

# 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.

Submit To: CHIEF ENGINEER  
 Division of Water Resources  
 Kansas Department of Agriculture  
 1320 Research Park Drive  
 Manhattan, Kansas 66502  
<http://agriculture.ks.gov/dwr>

**APPLICATION FOR TERM PERMIT**

- GROUNDWATER  
 SURFACE WATER  
 (check one)

Water Resources  
 Received

JAN 02 2020  
 1:52



KS Dept Of Agriculture State of Kansas

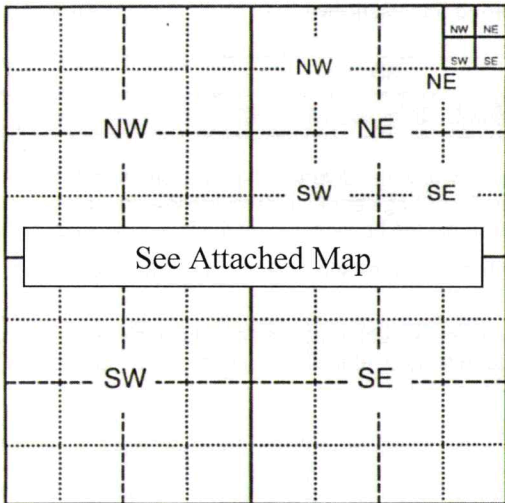
**STATUTORY FILING FEE MUST ACCOMPANY THIS APPLICATION**  
 (Make check payable to the Kansas Department of Agriculture)

20209003

1. Applicant: (Please print or type)  
 Name Dunn Swine LLC  
 Street 863 NW 10<sup>th</sup> Ave  
 City and State St John, KS  
 Zip Code 67576 Telephone No. (620) 786-4040  
 E-Mail Address dunnfarms@hotmail.com  
 Social Security I.D. No. ---  
 and/or Taxpayer I.D. No. ---

2. Location of Point of Diversion: Geo Center Battery of 2 Wells  
 Sec. 5, Twp. 23, Rng. 13, W,  
Stafford County, Kansas.  
 Distance from Southeast Corner of Section:  
2872 feet North from Southeast Corner  
2355 feet West from Southeast Corner  
 NOTE: If point of diversion is not site specific (i.e. groundwater pit) show the approximate geographic center.

3. Water Use Data:  
 Proposed Max. Pumping Rate (gpm) 40  
 Amount Requested (acre-feet) 1.0  
 per calendar year  
 Depth of Well (feet) 80  
 Date (completed) (will be completed) 1993  
 Drainage Basin Rattlesnake Creek  
 Name of Stream n/a



4. Water is to be used for (briefly describe proposed use and explain the rate and quantity requested):  
Stockwater use--The quantity is being offset using nearby Water Right, File Nos. 5809 & 37555 (1.18 AF).

5. Location of place of use:  
A hog facility in the NE 1/4 5-23-13W, Stafford County

6. Period of use:  
 Commencing date: 11/1/19  
 Ending Date: 12/31/19 Also enter on Item 12

If off-stream pit, check here   
 Will pit floor intersect water table? Yes  No

7. Location of the proposed point of diversion and those of other water users within 1/2 mile shall be indicated on the diagram to the lower-left, scale 1 inch = 2,000 feet. If surface water, indicate on the diagram the course of the stream, and its name. List other D.W.R. permit numbers that cover the requested point(s) of diversion or place of use here:  
P/D & P/U: 41215

**FEE SCHEDULE**

1. The filing fee for an application is based on the maximum amount of water use proposed within a year. Except for storage, the fee is:
- | Acre-feet     | Fee      |
|---------------|----------|
| 0-100         | \$200.00 |
| 101-320       | \$300.00 |
| More than 320 | \$300.00 |
- plus \$20 for each additional 100 acre-feet or any part thereof.
2. The fee for an application in which storage is requested, is:
- | Acre-feet     | Fee      |
|---------------|----------|
| 0-250         | \$200.00 |
| More than 250 | \$200.00 |
- plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.
- NOTE: If an application requests both direct use and storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.
3. A request for an extension of time to extend the term of a term permit shall be accompanied by a fee of \$100.00.
4. There is a separate application form for domestic use. Do not use this form for domestic use.

**CONVERSION FACTORS**

1 acre-foot equals 325,851 gallons  
 1 million gallons equal 3.07 acre-feet

Assisted by EKF/SFFO

For Office Use Only:  
 F.O. 2 GMD 5 Meets K.A.R. 5-3-1 (YES / NO) Use STK Source G/S County SF By KJN Date 1/2/20  
 Code TRP Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 1/2/20 Check # 1146

1/14/2020  
 LMoody

8. For groundwater use, list below all wells within 1/2 mile of the proposed well, and plot locations upon the diagram on reverse side. If additional space is needed, attach a map.

Other wells –

Well A Owner(s): See attached Map  
Address: ---

Well B Owner(s): ---  
Address: ---

9. For surface water use, list below the names and addresses of all landowners from a point 1/2 mile upstream to a point 1/2 mile downstream of the tract of land upon which the point of diversion is located. If additional space is needed, attach sheet.

Tract A Owner(s): n/a  
Address: n/a

Tract B Owner(s): n/a  
Address: n/a

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

Applicant  
(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 12-30, 2019. X Jon L. Dunn  
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.

11. The applicant states that the information set hereon is true and accurate to the best of his/her knowledge.

12. The applicant agrees to waive any right to a hearing on the matter of abandonment of this appropriation right and further agrees that this appropriation right may be dismissed and terminated upon completion of the proposed project, said dismissal date to be on December 31, 2019 or within any extension of time authorized by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

13. The applicant agrees to provide water to nearby water users, at no charge to said users, should their rights to use water become impaired by the project proposed by this application.

14. Water use contact person (in event emergency contact is needed):

Name: \_\_\_\_\_ Telephone No. (\_\_\_\_) \_\_\_\_\_

X Jon L. Dunn \_\_\_\_\_ 12-30-19  
Signature of Applicant or Authorized Representative Date

Applicant's Name Printed

Title

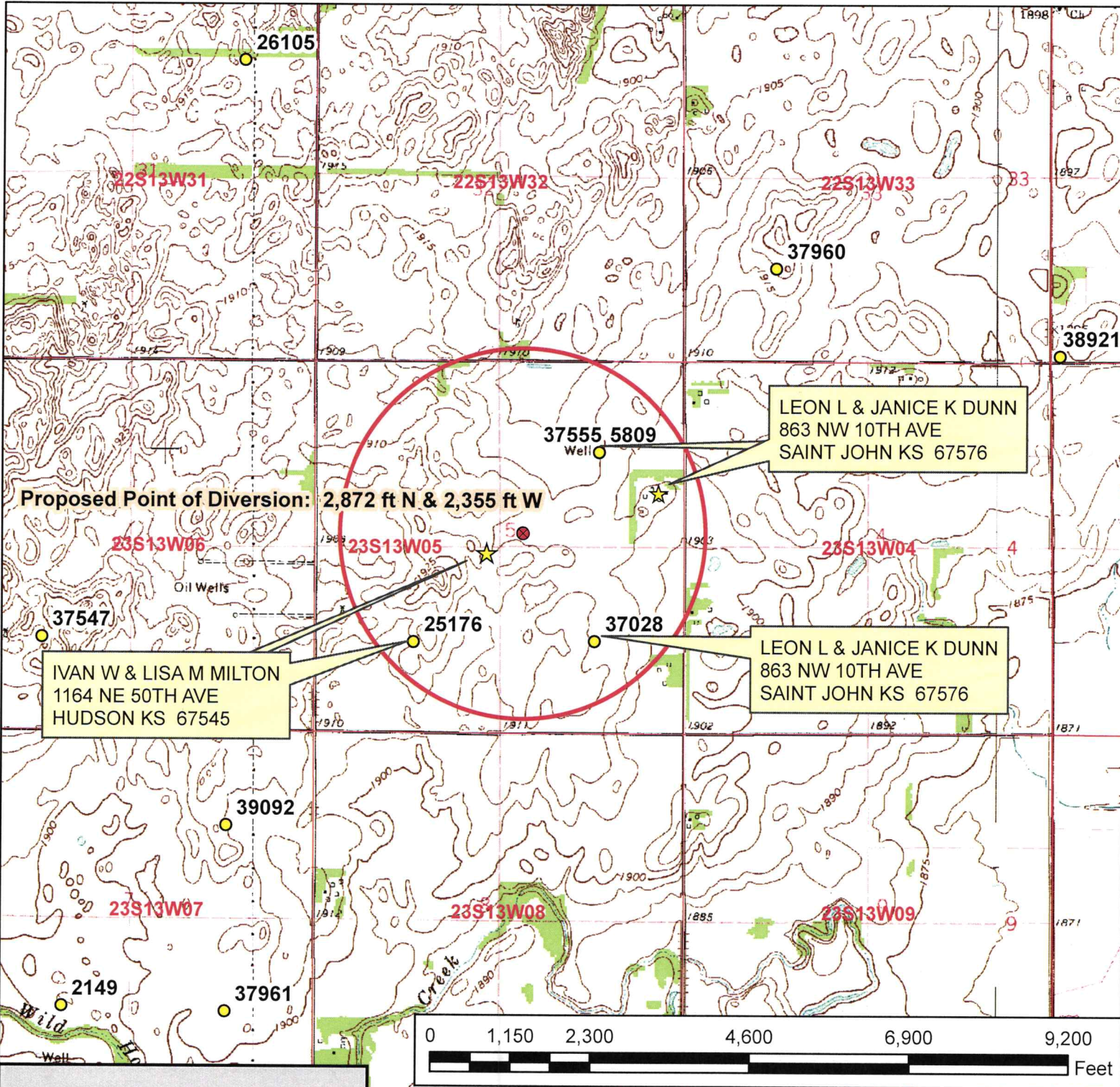
**DO NOT WRITE BELOW THIS LINE**

**CONDITIONS OF APPROVAL:**

The applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined. Accurate and complete records shall be furnished to 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.

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.

The Chief Engineer specifically retains jurisdiction in this matter with authority to make such reasonable reductions in the approved rate of diversion and quantity authorized, and such changes in other terms, conditions, and limitation set forth in this approval and permit to proceed as may be deemed to be in the public interest.

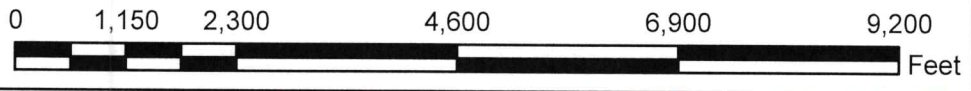


**Proposed Point of Diversion: 2,872 ft N & 2,355 ft W**

LEON L & JANICE K DUNN  
863 NW 10TH AVE  
SAINT JOHN KS 67576

IVAN W & LISA M MILTON  
1164 NE 50TH AVE  
HUDSON KS 67545

LEON L & JANICE K DUNN  
863 NW 10TH AVE  
SAINT JOHN KS 67576



**Legend**

- Water Appropriations
- Proposed Point of Diversion
- ★ Domestic Well
- ⊕ Section Corner
- Half Mile Circle
- Section Line

**Term Permit, File No.** \_\_\_\_\_

Term Permit Application Map  
5-23-13W // Stafford County

Water Resources  
Received

To the best of my knowledge, all wells within 1/2 mile  
of the proposed point of diversion have been shown.

JAN 02 2020

KS Dept Of Agriculture



*Leon L. Dunn*

1230-19

Signature

12/30/19 EKF-SFFO 1:24,000 scale

**DATA ENTRY SYSTEM ID NUMBER SHEET**

FILE NUMBER 20209003

| APPLICANT<br>PERSON ID & SEQ # | PDIV ID         | BATTERY ID |
|--------------------------------|-----------------|------------|
| 38624                          | 9618<br>GEO CTR | 71         |
|                                | 12389           |            |
|                                | 49103           |            |
|                                |                 |            |
|                                |                 |            |
|                                |                 |            |

| LANDOWNER<br>PERSON ID & SEQ # | PUSE ID |
|--------------------------------|---------|
| 38624                          | 8241    |
|                                |         |
|                                |         |
|                                |         |
|                                |         |

| WATER USE CORRESPONDENT<br>PERSON ID & SEQ # |
|--|
| 38624  |
|  |
|  |
|  |

1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6700  
www. agriculture.ks.gov



900 SW Jackson, Room 456  
Topeka, KS 66612  
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

January 2, 2020

DUNN SWINE LLC  
863 NW 10<sup>TH</sup> AVE  
ST JOHN KS 67576

RE: Application, File No. **20209003**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application for a permit to appropriate water for beneficial use. Your application has been assigned the file number referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the application is unlawful.

Additional information about the process may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any other questions, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Kristen A. Baum". The signature is written in a cursive style.

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program