

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files
FROM: Matt Meier

DATE: June 22, 2018
RE: Application, File No. 49,735

The John E Dugan Family Partnership LP filed the referenced application for a permit to appropriate water for beneficial use, proposing the appropriation of 169 acre-feet of groundwater for irrigation use. The proposed well battery Geo-Center is to be located in the Northwest Quarter of the Northeast Quarter of the Northeast Quarter (NW¼ NE¼ NE¼) of Section 13, more particularly described as being near a point 4750 feet North and 1320 feet West of the Southeast corner of said section, in Township 29 South, Range 1 West, Sedgwick County, Kansas within the Ninnescah River basin.

Fourteen wells were identified by the applicant within one-half mile of the proposed point of diversion. These well owners were notified of the applicant's intention to appropriate groundwater in a letter dated September 27, 2017. A number of individuals called with concerns and six individuals submitted written comments. Most of the concerns with the application were in respect to the large volume of water requested by the pending application in comparison to a typical household well. Most indicated that they had not had any problems with water levels in the past and this has been confirmed by a review of area water level measurements. The closest domestic well is located approximately 1,350 feet to the east. The WRIS database shows the nearest non-domestic well is approximately 1,920 feet away. Thus, the proposed point of diversion meets minimum well spacing criteria to all existing wells per the requirements in K.A.R. 5-4-4.

The source of water for the pending application appears to be Quaternary System, based on the test hole log. The specific method for calculating safe yield for unconfined groundwater aquifers is described in K.A.R. 5-3-11. Per K.A.R. 5-3-11(d)(1), the safe yield area of consideration represents the portion of the two-mile circle located within the limit of the unconfined aquifer expressed in acres (8,042 acres for this file). Calculated recharge is 5.4 inches, and for hydrologic units within the Ninnescah River Basin, 75 percent of the calculated recharge can be considered to be available for appropriation.

The safe yield determination was based on Area of Consideration x potential annual recharge x percent of recharge available, as follows: $8,042 \text{ acres} \times 5.4 \text{ inches} \times 75\% = 32,570.1 \text{ acre-inches} / 12 = 2,714.18 \text{ acre-feet}$. Prior appropriations within the same area of consideration total 3,217.63 acre-feet, which exceeds this calculated safe yield quantity. Therefore, safe yield determination resulted in no water available for appropriation within this area of consideration. This determination was made using the latest procedural process regarding limitations and additional quantities.

The applicant was sent a letter on January 9, 2018 explaining the safe yield evaluation and stating that it would be recommended to the Chief Engineer that pending application, File No. 49,735 be denied and dismissed due to the failure to meet safe yield criteria, as required by K.A.R. 5-3-10 and K.A.R. 5-3-11. The applicant was provided 15 days (until January 24, 2018) to either (1) submit additional information to our office or (2) request additional time beyond the 15 days to submit additional information. Brad Vincent, of Ground Water Associates, requested a 30-day extension in a letter received on January 24, 2018.

On February 21, 2018 Brad Vincent submitted an appeal of the denial recommendation on behalf of the applicant, and on May 10, 2018, Mr. Vincent met with DWR in person to further discuss the information he provided. After considerable discussion amongst DWR staff, we decided that the way we evaluated safe yield for this application was inconsistent with how other applications were being evaluated at the time that the original application was filed, and if the application had been evaluated in a similar manner, approximately 400.93 acre-feet of water would've been available for appropriation. Furthermore, the information Mr. Vincent supplied demonstrates that the aquifer can likely support this appropriation. Based on the above information, it is recommended that the referenced application be approved.

Matt Meier
Environmental Scientist
Permits Unit

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 28, 2018

FILE COPY

JOHN E DUGAN FAMILY PARTNERSHIP LP
15810 W 47TH ST SOUTH
CLEARWATER KS 67026

RE: Appropriation of Water, File No. 49,735

Dear Mr. Dugan:

Upon further review of additional information that has been submitted, we have decided to reconsider our recommendation that your application be denied. Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in said permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit.

An acceptable water flowmeter which meets or exceeds specifications adopted by the Chief Engineer must be installed on the diversion works authorized by this permit prior to putting water to beneficial use. Notice shall be filed on a form prescribed by the Chief Engineer once the water flowmeter has been installed and the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the expiration of time for completion set forth in the permit. Any request for an extension of time shall be accompanied by the statutorily required fee, which is currently \$100.00.

Accurate and complete records shall be maintained which document the quantity of water diverted during each calendar year, and an annual water use report shall be filed with the Chief Engineer by March 1, following the end of each calendar year. If an annual water use report is not received by the deadline, a fine may be assessed and all water use under such right or permit may be suspended. To aid in the process, reports may now be filed online at www.kswaterusereport.org.

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way, or authorize injury to, or trespass upon, public or private property, nor does it obviate the necessity of obtaining assent from federal or local governmental authorities, when necessary.

Enclosed is an informational sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. Additional information and applicable forms may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any other questions, please contact our office at 785-564-6640. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Division of Water Resources

Enclosure(s)

pc: Stafford Field Office

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, File No. **49,735** of the applicant

**JOHN E DUGAN FAMILY PARTNERSHIP LP
15810 W 47TH ST SOUTH
CLEARWATER KS 67026**

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 **December 1, 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	
13 29S 1W	32.5	32.5	32.5	32.5													130

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 with a geographical center located in the Northwest Quarter of the Northeast Quarter of the Northeast Quarter (NW¼ NE¼ NE¼) of Section 13, more particularly described as being near a point 4,750 feet North and 1,320 feet West of the Southeast corner of said section, in Township 29 South, Range 1 West, Sedgwick County, Kansas located substantially as shown on the topographic map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **169 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 re-diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

17. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

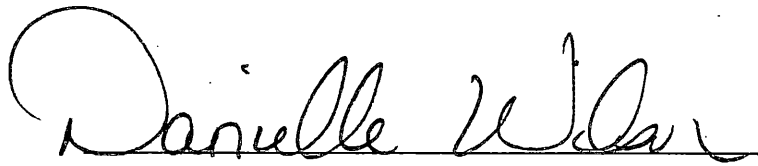
CERTIFICATE OF SERVICE

On this 28th day of June, 2018, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,735, dated June 25th, 2018 was mailed postage prepaid, first class, US mail to the following:

JOHN E DUGAN FAMILY PARTNERSHIP LP
15810 W 47TH ST SOUTH
CLEARWATER KS 67026

With photocopies to:

Stafford Field Office



Division of Water Resources

THE STATE OF KANSAS



APPLICATION COMPLETE
6/22/18
Reviewer KAB

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

WATER RESOURCES RECEIVED

File Number 49735
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

MAR 15 2017

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

DEC 01 2016

KS DEPT OF AGRICULTURE

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

1:47
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): JOHN E. DUGAN FAMILY PARTNERSHIP LP
Address: 15810 W 47TH SOUTH
City: CLEARWATER State KS Zip Code 67026
Telephone Number: (316) 259-7282

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

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

3. The maximum quantity of water desired is 169 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 800 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>0</u>	Meets K.A.R. 5-3-1 (YES/NO) <u>(YES)</u>	Use <u>IRR</u>	Source <u>G</u>	County <u>SG</u>	By <u>KAB</u>	Date <u>12/1/16</u>
Code <u>REQ</u>	Fee \$ <u>300</u>	TR # _____	Receipt Date <u>12/1/16</u>	Check # <u>1007</u>			

SCANNED

12/5/2016 LUM

1 Test HOLES WILL BE DRILLED IN THE 1/4 SECTION TO DETERMINE WELL LOCATIONS.

File No. _____

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.

Center point and Batt 1

(A) One in the NW quarter of the NE quarter of the NE quarter of Section 13, more particularly described as being near a point 4750 feet North and 1320 feet West of the Southeast corner of said section, in Township 29 South, Range 1 East West (circle one), Sedgewick County, Kansas.

Batt 2 of 4

(B) One in the SW quarter of the NE quarter of the NE quarter of Section 13, more particularly described as being near a point 4540 feet North and 1320 feet West of the Southeast corner of said section, in Township 29 South, Range 1 East West (circle one), SG County, Kansas.

Batt 3 of 4

(C) One in the NW quarter of the NE quarter of the NE quarter of Section 13, more particularly described as being near a point 4960 feet North and 1320 feet West of the Southeast corner of said section, in Township 29 South, Range 1 East West (circle one), SG County, Kansas.

Batt 4 of 4

(D) One in the NW quarter of the NE quarter of the NE quarter of Section 13, more particularly described as being near a point 4750 feet North and 1220 feet West of the Southeast corner of said section, in Township 29 South, Range 1 East West (circle one), SG 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)

(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 11-28, 2016.

John W. Dugan
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 BATTERY OF 4 WELLS (number of wells, pumps or dams, etc.) and (was/will be) completed (by) Dec 31 2017 (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 May 2017 (Mo/Day/Year)

WATER RESOURCES RECEIVED

MAR 15 2017

KS DEPT OF AGRICULTURE

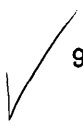
WATER RESOURCES RECEIVED

DEC 01 2016

KS DEPT OF AGRICULTURE

SCANNED

KSAB/DWR 6-22-18



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.

NONE

WATER RESOURCES RECEIVED

MAR 15 2017

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

DEC 01 2016

KS DEPT OF AGRICULTURE

SCANNED

1. Test Holes Will Be Drilled To Determine Location
in the 1/4 Section.

File No. _____

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	14 Feb 17	14 Feb 17	_____	_____
Total depth of well	75	68	_____	_____
Depth to water bearing formation	27	14	_____	_____
Depth to static water level	30	30	_____	_____
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 11-28-2016, Kansas, this 28 day of November, 2016.
(month) (year)

Clearwater

John W. Negan
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by BRAD VINCENT GROUND WATER ASSN. Date: 23 NOV 2016
(office/title)

WATER RESOURCES
RECEIVED

MAR 15 2017

KS DEPT OF AGRICULTURE

WATER RESOURCES
RECEIVED

DEC 01 2016

KS DEPT OF AGRICULTURE
SCANNED

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 49735

Name of Applicant (Please Print): JOHN E. DUGAN Family

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: JOHN E. DUGAN Family
ADDRESS: 15810 W. 47TH SOUTH, CLEARWATER KS 67026

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13	295	1W	32½	32½	32½	32½													130

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 (%)	Slope	Intake Rate (in/hr)	Irrigation Design Group
BLANKET SILT Loame	62.5	0-1%		
BLANKET SILT Loame	22.7	1-3%		
TABLER SILTY CLAY Loame	14.8	0-1%		
Total:	100 %			

b. Estimate the average land slope in the field(s): 1 %

Estimate the maximum land slope in the field(s): 3 %

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: NO SYSTEM BOUGHT YET.

(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:

WHEAT SOY BEANS, CORN

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.

Analysis Results

The selected PD is in an area OPEN to new appropriations.

The safe yield based on the variables listed below is 2,714.34 AF.

Total prior appropriations in the circle is 2,482.41 AF. $- 169 = 2313.41$

Total quantity of water available for appropriation is 231.93 AF. $\rightarrow 400.93$ AF available

Safe Yield Variables

The area used for the analysis is set at 8,042 acres.

The potential annual recharge at the circle center is estimated to be 5.4 inches.

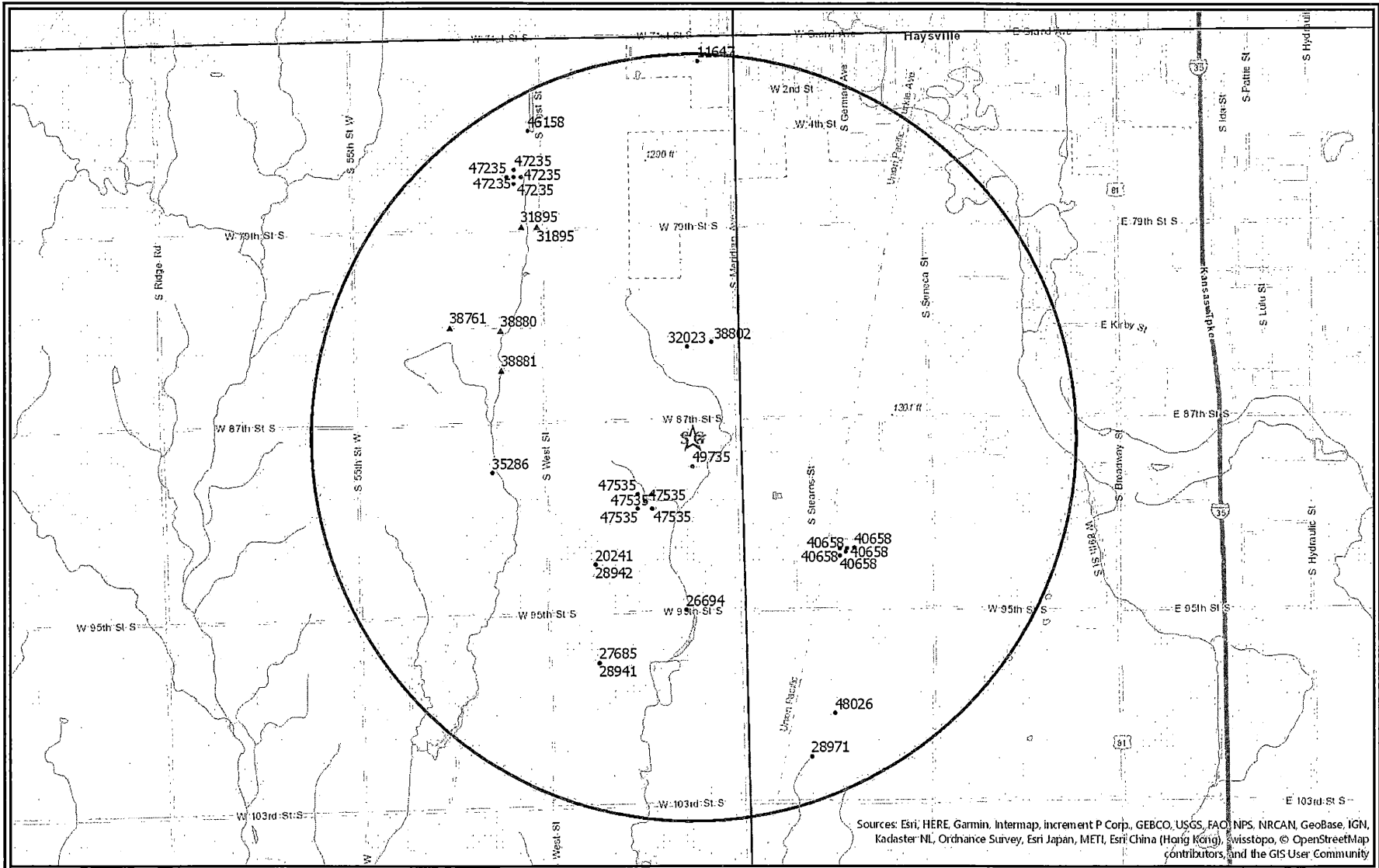
The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 20-APR-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 20 water rights and 31 points 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	Tot Acres	Net Acres
A 11647 00	IRR	NK	G	NC	N2	NE	NE	4579	906	01	29	01W	1	WR	25.00	25.00	70.00	70.00
A 20241 00	IRR	NK	G			NC	SW	1320	4030	13	29	01W	1	WR	77.00	77.00	138.00	138.00
A 26694 00	IRR	NK	G		SE	SW	SE	100	1560	13	29	01W	2	WR	146.00	146.00	140.00	140.00
A 27685 00	IRR	NK	G			NC	NW	3960	3950	24	29	01W	1	WR	178.00	178.00	138.00	138.00
A 28941 00	IRR	NK	G			NC	NW	3960	3950	24	29	01W	1	WR	29.00	29.00	138.00	0.00
A 28942 00	IRR	NK	G			NC	SW	1320	4030	13	29	01W	1	WR	110.00	110.00	138.00	0.00
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 31895 00	MUN	NK	G		SE	SE	SE	100	560	02	29	01W	3	WR	552.40	552.40		
Same	MUN	NK	G		SE	SE	SE	100	100	02	29	01W	2	WR				
A 32023 00	IRR	NK	G		NC	N2	SE	2145	1277	12	29	01W	4	WR	90.00	90.00	79.00	79.00
A 35286 00	IRR	NK	G			NC	NE	3950	1500	14	29	01W	1	WR	175.50	175.50	135.00	135.00
A 38761 00	MUN	KK	G			NC		2640	2640	11	29	01W	1	WR	314.01	37.81		
A 38802 00	IRR	NK	G		NC	NE	SE	2099	680	12	29	01W	2	WRF	12.00	12.00	79.00	0.00
A 38880 00	MUN	KK	G		NC	E2	E2	2540	1220	11	29	01W	3	WR	314.01	0.00		
A 38881 00	MUN	LR	G			NC	SE	1450	1220	11	29	01W	4	WR	314.01	0.00		
A 40658 00	IRR	NK	G		SW	NW	SE	1653	2220	18	29	01E	9	WR	213.00	213.00	143.00	143.00
Same	IRR	NK	G		SW	NW	SE	1550	2460	18	29	01E	13	WR				
Same	IRR	NK	G		SW	NW	SE	1453	2620	18	29	01E	12	WR				
Same	IRR	NK	G		SW	NW	SE	1653	2620	18	29	01E	11	WR				
Same	IRR	NK	G		SW	NW	SE	1653	2420	18	29	01E	10	WR				
A 46158 00	IRR	NK	G		SE	SE	NE	2762	326	02	29	01W	9	WR	166.40	166.40	128.00	128.00
A 47235 00	IRR	KE	G		SW	NE	SE	1500	750	02	29	01W	10	WR	205.40	205.40	158.00	158.00
Same	IRR	KE	G		SW	NE	SE	1700	750	02	29	01W	12	WR				
Same	IRR	KE	G		NW	SE	SE	1300	750	02	29	01W	13	WR				
Same	IRR	KE	G		SW	NE	SE	1500	550	02	29	01W	14	WR				

Safe Yield Report Sheet
Water Right- Proposed Point of Diversion
Point of Diversion in 13-29S-01W
Footages from SE corner- 4,750 feet North 1,320 feet West



File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
Same	IRR	KE	G		SW	NE	SE	1500	950	02	29	01W	15	WR				
A 47535 00	IRR	HK	G		SE	SE	NW	3000	2650	13	29	01W	8	WR	176.80	176.80	146.00	146.00
Same	IRR	HK	G		SW	SW	NE	2800	2450	13	29	01W	9	WR				
Same	IRR	HK	G		SE	SE	NW	3200	2850	13	29	01W	10	WR				
Same	IRR	HK	G		SW	SW	NE	3200	2450	13	29	01W	11	WR				
Same	IRR	HK	G		SE	SE	NW	2800	2850	13	29	01W	12	WR				
A 48026 00	IRR	GY	G		NE	NE	SW	2450	2670	19	29	01E	2	WR	87.10	87.10	114.00	0.00
A 49735 00	IRR	AY	G				NE	3960	1320	13	29	01W	13	WR	169.00	169.00	130.00	130.00

Limitations

File Number	Seq Num	Limitations
A 28941 00	1	@800GPM COM/W #27685
A 28942 00	1	@725GPM COM/W #20241
A 38761 00	1	648.440MGY COM/W #2814, 31895 & 33420
A 38880 00	1	648.440MGY COM/W #2814, 31895, 33420 & 38761
A 38881 00	1	648.440MGY COM/W #2814, 31895, 33420, 38761 & 38880

Ground Water Associates, Inc.

109 W. 1st AVENUE, P.O. BOX 792 • GODDARD, KS 67052 • 316-550-6177

Feb 17, 2018

Matt Meier
Division of Water Resources
300 S. Main Street
Stafford, Kansas 67578-1521

Subject: John Dugan Family Partnership Pending File No. 49,735

Dear Matt,

This letter is written to transmit additional information to show why the Division of Water Resources should reconsider this application.

Geology

State Geological Survey of Kansas, Bulletin 176, Geohydrology of Sedgwick County, Kansas, The University of Kansas, 1965 indicates that Section 13, T29S, R1W is located in the Illinoisan terrace deposit that yields large quantities of water to wells in Sedgwick County. These terrace deposits are fine to coarse sand and gravel, with sandy silt in the upper part.

Bulletin 176, has a cross section which runs from Section 17, T29S, R3W on the west, to Section 18, T29S, R2E on the east (Section D - D' included with this report). The saturated formation along this line is nine miles wide and runs from Spring Creek, Section 21, T29S, R1W on the west, to the Arkansas River on the east, Section 14, T29S, R1E. One point (29-1W-13 ccc), on the cross section is located in the SE ¼ of Section 13, T29S, R1W, the same section as our pending application 49735. Unfortunately the log and static water level are not included in Bulletin 176. However Figure 21, Map of Sedgwick County, Kansas, which shows the saturated thickness of the unconsolidated Neogene sediments in the Arkansas Valley (included with this report), does show saturated thickness of 40 feet running north to south through the northwest to southwest quarter of Section 13, T29S R1W. Figure 22, Map of Sedgwick County, Kansas, showing the total thickness of sand and gravel in the unconsolidated Neogene sediments in the Arkansas Valley shows the 40 feet of sand and gravel running through the NE ¼ of Section 13, T29S, R1W (included with this report).

Water should be flowing southward, towards the Ninnescah River in this area of the aquifer. The closest municipal well is located approximately 5,500' to the northwest of pending application 49735. Ground elevations at the Haysville well field in Sections 2 & 11, T29S, R1W are between 1289' to 1285', which is up gradient of the NE ¼ Section 13, T29S, R1W.

RECEIVED

FEB 21 2018

Page 1 of 3



Stafford Field Office
Division of Water Resources

The Investigation

Two test holes (TH 2-17 & TH 3-17) and one 5" test well (TW 1-17) were drilled in February of 2017 (topographic map with drill sites located is attached). Ground elevation at all sites was approximately 1281' and the static water level at TW 1-17 was 29.65', or 1251'. Saturated thicknesses ranged from 34.35' at TW 1-17 to 44.35' at TH 2-17. See attached Clarke Well and Equipment logs.

Test Well 1-17 was test pumped for one hour at 111 gallons per minute, and the pumping water level was 33.26', or 3.61' of drawdown, at sixty minutes. Specific capacity was 30.75 gallons per minute per foot of drawdown (see attached pumping test data). The Aquifer Test 4.0 analysis indicates a transmissivity of 66,200 g/d/ft on drawdown and 69,200 g/d/ft on recovery. The storativity is not valid due to there being no observation well.

Water Rights

Prior to drilling for either municipal or agricultural entities, Ground Water Associates first checks, to the best of our ability, the geology of the area, and what water rights should be available. We depend on the best available Division of Water Resources data to give our clients a reasonable chance of acquiring a water right before we spend any of their money test drilling.

Marked on our two mile circle topographic map and highlighted in yellow are the Haysville water rights which have all been added into the Safe Yield two mile circle for pending application 49735, even though water right 2814 and 33420 (909.999 acre-feet) are located outside this circle.

Ground Water Associates has, and is working with the City of Haysville on water projects. From my conversation with Brent Turney, Division of Water Resources on January 24, 2018, we understand how the city's water rights are limited and how the city's wells can be pumped. It does appear that Section 11, T29S, R1W area is currently being pumped hard.

Conclusion

Bulletin 176, Geohydrology of Sedgwick County, Kansas records indicated that the northeast quarter of Section 13 is located over a very strong aquifer. The forty feet of saturated thickness shown in Figure 21 is just what we found in our investigation of the northeast ¼ of Section 13, 34.35 to 44.35 feet of saturated thickness. Static water level appears to be close to the same as when Bulletin 176 data was collected prior to 1965.

The historical Bulletin 176 material does not indicate that the municipal water rights currently being pumped in Sections 2 & 11, T29S R1W have reduced the saturated thickness in Section 13, T29S, R1W. In our opinion, this is due to the spacing of current permitted wells, the 9 mile width of the aquifer, the recharge of the aquifer, and the general direction of ground water flow towards the south.

The current Safe Yield analysis (attached to this report) indicates that 231.77 acre feet of water are available to appropriate at this site. Ground Water Associates agrees that the 5.4 inches of recharge for this very wide aquifer is correct, and we do not think that this pending irrigation water right 49735 (169 acre feet) will

RECEIVED

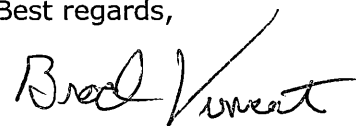
FEB 21 2018

adversely affect either current water rights or domestic wells in this area. We also acknowledge the 75% of 5.4 inches of recharge, which reduces the water available to appropriate to 4.05 inches.

A proper investigation involves both formation drilling and a short pumping test from a test well to determine if the aquifer can supply the requested water. Changing the regulation procedures without any notifications does not seem fair to applicants that are required to spend large sums of money prior to approval to receive a water right.

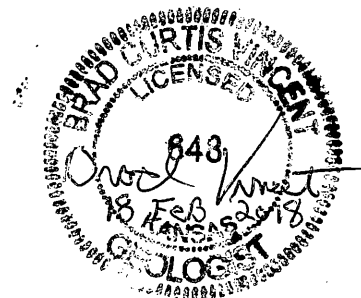
Ground Water Associates works primarily for municipal water systems. When locating a place to drill, we must convince landowners that a new municipal water system will not over pump their aquifer. We appreciate the good work of both the Division of Water Resources and the Kansas Geological Survey in determining what amount of water can safely be pumped from an aquifer. We need to be able to assure the agricultural users that locating a municipal water right in a local aquifer will not reduce the total water that will be appropriated from an aquifer.

Best regards,



Brad C. Vincent, P.G.
Ground Water Associates

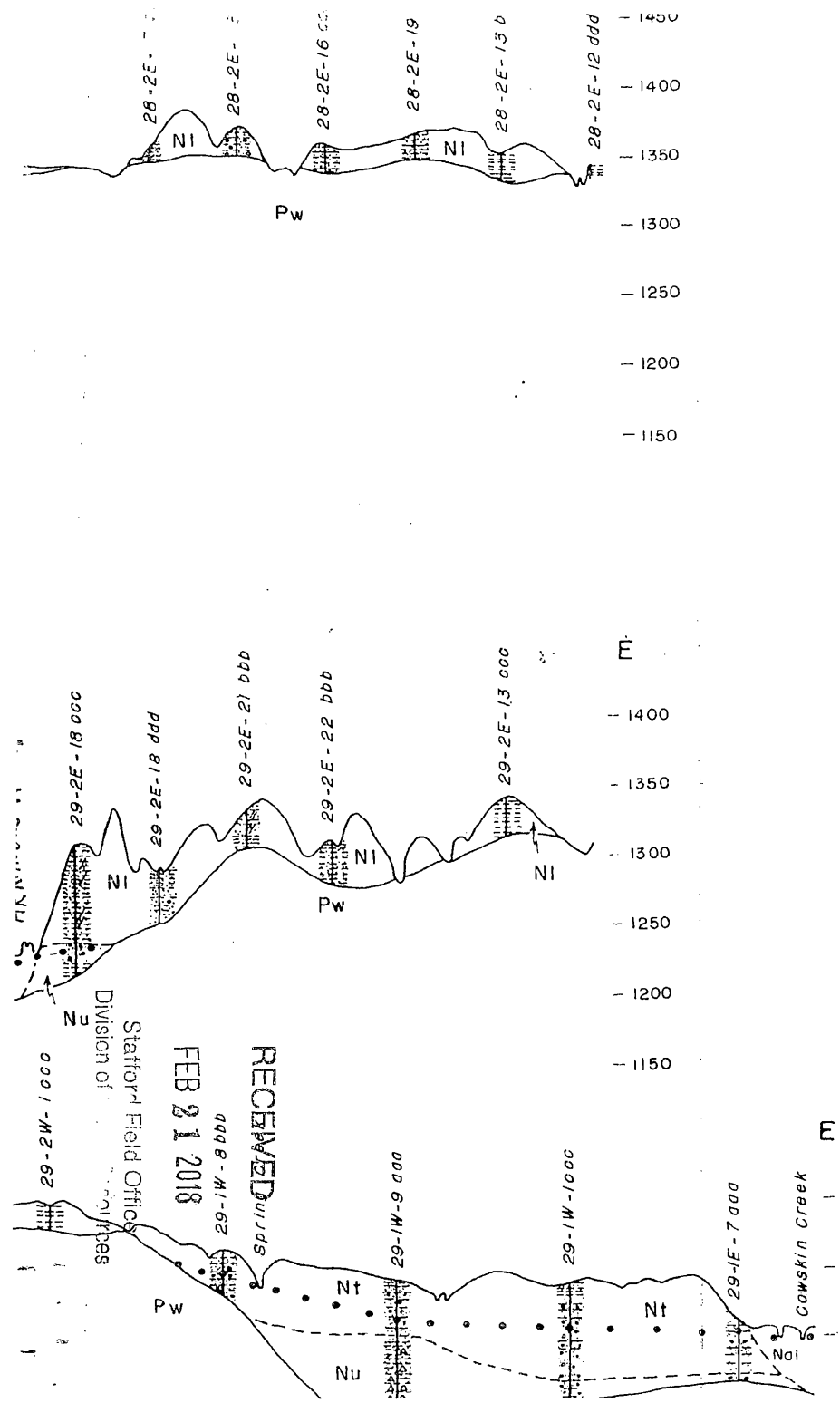
Pc: John Dugan
15810 W 47th South
Clearwater, Kansas 67026



RECEIVED

FEB 21 2018

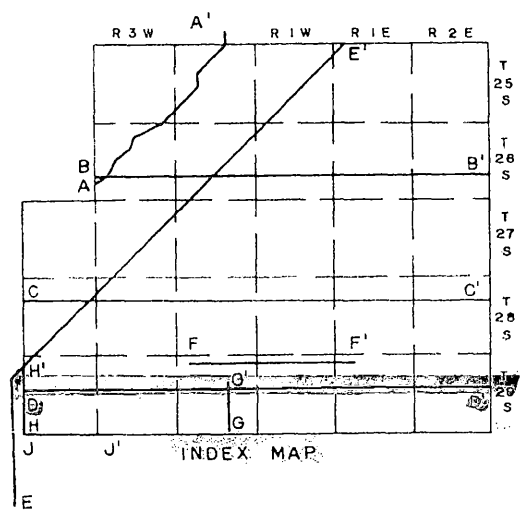
Page 3 of 3



EXPLANATION

- Na1** Recent alluvium and Wisconsinan terrace deposits
- NI** Undifferentiated, loess deposits
- Nc** Colluvium
- Nt** Illinoisan terrace deposits
- Nu** Lower Pleistocene deposits, undifferentiated
- Npu** Pliocene and Lower Pleistocene, undifferentiated
- Pn** Minnescah Shale
- Pw** Wellington Formation
- Water table**

Altitude given in feet
above mean sea-level



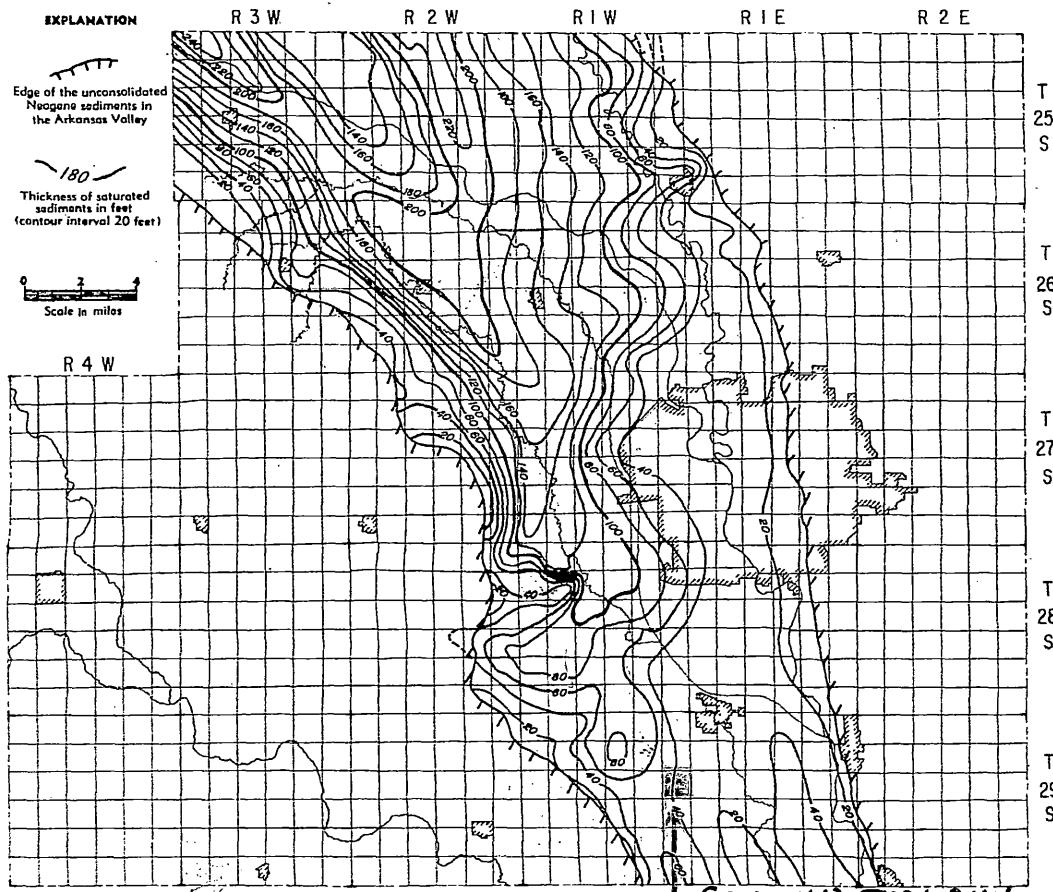


FIGURE 21. Map of Sedgwick County, Kansas, showing the saturated thickness of the unconsolidated Neogene sediments in the Arkansas Valley.

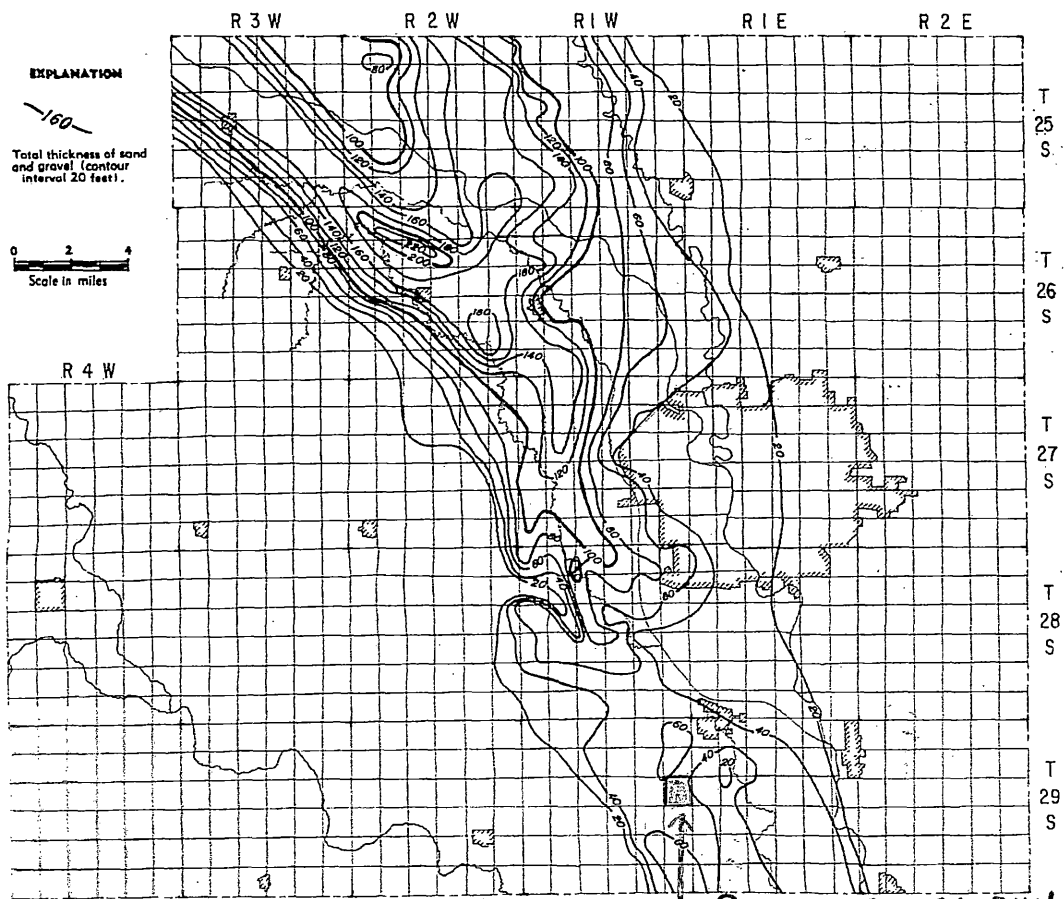


FIGURE 22. Map of Sedgwick County, Kansas, showing the total thickness of sand and gravel in the unconsolidated Neogene sediments in the Arkansas Valley.

RECEIVED

FEB 21 2018

Stafford Field Office
Division of Water Resources



13 Feb 2017

John Dugan
TW 1-17

1320' S & 1320' W of NE cor. of Section 13, T29S, R1W Elevation 1281'
GPS N 37° 31.897' W 97° 22.457'
SWL 29.65' @ GL

0 - 2'	Top Soil
2 - 5	Clay br
5 - 6	Clay gy & br
6 - 12	Clay br
12 - 21	Sand br, f-c, so. gravel f- m, pebbles
21 - 24	Clay tan
24 - 28	Sand tan, vf - m, clay streaks, loose
28 - 35	Sand tan, f - c, so. gravel, f-m
35 - 41	Sand tan, f - c, so. gravel, f - c
41 - 46	Sand rusty br, f - c, so. gravel, f - c, pebbles
46 - 61	Sand tan, f - c, so. gravel, f - m
61 - 64	Sand tan, f - c, gravel f - c
64 - 67	Shale, yel, weathered
67 - 68	Shale, yel/gy
68	Shale, gy

Set 5 "PVC- 0.032" slot screen 64' - 44'. Gravel pack to 20'. HP 20 - 0

Logged by Brad Vincent, Ground Water Associates
GPS handheld. Datum: 1927 North American Conus

RECEIVED

FEB 21 2018

Staffora Field Office
Division of Water Resources



14 Feb 2017

John Dugan
TH 2-17

740' S & 1320' W of NE cor. of Section 13, T29S, R1W Elevation 1281'
GPS N 37° 31.988' W 97° 22.457'
Est. SWL 30.00' @ GL

0 - 2'	Top Soil
2 - 11	Clay br & gy
11 - 22	Sand br, f-c, gravel f-c
22 - 24	Clay gy, sandy
24 - 27	Clay yel
27 - 30	Sand tan, vf - f, so. m
30 - 35	Sand tan, f - c, so. gravel f, loose
35 - 50	Sand tan, f - c, gravel, f - c, clean
50 - 63	Sand tan, vf - c, so. gravel, pebbles, loose
63 - 63.25	Clay yel
63.25 - 75	Sand tan, f - c, gravel, f - c, clean, loose
75	Shale, gn

Logged by Brad Vincent, Ground Water Associates
GPS handheld. Datum: 1927 North American Conus

RECEIVED

FEB 21 2018

Stafford Field Office
Division of Water Resources



14 Feb 2017

John Dugan
TH 3-17

320' S & 1320' W of NE cor. of Section 13, T29S, R1W Elevation 1281'
GPS N 37° 32.061' W 97° 22.458'
Est. SWL 30.00' @ GL

0 - 2'	Top Soil
2 - 12	Clay br
12 - 14	Clay br, sandy
22 - 24	Clay gy, sandy
14 - 20	Sand br. f - m
20 - 27	Sand tan, vf - c, loose
27 - 30	Sand tan, vf - c, clay tan (25 - 30 %)
30 - 37	Sand tan, vf - c, so. gravel, f - m, loose
37 - 43	Sand tan, f - c, gravel f-c, loose
43 - 58	Sand tan, f - c, gravel f-c, so. clay streaks
58 - 61	Sand tan, f - c, gravel, f - m, loose
61 - 68	Sand tan, f - c, gravel, f - c, loose
68 - 73	Shale, yel, weathered
73	Shale gy, hard

Logged by Brad Vincent, Ground Water Associates
GPS handheld. Datum: 1927 North American Conus

RECEIVED

FEB 21 2018

Stafford Field Office
Division of Water Resources



Ground Water Associates
109 W. 1st, P.O. Box 792
Goddard, KS 67052

Pumping Test - Water Level Data

Project: John Dugan

Number:

Client:

Location: NE 1/4, Sec 13, T29S, R1W

Pumping Test: Pumping Test 1

Pumping well: Well 1

Test conducted by: Clarke Drilling

Test date: 2/16/2017

Discharge: variable, average rate 111 [U.S. gal/min]

Observation well: Well 1

Static water level [ft]: 29.65

Radial distance to PW [ft]: -

	Time [min]	Water Level [ft]	Drawdown [ft]
1	1	32.95	3.30
2	2	33.00	3.35
3	3	33.01	3.36
4	5	33.07	3.42
5	7.5	33.11	3.46
6	9	33.13	3.48
7	11	33.17	3.52
8	15.5	33.26	3.61
9	20	33.18	3.53
10	26	33.20	3.55
11	31	33.23	3.58
12	35	33.22	3.57
13	40	33.23	3.58
14	45	33.23	3.58
15	50	33.25	3.60
16	60	33.26	3.61
17	62	29.92	0.27
18	64	29.84	0.19
19	65	29.84	0.19
20	67	29.82	0.17
21	69	29.82	0.17
22	71	29.82	0.17
23	75	29.79	0.14
24	88	29.72	0.07
25	96	29.71	0.06
26	101	29.71	0.06

Recovery



RECEIVED

FEB 21 2018



Ground Water Associates
 109 W. 1st, P.O. Box 792
 Goddard, KS 67052

Pumping Test Analysis Report

Project: John Dorgan

Number:

Client:

Location: NE 1/4, Sec 13, T29S, R1W

Pumping Test: Pumping Test 1

Pumping well: Well 1

Test conducted by: Clarke Drilling

Test date: 2/16/2017

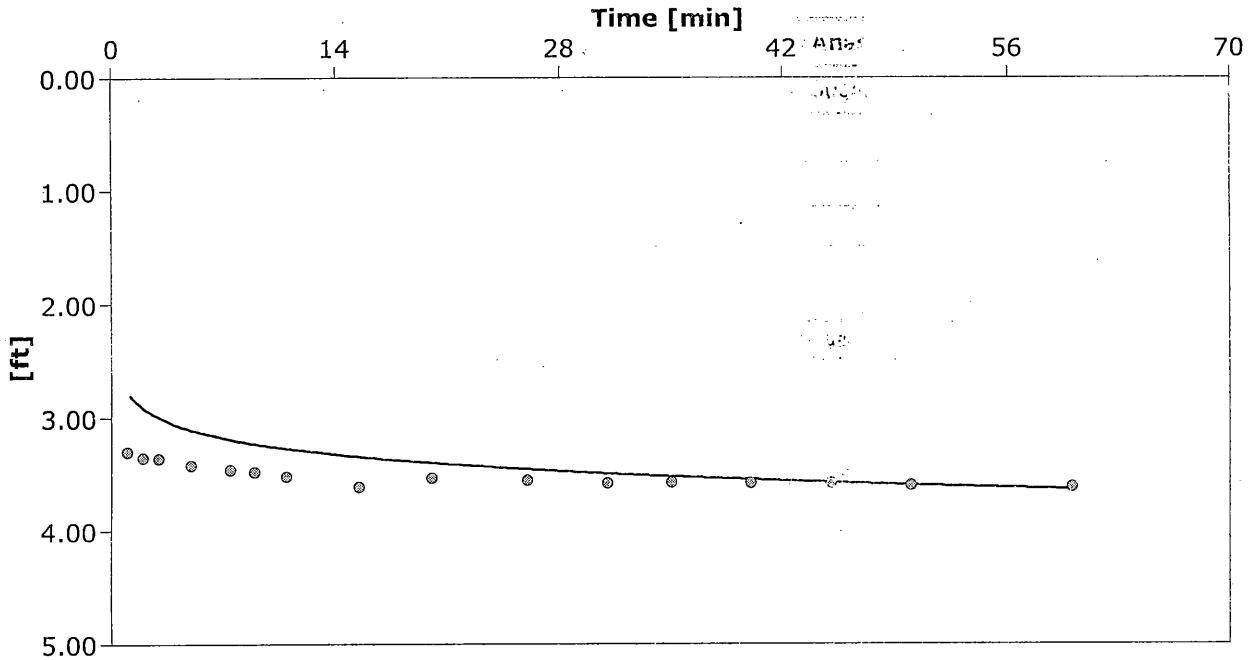
Analysis performed by: Brad Vincent

Drawdown

Date: 2/16/2017

Aquifer Thickness: 34.35 ft

Discharge: variable, average rate 111 [U.S. gal/min]



Calculation after Theis with Jacob Correction

Observation well	Transmissivity [U.S. gal/d-ft]	K [U.S. gal/d-ft ²]	Storage coefficient	Radial distance to PW [ft]
Well 1	5.62×10^{-3}	1.93×10^3	3.12×10^{-4}	0.21

RECEIVED

FEB 21 2018

Stafford Field Office
 Division of Water Resources



Ground Water Associates
 109 W. 1st, P.O. Box 792
 Goddard, KS 67052

Pumping Test Analysis Report

Project: John Dugan

Number:

Client:

Location: NE 1/4, Sec 13, T29S, R1W

Pumping Test: Pumping Test 1

Pumping well: Well 1

Test conducted by: Clarke Drilling

Test date: 2/16/2017

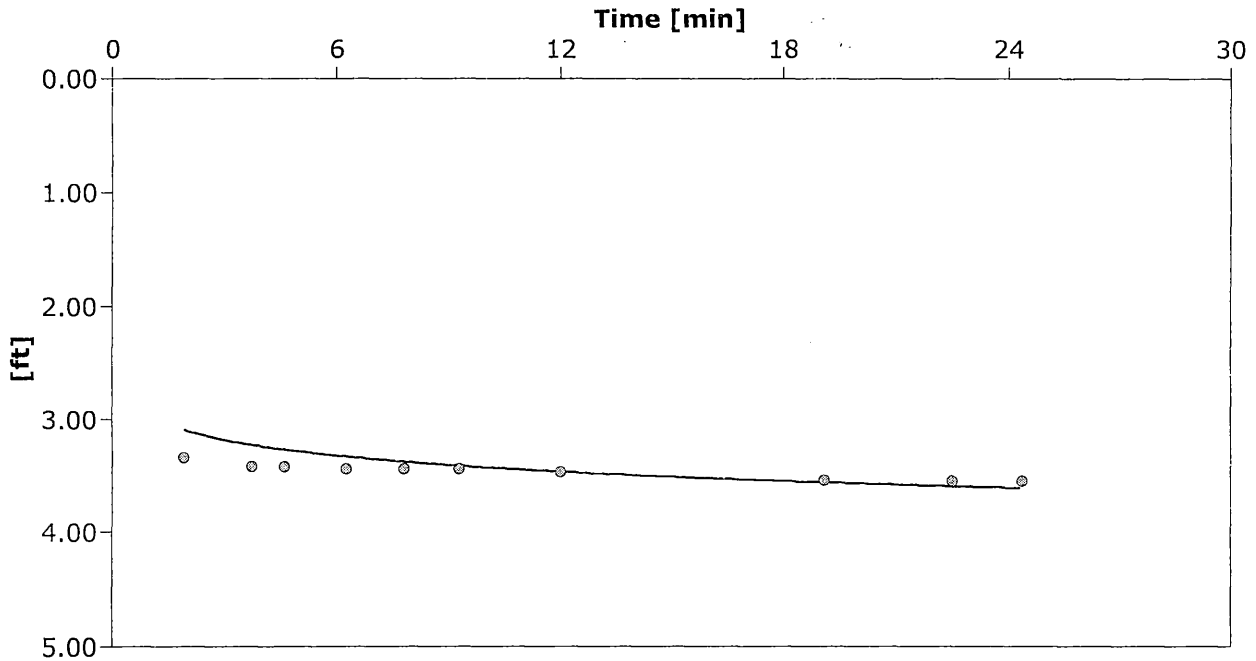
Analysis performed by: Clarke Drilling

Recovery

Date: 2/16/2017

Aquifer Thickness: 34.35 ft

Discharge: variable, average rate 111 [U.S. gal/min]



Calculation after AGARWAL + Theis with Jacob Correction

Observation well	Transmissivity [U.S. gal/d-ft]	K [U.S. gal/d-ft ²]	Storage coefficient	Radial distance to PW [ft]
Well 1	6.92×10^{-4}	2.01×10^3	6.67×10^{-5}	0.21

RECEIVED

FEB 21 2018



Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

January 26, 2018

Brand Vincent
Ground Water Associates, Inc.
109 W. 1st Avenue
P.O. Box 792
Goddard, KS 67052

Re: Pending Application, File No. 49,735

Dear Mr. Vincent:

This will acknowledge receipt of your letter, received in this office on January 24, 2018 in which you requested a 30-day extension on behalf of the John E. Dugan Family Partnership to review the safe yield denial recommendation. As this is the first extension request and there are currently no other pending applications in the area, a 30-day extension appears reasonable and can be granted. The new deadline will be **February 23, 2018**.

In order for the application to retain its priority of filing, the original application and any additional information demonstrating why the evaluation should be reconsidered need to be returned to this office on or before **February 23, 2018**. According to the law, default in the refiling of the completed application and attachments as outlined above, within the time allowed, **shall constitute forfeiture of your priority date and dismissal of the application.**

If you have any questions, please contact me at (620) 234-5311. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Matthew J. Meier".

Matt Meier
New Application Unit
Water Appropriation Program

pc:
John E Dugan Family Partnership

SCANNED

Ground Water Associates, Inc.

109 W. 1st AVENUE, P.O. BOX 792 • GODDARD, KS 67052 • 316-550-6177

January 22, 2018

Matt Meier
New Application Unit
Division of Water Resources
300 S. Main
Stafford, Kansas 67578-1512

Subject: John E. Dugan Family Partnership, Pending Application, File # 49,735

Dear Matt:

We are requesting an additional thirty-days to complete an investigation of the municipal water rights, safe yield analysis and the Division of Water Resources procedure changes.

The applicant has spent several thousand dollars drilling two test holes, a five inch test well and running a pumping test to establish that water is available at the requested quantity and rate.

Please contact me if any additional information is required.

Best regards,



Brad C. Vincent, P.G.
Ground Water Associates, Inc.

pc John E. Dugan Family Partnership

RECEIVED

JAN 24 2018

Stafford Field Office
Division of Water Resources



SCANNED


Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Sam Brownback, Governor

January 9, 2018

John E Dugan Family Partnership
15810 W 47th South
Clearwater, KS 67026

RE: Pending Application, File No. 49,735

Dear Mr. Dugan:

We have conducted further review of your application referenced above. Based on this information, the proposed well would be located in the Northwest Quarter of the Northeast Quarter of the Northeast Quarter (NW¼ NE¼ NE¼) of Section 13, more particularly described as being near a point 4,750 feet North and 1,320 feet West of the Southeast corner of said section, in Township 29 South, Range 1 West, Sedgwick County, Kansas. The application is requesting to appropriate 169 acre-feet of groundwater for irrigation use.

The source of water for the pending application appears to be Quaternary System deposits, based on the test hole logs that were submitted. The specific method for calculating safe yield for unconfined groundwater aquifers is described in K.A.R. 5-3-11. Per K.A.R. 5-3-11(d)(1), the safe yield area of consideration represents the portion of the two-mile circle located within the limit of the unconfined aquifer expressed in acres (8042 acres for this file). Calculated recharge is 5.4 inches, and for hydrologic units within the Ninnescah River Basin, 75 percent of the calculated recharge can be considered to be available for appropriation. The safe yield determination is summarized below.

Safe Yield = Area of Consideration x potential annual recharge x percent of recharge available

8,042 acres x 5.4 inches x 75% = 32570.1 acre-inches / 12 = 2,714.18 acre-feet

Prior Appropriations within the area of consideration = 3,217.63 acre-feet

Total quantity of water available = 0 acre-feet

Therefore, it will be recommended to the Chief Engineer that pending application, File No. 49,735 be denied and dismissed due to the failure to meet safe yield criteria, as required by K.A.R. 5-3-10 and K.A.R. 5-3-11.

We are advising you of this recommendation in order to allow you an opportunity to submit additional information to show why our evaluation should be reconsidered. You have a period of 15 days (**until January 24, 2018**) to either (1) submit additional information to our office or (2) request additional time beyond the 15 days to submit additional information. If you wish to request additional time, you must do so **in writing**, before the 15 day period expires. Such a request should state what steps are being taken to obtain the information and the amount of time you will need to supply the information to our office. If you do not request more time within the 15 day period, or if your request is not granted, the above- referenced application will be submitted to the Chief Engineer for final decision based on the recommendation stated above. Any relevant credible information submitted within the time allowed will be given due consideration, prior to final action on the application. If you have any questions, please contact me at (620) 234-5311. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Matt Meier
New Application Unit
Water Appropriation Program

pc:
Ground Water Associates, INC

SCANNED

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

4750 ft N and 1320 ft W of the SE Corner of Section 13, T 29S, R 1W

Located at: 97.374044 West Longitude and 37.533858 North Latitude

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit	
A__ 11647	00	IRR	NK	G	10367	NC	N2	NE	NE	4579	906	1	29	1W	1	25.00	25.00	AF	
A__ 20241	00	IRR	NK	G	4376	--	--	NC	SW	1320	4030	13	29	1W	1	77.00	77.00	AF	
A__ 26694	00	IRR	NK	G	4656	--	SE	SW	SE	100	1560	13	29	1W	2	146.00	146.00	AF	
A__ 27685	00	IRR	NK	G	6597	--	--	NC	NW	3960	3950	24	29	1W	1	178.00	178.00	AF	
A__ 28941	00	IRR	NK	G	6597	--	--	NC	NW	3960	3950	24	29	1W	1	29.00	29.00	AF	
A__ 28942	00	IRR	NK	G	4376	--	--	NC	SW	1320	4030	13	29	1W	1	110.00	110.00	AF	
A__ 28971	00	IRR	NK	G	9329	--	NC	E2	SW	1320	3320	19	29	1E	1	32.00	32.00	AF	
A__ 31895	00	MUN	NK	G	7195	--	SE	SE	SE	100	100	2	29	1W	2	552.40	552.40	AF	
Same					7475	--	SE	SE	SE	100	560	2	29	1W	3				
A__ 32023	00	IRR	NK	G	2685	--	NC	N2	SE	2145	1277	12	29	1W	4	90.00	90.00	AF	
A__ 35286	00	IRR	NK	G	5583	--	--	NC	NE	3950	1500	14	29	1W	1	175.50	175.50	AF	
A__ 38761	00	MUN	KK	G	7369	--	--	NC		2640	2640	11	29	1W	1	314.01	37.81	AF	
A__ 38802	00	IRR	NK	G	2695	--	NC	NE	SE	2099	680	12	29	1W	2	12.00	12.00	AF	
A__ 38880	00	MUN	KK	G	6058	--	NC	E2	E2	2540	1220	11	29	1W	3	314.01	.00	AF	
A__ 38881	00	MUN	LR	G	5604	--	--	NC	SE	1450	1220	11	29	1W	4	314.01	.00	AF	
A__ 40658	00	IRR	NK	G	5270	--	SW	NW	SE	1550	2460	18	29	1E	13 G	4	213.00	213.00	AF
Same					5404	--	SW	NW	SE	1653	2220	18	29	1E	9 B	4			
Same					5241	--	SW	NW	SE	1653	2420	18	29	1E	10 B	4			
Same					5080	--	SW	NW	SE	1653	2620	18	29	1E	11 B	4			
Same					5204	--	SW	NW	SE	1453	2620	18	29	1E	12 B	4			
A__ 46158	00	IRR	NK	G	9582	--	SE	SE	NE	2762	326	2	29	1W	9	166.40	166.40	AF	
A__ 47235	00	IRR	KE	G	8715	--	SW	NE	SE	1500	750	2	29	1W	10 G	4	205.40	205.40	AF
Same					8882	--	SW	NE	SE	1700	750	2	29	1W	12 B	4			
Same					8550	--	NW	SE	SE	1300	750	2	29	1W	13 B	4			
Same					8605	--	SW	NE	SE	1500	550	2	29	1W	14 B	4			
Same					8829	--	SW	NE	SE	1500	950	2	29	1W	15 B	4			
A__ 47535	00	IRR	GY	G	2198	--	SE	SE	NW	3000	2650	13	29	1W	8 G	4	176.80	176.80	AF
Same					2254	--	SW	SW	NE	2800	2450	13	29	1W	9 B	4			
Same					2178	--	SE	SE	NW	3200	2850	13	29	1W	10 B	4			
Same					1918	--	SW	SW	NE	3200	2450	13	29	1W	11 B	4			
Same					2479	--	SE	SE	NW	2800	2850	13	29	1W	12 B	4			
A__ 48026	00	IRR	GY	G	8540	--	NE	NE	SW	2450	2670	19	29	1E	2	87.10	87.10	AF	
A__ 49735	00	IRR	AY	G	790	--	--	NE		3960	1320	13	29	1W	13	169.00	169.00	AF	

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	169.00	.00
Total Permitted Amount (AF) =	507.11	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	1806.30	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2482.41	.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:

97.374044 West Longitude and 37.533858 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

=====
File Number Use ST SR
A__ 11647 00 IRR NK G
> UNIFIED SCHOOL DISTRICT # 261
> MAINTENANCE DIRECTOR
> 1745 W GRAND AVE
> HAYSVILLE KS 67060
>-----

A__ 20241 00 IRR NK G
> ROBERT D HAY TRUST
>
> 9171 S WEST ST
> HAYSVILLE KS 67060
>-----

A__ 26694 00 IRR NK G
> CHARLES J OTT
>
> 10821 S SENECA ST
> PECK KS 67120
>-----

A__ 27685 00 IRR NK G
> THOMAS G & FLORENCE A BERGKAMP
>
> 8231 W 55TH ST S
> CLEARWATER KS 67026
>-----

A__ 28941 00 IRR NK G
> THOMAS G & FLORENCE A BERGKAMP
>
> 8231 W 55TH ST S
> CLEARWATER KS 67026
>-----

A__ 28942 00 IRR NK G
> ROBERT D HAY TRUST
>
> 9171 S WEST ST
> HAYSVILLE KS 67060
>-----

A__ 28971 00 IRR NK G
> ROBERT D HAY TRUST
>
> 9171 S WEST ST
> HAYSVILLE KS 67060
>-----

A__ 31895 00 MUN NK G
> CITY OF HAYSVILLE
> PUBLIC WORKS DEPT

PO BOX 404
HAYSVILLE KS 67060

A__ 32023 00 IRR NK G
> BRUCE C BERGMANN
>
> 8401 S MERIDIAN ST
> HAYSVILLE KS 67060

A__ 35286 00 IRR NK G
> ROBERT D HAY TRUST
>
> 9171 S WEST ST
> HAYSVILLE KS 67060

A__ 38761 00 MUN KK G
> CITY OF HAYSVILLE
> PUBLIC WORKS DEPT
> PO BOX 404
> HAYSVILLE KS 67060

A__ 38802 00 IRR NK G
> MARJORIE J BERGMANN
>
> 1206 CENTURY ST
> MULVANE KS 67110

A__ 38880 00 MUN KK G
> CITY OF HAYSVILLE
> PUBLIC WORKS DEPT
> PO BOX 404
> HAYSVILLE KS 67060

A__ 38881 00 MUN LR G
> CITY OF HAYSVILLE
> PUBLIC WORKS DEPT
> PO BOX 404
> HAYSVILLE KS 67060

A__ 40658 00 IRR NK G
> JOHN E DUGAN FAMILY PARTNERSHIP LP
>
> 15810 W 47TH ST SOUTH
> CLEARWATER KS 67026

A__ 46158 00 IRR NK G
> ROBERT D HAY TRUST
>
> 9171 S WEST ST
> HAYSVILLE KS 67060

A__ 47235 00 IRR KE G

> THOMAS G & FLORENCE A BERGKAMP

>

> 8231 W 55TH ST S

> CLEARWATER KS 67026

>-----

A__ 47535 00 IRR GY G

> ROBERT D HAY TRUST

>

> 9171 S WEST ST

> HAYSVILLE KS 67060

>-----

A__ 48026 00 IRR GY G

> ROBERT D HAY TRUST

>

> 9171 S WEST ST

> HAYSVILLE KS 67060

>-----

A__ 49735 00 IRR AY G

> JOHN E DUGAN FAMILY PARTNERSHIP LP

>

> 15810 W 47TH ST SOUTH

> CLEARWATER KS 67026

>-----

=====

#49,735

Fails Safe
Yield.

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. - 3217.63 = -503.45
Total prior appropriation in the circle is 2,482.41 AF.
Total quantity of water available for appropriation is 231.77 AF.

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 26-SEP-2017 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 20 water right(s) and 31 point(s) of diversion within the circle.

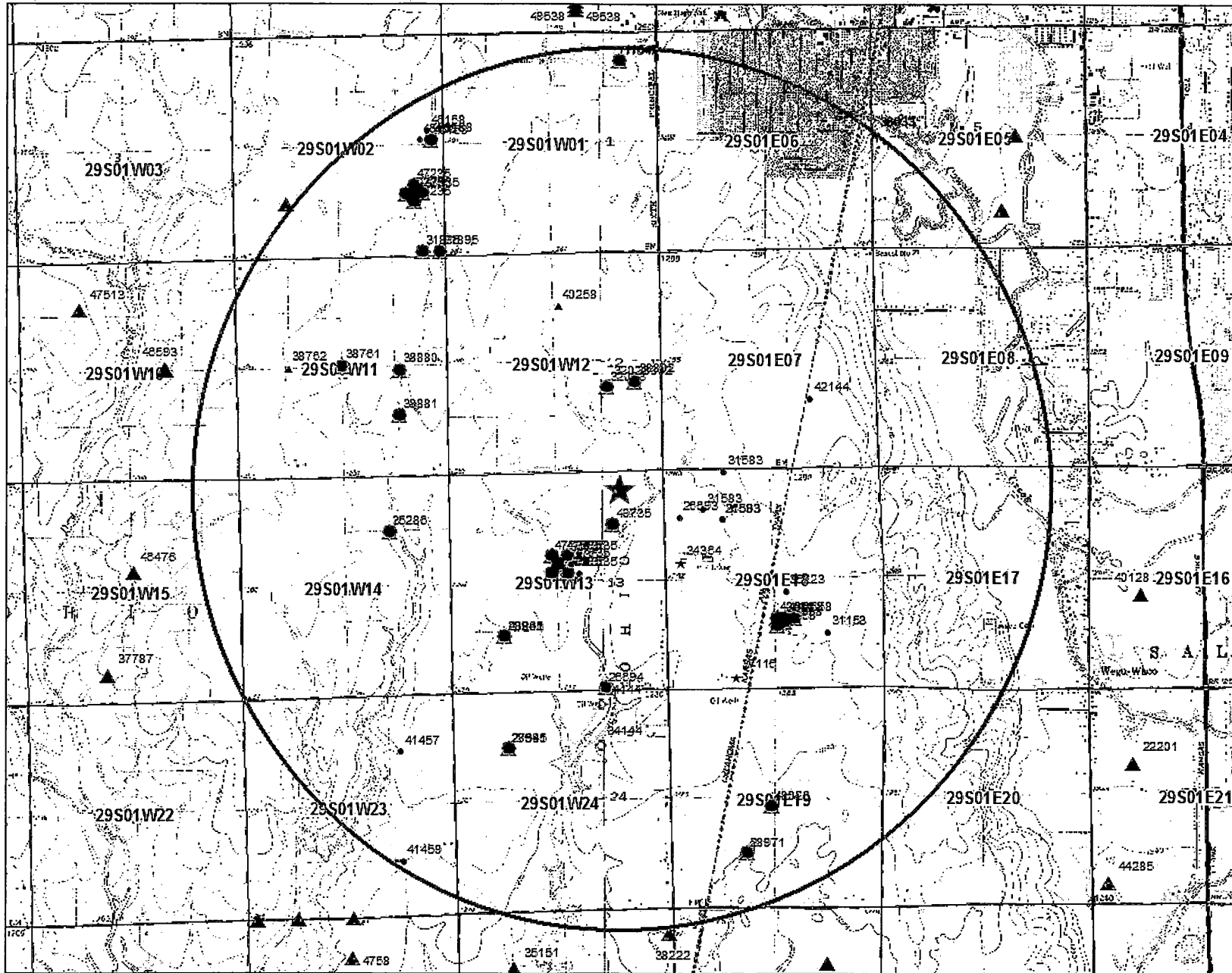
File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth_Quant	Add_Quant	Tacres	Nacres
A 11647 00	IRR	NK	G	NC	N2	NE	NE	4579	906	01	29	01W	1	WR	25.00	25.00	70.00	70.00
A 20241 00	IRR	NK	G		NC	SW		1320	4030	13	29	01W	1	WR	77.00	77.00	138.00	138.00
A 26694 00	IRR	NK	G		SE	SW	SE	100	1560	13	29	01W	2	WR	146.00	146.00	140.00	140.00
A 27685 00	IRR	NK	G		NC	NW		3960	3950	24	29	01W	1	WR	178.00	178.00	138.00	138.00
A 28941 00	IRR	NK	G		NC	NW		3960	3950	24	29	01W	1	WR	29.00	29.00	138.00	0.00
A 28942 00	IRR	NK	G		NC	SW		1320	4030	13	29	01W	1	WR	110.00	110.00	138.00	0.00
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 31895 00	MUN	NK	G		SE	SE	SE	100	560	02	29	01W	3	WR	552.40	552.40		
Same	MUN	NK	G		SE	SE	SE	100	100	02	29	01W	2	WR				
A 32023 00	IRR	NK	G		NC	N2	SE	2145	1277	12	29	01W	4	WR	90.00	90.00	79.00	79.00
A 35286 00	IRR	NK	G		NC	NE		3950	1500	14	29	01W	1	WR	175.50	175.50	135.00	135.00
A 38761 00	MUN	KK	G		NC			2640	2640	11	29	01W	1	WR	314.01	37.81	314.01	
A 38802 00	IRR	NK	G		NC	NE	SE	2099	680	12	29	01W	2	WRF	12.00	12.00	79.00	0.00
A 38880 00	MUN	KK	G		NC	E2	E2	2540	1220	11	29	01W	3	WR	314.01	0.00	314.01	
A 38881 00	MUN	LR	G		NC	SE		1450	1220	11	29	01W	4	WR	314.01	0.00	314.01	
A 40658 00	IRR	NK	G		SW	NW	SE	1653	2220	18	29	01E	9	WR	213.00	213.00	143.00	143.00
Same	IRR	NK	G		SW	NW	SE	1550	2460	18	29	01E	13	WR				
Same	IRR	NK	G		SW	NW	SE	1453	2620	18	29	01E	12	WR				
Same	IRR	NK	G		SW	NW	SE	1653	2620	18	29	01E	11	WR				
Same	IRR	NK	G		SW	NW	SE	1653	2420	18	29	01E	10	WR				
A 46158 00	IRR	NK	G		SE	SE	NE	2762	326	02	29	01W	9	WR	166.40	166.40	128.00	128.00
A 47235 00	IRR	KE	G		SW	NE	SE	1500	750	02	29	01W	10	WR	205.40	205.40	158.00	158.00
Same	IRR	KE	G		SW	NE	SE	1700	750	02	29	01W	12	WR				
Same	IRR	KE	G		NW	SE	SE	1300	750	02	29	01W	13	WR				
Same	IRR	KE	G		SW	NE	SE	1500	550	02	29	01W	14	WR				
Same	IRR	KE	G		SW	NE	SE	1500	950	02	29	01W	15	WR				
A 47535 00	IRR	GY	G		SE	SE	NW	3000	2650	13	29	01W	8	WR	176.80	176.80	146.00	146.00
Same	IRR	GY	G		SW	SW	NE	2800	2450	13	29	01W	9	WR				
Same	IRR	GY	G		SE	SE	NW	3200	2850	13	29	01W	10	WR				
Same	IRR	GY	G		SW	SW	NE	3200	2450	13	29	01W	11	WR				
Same	IRR	GY	G		SE	SE	NW	2800	2850	13	29	01W	12	WR				
A 48026 00	IRR	GY	G		NE	NE	SW	2450	2670	19	29	01E	2	WR	87.10	87.10	114.00	0.00
A 49735 00	IRR	AY	G			NE		3960	1320	13	29	01W	13	WR	169.00	169.00	130.00	130.00

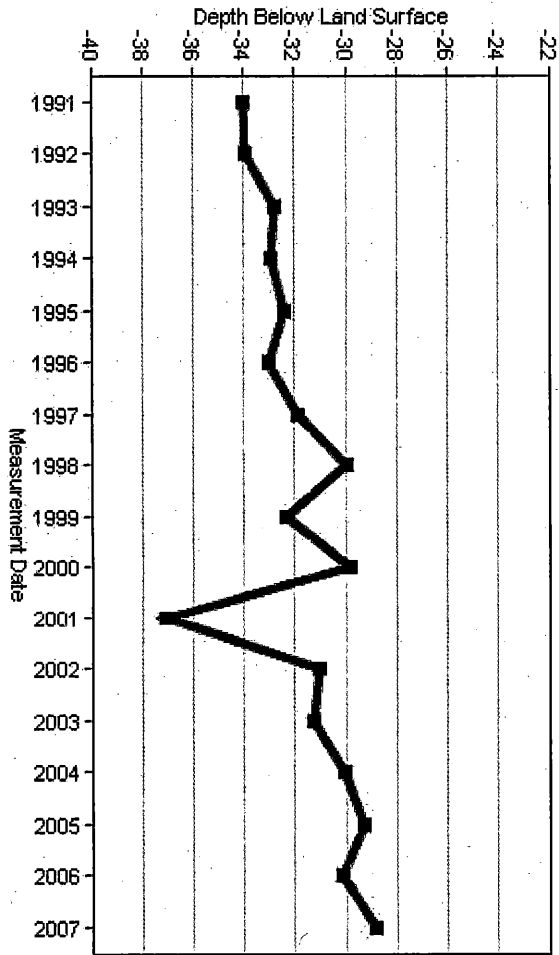
Based on limitations,
can pump entire
Quantity out 2-mile
now considered all
add. based on
procedure changes.

3217.63 AF
appropriated

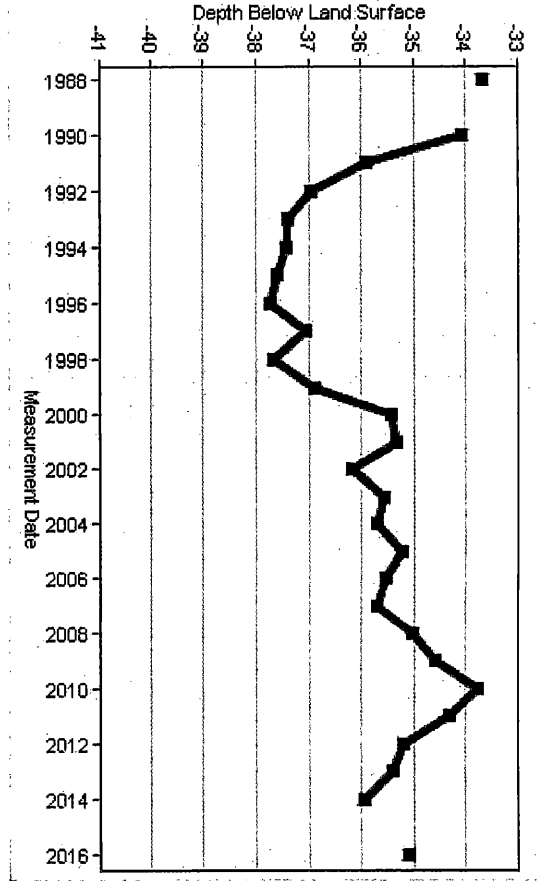
Safe Yield Report Sheet
Proposed Water Right Application
Point of Diversion in SWNWNENE 13-29S-01W

#49735

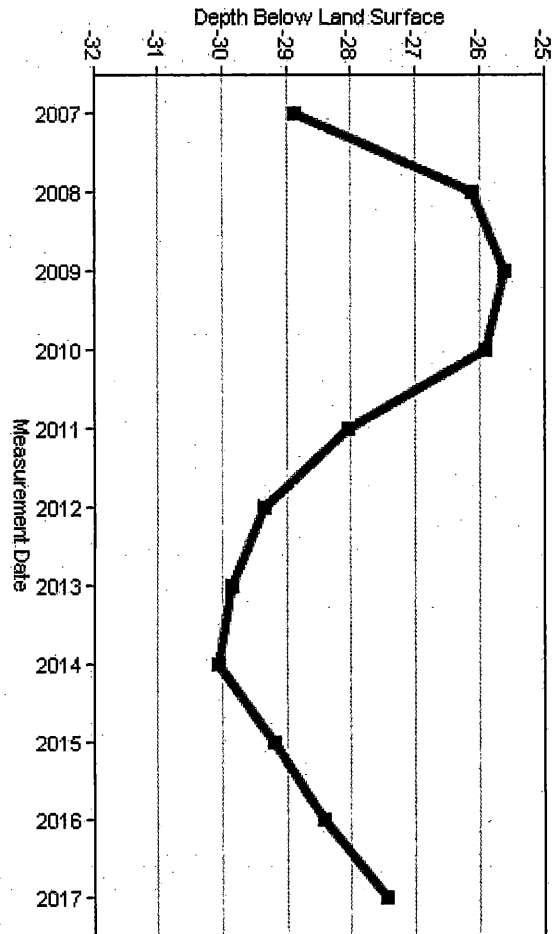




Sec 25 T29S R1W ~ 2 Miles South



Sec 11 T 29S R1W ~ 1 Mile NW



Sec 25 T29S R1W ~ 2 Miles South

Meier, Matt [KDA]

From: Brad Vincent <vincentbrad@hotmail.com>
Sent: Wednesday, December 13, 2017 10:45 AM
To: Meier, Matt [KDA]
Subject: Re: 49735 Place of use map

Follow Up Flag: Follow up
Flag Status: Flagged

Matt,

Thank-you for the help on the map. I spoke with John Dugan and we agree that the place of use as drawn is correct.

Brad

From: Meier, Matt [KDA] <Matt.Meier@ks.gov>
Sent: Tuesday, December 12, 2017 2:56 PM
To: jdugan@dugantruckline.com
Cc: VincentBrad@hotmail.com
Subject: FW: 49735 Place of use map

From: Meier, Matt [KDA]
Sent: Tuesday, December 12, 2017 2:54 PM
To: 'VincentBrad@hotmail.com' <VincentBrad@hotmail.com>
Cc: 'JDugan@dugantuckline.com' <JDugan@dugantuckline.com>
Subject: 49735 Place of use map

Hello Brad and John,

As I discussed with Brad over the phone today, the Place of Use map for Application 49,735 needs to be updated to show the 130 acre pivot listed in the irrigation supplemental sheet and on the place of use map, versus the entire NE ¼ section currently cross-hatched in. I attached maps showing a 130 acre pivot. If the maps look correct for what you are wanting to irrigate let me know and I can finish processing the application. Let me know if you have any questions or if anything needs changed.

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


Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov

Sam Brownback, Governor

December 8, 2017

Marc & Wendi Love
9031 S Stearns St
Haysville, KS 67060

Re: Pending Application, File No. 49,735

Dear Mr. & Mrs. Love:

This will acknowledge receipt of your letter, received in this office on October 16, 2017 in which you expressed concerns regarding the proposed appropriation of groundwater by the John E. Dugan Family Partnership under the above referenced application. A copy of the letter has been added to the file. In the letter, you stated that you were against the approval of the application and concerned why you didn't receive an initial letter. Based on the location you listed on the map and a google search of you address, your property appears to be further than ½ mile from the proposed well battery. Per regulation we only send out letters to wells located within ½ mile of new water right applications which is why you didn't receive a letter.

We are in the process of thoroughly reviewing this pending application to ensure that it complies with the Kansas Water Appropriation Act and applicable rules and regulations. The Chief Engineer is required to approve applications for water appropriation unless the proposed appropriation will impair existing water rights or prejudicially and unreasonably affect the public interest. Impairment is indicated if existing water rights will experience an unreasonable lowering of the static water level.

The applicable rules and regulations (K.A.R. 5-4-4) require that new non-domestic wells must meet specific spacing guidelines based on the source of water supply in order to minimize the potential that existing water wells of any kind would be impaired. The source of water (aquifer) for this pending application appears to be Quaternary System deposits, based on the test hole log that was submitted. This source of water requires a minimum well spacing of 660 feet from any existing domestic well. Based on the location of your location of your property, it appears to be approximately 3,000 feet (0.6 Miles) from the proposed well, and the application complies with minimum well spacing criterion.

Additionally, the rules and regulations (K.A.R. 5-4-1) require the Chief Engineer to investigate any complaint that a prior right to the use of water is being impaired. If such impairment is found, the Chief Engineer must secure water to satisfy prior water rights. Therefore, if this permit application is approved by the Chief Engineer and you believe the diversion of water is impairing your water right, you should notify Jeff Lanterman, Water Commissioner, Stafford Field Office, as follows, so that an investigation can be made.

Division of Water Resources
Stafford Field Office
300 S Main Street
Stafford, Kansas 67578-1342
Telephone: 620-234-5311

If an applicant without cause fails to comply with the provisions of the permit and its terms, conditions and limitations, it could result in the forfeiture of the priority date, revocation of the permit and dismissal of the application. If you have any further questions, please contact me at 620-234-5311. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Matt Meier
New Application Unit
Water Appropriation Program

pc:

SCANNED


Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

December 8, 2017

Carol Schmitz
8910 S. Meridian Ave
Haysville, KS 67060

Re: Pending Application, File No. 49,735

Dear Carol:

This will acknowledge receipt of your letter, received in this office on October 10, 2017, in which you expressed concerns regarding the proposed appropriation of groundwater by the John E. Dugan Family Partnership under the above referenced application. In the letter (a copy of which has been added to the file) you mentioned that you were concerned about the possible impact of the wells on your domestic well and possible impact on the water table.

Regarding your concerns about the possible impact on your well and what studies have been done the application has been reviewed as required by regulation to ensure that it complies with the Kansas Water Appropriation Act and applicable rules and regulations. These rules are in place to protect existing nearby wells and the aquifer. The Chief Engineer is required to approve applications for water appropriation unless the proposed appropriation will impair existing water rights or prejudicially and unreasonably affect the public interest. Impairment is indicated if existing water rights will experience an unreasonable lowering of the static water level. The specific regulations (K.A.R. 5-4-4 for spacing which is outlined more below) and (K.A.R. 5-3-10 and K.A.R. 5-3-11 for safe yield) have been met for the application.

The applicable rules and regulations (K.A.R. 5-4-4) require that new non-domestic wells must meet specific spacing guidelines based on the source of water supply in order to minimize the potential that existing water wells of any kind would be impaired. The source of water (aquifer) for this pending application appears to be Quaternary System deposits, based on the test hole log that was submitted. This source of water requires a minimum well spacing of 660 feet from any existing domestic well. Based on the location of your location of your property, it appears to be approximately 1,200 feet from the proposed well, and the application complies with minimum well spacing criterion.

Additionally, the rules and regulations (K.A.R. 5-4-1) require the Chief Engineer to investigate any complaint that a prior right to the use of water is being impaired. If such impairment is found, the Chief Engineer must secure water to satisfy prior water rights. Therefore, if this permit application is approved by the Chief Engineer and you believe the diversion of water is impairing your water right, you should notify Jeff Lanterman, Water Commissioner, Stafford Field Office, as follows, so that an investigation can be made.

Division of Water Resources
Stafford Field Office
300 S Main Street
Stafford, Kansas 67578-1342
Telephone: 620-234-5311

If an applicant without cause fails to comply with the provisions of the permit and its terms, conditions and limitations, it could result in the forfeiture of the priority date, revocation of the permit and dismissal of the application. If you have any further questions, please contact me at 620-234-5311. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,


Matt Meier
New Application Unit
Water Appropriation Program

SCANNED


Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov

Sam Brownback, Governor

December 8, 2017

William & Peggy Brasca
8840 S Meridian St.
Haysville, KS 67060

Re: Pending Application, File No. 49,735

Dear William & Peggy Brasca:

This will acknowledge receipt of your letters, received in this office on October 2, 2017 and October 10, 2017, in which you expressed concerns regarding the proposed appropriation of groundwater by the John E. Dugan Family Partnership under the above referenced application. In the letters (copies of which has been added to the file) you mentioned that you were concerned about the possible impact of the wells on the domestic wells in the area, the total quantity of water (which is within reasonable levels for irrigation use based on rules and regulations) and possible impact on the water table. You also stated that you are against the approval of the application. The application is proposing to appropriate groundwater for irrigation use.

Regarding your concerns about the possible impact on your well and what studies have been done the application has been reviewed as required by regulation to ensure that it complies with the Kansas Water Appropriation Act and applicable rules and regulations. These rules are in place to protect existing nearby wells and the aquifer. The Chief Engineer is required to approve applications for water appropriation unless the proposed appropriation will impair existing water rights or prejudicially and unreasonably affect the public interest. Impairment is indicated if existing water rights will experience an unreasonable lowering of the static water level. The specific regulations (K.A.R. 5-4-4 for spacing which is outlined more below) and (K.A.R. 5-3-10 and K.A.R. 5-3-11 for safe yield) have been met for the application.

The applicable rules and regulations (K.A.R. 5-4-4) require that new non-domestic wells must meet specific spacing guidelines based on the source of water supply in order to minimize the potential that existing water wells of any kind would be impaired. The source of water (aquifer) for this pending application appears to be Quaternary System deposits, based on the test hole log that was submitted. This source of water requires a minimum well spacing of 660 feet from any existing domestic well. Based on the location of your location of your property, it appears to be approximately 1,100 feet from the proposed well, and the application complies with minimum well spacing criterion.

Additionally, the rules and regulations (K.A.R. 5-4-1) require the Chief Engineer to investigate any complaint that a prior right to the use of water is being impaired. If such impairment is found, the Chief Engineer must secure water to satisfy prior water rights. Therefore, if this permit application is approved by the Chief Engineer and you believe the diversion of water is impairing your water right, you should notify Jeff Lanterman, Water Commissioner, Stafford Field Office, as follows, so that an investigation can be made.

Division of Water Resources
Stafford Field Office
300 S Main Street
Stafford, Kansas 67578-1342
Telephone: 620-234-5311

If an applicant without cause fails to comply with the provisions of the permit and its terms, conditions and limitations, it could result in the forfeiture of the priority date, revocation of the permit and dismissal of the application. If you have any further questions, please contact me at 620-234-5311. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Matt Meier
New Application Unit
Water Appropriation Program

SCANNED


Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

December 8, 2017

Sheila Rooker
8839 S. Champion St.
Haysville, KS 67060

Re: Pending Application, File No. 49,735

Dear Sheila:

This will acknowledge receipt of your letter, received in this office on October 6, 2017, in which you expressed concerns regarding the proposed appropriation of groundwater by the John E. Dugan Family Partnership under the above referenced application. In the letter (a copy of which has been added to the file) stated that you and your husband Ron were against the approval of the application.

We are in the process of thoroughly reviewing this pending application to ensure that it complies with the Kansas Water Appropriation Act and applicable rules and regulations. These rules are in place to protect existing nearby wells and the aquifer. The Chief Engineer is required to approve applications for water appropriation unless the proposed appropriation will impair existing water rights or prejudicially and unreasonably affect the public interest. Impairment is indicated if existing water rights will experience an unreasonable lowering of the static water level. The specific regulations (K.A.R. 5-4-4 for spacing which is outlined more below) and (K.A.R. 5-3-10 and K.A.R. 5-3-11 for safe yield) have been met for the application.

The applicable rules and regulations (K.A.R. 5-4-4) require that new non-domestic wells must meet specific spacing guidelines based on the source of water supply in order to minimize the potential that existing water wells of any kind would be impaired. The source of water (aquifer) for this pending application appears to be Quaternary System deposits, based on the test hole log that was submitted. This source of water requires a minimum well spacing of 660 feet from any existing domestic well. Based on the location of your location of your property, it appears to be approximately 1,600 feet from the proposed well, and the application complies with minimum well spacing criterion.

Additionally, the rules and regulations (K.A.R. 5-4-1) require the Chief Engineer to investigate any complaint that a prior right to the use of water is being impaired. If such impairment is found, the Chief Engineer must secure water to satisfy prior water rights. Therefore, if this permit application is approved by the Chief Engineer and you believe the diversion of water is impairing your water right, you should notify Jeff Lanterman, Water Commissioner, Stafford Field Office, as follows, so that an investigation can be made.

Division of Water Resources
Stafford Field Office
300 S Main Street
Stafford, Kansas 67578-1342
Telephone: 620-234-5311

If an applicant without cause fails to comply with the provisions of the permit and its terms, conditions and limitations, it could result in the forfeiture of the priority date, revocation of the permit and dismissal of the application. If you have any further questions, please contact me at 620-234-5311. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Matt Meier
New Application Unit
Water Appropriation Program

SCANNED

October 11, 2017

Kansas Dept of Agriculture
Stafford Field Office
300 S Main St
Stafford, KS 67578-1521

Re: Pending Application, File No 49,735

Mr Meier,

We are writing our concerns to you about this water issue. We received a copy of the letter enclosed from Mr Brasca. He went door to door to inform folks that he thought this might concern our water supply, thankfully! We did not receive a letter concerning this matter which is also concerning. We believe this would adversely affect our household. We live in a whole neighborhood where our only source of water for our households are the wells we have. I can only hope others are very concerned about this. The amounts of water that will be extracted is unbelievable to us. I do not claim to know anything about the amounts of water taken, time lines of when this will affect our water supplies, or other concerns that I should have. But I have to say this is very concerning to us.

We are asking you to send a formal letter to our entire neighborhood, which should have happened in the first place. Letters should go out to folks that live in between 87th So and 95th So and Seneca and Meridian. There are quite a few folks that may be affected.

We are completely against this permit! And if necessary we will join Mr Brasca in his efforts to stop this.

Marc & Wendi Love
9031 S Stearns St
Haysville, KS 67060

Marc Love
Wendi Love

RECEIVED

OCT 16 2017

Stafford Field Office
Division of Water Resources

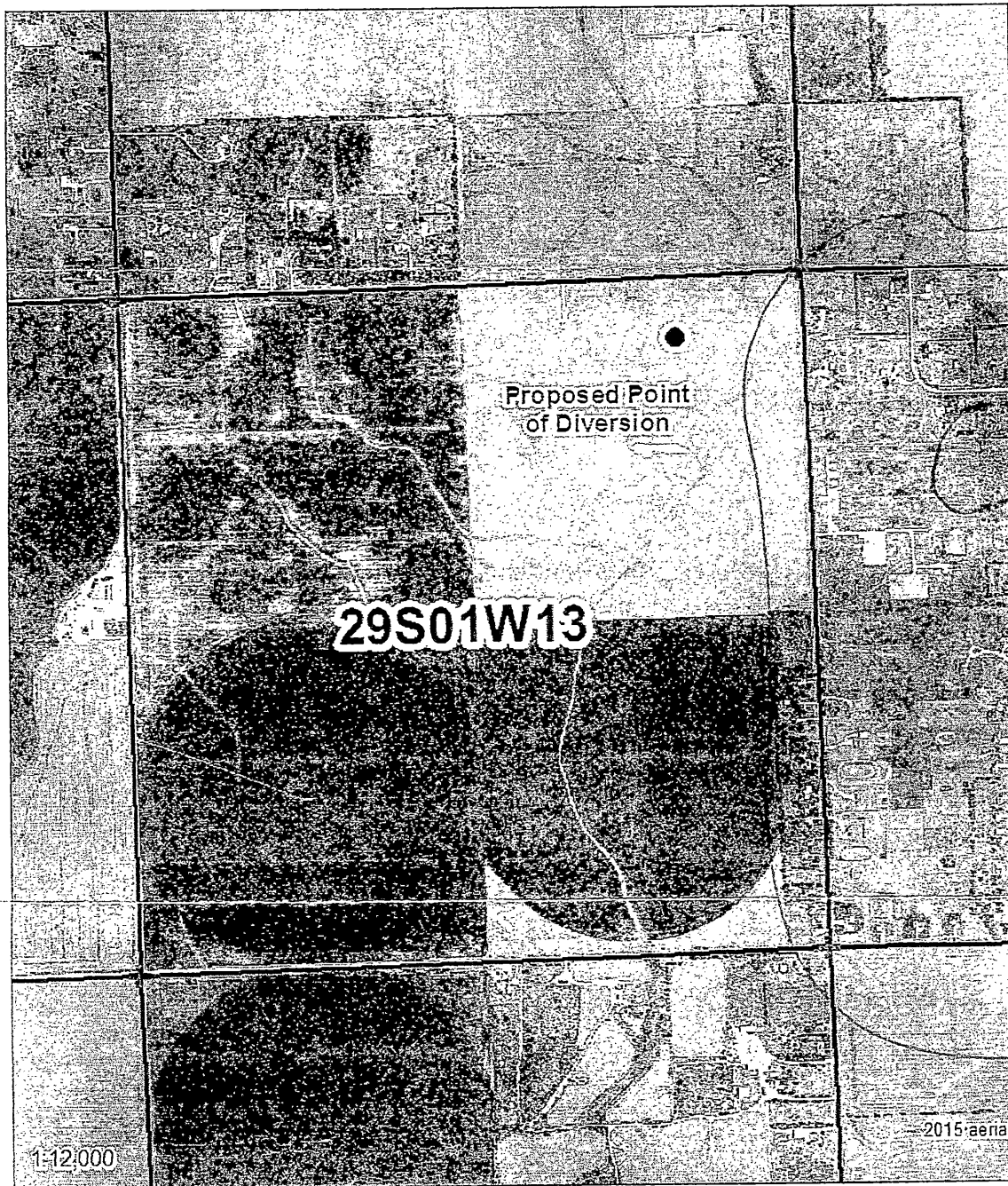
Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

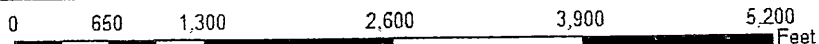
Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor



Legend

- Section Corners
- Section Lines

MJM-DWR 9/27/17



Proposed Water Appropriation, File No. 49,735
13-29S-1W
Sedgwick County

RECEIVED

OCT 16 2017

Stafford Field Office
Division of Water Resources

8840 S Meridian St
Haysville, KS 67060
October 6, 2017

Mr. Matthew Meier
Stafford Field Office
300 S Main St.
Stafford, KS 67578-1521

RE: Pending Application, File No. 49,735

Dear Mr. Meier

We received your letter about the above application. Thank you for the chance to comment on it.

I have some real concerns:

- 1) How will we have water when our well runs dry? Who will pay for drilling a new deeper well?
- 2) Who will monitor the water quality for our area as the water table drops?
- 3) Where do they plan to use all this water? Your letter says it is being diverted for irrigation, but where do they want to irrigate?

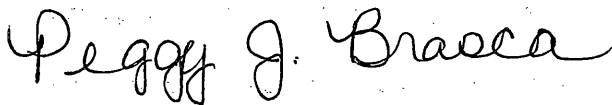
Please deny this application. This is A LOT of water to be taken from the area wells. It comes out to around 55 million gallons per year. This can't help but lower the water table and lessen our water quality.

I also object to such commercial use of this much water. The applicants will be using our water to make money at our expense.

We are a family of four. We have two children (ages 8 and 9) living here. We have no city water available. I am concerned that when our well runs dry, our home becomes unlivable.

Please deny this application. Don't let them take our water away. Once an application is approved, it can be difficult to revoke. After such considerable investment, the applicant will strongly object to any efforts by your office to make them cut back on water use. By that time, it might be too late for families like us.

Sincerely



Peggy J Brasca

RECEIVED

OCT 10 2017

SCANNED

Stafford Field Office
Division of Water Resources

New Text Document

October 6, 2017

Stafford Field Office
300 S Main St.
Stafford, Ks. 67578-1521

Re: File No. 49,735


Dear Matt Meier,

This letter is in follow up to our phone conversation pertaining to the above referenced file number. As stated in our conversation we are opposed to the proposed irrigation system to be installed in the location as follows:

Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13.
Township 29 South, Range 1 West, Sedgwick County, Kansas

We are very concerned the proposed wells will effect the table level of water supplying our well. Our well is our only source of water accesible to our home. We appreciate your consideration to our concerns in this matter.

Sincerely,


Carol Schmitz

RECEIVED

OCT 10 2017

SCANNED

Stafford Field Office
Division of Water Resources

Meier, Matt

From: EL JOHN <erjict@hotmail.com>
Sent: Tuesday, October 10, 2017 2:52 PM
To: Meier, Matt
Subject: Re: pending app file:49735

RECEIVED

OCT 10 2017

Stafford Field Office
Division of Water Resources

hello Matt - thanks for your attention and filing this request on my behalf.
and I am doing this part on my own, although there are other property owners around here that are in
opposition to this.
sincerely- Eric

From: Meier, Matt <Matt.Meier@ks.gov>
Sent: Tuesday, October 10, 2017 2:38 PM
To: EL JOHN
Subject: RE: pending app file:49735

Hello Eric,

The email will serve as confirmation of receipt of your email protesting the approval of Application No. 49,735. A copy of the email will be added to the File.

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

From: EL JOHN [mailto:erjict@hotmail.com]
Sent: Tuesday, October 10, 2017 1:00.PM
To: Meier, Matt <Matt.Meier@ks.gov>
Subject: pending app file:49735

Matt Meier- this is a request to file protest and delay such proposal for irrigation wells per john e Dugan farm application to drill 4 wells at that site. I need to have any future data that my personal water wells are not depleted from this aqua source for this area. also with possible ground water contamination just n/e of my property which also could impact my wells in the future.

I want to be reassured and guaranteed that my property well site will have that. also should I sell this property to new prospect buyer that they could feel the same for the future source of water. I am not looking forward to be connected to a city water line source for this property for obvious reasons, unless it is paid by this other party at their expense.

sincerely-Eric Johnson

44735

Dear Matt Mer,
My Husband Ron Rooker
and myself Sheila Rooker,
are against the proposed
well irrigation System.
We have been at our
place for 28 years and no
problems with our water.
So please don't do it.

Sincerely
Sheila Rooker

RECEIVED

OCT 06 2017

Stafford Field Office
Division of Water Resources

SCANNED

8840 S Meridian St.
Haysville, KS 67060
September 30, 2017

Mr. Matthew Meier
Stafford Field Office
300 S Main St.
Stafford, KS 67578-1521

RE: Pending Application, File No. 49,735

Dear Mr. Meier

Thank you for your letter dated September 27, 2017 regarding the above file. I appreciate the chance to comment on this application.

I ask your office to deny this application. I am concerned about the significant negative impact that this much water use would have on my well, as well as my neighbors' wells. I researched the numbers and find that this would amount to around 55 million gallons per year. This amounts to at least the usage of 169 households in the area.

This is a suburban residential area. We do not have access to any municipal water supply. I am certain that this would lower the groundwater level in our area. Without sufficient water our homes become unlivable.

Please deny this application. This is an incredible amount of water to be removing from the water table. By the time we see the impact, it may be too late for homeowners like me. When we purchased this property, it came with a good well and I would appreciate your help in keeping it that way.

If you need to contact me, I can be reached at (308) 660-4388 or wjbrasca@gmail.com.

Sincerely



William J Brasca

RECEIVED

OCT 02 2017

SCANNED

Stafford Field Office
Division of Water Resources



Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

September 27, 2017

Andrew J. Pechanec
3320 W. 87th St. S.
Haysville, KS 67060

Re: Pending Application, File No. 49,735

Dear Sir or Madam:

This is to advise you that John E Dugan Family Partnership LP has filed the application referred to above for a permit to appropriate 169 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,735 is a battery of four (4) wells, which is located as follows:

Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13, 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,

A handwritten signature in black ink that reads "Matthew J. Meier". The signature is written in a cursive style.

Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

pc:

SCANNED

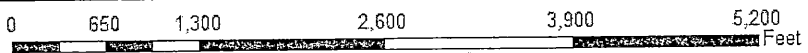
Stafford Field Office
 300 S. Main Street
 Stafford, Kansas 67578-1521
 Jackie McClaskey, Secretary
 David W. Barfield, Chief Engineer
 Jeff Lanterman, Water Commissioner



Phone: (620) 234-5311
 Fax: (620) 234-6900
 www.agriculture.ks.gov
 Sam Brownback, Governor



1:12,000

2015 aerial



Legend	
	Section Corners
	Section Lines

Proposed Water Appropriation, File No. 49,735
 13-29S-1W
 Sedgwick County



MJM-DWR 9/27/17



Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521
Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanteman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

September 27, 2017

Tony W. & Janice L. Tamson
3426 W. 97th St. S
Haysville, KS 67060

Re: Pending Application, File No. 49,735

Dear Sir or Madam:

This is to advise you that John E Dugan Family Partnership LP has filed the application referred to above for a permit to appropriate 169 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,735 is a battery of four (4) wells, which is located as follows:

Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13, 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,

A handwritten signature in cursive script that reads "Matthew J. Meier".

Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

pc:

SCANNED

Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

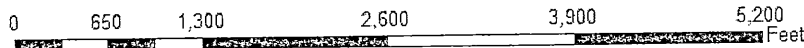
Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor



Legend

- Section Corners
- Section Lines

MJM-DWR 9/27/17



Proposed Water Appropriation, File No. 49,735
13-29S-1W
Sedgwick County




Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521
Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

September 27, 2017

Bruce C Bergmann
8401 S. Meridian Ave
Haysville, KS 67060

Re: Pending Application, File No. 49,735

Dear Sir or Madam:

This is to advise you that John E Dugan Family Partnership LP has filed the application referred to above for a permit to appropriate 169 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,735 is a battery of four (4) wells, which is located as follows:

Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13, 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



Legend

- Section Corners
- Section Lines

MJM-DWR 9/27/17

Proposed Water Appropriation, File No. 49,735
13-29S-1W
Sedgwick County




Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

September 27, 2017

William J & Peggy J Brasca
8840 S. Meridain Ave.
Haysville, KS 67060

Re: Pending Application, File No. 49,735

Dear Sir or Madam:

This is to advise you that John E Dugan Family Partnership LP has filed the application referred to above for a permit to appropriate 169 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,735 is a battery of four (4) wells, which is located as follows:

Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13, 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



Legend

- ⊕ Section Corners
- ▭ Section Lines

MJM-DWR 9/27/17

Proposed Water Appropriation, File No. 49,735
13-29S-1W
Sedgwick County




Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

September 27, 2017

Robert J & Carol A Schmitz
8910 S. Meridian Ave.
Haysville, KS 67060

Re: Pending Application, File No. 49,735

Dear Sir or Madam:

This is to advise you that John E Dugan Family Partnership LP has filed the application referred to above for a permit to appropriate 169 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,735 is a battery of four (4) wells, which is located as follows:

Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13, 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:

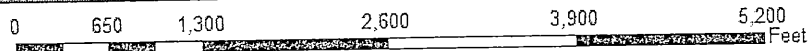
SCANNED



Legend

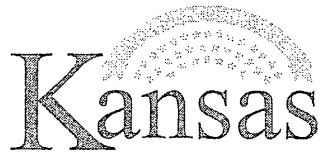
- Section Corners
- Section Lines

MJM-DWR 9/27/17



Proposed Water Appropriation, File No. 49,735
13-29S-1W
Sedgwick County





Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Department of Agriculture
Division of Water Resources

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Sam Brownback, Governor

September 27, 2017

Virginia Franz
8950 S. Meridian Ave
Haysville, KS 67060

Re: Pending Application, File No. 49,735

Dear Sir or Madam:

This is to advise you that John E Dugan Family Partnership LP has filed the application referred to above for a permit to appropriate 169 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,735 is a battery of four (4) wells, which is located as follows:

Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13, 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



Legend

- Section Corners
- Section Lines

MJM-DWR 9/27/17

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

Proposed Water Appropriation, File No. 49,735
13-29S-1W
Sedgwick County





Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Department of Agriculture
Division of Water Resources

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov

Sam Brownback, Governor

September 27, 2017

Southern Star Central Gas Pipeline
9120 S. Meridian Ave.
Haysville, KS 67060

Re: Pending Application, File No. 49,735

Dear Sir or Madam:

This is to advise you that John E Dugan Family Partnership LP has filed the application referred to above for a permit to appropriate 169 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,735 is a battery of four (4) wells, which is located as follows:

Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13, 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:

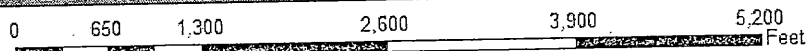
SCANNED

Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521
Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor



Legend

- Section Corners
- Section Lines

MJM-DWR 9/27/17

Proposed Water Appropriation, File No. 49,735
13-29S-1W
Sedgwick County





Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

September 27, 2017

Ronald Lee & Sheila J Rooker
8839 S. Champion St.
Haysville, KS 67060

Re: Pending Application, File No. 49,735

Dear Sir or Madam:

This is to advise you that John E Dugan Family Partnership LP has filed the application referred to above for a permit to appropriate 169 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,735 is a battery of four (4) wells, which is located as follows:

Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13, 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,

A handwritten signature in cursive script that reads "Matt Meier".

Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

pc:

SCANNED

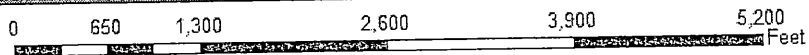
Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521
Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner



Legend

- Section Corners
- Section Lines

MJM-DWR 9/27/17



Proposed Water Appropriation, File No. 49,735
13-29S-1W
Sedgwick County



The logo features the word "Kansas" in a large, serif font. Above the letters "a", "n", "s", and "a" are the words "Department of Agriculture" and "Division of Water Resources" in a smaller, sans-serif font. The entire logo is set against a background of a stylized sunburst or starburst pattern.

Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

September 27, 2017

David Anderson
8840 S. Champion St.
Haysville, KS 67060

Re: Pending Application, File No. 49,735

Dear Sir or Madam:

This is to advise you that John E Dugan Family Partnership LP has filed the application referred to above for a permit to appropriate 169 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,735 is a battery of four (4) wells, which is located as follows:

Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13, 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,

A handwritten signature in black ink, appearing to read "Matt Meier".

Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

pc:

SCANNED

Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521
Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor



Legend

- Section Corners
- Section Lines

MJM-DWR 9/27/17

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

Proposed Water Appropriation, File No. 49,735
13-29S-1W
Sedgwick County



The logo features the word "Kansas" in a large, serif font. Above the letters "a", "s", and "s" are decorative elements: a semi-circle of stars above "a", a semi-circle of stars above "s", and a semi-circle of stars above "s". Below "Kansas" is the text "Department of Agriculture" and "Division of Water Resources" in a smaller, sans-serif font.

Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

September 27, 2017

Wilburn L. Jr. & Dianne
P.O. Box 272
8960 S. Champion St.
Haysville, KS 67060

Re: Pending Application, File No. 49,735

Dear Sir or Madam:

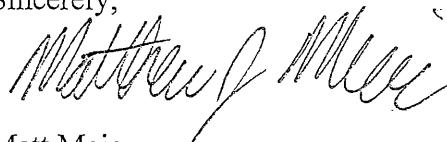
This is to advise you that John E Dugan Family Partnership LP has filed the application referred to above for a permit to appropriate 169 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,735 is a battery of four (4) wells, which is located as follows:

Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13, 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,

A handwritten signature in black ink that reads "Matt Meier".

Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

pc:

SCANNED

Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor



Legend

- Section Corners
- Section Lines

MJM-DWR 9/27/17

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

Proposed Water Appropriation, File No. 49,735
13-29S-1W
Sedgwick County




Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

September 27, 2017

Dale R. Jr. & Linda A. England
8959 S. Champion St.
Haysville, KS 67060

Re: Pending Application, File No. 49,735

Dear Sir or Madam:


This is to advise you that John E Dugan Family Partnership LP has filed the application referred to above for a permit to appropriate 169 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,735 is a battery of four (4) wells, which is located as follows:

Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13, 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

Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor



Legend

- Section Corners
- Section Lines

MJM-DWR 9/27/17

Proposed Water Appropriation, File No. 49,735
13-29S-1W
Sedgwick County




Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

September 27, 2017

Eric R Johnson
2203 W. Reay St.
Haysville, KS 67060

Re: Pending Application, File No. 49,735

Dear Sir or Madam:

This is to advise you that John E Dugan Family Partnership LP has filed the application referred to above for a permit to appropriate 169 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,735 is a battery of four (4) wells, which is located as follows:

Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13, 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

Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor



Legend
+ Section Corners
— Section Lines

MJM-DWR 9/27/17

Proposed Water Appropriation, File No. 49,735
13-29S-1W
Sedgwick County





Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521
Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

September 27, 2017

Robert D Hay Trust
9171 S. West Street
Haysville, KS 67060

Re: Pending Application, File No. 49,735

Dear Sir or Madam:

This is to advise you that John E Dugan Family Partnership LP has filed the application referred to above for a permit to appropriate 169 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,735 is a battery of four (4) wells, which is located as follows:

Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13, 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,

A handwritten signature in black ink, appearing to read "Matt Meier".

Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

pc:

SCANNED

Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor



Legend
+ Section Corners
— Section Lines

MJM-DWR 9/27/17

Proposed Water Appropriation, File No. 49,735
13-29S-1W
Sedgwick County


Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

September 27, 2017

Bobby & Cecile Lewis Trust
P.O. Box 362
3230 W. 87th St. S.
Haysville, KS 67060

Re: Pending Application, File No. 49,735

Dear Sir or Madam:

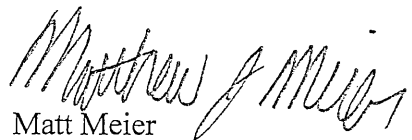
This is to advise you that John E Dugan Family Partnership LP has filed the application referred to above for a permit to appropriate 169 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,735 is a battery of four (4) wells, which is located as follows:

Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13, 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



Legend

- Section Corners
- Section Lines

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

Proposed Water Appropriation, File No. 49,735
13-29S-1W
Sedgwick County

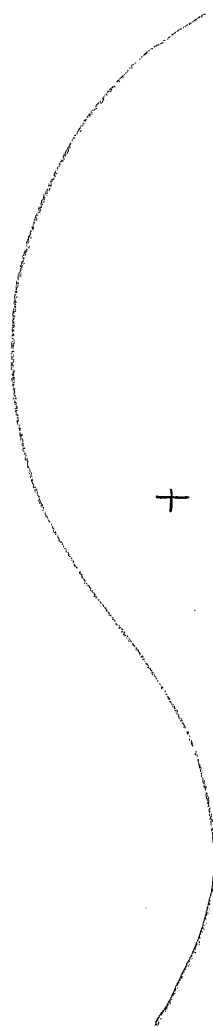


MJM-DWR 9/27/17
BWAJE

Wells or possible within 1/2 mile

- 1 Bobby & Cecile Lewis Trust
P.O. Box 362
3230 W. 87th St. S
Haysville, Ks 67060
- 2 Andrew J. Pechanec
3320 W. 87th St. S
Haysville, Ks 67060
- 3 Tony W. & Janice L. Tamson
3426 W. 87th St. S
Haysville, Ks 67060
- 4
15 Bruce C. Bergmann
8401 S. Meridian Ave.
Haysville, Ks 67060
- 5 William J & Peggy J. Brasca
8840 S. Meridian Ave.
Haysville, Ks 67060
- 6 Robert J. & Carol A. Schmitz
8910 S. Meridian Ave.
Haysville, Ks 67060
- 7 Virginia Franz
8950 S. Meridian Ave.
Haysville, Ks 67060
- 8 Southern Star Central Gas Pipeline
9120 S. Meridian Ave.
Haysville, Kansas 67060
- 9 Ronald Lee & Sheila J. Rooker
8839 S. Champion St.
Haysville, Ks 67060
- 10 David Anderson
8840 S. Champion St.
Haysville, Ks 67060

DOMESTIC



+ IRRIGATION

INDUSTRIAL

DOMESTIC



WATER RESOURCES
RECEIVED

MAR 15 2017

KS DEPT OF AGRICULTURE

11

Wilburn L. Jr. & Dianne
P.O. Box 272
8960 S. Champion St.
Haysville, Ks 67060

DOMESTIC

12

Dale R. Jr & Linda A. England
8959 S. Champion St.
Haysville, Ks 67060

13

Eric R. Johnson
2203 W. Reay St.
Haysville, Ks 67060

14

Robert D Hay Trust
9171 S. West Street
Haysville, Ks 67060

IRRIGATION

WATER RESOURCES
RECEIVED

MAR 15 2017

KS DEPT OF AGRICULTURE

(A)



14 Feb 2017

John Dugan
TH 2-17

740' S & 1320' W of NE cor. of Section 13, T29S, R1W Elevation 1285'
(580' N of TW 1-17) GPS N 37° 31.988' W 97° 22.457'
Est. SWL 30' @ GL

0 - 2'	Top Soil
2 - 11	Clay gy & br
11 - 22	Sand br f-c, gravel f-c, loose
22 - 24	Clay gy, sandy
24 - 27	Clay yel
21 - 24	Clay tan
27 - 30	Sand tan, vf-f, so. m
30 - 35	Sand tan, f-c, so. gravel f
35 - 50	Sand tan, f-c, gravel, f-c
50 - 63	Sand tan, vf-c, so. gravel & pebbles (clay yel 63 - 63.25)
63 - 75	Sand tan, f-c, gravel, f-c, loose
75 -	Shale gn

Plug 75' - 0 bentonite hp

Logged by Brad Vincent, Ground Water Associates
GPS handheld. Datum: 1927 North American Conus

WATER RESOURCES
RECEIVED

MAR 15 2017

KS DEPT OF AGRICULTURE

(B)



14 Feb 2017

John Dugan
TH 3-17

320' S & 1320' W of NE cor. of Section 13, T29S, R1W Elevation 1285'
(420' N of TH 2-17) GPS N 37° 32.061' W 97° 22.458'
Est. SWL 30' @ GL

0 - 2'	Top Soil
2 - 12	Clay br
12 - 14	Clay br, sandy
14 - 20	Sand br f - m
20 - 27	Sand tan vf - c
27 - 30	Sand tan vf - c, clay tan (25 to 30%)
30 - 37	Sand tan, vf - c, so. gravel f-m
37 - 43	Sand tan, f - c, gravel f - c
43 - 58	Sand tan, f - c, gravel, f - c, so. clay streaks
58 - 61	Sand tan, f - c, gravel f - m, loose
61 - 68	Sand tan, f - c, gravel, f - c
68 - 73	Shale yel, weathered
73	Shale gy, hard

Plug 73' - 0 bentonite hp

Logged by Brad Vincent, Ground Water Associates
GPS handheld. Datum: 1927 North American Conus

WATER RESOURCES
RECEIVED

MAR 15 2017

KS DEPT OF AGRICULTURE



TO VERIFY STATIC WATER LEVEL

13 Feb 2017

John Dugan
TW 1-17

1320' S & 1320' W of NE cor. of Section 13, T29S, R1W
GPS N 37° 31.897' W 97° 22.457'

Elevation 1285'



0 - 2'	Top Soil
2 - 5	Clay br
5 - 6	Clay gy & br
6 - 12	Clay br
12 - 21	Sand br, f-c, so. gravel f- m, pebbles
21 - 24	Clay tan
24 - 28	Sand tan, vf - m, clay streaks, loose
28 - 35	Sand tan, f - c, so. gravel, f-m
35 - 41	Sand tan, f - c, so. gravel, f - c
41 - 46	Sand rusty br, f - c, so. gravel, f - c, pebbles
46 - 61	Sand tan, f - c, so. gravel, f - m
61 - 64	Sand tan, f - c, gravel f - c
64 - 67	Shale, yel, weathered
67 - 68	Shale, yel/gy
68	Shale, gy

Set 5 "PVC- 0.032" slot screen 64' - 44'. Gravel pack to 20'. HP 20 - 0

Logged by Brad Vincent, Ground Water Associates
GPS handheld. Datum: 1927 North American Conus

WATER RESOURCES
RECEIVED

MAR 15 2017

KS DEPT OF AGRICULTURE

2-28-17
(Date)

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

Re: Application
File No. 49,735

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.

John W. Dugan
Signature of Applicant

John W. Dugan
(Print Applicant's Name)

State of Kansas)
County of Sedgwick) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 28 day of February, 2017.



Jodie K. Loux
Notary Public

My Commission Expires:
April 18, 2017

WATER RESOURCES
RECEIVED

MAR 15 2017



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

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

Jackie McClaskey, Secretary

Governor Sam Brownback

February 27, 2017

JOHN E DUGAN FAMILY PARTSHIP LP
15810 W 47TH SOUTH
CLEARWATER KS 67026

FILE COPY

Re: Pending Application,
File No. 49,735

Dear Mr. Dugan:

In response to the written request on your behalf by mail received in this office on February 24, 2017, the Chief Engineer is allowing an extension of time for sixty (60) days, in which to supply further information concerning the above referenced file. The original application was returned to you on December 23, 2016, and with this extension of time, the revised deadline will be April 23, 2017.

Extension requests are evaluated on a case by case basis. Since it appears that no pending application would be adversely affected by granting this extension, you are being allowed an additional 60 days. If you determine that additional time will be needed, you may submit another request for an extension prior to the deadline given above. Please note that since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

In order to retain its priority of filing, the original application and attachments must be returned to this office with the requested information on or before April 23, 2017, or within any authorized extension of time thereof. According to law, default in refiling of the completed application and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 564-6631 or by email at alex.whitesell@ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

pc: Ground Water Associates

SCANNED

Ground Water Associates, Inc.

109 W. 1st Ave., P.O. Box 792, Goddard, Ks 67052 • 316-262-3322

Feb 21, 2017

Alex Whitesell – Environmental Scientist
Water Appropriation Scientist
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502-5000

WATER RESOURCES
RECEIVED

FEB 24 2017

KS DEPT OF AGRICULTURE

Subject: John Dugan Family Partnership LP, Pending Application 49,735

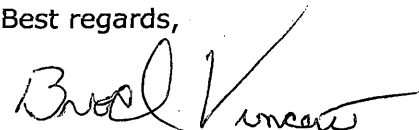
Dear Mr. Whitesell,

This letter is written to request additional time to complete our investigation of the NE ¼ of Section 13, T29S, R1W for the John Dugan Family Partnership LP.

Clarke Drilling has drilled two test holes and one test well. We have completed a pumping test on the test well and we are gathering the additional information requested to complete this application.

We are requesting an additional 60 days to provide the additional information required. Please contact us with any questions.

Best regards,



Brad C. Vincent, P.G.
Ground Water Associates
316-550-6177

Pc: John Dugan



SCANNED

EXPERTISE IN WATER & WELLS

Whitesell, Alex

From: Brad Vincent <vincentbrad@hotmail.com>
Sent: Tuesday, February 21, 2017 3:22 PM
To: Whitesell, Alex; John Dugan
Subject: Water application 49,735
Attachments: 49735 001.jpg

Alex,

Attached is a letter requesting additional time to complete the requested information on application 49,735 for the John Dugan Family Partnership LP. I can mail you the hard copy of the letter if needed.

Brad

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

February 1, 2017

JOHN E DUGAN FAMILY PARTNERSHIP LP
15810 W 47TH SOUTH
CLEARWATER KS 67206

FILE COPY

Re: Pending Application,
File No. 49,735

Dear Sir or Madam:

The Division of Water Resources returned the above referenced application to you for additional information on December 23, 2016, and the current deadline for your response is February 23, 2017. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original application and requested information needs to be returned to this office on or before **February 23, 2017**, or within any authorized extension of time thereof. According to law, default in refileing of the completed application and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

If an extension of time is necessary to supply the requested information, please request the extension of time in writing before **February 23, 2017**. Provide information as to why the additional time is needed and how much additional time is requested. Please note that since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 564-6631 or by email at alex.whitesell@ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

SCANNED

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

December 23, 2016

JOHN E DUGAN FAMILY PARTSHIP LP
15810 W 47TH SOUTH
CLEARWATER KS 67026

FILE COPY

Re: Pending Application,
File No. 49,735

Dear Sir or Madam:

After a preliminary review of your above referenced application for permit to appropriate water received in this office on December 1, 2016, it is being returned to you for additional information. In your original application, you requested a 60-day period of time in which to determine the precise location for your point of diversion within a specified quarter section tract of land described as the Northeast Quarter (NE¹/₄) of Section 13, in Township 29 South, Range 1 West, Sedgwick County, Kansas.

Once you've determined the precise location for your point of diversion, complete the rest of Paragraph No. 5 of your application by providing the description for the 10-acre tract location of the point of diversion as well as the feet distances North and West of the Southeast corner of the Section. The location of the point of diversion must also be plotted on the topographical map included. In the case of a battery of wells, please provide the description of the location of the proposed geographic center of the well battery, as well as **the location for each of the individual wells comprising the battery of wells**.

The locations of all other water wells of every kind within one-half mile (¹/₂) of the point of diversion must be plotted on the topographical map as well. Each well should be identified as to its use (e.g. domestic, irrigation, industrial, etc.) and must **include the name and mailing address of the well owner**. A signed statement should be included on the map declaring that all wells within one-half mile (¹/₂) of the point of diversion have been plotted, or it should declare that none exist. Please provide this information once you have established your point of diversion.

Paragraph No. 13 of the application requests well information so the source of supply of the proposed well may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of a well or test hole within 300 feet of the proposed point of diversion. Please supply the indicated information and a test hole log or a driller's log with the returned application. Also, the enclosed "Minimum Desirable Streamflow" form must be signed and notarized, and the enclosed "Irrigation Use Supplemental Sheet" form must be completed. These forms should be returned with your application as well.

In order to retain its priority of filing, the original application and attachments must be returned to this office with the requested information on or before **February 23, 2017**, or within any authorized extension of time thereof. According to law, default in refileing of the completed application and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

(over)

SCANNED

John E Dugan Family Partnership LP
December 23, 2016
Page 2 of 2

If you have any questions, please contact me at (785) 564-6631 or by email at alex.whitesell@ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Whitesell". The signature is stylized and cursive.

Alex Whitesell
Environmental Scientist
Water Appropriation Program

enclosures

pc: Stafford Field Office



1320 Research Park Drive
Manhattan, Kansas 66502

Jackie McClaskey, Secretary

Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

December 2, 2016

JOHN E DUGAN FAMILY PARTNERSHIP LP
15810 W 47TH SOUTH
CLEARWATER KS 67026

FILE COPY

RE: Application
File No. 49735

Dear Sir or Madam:

Your application for permit to appropriate water in 13-29S-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,

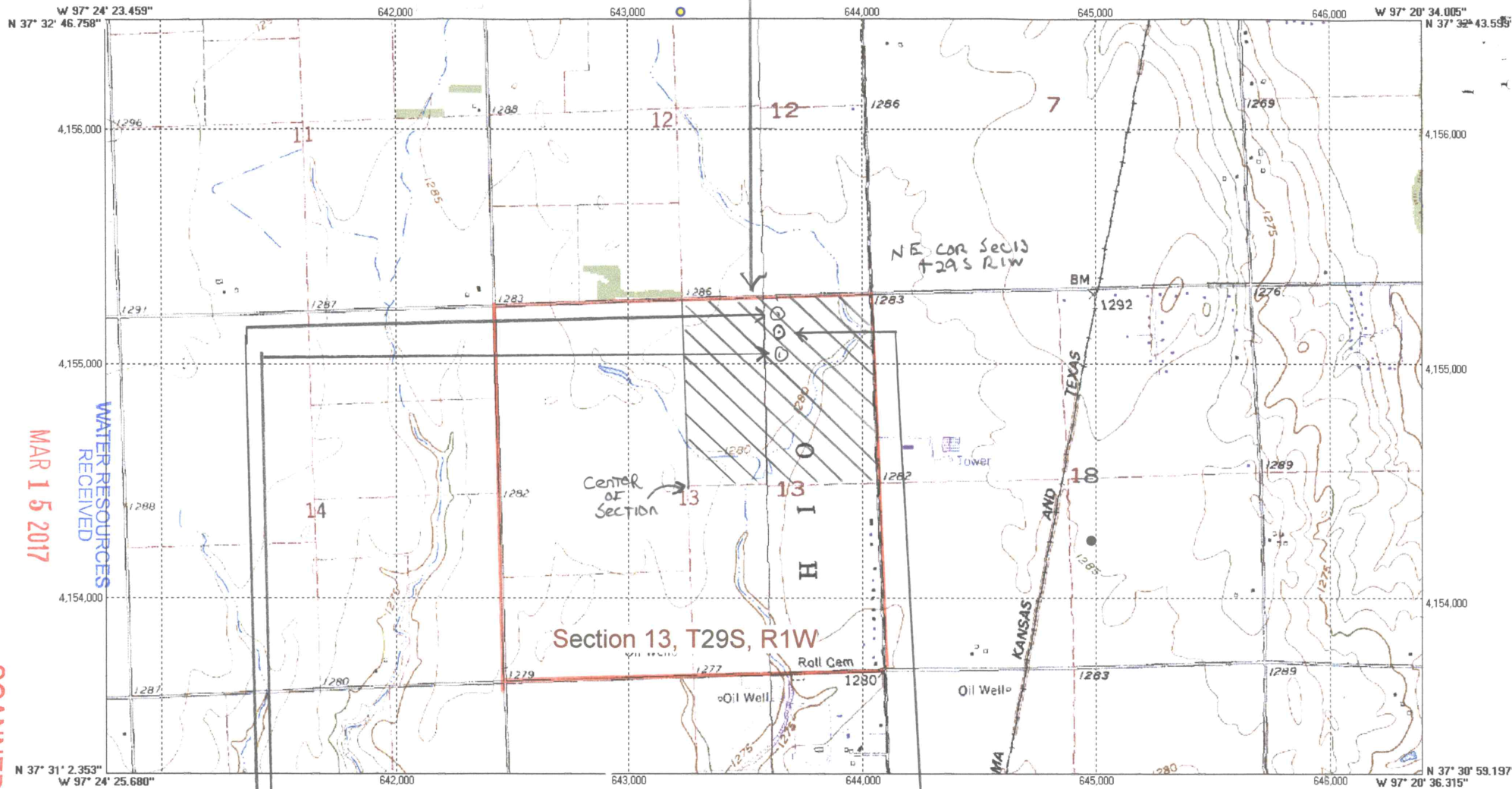
Brent A Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: STAFFORD Field Office
GMD

SCANNED

130 ACRE PIVOT-PLACE OF USE

bigtopo.DuganJ



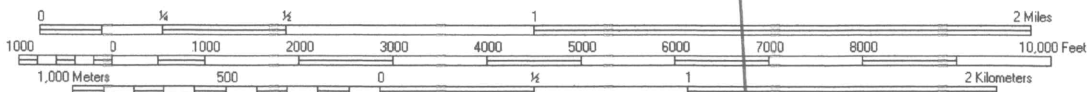
KS DEPT OF AGRICULTURE

MAR 15 2017

WATER RESOURCES RECEIVED

SCANNED

1927 North American Datum; 1,000-meter UTM grid zone 14
Generated by BigTopo (www.igage.com)
Map compiled from USGS Quads: Bayneville; KS Derby; KS



John Dugan

Well 1 4540' N + 1320' W OF SE COR Sec 13
Well 2 4960' N + 1320' W OF SE COR Sec 13

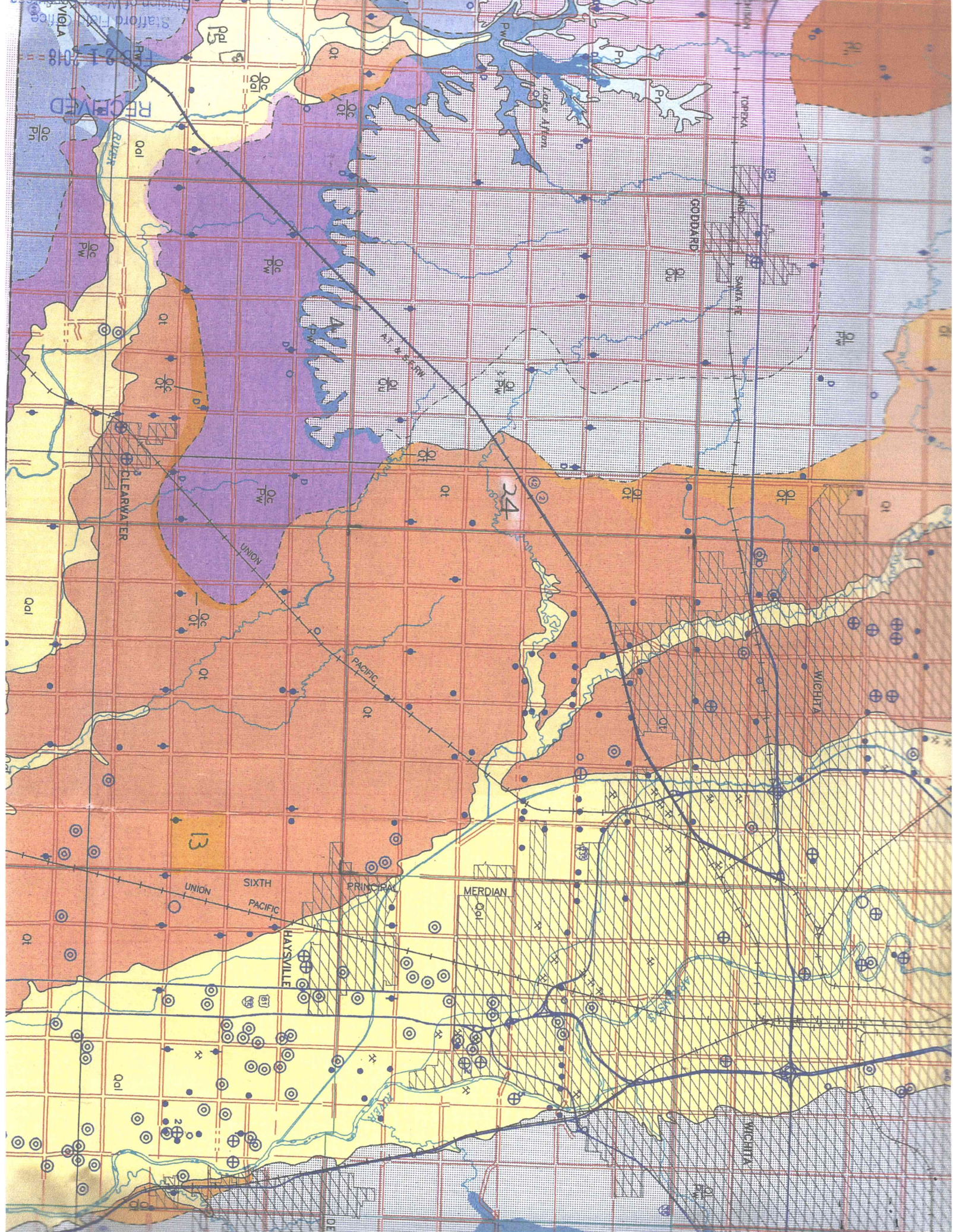
CENTER POINT 4750' N + 1320' W OF SE COR Sec 13

KS DEPT OF AGRICULTURE

DEC 01 2016

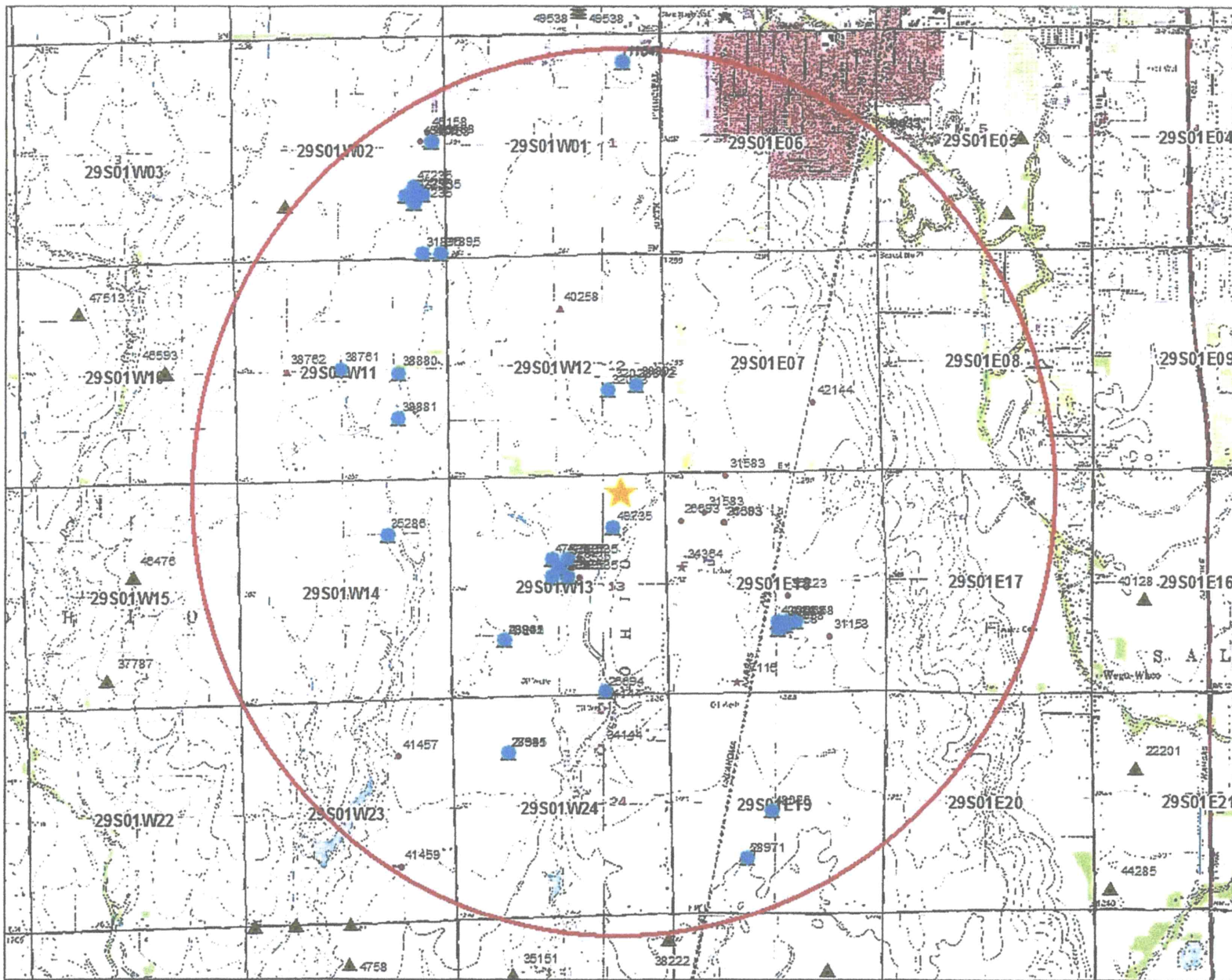
WATER RESOURCES RECEIVED

ALL WELLS OR POSSIBLE WELL WITHIN 1/2 MILE OF CENTER POINT HAVE BEEN LOCATED ON SEPARATE INCLUDED MAP. *Brad Vincent*
WELL LOCATION WITHIN 1/2 MILE WILL BE MARKED WHEN THE WELL LOCATIONS ARE DETERMINED.



Safe Yield Report Sheet
Proposed Water Right Application
Point of Diversion in SWNWNENE 13-29S-01W

#49735



RECEIVED

FEB 21 2018

Stafford Field Office
Division of Water Resources

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. $-3217.63 = -503.45$
 Total prior appropriation in the circle is 2,482.41 AF.
 Total quantity of water available for appropriation is 231.77 AF.

#49,735

Fails 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 26-SEP-2017 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 20 water right(s) and 31 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 11647	00 IRR NK G				NC N2	NE NE		4579	906	01	29	01W	1	WR	25.00	25.00	70.00	70.00
A 20241	00 IRR NK G					NC SW		1320	4030	13	29	01W	1	WR	77.00	77.00	138.00	138.00
A 26694	00 IRR NK G					SE SW SE		100	1560	13	29	01W	2	WR	146.00	146.00	140.00	140.00
A 27685	00 IRR NK G					NC NW		3960	3950	24	29	01W	1	WR	178.00	178.00	138.00	138.00
A 28941	00 IRR NK G					NC NW		3960	3950	24	29	01W	1	WR	29.00	29.00	138.00	0.00
A 28942	00 IRR NK G					NC SW		1320	4030	13	29	01W	1	WR	110.00	110.00	138.00	0.00
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 31895	00 MUN NK G					SE SE SE		100	560	02	29	01W	3	WR	552.40	552.40		
Same	MUN NK G					SE SE SE		100	100	02	29	01W	2	WR				
A 32023	00 IRR NK G					NC N2 SE		2145	1277	12	29	01W	4	WR	90.00	90.00	79.00	79.00
A 35286	00 IRR NK G					NC NE		3950	1500	14	29	01W	1	WR	175.50	175.50	135.00	135.00
A 38761	00 MUN KK G					NC		2640	2640	11	29	01W	1	WR	314.01	37.81	314.01	
A 38802	00 IRR NK G					NC NE SE		2099	680	12	29	01W	2	WRF	12.00	12.00	79.00	0.00
A 38880	00 MUN KK G					NC E2 E2		2540	1220	11	29	01W	3	WR	314.01	0.00	314.01	
A 38881	00 MUN LR G					NC SE		1450	1220	11	29	01W	4	WR	314.01	0.00	314.01	
A 40658	00 IRR NK G					SW NW SE		1653	2220	18	29	01E	9	WR	213.00	213.00	143.00	143.00
Same	IRR NK G					SW NW SE		1550	2460	18	29	01E	13	WR				
Same	IRR NK G					SW NW SE		1453	2620	18	29	01E	12	WR				
Same	IRR NK G					SW NW SE		1653	2620	18	29	01E	11	WR				
Same	IRR NK G					SW NW SE		1653	2420	18	29	01E	10	WR				
A 46158	00 IRR NK G					SE SE NE		2762	326	02	29	01W	9	WR	166.40	166.40	128.00	128.00
A 47235	00 IRR KE G					SW NE SE		1500	750	02	29	01W	10	WR	205.40	205.40	158.00	158.00
Same	IRR KE G					SW NE SE		1700	750	02	29	01W	12	WR				
Same	IRR KE G					NW SE SE		1300	750	02	29	01W	13	WR				
Same	IRR KE G					SW NE SE		1500	550	02	29	01W	14	WR				
Same	IRR KE G					SW NE SE		1500	950	02	29	01W	15	WR				
A 47535	00 IRR GY G					SE SE NW		3000	2650	13	29	01W	8	WR	176.80	176.80	146.00	146.00
Same	IRR GY G					SW SW NE		2800	2450	13	29	01W	9	WR				
Same	IRR GY G					SE SE NW		3200	2850	13	29	01W	10	WR				
Same	IRR GY G					SW SW NE		3200	2450	13	29	01W	11	WR				
Same	IRR GY G					SE SE NW		2800	2850	13	29	01W	12	WR				
A 48026	00 IRR GY G					NE NE SW		2450	2670	19	29	01E	2	WR	87.10	87.10	114.00	0.00
A 49735	00 IRR AY G					NE		3960	1320	13	29	01W	13	WR	169.00	169.00	130.00	130.00

Based on limitations,
 can pump entire
 quantity out 2-mile
 now considered all
 add. based on
 produce changes.

32,176.3 AF
 appropriated

Stafford Field Office
 Division of Water Resources

RECEIVED
 FEB 21 2018

