

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.

RECEIVED

NOV 26 2019



Water Resources
Received

DEC 02 2019

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

APPLICATION FOR
BASIN TERM PERMIT
FOR USE OF SURFACE WATER TO
DRILL OIL AND/OR GAS WELLS
AND CONSTRUCTION

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

20195001

1. Applicant's Name HURRICANE SERVICES, INC Address 3613 A Y RD, PO BOX 265 KS Dept Of Agriculture
City MADISON State & Zip Code KS, 66860 Telephone No. (620) 437-2661

E-mail Address chris.mcgowan@hurricanesi.com

- 2. Proposed maximum pumping rate 1,000 (gpm) and annual quantity 32.585 Million gallons (100 AF)
- 3. The applicant requests the use of surface water for drilling oil and gas wells or construction.
- 4. Period of use: Beginning date 10/30/2019 Ending date 10/29/2020 (not to exceed 365 days)
- 5. On the reverse side of this application is a map of the major drainage basins in Kansas. The crosshatched area (maximum of one basin or portion thereof) is requested to be authorized as the place of use and points of diversion.
- 6. The applicant agrees that this term permit to use water will be dismissed and terminated on the ending date set forth in item four (4) above and waives any right to a hearing on this matter.
- 7. The applicant states that the above information is true and accurate to the best of his/her knowledge.

Signature of Applicant Chris McGowan or By: Chris McGowan Authorized Representative 11-20-19 Date
CHRIS MCGOWAN, OP MGR Applicant's Name (PRINTED) Operations MGR Title

DO NOT WRITE BELOW DOUBLE LINE

Conditions of Approval:

- 1. That use of water herein authorized shall not impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.
- 2. That the water user diverting water under the authority of this permit shall not: 1) stop the flow of the stream at or below the point at which the water is diverted; or 2) pump at a rate in excess of the natural flow of the stream at the time the pumping occurs. That the stream flow shall not be stopped at the first riffle below the point of diversion while pumping under the authority of this permit.
- 3. That this permit does not give any right-of-way, or authorize any injury to, or trespass upon, public or private property.
- 4. That if used for oil or gas wells on or before the date drilling commences on each oil or gas well, or water is diverted for such purposes, the permittee shall mail a report to the Division of Water Resources (DWR), indicating the location of the actual point of diversion by legal description, the Kansas Corporation Commission "intent to drill" number for that oil or gas well, the DWR term permit number, the estimated quantity of water to be used for drilling the oil or gas well, and the estimated dates the diversion will begin and end for that particular well.
- 5. That the applicant shall maintain records from which the total quantity of water actually diverted during the term of the permit may readily be determined. Such information shall be furnished to the Chief Engineer on or before March 1 of the calendar year following the water use.
- 6. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in revocation of this permit.
- 7. 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 limitations set forth in this approval and permit to proceed as may be deemed to be in the public interest.

For Office Use Only:
 F.O. 1 GMD - Meets K.A.R. 5-3-1 (YES/NO) Use IND Source G/S County FR By KJN Date 12/2/19
 Code TRP Fee \$ 200 TR # 20006493 Receipt Date 12/2/19 Check # 023129

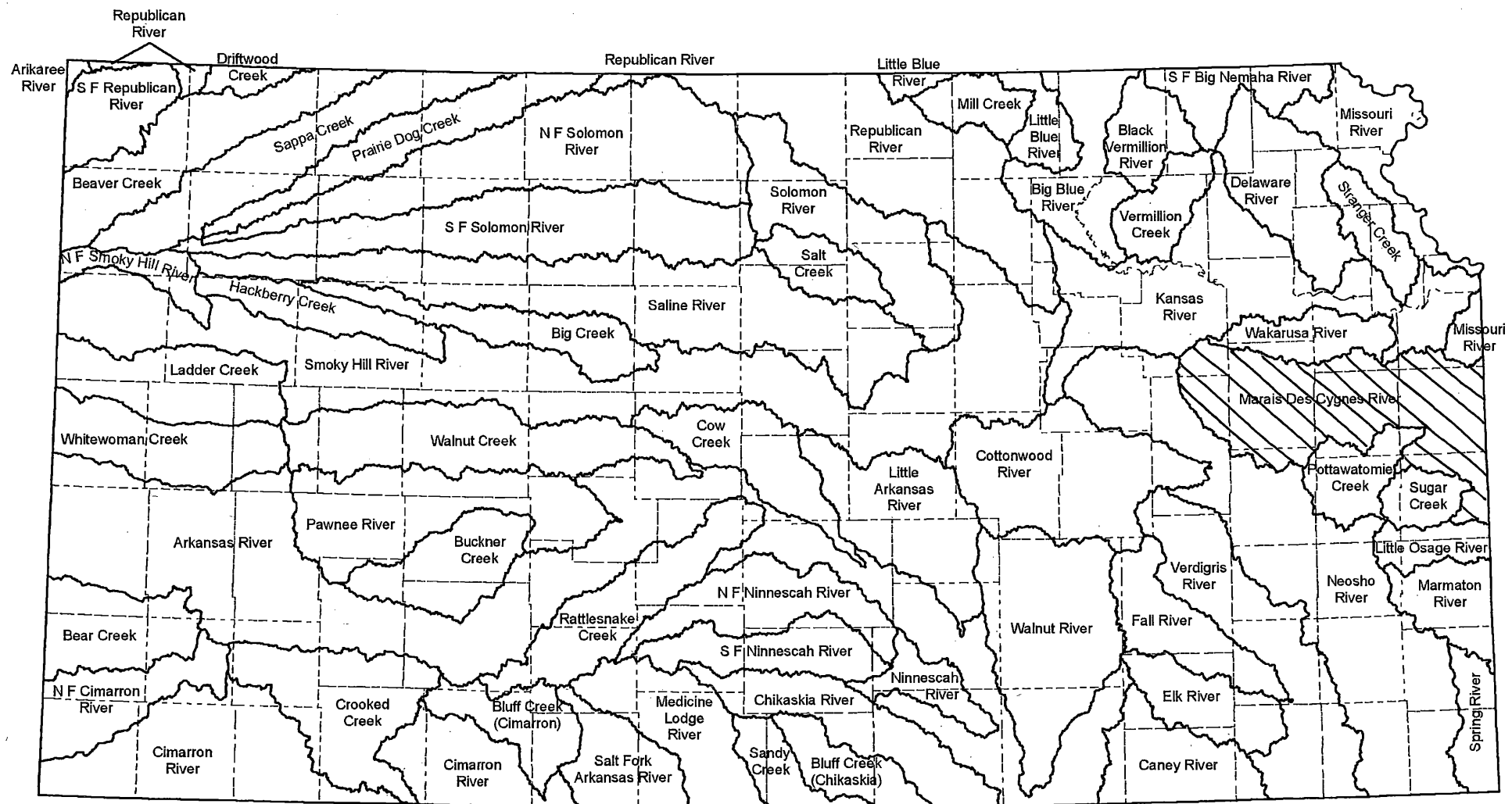
12/5/2019
LMoody

*KJN/DWR
12/2/19

APPLICATION FOR BASIN TERM PERMIT

File No. 20195001

(To be completed by Division of Water Resources)



June 11, 2008

Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, KS 66619



Phone: 785-296-5733
Fax: 785-296-8298
www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

October 24, 2019

HURRICANE SERVICES INC
3613 A Y RD
PO BOX 265
MADISON KS 66860

Re: Possible Illegal Diversion of Water

Dear Sir or Madam:

The Department of Agriculture Division of Water Resources has become aware that you may be diverting surface water, or threatening to divert surface water for industrial use, by means of a pump site located as follows: In the Northeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 20, Township 16 South, Range 21 East, Franklin County, Kansas.

There is nothing in the office of the Chief Engineer to show that this is covered by any vested right or approved application for permit to appropriate water for beneficial use, which may be required under the Kansas Water Appropriation Act. K.S.A. 82a-728 (copy enclosed) makes it unlawful for any person to appropriate, or threaten to appropriate, water from any source without first applying for and obtaining a permit to appropriate water in accordance with the Kansas Water Appropriation Act and provides for criminal penalties for violation.

You must submit the properly completed application, accompanied by the appropriate filing fee as set forth by statute, to the office of the Chief Engineer, Division for Water Resources (DWR), Kansas Department of Agriculture, by **November 24, 2019**, in order to bring your diversion of water into compliance with the Kansas Water Appropriation Act.

I have enclosed a Basin Term Permit Application which will allow you to pump water from any stream within the Marais des Cygnes drainage basin, as shown on the attached map. The filing fee is \$200.

You will find information about the application process at:

<http://agriculture.ks.gov/dvr>; and the required application forms are located at:

<http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-appropriation-forms>

Please notify me immediately if you are not the owner of this project. You may contact me to discuss this matter before the **November 24, 2019** deadline at (785) 296-3495, or if you need any assistance in completing the application forms.

Sincerely,

A handwritten signature in cursive script that reads "Douglas W. Schemm".

Douglas Schemm
Environmental Scientist
Topeka Field Office

Enclosures

DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 20195001

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
<u>58869</u>	<u>83369</u>	

LANDOWNER PERSON ID & SEQ #	PUSE ID
<u>58869</u>	<u>69687</u>

WATER USE CORRESPONDENT PERSON ID & SEQ #
<u>58869</u>

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 22, 2020

HURRICANE SERVICES INC
3613 A Y RD
PO BOX 265
MADISON KS 66860

RE: Application, File No. **20195001**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application for a basin term permit for use of surface water to drill oil and/or gas wells and construction. 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. 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