THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49429
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED
JUL 20 2015
1:15p
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): Jerrold Unruh Bentley Sand Co. LLC

   Address: 13707 NW Diamond Rd

   City: Newton State KS Zip Code 67114

   Telephone Number: (316) 215-1780

2. The source of water is: ☐ surface water in _____ (stream)

   OR ☒ groundwater in Little Arkansas River Basin - Equus Beds Aquifer (drainage basin)

   Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 66.6 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of Nat evap. gallons per minute OR _____ cubic feet per second.

   Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for **(Check use intended):**

(a) ☐ Artificial Recharge	(b) ☐ Irrigation	(c) ☐ Recreational	(d) ☐ Water Power
(e) ☒ Industrial	(f) ☐ Municipal	(g) ☐ Stockwatering	(h) ☐ Sediment Control
(i) ☐ Domestic	(j) ☐ Dewatering	(k) ☐ Hydraulic Dredging	(l) ☐ Fire Protection
(m) ☐ Thermal Exchange	(n) ☐ Contamination Remediation		

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:
F.O. 2 *GMD* 2 *Meets K.A.R. 5-3-1* (YES) / NO) *Use* IND *Source* (G) / S *County* SG *By* CI *Date* 7/20/15
Code REG *Fee $* 200 *TR #* _____ *Receipt Date* 7/20/15 *Check #* 2412

DWR 1-100 (Revised 06/16/2014) 16002651

7/22/2015

File No. 49429

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 NC quarter of the W2 quarter of the SE quarter of Section 16, more particularly described as being near a point 3500 feet North and 1200 feet West of the Southeast corner of said section, in Township 25 South, Range 1W East/West (circle one), Sedgwick County, Kansas.

(B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

(C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

(D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (¼) 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):

G James & Nancy N Roupp 301 SE 14th St. Newton, KS 67114
(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 7-2-2015, 2015. _____
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 groundwater pit
(number of wells, pumps or dams, etc.)
and (was)(will be) completed (by) 6/1/2016
(Month/Day/Year - each was or will be completed).

8. The first actual application of water for the proposed beneficial use was or is estimated to be 6/1/2016.
(Mo/Day/Year)

WATER RESOURCES
RECEIVED

JUL 20 2015

KS DEPT OF AGRICULTURE

File No. 49429

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

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

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

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

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

- If yes, show the Water Structures permit number here NA
- If no, explain here why a Water Structures permit is not required NA

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

(a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.

(b) If the application is for groundwater, please show the location of any existing water wells of any kind within ½ 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 ½ mile, please advise us.

(c) If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.

(d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.

(e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

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

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

none

WATER RESOURCES
RECEIVED
JUL 20 2015
KS DEPT OF AGRICULTURE

File No. 49429

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 Tenant.
(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):
G James & Nancy N Roupp 301 SE 14th St. Newton, KS 67114
(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 Halstead, Kansas, this 2 day of July (month), 2015 (year).

(Applicant Signature)

By
(Agent or Officer Signature)

(Agent or Officer - Please Print)

WATER RESOURCES
RECEIVED
JUL 20 2015
KS DEPT OF AGRICULTURE

Assisted by Stephen Flaherty Hydrogeologist (office/title) Date: July 2, 2015

INDUSTRIAL USE
SUPPLEMENTAL SHEET

File No. 49429

Name of Applicant (Please Print): Jerrold Unruh

1. Please describe type of industry or product produced: Sand and Gravel mining

   Standard Industrial Classification Code Number: 1442

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	NA - new facility		
Last year			
Present year			

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	3 acres = 200,000 ton	5 AF	5 AF/ 3 acres/yr
Year 2	3 acres = 200,000 ton	10 AF	5 AF/ 3 acres/yr
Year 3	3 acres = 200,000 ton	15 AF	5 AF/ 3 acres/yr
Year 4	3 acres = 200,000 ton	20 AF	5 AF/ 3 acres/yr
Year 5	3 acres = 200,000 ton	25 AF	5 AF/ 3 acres/yr

Number of days of operation of the industry per year is 300 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	
16	25S	1W														25	15		40

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

WATER RESOURCES
RECEIVED
JUL 20 2015
KS DEPT OF AGRICULTURE

Application Map - File No. 49429

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.

Signature

7-2-2015
Date

☒ **New Application**

☐ **Application No. _____ To Change:**

- ☐ Point of Diversion
- ☐ Place of Use
- ☐ Use Made of Water

- ◉ Proposed Point of Diversion
- ▲ Existing Points of Diversion
- ▨ Proposed Place of Use
- ▨ Authorized Place of Use

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

1) See Attached

2)

3)

WATER RESOURCES
RECEIVED
JUL 20 2015
KS DEPT OF AGRICULTURE

Completed By GMD2 Staff
S. Flaherty - 7/1/2015

File # 49429

Wells Within ½ Mile

#1 Domestic Well
Daniel V & Carla S Somers
7995 W 101st St. N
Valley Center, KS 67147

#2 Domestic Well
Connie B Nordstedt Rev Tr.
10312 N Tyler Rd
Sedgwick, KS 67135

#3 Domestic Well
Thomas J & Linda S Layman
8301 W 101st St N
Valley Center, KS 67147

WATER RESOURCES
RECEIVED
JUL 20 2015
KS DEPT OF AGRICULTURE

49429

WATER WELL RECORD Form WWC-5

Division of Water Resources App. No.

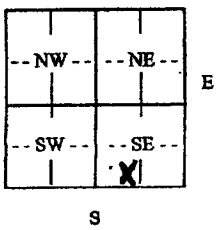
1 LOCATION OF WATER WELL: County: Sedgwick | Fraction: ¼ SE ¼ SW ¼ SE ¼ | Section Number: 16 | Township No. T 25 S | Range Number R 1 ☐E ☒W

Street/Rural Address of Well Location; if unknown, distance & direction from nearest town or intersection: If at owner's address, check here ☐.
101st St N & Ridge Rd
Sedgwick Co, KS

Global Positioning System (GPS) information:
Latitude: ..... (in decimal degrees)
Longitude: ..... (in decimal degrees)
Elevation: .....
Datum: ☐ WGS 84, ☐ NAD 83, ☐ NAD 27
Collection Method:
☐ GPS unit (Make/Model: .....)
☐ Digital Map/Photo, ☐ Topographic Map, ☐ Land Survey
Est. Accuracy: ☐ <3 m, ☐ 3-5 m, ☐ 5-15 m, ☐ >15 m

2 WATER WELL OWNER: Bentley Sand
RR#, Street Address, Box #: 1245 NW 160th St
City, State, ZIP Code: Newton KS 67114

3 LOCATE WELL WITH AN "X" IN SECTION BOX:



4 DEPTH OF COMPLETED WELL 70 ft.
Depth(s) Groundwater Encountered (1) ..... ft. (2) ..... ft. (3) ..... ft.
WELL'S STATIC WATER LEVEL 21 ft. below land surface measured on mo/day/yr 1-19-12
Pump test data: Well water was ..... ft. after ..... hours pumping ..... gpm
EST. YIELD 75 gpm. Well water was ..... ft. after ..... hours pumping ..... gpm
Bore Hole Diameter 12 in. to 70 ft., and ..... in. to ..... ft.
WELL WATER TO BE USED AS: ☐ Public water supply ☐ Geothermal ☐ Injection well
☒ Domestic ☐ Feedlot ☐ Oil field water supply ☐ Dewatering ☐ Other (Specify below)
☐ Irrigation ☐ Industrial ☐ Domestic-lawn & garden ☐ Monitoring 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 CASING USED: ☐ Steel ☒ PVC ☐ Other .....
CASING JOINTS: ☒ Glued ☐ Clamped ☐ Welded ☐ Threaded
Casing diameter 5 in. to 60 ft., Diameter ..... in. to ..... ft., Diameter ..... in. to ..... ft.
Casing height above land surface 12 in., Weight 24 lbs./ft., Wall thickness or gauge No. Sch 40

TYPE OF SCREEN OR PERFORATION MATERIAL:
☐ Steel ☐ Stainless Steel ☒ PVC ☐ Other (Specify) .....
☐ Brass ☐ Galvanized Steel ☐ None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:
☐ Continuous slot ☒ Mill slot ☐ Gauze wrapped ☐ Torch cut ☐ Drilled holes ☐ None (open hole)
☐ Louvered shutter ☐ Key punched ☐ Wire wrapped ☐ Saw cut ☐ Other (specify) .....

SCREEN-PERFORATED INTERVALS: From 60 ft. to 70 ft., From ..... ft. to ..... ft.
From ..... ft. to ..... ft., From ..... ft. to ..... ft.
GRAVEL PACK INTERVALS: From 21 ft. to 70 ft., From ..... ft. to ..... ft.
From ..... ft. to ..... ft., From ..... ft. to ..... ft.

6 GROUT MATERIAL: ☐ Neat cement ☐ Cement grout ☒ Bentonite ☐ Other .....
Grout Intervals: From 3 ft. to 21 ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.
What is the nearest source of possible contamination:
☐ Septic tank ☐ Lateral lines ☐ Pit privy ☐ Livestock pens ☐ Insecticide storage ☐ Other (specify below)
☐ Sewer lines ☐ Cesspool ☐ Sewage lagoon ☐ Fuel storage ☐ Abandoned water well
☐ Watertight sewer lines ☐ Seepage pit ☐ Feedyard ☐ Fertilizer storage ☐ Oil well/gas well
Direction from well N/A Distance from well N/A open field

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	3	Top Soil			
3	17	Clay			
17	24	Fine Sand			
24	25	Brown Clay			
25	36	Medium to Course Gravel			
36	38	Brown Clay			
38	45	Medium Sand			
45	51	Brown Clay			
51	70	med Sand mixed w/ intermittent Clay Breaks			

WATER RESOURCES RECEIVED
JUL 20 2015
KS DEPT OF AGRICULTURE

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was ☒ constructed, ☐ reconstructed, or ☐ plugged under my jurisdiction and was completed on (mo/day/year) 1-19-12 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 750 This Water Well Record was completed on (mo/day/year) 1-20-12 under the business name of Wenger Drilling Inc by (signature) Jon Wenger

INSTRUCTIONS: Use typewriter or ball point pen. *PLEASE PRESS FIRMLY* and *PRINT* clearly. Please fill in blanks and check the correct answers. Send three copies (white, blue, pink) to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5524. Send one copy to WATER WELL OWNER and retain one for your records. Include fee of $5.00 for each constructed well. Visit us at http://www.kdheks.gov/waterwell/index.html.

KSA 82a-1212

(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. 49429

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

Jerrold Unruh
(Print Applicant's Name)

State of Kansas)
) ss
County of Butler)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 2nd day of July, 2015.

Notary Public

My Commission Expires:
7-27-16

VICKIE K. WALKER
Notary Public - State of Kansas
My Appt. Expires 7-27-16

WATER RESOURCES
RECEIVED
JUL 20 2015
KS DEPT OF AGRICULTURE

DWR 1-100.171 (Revised 03/27/2008)

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