

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.

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

11/14/2022

File Number 361.114 50461
This item to be completed by the Division of Water Resources.

Received

Stafford Field Office
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.)

WATER RESOURCES RECEIVED

OCT 27 2020

KS DEPT OF AGRICULTURE

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): Marvin Miller
Address: 13410 W. Lake Cable Rd
City: Partridge State KS Zip Code 67566
Telephone Number: (620) 727-3926

2. The source of water is: surface water in _____ (stream)
OR groundwater in GMD2 N.F. Ninnescah River (drainage basin)

10/27/2020
KJN

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 187.5 ^{11/09/22 - JNE} 187 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 800 gallons per minute OR _____ cubic feet per second.

Owner Initial: MM Date: 11/10/22

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 2 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G/S County RN By KJN Date 10/27/2020
Code RE2 Fee 510 TR # _____ Receipt Date 10/27/2020 Check # 1496

\$300.00

10/29/2020
L. Moody

KJN* via phone call
w/ Marvin Miller on
1/11/2021

May need to change PD
before approval, contact
Marvin Miller 620-727-3926
to confirm feet distances***

WATER RESOURCES
RECEIVED

File No. ~~301.114~~ 50,461

OCT 27 2020

~~Geocenter:
35-24S-8W
3715 ft N
2057 ft W~~

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.

11/09/22 - JNE

- (A) One in the NW quarter of the SW quarter of the NE quarter of Section 35, more particularly described as being near a point 3865 feet North and 2207 feet West of the Southeast corner of said section, in Township 24 South, Range 08 East/West (circle one), Reno County, Kansas.
- (B) One in the NW quarter of the SW quarter of the NE quarter of Section 35, more particularly described as being near a point 3565 feet North and 2207 feet West of the Southeast corner of said section, in Township 24 South, Range 8 East/West (circle one), Reno County, Kansas.
- (C) One in the NE quarter of the SW quarter of the NE quarter of Section 35, more particularly described as being near a point 3865 feet North and 1907 feet West of the Southeast corner of said section, in Township 24 South, Range 8 East/West (circle one), Reno County, Kansas.
- (D) One in the NE quarter of the SW quarter of the NE quarter of Section 35, more particularly described as being near a point 3565 feet North and 1907 feet West of the Southeast corner of said section, in Township 24 South, Range 8 East/West (circle one), Reno 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):

Marvin Miller is buying property from Myron and Eileen Bontrager

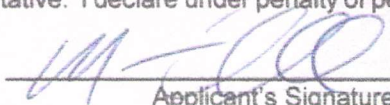
(name, address and telephone number)

(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 October 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 ~~One~~ Battery of 4 wells
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) ASAP or October 23, 2021
(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 or October 23, 2021
(Mo/Day/Year)

11/14/2022

Received

Stafford Field Office
Division of Water Resources

***Geo-Center NW-NW-NE 5259' North, 2640' West**

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 NE quarter of the NW quarter of Section 35, more particularly described as being near a point 5259 feet North and 2940 feet West of the Southeast corner of said section, in Township 24 South, Range 8 West, Reno County, Kansas.

(B) One in the NE quarter of the NE quarter of the NW quarter of Section 35, more particularly described as being near a point 5259 feet North and 2740 feet West of the Southeast corner of said section, in Township 24 South, Range 8 West, Reno County, Kansas.

(C) One in the NW quarter of the NW quarter of the NE quarter of Section 35, more particularly described as being near a point 5259 feet North and 2540 feet West of the Southeast corner of said section, in Township 24 South, Range 8 West, Reno County, Kansas.

(D) One in the NW quarter of the NW quarter of the NE quarter of Section 35, more particularly described as being near a point 5259 feet North and 2340 feet West of the Southeast corner of said section, in Township 24 South, Range 8 West, Reno 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):

_____ (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 November 10, 2022. 
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 Battery of 4 Wells
(number of wells, pumps or dams, etc.)

and will be completed 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)

11/14/2022

Received

OCT 27 2020

KANSAS DEPT OF AGRICULTURE

- 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 ½ 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 ½ mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ 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.

After modifications to Application, File No. 50,461 and Application, File No. 50,584, both will now

overlap in Point of Diversion and Place of Use.

11/09/22 - JNE

11/14/2022

Received

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	05/07/2015	11/09/22 - JNE	_____	_____
Total depth of well	74	_____	_____	_____
Depth to water bearing formation	23	_____	_____	_____
Depth to static water level	23	_____	_____	_____
Depth to bottom of pump intake pipe	70	_____	_____	_____

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):

(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 Partridge, Kansas, this 23 day of October, 2020.
(month) (year)



(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

WATER RESOURCES
RECEIVED

OCT 27 2020

KS DEPT OF AGRICULTURE

Assisted by _____ Date: _____
(office/title)

11/14/2022

Received

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.

10/27/2020
KJN

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

11/14/2022

Received

Stafford Field Office
Division of Water Resources

WATER RESOURCES
RECEIVED

OCT 27 2020

KS DEPT OF AGRICULTURE

OCT 27 2020

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 361,114

Name of Applicant (Please Print): Marvin Miller

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: Marvin Miller
ADDRESS: 13410 W. Lake Cable Rd Parkridge, KS

67546

S	T	R	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
35	24	08W			30	40									40	40			

Landowner of Record NAME: _____ ADDRESS: _____

11/02/22 - JNE

S	T	R	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE 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 ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

11/14/2022

Received R 1-100.23 (Revised 07/07/2000)

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>Sandy Loam</u>	<u>100</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
Total:	100 %		

b. Estimate the average land slope in the field(s): 2 %
 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: Sub-soil drip Irrigation (SDI)

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: Alfalfa, Soybeans, Wheat, Corn, Milo, Cover crops

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). Sub soil moisture monitor system

WATER RESOURCES RECEIVED

OCT 27 2022

KS DEPT OF AGRICULTURE

11/14/2022

Received

Stafford Field Office
 Division of Water Resources

Owner Initial: MM Date: 11/10/22

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 50461

Name of Applicant (Please Print): Marvin Miller

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: Marvin R. & Jackie L. Miller

ADDRESS: 13410 W. Lake Cable Rd., Partridge, KS 67566

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
35	24S	8W	30.5	30.5	30.5	30.5										29	26.7			177.7	

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			

11/14/2022

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>Shellabarger loams</u>	<u>77</u>	<u>0.60-2.00</u>	<u>7</u>
<u>Nalim loam</u>	<u>23</u>	<u>0.20-0.60</u>	<u>3</u>
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): 3 %

Estimate the maximum land slope in the field(s): 15 %

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: 2 Center pivots

d. System design features:

i. Describe how you will control tailwater: Will schedule and apply irrigation to eliminate run-off

ii. For sprinkler systems: Not Available yet

(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: Alfalfa, Wheat, Soybeans, Corn, Milo, cover crops

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). Owner will check soil moisture and crop needs, sub soil moisture monitor system

11/14/2022

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

Application Map - File No. 50461



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.

[Signature]
Signature

11/10/2022
Date

New Application
 Application No. _____ To Change:

- Point of Diversion
- Place of Use
- Use Made of Water

- Proposed Point of Diversion
- Existing Points of Diversion
- Proposed Place of Use
- Authorized Place of Use

Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address)

- 1) Applicant's Live Stock Well
Marvin Miller
13410 W. Lake Cable Rd., Partridge, KS 67566
- 2) 11/14/2022
- 3) Received

**Stafford Field Office
Division of Water Resources**

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 361.114
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.)

WATER RESOURCES
RECEIVED

OCT 27 2020

KS DEPT OF AGRICULTURE

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): Marvin Miller
Address: 13410 W. Lake Cable Rd
City: Partridge State KS Zip Code 67566
Telephone Number: (620) 727-3926

2. The source of water is: surface water in _____ (stream)
OR groundwater in GMD2 N.F. 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 187.5 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. Code	GMD	Meets K.A.R. 5-3-1 (YES / NO)	Use	Source	County	By	Date
			<u>IRR</u>	<u>G/S</u>	<u></u>	<u></u>	<u></u>
		Fee \$	TR #	Receipt Date	Check #		
		<u>340</u>	<u></u>	<u>10/27/2020</u>	<u>1496</u>		

OCT 27 2020

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 SW quarter of the NE quarter of Section 35, more particularly described as being near a point 3865 feet North and 22078 feet West of the Southeast corner of said section, in Township 24 South, Range 08 East (circle one), Reno 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.

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


Marvin Miller is buying property from Myron and Eilleen Bontrager

(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 October 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 _____
(number of wells, pumps or dams, etc.)
and (was)(will be) completed (by) ASAP or October 23, 2021
(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 or October 23, 2021
(Mo/Day/Year)

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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.

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>05/07/2018</u>	_____	_____	_____
Total depth of well	<u>74</u>	_____	_____	_____
Depth to water bearing formation	<u>23</u>	_____	_____	_____
Depth to static water level	<u>23</u>	_____	_____	_____
Depth to bottom of pump intake pipe	<u>70</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):

(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 Partridge, Kansas, this 23 day of October, 2020.
(month) (year)



(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

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Assisted by _____ Date: _____
(office/title)

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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**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 361,114

Name of Applicant (Please Print): Marvin Miller

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: Marvin Miller
ADDRESS: 13410 W. Lake Cable Rd Parkridge, KS

S	T	R	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
35	24	08W			30	40									40	40			

67546

Landowner of Record NAME: _____
ADDRESS: _____

S	T	R	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE 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 ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE 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>Sandy Loam</u>	<u>100</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
Total:	100 %		

b. Estimate the average land slope in the field(s): 2 %

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: Sub-soil drip Irrigation (SDI)

d. System design features:

i. Describe how you will control tailwater:

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ii. For sprinkler systems:

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(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: Alfalfa, Soybeans, Wheat, Corn, Milo, Cover crops

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). Sub soil moisture monitor system

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

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List of wells within $\frac{1}{2}$ mile

- None at irrigation well proposed location
- One Domestic well located within $\frac{1}{2}$ mile of test well.

- Gregory Bontrage

11715 S. Fairview Rd,
Arlington, KS, 67514

10/15/2020



OCT 15 2020


UNACCEPTABLE FOR PRIORITY

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UNACCEPTABLE FOR PRIORITY

Topographic Description of well site (proposed)
& location of wells in vicinity M-



S35-T24S-R8W

Reno County

S35-T24-R8W

Marvin Miller
(Irrigation permit applicant)
quarter

SDI type
Irrigation

Category Bondage

11715 S. Fairview
Arlington, KS 67514

Domestic Well

SCANNED

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Equus Beds Groundwater Management District No. 2
Preliminary Safe Yield Evaluation - Marvin Miller
NWSNE (3915'N & 2578'W) 35-24S-08W, Reno County
 Prepared By: T. Boese Date: 10/12/2020

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Does
This work
for
USGS
Topographic
map?
Marvin



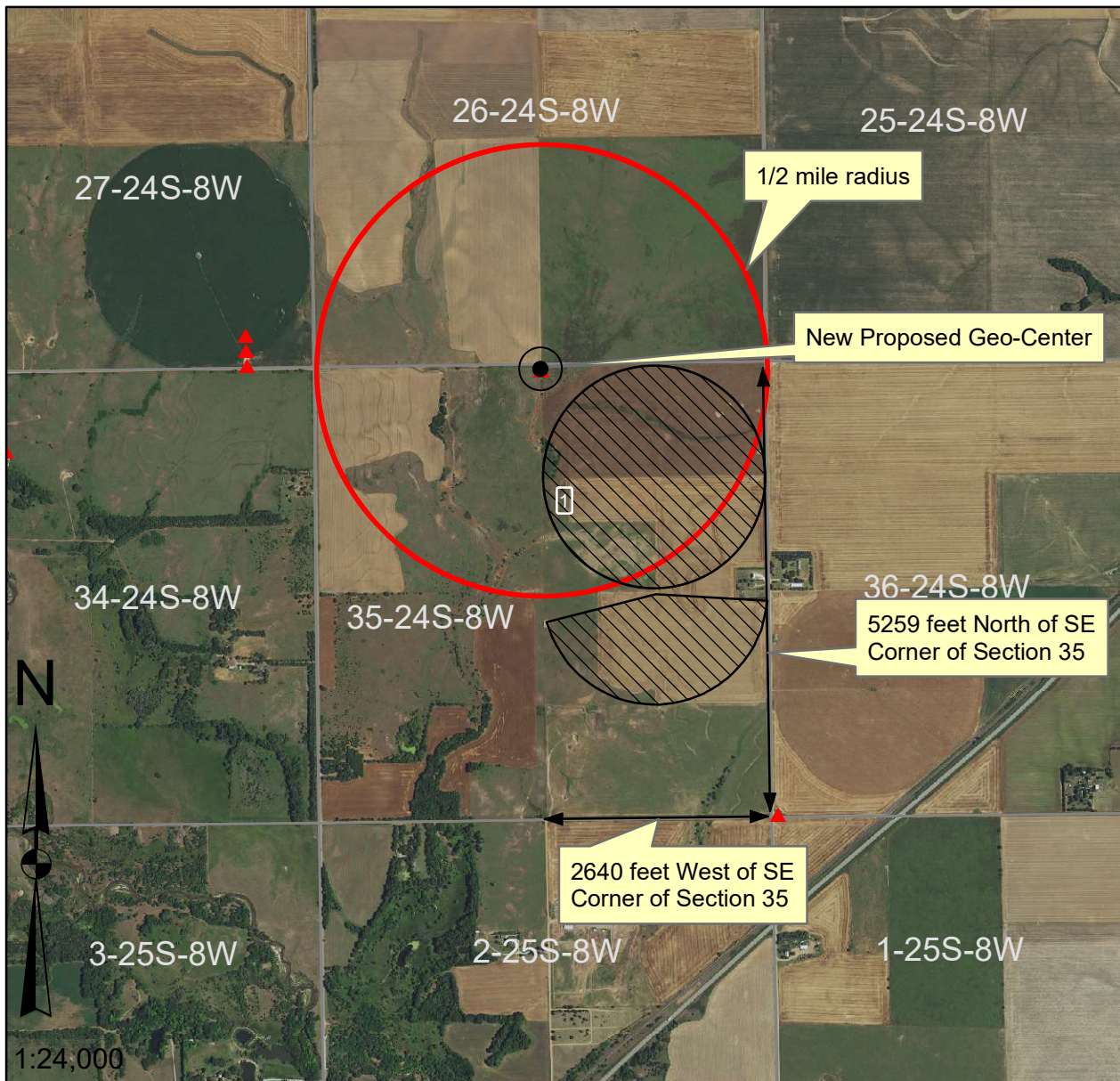
● Proposed Point of Diversion	Map Legend
⚡ Area of Consideration Boundary	— Major Highway
● Monitoring Wells	— Other Roadway
▲ Points of Diversion	— Major Stream
□ District Boundary	— Other Water Feature
0.45 0.225 0 0.45 Miles	□ County Boundary
	■ City Boundary

Equus Beds Groundwater Management District No. 2
 313 Spruce Street, Halstead, KS 67056
 316-835-2224, equusbeds@gmd2.org

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 INACCEPTABLE FOR PRIORITY

SCANNED

Application Map - File No. 50461



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.

Signature

Date

New Application

Application No. _____ To Change:

Point of Diversion

Place of Use

Use Made of Water

Proposed Point of Diversion

Existing Points of Diversion

Proposed Place of Use

Authorized Place of Use

Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address)

- 1) Applicant's Live Stock Well
Marvin Miller
13410 W. Lake Cable Rd., Partridge, KS 67566
- 2)
- 3)

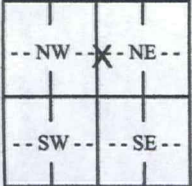
WATER WELL RECORD Form WWC-5

Division of Water Resources App. No. _____ Well ID _____

Original Record Correction Change in Well Use

1 LOCATION OF WATER WELL: County: Reno	Fraction NW ¼ NW ¼ SW ¼ NE ¼	Section Number 35	Township Number T 24 S	Range Number R 8 <input type="checkbox"/> E <input checked="" type="checkbox"/> W
---	---------------------------------	-----------------------------	----------------------------------	---

2 WELL OWNER: Last Name: Bontrager First: Kevin Business: Address: 4216 E Parallel Rd Address: City: Pretty Prairie State: Ks ZIP: 67570	Street or Rural Address where well is located (if unknown, distance and direction from nearest town or intersection): If at owner's address, check here: <input type="checkbox"/> 1/3 mile S of Greenfield Rd on Fairview Rd, 1/2 mile W in field
---	---

3 LOCATE WELL WITH "X" IN SECTION BOX: N  W E S 1 mile	4 DEPTH OF COMPLETED WELL: 74 ft. Depth(s) Groundwater Encountered: 1) 23 ft. 2) ft. 3) ft., or 4) <input type="checkbox"/> Dry Well WELL'S STATIC WATER LEVEL: 23 ft. <input checked="" type="checkbox"/> below land surface, measured on (mo-day-yr) 4/27/2018 <input type="checkbox"/> above land surface, measured on (mo-day-yr) Pump test data: Well water was 29 ft. after 5 hours pumping 25 gpm Well water was ft. after hours pumping gpm Estimated Yield: 75 gpm Bore Hole Diameter: 8.5 in. to 74 ft. and in. to ft.	5 Latitude: 37.92217 (decimal degrees) Longitude: 98.16860 (decimal degrees) Datum: <input type="checkbox"/> WGS 84 <input checked="" type="checkbox"/> NAD 83 <input type="checkbox"/> NAD 27 Source for Latitude/Longitude: <input type="checkbox"/> GPS (unit make/model:) (WAAS enabled? <input type="checkbox"/> Yes <input type="checkbox"/> No) <input type="checkbox"/> Land Survey <input type="checkbox"/> Topographic Map <input type="checkbox"/> Online Mapper:
	6 Elevation: 1607 ft. <input checked="" type="checkbox"/> Ground Level <input type="checkbox"/> TOC Source: <input type="checkbox"/> Land Survey <input type="checkbox"/> GPS <input type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Other KOLAR	

7 WELL WATER TO BE USED AS:

1. Domestic: <input type="checkbox"/> Household <input type="checkbox"/> Lawn & Garden <input checked="" type="checkbox"/> Livestock	2. <input type="checkbox"/> Irrigation	3. <input type="checkbox"/> Feedlot	4. <input type="checkbox"/> Industrial	5. <input type="checkbox"/> Public Water Supply: well ID	6. <input type="checkbox"/> Dewatering: how many wells?	7. <input type="checkbox"/> Aquifer Recharge: well ID	8. <input type="checkbox"/> Monitoring: well ID	9. Environmental Remediation: well ID	10. <input type="checkbox"/> Oil Field Water Supply: lease	11. Test Hole: well ID	12. Geothermal: how many bores?	13. <input type="checkbox"/> Other (specify):
---	--	-------------------------------------	--	--	---	---	---	---	--	------------------------------	---------------------------------------	---

Was a chemical/bacteriological sample submitted to KDHE? Yes No If yes, date sample was submitted:

Water well disinfected? Yes No

8 TYPE OF CASING USED: Steel PVC Other CASING JOINTS: Glued Clamped Welded Threaded

Casing diameter **5** in. to **74** ft., Diameter in. to ft., Diameter in. to ft.
 Casing height above land surface **26** in. Weight lbs./ft. Wall thickness or gauge No. **SDR26**

TYPE OF SCREEN OR PERFORATION MATERIAL:
 Steel Stainless Steel Fiberglass PVC Other (Specify)
 Brass Galvanized Steel Concrete tile None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:
 Continuous Slot Mill Slot Gauze Wrapped Torch Cut Drilled Holes Other (Specify)
 Louvered Shutter Key Punched Wire Wrapped Saw Cut None (Open Hole)

SCREEN-PERFORATED INTERVALS: From **64** ft. to **74** ft., From ft. to ft., From ft. to ft.
 GRAVEL PACK INTERVALS: From **20** ft. to **74** ft., From ft. to ft., From ft. to ft.

9 GROUT MATERIAL: Neat cement Cement grout Bentonite Other

Grout Intervals: From **0** ft. to **20** ft., From ft. to ft., From ft. to ft.

Nearest source of possible contamination:
 Septic Tank Lateral Lines Pit Privy Livestock Pens Insecticide Storage
 Sewer Lines Cess Pool Sewage Lagoon Fuel Storage Abandoned Water Well
 Watertight Sewer Lines Seepage Pit Feedyard Fertilizer Storage Oil Well/Gas Well
 Other (Specify)

Direction from well? Distance from well? ft.

10 FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	24	Sand & Gravel			
24	41	Layers Clay & Sand Gravel			
41	47	Sand & Sm Gravel			
47	63	F Sand & Layers Clay			
63	73	Sand & Sm Gravel			
73	74	Shale			
Notes:					

11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo-day-year) **4/27/2018** and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. **447** This Water Well Record was completed on (mo-day-year) **5/7/2018** under the business name of **Miller Drilling**

Send one copy to WATER WELL OWNER and retain one for your records. Fee of \$5.00 for each constructed well.
 KS Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-3565. Visit us at <http://www.kdheks.gov/waterwell/index.html> KSA 82a-1212

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DRILLER'S TEST LOG

Customer Name: Marvin Miller Date: 11/21/2022
 Address: _____ Test No: #2-22
 County: Reno Quarter: NE Section: 35 Township: 24 Range: 8

Drilled Footage		Description of Strata	Indicate Test Location by an X			
From	To					
0	3	Top soil			✕	
3	6	Brown clay				
6	26	Sand & gravel - small med to pea size				
		clean				
26	30	Sand & gravel- small med w/ clay				
		mixed 90/10				
30	40	Sand & gravel- fine to small med clean				
40	49	Sand & gravel- small med to pea size				
		clean				
49	56	Tan brown clay				
56	60	Sand & gravel - fine to small w/ tan				
		clay mixed 80/20				
60	73	Sand & gravel - fine to small clean	Static Water Level: _____ Ft			
73	78	Red bed	Remarks: <u>Test hole was plugged.</u>			
			Garmin GPS: NAD 83			
			Latitude: 37.92667 N			
			Longitude: 98.16895 W			
			Elevation: _____			
			Driller: <u>Luis Luna</u>			
			Spot Location: <u>NW/ NW/ NE</u>			

ROSENCRANTZ-BEMIS EQUIPMENT CO., INC
 Telephone (620) 792-2488 or (620) 793-5512
 P.O. Box 713, Great Bend, KS 67530

October 24, 2020

(Date)

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

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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.

[Handwritten Signature]
Signature of Applicant

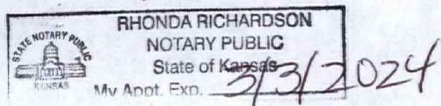
State of Kansas)
County of Reed) ss

Marvin Miller
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 24th day of October, 2020.

[Handwritten Signature]
Notary Public

My Commission Expires:


RHONDA RICHARDSON
NOTARY PUBLIC
State of Kansas
My Appt. Exp. 3/3/2024

OCT 27 2020

Cash Rent Farm Lease

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Landlord: Myron Bontrager

Tenant: Marvin Miller

Land Description: Approximately 110 acres tillable land and ___ acres pasture in WESTMINISTER TOWNSHIP, S35, T24, R08W, ACRES 156.5, N/2 SE/4 & S/2 NE/4 EXC TR COM NE COR SE/4 TH S 111.41FT TH W 391FT TH N 111.41FT TH W 38FT TH N 99FT TH E 38FT TH N 167.11FT TH E 391FT TH S 266.11FT TO POB LESS RD RW

Time Period: Nov 1, 2017 through Nov 1, 2022

Crop Share: Landlord: 0.0%, Tenant: 100.0%

Cost Share for Crops:

Fertilizer: Tenant: 100%

Herbicides: Tenant: 100%

Lime: Landlord: 0%, Tenant: 100%

Government Payments Share: Landlord: 0.0%, Tenant: 100.0%

Special Terms: none

Payment Terms: Annual rent is \$ 65 per acre for tillable land and \$ ___ per acre for pasture. The total annual rent is (\$ 65 x 110 acres) + (\$ ___ x ___ acres) = \$ ___ + \$ ___ = \$ 7150. Annual rent payments are due Nov 1 in each year, beginning Nov 1, 2017 and ending Nov 1, 2022.

Signatures:

Tenant: Marvin Miller. (date) 10/28/17

Landlord: Myron Bontrager (date)

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

MARVIN MILLER
13410 W. LAKE CABLE RD
PARTRIDGE KS 67566

RE: Application, File No(s). **50461**

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 style.

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

DATA ENTRY SYSTEM ID NUMBER SHEET

50461

FILE NUMBER _____

APPLICANT

88457

PDIV ID

BATTERY ID

PERSON ID & SEQ #

63406

LANDOWNER

70160

PUSE ID

PERSON ID & SEQ #

63406

WATER USE CORRESPONDENT

PERSON ID & SEQ #

63406
