

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 APPROVAL TO
CHANGE THE PLACE OF USE, THE
POINT OF DIVERSION OR THE USE
MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT**



State of Kansas

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
(Check one or more) Point of Diversion
 Use Made of Water

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1219
KS DEPT OF AGRICULTURE

File No. 26130-D1

2. Name of applicant: SCOTT HOSKINSON

Address: 4060 N. REED AVE APT 617,

City, State and Zip: MAIZE KS 67101

Phone Number: (316)993-3230 E-mail address: centralsandcoinc@netzero.com

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: RED WOLF LLC

Address: 2243 N RIDGE RD SUITE 105

City, State and Zip: WICHITA, KS 67205-1054

Phone Number: (316)360-9600 E-mail address: akoster@kmec.com

3. The change(s) proposed herein are desired for the following reasons (please be specific): Dredging of sand and gravel operations is complete so industrial use is no longer needed by File No. 26130-D1. This area will shift to recreational use for the evaporation of the exposed groundwater. The point of diversion authorized under File No. 26130-D1 for irrigation use as a well will move to the proposed irrigation well under File No. 26130-D2

The change(s) (was) (will be) completed by ASAP _____ (Date)

For Office Use Only:															
F.O. Code	<u>2</u>	GMD	<u>2</u>	Meets K.A.R. 5-5-1	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Use	<u>IND</u>	Source	<input checked="" type="checkbox"/> G <input type="checkbox"/> S	County	<u>SG</u>	By	<u>ALB</u>	Date	<u>12/11/23</u>
Fee \$	<u>500</u>	TR #		Receipt Date	<u>12/11/23</u>	Check #	<u>1369</u>								

12/13/2023
KAnderson

4. The presently authorized place of use is:

Owner of Land — NAME: SCOTT HOSKINSON

ADDRESS: 4060 N. REED AVE APT 617, MAIZE KS 67101

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES		
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			
21	26	1W	38 AC SAND & GRAVEL (S2 NE NW) (SE NE NW) (S2 NW)																INDUSTRIAL USE		
21	26	1W					15.55	17.00													IRRIGATION USE 32.55

List any other water rights that cover this place of use. NONE

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				

List any other water rights that cover this place of use. _____

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(If there are more than two landowners, attach additional sheets as necessary.)

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5. It is proposed that the place of use be changed to:

Owner of Land — NAME: SCOTT HOSKINSON

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ADDRESS: 4060 N. REED AVE APT 617, MAIZE KS 67101

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES		
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			
21	26	1W	38 AC RESERVIOR (S2 NE NW) (SE NE NW) (S2 NW)																RECREATIONAL USE		
21	26	1W					15.55	17.0													32.55

List any other water rights that cover this place of use. _____

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES				
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					

List any other water rights that cover this place of use. NONE

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

6. The presently authorized point(s) of diversion are ONE WELL AND ONE GEOGRAPHIC CENTER
(Provide description and number of points)
7. The proposed point(s) of diversion are ONE WELL AND ONE GEOGRAPHIC CENTER
(Provide description and number of points)

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List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion: IRRIGATION WELL**

One in the NEAR THE CENTER Quarter of the NW Quarter of the NE Quarter of Section 21, Township 26 South, Range 1 (W), in Sedgwick (SG) County, Kansas, 3960 feet North 3921 feet West of Southeast corner of section. Authorized Rate 875 gpm rate is limited to 875 gpm with File No. 26130-D2 Authorized Quantity 42.75 AF (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

One in the NE Quarter of the SW Quarter of the NW Quarter of Section 21, Township 26 South, Range 1 (W), in Sedgwick (SG) County, Kansas, 3815 feet North 4940 feet West of Southeast corner of section. Proposed Rate 875 gpm rate is limited to 875 gpm with File No. 26130-D2 Proposed Quantity 42.75 AF

This point is: Additional Well Geo Center List other water rights that will use this point 26130-D2 IRR

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9. **Presently authorized point of diversion: GEOGRAPHIC CENTER OF GROUNDWATER PIT**

One in the NW Quarter of the SE Quarter of the NW Quarter of Section 21, Township 26 South, Range 1 (W), in Sedgwick (SG) County, Kansas, 3590 feet North 3885 feet West of Southeast corner of section. Authorized Rate NE Authorized Quantity 20.636 MGY (63.33 AF) (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____

This point is: Additional Well Geo Center List other water rights that will use this point NONE

10. **Presently authorized point of diversion:**

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____ (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____

This point is: Additional Well Geo Center List other water rights that will use this point _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. IRRIGATION WELL PLUGGED.

12. The presently authorized use of water is for IRRIGATION AND INDUSTRIAL purposes.
It is proposed that the use be changed to IRRIGATION AND RECREATIONAL purposes.
13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
NO PHYSICAL ENLARGEMENT OF THE GROUNDWATER EXPOSURE THE SURFACE ACRES WILL REMAIN AT 38 ACRES FOR THE RECREATIONAL USE AT THE RESERVIOR. A STIPULATION FOR DISCONTINUED PIT OR QUARRY FORM HAS BEEN COMPLETED AND SUBMITTED WITH THIS APPLICATION FOR CHANGE. THE IRRIGATION USE IS NOT CHANGING THE PLACE OF USE BUT WILL MAINTAIN THE POINT OF DIVERSION OVERLAP AND LIMITATION ON THE RATE WITH FILE NO. 26130-D2.

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(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to NO CHANGE (acre-feet or million gallons).
15. It is requested that the maximum rate of diversion of water be reduced to NO CHANGE gallons per minute (c.f.s.).
16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.
- a. If a change in the location of the point(s) of diversion is proposed, show:
- 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.
17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

THE KNOWN WATER TABLE IN THIS AREA IS SUFFICIENT AND PROXIMITY OF THE IRRIGATION WELL TO THE GROUNDWATER EXPOSURE ARE UNDER COMMON OWNERSHIP.

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

A WAIVER OF WELL TO WELL SPACING TO A NEARBY IRRIGATION WELL UNDER DIFFERENT OWNERSHIP IS REQUESTED DUE IN PART TO THE WATER TABLE AND HISTORICALLY THE OWNER OF THE NEARBY IRRIGATION WELL UNDER FILE NO. 49337 HAS CONSENTED TO REDUCED SPACING OF THE GROUNDWATER PIT.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Wichita, Kansas, this 7th day of December, 2023.

Scott Hostkinson
(Owner)
(Please Print)

(Spouse)
(Please Print)

(Owner)
(Please Print)

(Spouse)
(Please Print)

(Owner)
(Please Print)

(Spouse)
(Please Print)

State of Kansas }
County of Sedgwick } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 7th day of December, 2023.

Karen S. Mann
Notary Public

My Commission Expires 02/20/2025

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

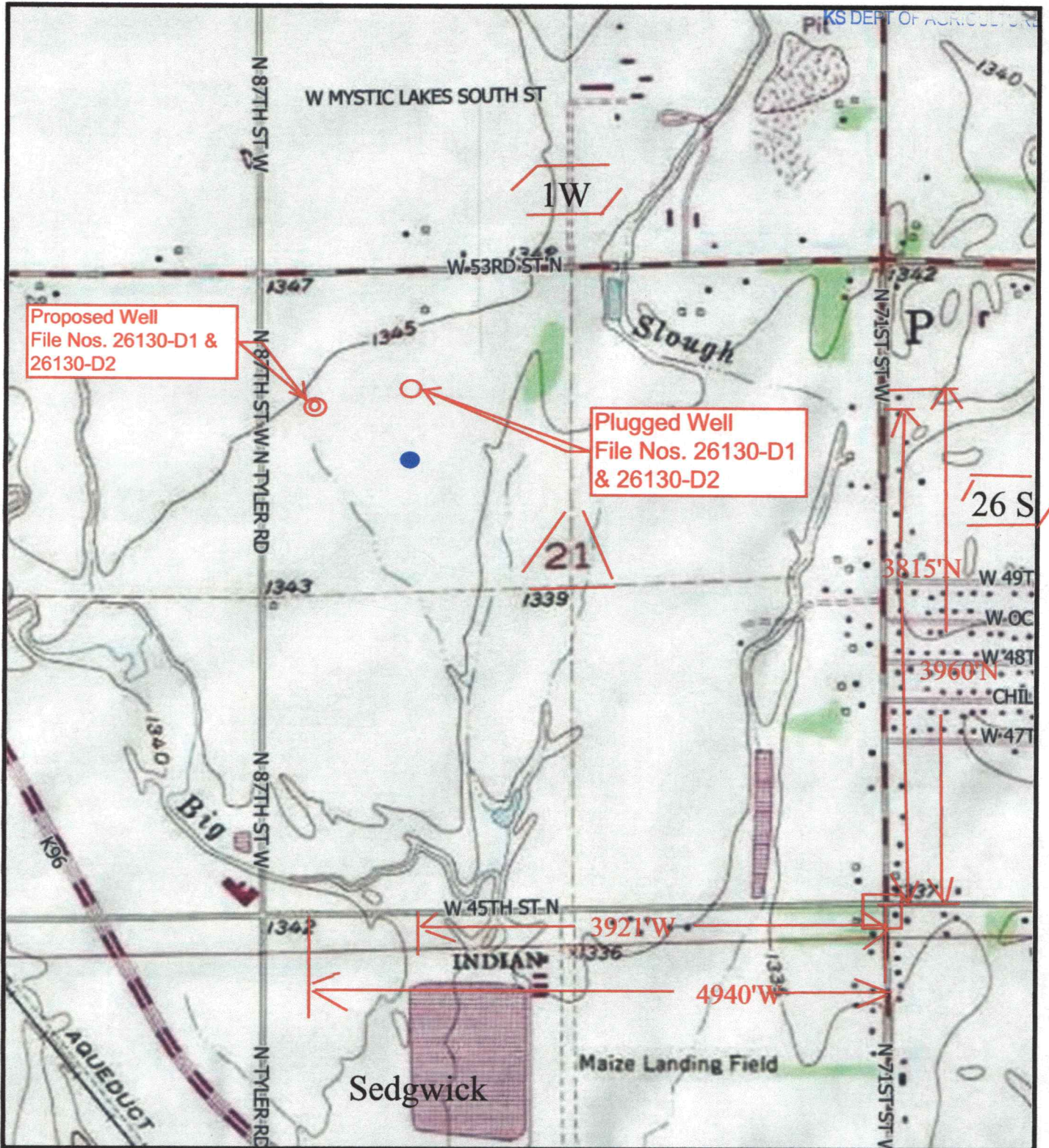
Make check payable to **Kansas Department of Agriculture.**

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Water Right, File No. 26,130-D1 Proposed Change in Point of Diversion



General Well Type



Legend

- Authorized & Proposed Geographic Center Groundwater pit <https://maps.kgs.ku.edu/wwc5>
 - Authorized Irrigation Well
 - ⊙ Proposed Irrigation Well
 - Southeast Corner of Section
- Signature: *[Handwritten Signature]*
 Date: Dec 7th 2023
- See File No. 26130-D2 for nearby well owners.

11/16/2023



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KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

STIPULATION FOR DISCONTINUED PIT OR QUARRY

This stipulation is filed to provide information regarding annual evaporative loss from the aquifer and to free the owner from having to file annual water use reports otherwise required as a condition of the approval of the permit. This stipulation is only available when the authorized pit or quarry is no longer used for industrial purposes.

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502-5000

Water Right, File No. 26130-D1

I, Scott Hoskinson, owner of a sand/gravel pit which is located in the (S2 NE NW) (SE NE NW) (S2 NW) of Section 21, Township 26 South, Range 1 E W, Sedgwick County, Kansas, hereby stipulate as follows:

- 1. That the pit/quarry is no longer being mined, dredged or otherwise enlarged as of August 1, 2022
2. That the surface area of the water in the pit/quarry is 38.0 acres.
3. That based on the average annual evaporation and precipitation in this area, the net average annual evaporation from the pit is 1.666 acre-feet per acre.
4. That the total average annual evaporation from the pit is 63.33 acre-feet.
5. That based on the above information, I agree that the annual water use from this pit or quarry will be 63.33 acre-feet per calendar year.
6. This stipulation shall remain in effect until it is rescinded.
7. Either party may rescind this stipulation in writing between March 1 and December 31 of any calendar year.

I declare that I am an owner of the water right, or that I represent such owners and am authorized to enter this agreement on their behalf and declare further that the statements contained herein are true, correct, and complete.

Signature: [Handwritten Signature] Date: Dec 7th 2023

State of Kansas)
County of Sedgwick) SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 7th day of December, 2023.

[Handwritten Signature: Karen S. Mann]
Notary Public

My Commission Expires: 02/20/2025



DEC 11 2023

Equus Beds Groundwater Management District No. 2 Abandoned Well Plugging Agreement

DEPARTMENT OF AGRICULTURE

I, Scott Hoskinson, the undersigned and owner of an abandoned water well understand that an abandoned water well is a groundwater contamination threat and a public health and safety hazard.

The abandoned water well is located NC NW, Section 21, Township 26 South, Range 1 West, Sedgwick County which is approximately 3960 feet north and 3931 feet west of the apparent Southeast section corner. Total well depth is 40.0 feet and the diameter of the well is 10 inches. Current depth to static water level in the well is 7.0 feet below land surface. The well was previously authorized by water permit nos. 26,130-D1 & 26,130-D2.

I ^{have plugged} agree to ~~properly plug~~ the abandoned well pursuant to the Equus Beds Groundwater Management District rules and regulations K.A.R. 28-30-200 through K.A.R. 28-30-207 and the following agreement provisions:

1. Well plugging operations will be supervised by either (a) ~~a water well contractor licensed with the Kansas Department of Health and Environment~~, (b) ~~a profession engineer or geologist licensed to practice in the State of Kansas~~, or (c) the abandoned water well owner or land owner of the property on which the water well or borehole is located.
2. The above described well ~~will be~~ ^{was} plugged: a) by Scott Hoskinson, August 1, 2022, ~~or b) within 30 days after the replacement well, approved by a change in point of diversion, becomes operational.~~
3. A completed WWC-5P form will be submitted to the Kansas Department of Health and Environment ~~within 30 days after the abandoned well is plugged and a copy of the WWC-5P form will be furnished to the District within the same period of time.~~
4. ~~The well owner or authorized agent will notify the District 48 hours before plugging operations occur.~~
Attempts to ~~plug~~ ^{have been made in order to comply with}
5. ~~Failure to comply with the provisions of this agreement shall constitute noncompliance of the groundwater management district rules and regulations K.A.R. 28-30-200 through K.A.R. 28-30-207.~~

Dated this 7th day of December, 2023 at N.50 Avx

Signature [Signature]

Address 4060 Reed Ave 617

City, State, Zip Code Wichita, Mo 67101

Telephone 316 9833230

State of Kansas County of Sedgwick

Subscribed and affirmed to before me this 7th day of December, 2023

by Karen S. Mann
(Notary Public)

My Commission Expires 02/20/2025

