



File No. **50,133**      15. Formation Code: **190**      Drainage Basin: **Arkansas River**      County: **SG**      Special Use:      Stream:

16. Points of Diversion										17. Rate and Quantity					
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		
											Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
<b>CHK</b>	<b>87067</b>			<b>SE SE SW</b>	<b>23</b>	<b>25S</b>	<b>3W</b>	<b>11</b>	<b>21</b>	<b>3149</b>	<b>400</b>	<b>200.2</b>	<b>400</b>	<b>200.2</b>	

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? **x Yes**    No      To be installed by **12/31/2021**      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files					
MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼							
<b>CHK</b>	<b>69115</b>			<b>23</b>	<b>25S</b>	<b>3W</b>	<b>7</b>	<b>POND 26.4 AC (SE SW)</b>																<b>7a</b>	<b>no</b>	<b>none</b>

Comments:

Special condition for spacing

5/21/2020  
 KAB

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

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

**TO:** Files

**DATE:** September 19, 2019

**FROM:** Kris Neuhauser

**RE:** New Application, File No. 50,133

Cottonwood Pond LLC has filed the above referenced new application proposing to appropriate 200.2 acre-feet of groundwater per calendar year at a diversion rate not to exceed 400 gallons per minute for recreational use from one well. The proposed point of diversion is located in the Southwest Quarter (SW<sup>1</sup>/<sub>4</sub>) of Section 23, Township 25 South, Range 3 West, Sedgwick County, Kansas, which is within the drainage basin of the Arkansas River. Based on surrounding well logs, and the log provided with the application, it appears the source of supply is mainstem alluvium of the Arkansas River.

The proposed place of use is a total of 26.4 acres (recreational ponds) in the Southeast Quarter of the Southwest Quarter of Section 23, Township 25 South, Range 3 West, Sedgwick County Kansas. The applicant owns the entire place of use. The requested quantity of 200.2 acre-feet was calculated by the applicant with the given equation:

$$26.4 \text{ acres} \times 23'' \text{ natural evaporation loss} + 68'' \text{ seepage loss} / 12 = 200.2 \text{ AF per year}$$

Six nearby well owners were notified during processing of the application. No responses of any kind were received.

Per the requirements in K.A.R. 5-4-4, minimum well spacing should be 1,320 feet to non-domestic wells and 660 feet to domestic wells with the same source of supply. The nearest non-domestic well is roughly 1,370 feet away, while the nearest domestic well is around 650 feet away. Since this does not meet the minimum spacing requirement of 660 feet, the applicant has included a domestic water well owner spacing consent form signed by Michael Arndt, owner of said well.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

In a letter dated September 6, Tim Boese, Manager of the Equus Beds Groundwater Management District No. 2 recommended approval of the application.

Jeff Lanterman, Water Commissioner of the Stafford Field Office, gave a recommendation that the new application should be approved, in an e-mail conversation on April 7, 2020.

Based on the above discussion, the area is open to new appropriations, the application meets well spacing criteria, and the approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest. Therefore, it is recommended that the referenced application be approved.



Kris Neuhauser  
Environmental Scientist  
Water Appropriation Program

JEFF WINTER, PRESIDENT  
VIN KISSICK, VICE PRESIDENT  
DAVID BOGNER, SECRETARY  
MIKE MCGINN, TREASURER  
TIM BOESE, MANAGER  
THOMAS A. ADRIAN, ATTORNEY



DIRECTORS:  
ALAN BURGHART  
JOE PAJOR  
DALE SCHMIDT  
BOB SEILER  
DAVID STROBERG

## EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

313 SPRUCE STREET • HALSTEAD, KANSAS 67056-1925 • PHONE (316) 835-2224 • FAX (316) 835-2225 • equusbeds@gmd2.org • www.gmd2.org

September 6, 2019

Chief Engineer, Division of Water Resources  
Attn: Kris Neuhauser  
1320 Research Park Dr.  
Manhattan, KS 66502

Re: Appropriation Application File No. 50133 – Cottonwood Pond LLC

Dear Mr. Neuhauser:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced new application on September 6, 2019, using the District's Revised Management Program (effective May 1, 1995), and Rules and Regulations K.A.R. 5-22-1 through 5-22-17.

The application complies with the Revised Aquifer Management program approved by the Chief Engineer and with the District's Rules and Regulations K.A.R. 5-22-1 through 5-22-17. Therefore, the application is recommended for approval by the Equus Beds Groundwater Management District No. 2, subject to the authorized well being drilled and constructed at a location that maintains the minimum spacing interval of 1,320 feet to all senior non-domestic wells pursuant to K.A.R. 5-22-2(a)(1).

A District decision may be appealed to the District Board of Directors by submitting a written petition to the District office within 30 days from date of this notification, pursuant to K.A.R. 5-22-12.

Sincerely,  
EQUUS BEDS GROUNDWATER  
MANAGEMENT DISTRICT NO. 2

Tim Boese  
Manager  
TDB/db  
Enclosures



pc: Cottonwood Pond LLC – Jamie Coulter, c/o Mike Arndt, Applicant  
Jeff Lanterman, Division of Water Resources - Stafford



## EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2 FINAL APPLICATION REVIEW CHECKLIST

1) Application No. 50133 Date filed: 9/14/18  
 2) Applicant: Cottonwood Pond LLC - Jamie B. Coulter c/o Mike Arndt County: SG  
 3) Proposed maximum quantity: 200.2 acre-feet/year Rate: 400 GPM  
 4) Proposed Use: Recreational  
 5) P/D location: SE SE SW 23-25S-3W Geo Center: North 21 ft, West 3149 ft  
 6) Number and type of points of diversion listed on the application 1 Well

7) Meter required K.A.R. 5-22-4a or K.A.R. 5-22-8?  Yes  No, Why \_\_\_\_\_

8) Meets Safe Yield K.A.R. 5-22-7?  Yes  No  N/A  
 (a) Total allowable appropriations: 4021.00 af/yr  
 (b) Total existing appropriations: 3937.3 af/yr  
 (c) Total small user exemptions: 0.00 af/yr  
 (d) Total non-consumptive use: 0.00 af/yr  
 (e) Total consumptive use: 3937.30 af/yr  
 (Total existing appropriations) – (Total non-consumptive use)  
 (f) exempt from regulation?  Yes  No,  
 Cite exemption: \_\_\_\_\_

9) Meets Well Spacing K.A.R. 5-22-2?  Yes  No  N/A  
 (a) POD in enhanced well spacing area?  Yes  No  
 (b) Domestic well spacing interval: <660 ft  
 (c) Non-Domestic well spacing interval: >1320 ft

10) Meets Max Reasonable Quantity K.A.R. 5-22-14?  Yes  No  N/A  
 (a) Irrigation max quantity: \_\_\_\_\_ acre-feet / acre  
 application paragraph 3 value (acre-feet) / proposed acres = Q  
 (b) Stockwater max quantity: \_\_\_\_\_ GPD \_\_\_\_\_ unit  
 (c) Industry max quantity: \_\_\_\_\_ Acre  
 Industry standard: \_\_\_\_\_  
 (d) Municipal max quantity: \_\_\_\_\_ GCD  
 Lesser of either 200 GCD or  
 $1.10 * (X - Y) * 365 d * (z + t)$   
 X - Average of last three years usage in Gallons per Capita per Day (GCD)  
 Y - water usage for industries that use over 200,000 gal/yr (GCD)  
 Z - Projected population in 20 years  
 T - Reasonable projected water use for industries that use over 200,000 gallons per year (GCD)  
 (e) Pond max quantity is 200.2 AF  
 (Net evap + seepage)/12 x pond area + any initial fill  
 (f) Groundwater pit max Q: \_\_\_\_\_  
 Net evap \* pit area/12

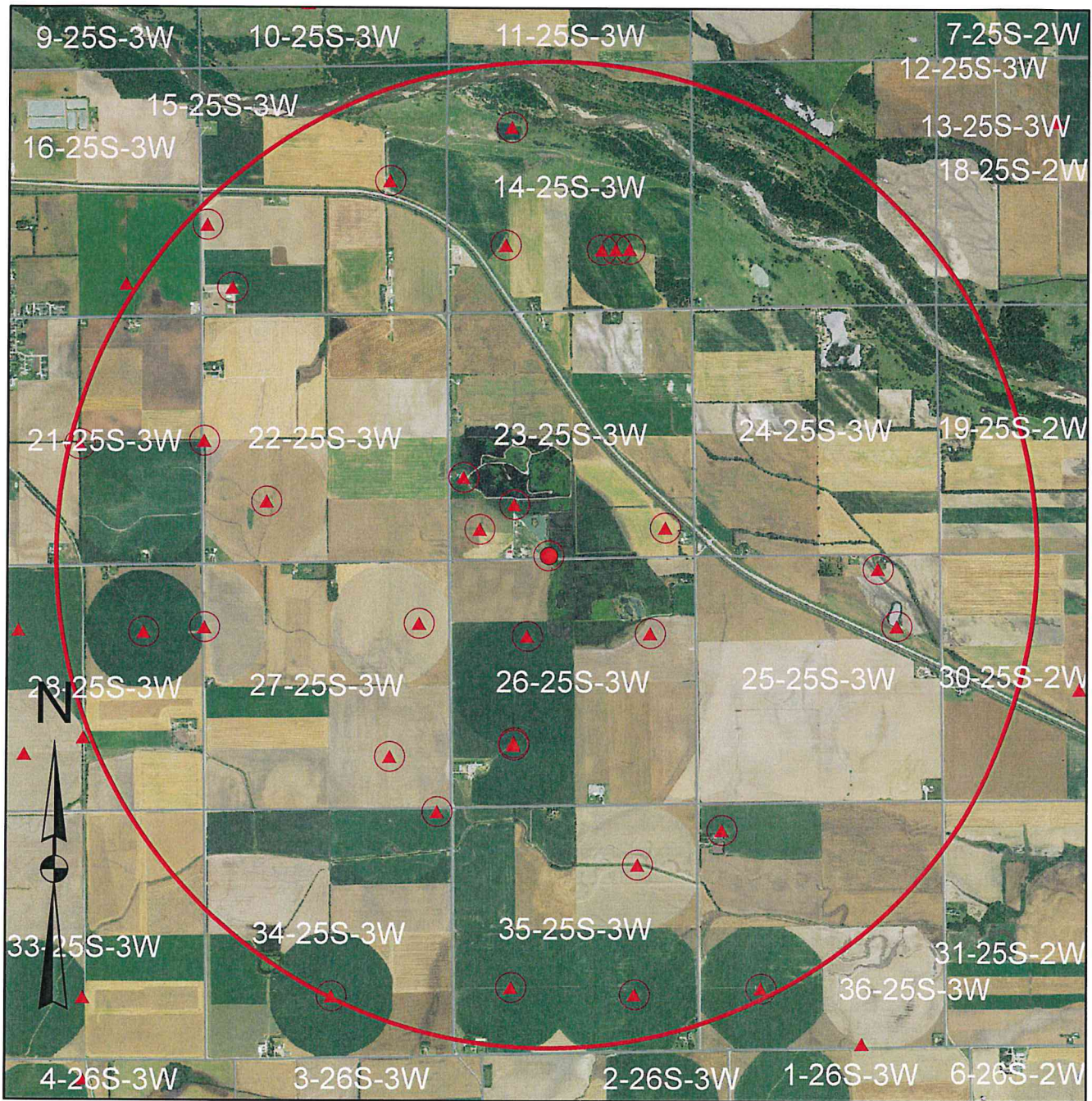
11) Reasonable rate for intended use?  Yes  No  N/A  
 12) Depth to water: 18.94 bls at observation well: EB211A

13) Date reviewed: September 6, 2019  
 14) Reviewed by: T. Boese Title: Manager  
 15) District recommendation:  Approve  Deny  Other, see comment

16) Comments and Calculations:  
 Review completed for a new application for recreational use submitted by Cottonwood Pond LLC for seepage loss from proposed recreational ponds totaling 26.4 acres. DWR did not note any responses from nearby well owners.  
 Item 9b: Proposed well is located less than 660 ft to one domestic well. Domestic well owner signed spacing consent form allowing well to be located less than 660 ft.  
 Item 9c: Proposed well is located ~1358 ft from rec. well authorized by No. 35737, according to location of well No. 35737 as described on No. 35737 Certificate.  
 Item 10e: 26.4 acres X ((23" Net Evap + 68" seepage) / 12 in/ft) = 200.2 AF. Seepage rate was not well described on the application, but soil maps & information from NRCS Web Soil Survey indicates soils types in the pond area consist of Tabler silt loam (~18%) with an intake rate of 0.00-0.06 in/hr; Vanoos silt loam (~23%) with an intake rate of 0.60-2.00 in/hr; and Aquolls (~59%) with an intake rate of 0.00-2.00 in/hr. The proposed 68 in/yr of seepage equates to ~0.008 in/hr, which appears reasonable based on the soil type.  
 Recommend Approval. Complies with K.A.R. 5-22-1 through 5-22-17, subject to well as drilled and constructed complying with the minimum spacing requirement of 1320 feet to existing non-domestic wells.



# Equus Beds Groundwater Management District No. 2 Safe Yield Evaluation #50133 - Cottonwood Pond LLC SESESW (21'N & 3149'W) 23-25S-03W, Sedgwick County Prepared By: T. Boese      Date: 9/5/2019



<ul style="list-style-type: none"> <li><span style="color: red;">●</span> Proposed Point of Diversion</li> <li><span style="color: red;">⚡</span> Area of Consideration Boundary</li> <li><span style="color: purple;">●</span> Monitoring Wells</li> <li><span style="color: red;">▲</span> Points of Diversion</li> <li><span style="border: 1px solid blue; display: inline-block; width: 20px; height: 10px;"></span> District Boundary</li> </ul>	<p style="text-align: center;"><b>Map Legend</b></p> <ul style="list-style-type: none"> <li><span style="border-bottom: 2px solid black; width: 30px; display: inline-block;"></span> Major Highway</li> <li><span style="border-bottom: 1px solid black; width: 30px; display: inline-block;"></span> Other Roadway</li> <li><span style="border-bottom: 2px solid blue; width: 30px; display: inline-block;"></span> Major Stream</li> <li><span style="border-bottom: 1px solid blue; width: 30px; display: inline-block;"></span> Other Water Feature</li> <li><span style="border: 1px dashed gray; width: 30px; height: 15px; display: inline-block;"></span> County Boundary</li> <li><span style="background-color: lightblue; width: 30px; height: 15px; display: inline-block;"></span> City Boundary</li> </ul>	<p>0.45 0.225 0 0.45 Miles</p>
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Equus Beds Groundwater Management District No. 2  
 313 Spruce Street, Halstead, KS 67056  
 316-835-2224, equusbeds@gmd2.org



**SAFETYIELD EVALUATION - NO. 50133 - COTTONWOOD POND LLC**  
**LOCATION: SESESW (21'N & 3149'W) 23-25S-03W, Sedgwick County**  
**SPECIAL USE AREA: None**  
**EVALUATION DATE:- 9/5/2019**

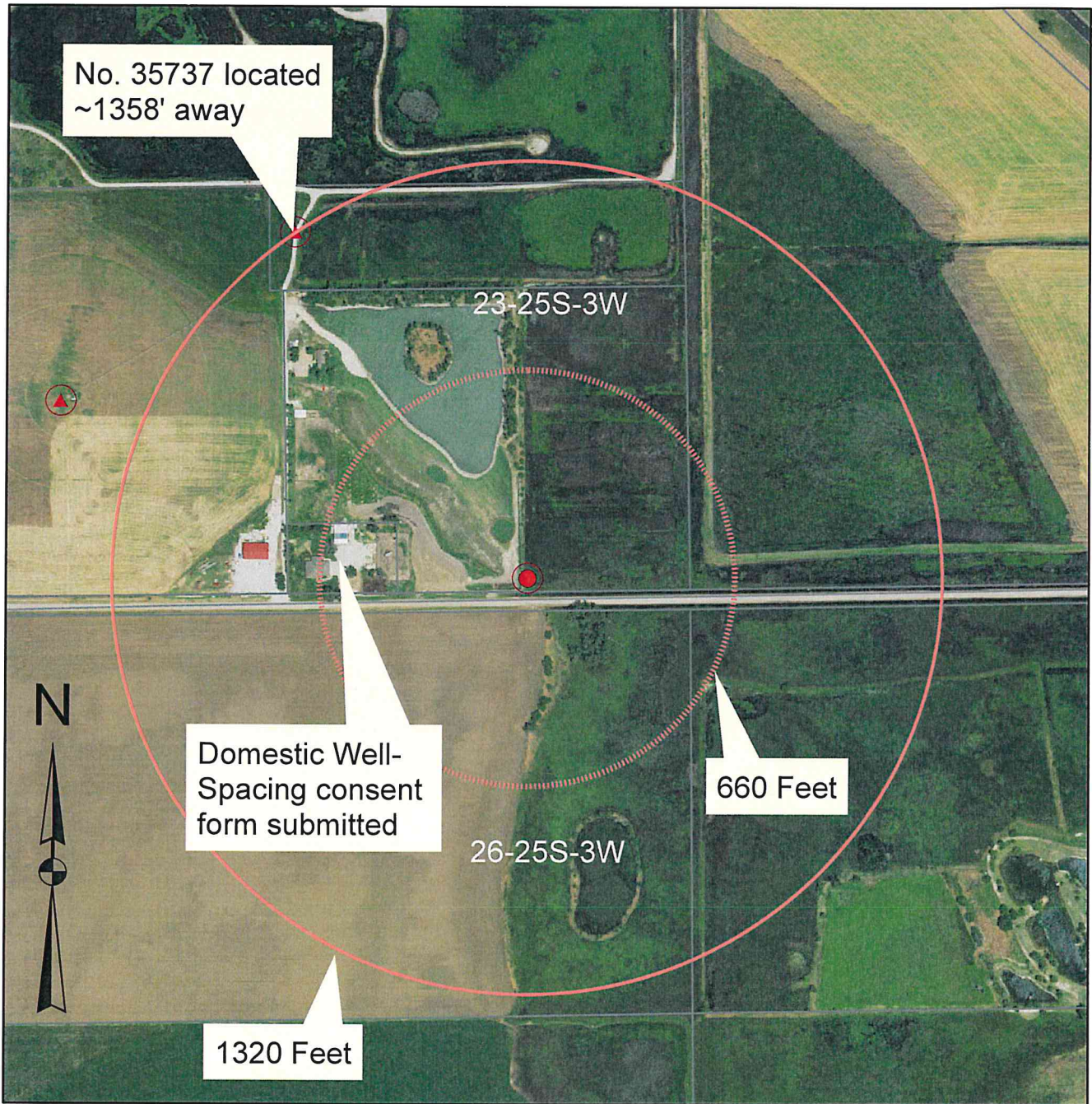
Total Areas: 8,042 acres; Area in 3 inch discharge zone: 0 acres; Area in 6 inch discharge zone: 8,042 acres












FILE_ID	WELL_ID	TOWNSHIP	RANGE	SECTION	QUALIFIER	USE	AUTHQUANTITY
A00214300	1592	25S	03W	26	13203960	IRR	195
A00517500	1742	25S	03W	26	NWSENE	REC	29
A00522000	258	25S	03W	26	13203960	IRR	44
A00522000	260	25S	03W	27	NCE2NE	IRR	44
A00546100	1309	25S	03W	28	38941309	IRR	78
A006809A	1710	25S	03W	15	28481221	IRR	105
A01178500	1623	25S	03W	27	CWNW	IRR	52
A01328800	975	25S	03W	27	11321323	IRR	237
A01795200	424	25S	03W	22	26605250	IRR	171
A02586200	1782	25S	03W	15	19505150	IRR	80
A02903600	341	25S	03W	35	13271430	IRR	215
A03078900	1577	25S	03W	15	6004630	IRR	109
A03126900	761	25S	03W	14	14003960	IRR	68
A03257800	394	25S	03W	36	46504780	IRR	86
A03469300	134	25S	03W	23	6604620	IRR	85
A03573700	387	25S	03W	23	11743867	REC	7.2
A03606800	799	25S	03W	23	5900640	IRR	49
A03614500	1317	25S	03W	22	13203920	IRR	114
A03648200	631	25S	03W	34	13202640	IRR	195
A03667100	843	25S	03W	35	14704075	IRR	188
A03681900	663	25S	03W	34	52400330	IRR	120
A03685800	451	25S	03W	26	13203960	IRR	179
A03686000	108	25S	03W	35	39551315	IRR	194
A03726200	743	25S	03W	25	49351338	IRR	47
A04035700	688	25S	03W	21	26302630	IRR	182
A04063700	1252	25S	03W	23	17804939	REC	62
A04105900	519	25S	03W	36	12553978	IRR	195
A04148500	2148	25S	03W	25	36960954	REC	5.2
A043879.5	2714	25S	03W	14	39503850	DOM	11
A04584900	3166	25S	03W	22	13203920	IRR	70.4
A04757900	3693	25S	03W	14	13001615	IRR	208
A04757900	3694	25S	03W	14	13001320	IRR	0
A04757900	3695	25S	03W	14	13001910	IRR	0
A04810600	3905	25S	03W	36	46504780	IRR	168.8
A04921500	4838	25S	03W	23	5900640	IRR	22.5
A04921700	4837	25S	03W	15	28481221	IRR	116
A05013300P	5224	25S	03W	23	213149	REC	200.2
VSG009100	1150	25S	03W	26	13203960	REC	2.5
VSG009100	1151	25S	03W	26	NWSENW	REC	2.5

<b>Allowable Appropriations</b>	<b>4,021.00</b>	<b>Total Existing Appropriation</b>	<b>3,937.30</b>
<b>Small User Quantity</b>	<b>0</b>	<b>Non Consumptive Appropriations</b>	<b>0</b>
<b>Remaining SUQ</b>	<b>45</b>	<b>Consumptive Appropriations</b>	<b>3,937.30</b>
<b>Note- Values are in acre-feet</b>		<b>Available Appropriations</b>	<b>83.7</b>





Equus Beds Groundwater Management District No. 2  
 Spacing Evaluation #50133 - Cottonwood Pond LLC  
 SESESW (21'N & 3149'W) 23-25S-03W, Sedgwick County  
 Prepared By: T. Boese      Date:9/5/2019



 Proposed Point of Diversion	<b>Map Legend</b>
 Area of Consideration Boundary	 Major Highway
 Monitoring Wells	 Other Roadway
 Points of Diversion	 Major Stream
 District Boundary	 Other Water Feature
	 County Boundary
	 City Boundary

0.065 0.0325 0 0.065 Miles

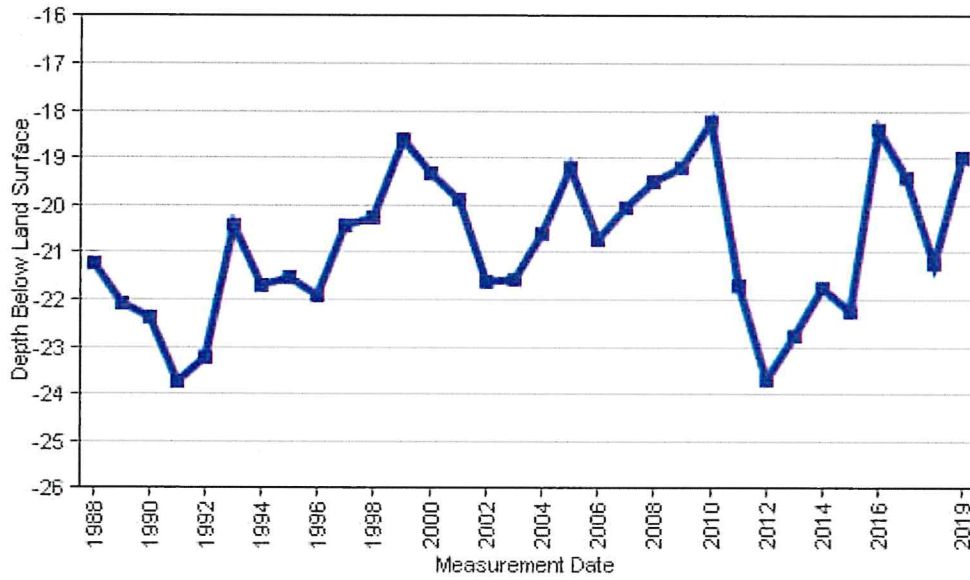




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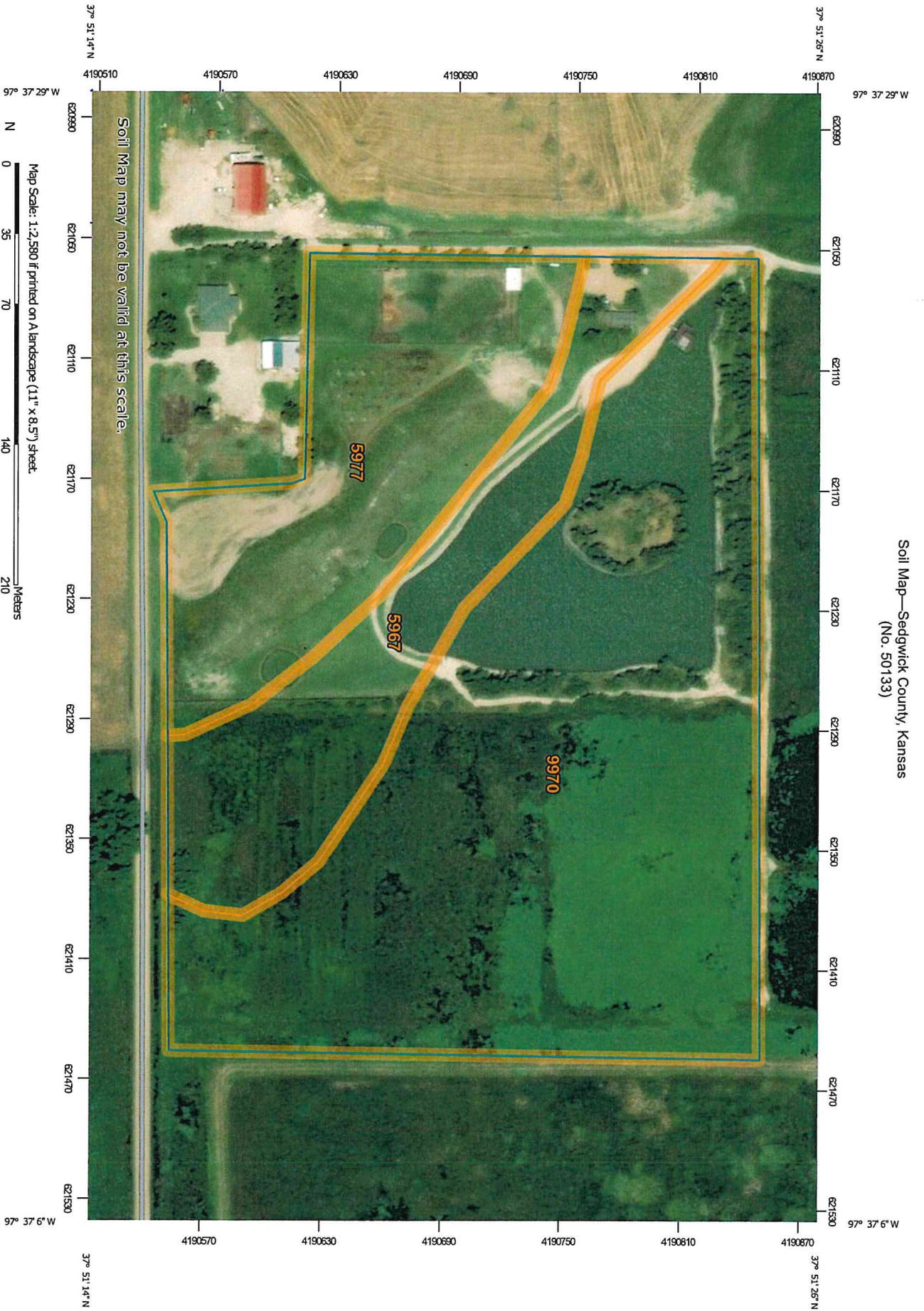
# WATER-LEVEL HYDROGRAPH – EB 211A

NE-SE-SW, SEC. 16-25S-3W, SEDGWICK COUNTY










































Soil Map—Sedgwick County, Kansas  
(No. 50133)



## MAP LEGEND

 Area of Interest (AOI)	 Area of Interest (AOI)	 Spoil Area
<b>Soils</b>	 Soil Map Unit Polygons	 Stony Spot
 Soil Map Unit Lines	 Very Stony Spot	 Wet Spot
 Soil Map Unit Points	 Other	 Special Line Features
<b>Special Point Features</b>	 Blowout	<b>Water Features</b>
 Borrow Pit	 Clay Spot	 Streams and Canals
 Closed Depression	 Gravel Pit	<b>Transportation</b>
 Gravelly Spot	 Landfill	 Rails
 Lava Flow	 Marsh or swamp	 Interstate Highways
 Mine or Quarry	 Miscellaneous Water	 US Routes
 Perennial Water	 Rock Outcrop	 Major Roads
 Saline Spot	 Sandy Spot	 Local Roads
 Severely Eroded Spot	 Sinkhole	 Aerial Photography
 Slide or Slip	 Sodic Spot	

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sedgwick County, Kansas  
Survey Area Data: Version 14, Sep 12, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 25, 2013—Sep 29, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
5967	Tabler silty clay loam, 0 to 1 percent slopes	5.0	18.1%
5977	Vanoss silt loam, 1 to 3 percent slopes	6.3	23.0%
9970	Aquolls	16.1	58.9%
<b>Totals for Area of Interest</b>		<b>27.4</b>	<b>100.0%</b>

## Sedgwick County, Kansas

### 5967—Tabler silty clay loam, 0 to 1 percent slopes

#### Map Unit Setting

*National map unit symbol:* 2ww11  
*Elevation:* 1,660 to 2,610 feet  
*Mean annual precipitation:* 25 to 33 inches  
*Mean annual air temperature:* 55 to 57 degrees F  
*Frost-free period:* 180 to 200 days  
*Farmland classification:* All areas are prime farmland

#### Map Unit Composition

*Tabler and similar soils:* 80 percent  
*Minor components:* 20 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Tabler

##### Setting

*Landform:* Paleoterraces  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Alluvium

##### Typical profile

*Ap - 0 to 11 inches:* silty clay loam  
*Btss - 11 to 28 inches:* silty clay  
*Btkss - 28 to 42 inches:* silty clay  
*Btk - 42 to 79 inches:* silty clay loam

##### Properties and qualities

*Slope:* 0 to 1 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Moderately well drained  
*Runoff class:* Low  
*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.06 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum in profile:* 5 percent  
*Salinity, maximum in profile:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)  
*Available water storage in profile:* High (about 10.1 inches)

##### Interpretive groups

*Land capability classification (irrigated):* 2s  
*Land capability classification (nonirrigated):* 2s  
*Hydrologic Soil Group:* D  
*Ecological site:* Clayey Plains (R079XY107KS)

*Hydric soil rating:* No

### Minor Components

#### Irwin

*Percent of map unit:* 5 percent  
*Landform:* Interfluves  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Interfluve  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Upland Hills (R076XY100KS)  
*Hydric soil rating:* No

#### Farnum

*Percent of map unit:* 5 percent  
*Landform:* Paleoterraces  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Ecological site:* Loamy Plains (R079XY115KS)  
*Hydric soil rating:* No

#### Penalosa

*Percent of map unit:* 5 percent  
*Landform:* Paleoterraces  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Clayey Plains (R079XY107KS)  
*Hydric soil rating:* No

#### Goessel

*Percent of map unit:* 5 percent  
*Landform:* Paleoterraces  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Clayey Plains (R079XY107KS)  
*Hydric soil rating:* No

#### Aquolls, occasionally ponded

*Percent of map unit:* 0 percent  
*Landform:* Depressions  
*Down-slope shape:* Concave  
*Across-slope shape:* Concave  
*Hydric soil rating:* Yes

## Data Source Information

Soil Survey Area: Sedgwick County, Kansas  
Survey Area Data: Version 14, Sep 12, 2018

## Sedgwick County, Kansas

### 5977—Vanoss silt loam, 1 to 3 percent slopes

#### Map Unit Setting

*National map unit symbol:* 2wtvp  
*Elevation:* 1,310 to 1,640 feet  
*Mean annual precipitation:* 27 to 34 inches  
*Mean annual air temperature:* 54 to 57 degrees F  
*Frost-free period:* 165 to 200 days  
*Farmland classification:* All areas are prime farmland

#### Map Unit Composition

*Vanoss and similar soils:* 85 percent  
*Minor components:* 15 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Vanoss

##### Setting

*Landform:* Paleoterraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Alluvium

##### Typical profile

*Ap - 0 to 11 inches:* silt loam  
*BA - 11 to 19 inches:* silt loam  
*Bt - 19 to 49 inches:* silty clay loam  
*BC - 49 to 79 inches:* silty clay loam

##### Properties and qualities

*Slope:* 1 to 3 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Well drained  
*Runoff class:* Low  
*Capacity of the most limiting layer to transmit water (Ksat):*  
Moderately high to high (0.60 to 2.00 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Salinity, maximum in profile:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)  
*Available water storage in profile:* High (about 12.0 inches)

##### Interpretive groups

*Land capability classification (irrigated):* 2e  
*Land capability classification (nonirrigated):* 2e  
*Hydrologic Soil Group:* B  
*Ecological site:* Loamy Upland (PE 26-30) (R074XY015KS)

*Hydric soil rating:* No

### Minor Components

#### Farnum

*Percent of map unit:* 3 percent  
*Landform:* Paleoterraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Ecological site:* Loamy Plains (R079XY115KS)  
*Hydric soil rating:* No

#### Nalim

*Percent of map unit:* 3 percent  
*Landform:* Paleoterraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Ecological site:* Loamy Plains (R079XY115KS)  
*Hydric soil rating:* No

#### Norge

*Percent of map unit:* 3 percent  
*Landform:* Paleoterraces  
*Landform position (three-dimensional):* Riser  
*Down-slope shape:* Convex  
*Across-slope shape:* Linear  
*Ecological site:* Loamy Upland (R080AY056OK)  
*Hydric soil rating:* No

#### Minco

*Percent of map unit:* 3 percent  
*Landform:* Stream terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Ecological site:* Loamy Upland (R080AY056OK)  
*Hydric soil rating:* No

#### Tully

*Percent of map unit:* 3 percent  
*Landform:* Hillslopes  
*Landform position (two-dimensional):* Footslope  
*Landform position (three-dimensional):* Side slope  
*Down-slope shape:* Concave  
*Across-slope shape:* Linear  
*Ecological site:* Upland Hills (R076XY100KS)  
*Hydric soil rating:* No

#### Aquolls, occasionally ponded

*Percent of map unit:* 0 percent  
*Landform:* Depressions  
*Down-slope shape:* Concave

*Across-slope shape:* Concave  
*Hydric soil rating:* Yes

## Data Source Information

Soil Survey Area: Sedgwick County, Kansas  
Survey Area Data: Version 14, Sep 12, 2018



## Sedgwick County, Kansas

### 9970—Aquolls

#### Map Unit Setting

*National map unit symbol:* 1kgmg  
*Mean annual precipitation:* 31 to 47 inches  
*Frost-free period:* 190 to 210 days  
*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Aquolls and similar soils:* 100 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Aquolls

##### Setting

*Landform:* Depressions  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Concave  
*Across-slope shape:* Concave  
*Parent material:* Alluvium

##### Typical profile

*A1 - 0 to 72 inches:* variable

##### Properties and qualities

*Slope:* 0 to 1 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Very poorly drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Very low to high (0.00 to 2.00 in/hr)  
*Depth to water table:* About 0 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* Frequent

##### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 5w  
*Hydrologic Soil Group:* B/D  
*Ecological site:* Subirrigated (R072XY103KS)  
*Hydric soil rating:* Yes

## Data Source Information

Soil Survey Area: Sedgwick County, Kansas  
Survey Area Data: Version 14, Sep 12, 2018



**From:** Lanterman, Jeff [KDA]  
**Sent:** Tue 4/7/2020 11:58 AM  
**To:** Neuhauser, Kris [KDA]  
**Cc:** Conant, Cameron [KDA]  
**Subject:** FW: 50,133 new map  
**Attachments:** 50133 New App Approval Recommendation Letter 9-06-19.pdf, 50133\_Memo To File.docx, 50133 map.jpg, 50133 completed log.pdf

Kris. I think this one is OK to approve as is. I am glad they came up with a realistic seepage number for this so hopefully we won't be coming back later on and adding water. Well I say realistic based on an "estimated soil intake rate" lol.

Go ahead and approve it. And maintain your social distancing &#128522;

---

**From:** Conant, Cameron [KDA] <Cameron.Conant@ks.gov>  
**Sent:** Tuesday, April 7, 2020 11:00 AM  
**To:** Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>  
**Subject:** FW: 50,133 new map

Jeff, this is a recreation application for a well to fill a pond in GMD#2. As seen on the attached map, the pond (or a portion of the pond) is existing and the well was completed in 2018 as shown by the attached log. I had some concern about the size of the pond because they requested 26 acres, but the actual pond on the aerial was much smaller. In the end, it really doesn't matter. The size of the completed pond and quantity perfected will both be addressed during certification. I think the owners may have to justify the perfected quantity to us, especially if the pond remains small, but that isn't a bad thing. Making the area larger now like they have done, will prevent compliance issues if they do make it bigger. And, like I noted we can reduce the quantity as appropriate or they can justify it during cert time.

We have a signed spacing consent form b/c spacing to one of the pond application owners domestic well is not met. It was really close to 660'. The GMD#2 review is also attached, it includes a good spacing map you can review. Tim also included a soil/seepage study and a hydrograph showing steady water levels since 1988.

I think we can recommend approval of this application. Please pass on to Kris if you agree and let me know if you have any questions.

Cameron

---

**From:** Neuhauser, Kris [KDA] <Kris.Neuhauser@ks.gov>  
**Sent:** Friday, January 31, 2020 3:06 PM  
**To:** Conant, Cameron [KDA] <Cameron.Conant@ks.gov>  
**Cc:** Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>  
**Subject:** RE: 50,133 new map

Hey Cameron,

Just following up on this one when you have a chance, Mike Arndt came knocking wondering on the status of 50,133.

Hope your Friday has been going well, been kind of a mad house here..

Kris

---

**From:** Neuhauser, Kris [KDA]  
**Sent:** Monday, December 30, 2019 2:36 PM  
**To:** Conant, Cameron [KDA] <Cameron.Conant@ks.gov>

Cc: Lanterman, Jeff [KDA] <[Jeff.Lanterman@ks.gov](mailto:Jeff.Lanterman@ks.gov)>

Subject: 50,133 new map

Cameron,

Took some searching, but I was finally able to get in contact with someone on New App 50,133! We chatted before Christmas on the phone; it is a series of ponds rather than one large one. I sent him an aerial view to draw on, and he sent me this new map outlining all of them the best he could. Looks like it's a little under 26.4 acres by my measuring, but it's fairly close. (His lines aren't exactly the cleanest either..)

What are your thoughts on the acres/quantity on this one? Do we need to reduce the quantity at all? Guessing I'll have to rework my memo a bit once we decide on things.

I know when I initially sent it to you guys for review you had concerns on how they planned to combat seepage.. I can talk to him again of course, but in case you want his contact info, I've listed it below.

Mike Arndt

316-303-4203

[arndtmike71@gmail.com](mailto:arndtmike71@gmail.com)

Kris







25S03W

~26.4 acre p/u

**WATER WELL RECORD Form WWC-5**

Division of Water Resources App. No.

**50133**

Well ID

Original Record  Correction  Change in Well Use

<b>1 LOCATION OF WATER WELL:</b> County: <b>SEDGWICK</b>		Fraction SW ¼ SE ¼ SE ¼ SW ¼	Section Number <b>23</b>	Township Number <b>T 25 S</b>	Range Number <b>R 3</b> <input type="checkbox"/> E <input checked="" type="checkbox"/> W
<b>2 WELL OWNER:</b> Last Name: <b>COTTONWOOD POND LLC</b> Business: <b>COTTONWOOD POND LLC</b> Address: <b>PO BOX 12248</b> City: <b>WICHITA</b> State: <b>KS</b> ZIP: <b>67277-2248</b>		Street or Rural Address where well is located (if unknown, distance and direction from nearest town or intersection): If at owner's address, check here: <input type="checkbox"/> <b>FROM 93RD ST N &amp; 247TH ST W GO EAST 2100 FEET AND NORTH AND 100 FEET</b>			
<b>3 LOCATE WELL WITH "X" IN SECTION BOX:</b> N W E S 1 mile	<b>4 DEPTH OF COMPLETED WELL:</b> ..... <b>60</b> ..... ft. Depth(s) Groundwater Encountered: 1) ..... ft. 2) ..... ft. 3) ..... ft., or 4) <input type="checkbox"/> Dry Well WELL'S STATIC WATER LEVEL: ..... <b>13</b> ..... ft. <input checked="" type="checkbox"/> below land surface, measured on (mo-day-yr)..... <input type="checkbox"/> above land surface, measured on (mo-day-yr)..... Pump test data: Well water was ..... ft. after ..... hours pumping ..... gpm Well water was ..... ft. after ..... hours pumping ..... gpm Estimated Yield: ... <b>400</b> ... gpm Bore Hole Diameter: ..... <b>12</b> ..... in. to ..... <b>60</b> ..... ft. and ..... in. to ..... ft.		<b>5 Latitude:</b> ..... (decimal degrees) <b>Longitude:</b> ..... (decimal degrees) <b>Horizontal Datum:</b> <input type="checkbox"/> WGS 84 <input type="checkbox"/> NAD 83 <input type="checkbox"/> NAD 27 <b>Source for Latitude/Longitude:</b> <input type="checkbox"/> GPS (unit make/model: .....) (WAAS enabled? <input type="checkbox"/> Yes <input type="checkbox"/> No) <input type="checkbox"/> Land Survey <input type="checkbox"/> Topographic Map <input type="checkbox"/> Online Mapper: .....		
	<b>6 Elevation:</b> ..... ft. <input type="checkbox"/> Ground Level <input type="checkbox"/> TOC <b>Source:</b> <input type="checkbox"/> Land Survey <input type="checkbox"/> GPS <input type="checkbox"/> Topographic Map <input type="checkbox"/> Other .....				

**7 WELL WATER TO BE USED AS:**

1. Domestic: <input type="checkbox"/> Household <input type="checkbox"/> Lawn & Garden <input type="checkbox"/> Livestock	2. <input type="checkbox"/> Irrigation	3. <input type="checkbox"/> Feedlot	4. <input type="checkbox"/> Industrial	5. <input type="checkbox"/> Public Water Supply: well ID .....	6. <input type="checkbox"/> Dewatering: how many wells? .....	7. <input type="checkbox"/> Aquifer Recharge: well ID .....	8. <input type="checkbox"/> Monitoring: well ID .....	9. Environmental Remediation: well ID .....	<input type="checkbox"/> Air Sparge <input type="checkbox"/> Soil Vapor Extraction <input type="checkbox"/> Recovery <input type="checkbox"/> Injection	10. <input type="checkbox"/> Oil Field Water Supply: lease .....	11. Test Hole: well ID .....	<input type="checkbox"/> Cased <input checked="" type="checkbox"/> Uncased <input type="checkbox"/> Geotechnical	12. Geothermal: how many bores? .....	a) Closed Loop <input type="checkbox"/> Horizontal <input type="checkbox"/> Vertical b) Open Loop <input type="checkbox"/> Surface Discharge <input type="checkbox"/> Inj. of Water	13. <input type="checkbox"/> Other (specify): .....
--	--	-------------------------------------	--	--	---	---	---	---	--	--	------------------------------	--	---------------------------------------	--	---

Was a chemical/bacteriological sample submitted to KDHE?  Yes  No If yes, date sample was submitted: .....

Water well disinfected?  Yes  No

**8 TYPE OF CASING USED:**  Steel  PVC  Other ..... CASING JOINTS:  Glued  Clamped  Welded  Threaded

Casing diameter ..... in. to ..... ft., Diameter ..... in. to ..... ft., Diameter ..... in. to ..... ft.  
Casing height above land surface ..... in. Weight ..... lbs./ft. Wall thickness or gauge No. ....

**TYPE OF SCREEN OR PERFORATION MATERIAL:**  
 Steel  Stainless Steel  Fiberglass  PVC  Other (Specify) .....  
 Brass  Galvanized Steel  Concrete tile  None used (open hole)

**SCREEN OR PERFORATION OPENINGS ARE:**  
 Continuous Slot  Mill Slot  Gauze Wrapped  Torch Cut  Drilled Holes  Other (Specify) .....  
 Louvered Shutter  Key Punched  Wire Wrapped  Saw Cut  None (Open Hole)

**SCREEN-PERFORATED INTERVALS:** From ..... ft. to ..... ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.  
**GRAVEL PACK INTERVALS:** From ..... ft. to ..... ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.

**9 GROUT MATERIAL:**  Neat cement  Cement grout  Bentonite  Other .....

Grout Intervals: From ..... ft. to ..... ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.

**Nearest source of possible contamination:**  
 Septic Tank  Lateral Lines  Pit Privy  Livestock Pens  Insecticide Storage  
 Sewer Lines  Cess Pool  Sewage Lagoon  Fuel Storage  Abandoned Water Well  
 Watertight Sewer Lines  Seepage Pit  Feedyard  Fertilizer Storage  Oil Well/Gas Well  
 Other (Specify) .....

Direction from well? **WEST** Distance from well? **550** ft.

10 FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	2	TOP SOIL			
2	25	CLAY			
25	56	MED GRAVEL			
56	59	CLAY			
59	60	MED GRAVEL			
Notes:					

**11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION:** This water well was  constructed,  reconstructed, or  plugged under my jurisdiction and was completed on (mo-day-year) **7/7/2018** and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. **884**. This Water Well Record was completed on (mo-day-year) **7/30/2018** under the business name of **WENINGER DRILLING LLC**. Signature .....

Mail 1 white copy along with a fee of \$5.00 for each constructed well to: Kansas Department of Health and Environment, Bureau of Water, GWTS Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Mail one to Water Well Owner and retain one for your records. Telephone 785-296-5524.  
Visit us at <http://www.kdheks.gov/waterwell/index.html> KSA 82a-1212 **Revised 7/10/2015**

RECEIVED  
 DIVISION OF WATER RESOURCES  
 7/30/2018



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

COTTONWOOD POND LLC  
Attn: MIKE ARNDT  
PO BOX 12248  
WICHITA, KS 67277

RE: Appropriation of Water, File No. 50,133

Dear Sir or Madam:

Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit.

Notice must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

An acceptable water flowmeter must be installed on the diversion works authorized by this permit prior to using water. An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at [www.kswaterusereport.org](http://www.kswaterusereport.org).

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Enclosed is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any questions or need assistance with any of these requirements, 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,

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

KAB: kjn  
Enclosure(s)  
pc: Stafford Field Office  
Equus Beds GMD No. 2



THE STATE OF KANSAS



**KANSAS DEPARTMENT OF AGRICULTURE**  
Mike Beam, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**  
Christopher W. Beightel, Acting 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. 50,133** of the applicant

**COTTONWOOD POND LLC**  
Attn: **MIKE ARNDT**  
**PO BOX 12248**  
**WICHITA, KS 67277**

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 **September 13, 2018**.
2. That the water sought to be appropriated shall be used for recreational use in a pond not exceeding 26.4 surface acres, located in the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 23, Township 25 South, Range 3 West, Sedgwick 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 Southeast Quarter of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 23, more particularly described as being near a point 21 feet North and 3,149 feet West of the Southeast corner of said section, in Township 25 South, Range 3 West, Sedgwick County, Kansas, located substantially as shown on the aerial map accompanying the application.
4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **400 gallons per minute** (0.89 c.f.s.) and to a quantity not to exceed **200.2 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, 2021**, or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$400.00, when construction of the diversion 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 accompanied by the required statutory fee, which is currently \$100.00.



6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before December 31, 2025, or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 to 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

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

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

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

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

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



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

18. That the well drilled and constructed under the authority of this permit shall comply with the required minimum well spacing of 1,320 feet to any senior nondomestic well pursuant to K.A.R. 5-22-2(a)(1).

Ordered this 5<sup>th</sup> day of June, 2020, in Manhattan, Riley County, Kansas.

Lane P. Letourneau

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

State of Kansas                    )  
  ) SS  
County of Riley                    )

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of June, 2020, by Lane P. Letourneau, P.G., Water Appropriations Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Ashlee Freeman  
Notary Public



**RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW**

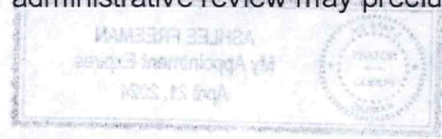
If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 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, Kansas 66502, FAX (785) 564-6777.

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

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



**CERTIFICATE OF SERVICE**

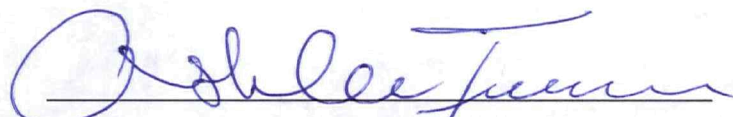
On this 9 day of June, 2020, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,133, dated 5, June 2020 was mailed postage prepaid, first class, US mail to the following:

COTTONWOOD POND LLC  
Attn: MIKE ARNDT  
PO BOX 12248  
WICHITA, KS 67277

With photocopies to:

Stafford Field Office

GMD 2

  
 \_\_\_\_\_  
 Division of Water Resources