

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

WATER RESOURCES RECEIVED

File Number 49953

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

WATER RESOURCES RECEIVED

DEC 15 2017
11:40
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.)

UNACCEPTABLE FOR PRIORITY
DEC 15 2017
11:38
KS DEPT OF AGRICULTURE

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

1. Name of Applicant (Please Print): STERLING COLLEGE % DAVID LANDIS
Address: 125 W COOPER ST
City: STERLING State: KS Zip Code 67579-1533
Telephone Number: (620) 278-2173 CELL: 316-295-0107

2. The source of water is: surface water in _____ (stream)
OR groundwater in COW CREEK _____ (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 18 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 400 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. <u>2</u>	GMD <u>5</u>	Meets K.A.R. 5-3-1 <u>(YES/NO)</u>	Use <u>IRR</u>	Source <u>G/S</u>	County <u>PC</u>	By <u>AW</u>	Date <u>12/15/17</u>
Code _____	REG	Fee \$ <u>200</u>	TR # _____	Receipt Date <u>12/15/17</u>	Check # <u>167094</u>		

12/26/2017 LUM

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 NE quarter of the SE quarter of the SW quarter of Section 16, more particularly described as being near a point 964 feet North and 2,762 feet West of the Southeast corner of said section, in Township 21 South, Range 8 WEST, RICE County, Kansas. **KELSEY HALL WELL**

(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 (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print):

_____ (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 _____, 2017___. _____
Applicant's Signature

7. The proposed project for diversion of water will consist of ONE WELL
(number of wells, pumps or dams, etc.)
and (was)(will be) completed (by) _____
(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 SPRING 2018
(Mo/Day/Year)

WATER RESOURCES RECEIVED
DEC 15 2017
KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED
UNACCEPTABLE FOR PRIORITY
DEC 13 2017
KS DEPT OF AGRICULTURE

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 _____

GROUNDWATER WELL

WATER RESOURCES RECEIVED
DEC 15 2017
KS DEPT OF AGRICULTURE

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

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

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

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

APPLICANT CURRENTLY HAS THREE FILES (FILE #'S 44,649; 47,029; AND 49,855) FOR IRRIGATION USE ON A PROPOSED 15 ACRES (INCLUDING FOOTBALL FIELD). THESE WILL BE MODIFIED TO OVERLAP WITH THIS NEW APPLICATION PLACE OF USE OF 36 ACRES.

WATER IS BEING OFFSET WITH WATER FROM EXISTING RIGHT UNDER Bill Calderwood

WATER RESOURCES RECEIVED
UNACCEPTABLE FOR PRIORITY
DEC 13 2017

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

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

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

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

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

(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 STERLING, Kansas, this 15th day of DECEMBER, 2017.
(month) (year)

David And.
(Applicant Signature)

522-37-7932

APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By [Signature]
(Agent or Officer Signature)

48-0543728

and/or APPLICANT(S) TAXPAYER I.D. NO.(S)

Scott Rich
(Agent or Officer - Please Print)
PRESIDENT

Assisted by DWS TOPEKA FO Date: 11/29/2017
(office/title)

WATER RESOURCES RECEIVED
DEC 15 2017
KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED
UNACCEPTABLE FOR PRIORITY
DEC 15 2017
KS DEPT OF AGRICULTURE

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49953

Name of Applicant (Please Print): STERLING COLLEGE

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: STERLING COLLEGE
 ADDRESS: 125 W COOPER ST, STERLING, KS 67579-1533

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	21	8W										9				27					36

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			

WATER RESOURCES
RECEIVED
DEC 15 2017
KS DEPT OF AGRICULTURE

WATER RESOURCES
RECEIVED
UNACCEPTABLE FOR PRIORITY
DEC 13 2017

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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): _____ %

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:

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:

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).

WATER RESOURCES RECEIVED

DEC 15 2017

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

KS DEPT OF AGRICULTURE
 WATER RESOURCES RECEIVED
 UNACCEPTABLE FOR PRIORITY
 DEC 13 2017

49953



December 1, 2017

Mr. Lane P. Letourneau, Water Appropriation Program Manager
Kansas Department of Agriculture, Division of Water Resources
1320 Research Park Drive
Manhattan, KS 66502

WATER RESOURCES RECEIVED
UNACCEPTABLE FOR PRIORITY
DEC 15 2017
KS DEPT OF AGRICULTURE

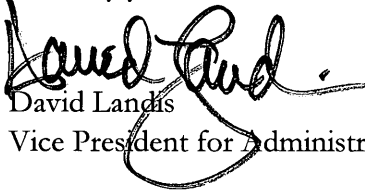
Dear Mr. Letourneau:

Enclosed please find the application and fee from Sterling College regarding our application for permit to appropriate water for beneficial use. Sterling College currently has three files (File #'s 44,649; 47,029; and 49,855) for irrigation use on a proposed 15 acres. These will be modified to overlap with this new application place of use of 36 acres (see attached map).

It should be stated that while Sterling College believes that this agreement is in the best interest of the College, the DWR and GMD5, there is still much work to be done in order to fully provide for the long-term water rights needs of the College.

As we have stated previously, Sterling College desires to work hand in hand with the your office, the Stafford Field Office, GMD5 and any other authority we report to regarding our irrigation water rights. We acknowledge and appreciate the work of your office on our behalf and have appreciated the genuine assistance offered to us by yourself, Tracy Streeter, Jeff Lanterman, Doug Schemm and several others.

Sincerely yours,


David Landis
Vice President for Administration & Institutional Initiatives

WATER RESOURCES RECEIVED
DEC 15 2017
KS DEPT OF AGRICULTURE

49953

Whitesell, Alex [KDA]

From: David Landis <dlandis@sterling.edu>
Sent: Wednesday, December 13, 2017 3:50 PM
To: Whitesell, Alex [KDA]
Subject: RE: New Application - Signature Needed

Mr. Whitesell,
Good afternoon. We have prepared the appropriate form that you sent and will get it out in the mail tomorrow.
Thank you for your assistance.
Sincerely,

David Landis
Vice President for Administration
& Institutional Initiatives
Sterling College

From: Whitesell, Alex [KDA] [<mailto:Alex.Whitesell@ks.gov>]
Sent: Wednesday, December 13, 2017 3:14 PM
To: David Landis <dlandis@sterling.edu>
Subject: New Application - Signature Needed

Mr. Landis,

The Division of Water Resources received your New Application for Permit to Appropriate Water for Beneficial use. Unfortunately, paragraph no. 6 of the application was not signed and must be signed before we can accept the application.

I have attached a form that may be signed and mailed to our office in place of signing the original application. Please print, sign and mail the original signature to the address below.

If you have any questions please let me know.

Alex Whitesell
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502
(785) 564 - 6631

My email has changed alex.whitesell@ks.gov

WATER RESOURCES
RECEIVED
DEC 15 2017
KS DEPT OF AGRICULTURE

49953



WATER RESOURCES
RECEIVED

DEC 15 2017

KS DEPT OF AGRICULTURE

December 13, 2017

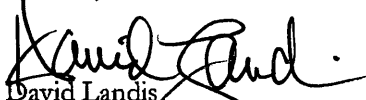
Alex Whitesell
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502

Dear Mr. Whitesell:

I have enclosed two copies of the document you sent via email – one signed by our president, Dr. Scott Rich, and one signed by me. Please use whichever is appropriate for the application.

Thank you for your assistance.

Sincerely,


David Landis
Vice President for Administration

THANK YOU FOR
PROVIDING ASSISTANCE
AND DIRECTION!

WATER RESOURCES
RECEIVED

DEC 15 2017

KS DEPT OF AGRICULTURE

49953



THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

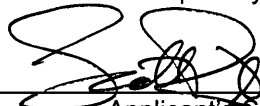
DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

SWORN STATEMENT
PURSUANT TO K.S.A. 82a-709

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 12/13, 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.

WATER RESOURCES
RECEIVED

DEC 15 2017

KS DEPT OF AGRICULTURE

WATER RESOURCES
RECEIVED

DEC 15 2017

KS DEPT OF AGRICULTURE

49953

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

SWORN STATEMENT
PURSUANT TO K.S.A. 82a-709

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 DEC. 13, 2017.

David Barfield
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.

WATER RESOURCES
RECEIVED
DEC 15 2017
KS DEPT OF AGRICULTURE



1320 Research Park Drive
Manhattan, Kansas 66502

Jackie McClaskey, Secretary

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

December 20, 2017

STERLING COLLEGE % DAVID LANDIS
125 W COOPER ST
STERLING KS 67579

FILE COPY

RE: Application
File No. 49953

Dear Sir or Madam:

Your application for permit to appropriate water in 16-21S-8W in Rice County, was received and has been assigned the file number noted above.

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

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

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

If you have any questions, please contact me at (785) 564-6637. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

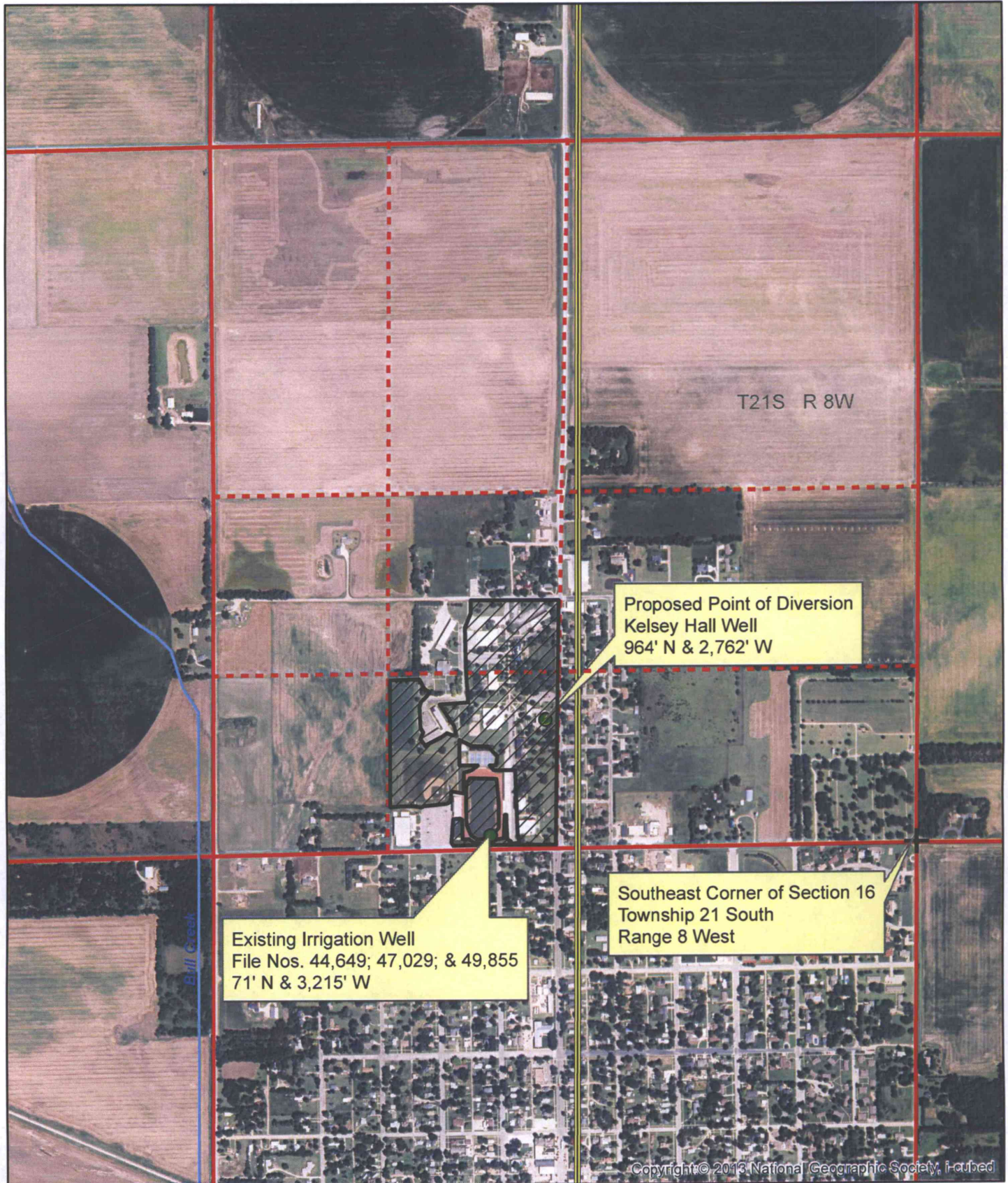
Sincerely,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: STAFFORD Field Office
GMD 5

49953

STERLING COLLEGE - NEW APPLICATION SEC. 16, T21S, R8W - RICE CO.



Copyright © 2013 National Geographic Society, Inc.

1:12,000

DEC 15 2017

● Proposed Point of Diversion
 ■ Proposed Place of Use

Nearby Well Owners Are Identified on Attached Listing
UNACCEPTABLE FOR PRIORITY
 DEC 13 2017

KS DEPT OF AGRICULTURE

KS DEPT OF AGRICULTURE