

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50170
This item to be completed by the Division of Water Resources.

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NOV 16 2018
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**APPLICATION FOR PERMIT TO
APPROPRIATE WATER FOR BENEFICIAL USE**

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

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

1. Name of Applicant (Please Print): KENT AND LEIGH RAYL
Address: 1050 EAST SANTA FE
City: STERLING State KS Zip 67579
Telephone Number: (214) 585-1269

2. The source of water is: surface water in _____ (stream)
OR groundwater in Cow Creek (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 74.25 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of Nat. Evap gallons per minute OR _____ cubic feet per second.

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

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

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

For Office Use Only:
F.O. 2 GMD 5 Meets K.A.R. 5-3-1 (YES / NO) Use REC Source G S County RC By DW Date 11/29/18
Code REG Fee \$ 200 TR # _____ Receipt Date 11/27/18 Check # 1118

11/29/2018 DM

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 _____ quarter of the _____ quarter of the N 1/2 quarter of Section 27, more particularly described as being near a point 4102 feet North and 2817 feet West of the Southeast corner of said section, in Township 21 South, Range 8 West, Rice, Geo-Cent. Groundwater Pit _____ 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):

See attached list

 (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 November 23, 2018. Paul Ray Kent Ray
 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 Groundwater Pit

 (number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) Existing Groundwater Pit

 (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 In use

 (Mo/Day/Year)

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

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

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

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

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

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.

Application is to cover an existing un-authorized groundwater pit.

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

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

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

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

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):

See attached list
(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 Sterling, Kansas, this 7th day of November, 2018
(month) (year)

Kent A Rayl Lejla A Rayl
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by MJM/SFFO ESII Date: 6/7/2018
(office/title)

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50170

Dana and Cheryl Bixby
160 East 12 N
Mt. Home, ID 83647

David and Nancy Bixby
901 Millwood Drive
Salina, KS 67401

Dale and Karen Boger
8212 Caminito Maritimo
La Jolla, CA 92037

Fred and Susan Haines
2392 Hwy K25
Colby, KS 67701

Luke and Julisa Haines
1741 Yocemento Ave
Hayes, KS 67601

Jerry and Margaret Kenning
21320 Walnut St.
Elkhorn, NE 68022

Randy and Annette Mathias
1709 S Partridge Road
Partridge, KS 67566

Kent and Leigh Rayl
1050 East Santa Fe
Sterling, KS 67579

Rodney Rayl
403 S. 6th St.
Sterling, KS 67579

Robb and Julie Ross
715 W. 6th St.
Colby, KS 67701

Gavin Bevis
PO Box 641
Eagle Nest, NM 87718

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**RECREATIONAL USE
SUPPLEMENTAL SHEET**

File No. 50170

Name of Applicant (Please Print): _____

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

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

Evap Use from an existing groundwater pit, former sand and gravel operation that is no longer active

Potential Net Evap. 21S R8W: 27"

Surface Acres: 33 acres

Evap Use: (27" x 33 Acres) / 12in/AF = 74.25 AF

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	74.25AF
Year 2	74.25AF
Year 3	74.25AF
Year 4	74.25AF
Year 5	74.25AF

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

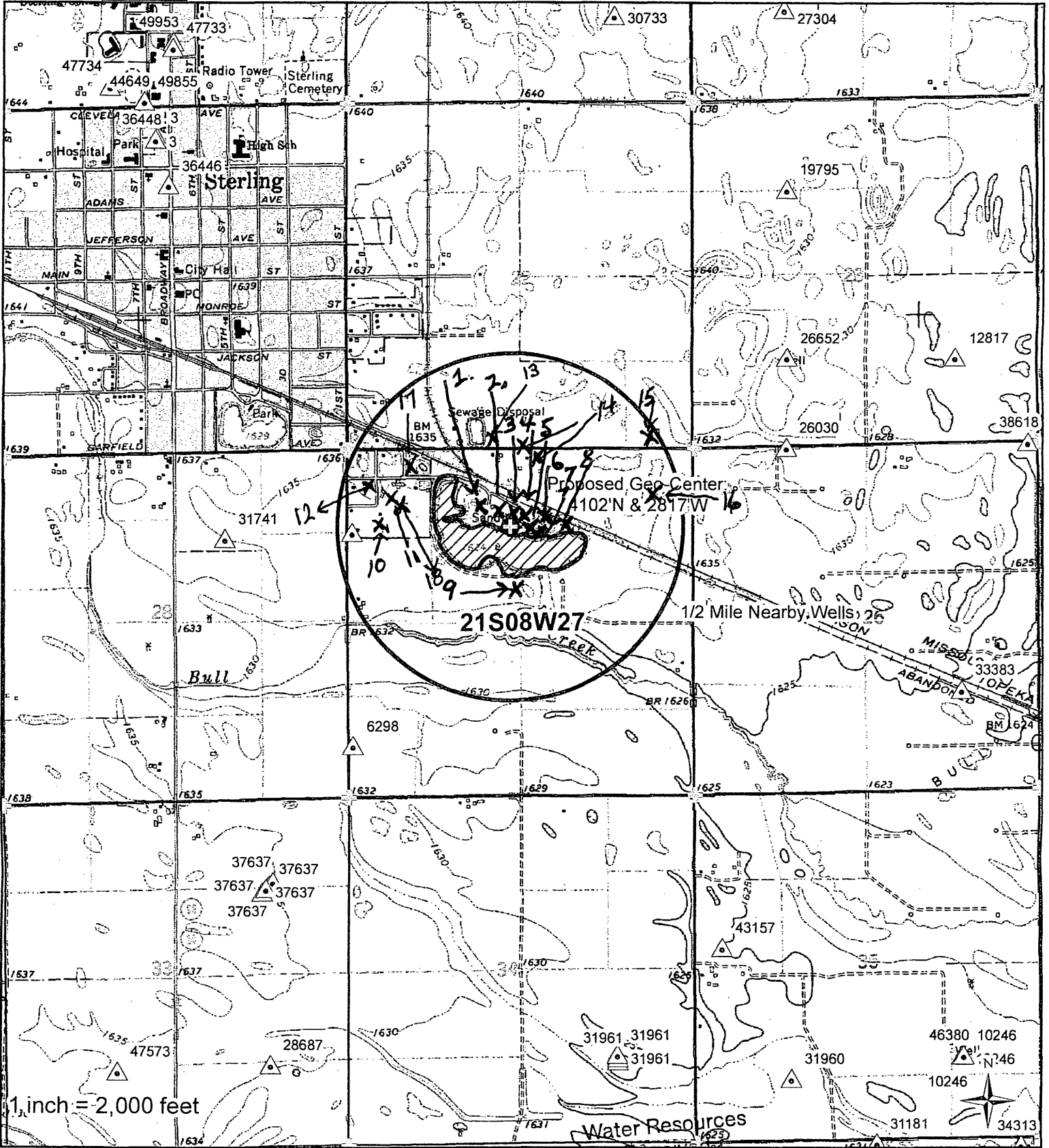
4. Please designate the legal description of the location where the water is to be used by providing the fractional part of the Section, Township and Range.

Will be used to cover evaporation losses on a 33 acre groundwater pit located in the North Half of

Section 27, Township 21S, Range 8W Rice County, KS.

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

File No.



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

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

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

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 NOV 16 2018
 Created By: Matt Meier
 F.O. 2
 Date: 6/7/2018
 KS Dept Of Agriculture

Owners with wells

50170

1. Randy Mathias and Annette Mathias (Amathias@havenschools.com and/or 57rmathias@gmail.com)
Lot & Home: 188-27-0-00-00-004.02
 2. Fred Haines and Susan Haines (fredhaines1947@gmail.com or fhaines@roofmasters-rfg.com)
Lot & Home: 188-27-0-00-00-004.19
 3. Dale Boger and Karen Boger (dale.boger@outlook.com, boger@scripps.edu and karen.boger@outlook.com)
Lot & Home: 188-27-0-00-00-004.07
 4. Gerald Kenning and Margaret Kenning (Margaret/Jerry Kenning: mmkenning@gmail.com)
Lot & Home: 188-27-0-00-00-004.01
 5. Luke Haines and Julisa Haines (lhaines@roofmasters-rfg.com and julisahaines@gmail.com)
Lot & Home: 188-27-0-00-00-004.06
 6. Dana Bixby and Cheryl Bixby (danabixby@yahoo.com)
Lot & Home: 188-27-0-00-00-004.
 7. David Bixby and Nancy Bixby (bixbybuilders@hotmail.com)
Lot & Home: 188-27-0-00-00-004.09
 8. Kent Rayl and Leigh Rayl (krayl454@gmail.com and leighrayl@hotmail.com)
Lot & Home: 188-27-0-00-00-004.05
 9. Robb Ross and Julie Ross (rross@colbyeagles.org and jross@colbyeagles.org)
Lot & Home: 188-27-0-00-00-001.03
-

10. Jaret and Tina Wohler 706 South First, Sterling, Kansas 67579

11. Marcela Brown 702 South First, Sterling, Kansas 67579

12. Jeremy Bennett 719 East Santa Fe, Sterling, Kansas 67579

13. Tarra Eidson 915 East Garfield, Sterling, Kansas 67579

14. J. Mathes 1640 Avenue W, Sterling, Kansas 67579

15. Susan Durham 1695 East ~~Garfield~~ ^{AVE W}, Sterling, Kansas 67579

16. Scott Walton 2315 17th Road, Sterling, Kansas 67579

17. Vacant 903 South Avenue B, Sterling, Kansas 67579

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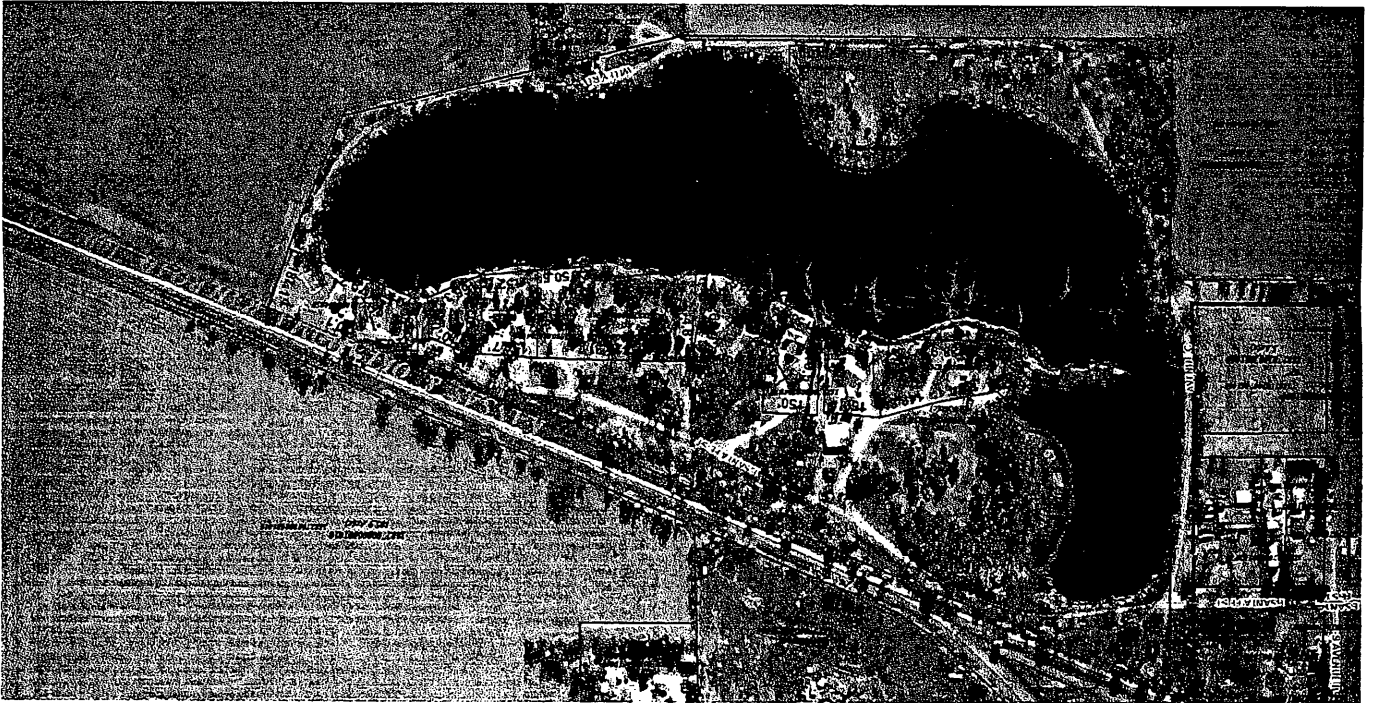
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**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

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

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

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

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UNACCEPTABLE

November 7, 2018
(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. 50170

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.

Kent A Rayl Leigh A Rayl
Signature of Applicant
Kent A Rayl Leigh A Rayl
(Print Applicant's Name)

State of Kansas)
County of Rice) ss)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 7th day of November, 20 18.



Tiffany D. Eaton
Notary Public

My Commission Expires:

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This recreational use application is made by Kent and Leigh Rayl on behalf of the RL Homeowners Association, consisting of the owners of lake front property of RL Lake. It is located in Rice County, near Sterling, Kansas. It was previously a sand pit that was long ago discontinued. It was purchased by Willard Rayl and has been a recreational fishing lake since that time (Rice County CAMA ID 188-27-0-00-00-004.00). We wish to continue this recreational use and only recently learned that we do not have a recreational use permit for the lake. No work on or changes to the lake property is required, it is simply memorialization of existing recreational use and application for such continued use. It is a lake where only fishing and shoreline swimming are permitted. There is no skiing, no jet skis, and a 10 hp limit on outboard motors on the fishing boats. Most use electric trolling motors. All but one homeowner use their homes as vacation homes on the lake, and only one couple lives on their lake property full time. A recent appraisal listed the lake as 30 acres on a 55.9 acre parcel. Owners of shoreline property and members of the RL Homeowners Association wish to be a part of the recreational use and are listed below along with their Rice County property CAMA ID numbers. They are listed starting at the northwest corner of lake (upper corner of map below) and moving around the lake clockwise:

Randy Mathias and Annette Mathias (Amathias@havenschools.com and/or 57rmathias@gmail.com)
Lot & Home: 188-27-0-00-00-004.02

Fred Haines and Susan Haines (fredhaines1947@gmail.com or fhaines@roofmasters-rfg.com)
Lot & Home: 188-27-0-00-00-004.19

Dale Boger and Karen Boger (dale.boger@outlook.com, boger@scripps.edu and Karen.boger@outlook.com)
Lot & Home: 188-27-0-00-00-004.07

Gerald Kenning and Margaret Kenning (Margaret/Jerry Kenning: mmkenning@gmail.com)
Lot & Home: 188-27-0-00-00-004.01

Luke Haines and Julisa Haines (lhaines@roofmaster-rfg.com and julisahaines@gmail.com)
Lot & Home: 188-27-0-00-00-004.06

Dana Bixby and Cheryl Bixby (danabisby@yahoo.com)
Lot & Home: 188-27-0-00-00-004

David Bixby and Nancy Bixby (bixbybuilders@hotmail.com)
Lot & Home: 188-27-0-00-00-004.09

Kent Rayl and Leigh Rayl (krayl454@gmail.com and leighrayl@hotmail.com)
Lot & Home: 188-27-0-00-00-004.05

Robb Ross and Julie Ross (rross@colbyeagles.org and jross@colbyeagles.org)
Lot & Home: 188-27-0-00-00-004.04

Rodney Rayl (rrayl2@cox.net)
Lot: 188-27-0-00-00-0043.04

Gavin Bevis (gbevis16@gmail.com)
Lot: 188-27-0-00-00-004.08

Luke Haines and Julisa Haines (lhaines@roofmasters-rfg.com and julisahaines@gmail.com)
Lot: 188-27-0-00-00-004.12

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Many thanks for your consideration and we believe this should be a very straightforward matter for your consideration and deliberation.

Sincerely,

Kent and Leigh Rayl
1050 East Santa Fe
Sterling, KS 67579

November 7, 2018

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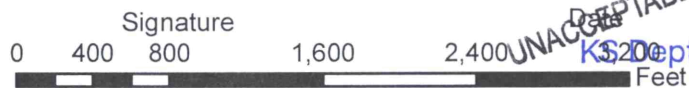
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1 inch = 1,000 feet

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 map.

-  Proposed PD
-  Proposed Place of Use
-  Domestic Wells
-  Water Rights
-  SFFOsec_corners



Signature

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