

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

WATER RESOURCES
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DEC 02 2021
11:00 Am
KS DEPT OF AGRICULTURE

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 50685

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): Peace Creek Preserve, LLC
Address: 2901 Frederica Rd.
City: St. Simons Island State GA Zip Code 31522
Telephone Number: (912) 222-3619

2. The source of water is: surface water in Peace Creek (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 160 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of all natural flows 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

FO 2 GMD 5 5-3-1 Y Use REC Source S County RN By BMM Date 12/2/21

CODE RE2

DWR 1-100 (Revised 05/17/2019)

REL

12/1/21

PY00032323

\$300

File No. _____

DEC 02 2021

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 NE quarter of the NE quarter of Section 31, more particularly described as being near a point 4960 feet North and 1260 feet West of the Southeast corner of said section, in Township 22 South, Range 9 West, 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.

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):

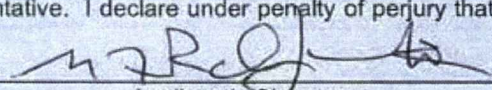
Peace Creek Preserve, LLC, c/o Frank DeLoach, Owner, 2901 Frederica Rd.
(name, address and telephone number)

St. Simons Island, GA 31522 912/222-3619
(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 Nov. 23, 2021.



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 existing low head dam
(number of wells, pumps or dams, etc.)

and was completed (by) 2004 (approximate)
(Month/Day/Year - each was or will be completed)

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8. The first actual application of water for the proposed beneficial use was or is estimated to be as soon as application is approved (estimated to be August 2022)
(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 Existing WSN's SRN-0107-L & LRN-0059-S
- If no, explain here why a Water Structures permit is not required existing low head dam was permitted under SRF-0107-L; additional Stream Obstruction and Floodplain Fill permit applications for improvements to existing facilities will be submitted at a later date to support this application

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.

Existing WSN's SRN-0107-L & LRN-0059-S. As part of this application, we agree that Peace Creek Preserve, LLC will not claim impairment on a future junior appropriation for the proposed augmentation well field project on Rattlesnake Creek for Quivera National Wildlife Refuge. We would expect this limitation to be drafted into an appropriation permit.

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File No. _____

13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from: Test holes Well as completed Drillers log attached

Well location as shown in paragraph

No.

(A)

(B)

(C)

(D)

Date Drilled

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):

Peace Creek Preserve, LLC, c/o Frank DeLoach, Owner, 2901 Frederica Rd.

(name, address and telephone number)

St. Simons Island, GA 31522 912/222-3619

(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 Sylvia, Kansas, this 23 day of Nov., 2021.

(month)

(year)


(Applicant Signature)

By 
(Agent or Officer Signature)

Frank DeLoach, Owner
(Agent or Officer - Please Print)

Assisted by Stuart Porter, P.E.

Schwab Eaton / Principal
(office/title)

Date: 11/23/2021

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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

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**RECREATIONAL USE
SUPPLEMENTAL SHEET**

File No. _____

Name of Applicant (Please Print): Peace Creek Preserve, LLC

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

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

North Pool = 13.1 ac-ft; South Pool = 15.5 ac-ft; Peace Creek Pool = 10.9 ac-ft

Total Storage = 39.5 ac-ft; Annual Evaporation (Net) = 29 in/ year; Total Annual

Evaporation = 2.42' x (15.3 ac-ft + 19.6 ac-ft + 7.0 ac-ft) = 101.4 ac-ft. Total Allocation

Required (min) = 39.5 + 101.4 = 140.9 ac-ft; Total allocation request = 16.0 ac-ft.

3. Please complete the following table showing estimated future water requirements: **N/A**

ESTIMATED FUTURE WATER DIVERTED/STORED

NEXT 5 YEARS	WATER TO BE DIVERTED (ACRE-FEET OR GALLONS)
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	

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.

NE 1/4 , S31, T22S, R9W, Reno County, Kansas

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

CONTOUR
 CONTOUR
 STING 5' CONTOUR
 STING 1' CONTOUR

PEACE EXISTING WATER CONTROL
 STRUCTURE/LOW HEAD DAM
 TOP DAM = 1723.6'
 TOP 4' SPILLWAY = 1722.6
 4' X 4' UPSTREAM FLOW LINE = 1715.7
 4' X 4' DOWNSTREAM FLOW LINE = 1715.6

PEACE CREEK POOL
 WATER SURFACE ELEVATION = 1721.2
 WATER SURFACE AREA = 7.0 ACRES
 STORAGE VOLUME = 10.9 ACRE-FT

NORTH POOL
 WATER SURFACE ELEVATION = 1720.5
 WATER SURFACE AREA = 15.3 ACRES
 STORAGE VOLUME = 13.1 ACRE-FT

SOUTH POOL
 WATER SURFACE ELEVATION = 1722.4
 WATER SURFACE AREA = 19.6 ACRES
 STORAGE VOLUME = 15.5 ACRE-FT

8" PVC PUMPING
 LINE

North Pool / South Pool
 Water Control Structure



North Pool Stage Storage Table

Contour Elevation	Contour Area (sq. ft)	Depth (ft.)	Incremental Volume (cu. ft)	Cumulative Volume
1,716.0	710.5	N/A	N/A	0.0
1,716.5	936.9	0.5	411.8	411.8
1,717.0	1,193.3	0.5	532.5	944.4
1,717.5	1,897.3	0.5	772.6	1,717.0
1,718.0	6,110.8	0.5	2,002.0	3,719.0
1,718.5	20,777.7	0.5	6,722.1	10,441.1
1,719.0	37,109.3	0.5	14,471.7	24,912.9
1,719.5	113,054.3	0.5	37,540.9	62,453.8
1,720.0	624,828.5	0.5	184,470.7	246,924.5
1,720.5	666,050.8	0.5	322,719.8	569,644.3
Area	666050.8 (sq. ft)		569644.3 Cu.ft	
Area	15.3 Acres		13.1 Acre-ft	

South Pool Stage Storage Table

Contour Elevation	Contour Area (sq. ft)	Depth (ft.)	Incremental Volume (cu. ft)	Cumulative Volume
1,720.0	14,220.5	N/A	N/A	0.0
1,720.5	30,885.0	0.5	11,276.4	11,276.4
1,721.0	98,889.6	0.5	32,443.7	43,720.0
1,721.5	319,874.9	0.5	104,691.1	148,411.1
1,722.0	613,726.8	0.5	233,400.4	381,811.6
1,722.4	852,423.2	0.4	293,230.0	675,041.6
Area	852423.2 (sq. ft)		675041.6 Cu-ft	
Area	19.6 Acres		15.5 Acre-ft	



DWR Corrective Action Plan
 Reno County, Kansas

Revisions:
 Date:
 October 2021
 Schwab-Eaton
 Project Number:
 21.123
 Drawn By:
 JDT
 Checked By:
 GAD

WATER RES