

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, Secretary of Agriculture

 DIVISION OF WATER RESOURCES
 Earl D. Lewis Jr., Chief Engineer

 File Number **50626**
 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): WETLANDS AMERICA TRUST INC
 Address: 2525 RIVER RD
 City: BISMARCK State ND Zip Code 58503
 Telephone Number: (701) 355-3500
2. The source of water is: surface water in Blood Creek Trib 2A (Cow Creek Basin)
(stream)
 OR groundwater in --
(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 157.65 acre-feet OR --- gallons per calendar year, to be diverted at a maximum rate of natural flow 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): -primary purpose is habitat restoration-
- (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. <u>2</u>	GMD <u>5</u>	Meets K.A.R. 5-3-1 (YES/NO)	Use <u>REC</u>	Source <u>G/S</u>	County <u>BT</u>	By <u>BMM</u>	Date <u>8/4/21</u>		
Code <u>RE2</u>	Fee \$ <u>300</u>	TR # <u>PY00028352</u>	Receipt Date <u>8/4/2021</u>	Check # <u>CC</u>					

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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 SE quarter of the SE quarter of the NE quarter of Section 27, more particularly described as being near a point 2680 feet North and 529 feet West of the Southeast corner of said section, in Township 18 South, Range 13 West, Barton County, Kansas. (control structure on north embankment)

(B) One in the SE quarter of the NE quarter of the SE quarter of Section 27, more particularly described as being near a point 1910 feet North and 650 feet West of the Southeast corner of said section, in Township 18 South, Range 13 West, Barton County, Kansas. (control structure on south embankment)

(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):

WETLANDS AMERICA TRUST INC, 2525 RIVER RD, BISMARCK, ND 58503
(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 July 28, 2021. D-RBH
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 two embankments and two water control structures and (will be) completed (by) as soon as possible after approval
(number of wells, pumps or dams, etc.)
(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 11/1/2021.
(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 This property is currently being enrolled in WRP. as such structures permitting is not required provided the land goes to permanent easement. Janelle Phillips indicated on a 3/17/20 email that this is ok with structures as long as NRCS provides evidence of permanent easement once finalized.

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.

Water flowing across this tract then flows onto the Kansas Department of Wildlife, Parks, and Tourism's property at Cheyenne Bottoms Wildlife Area. They are in support of this project. Application No. 50388 will be voluntarily dismissed if this is approved. this request is included with this application. File No 42777 will have a voluntary reduction filed to offset this new use which is included with this new application. All apps should be worked as a package

Water Resources
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KS Dept Of Agriculture

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

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):
WETLANDS AMERICA TRUST INC, 2525 RIVER RD, BISMARCK, ND 58503
(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 Shelby County, Tennessee, North Dakota, this 28 day of July, 2021.
(month) | (year)

D-R-Bh
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by CRC _____ SFFO/AWC _____ Date: 7/15/21
(office/title)

8/4/2021

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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

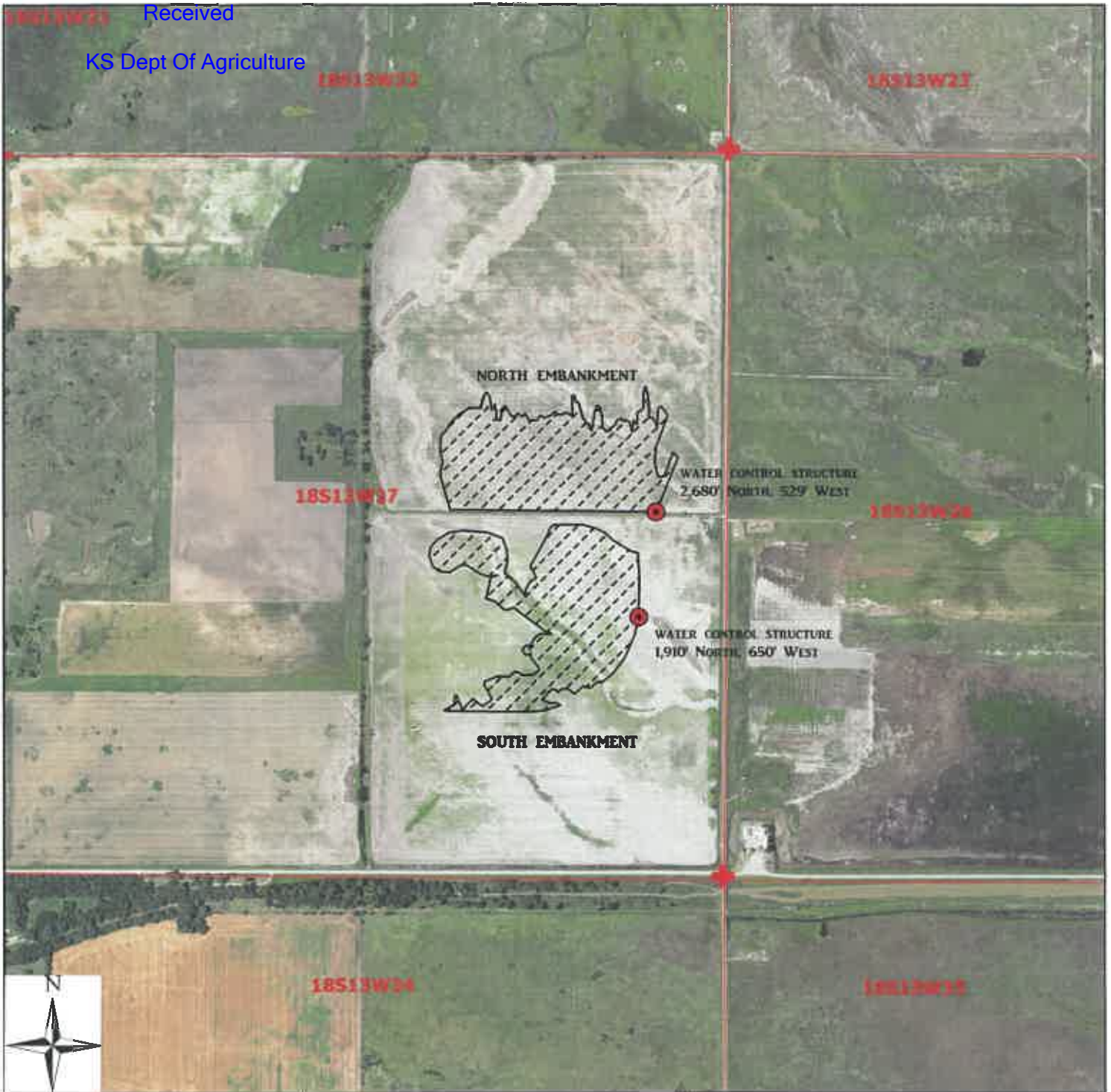
1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

Water Resources

Received

KS Dept Of Agriculture

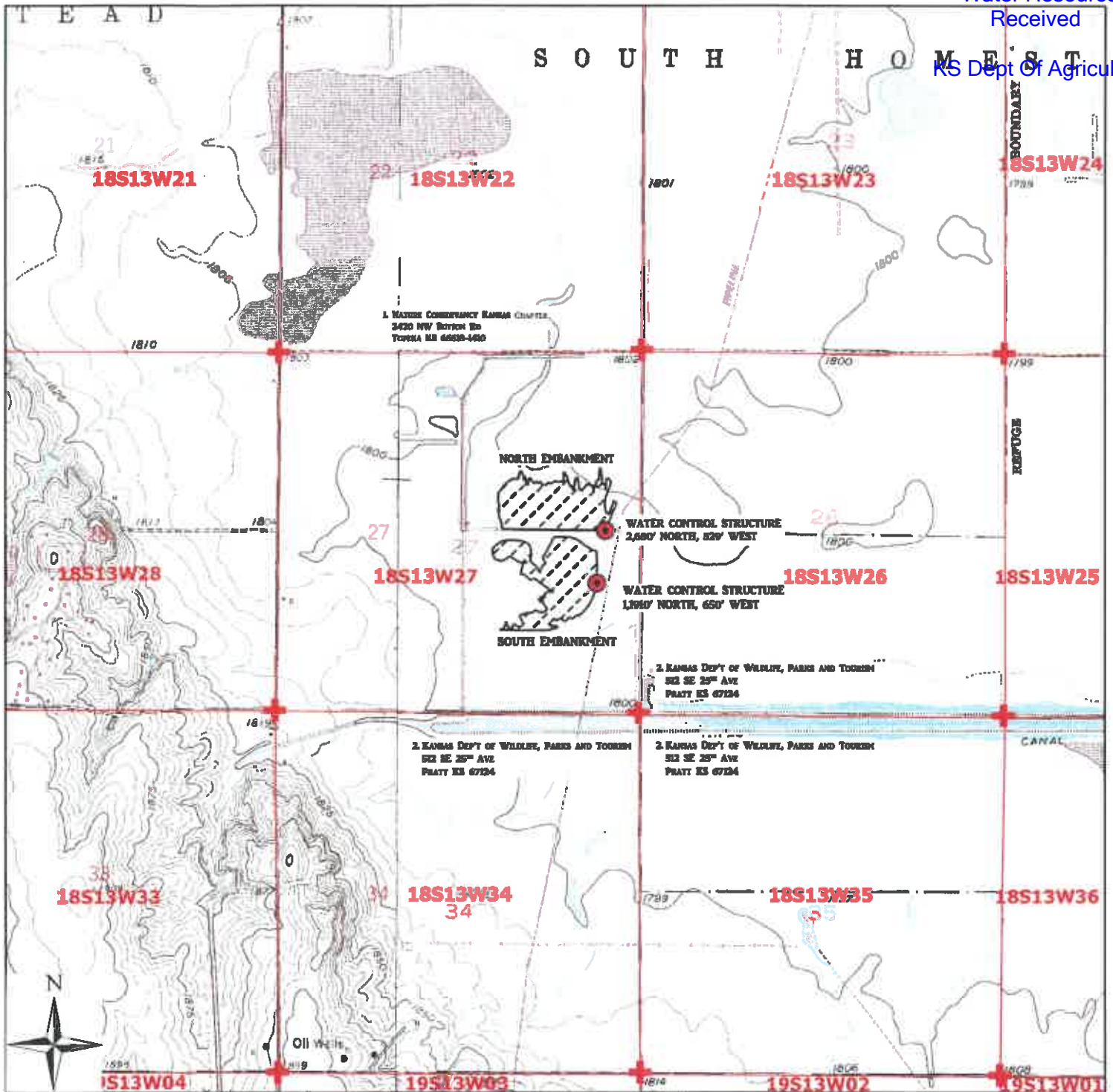


Legend

- Water Appropriation
- Water Control Structure (PD)
- ⊕ Section Corner
- Section Line
- ▭ Half Mile Circle
- ▨ Proposed Place of Use



Water Appropriation Application, File No. 50626
27-18S-13W // Barton County



Legend

- Water Appropriation
- Water Control Structure (PD)
- Section Corner
- Section Line
- Half Mile Circle
- Proposed Place of Use



Water Appropriation Application, File No. _____
27-18S-13W // Barton County

To the best of my knowledge, all upstream and downstream land owners within one-half mile of the proposed points of diversion have been shown.

D. RBH

7/28/2021

Signature / Date

07/15/2021 JNE/SFFO 1:24,000 scale

**RECREATIONAL USE
SUPPLEMENTAL SHEET**

File No. _____

Name of Applicant (Please Print): WETLANDS AMERICA TRUST INC

1. Please indicate type of recreational use (boating, fishing, swimming, etc.): Recreational use will include the restoration of historical wetlands with additive benefits of hunting and bird watching. We are restoring a highly erodible crop field that frequently floods, back to native vegetation and its historic hydrologic condition. It's a large source of sediment to the Cheyenne Bottoms Wildlife Area downstream which is the number one threat to this critical wetland complex, this project will lessen the sediment load.
2. Please summarize how the water will be used and justify the quantity of water requested: The water will be primarily used for creating valuable wetland habitat for waterfowl and other wildlife. Natural runoff from rain events will be rerouted from man-made ditches, installed to drain the crop field, back into the historical stream channel and wetlands property. The additional water right is necessary to reduce sedimentation by allowing the highly erodible crop field to be restored to wetlands and native grasslands through the USDA Wetland Reserve Easement program. We are requesting 157.65 AF of water to fill the wetlands and streams to capacity as they are designed by NRCS (see attachments showing calculations and design). This will restore the function back to this critical wetland area and will have a positive impact on migratory waterfowl-both on this property as well as the critical habitat on the neighboring Cheyenne Bottoms WA. Overall, the project will improve wetland habitat, increase recreational bird watching and hunting opportunities, and reduce sedimentation.
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	157.65 acre-feet (dependent upon natural runoff)
Year 2	157.65 acre-feet (dependent upon natural runoff)
Year 3	157.65 acre-feet (dependent upon natural runoff)
Year 4	157.65 acre-feet (dependent upon natural runoff)
Year 5	157.65 acre-feet (dependent upon natural runoff)

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.

2 embankments with water control structures that impound water in the E½ of Sec 27-T18S-R13W.

You may attach any additional information you believe will assist in informing the Division of the need for your request. (see 20 pages of attachments from NRCS showing design and storage information)

Ochs Property (E 1/2 Section 27 T18S R13W)
Estimated Storage and Net Evaporation
Values from NRCS

32	Net Evaporation (Inches)
----	--------------------------

North Embankment

Elevation (feet)	Area (sq ft)	Area (acres)	Storage (acre-feet)	Total Storage (acre-feet)	Total Storage + Net Evaporation (acre-feet)	
1798.0	53	0.00	0.00	0.00	0.00	
1798.2	12,357	0.28	0.03	0.03	0.78	
1798.4	24,368	0.56	0.08	0.11	1.60	
1798.6	50,195	1.15	0.17	0.28	3.36	
1798.8	114,700	2.63	0.38	0.66	7.68	
1799.0	286,253	6.57	0.92	1.58	19.11	
1799.2	593,222	13.62	2.02	3.60	39.92	
1799.4	947,727	21.76	3.54	7.14	65.16	
1799.5	1,110,003	25.48	2.36	9.50	77.45	ASW
1800.0	1,817,760	41.73				TOD

South Embankment

Elevation (feet)	Area (sq ft)	Area (acres)	Storage (acre-feet)	Total Storage (acre-feet)	Total Storage + Net Evaporation (acre-feet)	
1797.5	91,804	2.11	0.00	0.00	0.00	
1797.6	98,827	2.27	0.22	0.22	6.27	
1797.8	209,190	4.80	0.71	0.93	13.73	
1798.0	515,750	11.84	1.66	2.59	34.16	
1798.2	679,362	15.60	2.74	5.33	46.92	
1798.4	944,260	21.68	3.73	9.06	66.87	
1798.5	1,123,185	25.78	2.37	11.43	80.19	ASW
1799.5	2,752,319	63.18				TOD

Total Storage + Net Evaporation for North & South Embankment:

157.65 acre-feet



Kansas

Owner: Wetlands of America Trust (WRE)

Practice: Wetland Reserve Easement

County: Barton County, Kansas

Legal: E 1/2 Section 27 T18S R13W

Index to Drawings

Sheet No.	Description
1	Cover Sheet
2	Location Map and Table of Quantities
3	Expanded Plan View
4	Embankment Table
5	North Topographic Plan View
6	South Topographic Plan View
7	Profile View of North Channel
8	Profile View of North Channel Spur
9	Profile View of North Embankment
10	North Embankment (East) Water Control Structure Details
11	North Embankment (West) Gate Valve Structure Details
12	Profile View of South Embankment
13	South Embankment Water Control Structure Details
14	North Ditch Flag Details
15	Section A - A and B - B
16	Section C - C and D - D
17	Section E - E and F - F
18	Section G - G and H - H
19	Spreading Plan

Before any investigation or construction activity, the excavator is responsible for calling Kansas One-Call at 800-344-7233 (800-DIG-SAFE) or 811

Designed by Stanley J. Yonker Date 8/11/2020

I certify that the plans and detailed specifications for this project were developed in accordance with the policies and procedures of the Natural Resources Conservation Service.

PAGE NUMBERS	Revisions	
	APPROVED	DATE

Approved by _____ Date _____

Wetlands of America Trust, Inc.
Wetland Reserve Easement
E 1/2 Section 27 T18S R13W
Barton County, Kansas

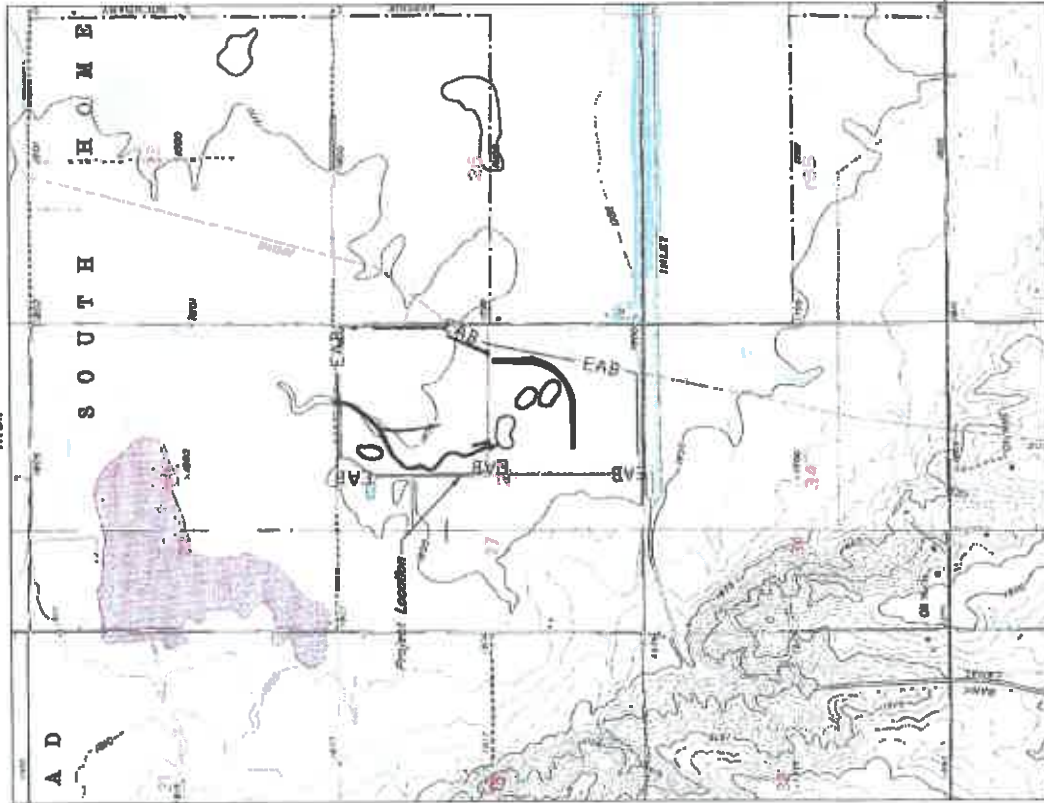
United States
Department of
Agriculture
Natural Resources
Conservation Service

Design: R/R
Drawn: R/R
Checked: R/R
Approved: R/R

Planning Name: Wetland Reserve
Project No: 27-01-001
Sheet: 2

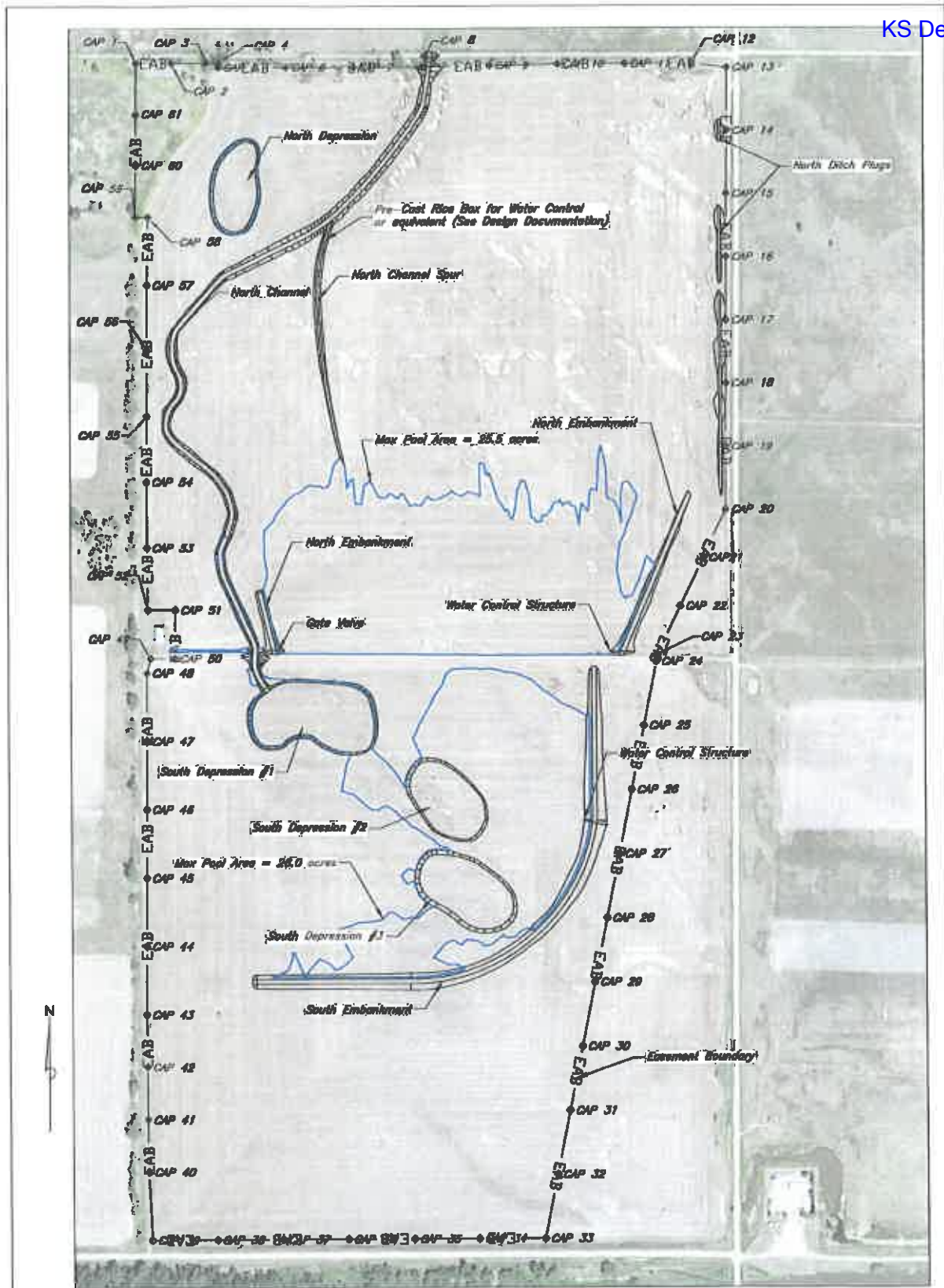
TABLE OF QUANTITIES

ITEM	UNIT	QUANTITY	AS-BUILT QUANTITY
657: Wetland Restoration Encouragement	YD ³	2683	
North Channel	YD ³	548	
North Channel Spur	YD ³	1914	
North Depression	YD ³	4313	
South Depression #1	YD ³	2189	
South Depression #2	YD ³	3711	
South Depression #3	YD ³		
Earthfill	YD ³	861	
North Embankment	YD ³	848	
North Ditch Plug	YD ³	5201	
South Embankment	YD ³		
657: Structure for Water Control			
North Embankment (East) Water Control Structure	Each	1	
Commercial In-line Flashboard Pile (12' x 2')	Fl.	110	
12' Pipe, Smooth Inside Corrugated Outside	Each	2	
Pipe Anchor Assembly	Each	1	
Trash Guard	Each	1	
Rodent Guard, Band Type	Each	1	
North Embankment (West) Gate Valve Structure	Each	1	
12' In-line Gate Valve	Fl.	85	
12' Pipe, Smooth Inside Corrugated Outside	Each	2	
Pipe Anchor Assembly	Each	1	
Trash Guard	Each	1	
Rodent Guard, Band Type	Each	1	
South Embankment Water Control Structure	Each	1	
Commercial In-line Flashboard Pile (12' x 2')	Fl.	110	
12' Pipe, Smooth Inside Corrugated Outside	Each	2	
Pipe Anchor Assembly	Each	1	
Trash Guard	Each	1	
Rodent Guard, Band Type	Each	1	
North Channel Sour Water Control Structure	Each	1	
Pre-Cast Pile Box or Similar Water Control Structure	Each	1	
340: Cover Crop	Acres	264.6	
Cover Crop - Single Species	Acres	264.6	
650: Range Planting	Acres	264.6	
Native - Wattle or Pollinator	Acres	264.6	



Project Location: 4 miles South and 1.2 miles East of Hutchinson, Kansas in the E 1/2 Section 27 T18S R13W in Barton County, Kansas.

Location Map and Table of Quantities



400 0 400 800
Scale in Feet

Expanded Plan View


 United States Department of Agriculture
 Natural Resources Conservation Service

Wetlands of America Trust, Inc.
 Wetland Reserve Easement
 E 1/2 Section 27 T18S R13W
 Barton County, Kansas

	Date
Designed BY	8/20
Drawn BY	8/20
Checked	
Approved	



Wetlands of America Trust, Inc. Wetland Reserve Easement E 1/2 Section 27 T18S R13W Barton County, Kansas

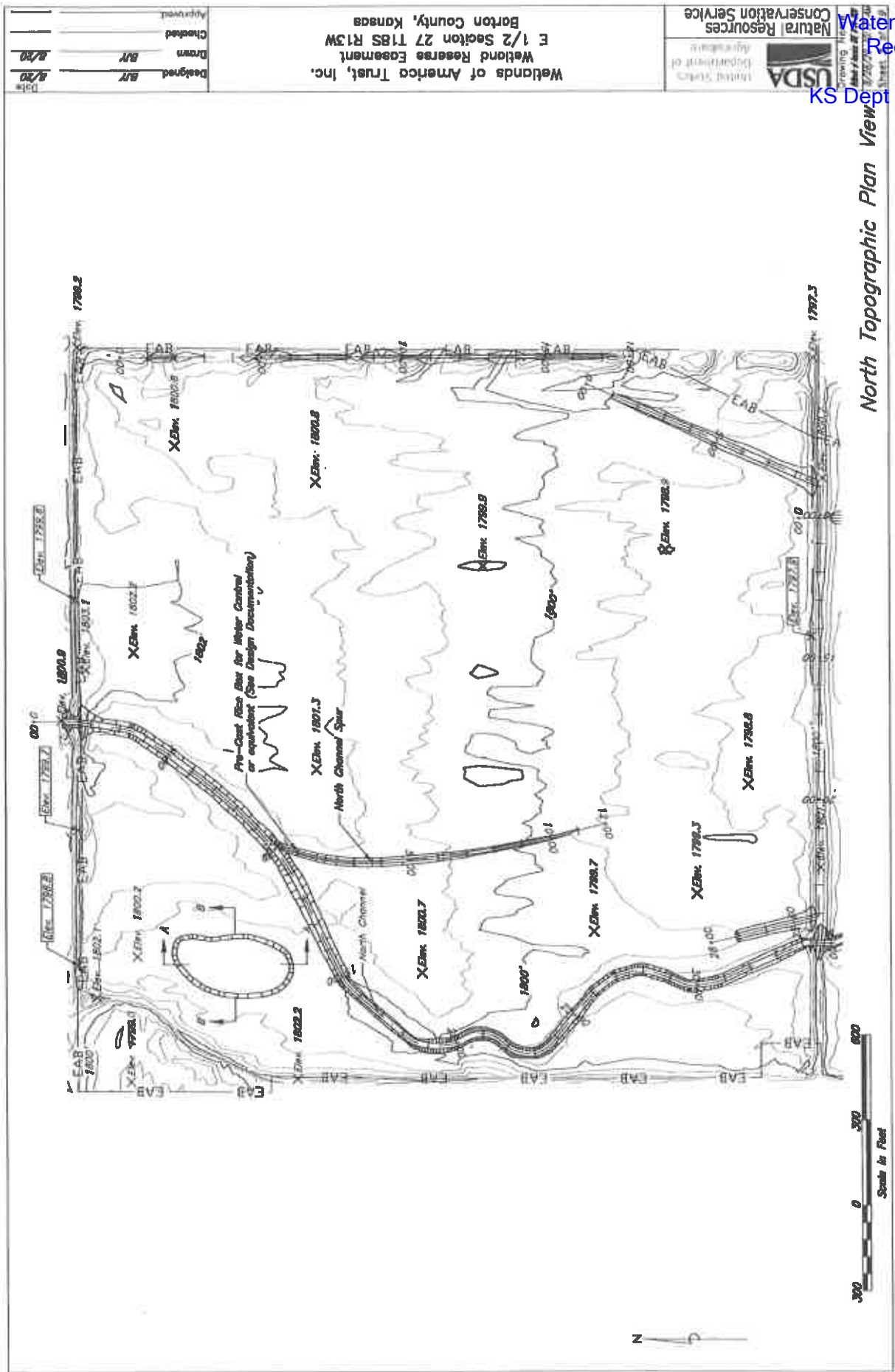
Designed BY: A/20
Drawn BY: A/20
Checked BY: A/20
Approved BY: A/20

Benchmark Table

Benchmark Information				
Benchmark	Northing	Easting	Elevation	Description
BM 41	1962054.01	1241596.58	1802.05	CAP 41
BM 42	1962294.29	1241594.97	1802.94	CAP 42
BM 43	1962914.42	1241593.38	1801.19	CAP 43
BM 44	1963514.43	1241585.50	1801.09	CAP 44
BM 45	1963714.34	1241597.04	1801.39	CAP 45
BM 46	1963414.35	1241596.65	1801.08	CAP 46
BM 47	1963714.28	1241596.57	1801.09	CAP 47
BM 48	1964014.31	1241592.37	1802.63	CAP 48
BM 49	1964077.65	1241626.88	1802.61	CAP 49
BM 50	1964077.74	1241717.46	1802.65	CAP 50
BM 51	1964290.46	1241716.79	1799.53	CAP 51
BM 52	1964290.35	1241596.75	1801.27	CAP 52
BM 53	1964583.74	1241593.82	1801.59	CAP 53
BM 54	1964582.80	1241592.49	1801.59	CAP 54
BM 55	1965140.82	1241594.33	1801.04	CAP 55
BM 56	1965426.99	1241596.00	1801.28	CAP 56
BM 57	1965717.17	1241597.77	1802.16	CAP 57
BM 58	1966076.88	1241604.58	1801.97	CAP 58
BM 59	1966077.33	1241546.71	1799.38	CAP 59
BM 60	1966243.12	1241546.89	1798.16	CAP 60
BM 61	1966402.89	1241551.39	1799.00	CAP 61

Benchmark Information				
Benchmark	Northing	Easting	Elevation	Description
BM 21	1964615.35	1244048.72	1798.70	CAP 21
BM 22	1964302.70	1243949.81	1798.22	CAP 22
BM 23	1964690.10	1243943.84	1798.13	CAP 23
BM 24	1964690.33	1243938.00	1800.02	CAP 24
BM 25	1963776.82	1243781.81	1798.51	CAP 25
BM 26	1963979.27	1243795.44	1798.15	CAP 26
BM 27	1963276.23	1243999.25	1797.88	CAP 27
BM 28	1962834.85	1243973.00	1798.22	CAP 28
BM 29	1962833.47	1243956.89	1798.34	CAP 29
BM 30	1962372.10	1243999.85	1798.30	CAP 30
BM 31	1962090.72	1243444.32	1797.74	CAP 31
BM 32	1961899.36	1243388.08	1797.23	CAP 32
BM 33	1961827.88	1243331.87	1797.38	CAP 33
BM 34	1961827.30	1243043.41	1798.10	CAP 34
BM 35	1961536.67	1242764.59	1798.20	CAP 35
BM 36	1961235.82	1242466.52	1798.46	CAP 36
BM 37	1961525.47	1242178.09	1798.71	CAP 37
BM 38	1961324.81	1241882.88	1798.10	CAP 38
BM 39	1961324.13	1241891.38	1800.95	CAP 39
BM 40	1961623.88	1241888.18	1802.88	CAP 40

Benchmark Information				
Benchmark	Northing	Easting	Elevation	Description
BM 1	1966894.81	1241592.57	1798.31	CAP 1
BM 2	1966894.98	1241716.34	1798.40	CAP 2
BM 3	1966895.40	1241863.16	1799.82	CAP 3
BM 4	1966895.18	1241918.29	1799.29	CAP 4
BM 5	1966875.25	1241918.39	1800.39	CAP 5
BM 6	1966875.57	124218.39	1801.64	CAP 6
BM 7	1966875.84	1242576.33	1801.38	CAP 7
BM 8	1966876.29	1242878.23	1803.21	CAP 8
BM 9	1966882.09	1243118.17	1802.89	CAP 9
BM 10	1966887.88	1243418.08	1801.44	CAP 10
BM 11	1966888.51	1243733.29	1801.81	CAP 11
BM 12	1966888.04	1244028.88	1801.44	CAP 12
BM 13	1966876.89	1244184.73	1802.41	CAP 13
BM 14	1966883.08	1244182.88	1802.50	CAP 14
BM 15	19668715.58	1244181.18	1801.40	CAP 15
BM 16	1966882.05	1244156.49	1801.31	CAP 16
BM 17	1966882.40	1244157.89	1801.09	CAP 17
BM 18	1966882.80	1244156.08	1801.10	CAP 18
BM 19	1966882.39	1244154.27	1802.76	CAP 19
BM 20	1966877.75	1244158.39	1802.15	CAP 20

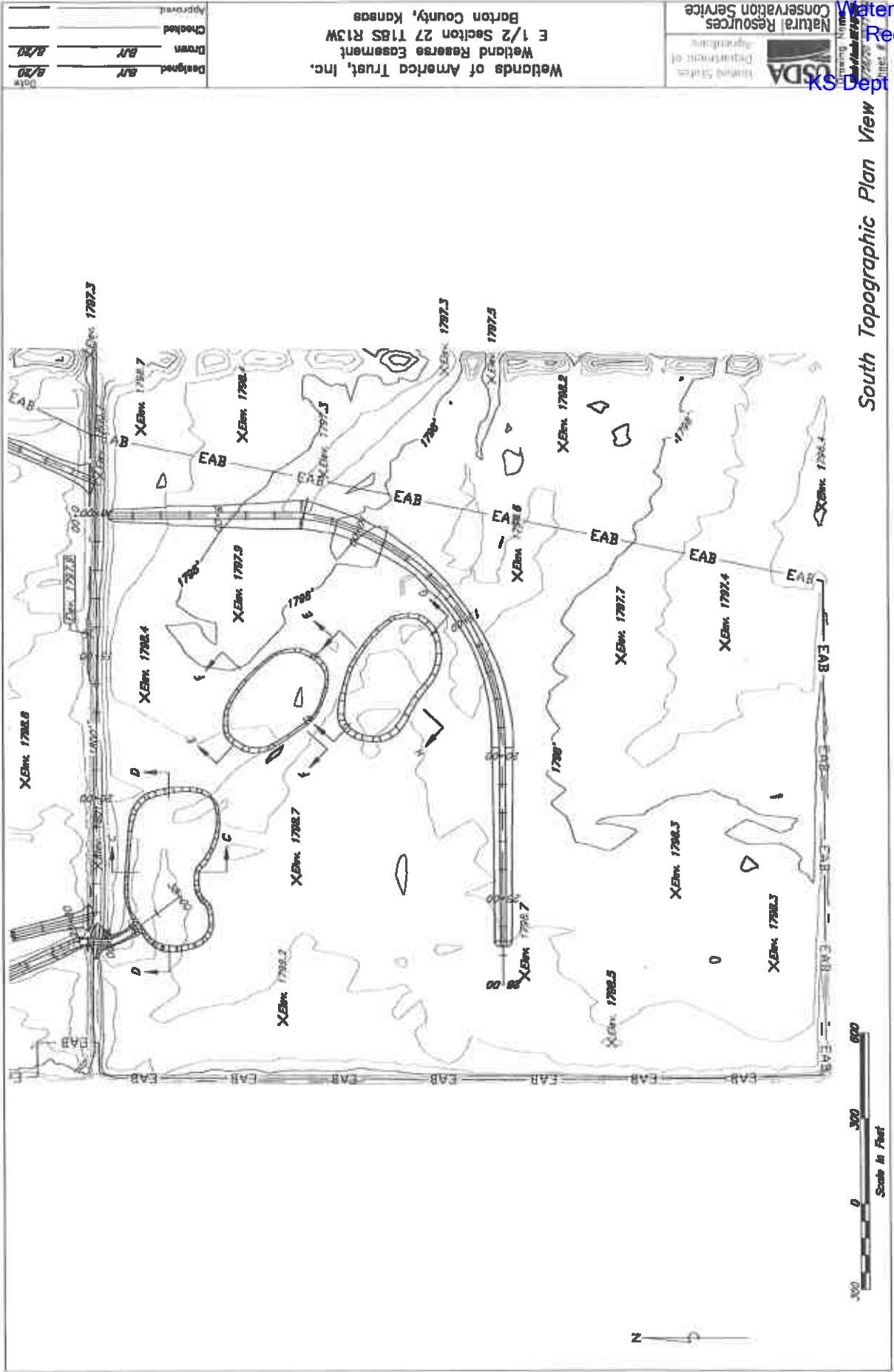


Date	8/30	Designed	B/R
	8/30	Drawn	B/R
		Checked	
		Approved	

Wetlands of America Trust, Inc.
Wetland Reserve Easement
E 1/2 Section 27 T18S R13W
Barton County, Kansas

United States
Department of
Agriculture
USDA
Natural Resources
Conservation Service

North Topographic Plan View

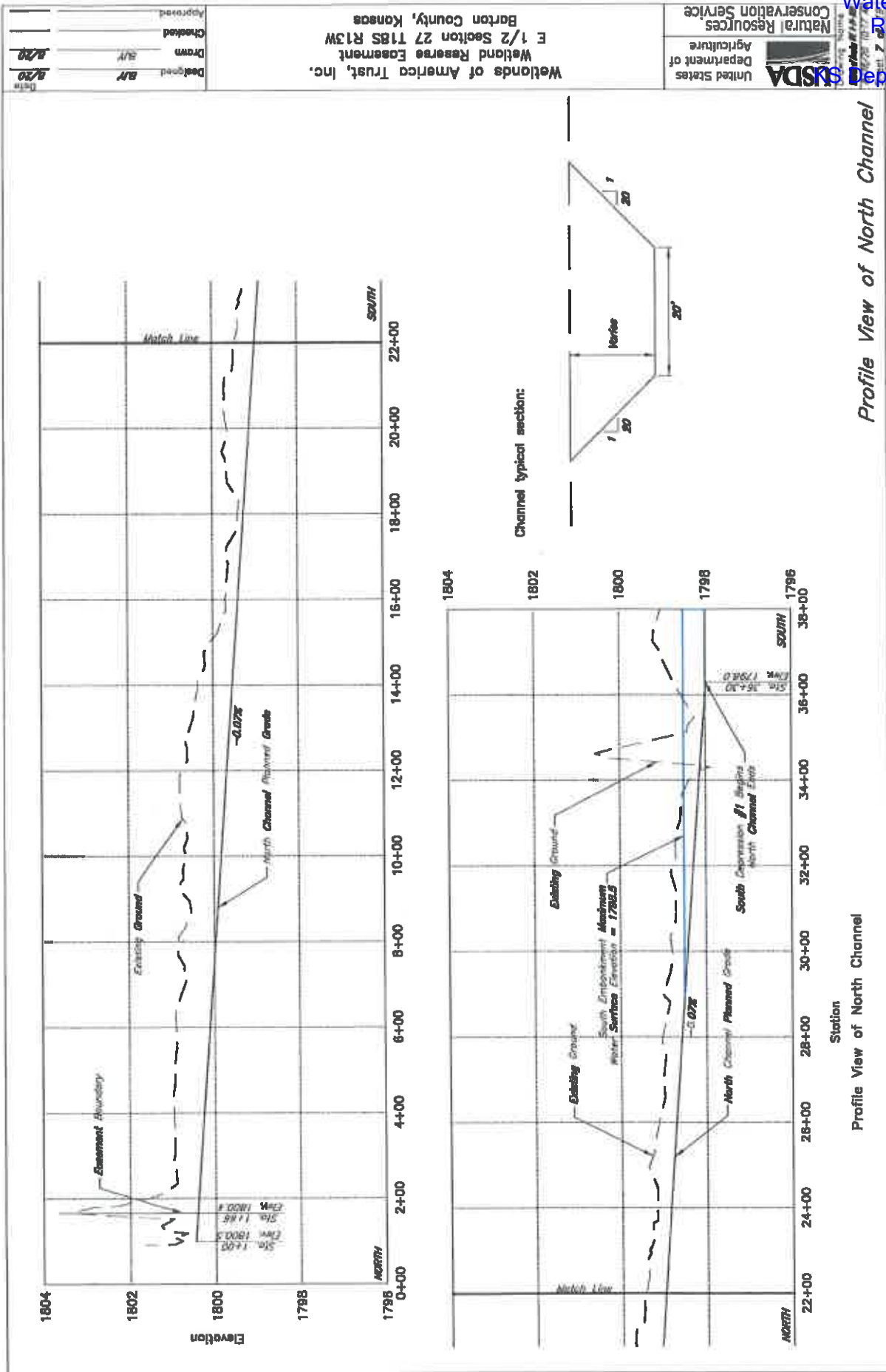


South Topographic Plan View

Date	8/30	Designed	BYR
	8/30	Drawn	BYR
		Checked	
		Approval	

Wetlands of America Trust, Inc.
Wetland Reserve Easement
E 1/2 Section 27 T18S R13W
Barton County, Kansas

USDA
Department of Agriculture
Natural Resources
Conservation Service
June 7, 2021



Wetlands of America Trust, Inc.
 Wetland Reserve Easement
 E 1/2 Section 27 T18S R13W
 Barton County, Kansas

Checked: _____
 Drawn: EJV
 Design: BV
 Date: 8/20/20

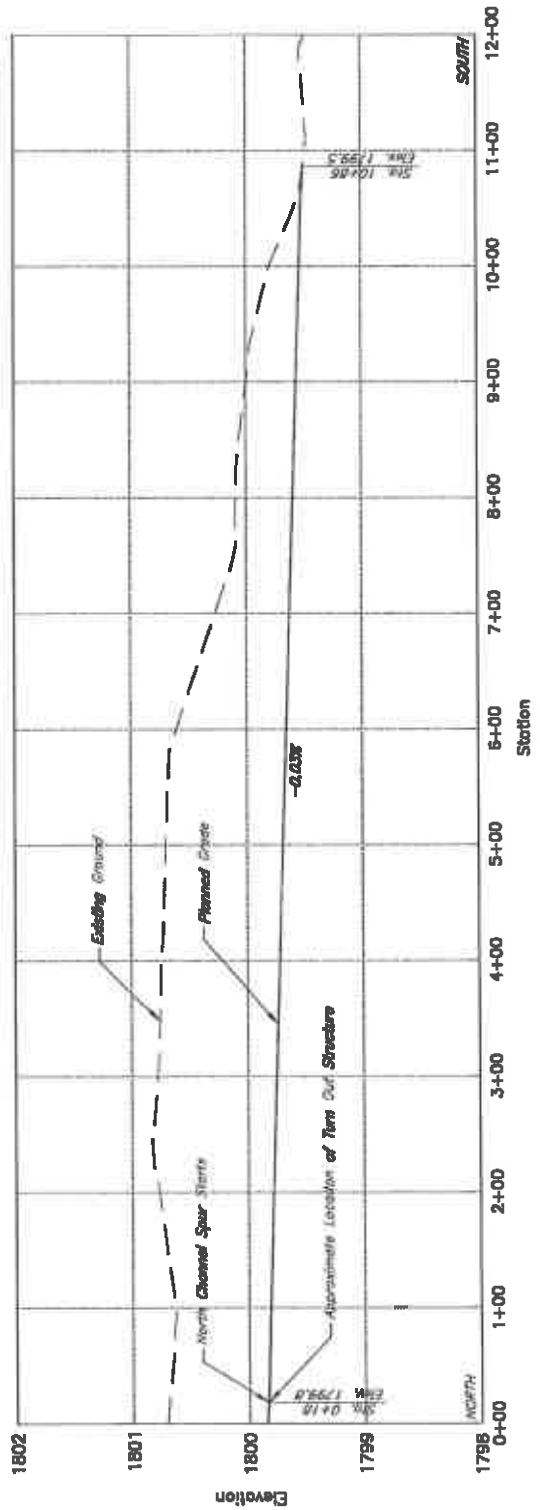
United States Department of Agriculture
 Natural Resources Conservation Service

Project: 2021-0017
 Date: 8/4/2021

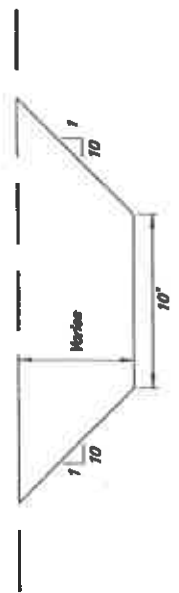
Design: BR / 8/20
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 Checked: _____
 Approved: _____

Wetlands of America Trust, Inc.
 Wetland Reserve Easement
 E 1/2 Section 27 T18S R13W
 Barton County, Kansas

USDA
 Natural Resources
 Conservation Service
 Project Name: _____
 Date of Issue: 8/20/20
 Sheet 8 of 12



Channel typical section:

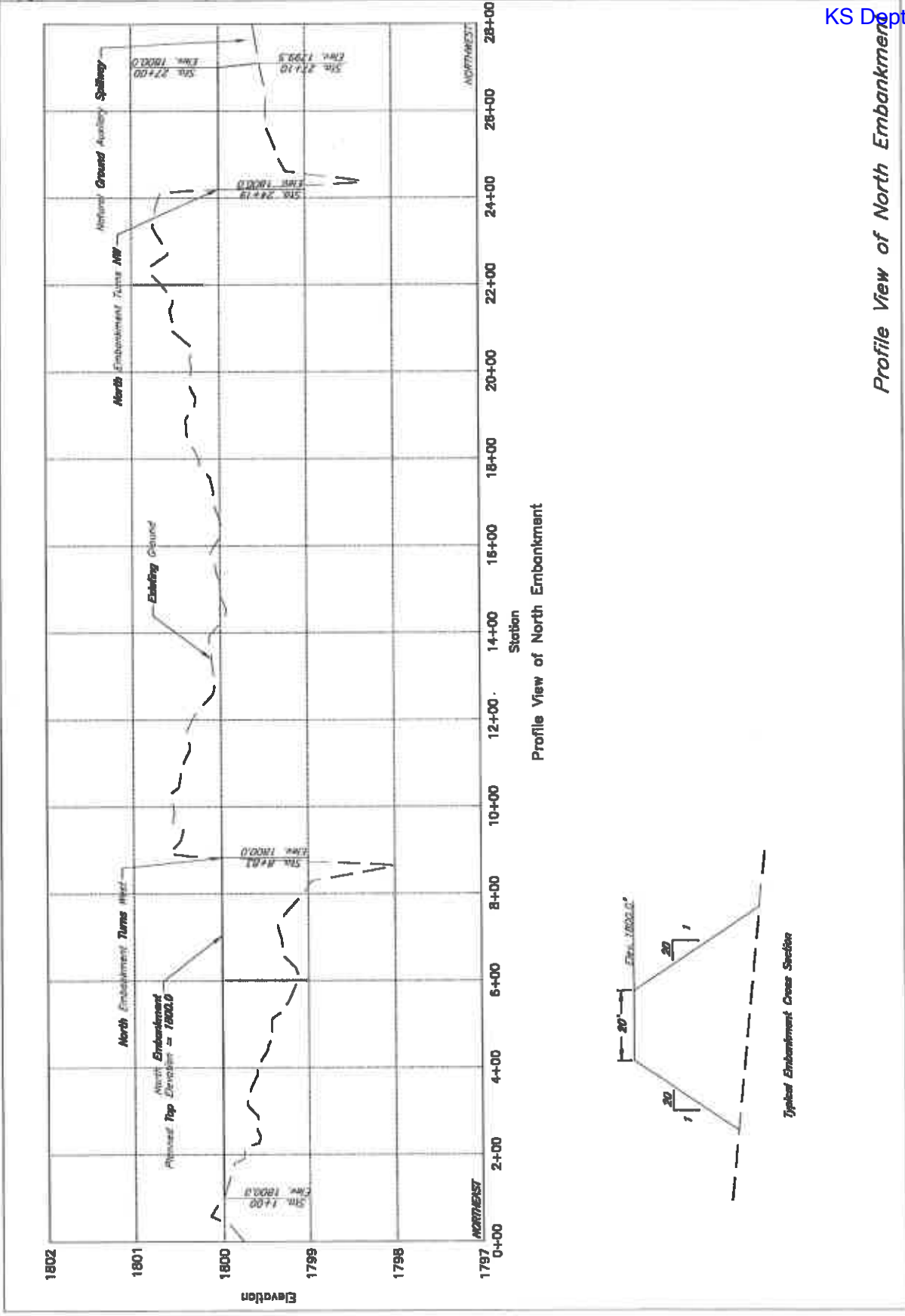


8/4/2021
 Water Resources
 Received
 KS Dept Of Agriculture
 Profile View of North Channel Spur

United States
Department of
Agriculture
USDA
Natural Resources
Conservation Service

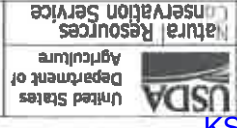
Wetlands of Amerigo Trust, Inc.
Wetland Reserve Easement
E 1/2 Section 27 T18S R13W
Barton County, Kansas

Design: B/R
Drawn: B/R
Checked: B/R
Approved: B/R

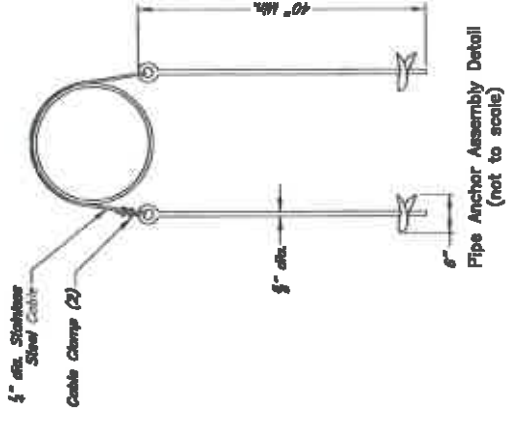
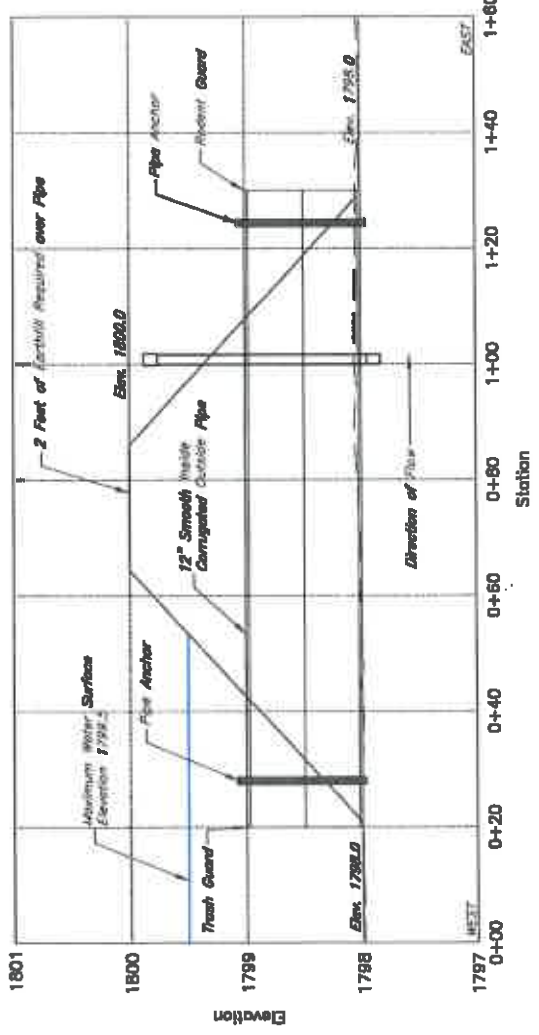


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Drawn	BVR	8/20
Checked		
Approved		

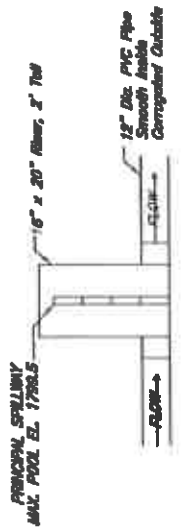
Wetlands of Amerco Trust, Inc.
 Wetland Reserve Easement
 E 1/2 Section 27 T18S R13W
 Barton County, Kansas



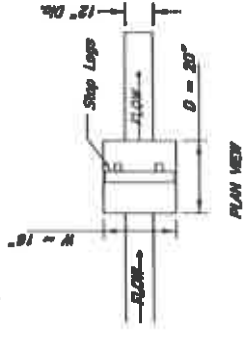
North Embankment (East) Water Control Structure Details



Profile View of North Embankment East Pipe



SECTION VIEW WATER CONTROL STRUCTURE DETAIL (Not To Scale)



PLAN VIEW

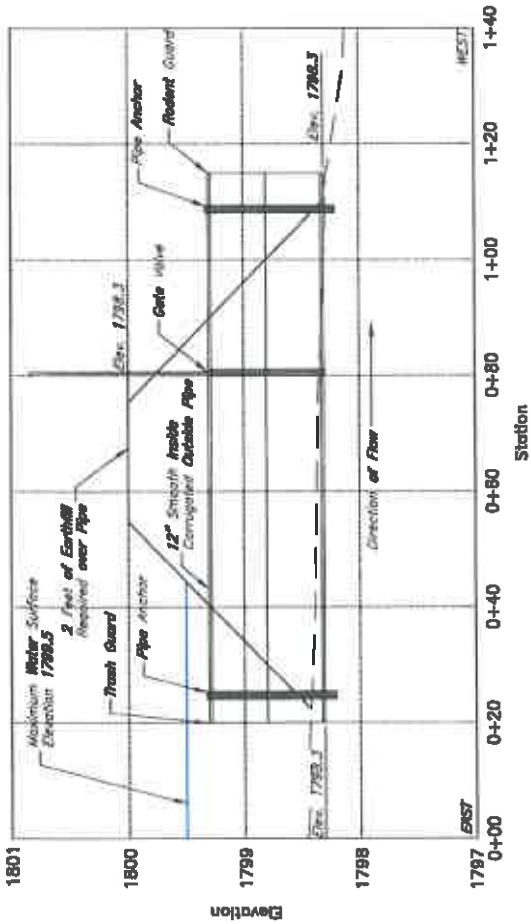
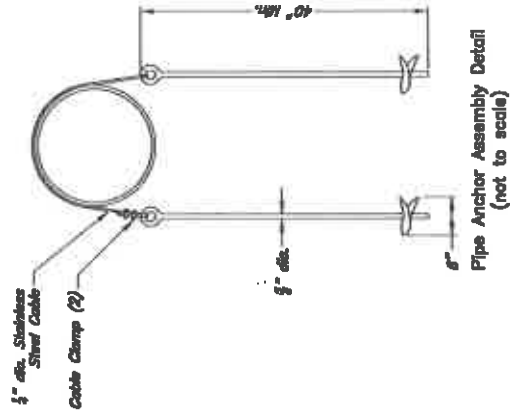
- Notes:
- 1) Pipe Material: Smooth Inside Corrugated Outside
 - 2) The Pipe Shall Be Firmly and Uniformly Bedded on the Lower One Sixth of the Circumference 180° Bear Against Original Ground or Compacted FILL
 - 3) All Vegetation Will Be Stripped From Foundation
 - 4) Compaction Around Pipe and Water Control Structure Will Be Achieved by Hand Tampering.
 - 5) Embankment shall be overfilled the percent (5%) to allow for settlement.
 - 6) Embankment shall be overfilled to provide 2 feet of cover over the pipe to allow for maintenance operations to occur around the pipe.

Checked	_____
Drawn	RJR
Date	8/30

Wetlands of America Trust, Inc.
Wetland Reserve Easement
E 1/2 Section 27 T18S R13W
Barton County, Kansas

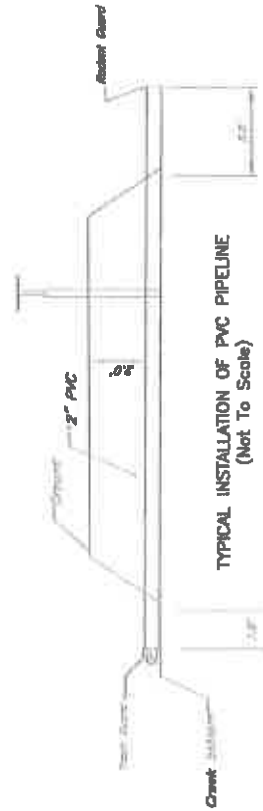
United States
Department of
Agriculture
Natural Resources
Conservation Service

- Notes:**
- 1) Pipe Material: Smooth Inside Corrugated Outside
 - 2) The Pipe Shall be Firmly and Uniformly Backfill on the Lower One Sixth of the Circumference. Backfill Shall Bear Against Original Ground or Compacted Fill
 - 3) All Vegetation Will be Stripped From Foundation
 - 4) Corrosion Around Pipe and Water Control Structure Will be Achieved by New's Temping.
 - 5) Embankment shall be overfilled five percent (5%) to allow for settlement.
 - 6) Embankment shall be overfilled to provide 2 feet of cover over the pipe to allow for maintenance operations to occur around the pipe.



Profile View of North Embankment West Gate Valve Pipe

Gate Valve Details

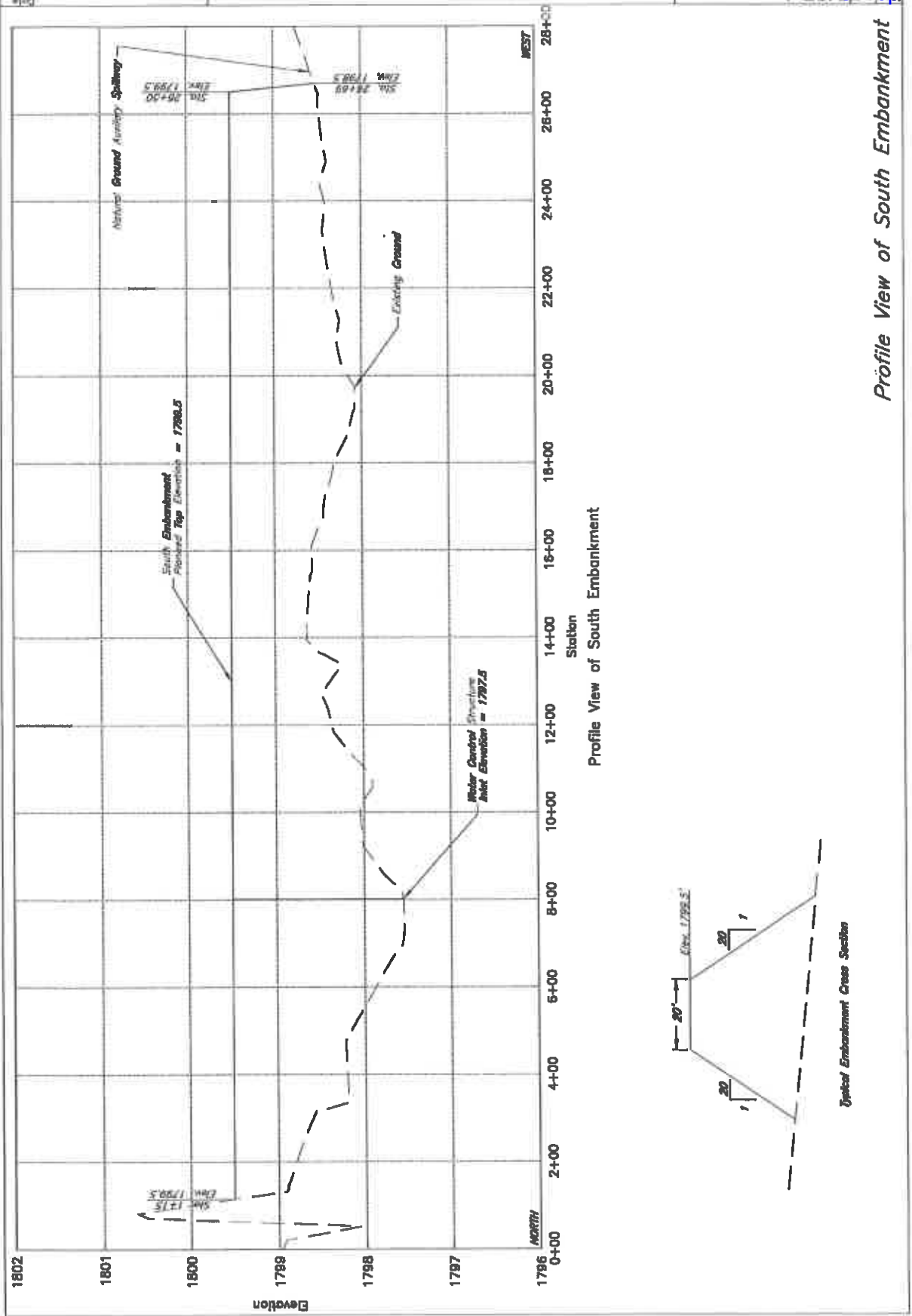


North Embankment (West) Gate Valve Structure Details



Wetlands of America Trust, Inc.
Wetland Reserve Easement
E 1/2 Section 27 T18S R13W
Barton County, Kansas

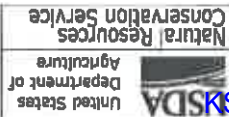
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Checked: BR
Approved: _____



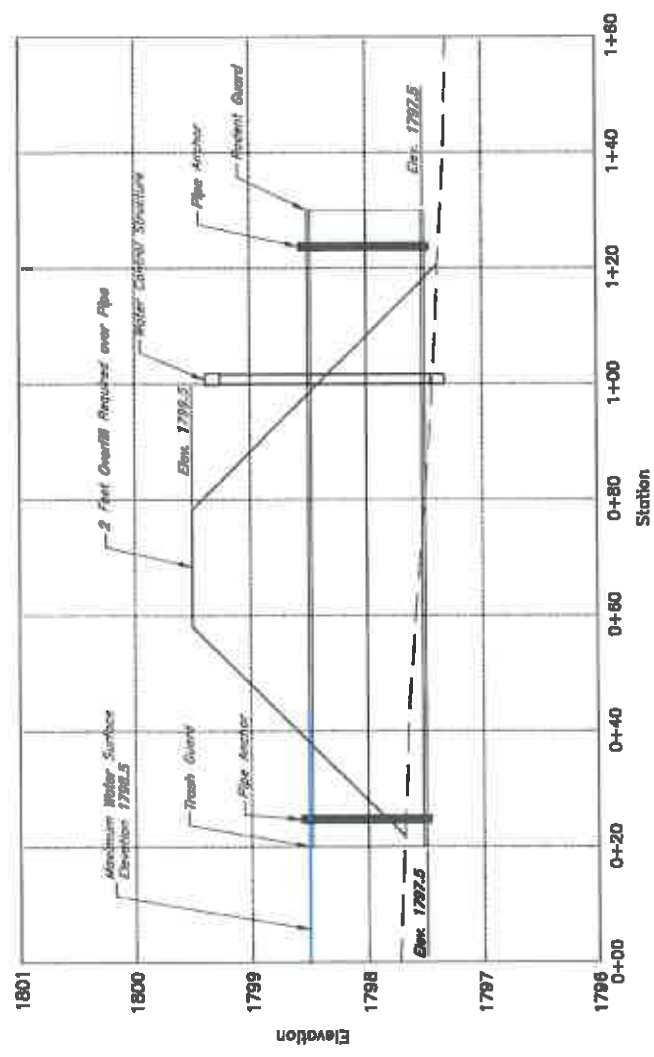
Profile View of South Embankment

Designed	SLY	8/20
Drawn	BLV	8/20
Checked		
Approved		

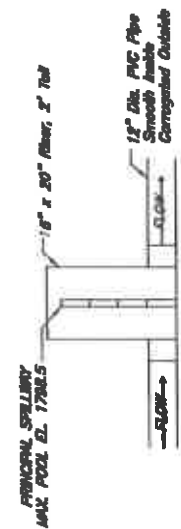
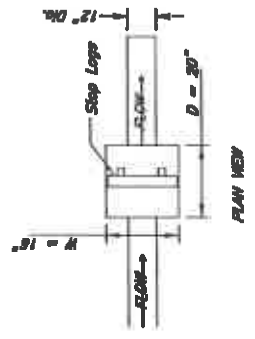
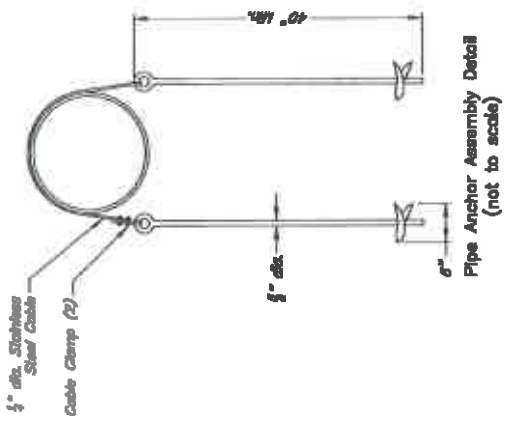
Wetlands of America Trust, Inc.
Wetland Reserve Easement
E 1/2 Section 27 T18S R13W
Barton County, Kansas



- Notes**
- 1) Pipe Material: Smooth Inside Corrugated Outside
 - 2) The Pipe Shall be Firmly and Uniformly Bedded on the Lower One Sixth of Its Circumference Will Bear Against Original Ground or Compacted Fill
 - 3) All Vegetation Will be Stripped From Foundation
 - 4) Compaction Around Pipe and Water Control Structure Will be Achieved by Hand Tampling.
 - 5) Embankment shall be overlaid five percent (5%) to allow for settlement.
 - 6) Embankment shall be overlaid to provide 2 feet of cover over the pipe to allow for maintenance operations to occur around the pipe.



Profile View of South Embankment Pipe

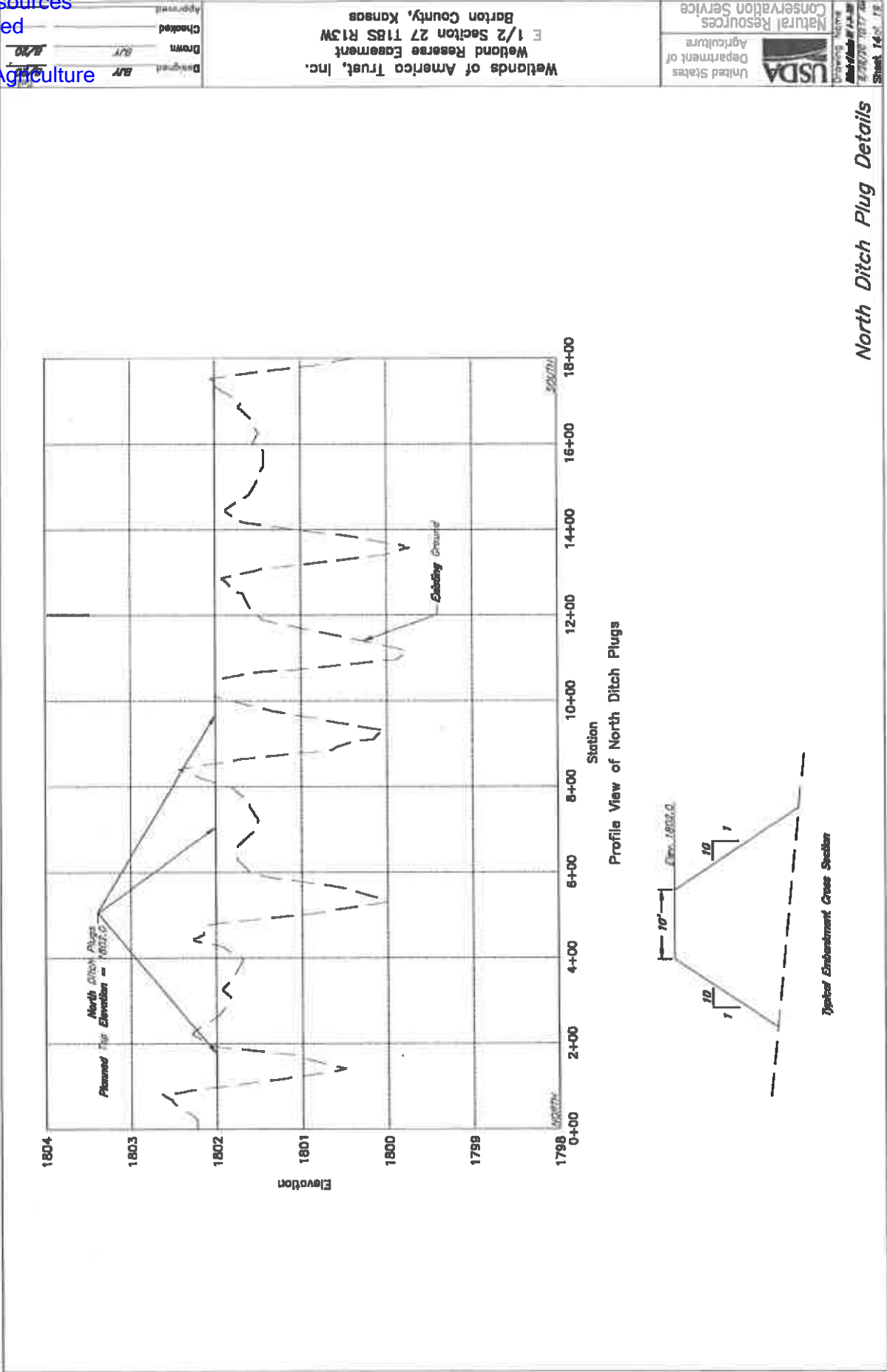


SECTION VIEW
WATER CONTROL STRUCTURE DETAIL
(Not To Scale)

South Embankment Water Control Structure Details

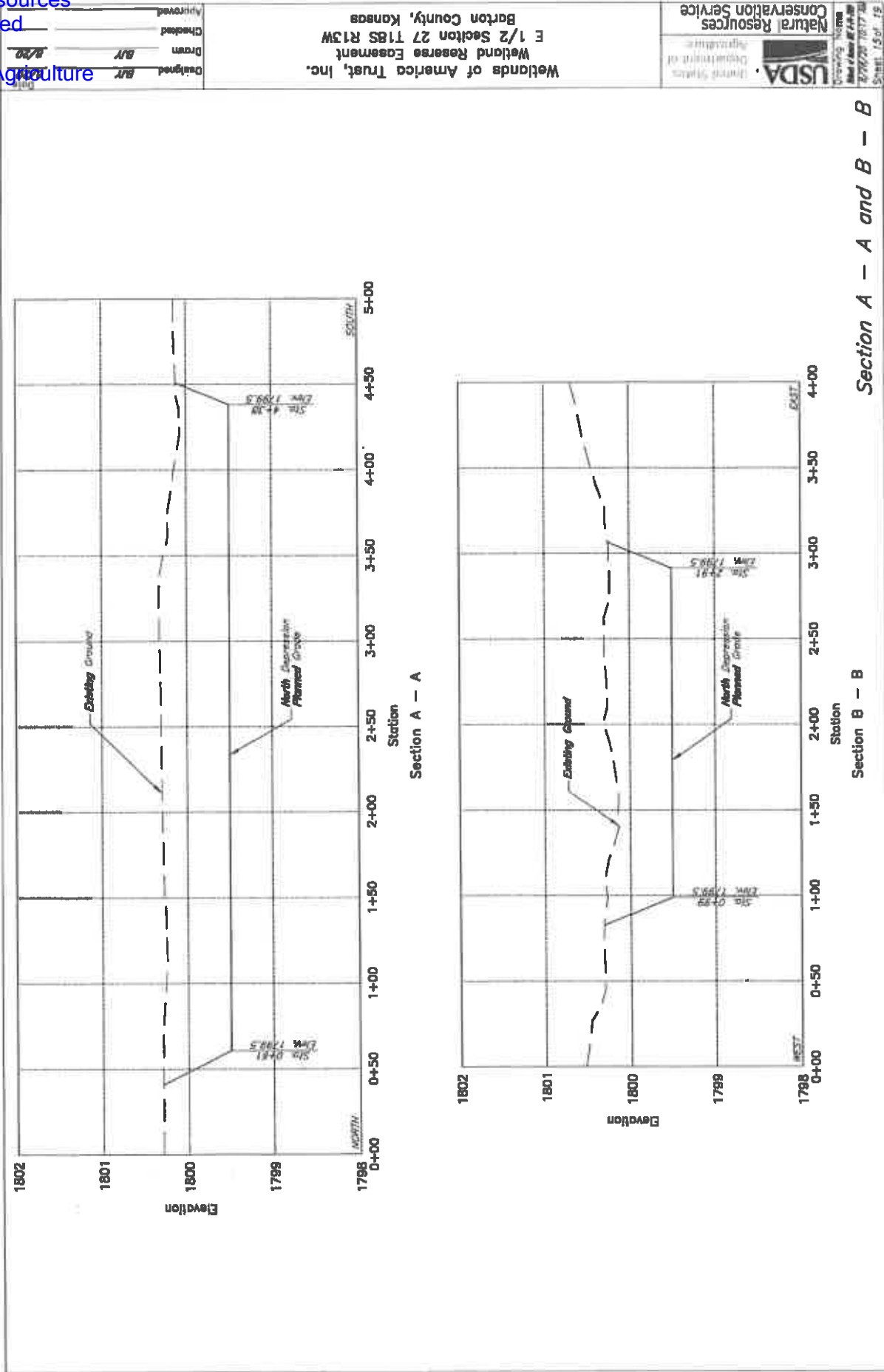
Water Resources
Received

KS Dept Of Agriculture



North Ditch Plug Details

Water Resources
Received
KS Dept Of Agriculture



Designed	BY
Drawn	BY
Checked	BY
Approved	BY

Wetlands of America Trust, Inc.
Wetland Reserve Easement
E 1/2 Section 27 T18S R13W
Barton County, Kansas

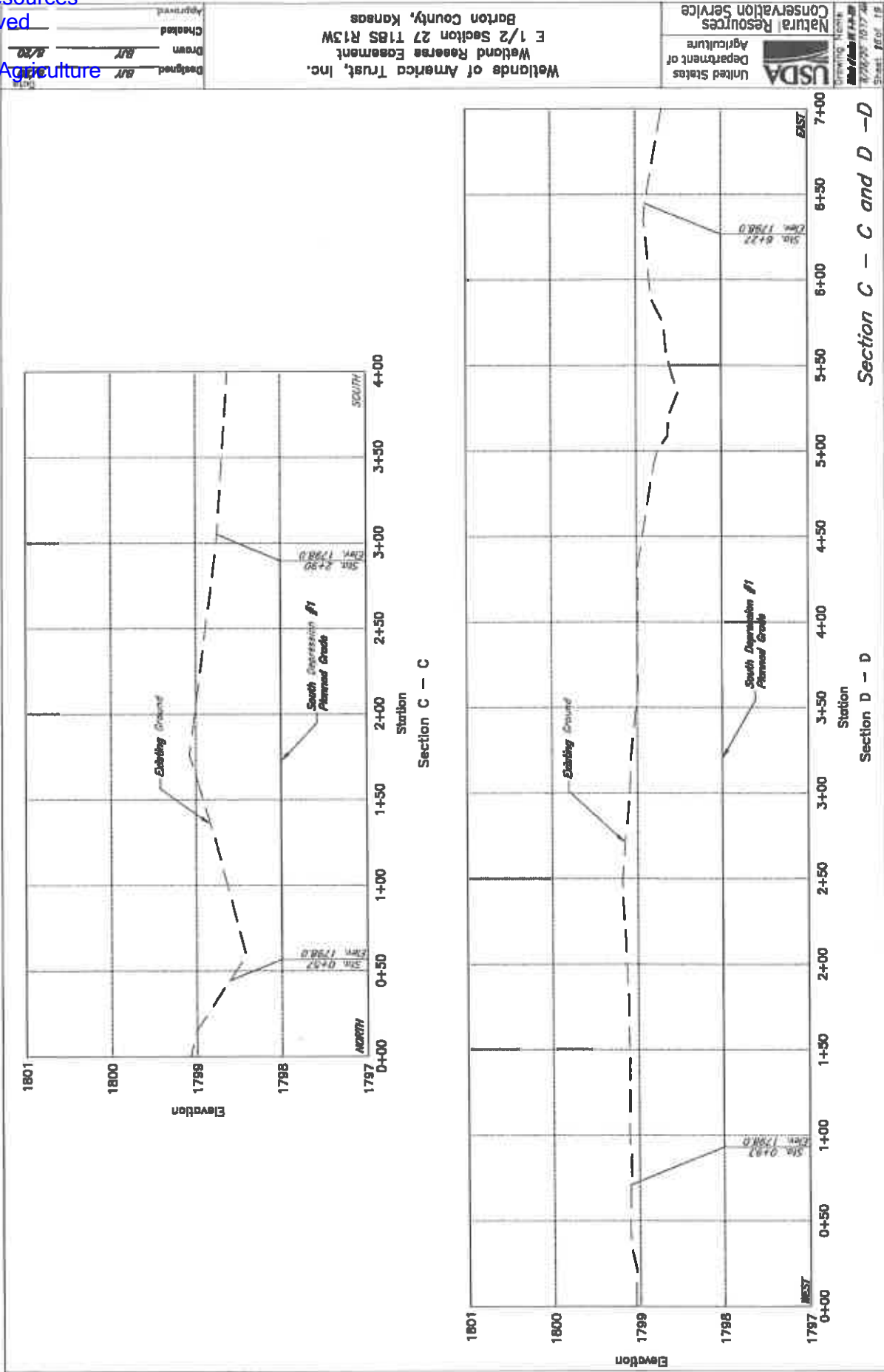
USDA
Department of Agriculture
Natural Resources
Conservation Service

Drawing Name
Date of Issue 08/14/20
2/28/20 10:17 AM
Sheet 15 of 19

Section A - A and B - B

Water Resources
Received

KS Dept Of Agriculture



Designed BY: R/T
Drawn BY: R/T
Checked BY: R/T
Approved BY: R/T

Wetlands of America Trust, Inc.
Wetland Reserve Easement
E 1/2 Section 27 T18S R13W
Barton County, Kansas

United States Department of Agriculture
Natural Resources Conservation Service
DRAWING NO: 1017-24
DATE: 10/17/08
Sheet 20 of 18

8/4/2021

Water Resources
Received

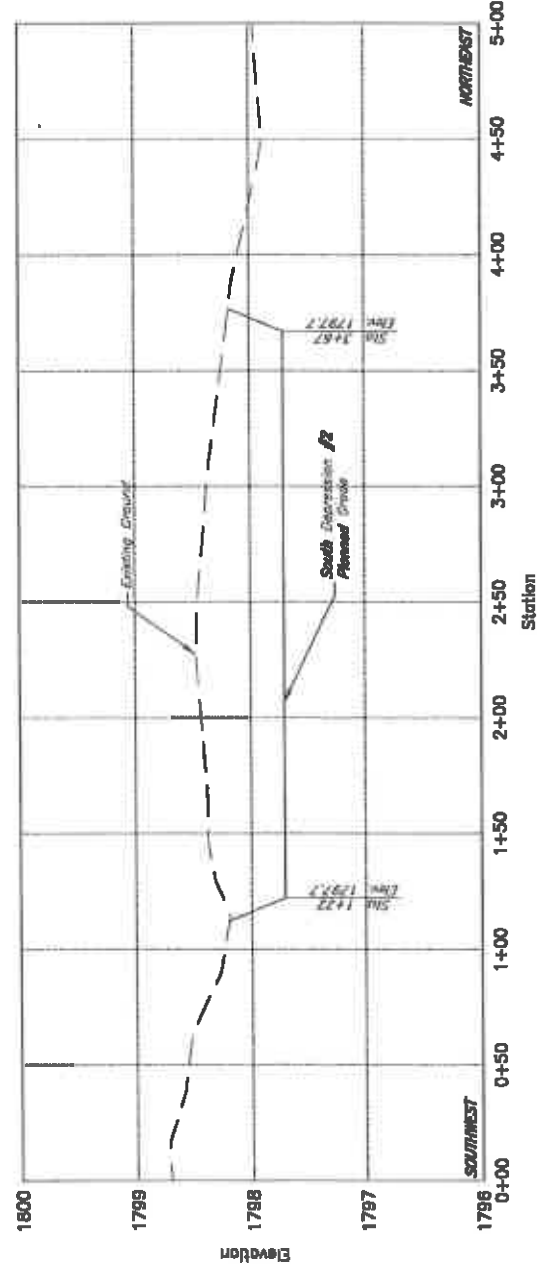
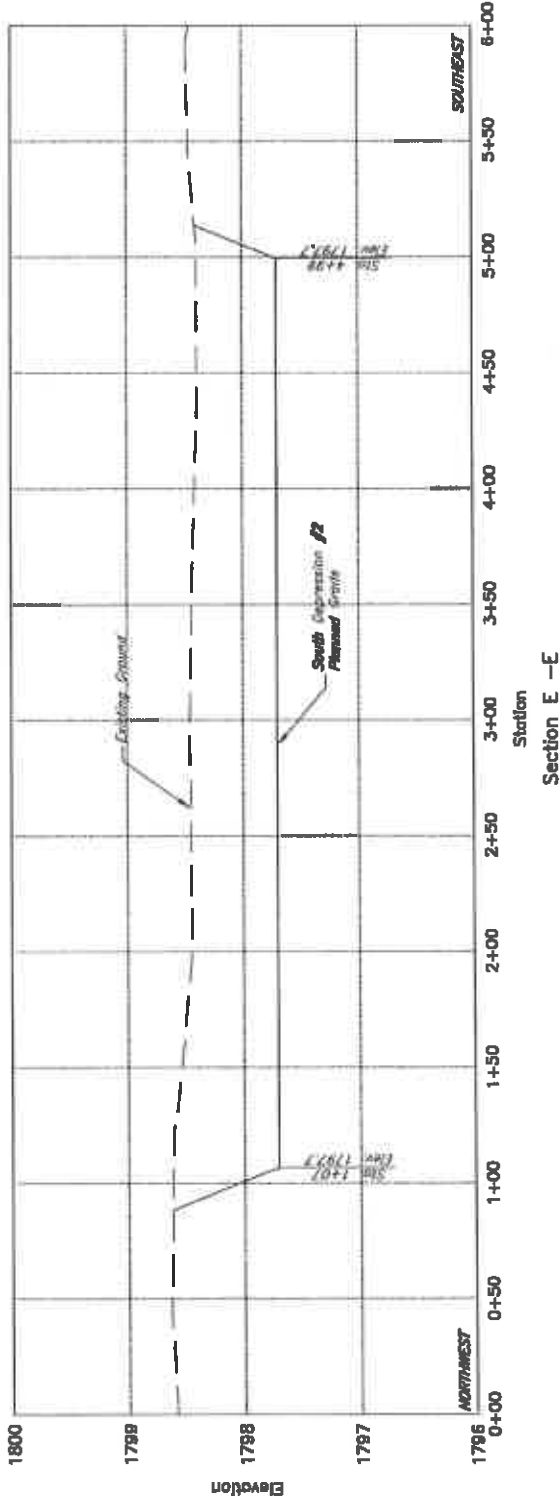
KS Dept Of Agriculture

Approved: _____
 Checked: _____
 Drawn: *BJR*
 Designed: *BJR*
 Date: *8/20*

Wetlands of America Trust, Inc.
 Wetland Reserve Easement
 E 1/2 Section 27 T18S R13W
 Barton County, Kansas



8/20/21
 8/20/21 10:17:20
 Sheet 17 of 18



Section E -- E and F -- F

Water Resources
Received

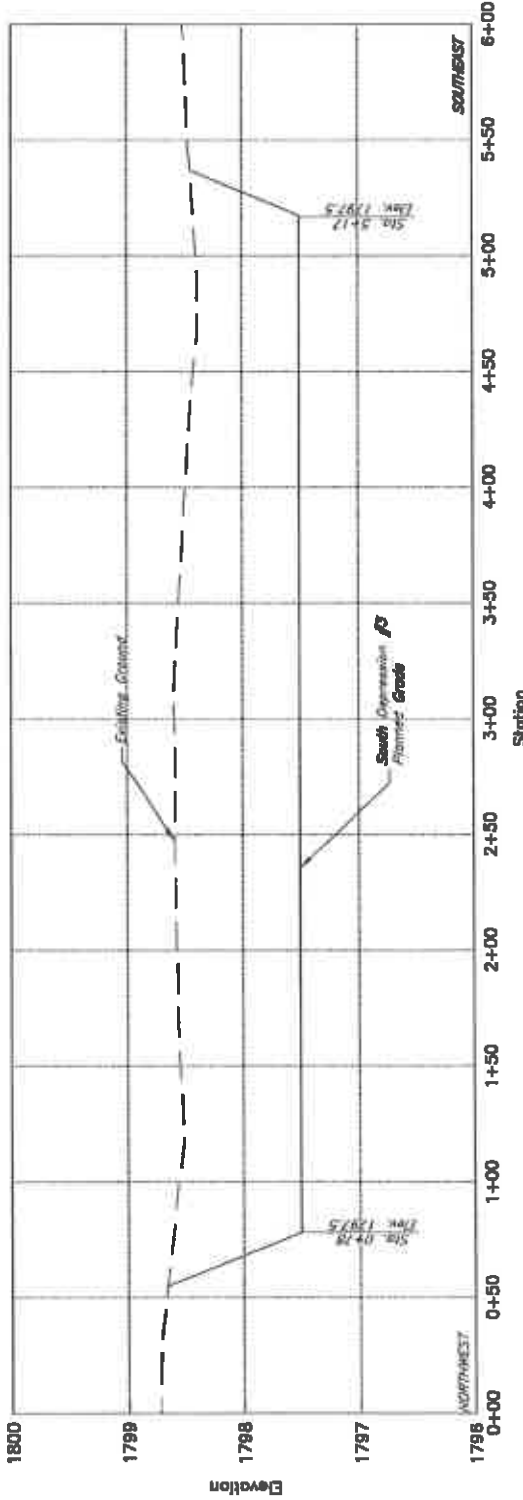
KS Dept Of Agriculture

Approved:	
Checked:	
Drawn:	BR
Design:	BR
	8/20

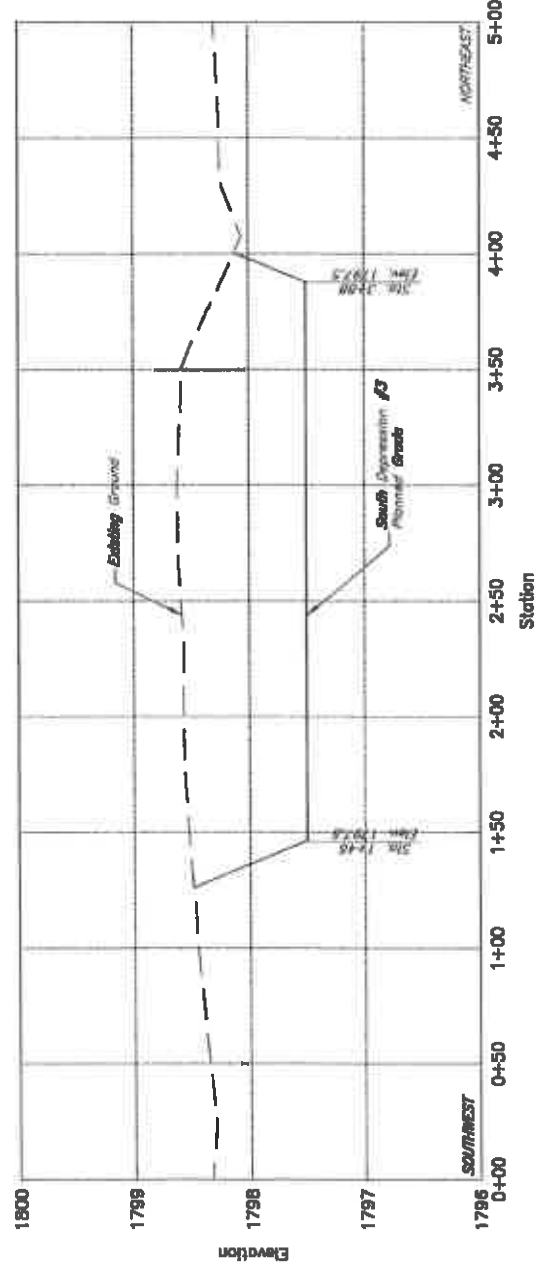
Wetlands of America Trust, Inc.
Wetland Reserve Easement
E 1/2 Section 27 T18S R13W
Barton County, Kansas



United States
Department of
Agriculture
Natural Resources
Conservation Service

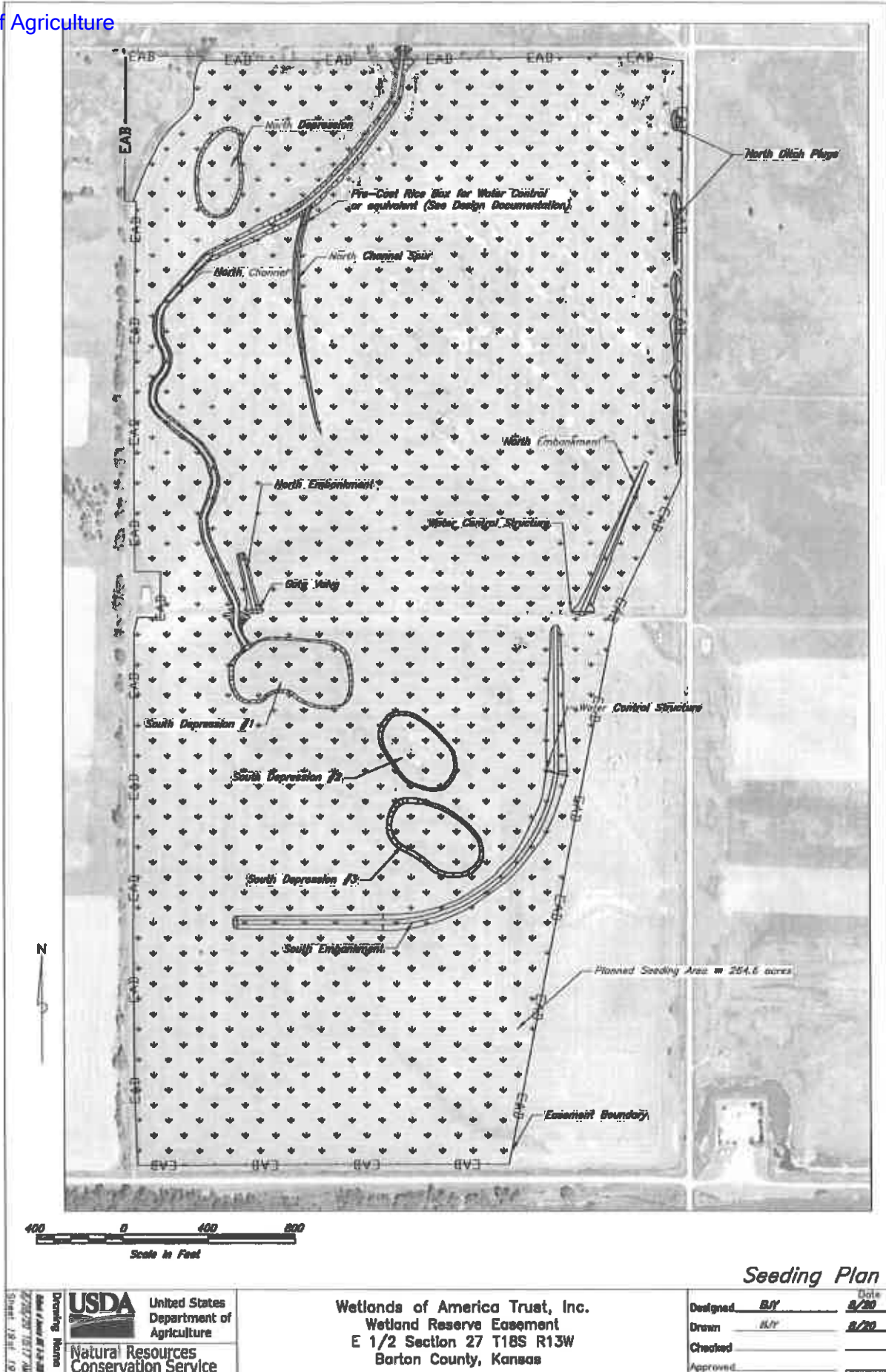


Section G - G



Section H - H

Section G - G and H - H



Seeding Plan


 United States
Department of
Agriculture


 Natural Resources
Conservation Service

Wetlands of America Trust, Inc.
 Wetland Reserve Easement
 E 1/2 Section 27 T18S R13W
 Barton County, Kansas

Designed	<u>BJY</u>	Date	<u>8/20</u>
Drawn	<u>BJY</u>		<u>8/20</u>
Checked	_____		_____
Approved	_____		_____

8/4/2021

Water Resources
Received

KS Dept Of Agriculture

7/28/2021

(Date)

Kansas Department of Agriculture
Division of Water Resources
Earl D. Lewis, Jr, Chief Engineer
1320 Research Park Drive
Manhattan, Kansas 66502

Re: Application File No. 50626

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.

D.R.Bh

Signature of Applicant

State of ^{Tennessee} ~~North Dakota~~)
County of Shelby) ss

WETLANDS AMERICA TRUST INC
(Print Applicant's Name)

I hereby certify that the foregoing Instrument was signed in my presence and sworn to before me this 28 day of July, 2021.

Jennifer Roy
Notary Public

My Commission Expires:
9/7/22



My Commission Expires
September 7, 2022

8/4/2021

Water Resources
Received

KS Dept Of Agriculture

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

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

Arkansas River
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



Operations Office
512 SE 25th Ave.
Pratt, KS 67124-8174

Kansas Department of Wildlife and Parks

Phone: (620) 672-5911
Fax: (620) 672-2972
www.ksoutdoors.com

Brad Loveless, Secretary

Laura Kelly, Governor

August 2, 2021

Big Bend Groundwater Management District 5 and Division of Water Resources,

I am writing this letter on behalf of Kansas Department of Wildlife & Parks (KDWP) in support of Ducks Unlimited/Wetlands America Trust acquiring surface water rights on the "Ochs Tract" (E ½ Section 27 T18S R13W) adjacent to Cheyenne Bottoms Wildlife Area. We are aware of this project and water rights transfer and have no concerns. The restoration of this particular tract of land to historical wetlands and enrollment into WRE has potential to directly and indirectly benefit the Wildlife Area and the agency. The main direct benefit to the wildlife area is the reduction of sediment coming from this tract of land. Since the tract is currently farmland, during periods of heavy rain, runoff causes sediment to make its way through the ditches and on to the wildlife area. Those sediments eventually make their way into Pool 2 of Cheyenne Bottoms Wildlife Area. Over time, silt and sediment loads have increased in Cheyenne Bottoms, and is the number one issue facing the management of the property. Removal of these sediments is time consuming and extremely costly. By restoring the wetlands on that tract of land, it would ultimately reduce sediment loads on the wildlife area. Another benefit of restored wetlands, particularly on that tract of land, is better control of water entering into Pool 2 of the wildlife area. Currently there are not controls in place for water entering the property into Pool 2. By restoring the wetlands, this would allow for at least a minimal amount of control of water coming into Pool 2, especially during heavy runoff events.

Aside from the direct benefits to the wildlife area, restoring the tract to historical wetlands will provide increased outdoor recreation to the area as well as benefitting the thousands of birds that migrate through the basin. The tract of land has been enrolled in Walk-In Hunting for a number of years and is well utilized due to its location. When the tract had standing water, the use by hunters and wildlife greatly increased. Improving access for outdoor recreation is a priority of the agency. Hunters currently use the tract for mostly upland birds. Restoration to wetlands would provide increased opportunities for not only waterfowl but would benefit upland birds as well. Wildlife will obviously benefit from the restoration. When that tract holds water, a variety of wildlife can be seen utilizing the tract. Birds like waterfowl, shorebirds, and wading birds almost instantly respond to the flooded ground.

KDWP and DU have a long history of working side by side for the ultimate goal of improving the natural resources of Kansas. The Ochs Tract is a shining example of this cooperation. We look forward to seeing the result of these efforts. Thank you for the continued effort to restore wetlands in Kansas.

Sincerely

A handwritten signature in black ink that reads "Mike Miller". The signature is fluid and cursive, with the first name "Mike" being larger and more prominent than the last name "Miller".

Mike Miller
Assistant Secretary of Operations



The Nature Conservancy
4400
2420 NW Button Road
2022 Topeka, KS 66618
nature.org/kansas

phone (785) 233-
fax (785) 233-
web

July 30, 2021

Dear Big Bend Groundwater Management District 5 and Division of Water Resources,

The Nature Conservancy in Kansas strongly supports the application by Ducks Unlimited/Wetlands America Trust to transfer 157.65 acre-feet of water per year from an existing TNC water right (#42777) to restore and enhance wetland habitat on the Ochs Tract (E ½ Section 27 T18S R13W) at Cheyenne Bottoms. As a neighboring landowner, we are aware of this project and are actively supporting it via the water rights transfer and as a partner on the overall project. As you are aware, sedimentation is the greatest threat to the critical habitat at Cheyenne Bottoms. Although Kansas streams naturally erode and carry sediment, this process has been greatly increased by past land management practices of straightening streams and diverting stream flow into drainage ditches. The proposed project will restore the natural stream channel and wet meadow habitat on the Ochs Tract, providing an area for sediment to settle before it reaches the Bottoms. Studies have also shown that wetlands provide an opportunity for the uptake of nutrients and other pollutants, improving water quality. The tract will augment internationally important migratory bird habitat at Cheyenne Bottoms, and will be open to Walk-In Hunting, which in turn will attract tourist dollars to the local economy. The restoration will also complement restoration efforts on lands owned by The Nature Conservancy and State of Kansas that contribute water to this tract.

The Board is likely rightfully concerned about new appropriations anywhere in the District, given the ongoing situations with Quivira and the R9 Ranch. However, I would stress that the current proposal is simply a water rights transfer from an existing water right that will provide numerous benefits. The appropriation will not permanently impound the water (with, likely, some return flow to the aquifer), and it will not affect the high-impact zone around Rattlesnake Creek. It will also serve as a model of wetland restoration that is needed in strategic areas across Kansas. Past practices to straighten streams and fill wetlands in order to move water downstream more quickly in an effort to increase tillable acres and reduce flooding have come at a high cost to Kansas' water quantity and quality. This restoration project will demonstrate how some of those benefits can be restored. I urge you to consider approving the proposal.

Best wishes,

A handwritten signature in black ink, appearing to be "H. Mehl", written over a horizontal line.

Dr. Heidi Mehl
Director of Water and Agriculture Programs
The Nature Conservancy in Kansas

DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 50626

APPLICANT	PDIV ID	BATTERY ID
PERSON ID & SEQ # 56807 SEQ 3	88995 88996	

LANDOWNER	PUSE ID
PERSON ID & SEQ # 56807 SEQ 3	70511

WATER USE CORRESPONDENT
PERSON ID & SEQ # 56807 SEQ 3

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

August 9, 2021

WETLANDS AMERICA TRUST INC
2525 RIVER ROAD
BISMARCK ND 58503

RE: Application, File No(s). **50626**

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 "Kris Neuhauser". The signature is written in a cursive style with a long, sweeping underline.

Kris Neuhauser
New Applications Lead
Water Appropriation Program

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

August 9, 2021

WETLANDS AMERICA TRUST INC
2525 RIVER ROAD
BISMARCK ND 58503

RE: Application, File No(s). **50626**

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Sincerely,

A handwritten signature in black ink that reads "Kris Neuhauser". The signature is written in a cursive style.

Kris Neuhauser
New Applications Lead
Water Appropriation Program