

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.

WATER RESOURCES RECEIVED
 JUN 25 2020
 12:16
 KS DEPT OF AGRICULTURE

KANSAS DEPARTMENT OF AGRICULTURE
 Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
 David W. Barfield, Chief Engineer

File Number **50,406**
 This item to be completed by the Division of Water Resources.

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): Kevin Rempe
 Address: 1044 N Murray Court
 City: Wichita State KS Zip Code 67212-4031
 Telephone Number: (316) 461-1416

2. The source of water is: surface water in _____ (stream)
 OR groundwater in Arkansas 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 7.78 acre-feet OR --- gallons per calendar year,
 to be diverted at a maximum rate of Natural Evap 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>2</u>	Meets K.A.R. 5-3-1	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Use	REC	Source	<input checked="" type="checkbox"/> G <input type="checkbox"/> S County	SG	By	BMM	Date	6/29/20
Fee \$	200.00	TR #		Receipt Date	6/25/2020	Check #	3103							

6/29/2020
 LMoody

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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 NE quarter of the NW quarter of the NW quarter of Section 18, more particularly described as being near a point 4573 feet North and 4192 feet West of the Southeast corner of said section, in Township 26 South, Range 1 West, 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):

West Land Holdings LLC, 429 S 119th St W, Wichita, KS 67235
(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 June 23, 2020.



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 (will be) completed (by) Existing Pit
(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 Existing Pit
(Mo/Day/Year)

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File No. _____

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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.

File No. 41572 currently authorizes a 3-acre groundwater pit. The applicant is expanding the size of the pit for use of the dirt. File No. 41572 will be dismissed if new permit is issued.

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File No. _____

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	N/A	_____	_____	_____
Total depth of well	N/A	_____	_____	_____
Depth to water bearing formation	N/A	_____	_____	_____
Depth to static water level	N/A	_____	_____	_____
Depth to bottom of pump intake pipe	N/A	_____	_____	_____

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):

West Land Holdings LLC, 429 S 119th St W, Wichita, KS 67235
(name, address and telephone number)

(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 Wichita, Kansas, this 23 day of June, 2020.
(month) (year)


(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by JNE SFFO/ESII Date: 06/20/2020
(office/title)

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FEE SCHEDULE

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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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RECREATIONAL USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): Kevin Rempe

1. Please indicate type of recreational use (boating, fishing, swimming, etc.): _____

2. Please summarize how the water will be used and justify the quantity of water requested: _____

Cover Evap Use from 4.67 acre groundwater pit

Potential Net Evaporation: T26S R1W is 20" Evap

4.67 acres x 20" = 93.4/12 = 7.78 Acre-feet

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	7.78 Acre-feet
Year 2	7.78 Acre-feet
Year 3	7.78 Acre-feet
Year 4	7.78 Acre-feet
Year 5	7.78 Acre-feet

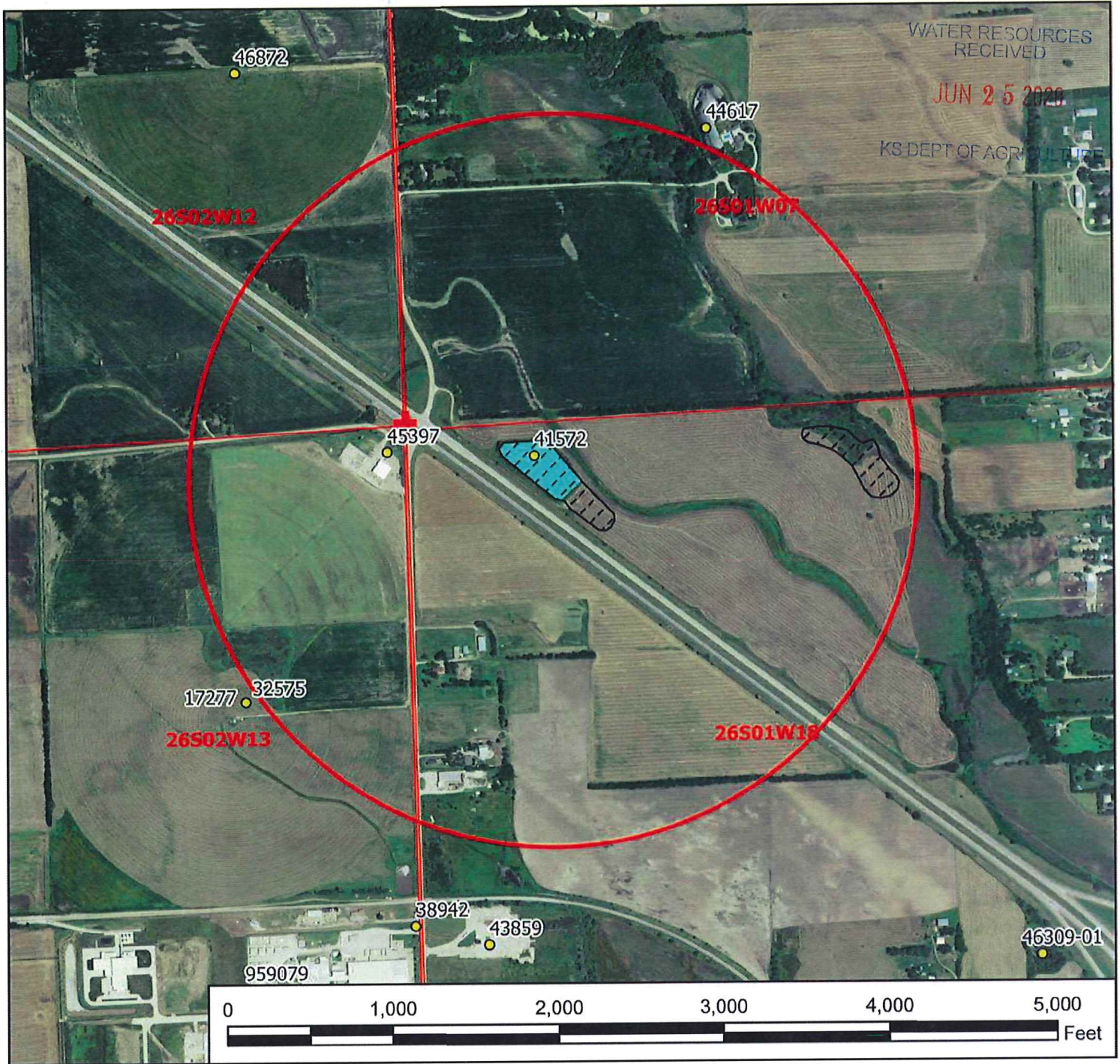
Please attach any additional information, tables, or curves showing past, present and estimated future water requirements to substantiate the amount of water requested.

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.

Will be used to cover Evap use of groundwater pit located in the NE 1/4 NW 1/4 NW 1/4 of Section 18,

Township 26S, Range 1W, Sedgwick County, KS

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



Legend

- Water Appropriation
- ✚ Section Corner
- ▭ Section Line
- Half Mile Circle
- Place of Use
- ▨ Proposed PU

Proposed Water Appropriation, File No. _____

18-26-1W // Sedgwick County

To the best of my knowledge, all points of diversion within one-half mile of the proposed point of diversion have been shown.

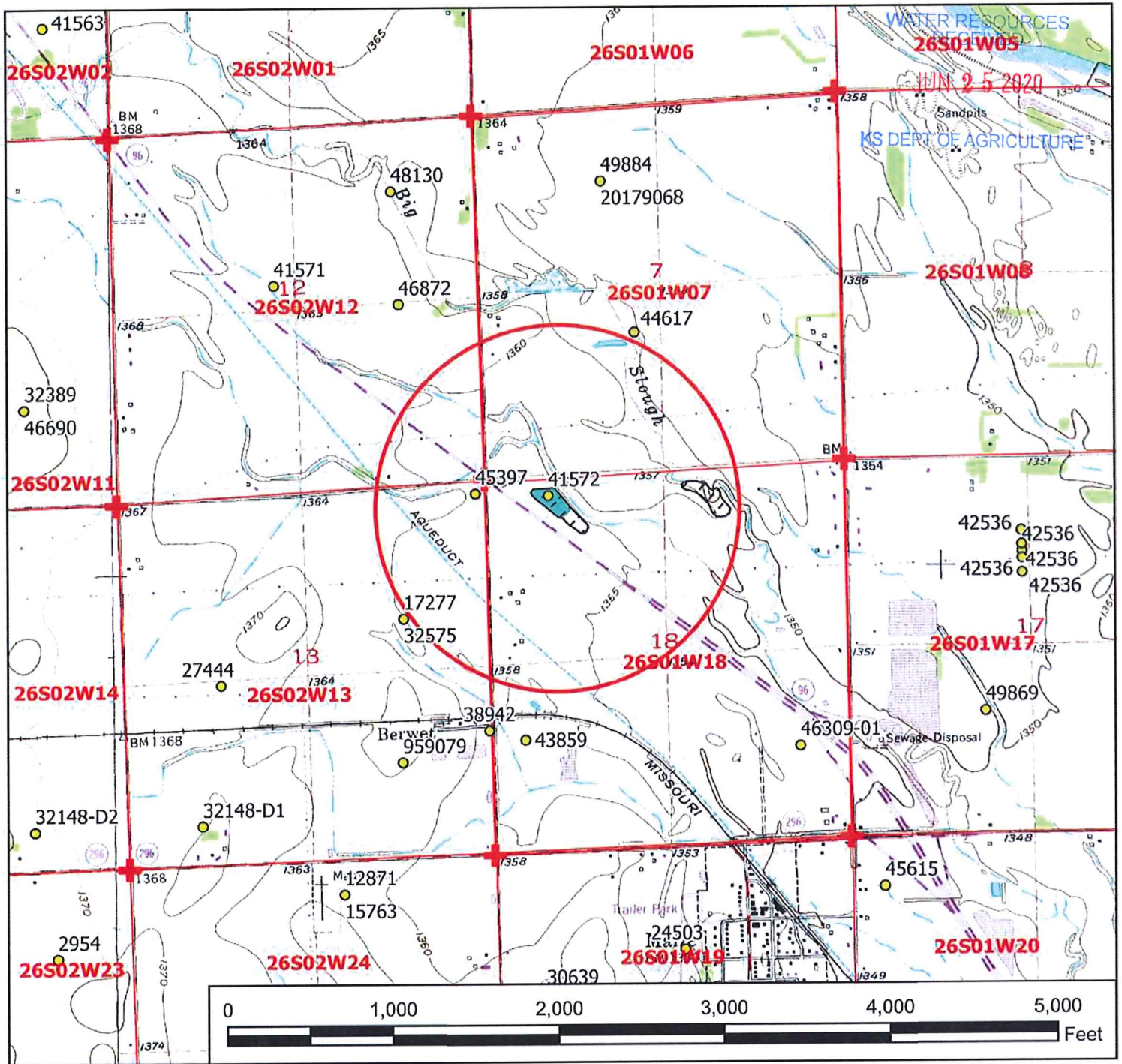


[Handwritten Signature]

June 23, 2020

Signature / Date

06/19/2020 JNE/SFFO 1:12,000 scale



Legend

- Water Appropriation
- ⊕ Section Corner
- Section Line
- Half Mile Circle
- Place of Use
- ▨ Proposed PU

Proposed Water Appropriation, File No. _____

18-26-1W // Sedgwick County

To the best of my knowledge, all points of diversion within one-half mile of the proposed point of diversion have been shown.



[Handwritten Signature] June 23, 2020

Signature / Date

06/19/2020 JNE/SFFO 1:24,000 scale

JUN 25 2020

(Date) KS DEPT OF AGRICULTURE

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

Re: Application
File No. _____

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

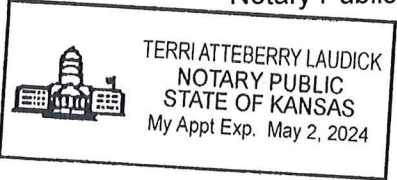
State of Kansas)
County of Sedgewick) ss)

Kevin L Rempe
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 23 day of June, 2020.


Notary Public

My Commission Expires:



JUN 25 2020

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

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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
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River

Possible Nearby Well Owners

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Bliss	Michael E & Kathleen A	10310 W Lakelane St	Maize	KS	67101
Lindseth	Richard B Rev Trust	10220 W Lakelane St	Maize	KS	67101
Vital	Albino & Jose	10130 W Lakelane St	Maize	KS	67101
Curtis	James	6000 N Maize Rd	Maize	KS	67101
Vital	Victor M & Erika Campa	6024 N Maize Rd	Maize	KS	67101
Williamson	Jeremiah Jake & Stacie M	6050 N Maize Rd	Maize	KS	67101
Page	Jesse B & Rebecca L	6080 nN Maize Rd	Maize	KS	67101
Maggard	Daniel P & Cecilia Chavez-	6110 N Maize Rd	Maize	KS	67101
Booth	Merrill R III & Kimberly C	6120 N Maize Rd	Maize	KS	67101
Wood	James B & Mary G	6150 N Maize Rd	Maize	KS	67101
Simon	Steve C & Sherryl A				
Bowman	Bret D & Jerri Brack	6355 N 103RD St W	Maize	KS	67101
George	James L Et UX	6355 N Maize Rd	Maize	KS	67101
Wilhaus	Tiffany D & Andrew A	6411 N Maize Rd	Maize	KS	67101
Ott	Bruce	6413 N Maize Rd	Maize	KS	67101
Ramsey	Joshua D & Courtnie P	6406 N 119th St W	Maize	KS	67101
Dick	Shane & Melissa M Hood	6500 N 119th St W	Maize	KS	67101
Potts	Teresa L ETAL				
Bingham	Michael J & Patricia G Loving	6400 N 119th St W	Maize	KS	67101
Brasser	Michelle A Purcell	5815 N Maize Rd	Maize	KS	67101
James	Jon T & Kara K Barrett	5901 N Maize Rd	Maize	KS	67101
Cole Living Trust		5911 N Maize Rd	Maize	KS	67101
Marroquin	Manuel & Rosa A Rivera	6045 N Maize Rd	Maize	KS	67101
Sallee Clarence T Trust		6125 N Maize Rd	Maize	KS	67101
Keiter	Rebecca S Liv Trust	6131 N Maize Rd	Maize	KS	67101
Azeltine	Levi & Shannonn Rogge	6139 N Maize Rd	Maize	KS	67101
Johnson	Clay W & Susan Kay	6145 N Maize Rd	Maize	KS	67101
Bowman	Bret D & Jerri Brack-	6233 N Maize Rd	Maize	KS	67101



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KS DEPT OF AGRICULTURE

604 MAIL TO:
 429 S. 119th St. S.
 Maize, KS 67101 W. Chita, KS 67235

STATUTORY WARRANTY DEED

Grantor(s): **Ken-Win Farms, Inc., a Kansas corporation**

Convey(s) and Warrant(s) to **West Land Holdings LLC, a Kansas limited liability company**

The following described premises, to-wit:

SEE ATTACHED EXHIBIT A

For the sum of One Dollar and other good and valuable consideration.

Subject to: easements and restrictions of record, if any

Dated this November 27, 2018

Ken-Win Farms, Inc., a Kansas corporation

Bruce K. Ott

 Bruce K. Ott, President

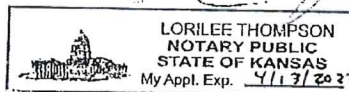
State of Kansas, Sedgwick County } ss.

This instrument was acknowledged before me on November 27, 2018 by Bruce K. Ott, President of Ken-Win Farms, Inc., a Kansas corporation, for and on behalf of said company.

Lorilee Thompson

 Notary Public

My appointment expires: 4/13/22



Security 1st Title
 File No. 2279593

E-Recorded by Security 1st Title LLC
 By Louken Stansfield
 Phone # 316-773-3333
 File No. 2279593

File No.: 2279593

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EXHIBIT A

KS DEPT OF AGRICULTURE

The Land is described as follows:

Parcel 1:

The W1/2 of the NE1/4 of Section 18, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas, lying North of the K-96 Highway Right-of-way taken in Condemnation Case C-10746 more particularly described as; beginning at the N.W. Corner of the W1/2 of said NE1/4; thence S01°14'27"E along the West line of said W1/2, 1897.59 feet to the Northerly Right-of-way line of K-96 Highway as taken by Condemnation Case C-10746; thence S55°07'31"E along said Right-of-way, 157.71 feet to a point of intersection of said Right-of-way; thence S53°18'30"E along said Right-of-way, 550.64 feet to a point of intersection of said Right-of-way; thence S64°12'42"E, 116.93 feet to a point of intersection of said Right-of-way; thence S53°19'53"E, 479.06 feet to the South line of the W1/2 of said NE1/4; thence N87°12'34"E along said South line, 278.68 feet to the S.E. Corner of the W1/2 of said NE1/4; thence N01°26'13"W along the East line of the W1/2 of said NE1/4, 2713.92 feet to the N.E. Corner of the W1/2 of said NE1/4; thence S86°48'02"W along the North line of the W1/2 of said NE1/4, 1313.90 feet to the point of beginning.

Parcel 2:

A tract in the E1/2 of the NE1/4 of Section 18, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas, described as; Beginning at a point 56 rods (924.00 feet) South of the N.W. Corner of the E1/2 of said NE1/4; thence South on the West line of the E1/2 of said NE1/4, 104 rods more or less, (1789.92 feet measured), to the S.W. Corner of the E1/2 of said NE1/4; thence East along the South line of the E1/2 of said NE1/4 a distance of 42 2/3 rods (704 feet); thence in a Northwesterly direction following the rise of ground from the slough bottom on a line with the present hedge fence to the place of beginning.

Parcel 3:

That part of Government Lot 1 and the E1/2 of the NW1/4 of Section 18, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas lying North of the K-96 Highway Right-of-way taken in Condemnation Case C-10746 more particularly described as; commencing at the N.W. Corner of said Government Lot 1; thence N87°31'23"E along the North line of said Government Lot 1, 364.62 feet to said K-96 Highway Right-of-way line and being the point of beginning; thence S02°28'26"E along said Right-of-way, 30.00 feet; thence S87°31'23"W along said Right-of-way, 48.87 feet; thence S36°40'39"W along said Right-of-way, 34.56 feet; thence S53°14'34"E along said Right-of-way, 2909.69 feet to the East line of said NW1/4; thence N01°14'27"W along said East line, 1897.59 feet to the N.E. Corner of said NW1/4; thence S87°31'23"W along the North line of the E1/2 of said NW1/4 and Government Lot 1, 2224.00 feet more or less to the point of beginning.

DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 50406

APPLICANT PERSON ID & SEQ #	6783	PDIV ID	BATTERY ID
<u>67311</u>			

LANDOWNER PERSON ID & SEQ #	4772	PUSE ID
<u>67311</u>		
<u>24782</u>		
<u>53892</u>		

**WATER USE CORRESPONDENT
PERSON ID & SEQ #**
67311

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

June 30, 2020

KEVIN REMPE
1044 N MURRAY COURT
WICHITA KS, 67212-4031

RE: Application, File No(s). **50405, 50406**

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. 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