

# 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
Mike Beam, Acting Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

WATER RESOURCES RECEIVED

File Number 50249
This item to be completed by the Division of Water Resources.

MAY 02 2019

1156
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): Steve Martin
Address: 251 W. 101st St. North
City: Valley Center State KS Zip Code 67147
Telephone Number: (316) 644-6937

2. The source of water is: [ ] surface water in [ ] groundwater in Little Arkansas River (stream/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 23.75 acre-feet OR [ ] gallons per calendar year, to be diverted at a maximum rate of evaporative loss 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) [x] 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 2 Meets K.A.R. 5-3-1 (YES/NO) Use REC Source G/S County ESG By DAW Date 5/2/19
Code REG Fee \$ 200 TR # Receipt Date 5/2/19 Check # 1346

5/6/2019

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 SE quarter of the NW quarter of the NE quarter of Section 20, more particularly described as being near a point 4100 feet North and 1975 feet West of the Southeast corner of said section, in Township 25 South, Range 1 East West (circle one), Sedgwick 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):

Same as applicant  
\_\_\_\_\_  
(name, address and telephone number)  
\_\_\_\_\_  
(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 29, 2019 Steve Martin  
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 one groundwater pit  
(number of wells, pumps or dams, etc.)  
and ~~was~~(will be) completed (by) June 1, 2023  
(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 April 29, 2019  
(Mo/Day/Year)  
Existing groundwater pit to be expanded as proposed herein to 15 acres of exposed surface area.

**RECREATIONAL USE  
SUPPLEMENTAL SHEET**

File No. 50249

Name of Applicant (Please Print): Steve Martin

1. Please indicate type of recreational use (boating, fishing, swimming, etc.):  
Boating, swimming, fishing, aesthetic  
View from home.

2. Please summarize how the water will be used and justify the quantity of water requested:  
Evaporation loss from groundwater pit.  
Annual evaporation (net loss) based on  
surface area exposure of groundwater.  
19" net evaporation (1.583 ~~AF~~) x 15 acres = 23.75 AF/yr

3. Please complete the following table showing estimated future water requirements:

ESTIMATED FUTURE WATER DIVERTED/STORED	
NEXT 5 YEARS	WATER TO BE DIVERTED (ACRE-FEET OR GALLONS)
Year 1	16 AF
Year 2	18 AF
Year 3	20 AF
Year 4	23.75 AF
Year 5	23.75 AF

Please attach any additional information, tables, or curves showing past, present and estimated future water requirements to substantiate the amount of water requested.

4. Please designate the legal description of the location where the water is to be used by providing the fractional part of the Section, Township and Range.

Exposed pond area as shown on map. 15 acres  
in West half of Northeast quarter of  
Section 20, T25S, R1E, Sedgwick County

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

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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  <sup>GW Pit</sup> Well as completed  Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	<u>Unknown</u>	_____	_____	_____
Total depth of well	<u>20'</u>	_____	_____	_____
Depth to water bearing formation	<u>12'</u>	_____	_____	_____
Depth to static water level	<u>12'</u>	_____	_____	_____
Depth to bottom of pump intake pipe	<u>N/A</u>	_____	_____	_____

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):  
Same as applicant  
(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 Valley Center, Kansas, this 29<sup>th</sup> day of April, 2019.  
(month) (year)

Steve Martin  
(Applicant Signature)

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

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

Assisted by Don Koci  
(office/title)

Date: 4-29-2019

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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*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

X 4-29-19  
(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. 50249

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.

Steve Martin  
Signature of Applicant

Steve Martin  
(Print Applicant's Name)

State of Kansas )  
County of Sedgwick ) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 29<sup>th</sup> day of April, 20 19.

Holly M. Schrag  
Notary Public

My Commission Expires:



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1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6700  
www. agriculture.ks.gov



900 SW Jackson, Room 456  
Topeka, KS 66612  
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

May 6, 2019

**FILE COPY**

STEVE MARTIN  
251 W 101ST ST NORTH  
VALLEY CENTER, KS 67147

RE: Application, File No. **50249**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application for a permit to appropriate water for beneficial use. Your application has been assigned the file number referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the application is unlawful.

Additional information about the process may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any other questions, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program





50249

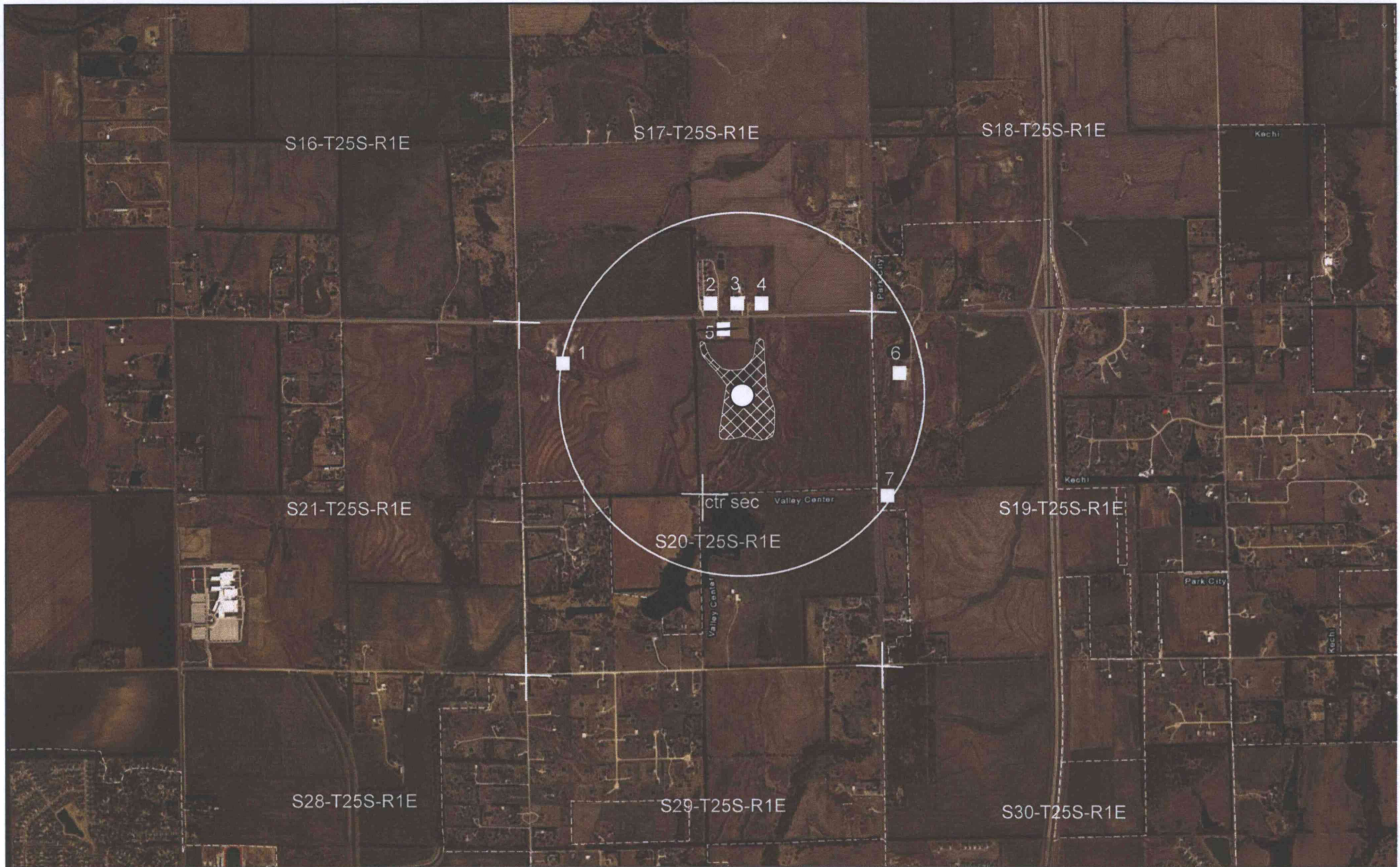
**Wells within ½ mile of proposed point of diversion**

1. Domestic  
Kraunau Inc.  
2101 Avenue F  
Gothenburg, NE 69138-1148
2. Domestic  
Cain Properties LLC  
650 W. 101<sup>st</sup> St. North  
Valley Center, KS 67147
3. Domestic  
Garret & Kristann Burkhardt  
490 W. 101<sup>st</sup> St. North  
Valley Center, KS 67147
4. Domestic  
Robert & Cindy Haley  
300 W. 101<sup>st</sup> St. North  
Valley Center, KS 67147
5. ~~Domestic~~ *Abandoned & Plugged*  
~~Applicant's~~
6. Domestic  
Wichita Jeeps Motorcycle Club Inc.  
605 E. 101<sup>st</sup> St. North  
Valley Center, KS 67147
7. Domestic  
Howard Lachenmayr  
10120 E. Shadybrook St.  
Wichita, KS 67206

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All wells within 1/2 mile radius have been plotted to the best of my knowledge.



1:24,000



- Proposed Point of Diversion geocenter of GW Pit 4100' N 1975' W
- Well within 1/2 mile of proposed PD. See corresponding owners sheet attachment.



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 Proposed Place of Use  
 MAY 02 2019

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*Steve Martini*

50249

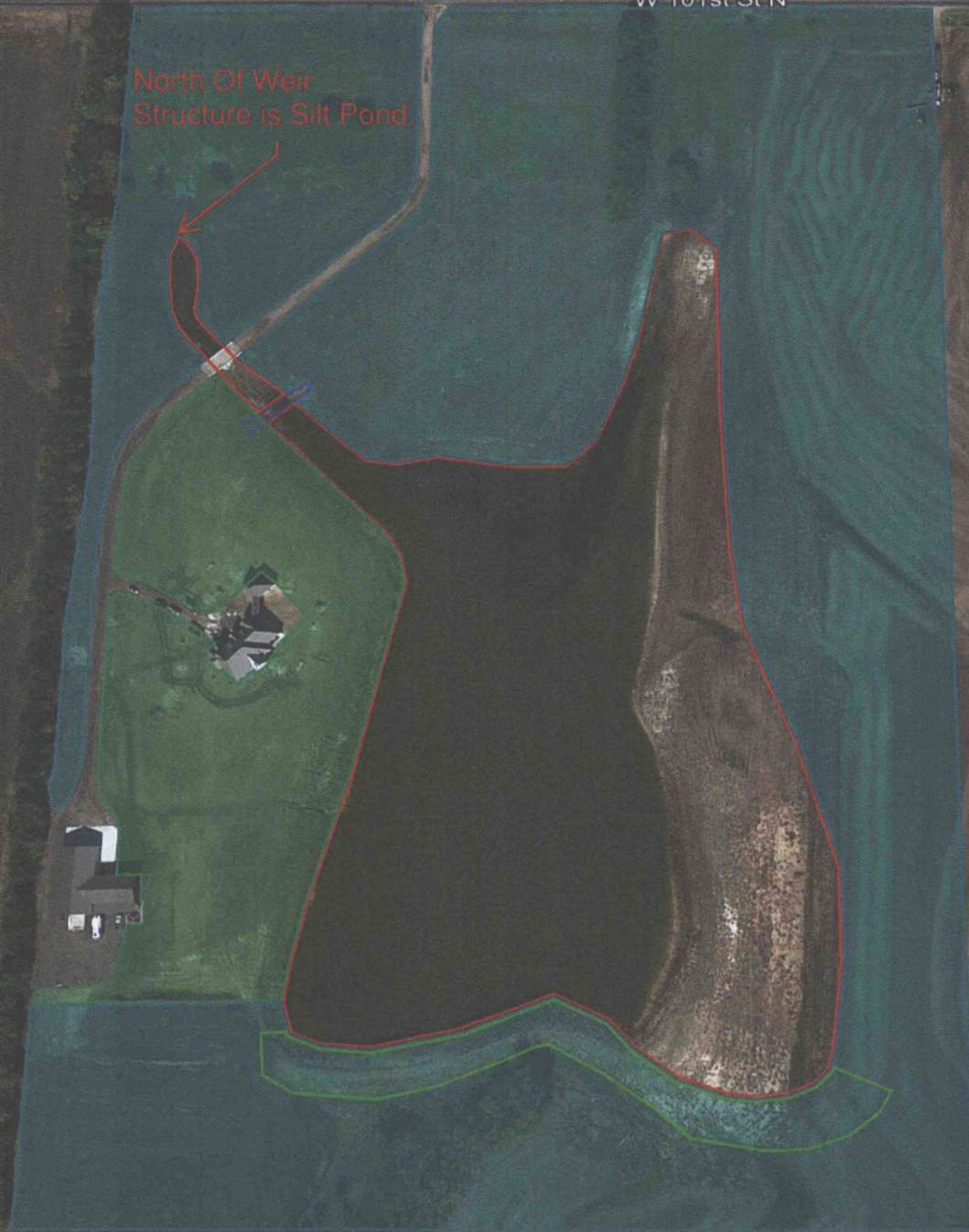
# 251 W 101st N.

- Proposed Pond Water Line
- Proposed Upstream Weir
- Proposed Dam Structure
- Planted Area: Brome Hay
- Planted Area: Buffalo Grass

\*Proposed Pond area is 15 Acres. The total depth or deepest point of the pond will be 20' in depth. We're estimating the water discharge rate to be approximately 1800 GPM operating around 40 hours per week. Anticipating some down time we expect 1600 hours per year of dredge operation.\*

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6/2/19