

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

50929

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

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DEC 21 2022

1154

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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): BOB BERGKAMP CONST CO INC
Address: 3709 S West Street
City: Wichita State KS Zip Code 67217
Telephone Number: (316) 522-3471

2. The source of water is: [] surface water in (stream)
OR [x] groundwater in Little Arkansas River (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources. PROPOSED SUQ 9.5AC GW POND 2.19" ANNUAL EVAP

3. The maximum quantity of water desired is 15.00 acre-feet OR gallons per calendar year, to be diverted at a maximum rate of Natural Evap gallons per minute OR cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can NOT be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):
(a) [] Artificial Recharge (b) [] Irrigation (c) [] Recreational (d) [] Water Power
(e) [x] 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 IND Source G/S County SG By ALB Date 12/21/22
Code REG Fee \$ 200 TR # Receipt Date 12/21/22 Check # 129179

1/4/2023
LMoody

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 SW quarter of the NE quarter of the SW quarter of Section 28, more particularly described as being near a point 1500 feet North and 3750 feet West of the Southeast corner of said section, in Township 26 South, Range 01 East, Sedgwick County, Kansas.

(B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

(C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

(D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (¼) 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):

NA

(name, address and telephone number)

NA

(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 _____, 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 One (1) Groundwater Pond
(number of wells, pumps or dams, etc.)

and will be completed (by) 9/1/2023
(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 2/2/2024.
(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 Water will not be impounded.
- _____
- _____

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):

NA
(name, address and telephone number)

NA
(name, address and telephone number)

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

Dated at Wichita, Kansas, this _____ day of _____, _____
(month) (year)

Rick Thome
(Applicant Signature)

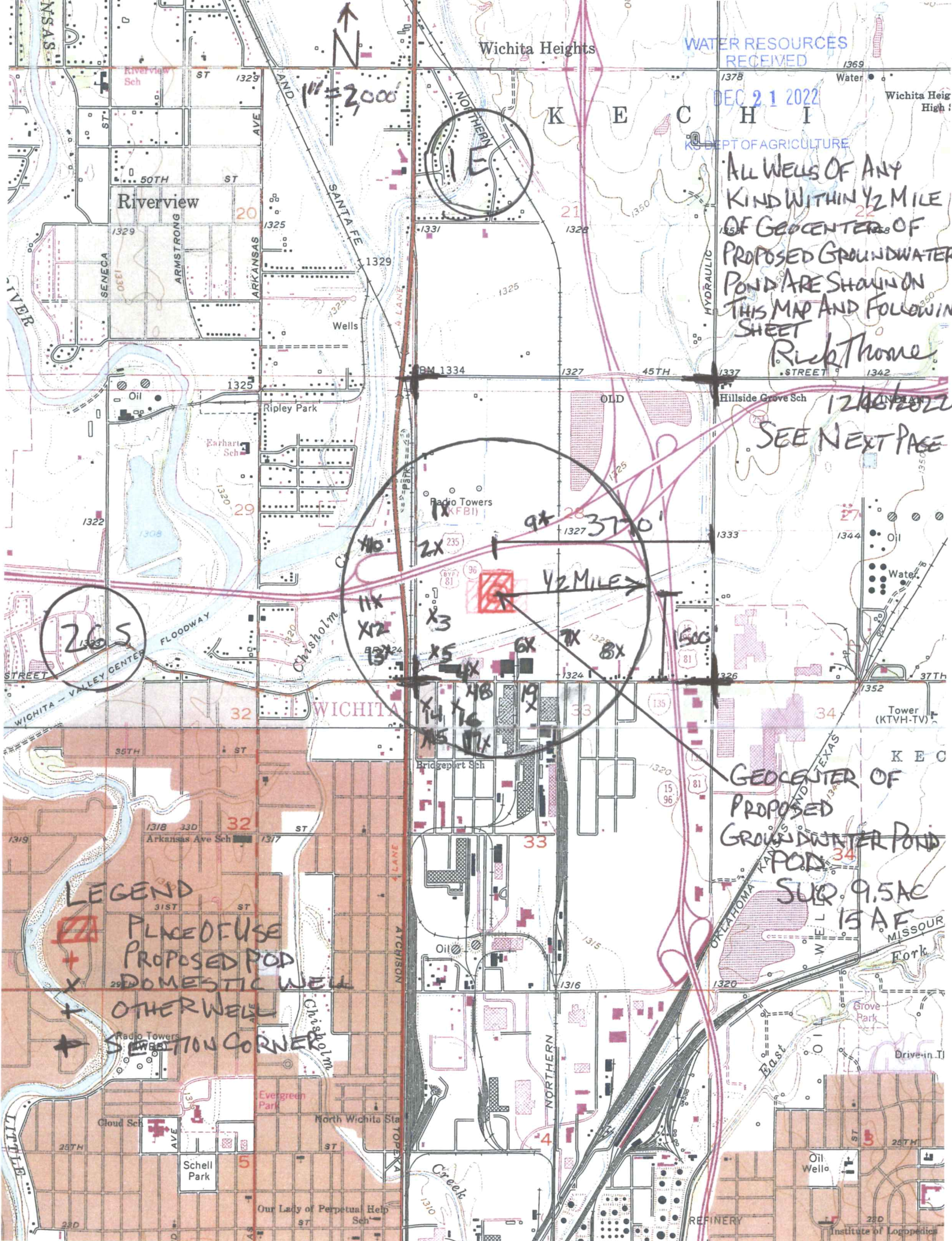
By RICK THOME - AGENT
(Agent or Officer Signature)

Rick Thome
(Agent or Officer - Please Print)

Assisted by _____ Date: _____
(office/title)

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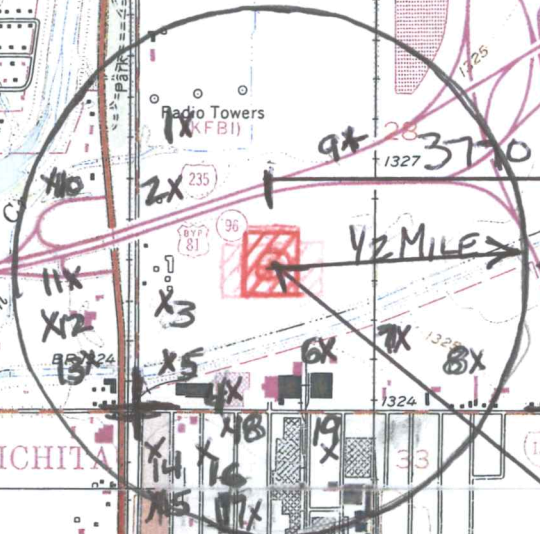
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ALL WELLS OF ANY KIND WITHIN 1/2 MILE OF GEOCENTER OF PROPOSED GROUNDWATER POND ARE SHOWN ON THIS MAP AND FOLLOWING SHEET

Rick Thorne

12/21/2022
SEE NEXT PAGE



GEOCENTER OF PROPOSED GROUNDWATER POND
SUR. 9.5 AC
15 AF

- LEGEND**
- PLACE OF USE PROPOSED POD
 - DOMESTIC WELL
 - OTHER WELL
 - SECTION CORNER

Wichita Heights
K E C H I
Riverview
Chisholm
Wichita
Arkansas Ave Sch
Schell Park
Our Lady of Perpetual Help Sch
REFINERY
Institute of Logopedics
Hillside Grove Sch
Tower (KTWH-TV)
Grove Park
Drive-in T.J.
Evergreen Park
North Wichita Sta
Cloud Sch
Schell Park
Arkansas Ave Sch
Bridgeport Sch
Radio Towers (FBI)
Chisholm
Wichita - Valley Center
Floodway
Santa Fe
Arkansas Ave
Armstrong Ave
Seneca St
50th St
25th St
29th St
31st St
32nd St
33rd St
34th St
37th St
38th St
39th St
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99th St
100th St

PROPOSED GROUNDWATER POND SECTION 28 TOWNSHIP 26S RANGE 01E SEDWICK COUNTY
EXISTING WELLS WITHIN 1/2 MILE OF GEOCENTER OF GROUNDWATER POND

BY: Rick Thome
RICK THOME BOB BERGKAMP CONSTRUCTION

DATE: 12/16/2022

QUADMAP#	S/T/R	0000N 0000W	USE	OWNER	MAILING ADDRESS	CITY	STATE	ZIP CODE
	28/26S/01E							
1		3020N 4960W	DOMESTIC	KFDI	4200 N LAWRENCE RD	WICHITA	KS	67219
2		1320N 5000W	IRRIGATION	MIKE NIGG	7730 N WALTERS CIR	VALLEY CENTER	KS	67147
3		660N4650W	DOMESTIC	PRATT PROPERTIES LLC	PO BOX 22845	OKC	OK	73123
4		40N 4720W	DOMESTIC	PRATT PROPERTIES LLC	PO BOX 22845	OKC	OK	73123
5		310N 4690W	MONITORING	CONTINENTAL TANK CAR CO	PO BOX 550	WESTERFIELD	NJ	07091
6		330N 3680W	MONITORING	800 BLDG LLC	2504 GREAT PLAINS DR	WICHITA	KS	67220
7		580N 2540W	MONITORING	CITY OF WICHITA KS	1900 E 9TH STREET NO	WICHITA	KS	67214
8		310N 1670W	MONITORING	SOUTHWEST NATIONAL BANK	400 E DOUGLAS	WICHITA	KS	67202
9		2520N 3100W	IRRIGATION	MIKE NIGG	7730 N WALTERS CIR	VALLEY CENTER	KS	67147
	29/26S/R01E							
10		1320N 390W	DOMESTIC	TOWNSEND GROUP PROPERTIES	2402 E 37TH STREET NO	WICHITA	KS	67219
11		1670N 390W	MONITORING	T&E OIL COMPANY INC	PO BOX 1303	HUTCHINSON	KS	67504
12		1010N 370W	MONITORING	T&E OIL COMPANY INC	PO BOX 1303	HUTCHINSON	KS	67504
13		2520N 3100W	MONITORING	KDHE	1000 SW JACKSON STE 420	TOPEKA	KS	66612
	32/26S/R01E							
	NONE							
	33/26S/01E							
14		4270N 5040W	AIR CONDITIONING	E 37TH INVESTORS LLC	5600 E 95TH STREET	OVERLAND PARK	KS	66207
15		4800N 4840W	DOMESTIC	BATT WH CKS LLC	14639 E HAWTHORNE CT	WICHITA	KS	67230
16		3830N 4670W	DOMESTIC	KANSAS CLEAN PROPERTIES	3760 N TOPEKA	WICHITA	KS	67219
17		4270N 4340W	MONITORING	CITY OF WICHITA KS	1900 E 9TH STREET NO	WICHITA	KS	67214
18		4970N 3700W	MONITORING	COLEMAN COMPANY LLC	PO BOX 54467	LEXINGTON	KY	40555
19		5050N 2320W	DOMESTIC	E 37TH INVESTORS LLC	5600 E 95TH STREET	OVERLAND PARK	KS	66207

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DATA ENTRY SYSTEM ID NUMBER SHEET

50929

FILE NUMBER _____

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
39370	89964	

LANDOWNER PERSON ID & SEQ #	PUSE ID
39370	71166

WATER USE CORRESPONDENT PERSON ID & SEQ #
39370

**INDUSTRIAL USE
SUPPLEMENTAL SHEET**

File No. 50929

Name of Applicant (Please Print): BOB BERGKAMP CONST CO INC

- Please describe type of industry or product produced: GROUNDWATER PIT FOR FILL MATERIAL - KDOT #235-87KA3232-02 Standard Industrial Classification Code Number: 237210
NORTH WICHITA INTERCHANGE
- Please complete the following table to show your past and present water requirements:

PAST PRODUCT PRODUCTION AND WATER DIVERTED, IF APPLICABLE

LAST 5 YEARS	AMOUNT OF PRODUCT	WATER DIVERTED (GALLONS)	GALLONS PER PRODUCT PER DAY
5 years ago	0	0	0
Last year	0	0	0
Present year	0	0	0

- Please complete the following table to show your future water requirements:

ESTIMATED FUTURE PRODUCT PRODUCTION AND WATER DIVERTED

NEXT 5 YEARS	ACRES OF GROUNDWATER AMOUNT OF PRODUCT	WATER TO BE DIVERTED (GALLONS)	GALLONS PER PRODUCT PER DAY
Year 1	9.5	4,887,765	1,410
Year 2	9.5	4,887,765	1,410
Year 3	9.5	4,887,765	1,410
Year 4	9.5	4,887,765	1,410
Year 5	9.5	4,887,765	1,410

Number of days of operation of the industry per year is 365 days.

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

- Please designate the legal description of the location where the water is to be used. Show in the space provided below the Section (S), Township (T), and Range (R), and the number of acres in each forty acre tract or fractional portion thereof.

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
28	26	E								9.5								9.5	

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

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

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

SWORN STATEMENT
PURSUANT TO K.S.A. 82a-709

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 12/28, 2022. Rick Thorne - AGENT
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.

12/28/2022

Water Resources
Received

KS Dept Of Agriculture