HOOBLER
1345 E 130TH AVE N
MULVANE KS 67110

7b. Landowner(s) Person ID **64813**
New to system Add Seq# _____

SUE HUNT
11205 GRANDVIEW
OVERLAND PARK, KS 662210 *Name Chg*

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

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

8. WUR Correspondent Person ID _____
New to system Add Seq# _____
Overlap File (s) WUC Notarized WUC Form
Agree Yes No

7a

9. Use of Water: Changing? Yes No

Groundwater Surface Water

IRR REC DEW MUN

STK SED DOM CON

HYD DRG WTR PWR ART RECHRG

IND SIC: _____ OTHER: _____

10. Completion Date: **12/31/2019** 11. Perfection Date: **12/31/2023** 12. Exp Date: _____

13. Conservation Plan Required? Yes No Date Required: _____ Date Approved: _____ Date to Comply: _____

14. Water Level Measuring Device? Yes No Date to Comply: **12/31/2019** Date WLMD Installed: _____

Date Prepared: **5/4/18** By: **MJM**
Date Entered: **6/14/2018** By: **UJH**

File No. **49,620** 15. Formation Code: **100** Drainage Basin: **Ninnescah River** County: **SG** Special Use: Stream:

16. Points of Diversion

T
MOD
DEL
ENT

Battery ID# 1948

PDIV	Qualifier	S	T	R	ID	N	W	
MOD	85214 NWS\$NW	36	29S	1W	3	3600	4655	Geo-Cent
MOD	85215 NWS\$NW	36	29S	1W	4	3700	4655	Bat 1 of 4
MOD	85216 NWS\$NW	36	29S	1W	5	3800	4655	Bat 2 of 4
MOD	85217 NWS\$NW	36	29S	1W	6	3500	4655	Bat 3 of 4
MOD	85218 NWS\$NW	36	29S	1W	7	3400	4655	Bat 4 of 4

17. Rate and Quantity

Authorized		Additional		Overlap PD Files
Rate gpm	Quantity af	Rate gpm	Quantity af	
800	163	800	163	

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 **12/31/2019** Date Acceptable Meter Installed _____

21. Place of Use

T
MOD
DEL
ENT

PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files	
					NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
MOD	67555	36	29S	1W	1					31	30	32	33									126	7b.		N

Comments: **PD, PU, and requested quantity were all modified during processing of application.**

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

June 15, 2018

FILE COPY

SHELLY S HOOBLER
1345 E 130TH AVE N
MULVANE KS 67110

RE: Application, File No. 49,620

Dear Water User:

There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit. A water meter is required and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

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

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

Enclosures

pc: Stafford Field Office
Sue Hunt

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: May 4, 2018

FROM: Matt Meier

RE: Application, File No. 49,620

Shelly S. Hoobler has filed the referenced application to appropriate groundwater for irrigation use, requesting a battery of four (4) wells, a quantity of 163 acre-feet, and a diversion rate of 800 gallons per minute. The geo-center of the well battery is to be located in the Northwest Quarter of the Southwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 36, more particularly described as being near a point 3,600 feet North and 4,655 feet West of the Southeast corner of said section, in Township 29 South, Range 1 West, Sedgwick County, within the Ninnescah River drainage basin. The proposed place of use is owned by Sue Hunt. The applicant has signed the application form stating that they have legal access to the point of diversion. Modifications to the requested quantity, point of diversion, and place of use were made during the processing of the application. All the changes were verified with the applicant via phone and email.

In 2004 the United States Geological Survey (USGS) completed a hydrologic model of a portion of the Arkansas River and associated drainage basins (Ninnescah River), generally bounded by Ranges 2 West to 3 East and Townships 26 South to 34 South (near state line). The USGS model indicated that the aquifer in this area receives more recharge from precipitation than DWR has historically used in safe yield calculations. The data and analyses are detailed in the USGS Scientific Investigations Report 2004-5204 entitled "Characterization and Simulation of Flow in the Lower Arkansas River Alluvial Aquifer, South-Central Kansas". In order to evaluate the potential impact of this study on our safe yield calculations, DWR suspended processing applications for new appropriations of water in the model area.

DWR recently completed an evaluation of the USGS model and has determined that the precipitation recharge value of 5.4 inches per year that is used in the USGS model is reasonable and appropriate. In order to reserve water in the alluvial aquifers that can contribute to base flow to area streams and for domestic use, it was determined that 75 percent of the 5.4 inches of precipitation recharge shall be available for appropriation. This is consistent with safe yield appropriation in many other basins across the state, and is the current percent available in for all applications in the Ninnescah River drainage basin. Therefore, for all pending applications within the model area, safe yield will be evaluated using the standard methodology in K.A.R. 5-3-11, which is based on the extent of the unconfined aquifer (area of consideration), a Potential Annual Recharge value of 5.4 inches, and a percent of recharge available for appropriation of 75%. Current annual recharge across the model area is approximately 3 inches.

Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile circle radius of the point of diversion, which establishes the area of consideration. Evaluation of the area of consideration included the extent of the unconfined aquifer, which provided an area of consideration of 8,042 acres. With a potential annual recharge of 5.4 inches, and 75% of recharge available for appropriation, safe yield was determined to be 2,714.18 acre-feet. Existing water rights have appropriated 2,198.08 acre-feet, providing a difference of 516.1 acre-feet available for appropriation, and the application requesting 163 acre-feet complies with safe yield.

A test hole log was submitted with the application, which shows topsoil from 0 to 1 feet, clay from 1 to 7 feet, fine sand from 7 to 12 feet, fine to medium sand from 12 to 18 feet, clay from 18 to 21 feet, sand and gravel with clay from 21 to 44 feet, clay from 44 to 60 feet, clay and wood from 60 to 64 feet, sand and gravel with clay from 64 to 69 feet, and shale from 69 to 80 feet below ground. The static water level was listed at 19 feet which provides a saturated thickness of 50 feet.

The requested quantity of water, 163 acre-feet, is to irrigate the proposed 126 acres identified in the application. This is the maximum allowable of 1.3 acre-feet per acre for Sedgwick County, Kansas. There are multiple pending applications in this general area of the state, and they are being worked in priority order to ensure that senior applications are provided the available water.

The applicant identified 3 domestic wells and 0 non-domestic wells within ½ mile of the proposed point of diversion. Nearby notification letters were sent out on March 22, 2018. A phone call was received from nearby well owner Misty Gatson to discuss the application and obtain more information about it. The nearest non-domestic point of diversion (File No. 35,951) is located 3,539 feet away. The nearest domestic well is approximately 750 feet away based on the supplied map. The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be one-quarter mile to all other non-domestic wells and 660 feet to domestic wells.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. A water level measurement tube is required because this is a proposed new well exceeding 100 gpm.

The proposed application is subject to minimum desirable streamflow requirements. The applicant signed, notarized, and returned the required form to our office.

Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the referenced application on May 4, 2018 with the condition that all wells are constructed to meet spacing to nearby domestics. Based on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

Matthew J. Meier
Environmental Scientist
Water Appropriations Unit

KANSAS DEPARTMENT OF AGRICULTURE
 Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
 David W. Barfield, Chief Engineer

APPROVAL OF APPLICATION
and
PERMIT TO PROCEED
 (This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,620** of the applicant

SHELLY S HOOBLER
1345 E 130TH AVE N
MULVANE KS 67110

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

1. That the priority date assigned to such application is **April 11, 2016**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
36 29S 1W					31	30	32	33									126

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of four (4) wells, the geo-center of which is to located in the Northwest Quarter of the Southwest Quarter of the Northwest Quarter (NW¼ SW¼ NW¼) of Section 36, more particularly described as being near a point 3,600 feet North and 4,655 feet West of the Southeast corner of said section, in Township 29 South, Range 1 West, Sedgwick County, located substantially as shown on the map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **800 gallons per minute (1.783 c.f.s.)** and to a quantity not to exceed **163 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2019** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2023** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.
8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.
9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.
10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.
11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.
12. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).
13. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.
14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.
15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.
16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.
17. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.
18. That this permit is further limited such that all wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply, and shall supply water to a common distribution system.
19. That the wells drilled and constructed under the authority of this permit shall comply with the required minimum well spacing of 660 feet to any senior domestic well pursuant to K.A.R. 5-4-4.

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 7th day of June, 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 7th day of June, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson
Notary Public

CERTIFICATE OF SERVICE

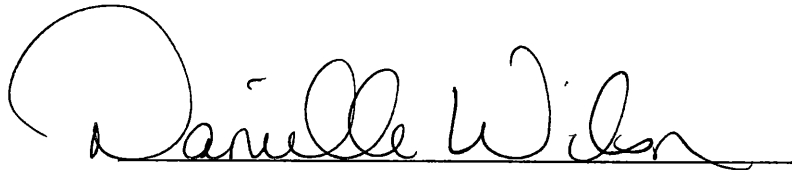
On this 15th day of June, 2018, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,620, dated June 14, 2018 was mailed postage prepaid, first class, US mail to the following:

SHELLY S HOOBLER
1345 E 130TH AVE N
MULVANE KS 67110

With photocopies to:

Stafford Field Office

SUE HUNT
11205 GRANDVIEW DR
OVERLAND PARK KS 66210

A handwritten signature in black ink that reads "Danielle Wilson". The signature is written in a cursive style with a large, looping initial "D".

Division of Water Resources

N. Beck

514118
APPLICATION COMPLETE
4/11/16
Reviewer MM/SFFC

THE STATE OF KANSAS



WATER RESOURCES RECEIVED

APR 11 2016

4:14
KS DEPT OF AGRICULTURE

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49,620
This item to be completed by the Division of Water Resources.

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE
Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

WATER RESOURCES RECEIVED
MAY 8 2016
12:44
UNACCEPTABLE FOR PRIORITY
KS DEPT OF AGRICULTURE

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): Shelley S Hoobler
Address: 1345 E 130th Ave N
City: Mulvane State KS Zip Code 67110
Telephone Number: (316) 641-8250

2. The source of water is: surface water in _____ (stream)
OR groundwater in Minnescah (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.
*163 * reduced at applicants request to free up safe yield for Junior file. continue via email & phone call.*

3. The maximum quantity of water desired is 206 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 4600 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. 2 GMD 0 Meets K.A.R. 5-3-1 (YES/NO) Use FRR Source © S County 56 By HW Date 4/12/16
Code 122 Fee \$ 400 TR # _____ Receipt Date 4/11/16 Check # 4952

SCANNED

4/18/2016 UM

* modified to meet domestic spacing,
Confirmed via email & phone calls,
Place holders for other wells.

File No. 49,620

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.

Geo-Center

(A) One in the NW quarter of the SW quarter of the NW quarter of Section 36, more particularly described as being near a point 366 feet North and 511 feet West of the Southeast corner of said section, in Township 29 South, Range 1 East/West (circle one), Sedgewick County, Kansas.

Bat 1 of 4

(B) One in the SW quarter of the NW quarter of the NW quarter of Section 36, more particularly described as being near a point 394 feet North and 496 feet West of the Southeast corner of said section, in Township 29 South, Range 1 East/West (circle one), Sedgewick County, Kansas.

Bat 2 of 4

(C) One in the NE quarter of the SW quarter of the NW quarter of Section 36, more particularly described as being near a point 367 feet North and 468 feet West of the Southeast corner of said section, in Township 29 South, Range 1 East/West (circle one), Sedgewick County, Kansas.

Bat 3 of 4

(D) One in the NW quarter of the SW quarter of the NW quarter of Section 36, more particularly described as being near a point 328 feet North and 490 feet West of the Southeast corner of said section, in Township 29 South, Range 1 East/West (circle one), Sedgewick County, Kansas.

Bat 4 of 4

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):

Sue Hunt 11205 Grandview Overland Park KS 66210 (913) 451-2566
(name, address and telephone number)

(name, address and telephone number)

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

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

*

Executed on March 16, 2016. Shelly of Hoobler
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 4 wells
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) ASAP
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be ASAP
(Mo/Day/Year)

WATER RESOURCES RECEIVED

WATER RESOURCES RECEIVED

APR 11 2016

MAR 28 2016

KS DEPT OF AGRICULTURE

KS DEPT OF AGRICULTURE

SCANNED

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

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

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

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

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

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.

WATER RESOURCES RECEIVED

APR 11 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

UNACCEPTABLE FOR PRIORITY
MAR 28 2016

KS DEPT OF AGRICULTURE

SCANNED

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

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

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	<u>6/20</u>	<u>Attached</u>		
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 tenant
(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):
Sue Hunt 11205 Grandview Overland Park KS 66210
(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 Mulvane, Kansas, this 16 day of March, 2016.
(month) (year)

Shelly J. Hoobler
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by _____ Date: _____
(office/title)

WATER RESOURCES RECEIVED

APR 11 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

MAR 28 2016

UNACCEPTABLE FOR PRIORITY
SCANNED
KS DEPT OF AGRICULTURE

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49.620

Name of Applicant (Please Print): Shelly S. Hoobler

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: Sue Hunt

ADDRESS: 11205 Grandview Overland Park, KS 66210

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
36	29S	1W					31	30	32	33									126

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): _____%

Estimate the maximum land slope in the field(s): _____%

c. Type of irrigation system you propose to use (check one):

Center pivot
 Center pivot - LEPA
 "Big gun" sprinkler
 Gravity system (furrows)
 Gravity system (borders)
 Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: _____ psi

(2) What is the sprinkler package design rate? _____ gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

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

FEE SCHEDULE

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

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

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

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

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

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

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

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

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

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

WATER RESOURCES
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APR 11 2016

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WATER RESOURCES
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APR 28 2016

KS DEPT OF AGRICULTURE

SCANNED

See updated sheet

IRRIGATION USE
SUPPLEMENTAL SHEET

File No. 49,620

Name of Applicant (Please Print): Shelby S Hoobler

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: Carol S Hunt
ADDRESS: 11205 Grandview Overland Park KS 66210

S	T	R	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
36	29	1W					40	40	40	40									160

VOID

Landowner of Record NAME: _____
ADDRESS: _____

S	T	R	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Landowner of Record NAME: _____
ADDRESS: _____

S	T	R	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

DWR 1-160 23 (7-7-00)

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Page 1 of 2

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2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %	_____	_____

b. Estimate the average land slope in the field(s): _____ %

Estimate the maximum land slope in the field(s): _____ %

c. Type of irrigation system you propose to use (check one):

- Center pivot
- Center pivot - LEPA
- "Big gun" sprinkler
- Gravity system (furrows)
- Gravity system (borders)
- Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

- (1) Estimate the operating pressure at the distribution system: 35 psi
- (2) What is the sprinkler package design rate? 800 gpm
- (3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? 65 feet
- (4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

Corn, Soybeans, Grain Sorghum, & Wheat

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

Irrigation will be determined by best management Practices.

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

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APR 11 2016

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MAR 28 2016
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(Date)

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

Re: Application 49,620
File No. _____

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

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

Curt Hoobler
Signature of Applicant

State of Kansas)
County of Harford) ss

CURT HOOBLER
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 24th day of March, 2016.

Jessica Engelbrecht
Notary Public

My Commission Expires:



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MAY 8 2016

KS DEPT OF AGRICULTURE

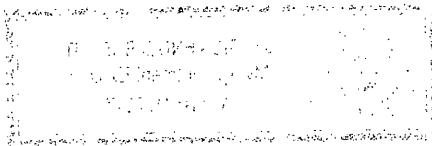
SCANNED

**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River



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491620

IRRIGATION TEST WELL

Driller & Assistant:

Tom Hull / Tucker / Tyler

Date:

2/10/16

CUSTOMER:

Mark Jaross (Shelly) 1345 E. 130th AVE. N.

LOCATION:

Hobbs Mulvane, KS 67110 316-641-8256

- Screen 2-1/2"
- Casing 2-1/2"
- Couplings, 2-1/2"
- End Caps, 2-1/2"
- Gravel Pack #9
- Holeplug
- Quarters
- Water
- Lime
- Drilling Mud
- Gas & Oil - W.T.
- 3/4" Polyethylene
- 2-1/2" PVC Tee
- 5" & 6" Bits
- Packing
- 6" or 5" Liner if needed
- Solvent & Glue
- Water Sample Bottle
- Inspection Sheet

Depth: Formation:

Well Information:

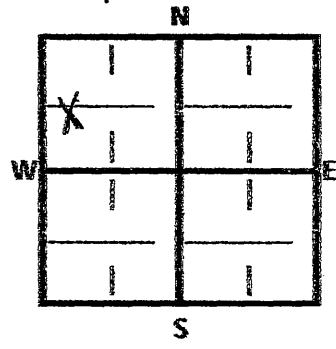
0-1	T.S.	Static Water Level:
1-7	Clay	Est. production:
7-12	Sand f	Casing depth: not cased.
12-18	Sand fm	Screen depth:
18-21	Clay	Slot size:
21-33	Sand + G m-c / little clay 80/20	Grouting depth: 50'-0'
33-44	Sand - m-c w/ med gravel / little clay 90/10	Number of bags: 1 bag bentonite
44-60	Clay	Nearest Contamination: None within
60-64	Clay / wood	1/4 mile.
64-69	Sand + g m-c / a little clay	Maintenance & Safety:
69-80	Shale.	
		Notes:

Directions:

Latitude: 37.48738438	N decimal degrees	(ex. 38.881796)
Longitude -97.3858250	W decimal degrees	(ex. 95.373889)
Datum: <input type="checkbox"/> NAD27 <input checked="" type="checkbox"/> NAD83 <input type="checkbox"/> WGS84		

1263

NE 1/4	NW 1/4	SW 1/4	NW 1/4
Sec. 36	T 29	R 1	(SW)
County	SEDGWICK		



\$ 8 ⁰⁰ x 80'	/ft. Well
\$ 50 ⁰⁰	/Grout
\$ N/A	/Test Pumping
\$ None	/Water Sample
\$ 100 ⁰⁰	/Mobilization/Travel

Contract Received: _____

Invoice #: 1291

Date Mailed: 2/17/16

Well Data: _____ Access: _____

Materials: _____ Incent: _____

WATER RESOURCES RECEIVED

APR 11 2016

WATER RESOURCES RECEIVED

UNACCEPTABLE FOR PRIORITY

APR 11 2016

SCANNED

Draft

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

MEMORANDUM

TO: Files

DATE: May 1, 2018

FROM: Matt Meier

RE: Application, File No. 49,620

Shelly S. Hoobler has filed the referenced application to appropriate groundwater for irrigation use, requesting a battery of four (4) wells, a quantity of 163 acre-feet, and a diversion rate of 800 gallons per minute. The geo-center of the well battery is to be located in the Northwest Quarter of the Southwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 36, more particularly described as being near a point 3,600 feet North and 4,655 feet West of the Southeast corner of said section, in Township 29 South, Range 1 West, Sedgwick County, within the Ninescah River drainage basin. The proposed place of use is owned by Sue Hunt. The applicant has signed the application form stating that they have legal access to the point of diversion. Modifications to the requested quantity, point of diversion, and place of use were made during the processing of the application. All the changes were verified with the applicant via phone and email.

In 2004 the United States Geological Survey (USGS) completed a hydrologic model of a portion of the Arkansas River and associated drainage basins (Ninescah River), generally bounded by Ranges 2 West to 3 East and Townships 26 South to 34 South (near state line). The USGS model indicated that the aquifer in this area receives more recharge from precipitation than DWR has historically used in safe yield calculations. The data and analyses are detailed in the USGS Scientific Investigations Report 2004-5204 entitled "Characterization and Simulation of Flow in the Lower Arkansas River Alluvial Aquifer, South-Central Kansas". In order to evaluate the potential impact of this study on our safe yield calculations, DWR suspended processing applications for new appropriations of water in the model area.

DWR recently completed an evaluation of the USGS model and has determined that the precipitation recharge value of 5.4 inches per year that is used in the USGS model is reasonable and appropriate. In order to reserve water in the alluvial aquifers that can contribute to base flow to area streams and for domestic use, it was determined that 75 percent of the 5.4 inches of precipitation recharge shall be available for appropriation. This is consistent with safe yield appropriation in many other basins across the state, and is the current percent available in for all applications in the Ninescah River drainage basin. Therefore, for all pending applications within the model area, safe yield will be evaluated using the standard methodology in K.A.R. 5-3-11, which is based on the extent of the unconfined aquifer (area of consideration), a Potential Annual Recharge value of 5.4 inches, and a percent of recharge available for appropriation of 75%. Current annual recharge across the model area is approximately 3 inches.

Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile circle radius of the point of diversion, which establishes the area of consideration. Evaluation of the area of consideration included the extent of the unconfined aquifer, which provided an area of consideration of 8,042 acres. With a potential annual recharge of 5.4 inches, and 75% of recharge available for appropriation, safe yield was determined to be 2,714.18 acre-feet. Existing water rights have appropriated 2,198.08 acre-feet, providing a difference of 516.1 acre-feet available for appropriation, and the application requesting 163 acre-feet complies with safe yield.

A test hole log was submitted with the application, which shows topsoil from 0 to 1 feet, clay from 1 to 7 feet, fine sand from 7 to 12 feet, fine to medium sand from 12 to 18 feet, clay from 18 to 21 feet, sand and gravel with clay from 21 to 44 feet, clay from 44 to 60 feet, clay and wood from 60 to 64 feet, sand and gravel with clay from 64 to 69 feet, and shale from 69 to 80 feet below ground. The static water level was listed at 19 feet which provides a saturated thickness of 50 feet.

The requested quantity of water, 163 acre-feet, is to irrigate the proposed 126 acres identified in the application. This is the maximum allowable of 1.3 acre-feet per acre for Sedgwick County, Kansas. There are multiple pending applications in this general area of the state, and they are being worked in priority order to ensure that senior applications are provided the available water.

The applicant identified 3 domestic wells and 0 non-domestic wells within 1/2 mile of the proposed point of diversion. Nearby notification letters were sent out on March 22, 2018. A phone call was received from nearby well owner Misty Gatson to discuss the application and obtain more information about it. The nearest non-domestic point of diversion (File No. 35,951) is located 3,539 feet away. The nearest domestic well is approximately 750 feet away based on the supplied map. The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be one-quarter mile to all other non-domestic wells and 660 feet to domestic wells.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. A water level measurement tube is required because this is a proposed new well exceeding 100 gpm.

The proposed application is subject to minimum desirable streamflow requirements. The applicant signed, notarized, and returned the required form to our office.

JeBased on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

Matthew J. Meier
Environmental Scientist
Water Appropriations Unit

Concur w/ Recommendation

*Add condition to ensure wells as
constructed meet spacing to nearby
domestics. JK W.L.*

Meier, Matt [KDA]

From: Logan McNett <mcnettdrilling@yahoo.com>
Sent: Wednesday, February 14, 2018 1:22 PM
To: Meier, Matt [KDA]
Subject: Fw: 49,620, and 49,621

Peterson McNett Drilling, Inc. PO Box 207 785-227-8386 785-227-2720 fax

--

After looking at test logs we have an approximate static water of 19' for both test holes. This corresponds with wells in area.

Thanks,
Logan McNett

Peterson McNett Drilling, Inc. PO Box 207 785-227-8386 785-227-2720 fax

Meier, Matt [KDA]

From: Meier, Matt [KDA]
Sent: Thursday, February 8, 2018 2:06 PM
To: 'Ssk9977@hotmail.com'
Subject: Corrections for 49620 & 49621
Attachments: FailsSpacingMap.pdf

Hello Shelly,

As we discussed on the phone yesterday, included in this email is a list of corrections/possible changes needed for Applications File Nos 49620 & 49621.

1. Test hole logs are missing Static water levels which is needed.
2. The geo-center for the well battery requested by application 49,620 appears to fail spacing (less than 660') to a nearby domestic well, listed on the map as belonging to Charlie Gatson, and needs to be moved further away from the domestic well. *See attached map showing Geo-Center located 3,600' North & 4,800' West from the Southeast Corner of the Section (which is based on maps submitted with application).
3. Application 49,621 Fails to meet the requested quantity for Safe Yield, with 74.88 Acre-feet available. As we discussed on the phone, you can make reductions to the requested Quantity and Acres in application 49,620 to free up some additional Safe Yield. Some reductions will still eventually need to be made to the proposed place of use for 49,621 as well.

Once you decide on how you would like to address these issues, I can make modifications to the applications then will mail them back to you to sign off of the changes. Let me know if you have any questions or need any additional assistance.

Matt Meier
Environmental Scientist
Stafford Field Office
Matt.meier@ks.gov
620-234-5311

Corrections for 49620 & 49621

Meier, Matt [KDA] <Matt.Meier@ks.gov>

Thu 2/8/2018, 2:06 PM

To: Ssk9977@hotmail.com <Ssk9977@hotmail.com>;

Hello Shelly,

As we discussed on the phone yesterday, included in this email is a list of corrections/possible changes needed for Applications File Nos 49620 & 49621.

1. Test hole logs are missing Static water levels which is needed.
2. The geo-center for the well battery requested by application 49,620 appears to fail spacing (less than 660') to a nearby domestic well, listed on the map as belonging to Charlie Gatson, and needs to be moved further away from the domestic well. *See attached map showing Geo-Center located 3,600' North & 4,800' West from the Southeast Corner of the Section (which is based on maps submitted with application).
3. Application 49,621 Fails to meet the requested quantity for Safe Yield, with 74.88 Acre-feet available. As we discussed on the phone, you can make reductions to the requested Quantity and Acres in application 49,620 to free up some additional Safe Yield. Some reductions will still eventually need to be made to the proposed place of use for 49,621 as well.

Once you decide on how you would like to address these issues, I can make modifications to the applications then will mail them back to you to sign off of the changes. Let me know if you have any questions or need any additional assistance.

Matt Meier
Environmental Scientist
Stafford Field Office
Matt.meier@ks.gov
620-234-5311

1: well driller called
move it 40 FT
EAST or South

2.
AS
needed.

$126 \times 1.3 = 163.8$ ACRE FT
 $96 \times 1.3 = 124.8$ ACRE FT
120 TD

AVAILABLE 74.8
FREE UP → 44.2
119.0

3
49620 = 125 ACRES
49621 = ~~100~~ ACRES
96

Meier, Matt [KDA]

From: Shelly Hoobler <ssk9977@hotmail.com>
Sent: Monday, April 30, 2018 3:51 PM
To: Meier, Matt [KDA]
Subject: Re: 49620 & 49621 maps

Matt,

I am confirming everything looks correct.

Thank you,

Shelly Hoobler

On Apr 30, 2018, at 1:31 PM, Meier, Matt [KDA] <Matt.Meier@ks.gov> wrote:

Hello Shelly,

Attached are the updated Maps and irrigation supplemental sheets for Files No. 49620 & 49621. Please verify that the Geo-Center locations and acres are correct for both applications. The acres and requested quantities for each application are being reduced, as we have previously discussed. File No. 49620 is being cut back to 126 acres and 168 Acre-Feet and File No. 49621 is being reduced to 96 acres and 124 Acre-Feet. Please confirm everything is correct and I will finish my review of the applications.

Matt Meier
Environmental Scientist
Stafford Field Office
Matt.meier@ks.gov
620-234-5311

From: Meier, Matt [KDA]
Sent: Tuesday, April 10, 2018 1:41 PM
To: 'Shelly Hoobler' <ssk9977@hotmail.com>
Subject: RE: 49620 & 49621 maps

Got your email and will let you know if need any more information.

From: Shelly Hoobler [<mailto:ssk9977@hotmail.com>]
Sent: Wednesday, April 4, 2018 10:54 PM
To: Meier, Matt [KDA] <Matt.Meier@ks.gov>
Subject: Re: 49620 & 49621 maps

49261 Pivot sketch. It isn't perfect on my consulting program. It's slightly better than my free hand. Let me know if this works. Ignore the red checks highlighted it is part of my field boundary in the consulting program.

Thank you for working on this with me.

Shelly Hoobler

From: Meier, Matt [KDA] <Matt.Meier@ks.gov>
Sent: Wednesday, March 28, 2018 9:31 AM
To: Ssk9977@hotmail.com
Subject: 49620 & 49621 maps

Hello Shelly,

Attached are maps for 49620 & 49621. I updated the Geo-center location for 49620 and modified the place of use to 126 acres. If the changes 49620 look good please let me know. For 49261 I need you to roughly sketch out the areas you would be looking at wanting to irrigate. In the email you listed proposed area as 96 acres for 49261. Since there is a large area to work with, especially if you take out any trees, I wasn't sure where you were wanting the 96 acres to be placed. If you have any questions or need any additional assistance feel free to contact via email or phone.

Matt Meier
Environmental Scientist
Stafford Field Office
Matt.meier@ks.gov
620-234-5311

<SatMap.pdf>

<49621 IRR Supp.pdf>

<49620 SatMap.pdf>

<49620 IRR Supp.pdf>

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

3600 ft N and 4655 ft W of the SE Corner of Section 36, T 29S, R 1W

Located at: 97.384755 West Longitude and 37.487167 North Latitude

GROUNDWATER ONLY

#49620
meets
spacing

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 4758	00	IRR	NK	G	6577	--	SW	NW	NE	-----	-----	26	29	1W	1	236.00	236.00	AF
A__ 6046	00	IRR	NK	G	9344	--	NC	E2	SE	1289	660	30	29	1E	4	125.00	125.00	AF
A__ 18631	00	IRR	NK	G	9999	--	SW	NE	NE	4025	1270	30	29	1E	5	117.00	117.00	AF
A__ 21419	00	MUN	NK	G	8887	--	NW	NW	NW	5150	5100	26	29	1W	2	92.98	7.18	AF
Same					8288	--	NE	NW	NW	5172	4100	26	29	1W	3	115.76	9.17	AF
Same					7581	--	NE	NE	NW	5190	2700	26	29	1W	4	108.80	8.42	AF
A__ 28971	00	IRR	NK	G	10426	--	NC	E2	SW	1320	3320	19	29	1E	1	32.00	32.00	AF
A__ 29451	00	IRR	NK	G	6299	--	--	NC	SW	1320	3960	30	29	1E	3	192.00	192.00	AF
A__ 31437	00	IRR	NK	G	8668	--	--	NC	NE	3960	1260	31	29	1E	1	195.00	195.00	AF
Same					8208	--	--	NC	NE	3960	1720	31	29	1E	2			
A__ 31438	00	IRR	NK	G	7755	--	NE	NE	NE	4660	90	25	29	1W	6	100.00	100.00	AF
A__ 35151	00	IRR	NK	G	5605	--	NW	SE	NW	3910	3955	25	29	1W	4	122.00	122.00	AF
A__ 35951	00	IRR	NK	G	3539	--	--	NC	SE	1320	1320	26	29	1W	6	195.00	195.00	AF
A__ 37377	00	IRR	NK	G	9483	--	NW	SE	SW	1220	3790	6	30	1E	1	195.00	195.00	AF
A__ 37965	00	IRR	NK	G	4420	--	SE	NW	SE	1330	1330	25	29	1W	5	160.00	160.00	AF
A__ 38085	00	IRR	NK	G	9344	--	NC	E2	SE	1289	660	30	29	1E	4	100.00	100.00	AF
A__ 38222	00	IRR	NK	G	7755	--	NE	NE	NE	4660	90	25	29	1W	6	195.00	95.00	AF
A__ 47538	00	MUN	KE	G	8288	--	NE	NW	NW	5172	4100	26	29	1W	3	72.44	72.44	AF
A__ 47539	00	MUN	KE	G	8887	--	NW	NW	NW	5150	5100	26	29	1W	2	72.44	.00	AF
A__ 49620	00	IRR	AY	G	237	--	--	--	NW	3663	4884	36	29	1W	3 G 4	208.00	208.00	AF
Same					518	--	NW	SW	NW	3666	5169	36	29	1W	4 B 4			
Same					414	--	SW	NW	NW	3944	4885	36	29	1W	5 B 4			
Same					80	--	NE	SW	NW	3662	4605	36	29	1W	6 B 4			
Same					321	--	NW	SW	NW	3381	4890	36	29	1W	7 B 4			
A__ 49621	00	IRR	AY	G	2406	--	--	--	SW	1295	3964	36	29	1W	8 G 4	208.00	208.00	AF
Same					2340	--	SE	NW	SW	1294	4256	36	29	1W	9 B 4			
Same					2134	--	SW	NE	SW	1580	3967	36	29	1W	10 B 4			
Same					2506	--	NW	SE	SW	1295	3671	36	29	1W	11 B 4			
Same					2684	--	NW	SE	SW	1008	3960	36	29	1W	12 B 4			

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	416.00	.00
Total Permitted Amount (AF) =	72.44	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	1888.78	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2377.22	.00

An * after the source of supply indicates a pending application for change for the file number.
 An * after the ID indicates a 15 AF exemption was granted for the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

97.384755 West Longitude and 37.487167 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

```
=====
File Number      Use ST SR
A__  4758 00 IRR NK G
> CHARLES J OTT
>
> 10821 S SENECA ST
> PECK KS 67120
>-----
A__  6046 00 IRR NK G
> CHARLES J OTT
>
> 10821 S SENECA ST
> PECK KS 67120
>-----
A__  18631 00 IRR NK G
> CHARLES J OTT
>
> 10821 S SENECA ST
> PECK KS 67120
>-----
A__  21419 00 MUN NK G
> CITY OF CLEARWATER
>
> PO BOX 453
> CLEARWATER KS 67026
>-----
A__  28971 00 IRR NK G
> ROBERT D HAY REV TRUST
>
> 9171 S WEST ST
> HAYSVILLE KS 67060
>-----
A__  29451 00 IRR NK G
> CHARLES J OTT
>
> 10821 S SENECA ST
> PECK KS 67120
>-----
A__  31437 00 IRR NK G
> CHARLES J OTT
>
> 10821 S SENECA ST
> PECK KS 67120
>-----
A__  31438 00 IRR NK G
> CHARLES J OTT
>
> 10821 S SENECA ST
> PECK KS 67120
>-----
A__  35151 00 IRR NK G
```

#49620

> DOROTHY LEIS
>
> 3505 W MACARTHUR RD
> WICHITA KS 67217

A__ 35951 00 IRR NK G
> FORREST G BUTTS
>
> 205 S CENTRAL AVE
> MULVANE KS 67110

A__ 37377 00 IRR NK G
> LARRY C & RHONDA J PARKER
>
> 1103 S CENTRAL AVE
> MULVANE KS 67110

A__ 37965 00 IRR NK G
> FORREST G BUTTS
>
> 205 S CENTRAL AVE
> MULVANE KS 67110

A__ 38085 00 IRR NK G
> CHARLES J OTT
>
> 10821 S SENECA ST
> PECK KS 67120

A__ 38222 00 IRR NK G
> CHARLES J OTT
>
> 10821 S SENECA ST
> PECK KS 67120

A__ 47538 00 MUN KE G
> CITY OF CLEARWATER
>
> PO BOX 453
> CLEARWATER KS 67026

A__ 47539 00 MUN KE G
> CITY OF CLEARWATER
>
> PO BOX 453
> CLEARWATER KS 67026

A__ 49620 00 IRR AY G
> CAROL S HUNT
>
> 11205 GRANDVIEW DR
> OVERLAND PARK KS 66210

>-----

A__ 49621 '00 IRR AY G

> CAROL S HUNT

>

> 11205 GRANDVIEW DR

> OVERLAND PARK KS 66210

>-----

=====

Analysis Results

The selected PD is in an area to new appropriations.
 The safe yield, based on the variables listed below is 2,714.18 AF. - 2198.08 = 516.1 AF available
 Total prior appropriation in the circle is 2,377.22 AF.
 Total quantity of water available for appropriation is 336.96 AF.

#49,620
 meets safe yield

Safe Yield Variables

The area used for the analysis is set at 8,042 acres.
 Potential annual recharge of the area is estimated to be 5.4 inches.
 The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 07-FEB-2018 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 18 water right(s) and 25 point(s) of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth_Quant	Add_Quant	Tacres	Nacres
A 4758 00	IRR	NK	G		SW	NW	NE	0	0	26	29	01W	1	WR	236.00	236.00	160.00	160.00
A 6046 00	IRR	NK	G		NC	E2	SE	1289	660	30	29	01E	4	WR	125.00	125.00	155.00	155.00
A 18631 00	IRR	NK	G		SW	NE	NE	4025	1270	30	29	01E	5	WR	117.00	117.00	80.00	80.00
A 21419 00	MUN	NK	G		NW	NW	NW	5150	5100	26	29	01W	2	PD	92.98			
Same	MUN	NK	G		NE	NE	NW	5190	2700	26	29	01W	4	PD	108.80	7.18 92.98		
Same	MUN	NK	G		NE	NW	NW	5172	4100	26	29	01W	3	PD	115.76	8.42 108.80		
A 28971 00	IRR	NK	G		NC	E2	SW	1320	3320	19	29	01E	1	WR	32.00	32.00	114.00	114.00
A 29451 00	IRR	NK	G		NC	SW		1320	3960	30	29	01E	3	WR	192.00	192.00	128.00	128.00
A 31437 00	IRR	NK	G		NC	NE		3960	1260	31	29	01E	1	WR	195.00	195.00	136.00	136.00
Same	IRR	NK	G		NC	NE		3960	1720	31	29	01E	2	WR		9.17 59.86		
A 31438 00	IRR	NK	G		NE	NE	NE	4660	90	25	29	01W	6	WR	100.00	100.00	137.50	137.50
A 35151 00	IRR	NK	G		NW	SE	NW	3910	3955	25	29	01W	4	WR	122.00	122.00	95.00	95.00
A 35951 00	IRR	NK	G		NC	SE		1320	1320	26	29	01W	6	WR	195.00	195.00	160.00	160.00
A 37377 00	IRR	NK	G		NW	SE	SW	1220	3790	06	30	01E	1	WR	195.00	195.00	130.00	130.00
A 37965 00	IRR	NK	G		SE	NW	SE	1330	1330	25	29	01W	5	WR	160.00	160.00	106.50	106.50
A 38085 00	IRR	NK	G		NC	E2	SE	1289	660	30	29	01E	4	WR	100.00	100.00	155.00	0.00
A 38222 00	IRR	NK	G		NE	NE	NE	4660	90	25	29	01W	6	WR	195.00	95.00	137.50	0.00
A 47538 00	MUN	KE	G		NE	NW	NW	5172	4100	26	29	01W	3	WR	72.44	72.44		
A 47539 00	MUN	KE	G		NW	NW	NW	5150	5100	26	29	01W	2	WR	72.44	0.00		
A 49620 00	IRR	AY	G			NW		3663	4884	36	29	01W	3	WR	208.00	208.00	160.00	160.00
Same	IRR	AY	G		NW	SW	NW	3666	5169	36	29	01W	4	WR	163	163		
Same	IRR	AY	G		SW	NW	NW	3944	4885	36	29	01W	5	WR				
Same	IRR	AY	G		NE	SW	NW	3662	4605	36	29	01W	6	WR				
Same	IRR	AY	G		NW	SW	NW	3381	4890	36	29	01W	7	WR				
A 49621 00	IRR	AY	G			SW		1295	3964	36	29	01W	8	WR	208.00	208.00	160.00	160.00
Same	IRR	AY	G		SE	NW	SW	1294	4256	36	29	01W	9	WR				
Same	IRR	AY	G		SW	NE	SW	1580	3967	36	29	01W	10	WR				
Same	IRR	AY	G		NW	SE	SW	1295	3671	36	29	01W	11	WR				
Same	IRR	AY	G		NW	SE	SW	1008	3960	36	29	01W	12	WR				

limitation with
 WR # 8588 allows
 261.64 AF to be
 pumped out
 of #2149

2198.08 AF
 appropriated

416 pending

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
STAFFORD FIELD OFFICE
300 S. MAIN STREET
STAFFORD, KS 67578-1521



PHONE: (620) 234-5311
FAX: (620) 234-6900
www.agriculture.ks.gov

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

March 22, 2018

David Taylor
10850 S West St
Peck, KS 67120

Re: Pending Application, File No. 49,620

Dear Sir or Madam:

This is to advise you that Shelly S. Hoobler has filed the application referred to above for a permit to appropriate 163 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a battery of four (4) wells. The proposed point of diversion for 49,620 is geocenter of the well battery, which are located as follows:

Northwest Quarter of the Southwest Quarter of the Northwest Quarter of Section 36, Township 29 South, Range 1 West, Sedgwick County, Kansas.

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

If you have any questions or comments, you may also contact me at (620) 234-5311. If you call, please reference the file number so I can help you more efficiently. Mailed comments can be sent to the Stafford Field Office at 300 S. Main St. Stafford, KS 67578-1521.

Sincerely,

Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

pc:

SCANNED

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



1:12,000

2013 aerial

0 650 1,300 2,600 3,900 5,200 Feet

Legend	
	Section Corners
	Section Lines

MJM-DWR 3/22/18

Proposed Water Appropriation, File No. 49,620
36-29S-1W
Sedgwick County



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

March 22, 2018

Charlie Gatson
11405 S West St
Peck, KS 67120

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Matt Meier
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Water Appropriations Program

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GOVERNOR JEFF COLYER, M.D.
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1:12,000

2015 aerial

0 650 1,300 2,600 3,900 5,200 Feet

Legend

-  Section Corners
-  Section Lines

MJM-DWR 3/22/18

Proposed Water Appropriation, File No. 49,620
36-29S-1W
Sedgwick County



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JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 22, 2018

Roger Savage
11525 S West St
Peck, KS 67120

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Water Appropriations Program

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JACKIE McCLASKEY, SECRETARY OF AGRICULTURE



1:12,000

2015 aerial

0 650 1,300 2,600 3,900 5,200 Feet

Legend	
	Section Corners
	Section Lines

MJM-DWR 3/22/18

Proposed Water Appropriation, File No. 49,620
36-29S-1W
Sedgwick County



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March 22, 2018

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Sincerely,

Matt Meier
Environmental Scientist
Water Appropriations Program

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

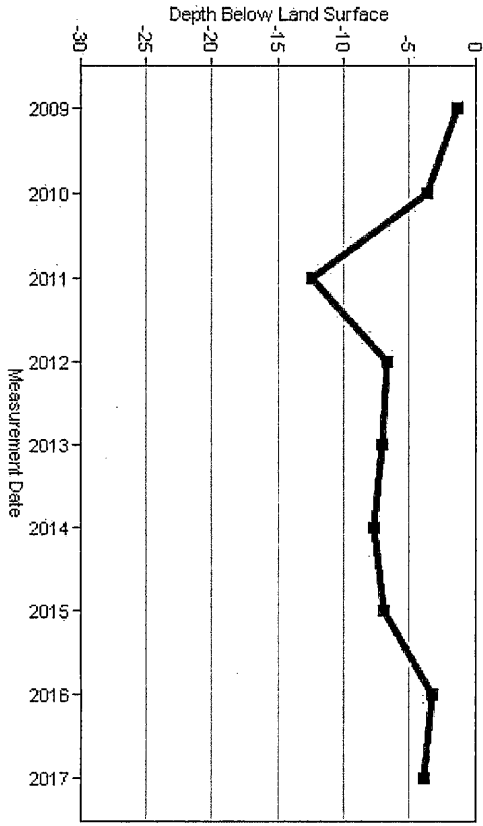


Legend
+ Section Corners
□ Section Lines
MJM-DWR 3/22/18

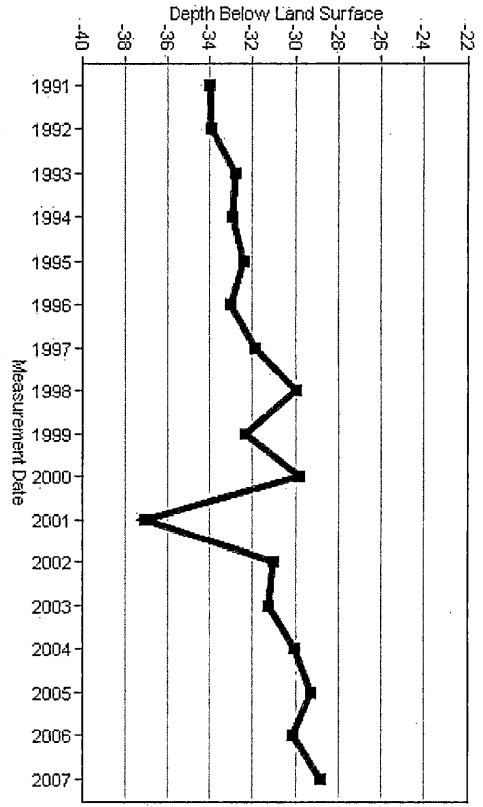
0 650 1,300 2,600 3,900 5,200 Feet

Proposed Water Appropriation, File No. 49,620
36-29S-1W
Sedgwick County

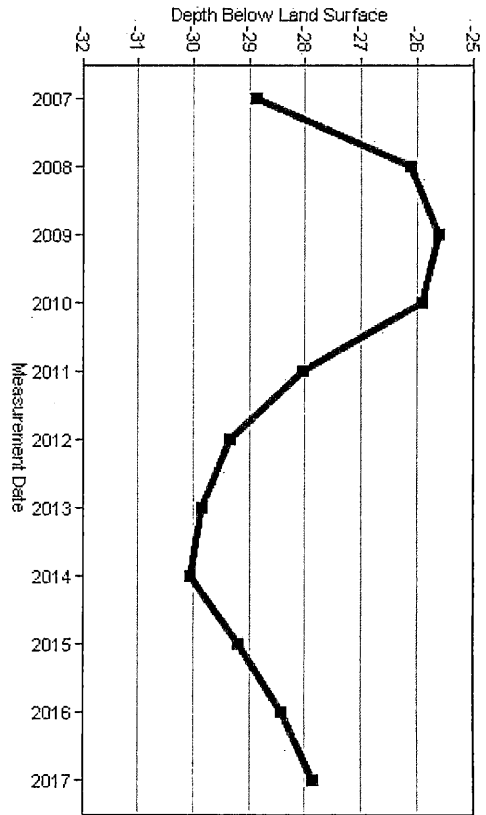




29S1W29



29S1W25_91-07



29S1W25_07_17



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

April 13, 2016

SHELLY S HOOBLER
1345 E 130TH AVE N
MULVANE KS 67110

RE: Application
File No. 49620

Dear Sir or Madam:

Your application for permit to appropriate water in 36-29S-1W 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) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent A Turney, L.G.
New Application Unit Supervisor
Water Appropriation Program

KAK: DLW
pc: STAFFORDField Office
GMD

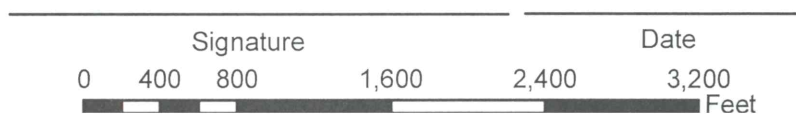
SCANNED

File No.



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

-  ProposedPD
-  ProposedPlaceOfUse
-  Domestic Wells
-  Water Rights
-  SFFOsec_corners



Created By: Matt Meier
F.O. 2
Date: 3/28/2018



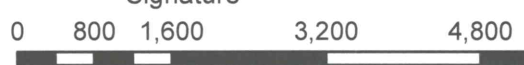
I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map

- Proposed PD
- Water Rights
- SFFOsec_corners
- Proposed Place Of Use

[Handwritten Signature]

 Signature

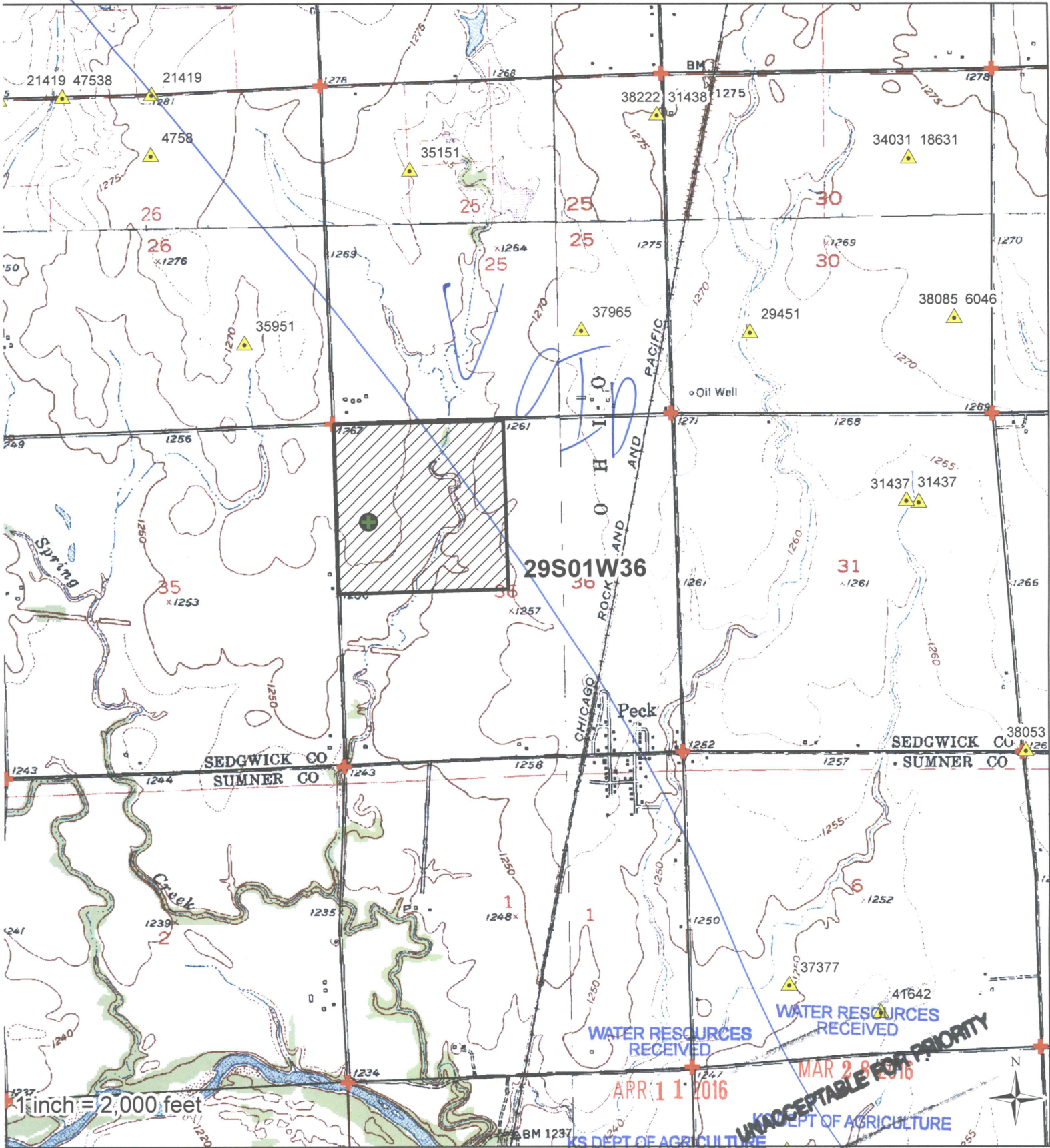
4/17/16
 Date
 Created By: Matt Meier
 F.O. 2
 Date: 2/24/2016
 ACCEPTABLE FOR PRIORITY CHANNEL
 WATER RESOURCES RECEIVED
 APR 23 2016
 KS DEPT OF AGRICULTURE



File No. _____

See updated map

49,620



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

- Proposed PD
- Water Rights
- SFFOsec_corners
- ProposedPlaceOfUse

Matt Meier
Signature

Date

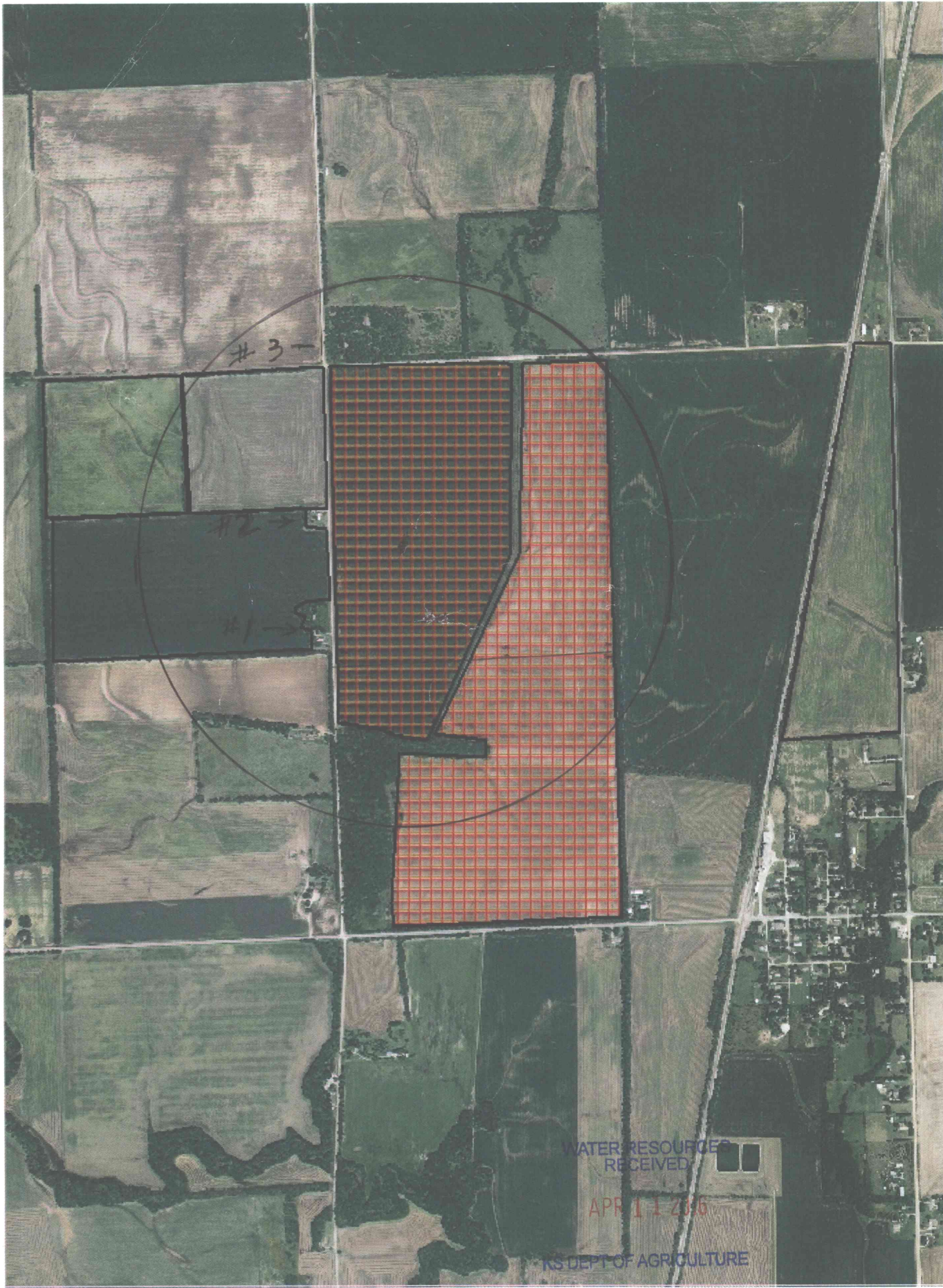
0 800 1,600 3,200 4,800 6,400 Feet

Created By: Matt Meier
F.O. 2
Date: 3/24/2016

SCANNED

WATER RESOURCES RECEIVED
WATER RESOURCES RECEIVED
MAR 28 2016
UNACCEPTABLE FOR PRIORITY
KS DEPT OF AGRICULTURE

49,620



Height = 11831 feet
Width = 8750 feet

Center Lat= 37.4843545 (37° 29' 3.68" N)
Center Lon = -97.3827355 (97° 22' 57.85" W)

NAMES & ADDRESS
ON BACK
SCANNED

#1 ROGER SAVAGE
11525 S WEST ST
PECK KS 67120

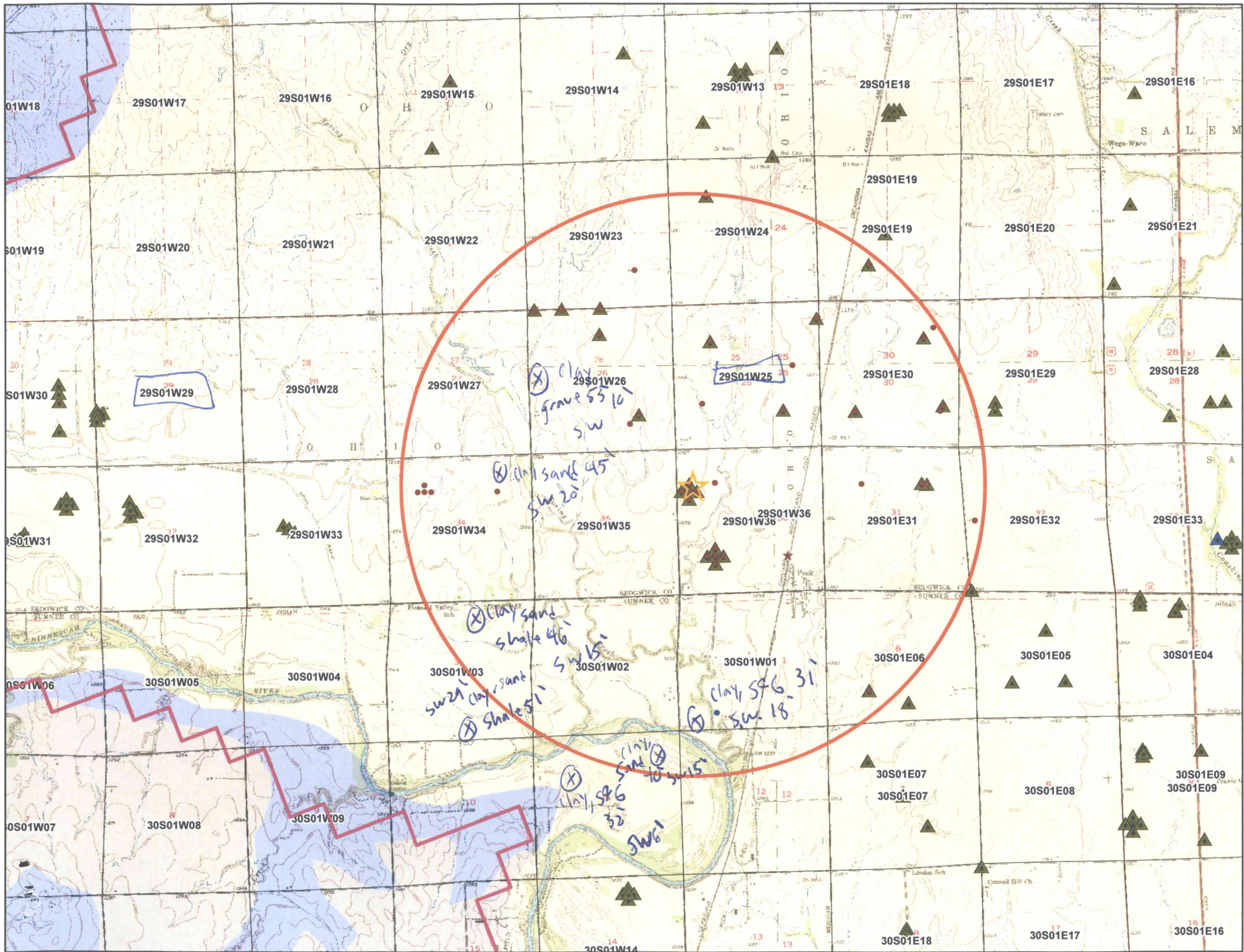
#2 CHARLIE GATSON
11405 S WEST ST
PECK KS 67120

Well right behind
western edge of house, mid
point

#3 DAVID TAYLOR
10850 S WEST ST
PECK KS 67120

WATER RESOURCES
RECEIVED

KS DEPT. OF AGRICULTURE



29S01W29

29S01W25

⊗ Clay sand
gravel 55 10
SW

⊗ Clay sand
shale 45
SW 20

⊗ Clay sand
shale 46
SW 15

⊗ Clay sand
shale 51

⊗ Clay 58 6
SW 18

⊗ Clay 58 6
SW 1