

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.

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
<http://agriculture.ks.gov/dwr>

APPLICATION FOR TERM PERMIT

OCT 23 2020

GROUNDWATER
 SURFACE WATER
(check one)

KS DEPT OF AGRICULTURE



State of Kansas

20209077

STATUTORY FILING FEE MUST ACCOMPANY THIS APPLICATION
(Make check payable to the Kansas Department of Agriculture)

1. Applicant: (Please print or type)

Name L & P Properties LLC, Attn: Peter Mollor
Street 5841 N. Prospect Road
City and State Park City, KS
Zip Code 67204 Telephone No. (316) 303-2624
E-Mail Address pela@andaleconstruction.com
Social Security I.D. No. _____
and/or Taxpayer I.D. No. 82-3647673

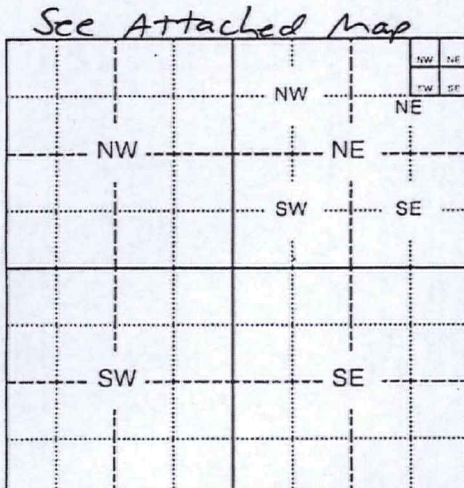
2. Location of Point of Diversion:

Sec. 22, Twp. 26S, Rng. 1W, (EW),
Sedgwick County, Kansas.
Distance from Southeast Corner of Section:
3427 feet North from Southeast Corner
1442 feet West from Southeast Corner

NOTE: If point of diversion is not site specific (i.e. groundwater pit) show the approximate geographic center.

3. Water Use Data:

Proposed Max. Pumping Rate (gpm) 7000 GPM
Amount Requested (acre-feet) 1218.04 acre-feet (non-consumptive use)
per calendar year
Depth of Well (feet) ~30-40 feet groundwater pit depth.
Date (completed) (will be completed) 11-1-2020
Drainage Basin Arkansas River
Name of Stream _____



4. Water is to be used for (briefly describe proposed use and explain the rate and quantity requested):

Hydraulic dredging for sand & gravel extraction - Non-consumptive use
7,000 GPM (70% liquid, 30% solids) = 4900 GPM X 1350 hours per year = 1218.04 acre-feet

5. Location of place of use:

35 acre groundwater pit located in the South half of the Northeast quarter of Section 22-26S-1W

6. Period of use:

Commencing date: November 1, 2020
Ending Date: December 31, 2030 Also enter on Item 12

If off-stream pit, check here .

Will pit floor intersect water table? Yes No

7. Location of the proposed point of diversion and those of other water users within 1/2 mile shall be indicated on the diagram to the lower-left, scale 1 inch = 2,000 feet. If surface water, indicate on the diagram the course of the stream, and its name. List other D.W.R. permit numbers that cover the requested point(s) of diversion or place of use here:

Water Right No. 15273 and term permit being filed for pumpsite to wash sand and gravel

FEE SCHEDULE

1. The filing fee for an application is based on the maximum amount of water use proposed within a year. Except for storage, the fee is:

Acre-feet	Fee
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00

\$480.00

plus \$20 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, is:

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.

4. A request for an extension of time to extend the term of a term permit shall be accompanied by a fee of \$100.00.

5. There is a separate application form for domestic use. Do not use this form for domestic use.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons
1 million gallons equal 3.07 acre-feet

Assisted by T. Boese, GMD2

HYD?

10/28/2020
LMoody

For Office Use Only:
F.O. 2 GMD 2 Meets K.A.R. 5-3-1 (YES/NO) Use IND Source G S County SG By KJN Date 10/26/2020
Code TR3 Fee \$ 480 TR # _____ Receipt Date 10-23-2020 Check # 5349

WATER RESOURCES
RECEIVED
OCT 23 2020

8. For groundwater use, list below all wells within 1/2 mile of the proposed well, and plot locations upon the diagram on reverse side. If additional space is needed, attach a map.

Other wells -

Well A Owner(s): See attached map & list
Address: _____

KS DEPT OF AGRICULTURE

Well B Owner(s): _____
Address: _____

9. For surface water use, list below the names and addresses of all landowners from a point 1/2 mile upstream to a point 1/2 mile downstream of the tract of land upon which the point of diversion is located. If additional space is needed, attach sheet.

Tract A Owner(s): _____
Address: _____

Tract B Owner(s): _____
Address: _____

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

L & P Properties LLC, Attn: Peter Mollitor, 5841 N. Prospect Road, Park City, KS 67204. 316-303-2624

(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 October 22, 2020

Peter J. Mollitor
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.

11. The applicant states that the information set hereon is true and accurate to the best of his/her knowledge.

12. The applicant agrees to waive any right to a hearing on the matter of abandonment of this appropriation right and further agrees that this appropriation right may be dismissed and terminated upon completion of the proposed project, said dismissal date to be on December 31, 2030 or within any extension of time authorized by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

13. The applicant agrees to provide water to nearby water users, at no charge to said users, should their rights to use water become impaired by the project proposed by this application.

14. Water use contact person (in event emergency contact is needed):

Name: Peter Mollitor

Telephone No. (316) 303-2624

Peter J. Mollitor
Signature of Applicant

or

Authorized Representative

Date

Peter Mollitor

Applicant's Name Printed

Title

DO NOT WRITE BELOW THIS LINE

CONDITIONS OF APPROVAL:

The applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined. Accurate and complete records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date, shall cause the applicant to be subject to a civil penalty.

The use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

The Chief Engineer specifically retains jurisdiction in this matter with authority to make such reasonable reductions in the approved rate of diversion and quantity authorized, and such changes in other terms, conditions, and limitation set forth in this approval and permit to proceed as may be deemed to be in the public interest.

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

October 29, 2020

L & P PROPERTIES, LLC; ATTN: PETER MALITOR
5841 N. PROSPECT ROAD
PARK CITY KS 67204

RE: Application, File No(s). **20209077**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) for a permit to appropriate water for beneficial use. Your application(s) has been assigned the file number(s) 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(s) 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(s) is unlawful.

Additional information about the process may be found on our website at 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. *Stafford Field Office at 620-234-5311*. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

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

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 20209077

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
<u>66715</u>	<u>88454</u>	

LANDOWNER PERSON ID & SEQ #	PUSE ID
<u>66715</u>	<u>70154</u>

WATER USE CORRESPONDENT PERSON ID & SEQ #	
<u>66715</u>	<u>HYD???</u>