

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

File Number 49961
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

JAN 04 2018

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

KS DEPT OF AGRICULTURE

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): THOMAS BERGKAMP
Address: 8231 W. 55TH STREET SOUTH
City: CLEAR WATER State KS Zip Code 67026
Telephone Number: (316) 522-6270

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 175.5 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 600 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. Code	<u>2</u>	GMD	<u>EEZ</u>	Meets K.A.R. 5-3-1 (YES) NO	Use	Source	County
				<u>(YES)</u>	<u>IRR</u>	<u>G/S</u>	<u>CG</u>
Fee \$	<u>300</u>	TR #		Receipt Date	<u>1/4/18</u>	By	<u>AW</u>
				Check #	<u>0670</u>	Date	<u>1/4/18</u>

1/8/2018 UCM

TEST HOLES TO BE DRILLED TO DETERMINE
POINT OF DIVERSION

File No. 49961

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 ___ quarter of the ___ quarter of the NE 1/4 quarter of Section 16, more particularly described as being near a point ___ feet North and ___ feet West of the Southeast corner of said section, in Township 29 South, Range 1 East (West (circle one)), Seminole 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 (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):

JAMES KERSCHEN 3438 S. 199TH ST. W. GODDARD KS 67052
 (name, address and telephone number) 316 794-2477

C.J.B.V. FARMS
 (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 1-2, 2018. James J. Kerschen
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 4 WELL
(number of wells, pumps or dams, etc.)
and (was) (will be) completed (by) Dec 31 2019
(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 MAY 15 2019
(Mo/Day/Year)

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**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 49961

Name of Applicant (Please Print): THOMAS BERGKAMP

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: C. J. B. V. FARMS, JAMES KERSCHEN
 ADDRESS: 3438 S. 199TH ST. W. GODDARD, KS 67052

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	25	1W					34	34	34	34									

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	

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- 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 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.

NONE

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TEST HOLES TO BE DRILLED.

File No. 49961

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):

JAMES KERSCHEN 3438 S. 199TH ST. W. GODDARD, KS. 67052
(name, address and telephone number) 316-794-2477

C. J. B. V. FARMS
(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 _____, Kansas, this _____ day of _____, _____.
(month) (year)

Thomas G. Bergkamp
(Applicant Signature)

By _____
(Agent or Officer Signature)

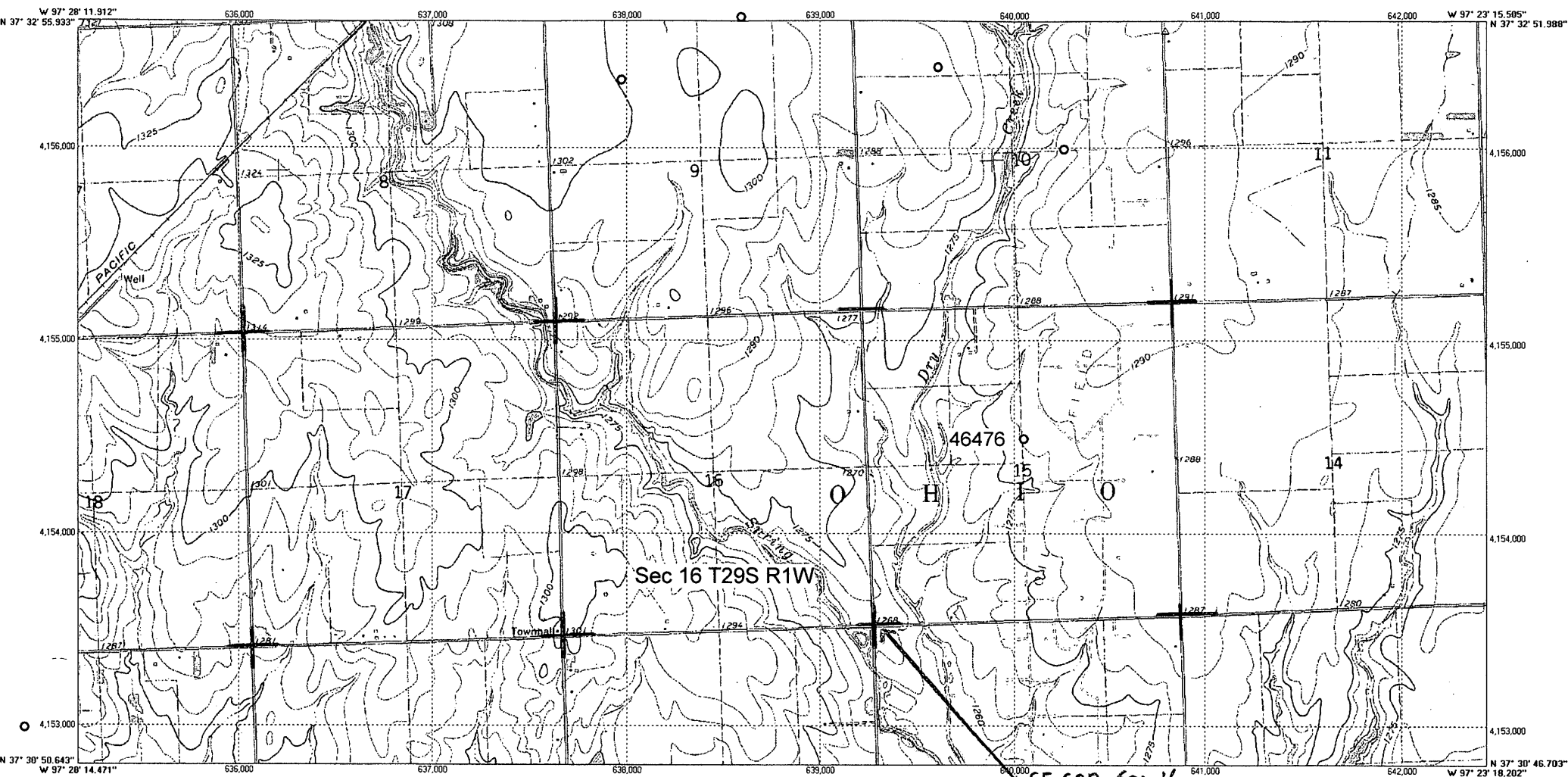
(Agent or Officer - Please Print)

Assisted by BRAD VINCENT GROUND WATER ASSOCIATES Date: JAN 2 2018
(office/title)

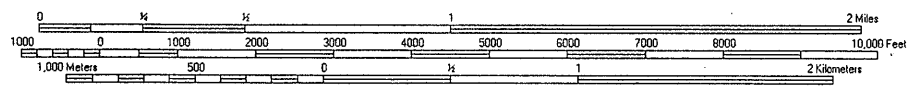
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JAN 04 2018

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1927 North American Datum; 1,000-meter UTM grid zone 14
 Generated by BigTopo (www.bigtopo.com)
 Map compiled from USGS Quads: Bayneville, KS



SE COR Sec 16

Tom Bergkamp

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 WATER RESOURCES
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 JAN 04 2018

49921



Ground Water Associates, Inc.

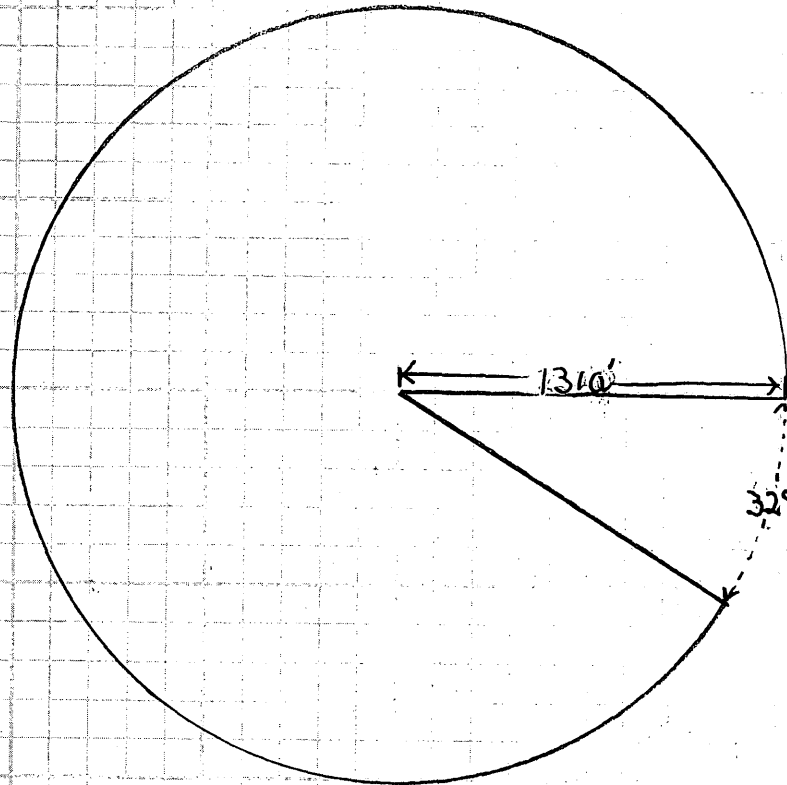
NE 1/4 Sec 16 T29S R1W

Subject TOM BERGKAMP PLACE OF USE

Date 2 JAN 2018

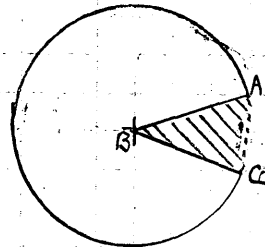
49961

$$\begin{array}{r} \text{CIRCLE} = 135 \text{ ACRE} \\ - \quad \quad 11 \text{ ACRE} \\ \hline 124 \text{ ACRE} \end{array}$$



$$\begin{aligned} \text{Area ABCA} &= 0.008727 (32) (1310 \text{ FT})^2 \\ &= 479244.95 \text{ FT}^2 \end{aligned}$$

$$479244.95 \text{ FT}^2 \frac{1 \text{ ACRE}}{43560 \text{ FT}^2} = 11 \text{ ACRE}$$



$$\text{Area ABCA} = \frac{\pi \theta r^2}{360} = 0.008727 \theta r^2$$

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JAN 04 2018

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

January 4, 2018

THOMAS BERGKAMP
8231 W 55TH ST SOUTH
CLEARWATER KS 67026

RE: Application
File No. 49961

Dear Sir or Madam:

Your application for permit to appropriate water in 16-29S-1W in Sedgwick 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,

A handwritten signature in black ink that reads "Kristen A. Baum". The signature is written in a cursive style.

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: Field Office
GMD

NE 1/4 Sec 16 T29S R1W

PLACE OF USE

Legend

8601 W 87th St S

8601 W 87th St S

S Ridge Rd

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Google Earth

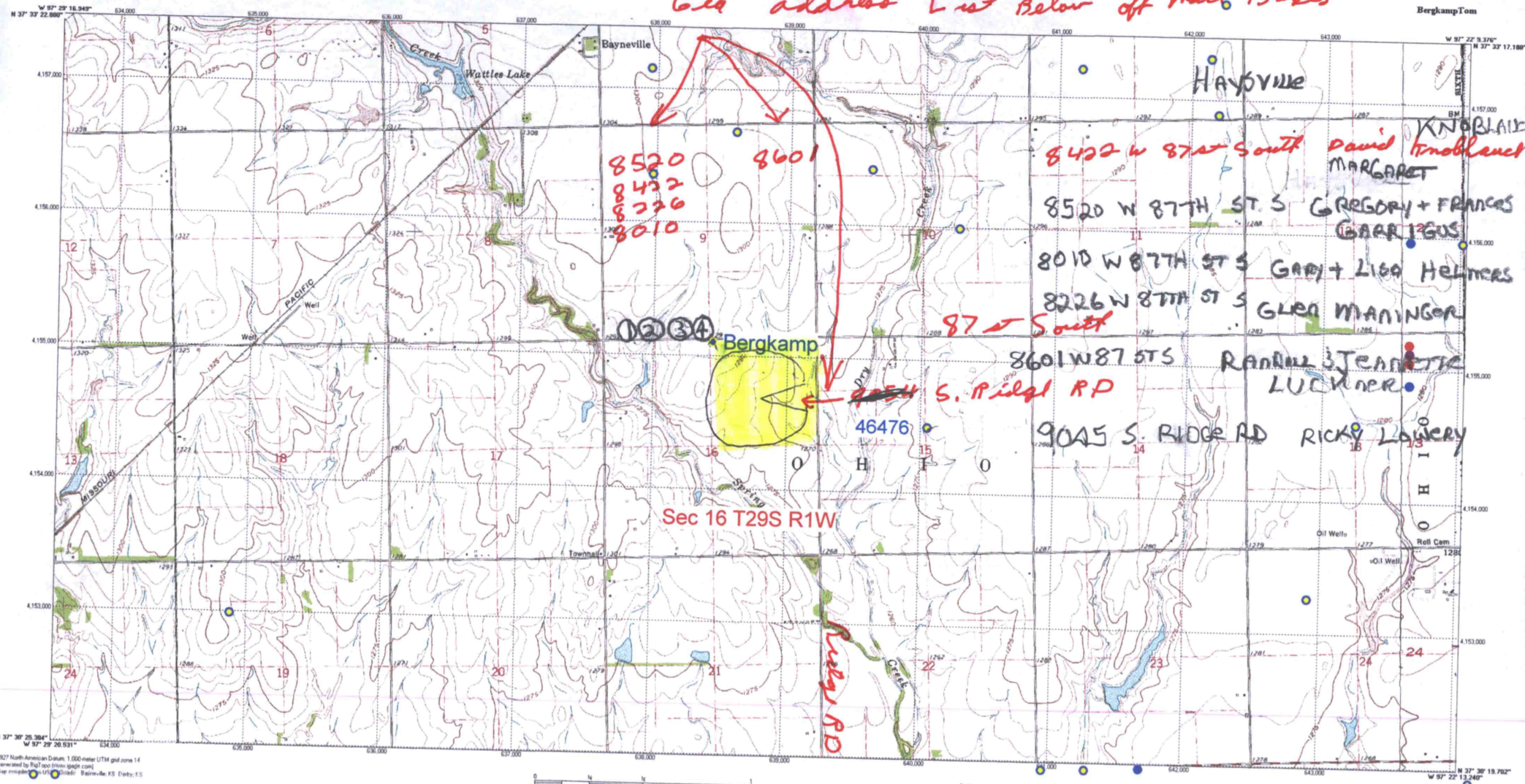


2000 ft

149901

See address List Below off mail Boxes

Bergkamp Tom



- HAYVILLE
- 8422 W 87th South David Knoblauch MARGARET
 - 8520 W 87TH ST S GREGORY + FRANCES GARRIGUS
 - 8010 W 87TH ST S GARY + LISA HELMER
 - 8226 W 87TH ST S GLEN MANINGER
 - 87th South
 - 8601 W 87 STS RANDI JEANETTE LUCKNER
 - 9045 S RIDGE RD RICKY LAWRY

- 8520
- 8422
- 8010
- 8226
- 8601

12 34 Bergkamp

Sec 16 T29S R1W

Lucy RD

46476 S. Pigeon RD

HAYVILLE Tom Bergkamp

Tom Bergkamp
 520-6270 H
 655-8845 cell

1.2 OR
 1.3/acre

- ① ✓ 8520 W 87TH ST S
- ② ✓ 8422 W 87TH ST S
- ③ 8226 W 87TH ST S
- ④ ✓ 8010 W 87TH ST S
- ⑤ 8601 W 87TH ST S

49961

722 48773

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43004

43675

45828

1927 North American Datum, 1,000-meter UTM grid zone 14
 (Generated by Proj 4.9.0 (http://trac.osgeo.org/proj))
 Map projection: UTM; Datum: North America 83; Units: US