

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

1. File Number: <p style="text-align: center;">50,255</p>	2. Status Change Date: <p style="text-align: center;">3/2/2021</p>	3. Field Office: <p style="text-align: center;">02</p>	4. GMD: <p style="text-align: center;">0</p>
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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 **61838**
Add Seq# _____

PAUL S LANGE
1098 N CONWAY SPRINGS RD
CONWAY SPRINGS, KS 67031

7b. Landowner(s)
New to system Person ID **22503**
Add Seq# _____

STEPHEN J LANGE
1031 W 110TH AVE N
CONWAY SPRINGS, KS 67031

7c. Landowner(s)
New to system Person ID **62926**
Add Seq# _____

JACK NOVASCONE
13629 E NORTHPOINT DR
WICHITA, KS 67230

7d. Landowner(s)
New to system Person ID **67730**
Add Seq# _____

GREG LANGE
205 S HIGHLAND
CONWAY SPRINGS KS 67031

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

7a.

9. Use of Water: Changing? Yes No

Groundwater Surface Water

IRR REC DEW MUN

STK SED DOM CON

HYD DRG WTR PWR ART RECHRG

IND SIC: _____ OTHER: _____

10. Completion Date: ~~12/31/2021~~ ²⁰²² 11. Perfection Date: ~~12/31/2025~~ ²⁰²⁶ 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: _____

<div style="border: 1px solid red; padding: 5px; width: fit-content; color: red;">2/22/2021 KJN</div>	Date Prepared: 8/5/2020 By: DWS	Date Entered: <div style="border: 1px solid blue; padding: 2px; color: blue;">3/2/2021</div> By:
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File No. **50,255** 15. Formation Code: **113** Drainage Basin: **ARKANSAS River** County: **SU** Special Use: Stream:

16. Points of Diversion										17. Rate and Quantity					
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		Overlap PD Files
											Rate gpm	Quantity af	Rate gpm	Quantity af	
MOD	87552			SW SE NW	1	31	1E	1	3113	3540 (Geo-Ctr)	800	188	800	188	None
ENT	88630			SW SE NW	1	31	1E		2925	3722 (Batt 1 of 4)					
ENT	88631			SW SE NW	1	31	1E		3300	3729 (Batt 1 of 4)					
ENT	88632			SW SE NW	1	31	1E		3300	3360 (Batt 1 of 4)					
ENT	88633			SW SE NW	1	31	1E		2925	3347 (Batt 1 of 4)					
BATTERY ID #2221															

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 **12/31/2021** Date Acceptable Meter Installed _____

21. Place of Use							NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? yes	Overlap Files		
MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
√			69486	1	31	1E	1					17.61		1.05	38.19										56.85	7b.	No	NONE
√			69487	36	30	1E	3									38.3	5.44	16.81	28.05						88.6	7c & d.	YES	NONE

Comments:
7c & d are co-owners of the acreage in Sec. 36.

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: August 5, 2020

FROM: Doug Schemm

RE: Application, File No. 50,255

Paul S. Lange has filed the above referenced new application proposing to appropriate 188 acre-feet of groundwater at a diversion rate of 800 gallons per minute for irrigation use. There are no other water rights overlapping the point of diversion or place of use. The proposed acreage is owned by Stephen Lange, Greg Lange, and the Jack Novascone Trust. The applicant has signed the application form stating he has legal access to the point of diversion. The proposed point of diversion is the geographic center of a battery of four wells located in the Northwest Quarter of Section 1, Township 31 South, Range 1 East, Sumner County, within the Arkansas River Basin. The requested quantity of water of 188 acre-feet applied to the 145.45-acre place of use is just slightly less than 1.3 acre-feet per acre, which is the maximum allowable for Sumner County.

Based on the driller log information that was submitted to our office, saturated thickness of the aquifer in this local area is somewhat limited; however, it exceeds 25 feet. The log shows medium to coarse sand from 10 feet to 40 feet, with static water level at 15 feet. Bedrock was not encountered on the log, but is likely only a few feet deeper. Because the saturated thickness exceeds 25 feet, and other nearby irrigation wells are able to produce from this same limited aquifer, it was determined that a hydrologic analysis would not be required for approval of this application. The source would appear to be Arkansas River/Ninnescah alluviums. Estimated production rate on the driller's log was over 200 gallons per minute. Other irrigation water rights in this local area divert water at approximately 600 gallons per minute (see File Nos. 45,467 and 45,475).

A review of the KGS WIZARD Database shows a well in the Northwest Quarter of Section 9, with a greater total depth of 48 feet, but a very similar static water level ranging from 12 feet to 16 feet below ground surface. It shows the typical water level fluctuations for this area of the state with water level declines in the 2011 to 2012 period, but rebounding in subsequent years. A second well located in the Northwest Quarter of Section 18 (T30S, R2E – File No. 5,180), shows a very steady static water level ranging from 7 feet to 11 feet below ground surface from 2007 through 2019, with a slight increase in recent couple of years.

In 2004 the United States Geological Survey (USGS) completed a hydrologic model of a portion of the Arkansas River and associated drainage basins (Ninnescah River), generally bounded by Ranges 2 West to 3 East and Townships 26 South to 34 South (near state line). The USGS model indicated that the aquifer in this area receives more recharge from precipitation than DWR has historically used in safe yield calculations. The data and analyses are detailed in the USGS Scientific Investigations Report 2004-5204 entitled "Characterization and Simulation of Flow in the Lower Arkansas River Alluvial Aquifer, South-Central Kansas". In order to evaluate the potential impact of this study on our safe yield calculations, DWR suspended processing applications for new appropriations of water in the model area.

DWR staff completed an evaluation of the USGS model and determined that the precipitation recharge value of 5.4 inches per year that is used in the USGS model is reasonable and appropriate. In order to reserve water in the alluvial aquifers that can contribute to base flow to area streams and for domestic use, it was determined that 75 percent of the 5.4 inches of precipitation recharge shall be available for appropriation. This is consistent with safe yield appropriation in many other basins across the state, and is the current percent available in for all applications in the Ninnescah River drainage basin. Therefore, for all pending applications within the model area, safe yield will be evaluated using the standard methodology in K.A.R. 5-3-11, which is based on the extent of the unconfined aquifer (area of consideration), a Potential Annual Recharge value of 5.4 inches, and a percent of recharge available for appropriation of 75%. Current annual recharge across the model area is approximately 3 inches.

Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile circle radius of the point of diversion, which establishes the area of consideration. For this application, the area of consideration (alluvial aquifer) provided an area of consideration of 8,042 acres, with a potential annual recharge of 5.4 inches, and 75% of recharge available for appropriation, safe yield was determined to be 2,714.34 acre-feet. Existing water rights have appropriated 2,521.08 acre-feet, providing a difference of 193.26 acre-feet of water available for appropriation. The application requesting 188 acre-feet complies with safe yield criteria.

The applicant identified multiple nearby domestic wells within one-half mile of the proposed point of diversion. Nearby well owner letters were sent out on July 10, 2020. There was a telephone call from one nearby well owner with general questions, but primarily wanted to correct the name to whom the letter should have been mailed. The name was corrected and a second letter was mailed to this domestic well owner. No concerns about the project were expressed, and no written responses of any kind were received.

According to the WRIS database, the nearest non-domestic point of diversion is located over 2,900 feet away, while the nearest possible domestic well is located over 900 feet away. The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be one-quarter mile to all other non-domestic wells and 660 feet to domestic wells.

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. A water level measurement tube is required because the rate of diversion will exceed 100 gpm.

In an August 5, 2020 e-mail, Jeff Lanterman, Water Commissioner, Stafford Field Office, stated that the referenced application should be approved.

Based on the above discussion, that the area is open to new appropriations for groundwater, the proposed appropriation of water complies with safe yield and well spacing criteria, the applicant provided additional information regarding the aquifer, and there is no evidence that senior rights will be impaired, it is recommended that the referenced application be approved.

Doug Schemm
Environmental Scientist
Topeka Field Office

Schemm, Doug [KDA]

From: Schemm, Doug [KDA]
Sent: Wednesday, August 5, 2020 10:35 AM
To: Schemm, Doug [KDA]
Subject: FW: 50255 Paul Lange
Attachments: 50255 Approval and Notice to Proceed.docx; 50255 Memo to File.docx; 50255 Safe Yield Report.pdf

From: Lanterman, Jeff [KDA]
Sent: Wednesday, August 5, 2020 10:14 AM
To: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Cc: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>; Engelbrecht, Jessica [KDA] <Jessica.Engelbrecht@ks.gov>; Meier, Matt [KDA] <Matt.Meier@ks.gov>
Subject: FW: 50255 Paul Lange

Doug;

I really like permit condition #20. Gives me the ability to investigate if something happens. I really like this rather than requiring an observation well up front because it might impair. Maybe a wave of the future.

Lets go ahead and approve it.

Thanks!
Jeff

From: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Sent: Wednesday, August 5, 2020 8:36 AM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: FW: 50255 Paul Lange

Jeff, this all looks to be a go. Doug has gone through everything I would in this review and it is included in his memo (water levels, nearby wells, well logs, spacing, discussion on slim aquifer but doesn't meet the criteria for LST study) so I'll just sum up a couple important items. If you want more detail, it is in the memo. This is a marginal aquifer, but this does not meet our LST study requirements. The nearest domestic is over 900' away and this is over 2900' from a permitted well. We notified 12 nearby domestic well owners.

The following are applicable hydrographs from irrigation wells in the area, they are spread out but ~ less than 5 miles from this application but they are stable.

https://geoportal.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=372648097151401

https://geoportal.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=372742097194202

https://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=372227097130902

https://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=372036097134001

Going back to File No. 49522 that Doug referenced, Wendee Grady said we have the authority to do an additional permit condition about requiring an OBS well or wells in the event of an impairment. She said we have the authority to do that already with 5-4-1, but putting it in a permit condition is not a bad idea, it just puts the applicant on notice that it could happen. As a side note, I think the permit condition is a good idea and I also think that should be standard on every application. 20. *That in the event the Chief Engineer is called to make a determination if a prior water right is being impaired due to the use of*

water herein authorized, the landowner may be required, at their expense, to install an observation well or wells at locations and depths specified by the Chief Engineer.

I think this can be recommended for approval with the additional permit condition above. Please pass on to Doug if you agree and let me know if you have any questions.

Cameron

From: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>

Sent: Wednesday, July 29, 2020 1:06 PM

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

Subject: 50255 Paul Lange

Hello Gentlemen,

This is in the area of Hervey file No. 49,522, so I added the same permit condition about maybe requiring an observation well if need be.

It meets all the criteria. No nearby well concerns. It looks like water levels are pretty steady in this area.

This should pretty well shut this area down based on safe yield.

Please review,

Thanks, Doug

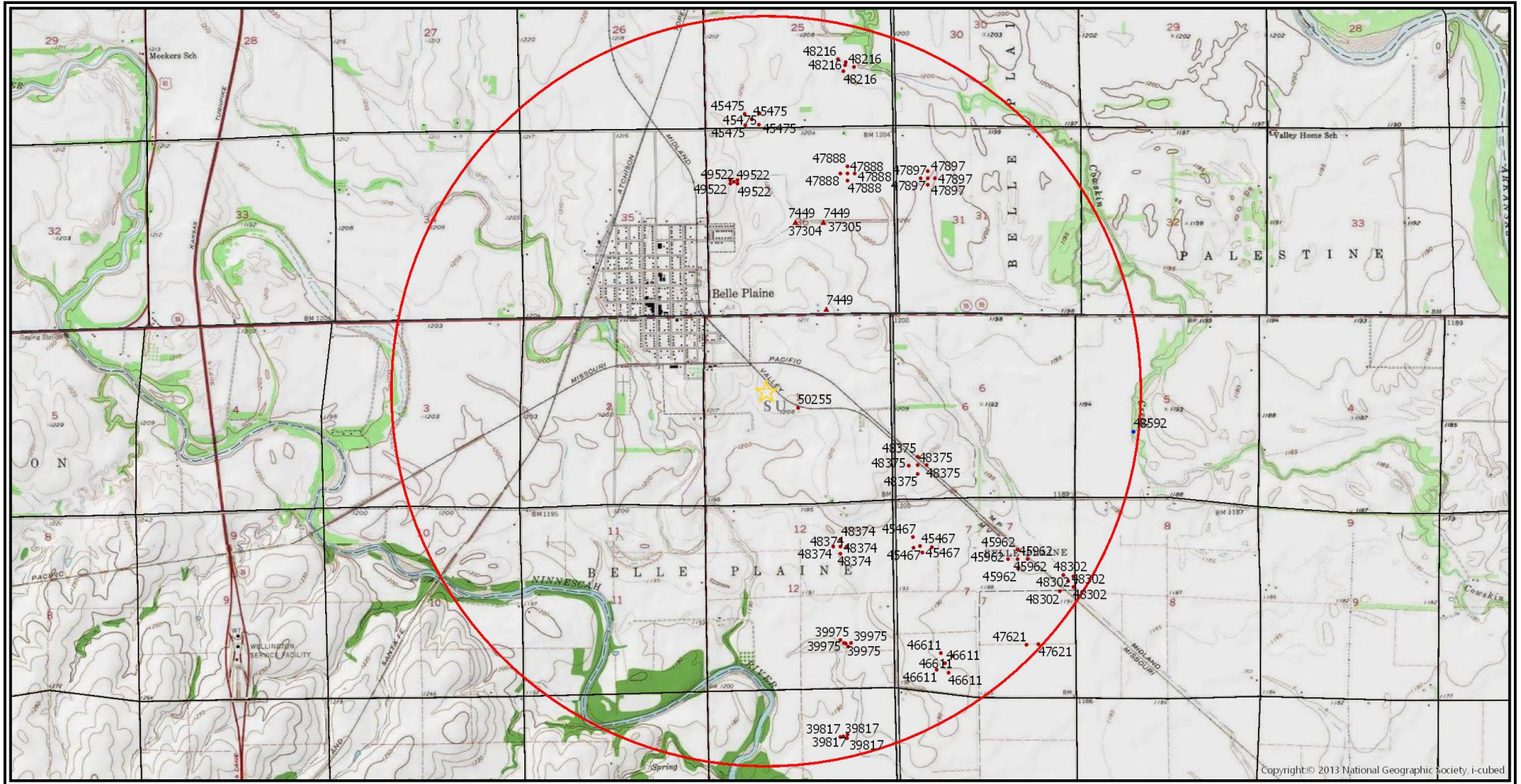
Safe Yield Report Sheet

Application, File No. 50,255

Water Right- Proposed Point of Diversion

Point of Diversion in 01-31S-01E

Footages from SE corner- 3,113 feet North 3,540 feet West



Analysis Results

The selected PD is in an area OPEN to new appropriations.

The safe yield based on the variables listed below is 2,714.34 AF.

Total prior appropriations in the circle is 2,709.08 AF. - 188 AF = 2,521.08 AF

Total quantity of water available for appropriation is ~~5.26 AF~~.

193.26 AF

Application File No. 50,255 - Requesting 188 AF
Meets Safe Yield
dws/dwr 5/6/20

Safe Yield Variables

The area used for the analysis is set at 8,042 acres.

The potential annual recharge at the circle center is estimated to be 5.4 inches.

The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 06-MAY-2020 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 18 water rights and 71 points of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
A 7449 00	MUN	NK	G		CS	SW	SE	185	1960	36	30	01E	2	PD	267.21	267.21		
Same	MUN	NK	G		NE	NE	SW	2620	2820	36	30	01E	3	PD	114.35	114.35		
Same	MUN	NK	G		NW	NW	SE	2620	2010	36	30	01E	1	PD	114.07	114.07		
A 37304 00	MUN	NK	G		NE	NE	SW	2620	2820	36	30	01E	3	WR	19.00	0.00 ✓		
A 37305 00	MUN	NK	G		NW	NW	SE	2620	2010	36	30	01E	1	WR	4.45	0.00 ✓		
A 39817 00	IRR	NK	G		SE	NW	NE	4012	1507	13	31	01E	6	WR	188.00	188.00	134.00	134.00
Same	IRR	NK	G		SE	NW	NE	4067	1402	13	31	01E	4	WR				
Same	IRR	NK	G		SE	NW	NE	3968	1408	13	31	01E	3	WR				
Same	IRR	NK	G		SE	NW	NE	4001	1608	13	31	01E	5	WR				
Same	IRR	NK	G		SE	NW	NE	4012	1481	13	31	01E	2	WR				
A 39975 00	IRR	NK	G		NE	SW	SE	1368	1432	12	31	01E	3	WR	175.00	175.00	134.00	134.00
Same	IRR	NK	G		NE	SW	SE	1266	1383	12	31	01E	2	WR				
Same	IRR	NK	G		NE	SW	SE	1166	1330	12	31	01E	5	WR				
Same	IRR	NK	G		SE	NW	SE	1363	1536	12	31	01E	6	WR				
Same	IRR	NK	G		NW	SE	SE	1265	1234	12	31	01E	4	WR				
A 45467 00	IRR	NK	G					4169	4303	07	31	02E	1	WR	124.00	124.00	124.00	124.00
Same	IRR	NK	G					4315	4555	07	31	02E	2	WR				
Same	IRR	NK	G					4329	4041	07	31	02E	3	WR				
Same	IRR	NK	G					4610	4567	07	31	02E	4	WR				
Same	IRR	NK	G					4356	4367	07	31	02E	5	WR				
A 45475 00	IRR	NK	G		SW	SE	SW	236	3988	25	30	01E	3	WR	110.50	110.50	85.00	85.00
Same	IRR	NK	G		SW	SE	SW	83	3792	25	30	01E	4	WR				
Same	IRR	NK	G		SW	SE	SW	396	3781	25	30	01E	5	WR				
Same	IRR	NK	G		SE	SW	SW	72	4184	25	30	01E	6	WR				
Same	IRR	NK	G		SE	SW	SE	393	4196	25	30	01E	7	WR				

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
A 45962 00	IRR	NK	G		NE	SW	NE	3959	1606	07	31	02E	6	WR	169.00	169.00	130.00	130.00
Same	IRR	NK	G		SE	NW	NE	4231	1603	07	31	02E	7	WR				
Same	IRR	NK	G		NE	SW	NE	3685	1603	07	31	02E	8	WR				
Same	IRR	NK	G			NC	NE	3958	1330	07	31	02E	9	WR				
Same	IRR	NK	G		SE	NW	NE	3962	1888	07	31	02E	10	WR				
A 46611 00	IRR	NK	G		NW	SE	SW	1045	3705	07	31	02E	11	WR	143.00	143.00	110.00	110.00
Same	IRR	NK	G		NW	SE	SW	768	3605	07	31	02E	12	WR				
Same	IRR	NK	G		NW	SE	SW	1234	3477	07	31	02E	13	WR				
Same	IRR	NK	G		NW	SE	SW	852	3928	07	31	02E	14	WR				
Same	IRR	NK	G			NC	SW	1325	3809	07	31	02E	15	WR				
A 47621 00	IRR	NK	G		SE	NW	SE	1537	1382	07	31	02E	22	WR	170.00	170.00	142.00	142.00
Same	IRR	NK	G		SW	NE	SE	1548	1051	07	31	02E	24	WR				
A 47888 00	IRR	KE	G			NC	NE	3960	1320	36	30	01E	4	WR	169.00	169.00	130.00	130.00
Same	IRR	KE	G			NC	NE	3760	1320	36	30	01E	5	WR				
Same	IRR	KE	G			NC	NE	4160	1320	36	30	01E	6	WR				
Same	IRR	KE	G			NC	NE	3960	1520	36	30	01E	7	WR				
Same	IRR	KE	G			NC	NE	3960	1120	36	30	01E	8	WR				
A 47897 00	IRR	KE	G					3920	4295	31	30	02E	3	WR	146.45	146.45	112.65	112.65
Same	IRR	KE	G					4120	4295	31	30	02E	4	WR				
Same	IRR	KE	G					3720	4295	31	30	02E	5	WR				
Same	IRR	KE	G					3920	4495	31	30	02E	6	WR				
Same	IRR	KE	G					3920	4095	31	30	02E	7	WR				
A 48216 00	IRR	KE	G		SE	NW	SE	1743	1332	25	30	01E	8	WR	206.70	206.70	159.00	159.00
Same	IRR	KE	G		SE	NW	SE	1564	1390	25	30	01E	10	WR				
Same	IRR	KE	G		SE	NW	SE	1818	1323	25	30	01E	11	WR				
Same	IRR	KE	G		SE	NW	SE	1903	1532	25	30	01E	12	WR				
Same	IRR	KE	G		SW	NE	SE	1685	1082	25	30	01E	13	WR				
A 48302 00	IRR	MM	G		SE	SE	NE	3253	243	07	31	02E	16	WR	169.00	0.00 ✓	130.00	0.00
Same	IRR	MM	G		SE	SE	NE	3125	31	07	31	02E	17	WR				
Same	IRR	MM	G		SE	SE	NE	3033	428	07	31	02E	18	WR				
Same	IRR	MM	G		NE	SE	NE	3523	339	07	31	02E	19	WR				
Same	IRR	MM	G		NE	SE	NE	3456	39	07	31	02E	20	WR				
A 48374 00	IRR	KE	G		SE	NW	NE	4003	1516	12	31	01E	8	WR	150.80	150.80	116.00	116.00
Same	IRR	KE	G		SE	NW	NE	4203	1516	12	31	01E	9	WR				
Same	IRR	KE	G		NE	SW	NE	3803	1516	12	31	01E	10	WR				
Same	IRR	KE	G		SE	NW	NE	4003	1716	12	31	01E	11	WR				
Same	IRR	KE	G		SW	NE	NE	4003	1316	12	31	01E	12	WR				
A 48375 00	IRR	KE	G		NE	SW	SW	963	4433	06	31	02E	2	WR	169.00	169.00	130.00	130.00
Same	IRR	KE	G		NE	SW	SW	1213	4433	06	31	02E	4	WR				
Same	IRR	KE	G		NE	SW	SW	713	4433	06	31	02E	5	WR				
Same	IRR	KE	G		NE	SW	SW	963	4183	06	31	02E	6	WR				
Same	IRR	KE	G		NW	SW	SW	963	4683	06	31	02E	7	WR				

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
A 49522 00	IRR	HK	G		NE	SW	NW	3756	4538	36	30	01E	9	WR	104.00	104.00	80.00	80.00
Same	IRR	HK	G		NE	SW	NW	3806	4438	36	30	01E	10	WR				
Same	IRR	HK	G		NW	SW	NW	3806	4638	36	30	01E	11	WR				
Same	IRR	HK	G		NE	SW	NW	3706	4438	36	30	01E	12	WR				
Same	IRR	HK	G		NW	SW	NW	3706	4638	36	30	01E	13	WR				
A 50255 00	IRR	AY	G				NC	2640	2640	01	31	01E	1	WR	188.00	-188.00	145.45	145.45

Limitations

File Number	Seq Num	Limitations
A 7449 00	1	118.76 MGY FOR MUN USE/CERT
A 37304 00	364.52 AF 1	118.78MGY @ 305GPM COM/W #7449 267.21 AF + 114.35 AF + 114.07 AF = 495.63 AF ✓
A 37305 00	1	235GPM COM/W #7449
Same	364.52 AF 2	118.78MGY COM/W #7449 & 37304
A 48302 00	1	169 AF/YR COM/W #45962 169 AF + 0 = 169 AF ✓

Report Date: Monday, July 13 2020

Water Rights and Points of Diversion Within 2 miles of point defined as:

3113 Feet N and 3540 Feet W of the Southeast Corner of Section 1 Twp 31S Rng 1E

Located at: 97.270501 West Longitude and 37.386470 North Latitude

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist	(ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	
A__	7449	00	MUN	NK	G	2934	--	CS	SW	SE	185	1960	36	30	1E	2	267.21	267.21	
AF																			
Same						4875	--	NE	NE	SW	2620	2820	36	30	1E	3	114.35	114.35	
AF																			
Same						5084	--	NW	NW	SE	2620	2010	36	30	1E	1	114.07	114.07	
AF																			
A__	37304	00	MUN	NK	G	4875	--	NE	NE	SW	2620	2820	36	30	1E	3	19.00	.00	
AF																			
A__	37305	00	MUN	NK	G	5084	--	NW	NW	SE	2620	2010	36	30	1E	1	4.45	.00	
AF																			
A__	39817	00	IRR	NK	G	9981	--	SE	NW	NE	4067	1402	13	31	1E	4	B4	188.00	188.00
AF																			
Same						10002	--	SE	NW	NE	4001	1608	13	31	1E	5	B4		
Same						10012	--	SE	NW	NE	4012	1507	13	31	1E	6	B4		
Same						10018	--	SE	NW	NE	4012	1481	13	31	1E	2	G4		
Same						10076	--	SE	NW	NE	3968	1408	13	31	1E	3	B4		
A__	39975	00	IRR	NK	G	7343	--	SE	NW	SE	1363	1536	12	31	1E	6	B4	175.00	175.00
AF																			
Same						7369	--	NE	SW	SE	1368	1432	12	31	1E	3	B4		
Same						7480	--	NE	SW	SE	1266	1383	12	31	1E	2	G4		
Same						7526	--	NW	SE	SE	1265	1234	12	31	1E	4	B4		
Same						7590	--	NE	SW	SE	1166	1330	12	31	1E	5	B4		
A__	45467	00	IRR	NK	G	5865	--	--	--	--	4610	4567	7	31	2E	4	B4	124.00	124.00
AF																			
Same						6086	--	--	--	--	4315	4555	7	31	2E	2	B4		
Same						6185	--	--	--	--	4356	4367	7	31	2E	5	G4		
Same						6365	--	--	--	--	4169	4303	7	31	2E	1	B4		
Same						6436	--	--	--	--	4329	4041	7	31	2E	3	B4		
A__	45475	00	IRR	NK	G	7549	--	SW	SE	SW	83	3792	25	30	1E	4	B4	110.50	110.50
AF																			
Same						7554	--	SE	SW	SW	72	4184	25	30	1E	6	B4		
Same						7707	--	SW	SE	SW	236	3988	25	30	1E	3	G4		
Same						7862	--	SW	SE	SW	396	3781	25	30	1E	5	B4		
Same						7875	--	SE	SW	SE	393	4196	25	30	1E	7	B4		
A__	45962	00	IRR	NK	G	8333	--	SE	NW	NE	3962	1888	7	31	2E	10	B4	169.00	169.00
AF																			
Same						8420	--	SE	NW	NE	4231	1603	7	31	2E	7	B4		
Same						8566	--	NE	SW	NE	3959	1606	7	31	2E	6	G4		
Same						8728	--	NE	SW	NE	3685	1603	7	31	2E	8	B4		
Same						8798	--	--	NC	NE	3958	1330	7	31	2E	9	B4		
A__	46611	00	IRR	NK	G	8913	--	--	NC	SW	1325	3809	7	31	2E	15	B4	143.00	143.00
AF																			
Same						9173	--	NW	SE	SW	1234	3477	7	31	2E	13	B4		
Same						9205	--	NW	SE	SW	1045	3705	7	31	2E	11	G4		
Same						9249	--	NW	SE	SW	852	3928	7	31	2E	14	B4		
Same						9492	--	NW	SE	SW	768	3605	7	31	2E	12	B4		
A__	47621	00	IRR	NK	G	10289	--	SE	NW	SE	1537	1382	7	31	2E	22	B4	170.00	170.00
AF																			
Same						10519	--	SW	NE	SE	1548	1051	7	31	2E	24	B4		
A__	47888	00	IRR	KE	G	6394	--	--	NC	NE	3760	1320	36	30	1E	5	B4	169.00	169.00
AF																			
Same						6511	--	--	NC	NE	3960	1520	36	30	1E	7	B4		
Same						6581	--	--	NC	NE	3960	1320	36	30	1E	4	G4		
Same						6655	--	--	NC	NE	3960	1120	36	30	1E	8	B4		
Same						6768	--	--	NC	NE	4160	1320	36	30	1E	6	B4		
A__	47897	00	IRR	KE	G	7422	--	--	--	--	3720	4295	31	30	2E	5	B4	146.45	146.45

Same				7455	-- -- -- --	3920	4495	31	30	2E	6	B4		
Same				7576	-- -- -- --	3920	4295	31	30	2E	3	G4		
Same				7701	-- -- -- --	3920	4095	31	30	2E	7	B4		
Same				7735	-- -- -- --	4120	4295	31	30	2E	4	B4		
A__	48216	00	IRR KE G	9315	-- SE NW SE	1564	1390	25	30	1E	10	B4	206.70	206.70
AF														
Same				9502	-- SE NW SE	1743	1332	25	30	1E	8	G4		
Same				9511	-- SW NE SE	1685	1082	25	30	1E	13	B4		
Same				9575	-- SE NW SE	1818	1323	25	30	1E	11	B4		
Same				9611	-- SE NW SE	1903	1532	25	30	1E	12	B4		
A__	48302	00	IRR MM G	9868	-- NE SE NE	3523	339	7	31	2E	19	B4	169.00	.00
AF														
Same				10062	-- SE SE NE	3033	428	7	31	2E	18	B4		
Same				10092	-- SE SE NE	3253	243	7	31	2E	16	G4		
Same				10156	-- NE SE NE	3456	39	7	31	2E	20	B4		
Same				10341	-- SE SE NE	3125	31	7	31	2E	17	B4		
A__	48374	00	IRR KE G	4689	-- SE NW NE	4203	1516	12	31	1E	9	B4	150.80	150.80
AF														
Same				4789	-- SE NW NE	4003	1716	12	31	1E	11	B4		
Same				4870	-- SE NW NE	4003	1516	12	31	1E	8	G4		
Same				4956	-- SW NE NE	4003	1316	12	31	1E	12	B4		
Same				5052	-- NE SW NE	3803	1516	12	31	1E	10	B4		
A__	48375	00	IRR KE G	4551	-- NW SW SW	963	4683	6	31	2E	7	B4	169.00	169.00
AF														
Same				4668	-- NE SW SW	1213	4433	6	31	2E	4	B4		
Same				4775	-- NE SW SW	963	4433	6	31	2E	2	G4		
Same				4891	-- NE SW SW	713	4433	6	31	2E	5	B4		
Same				5000	-- NE SW SW	963	4183	6	31	2E	6	B4		
A__	49522	00	IRR HK G	5927	-- NE SW NW	3706	4438	36	30	1E	12	B4	104.00	104.00
AF														
Same				5955	-- NW SW NW	3706	4638	36	30	1E	13	B4		
Same				5991	-- NE SW NW	3756	4538	36	30	1E	9	G4		
Same				6028	-- NE SW NW	3806	4438	36	30	1E	10	B4		
Same				6056	-- NW SW NW	3806	4638	36	30	1E	11	B4		
A__	50255	00	IRR AY G	1018	-- -- -- NC	2640	2640	1	31	1E	1		188.00	188.00
AF														

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Total Net Quantities Authorized:   Direct           Storage
Total Requested Amount (AF) =      188.00           .00
Total Permitted Amount (AF) =      945.95           .00
Total Inspected Amount (AF) =         .00           .00
Total Pro_Cert Amount (AF) =         .00           .00
Total Certified Amount (AF) =      1575.13           .00
Total Vested Amount (AF) =          .00           .00
TOTAL AMOUNT (AF) =                2709.08           .00
    
```

An * after the source of supply indicates a pending application for change under the file number.

An * after the ID indicates a 15 AF exemption was granted under the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 2 miles of point defined as:

3113 Feet North and 3540 Feet West of the Southeast Corner of Section 1 Twp 31S Rng 1E

Located at: 97.270501 West Longitude and 37.386470 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

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File Number   Use ST SR
> CITY OF BELLE PLAINE
> WATER SUPERVISOR
> 401 N MERCHANT BOX 157
> BELLE PLAINE KS 67013
>-----
> CITY OF BELLE PLAINE
> WATER SUPERVISOR
> 401 N MERCHANT BOX 157
> BELLE PLAINE KS 67013
    
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>-----  
> CITY OF BELLE PLAINE  
> WATER SUPERVISOR  
> 401 N MERCHANT BOX 157  
> BELLE PLAINE KS 67013  
>-----  
> FORREST G BUTTS  
>  
> 205 S CENTRAL AVE  
> MULVANE KS 67110  
>-----  
> FORREST G BUTTS  
>  
> 205 S CENTRAL AVE  
> MULVANE KS 67110  
>-----  
> LARRY C & RHONDA J PARKER  
>  
> 1103 S CENTRAL AVE  
> MULVANE KS 67110  
>-----  
> KENT A & REBECCA M OTT  
>  
> 11621 S HILLSIDE ST  
> MULVANE KS 67110  
>-----  
> MARK E & KARLA LAWLESS  
>  
> PO BOX 515  
> BELLE PLAINE KS 67013  
>-----  
> STEVEN J & JAREN KAY BUTTS  
>  
> 2411 E 111 STREET SOUTH  
> MULVANE KS 67110  
>-----  
> MARK E & KARLA LAWLESS  
>  
> PO BOX 515  
> BELLE PLAINE KS 67013  
>-----  
> HAR-EL ACRES INC  
>  
> 1098 N CONWAY SPRINGS RD  
> CONWAY SPRINGS KS 67031  
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> CONWAY SPRINGS KS 67031  
>-----  
> MARK E & KARLA LAWLESS  
>  
> PO BOX 515  
> BELLE PLAINE KS 67013  
>-----  
> PAUL S LANGE  
>  
> 1098 N CONWAY SPRINGS RD  
> CONWAY SPRINGS KS 67031  
>-----  
> PAUL S LANGE
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>  
> 1098 N CONWAY SPRINGS RD  
> CONWAY SPRINGS KS 67031  
>-----  
> ALAN D HERVEY  
>  
> 830 N WEBB RD  
> BELLE PLAINE KS 67013  
>-----  
> PAUL S LANGE  
>  
> 1098 N CONWAY SPRINGS RD  
> CONWAY SPRINGS KS 67031  
>-----  
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THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., 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. 50,255** of the applicant

**PAUL S LANGE
1098 N CONWAY SPRINGS RD
CONWAY SPRINGS KS 67031**

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 **May 15, 2019**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
36	30S	1E																	88.60
1	31S	1E					17.61			1.05	38.19								56.85

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of four (4) wells with a geographic center located in the Southwest Quarter of the Southeast Quarter of the Northwest Quarter (SW¼ SE¼ NW¼) of Section 1, more particularly described as being near a point 3,113 feet North and 3,540 feet West of the Southeast corner of said section, in Township 31 South, Range 1 East, Sumner 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 **800 gallons per minute** (1.78 c.f.s.) and to a quantity not to exceed **188 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, 2022**, 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, 2026**, 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 all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

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

16. 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.

17. 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.

18. That this permit is limited such that all wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply, and shall supply water to a common distribution system.

19. That the applicant shall submit to the Chief Engineer a copy of the well log required by the Kansas Department of Health and Environment under the authority of K.S.A. 82a-1212, currently form WWC-5, within 30 days following the drilling of the wells at the location authorized herein.

20. That in the event the Chief Engineer is called to make a determination if a prior water right is being impaired due to the use of water herein authorized, the landowner may be required, at their expense, to install an observation well or wells at locations and depths specified by the Chief Engineer.

Ordered this 2 day of March, 2021, in Manhattan, Riley County, Kansas.

Lane P. Letourneau

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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 2 day of March, 2021, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Ashlee Freeman
Notary Public

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www.agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

March 4, 2021

PAUL S LANGE
1098 N CONWAY SPRINGS RD
CONWAY SPRINGS KS 67031

RE: Appropriation of Water, File No. 50,255

Dear Mr. Lange:

Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit.

Notice must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

An acceptable water flowmeter must be installed on the diversion works authorized by this permit prior to using water. An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at www.kswaterusereport.org.

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Enclosed is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum
New Applications and Changes Supervisor
Division of Water Resources

KAB: dws
Enclosure(s)

pc: Stafford Field Office
Jack Novascone
Stephen J Lange
Greg Lange

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, Kansas 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, Kansas 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.

CERTIFICATE OF SERVICE

On this 4 day of March, 2021, I hereby certify that the foregoing Approval of Application, File No. 50,255, dated 2 March, 2021 was mailed postage prepaid, first class, US mail to the following:

PAUL S LANGE
1098 N CONWAY SPRINGS RD
CONWAY SPRINGS KS 67031

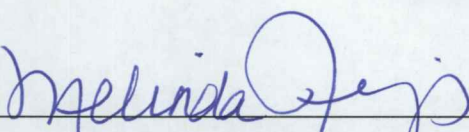
With photocopies to:

STEPHEN J LANGE
1031 W 110TH AVE N
CONWAY SPRINGS KS 67031

JACK NOVASCONE
13629 E NORTHPOINT DR
WICHITA KS 67230

GREG LANGE
205 S HIGHLAND
CONWAY SPRINGS KS 67031

Stafford Field Office



Division of Water Resources