

# 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 50053  
This item to be completed by the Division of Water Resources.

Water Resources  
Received

APR 30 2018  
12:42

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, KS 66502:

1. Name of Applicant (Please Print): Charitable KSU/Real Estate Foundation  
Address: % Farmers National Co. PO Box 40  
City: Kechi State KS Zip Code 67067  
Telephone Number: 316-789-4240

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 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 - Meets K.A.R. 5-3-1 (YES / NO) Use IRR Source GS County SG By AM Date 4-30-18  
Code RE2 Fee \$ 300 TR # \_\_\_\_\_ Receipt Date 4-30-18 Check # 646789

5/8/2018 CCM

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 NW quarter of the NW quarter of the SE quarter of Section 8, more particularly described as being near a point 2003 feet North and 2357 feet West of the Southeast corner of said section, in Township 29 South, Range 1 West, Sedgwick (Geo-Center) County, Kansas.
- (B) One in the NW quarter of the NW quarter of the SE quarter of Section 8, more particularly described as being near a point 2303 feet North and 2357 feet West of the Southeast corner of said section, in Township 29 South, Range 1 West, Sedgwick (Bat 1 of 4) County, Kansas.
- (C) One in the NW quarter of the NW quarter of the SE quarter of Section 8, more particularly described as being near a point 2153 feet North and 2357 feet West of the Southeast corner of said section, in Township 29 South, Range 1 West, Sedgwick (Bat 2 of 4) County, Kansas.
- (D) One in the SW quarter of the NW quarter of the SE quarter of Section 8, more particularly described as being near a point 1853 feet North and 2357 feet West of the Southeast corner of said section, in Township 29 South, Range 1 West, Sedgwick (Bat 3 of 4) County, Kansas.
- (E) One in the SW quarter of the NW quarter of the SE quarter of Section 8, more particularly described as being near a point 1703 feet North and 2357 feet West of the Southeast corner of said section, in Township 29 South, Range 1 West, Sedgwick (Bat 4 of 4) 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.

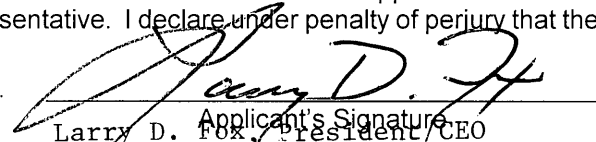
6. The owner of the point of diversion, if other than the applicant is (please print):

~~KSU Real Estate Foundation~~ KSU Charitable Real Estate Foundation, 1800 Kimball Avenue,  
 \_\_\_\_\_  
 (name, address and telephone number)  
Suite 200, Manhattan, KS 66502 785-532-7541 (Larry D. Fox, Director of RE)  
 \_\_\_\_\_  
 (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 April 17, 2018.



\_\_\_\_\_  
 Larry D. Fox, President/CEO  
 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 Bat 4 Wells and Pumps  
 \_\_\_\_\_  
 (number of wells, pumps or dams, etc.)  
 and will be completed (by) ASAP  
 \_\_\_\_\_  
 (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 ASAP  
 \_\_\_\_\_  
 (Mo/Day/Year)

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 N.A.

\_\_\_\_\_

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.

No overlaps  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED BY  
\_\_\_\_\_  
DATE  
\_\_\_\_\_  
SUBMITTED TO THE DIVISION OF WATER RESOURCES

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	<u>See</u>	<u>Attached</u>	_____	_____
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):

~~KSU Real Estate Foundation~~ KSU Charitable Real Estate Foundation, 1800 Kimball  
(name, address and telephone number)

Avenue, Suite 200, Manhattan, KS 66502 785-532-7541 (Larry D. Fox)  
(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 Manhattan, Kansas, this 17 day of April, 2018  
(month) (year)

  
(Applicant Signature)

By \_\_\_\_\_  
(Agent or Officer Signature)

Larry D. Fox, President/CEO  
(Agent or Officer - Please Print)

Assisted by MJM/SFFO ESII Date: 3/19/2018  
(office/title)

**Water Resources  
Received**

**APR 30 2018**

**KS Dept Of Agriculture**

## IRRIGATION USE SUPPLEMENTAL SHEET

File No. 50053

Name of Applicant (Please Print): Daniel Lauer

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: Charitable KSU Real Estate Foundation

ADDRESS: 1800 Kimball Avenue, Suite 200, Manhattan, KS 66502

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
8	29S	1W										34	35	29	33			2	2		135

**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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
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).

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

April 17, 2018

(Date)

Kansas Department of Agriculture  
Division of Water Resources  
David W. Barfield, Chief Engineer  
109 SW 9<sup>th</sup> Street, 2nd Floor  
Topeka, Kansas 66612-1283

Re: Application  
File No. 50053

Minimum Desirable Streamflow

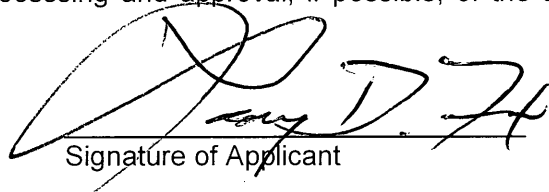
Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

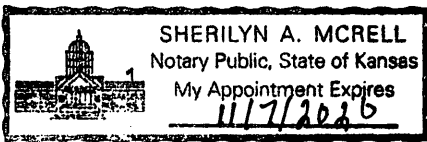


Signature of Applicant

State of Kansas )  
County of Riley ) ss

Larry D. Fox, President/CEO  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 17 day of April, 2018.

  
Notary Public

My Commission Expires:

Water Resources  
Received

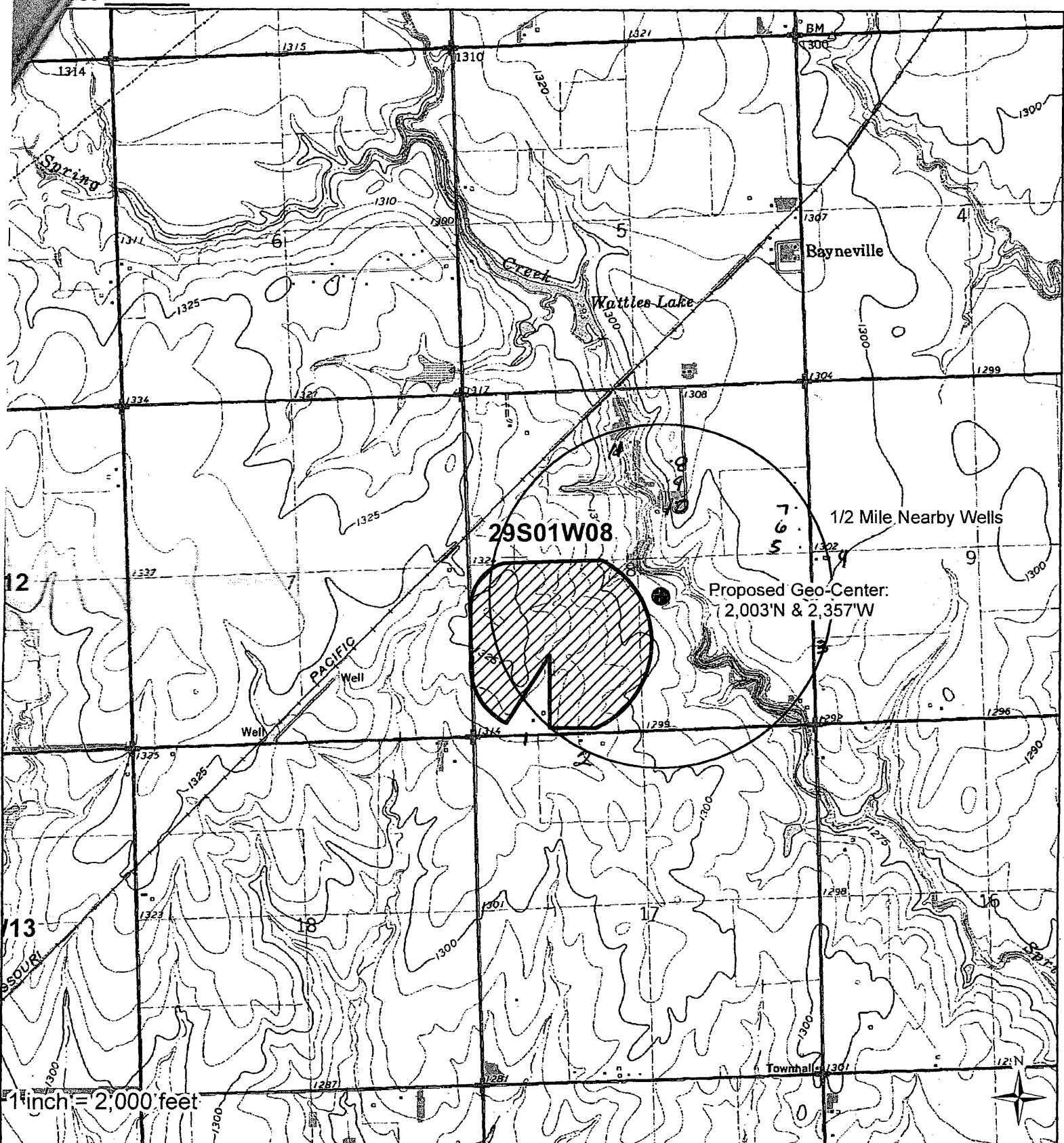
APR 30 2018

KS Dept Of Agriculture









I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

- Proposed PD
- Proposed Place of Use
- Domestic Wells
- Water Rights
- SFFOsec\_corners

**Water Resources Received**

Signature \_\_\_\_\_ Date **APR 30 2018**

0 800 1,600 3,200 4,800 6,400 Feet

Created By: Matt Meier  
F.O. 2  
Date: 3/19/2018

1.) Rex Smith  
10100 W 87<sup>th</sup>  
Clearwater Ks 67026

2.) Scott Klausmeyer  
9801 W 87<sup>th</sup>  
Clearwater Ks 67026

3.) Phillip Straubs  
8345 S Tyler Rd  
Clearwater Ks 67026

4.) Leonard Ternes  
8400 S Tyler Rd  
Clearwater Ks 67026

5.) Glen Osborn  
8345 S. Tyler Rd  
Clearwater Ks 67026

6.) Todd Fischer  
8321 S Tyler Rd  
Clearwater Ks 67026

Water Resources  
Received

APR 30 2018

KS Dept Of Agriculture

7) John Davis  
8251 S Tyter Rd  
Clearwater Ks 67026

8) Adam Gonsaves  
9411 79<sup>th</sup> St  
Clearwater Ks 67026

9) Chad Herman  
9321 79<sup>th</sup> St  
Clearwater Ks 67026

10 Phillip Crabtree  
9319 79<sup>th</sup> St  
Clearwater Ks 67026

11. oxy 79<sup>th</sup> St

Water Resources  
Received

APR 30 2018

KS Dept Of Agriculture

50053



[EXTERNAL EMAIL] Fwd:  
Chris Ostmeyer to: Me

04/24/2018 04:35 PM

History: This message has been forwarded.

----- Forwarded message -----

From: <[7856728672@mms.att.net](mailto:7856728672@mms.att.net)>  
Date: Tue, Apr 24, 2018 at 9:04 AM  
Subject:  
To: [6208860576@mms.att.net](mailto:6208860576@mms.att.net), [costmeyer@gmail.com](mailto:costmeyer@gmail.com)

Mr. Bassinger I have not received confirmation that you have vacated permanently the John Bland Trust grazing claims those rights. All gates are now locked and you are notified that we will consider you are committing criminal property. I expect acknowledgement from you that you will comply immediately. if you do not we will be forced to have the intellect required to realize what a simple thing is being asked. SINCERELY John W Butler POA

yes or no. have you received the messages warning you that Brad Blank has the grazing according to John Blar

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

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Water Resources  
Received  
**APR 30 2018**  
KS Dept Of Agriculture

# STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

May 1, 2018

KSU REAL ESTATE FOUNDATION  
FARMERS NATIONAL CO  
PO BOX 40  
KECHI KS 67067

RE: Application  
File No. 50053

Dear Sir or Madam:

Your application for permit to appropriate water in 8-29S-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".

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: STAFFORD Field Office  
GMD

File No. \_\_\_\_\_



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

Water Resources  
Received

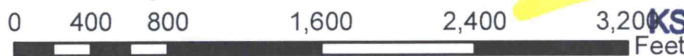
- Proposed PD
- Proposed Place Of Use
- Domestic Wells
- Water Rights
- SFFOsec\_corners

*[Handwritten Signature]* \_\_\_\_\_ *4/17/18*

Signature Date

APR 30 2018

Created By: Matt Meier  
F.O. 2  
Date: 3/19/2018

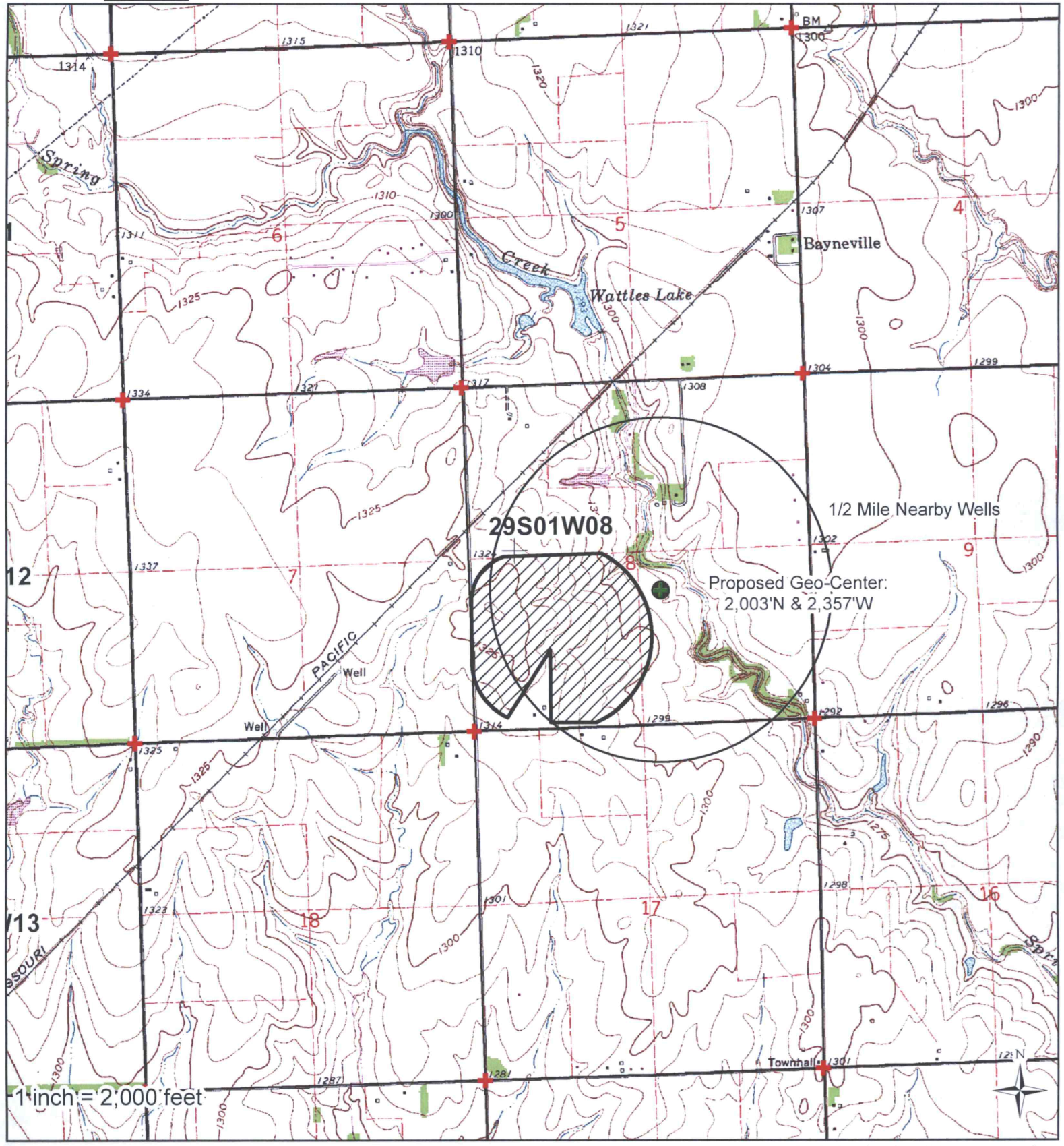


KS Dept Of Agriculture



50053

File No.



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

- Proposed PD
- Proposed Place Of Use
- Domestic Wells
- Water Rights
- SFFOsec\_corners

*Perry D. F.* \_\_\_\_\_ 4/19/18  
 Signature Date

**Water Resources  
 Received**

Created By: Matt Meier  
**APR 30 2018**  
 Date: 3/19/2018



**KS Dept Of Agriculture**