

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
Mike Beam, Acting Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number **50520**
This item to be completed by the Division of Water Resources.

**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.)

WATER RESOURCES
RECEIVED
FEB 13 2021
3:11
KS DEPT OF AGRICULTURE

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

1. Name of Applicant (Please Print): R & R REALTY
Address: PO Box 75337
City: WICHITA State KS Zip Code 67275
Telephone Number: (316) 990-2105

2. The source of water is: surface water in _____ (stream)
OR groundwater in Arkansas River Basin (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 10.00 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of Evaporation 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. Code	<u>2</u> REG	GMD	<u>2</u>	Meets K.A.R. 5-3-1 (YES/NO)	Use	REC	Source
							<u>G/S</u>
				Fee \$	TR #	Receipt Date	By
				<u>200</u>	<u>P100023732</u>	<u>2-18-21</u>	<u>SG</u>
							Check #
							<u>CC</u>
							Date
							<u>2/22/21</u>

2/24/2021
LMoody

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

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

- (A) One in the NE quarter of the SW quarter of the SE quarter of Section 13, more particularly described as being near a point 1265 feet North and 1380 feet West of the Southeast corner of said section, in Township 26 South, Range 1W East/West (circle one), Sedgwick 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):

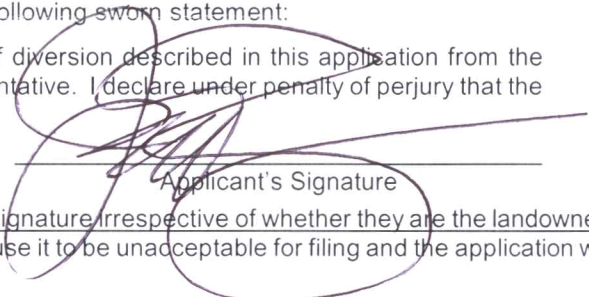
 (name, address and telephone number)
SAME AS APPLICANT

 (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 FEB 16, 2021.



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 One Groundwater Pits
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) 1/1/2025
(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 5/1/2021
(Mo/Day/Year)

FEB 18 2021

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

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

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

14. The relationship of the applicant to the proposed place where the water will be used is that of OWNER
(owner, tenant, agent or otherwise)

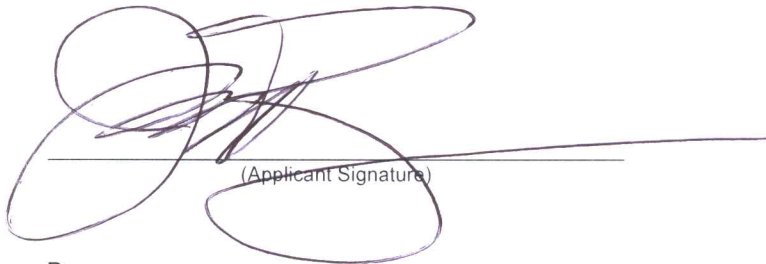
15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

(name, address and telephone number)

(name, address and telephone number)

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

Dated at WICHITA, Kansas, this 16 day of FEB, 2021
(month) (year)



(Applicant Signature)

By _____
(Agent or Officer Signature)

JAY RUSSELL, OWNER/MEMBER
(Agent or Officer - Please Print)

Assisted by _____ Date: _____
(office/title)

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FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

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. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

FEB 18 2021

RECREATIONAL USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): R:R REALTY

1. Please indicate type of recreational use (boating, fishing, swimming, etc.): _____
 The proposed groundwater pit will be for aesthetics and stormwater control

2. Please summarize how the water will be used and justify the quantity of water requested: _____
 The proposed 10 AF of appropriations will cover the 6 acres of exposed groundwater surface
 6 acres x 20 inches of net evaporation x (1 ft / 12 inches) = 10 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	5 AF
Year 2	6 AF
Year 3	10 AF
Year 4	10 AF
Year 5	10 AF

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.

6 acres in the SE quarter of Section 13, T26S, R1W as shown on attached maps

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

NON-DOMESTIC POINT OF DIVERSION OWNER
GROUNDWATER PIT SPACING CONSENT FORM

K.A.R. 5-22-2(e)(5)

I WATERMARK HOA, whose address is PO Box 75337,
Water Right/Permit/Application Owner Address
WICHITA, KS, 67275,
City State Postal Code Telephone, own

water permit/right # 50418

I understand and acknowledge that R:P REALTY has filed a new application for a water permit to withdraw or appropriate groundwater for non-domestic beneficial use by means of a groundwater pit.

That the application described the location of the geographic center of a proposed groundwater pit in the NE 1/4 SW 1/4 SE 1/4 of Section 13, Township 26 south, Range 1 west, Sedgwick County, and will allow the withdrawal of 10.00 acre-feet per year for recreational use.

The applicant has informed me that the proposed groundwater pit edge is within the minimum required spacing interval of 1320 of my point of diversion.

Having full knowledge of the above and without waiving any right to file an impairment complaint with the Chief Engineer, Division of Water Resources, I grant my permission to locate said groundwater pit less than the minimum required spacing interval from my point of diversion.

Dated at WICHITA, Kansas, this 16 day of FEB 20 21.

Signed by: 
Non-Domestic Point of Diversion Owner

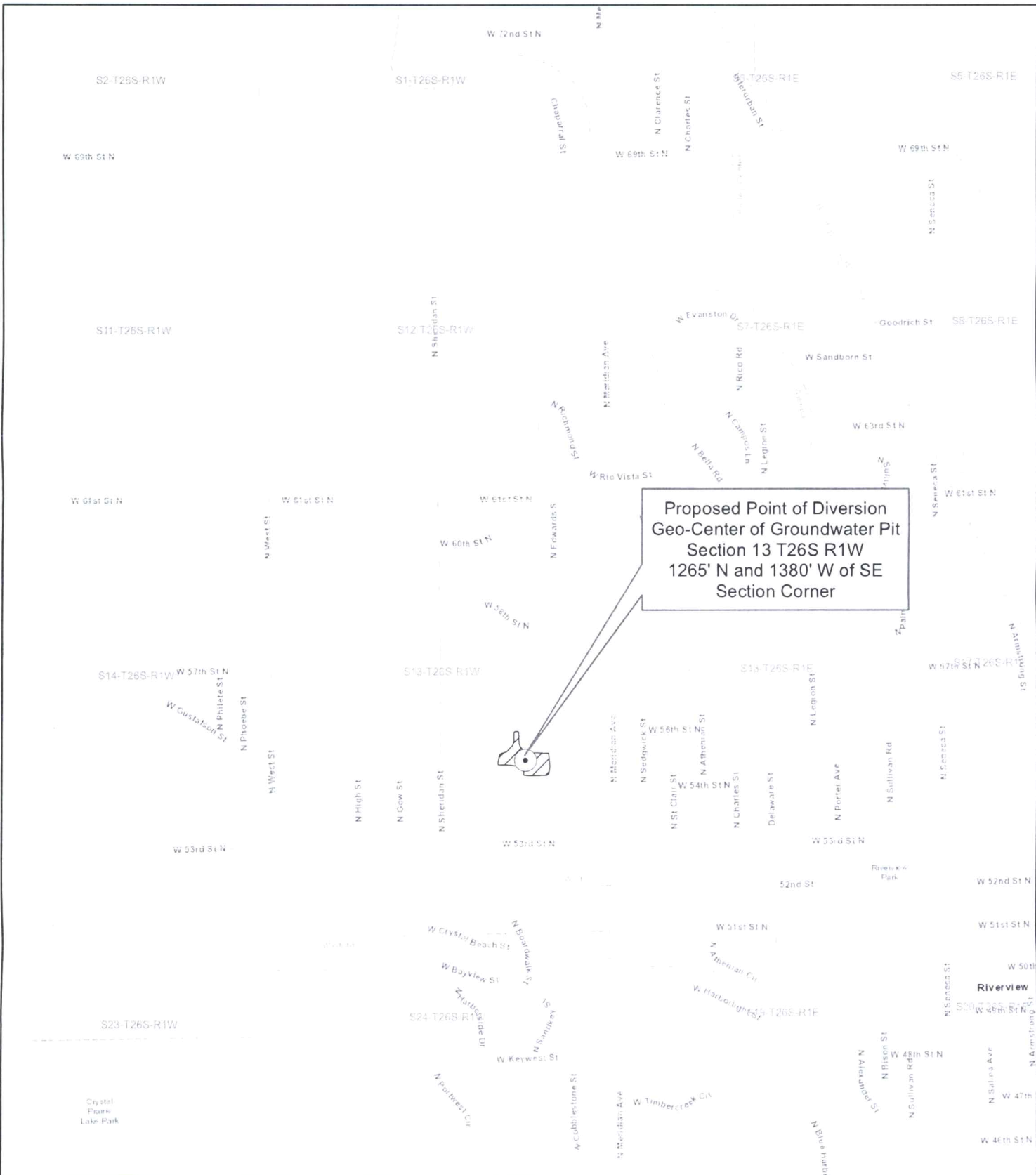
Witnessed by: TREVOR KURTH ; BAUGHMAN CO, PA

Address: 315 ELLIS

WICHITA KS 67211



Telephone: 316.262.7271

FEB 18 2021



Proposed Point of Diversion
 Geo-Center of Groundwater Pit
 Section 13 T26S R1W
 1265' N and 1380' W of SE
 Section Corner

Legend

-  Geographic Center of Groundwater Pit
-  Proposed Place of Use (GW Pit)
- PLSS Sections

N

1:24,000

0 500 1,000 2,000

Feet

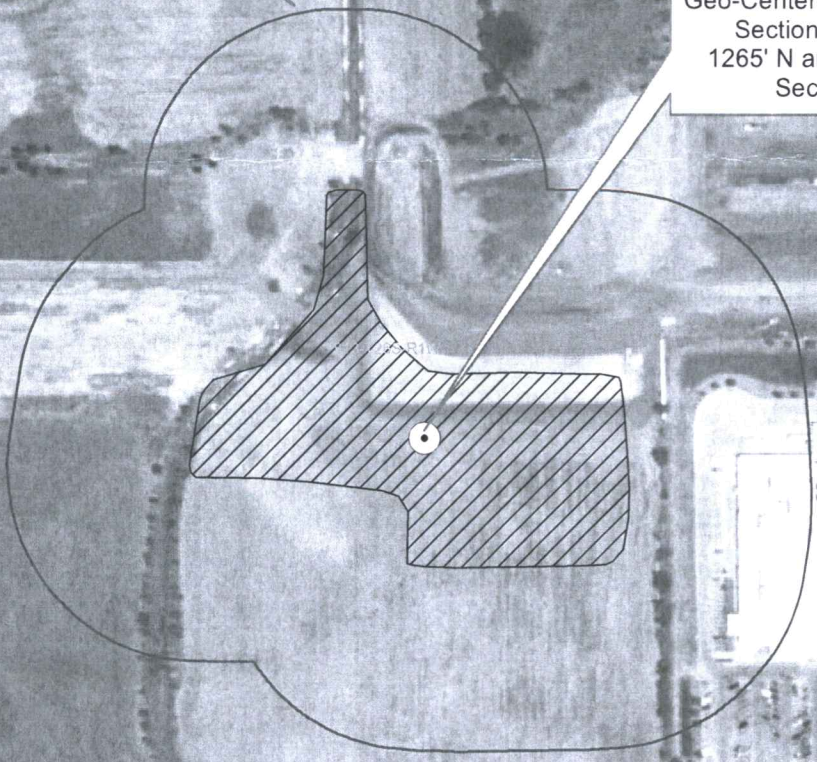
**BURNS
 McDONNELL.**

NEW APPLICATION
 FOR GROUNDWATER PIT


FEB 18 2021

NO KNOWN DOMESTIC
WELLS WITHIN 330 FEET
OF THE EDGE OF PROPOSED GW PIT

Proposed Point of Diversion
Geo-Center of Groundwater Pit
Section 13 T26S R1W
1265' N and 1380' W of SE
Section Corner



Legend

-  Geographic Center of Groundwater Pit
-  330 Pit Edge Buffer
-  Proposed Place of Use (GW Pit)
- PLSS Sections

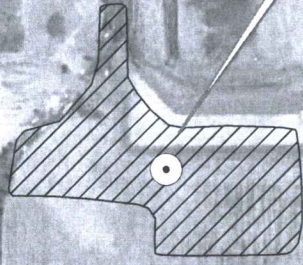


NEW APPLICATION
FOR GROUNDWATER PIT
DOMESTIC WELL SPACING
330' BUFFER MAP





FEB 18 2021

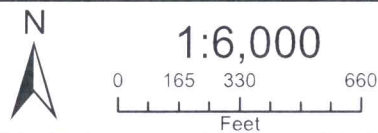
WATER RIGHT 50418
SPACING WAIVER INCLUDED
AS APPLICATION ATTACHMENT

Proposed Point of Diversion
Geo-Center of Groundwater Pit
Section 13 T26S R1W
1265' N and 1380' W of SE
Section Corner



Legend

-  Geographic Center of Groundwater Pit
-  Surrounding Water Rights
-  1320 feet Pit Edge Buffer
-  Proposed Place of Use (GW Pit)
- PLSS Sections



NEW APPLICATION
FOR GROUNDWATER PIT
NON DOMESTIC WELL SPACING
1320' BUFFER MAP

FEB 18 2021



February 11, 2021

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

Re: New Application for Appropriation of Groundwater – Northgate Housing Addition

Dear Mr. Lewis:

Enclosed you will find an application for appropriation of groundwater for recreational use. The requested appropriation of groundwater will cover the evaporative loss from a groundwater pit located in the common area of the Northgate housing development.

There are multiple potential domestic wells within one-half mile of the proposed point of diversion. Based on the potential number of domestic wells in the area, an excessive number of mail notifications would be required. We believe the most efficient means of notification to surrounding well owners may be through a public notice.

Should you have any questions regarding enclosed application please feel free to contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Clement".

Daniel Clement, P.G.
Senior Hydrogeologist
DWC/dwc

Enclosures – Application for Permit to Appropriate Water for Beneficial Use

FEB 18 2021

DATA ENTRY SYSTEM ID NUMBER SHEET

50520

FILE NUMBER _____

APPLICANT

86069

PDIV ID

BATTERY ID

PERSON ID & SEQ #

57945

LANDOWNER

70271

PUSE ID

PERSON ID & SEQ #

57945

WATER USE CORRESPONDENT

PERSON ID & SEQ #

57945

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

February 23, 2021

R & R REALTY
PO BOX 75337
WICHITA KS 67275

RE: Application, File No(s). **50520**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) for a permit to appropriate water for beneficial use. Your application(s) has been assigned the file number(s) 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(s) 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(s) is unlawful.

Additional information about the process may be found on our website at 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. *Stafford Field Office at 620-234-5311*. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kris Neuhauser
New Applications Lead
Water Appropriation Program