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

1. File Number:	2. Status Change Date:	3. Field Office:	4. GMD:
49,789	9/15/2017	**02**	**0**

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) Person ID **63149**
New to system ☐ Add Seq# _____

DARREN IRONS
2001 WORTHINGTON LN
EDMOND OK 73013

7c. Landowner(s) Person ID 63443
New to system ☐ Add Seq# _____

EMANUEL LLC
DON IRONS
2001 WORTHINGTON LANE
EDMOND OK 73013

7b. Landowner(s) Person ID **56469**
New to system ☐ Add Seq# _____

*BONNIE IRONS
2001 WORTHINGTON LANE
EDMOND OK 73013

7d. Misc. Person ID _____
New to system ☐ Add Seq# _____

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

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: **12/31/2018** 11. Perfection Date: **12/31/2022** 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: _____

*Note address change for Bonnie

Date Prepared: **8/22/2017** By: **DWS**
Date Entered: 9/18/2017 By: UM

File No. 49,789	15. Formation Code: 113	Drainage Basin: NINNESCAH River	County: SU	Special Use:	Stream:

16. Points of Diversion

T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W		17. Rate and Quantity Authorized Rate gpm	Authorized Quantity af	Additional Rate gpm	Additional Quantity af	Overlap PD Files
MOD	85937	SW NW NE	32	30	1E	2	4000	2389	(Batt 1 of 4)	800	201.5	800	201.5	None
MOD	85938	SE NE NW	32	30	1E	3	4000	2839	(Batt 1 of 4)					
MOD	85939	SE NE NW	32	30	1E	4	4374	2839	(Batt 1 of 4)					
MOD	85940	SW NW NE	32	30	1E	5	4374	2389	(Batt 1 of 4)					
MOD	85941	SW NW NE	32	30	1E	6	4187	2614	(Geo-Ctr)					

Battery ID #2013

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 12/31/2018 Date Acceptable Meter Installed _____

21. Place of Use

T MOD DEL ENT	PUSE	S	T	R	ID	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Total	Owner	Chg? NO	Overlap Files
MOD	68253	32	30	1E	3	16	39	30	4	39	29											157	7b & c.	No	NONE

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files **DATE:** August 22, 2017

FROM: Doug Schemm **RE:** Application File No. 49,789

Darren Irons has filed the above referenced new application proposing to appropriate 201.5 acre-feet of groundwater at a diversion rate of 800 gallons per minute for irrigation use on 157 acres. The place of use is jointly owned by Bonnie Irons and Emanuel LLC. The applicant has signed the application form stating he has access to the point of diversion. There are no overlapping files in point of diversion or place of use. The geographic center of the battery of wells would be in the Northeast Quarter of Section 32, Township 30 South, Range 1 East, Sumner County. The requested quantity of water of 201.5 acre-feet applied to 157 acres is just slightly less than the maximum allowable of 1.3 acre-feet per acre in Sumner County. The source of water will be the Ninnescah River alluvium. The place of use was modified during processing, and the applicant agreed to modifications.

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 5,956 acres, with a potential annual recharge of 5.4 inches, and 75% of recharge available for appropriation, safe yield was determined to be 2,010.15 acre-feet. Existing water rights have appropriated only 447 acre-feet, providing 1,563.15 acre-feet available, and the application requesting 201.5 acre-feet clearly meets safe yield.

The applicant identified one nearby domestic wells within one-half mile of the proposed well battery, and a nearby letter was sent out on July 13, 2017. No response of any kind was received. This domestic well is over 1,700 feet away. According to the WRIS database, the nearest non-domestic well is over 4,400 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. Wizard database shows water levels in nearby wells have been increasing since 2012.

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 exceeds 100 gpm.

In an August 21, 2017e-mail, Jeff Lanterman, Water Commissioner, Stafford Field Office, stated that the referenced application can be approved.

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

Doug Schemm
Environmental Scientist
Topeka Field Office

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

Kansas
Department of Agriculture
agriculture.ks.gov

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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 19, 2017

FILE COPY

DARREN IRONS
2001 WORTHINGTON LN
EDMOND OK 73013

Re: Appropriation of Water, File No. 49,789

Dear Mr. Irons:

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

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

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 originally 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 an extension of time shall be accompanied by the required statutory fee, which is currently $100.00. There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:dws
Enclosures

pc: Stafford Field Office
Bonnie Irons
Emanuel LLC

THE STATE OF KANSAS

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. 49,789** of the applicant

DARREN IRONS
2001 WORTHINGTON LN
EDMOND OK 73013

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 **March 3, 2017.**

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

			NE¼				NW¼				SW¼				SE¼				TOTAL
Sec.	Twp.	Range	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
32	30S	1E	16	39	30	4	39	29											157

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 Northwest Quarter of the Northeast Quarter (SW¼ NW¼ NE¼) of Section 32, more particularly described as being near a point 4,187 feet North and 2,614 feet West of the Southeast corner of said section, in Township 30 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 **201.5 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, 2018**, 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, 2022,** 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 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.

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.

Ordered this 15th day of September, 2017, 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 15th day of September, 2017, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.

STATE OF KANSAS NOTARY PUBLIC
DANIELLE WILSON
My Appointment Expires
August 23, 2020

Danielle Wilson

Notary Public

CERTIFICATE OF SERVICE

On this 19th day of September, 2017, I hereby certify that the foregoing Approval of Application, File No. 49,789, dated September 15, 2017 was mailed postage prepaid, first class, US mail to the following:

DARREN IRONS
2001 WORTHINGTON LN
EDMOND OK 73013

With photocopies to:

BONNIE IRONS
2001 WORTHINGTON LN
EDMOND OK 73013

EMANUEL LLC
DON IRONS
2001 WORTHINGTON LANE
EDMOND OK 73013

Stafford Field Office

Danielle Wilson
Division of Water Resources

original App

APPLICATION COMPLETE
8/1/2017
Reviewer DWS

THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49789
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED
MAR 03 2017
11:00
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): DARREN IRONS
   Address: 2001 WORTHINGTON LANE
   City: EDMOND State OK Zip Code 73013
   Telephone Number: (405) 513-8225

2. The source of water is: ☐ surface water in _____ (stream)
   OR ☒ groundwater in NINNESCAH 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 201.5 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 800 gallons per minute OR _____ cubic feet per second.

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

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

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

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

For Office Use Only:
F.O. 2 *GMD* 0 *Meets K.A.R. 5-3-1 (YES/NO)* *Use* IRR *Source* G/S *County* SU *By* AW *Date* 3/3/17
Code REZ *Fee $* 300 *TR #* _____ *Receipt Date* 3/3/17 *Check #* 1731

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

SCANNED 3/13/2017 LCM

CORRECTED MARCH 17, 2017 DF

Geo-Center = SW NW NE 4187'N & 2,614'W
32-30S-1E Sumner Co.

File No. 49789

5. The location of the proposed wells, pump sites or other works for diversion of water is:

Note: For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

(A) One in the SW quarter of the NW quarter of the NE quarter of Section 32, more particularly described as being near a point 4000 feet North and 2389 feet West of the Southeast corner of said section, in Township 30 South, Range 1 (East)/West (circle one), SUMNER County, Kansas.

(B) One in the SE quarter of the NE quarter of the NW quarter of Section 32, more particularly described as being near a point 4000 feet North and 2839 feet West of the Southeast corner of said section, in Township 30 South, Range 1 (East)/West (circle one), SUMNER County, Kansas.

(C) One in the SE quarter of the NE quarter of the NW quarter of Section 32, more particularly described as being near a point 4374 feet North and 2839 feet West of the Southeast corner of said section, in Township 30 South, Range 1 (East)/West (circle one), SUMNER County, Kansas.

(D) One in the SW quarter of the NW quarter of the NE quarter of Section 32, more particularly described as being near a point 4374 feet North and 2389 feet West of the Southeast corner of said section, in Township 30 South, Range 1 (East)/West (circle one), SUMNER 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):

EMANUEL LLC, 2001 WORTHINGTON LANE, EDMOND, OK 73013
(name, address and telephone number)

BONNIE IRONS, 2001 WORTHINGTON LANE, EDMOND, OK 73013
(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 FEB 27, 2017 D.M.
Applicant's Signature

CORRECTED MAR 17, 2017 D.M.

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 BATTERY OF 4 WELLS (number of wells, pumps or dams, etc.) and (was)(will be) completed (by) FEB 27, 2017 (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 FEB 27, 17. (Mo/Day/Year)

WATER RESOURCES RECEIVED
MAR 23 2017
KS DEPT OF AGRICULTURE

SCANNED

File No. 49789

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 _____

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.

File No. 49789

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	2-27-2017	2-27-2017	2-27-2017	TBD
Total depth of well	52'	52'	52'	
Depth to water bearing formation	20'	15'	15'	
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 MANAGER (owner, tenant, agent or otherwise).

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

EMANUEL LLC, 2001 WORTHINGTON LANE, EDMOND, OK 73013
(name, address and telephone number)

BONNIE IRONS, 2001 WORTHINGTON LANE, EDMOND, OK 73013
(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 EDMOND, ~~Kansas~~ Oklahoma, this 27 day of FEBRUARY (month), 2017 (year).

(Applicant Signature)

By _____
(Agent or Officer Signature)

_____
(Agent or Officer - Please Print)

Assisted by _____ _____ (office/title) Date: _____

WATER RESOURCES
RECEIVED

MAR 03 2017

KS DEPT OF AGRICULTURE

SCANNED

* Revised per site map
Applicant agreed in 8/21/17 e-mail.
DWS/DWR

49789

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49,789

Name of Applicant (Please Print): DARREN IRONS

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

Landowner of Record NAME: EMANUEL LLC / BONNIE IRONS

ADDRESS: 2001 WORTHINGTON LANE, EDMOND, OK 73013

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
~~32~~	~~30~~	~~1E~~	~~8~~	~~33~~	~~27~~	~~7~~	~~40~~	~~40~~											~~155~~
* 32	30	1E	16	39	30	4	39	29											157

Landowner of Record NAME:

ADDRESS:

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

Landowner of Record NAME:

ADDRESS:

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

DWR 1-100.23 (7-7-00)

WATER RESOURCES RECEIVED
MAR 03 2017
KS DEPT OF AGRICULTURE

SCANNED

Schemm, Doug

From: Lanterman, Jeff
Sent: Monday, August 21, 2017 2:38 PM
To: Schemm, Doug
Cc: Conant, Cameron
Subject: FW: Darren Irons 49,789
Attachments: 20170727150842427.pdf; Irons Map Place of Use.pdf; 49789 Memo to File.docx; 20170821130211221.pdf

Doug.

This one looks OK to approve.

Huge swing in saturated thickness on the logs right here. But it appears to have met at least 25'.

Jeff

From: Conant, Cameron
Sent: Monday, August 21, 2017 2:06 PM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Subject: FW: Darren Irons 49,789

Jeff, we cleaned up the place of use on this one and it is ready to go. Doug created a better map that accurately showed the actual acres Darren was planning to irrigate (attached). Doug also properly revised the 40 acre tract descriptions to accurately reflect the acres and the map (attached). This was done with a confirmation email from Darren Irons. Cleaning it up increased the p/u by 2 acres, the quantity remains the same and is really close to the full 1.3AF/acre.

This is for a battery of wells (premier well log attached). The best log shows 36' of saturated thickness. The nearest long term hydrograph shows stable water levels from 1993 to present. This hydrograph shows as low as 16.5' and as high as 11.5'. It dipped 5' during the drought and has recovered since 2012. We don't have much in this area, but this is where we had Pat pick up a few more tri-annual wells to begin getting some good data when the increased development started.

http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=372742097194202 (similar depth log-located 4-5 miles NE) 1993-2017 record
http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=372459097203401 (similar depth well-located 1 mile N) 2015-2017 record

Spacing is met. We have notified the only well within ½ mile which is a domestic well located well over 1500' away. No response was received. Based on the WWC-5, this appears to be a domestic well drilled in 1987 and it stopped in "sand" at 50' deep. The nearest permitted water right is about 4400' away.

I think this can be recommended for approval. Please pass on to Doug if you agree.

Cameron

Schemm, Doug

From: Darren Irons <dirons@maxcessintl.com>
Sent: Monday, August 21, 2017 1:16 PM
To: Schemm, Doug
Subject: RE: Place of Use map

That is fine. Thank you for correcting.

Thanks,

Darren Irons
Maxcess
Global Product Manager | Webex -and-
General Manager | Parts, Service and Repairs
dirons@maxcessintl.com
Office: (405) 752 – 7881
Cell: (405) 822 - 7395

From: Schemm, Doug [mailto:Doug.Schemm@ks.gov]
Sent: Monday, August 21, 2017 10:44 AM
To: Darren Irons
Subject: Place of Use map

Darren,
I've modified the place of use just a bit to depict all the acreage. Please review the site map and Irrigation Use Supplemental Sheet to make sure you agree with the modification.
Thanks, Doug

From: Darren Irons [mailto:dirons@maxcessintl.com]
Sent: Monday, August 21, 2017 8:02 AM
To: Schemm, Doug <Doug.Schemm@ks.gov>
Subject: RE: Irons well logs: 32-30-1E

Thank you for the update.

Thanks,

Darren Irons
Maxcess
Global Product Manager | Webex -and-
General Manager | Parts, Service and Repairs
dirons@maxcessintl.com
Office: (405) 752 – 7881
Cell: (405) 822 - 7395

From: Schemm, Doug [mailto:Doug.Schemm@ks.gov]
Sent: Monday, August 21, 2017 7:26 AM
To: Darren Irons
Subject: RE: Irons well logs: 32-30-1E

File# 49,789
meets safe Yield

Analysis Results

The selected PD is in an area to new appropriations.
The safe yield, based on the variables listed below is 2,010.15 AF.
Total prior appropriation in the circle is 648.50 AF. -201.5 AF = 447
Total quantity of water available for appropriation is 1,~~361~~.65 AF.
1563.15AF

Safe Yield Variables

The area used for the analysis is set at 5956 acres.
Potential annual recharge of the area is estimated to be 5.4 inches.
The percent of recharge available for appropriation is 75%.

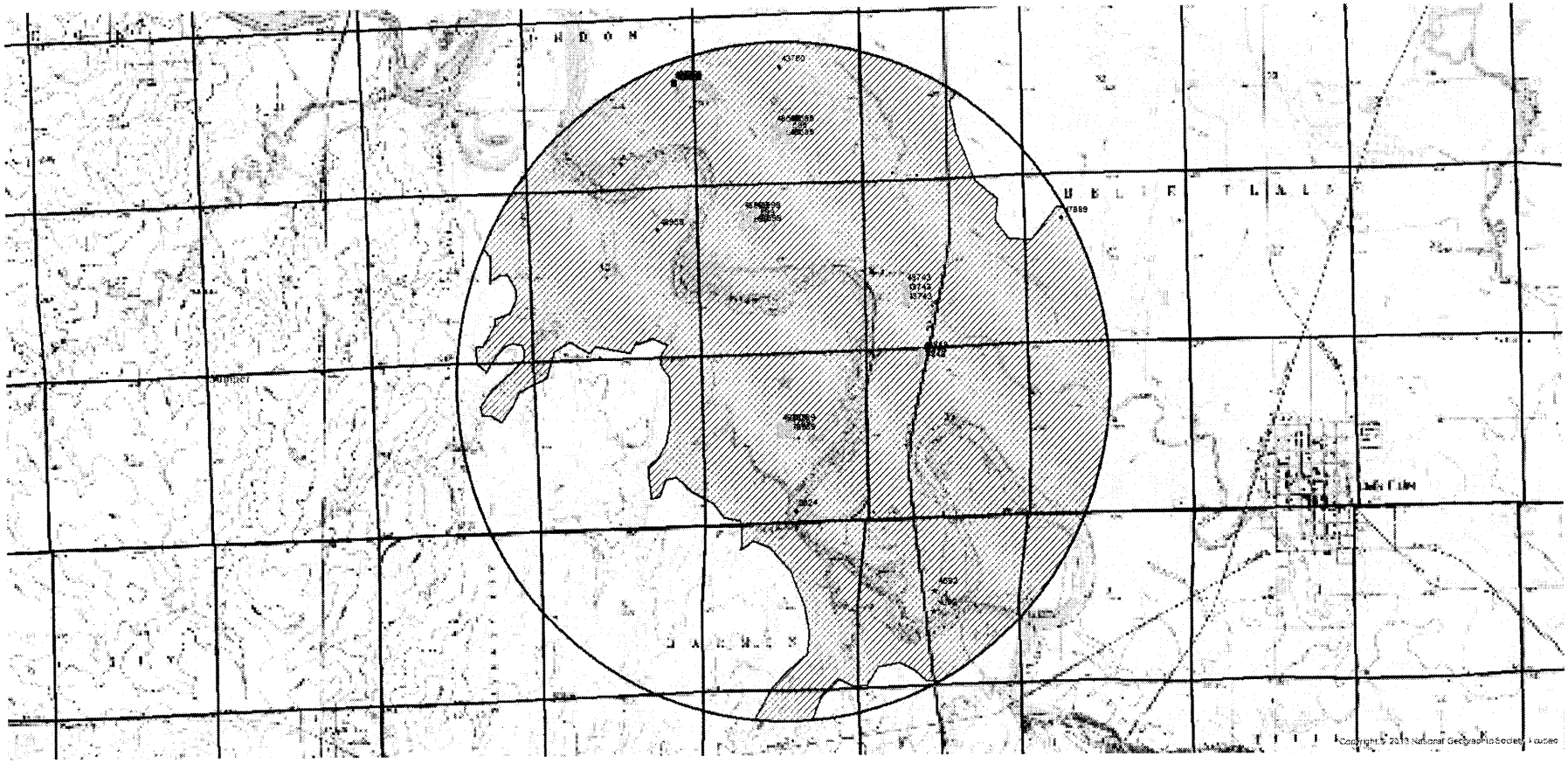
Authorized Quantity values are as of 12-JUL-2017 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 5 water right(s) and 22 point(s) 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	Tacres	Nacres
A	41818 00	IRR	NK	G		NW	NE	NW	5042	3482	33	30	01E	2	WR	64.00	64.00	73.00	73.00
Same		IRR	NK	G		NW	NE	NW	4899	3519	33	30	01E	3	WR				
Same		IRR	NK	G		NW	NE	NW	4755	3555	33	30	01E	4	WR				
A	43743 00	IRR	NK	G		SE	NW	SW	1537	3982	28	30	01E	1	WR	55.00	55.00	73.80	73.80
Same		IRR	NK	G		SE	NW	SW	1538	3983	28	30	01E	2	WR				
Same		IRR	NK	G		NE	SW	SW	1247	3977	28	30	01E	3	WR				
Same		IRR	NK	G		SE	NW	SW	1826	3986	28	30	01E	4	WR				
A	48595 00	IRR	KE	G		SW	NW	SE	1512	2568	20	30	01E	2	WR	182.00	182.00	140.00	140.00
Same		IRR	KE	G		NE	SE	SW	1300	2780	20	30	01E	3	WR				
Same		IRR	KE	G		SE	NE	SW	1724	2780	20	30	01E	4	WR				
Same		IRR	KE	G		SW	NW	SE	1724	2356	20	30	01E	5	WR				
Same		IRR	KE	G		NW	SW	SE	1300	2356	20	30	01E	6	WR				
A	48599 00	IRR	KE	G		SW	NE	NW	4109	3713	29	30	01E	1	WR	146.00	146.00	112.00	112.00
Same		IRR	KE	G		SW	NE	NW	4321	3925	29	30	01E	2	WR				
Same		IRR	KE	G		SW	NE	NW	4321	3501	29	30	01E	3	WR				
Same		IRR	KE	G		NW	SE	NW	3897	3925	29	30	01E	4	WR				
Same		IRR	KE	G		NW	SE	NW	3897	3501	29	30	01E	5	WR				
A	49789 00	IRR	AY	G		SW	SW	NE	2640	2490	32	30	01E	2	WR	201.50	201.50	155.00	155.00
Same		IRR	AY	G		SE	SE	NW	2640	2790	32	30	01E	3	WR				
Same		IRR	AY	G		SE	SE	NW	2940	2790	32	30	01E	4	WR				
Same		IRR	AY	G		SW	SW	NE	2940	2490	32	30	01E	5	WR				
Same		IRR	AY	G				NW	2790	2640	32	30	01E	6	WR				

Safe Yield Report Sheet
Proposed Water Right Application
Point of Diversion in NWSWNWNE 32-30S-01E

==========



==========

Report Date Tuesday, July 18 2017

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

4187 ft N and 2614 ft W of the SE Corner of Section 32, T 30S, R 1E

Located at: 97.339274 West Longitude and 37.403436 North Latitude

GROUNDWATER ONLY

All wells > ½ mile

meets Spacing of 1,320'

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt		Auth_Quan	Add_Quan	Unit
A__ 41818	00	IRR	NK	G 4457	--	NW	NE	NW	4899	3519	33	30	1E	3	G	2	64.00	64.00	AF
Same				4522	--	NW	NE	NW	5042	3482	33	30	1E	2	B	2			
Same				4398	--	NW	NE	NW	4755	3555	33	30	1E	4	B	2			
A__ 43743	00	IRR	NK	G 4814	--	SE	NW	SW	1537	3982	28	30	1E	1	G	3	55.00	55.00	AF
Same				4814	--	SE	NW	SW	1538	3983	28	30	1E	2	B	3			
Same				4656	--	NE	SW	SW	1247	3977	28	30	1E	3	B	3			
Same				4984	--	SE	NW	SW	1826	3986	28	30	1E	4	B	3			
A__ 48595	00	IRR	KE	G 7870	--	SW	NW	SE	1512	2568	20	30	1E	2	G	4	182.00	182.00	AF
Same				7661	--	NE	SE	SW	1300	2780	20	30	1E	3	B	4			
Same				8085	--	SE	NE	SW	1724	2780	20	30	1E	4	B	4			
Same				8085	--	SW	NW	SE	1724	2356	20	30	1E	5	B	4			
Same				7661	--	NW	SW	SE	1300	2356	20	30	1E	6	B	4			
A__ 48599	00	IRR	KE	G 5316	--	SW	NE	NW	4109	3713	29	30	1E	1	G	4	146.00	146.00	AF
Same				5570	--	SW	NE	NW	4321	3925	29	30	1E	2	B	4			
Same				5485	--	SW	NE	NW	4321	3501	29	30	1E	3	B	4			
Same				5159	--	NW	SE	NW	3897	3925	29	30	1E	4	B	4			
Same				5067	--	NW	SE	NW	3897	3501	29	30	1E	5	B	4			
A__ 49789	00	IRR	AY	G 1397	--	--	--	NW	2790	2640	32	30	1E	6	G	4	201.50	201.50	AF
Same				1552	--	SW	SW	NE	2640	2490	32	30	1E	2	B	4			
Same				1557	--	SE	SE	NW	2640	2790	32	30	1E	3	B	4			
Same				1259	--	SE	SE	NW	2940	2790	32	30	1E	4	B	4			
Same				1253	--	SW	SW	NE	2940	2490	32	30	1E	5	B	4			

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	201.50	.00
Total Permitted Amount (AF) =	328.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	119.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	648.50	.00

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

An * after the ID indicates a 15 AF exemption was granted for 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 2.00 miles of point defined as:

97.339274 West Longitude and 37.403436 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 41818	00	IRR	NK G

> KYLE J & MICHELLE S MCADAM

>

> 1255 N LONDON RD

> BELLE PLAINE KS 67013
>----------
A__ 43743 00 IRR NK G
> KYLE J & MICHELLE S MCADAM
>
> 1255 N LONDON RD
> BELLE PLAINE KS 67013
>----------
A__ 48595 00 IRR KE G
> IAN PARKER
>
> 3330 E 119TH ST S
> MULVANE KS 67110
>----------
A__ 48599 00 IRR KE G
> IAN PARKER
>
> 3330 E 119TH ST S
> MULVANE KS 67110
>----------
A__ 49789 00 IRR AY G
> DARREN IRONS
>
> 2001 WORTHINGTON LN
> EDMOND OK 73013
>----------
==========

Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Kansas
Department of Agriculture
Division of Water Resources

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov

July 13, 2017

TIM CALLAWAY
866 E 100TH AVE N
BELLE PLAINE KS 67013

Re: Pending New Application, File No. 49,789

Dear Mr. Callaway:

This is to advise you that Darren Irons has filed the application referred to above for a permit to appropriate 201.5 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a battery of wells. The geographic center of the well battery is located as follows:

> In the Southwest Quarter of the Northwest Quarter of the Northeast Quarter of Section 32, in Township 30 South, Range 1 East, Sumner County, Kansas.

A map is enclosed indicating the location of the proposed well. 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 of the applicant's point 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 or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

Doug Schemm

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Enclosure

pc: Darren Irons

49,789

PREMIER
PUMP & WELL SERVICE INC.
Agriculture, Residential & Commercial

Customer's Name: Darron Irons Date: 3/1/2017

Address: 2001 Worthington Ln. Edmond, OK 73013 Test Hole: 4,5,6

County: Sumner Quarter: NW&NE Section: 32 Township: 30S Range: 1E

Drilled Footage From	Drilled Footage To	Description of Strata	SWL	YIELD	PLAIN	PERF
		TEST HOLE #4				
		37.405749 97.342937				
0	1	Topsoil				
1	10	Clay				
10	15	Gritty Clay				
15	30	Fine Sand				
30	38	Medium Sand				
38	43	Red Clay				
43	47	Shale				
		TEST HOLE #5				
0	1	Topsoil				
1	15	Clay				
15	20	Very Fine Sand				
20	25	Very Fine Dirty Sand				
25	30	Medium Dirty Sand/Clay Pieces				
30	52	Medium Sand/Small Gravel				
52	54	Tan Clay				
54	57	Shale				
		TEST HOLE #6				
		37.402845 97.343225				
0	1	Topsoil				
1	10	Clay				
10	15	Gritty Clay				
15	20	Very Fine Sand				
20	30	Fine Sand				
30	36	Medium Sand				
36	40	Shale				

5159 N. 119th W. | Maize, KS 67101 | 316-722-8380

49,789

RECEIVED
JUL 10 2017
Topeka Field Office
DIVISION OF WATER RESOURCES

PREMIER
PUMP & WELL SERVICE INC.
Agriculture, Residential & Commercial

Customer's Name: Darren Irons Date: 3/1/2017

Address: 2001 Worthington Ln. Edmond, OK 73013 Test #: 1,2,3

County: Sumner Quarter: NW&NE Section: 32 Township: 30S Range: 1E

Drilled Footage From	Drilled Footage To	Description of Strata	SWL	YIELD	PLAIN	PERF
		TEST HOLE #1				
		37.399399 97.339476				
0	1	Topsoil				
1	25	Very Fine Sand				
25	35	Fine Sand				
35		Shale				
		TEST HOLE #2 CASED	16'		0-35	35-55
		37.403072 97.339336				
0	1	Topsoil				
1	15	Brown Clay				
15	20	Gritty Brown Clay				
20	30	Fine Sand				
30	38	Medium Dirty Sand				
38	50	Medium Sand				
50	52	Coarse Sand w/ Clay Pieces				
52	57	Shale				
		TEST HOLE #3				
		37.402861 97.334669				
0	1	Topsoil				
1	30	Very Fine Sand				
30	35	Fine Dirty Sand				
35	40	Medium Dirty Sand				
40	43	Gritty Red Clay				
43	45	Shale				

5159 N. 119th W. | Maize, KS 67101 | 316-722-8380

49,789

RECEIVED

JUL 10 2017

Topeka Field Office
DIVISION OF WATER RESOURCES

PREMIER
PUMP & WELL SERVICE INC.
Agriculture, Residential & Commercial

Customer's Name: Darron Irons Date: 3/1/2017

Address: 2001 Worthington Ln. Edmond, OK 73013 Test Hole: 7

County: Sumner Quarter: NW&NE Section: 32 Township: 30S Range: 1E

Drilled Footage From	Drilled Footage To	Description of Strata	SWL	YIELD	PLAIN	PERF
		TEST HOLE #7				
		37.404415 97.340949				
0	1	Topsoil				
1	15	Clay				
15	20	Very Fine Sand w/Clay				
20	35	Dirty Fine Sand				
35	40	Medium Sand w/Clay Pieces				
40	52	Medium Sand				
52	55	Shale				

5159 N. 119th W. | Maize, KS 67101 | 316-722-8380

March 17, 2017

Darren S. Irons
2001 Worthington Lane
Edmond, OK 73013
(405) 822 - 7395

Regarding: File 49,789

Dear Chief Engineer of the Div. of Water Resources,

On February 27th, 2017, I applied for an "application for permit to appropriate water for beneficial use", which I received file number 49,789. When reviewing this with my tenant, we discovered an error in my location on the second page of the permit. I was only considering the North half of the section, instead of the entire section as I calculated the feet from the SE corner. Essentially, I was giving you a value from the N2 of the SE corner of the section. However, you will notice the plot location on my map do not vary, but again using the wrong value North of the corner.

Last week, I called your office and it was suggested to provide an updated page 2 for your review, I also updated the other pages, so the application is complete (including the corrected values on the map). Can you accept the updated page 2 of the application with the updated values on the map?

Sorry for an inconvenience this caused in the process. I am frustrated that I made such a simple mistake. If possible, can you provide me a response that you received my updated locations and that we will be able to use these values for the application?

Thanks,

Darren S. Irons

Re-submitted copy

THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49789
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED
MAR 23 2017
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): DARREN IRONS
   Address: 2001 WORTHINGTON LANE
   City: EDMOND State OK Zip Code 73013
   Telephone Number: (405) 513-8225

2. The source of water is: ☐ surface water in _____ (stream)
   OR ☒ groundwater in NINNESCAH 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 201.5 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 800 gallons per minute OR _____ cubic feet per second.

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

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

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

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

For Office Use Only:
F.O. ____ ***GMD*** ____ ***Meets K.A.R. 5-3-1 (YES / NO)*** ***Use*** _____ ***Source G / S*** ***County*** _____ ***By*** _____ ***Date*** _____
Code _____ ***Fee $*** _____ ***TR #*** _____ ***Receipt Date*** _____ ***Check #*** _____

VOID - use updated copy dated Mar 23, 2017
ADW/DWR 3/23/17

File No. 49789

5. The location of the proposed wells, pump sites or other works for diversion of water is:

Note: For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

(A) One in the SW quarter of the SW quarter of the NE quarter of Section 32, more particularly described as being near a point 2340 feet North and 2470 feet West of the Southeast corner of said section, in Township 30 South, Range 1 East/West (circle one), SUMNER County, Kansas.

(B) One in the SE quarter of the SE quarter of the NW quarter of Section 32, more particularly described as being near a point 2640 feet North and 2790 feet West of the Southeast corner of said section, in Township 30 South, Range 1 East/West (circle one), SUMNER County, Kansas.

(C) One in the SE quarter of the SE quarter of the NW quarter of Section 32, more particularly described as being near a point 2940 feet North and 2790 feet West of the Southeast corner of said section, in Township 30 South, Range 1 East/West (circle one), SUMNER County, Kansas.

(D) One in the SW quarter of the SW quarter of the NE quarter of Section 32, more particularly described as being near a point 2940 feet North and 2490 feet West of the Southeast corner of said section, in Township 30 South, Range 1 East/West (circle one), SUMNER 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):

EMANUEL LLC, 2001 WORTHINGTON LANE, EDMOND, OK 73013
(name, address and telephone number)

BONNIE IRONS, 2001 WORTHINGTON LANE, EDMOND, OK 73013
(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 FEB 27, 2017.

Applicant's Signature

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

7. The proposed project for diversion of water will consist of BATTERY OF 4 WELLS (number of wells, pumps or dams, etc.) and (was)(will be) completed (by) FEB 27, 2017 (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 FEB 27, 2017 (Mo/Day/Year)

WATER RESOURCES RECEIVED
MAR 03 2017
SCANNED
KS DEPT OF AGRICULTURE

File No. 49789

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 _____

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.

_____

_____

_____

_____

_____

File No. 49789

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	2-27-17	2-27-17	2-27-17	
Total depth of well	52'	52'	52'	
Depth to water bearing formation	20'	15'	15'	
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 MANAGER.
(owner, tenant, agent or otherwise)

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

EMANUEL LLC, 2001 WORTHINGTON LANE, EDMOND, OK 73013
(name, address and telephone number)

BONNIE IRONS, 2001 WORTHINGTON LANE, EDMOND, OK 73013
(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 EDMOND, ~~Kansas~~ OKLAHOMA, this 27 day of FEBRUARY (month), 2017 (year).

(Applicant Signature)

By _____
(Agent or Officer Signature)

_____
(Agent or Officer - Please Print)

Assisted by _____ _____ Date: _____
(office/title)

WATER RESOURCES
RECEIVED

MAR 23 2017

KS DEPT OF AGRICULTURE

IRRIGATION USE
SUPPLEMENTAL SHEET

File No. 49789

Name of Applicant (Please Print): DARREN IRONS

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

Landowner of Record NAME: EMANUEL LLC/BONNIE IRONS

ADDRESS: 2001 WORTHINGTON LANE, EDMOND, OK 73013

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
32	30	1E	8	33	27	7	40	40											155

Landowner of Record NAME:

ADDRESS:

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

Landowner of Record NAME:

ADDRESS:

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

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

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

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
DALE + REINACH SILT LOAM	75.8		
ELANDCO SILT CLAY LOAM	24.2		
Total:	100 %		

b. Estimate the average land slope in the field(s): 0-2 %

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

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

___ Center pivot ___ Center pivot - LEPA ___ "Big gun" sprinkler

___ Gravity system (furrows) ___ Gravity system (borders) ___ Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater:

N/A

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: _____ psi

(2) What is the sprinkler package design rate? _____ gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

WHEAT, BEANS, CORN (EVERY 2 YEARS)

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

FULL IRRIGATION

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

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

Kansas
Department of Agriculture

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

March 3, 2017

DARREN IRONS
2001 WORTHINGTON LANE
EDMOND OK 73013

RE: Application
File No. 49789

Dear Sir or Madam:

Your application for permit to appropriate water in 32-30S-01E in Sumner 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, . . . <u>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</u> or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

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

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

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent A. Turney

WATER RESOURCES
RECEIVED
MAR 23 2017
KS DEPT OF AGRICULTURE

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

BAT: dlw
pc: STAFFORD Field Office
GMD

49789

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

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

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
DALE + REINACH SILT LOAM	75.8		
ELANDCO SILT CLAY LOAM	24.2		
Total:	100 %		

   b. Estimate the average land slope in the field(s): 0-2 %

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

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

   X Center pivot ___ Center pivot - LEPA ___ "Big gun" sprinkler

   ___ Gravity system (furrows) ___ Gravity system (borders) ___ Sideroll sprinkler

   Other, please describe: _____

   d. System design features:

      i. Describe how you will control tailwater:

      N/A

      ii. For sprinkler systems:

      (1) Estimate the operating pressure at the distribution system: _____ psi

      (2) What is the sprinkler package design rate? _____ gpm

      (3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

      (4) Please include a copy of the sprinkler package design information.

   e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

   WHEAT, BEANS, CORN (EVERY 2 YEARS)

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

   FULL IRRIGATION

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

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

Kansas
Department of Agriculture

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

March 3, 2017

DARREN IRONS
2001 WORTHINGTON LANE
EDMOND OK 73013

FILE COPY

RE: Application
File No. 49789

Dear Sir or Madam:

Your application for permit to appropriate water in 32-30S-01E in Sumner 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, . . . <u>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</u> or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

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

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

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent A. Turney

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

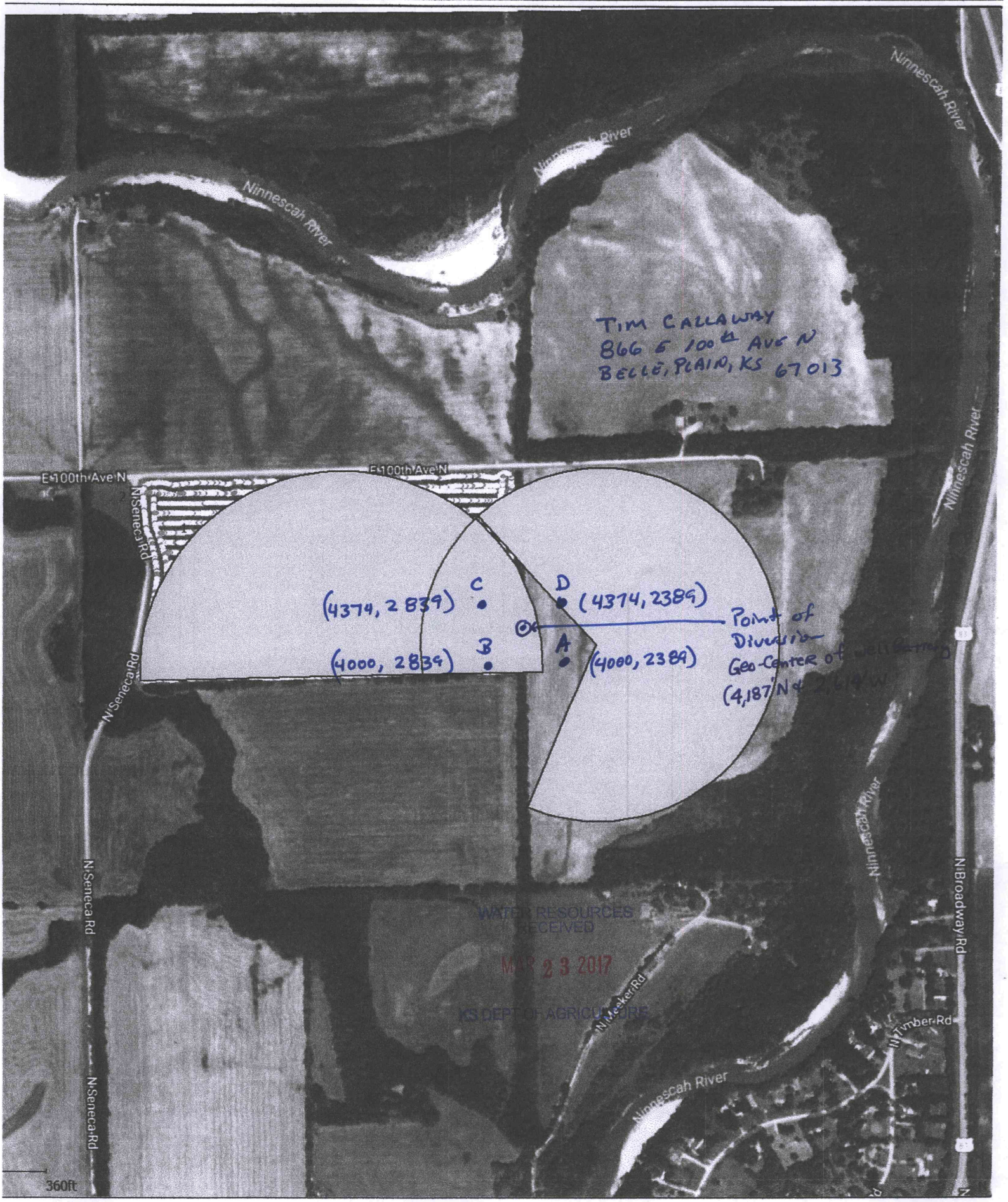
BAT: dlw
pc: STAFFORD Field Office
GMD

SCANNED

CORRECTED 3-17-2017

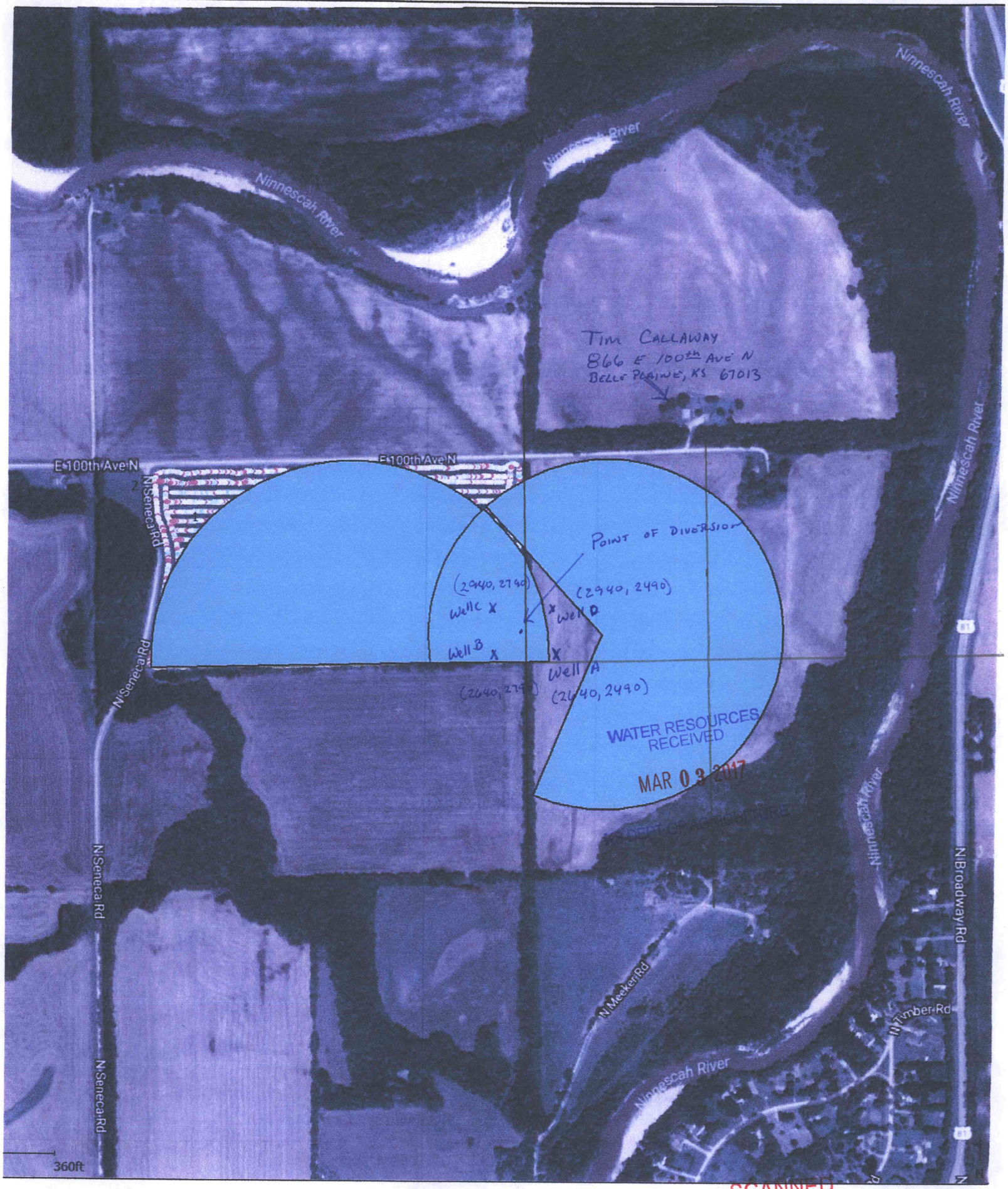
AFS Software Map

File 49789



AFS Software Map

49789



SCANNED

DARREN IRONS - APPLICATION, FILE NO. 49,789
PLACE OF USE MAP

1:12,000

Proposed Place of Use (157 Acres)