

# 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.

NE# 22-33-02W  
Sawyer County



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 50087  
This item to be completed by the Division of Water Resources.

Water Resources  
Received

JUL 05 2018  
12:34  
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): Ritchie Addison  
Address: P.O. Box 663  
City: Wellington State KS Zip Code 66152  
Telephone Number: (620) 338-0846

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in ChickASKia (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 106 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:		Meets K.A.R. 5-3-1 <input checked="" type="checkbox"/> YES / <input type="checkbox"/> NO		Use <u>PCR</u>	Source <input checked="" type="checkbox"/> S	County <u>SU</u>	By <u>AWW</u>	Date <u>7/9/10</u>
F.O. Code <u>LE2</u>	GMD <u>0</u>	Fee \$ <u>300</u>	TR # _____	Receipt Date <u>7/5/18</u>	Check # <u>15323</u>			

7/9/18 AWW

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 \_\_\_ quarter of Section 22, more particularly described as being near a point \_\_\_ feet North and \_\_\_ feet West of the Southeast corner of said section, in Township 33 South, Range 2 East/West (circle one), Sumner 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 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 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.

*TO Be Determined!  
Please ALLOW 60 days  
to be completed and  
Located.*

If the source of supply is ground wells, except that a single application may apply to the same local source of supply.

A battery of wells is defined as two or more wells in the same local source of supply not to exceed a total maximum of four wells in the same local source of supply.

proposed well or battery of wells shall have a minimum flow capacity of one gallon per minute per well. The well shall be a minimum of a quarter (1/4) mile radius in any direction from the well. The well shall not be a common well; or not more than one well shall be operated by pumps to supply water to a common well.

*3960 N  
1320 W*

6. The owner of the point of diversion is:

L & M FARMS INC (name, address and telephone number)  
P.O. Box 663, Wellington, KS, 66152 620-338-0846 (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 July 1, 2018. [Signature]  
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 wells (number of wells, pumps or dams, etc.)

and (was)(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 12-15-2018 (Mo/Day/Year)

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JUL 05 2018

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. *NO*

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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JUL 05 2018

- 13. Furnish the following well information if the well has not been completed, give information on:
  - Information below is from:  Test holes
  - Well location as shown in paragraph No. \_\_\_\_\_
  - Date Drilled \_\_\_\_\_
  - Total depth of well \_\_\_\_\_
  - Depth to water bearing formation \_\_\_\_\_
  - Depth to static water level \_\_\_\_\_
  - Depth to bottom of pump intake pipe \_\_\_\_\_

If the well

*to be determined & please allow 60 days to be completed.*

- 14. The relationship of the applicant to the well is that of Owner-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):

L & M FARMS, P.O. box 663, Wellington, KS 66152  
(name, address and telephone number)

Ritchie Addison - President 620-338-0846  
(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 Wellington, Kansas, this 1 day of July, 2018  
(month) (year)

  
(Applicant Signature)

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

\_\_\_\_\_  
(Agent or Officer - Please Print)

Assisted by Mark Kovacs owner  
(office/title)

Date: 7-1-2018

50087

### FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

**MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE**

**ATTENTION**

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

**CONVERSION FACTORS**

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

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KS Dept Of Agriculture

**IRRIGATION USE  
SUPPLEMENTAL SHEET**

File No. 50087

Name of Applicant (Please Print): Ritchie Addison

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: LVM FARMS - Ritchie Addison - President - Owner  
 ADDRESS: P.O. BOX 603 Wellington, KS 66152

S	T	R	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
22	33	20		41	41													82	

**Landowner of Record** NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

S	T	R	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				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	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				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
<u>FARNUM</u>	<u>100</u>	<u>1" / HR.</u>	<u>Good</u>
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %	_____	_____

b. Estimate the average land slope in the field(s): 1 %

Estimate the maximum land slope in the field(s): 3 %

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: no tailwater

ii. For sprinkler systems:

- (1) Estimate the operating pressure at the distribution system: 35 psi
- (2) What is the sprinkler package design rate? \_\_\_\_\_ gpm to be determined
- (3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? 75 feet
- (4) Please include a copy of the sprinkler package design information. to be determined

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

CORN                      COTTON  
SOYBEANS                      wheat

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).

Agonomist  
Moisture Soil Probes

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



6-26-2018

(Date)

Kansas Department of Agriculture  
Division of Water Resources  
David W. Barfield, Chief Engineer  
1320 Research Park Drive  
Manhattan, Kansas 66502

Re: Application File No. 50087

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]  
Signature of Applicant

State of Kansas )  
) ss  
County of Harper )

Rickie Addison  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 26 day of June, 2018.

[Signature]  
Notary Public

My Commission Expires 6-4-2019



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JUL 05 2018

**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN  
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT  
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River	Ninnescah River
Big Blue River	North Fork Ninnescah River
Chapman Creek	Rattlesnake Creek
Chikaskia River	Republican River
Cottonwood River	Saline River
Delaware River	Smoky Hill River
Little Arkansas River	Solomon River
Little Blue River	South Fork Ninnescah
Marais des Cygnes River	Spring River
Medicine Lodge River	Walnut River
Mill Creek (Wabaunsee Co. area)	Whitewater River
Neosho River	

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**JUL 05 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

July 9, 2018

RITCHIE ADDISON  
PO BOX 663  
WELLINGTON KS 66152

RE: Application  
File No. 50087

Dear Sir or Madam:

Your application for permit to appropriate water in 22-33S-2W 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, . . . 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

NE 1/4 22-33-02W  
 SUMNER COUNTY 50087

1 field, 81 acres in Sumner County, KS

TOWNSHIP/SECTION 33S 2W - 22

AVG NCCPI

COUNTY AVG

**56.2**

**48.1**



Google Imagery ©2018 DigitalGlobe, USDA Farm Service Agency

QUALITY 31 64

Google

Map data ©2018 Google

Source: NRCS Soil Survey

## All fields

81 ac

SOIL CODE	SOIL DESCRIPTION	ACRES	PERCENTAGE OF FIELD	SOIL CLASS	NCCPI
■ 5892	Farnum loam, 0 to 1 percent slopes	70.68	86.9%	1	56.2
■ 5893	Farnum loam, 1 to 3 percent slopes	10.69	13.1%	2	55.9
		<b>81.37</b>			<b>56.2</b>

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JUL 05 2018

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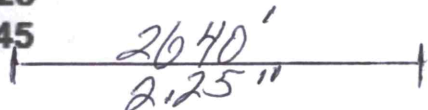


Sumner County  
NE 1/4 22-33-02W



Common Land Unit  
Cropland Non-cropland CRP

Farm 7828  
Tract 4545



Wetland Determination Identifiers

- Restricted Use
- ▼ Limited Restrictions
- Exempt from Conservation Compliance Provisions

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JUL 05 2018

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2017 Crop Year



Tract Page: 1 of 1

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