

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

1. File Number: 49,942	2. Status Change Date: 8/31/2018	3. Field Office: 2	4. GMD:
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
7a. Applicant(s) <input type="checkbox"/> New to system <div style="margin-left: 20px;"> Person ID 58036 Add Seq# _____ </div> LYNN A HANSON REV TRUST 1009 X RD PAWNEE ROCK KS 67567		7c. Landowner(s) <input type="checkbox"/> New to system <div style="margin-left: 20px;"> Person ID _____ Add Seq# _____ </div>	
7b. Landowner(s) <input type="checkbox"/> New to system <div style="margin-left: 20px;"> Person ID _____ Add Seq# _____ </div> 7a		7d. Landowner <input type="checkbox"/> New to system <div style="margin-left: 20px;"> Person ID _____ Add Seq# _____ </div>	
8. WUR Correspondent <input type="checkbox"/> New to system Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No <div style="margin-left: 20px;"> Person ID _____ Add Seq# _____ Notarized WUC Form <input type="checkbox"/> </div> 7a		9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water <input type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN <input checked="" type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON <input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG <input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____	
10. Completion Date: 12/31/2019 11. Perfection Date: 12/31/2023 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
Date Prepared: 8/16/2018 By: AM Date Entered: 9/6/2018 By: UM			

File No. **49,942** 15. Formation Code: **115 + 210** Drainage Basin: **Arkansas River** County: **PN** Special Use: Stream:

16. Points of Diversion										17. Rate and Quantity MOD ADDL QTY				
T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		Overlap PD Files	
									Rate gpm	Quantity mgy	Rate gpm	Quantity mgy		
MOD	70846	SE NE NE	15	20S	16W	1	4530	457	99	10.95	59	7.707	46,024	
√	70847	SE NE NE	15	20S	16W	2	4375	430						
√	70848	SE NE NE	15	20S	16W	3	4685	485						

18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

19. Limitation: **10.95** mgy/yr at **99** gpm (**0.22** cfs) when combined with file number(s): **46,024**
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

20. Meter Required? Yes No To be installed by **12/31/2019** Date Acceptable Meter Installed _____

21. Place of Use		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files				
T MOD DEL ENT	PUSE	S	T	R	ID	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
						¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼
CHK	56628	15	20S	16W	1					FEEDLOT (E2 NE)													7a		46,024

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: August 16, 2018

FROM: Austin McColloch

RE: New Application,
File No. 49,942

Lynn Hanson has filed the above referenced application proposing to appropriate a total of 10.95 million gallons (33.6 acre-feet) of groundwater per calendar year at a diversion rate not to exceed 99 gallons per minute for stockwatering use. The application overlaps in point of diversion and place of use with Water Right, File No. 46,024 located in the drainage basin of the Arkansas River. The applicant has signed the application form stating that they have legal access to the point of diversion.

The proposed point of diversion is an existing battery of two (2) wells, with a geographic center located in the Southeast Quarter of the Northeast Quarter of the Northeast Quarter (SE¼ NE¼ NE¼) of Section 15, more particularly described as being near a point 4,530 feet North and 457 feet West of the Southeast corner of said section, in Township 20 South, Range 16 West, Pawnee County, Kansas.

As stated above, this overlaps in point of diversion with Water Right, File No. 46,024 which was recently certified on December 14, 2017. File No. 46,024 perfected a total of 3.243 million gallons (9.95 acre-feet) out of its original 10.95 million gallons (33.6 acre-feet) and a total of 40 gallons per minute out of its original 99 gallons per minute. Thus, New Application, File No. 49,942 is essentially bringing the operation back to original capacity and will be limited when combined with Water Right, File No. 46,024.

The place of use is described as a Feedlot located in the East Half (E½) of the Northeast Quarter (NE¼) of Section 15. The applicant is the owner of the property.

The requested quantity of 10.95 million gallons was based on providing an adequate supply of water for a 2,000 head cattle facility. The applicant provided an estimate for drinking water quantity as follows:

2,000 head of cattle x 15.0 gallons per head per day x 365 days = 10,950,000 gallons

K.A.R. 5-3-22 provides for a maximum of 15 gallons per head per day for beef cattle. The requested quantity and rate of diversion will be limited when combined with Water Right, File No. 46,024 to provide a total quantity not to exceed 10.95 million gallons at a rate of diversion not to exceed 99 gallons per minute. The requested quantity and rate of diversion appear to be reasonable for the intended use.

A well log was submitted with the application, which shows the lithology can be described as sandy clay, overlying limestone, with shale encountered at a depth of 55 feet. Geologic reports (KGS Bulletin #80) indicate that the source for the groundwater appears to be a mixture of upper Ogallala Formation and mainly terrace deposits.

A safe yield analysis based on the area of consideration of 7,195 acres (alluvium in north portion of circle was excluded), a recharge of .66 inches, and 75% available for appropriation, resulted in a safe yield of 296.79 acre-feet. The only appropriation within the two-mile circle is overlapping Water Right, File No. 46,024, appropriating 9.95 acre-feet. Therefore, there is water available for this application requesting 33.6 acre-feet, and safe yield criteria have been met.

There is a domestic well located within one-half (½) mile of the proposed point of diversion. Mr. Mike Mauney was notified of the proposed use and location of the batter of wells in a letter dated July 2, 2018. No written response was received from the adjacent well owner. As noted above, the only water right within the two-mile radius circle is overlapping Water Right, File No. 46,024, and the domestic well is over 2,000 feet away, so the application meets minimum well spacing criteria.

In a August 14, 2018 e-mail, Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the application.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

Based on the above discussion, the area is open to new appropriations, the application complies with safe yield and well spacing criteria, approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest. It is recommended that the referenced application be approved.

Austin McColloch
Environmental Scientist

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

LYNN A HANSON REV TRUST
1009 X RD
PAWNEE ROCK KS 67567

September 7, 2018

RE: Appropriation of Water, File No. 49,942

Dear Sir or Madam:

There is enclosed a permit to appropriate water authorizing you 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), 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 this permit. A water meter is required 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.

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. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed. 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 set forth in the permit to complete diversion works or to perfect an appropriation.

If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for 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 establish the extent of your water right.

If you have any questions, please contact me at (785) 564-6627. If you wish to discuss a specific file, please have the file number ready to that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:am
Enclosure(s)
pc: Stafford Field Office



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. 49,942** of the applicant

**LYNN A HANSON REV TRUST
1009 X RD
PAWNEE ROCK KS 67567**

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 **November 17, 2017**.
2. That the water sought to be appropriated shall be used for stockwatering use at a feedlot located in the East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$) of Section 15, Township 20 South, Range 16 West, Pawnee County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater from the Ogallala aquifer, to be withdrawn by means of a battery of two (2) wells with a geographic center located in the Southeast Quarter of the Northeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 15, more particularly described as being near a point 4,530 feet North and 457 feet West of the Southeast corner of said section, in Township 20 South, Range 16 West, Pawnee 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 **99 gallons per minute (0.22 c.f.s.)** and to a quantity not to exceed **10.95 million gallons (33.6 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, which is currently \$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 accompanied by the required statutory fee, which is currently \$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, which is currently \$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 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.
17. that this permit is further limited such that both wells shall be located within three hundred (300) foot radius circle, in the same local source of supply, and shall supply water to a common distribution system.
18. That the quantity of water and rate of diversion approved under this permit is further limited to the quantity and rate which combined with Water Right, File No. 46,024, will provide a total not to exceed **10.95 million gallons (33.6 acre-feet)** of water per calendar year to be diverted at a maximum diversion rate not in excess of **99 gallons per minute (0.22 c.f.s.)** for stockwatering use on the land described herein.

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.

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



Danielle Wilson

Notary Public

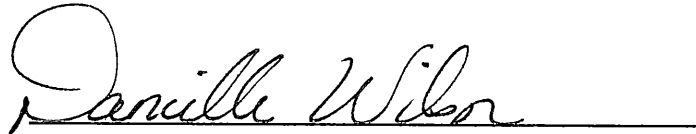
CERTIFICATE OF SERVICE

On this 7th day of September, 2018, I hereby certify that the foregoing Approval of Application, File No. 49,942, dated August 31st, 2018 was mailed postage prepaid, first class, US mail to the following:

LYNN A HANSON REV TRUST
1009 X RD
PAWNEE ROCK KS 67567

With photocopies to:

Stafford Field Office



Division of Water Resources

APPLICATION COMPLETE

8/14/18
Reviewer: AW

THE STATE



OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49942
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.)

NOV 17 2017

11:15

KS DEPT OF AGRICULTURE

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

1. Name of Applicant (Please Print): LYNN A HANSON
Address: 1009 X RD
City: PAWNEE ROCK State KS Zip Code 67567
Telephone Number: (620) 285-9660

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 33.60 acre-feet OR 10,950,000 gallons per calendar year, to be diverted at a maximum rate of 99 (-0 Add) 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 SK Source G S County AN By AW Date 11/17/17
Code REG Fee \$ 200 TR # _____ Receipt Date 11/17/17 Check # 1264
SCANNED

12/6/2017 CCM

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 SE quarter of the NE quarter of the NE quarter of Section 15, more particularly described as being near a point 4,530 feet North and 457 feet West of the Southeast corner of said section, in Township 20 South, Range 16 West, Pawnee (Geo-Center) County, Kansas.

(B) One in the SE quarter of the NE quarter of the NE quarter of Section 15, more particularly described as being near a point 4376 feet North and 430 feet West of the Southeast corner of said section, in Township 20 South, Range 16 West, Pawnee (Bat 1 of 2) County, Kansas.

(C) One in the NE quarter of the NE quarter of the NE quarter of Section 15, more particularly described as being near a point 4685 feet North and 485 feet West of the Southeast corner of said section, in Township 20 South, Range 16 West, Pawnee (Bat 2 of 2) 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):

Same as Applicant
(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 Nov 13, 2017. Jim A. Harris
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 Bat of 2 wells
(number of wells, pumps or dams, etc.)
and was completed (by) 4/6/05
(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 In use
(Mo/Day/Year)

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

- 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.

Overlaps PD & PU with File No. 46,024. File No. 46,024 is in draft certificate phase

App will need to be limited to 10,950,000g when combined with File No. 46,024 on the proposed PU

Requesting additional water as increasing number of head at the facility and length of time kept there

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

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

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

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

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):
Same as Applicant
(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 Pawnee Rock, Kansas, this 13 day of November, 2017.
(month) (year)

Jim A. Hawn
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

**WATER RESOURCES
RECEIVED
NOV 17 2017
KS DEPT OF AGRICULTURE**

Assisted by MJM/SFFO ESII ESII Date: 11/7/2017
(office/title)

**STOCKWATER USE
SUPPLEMENTAL SHEET**

File No. 49942

Name of Applicant (Please Print): LYNN HANSON

1. Please indicate type of livestock (cattle, hogs, etc.): Cattle

2. Please complete the following table showing past and present water requirements:

PAST NUMBER OF HEAD AND WATER DIVERTED, IF APPLICABLE

LAST 5 YEARS	NUMBER OF HEAD	WATER DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
5 years ago	1350		
Last year	1500		
Present Year			

3. Please complete the following table showing estimated future water requirements:

ESTIMATED FUTURE NUMBER OF HEAD AND WATER DIVERTED

NEXT 5 YEARS	NUMBER OF HEAD	WATER TO BE DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
Year 1	2000	10,950,000	15
Year 2	2000	10,950,000	15
Year 3	2000	10,950,000	15
Year 4	2000	10,950,000	15
Year 5	2000	10,950,000	15

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

4. Please designate the legal description of the location where the water is to be used. 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	
15	20S	16W	Feedlot in E½ NE¼																

**WATER RESOURCES
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5. Show quantities of water used and all associated water uses at the feedlot such as water used in feed mills, cooling of animals, washing, flushing of wastes, etc.:

DRINKING

2000 head of Cattle x 15 gallons/head (avg.) x 365 days = 10,950,000 gallons

head of x gallons/head (avg.) x days = gallons

head of x gallons/head (avg.) x days = gallons

COOLING

gallons/hour x hour/day x days = gallons

SANITATION

g.p.m. x 60 min/hr x hr/wk x wks/yr = gallons

OTHER USE (Explain) = gallons

TOTAL ----- 10,950,000 gallons

6. Show location of present and future location of confinement pens on your attached maps or photographs.

7. Total feed bunk space for cattle or livestock is 2290 linear feet.

8. Total size of stock pens for confinement area of cattle, hogs, etc. is 414,700.72 square feet.

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

11/13/17
(Date)

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

Re: Application
File No. 49942

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.

Lynn A. Hanson
Signature of Applicant

State of Kansas)
) ss
County of Pawnee)

Lynn A. Hanson
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 13th day of November, 2017.

Kristen Herrmann
Notary Public

My Commission Expires:

KRISTEN HERRMANN
Notary Public - State of Kansas
My Appt. Expires 05/25/18

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**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

49942

1 LOCATION OF WATER WELL:	Fraction	Section Number	Township Number	Range Number
County: Pawnee	SW 1/4 NE 1/4 NE 1/4	15	T 20 S	R 16 E (W)

Distance and direction from nearest town or city street address of well if located within city?
 Approximately 5 miles west and 3 1/2 miles north of Pawnee Rock

2 WATER WELL OWNER: Hanson Farms
 RR#, St. Address, Box #: Route 1 - Box 47
 City, State, ZIP Code: Pawnee Rock, KS 67567
 Board of Agriculture, Division of Water Resources
 Application Number:

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:

4 DEPTH OF COMPLETED WELL 77 ft. ELEVATION: unknown

Depth(s) Groundwater Encountered 1 ft. 2 ft. 3 ft. ft.

WELL'S STATIC WATER LEVEL 31.22 ft. below land surface measured on mo/day/yr 3-24-04

Pump test data: Well water was not checked ft. after hours pumping gpm

Est. Yield unknown gpm: Well water was ft. after hours pumping gpm

Bore Hole Diameter 8 in. to 77 ft., and in. to ft.

WELL WATER TO BE USED AS:

5 Public water supply	8 Air conditioning	11 Injection well
1 Domestic	3 Feedlot	6 Oil field water supply
2 Irrigation	4 Industrial	7 Domestic (lawn & garden)
		10 Monitoring well
		12 Other (specify below)

Stock Well

Was a chemical/bacteriological sample submitted to Department? Yes No If yes, mo/day/yr sample was submitted Water Well Disinfected? Yes No

5 TYPE OF BLANK CASING USED:

1 Steel	3 RMP (SR)	5 Wrought iron	8 Concrete tile	CASING JOINTS: Glued <input checked="" type="checkbox"/> Clamped
2 PVC	4 ABS	6 Asbestos-Cement	9 Other (specify below)	Welded
		7 Fiberglass		Threaded

Blank casing diameter 5 in. to 35 ft., Dia in. to ft., Dia in. to ft.

Casing height above land surface 24 in., weight 2.36 lbs./ft. Wall thickness or gauge No 214

TYPE OF SCREEN OR PERFORATION MATERIAL:

1 Steel	3 Stainless steel	5 Fiberglass	8 RMP (SR)	10 Asbestos-cement
2 Brass	4 Galvanized steel	6 Concrete tile	9 ABS	11 Other (specify)
				12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:

1 Continuous slot	3 Mill slot	5 Gauzed wrapped	8 Saw cut	11 None (open hole)
2 Louvered shutter	4 Key punched	6 Wire wrapped	9 Drilled holes	
		7 Torch cut	10 Other (specify)	

SCREEN-PERFORATED INTERVALS: From 35 ft. to 75 ft., From ft. to ft.

GRAVEL PACK INTERVALS: From 20 ft. to 77 ft., From ft. to ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other Bentonite Holeplug

Grout Intervals: From ft. to ft., From ft. to ft., From 0 ft. to 20 ft.

What is the nearest source of possible contamination:

1 Septic tank	4 Lateral lines	7 Pit privy	10 Livestock pens	14 Abandoned water well
2 Sewer lines	5 Cess pool	8 Sewage lagoon	11 Fuel storage	15 Oil well/Gas well
3 Watertight sewer lines	6 Seepage pit	9 Feedyard	12 Fertilizer storage	16 Other (specify below)
			13 Insecticide storage	None known

Direction from well? How many feet?

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	5	Topsoil			
5	26	Clay, brown			
26	37	Clay, tannish brown			
37	44	Drift, gravel, medium to fine with sand, fine			
44	57	Clay, red, yellow, white			
57	60	Clay, yellow with sandstone streaks			
60	64	Clay, yellow			
64	75	Sandstone with clay streaks			
75	77	Clay, red and white			

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7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed (2) reconstructed or (3) plugged under my jurisdiction and was completed on (mo/day/year) 3-24-04 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No 185 This Water Well Record was completed on (mo/day/yr) 3-26-04 under the business name of Clarke Well & Equipment, Inc. by (signature) *Clarke Well & Equipment*

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Topeka, Kansas 66620-0001. Telephone 785-296-5524. Send one to WATER WELL OWNER and retain one for your records. Fee of \$5.00 for each constructed well.

McColloch, Austin

From: Lanterman, Jeff [KDA]
Sent: Tuesday, August 14, 2018 4:04 PM
To: McColloch, Austin
Cc: Conant, Cameron [KDA]
Subject: FW: Recommendation File No. 49942

Austin;

I think this one can be approved. I think they may be a bit into the top of the Dakota but primarily in the upper aquifer which I don't think I would call Ogallala. Maybe terrace deposits.

Thanks
Jeff

From: Conant, Cameron [KDA]
Sent: Tuesday, August 14, 2018 12:52 PM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: FW: Recommendation File No. 49942

From: Conant, Cameron [KDA]
Sent: Tuesday, August 7, 2018 5:06 PM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: RE: Recommendation File No. 49942

Here are a couple logs from the same section, one deeper Dakota and one similar depth to the existing Hansen feedlot wells. The SWL on the shallow wells is 20-30' and the deeper two wells that are logged show 79' SWL and 98' SWL.

<http://www.kgs.ku.edu/Hydro/WWC5/W/20S16/472453.pdf> (Dakota log in SE¼ 200' deep, 98' SWL)

<http://www.kgs.ku.edu/Hydro/WWC5/W/20S16/508207.pdf> (different domestic log in NW¼...60' 23.4' SWL)

Cam

From: Lanterman, Jeff [KDA]
Sent: Tuesday, August 7, 2018 4:56 PM
To: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: RE: Recommendation File No. 49942

Those well logs look to get into the Dakota? Especially where they are located not far away from a big outcrop of it. Above I would not call Ogallala. Maybe I need to look at the bulletins.

From: Conant, Cameron [KDA]
Sent: Tuesday, August 7, 2018 4:36 PM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: FW: Recommendation File No. 49942

From: Conant, Cameron [KDA]
Sent: Thursday, August 2, 2018 4:10 PM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: FW: Recommendation File No. 49942

Jeff, this is a new application in Pawnee County that overlaps an existing File 46024 which authorizes a 2000 head feedlot. File No. 46024 was just certified in 2017. The perfected quantity was less than was originally requested by 46024, so the applicant decided to re-apply and try to develop the original full requested quantity. The application stated the applicant intends to increase the amount of cattle in the lot and the duration of time the lot is full.

The requested quantity of 33.604 AF is reasonable and is based on having the existing sized and permitted lot at the maximum capacity of 2000 cattle x 15 gal/head/day x 365 days = 10,950,000 gal = 33.604 AF. The junior file only perfected 3.243 AF at a rate of 38.5 GPM.

<http://www.kgs.ku.edu/Hydro/WWC5/W/20S16/43879.pdf> (existing well log)
<http://www.kgs.ku.edu/Hydro/WWC5/W/20S16/346091.pdf> (existing well log)

This is the only water right in the 2 mile circle, (the circle only allows 296 AF as the SY is 0.66" 75% available). We notified 1 home right at the edge of the ½ mile circle, no comments were received. I've attached a rough map of the area.

This is located about 5 miles west and 4 miles north of Pawnee Rock. The source...the old files called it Ogallala. Austin noted KGS bulletins indicate Ogallala/terrace deposits. I wondered if it was Dakota but after a quick look it is clearly not Dakota. The logs above don't indicate Dakota and the water level does not either compared to old oilfield well logs showing 200' deep Dakota wells in the same section. For all intents and purposes at this site, just knowing it's not Dakota is probably as in depth as we need to get about the source, I see no reason to change from the original source call of 211 Ogallala.

I think we can recommend approval of this application, giving them an additional chance to expand the feedlot operation and perfect additional quantity. There just isn't much around they could negatively impact. Please pass on to Austin if you agree.

Cameron

From: McColloch, Austin [KDA]
Sent: Tuesday, July 17, 2018 1:11 PM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Cc: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: Recommendation File No. 49942

Jeff and Cameron,

Attached is my draft memo for the above mentioned file submitted by Lynn Hanson. This is a complete overlap with WR # 46024. Let me know if you have any questions or need more information.

Thanks,

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

July 2, 2018

MICHAEL & CONNIE MAUNEY
966 X RD
PAWNEE ROCK KS 67567

RE: New Application,
File No. 49,942

Dear Sir or Madam:

This is to advise you that Lynn Hanson has filed the application referred to above for permit to appropriate 10.95 million gallons (33.6 acre-feet) of water per calendar year for stockwatering use to be diverted at a maximum rate of 99 gallons per minute. Please note this is an existing well(s). The well(s) are located as follows:

a battery of two (2) wells located in the Southeast Quarter of the Northeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 15, more particularly described as being near a point 4,530 feet North and 457 feet West of the Southeast corner of said section, in Township 20 South, Range 16 West, Pawnee 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 our office at 785-564-6643. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Austin McColloch
Environmental Scientist
Division of Water Resources

Enclosure(s)
pc: Stafford Field Office

SCANNED



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

November 21, 2017

LYNN A HANSON
1009 X RD
PAWNEE ROCK KS 67567

FILE COPY

RE: Application
File No. 49942

Dear Sir or Madam:

Your application for permit to appropriate water in 15-20S-16W in Pawnee 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,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: STAFFORD Field Office
GMD

SCANNED



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.

- Proposed PD
- Proposed Place Of Use
- Domestic Wells
- Water Rights
- SFFOsec_corners



Jim A. Harn

Signature

11/13/17

Date



2015 Aerial

WATER RESOURCES RECEIVED

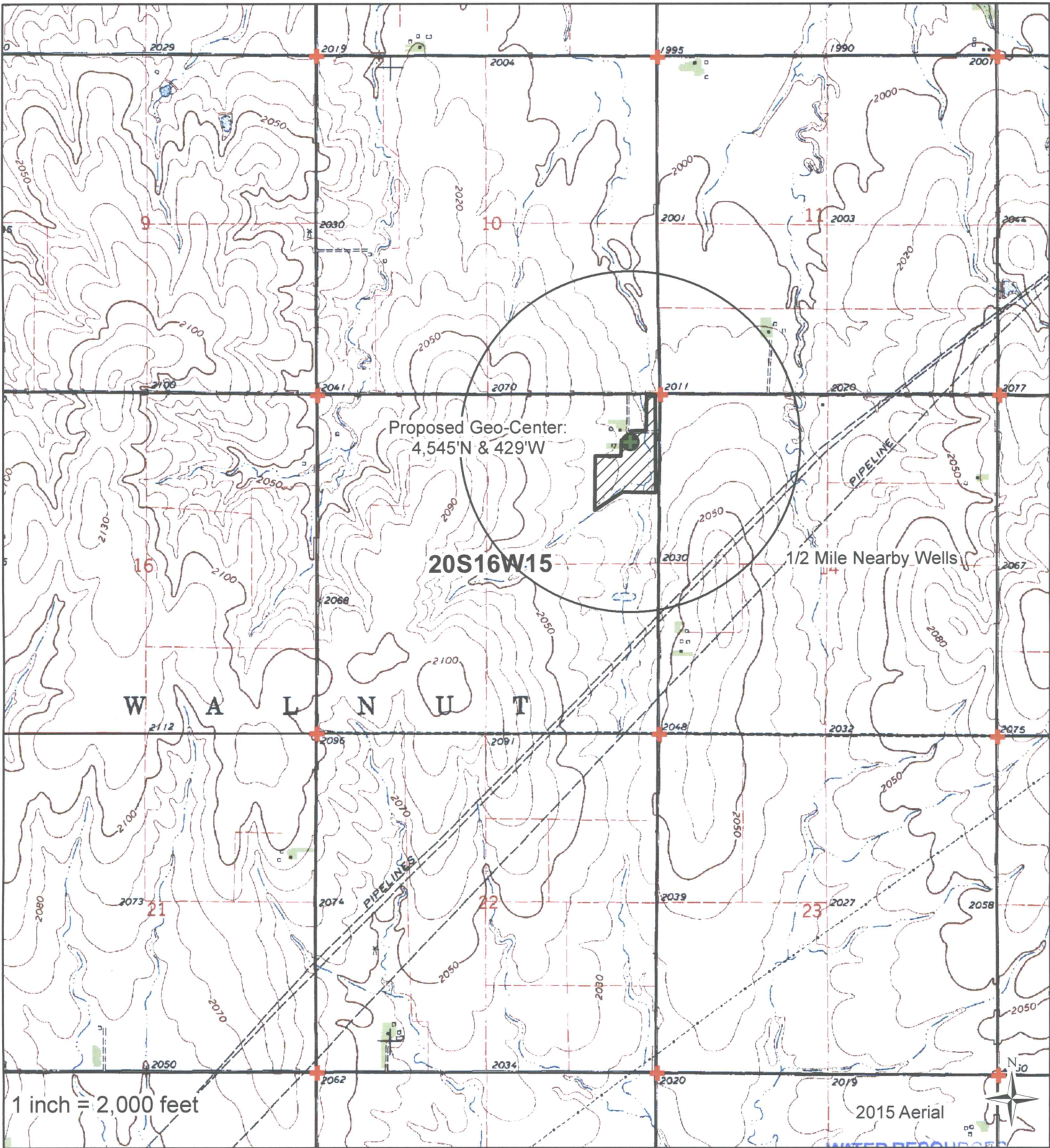
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Created By: Matt Meier

Date: 10/26/2017





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.

- ProposedPD
- ProposedPlaceOfUse
- Domestic Wells
- Water Rights
- SFFOsec_corners

Signature _____ Date _____

0 800 1,600 3,200 4,800 6,400 Feet

NOV 17 2017

Created By: Matt Meier
Date: 10/26/2017

SCANNED

File No. 49,942 Township 20S Range 16W



0 0.25 0.5 1 Miles

1:24,000

Legend

- Point of Diversion



Kansas Department of Agriculture
Division of Water Resources
02 Jul 2018