

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

1. File Number: <b>49,880</b>	2. Status Change Date: <b>10/23/2018</b>	3. Field Office: <b>02</b>	4. GMD: <b>Ø</b>
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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)  New to system  Person ID **65638**  
Add Seq# **1**

**HAL MCCOY**  
**7700 E POLO DR**  
**WICHITA KS 67206**

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

7a

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

7d. Misc.  New to system  Person ID \_\_\_\_\_  
Add Seq# \_\_\_\_\_

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

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: **9/18/18** By: **AJW**  
Date Entered: **10/25/2018** By: **UM**

File No. **49,880**      15. Formation Code: **533**      Drainage Basin: **WALNUT RIVER**      County: **BU**      Special Use:      Stream:

16. Points of Diversion									
T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	
✓	86271	NW SW SW	7	27S	3E	8	875	5016	

17. Rate and Quantity				
Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
99	4.25	99	4.25	na

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

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

20. Meter Required?  Yes     No      To be installed by **12/31/2019**      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use										Total	Owner	Chg?	Overlap Files													
T MOD DEL ENT	PUSE	S	T	R	ID	NE¼								NW¼				SW¼				SE¼				
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
MOD	68482	7	27S	3E	4					3 AC POND W½W½													7A	no	none	

Comments:

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

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

**TO:** Files

**DATE:** September 18, 2018

**FROM:** Alex Whitesell

**RE:** Application, File No. 49,880

Hal McCoy, has filed the above referenced application for a permit to appropriate water for beneficial use, proposing the appropriation of 4.25 acre-feet of groundwater from one (1) existing well, for recreational use in Butler County. ~~The application was originally filed indicating one well but after talking to the applicant two existing wells were confirmed to be operating.~~ *3 wells total, 2 of which are domestic*

The quantity of water was justified to offset evaporative loss as follows: *and not included with this application - KAB/DWR*

3 acre pond x 17" (potential net evaporation for the point area) =  $51"/12"/1AF = 4.25$  acre-feet

The source of water for the pending application was determined to be Wellington Formation, based on area wells logs and Kansas Geological Survey.

The area of the proposed point of diversion is open to new appropriations, subject to safe yield. The specific method for calculating safe yield for unconfined groundwater aquifers is described in K.A.R. 5-3-11. The safe yield area of consideration is the entire two-mile circle, 8,042 acres using 3.4 inches of potential annual recharge and 100% recharge available for appropriation. The safe yield was calculated to be 2,278.70 acre-feet with total prior appropriation of 809.34 acre-feet leaving 1,469.36 acre-feet available for appropriation. Therefore, the application meets safe yield.

The application is subject to well spacing, as required by K.A.R. 5-4-4 and does not meet well spacing to domestic wells according to K.A.R. 5-4-4. The domestic wells are owned by the applicant and therefore spacing is not an issue.

All well owners within one-half (½) mile of the proposed point of diversion were notified of the application, by Public Notice in the Wichita Eagle three separate times between May 11, 2018 and May 25, 2018, and provided 15 days to submit any comments or concerns related to the proposed appropriation. No comments have been received. Well owners within 1,000 feet were also notified by letter dated March 30, 2018. No comments have been received.

In an email message August 21, 2018, Jeff Lanterman, Water Commissioner of the Stafford Field Office recommended approval of the application.

Based on the above discussion and the available information, ~~and that K.A.R. 5-252 is waived,~~ it is recommended that the referenced application be approved.



Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

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

FILE COPY

HAL MCCOY  
7700 E POLO DR  
WICHITA KS 67206

October 26, 2018

RE: Appropriation of Water  
File No. 49,880

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 these approval documents. A water meter is required on the proposed diversion works and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Enclosed is a form which must be used to notify the Chief Engineer that the proposed diversion works have been completed. 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. 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 enclosed permit. 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 cursive script that reads "Kristen A. Baum".

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

KAB:ajw  
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. 49,880** of the applicant

**HAL MCCOY  
7700 E POLO DR  
WICHITA KS 67206**

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 **July 31, 2017**.
2. That the water sought to be appropriated shall be used for recreational use in a pond with a surface area not to exceed 3 surface acres, located in the West Half of the West Half ( $W\frac{1}{2} W\frac{1}{2}$ ) of Section 7, in Township 27 South, Range 3 East, Butler County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater to be withdrawn by means of one (1) well located in the Northwest Quarter of the Southwest Quarter of the Southwest Quarter ( $NW\frac{1}{4} SW\frac{1}{4} SW\frac{1}{4}$ ) of Section 7, more particularly described as being near a point 875 feet North and 5,016 feet West of the Southeast corner of said section, in Township 27 South, Range 3 East, Butler 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 **99 gallons per minute (0.221 c.f.s.)** and to a quantity not to exceed **4.25 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 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).

12. 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.

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

14. 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.

15. 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.

Ordered this 23rd day of October, 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 23rd day of October, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

Notary Public

**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, KS 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, KS 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.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

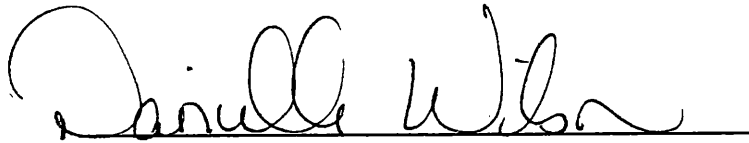
### CERTIFICATE OF SERVICE

On this 26<sup>th</sup> day of October, 2018, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,880, dated October 23<sup>rd</sup>, 2018 was mailed postage prepaid, first class, US mail to the following:

HAL MCCOY  
7700 E POLO DR  
WICHITA KS 67206

With photocopies to:

Stafford Field Office



Division of Water Resources



THE STATE OF KANSAS



APPLICATION COMPLETE

8/21/18

Reviewer AJW

KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

WATER RESOURCES RECEIVED

File Number 49880

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

WATER RESOURCES RECEIVED

JUL 31 2017 12:24  
KS DEPT OF AGRICULTURE

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

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

UNACCEPTABLE FOR PRIORITY  
JUL 19 2017  
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): Hal McCoy  
Address: 7700 E. Polo Dr.  
City: Wichita State KS Zip Code 67206  
Telephone Number: (316) 634-1190

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Walnut 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 4.25 acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of 99 gallons per minute OR \_\_\_\_\_ cubic feet per second.

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

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

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

For Office Use Only:  
F.O. 2 GMD Meets K.A.R. 5-3-1 (YES/NO) Use REC Source G S County S By AJW Date 7/31/17  
Code REG Fee \$ 200 TR # Receipt Date 7/31/17 Check # 5011

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 NW quarter of the SW quarter of the SW quarter of Section 7, more particularly described as being near a point 875 feet North and 5016 feet West of the Southeast corner of said section, in Township 27 South, Range 3 East, Butler County, Kansas.
- (B) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.
- (C) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.
- (D) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.

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

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

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

APPLICANT IS THE OWNER

(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 July 27, 2017

[Signature]  
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 1 well and Pump and will be completed (by) existing well

8. The first actual application of water for the proposed beneficial use was or is estimated to be ASAP

JUL 31 2017

UNACCEPTABLE FOR PRIORITY  
JUL 19 2017

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

WATER RESOURCES  
RECEIVED

JUL 31 2017

JUL 19 2017

UNACCEPTABLE FOR PRIORITY

KS DEPT OF AGRICULTURE

KS DEPT OF AGRICULTURE

SCANNED

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

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

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	<u>10/17/2014</u>			
Total depth of well	<u>128'</u>			
Depth to water bearing formation	<u>118'</u>			
Depth to static water level	<u>78'</u>			
Depth to bottom of pump intake pipe	<u>108</u>			

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):  
SAME  
(name, address and telephone number)  
\_\_\_\_\_  
(name, address and telephone number)

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

Dated at WICHITA, KS, Kansas, this 26 day of JUNE, 2017.  
(month) (year)

[Signature]  
(Applicant Signature)

By \_\_\_\_\_  
(Agent or Officer Signature)

\_\_\_\_\_  
(Agent or Officer - Please Print)

Assisted by \_\_\_\_\_ ESII \_\_\_\_\_ Date: 5/12/2017  
(office/title)

WATER RESOURCES RECEIVED  
JUL 31 2017  
KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED  
UNACCEPTABLE FOR PRIORITY  
JUL 1 2017  
KS DEPT OF AGRICULTURE  
SCANNED

**RECREATIONAL USE  
SUPPLEMENTAL SHEET**

File No. 49880

Name of Applicant (Please Print): Hal McCoy

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

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

Requested Quantity to offset Evaporation Losses

PNE for T 27S R3E is 17"

3 acres x 17 " = 51"/12"/1AF = 4.25AF

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	4.25AF
Year 2	4.25AF
Year 3	4.25AF
Year 4	4.25AF
Year 5	4.25AF

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.

W 1/2 of the W 1/2  
3 acre pond located in the Southwest Quarter (SW 1/4) of Section 7, Township 27 South,  
Range 3 East, Butler County KS.

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

DIVISION OF THE  
WATER RESOURCES  
RECEIVED

JUL 31 2017

ACCEPTABLE FOR  
PRIORITY  
JUL 19 2017  
KS DEPT OF AGRICULTURE  
SCANNED

*KAB/DWR*

WATER RESOURCES RECEIVED

7/10/2017  
(Date)

JUL 10 2017

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

KS DEPT OF AGRICULTURE

UNACCEPTABLE FOR PRIORITY

Re: Application File No. 49880

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.

Hal W McCoy  
Signature of Applicant

HAL W MCCOY  
(Print Applicant's Name)

State of Kansas )  
County of Sedgewick ) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 10<sup>th</sup> day of July, 2017.

DEBRA J. WARD  
Notary Public - State of Kansas  
My Appt. Expires 12-23-2020

Debra J Ward  
Notary Public

My Commission Expires: 12-23-2020

WATER RESOURCES RECEIVED

JUL 31 2017

49880

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

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

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

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

WATER RESOURCES  
RECEIVED

WATER RESOURCES  
RECEIVED

UNACCEPTABLE 2017  
SUBLE FOR PRIORITY

JUL 31 2017

KS DEPT OF AGRICULTURE

## Whitesell, Alex [KDA]

---

**From:** Lanterman, Jeff [KDA]  
**Sent:** Tuesday, August 21, 2018 2:58 PM  
**To:** Conant, Cameron [KDA]; Whitesell, Alex [KDA]  
**Subject:** RE: Recomendation 49880

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Ya. I am up in the air about 4.9 af being enough to fill this pond but ill let him try. When we were doing hog lagoons for KDHE even synthetic liners seeped some.

Lets go ahead and approve it.

---

**From:** Conant, Cameron [KDA]  
**Sent:** Tuesday, August 21, 2018 11:43 AM  
**To:** Lanterman, Jeff [KDA] <[Jeff.Lanterman@ks.gov](mailto:Jeff.Lanterman@ks.gov)>  
**Subject:** FW: Recomendation 49880

Jeff,

Please recall, this unauthorized well being used to fill a pond was brought to our attention via complaint from Ron Garcia when water was running out of the pond into the ditch. During the course of our investigation and further correspondence with Mr. Hal McCoy, it was determined that there were actually 3 wells on the property being used for a variety of things, more specifically, filling 2 ponds, watering horses, lawn/garden, and a new tree line. As we progressed with Mr. McCoy, it was determined that all of this would be domestic use except for the west well pumping into the west pond which is what we ended up filling out the application for and what we are reviewing now. He was not filling both ponds, the east pond was surface runoff only...Per a 4/18/17 email from WC Lanterman to Matt and myself, Jeff wrote, "he only pumps to the one pond" ie, west pond that was stocked with trout and bass.

Mr. McCoy requested 4.5 AF and less than 99 AF, he said the pond is sealed really well and he does not anticipate needing to replace seepage, he will only need to offset evaporation at this location (17"). This is Wellington. I hope Mr. McCoy is correct about the pond not seeping, I hope 4.25 AF is sufficient.

SY is met, spacing is met to any wells not under ownership of Mr. McCoy, I have no problem with this file being approved for the low requested rate and quantity. Please pass on to Alex if you agree and Alex, please revise your memo to show 3 wells, 2 of which were determined to be totally domestic use. From what I can tell and remember, we are fully addressing the only well (and pond) that requires our attention.

Cameron

---

**From:** Whitesell, Alex [KDA]  
**Sent:** Tuesday, July 31, 2018 2:13 PM  
**To:** Lanterman, Jeff [KDA] <[Jeff.Lanterman@ks.gov](mailto:Jeff.Lanterman@ks.gov)>; Conant, Cameron [KDA] <[Cameron.Conant@ks.gov](mailto:Cameron.Conant@ks.gov)>  
**Subject:** Recomendation 49880

Good afternoon,

Could you please provide your recommendation on this file? Thanks!



Alex Whitesell  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, KS  
(785) 564 - 6631

**My email has changed [alex.whitesell@ks.gov](mailto:alex.whitesell@ks.gov)**

**Hal W. McCoy**

7700 E. Polo Dr.  
Wichita, KS 67206  
(316) 634-1190

May 29, 2018

Mr. Alex Whitesell  
Department of Agriculture  
1320 Research Park Dr.  
Manhattan, KS 66502

Re: Application File No. 49,880

Dear Alex:

Per your telephone conversation with my assistant, Debbie Ward, enclosed is a Legal Proof of Publication with the Wichita Eagle and a map of the property indication that the only wells within the ½ mile radius are all located on McCoy property for personal water use.

Please do not hesitate to contact me or Debbie with any questions.

Sincerely,



Hal W McCoy

HWM/dw

Water Resources  
Received

**JUN 01 2018**

KS Dept Of Agriculture

SCANNED



## LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
666748	0003658817	Hal McCoy has filed an application with the Kansas		\$474.27	1	27

**Attention:**

MCCOY  
7700 E. POLO DRIVE  
WICHITA, KS 67206

Hal McCoy has filed an application with the Kansas Department of Agriculture, Division of Water Resources, 1320 Research Park Drive, Manhattan, Kansas, 66502, for permit to appropriate water for beneficial use, identified as File No. 49,880, which proposes to appropriate groundwater in the drainage basin of the Walnut River, to be diverted by means of one (1) existing well located in the Northwest Quarter of the Southwest Quarter of the Southwest Quarter (NW¼ SW¼ SW¼) of Section 7, more particularly described as being near a point 875 feet North and 5,016 feet West of the Southeast corner of said section, in Township 27 South, Range 3 East, Butler County, Kansas, in an amount of 4.25 acre-feet per calendar year to be diverted at a maximum rate of 99 gallons per minute for recreational use. Any interested party is invited to submit written comments to this office on or before June 13, 2018. Persons submitting written comments should specifically indicate their interest in the application in a clear and concise manner.

In The STATE OF KANSAS  
In and for the County of Sedgwick  
AFFIDAVIT OF PUBLICATION

3 Insertions

Beginning issue of: 05/11/2018

Ending issue of: 05/25/2018

STATE OF KANSAS)

.SS

County of Sedgwick)

Dale Seiwert, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 5/11/2018 to 05/25/2018.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

(Signature of Principal Clerk)

DATED: 5/25/2018

Water Resources  
Received

JUN 01 2018

KS Dept Of Agriculture

Notary Public Sedgwick County, Kansas

JENNIFER RAE BAILEY  
Notary Public - State of Kansas  
My Appt. Expires 6/14/2021

SCANNED

# 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

March 29, 2018

SAFE HARBOR EAT LLC  
WILLIAM HADWIGER  
PO BOX 4  
ALVA OK 73717-0403

**FILE COPY**

RE: Application  
File No. 49,880

Dear Sir or Madam:

This is to advise you that Hal McCoy has filed the application referred to above for permit to appropriate 4.25 acre-feet of water per calendar year for recreational use to be diverted at a maximum rate of 99 gallons per minute from a well or wells located as follows:

one (1) well with located in the Northwest Quarter of the Southwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 7, more particularly described as being near a point 875 feet North and 5,016 feet West of the Southeast corner of said section, in Township 27 South, Range 3 East, Butler County, Kansas.

A copy of an aerial photograph depicting the location of the proposed point of diversion is also enclosed. 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(s) of the applicant's point(s) 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, please contact me at (785) 564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

AJW:  
Enclosure(s)  
pc: Stafford Field Office

**SCANNED**

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
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GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 29, 2018

CHRISTOPHER & NIKKI MCCOY  
1320 W 13<sup>TH</sup> ST  
ANDOVER KS 67002-8698

RE: Application  
File No. 49,880

Dear Sir or Madam:

This is to advise you that Hal McCoy has filed the application referred to above for permit to appropriate 4.25 acre-feet of water per calendar year for recreational use to be diverted at a maximum rate of 99 gallons per minute from a well or wells located as follows:

one (1) well with located in the Northwest Quarter of the Southwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 7, more particularly described as being near a point 875 feet North and 5,016 feet West of the Southeast corner of said section, in Township 27 South, Range 3 East, Butler County, Kansas.

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If you have any questions, please contact me at (785) 564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

AJW:  
Enclosure(s)  
pc: Stafford Field Office

SCANNED

STATE OF KANSAS

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



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www.agriculture.ks.gov

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

March 29, 2018

MARK A & NANCY L MOXLEY  
825 S HILLSIDE  
WICHITA KS 67211-3005

RE: Application  
File No. 49,880

Dear Sir or Madam:

This is to advise you that Hal McCoy has filed the application referred to above for permit to appropriate 4.25 acre-feet of water per calendar year for recreational use to be diverted at a maximum rate of 99 gallons per minute from a well or wells located as follows:

one (1) well with located in the Northwest Quarter of the Southwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 7, more particularly described as being near a point 875 feet North and 5,016 feet West of the Southeast corner of said section, in Township 27 South, Range 3 East, Butler County, Kansas.

A copy of an aerial photograph depicting the location of the proposed point of diversion is also enclosed. 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(s) of the applicant's point(s) 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, please contact me at (785) 564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Whitesell".

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

AJW:  
Enclosure(s)  
pc: Stafford Field Office

SCANNED

# STATE OF KANSAS

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

March 29, 2018

HAL MCCOY  
7700 E POLO DR  
WICHITA KS 67206

RE: Application  
File No. 49,880

Dear Mr. McCoy:

Below is a copy of a notification of your application to appropriate water for beneficial use. This notice must be published in a local newspaper once a week for three (3) consecutive weeks at your expense. The date in the publication must allow at least 15 days for public comment following the final publication. Copies of the publication are to be submitted to this office within two (2) weeks of final publication.

Hal McCoy has filed an application with the Kansas Department of Agriculture, Division of Water Resources, 1320 Research Park Drive, Manhattan, Kansas, 66502, for permit to appropriate water for beneficial use, identified as File No. 49,880, which proposes to appropriate groundwater in the drainage basin of the Walnut River, to be diverted by means of one (1) existing well located in the Northwest Quarter of the Southwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 7, more particularly described as being near a point 875 feet North and 5,016 feet West of the Southeast corner of said section, in Township 27 South, Range 3 East, Butler County, Kansas, in an amount of 4.25 acre-feet per calendar year to be diverted at a maximum rate of 99 gallons per minute for recreational use. Any interested party is invited to submit written comments to this office on or before (*date should be 15 days after final publication*). Persons submitting written comments should specifically indicate their interest in the application in a clear and concise manner.

If you have any questions, please feel free to contact our office at (785) 564-6634. Please have your file number so that we may help you more efficiently.

A handwritten signature in black ink, appearing to read "Alex Whitesell".

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

Enclosure(s)

Pc: Stafford Field Office

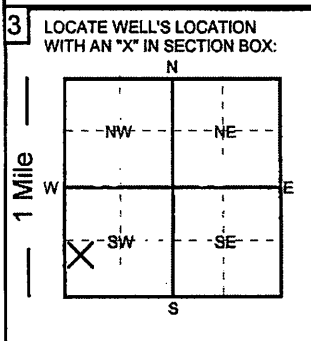
SCANNED

**WATER WELL RECORD Form WWC-5 KSA 82a-1212**

<b>1</b> LOCATION OF WATER WELL: <b>Butler</b>	FRACTION <b>NW 1/4 SW 1/4 SW 1/4</b>	SECTION NUMBER <b>7</b>	TOWNSHIP NUMBER <b>T 27 S</b>	RANGE NUMBER <b>R 3E E/W</b>
---	---	----------------------------	----------------------------------	---------------------------------

Distance and direction from nearest town or city street address of well if located within city?  
**13th St. N. and Andover Rd., 1/4 mile West, 1/4 mile North Andover, Kansas**

<b>2</b> WATER WELL OWNER: <b>MURRY</b>	Board of Agriculture, Division of Water Resource
RR#, ST. ADDRESS, BOX #: <b>715 W. Point Place</b>	Application Number:
CITY, STATE: <b>Andover, Kansas</b>	ZIP CODE:



**4** DEPTH OF COMPLETED WELL: **101** ft. ELEVATION:

Depth of groundwater Encountered: \_\_\_\_\_ ft. \_\_\_\_\_ ft. \_\_\_\_\_ ft.

WELL'S STATIC WATER LEVEL **41** FT. BELOW LAND SURFACE MEASURED ON **mo/day/yr: 3/13/06**

Pump test data: Well water was \_\_\_\_\_ ft. after \_\_\_\_\_ hours of pumping @ \_\_\_\_\_ gpm

Est. Yield: gpm Well water was \_\_\_\_\_ ft. after \_\_\_\_\_ hours of pumping @ \_\_\_\_\_ gpm

Bore Hole Diameter **12** in. to **101** ft. and \_\_\_\_\_ in. to \_\_\_\_\_ ft.

WELL WATER TO BE USED AS:

1. Domestic 3. Feedlot 5. Public water supply **7. Lawn and garden only** 9. Dewatering 11. Injection well

2. Irrigation 4. Industrial 6. Oil field water supply 8. Air conditioning 10. Monitoring well 12. Other (Specify below)

Was a chemical/bacteriological sample submitted to Department? YES **NO** ; If yes, what mo/day/yr was sample submitted \_\_\_\_\_

Was Water Well Disinfected? **YES** **NO**

**5** TYPE OF CASING USED:

1. Steel 3. RPM (SR) 5. Wrought Iron 7. Fiberglass 9. Other (Specify below) CASING JOINTS: **Glued** Threaded

**2. PVC** 4. ABS 6. Asbestos-Cement 8. Concrete tile **SDR-26** Welded Clamped

Blank casing diameter **5** in. to **41** ft., Dia. \_\_\_\_\_ in. to \_\_\_\_\_ ft., Dia. \_\_\_\_\_ in. to \_\_\_\_\_ ft.

Casing height above land surface: **24** in., Weight: **2.35** lbs. / ft. Wall thickness or gauge No. **.214**

TYPE OF SCREEN OR PERFORATION MATERIAL:

1. Steel 3. Stainless Steel 5. Fiberglass **7. PVC** 9. ABS 11. Other (specify)

2. Brass 4. Galvanized 6. Concrete Tile 8. RMP (SR) 10. Asbestos-Cement 12. None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:

1. Continuous slot 3. Mill slot 5. Gauzed wrapped 7. Torch cut 9. Drilled holes 11. None (open hole)

2. Louvered shutter 4. Key punched 6. Wire wrapped **8. Saw cut** 10. Other (specify)

SCREEN - PERFORATION INTERVAL From **41** ft. to **101** ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

GRAVEL PACK INTERVALS: From **24** ft. to **101** ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

**6** GROUT MATERIALS: 1. Neat cement 2. Cement Grout 3. Bentonite Other **bentonite hole plug**

Grout Intervals: From **4** ft. to **24** ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

What is the nearest source of possible contamination:

1. Septic tank 4. Lateral lines 7. Pit privy 10. Livestock pens 13. Insecticide storage 15. Oil well/Gas well

2. Sewer lines 5. Cess Pool 8. Sewage lagoon 11. Fuel storage 14. Abandon water well 16. Other (specify below)

**3. Watertight sewer line** 6. Seepage pit 9. Feed yard 12. Fertilizer storage

Direction from well? **East** How many feet? **50 feet plus**

From	To	LITHOLOGIC LOG	From	To	LITHOLOGIC LOG
0	3	topsoil			
3	10	clay			
10	55	tan shale			
55	101	gray shale/ limestone			

**7** Contractor's or Landowner's Certification: This water well was **1. constructed** 2. reconstructed or 3. plugged under my jurisdiction and was completed on (mo/day/year) **3/13/2006** and this record is true to the best of my knowledge and belief.

Kansas Water Well Contractor's License No. **236** This water well record was completed on (mo/day/year) **3/15/2006**

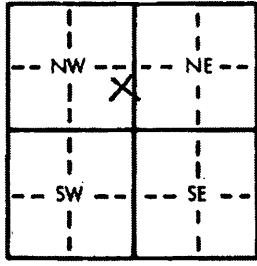
under the business name of **Harp Well & Pump Service Inc.** by (signature) *J o d d S. H a r p*



Well #3

1 LOCATION OF WATER WELL: County: Butler Fraction: NE 1/4 SE 1/4 NW 1/4 Section Number: 8 Township Number: T 27 S Range Number: R 3 EW  
 Distance and direction from nearest town or city street address of well if located within city?  
1/4 mile S. of 21st on Andover Rd well is 500' E. of Rd Behind H.S. Building

2 WATER WELL OWNER: Andover High School  
 RR#, St. Address, Box #: N. Andover Rd Board of Agriculture, Division of Water Resources  
 City, State, ZIP Code: Andover, KS 67002 Application Number:

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:  
  
 4 DEPTH OF COMPLETED WELL: 90 ft. ELEVATION:  
 Depth(s) Groundwater Encountered 1. 45 ft. 2. 85 ft. 3. \_\_\_\_\_ ft.  
 WELL'S STATIC WATER LEVEL: 15 ft. below land surface measured on mo/day/yr  
 Pump test data: Well water was \_\_\_\_\_ ft. after \_\_\_\_\_ hours pumping \_\_\_\_\_ gpm  
 Est. Yield: 100 gpm: Well water was \_\_\_\_\_ ft. after \_\_\_\_\_ hours pumping \_\_\_\_\_ gpm  
 Bore Hole Diameter: 12 in. to \_\_\_\_\_ ft., and \_\_\_\_\_ in. to \_\_\_\_\_ ft.  
 WELL WATER TO BE USED AS:  
 1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)  
 2 Irrigation 4 Industrial 7 Lawn and garden only 10 Observation well  
 Was a chemical/bacteriological sample submitted to Department? Yes No If yes, mo/day/yr sample was submitted  
 Water Well Disinfected? Yes No

5 TYPE OF BLANK CASING USED:  
 1 Steel 3 RMP (SR) 5 Wrought iron 8 Concrete tile CASING JOINTS: S: Glued Clamped \_\_\_\_\_  
2 PVC 4 ABS 7 Fiberglass \_\_\_\_\_ Welded \_\_\_\_\_  
 Blank casing diameter: 8 in. to \_\_\_\_\_ ft., Dia \_\_\_\_\_ in. to \_\_\_\_\_ ft., Dia \_\_\_\_\_ in. to \_\_\_\_\_ ft.  
 Casing height above land surface: 18 in., weight: type 160 lbs./ft. Wall thickness or gauge No. \_\_\_\_\_  
 TYPE OF SCREEN OR PERFORATION MATERIAL:  
 1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 10 Asbestos-cement 11 Other (specify) \_\_\_\_\_  
 2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 12 None used (open hole)  
 SCREEN OR PERFORATION OPENINGS ARE:  
 1 Continuous slot 3 Mill slot 5 Gauzed wrapped 8 Saw cut 11 None (open hole)  
 2 Louvered shutter 4 Key punched 6 Wire wrapped 9 Drilled holes  
 7 Torch cut 10 Other (specify) \_\_\_\_\_  
 SCREEN-PERFORATED INTERVALS: From 90 ft. to 50 ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 From \_\_\_\_\_ ft. to \_\_\_\_\_ ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 GRAVEL PACK INTERVALS: From 90 ft. to 20 ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 From \_\_\_\_\_ ft. to \_\_\_\_\_ ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other \_\_\_\_\_  
 Grout Intervals: From 20 ft. to 0 ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 What is the nearest source of possible contamination:  
 1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well  
 2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well  
3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below)  
 13 Insecticide storage \_\_\_\_\_  
 Direction from well? \_\_\_\_\_ How many feet? 400

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHOLOGIC LOG
90	60	Grey Shale	19		
60	48	Brown Clay	01		
48	40	Brown yellowish brown rock	28		
40	4	Brown (light) clay	01		
4	0	TOP SOIL earth	01		

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 8-25-82 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 424 This Water Well Record was completed on (mo/day/yr) 8-28-82 under the business name of Reisner Well Drilling by (signature) Jerry Reisner et al  
 INSTRUCTIONS: Use typewriter or ball point pen, PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Division of Environment, Environmental Geology Section, Topeka, KS 66620. Send one to WATER WELL OWNER and retain one for your records.

49880



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  
WATER RESOURCES  
RECEIVED

July 20, 2017

JUL 31 2017

HAL MCCOY  
7700 E POLO DR  
WICHITA KS 67206

KS DEPT OF AGRICULTURE

Re: Unacceptable Application


Dear Sir or Madam:

Returned herewith is your Application for Permit to Appropriate Water for Beneficial Use received by the Division of Water Resources on July 19, 2017 with Check No. 31801 in the amount of \$200. This application is not acceptable for filing in its present form.

Effective July 1, 2009, K.S.A. 82a-709 requires all applicants for new appropriation rights for the beneficial use of water in the State of Kansas to provide evidence of legal access to or control of the point of diversion from the landowner or the landowner's authorized representative. Applicants may provide a copy of a recorded deed, lease, easement or other document with the application. ~~In lieu of providing this documentary evidence, you may sign Paragraph No. 6 of the original permit application (where indicated), which constitutes a sworn statement.~~ Please note that the enclosed new application must bear an **original signature**. Photocopies or fax signatures are not acceptable.

Upon return of the acceptable application with required original signatures and information, it will be assigned a priority based upon the date and time it is received in the office of the Chief Engineer. If you have any questions, please contact me at (785) 564-6631 or [alex.whitesell@ks.gov](mailto:alex.whitesell@ks.gov).

Sincerely,

  
Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

*Signed & returned  
7-27-17*

enclosure

SCANNED

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

August 1, 2017

HAL MCCOY  
7700 E POLO DR  
WICHITA KS 67206

**FILE COPY**

RE: Application  
File No. 49880

Dear Sir or Madam:

Your application for permit to appropriate water in 7-27S-3E in Butler 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,

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: STAFFORD Field Office  
GMD

**SCANNED**

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49880 00

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AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49880 00 REC

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

875 Feet North and 5016 Feet West of the Southeast Corner of Section 7 T 27S R 3E

GROUNDWATER ONLY

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=====
File Number  Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan Unit
A__ 11895 05 DOM NK G 7334 -- SW NW NW 4138 4884 19 27 3E 1 .56 .56 AF
A__ 12294 00 IRR NK G 8994 -- SE SE NW ----- 14 27 2E 1 108.00 108.00 AF
Same 8502 -- NE NE NW ----- 14 27 2E 3 14.00 14.00 AF
Same 8135 -- NW SW NE 3590 2298 14 27 2E 7 185.00 185.00 AF
A__ 35341 00 IRR NK G 8051 -- SE SW NE 2940 1960 14 27 2E 5 129.00 129.00 AF
A__ 38096 00 IRR NK G 3102 -- NW SE NW 3548 3311 18 27 3E 1 61.00 61.00 AF
A__ 38097 00 IRR NK G 4468 -- SW NE SW 1830 3857 18 27 3E 2 47.00 47.00 AF
A__ 38098 00 IRR NK G 5968 -- SW SW SW 188 4697 18 27 3E 3 63.00 44.00 AF
A__ 38341 00 IRR NK G 5350 -- NE SW SW 828 4436 18 27 3E 4 32.00 27.00 AF
A__ 41412 00 REC NK G 7849 -- SW SW SW 350 5130 13 27 2E 5 13.40 13.40 AF
A__ 41810 00 IRR NK G 7075 -- SW NW SW 1400 5092 13 27 2E 6 5.50 5.50 AF
A__ 44810 00 REC NK G 8794 -- SE NE SW 1329 3003 17 27 3E 3 12.85 12.85 AF
A__ 44975 00 IRR NK G 6619 -- SE SW NW 3196 4110 8 27 3E 7 G 2 9.60 9.60 AF
Same 6716 -- SE SW NW 3293 4043 8 27 3E 3 B 2
Same 6522 -- SE SW NW 3098 4177 8 27 3E 8 B 2
A__ 47145 00 IRR NK G 10477 -- NE NW NE 5091 1966 20 27 3E 5 7.80 7.80 AF
A__ 47146 00 IRR LR G 9158 -- NW NE NW 4956 3827 20 27 3E 6 10.20 10.20 AF
A__ 47153 00 IRR LR G 5005 -- NE SE NE 3322 650 7 27 3E 7 4.80 4.80 AF
A__ 47408 00 IND LO G 6611 -- NW SE SW 835 3698 8 27 3E 5 48.39 48.39 AF
A__ 48738 00 IRR KE G 6619 -- SE SW NW 3196 4110 8 27 3E 7 G 2 91.50 81.80 AF
Same 6716 -- SE SW NW 3293 4043 8 27 3E 3 B 2
Same 6522 -- SE SW NW 3098 4177 8 27 3E 8 B 2
A__ 49880 00 REC AY G 0 -- NW SW SW 875 5016 7 27 3E 8 4.25 4.25 AF
=====

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Total Net Quantities Authorized:  Direct      Storage
Total Requested Amount (AF) =      4.25      .00
Total Permitted Amount (AF) =     81.80      .00
Total Inspected Amount (AF) =     63.39      .00
Total Pro_Cert Amount (AF) =       .00      .00
Total Certified Amount (AF) =    664.71      .00
Total Vested Amount (AF) =       .00      .00
TOTAL AMOUNT (AF) =      814.15      .00

```

An \* after the source of supply indicates a pending application for change under the file number.  
 An \* after the ID indicates a 15 AF exemption was granted under 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:

875 Feet North and 5016 Feet West of the Southeast Corner of Section 7 T 27S R 3E

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

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```

File Number  Use ST SR
A__ 11895 05 DOM NK G

```

> JOHN D & PHYLISS GALBRAITH

>

> 316 N 159TH ST E

> WICHITA KS 67203

>-----

A\_\_ 12294 00 IRR NK G

> CRESTVIEW COUNTRY CLUB ASSOCIATION INC

>

> 1000 N 127TH ST E

> WICHITA KS 67206

>-----

A\_\_ 35341 00 IRR NK G

> CRESTVIEW COUNTRY CLUB ASSOCIATION INC

>

> 1000 N 127TH ST E

> WICHITA KS 67206

>-----

A\_\_ 38096 00 IRR NK G

> SECHREST LLC

> JOHN GURULE

> 1400 TERRADYNE DR

> ANDOVER KS 67002

>-----

A\_\_ 38097 00 IRR NK G

> SECHREST LLC

> JOHN GURULE

> 1400 TERRADYNE DR

> ANDOVER KS 67002

>-----

A\_\_ 38098 00 IRR NK G

> SECHREST LLC

> JOHN GURULE

> 1400 TERRADYNE DR

> ANDOVER KS 67002

>-----

A\_\_ 38341 00 IRR NK G

> SECHREST LLC

> JOHN GURULE

> 1400 TERRADYNE DR

> ANDOVER KS 67002

>-----

A\_\_ 41412 00 REC NK G

> AEK LLC

> ERIC KNORR

> 320 W CENTRAL AVE STE A

> ANDOVER KS 67002

>-----

A\_\_ 41810 00 IRR NK G

> OVERBROOK HOMEOWNERS ASSOC

> RON PALIKIJ

> 740 N SANDPIPER ST

> WICHITA KS 67230

>-----  
A\_\_ 44810 00 REC NK G  
> CRESCENT LAKES HOMEOWNERS ASSOCIATION  
> PRESIDENT  
> PO BOX 771  
> ANDOVER KS 67002  
>-----

A\_\_ 44975 00 IRR NK G  
> USD #385 ANDOVER SCHOOLS  
>  
> 202 W MARKET ST  
> ANDOVER KS 67002  
>-----

A\_\_ 47145 00 IRR NK G  
> USD #385 ANDOVER SCHOOLS  
>  
> 202 W MARKET ST  
> ANDOVER KS 67002  
>-----

A\_\_ 47146 00 IRR LR G  
> USD #385 ANDOVER SCHOOLS  
>  
> 202 W MARKET ST  
> ANDOVER KS 67002  
>-----

A\_\_ 47153 00 IRR LR G  
> USD #385 ANDOVER SCHOOLS  
>  
> 202 W MARKET ST  
> ANDOVER KS 67002  
>-----

A\_\_ 47408 00 IND LO G  
> SHERWIN WILLIAMS COMPANY  
> ENV HEALTH & SAFETY  
> 630 E 13TH ST  
> ANDOVER KS 67002  
>-----

A\_\_ 48738 00 IRR KE G  
> USD #385 ANDOVER SCHOOLS  
>  
> 202 W MARKET ST  
> ANDOVER KS 67002  
>-----

A\_\_ 49880 00 REC AY G  
> HAL MCCOY  
>  
> 7700 E POLO DR  
> WICHITA KS 67206  
>-----

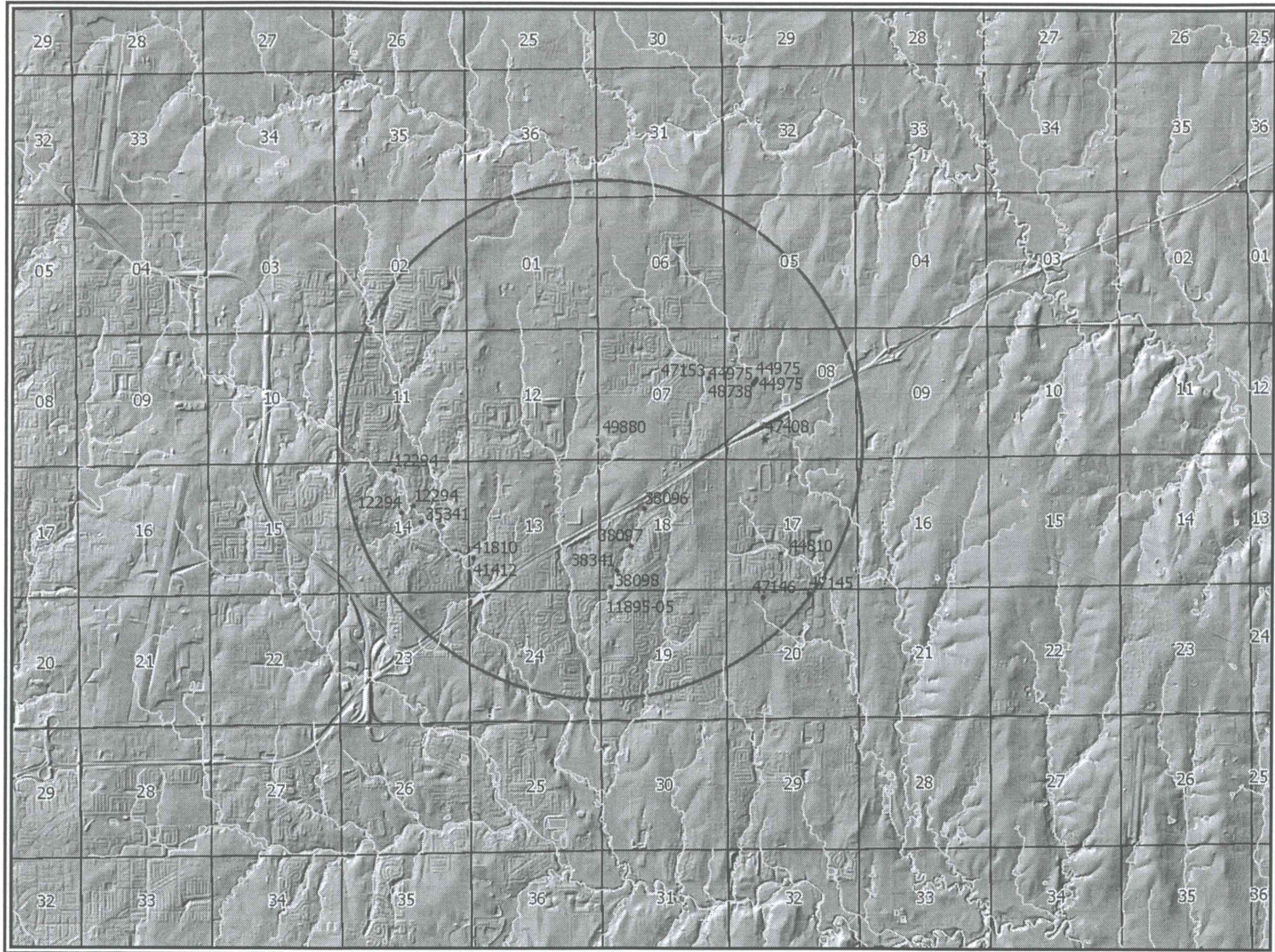
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# Safe Yield Report Sheet

## Water Right- A4988000

### Point of Diversion in 07-27S-03E

### Footages from SE corner- 875 feet North 5,016 feet West



## Analysis Results

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

The safe yield based on the variables listed below is 2,278.70 AF.

Total prior appropriations in the circle is 813.59 AF.

Total quantity of water available for appropriation is 1,465.11 AF.

## 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 3.4 inches.

The percent of recharge available for appropriation is 100%.

Authorized Quantity values are as of 27-MAR-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 16 water rights and 19 points of diversion within the circle.

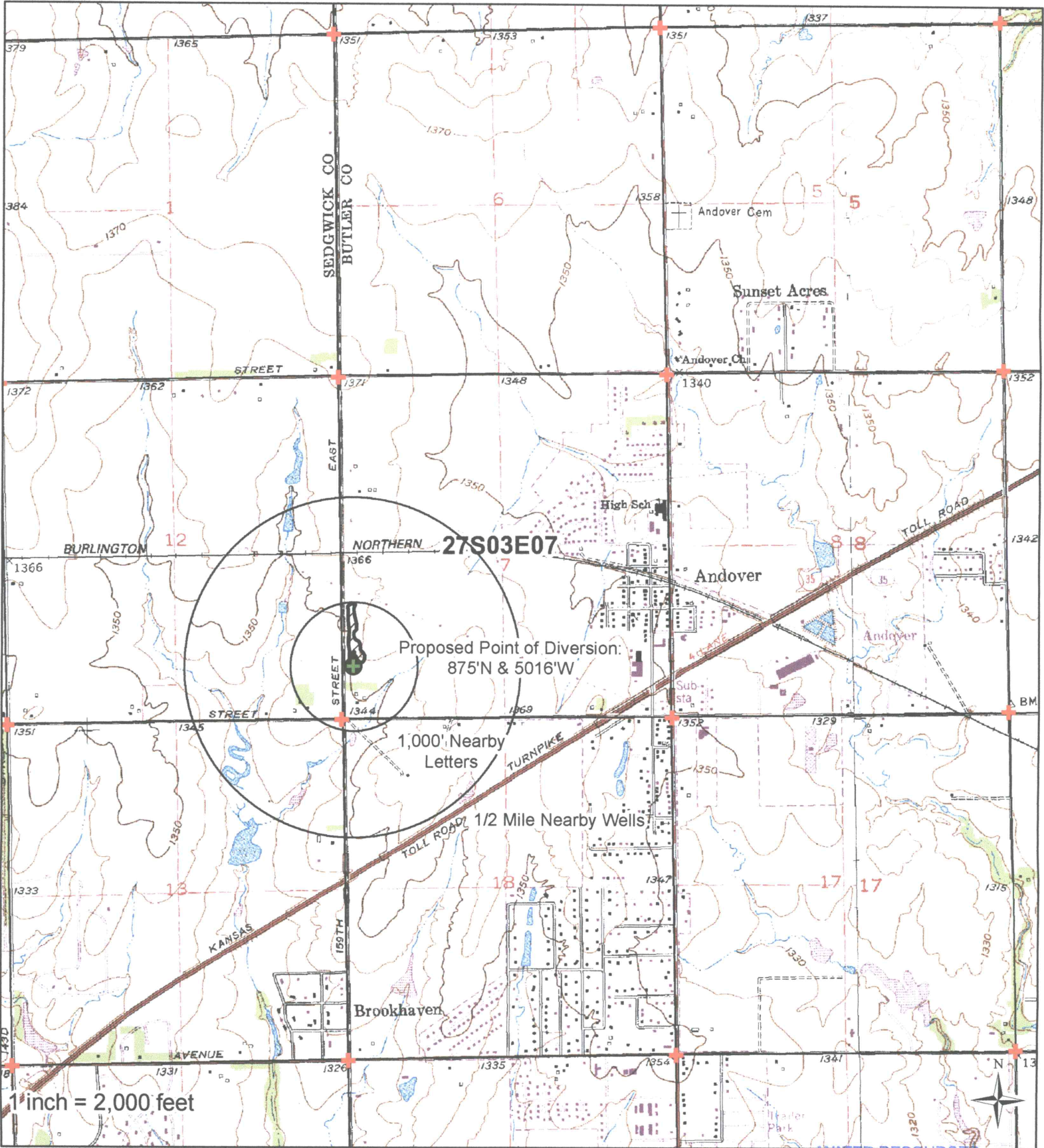
File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
A 12294 00	IRR	NK	G		NE	NE	NW	0	0	14	27	02E	3	PD	14.00	14.00	320.00	320.00
Same	IRR	NK	G		NW	SW	NE	3590	2298	14	27	02E	7	PD	185.00	185.00		
Same	IRR	NK	G		SE	SE	NW	0	0	14	27	02E	1	PD	108.00	108.00		
A 35341 00	IRR	NK	G		SE	SW	NE	2940	1960	14	27	02E	5	WR	129.00	129.00	320.00	0.00
A 38096 00	IRR	NK	G		NW	SE	NW	3548	3311	18	27	03E	1	WR	61.00	61.00	175.60	175.60
A 38097 00	IRR	NK	G		SW	NE	SW	1830	3857	18	27	03E	2	WR	47.00	47.00	175.60	0.00
A 38098 00	IRR	NK	G		SW	SW	SW	188	4697	18	27	03E	3	WR	63.00	44.00	175.60	0.00
A 38341 00	IRR	NK	G		NE	SW	SW	828	4436	18	27	03E	4	WR	32.00	27.00	175.60	0.00
A 41412 00	REC	NK	G		SW	SW	SW	350	5130	13	27	02E	5	WR	13.40	13.40		
A 41810 00	IRR	NK	G		SW	NW	SW	1400	5092	13	27	02E	6	WR	5.50	5.50	14.00	14.00
A 44810 00	REC	NK	G		SE	NE	SW	1329	3003	17	27	03E	3	WR	12.85	12.85		
A 44975 00	IRR	NK	G		SE	SW	NW	3293	4043	08	27	03E	3	WR	9.60	9.60	61.00	61.00
Same	IRR	NK	G		SE	SW	NW	3196	4110	08	27	03E	7	WR				
Same	IRR	NK	G		SE	SW	NW	3098	4177	08	27	03E	8	WR				
A 47145 00	IRR	NK	G		NE	NW	NE	5091	1966	20	27	03E	5	WR	7.80	7.80	6.50	6.50
A 47146 00	IRR	LR	G		NW	NE	NW	4956	3827	20	27	03E	6	WR	10.20	10.20	8.50	8.50
A 47153 00	IRR	LR	G		NE	SE	NE	3322	650	07	27	03E	7	WR	4.80	4.80	4.00	4.00
A 47408 00	IND	LO	G		NW	SE	SW	835	3698	08	27	03E	5	WR	48.39	48.39		
A 48738 00	IRR	KE	G		SE	SW	NW	3293	4043	08	27	03E	3	WR	91.50	81.80	61.00	0.00
Same	IRR	KE	G		SE	SW	NW	3196	4110	08	27	03E	7	WR				
Same	IRR	KE	G		SE	SW	NW	3098	4177	08	27	03E	8	WR				
A 49880 00	REC	AY	G		NW	SW	SW	875	5016	07	27	03E	8	WR	4.25	4.25		



## Limitations

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File Number	Seq Num	Limitations
A 35341 00	1	480 AF/YR COM/W #12294 & 15656 ON LAND LISTED IN CERT
A 38098 00	1	152AF/YR COM/W 38096 & 38097
A 38341 00	2	179AF/YR COM/W 38096, 38097, & 38098
A 48738 00	1	91.50 AF/YR @ 800 GPM COM/W #44975



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

- Proposed PD
- Proposed Place of Use
- Domestic Wells
- Water Rights
- SFFOsec\_corners

Signature \_\_\_\_\_ Date \_\_\_\_\_  
 0 800 1,600 3,200 4,800 6,400 Feet

KS DEPT OF AGRICULTURE

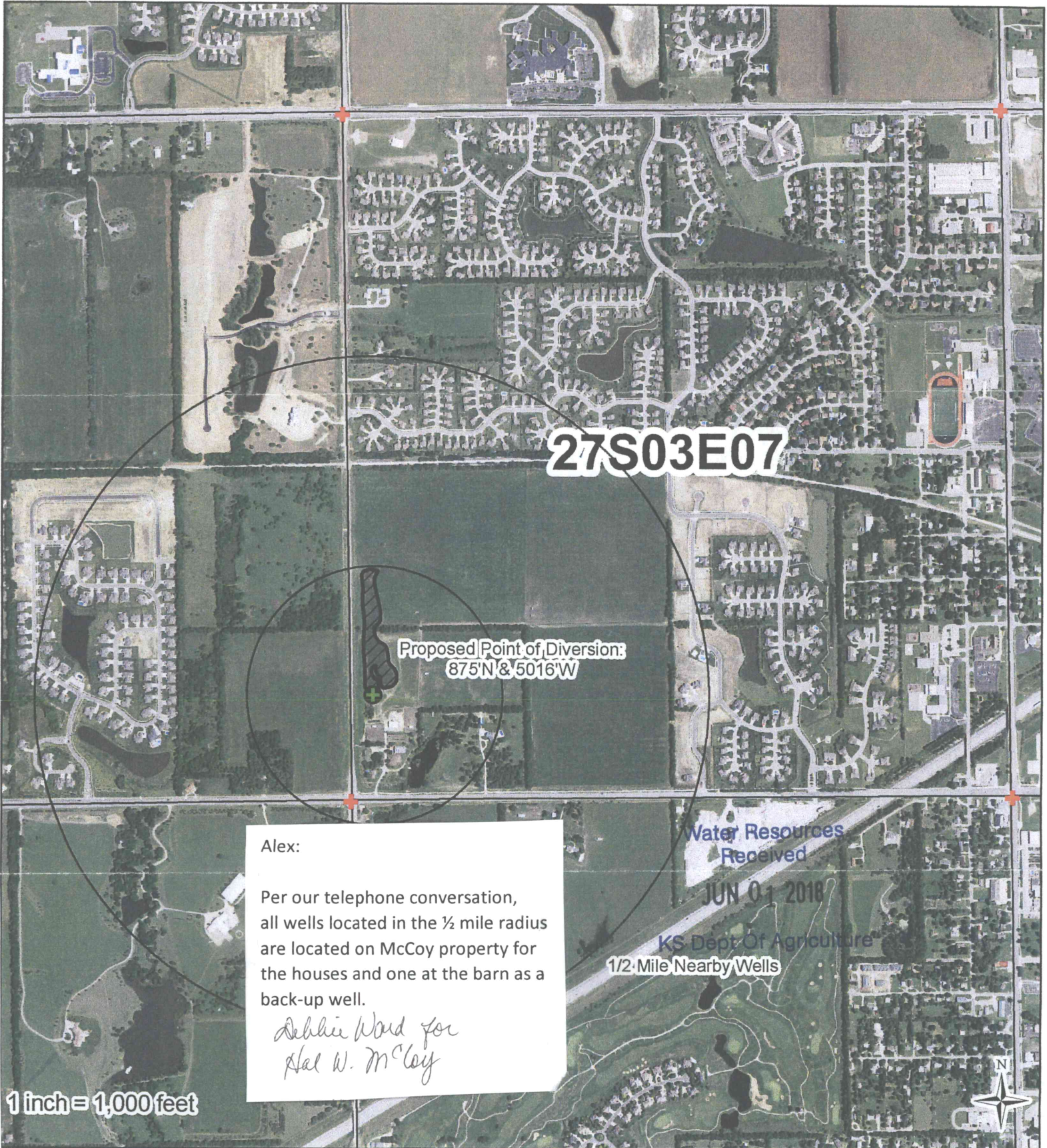
KS DEPT OF AGRICULTURE  
 F.O. 2  
 Date: 5/12/2017

JUL 31 2017

JUL 15 2017

UNACCEPTABLE FOR PRIORITY

SCANNED



Alex:

Per our telephone conversation, all wells located in the 1/2 mile radius are located on McCoy property for the houses and one at the barn as a back-up well.

*Debbie Ward for Hal W. McCoy*

Water Resources Received  
 JUN 01 2018  
 KS Dept Of Agriculture  
 1/2 Mile Nearby Wells

1 inch = 1,000 feet

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

- ProposedPD
- ProposedPlaceOfUse
- Domestic Wells
- Water Rights
- SFFOsec\_corners



JUL 31 2017  
 JUL 19 2017  
 Created By: Matt Meier  
 F.O. 2  
 Date: 5/12/2017

KS DEPT OF AGRICULTURE  
 ACCEPTABLE FOR PRIORITY  
 DEPT OF AGRICULTURE  
 SCANNED



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

- Proposed PD
- Proposed Place of Use
- Domestic Wells
- Water Rights
- SFFOsec\_comers

Signature \_\_\_\_\_ Date \_\_\_\_\_  
 0 400 800 1,600 2,400 3,200 Feet

JUL 31 2017

JUL 19 2017

Created By: Matt Meier  
 F.O. 2  
 Date: 5/12/2017

KS DEPT OF AGRICULTURE RECEIVED JUL 31 2017  
 KS DEPT OF AGRICULTURE RECEIVED JUL 19 2017  
 SCANNED



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

- Proposed PD
- Proposed Place of Use
- Domestic Wells
- Water Rights
- SFFOsec\_corners

Signature \_\_\_\_\_ Date \_\_\_\_\_

0 400 800 1,600 2,400 3,200 Feet

JUL 31 2017

JUL 19 2017

Created By: Matt Meier  
F.O. 2  
Date: 5/12/2017

RECEIVED  
ACCEPTABLE FOR PRIORITY  
KS DEPT OF AGRICULTURE  
DEPT OF AGRICULTURE  
SCANNED