

# 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

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OCT 24 2022
KS DEPT OF AGRICULTURE

File Number 50876
This item to be completed by the Division of Water Resources.

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OCT 04 2022
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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): Steve and Mary Albers Trust
Address: 15140 SW 70th St
City: Cunningham State KS Zip Code 67035
Telephone Number: (620) 532-9489

2. The source of water is: [ ] surface water in (stream)
OR [x] groundwater in Chikaskia 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 312.2 acre-feet OR gallons per calendar year, to be diverted at a maximum rate of 1,200 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) [x] 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 Meets K.A.R. 5-3-1 (YES / NO) Use IRR Source G / S County KM By ALB Date 10/10/22
Code RE2 Fee \$300.00 TR # Receipt Date 10/4/22 Check # 18028

10/11/2022
LMoody



1320' N  
3960' 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.

- (A) One in the \_\_\_\_ quarter of the NE quarter of the SW quarter of Section 11, more particularly described as being near a point 1320 feet North and 3960 feet West of the Southeast corner of said section, in Township 29 South, Range 10 West, Kingman 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 \_\_\_\_, \_\_\_\_\_ 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 \_\_\_\_, \_\_\_\_\_ 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 \_\_\_\_, \_\_\_\_\_ 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):

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\_\_\_\_\_  
(name, address and telephone number)

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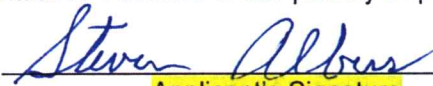
\_\_\_\_\_  
(name, address and telephone number)

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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 \_\_\_\_\_, 20\_\_\_\_.



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 1 well, 1 pump, 2 windshield irrigations and flood  
(number of wells, pumps or dams, etc.)

and will be completed As soon as approved

(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 As soon as approved

(Mo/Day/Year)

- 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 N/A
  - If no, explain here why a Water Structures permit is not required N/A
- 
- 

- 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.

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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):

\_\_\_\_\_  
(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 \_\_\_\_\_, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
(month) (year)

Steven Albers  
(Applicant Signature)

By \_\_\_\_\_  
(Agent or Officer Signature)

Steven Albers  
(Print Name)

Assisted by \_\_\_\_\_ Date: 09/28/2022  
(office/title)

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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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## IRRIGATION USE SUPPLEMENTAL SHEET

File No. \_\_\_\_\_

Name of Applicant (Please Print): Steve and Mary Albers Trust

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: Steven L and Mary J Albers REV TR

ADDRESS: 15140 SW 70 St., Cunningham, KS 67035

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14	29	10W					37.5	37.5											75
11	29	10W									40	40		40					120

**Landowner of Record** NAME: Nicholas & Sheena N Albers

ADDRESS: 14826 SW 80 St., Nashville, KS 67112

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	29	10W											28						28

**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	

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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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

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

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

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: \_\_\_\_\_

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:

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).

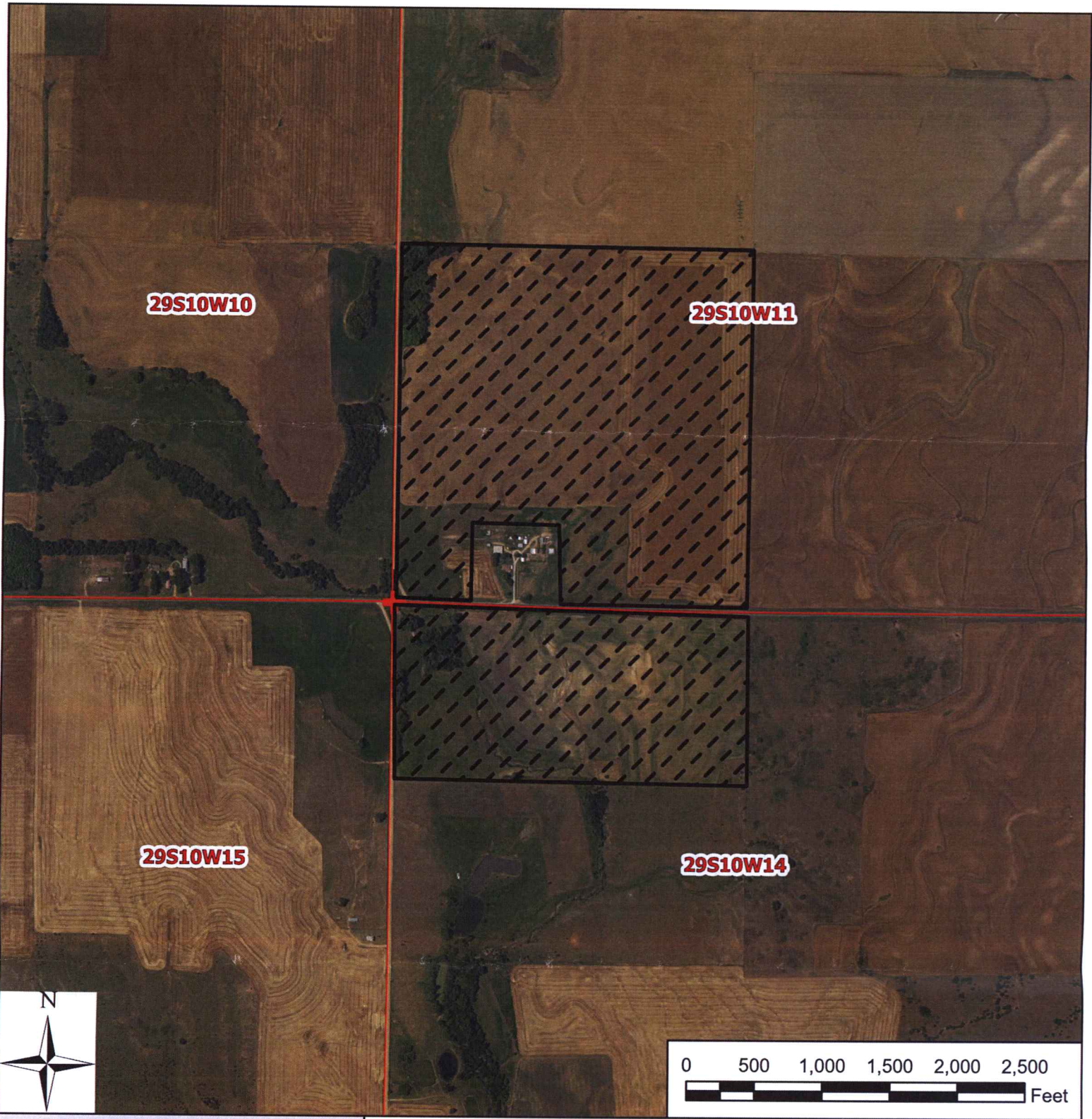
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You may attach any additional information you believe will assist in informing the Division of the need for your request.





**Legend**

- Water Appropriation
- Proposed Point of Diversion
- ⊕ Section Corner
- Section Line
- Half-Mile
- ▭ Proposed Place of Use

**Application, File No.** \_\_\_\_\_  
 11-29-10W // Kingman County

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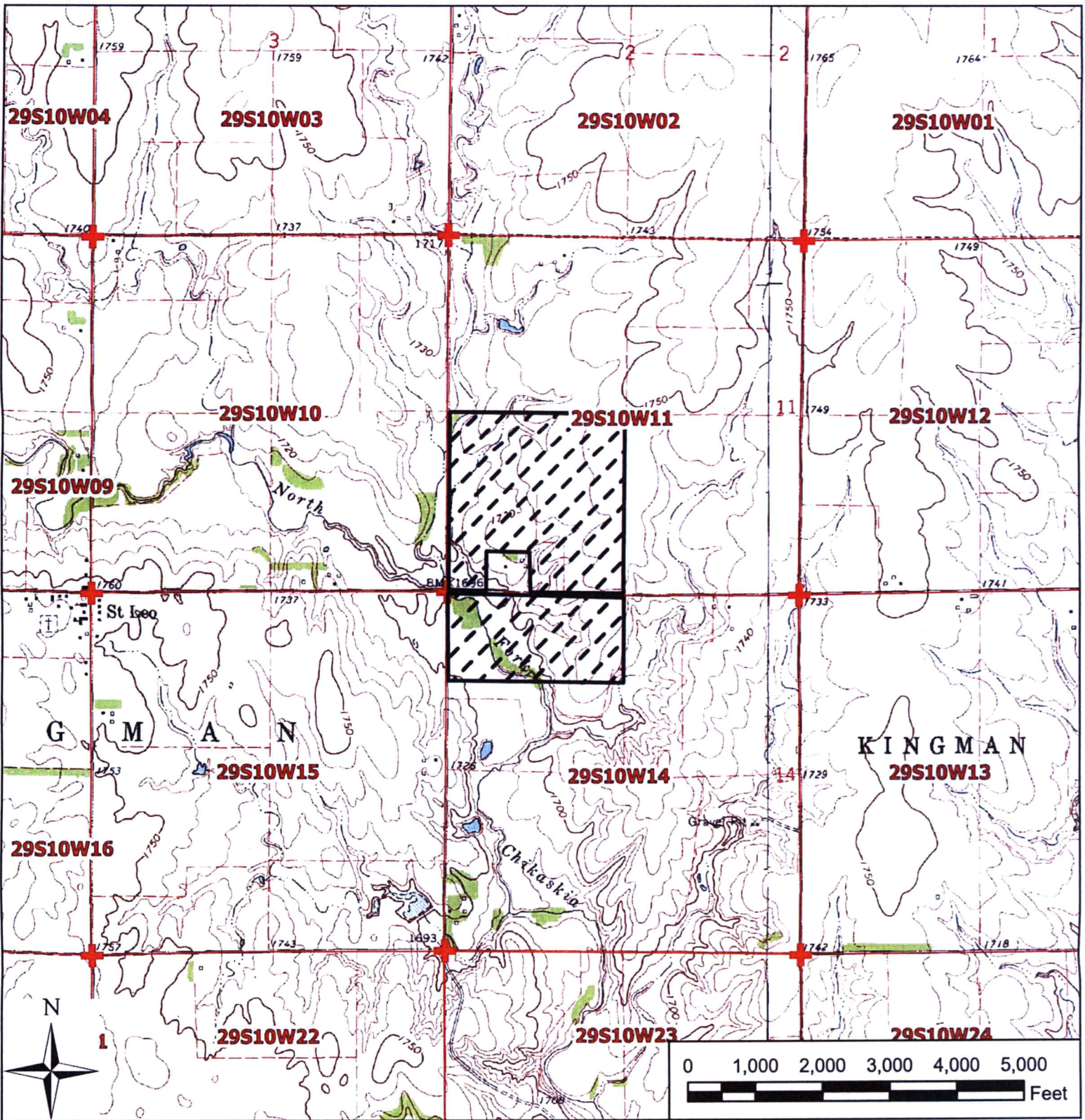
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To the best of my knowledge, all points of diversion within one-half mile of the proposed point of diversion have been shown.

Signature / Date 09/28/2022 JNE/SFFO 1:12,000





**Legend**

- Water Appropriation
- Proposed Point of Diversion
- ⊕ Section Corner
- ▭ Section Line
- ▭ Half-Mile
- ▨ Proposed Place of Use

**Application File No.** \_\_\_\_\_  
 11-29-10W // Kingman County

OCT 24 2022

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

Signature / Date

09/28/2022 JNE/SFFO 1:24,000





**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

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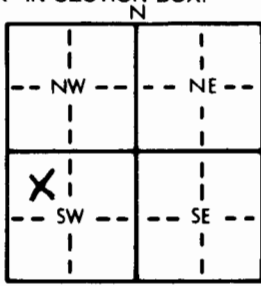
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1 LOCATION OF WATER WELL: County: Kingman Fraction: C of 1/4 NW 1/4 SW 1/4 Section Number: 11 Township Number: T 29 S Range Number: R 10 E **(W)**

Distance and direction from nearest town or city street address of well if located within city?  
7S 2E 5/8S 1/8E of Cunningham, Kansas

2 WATER WELL OWNER: TKO Production Corp  
 RR#, St. Address, Box #: Box 329 Board of Agriculture, Division of Water Resources  
 City, State, ZIP Code: Medicine Lodge, Kansas 67104 Lease: Albers C#1 Application Number:

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:  

 4 DEPTH OF COMPLETED WELL: 85 ft. ELEVATION:  
 Depth(s) Groundwater Encountered 1. 20 ft. 2. ft. 3. ft.  
 WELL'S STATIC WATER LEVEL: 20 ft. below land surface measured on mo/day/yr 18 JULY 83  
 Pump test data: Well water was ft. after hours pumping gpm  
 Est. Yield: 60 gpm: Well water was ft. after hours pumping gpm  
 Bore Hole Diameter: 10 in. to 85 ft., and in. to ft.  
 WELL WATER TO BE USED AS:  
 1 Domestic 3 Feedlot **6** Oil field water supply 9 Dewatering 11 Injection well  
 2 Irrigation 4 Industrial 7 Lawn and garden only 10 Observation well  
 Was a chemical/bacteriological sample submitted to Department? Yes.....No.....**X**...; If yes, mo/day/yr sample was submitted  
 Water Well Disinfected? Yes **X** No

5 TYPE OF BLANK CASING USED:  
 1 Steel 3 RMP (SR) 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued **X** Clamped  
**2** PVC 4 ABS 6 Asbestos-Cement 9 Other (specify below) Welded  
 7 Fiberglass Threaded  
 Blank casing diameter: 5 in. to 65 ft., Dia. in. to ft., Dia. in. to ft.  
 Casing height above land surface: 12 in., weight lbs./ft. Wall thickness or gauge No. 214  
 TYPE OF SCREEN OR PERFORATION MATERIAL:  
 1 Steel 3 Stainless steel 5 Fiberglass **7** PVC 10 Asbestos-cement  
 2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 11 Other (specify)  
 12 None used (open hole)  
 SCREEN OR PERFORATION OPENINGS ARE:  
 1 Continuous slot 3 Mill slot 5 Gauzed wrapped **8** Saw cut 11 None (open hole)  
 2 Louvered shutter 4 Key punched 6 Wire wrapped 9 Drilled holes  
 7 Torch cut 10 Other (specify)  
 SCREEN-PERFORATED INTERVALS: From 65 ft. to 85 ft., From ft. to ft.  
 From ft. to ft., From ft. to ft.  
 GRAVEL PACK INTERVALS: From 10 ft. to 85 ft., From ft. to ft.  
 From ft. to ft., From ft. to ft.

6 GROUT MATERIAL: 1 Neat cement **2** Cement grout 3 Bentonite 4 Other  
 Grout Intervals: From 0 ft. to 10 ft., From ft. to ft., From ft. to ft.  
 What is the nearest source of possible contamination:  
 1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well  
 2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well  
 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below)  
 13 Insecticide storage None  
 Direction from well? How many feet?

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHOLOGIC LOG
0	2	Soil, top			
2	12	Clay, tan			
12	38	Sand, fine to coarse and fine to med gravel			
38	61	Clay, red			
61	85	Sand, fine to meedium			
85	87	Shale, red			

Applicant provided log of a now plugged well located approximately 1,000 feet from the proposed well location. 10/19/22 - JNE

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7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was **1** constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 18 July 83 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 325 This Water Well Record was completed on (mo/day/yr) 7 June 84 under the business name of Central Well & Pump Inc. by (signature) [Signature]

INSTRUCTIONS: Use typewriter or ball point pen, PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Division of Environment, Environmental Geology Section, Topeka, KS 66620. Send one to WATER WELL OWNER and retain one for your records.



**DATA ENTRY SYSTEM ID NUMBER SHEET**

**50876**

**FILE NUMBER** \_\_\_\_\_

<b>APPLICANT PERSON ID &amp; SEQ #</b>	<b>PDIV ID</b>	<b>BATTERY ID</b>
<b>64919</b>	<b>89826</b>	

<b>LANDOWNER PERSON ID &amp; SEQ #</b>	<b>PUSE ID</b>	
<b>64919</b>	<b>71034</b>	
<b>68625</b>	<b>71035</b>	
	<b>71036</b>	

<b>WATER USE CORRESPONDENT PERSON ID &amp; SEQ #</b>
<b>64919</b>

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**KANSAS DEPARTMENT OF AGRICULTURE**  
Mike Beam, Secretary of Agriculture

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

# 10/24/2022

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## APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

Filing Fee Must Accompany the Application  
(Please refer to Fee Schedule attached to the Application form.)

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,  
1320 Research Park Drive, Topeka, Kansas

1. Name of Applicant (Please Print): Steve and Mary Ann Truesdell  
Address: 15140 SW 70th St  
City: Cunningham State Ks Zip Code 67035  
Telephone Number: (620) 532-9489

2. The source of water is:  surface water (stream)  
OR  groundwater in Cherokee 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. If your application is subject to these regulations on the date of release, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water requested is 312.2 acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of \_\_\_\_\_ gallons per minute OR \_\_\_\_\_ cubic feet per second.

Once your application is approved, the requested maximum rate of diversion and maximum requested quantity of water requested quantity 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 \_\_\_\_\_ Meets K.A.R. 5-3-1 (YES / NO) Use IRR Source G/S County KM By ALB Date 10/10/22  
Code RE2 Fee \$ 300.00 TR # \_\_\_\_\_ Receipt Date 10/11/22 Check # 18028

10/11/2022  
LMoody



1320' N  
3960' 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.

- (A) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the **SW** quarter of Section 11, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township 9 South, Range 11 West, Kingman \_\_\_\_\_ 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 \_\_\_\_\_ 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 \_\_\_\_\_ 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 \_\_\_\_\_ 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 be filed for up to \_\_\_\_\_ wells within a circle with a quarter (1/4) mile radius in the same local source of supply provided a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as \_\_\_\_\_ 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 100 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of \_\_\_\_\_ gallons per minute and which supply water to a common distribution system.

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

\_\_\_\_\_  
 \_\_\_\_\_ (name, address and telephone number)  
 \_\_\_\_\_  
 \_\_\_\_\_ (name, address and telephone number)

You must provide evidence of ownership, title, 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 authority, title, 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 \_\_\_\_\_, 20\_\_\_\_. Steven Albers  
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 1 well, 1 pump, 2 windshield irrigations and flood  
 \_\_\_\_\_ (number of wells, pumps or dams, etc.)  
 and will be completed As soon as approved  
 \_\_\_\_\_ (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 As soon as approved  
 \_\_\_\_\_ (Mo/Day/Year)

- 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 N/A
- If no, explain here why a Water Structures permit is not required N/A

- 11. The application must be supplemented by a U.S.G.S. topographic map or a detailed plat showing the following information. On the topographic map, identify the center of the section, the section lines or the section corners and the appropriate section, township and range numbers. Also, please show the following information:

- (a) The location of the proposed point of diversion (wells, siphon, or other diversion works) should be plotted and labeled on the map. Show the North-South distance and the East-West distance from a section corner or southeast corner of section.
- (b) If the application is for groundwater, show the location of any existing water wells of any kind within 1/2 mile of the proposed well. For each existing well, show its use and furnish the name and mailing address of the property owner. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, show the name of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your proposed diversion lines must be shown.
- (d) The location of the place of use should be shown by crosshatching on the topographic map, aerial photograph or detailed 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.

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10/24/2022

VOID

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- 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 hole  Well as completed  Drillers log attached

Well location as shown on paragraph \_\_\_\_\_ (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_ (D)  
No. \_\_\_\_\_

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 project and the water is that of Owner  
(owner, tenant, agent or otherwise)

- 15. The owner(s) of the property where the well is located, other than the applicant, is (please print):

\_\_\_\_\_  
(name, address and telephone number)

\_\_\_\_\_  
(name, address and telephone number)

- 16. The undersigned states that the information furnished herein is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ (month) (year)

Steven Albers  
(Applicant Signature)

By \_\_\_\_\_  
(Agent or Officer Signature)

Steven Albers  
(Print Name)

Assisted by \_\_\_\_\_ Date: 09/28/2022  
(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 for 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 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 diversion and storage, the fee shall be as determined under No. 1 or No. 2 above, whichever is greater.

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 not be charged a statutorily required field inspection fee of \$400.00 when construction work has been completed, except that for applications filed on or after July 1, 2000, 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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KS DEPT OF AGRICULTURE



**IRRIGATION USE  
SUPPLEMENTAL SHEET**

**10/24/2022**

File No. \_\_\_\_\_

Name of Applicant (Please Print): Steven L and Mary J Albers RE

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: Steven L and Mary J Albers RE  
ADDRESS: 15140 SW 70 St., Cunningham 7035

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14	29	10W					37.5	37.5											75
11	29	10W															40		120

**Landowner of Record** NAME: Nich...theena N Alber  
ADDRESS: 826...Nashville...12

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	29	10W															28		28

**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	

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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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

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

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

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: \_\_\_\_\_

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

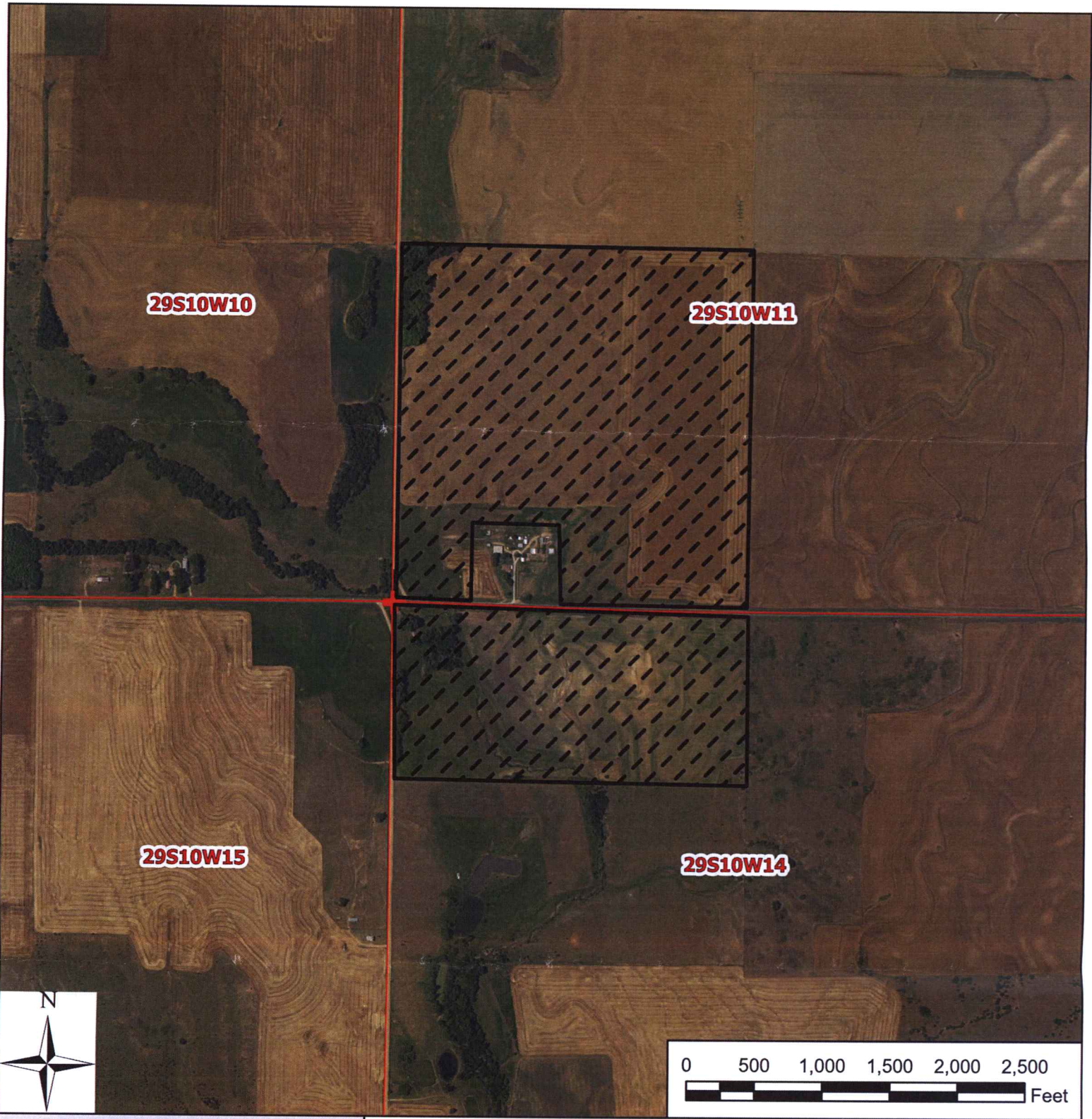
(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

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).

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





**Legend**

- Water Appropriation
- Proposed Point of Diversion
- + Section Corner
- Section Line
- Half-Mile
- Proposed Place of Use

**Application, File No.** \_\_\_\_\_  
 11-29-10W // Kingman County

WATER RESOURCES  
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OCT 04 2022

KS DEPT OF AGRICULTURE

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

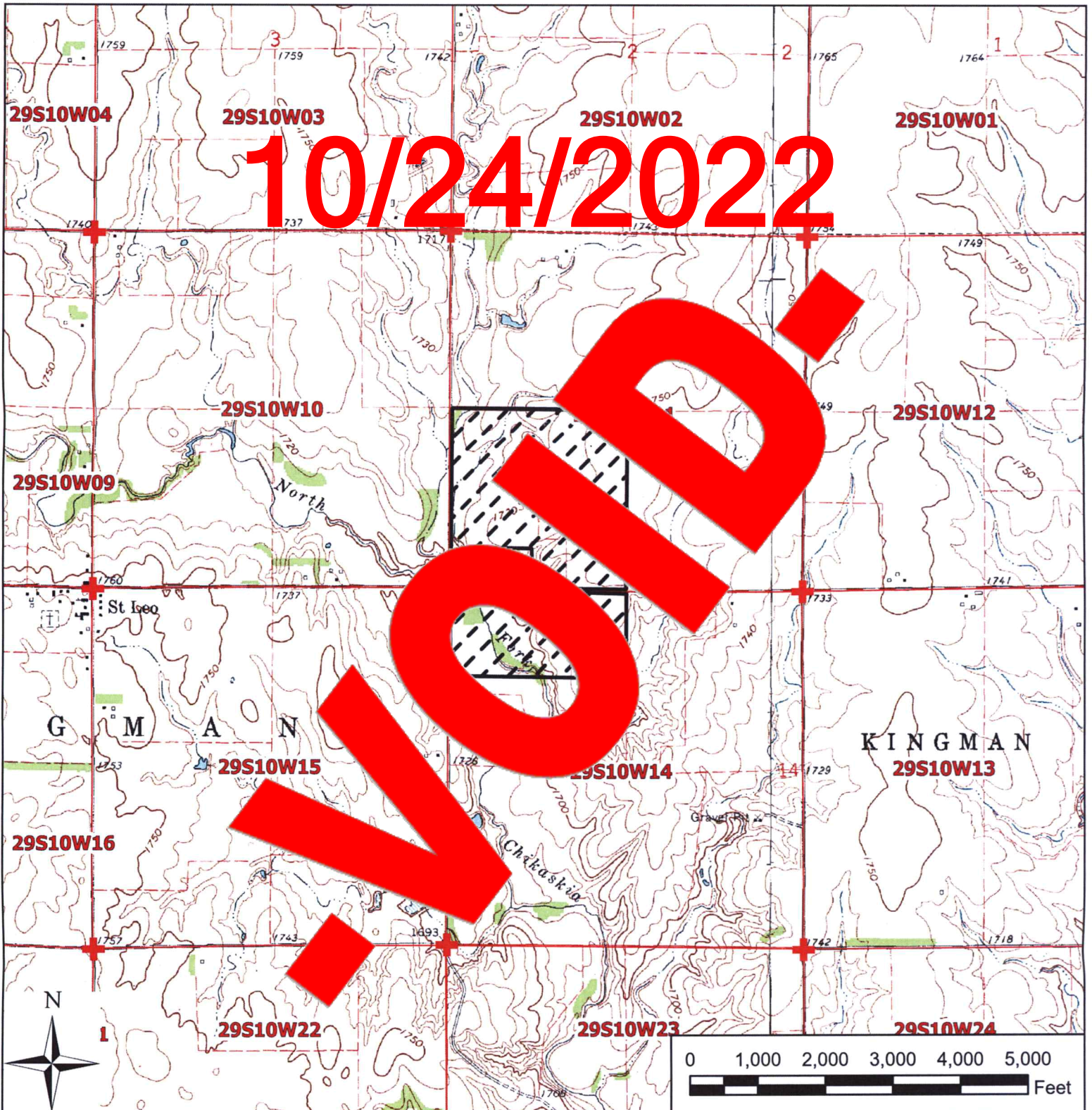
Signature / Date

09/28/2022 JNE/SFFO 1:12,000



10/24/2022

VOID



**Legend**

- Water Appropriation
- Proposed Point of Diversion
- + Section Corner
- Section Line
- Half-Mile
- Proposed Place of Use

**Application, File No.** \_\_\_\_\_  
11-29-10W // Kingman County

WATER RESOURCES RECEIVED

OCT 04 2022

KS DEPT OF AGRICULTURE

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

Signature / Date

09/28/2022 JNE/SFFO 1:24,000



(Date)

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

10/24/2022

Re: Application

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow 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, that it will be necessary to divert water. I realize that this could affect the economics of the project and the State water.

I am aware of the above matters, and with full knowledge thereof, request that the Division of Water Resources proceed with processing the above application, if possible, of the above referenced application.

VOID

Steven Albers  
Signature of Applicant

Steven Albers  
(Print Applicant's Name)

State of Kansas

County of Stafford

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 28<sup>th</sup> September, 2022.

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Faith Curtis KS DEPT OF AGRICULTURE  
Notary Public

My Commission Expires:



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

10/24/2022

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

- Nimrod River
- Nimrod Ninesca
- Rainey Creek
- Republican River
- Saline River
- Shawnee Hill R
- Shawnee River
- Spring Ninesca
- Spr...
- Walnut
- Wetwater

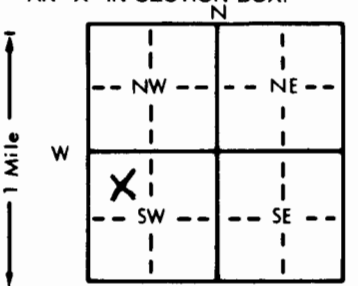
VOID



1 LOCATION OF WATER WELL: County: Kingman Fraction: C of 1/4 NW 1/4 SW 1/4 Section Number: 11 Township Number: T 29 S Range Number: R 10 E **(W)**

Distance and direction from nearest town or city street address of well if located within city?  
7S 2E 5/8S 1/8E of Cunningham, Kansas

2 WATER WELL OWNER: TKO Production Corp  
 RR#, St. Address, Box #: Box 329 Board of Agriculture, Division of Water Resources  
 City, State, ZIP Code: Medicine Lodge, Kansas 67104 Lease: Albers C#1 Application Number:

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:  

 4 DEPTH OF COMPLETED WELL: 85 ft. ELEVATION:  
 Depth(s) Groundwater Encountered 1. 20 ft. 2. ft. 3. ft.  
 WELL'S STATIC WATER LEVEL: 20 ft. below land surface measured on mo/day/yr 18 July 83  
 Pump test data: Well water was ft. after hours pumping gpm  
 Est. Yield: 60 gpm: Well water was ft. after hours pumping gpm  
 Bore Hole Diameter: 10 in. to 85 ft., and in. to ft.  
 WELL WATER TO BE USED AS:  
 1 Domestic 3 Feedlot **(6)** Oil field water supply 9 Dewatering 11 Injection well  
 2 Irrigation 4 Industrial 7 Lawn and garden only 10 Observation well  
 Was a chemical/bacteriological sample submitted to Department? Yes.....No.....**X**...; If yes, mo/day/yr sample was submitted  
 Water Well Disinfected? Yes **X** No

5 TYPE OF BLANK CASING USED:  
 1 Steel 3 RMP (SR) 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued **X** Clamped  
**(2)** PVC 4 ABS 6 Asbestos-Cement 9 Other (specify below) Welded  
 7 Fiberglass Threaded  
 Blank casing diameter: 5 in. to 65 ft., Dia. in. to ft., Dia. in. to ft.  
 Casing height above land surface: 12 in., weight lbs./ft. Wall thickness or gauge No. 214  
 TYPE OF SCREEN OR PERFORATION MATERIAL:  
 1 Steel 3 Stainless steel 5 Fiberglass **(7)** PVC 10 Asbestos-cement  
 2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 11 Other (specify)  
 12 None used (open hole)  
 SCREEN OR PERFORATION OPENINGS ARE:  
 1 Continuous slot 3 Mill slot 5 Gauzed wrapped **(8)** Saw cut 11 None (open hole)  
 2 Louvered shutter 4 Key punched 6 Wire wrapped 9 Drilled holes  
 7 Torch cut 10 Other (specify)  
 SCREEN-PERFORATED INTERVALS: From 65 ft. to 85 ft., From ft. to ft.  
 From ft. to ft., From ft. to ft.  
 GRAVEL PACK INTERVALS: From 10 ft. to 85 ft., From ft. to ft.  
 From ft. to ft., From ft. to ft.

6 GROUT MATERIAL: 1 Neat cement **(2)** Cement grout 3 Bentonite 4 Other  
 Grout Intervals: From 0 ft. to 10 ft., From ft. to ft., From ft. to ft.  
 What is the nearest source of possible contamination:  
 1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well  
 2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well  
 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below)  
 13 Insecticide storage None  
 Direction from well? How many feet?

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHOLOGIC LOG
0	2	Soil, top			
2	12	Clay, tan			
12	38	Sand, fine to coarse and fine to med gravel			
38	61	Clay, red			
61	85	Sand, fine to meedium			
85	87	Shale, red			

Applicant provided log of a now plugged well located approximately 1,000 feet from the proposed well location. 10/19/22 - JNE

10/19/2022  
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 Stafford Field Office

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was **(1)** constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 18 July 83 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 325 This Water Well Record was completed on (mo/day/yr) 7 June 84 under the business name of Central Well & Pump Inc. by (signature) [Signature]

INSTRUCTIONS: Use typewriter or ball point pen, PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Division of Environment, Environmental Geology Section, Topeka, KS 66620. Send one to WATER WELL OWNER and retain one for your records.

**DATA ENTRY SYSTEM ID NUMBER SHEET**

**50876**

FILE NUMBER \_\_\_\_\_

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
<b>64919</b>	<b>89826</b>	

LANDOWNER PERSON ID & SEQ #	PUSE ID
<b>64919</b>	<b>71034</b>
<b>68625</b>	<b>71035</b>
	<b>71036</b>

WATER USE CORRESPONDENT PERSON ID & SEQ #
<b>64919</b>



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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

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

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

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: \_\_\_\_\_

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:

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).

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