

Kansas Department of Agriculture  
Division of Water Resources  
**CLOSURE OF NEW APPLICATION WORKSHEET**

1. File Number: <b>49,005</b>	2. Status Change Date: <i>10/25/2016</i>	3. Field Office: <b>02</b>	4. GMD: <b>02</b>
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5. Status:     Approved         Denied by DWR/GMD         Dismiss by Request/Failure to Return

6. Enclosures:     Check Valve     N of C Form     Water Tube     Driller Copy     Meter

7a. Applicant(s)  
New to system         Person ID **63695**  
Add Seq# 1

**WEY OUT INC**  
**1ST NATL BANK**  
**P O BOX 913**  
**HUTCHINSON KS 67504**

7c. Landowner(s)  
New to system         Person ID \_\_\_\_\_  
Add Seq# \_\_\_\_\_

7d. Misc.  
New to system         Person ID \_\_\_\_\_  
Add Seq# \_\_\_\_\_

7b. Landowner(s)  
New to system         Person ID \_\_\_\_\_  
Add Seq# \_\_\_\_\_

**ELAINE A YOUNG**  
**1ST NATL BANK**  
**P O BOX 913**  
**HUTCHINSON KS 67504**

8. WUR Correspondent  
New to system         Person ID \_\_\_\_\_  
Overlap File (s) WUC        Add Seq# \_\_\_\_\_  
Agree  Yes  No        Notarized WUC Form

**7a**

9. Use of Water:    Changing?     Yes     No  
 Groundwater     Surface Water  
 IRR                 REC                 DEW                 MUN  
 STK                 SED                 DOM                 CON  
 HYD DRG     WTR PWR     ART RECHRG  
 IND SIC: \_\_\_\_\_     OTHER: \_\_\_\_\_

10. Completion Date: \_\_\_\_\_        11. Perfection Date: \_\_\_\_\_        12. Exp Date: \_\_\_\_\_

13. Conservation Plan Required?  Yes  No    Date Required: \_\_\_\_\_    Date Approved: \_\_\_\_\_    Date to Comply: \_\_\_\_\_

14. Water Level Measuring Device?  Yes  No    Date to Comply: \_\_\_\_\_    Date WLMD Installed: \_\_\_\_\_

Date Prepared: **10/20/16**    By: **AJW**  
Date Entered: *10/26/2016*    By: *LCM*

File No. **49,005**      15. Formation Code:      Drainage Basin:      County:      Special Use:      Stream:

16. Points of Diversion  
 T  
 MOD  
 DEL      PDIV  
 ENT      Qualifier      S      T      R      ID      'N      'W

17. Rate and Quantity  
 Authorized      Additional  
 Rate      Quantity      Rate      Quantity  
 gpm/cfs      af/mgy      gpm/cfs      af/mgy      Overlap PD Files

**DEL 82846**

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?  Yes  No      To be installed by \_\_\_\_\_      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use T MOD DEL ENT      PUSE      S      T      R      ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
	NE ¼	NW ¼	SW ¼	SE ¼	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>DEL 65711</b>																				

Comments:

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

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

**TO:** Files

**DATE:**

October 20, 2016

**FROM:** Alex Whitesell

**RE:**

Application, File No. 49,005

Wey Out Inc. filed the above referenced file on March 14, 2014. The original application was returned to the applicant on September 13, 2016. The applicant was given the final deadline of October 13, 2016 to submit the information or request an extension of time. No correspondence was received from the applicant by the October 13, 2016 deadline. Therefore, the file should be dismissed.



Alex Whitesell  
Environmental Scientist  
Division of Water Resources

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

October 26, 2016

WEY OUT INC  
KENT MCKINNIS  
PO BOX 913  
HUTCHINSON KS 67504

**FILE COPY**

RE: Dismissal of Application  
File No. 49,005

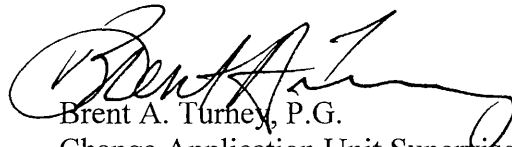
Dear Mr. McKinnis;

The referenced application was returned to you for additional information on September 13, 2016. Enclosed is a Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 49,005, for failure to return the original application and provide the required information, prior to the final deadline of October 13, 2016.

This is a final agency action. If you choose to appeal this decision or any finding or part thereof, you must do so by filing a petition for review in the manner set forth in the enclosed order.

If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,



Brent A. Turney, P.G.  
Change Application Unit Supervisor  
Water Appropriation Program

Enclosures

pc: Stafford Field Office





KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

**FINDINGS AND ORDER  
IN THE MATTER OF THE  
DISMISSAL OF APPLICATION  
FILE NO. 49,005**

After due consideration, the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (hereinafter referred to as the "Chief Engineer"), makes the following findings and order:

**FINDINGS**

1. That on March 14, 2014, the Chief Engineer received an application from Wey Out Inc., for permit to appropriate ground water for beneficial use, assigned File No. 49,005, proposing the appropriation of 182 acre-feet of water, at a maximum requested diversion rate of 800 gallons per minute, for irrigation use. The specific location for the proposed point of diversion would be the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 13, more particularly described as being near a point 300 feet North and 3,550 feet West of the Southeast corner of said section, in Township 24 South, Range 6 West, Reno County, Kansas.
2. That in accordance with K.S.A. 82a-710 and K.A.R. 5-3-1b, the application was returned to the applicant on September 13, 2016, with a letter requesting additional information, including a stratigraphic log of a well or test hole within 300 feet of the proposed point of diversion, in order to complete the application.
3. That on September 13, 2016, the applicant was provided a final deadline of October 13, 2016, in which to return the application with the required information and notified that the application would be dismissed if it was not returned within the time allowed or within any authorized extension of time thereof.
4. That no further correspondence was received from the applicant by the deadline of October 13, 2016.
5. That as required by K.S.A. 82a-710, the application, described in Paragraph No. 1, shall be denied and dismissed for failure to return the application with the requested information.

**ORDER**

NOW, THEREFORE, It is the decision and order of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, that effective the date of this order, in accordance with the law, Application, File No. 49,005, is herewith dismissed and the priority assigned to it is considered to be forfeited.

This is a final agency action. If you choose to appeal this decision or any finding or part thereof, you must do so by filing a petition for review in the manner prescribed by the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions (KJRA K.S.A. 77-601 et seq.) within 30 days of service of this order. Your appeal must be made with the appropriate district court for the district of Kansas.

The Chief Legal Counsel for the Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502 the agency officer who will receive service of a petition for judicial review on behalf of the Kansas Department of Agriculture, Division of Water Resources. If you have questions or would like clarification concerning this order, you may contact the Chief Engineer.

Ordered this 25<sup>th</sup> day of October, 2016, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

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

State of Kansas                    )  
                                                  ) SS  
County of Riley                    )

The foregoing instrument was acknowledged before me this 25 day of October, 2015, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

Notary Public

**CERTIFICATE OF SERVICE**

On this 26 day of October, 2016, I hereby certify that the foregoing Dismissal of Application, File No. 49,005, dated October 25, 2016 was mailed postage prepaid, first class, US mail to the following:

WEY OUT INC  
KENT MCKINNIS  
PO BOX 913  
HUTCHINSON KS 67504

With photocopies to:

Stafford Field Office

Danielle Wilson

Division of Water Resources

FILE COPY

THE STATE OF KANSAS



WATER RESOURCES RECEIVED

FEB 05 2015

KS DEPT OF AGRICULTURE

KANSAS DEPARTMENT OF AGRICULTURE  
Dale A. Rodman, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 49005  
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

**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.)

MAR 14 2014  
1:35 pm  
KS DEPT OF AGRICULTURE

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,  
109 SW 9<sup>th</sup> Street, Second Floor, Topeka, KS 66612-1283:

1. Name of Applicant (Please Print): Wey Out Inc., c/o Kent McKinnis, 1<sup>st</sup> National Bank of Hutchinson  
Address: PO Box 913  
City: Hutchinson State KS Zip Code 67504  
Telephone Number: (620) ~~694-2251~~ <sup>2347</sup>; Cell: 620-899-0025

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Arkansas River Basin - Equus Beds Aquifer (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 182 acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of 800 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. 2 GMD 2 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G/S County RN By RAR Date 3-14-14  
Code \_\_\_\_\_ REG 62 Fee \$ 300 TR # \_\_\_\_\_ Receipt Date 3-14-14 Check # 119767

3/19/2014 LLM

SCANNED

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 SW quarter of the SE quarter of the SW quarter of Section 13, more particularly described as being near a point 300 feet North and 3550 feet West of the Southeast corner of said section, in Township 24 South, Range 6 West, Reno 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):

Elaine A. Young & Wey Out Inc, c/o 1st Natl Bank, PO Box 913, Hutchinson, KS 67504. 620-694-2261  
(name, address and telephone number)

\_\_\_\_\_  
(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 March 10, 2014. Wey Out Inc  
Applicant's Signature

7. The proposed project for diversion of water will consist of One well  
(number of wells, pumps or dams, etc.)

and will be completed (by) 5/1/2015  
(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 6/1/2015  
(Mo/Day/Year)

MAR 14 2014

File No. 49005

KS DEPT OF AGRICULTURE

9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?

Yes  No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources?  Yes  No

• If yes, show the Water Structures permit number here NA

• If no, explain here why a Water Structures permit is not required NA

11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

None  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FEB 05 2015

SCANNED

13. *Request 60 days to conduct test drilling & submit the log*  
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

Agent - Farm Manager  
(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):

Elaine A. Young & Wey Out Inc, c/o 1<sup>st</sup> Natl Bank, PO Box 913, Hutchinson, KS 67504. 620-694-2261  
(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 Halsstead, Kansas, this 10 day of March, 2014.  
(month) (year)

Wey-out, Inc  
(Applicant Signature)

\_\_\_\_\_  
APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By [Signature]  
(Agent or Officer Signature)

\_\_\_\_\_  
and/or  
APPLICANT(S) TAXPAYER I.D. NO.(S)

Kent M-Kinnis - Agent  
(Agent or Officer - Please Print)

Assisted by T. Boese

GMD2/Manager  
(office/title)

Date: March 10, 2014

MAR 14 2014

**IRRIGATION USE  
SUPPLEMENTAL SHEET**

File No. 49005

Name of Applicant (Please Print): Wey Out Inc., c/o Kent McKinnis

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

**Landowner of Record** NAME: Elaine A. Young & Wey Out Inc, c/o 1st Natl Bank

ADDRESS: PO Box 913, Hutchinson, KS 67504. 620-694-2261

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
13	24S	6W																		130

**Landowner of Record** NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

**Landowner of Record** NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
<u>Funmar-Taver Loam</u>	<u>37</u>	<u>0.06-0.20</u>	<u>1</u>
<u>Saltcreek &amp; Naron</u>	<u>53</u>	<u>0.60-2.00</u>	<u>7</u>
<u>Taver Loam, 0-1%</u>	<u>10</u>	<u>0.60-2.00</u>	<u>1</u>
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): Less than 1 %

Estimate the maximum land slope in the field(s): 1 %

c. Type of irrigation system you propose to use (check one):

- Center pivot      \_\_\_\_\_ Center pivot - LEPA      \_\_\_\_\_ "Big gun" sprinkler  
 \_\_\_\_\_ Gravity system (furrows)      \_\_\_\_\_ Gravity system (borders)      \_\_\_\_\_ Sideroll sprinkler  
 Other, please describe: Center pivot

d. System design features:

i. Describe how you will control tailwater: Will schedule and apply irrigation to eliminate run-off

ii. For sprinkler systems:

- (1) Estimate the operating pressure at the distribution system: \_\_\_\_\_ psi  
 (2) What is the sprinkler package design rate? \_\_\_\_\_ gpm  
 (3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? \_\_\_\_\_ feet  
 (4) Please include a copy of the sprinkler package design information.

*Not available at this time*

e. Crop(s) you intend to irrigate. Please note any planned crop rotations: Corn, Soybeans, Milo, Wheat

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation). Will contract with crop consultant

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



3-10-14

(Date)

Kansas Department of Agriculture  
Division of Water Resources  
David W. Barfield, Chief Engineer  
109 SW 9<sup>th</sup> Street, 2nd Floor  
Topeka, Kansas 66612-1283

Re: Application  
File No. 49,005

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Kent McKinnis P.O.A.

Signature of Applicant

Kent McKinnis  
Farm Manager

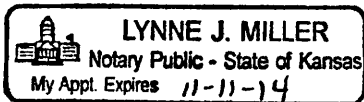
First National Bank of Hutchinson  
(Print Applicant's Name)

State of Kansas )  
County of Reno ) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 10 day of March, 2014.

Lynne J. Miller  
Notary Public

My Commission Expires: Nov 11, 2014



WATER RESOURCES  
RECEIVED

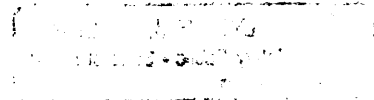
FEB 05 2015

**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN  
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT  
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River  
Big Blue River  
Chapman Creek  
Chikaskia River  
Cottonwood River  
Delaware River  
Little Arkansas River  
Little Blue River  
Marais des Cygnes River  
Medicine Lodge River  
Mill Creek (Wabaunsee Co. area)  
Neosho River

Ninnescah River  
North Fork Ninnescah River  
Rattlesnake Creek  
Republican River  
Saline River  
Smoky Hill River  
Solomon River  
South Fork Ninnescah  
Spring River  
Walnut River  
Whitewater River



Kansas Department of Agriculture  
Division of Water Resources  
David W. Barfield, Chief Engineer  
109 SW 9<sup>th</sup> Street, 2nd Floor  
Topeka, Kansas 66612-1283

(Date)

WATER RESOURCES  
RECEIVED

MAR 14 2014

KS DEPT OF AGRICULTURE

Re: Application File No. 49005

Minimum Desirable Streamflow

Dear Sir:

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Kent McKinnis P.O.A.  
Signature of Applicant

Kent McKinnis  
Farm Manager

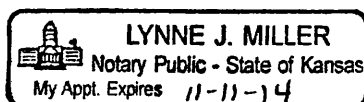
First National Bank of Hutchinson  
(Print Applicant's Name)

State of Kansas )  
County of Reno ) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 10 day of March, 2014.

Lynne J. Miller  
Notary Public

My Commission Expires: Nov 11, 2014



**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN  
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT  
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River  
Big Blue River  
Chapman Creek  
Chikaskia River  
Cottonwood River  
Delaware River  
Little Arkansas River  
Little Blue River  
Marais des Cygnes River  
Medicine Lodge River  
Mill Creek (Wabaunsee Co. area)  
Neosho River

Ninnescah River  
North Fork Ninnescah River  
Rattlesnake Creek  
Republican River  
Saline River  
Smoky Hill River  
Solomon River  
South Fork Ninnescah  
Spring River  
Walnut River  
Whitewater River

MAR 14 2014

**FEE SCHEDULE**

KS DEPT OF AGRICULTURE

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-foot 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-foot 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

MAR 14 2014

# Application Map - File No. 49005



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

*W. Miller*  
Signature

March 10, 2014  
Date

- New Application**
- Application No. \_\_\_\_\_ To Change:**

- Point of Diversion
- Place of Use
- Use Made of Water
- Proposed Point of Diversion
- Existing Points of Diversion
- Proposed Place of Use
- Authorized Place of Use

Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address)

- 1) *See Attached*
- 2) WATER RESOURCES RECEIVED
- 3) FEB 05 2015

KS DEPT OF AGRICULTURE

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MAR 14 2014

KS DEPT OF AGRICULTURE

Wells Within ½ Mile

- ✓ 1. Domestic Well  
Danny & Linda Chambers  
8105 S. K14 HWY, Hutchinson, KS 67501
- ✓ 2. Domestic Well  
Gary & Kay Bontrager Trust  
8101 S. K14 HWY, Hutchinson, KS 67501
- ✓ 3. Domestic Well  
Edwin & Debra Soper  
8005 S. K14 HWY, Hutchinson, KS 67501
- ✓ 4. Domestic Well  
Nathan & Mary Frances Hostetler  
7917 S. K14 HWY, Hutchinson, KS 67501
- ✓ 5. Domestic Well  
Penny Keen & Terry Barker  
7905 S. K14 HWY, Hutchinson, KS 67501
- ✓ 6. Domestic Well  
Bobby & Mary Jo Perser Rev. Trust  
7816 S. K14 HWY, Hutchinson, KS 67501
- ✓ 7. Domestic Well  
Rafael & Juana Gomez  
109 W. Longview Road, Hutchinson, KS 67501
- ✓ 8. Domestic Well  
Matthew & Joey Tatro  
101 W. Longview Road, Hutchinson, KS 67501
- ✓ 9. Domestic Well  
Kenneth & Karen Tatro  
8803 S. K14 HWY, Hutchinson, KS 67501
- ✓ 10. Domestic Well  
Sunny McElheny  
8811 S. K14 HWY, Hutchinson, KS 67501
- ✓ 11. Domestic Well  
Larry Sangals & Mary Craig  
5 E. Longview Road, Hutchinson, KS 67501

SCANNED

Wells Within ½ Mile (Continued)

- ✓ 12. Domestic Well  
Glenn O'Neal  
11 E. Longview Road, Hutchinson, KS 67501
- ✓ 13. Domestic Well  
Jonathon & Jenilee O'Neal  
19 E. Longview Road, Hutchinson, KS 67501
- ✓ 14. Domestic Well  
Floyd & Carolyn King  
101 E. Longview Road, Hutchinson, KS 67501
- ✓ 15. Domestic Well  
James & Rebecca Bemis  
8602 S. K14 HWY, Hutchinson, KS 67501
- ✓ 16. Domestic Well  
Dwane Snyder  
8620 S. K14 HWY, Hutchinson, KS 67501
- ✓ 17. Domestic Well  
Prairie Chapel Mennonite Church Board of Trustees  
c/o Lelan Beachy  
9215 S. Whiteside Road, Hutchinson, KS 67501
- ✓ 18. Domestic Well  
Marcus Wagler  
8806 S. K14 HWY, Hutchinson, KS 67501
- ✓ 19. Domestic Well  
Susan Kay Gaston Deines  
8816 S. K14 HWY, Hutchinson, KS 67501
- ✓ 20. Domestic Well  
David & Bette Hoskinson  
8912 S. K14 HWY, Hutchinson, KS 67501
  
- 21, 22. Domestic Well  
Linwood & Alberta Marie Stevens  
315 E. Longview Road, Hutchinson, KS 67501

WATER RESOURCES  
RECEIVED

MAR 14 2014

KS DEPT OF AGRICULTURE

SCANNED





1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700

900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 13, 2016

WEY OUT INC  
KENT MCKINNIS  
PO BOX 913  
HUTCHINSON KS 67504

**FILE COPY**

RE: Application  
File No 49,005

Dear Mr. McKinnis:

After reviewing your above referenced application for permit to appropriate water for beneficial use, it is being returned to you for additional information.

Paragraph No. 13 of the application requests well information so the source of supply of the proposed well(s) may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of a well or test hole within 300 feet of the proposed point of diversion. If such information is not available, provide information as to when it will be available.

In order to retain its priority of filing, the original application and attachments must be returned to this office with the requested information on or before **October 13, 2016**, or within any authorized extension of time thereof. According to law, default in refiling of the completed application and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriations Program

Enclosure(s)

SCANNED

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 7, 2016

**FILE COPY**

DANNY SR & LINDA CHAMBERS  
8105 S K14 HWY  
HUTCHINSON KS 67501

Re: Pending Application  
File No. 49,005

Dear Mr. and Mrs. Chambers:

This will acknowledge receipt of your letter dated September 6, 2016, in which you expressed comments concerning the proposed appropriation of groundwater by Wey Out Inc. under the above referenced application.

Your comments have been considered, and approval of the application, if granted, will authorize diversion of water only when it does not impair existing rights. Should the diversion of water under this application substantially impair your earlier rights, you should notify the field office in your area. The field office in your area is:

Kansas Department of Agriculture  
Division of Water Resources - Stafford Field Office  
300 S. Main Street  
Stafford, KS 67578

If an applicant without cause fails to comply with the provisions of the permit and its terms, conditions and limitations, it could result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

If you have any questions, please contact me at 785-564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

Pc: Stafford Field Office  
GMD 2

**SCANNED**



1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700

900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 7, 2016

FLOYD AND CAROLYN KING  
101 E LONGVIEW RD  
HUTCHINSON KS 67501

**FILE COPY**

Re: Pending Application  
File No. 49,005

Dear Mr. and Mrs. Chambers:

This will acknowledge receipt of your letter dated September 6, 2016, in which you expressed comments concerning the proposed appropriation of groundwater by Wey Out Inc. under the above referenced application.

Your comments have been considered, and approval of the application, if granted, will authorize diversion of water only when it does not impair existing rights. Should the diversion of water under this application substantially impair your earlier rights, you should notify the field office in your area. The field office in your area is:

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If you have any questions, please contact me at 785-564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

Pc: Stafford Field Office  
GMD 2

**SCANNED**

**DANNY SR. & LINDA CHAMBERS**

**8105 S. K-14 HWY.  
HUTCHINSON KS 67501  
PHONE (620) 899-3893**

**AUGUST 31, 2016**

**STAFFORD FIELD OFFICE  
GROUNDWATER MANAGEMENT  
DISTRICT No. 2  
STREET ADDRESS  
P.O. Box F/S. MAIN STREET  
STAFFORD KANSAS 67578-1521**

**WATER RESOURCES  
RECEIVED**

**SEP 12 2016**

**KS DEPT OF AGRICULTURE**

**APPLICATION  
FILE No. 49,005**

**DEAR FRIEND,  
I'M WRITING THIS LETTER IN REGARDS TO APPLICATION FILE NO.  
49,005. IN THE RENO COUNTY PLAT AND DIRECTORY WE ARE IN  
SECTION 14. THE IRRIGATION WELL WILL BE IN SECTION 13 WHICH  
IS EAST OF OUR PROPERTY. AS PROPERTY OWNERS WE ARE  
CONCERNED ABOUT OUR WATER TABLE LEVEL DROPPING. IF THIS  
GETS APPROVED I WANT A WRITTEN LETTER SAYING, THAT IF MY  
WATER LEVEL DROPS IN MY WELL. YOU WILL PAY TO HAVE MY  
WELL DRILLED DEEPER. AS FOR ME AND MY WIFE WE DO NOT  
WANT THE IRRIGATION WELL DRILLED CLOSE TO OUR PROPERTY.**

**SINCERELY,**

**SIGNATURES**

**DANNY CHAMBERS SR.**  
*Danny Chambers SR.*

**DATE:** *8-31-16*

**LINDA CHAMBERS**  
*Linda Chambers*

**DATE:** *8-31-16*

**RECEIVED**

**SEP 06 2016**

**SCANNED**

Stafford Field Office  
Division of Water Resources

*Floyd D. and Carolyn F. King*

101 E. Longview Rd.  
Hutchinson KS 67501-8407  
Phone (620) 662-3473  
kingfloyddoc@gmail.com

August 30, 2016

WATER RESOURCES  
RECEIVED

SEP 12 2016

KS DEPT OF AGRICULTURE

Stafford Field Office  
Groundwater Management  
District No. 2  
P.O. Box F/300 S. Main Street  
Stafford Kansas 67578-1521

Application  
File No. 49,005

Dear Sir or Madam:

*This letter is in regards to Application File No. 49,005 By the 2016 Reno County Plat & Directory, we live in LINCOLN TWP. SECTION 24. The area in which the application has been filed for an irrigation well, is in SECTION 13 which is north of our home. By the looks of your aerial photograph, we will most likely one of the closest properties to the well. We are not in favor of having an irrigation well that close to our property. We do not want our water level dropping, we also have a fishing pond that we enjoy tremendously. If we would loose water from our pond, we would be very upset. The water levels around this area are very high right now, because of all the rain we have had this summer. But who knows what the future may hold, we could have a drought that may last for a long time who knows. Having an irrigation well pumping at a maximum rate of 800 gallons per minute. Believe me I can see the water level dropping. Another concern is the noise of the engine on the well, we live here for the peace and quite. Also the flashing lights from the irrigation itself would be very annoying to say the least. It would be a very big disruption to our quite peaceful neighborhood. If we have problems with our water levels, it will drop our property values tremendously. So for us it is a BIG NO to having an irrigation well so close to our property.*

Sincerely,

Signatures

Floyd D. King

and

Carolyn F. King

*Floyd D. King*  
8/30/16

*Carolyn F. King*

SCANNED

8-30-16  
RECEIVED

SEP 01 2016

Stafford Field Office  
Division of Water Resources

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 7, 2016

**FILE COPY**

MARY CRAIG  
5 E LONG VIEW RD  
HUTCHINSON KS 67501

Re: Pending Application  
File No. 49,005

Dear Ms. Craig:

This will acknowledge receipt of your letter dated September 6, 2016, in which you expressed comments concerning the proposed appropriation of groundwater by Wey Out Inc. under the above referenced application.

Your comments have been considered, and approval of the application, if granted, will authorize diversion of water only when it does not impair existing rights. Should the diversion of water under this application substantially impair your earlier rights, you should notify the field office in your area. The field office in your area is:

Kansas Department of Agriculture  
Division of Water Resources - Stafford Field Office  
300 S. Main Street  
Stafford, KS 67578

If an applicant without cause fails to comply with the provisions of the permit and its terms, conditions and limitations, it could result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

If you have any questions, please contact me at 785-564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

Pc: Stafford Field Office  
GMD 2

SCANNED

August 30, 2016

Alex Whitesell

Re: Application File No. 49,005

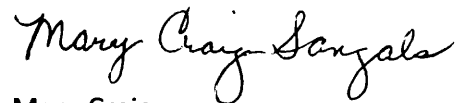
Dear Alex,

Thank you so much for taking my call today and for listening to my concerns and addressing my questions regarding the letter I received on about August 18<sup>th</sup> that informed us of the application, file number 49,005 that has been submitted to the Water Appropriation Program. I am writing this letter to reiterate my concerns.

I do not, of course, know or understand all of the implications that are involved if the Wey Out Incorporation application is approved. The greatest **concern** is that limited water sources are not depleted and that future generations will have water. I also feel certain that the immediate welfare of many local families may be impacted. My home is completely dependent upon the domestic well we have. This is our only source of water. We are located right by the fields that would be irrigated, and the environmental conditions related to sounds and lighting might also have some negative results for us. As stated, I do not know all the possible results of such extensive irrigation rights, but I must trust that you have the knowledge and wisdom to make the best choices for our environment and for those of us who use water for drinking and for all other purposes.

Thank you again for considering our concerns and for keeping us informed about the decisions that are made.

Sincerely,



Mary Craig

5 E. Long View Rd.

Hutchinson, KS 67501

WATER RESOURCES  
RECEIVED

SEP 06 2016

KS DEPT OF AGRICULTURE

SCANNED

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 1, 2016

JIM & BECKY BEMIS  
8602 S K14 HWY  
HUTCHINSON KS 67501

**FILE COPY**

Re: Pending Application  
File No. 49,005

Dear Mr. and Mrs. Bemis:

This will acknowledge receipt of your letter dated August 29, 2016, in which you expressed comments concerning the proposed appropriation of groundwater by Wey Out Inc. under the above referenced application.

Your comments have been considered, and approval of the application, if granted, will authorize diversion of water only when it does not impair existing rights. Should the diversion of water under this application substantially impair your earlier rights, you should notify the field office in your area. The field office in your area is:

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Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

Pc: Stafford Field Office  
GMD 2

SCANNED



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Manhattan, Kansas 66502  
(785) 564-6700



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Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 1, 2016

**FILE COPY**

ED SOPER  
8005 S K14 HWY  
HUTCHINSON KS 67501

Re: Pending Application  
File No. 49,005

Dear Mr. Soper:

This will acknowledge receipt of your letter dated August 28, 2016, in which you expressed comments concerning the proposed appropriation of groundwater by Wey Out Inc. under the above referenced application.

Your comments have been considered, and approval of the application, if granted, will authorize diversion of water only when it does not impair existing rights. Should the diversion of water under this application substantially impair your earlier rights, you should notify the field office in your area. The field office in your area is:

Kansas Department of Agriculture  
Division of Water Resources - Stafford Field Office  
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Stafford, KS 67578

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Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

Pc: Stafford Field Office  
GMD 2

SCANNED

August 28, 2016

Kansas Dept. of Agriculture  
Alex Whitesell  
1320 Research Park Drive  
Manhattan, KS 66502

WATER RESOURCES  
RECEIVED

AUG 31 2016

KS DEPT OF AGRICULTURE

Re: Application File # 49005 , Wey Out Inc.

Dear Mr. Whitesell,

Per your suggestion I'm writing this letter as a concern for the application for a water well on the property directly across Highway 14, east, from my current residence.

My main issue is the volume of water that would be pumped from the underground reservoir potentially affecting the water currently available for my daily use.

As I mentioned during our phone conversation, besides normal household water use, my heating and air conditioning system uses ground source water as the main source of it's operation. It is a water to air heat pump and the system returns the water to the ground source through a discharge well.

This system has been in place since I built the home in 1986 and has functioned flawlessly since that time.

If there were some type of guarantee that this proposed well would never affect the availability of water to my property I might be persuaded to not oppose the application.

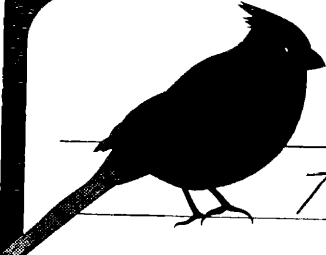
With no stipulation in place that would insure me an uninterrupted supply of water, I'm forced to voice my opposition to the well application.

Sincerely,



Ed Soper  
8005 S. K-14 Hwy  
Hutchinson, KS 67501

SCANNED



Notes

8-29-16

SCANNED

WATER RESOURCES  
RECEIVED

To: Alex Whitesell  
File # 49,005

AUG 31 2016

KS DEPT OF AGRICULTURE

This is concerning a well for  
irrigation in Township 24 South, Range 6 West,  
Reno County Kansas.

Not supportive of this, because  
of any droughts that may occur in  
future. Our well is only 35' deep.  
If this was to drain our well, we  
would have an added expense to  
dig one deeper.

At this point we are not  
supportive of this, unless someone is  
willing to take on the added expense in case  
of drought. J.M. is retired & our income



1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700

900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 30, 2016

**FILE COPY**

GARY BONTRAGER  
8101 S K14 HWY  
HUTCHINSON KS 67501

Re: Pending Application  
File No. 49,005

Dear Mr. Bontrager:

This will acknowledge receipt of your letter dated August 29, 2016, in which you expressed comments concerning the proposed appropriation of groundwater by Wey Out Inc. under the above referenced application.

Your comments have been considered, and approval of the application, if granted, will authorize diversion of water only when it does not impair existing rights. Should the diversion of water under this application substantially impair your earlier rights, you should notify the field office in your area. The field office in your area is:

Kansas Department of Agriculture  
Division of Water Resources - Stafford Field Office  
300 S. Main Street  
Stafford, KS 67578

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If you have any questions, please contact me at 785-564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

Pc: Stafford Field Office  
GMD 2

SCANNED

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 30, 2016

SUSAN KAY GASTON DEINES  
8818 S K14 HWY  
HUTCHINSON KS 67501

**FILE COPY**

Re: Pending Application  
File No. 49,005

Dear Ms. Deines:

This will acknowledge receipt of your letter dated August 29, 2016, in which you expressed comments concerning the proposed appropriation of groundwater by Wey Out Inc. under the above referenced application.

Your comments have been considered, and approval of the application, if granted, will authorize diversion of water only when it does not impair existing rights. Should the diversion of water under this application substantially impair your earlier rights, you should notify the field office in your area. The field office in your area is:

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Stafford, KS 67578

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Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

Pc: Stafford Field Office  
GMD 2

SCANNED

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Manhattan, Kansas 66502  
(785) 564-6700



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Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 30, 2016

**FILE COPY**

DWANE W SNYDER  
8620 S K14 HWY  
HUTCHINSON KS 67501

Re: Pending Application  
File No. 49,005

Dear Mr. Snyder:

This will acknowledge receipt of your letter dated August 29, 2016, in which you expressed comments concerning the proposed appropriation of groundwater by Wey Out Inc. under the above referenced application.

Your comments have been considered, and approval of the application, if granted, will authorize diversion of water only when it does not impair existing rights. Should the diversion of water under this application substantially impair your earlier rights, you should notify the field office in your area. The field office in your area is:

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Stafford, KS 67578

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Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

Pc: Stafford Field Office  
GMD 2

**SCANNED**

August 24, 2016

Alex Whitesell  
1320 Research Park Dr  
Manhattan, KS 66502

WATER RESOURCES  
RECEIVED

AUG 29 2016

KS DEPT OF AGRICULTURE

RE: File #49,005

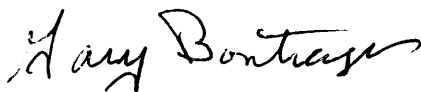
Dear Sir,

I am writing in regards to the letter I received advising me of the application Wey Out Inc (file #49,005) has filed for permit for a new irrigation well. I am deeply concerned about this as the area is suffering from lack of water. I live within a half mile of where the well will be drilled and there are times my residence does not have enough water to sprinkle my lawn. Several of the irrigation systems within a couple miles of this location have multiple wells to irrigate the land. In this area there are more than 20 homes that would be affected by this well being drilled. It would affect our homes and what value is a home without water.

I am a farmer and understand the importance and need for water to raise quality crops, but I do not believe in raising a crop before making sure homes have the quantity and quality of water needed for their home. I feel the additional well in the area would decrease the water for the homes in the area as my well is already 35 feet deep and the pump is on the very bottom and I have had to lower it twice.

I appreciate your time reading my concerns and would be more than happy to discuss this further. My cell phone is #620-664-7430.

Sincerely,



Gary Bontrager



Mr. Gary Bontrager  
8101 S. K-14 Hwy.  
Hutchinson, KS 67501

SCANNED

WATER RESOURCES  
RECEIVED

AUG 29 2016

KS DEPT OF AGRICULTURE

A personal note ...

8-27-16

Dear Mr Whitesett

I live less than  $\frac{1}{2}$  mile from  
the proposed water well in  
File # 49005. We have already  
lost 12' of water table due to  
other irrigation well in this  
area. The proposed well would  
have us lose at least another  
5' which would destroy our  
ability to have water wells at  
our homes.

Please do not allow this  
permit to go through.

W. Wane W. Snyder  
8620 So K~~14~~ Hwy.  
Hutch 750 67501

SCANNED



WATER RESOURCES  
RECEIVED

AUG 25 2016

KS DEPT OF AGRICULTURE

August 23, 2016

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

Alex:

This is a reply to the letter we were sent: Application file no. 49,005

We feel if there is another irrigation well in our area it will take away our water supply. There are a lot of homes in our area we need water for. I would think homes come before irrigating fields

We have already had issues with water the past several years.

There are several irrigated areas close to us now.

Not sure what else we need to do to stop this. I was told to send a letter and it would be put in the file.

Thank you,  
Susan Kay Gaston Deines  
8818 S K 14 HWY  
Hutchinson, KS 67501

SCANNED

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 18, 2016

**FILE COPY**

DANNY & LINDA CHAMBERS  
8105 S K14 HWY  
HUTCHINSON KS 67501

Re: Application  
File No. 49,005

Dear Sir or Madam:

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A copy of an aerial photograph depicting the location of the proposed point of diversion is also enclosed. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location(s) of the applicant's point(s) of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office within 15 days from the date of this letter.

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Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

AJW:

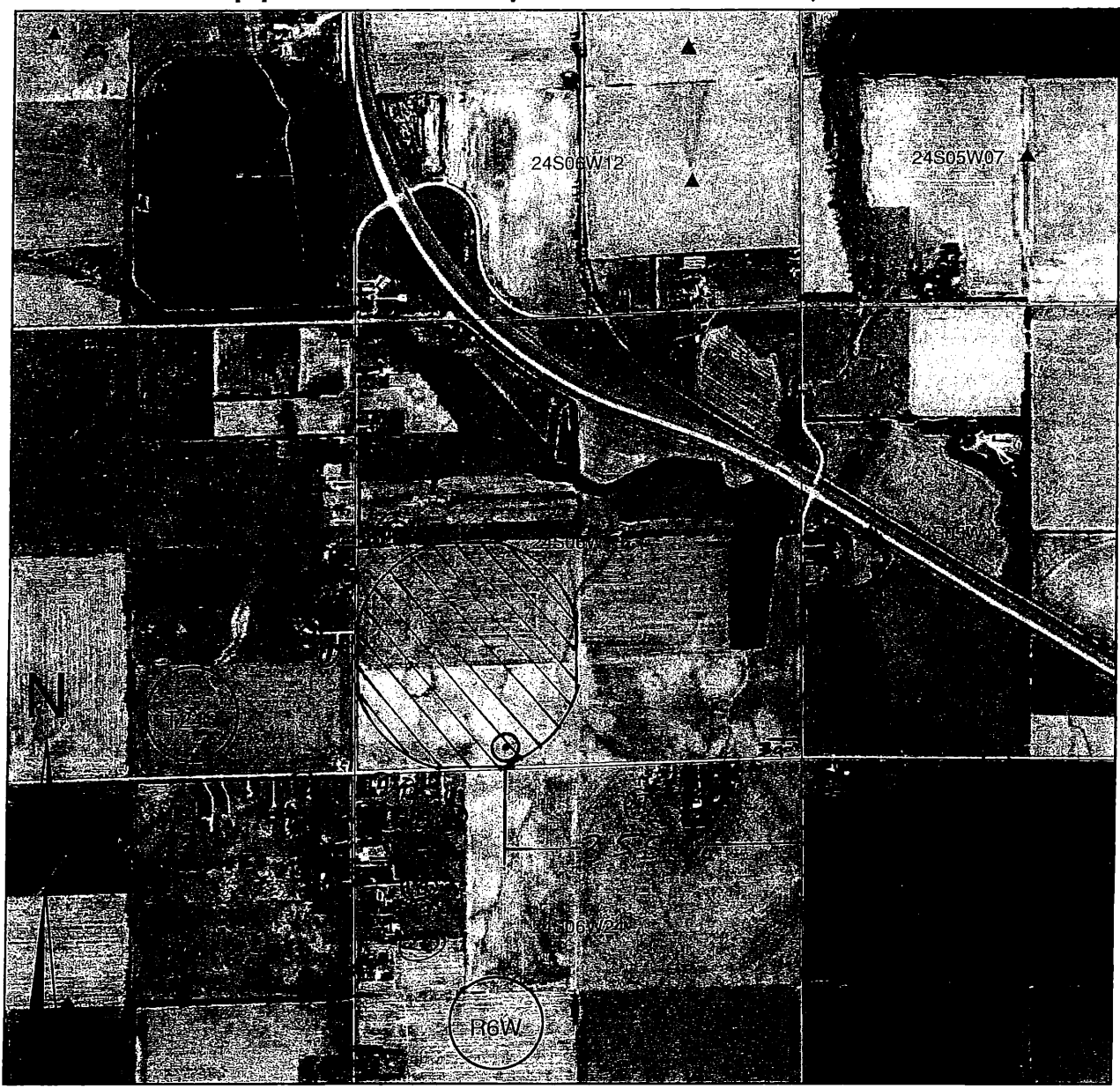
Enclosure(s)

pc: Stafford Field Office  
Groundwater Management District No. 2

**SCANNED**

MAR 14 2014

# Application Map - File No. 49005



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

*at mlin*  
Signature

March 10, 2014  
Date

- New Application**
- Application No. \_\_\_\_\_ To Change:**
  - Point of Diversion
  - Place of Use
  - Use Made of Water
  - Proposed Point of Diversion
  - Existing Points of Diversion
  - Proposed Place of Use
  - Authorized Place of Use

Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address)

- 1) See Attached
- 2) WATER RESOURCES RECEIVED
- 3) FEB 05 2015

KS DEPT OF AGRICULTURE

SCANNED

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Manhattan, Kansas 66502  
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900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 18, 2016

GARY & KAY BONTRAGER TRUST  
8101 S K14 HWY  
HUTCHINSON KS 67501

**FILE COPY**

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File No. 49,005

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Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

AJW:

Enclosure(s)

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Groundwater Management District No. 2

SCANNED

MAR 14 2014

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March 10, 2014  
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KS DEPT OF AGRICULTURE

**SCANNED**

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Manhattan, Kansas 66502  
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900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 18, 2016

EDWIN & DEBRA SOPER  
8005 S K14 HWY  
HUTCHINSON KS 67501

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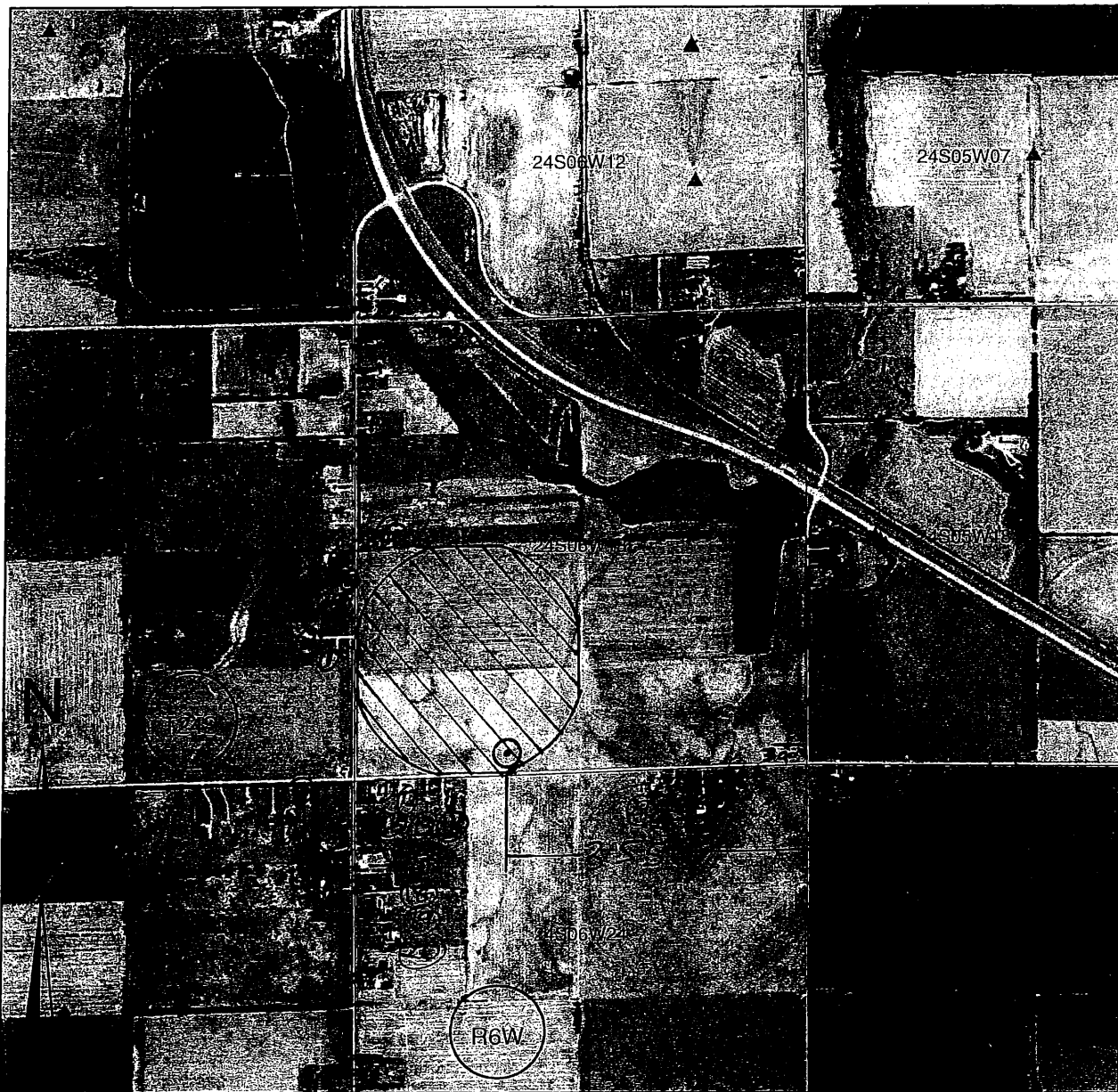
Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

AJW:  
Enclosure(s)  
pc: Stafford Field Office  
Groundwater Management District No. 2

SCANNED

MAR 14 2014

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Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 18, 2016

NATHAN & MARY FRANCES HOSTETLER  
7917 S K14 HWY  
HUTCHINSON KS 67501

**FILE COPY**

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Environmental Scientist  
Water Appropriation Program

AJW:

Enclosure(s)

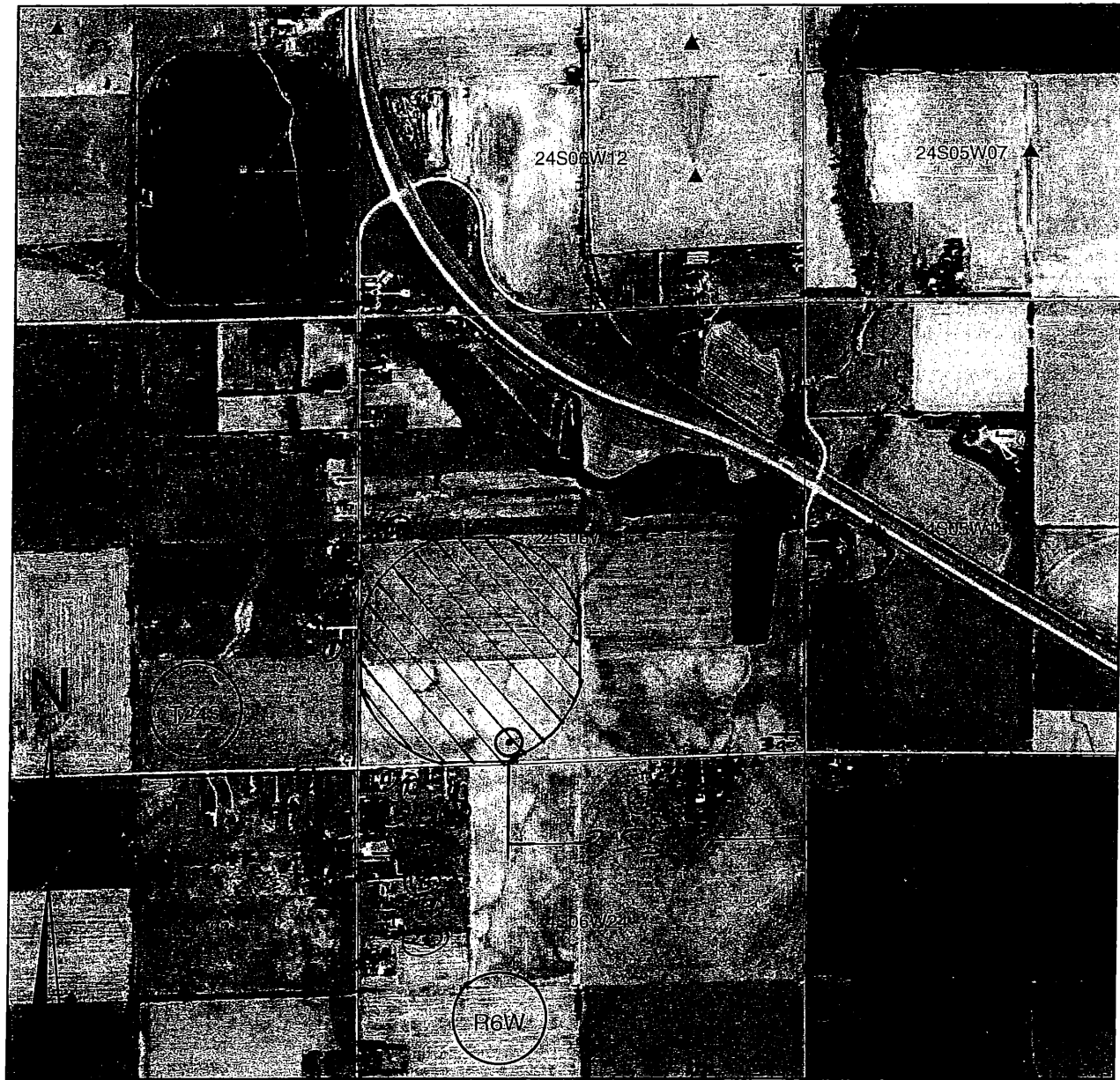
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Groundwater Management District No. 2

**SCANNED**



MAR 14 2014

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900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 18, 2016

PENNY KEEN & TERRY BARKER  
7905 S K14 HWY  
HUTCHINSON KS 67501

**FILE COPY**

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File No. 49,005

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Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

AJW:

Enclosure(s)

pc: Stafford Field Office  
Groundwater Management District No. 2

**SCANNED**

MAR 14 2014

# Application Map - File No. 49005



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*W. Miller*  
Signature

March 10, 2014  
Date

**New Application**

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Place of Use

Use Made of Water

Proposed Point of Diversion

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RECEIVED

3) FEB 05 2015

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1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 18, 2016

BOBBY & MARY JO PERSER REV TRUST  
7816 S K14 HWY  
HUTCHINSON KS 67501

**FILE COPY**

Re: Application  
File No. 49,005

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Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

AJW:

Enclosure(s)

pc: Stafford Field Office  
Groundwater Management District No. 2

**SCANNED**

MAR 14 2014

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*ut mli*  
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KS DEPT OF AGRICULTURE

**SCANNED**

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 18, 2016

RAFAEL & JUANA GOMEZ  
109 W LONGVIEW ROAD  
HUTCHINSON KS 67501

**FILE COPY**

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Environmental Scientist  
Water Appropriation Program

AJW:

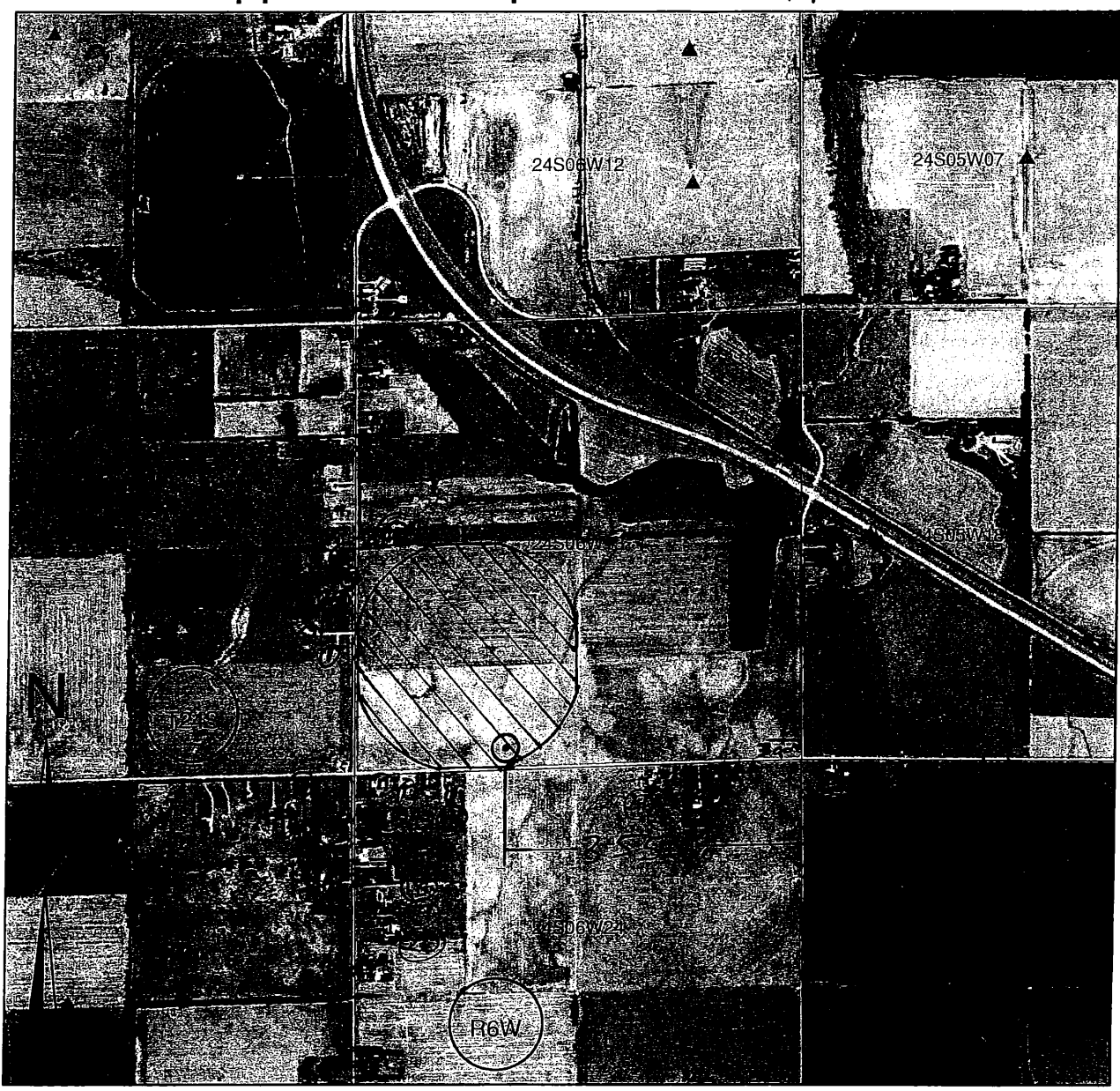
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**SCANNED**

MAR 14 2014

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KS DEPT OF AGRICULTURE

SCANNED



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Jackie McClaskey, Secretary

Governor Sam Brownback

August 18, 2016

MATTHEW & JOEY TATRO  
101 W LONGVIEW ROAD  
HUTCHINSON KS 67501

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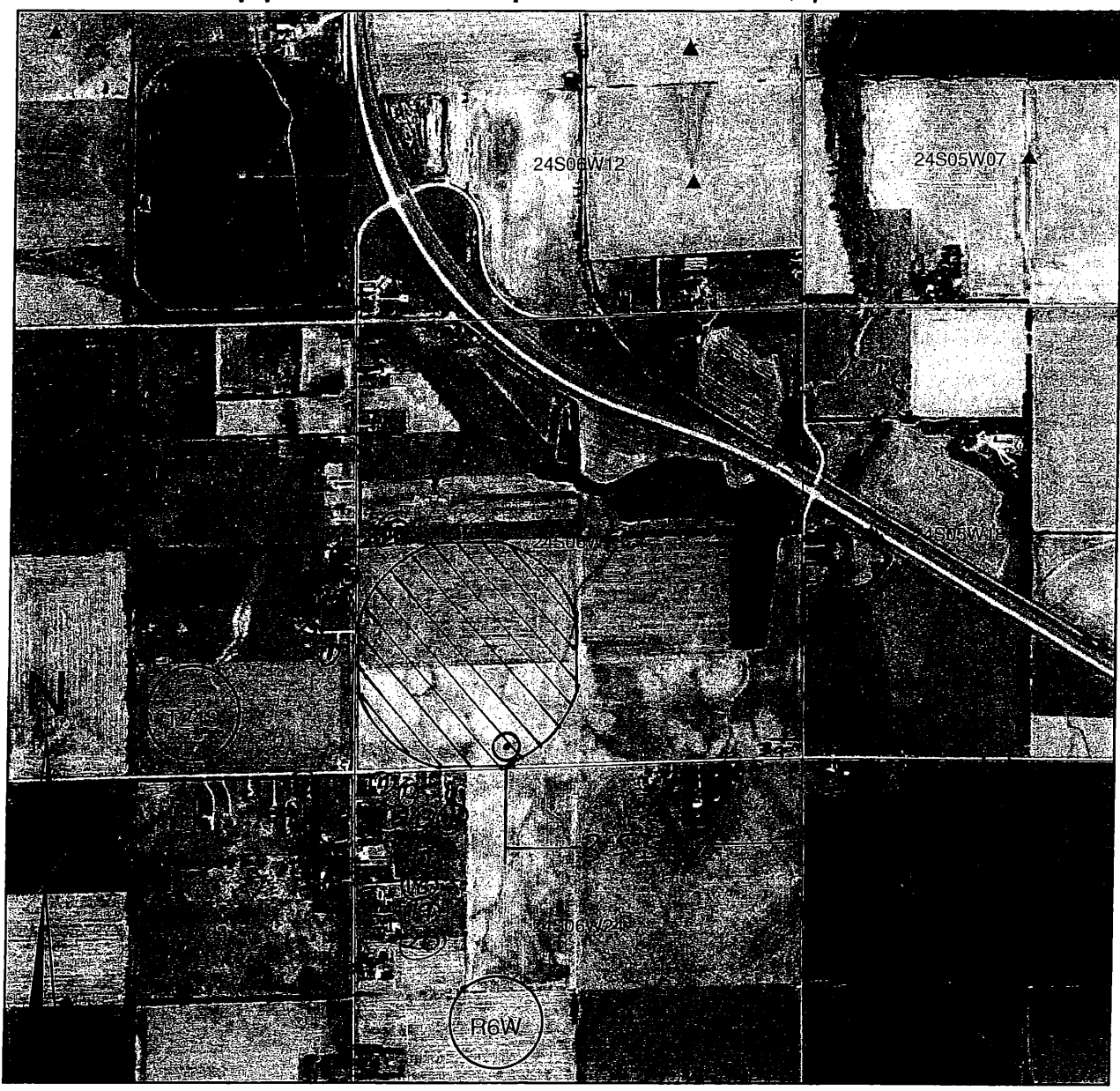
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Groundwater Management District No. 2

**SCANNED**



MAR 14 2014

# Application Map - File No. 49005



AGRICULTURE

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*it mlir*  
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Jackie McClaskey, Secretary

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August 18, 2016

KENNETH & KAREN TATRO  
8803 S K14 HWY  
HUTCHINSON KS 67501

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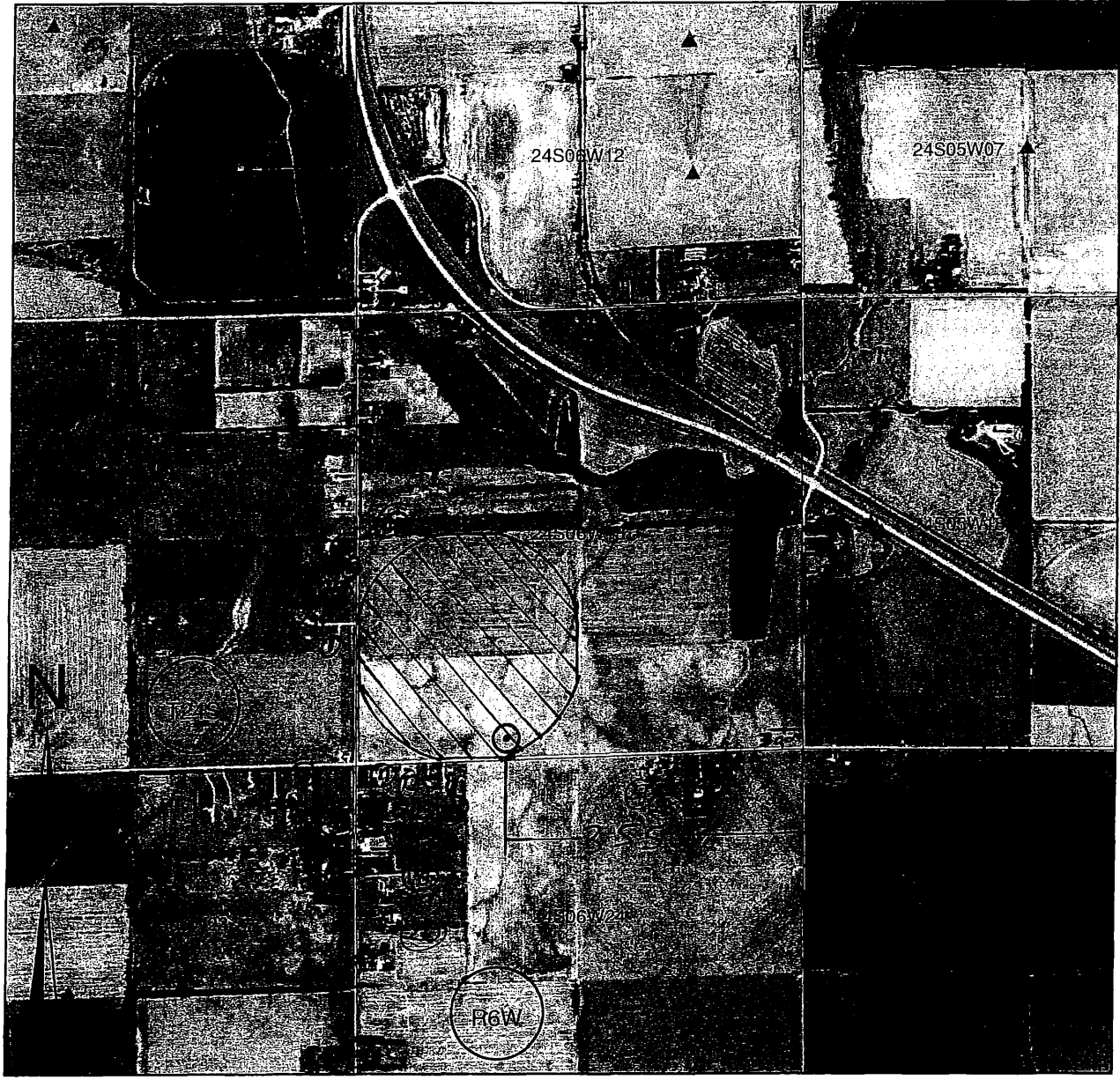
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Environmental Scientist  
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Enclosure(s)  
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Groundwater Management District No. 2

**SCANNED**

MAR 14 2014

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SCANNED

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Jackie McClaskey, Secretary

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August 18, 2016

SUNNY MCELHENY  
8811 S K14 HWY  
HUTCHINSON KS 67501

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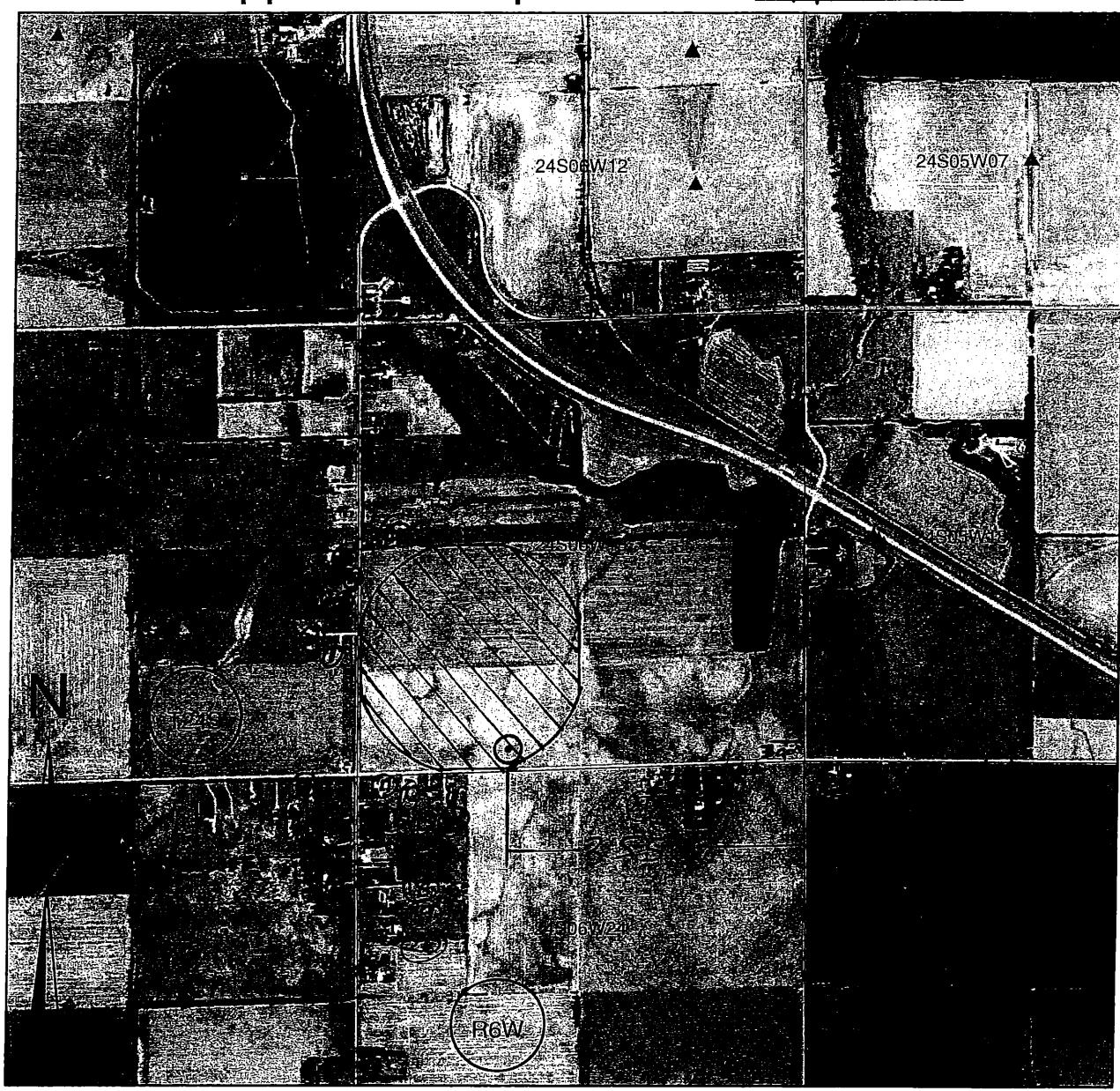
Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

AJW:  
Enclosure(s)  
pc: Stafford Field Office  
Groundwater Management District No. 2

SCANNED

MAR 14 2014

# Application Map - File No. 49005



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

*ut mlin*  
Signature

March 10, 2014  
Date

- New Application**
- Application No. \_\_\_\_\_ To Change:**
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- 3) FEB 05 2015

KS DEPT OF AGRICULTURE

SCANNED

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 18, 2016

LARRY SANGALS & MARY CRAIG  
5 E LONGVIEW ROAD  
HUTCHINSON KS 67501

FILE COPY

Re: Application  
File No. 49,005

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Environmental Scientist  
Water Appropriation Program

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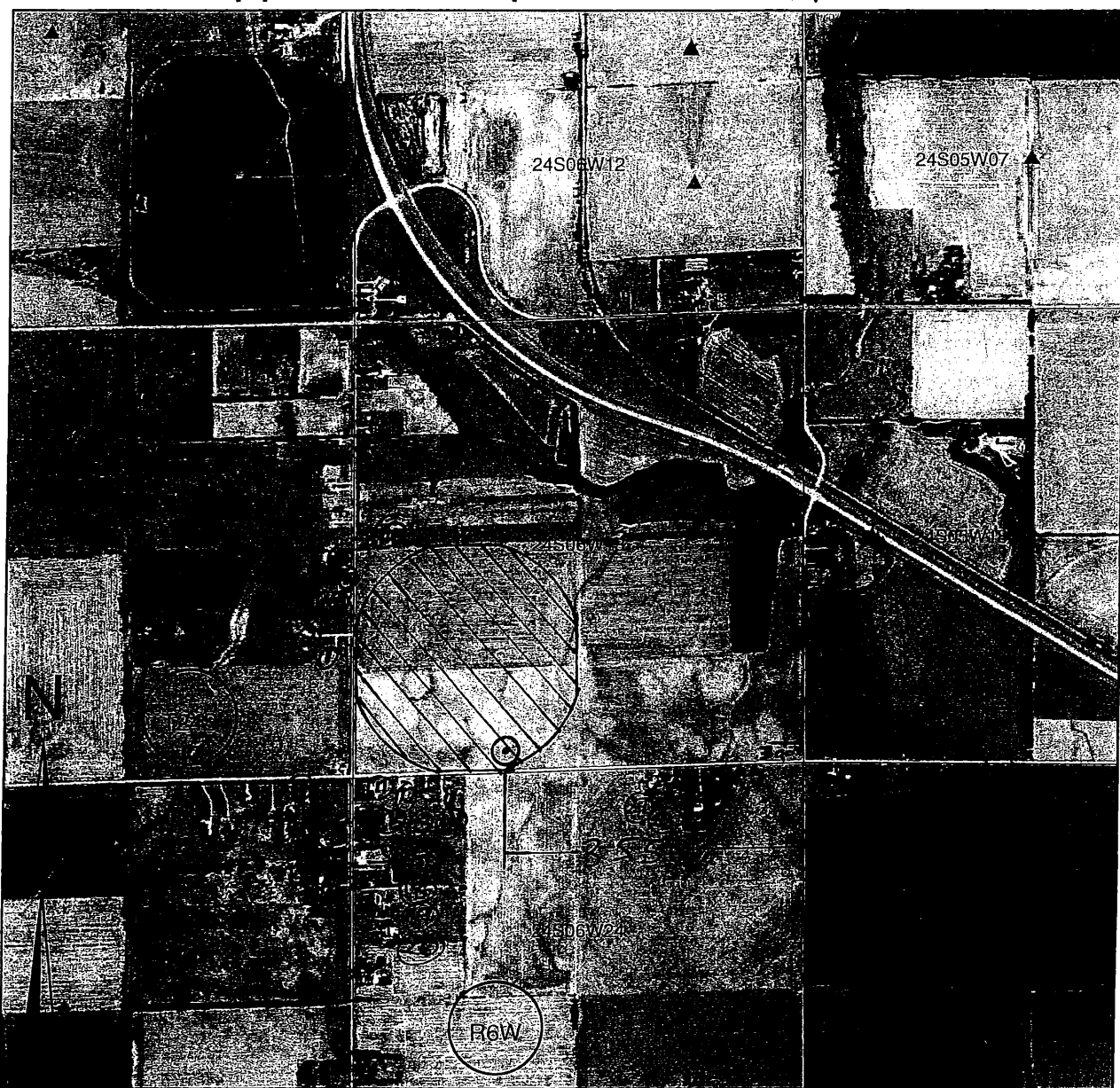
Enclosure(s)

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Groundwater Management District No. 2

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Jackie McClaskey, Secretary

Governor Sam Brownback

August 18, 2016

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HUTCHINSON KS 67501

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Environmental Scientist  
Water Appropriation Program

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Enclosure(s)

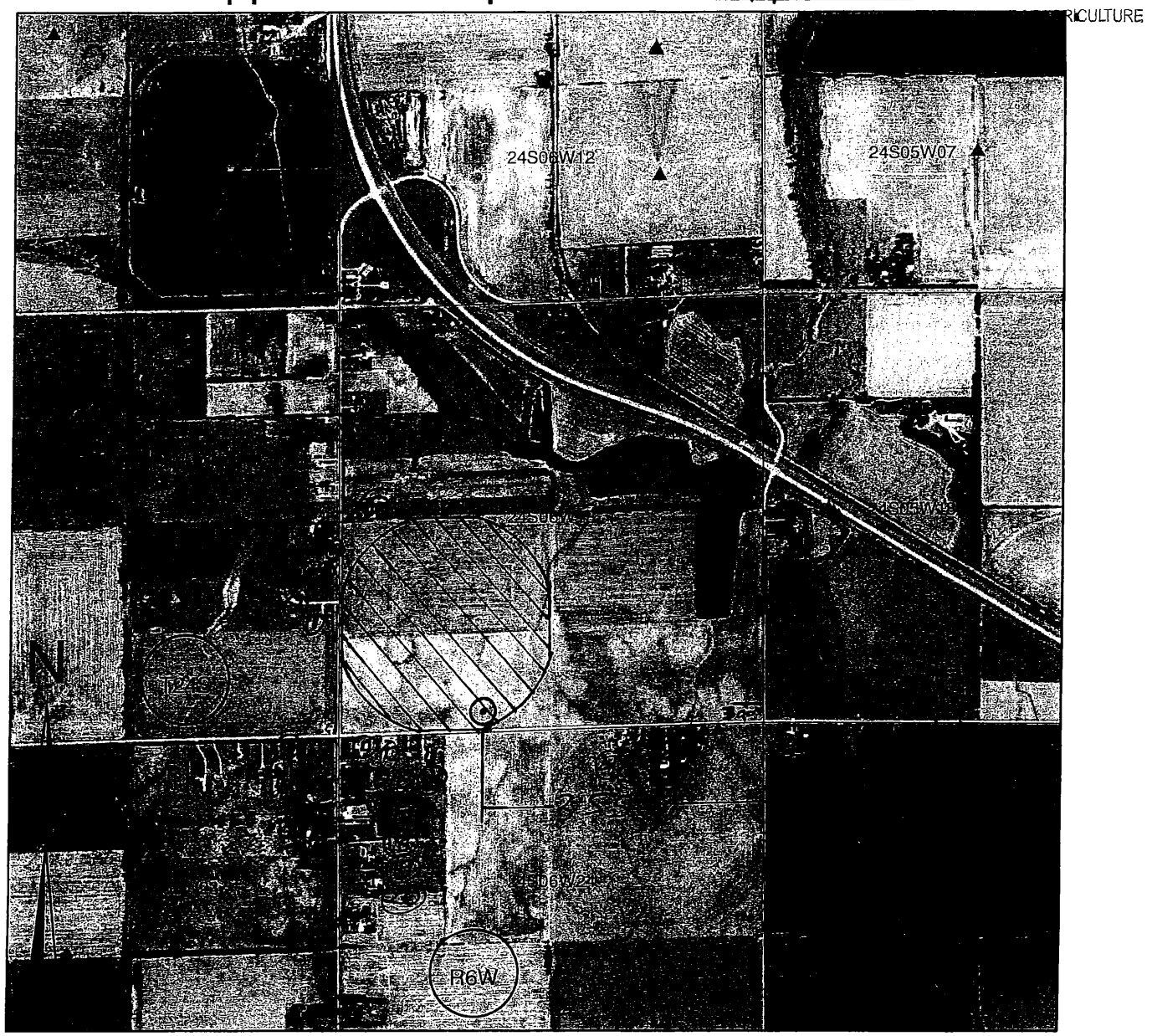
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MAR 14 2014

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Jackie McClaskey, Secretary

Governor Sam Brownback

August 18, 2016

JONATHON & JENILEE ONEAL  
19 E LONGVIEW ROAD  
HUTCHINSON KS 67501

FILE COPY

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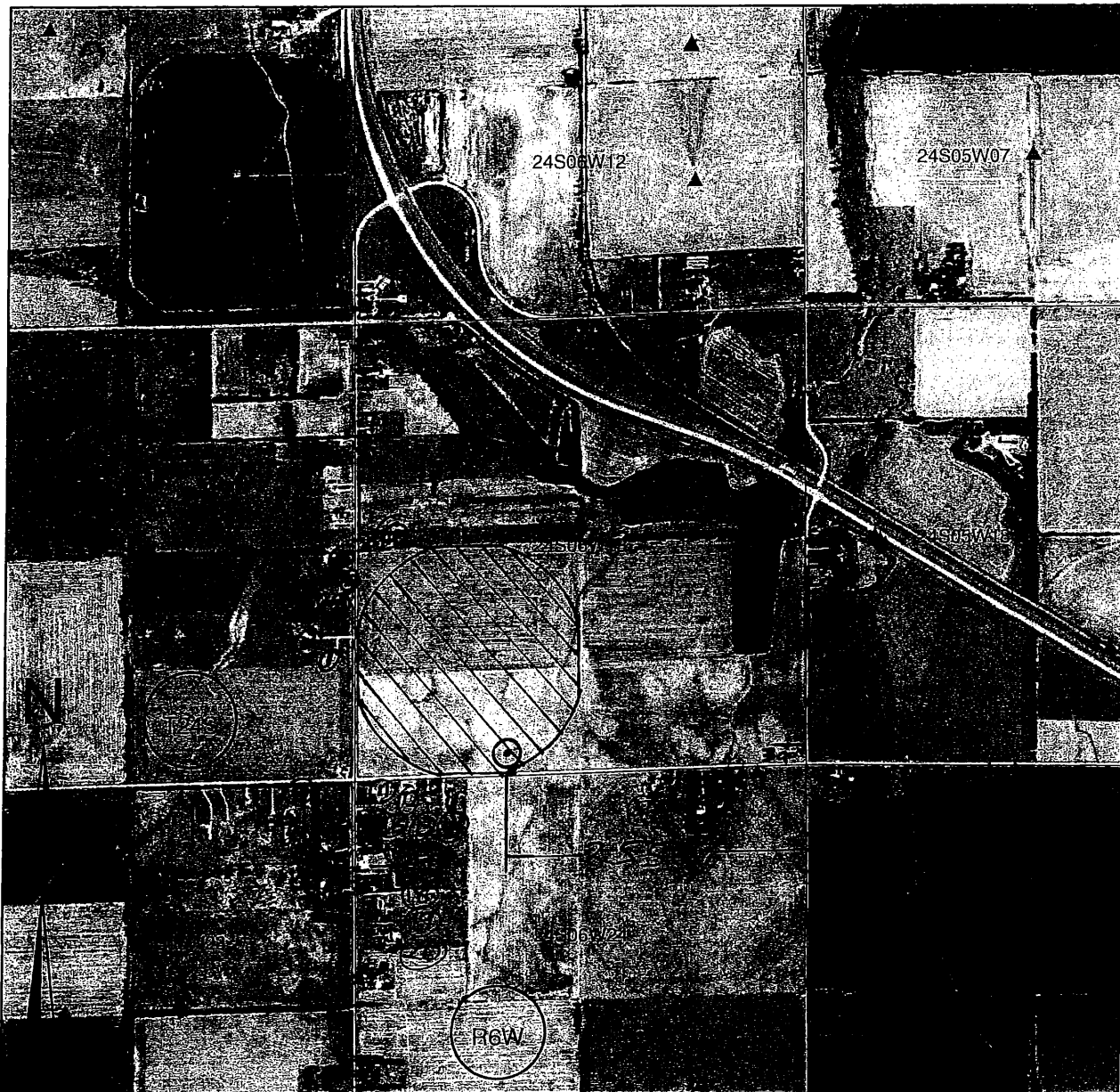
Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

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Jackie McClaskey, Secretary

Governor Sam Brownback

August 18, 2016

**FILE COPY**

FLOYD & CAROLYN KING  
101 E LONGVIEW ROAD  
HUTCHINSON KS 67501

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File No. 49,005

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Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

AJW:

Enclosure(s)

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Groundwater Management District No. 2

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MAR 14 2014

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*W. Miller*  
Signature

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Jackie McClaskey, Secretary

Governor Sam Brownback

August 18, 2016

**FILE COPY**

JAMES & REBECCA BEMIS  
8602 S K14 HWY  
HUTCHINSON KS 67501

Re: Application  
File No. 49,005

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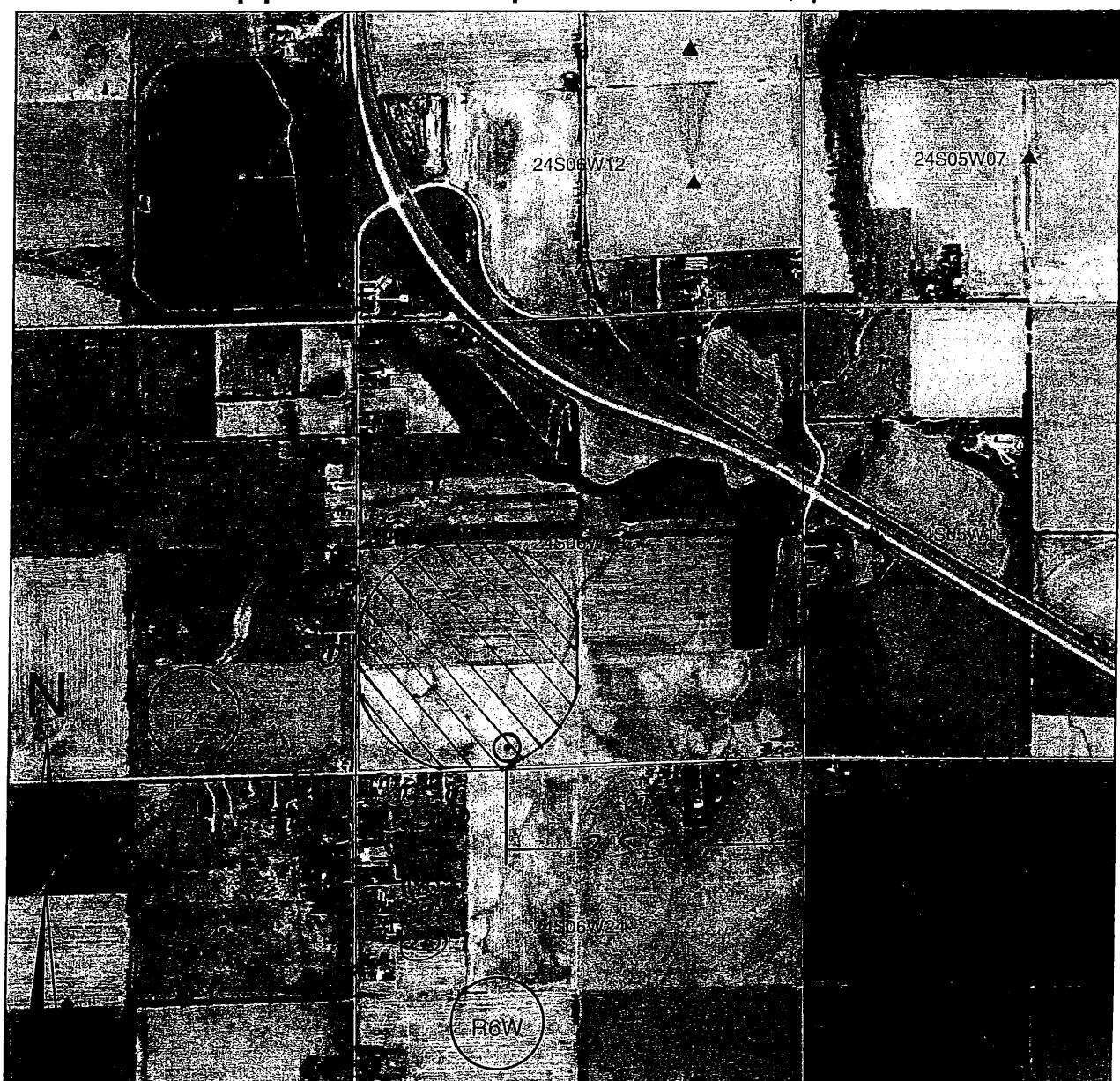
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Jackie McClaskey, Secretary

Governor Sam Brownback

August 18, 2016

DWANE SNYDER  
8620 S K14 HWY  
HUTCHINSON KS 67501

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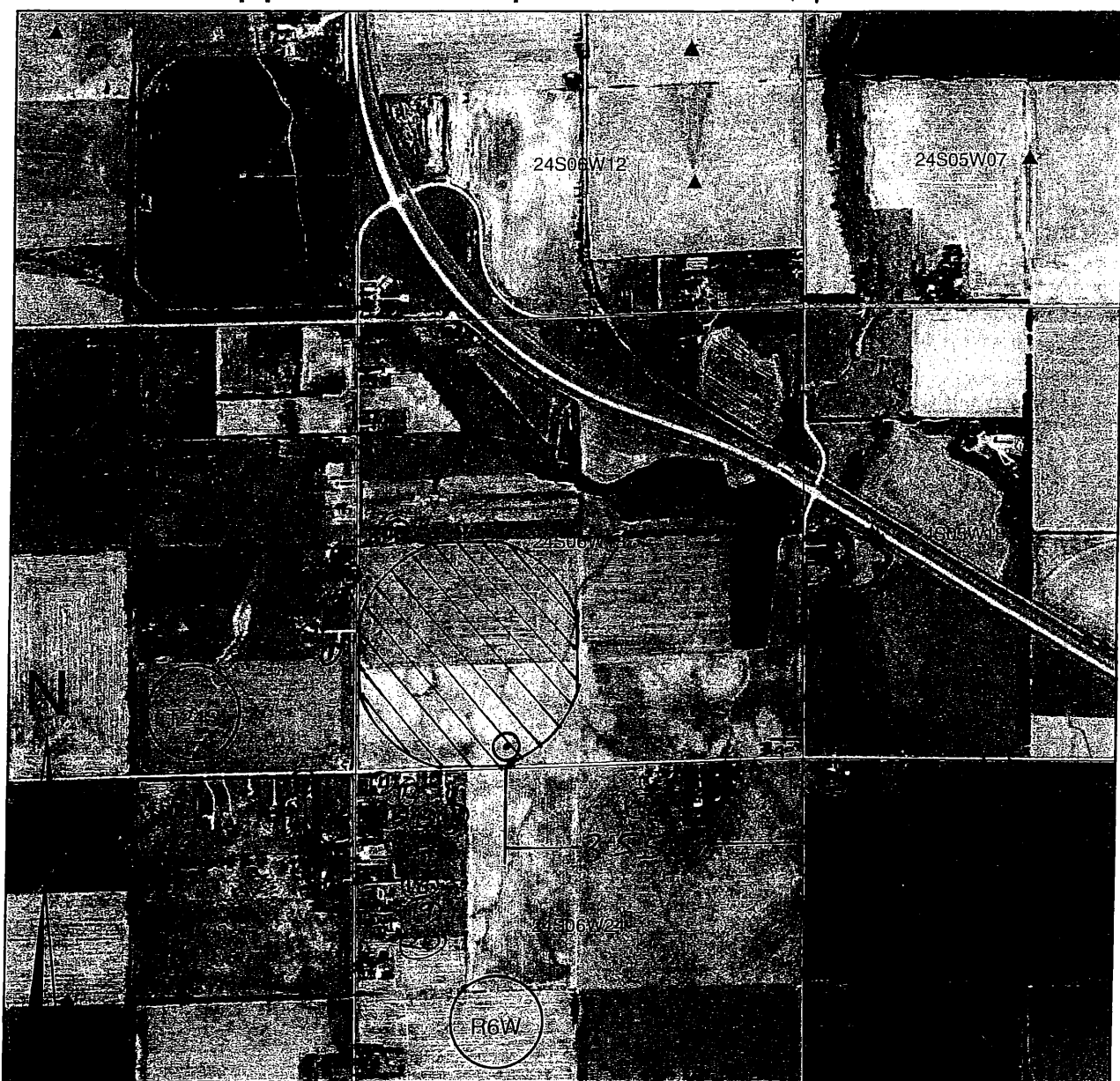
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MAR 14 2014

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Jackie McClaskey, Secretary

Governor Sam Brownback

August 18, 2016

PRAIRIE CHAPEL MENNONITE CHURCH  
BOARD OF TRUSTEES LELAN BEACHY  
9215 S WHITESIDE  
HUTCHINSON KS 67501

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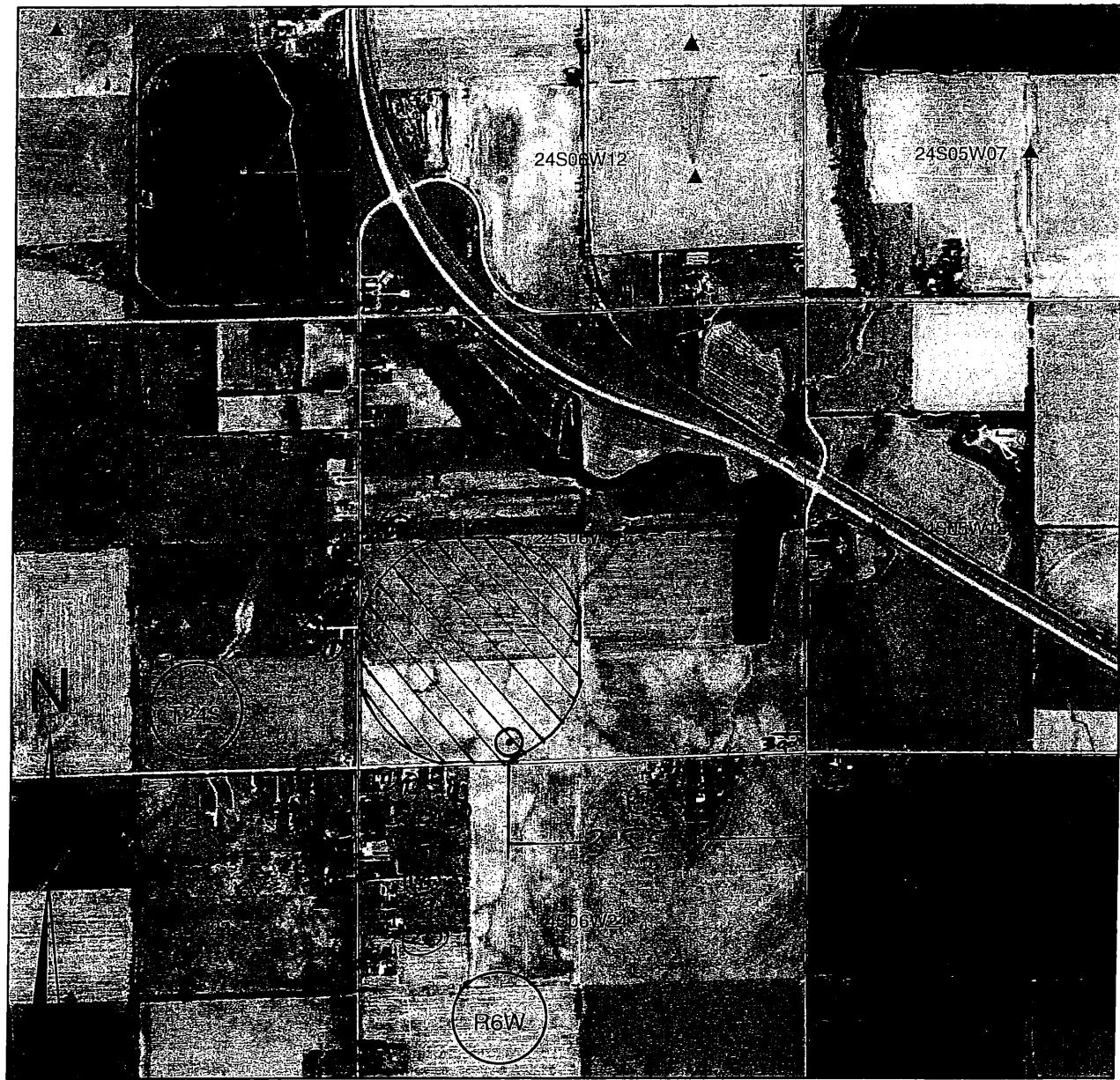
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Jackie McClaskey, Secretary

Governor Sam Brownback

August 18, 2016

MARCUS WAGLER  
8806 S K14 HWY  
HUTCHINSON KS 67501

FILE COPY

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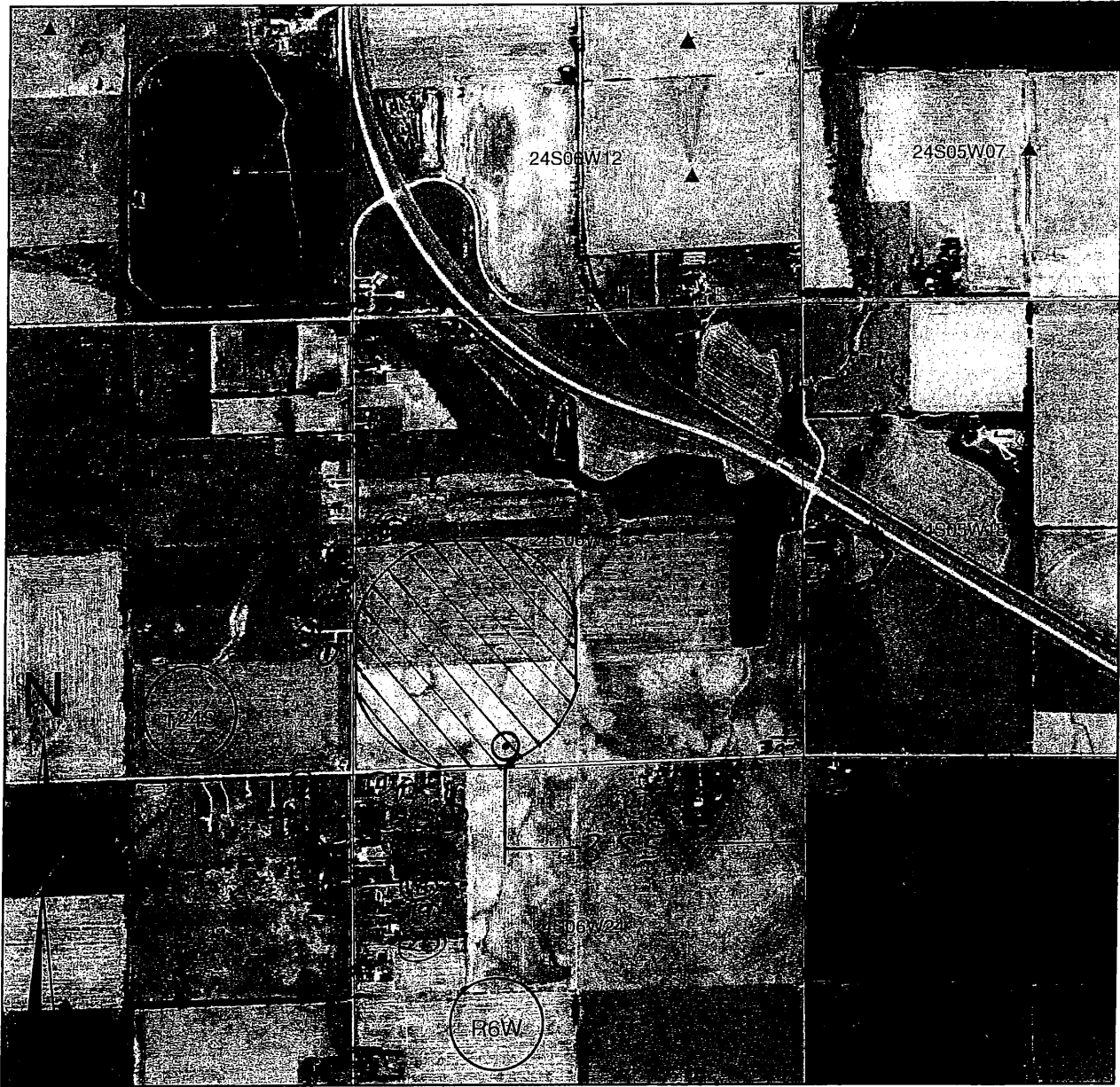
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Jackie McClaskey, Secretary

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August 18, 2016

FILE COPY

SUSAN KAY GASTON DEINES  
8816 S K14 HWY  
HUTCHINSON KS 67501

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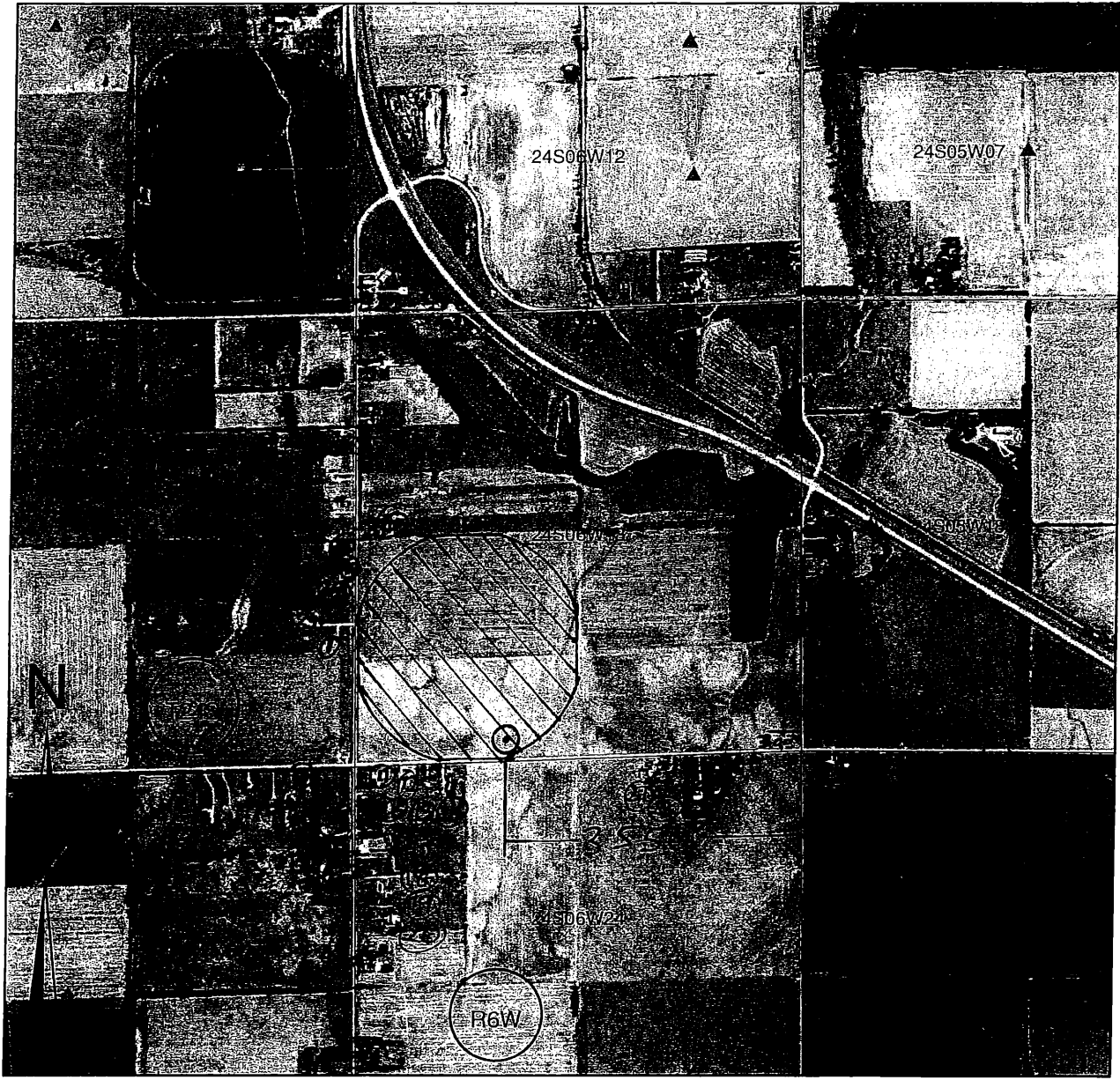
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August 18, 2016

DAVID & BETTE HOSKINSON  
8912 S K14 HWY  
HUTCHINSON KS 67501

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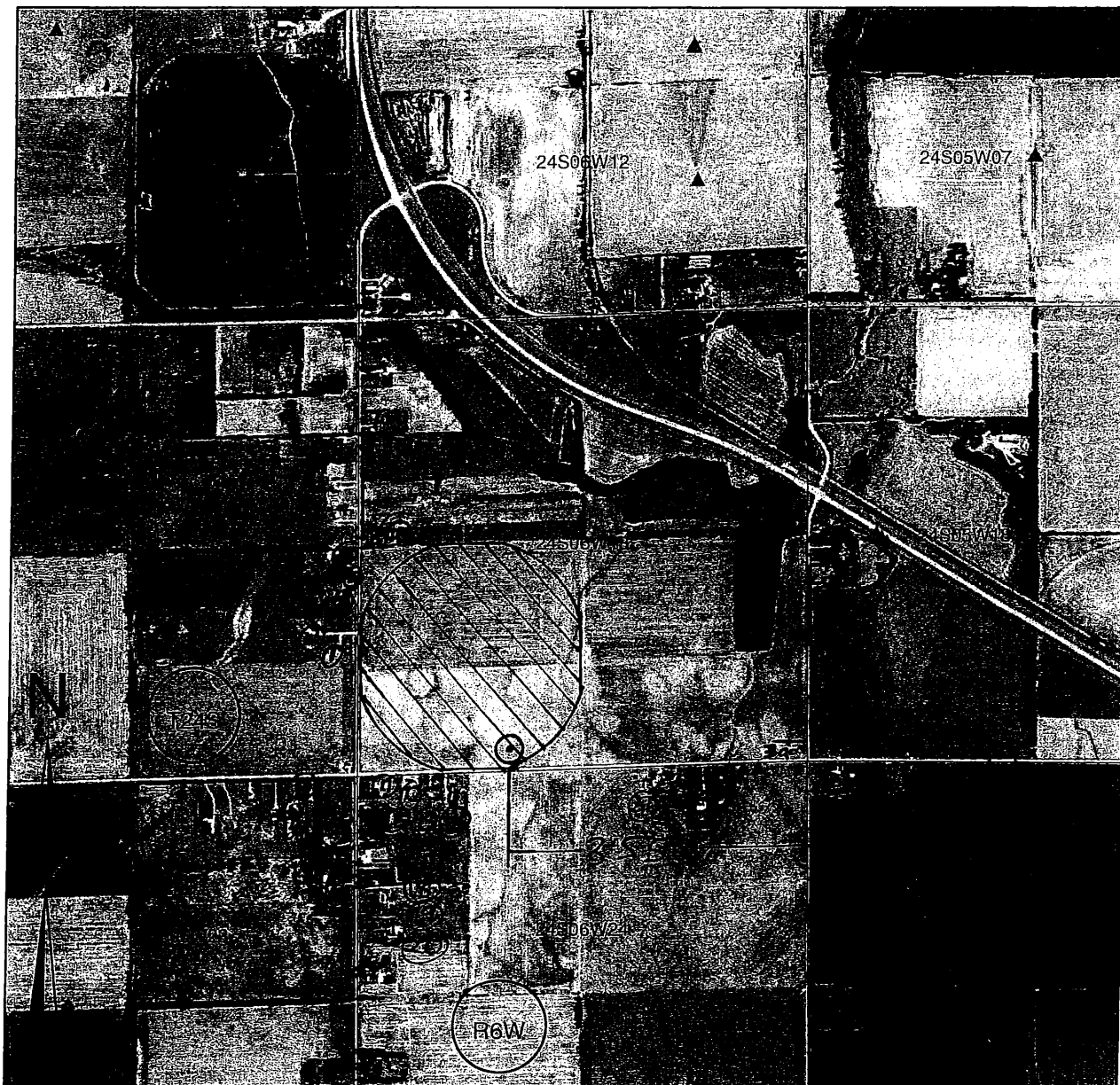
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MAR 14 2014

# Application Map - File No. 49005



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

*ut mli*  
Signature

March 10, 2014  
Date

- New Application**
- Application No. \_\_\_\_\_ To Change:**

- Point of Diversion
- Place of Use
- Use Made of Water
- Proposed Point of Diversion
- Existing Points of Diversion
- Proposed Place of Use
- Authorized Place of Use

Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address)

- 1) *See Attached*
- 2) WATER RESOURCES RECEIVED
- 3) FEB 05 2015

KS DEPT OF AGRICULTURE

SCANNED

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 18, 2016

LINWOOD & ALBERTA MARIE STEVENS  
315 E LONGVIEW ROAD  
HUTCHINSON KS 67501

**FILE COPY**

Re: Application  
File No. 49,005

Dear Sir or Madam:

This is to advise you that Wey Out Inc. has filed the application referred to above for permit to appropriate 182 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

one (1) well located in the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 13, more particularly described as being near a point 300 feet North and 3,550 feet West of the Southeast corner of said section, in Township 24 South, Range 6 West, Reno County, Kansas.

A copy of an aerial photograph depicting the location of the proposed point of diversion is also enclosed. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location(s) of the applicant's point(s) of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office within 15 days from the date of this letter.

If you have any questions, please contact me at (785) 564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

AJW:

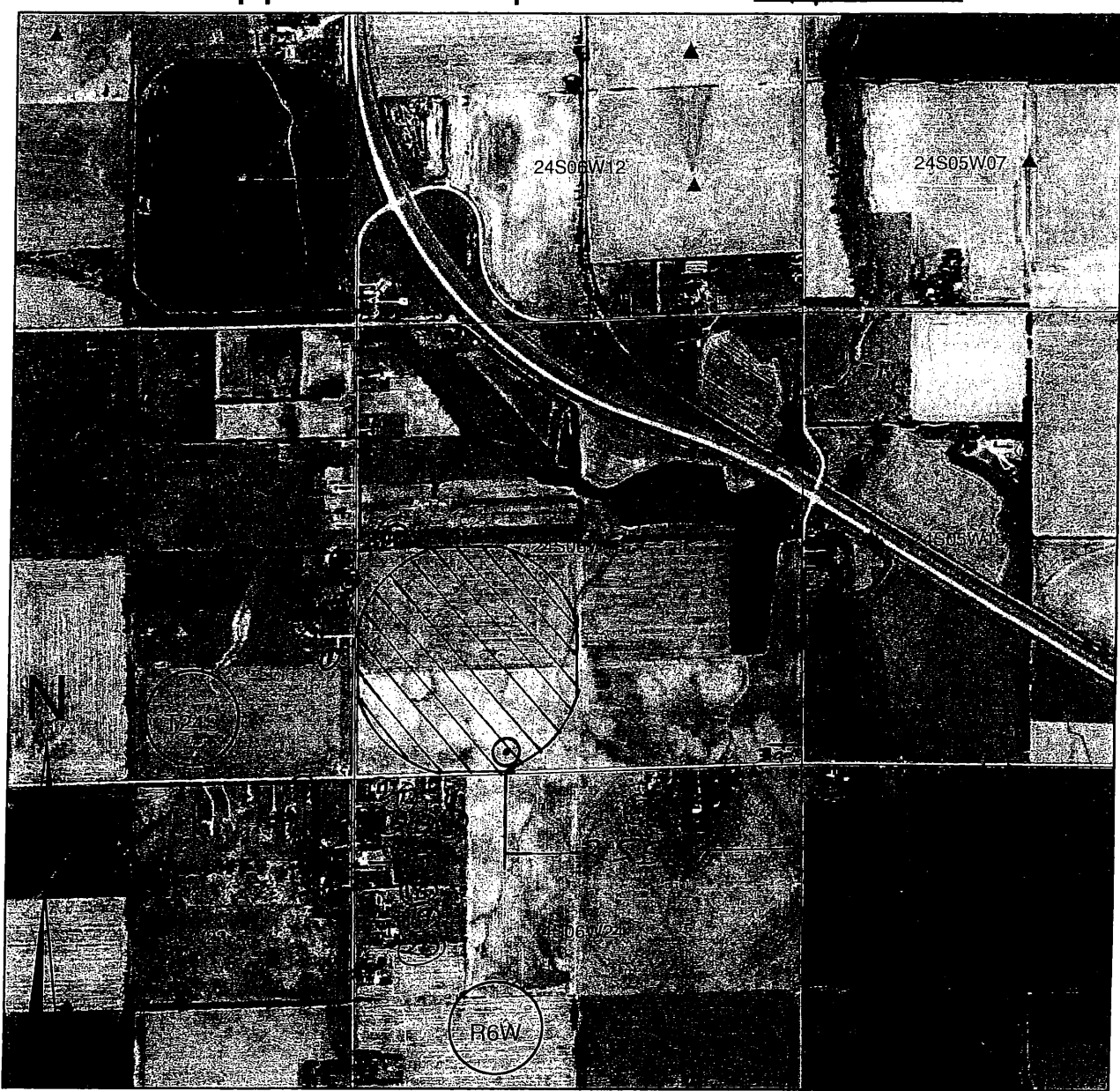
Enclosure(s)

pc: Stafford Field Office  
Groundwater Management District No. 2

SCANNED

MAR 14 2014

# Application Map - File No. 49005



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

*W. Miller*  
Signature

March 10, 2014  
Date

- New Application**
- Application No. \_\_\_\_\_ To Change:**
  - Point of Diversion
  - Place of Use
  - Use Made of Water
  - Proposed Point of Diversion
  - Existing Points of Diversion
  - Proposed Place of Use
  - Authorized Place of Use

Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address)

- 1) *See Attached*
- 2) WATER RESOURCES RECEIVED
- 3) FEB 05 2015

KS DEPT OF AGRICULTURE

**SCANNED**

1320 Research Park Drive  
Manhattan, Kansas 66502  
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Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

January 9, 2015

WEY OUT INC  
KENT MCKINNIS, 1ST NATL BANK  
P O BOX 913  
HUTCHINSON KS 67504

RE: Pending Application, File No. 49,005

Dear Mr. McKinnis:

In response to your written request received by electronic mail in this office on January 8, 2015, the Chief Engineer is allowing an additional extension of time for sixty (60) days, in which to supply further information concerning the above referenced file. The original application was returned to you on March 26, 2014, and with your current extension of time the due date is January 14, 2015. With this extension of time, the revised deadline will be **March 26, 2015**.

Futhermore, section 82a-710 of the Kansas Water Appropriation Act, states in part, that "no application shall lose its priority of filing on account of such defects, provided acceptable data, proofs, maps, plats, plans and drawings are filed in the office of the chief engineer within thirty days following the date of the posting of the return of such application or such further time **not exceeding one year** as may be given by the chief engineer". Therefore, although limited extensions of time have been provided, failure to return the completed application and attachments, within one year from the original posting date of the returned application of March 26, 2014, shall constitute forfeiture of priority date and dismissal of the application. Therefore, Application, File No. 49,005 will be dismissed on **March 26, 2015**.

In order for the application to retain its priority of filing, the original application and attachments must be returned, with the requested information to this office on or before **March 26, 2015**. No further extensions of time are allowable per the statute noted above. According to the law, default in the refiling of the completed original application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 564-6631 or by email at [katie.goff@kda.ks.gov](mailto:katie.goff@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Katie Goff".

Katie Goff  
Environmental Scientist  
Water Appropriation Program

## Katie Goff

---

**From:** Kent R. McKinnis <Kent.McKinnis@1stwealthmanagement.com>  
**Sent:** Thursday, January 08, 2015 9:48 AM  
**To:** Katie Goff  
**Subject:** file 49,005

Katie,

We would like to request an additional extension in time in which to supply additional information concerning file number 49,005. The area in question is currently under a moratorium and we are concerned about drilling a test well while not knowing when the moratorium will be lifted.

Thanks for your help!

Kent

**Kent McKinnis, M.S., CCA.**  
Officer and Farm Manager  
Farm Management Services

1stWealthManagement.com | 620.694.2347 | f 620.669.5832



FIRST WEALTH MANAGEMENT

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Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

December 15, 2014

WEY OUT INC  
KENT MCKINNIS, 1ST NATL BANK  
P O BOX 913  
HUTCHINSON KS 67504

RE: Pending Application, File No. 49,005

Dear Mr. McKinnis:

The application referred to above was returned to you for additional information on March 26, 2014, and with your current extension of time your required response date is January 14, 2015. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the application, and requested information, needs to be returned to this office on or before **January 14, 2015**. According to the law, default in the refiling of the completed application and attachments, prior to this date, shall constitute forfeiture of priority date and dismissal of the application.

Furthermore, section 82a-710 of the Kansas Water Appropriation Act, states in part, that "no application shall lose its priority of filing on account of such defects, provided acceptable data, proofs, maps, plats, plans and drawings are filed in the office of the chief engineer within thirty days following the date of the posting of the return of such application or such further time not exceeding one year as may be given by the chief engineer". Therefore, failure to return the completed application and attachments, within one year from the original posting date of the returned application of March 26, 2014, shall constitute forfeiture of priority date and dismissal of the application.

In order for the application to retain its priority of filing, the original application and attachments must be returned, with the requested information to this office on or before **January 14, 2015**. No further extensions of time are allowable per the statute noted above. According to the law, default in the refiling of the completed application and attachments, prior to this date, shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 564-6631 or by email at [katie.goff@kda.ks.gov](mailto:katie.goff@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Katie Goff".

Katie Goff  
Environmental Scientist  
Water Appropriation Program

**FILE COPY**

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



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Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

November 17, 2014

WEY OUT INC  
KENT MCKINNIS, 1ST NATL BANK  
P O BOX 913  
HUTCHINSON KS 67504

RE: Pending Application, File No. 49,005

Dear Mr. McKinnis:

In response to your written request received in this office via electronic mail on November 17, 2014, the Chief Engineer is allowing an additional extension of time for sixty (60) days, in which to supply further information concerning the above referenced file. The original application was returned to you on March 26, 2014 and with your current extension of time the original application and information was to be returned by November 14, 2014. With this extension of time, the revised deadline is **January 14, 2015**.

Furthermore, section 82a-710 of the Kansas Water Appropriation Act, states in part, that "no application shall lose its priority of filing on account of such defects, provided acceptable data, proofs, maps, plats, plans and drawings are filed in the office of the chief engineer within thirty days following the date of the posting of the return of such application or such further time not exceeding one year as may be given by the chief engineer". Therefore, failure to return the completed application and attachments, within one year from the original posting date of the returned application of March 26, 2014, shall constitute forfeiture of priority date and dismissal of the application.

In order for the application to retain its priority of filing, the original application and attachments must be returned, with the requested information to this office on or before **January 14, 2015**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed original application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 564-6631 or by email at [katie.goff@kda.ks.gov](mailto:katie.goff@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Katie Goff".

Katie Goff  
Environmental Scientist  
Water Appropriation Program

## Katie Goff

---

**From:** Kent R. McKinnis <Kent.McKinnis@1stwealthmanagement.com>  
**Sent:** Monday, November 17, 2014 8:02 AM  
**To:** Katie Goff  
**Subject:** wey out ext

Katie,

I had an emergency come up last week and was not able to email the request for our extension on file number 49,005.

Is there a possibility that we could still request an extension. We would like to request an extension if possible!

Thanks!

Kent

620-899-0025

**Kent McKinnis, M.S., CCA.**  
Officer and Farm Manager  
Farm Management Services

1stWealthManagement.com | 620.694.2347 | f 620.669.5832



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Manhattan, Kansas 66502  
(785) 564-6700



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Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

October 14, 2014

WEY OUT INC  
KENT MCKINNIS, 1ST NATL BANK  
P O BOX 913  
HUTCHINSON KS 67504

RE: Pending Application, File No. 49,005

Dear Mr. McKinnis:

The application referred to above was returned to you for additional information on March 26, 2014, and with your current extension of time the required response date is November 14, 2014. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original application, and requested information, needs to be returned to this office on or before **November 14, 2014**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If an extension of time is necessary to supply the requested information, please request the extension of time, in writing, before **November 14, 2014**. Provide information on why the additional time is needed and how much additional time is requested. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 564-6631 or by email at [katie.goff@kda.ks.gov](mailto:katie.goff@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Katie Goff". The signature is written in a cursive, flowing style.

Katie Goff  
Environmental Scientist  
Water Appropriation Program

pc: GMD 2

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 16, 2014

WEY OUT INC  
KENT MCKINNIS, 1ST NATL BANK  
P O BOX 913  
HUTCHINSON KS 67504

RE: Pending Application, File No. 49,005

Dear Mr. McKinnis:

In response to your written request by electronic mail received in this office on September 12, 2014, the Chief Engineer is allowing an additional extension of time for sixty (60) days, in which to supply further information concerning the above referenced file. The original application was returned to you on March 26, 2014, and with your current extension of time the due date was September 14, 2014. With this extension of time, the revised deadline will be **November 14, 2014**.

Extension requests are evaluated on a case by case basis. Since it appears that no pending application would be adversely affected by granting an extension, you are being allowed this additional 60 days. If near the end of the current extension you determine that additional time will be needed, you may submit another request for an extension prior to the deadline given above. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

In order for the application to retain its priority of filing, the original application and attachments must be returned, with the requested information to this office on or before **November 14, 2014**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed original application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 564-6631 or by email at [katie.hermes@kda.ks.gov](mailto:katie.hermes@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Katie Hermes".

Katie Hermes  
Environmental Scientist  
Water Appropriation Program

pc: GMD 2

## Hermes, Katie

---

**From:** Hermes, Katie  
**Sent:** Friday, September 12, 2014 12:21 PM  
**To:** 'Kent R. McKinnis'  
**Subject:** RE: file no. 49,005

Kent,

I received your request for an additional 60 days. A formal letter will go out in the mail on Monday morning with the revised deadline of November 14, 2014.

Thanks,

Katie Hermes  
Division of Water Resources – Water Appropriations  
Kansas Department of Agriculture  
(785) 564-6631

---

**From:** Kent R. McKinnis [<mailto:Kent.McKinnis@1stwealthmanagement.com>]  
**Sent:** Friday, September 12, 2014 11:44 AM  
**To:** Hermes, Katie  
**Subject:** file no. 49,005

Katie,

We would like to request an additional extension in time in which to supply additional information concerning file number 49,005. The area in question is currently under a moratorium and we are concerned about drilling a test well while not knowing when the moratorium will be lifted.

Thanks for your help!

Kent

**Kent McKinnis, M.S., CCA.**  
Officer and Farm Manager  
Farm Management Services

1stWealthManagement.com | 620.694.2347 | f 620.669.5832



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Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 14, 2014

WEY OUT INC  
KENT MCKINNIS, 1ST NATL BANK  
P O BOX 913  
HUTCHINSON KS 67504

RE: Pending Application, File No. 49,005

Dear Mr. McKinnis:

The application referred to above was returned to you for additional information on March 26, 2014, and with your current extension of time the required response date is September 14, 2014. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original application, and requested information, needs to be returned to this office on or before **September 14, 2014**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If an extension of time is necessary to supply the requested information, please request the extension of time, in writing, before **September 14, 2014**. Provide information on why the additional time is needed and how much additional time is requested. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 564-6631 or by email at [katie.hermes@kda.ks.gov](mailto:katie.hermes@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Katie Hermes".

Katie Hermes  
Environmental Scientist  
Water Appropriation Program

pc: GMD 2

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

July 8, 2014

WEY OUT INC  
KENT MCKINNIS, 1ST NATL BANK  
P O BOX 913  
HUTCHINSON KS 67504

RE: Pending Application, File No. 49,005

Dear Mr. McKinnis:

In response to your written request by electronic mail received in this office on July 7, 2014, the Chief Engineer is allowing an additional extension of time for sixty (60) days, in which to supply further information concerning the above referenced file. The original application was returned to you on March 26, 2014, and with your current extension of time the due date is July 14, 2014. With this extension of time, the revised deadline will be **September 14, 2014**.

Extension requests are evaluated on a case by case basis. Since it appears that no pending application would be adversely affected by granting an extension, you are being allowed this additional 60 days. If near the end of the current extension you determine that additional time will be needed, you may submit another request for an extension prior to the deadline given above. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

In order for the application to retain its priority of filing, the original application and attachments must be returned, with the requested information to this office on or before **September 14, 2014**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed original application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 564-6631 or by email at [katie.hermes@kda.ks.gov](mailto:katie.hermes@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Katie Hermes".

Katie Hermes  
Environmental Scientist  
Water Appropriation Program

pc: GMD 2

## Hermes, Katie

---

**From:** Kent R. McKinnis <Kent.McKinnis@1stwealthmanagement.com>  
**Sent:** Monday, July 07, 2014 3:22 PM  
**To:** Hermes, Katie  
**Subject:** file 49005

Katie,

We have been late getting the wheat off of the ground due to very wet conditions in the field and have not gotten a test hole drilled on the ground yet. Is there a possibility of getting another extension for 30 or 60 days?

The drilling company has also been backlogged due to the very wet field conditions.

The file number is 49,005, Wey Out Inc.

Thanks!

Kent

Cell – 620-899-0025

**Kent McKinnis, M.S., CCA.**

Officer and Farm Manager

Farm Management Services

1stWealthManagement.com | 620.694.2347 | f 620.669.5832



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**Kansas**  
Department of Agriculture  
*Division of Water Resources*

109 SW 9th Street, 2nd Floor  
Topeka, Kansas 66612-1280

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer

Phone: (785) 296-3717  
Fax: (785) 296-1176  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Sam Brownback, Governor

June 12, 2014

WEY OUT INC  
KENT MCKINNIS, 1ST NATL BANK  
P O BOX 913  
HUTCHINSON KS 67504

RE: Pending Application, File No. 49,005

Dear Mr. McKinnis:

The application referred to above was returned to you for additional information on March 26, 2014, and with your current extension of time the required response date is July 14, 2014. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original application, and requested information, needs to be returned to this office on or before **July 14, 2014**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If an extension of time is necessary to supply the requested information, please request the extension of time, in writing, before **July 14, 2014**. Provide information on why the additional time is needed and how much additional time is requested. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 296-3619 or by email at [katie.hermes@kda.ks.gov](mailto:katie.hermes@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Katie Hermes  
Environmental Scientist  
Water Appropriation Program

pc: GMD 2



Department of Agriculture  
Division of Water Resources

109 SW 9th Street, 2nd Floor  
Topeka, Kansas 66612-1280

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer

Phone: (785) 296-3717  
Fax: (785) 296-1176  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

May 7, 2014

WEY OUT INC  
KENT MCKINNIS, 1ST NATL BANK  
P O BOX 913  
HUTCHINSON KS 67504

RE: Pending Application, File No. 49,005

Dear Mr. McKinnis:

In response to your written request by electronic mail received in this office on May 6, 2014, the Chief Engineer is allowing an additional extension of time for sixty (60) days, in which to supply further information concerning the above referenced file. The original application was returned to you on March 26, 2014, and with your current extension of time the due date is May 14, 2014. With this extension of time, the revised deadline will be **July 14, 2014**.

Extension requests are evaluated on a case by case basis. Since it appears that no pending application would be adversely affected by granting an extension, you are being allowed this additional 60 days. If near the end of the current extension you determine that additional time will be needed, you may submit another request for an extension prior to the deadline given above. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

In order for the application to retain its priority of filing, the original application and attachments must be returned, with the requested information to this office on or before **July 14, 2014**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed original application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 296-3619 or by email at [katie.hermes@kda.ks.gov](mailto:katie.hermes@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Katie Hermes  
Environmental Scientist  
Water Appropriation Program

pc: GMD 2



## Hermes, Katie

---

**From:** Kent R. McKinnis <Kent.McKinnis@1stwealthmanagement.com>  
**Sent:** Tuesday, May 06, 2014 2:22 PM  
**To:** Hermes, Katie  
**Subject:** File 49005

Katie,

We would like a 60 day extension to get a test well drilled for the Wey Out Inc. application # 49005.

The drilling company has been very busy with irrigation systems and is backed up for a while.

Thanks!

kent

**Kent McKinnis, M.S., CCA.**  
Officer and Farm Manager  
Farm Management Services

1stWealthManagement.com | 620.694.2347 | f 620.669.5832



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109 SW 9th Street, 2nd Floor  
Topeka, Kansas 66612-1280  
Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer

Phone: (785) 296-3717  
Fax: (785) 296-1176  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

April 14, 2014

WEY OUT INC  
KENT MCKINNIS, 1ST NATL BANK  
P O BOX 913  
HUTCHINSON KS 67504

RE: Pending Application, File No. 49,005

Dear Mr. McKinnis:

The application referred to above was returned to you for additional information on March 26, 2014, and with your current extension of time the required response date is May 14, 2014. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original application, and requested information, needs to be returned to this office on or before **May 14, 2014**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If an extension of time is necessary to supply the requested information, please request the extension of time, in writing, before **May 14, 2014**. Provide information on why the additional time is needed and how much additional time is requested. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 296-3619 or by email at [katie.hermes@kda.ks.gov](mailto:katie.hermes@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Katie Hermes  
Environmental Scientist  
Water Appropriation Program

pc: Stafford Field Office  
GMD 2



Department of Agriculture  
Division of Water Resources

109 SW 9th Street, 2nd Floor  
Topeka, Kansas 66612-1280

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer

Phone: (785) 296-3717

Fax: (785) 296-1176

[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Sam Brownback, Governor

March 26, 2014

WEY OUT INC  
KENT MCKINNIS, 1ST NATL BANK  
P O BOX 913  
HUTCHINSON KS 67504

RE: Pending Application, File No. 49,005

Dear Mr. McKinnis:

After reviewing your above referenced application for a permit to appropriate water for beneficial use, the file is being returned to you for additional information. As specified in K.A.R. 5-3-1, an application acceptable for filing shall show the source of water supply and either shall show a description of the location of the proposed point of diversion or shall request a 60-day period of time in which to establish the location of the proposed point of diversion within a limited area. In your original application, received in this office on March 14, 2014, you had requested a 60-day period of time in which to locate the specific point of diversion within specified quarter section tract of land described as the Southwest Quarter of Section 13, in Township 24 South, Range 6 West, Reno County, Kansas.

In Paragraph No. 5 of the application please provide the description of the location of the proposed point of diversion for the well. The feet distances North and West from the Southeast corner of the section must also be listed for the well. The location of the point of diversion for the file must be plotted on the enclosed site map. Per K.A.R. 5-3-4, the location of all water wells of every kind within one-half (½) mile of the point of diversion covered by the proposed appropriation must be plotted on the topographic map, identified as to its use, and include the name and mailing address of the well owner. The application currently has this information attached; please verify the information is correct once you have established your point of diversion for this file.

Paragraph No. 13 of the application requests well information so the source of supply of the proposed well may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of a well or test hole within 300 feet of the proposed point of diversion, unless the chief engineer has sufficient information to understand the lithology and determine the groundwater source formation. Please supply the indicated information and a test hole log or a driller's log with the returned application.

In order for the application to retain its priority of filing, the original application and attachments must be returned, with the requested information to this office on or before May 14, 2014, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments, within the time allowed, shall constitute forfeiture of the priority date and dismissal of the application. If you have any questions, please contact me at (785) 296-3619. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Katie Hermes

Environmental Scientist

Water Appropriation Program

WATER RESOURCES  
RECEIVED

Enclosure

pc: Stafford Field Office  
GMD 2

FEB 05 2015

KS DEPT OF AGRICULTURE

  
**Kansas**  
Department of Agriculture  
Division of Water Resources

109 SW 9th Street, 2nd Floor  
Topeka, Kansas 66612-1280

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer

Phone: (785) 296-3717  
Fax: (785) 296-1176  
www.agriculture.ks.gov  
Sam Brownback, Governor

March 26, 2014

WEY OUT INC  
KENT MCKINNIS, 1ST NATL BANK  
P O BOX 913  
HUTCHINSON KS 67504

RE: Pending Application, File No. 49,005

Dear Mr. McKinnis:

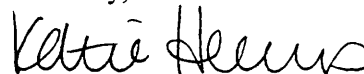
After reviewing your above referenced application for a permit to appropriate water for beneficial use, the file is being returned to you for additional information. As specified in K.A.R. 5-3-1, an application acceptable for filing shall show the source of water supply and either shall show a description of the location of the proposed point of diversion or shall request a 60-day period of time in which to establish the location of the proposed point of diversion within a limited area. In your original application, received in this office on March 14, 2014, you had requested a 60-day period of time in which to locate the specific point of diversion within specified quarter section tract of land described as the Southwest Quarter of Section 13, in Township 24 South, Range 6 West, Reno County, Kansas.

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Sincerely,



Katie Hermes  
Environmental Scientist  
Water Appropriation Program

Enclosure

pc: Stafford Field Office  
GMD 2

AD ASTRA PER ASPERA  
**Kansas**  
Department of Agriculture  
Division of Water Resources

109 SW 9th Street, 2nd Floor  
Topeka, Kansas 66612-1283

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fax: (785) 296-1176  
<http://agriculture.ks.gov/dwr>

Jackie McClaskey, Acting Secretary  
David W. Barfield, Chief Engineer

Sam Brownback, Governor

March 19, 2014

WEY OUT INC., C/O KENT MCKINNIS 1ST NATIONAL BANK OF HUTCHINSON  
PO BOX 913  
HUTCHINSON KS 67504

RE: Application  
File No. 49,005

Dear Sir or Madam:

Your application for permit to appropriate water in 13-24S-6W, in Reno County, was received and has been assigned the file number noted above.

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

**Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be 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 provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.**

**(b) (1) The violation of any provision of this section by any person is a class C misdemeanor . . .**

**A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.**

If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,



Douglas W. Schemm  
New Application Unit Supervisor  
Water Appropriation Program

DWS: al  
pc: Stafford Field Office  
GMD 2