

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

1. File Number: <p style="text-align: center;">49,736</p>	2. Status Change Date: <p style="text-align: center;">1/17/2018</p>	3. Field Office: <p style="text-align: center;">02</p>	4. GMD: <p style="text-align: center;">02</p>
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5. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

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

7a. Applicant(s) Person ID 65325
New to system Add Seq# _____

PRAIRIE LAND MANAGEMENT LLC
4104 S HERRON RD
HUTCHINSON KS 67501

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

7a

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

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

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

7b 7A

9. Use of Water: Changing? Yes No

Groundwater Surface Water

IRR REC DEW MUN

STK SED DOM CON

HYD DRG WTR PWR ART RECHRG

IND SIC: _____ OTHER: _____

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

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

14. Water Level Measuring Device? Yes No Date to Comply: _____ Date WLMD Installed: _____

Date Prepared: **12/7/17** By: **MJM**
Date Entered: **1/19/2018** By: **UM**

File No. **49,736** 15. Formation Code: Drainage Basin: **Arkansas River** County: **RN** Special Use: Stream: **Arkansas River Trib 10A**

16. Points of Diversion									
MOD DEL ENT	PDIV Qualifier	S	T	R	ID	'N	'W		
J	85758 NE SW NE	35	23S	6W	2	3,560	1,500		

17. Rate and Quantity				
Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files

18. Storage: Rate **Nat Flows** NF Quantity **28.73** ac/ft Additional Rate **Nat Flows** NF Additional Quantity **28.73** ac/ft

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

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

21. Place of Use T MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files													
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼																	
J	68135	35	23S	6W	2	1 Pond SW¼ NE¼																						N										
						4.42 ac Pond (SW NE)																																

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: December 7, 2017

FROM: Matt Meier

RE: Application File Nos. 49,736

Prairie Land Management LLC has filed the above referenced application proposing to appropriate 28.73 acre-feet of surface water for recreational use at a diversion rate of natural flows of Arkansas River Trib 10 (Arkansas River). An additional 30 acre-feet will be authorized via special condition on a one-time basis for the initial filling of the reservoir. The proposed point of diversion is a grass weir for the reservoir outlet (which serves as the control point for the reservoir) located in the Northeast Quarter of the Southwest Quarter of the Northeast Quarter (NE1/4 SW1/4 NE1/4) of section 35, more particularly described as being near a point 3,560 feet North and 1,500 feet West of the Southeast corner of said section, Township 23 South, Range 6 West, Reno County, within the Arkansas River drainage basin. The water will be used to cover evaporation losses from the reservoir. The entire proposed place of use is owned by the applicant. The applicant is expanding out an existing surface reservoir (which was allowed via K.S.A. 82a-728) to increase the overall size and storage capacity of the reservoir. The reservoir is being excavated out and will not have a dam. Based on the engineering diagrams submitted with the application, the reservoir is being dug down approximately 6-feet below ground level with a 4-foot berm built around it. Static water levels from nearby wells were listed at 20 to 23 feet below ground level so the application should be only surface water if the reservoir is constructed as shown.

The surface area of the reservoir is 4.42 acres. Potential net evaporation in inches based on K.A.R. 5-6-3 is 26 inches. As per K.A.R. 5-6-5(1)(B), the maximum reasonable annual quantity for storage of water for beneficial use in a reservoir is a three-year supply of water for indirect use.

4.42 acres x 26 inches of evaporation / 12 inches x 3 years = 28.73 acre-feet

A runoff calculation was performed for the application using a drainage area map provided with the application (which appeared reasonable based on a review of location). The runoff calculation listed the potential runoff for the pond at 379.25 acre-feet (20% chance of rainfall: 7.4 inches x 615-acre drainage area = approximately 379.25 acre-feet). A review of WRIS showed no other surface water rights within a two-mile area of the application. Based off this information there appears to be sufficient potential runoff water for the application.

The applicant identified 7 owners of adjacent land ½ mile upstream and downstream of the proposed reservoir. Nearby notification letters were sent out on September 14, 2017. No contact of any kind was received. It was determined that the reservoir was not jurisdictional prior to processing the application and did not require any permits from structures.

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

Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the referenced application on December 7, 2017. Based on the above discussion, that this area is open to new appropriations, the proposed appropriation of water appears reasonable, approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

Matthew J. Meier
Environmental Scientist
Permits Unit

1320 Research Park Drive
Manhattan, Kansas 66502

Jackie McClaskey, Secretary



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

Sam Brownback, Governor

January 23, 2018

PRAIRIE LAND MANAGEMENT LLC
4104 S HERRON RD
HUTCHINSON KS 67501

FILE COPY

RE: Application, File No. 49,736

Dear Sir or Madam:

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

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit.

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

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

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

Sincerely,

A handwritten signature in black ink that reads "Kristen A. Baum".

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

Enclosures

pc: Stafford Field Office



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. 49,736** of the applicant

**PRAIRIE LAND MANAGEMENT LLC
4104 S HERRON RD
HUTCHINSON KS 67501**

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 2, 2016**.
2. That the water sought to be appropriated shall be used for recreational use at one pond located in the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 35, in Township 23 South, Range 6 West, Reno County, Kansas.
3. That the appropriation sought shall be limited to all natural flows of an unnamed tributary to Arkansas River, designated in the office of the Chief Engineer as Arkansas River Trib 10A, not needed to satisfy all vested rights and prior appropriation rights to be stored to a maximum extent of **28.73 acre-feet** per calendar year, in a reservoir created by impoundment with an exit point of diversion located in the Northeast Quarter of the Southwest Quarter of the Northeast Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 35, more particularly described as being near a point 3,560 feet North and 1,500 feet West of the Southeast corner of said section, in Township 23 South, Range 6 West, Reno County, Kansas, as shown on the topographic map accompanying the application.
4. That in accordance with K.A.R.5-6-6 a maximum quantity not to exceed **30 acre-feet** of water may also be diverted to complete the initial filling of the reservoir only and shall not count toward perfection of a water right under the authority of this permit. Subsequent refilling of the reservoirs shall require authorization under a term permit.
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, which is currently \$400.00, when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.
6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 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, which is currently \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.
8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.
9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.
10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.
11. That 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.
12. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.
13. 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.
14. 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.

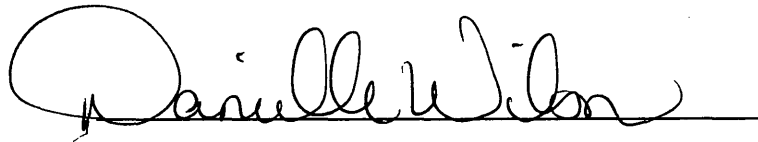
CERTIFICATE OF SERVICE

On this 23rd day of January, 2018, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,736, dated January 17, 2018 was mailed postage prepaid, first class, US mail to the following:

PRAIRIE LAND MANAGEMENT LLC
4104 S HERRON RD
HUTCHINSON KS 67501

With photocopies to:

Stafford Field Office



Division of Water Resources

2018 JAN 23 10:00 AM
KANSAS DEPARTMENT OF REVENUE
MAIL ROOM

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

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

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

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

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

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

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

Ordered this 17th day of January, 2018, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 17th day of January, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

Notary Public

THE STATE  OF KANSAS

APPLICATION COMPLETE
 12-2-16
 Reviewer KAM/SEFO
 12-7-17 KAB/DWR

KANSAS DEPARTMENT OF AGRICULTURE
 Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
 David W. Barfield, Chief Engineer

File Number 49736
 This item to be completed by the Division of Water Resources.

WATER RESOURCES
 RECEIVED

APPLICATION FOR PERMIT TO
 APPROPRIATE WATER FOR BENEFICIAL USE

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

DEC 02 2016
 12:30
 KS DEPT OF AGRICULTURE

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

1. Name of Applicant (Please Print): Prairie Land Management LLC
 Address: 4104 South Herron Road
 City: Hutchinson State KS Zip Code 67501
 Telephone Number: (620) 727-4291

2. The source of water is: surface water in Unnamed Trib. to Arkansas River Trib 10A
 (stream)
 OR groundwater in _____
 (drainage basin)

KAB/DWR
 1-9-18

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 40.0 acre-feet OR _____ gallons per calendar year,
 to be diverted at a maximum rate of 500 NF gallons per minute OR _____ cubic feet per second.
** 29.73 (3 times Evap) reduced to maximum reasonable as outlined in K.A.R. 5-6-5. Verified with application or 12/7/17 MJD/SEFO*

* 30 acre feet for one time initial fill.

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) <input type="checkbox"/> Artificial Recharge | (b) <input type="checkbox"/> Irrigation | (c) <input checked="" type="checkbox"/> Recreational | (d) <input type="checkbox"/> Water Power |
| (e) <input type="checkbox"/> Industrial | (f) <input type="checkbox"/> Municipal | (g) <input type="checkbox"/> Stockwatering | (h) <input type="checkbox"/> Sediment Control |
| (i) <input type="checkbox"/> Domestic | (j) <input type="checkbox"/> Dewatering | (k) <input type="checkbox"/> Hydraulic Dredging | (l) <input type="checkbox"/> Fire Protection |
| (m) <input type="checkbox"/> Thermal Exchange | (n) <input type="checkbox"/> Contamination Remediation | x-Stormwater Detention | |

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

For Office Use Only:							
F.O. <u>2</u>	GMD <u>2</u>	Meets K.A.R. 5-3-1 (YES/NO)	Use <u>REC</u>	Source <u>G/S</u>	County <u>RN</u>	By <u>KAB</u>	Date <u>12/2/16</u>
Code <u>REG</u>	Fee \$ <u>200</u>	TR # _____	Receipt Date <u>12/2/16</u>	Check # <u>297</u>			

SCANNED
 12/6/2016 ULM

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

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

- (A) One in the NE quarter of the ~~SE~~ ~~SW~~ quarter of the NE quarter of Section 35 more particularly described as being near a point 920' 3510 feet North and 1500' feet West of the Southeast corner of said section, in Township 23 South, Range 6 East/West (circle one), Reno County, Kansas.
- (B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

* per phone call w/ Harlan Foraker on 12-2-16

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 _____, 20 16 _____
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 grassed weir for pond outlet _____ (number of wells, pumps or dams, etc.) and (was) will be completed (by) 3-1-17 _____ (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 4-1-17 _____ (Mo/Day/Year)

WATER RESOURCES RECEIVED

WATER RESOURCES RECEIVED

DEC 02 2016

UNACCEPTABLE FOR PRIORITY

SCANNED

KS DEPT OF AGRICULTURE

KS DEPT OF AGRICULTURE

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

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

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

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

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required No dam is being constructed. A pit pond is being proposed. Also DWR permit is not required as drainage basin is less than 1 sq. mile and structure is non-jurisdictional.

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

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

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

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

WATER RESOURCES RECEIVED

DEC 02 2016

KS DEPT. OF AGRICULTURE

WATER RESOURCES RECEIVED

UNACCEPTABLE FOR PRIORITY
DEC 01 2016

KS DEPT. OF AGRICULTURE

SCANNED

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

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

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

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

Owner
(owner, tenant, agent or otherwise)

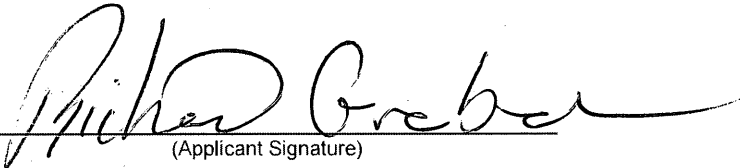
15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

(name, address and telephone number)

(name, address and telephone number)

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

Dated at Hutchinson, Kansas, this _____ day of November, 2016.
(month) (year)


(Applicant Signature)

By _____
(Agent or Officer Signature)

Richard Graber
(Agent or Officer - Please Print)

Assisted by _____ Date: _____
(office/title)

WATER RESOURCES
RECEIVED

DEC 02 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES
RECEIVED

UNACCEPTABLE
DEC 01 2016
DEC 01 PRIORITY

KS DEPT OF AGRICULTURE

SCANNED

**RECREATIONAL USE
SUPPLEMENTAL SHEET**

File No. _____

Name of Applicant (Please Print): Richard Graber, Prairie Land Construction

1. Please indicate type of recreational use (boating, fishing, swimming, etc.): _____
Pond is required to provide detention storage and water quality for Commercial
development. Pond will be used for RV park fishing and swimming.

2. Please summarize how the water will be used and justify the quantity of water requested: _____
Pond will be used for RV park recreation including fishing and swimming.
Proposed pond surface area is 192,492 sq.ft. = 4.42 acres.
Annual Evaporation = 4.42 acres x 26"/12=9.58 acre-feet.

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

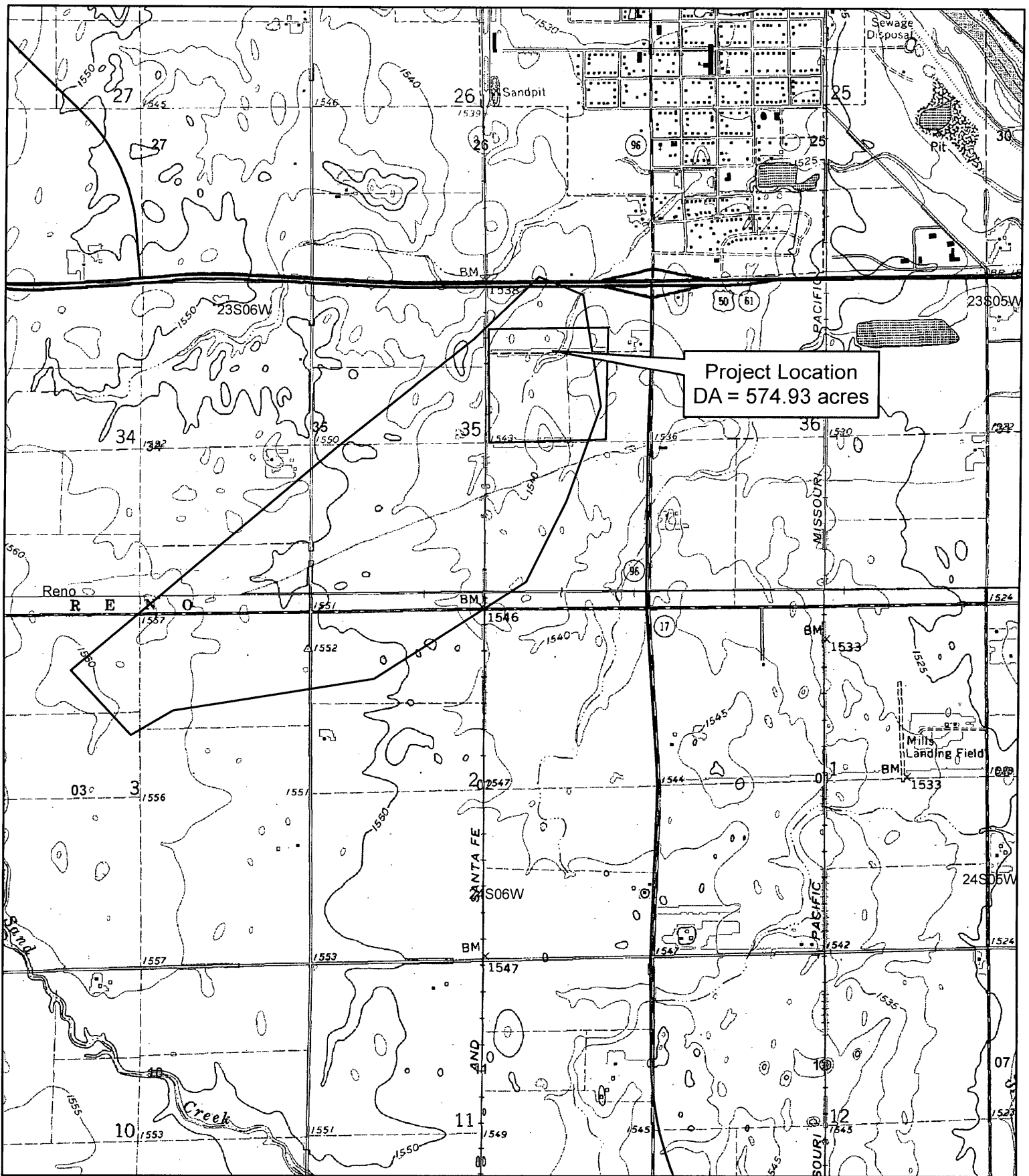
ESTIMATED FUTURE WATER DIVERTED/STORED	
NEXT 5 YEARS	WATER TO BE DIVERTED (ACRE-FEET OR GALLONS)
Year 1	28.73 acre-feet(Pond Filling)
Year 2	28.73 acre-feet(Annual evaporation and seepage)
Year 3	28.73 acre-feet(Annual evaporation and seepage)
Year 4	28.73 acre-feet(Annual evaporation and seepage)
Year 5	28.73 acre-feet(Annual evaporation and seepage)

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

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

SW 1/4, NE 1/4, Sec. 35, T.23S., R.6W., Reno County, KS

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

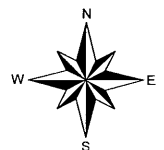


Project Location
DA = 574.93 acres

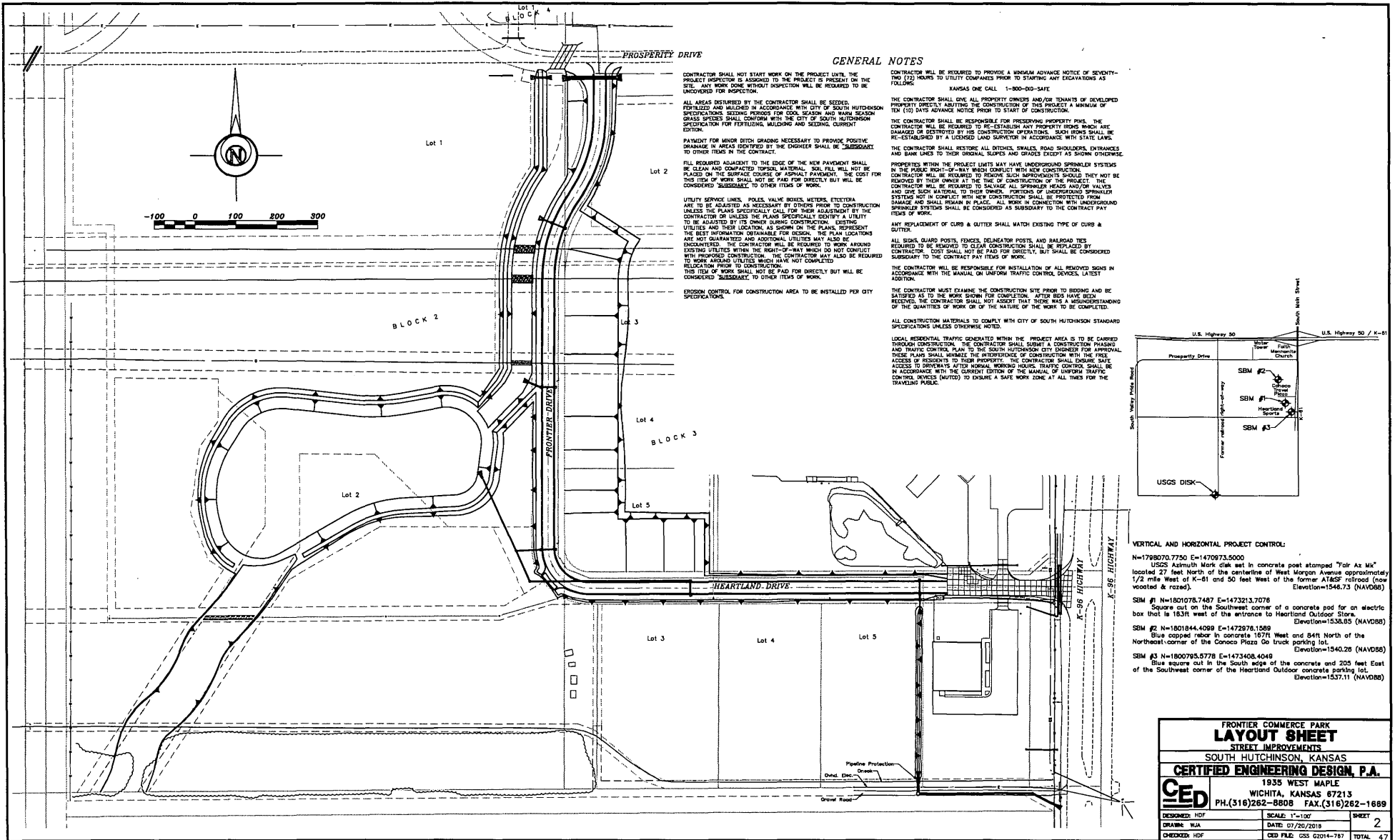
1:24,000



SCANNED



SCANNED



GENERAL NOTES

CONTRACTOR SHALL NOT START WORK ON THE PROJECT UNTIL THE PROJECT INSPECTOR IS ASSIGNED TO THE PROJECT IS PRESENT ON THE SITE. ANY WORK DONE WITHOUT INSPECTION WILL BE REQUIRED TO BE UNDORED FOR PROTECTION.

ALL AREAS DISTURBED BY THE CONTRACTOR SHALL BE SEED, FERTILIZED AND MULCHED IN ACCORDANCE WITH CITY OF SOUTH HUTCHINSON SPECIFICATIONS. SEEDING PROGRES FOR COOL SEASON AND WARM SEASON GRASS SPECIES SHALL CONFORM WITH THE CITY OF SOUTH HUTCHINSON SPECIFICATION FOR FERTILIZING, MULDING AND SEEDING, CURRENT EDITION.

PAYMENT FOR MINOR DITCH GRADING NECESSARY TO PROVIDE POSITIVE DRAINAGE IN AREAS IDENTIFIED BY THE ENGINEER SHALL BE SUBSIDIARY TO OTHER ITEMS IN THE CONTRACT.

FILL REQUIRED ADJACENT TO THE EDGE OF THE NEW PAVEMENT SHALL BE CLEAN AND COMPACTED TOPSOIL MATERIAL. SOIL FILL WILL NOT BE PLACED ON THE SURFACE COURSE OF ASPHALT PAVEMENT. THE COST FOR THIS ITEM OF WORK SHALL NOT BE PAID FOR DIRECTLY BUT WILL BE CONSIDERED SUBSIDIARY TO OTHER ITEMS OF WORK.

UTILITY SERVICE LINES, POLES, VALVE BOXES, METERS, ETCETERA ARE TO BE ADJUSTED AS NECESSARY BY OWNER PRIOR TO CONSTRUCTION UNLESS THE PLANS SPECIFICALLY CALL FOR THEIR ADJUSTMENT BY THE CONTRACTOR OR UNLESS THE PLANS SPECIFICALLY IDENTIFY A UTILITY TO BE ADJUSTED BY ITS OWNER DURING CONSTRUCTION. EXISTING UTILITIES AND THEIR LOCATION, AS SHOWN ON THE PLANS, REPRESENT THE BEST INFORMATION OBTAINABLE FOR DESIGN. THE PLAN LOCATIONS ARE NOT GUARANTEED AND ADDITIONAL UTILITIES MAY ALSO BE ENCOUNTERED. THE CONTRACTOR WILL BE REQUIRED TO WORK AROUND EXISTING UTILITIES WITHIN THE RIGHT-OF-WAY WHICH DO NOT CONFLICT WITH PROPOSED CONSTRUCTION. THE CONTRACTOR MAY ALSO BE REQUIRED TO RELOCATE UTILITIES WHICH HAVE NOT BEEN COMPLETED PRIOR TO CONSTRUCTION. THIS ITEM OF WORK SHALL NOT BE PAID FOR DIRECTLY BUT WILL BE CONSIDERED SUBSIDIARY TO OTHER ITEMS OF WORK.

EROSION CONTROL FOR CONSTRUCTION AREA TO BE INSTALLED PER CITY SPECIFICATIONS.

CONTRACTOR WILL BE REQUIRED TO PROVIDE A MINIMUM ADVANCE NOTICE OF SEVENTY-TWO (72) HOURS TO UTILITY COMPANIES PRIOR TO STARTING ANY EXCAVATIONS AS FOLLOWS:

KANSAS ONE CALL 1-800-DO-SAFE

THE CONTRACTOR SHALL GIVE ALL PROPERTY OWNERS AND/OR TENANTS OF DEVELOPED PROPERTIES DIRECTLY ADJUTING THE CONSTRUCTION OF THIS PROJECT A MINIMUM OF TEN (10) DAYS ADVANCE NOTICE PRIOR TO START OF CONSTRUCTION.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR PRESERVING PROPERTY PINS, THE CONTRACTOR WILL BE REQUIRED TO RE-ESTABLISH ANY PROPERTY PINS WHICH ARE DAMAGED OR DESTROYED BY HIS CONSTRUCTION OPERATIONS. SUCH PINS SHALL BE RE-ESTABLISHED BY A LICENSED LAND SURVEYOR IN ACCORDANCE WITH STATE LAWS.

THE CONTRACTOR SHALL RESTORE ALL DITCHES, SWALES, ROAD SHOULDERS, ENTRANCES AND BANK LINES TO THEIR ORIGINAL SLOPES AND GRADES EXCEPT AS SHOWN OTHERWISE.

PROPERTIES WITHIN THE PROJECT LIMITS MAY HAVE UNDERGROUND SPRINKLER SYSTEMS IN THE PUBLIC RIGHT-OF-WAY WHICH CONFLICT WITH NEW CONSTRUCTION. THE CONTRACTOR WILL BE REQUIRED TO REMOVE SUCH IMPROVEMENTS SHOULD THEY NOT BE REMOVED BY THEIR OWNER AT THE TIME OF CONSTRUCTION OF THE PROJECT. THE CONTRACTOR WILL BE REQUIRED TO SALVAGE ALL SPRINKLER HEADS AND/OR VALVES AND GIVE SUCH MATERIAL TO THEIR OWNERS. PORTIONS OF UNDERGROUND SPRINKLER SYSTEMS NOT IN CONFLICT WITH NEW CONSTRUCTION SHALL BE PROTECTED FROM DAMAGE AND SHALL REMAIN IN PLACE. ALL WORK IN CONNECTION WITH UNDERGROUND SPRINKLER SYSTEMS SHALL BE CONSIDERED AS SUBSIDIARY TO THE CONTRACT PAY ITEMS OF WORK.

ANY REPLACEMENT OF CURB & GUTTER SHALL MATCH EXISTING TYPE OF CURB & GUTTER.

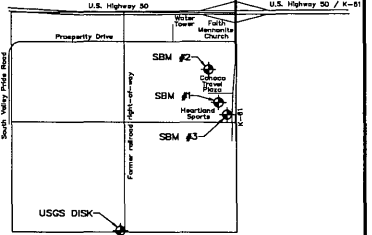
ALL SIGN GUARD POSTS, FENCES, DELINEATOR POSTS, AND RAILROAD SIGNS REQUIRED TO BE REMOVED TO CLEAR CONSTRUCTION SHALL BE REPLACED BY CONTRACTOR. COST SHALL NOT BE PAID FOR DIRECTLY, BUT SHALL BE CONSIDERED SUBSIDIARY TO THE CONTRACT PAY ITEMS OF WORK.

THE CONTRACTOR WILL BE RESPONSIBLE FOR INSTALLATION OF ALL REMOVED SIGNS IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION.

THE CONTRACTOR MUST EXAMINE THE CONSTRUCTION SITE PRIOR TO BEING AND BE SATISFIED AS TO THE WORK SHOWN FOR COMPLETION. AFTER BIDS HAVE BEEN RECEIVED, THE CONTRACTOR SHALL NOT ASSERT THAT THERE WAS A MISUNDERSTANDING OF THE QUANTITIES OF WORK OR OF THE NATURE OF THE WORK TO BE COMPLETED.

ALL CONSTRUCTION MATERIALS TO COMPLY WITH CITY OF SOUTH HUTCHINSON STANDARD SPECIFICATIONS UNLESS OTHERWISE NOTED.

LOCAL RESIDENTIAL TRAFFIC GENERATED WITHIN THE PROJECT AREA IS TO BE CARRIED THROUGH CONSTRUCTION. THE CONTRACTOR SHALL SUBMIT A CONSTRUCTION TRAFFIC AND TRAFFIC CONTROL PLAN TO THE SOUTH HUTCHINSON CITY ENGINEER FOR APPROVAL. THESE PLANS SHALL INCLUDE THE APPROVED SCHEDULE OF CONSTRUCTION WITH THE FREE ACCESS TO DRIVEWAYS AFTER NORMAL WORKING HOURS. TRAFFIC CONTROL SHALL BE IN ACCORDANCE WITH THE CURRENT EDITION OF THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) TO ENSURE A SAFE WORK ZONE AT ALL TIMES FOR THE TRAVELING PUBLIC.



- VERTICAL AND HORIZONTAL PROJECT CONTROL:**
- N=1798070.7750 E=1470973.5000
 - USGS Azimuth Mark disk set in concrete atop stamped "Fair Az Mkt" located 27 feet North of the centerline of West Morgan Avenue approximately 1/2 mile West of K-91 and 50 feet West of the former AT&SF railroad (now wooded & razed). Elevation=1546.73 (NAVD88)
 - SBM #1 N=1801078.7487 E=1473213.7078
 - Square cut on the Southwest corner of a concrete pad for an electric box lot is 18.3ft west of the entrance to Heartland Outdoor Store. Elevation=1538.85 (NAVD88)
 - SBM #2 N=1801844.4099 E=1472978.1599
 - Blue capped rebar in concrete 167ft West and 84ft North of the Northeast corner of the Conoco Plaza Go truck parking lot. Elevation=1540.26 (NAVD88)
 - SBM #3 N=1800795.5778 E=1473408.4046
 - Blue square out in the South edge of the concrete and 205 feet East of the Southwest corner of the Heartland Outdoor concrete parking lot. Elevation=1537.11 (NAVD88)

**FRONTIER COMMERCE PARK
LAYOUT SHEET**
STREET IMPROVEMENTS
SOUTH HUTCHINSON, KANSAS
CERTIFIED ENGINEERING DESIGN, P.A.

1935 WEST MAPLE
WICHITA, KANSAS 67213
PH.(316)262-8808 FAX.(316)262-1689

CEd

DESIGNED: HDF	SCALE: 1"=100'	SHEET
DRAWN: WJA	DATE: 07/20/2018	2
CHECKED: HDF	CEd FILE: GSS G2014-787	TOTAL: 47

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

Draft

MEMORANDUM

TO: Files

DATE: December 7, 2017

FROM: Matt Meier

RE: Application File Nos. 49,736

Prairie Land Management LLC has filed the above referenced application proposing to appropriate 28.73 acre-feet of surface water for recreational use at a diversion rate of natural flows of Arkansas River Trib 10 (Arkansas River). An additional 30 acre-feet will be authorized via special condition on a one-time basis for the initial filling of the reservoir. The proposed point of diversion is a grass weir for the reservoir outlet (which serves as the control point for the reservoir) located in the Northeast Quarter of the Southwest Quarter of the Northeast Quarter (NE1/4 SW1/4 NE1/4) of section 35, more particularly described as being near a point 3,560 feet North and 1,500 feet West of the Southeast corner of said section, Township 23 South, Range 6 West, Reno County, within the Arkansas River drainage basin. The water will be used to cover evaporation losses from the reservoir. The entire proposed place of use is owned by the applicant. The applicant is expanding out an existing surface reservoir (which was allowed via K.S.A. 82a-728) to increase the overall size and storage capacity of the reservoir. The reservoir is being excavated out and will not have a dam. Based on the engineering diagrams submitted with the application, the reservoir is being dug down approximately 6-feet below ground level with a 4-foot berm built around it. Static water levels from nearby wells were listed at 20 to 23 feet below ground level so the application should be only surface water if the reservoir is constructed as shown.

The surface area of the reservoir is 4.42 acres. Potential net evaporation in inches based on K.A.R. 5-6-3 is 26 inches. As per K.A.R. 5-6-5(1)(B), the maximum reasonable annual quantity for storage of water for beneficial use in a reservoir is a three-year supply of water for indirect use.

4.42 acres x 26 inches of evaporation / 12 inches x 3 years = 28.73 acre-feet

A runoff calculation was performed for the application using a drainage area map provided with the application (which appeared reasonable based on a review of location). The runoff calculation listed the potential runoff for the pond at 379.25 acre-feet (20% chance of rainfall: 7.4 inches x 615-acre drainage area = approximately 379.25 acre-feet). A review of WRIS showed no other surface water rights within a two-mile area of the application. Based off this information there appears to be sufficient potential runoff water for the application.

The applicant identified 7 owners of adjacent land 1/2 mile upstream and downstream of the proposed reservoir. Nearby notification letters were sent out on September 14, 2017. No contact of any kind was received. It was determined that the reservoir was not jurisdictional prior to processing the application and did not require any permits from structures.

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

Based on the above discussion, that this area is open to new appropriations, the proposed appropriation of water appears reasonable, approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

concur w/ Recommendation
Approve it
JK W.C.

Matthew J. Meier
Environmental Scientist
Permits Unit

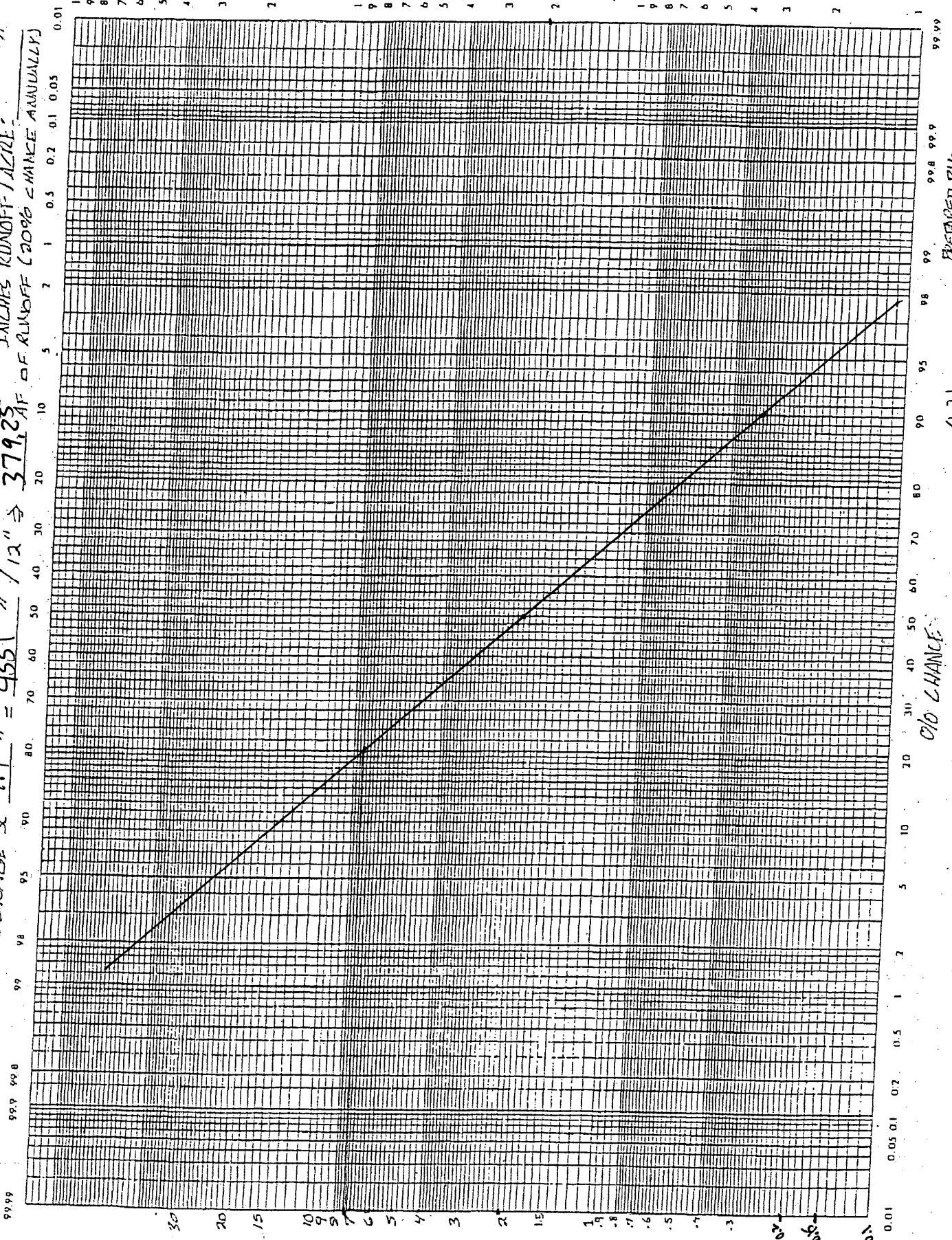
Probability (Long-axis) by 3 Cycle Log

FILE NO. 49736

SOIL: "77" PRECIP: 29"

INCHES RUNOFF/AZRE: "
OF RUNOFF (20% CHANCE ANNUALLY)

ACRES IN DRAINAGE x 7.4 " = 455 " / 12" AF OF RUNOFF (20% CHANCE ANNUALLY)



PREPARED BY:

0.31

0.10 CHANCE

2.1

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

3560 ft N and 1500 ft W of the SE Corner of Section 35, T 23S, R 6W

Located at: 97.945178 West Longitude and 38.009044 North Latitude

#4973C

SURFACE WATER 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__ 49736 00 REC AY S          0 -- -- SW NE 3560 1500 35 23 6W 2          28.73 28.73 AF
=====

```

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=====
Total Net Quantities Authorized:   Direct           Storage
Total Requested Amount (AF) =      28.73           40.00
Total Permitted Amount (AF) =         .00             .00
Total Inspected Amount (AF) =         .00             .00
Total Pro_Cert Amount (AF) =         .00             .00
Total Certified Amount (AF) =         .00             .00
Total Vested Amount (AF) =           .00             .00
TOTAL AMOUNT (AF) =                 28.73           40.00
=====

```

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:

97.945178 West Longitude and 38.009044 North Latitude

SURFACE WATER ONLY

WATER USE CORRESPONDENTS:

```

=====
File Number   Use ST SR
A__ 49736 00 REC AY S
> PRAIRIE LAND MANAGEMENT LLC
>
> 4104 S HERRON RD
> HUTCHINSON KS 67501
> -----
=====

```

Water Rights and Points of Diversion Within 2.00 miles of point defined as:
 3560 ft N and 1500 ft W of the SE Corner of Section 35, T 23S, R 6W
 Located at: 97.945178 West Longitude and 38.009044 North Latitude
 Both SURFACE WATER and GROUNDWATER

#4973C

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 27875	00	IRR	NK	G	8124	--	SW	NE	SW	1391	3589	1	24	6W	1	23.00	23.00	AF
A__ 30164	00	MUN	NK	G	9230	--	NW	NE	NW	5261	3470	11	24	6W	2	208.99	129.58	AF
Same					9600	--	NW	NW	NW	5250	4764	11	24	6W	4	223.42	138.69	AF
A__ 34803	00	IRR	NK	G	9602	--	NW	NW	SE	2000	2630	31	23	5W	1	59.00	59.00	AF
A__ 35119	00	IRR	NK	G	10098	--	NW	NW	SE	1990	2130	31	23	5W	2	80.00	80.00	AF
A__ 36841	00	IRR	NK	G	7170	--	--	NC	NE	4025	1332	3	24	6W	2	197.00	197.00	AF
A__ 39526	00	IRR	NK	G	7335	--	--	--	--	906	5270	31	23	5W	4	128.00	128.00	AF
A__ 40536	00	MUN	LR	G	9230	--	NW	NE	NW	5261	3470	11	24	6W	2	219.46	219.46	AF
A__ 40538	00	MUN	LR	G	9600	--	NW	NW	NW	5250	4764	11	24	6W	4	219.46	219.46	AF
A__ 41404	00	IND	NK	G	6297	--	SW	SE	SE	550	900	25	23	6W	6	2.89	2.89	AF
A__ 41521	00	IRR	NK	G	10275	--	SE	NW	NE	4005	1368	11	24	6W	8	95.00	95.00	AF
A__ 41929	00	IRR	NK	G	6375	--	SW	SW	NE	2669	2617	2	24	6W	1	195.00	195.00	AF
A__ 42097	00	IRR	NK	G	3633	--	SW	SW	SE	74	2524	35	23	6W	1	159.00	159.00	AF
A__ 42606	00	IRR	NK	G	8017	--	--	NC	SW	1330	4020	2	24	6W	2	210.00	210.00	AF
A__ 42656	00	IRR	NK	G	5710	--	NE	SW	NW	3949	4284	2	24	6W	6 G 2	73.00	73.00	AF
Same					5847	--	NE	SW	NW	3952	4562	2	24	6W	4 B 2			
Same					5585	--	NE	SW	NW	3945	4006	2	24	6W	5 B 2			
A__ 42657	00	IRR	NK	G	5710	--	NE	SW	NW	3949	4284	2	24	6W	6 G 2	92.00	92.00	AF
Same					5847	--	NE	SW	NW	3952	4562	2	24	6W	4 B 2			
Same					5585	--	NE	SW	NW	3945	4006	2	24	6W	5 B 2			
A__ 43470	00	IRR	NK	G	5160	--	SE	SE	SE	167	97	34	23	6W	1	116.00	116.00	AF
A__ 46056	00	IRR	NK	G	8047	--	--	--	--	3868	4068	31	23	5W	5 G 2	53.00	53.00	AF
Same					8344	--	--	--	--	3866	3771	31	23	5W	6 B 2			
Same					7751	--	--	--	--	3870	4365	31	23	5W	7 B 2			
A__ 46105	00	REC	NK	G	10420	--	SE	NW	SE	1923	1582	24	23	6W	7*	14.95	14.95	AF
A__ 46106	00	REC	NK	G	10420	--	SE	NW	SE	1923	1582	24	23	6W	7	70.45	.00	AF
A__ 46111	00	REC	NK	G	10000	--	NE	NE	SW	2475	3000	30	23	5W	3*	3.13	3.13	AF
A__ 46152	00	REC	LR	G	10240	--	SE	NW	SE	1600	1395	24	23	6W	6	70.45	.00	AF
A__ 46582	00	REC	NK	G	9284	--	NE	NE	NW	4627	2887	31	23	5W	9*	3.01	3.01	AF
A__ 46625	00	REC	NK	G	5390	--	SE	NW	NE	4296	1430	36	23	6W	2	37.00	37.00	AF
A__ 47562	00	IRR	LR	G	5160	--	SE	SE	SE	167	97	34	23	6W	1	64.60	64.60	AF
A__ 47671	00	IRR	LR	G	8207	--	NW	SW	SE	763	2100	2	24	6W	7	182.00	182.00	AF
A__ 48377	00	IRR	KE	G	8047	--	--	--	--	3868	4068	31	23	5W	5 G 2	159.87	106.87	AF
Same					8344	--	--	--	--	3866	3771	31	23	5W	6 B 2			
Same					7751	--	--	--	--	3870	4365	31	23	5W	7 B 2			
A__ 48378	00	REC	KE	G	8998	--	NE	NE	NW	5178	3259	31	23	5W	8	3.13	3.13	AF
A__ 48402	00	IRR	KE	G	9499	--	--	NC	NW	4040	3960	6	24	5W	8	155.40	155.40	AF
A__ 49736	00	REC	AY	S	0	--	--	SW	NE	3560	1500	35	23	6W	2	28.73	28.73	AF
T_20069011	00	CON	GY	G	5341	--	NW	SW	NW	3317	4950	25	23	6W	8	241.95	241.95	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	28.73	40.00
Total Permitted Amount (AF) =	507.35	.00
Total Inspected Amount (AF) =	685.51	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	1809.26	.00

Total Vested Amount (AF) = .00 .00
TOTAL AMOUNT (AF) = 3030.85 40.00

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:
97.945178 West Longitude and 38.009044 North Latitude

Both SURFACE WATER and GROUNDWATER
WATER USE CORRESPONDENTS:

=====

File Number Use ST SR

A__ 27875 00 IRR NK G
> KEITH & JANET GOERTZEN
>
> 110 E MILLS AVE
> HUTCHINSON KS 67505
>

A__ 30164 00 MUN NK G
> CITY OF SOUTH HUTCHINSON
> DIRECTOR OF PUBLIC WORKS
> 2 S MAIN ST
> SOUTH HUTCHINSON KS 67505
>

A__ 34803 00 IRR NK G
> CITY OF SOUTH HUTCHINSON
> DIRECTOR OF PUBLIC WORKS
> 2 S MAIN ST
> SOUTH HUTCHINSON KS 67505
>

A__ 35119 00 IRR NK G
> CITY OF SOUTH HUTCHINSON
> DIRECTOR OF PUBLIC WORKS
> 2 S MAIN ST
> SOUTH HUTCHINSON KS 67505
>

A__ 36841 00 IRR NK G
> C B & JOAN K SHOWALTER
>
> 8803 E ARLINGTON RD
> HAVEN KS 67543
>

A__ 39526 00 IRR NK G
> JAMES D & SHERRILL J BALL
>
> 4716 S MCNEW RD
> HUTCHINSON KS 67501
>

A__ 40536 00 MUN LR G
> CITY OF SOUTH HUTCHINSON
> DIRECTOR OF PUBLIC WORKS

#49736

> 2 S MAIN ST
> SOUTH HUTCHINSON KS 67505

A__ 40538 00 MUN LR G
> CITY OF SOUTH HUTCHINSON
> DIRECTOR OF PUBLIC WORKS
> 2 S MAIN ST
> SOUTH HUTCHINSON KS 67505

A__ 41404 00 IND NK G
> MIKE BERGMEIER
>
> PO BOX 687
> HUTCHINSON KS 67504

A__ 41521 00 IRR NK G
> C B & JOAN K SHOWALTER
>
> 8803 E ARLINGTON RD
> HAVEN KS 67543

A__ 41929 00 IRR NK G
> MARCELINE WEEKS TRUST
> FNB FARM MGMT DEPT
> PO BOX 913
> HUTCHINSON KS 67504

A__ 42097 00 IRR NK G
> ERIC JACQUES
>
> 3002 W LAKE CABLE RD
> HUTCHINSON KS 67501

A__ 42606 00 IRR NK G
> C B & JOAN K SHOWALTER
>
> 8803 E ARLINGTON RD
> HAVEN KS 67543

A__ 42656 00 IRR NK G
> C B & JOAN K SHOWALTER
>
> 8803 E ARLINGTON RD
> HAVEN KS 67543

A__ 42657 00 IRR NK G
> C B & JOAN K SHOWALTER
>
> 8803 E ARLINGTON RD
> HAVEN KS 67543

A__ 43470 00 IRR NK G

> CITY OF SOUTH HUTCHINSON
> DIRECTOR OF PUBLIC WORKS
> 2 S MAIN ST
> SOUTH HUTCHINSON KS 67505

A__ 46056 00 IRR NK G
> JAMES D & SHERRILL J BALL
>
> 4716 S MCNEW RD
> HUTCHINSON KS 67501

A__ 46105 00 REC NK G
> CITY OF HUTCHINSON
> BRIAN CLENNAN DIR UTIL
> PO BOX 1567
> HUTCHINSON KS 67504

A__ 46106 00 REC NK G
> CITY OF HUTCHINSON
> BRIAN CLENNAN DIR UTIL
> PO BOX 1567
> HUTCHINSON KS 67504

A__ 46111 00 REC NK G
> CITY OF HUTCHINSON
> BRIAN CLENNAN DIR UTIL
> PO BOX 1567
> HUTCHINSON KS 67504

A__ 46152 00 REC LR G
> CITY OF HUTCHINSON
> BRIAN CLENNAN DIR UTIL
> PO BOX 1567
> HUTCHINSON KS 67504

A__ 46582 00 REC NK G
> RECREATIONAL FILE
>
> GROUNDWATER PIT
> ALLSTATE MO 00000

A__ 46625 00 REC NK G
> RECREATIONAL FILE
>
> GROUNDWATER PIT
> ALLSTATE MO 00000

A__ 47562 00 IRR LR G
> CITY OF SOUTH HUTCHINSON
> DIRECTOR OF PUBLIC WORKS
> 2 S MAIN ST
> SOUTH HUTCHINSON KS 67505

#49736

A__ 47671 00 IRR LR G
> C B & JOAN K SHOWALTER
>
> 8803 E ARLINGTON RD
> HAVEN KS 67543

A__ 48377 00 IRR KE G
> JAMES D & SHERRILL J BALL
>
> 4716 S MCNEW RD
> HUTCHINSON KS 67501

A__ 48378 00 REC KE G
> JAMES D & SHERRILL J BALL
>
> 4716 S MCNEW RD
> HUTCHINSON KS 67501

A__ 48402 00 IRR KE G
> JAMES D & SHERRILL J BALL
>
> 4716 S MCNEW RD
> HUTCHINSON KS 67501

A__ 49736 00 REC AY S
> PRAIRIE LAND MANAGEMENT LLC
>
> 4104 S HERRON RD
> HUTCHINSON KS 67501

T__20069011 00 CON GY G
> F I KANSAS REMEDIATION TRUST
>
> 11206 THOMPSON AVE
> LENEXA KS 66219

=====


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 14, 2017

Faith Mennonite Church
1403 S. Main St.
South Hutchinson, KS 67505

Re: Pending Application, File No. 49,736

Dear Sir or Madam:

This is to advise you that Prairie Land Management LLC has filed the application referred to above for a permit to appropriate surface water at the rate of natural flows to be stored in a proposed reservoir. The application is requesting to appropriate 40 acre-feet of surface water per calendar year for recreational use. The proposed point of diversion for 49,736 is a pond & dam located as follows:

In the Southwest quarter of the Northeast quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 35, Township 23 South, Range 6 West, Reno County, Kansas.

A map is enclosed indicating the location of the proposed point of diversion. Records in this office indicate that you own property 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:

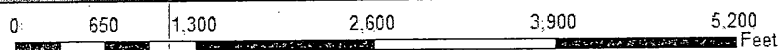
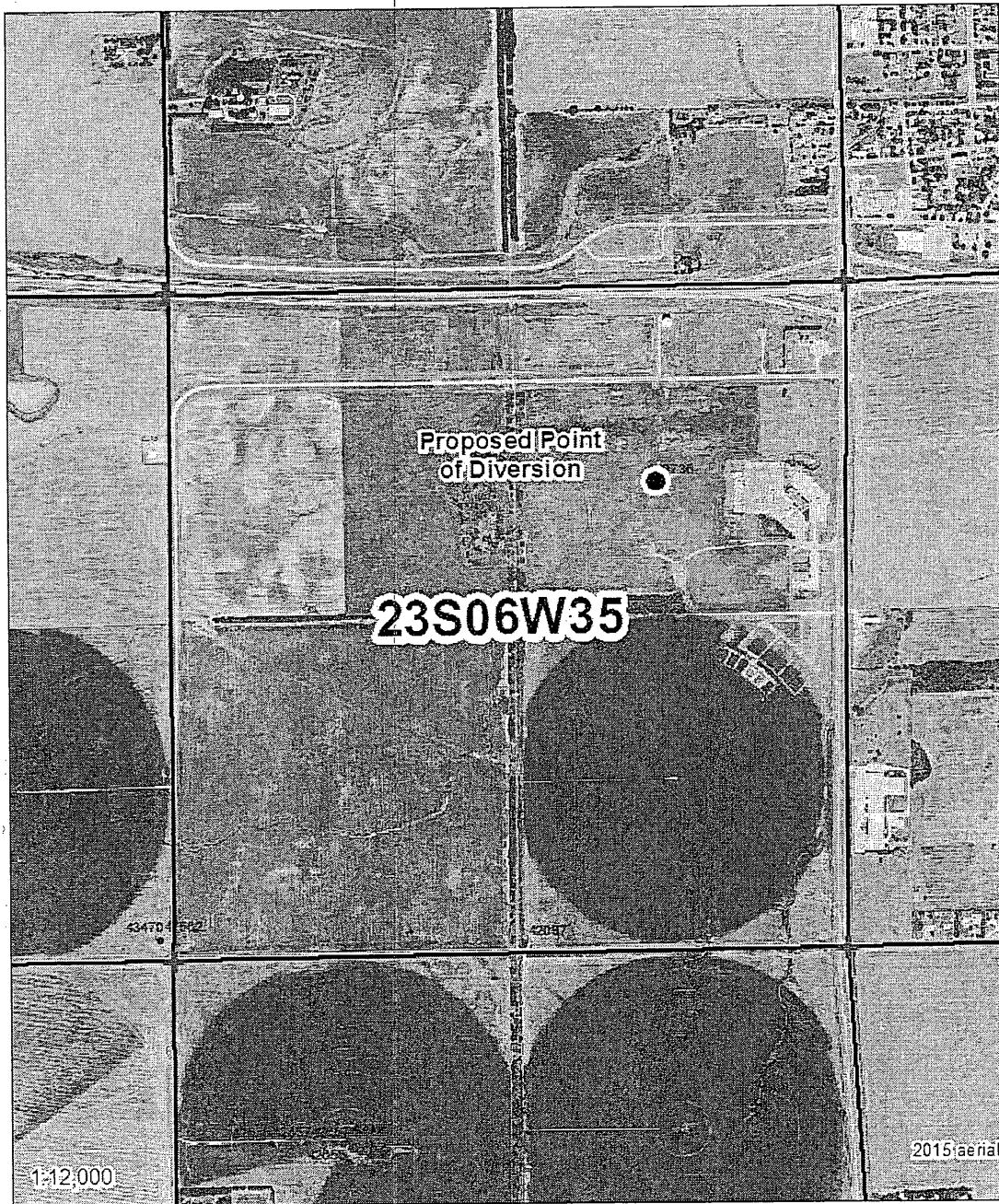
SCANNED

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

Proposed Water Appropriation, File No. 49736
35-23S-6W
Reno County



APPROVED
MUM-DWR 9/13/17


Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
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Sam Brownback, Governor

September 14, 2017

CTP LLC
1515 S. Main St.
South Hutchinson, KS 67505

Re: Pending Application, File No. 49,736

Dear Sir or Madam:

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Sincerely,


Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

pc:

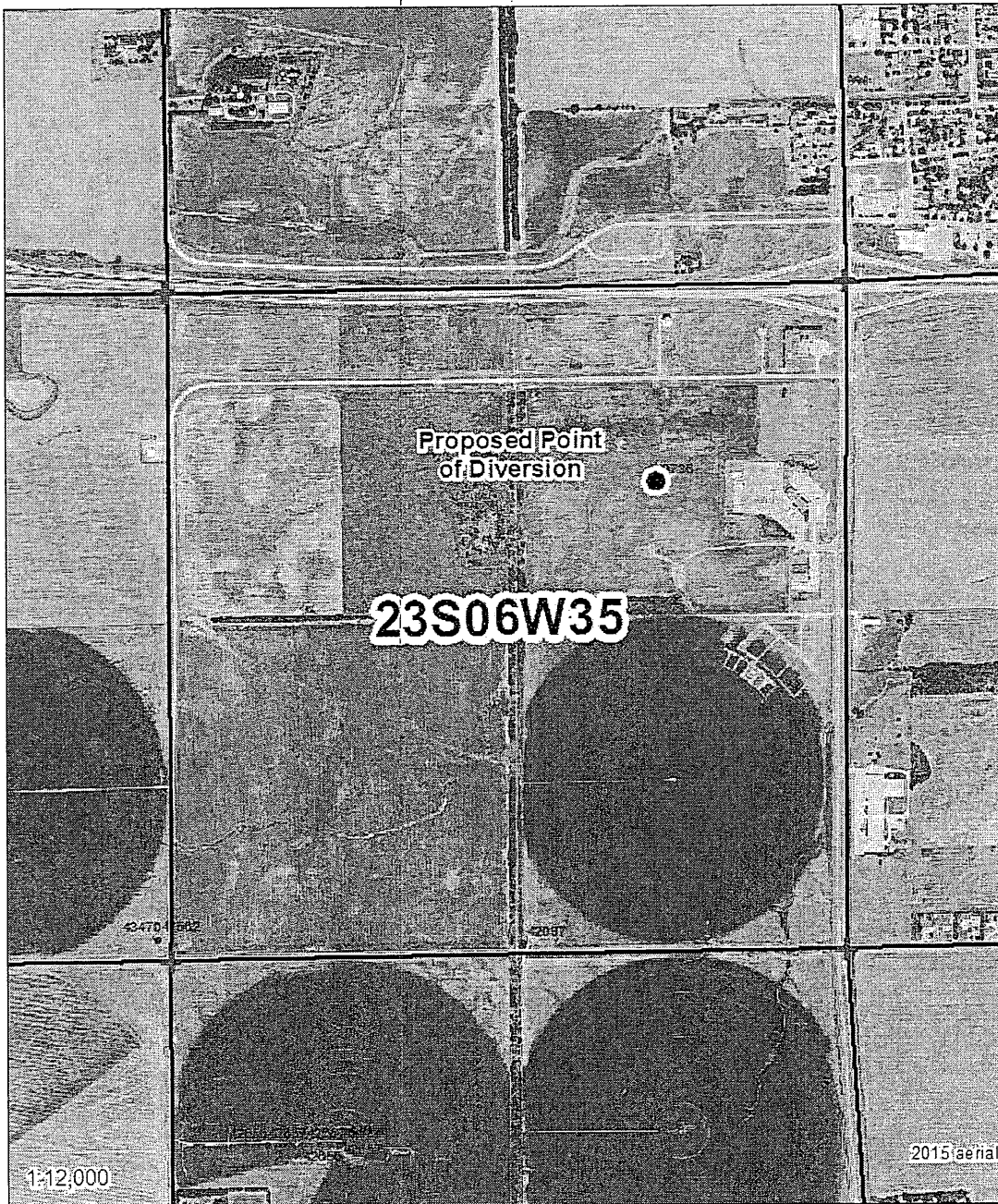
SCANNED

Kansas

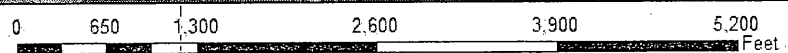
Department of Agriculture
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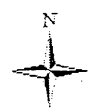
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Sam Brownback, Governor



Legend
+ Section Corners
□ Section Lines



Proposed Water Appropriation, File No. 49736
35-23S-6W
Reno County



FORWARDED
MJM-DWR-9/13/17


Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
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Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
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Fax: (620) 234-6900
www.agriculture.ks.gov

Sam Brownback, Governor

September 14, 2017

Larry D Dorskocil Liv Trust
00000 S. K96 Hwy
Hutchinson, KS 67501

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Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

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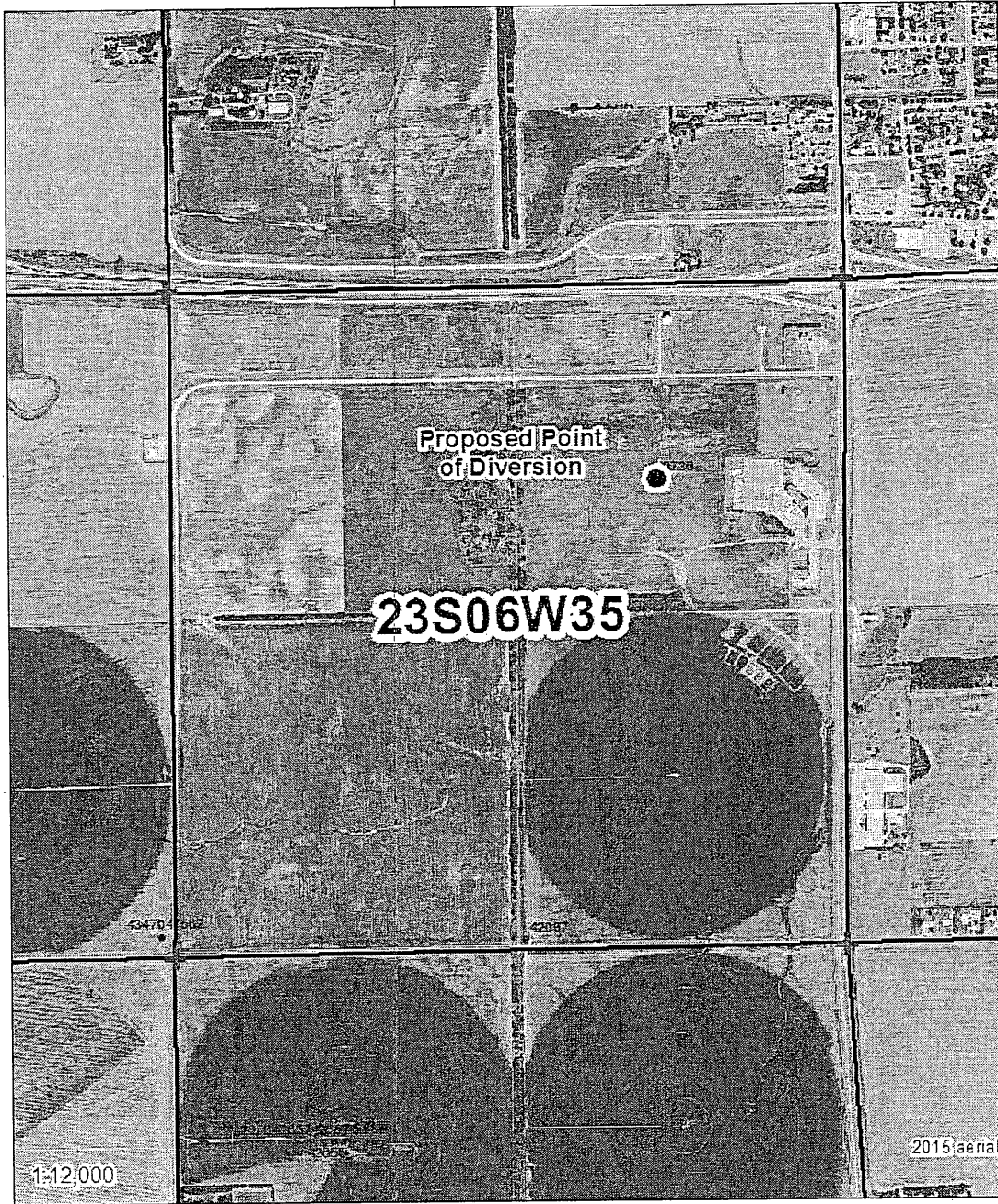
SCANNED

Kansas

Department of Agriculture
Division of Water Resources

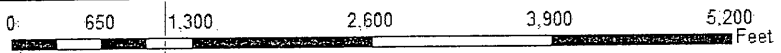
Stafford Field Office
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Sam Brownback, Governor



Legend

- Section Corners
- Section Lines



Proposed Water Appropriation, File No. 49736
35-23S-6W
Reno County



MJM/DWR 9/13/17


Kansas
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Sam Brownback, Governor

September 14, 2017

John R & Gloria Evans Revocable Trust
00000 S. K96 Hwy
Hutchinson, KS 67501

Re: Pending Application, File No. 49,736

Dear Sir or Madam:

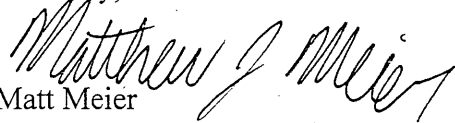
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Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

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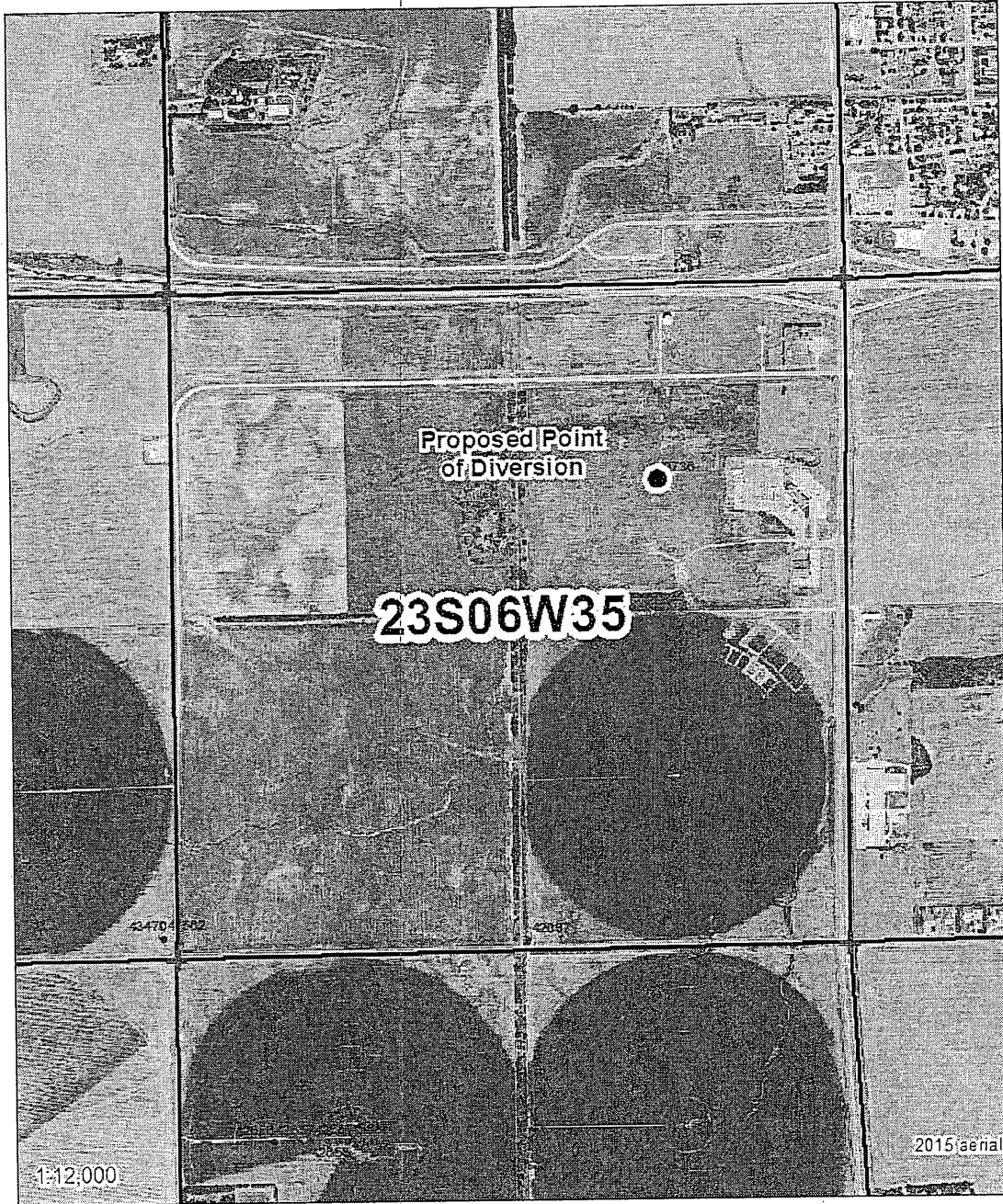
Kansas

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

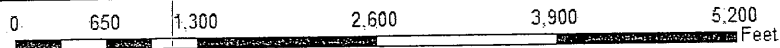
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Legend

- + Section Corners
- Section Lines



Proposed Water Appropriation, File No. 49736
35-23S-6W
Reno County



MM-DWR-9/13/17
SCANNED



Department of Agriculture
Division of Water Resources

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

September 14, 2017

Three E LLC
2006 S Main St.
South Hutchinson, KS 67505

Re: Pending Application, File No. 49,736

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Water Appropriations Program

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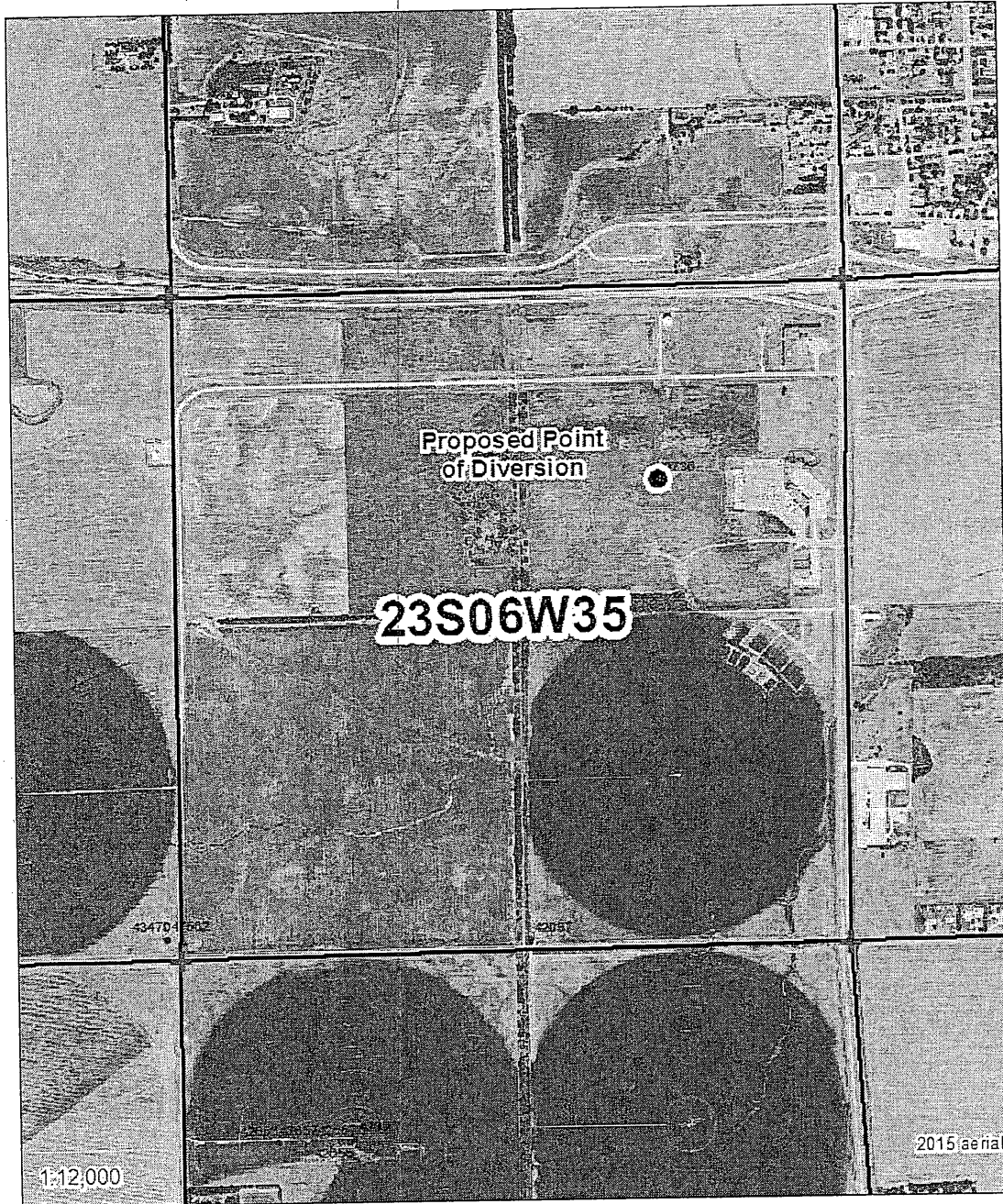
Kansas

Department of Agriculture
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Stafford, Kansas 67578-1521

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Legend

- Section Corners
- Section Lines

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

Proposed Water Appropriation, File No. 49736
35-23S-6W
Reno County



CEM
MJM:DWR 9/13/17


Kansas
Department of Agriculture
Division of Water Resources

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Sam Brownback, Governor

September 14, 2017

Breitenback Realty, Inc
00000 S. K96 Hwy
Hutchinson, KS 67501

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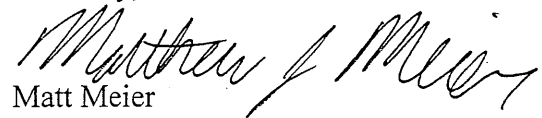
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Water Appropriations Program

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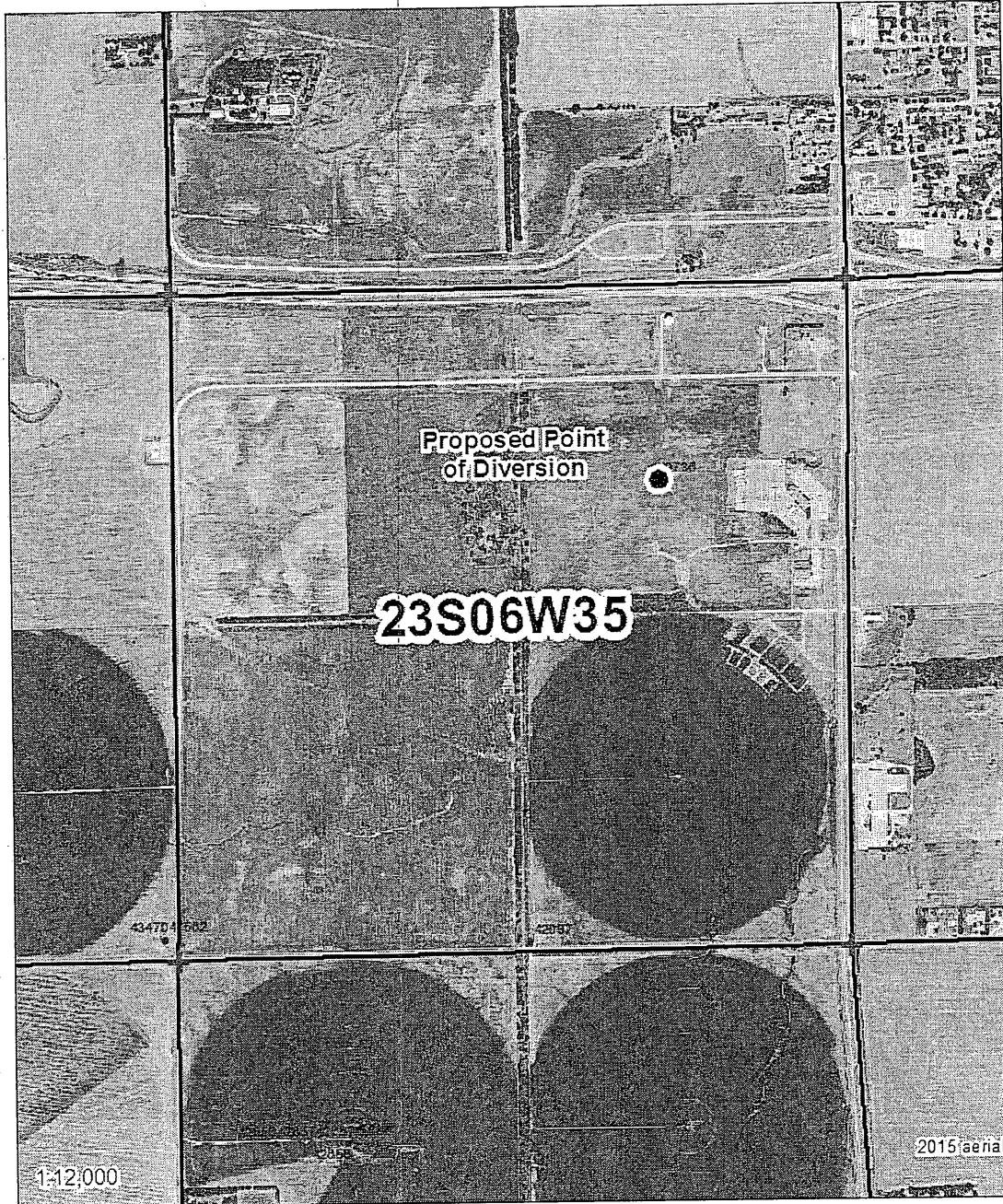
Kansas

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Legend

- Section Corners
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MJM/DWR 9/13/17

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Proposed Water Appropriation, File No. 49736
35-23S-6W
Reno County




Kansas
Department of Agriculture
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Sam Brownback, Governor

September 14, 2017

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Hutchinson, KS 67501

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Water Appropriations Program

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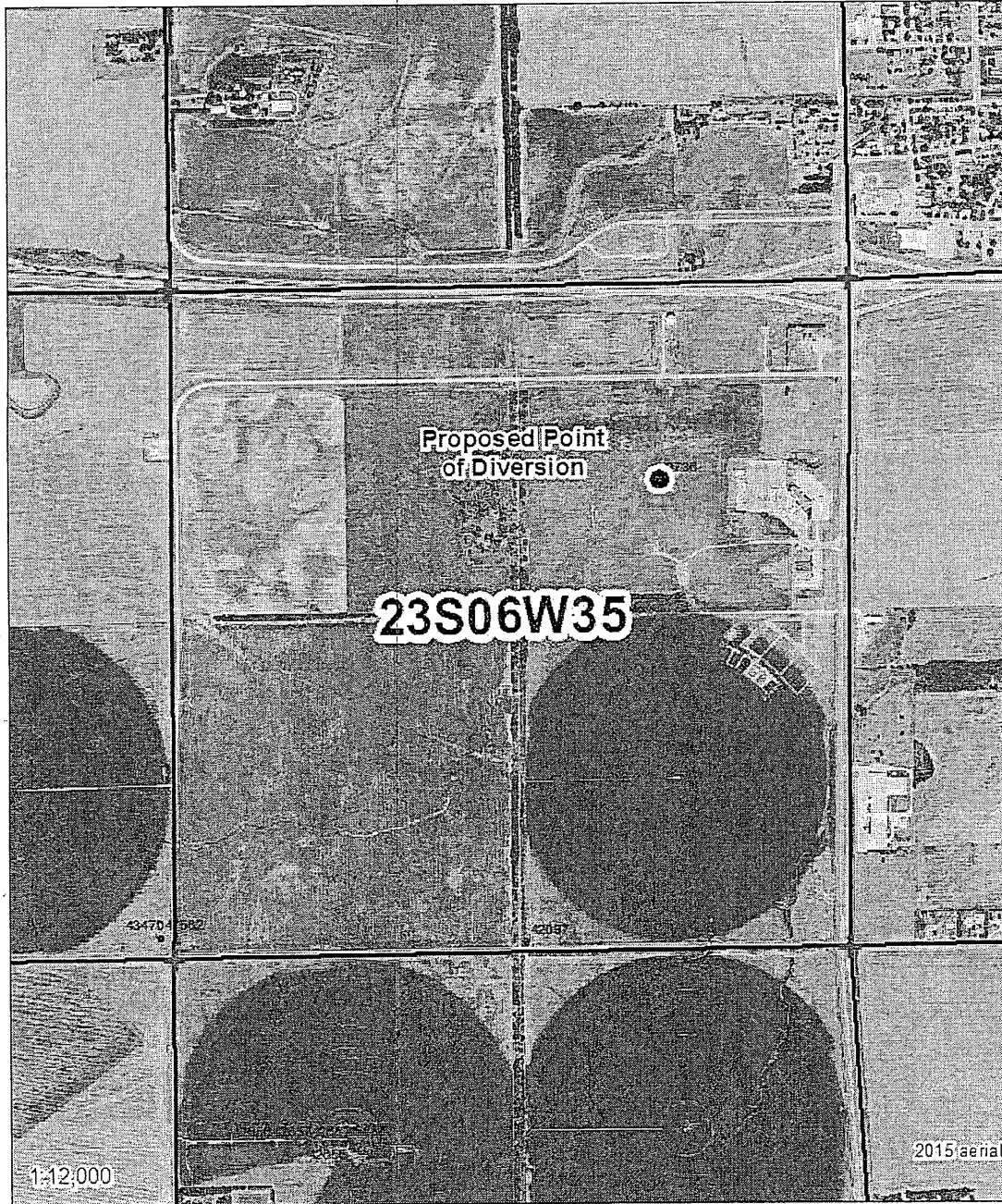
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Kansas

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Division of Water Resources

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Sam Brownback, Governor



Legend

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Proposed Water Appropriation, File No. 49736
35-23S-6W
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MJM-DWR 9/13/17


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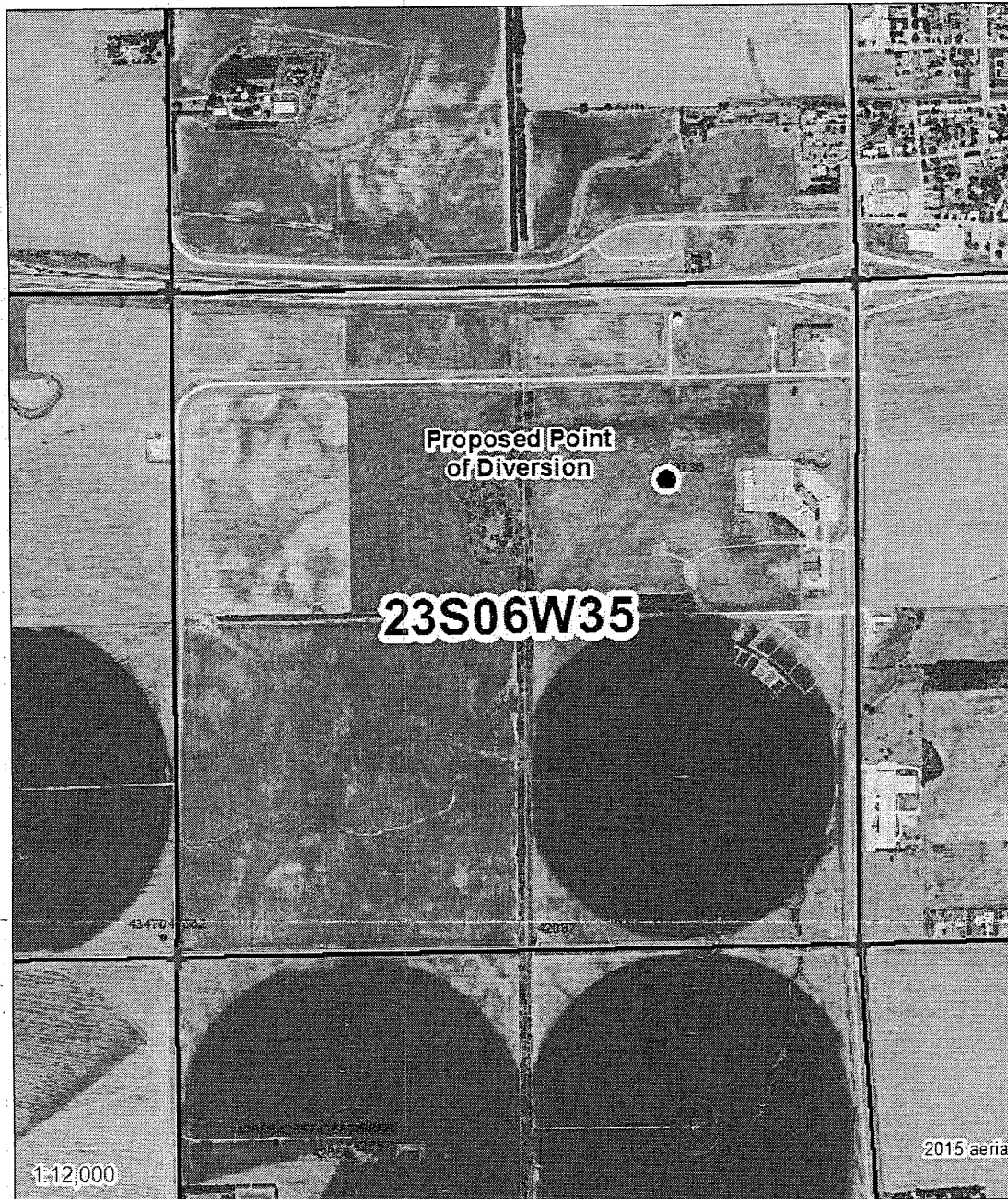
Department of Agriculture
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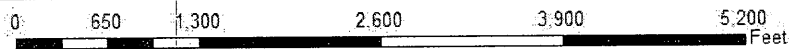
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Legend
+ Section Corners
□ Section Lines
MJM-DWR 9/13/17



Proposed Water Appropriation, File No. 49736
35-23S-6W
Reno County




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September 14, 2017

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Environmental Scientist
Water Appropriations Program

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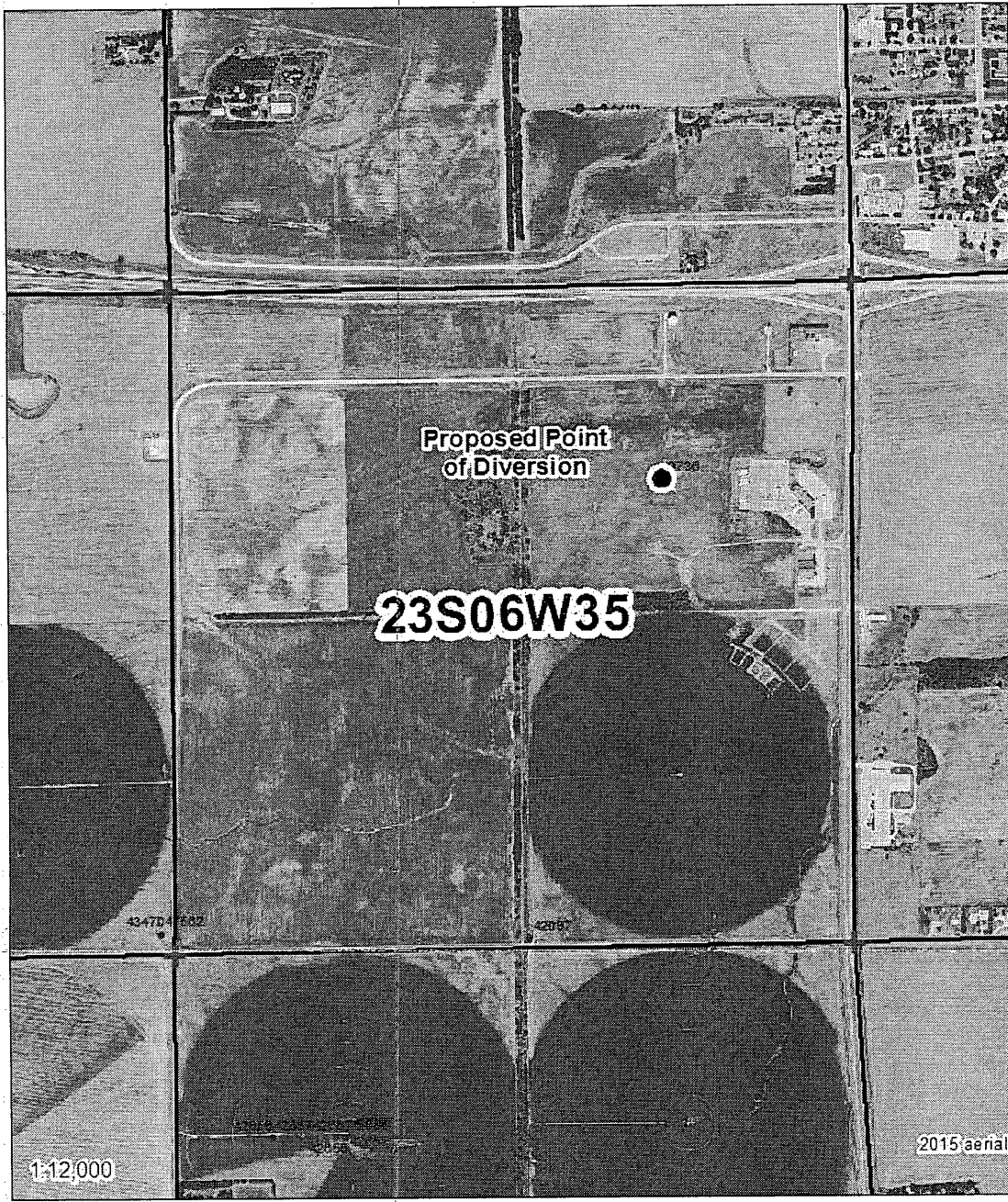
Kansas

Department of Agriculture
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Stafford, Kansas 67578-1521

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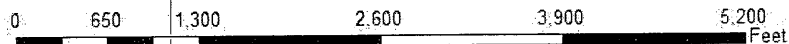
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www.agriculture.ks.gov
Sam Brownback, Governor



Legend

- Section Corners
- Section Lines

MJM-DWR 9/13/17



Proposed Water Appropriation, File No. 49736
35-23S-6W
Reno County



CERTIFIED ENGINEERING DESIGN, P.A.

1935 West Maple
Wichita, KS 67213-3311
(316) 262-8808 Office
(316) 262-1669 Fax

LETTER OF TRANSMITTAL

DATE: November 22, 2016

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

Re: Surface Water Rights Application
South Hutchinson, Reno County, KS

FROM: Harlan D. Foraker, P.E. *HDF*

COMMENTS: Attached is a surface water rights application for 30 ac-ft for a recreational pond at the Frontier Commerce Park Addition in South Hutchinson, Reno County, Kansas. A \$200 application fee is attached. Please review the application, maps and plans for the proposed permit and ponds and notify us if any further information is required. If you have questions or require additional information please call me at 316.262.8808.

attachments

cc by email: Mr. Richard Graber, Prairie Land Management, 4104 S. Herron Road, Hutchinson, KS, 66501

UNACCEPTABLE FOR PROVISION
WATER RESOURCES
RECEIVED
DEC 01 2016
KS DEPT OF AGRICULTURE

WATER RESOURCES
RECEIVED

DEC 02 2016

KS DEPT OF AGRICULTURE

SCANNED

1) North

0781273501001002000
Faith Mennonite Church
1403 S. Main St.
South Hutchinson, KS 67505
11.64 acres

2) Gas Station

0781273501001005000
CTP LLC
1515 S. Main St.
South Hutchinson, KS 67505
19.84 acres

3) East of 96

0781273602001002000
Dorskocil, Larry D. Liv Trust
00000 S. K96 HWY
Hutchinson, KS 67501
67.77 acres

4) South of Frontier Commerce Park

0781273500002002000
Evans, John R & Gloria A Revocable Trust
00000 S. K96 HWY
Hutchinson, KS 67501
135.47 acres

5) Southeast

0781273600002003000
Three E LLC
2006 S. Main St.
South Hutchinson, KS 67505
4.52 Acres

6) Southeast

0781273600002004000
Breitenback Realty, Inc.
00000 S. K96 HWY
Hutchinson, KS 67501
7.48 acres

7) Southeast

0781273600002002000
Morgan, Geneva E
00000 S. K96 HWY
Hutchinson, KS 67501
43.68 acres

**WATER RESOURCES
RECEIVED**

DEC 02 2016

KS DEPT. OF AGRICULTURE

**WATER RESOURCES
RECEIVED**

**UNACCEPTABLE FOR PRIORITY
DEC 01 2016**

KS DEPT OF AGRICULTURE

SCANNED

(Date)

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

Re: Application
File No. _____

Minimum Desirable Streamflow

Dear Sir:

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

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

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

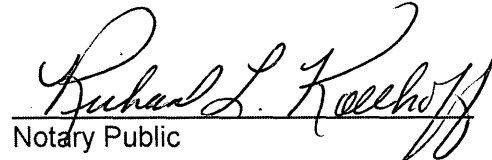
I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.


Signature of Applicant

State of Kansas)
County of Reno) ss

Richard Graber. Prairie Land
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 16 day of November, 2016.

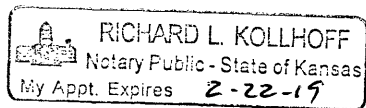

Notary Public

My Commission Expires: 2-22-19

WATER RESOURCES
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DEC 02 2016

DWR KS DEPT OF AGRICULTURE (Revised 05/27/2008)


RICHARD L. KOLLHOFF
Notary Public - State of Kansas
My Appt. Expires 2-22-19

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UNACCEPTABLE 12016
DEPT FOR PRIORITY
KS DEPT OF AGRICULTURE

SCANNED

Baum, Kristen

From: Harlan Foraker <hforaker@cedpa.com>
Sent: Friday, December 02, 2016 11:45 AM
To: Baum, Kristen
Subject: RE: Frontier Commerce Park Water Rights application

Yes natural flows is acceptable as I did not know what value to put for this. Also can you advise what the typical timeline is for review and consideration for approval of these water permits? I just need to advise Richard Graber what to expect. Thanks.

Harlan D. Foraker, P.E., President
Certified Engineering Design, P.A.
1935 West Maple
Wichita, KS 67213-3311
PH:(316)262-8808
FAX:(316)262-1669

WATER RESOURCES
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DEC 02 2016

~~KS DEPT OF AGRICULTURE~~

From: Baum, Kristen [<mailto:Kristen.Baum@ks.gov>]
Sent: Friday, December 02, 2016 11:35 AM
To: Harlan Foraker
Subject: RE: Frontier Commerce Park Water Rights application

Thanks for the additional information. One more thing I'd like to clarify – the rate of diversion you've requested is 500 gpm. This will be in the form of natural flows, correct? If so, we would describe the rate as "natural flows" rather than a specific gpm.

Thanks,

Kristen A. Baum
Division of Water Resources – Water Appropriations
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan KS 66502
(785) 564-6627

My email address has changed: kristen.baum@ks.gov

From: Harlan Foraker [<mailto:hforaker@cedpa.com>]
Sent: Friday, December 02, 2016 11:16 AM
To: Baum, Kristen
Subject: Frontier Commerce Park Water Rights application

Kristen: Attached are the updated documents as we discussed. I checked the pond surface area at the spillway elevation and the surface area is actually 4.42 acres. Also attached is Sheet 50 which contains the final plat for Frontier Commerce Park Addition from the street improvement plans which contains the Owner's Certificate and the signature for Prairie Land Management LLC owned by Richard Graber. Please review and let me know if you have any questions or require additional information.



Harlan D. Foraker, P.E., President
Certified Engineering Design, P.A.
1935 West Maple
Wichita, KS 67213-3311

SCANNED

Phillips, Janelle

From: Phillips, Janelle
Sent: Wednesday, August 24, 2016 8:11 AM
To: 'Harlan Foraker'
Subject: RE: Frontier Commerce Park Drainage Boundary

This will acknowledge receipt of your request for a water structures permit determination. The project will consist of the construction of a pit pond at a location in the NE ¼ of Section 35, Township 23 South, Range 6 West, Reno County, Kansas.

We have reviewed the information received and concluded that this project is not jurisdictional under K.S.A. 82a-301 to 305a, because the drainage area for this stream is less than 640 acres. A DWR permit will not be required for this project.

Please note that other local, state, or federal requirements may still apply. If you have any questions, please contact me at 785-564-6656.

Janelle N. Phillips, P.E., C.F.M., LEED-AP
Water Structures Program
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan, KS 66502
785-564-6656
My email has changed: janelle.phillips@ks.gov

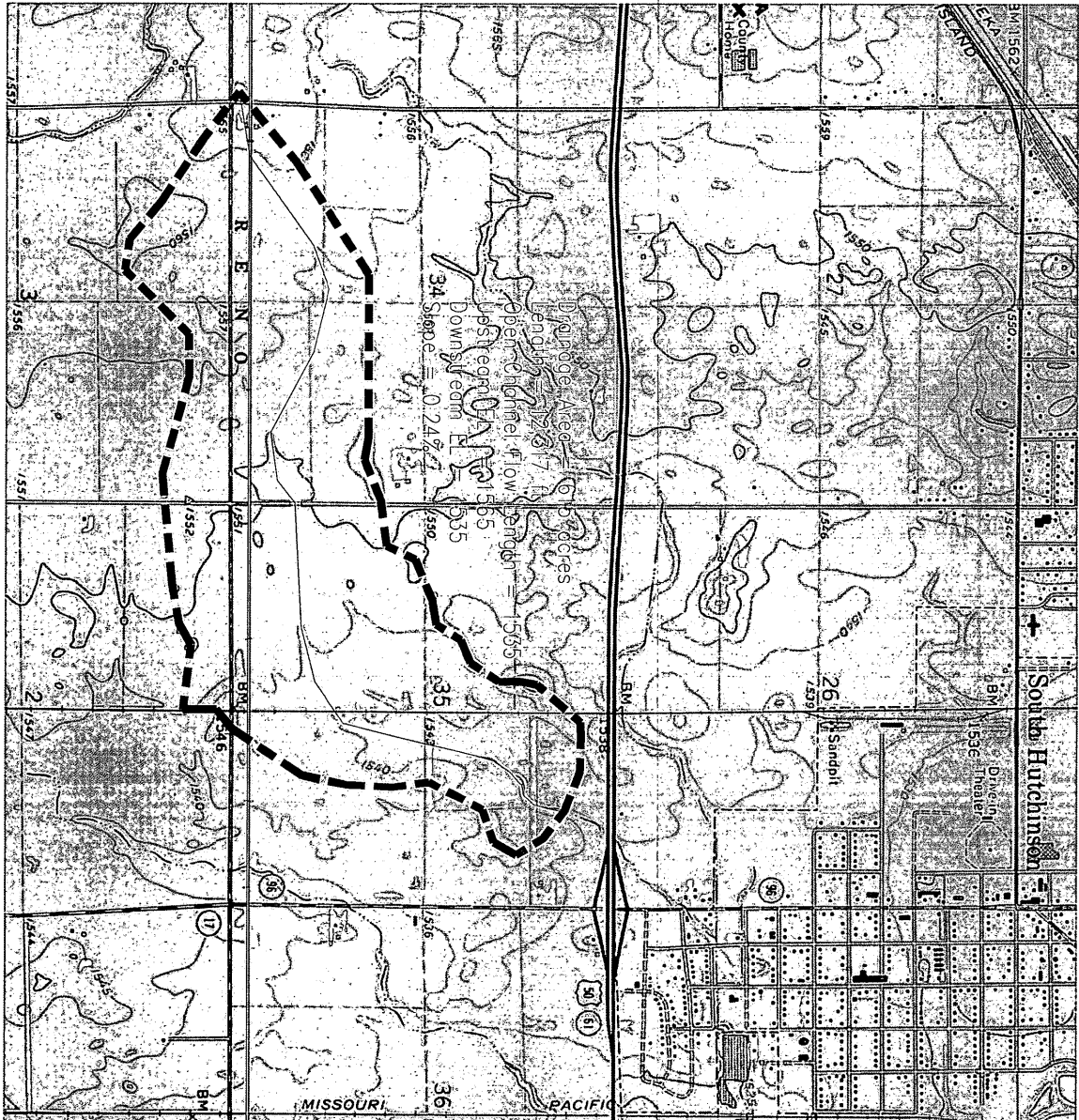
WSI #
CRN-120

From: Harlan Foraker [<mailto:hforaker@cedpa.com>]
Sent: Tuesday, August 23, 2016 6:01 PM
To: Phillips, Janelle
Cc: lmills@cedpa.com
Subject: Frontier Commerce Park Drainage Boundary

Janelle: Attached is the drainage boundary map for Frontier Commerce Park Street and Drainage Improvement project in South Hutchinson, Reno County, KS. It is located south of US50 and west of 96 highway. The drainage area is outlined and measured to and existing RCB across Prosperity Drive however the pond excavation begins 900' south of Prosperity Drive. As site plan is attached. I am proposing that the pond excavation will be limited to less than 15 acre feet of storage volume until the water right can be obtained. Let me know your observations.



Harlan D. Foraker, P.E., President
Certified Engineering Design, P.A.
1935 West Maple
Wichita, KS 67213-3311
PH:(316)262-8808
FAX:(316)262-1669



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 5, 2016

PRAIRIE LAND MANAGEMENT LLC
4104 S HERRON RD
HUTCHINSON KS 67501

FILE COPY

RE: Application
File No. 49736

Dear Sir or Madam:

Your application for permit to appropriate water in 35-23S-6W in Reno 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

NEW STREAM WORKSHEET

ES AW

Date: 12/5/16

File No. 491736

Basin Name: Arkansas River Basin No. 33

Stream Name: Arkansas River Trib 10 A (Ank)

Stream location (confluence with parent stream):

Section 25, Township 23 South, Range 6 ^{West} (~~East~~)

Map Color Coding:

Basin Stream – Blue

Named Main Stream off Basin Stream – Yellow

Named Stream off Main Stream – Green

Unnamed Trib (1, 2, 3, 4, etc.) – Pink

Unnamed Trib to Unnamed Trib (A, B, C, etc.) – Orange

Unnamed Trib to Unnamed Trib to Unnamed Trib (1, 2, 3, etc.) – Purple

Stream No. 3892 (computer assigned - entered by data entry staff)

Date Entered 12/6/2016 By UM

NEW STREAM WORKSHEET

ES AdW

Date: 12/5/14

File No. 491736

Basin Name: Arkansas River Basin No. 33

Stream Name: Arkansas River Trib 10 (Arkansas)

Stream location (confluence with parent stream):

Section 33, Township 23 South, Range 5 ^{West} (~~East~~)

Map Color Coding:

Basin Stream – Blue

Named Main Stream off Basin Stream – Yellow

Named Stream off Main Stream – Green

Unnamed Trib (1, 2, 3, 4, etc.) – Pink

Unnamed Trib to Unnamed Trib (A, B, C, etc.) – Orange

Unnamed Trib to Unnamed Trib to Unnamed Trib (1, 2, 3, etc.) – Purple

Stream No. 3 8 9 1 (computer assigned - entered by data entry staff)

Date Entered 12/6/2016 By LCM

Frontier Commerce Park



Tue Nov 22 2016 12:26:37 PM.

WATER RESOURCES
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DEC 01 2016

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SCANNED