

Kansas Department of Agriculture
Division of Water Resources
PERMIT OF NEW APPLICATION WORKSHEET

1. File Number: 49,823	2. Status Change Date: 7/31/2018	3. Field Office: 02	4. GMD:
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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 **65447**
Add Seq# **1**

RUBENNIL15 LLC
DAVID LINNEBUR
5501 SEMINARY RD 1203-S
FALLS CHURCH VA 22041

7b. Landowner(s)
New to system

Person ID _____
Add Seq# _____

7A

7c. Landowner(s)
New to system

Person ID _____
Add Seq# _____

Landowner

7d. Misc. *Landowner*
New to system

Person ID **65447**
Add Seq# **2**

~~RUBENNIL15 LLC~~ *Rubennil 15 LLC*
BEN LINNEBUR
7324 E 26TH ST N
WICHITA KS 67226

8. WUR Correspondent
New to system
Overlap File (s) WUC
Agree Yes No

Person ID _____
Add Seq# _____
Notarized WUC Form

7d

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: **7215?** OTHER: _____

10. Completion Date: **12/31/2019** 11. Perfection Date: **12/31/2023** 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: **6/26/18** By: **AJW**
Date Entered: **8/1/2018** By: **LLM**

File No. **49,823** 15. Formation Code: ~~74~~ **113** Drainage Basin: **Arkansas River** County: **SG** Special Use: Stream:

16. Points of Diversion										
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
MOD			86032	NW SW NW	22	27S	1W	3	3,340	5,080
ENT			86953	NW SW NW	22	27S	1W		3,365	5,010
ENT			86954	NW SW NW	22	27S	1W		3,320	5,155
Battery ID #2094										

17. Rate and Quantity				
Authorized		Additional		
Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	Overlap PD Files
75	31.608	75	31.608	none

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										Total	Owner	Chg?	Overlap Files																		
MOD	DEL	ENT	PUSE	S	T	R	ID	NE¼						NW¼				SW¼				SE¼									
								NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼								
MOD			68313	22	27S	1W	3																								
Laundry Mat																															
heating + cooling at a laundromat (NE NW)																															
(SW NW)																															
NW SW NW																															

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: May 22, 2018

FROM: Alex Whitesell

RE: Application, File No. 49,823

Rubennil 15, c/o David Lennebur, has filed the above referenced application for a permit to appropriate water for beneficial use, proposing the appropriation of 97 acre-feet of groundwater from two (2) existing wells, for industrial use in Sedgwick County. The application was originally filed indicating one well but after talking to the applicant, two existing wells were confirmed to be operating.

The quantity of water was justified as follows using 2 gallons per minute per tons of pumps for heating and cooling purposes:

2 GPM x 60 Minutes x 24 Hours per day x 365 Days per year x 30 tons per minute = 31.54 million gallons (97 acre-feet).

The source of water for the pending application was determined to be Lower Arkansas River Alluvial Aquifer, based on area wells logs and Kansas Geological Survey.

The area of the proposed point of diversion is open to new appropriations, subject to safe yield. The specific method for calculating safe yield for unconfined groundwater aquifers is described in K.A.R. 5-3-11. The safe yield area of consideration is the entire two-mile circle, 8,042 acres using 5.4 inches of potential annual recharge and 75% recharge available for appropriation. The safe yield was calculated to be 2,714.18 acre-feet with total prior appropriation of 1,270.71 acre-feet leaving 1,443.63 acre-feet available for appropriation. Therefore, the application meets safe yield.

The application is subject to well spacing, as required by K.A.R. 5-4-4 and does not meet well spacing to domestic wells according to K.A.R. 5-4-4. The applicant supplied a map the application is to cover existing wells that have been operating with no issues and no comments were received from nearby well owners. David Engelhaupt, Engineering Associate in Water Management ran a Theis analysis showing a maximum drawdown of 3.01 feet after 50 years of pumping, therefore no significant impact to nearby wells. Because these wells have been in operation for so long with no known issues, no comments were received from nearby well owners, and the Theis analysis showing no significant drawdown, well spacing is not an issue for this application.

All well owners within one-half (½) mile of the proposed point of diversion were notified of the application, by Public Notice in the Wichita Eagle on February 10th, 17th, and 24th, 2018, and provided 15 days to submit any comments or concerns related to the proposed appropriation. No comments have been received. Well owners within 1,000 feet were also notified by letter dated March 30, 2018. No comments have been received.

In an email message June 20, 2018, Jeff Lanterman, Water Commissioner of the Stafford Field Office recommended approval of the application.

Based on the above discussion and the available information, and that K.A.R. 5-25-2 is waived, it is recommended that the referenced application be approved.



Alex Whitesell
Environmental Scientist
Water Appropriation Program

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

FILE COPY

RUBENNIL 15
DAVID LINNEBUR
5501 SEMINARY RD 1203-S
FALLS CHURCH VA 22041

August 3, 2018

RE: Appropriation of Water
File No. 49,823

Dear Sir or Madam:

There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approval documents. A water meter is required on the proposed diversion works and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Enclosed is a form which must be used to notify the Chief Engineer that the proposed diversion works have been completed. Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the enclosed permit. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00. There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right.

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

Sincerely,

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

KAB:ajw

Enclosures

pc: Stafford Field Office
Ben Linnebur



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,823** of the applicant

**RUBENNIL15
DAVID LINNEBUR
5501 SEMINARY RD 1203-S
FALLS CHURCH VA 22041**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **April 17, 2017**.
2. That the water sought to be appropriated shall be used for industrial use in the Northwest Quarter of the Southwest Quarter of the Northwest Quarter of Section 22, Township 27 South, Range 1 West, Sedgwick County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater to be withdrawn by means of a battery of two (2) wells with a geographic center located in the Northwest Quarter of the Southwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 22, more particularly described as being near a point 3,340 feet North and 5,080 feet West of the Southeast corner of said section, in Township 27 South, Range 1 West, Sedgwick County, Kansas located substantially as shown on the topographic map accompanying the application.
4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **75 gallons per minute (0.167 c.f.s.)** and to a quantity not to exceed **31.608 million gallons (97 acre-feet)** of water for any calendar year.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2019** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.
6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2023** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

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

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

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

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

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

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

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

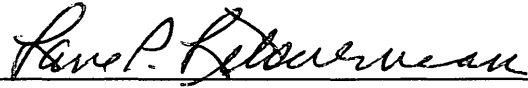
14. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

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

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

(over)

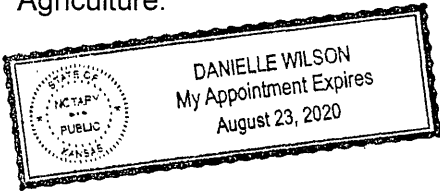
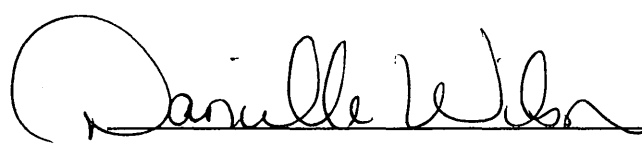
Ordered this 31st day of July, 2018, in Topeka, Shawnee County, Kansas.



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 31st day of July, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.

Notary Public

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

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

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 18 days after this Order was mailed to you), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

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

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

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

CERTIFICATE OF SERVICE

On this 3rd day of August, 2018, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,823, dated July 31st, 2018 was mailed postage prepaid, first class, US mail to the following:

RUBENNIL 15
DAVID LINNEBUR
5501 SEMINARY RD 1203-S
FALLS CHURCH VA 22041

With photocopies to:

BEN LINNEBUR
7324 E 26TH ST N
WICHITA KS 67226

Stafford Field Office



Division of Water Resources



APPLICATION COMPLETE
6/20/18
Reviewer AJW

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49823
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

APR 17 2017

11:52

KS DEPT OF AGRICULTURE

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.)

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

1. Name of Applicant (Please Print): Rubennil15 c/o David Linnebur linneburdj@verizon.net
Address: 5501 Seminary Rd 1203-S
City: Falls Church State: VA Zip Code: 22041
Telephone Number: (703) 543-5725

2. The source of water is: surface water in _____ (stream)
OR groundwater in Arkansas River (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 97 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 75 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 0 Meets K.A.R. 5-3-1 (YES / NO) Use FND Source GS County SG By AJW Date 4/17/17
Code REG Fee \$ 200 TR # _____ Receipt Date 4/17/17 Check # 2307

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.

Geo Center

- (A) One in the NW quarter of the SW quarter of the NW quarter of Section 22, more particularly described as being near a point 3340 feet North and 5,080 feet West of the Southeast corner of said section, in Township 27 South, Range 1 East West (circle one), Sedgwick County, Kansas.
- (B) One in the NW quarter of the SW quarter of the NW quarter of Section 22, more particularly described as being near a point 3315 feet North and 5010 feet West of the Southeast corner of said section, in Township 27 South, Range 1 East West (circle one), Sedgwick County, Kansas.
- (C) One in the NW quarter of the SW quarter of the NW quarter of Section 22, more particularly described as being near a point 3370 feet North and 5155 feet West of the Southeast corner of said section, in Township 27 South, Range 1 East West (circle one), Sedgwick 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.

* As per email 3-9-17

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):

N/A

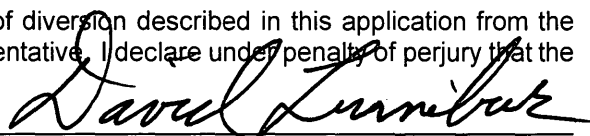
(name, address and telephone number)

(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 10 April, 2017.



Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of one well
(number of wells, pumps or dams, etc.)
and (was) (will be) completed (by) April / 09 / 2009
(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 April / 10 / 2010.
(Mo/Day/Year)

**WATER RESOURCES
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APR 17 2017

- 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. **N/A**

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 _____
- If no, explain here why a Water Structures permit is not required _____

- 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.

N/A

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

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	<u>22 Sep 2009</u>	_____	_____	_____
Total depth of well	<u>70 ft.</u>	_____	_____	_____
Depth to water bearing formation	<u>20 ft.</u>	_____	_____	_____
Depth to static water level	<u>25 ft.</u>	_____	_____	_____
Depth to bottom of pump intake pipe	<u>50 ft.</u>	_____	_____	_____

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

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

(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 Falls Church, Virginia, this 10th day of April, 2017
(month) (year)


(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by _____ Date: _____
(office/title)

WATER RESOURCES RECEIVED

APR 17 2017

KS DEPT OF AGRICULTURE

SCANNED

49823

INDUSTRIAL USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): Rubennil15 c/o David Linnebur

1. Please describe type of industry or product produced: coin operated washer and dryer laundromat

Standard Industrial Classification Code Number: 7215

2. Please complete the following table to show your past and present water requirements:

PAST PRODUCT PRODUCTION AND WATER DIVERTED, IF APPLICABLE

LAST 5 YEARS	AMOUNT OF PRODUCT	WATER DIVERTED (GALLONS)	GALLONS PER PRODUCT PER DAY
5 years ago	N/A	N/A	N/A
Last year	Heat/Cool 8000 sq ft	31.6 Mgal/year	86,400 gal/day
Present year	Heat/Cool 8000 sq ft	31.6 Mgal/year	86,400 gal/day

3. Please complete the following table to show your future water requirements:

ESTIMATED FUTURE PRODUCT PRODUCTION AND WATER DIVERTED

NEXT 5 YEARS	AMOUNT OF PRODUCT	WATER TO BE DIVERTED (GALLONS)	GALLONS PER PRODUCT PER DAY
Year 1	Heat/Cool 8000 sq ft	31.6 Mgal/year	86,400 gal/day
Year 2	Heat/Cool 8000 sq ft	31.6 Mgal/year	86,400 gal/day
Year 3	Heat/Cool 8000 sq ft	31.6 Mgal/year	86,400 gal/day
Year 4	Heat/Cool 8000 sq ft	31.6 Mgal/year	86,400 gal/day
Year 5	Heat/Cool 8000 sq ft	31.6 Mgal/year	86,400 gal/day

Number of days of operation of the industry per year is 365 days.

Please attach any tables, curves or additional information showing past, present and estimated future water requirements to substantiate the amount of water requested.

4. Please designate the legal description of the location where the water is to be used. Show in the space provided below the Section (S), Township (T), and Range (R), and the number of acres in each forty acre tract or fractional portion thereof.

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
22	27S	1W	0	0	.2	0	0	0	0	0	0	0	0	0	0	0	0	0	.2

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

**WATER RESOURCES
RECEIVED**

APR 17 2017

DWR 1-100.22 (7-7-00)

Additional Information to Industrial Use Supplemental Sheet

This business was purchased on 10 April, 2015. An application for a storm water discharge permit was made and approved on 22 March 2017, effective 1 April 2017. City of Wichita issued approved discharge into the storm water system on 24 March in accordance with the permit. A permit to appropriate water is required to proceed.

The yellow cells indicate best estimate for water requirements: 31.54 Mgal/per year or 96.78 acre-feet. HVAC experts estimate 1-3 gal/min per ton of AC for cooling requirements. Spring Clean at 416 N Ridge Road operates with a total of 30 tons of heat pumps for heating/cooling. Yearly requirements for different gal/min per ton are shown in the table. In each scenario, 30 tons are in operation continuously for the estimate. Though 30 tons in operation continuously is not expected, water requirements will vary and normally increase for such things as different manufacturers heat pump model requirements, increased water temperature of the water (for cooling), or decreased water temperature (for heating), etc. Therefore, 30 tons in operation continuously serves to account for other factors to provide a yearly estimate.

Maximum gal/min as requested in paragraph 3 of the application was computed assuming a high-water demand situation during peak operations: 30 tons in operation at 2.5 gal/ton per minute: 75 gal/min.

Heat Pumps Water Requirements (dependent on gal/ton/min)	min/hr	hr/day	days/yr	tons / min	gal / ton	Yearly Water Mgal	Yearly Acre Ft	Annual Water Cost \$.03/kGal
30 tons at 3 gal/ton	60	24	365	30	3	47.30	145.17	\$1,419.12
30 tons at 2 gal/ton	60	24	365	30	2	31.54	96.78	\$946.08
30 tons at 1.5 gal/ton	60	24	365	30	1.5	23.65	72.59	\$709.56
30 tons at 1 gal/ton	60	24	365	30	1	15.77	48.39	\$473.04

WATER RESOURCES RECEIVED

APR 17 2017

Whitesell, Alex [KDA]

From: Lanterman, Jeff [KDA]
Sent: Wednesday, June 20, 2018 3:08 PM
To: Conant, Cameron [KDA]; Whitesell, Alex [KDA]
Subject: RE: Recomendation 49823

This would be considered industrial use wouldn't it? I thought THX had to be non consumptive with an injection well to be considered that.

That being said I concur with Alex and Cameron's recommendation that this can be approved as an industrial use. Actually surprised it met safe yield there.

Thanks
Jeff

From: Conant, Cameron [KDA]
Sent: Wednesday, June 20, 2018 1:49 PM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: FW: Recomendation 49823

Jeff, this is an existing thermal exchange, pump and dump into the City of Wichita storm water system (the business applied for a permit from Wichita to pump to the storm drainage and apparently were informed would also need a water right).

This is in the city so there are a bunch of potential domestic wells around. There was a public notice (no comments received) and we also notified wells within 1000' (no comments received).

The wells were drilled in 2009 and have apparently been in operation since that time for this use. The applicant has provided good justification that they could need 97AF for this use on the high end.

Please note the theis analysis from David E that has been included. His analysis states, "The maximum drawdown after 50 years of pumping cycles is 3.01 feet or 6.69% of the estimated saturated depth of the domestic well (Table 2)."

http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=374320097284101 (~2.5 miles northwest) steady water level, decline in the 2011 drought but has recovered nicely

http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=374413097274404 (~3 miles north) steady water level, decline in the 2011 drought but has recovered nicely.

Based on the analysis from David, steady water levels, and the fact that this has been in operation without issue for nearly 10 years, I think this can be recommended for approval.

Please pass on to Alex if you agree that we can recommend this for approval with a waiver of spacing to a nearby domestic well.

Cameron

From: Whitesell, Alex [KDA]
Sent: Tuesday, May 22, 2018 2:23 PM

To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>; Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: Recomendation 49823

Jeff and Cameron,

Could you please provide your recommendation on this file? Thank you!

Alex Whitesell
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS
(785) 564 - 6631

My email has changed alex.whitesell@ks.gov

Property Details for PID: 087135220230100102

QuickRef ID :	R330162
Owner Name :	RUBENNIL 15 LLC
Location:	416 N RIDGE RD, WICHITA, KS 67212
Abbreviated Boundary Description:	S 160 FT N 370 FT LOT 1 EXC W 10 FT FOR STREET WOODLAND HEIGHTS 2ND ADD.
Owner Information:	
Owner	RUBENNIL 15 LLC
Mailing Address	7324 E 26TH ST N WICHITA, KS 67226-1732
Property Information:	
Type	Commercial & Industrial
Status	Active
Taxing Unit	6705 005 WICHITA U-259-JPC DE
Neighborhood Code	870.9

No Secondary Address Details found

Market Land Details:

Actual Width:	0
Eff. Width	0
Eff. Depth	0
Acres	1
Square Feet	45,422

Permit Details

Number	Date	Amount	Purpose
09-00578	Jun 02, 2009	600000.0000	

No Orion Deed Book Page Details found



LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
654386	0003611812	David Linnebur filed an application with the Kansas		\$469.27	1	27

Attention:

LINNEBUR
 7324 E 26TH ST N
 WICHITA, KS 67226

David Linnebur filed an application with the Kansas Department of Agriculture, Division of Water Resources, 1320 Research Park Drive, Manhattan, Kansas, 66502, for permit to appropriate water for beneficial use, identified as File No. 49,823, which proposes to appropriate groundwater in the drainage basin of the Arkansas River, to be diverted by means of two (2) existing wells with a geographic center located in the Northwest Quarter of the Southwest Quarter of the Northwest Quarter (NW1/4 SW1/4 NW1/4) of Section 22, more particularly described as being near a point 3,340 feet North and 5,080 feet West of the Southeast corner of said section, in Township 27 South, Range 1 West, Sedgwick County, Kansas, in an amount of 97 acre-feet per calendar year to be diverted at a maximum rate of 75 gallons per minute for climate control. Any interested party is invited to submit written comments to this office on or before May 17th. Persons submitting written comments should specifically indicate their interest in the application in a clear and concise manner.

In The STATE OF KANSAS
 In and for the County of Sedgwick
 AFFIDAVIT OF PUBLICATION

3 Insertions

Beginning issue of: 04/18/2018

Ending issue of: 05/02/2018

STATE OF KANSAS)
 .SS
 County of Sedgwick)

Dale Seiwert, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 4/18/2018 to 05/02/2018.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dale Seiwert

(Signature of Principal Clerk)

DATED: 5/2/2018

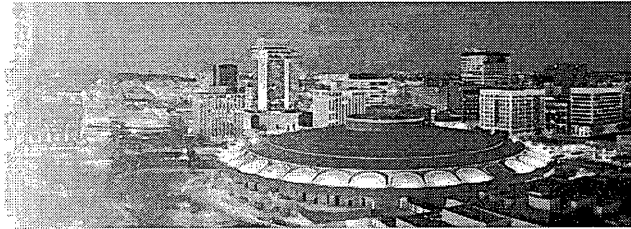
Jennifer Rae Bailey
 Notary Public Sedgwick County, Kansas

WATER RESOURCES
 RECEIVED

MAY 25 2018

KS DEPT OF AGRICULTURE

JENNIFER RAE BAILEY
 Notary Public - State of Kansas
 My Appt. Expires 6/14/2021



Order Confirmation

Customer

BEN LINNEBUR

Customer Account

654386

Customer Address

7324 E 26TH ST N
WICHITA KS 67226 USA

Customer Phone

316-617-6496

Customer Fax

Sales Rep

akim@mcclatchy.com

Payor Customer

BEN LINNEBUR

Payor Account

654386

Payor Address

7324 E 26TH ST N
WICHITA KS 67226 USA

Payor Phone

316-617-6496

Customer EMail

cbslinnebur@gmail.com

Order Taker

akim@mcclatchy.com

<u>PO Number</u>	<u>Payment Method</u>	<u>Blind Box</u>	<u>Tear Sheets</u>	<u>Proofs</u>	<u>Affidavits</u>
	Credit Card		0	0	1

<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Amount</u>	<u>Amount Due</u>
\$469.27	\$0.00	\$469.27	\$469.27	\$0.00

<u>Ad Order Number</u>	<u>Order Source</u>	<u>Ordered By</u>	<u>Special Pricing</u>
0003611812			

<u>Invoice Text</u>	<u>Promo Type</u>

<u>Package Buy</u>	<u>Materials</u>

Ad Order Information

Ad Number **Ad Type** **Production Method** **Production Notes**
0003611812-01 WIC-Class Liner AdBooker

External Ad Number **Ad Attributes** **Ad Released** **Pick Up**
No

Ad Size **Color**
1 X 27 li

Product **Placement** **Times Run** **Schedule Cost**
WIC- Wichita Eagle 0300 - Legals Classified 3 \$469.27

Run Schedule Invoice Text **Position**
David Linnebur filed an application with 0301 - Legals & Public Notices

Run Dates
04/18/2018, 04/25/2018, 05/02/2018

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This analysis for Application, File No. 49,823

A This analysis was used to evaluate the impacts of Application, File No. 49,823 on a domestic well located 285 feet from the proposed well location. Transmissivity was estimated from the WWC5 well log for the domestic well (Table 1). The depth to water was assumed to be 20 feet based on a monitoring well located in Township 27 South, Range 1 West, Section 17. The storage coefficient was assumed to be 0.04. The maximum drawdown after 50 years of pumping cycles is 3.01 feet or 6.69% of the estimated saturated depth of the domestic well (Table 2).

Table 1: Lithological log and estimated transmissivity for the domestic well

Depth (feet)	Description	Kx (ft/day)	T (ft ² /d)
0 - 3	sandy soil	Above estimated water level	
3 - 8	brown soil		
8 - 16	dirty sand		
16 - 20	fine sand		
20 - 25	fine sand	50	250
25 - 35	medium sand	80	800
35 - 65	coarse sand	90	2,700
Transmissivity (ft ² /day)			3,750

Table 2: This analysis of drawdown at the domestic well. T = 3,750 ft²/day; S = 0.04

Pumping Well	Rate (gpm)	Volume Pumped (AF)	Distance (ft)	Drawdown (ft)	Drawdown (% of saturated depth)
49,823	75	97	285	3.01	6.69 %

STATE OF KANSAS



DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777

900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 30, 2018

RIDGE PLAZA LLC
416 N RIDGE
WICHITA KS 67212

RE: Application
File No. 49,823

Dear Sir or Madam:

This is to advise you that David Linnebur has filed the application referred to above for permit to appropriate 97 acre-feet of water per calendar year for industrial use to be diverted at a maximum rate of 75 gallons per minute from a well or wells located as follows:

two (2) wells with a geographic center located in the Northwest Quarter of the Southwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 22, more particularly described as being near a point 3,340 feet North and 5,080 feet West of the Southeast corner of said section, in Township 27 South, Range 1 West, Sedgwick 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

SCANNED

STATE OF KANSAS



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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 30, 2018

NEWICH OFFICE PROPERTIES LLC
444 N RIDGE RD
WICHITA KS 67212

RE: Application
File No. 49,823

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 30, 2018

SOUTH WEST INVESTMENTS LLC
7000 W SHADE LN
WICHITA KS 67212

RE: Application
File No. 49,823

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Sincerely,

A handwritten signature in black ink, appearing to read "Alex Whitesell".

Alex Whitesell
Environmental Scientist
Water Appropriation Program

AJW:
Enclosure(s)
pc: Stafford Field Office

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STATE OF KANSAS

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 15, 2018

FILE COPY

SHANE GERBER
700 W SHADE LN
WICHITA KS 67212

RE: Application
File No. 49,823

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 15, 2018

FARMINGTON SQUARE APTS
6801 PAR LN
WICHITA KS 67212

RE: Application
File No. 49,823

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Alex Whitesell
Environmental Scientist
Water Appropriation Program

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 15, 2018

MENTAL HEALTH ASSOCIATION
6950 SHADE LANE
WICHITA KS 67212

RE: Application
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Environmental Scientist
Water Appropriation Program

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JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 15, 2018

PERRY DUNCAN
416 N RIDGE
WICHITA KS 67212

RE: Application
File No. 49,823

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 15, 2018

BOB ARNOLD
336 ACADIA
WICHITA KS 67212

RE: Application
File No. 49,823

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Environmental Scientist
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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 15, 2018

GEORGE GOUDIE
7300 W 2ND ST
WICHITA KS 67212

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File No. 49,823

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This is to advise you that David Linnebur has filed the application referred to above for permit to appropriate 97 acre-feet of water per calendar year for industrial use to be diverted at a maximum rate of 75 gallons per minute from a well or wells located as follows:

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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.

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

SCANNED

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 15, 2018

MHA
6922 SHADE LANE
WICHITA KS 67212

RE: Application
File No. 49,823

Dear Sir or Madam:

This is to advise you that David Linnebur has filed the application referred to above for permit to appropriate 97 acre-feet of water per calendar year for industrial use to be diverted at a maximum rate of 75 gallons per minute from a well or wells located as follows:

two (2) wells with a geographic center located in the Northwest Quarter of the Southwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 22, more particularly described as being near a point 3,340 feet North and 5,080 feet West of the Southeast corner of said section, in Township 27 South, Range 1 West, Sedgwick County, Kansas.

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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,

A handwritten signature in black ink, appearing to read "Alex Whitesell".

Alex Whitesell
Environmental Scientist
Water Appropriation Program

AJW:
Enclosure(s)
pc: Stafford Field Office

SCANNED

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JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 15, 2018

YMCA WEST BRANCH
6940 W NEWELL
WICHITA KS 67212

RE: Application
File No. 49,823

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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

AJW:
Enclosure(s)
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SCANNED

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 15, 2018

DALE MANNEBACK
380 BRUNSWICK
WICHITA KS 67212

RE: Application
File No. 49,823

Dear Sir or Madam:

This is to advise you that David Linnebur has filed the application referred to above for permit to appropriate 97 acre-feet of water per calendar year for industrial use to be diverted at a maximum rate of 75 gallons per minute from a well or wells located as follows:

two (2) wells with a geographic center located in the Northwest Quarter of the Southwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 22, more particularly described as being near a point 3,340 feet North and 5,080 feet West of the Southeast corner of said section, in Township 27 South, Range 1 West, Sedgwick County, Kansas.

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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

AJW:
Enclosure(s)
pc: Stafford Field Office

SCANNED

STATE OF KANSAS

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1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 15, 2018

PINNACLE
444 N RIDGE RD
WICHITA KS 67212

RE: Application
File No. 49,823

Dear Sir or Madam:

This is to advise you that David Linnebur has filed the application referred to above for permit to appropriate 97 acre-feet of water per calendar year for industrial use to be diverted at a maximum rate of 75 gallons per minute from a well or wells located as follows:

two (2) wells with a geographic center located in the Northwest Quarter of the Southwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 22, more particularly described as being near a point 3,340 feet North and 5,080 feet West of the Southeast corner of said section, in Township 27 South, Range 1 West, Sedgwick County, Kansas.

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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

AJW:
Enclosure(s)
pc: Stafford Field Office

SCANNED

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 15, 2018

FILE COPY

DAVID LINNEBUR
5501 SEMINARY RD 1203-S
FALLS CHURCH VA 22041

RE: Application
File No. 49,823

Dear Mr. Linnebur:

Below is a copy of a notification of your application to appropriate water for beneficial use. This notice must be published in a local newspaper once a week for three (3) consecutive weeks at your expense. The date in the publication must allow at least 15 days for public comment following the final publication. Copies of the publication are to be submitted to this office within two (2) weeks of final publication.

David Linnebur has filed an application with the Kansas Department of Agriculture, Division of Water Resources, 1320 Research Park Drive, Manhattan, Kansas, 66502, for permit to appropriate water for beneficial use, identified as File No. 49,823, which proposes to appropriate groundwater in the drainage basin of the Arkansas River, to be diverted by means of two (s) existing wells with a geographic center located in the Northwest Quarter of the Southwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 22, more particularly described as being near a point 3,340 feet North and 5,080 feet West of the Southeast corner of said section, in Township 27 South, Range 1 West, Sedgwick County, Kansas, in an amount of 97 acre-feet per calendar year to be diverted at a maximum rate of 75 gallons per minute for climate control. Any interested party is invited to submit written comments to this office on or before *(date should be 15 days after final publication)*. Persons submitting written comments should specifically indicate their interest in the application in a clear and concise manner.

If you have any questions, please feel free to contact our office at (785) 564-6634. Please have your file number so that we may help you more efficiently.

Alex Whitesell
Environmental Scientist
Water Appropriation Program

Enclosure(s)

Pc: Stafford Field Office
Ben Linnebur

SCANNED

Whitesell, Alex [KDA]

From: David Linnebur <linneburdj@verizon.net>
Sent: Friday, March 09, 2018 4:17 PM
To: Whitesell, Alex [KDA]
Cc: 'Ben & Stephanie Linnebur'
Subject: RE: 49823 - Confirm Point of Diversion
Attachments: pd_update.pdf

Alex,

I understand that we have a "battery of wells". Two to be exact.

I'm not sure I can check the feet accurately, but I'll take a look. But, on the picture you have the correct corners of the building where the two wells are located. To be more accurate though, both wells are located on the outside of the building in those piece-of-pie shaped green spots you can see if you zoom in.

Send us the public hearing requirements and one of us will get that working with as little delay as possible. From our conversation I understand that the public notice must run about three weeks followed by 15 days to respond. If everything is OK with that then we schedule an inspection (cost = \$400). If everything goes well then we could have a permit to appropriate water in about two months.

Thanks
Dave

From: Whitesell, Alex [KDA] <Alex.Whitesell@ks.gov>
Sent: Friday, March 9, 2018 12:32 PM
To: linneburdj@verizon.net
Subject: 49823 - Confirm Point of Diversion

Mr. Linnebur,

As we discussed on the phone, here is a map with the added point of diversion at your facility. I've plotted the wells in the NE and the SW corners of the building. Our office operates by using a geographic center for a battery of wells which is the case for this application.

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.

Please reply to this email confirming that those well locations are accurate.

The NE well is located at 3365 N and 5010 W
The SW well is located at 3320 N and 5155 W
The Geo-Center is located 3340 N and 5080 W

All feet differences are from the SE corner of section 22-27S-1W.

Please let me know if you have any questions.

Alex Whitesell
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS
(785) 564 - 6631

My email has changed alex.whitesell@ks.gov



1320 Research Park Drive
Manhattan, Kansas 66502
Jackie McClaskey, Secretary

Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

April 18, 2017

FILE COPY

DAVID LINNEBUR
5501 SEMINARY RD 1203-S
FALLS CHURCH VA 22041

RE: Application
File No. 49823

Dear Sir or Madam:

Your application for permit to appropriate water in 22-27S-01W in Sedgwick 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 me at (785) 564-6645. 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

BAT: dlw
pc: STAFFORD Field Office
GMD

SCANNED

Well No	WELL_ID	COUNTY	TOWN SHIP	TWN DIR	RNG	RANGE DIR	SECT	SPOT	LONGITUDE	LATITUDE	LONG_LAT_TYPE	OWNER	WELL_USE	COMPLE_DATE	STATUS	OTHER_ID	DWR_NUMB ER	DIRECTIONS	WELL_DEPT	ELEV	STATIC_DEPTH
183	69606	Sedgwick	27	S	1	W	21	NW/NE/NE	-97.4292934	37.693422	From PLSS	Total Petroleum Inc	Monitoring well/observation/piezometer	25-Jul-91	CONSTRUCTED	MW 1	7399 W Central, Wichita	38		33	
184	69679	Sedgwick	27	S	1	W	21	SE NE NW NE	-97.4309953	37.6929416	From PLSS	Maybe, Carol	Lawn and Garden - domestic only	14-Sep-84	CONSTRUCTED		600 Redbarn, Wichita	60		27	
185	69691	Sedgwick	27	S	1	W	21	SE NE NW/NE	-97.4309953	37.6929416	From PLSS	Maybe, Ron	Lawn and Garden - domestic only	17-Sep-84	CONSTRUCTED		600 Redbarn, Wichita	60		26	
186	69682	Sedgwick	27	S	1	W	21	NE NW NE	-97.431572	37.6933854	From PLSS	Balmon, Bob	Lawn and Garden - domestic only	14-Sep-84	CONSTRUCTED		621 Brownthrush, Wichita	60		26	
187	69687	Sedgwick	27	S	1	W	21	NE NW/NE	-97.431572	37.6933854	From PLSS	Johnson, Ron	Lawn and Garden - domestic only	12-Sep-84	CONSTRUCTED		600 Brownthrush, Wichita	60		27	
188	116929	Sedgwick	27	S	1	W	21	SW SW NW NE	-97.4343824	37.6910736	From PLSS	Schumaker, Chris	Lawn and Garden - domestic only	8-Oct-97	PLUGGED		512 Redbarn, Wichita	25		13	
189	344224	Sedgwick	27	S	1	W	21	SW/NW/NE	-97.4338207	37.6915362	From PLSS	Boyd, Corring	Lawn and Garden - domestic only	8-Jan-04	CONSTRUCTED		566 Redbarn, Wichita	100		25	
190	344225	Sedgwick	27	S	1	W	21	SW NW NE	-97.4338207	37.6915362	From PLSS	Boyd, Corring	Lawn and Garden - domestic only	9-Jan-04	CONSTRUCTED		566 Redbarn, Wichita	70		25	
191	469838	Sedgwick	27	S	1	W	21	SW/NW/NE	-97.4338207	37.6915362	From PLSS	Creel, Wesley	Lawn and Garden - domestic only	28-Mar-13	CONSTRUCTED		606 N Chickadee Ln, Wichita	80		27	
192	421805	Sedgwick	27	S	1	W	21	NE SW NW NE	-97.4332588	37.6919986	From PLSS	Guthrie, Archie	Lawn and Garden - domestic only	8-Sep-08	CONSTRUCTED		555 N Emerson, Wichita	60		23	
193	69601	Sedgwick	27	S	1	W	21	SE NW/NW/NE	-97.4332735	37.6929048	From PLSS	Johnson, Billy	Lawn and Garden - domestic only	20-Nov-90	CONSTRUCTED		618 N Chickadee Lane, Wichita	62		38	
194	93829	Sedgwick	27	S	1	W	21	NW NW NE	-97.4338505	37.6933488	From PLSS	Fina Oil and Chemical Co.	Monitoring well/observation/piezometer	13-Jul-94	CONSTRUCTED	MW 6	N of 654 Woodchuck, SE corner of Woodchuck and Central, Wichita	42			
195	93839	Sedgwick	27	S	1	W	21	NW/NW/NE	-97.4338505	37.6933488	From PLSS	Fina Oil and Chemical Co.	Monitoring well/observation/piezometer	14-Jul-94	CONSTRUCTED	MW 8	654 Woodchuck SW corner of Woodchuck and Jennie, Wichita	41			
196	94453	Sedgwick	27	S	1	W	21	NW NW NE	-97.4338505	37.6933488	From PLSS	Fina Oil and Chemical Co.	Monitoring well/observation/piezometer	1-Sep-94	CONSTRUCTED	MW 13	625 Chickadee, Wichita	44			
197	69652	Sedgwick	27	S	1	W	21	NW/NW/NE	-97.4338505	37.6933488	From PLSS	Okracl	Lawn and Garden - domestic only	21-Aug-84	CONSTRUCTED		7810 Jennie St., Wichita				
198	464855	Sedgwick	27	S	1	W	21	NW NW NE	-97.4338505	37.6933488	From PLSS	Simmons 1st Bank	Lawn and Garden - domestic only	13-Mar-13	CONSTRUCTED		8525 W Central, Wichita	84		28	
199	407331	Sedgwick	27	S	1	W	15	NW/NW/NW	-97.4247015	37.7079406	From PLSS	Thomas	Lawn and Garden - domestic only	20-Jul-07	CONSTRUCTED		7016 W 12th N, Wichita	51		30	
200	503288	Sedgwick	27	S	1	W	16	SE SE SW SE	-97.4310146	37.6947536	From PLSS	Lang, Kurt	Lawn and Garden - domestic only	5-Jun-16	CONSTRUCTED		7533 Cottontail St, Wichita	60		30	
201	69010	Sedgwick	27	S	1	W	16	SE SW/SE	-97.4315827	37.6951981	From PLSS	Nash, Don	Lawn and Garden - domestic only	16-May-85	CONSTRUCTED		849 Brownthrush, Wichita	65		25	
202	69038	Sedgwick	27	S	1	W	16	SE SW SE	-97.4315827	37.6951981	From PLSS	Smith, Robert	Lawn and Garden - domestic only	5-Oct-83	CONSTRUCTED		768 Brownthrush, Wichita	55		33	
203	457414	Sedgwick	27	S	1	W	21	SE/SE/NW	-97.4360354	37.6878721	From PLSS	Thomas, Kemy	Lawn and Garden - domestic only	11-Apr-12	CONSTRUCTED		8125 W 2nd St N, Wichita	60		22	
204	100268	Sedgwick	27	S	1	W	16	SE SE SE	-97.4270246	37.6952677	From PLSS	Amoco Oil Co.	Monitoring well/observation/piezometer	22-Jun-95	CONSTRUCTED	MW 6	7210 W Central Ave, Wichita	20.6		11.28	
205	321361	Sedgwick	27	S	1	W	16	SE SE SE	-97.4270246	37.6952677	From PLSS	Amoco Oil Co.	Monitoring well/observation/piezometer	1-Oct-01	PLUGGED	MW 1	7210 W Central Ave, Wichita	20.5			
206	321362	Sedgwick	27	S	1	W	16	SE SE SE	-97.4270246	37.6952677	From PLSS	Amoco Oil Co.	Monitoring well/observation/piezometer	1-Oct-01	PLUGGED	MW 2	7210 W Central Ave, Wichita	20			
207	321363	Sedgwick	27	S	1	W	16	SE SE SE	-97.4270246	37.6952677	From PLSS	Amoco Oil Co.	Monitoring well/observation/piezometer	1-Oct-01	PLUGGED	MW 6	7210 W Central Ave, Wichita	20			
208	321364	Sedgwick	27	S	1	W	16	SE SE SE	-97.4270246	37.6952677	From PLSS	Amoco Oil Co.	Monitoring well/observation/piezometer	1-Oct-01	PLUGGED	MW 5	7210 W Central Ave, Wichita	19			
209	368042	Sedgwick	27	S	1	W	16	SE SE SE	-97.4270246	37.6952677	From PLSS	Amoco Oil Co.	Monitoring well/observation/piezometer	7-Jun-05	PLUGGED		Central and Ridge, Wichita	22.3		16.01	
210	66874	Sedgwick	27	S	1	W	16	SE SE SE	-97.4270246	37.6952677	From PLSS	Amoco Oil Co.	Monitoring well/observation/piezometer	19-Oct-93	CONSTRUCTED	MW 5	Central and Ridge, Wichita	19.5		13	
211	66875	Sedgwick	27	S	1	W	16	SE SE SE	-97.4270246	37.6952677	From PLSS	Amoco Oil Co.	Monitoring well/observation/piezometer	19-Oct-93	CONSTRUCTED	MW 6	Central and Ridge, Wichita	20		13	
212	67049	Sedgwick	27	S	1	W	16	SE SE SE	-97.4270246	37.6952677	From PLSS	Amoco Oil Co.	Monitoring well/observation/piezometer	24-Jun-93	CONSTRUCTED	MW 1	7210 W Central, Wichita	20		13.39	
213	67050	Sedgwick	27	S	1	W	16	SE SE SE	-97.4270246	37.6952677	From PLSS	Amoco Oil Co.	Monitoring well/observation/piezometer	24-Jun-93	CONSTRUCTED	MW 2	7210 W Central, Wichita	20		12.67	
214	67051	Sedgwick	27	S	1	W	16	SE SE SE	-97.4270246	37.6952677	From PLSS	Amoco Oil Co.	Monitoring well/observation/piezometer	24-Jun-93	CONSTRUCTED	MW 3	7210 W Central, Wichita	20		12.58	
215	67052	Sedgwick	27	S	1	W	16	SE SE SE	-97.4270246	37.6952677	From PLSS	Amoco Oil Co.	Monitoring well/observation/piezometer	24-Jun-93	CONSTRUCTED	MW 4	7210 W Central, Wichita	23		15.11	
216	326295	Sedgwick	27	S	1	W	16	SE SE SE	-97.4270246	37.6952677	From PLSS	Town and Country Markets	Monitoring well/observation/piezometer	22-Jan-02	PLUGGED	MW 1	731 N Ridge Rd, Wichita	20			
217	326296	Sedgwick	27	S	1	W	16	SE SE SE	-97.4270246	37.6952677	From PLSS	Town and Country Markets	Monitoring well/observation/piezometer	22-Jan-02	PLUGGED	MW 2	731 N Ridge Rd, Wichita	18.5			
218	94118	Sedgwick	27	S	1	W	16	NE SE SE	-97.4270187	37.6970754	From PLSS	Matous, Harry	Lawn and Garden - domestic only	8-Sep-94	PLUGGED		7307 Hale, Wichita	33		14	

KS DEPT OF AGRICULTURE
 WATER RESOURCES
 RECEIVED
 APR 17 2017
 SCANNED

49823

49823

(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
1320 Research Park Drive
Manhattan, Kansas 66502

Re: Application
File No. _____

Minimum Desirable Streamflow

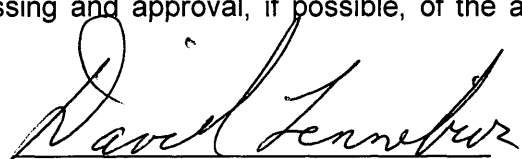
Dear Sir:

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.

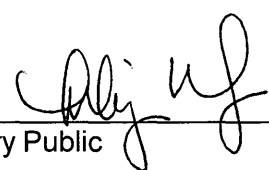
I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.


Signature of Applicant

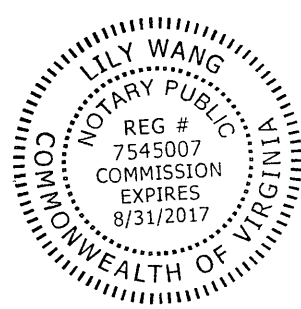
State of Virginia)
County of Arlington) ss

David Linnebur
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 5th day of April, 2017.


Notary Public

My Commission Expires: 08/31/2017



WATER RESOURCES
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KS DEPT OF AGRICULTURE

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