

# 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
Christopher W. Beightel, Acting Chief Engineer

50961

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

WATER RESOURCES RECEIVED

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.)

FEB 06 2023
KS DEPT OF AGRICULTURE

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,
1320 Research Park Drive, Manhattan, Kansas 66502:

1. Name of Applicant (Please Print): Shawn & Jamie McIntyre
Address: 515 W County Road 72
City: Wellington State CO Zip Code 80549
Telephone Number: (307) 259-5318 / 307247452

2. The source of water is: [X] surface water in Grouse Creek / Crabb 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 480 acre-feet OR gallons per calendar year, to be diverted at a maximum rate of 800 gallons per minute OR cubic feet per second.

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

4. The water is intended to be appropriated for (Check use intended):

- (a) [ ] Artificial Recharge (b) [X] Irrigation (c) [ ] Recreational (d) [ ] Water Power
(e) [ ] Industrial (f) [ ] Municipal (g) [X] 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/STK Source G/S County CL By ALB Date 2/6/23
Code 2E3 Fee \$ 340 TR # Receipt Date 2/6/22 Check # 583

5. The location of the proposed wells, pump sites or other works for diversion of water is:

**Note:** For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

- (A) One in the NE quarter of the SE quarter of the SE quarter of Section 32, more particularly described as being near a point 1267 feet North and 5227 feet West of the Southeast corner of said section, in Township 33 South, Range 06 East, Cowley County, Kansas.
- (B) One in the SE quarter of the SW quarter of the SW quarter of Section 33, more particularly described as being near a point 844 feet North and 3062 feet West of the Southeast corner of said section, in Township 33 South, Range 6 East, Cowley 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, \_\_\_\_\_ 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, \_\_\_\_\_ 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):

Shawn McIntyre, 515 W County Road 72, Wellington, CO 80549 307-259-5318  
 \_\_\_\_\_  
 (name, address and telephone number)

Jamie McIntyre, 515 W County Road 72, Wellington, CO 80549 307-247-4552  
 \_\_\_\_\_  
 (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 31, January, 2023. \_\_\_\_\_  
 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 2 Pumps \_\_\_\_\_  
 (number of wells, pumps or dams, etc.)  
 and (was)(will be) completed (by) 05/2024 \_\_\_\_\_  
 (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 6/1/2024 \_\_\_\_\_  
 (Mo/Day/Year)

WATER RESOURCES  
 RECEIVED  
 FEB 06 2023  
 KS DEPT OF AGRICULTURE



- 9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?  
 Yes  No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

- 10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources?  Yes  No

- If yes, show the Water Structures permit number here \_\_\_\_\_

- If no, explain here why a Water Structures permit is not required \_\_\_\_\_

Have ponds, but have contacted DWR & have engineers looking into possible dam or pond construction

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

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.

- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.

- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown. *\* Supplemental Sheet*

- (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.

n/a

---



---



---



---



---

WATER RESOURCES RECEIVED

FEB 06 2023

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

Tenant  
(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 Wellington, Colorado, Kansas, this 31 day of January, 2023.  
(month) (year)

  
\_\_\_\_\_  
(Applicant Signature)

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

\_\_\_\_\_  
(Agent or Officer - Please Print)

Assisted by \_\_\_\_\_ Date: \_\_\_\_\_  
(office/title)

WATER RESOURCES  
RECEIVED

FEB 06 2023

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.

## IRRIGATION USE SUPPLEMENTAL SHEET

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

Name of Applicant (Please Print): Shawn + Jamie McIntyre

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: Chambers Family Office  
 ADDRESS: 515 W County Rd 72, Wellington CO 80549

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
32	33S	6E											X	X			X	X	2.12
33	33S	6E																	1.60
05	34S	6E	X	X			X	X											1.20
04	34S	6E						X											15

**Landowner of Record** NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

**Landowner of Record** NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

WATER RESOURCES  
RECEIVED



\_\_\_\_\_  
(Date)

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

Re: Application  
File No. \_\_\_\_\_

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

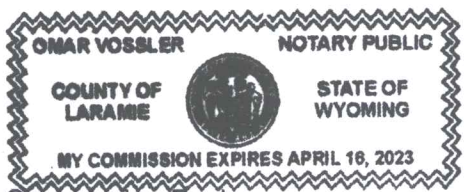
I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

  
\_\_\_\_\_  
Signature of Applicant

State of ~~Kansas~~ Wyoming )  
County of Laramie ) ss

SHAWN MCINTYRE  
\_\_\_\_\_  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 3 day of Feb, 2023.



  
\_\_\_\_\_  
Notary Public

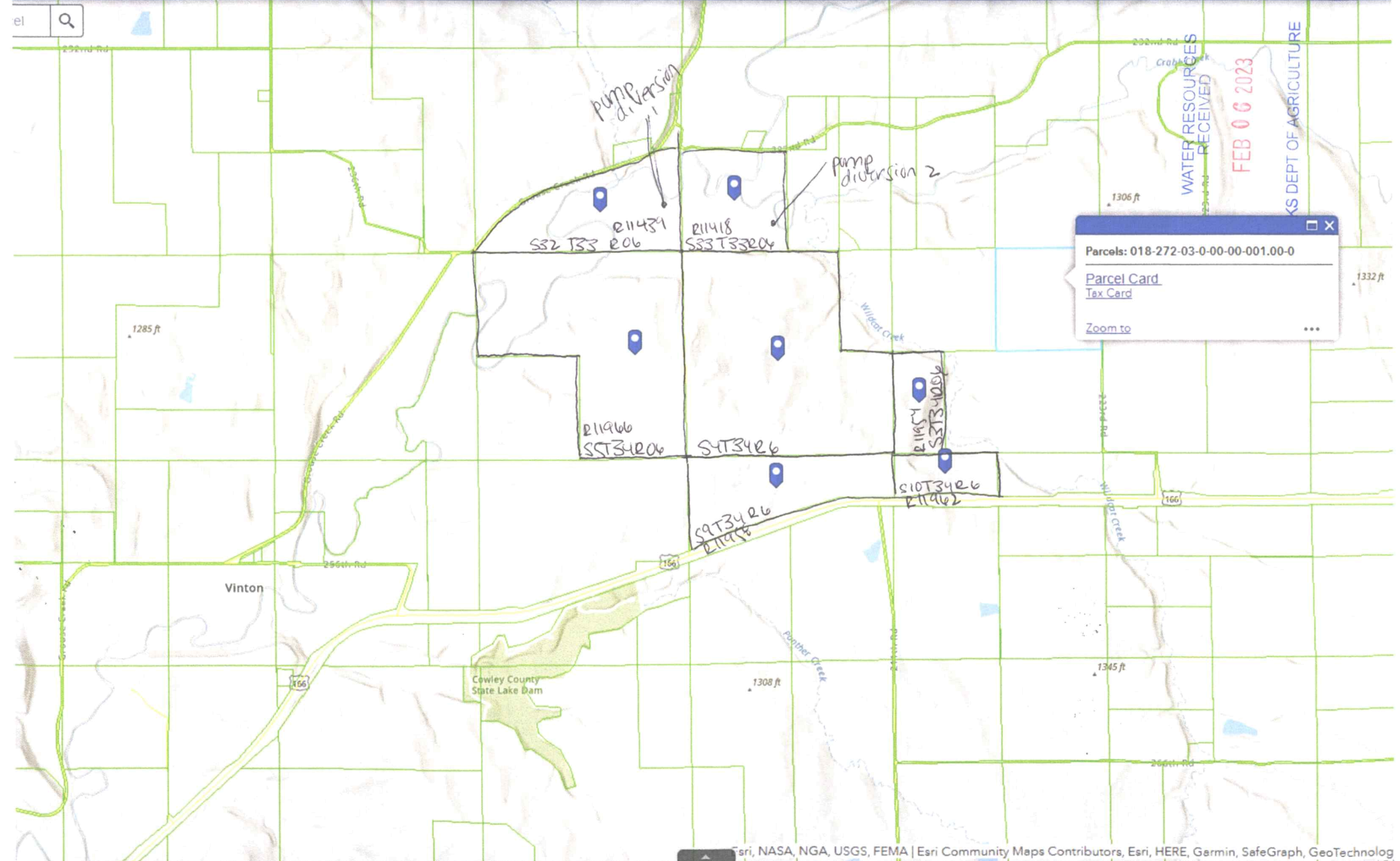
My Commission Expires:  
4/16/2023

WATER RESOURCES  
RECEIVED

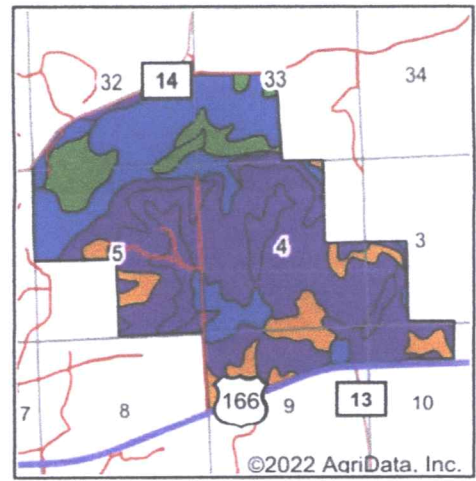
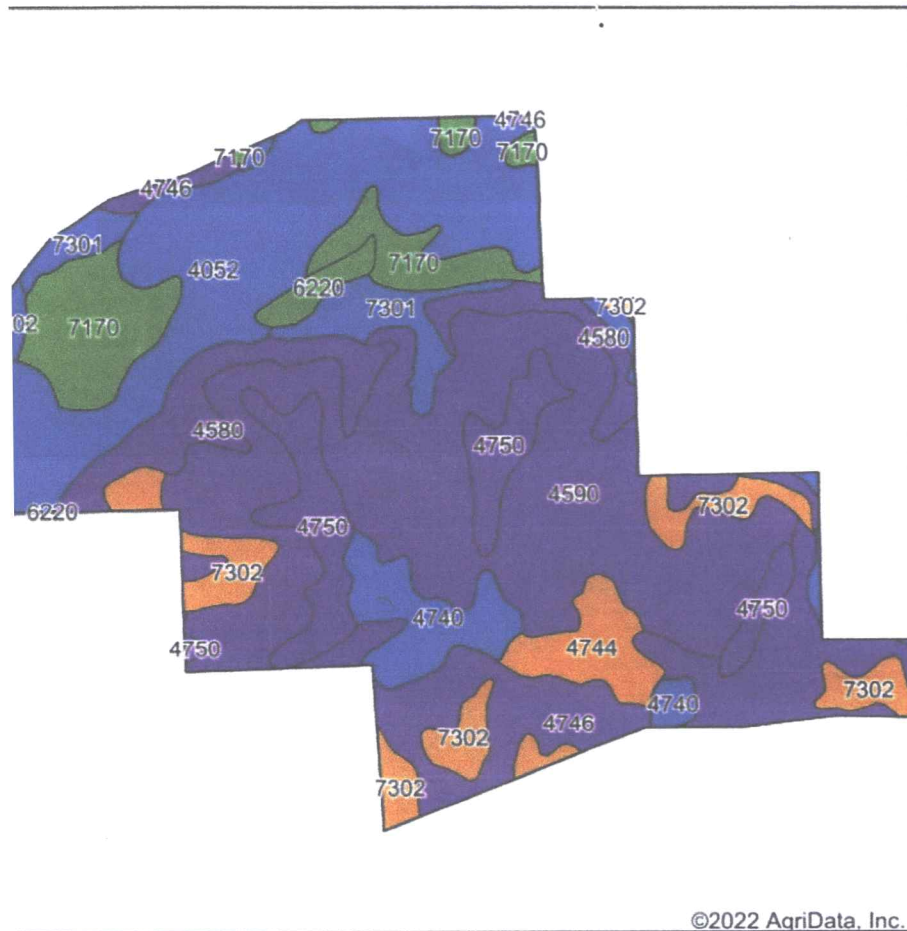
FEB 06 2023

KS DEPT OF AGRICULTURE





# Soils Map



State: **Kansas**  
 County: **Cowley**  
 Location: **4-34S-6E**  
 Township: **Spring Creek**  
 Acres: **1774.15**  
 Date: **2/11/2022**



Maps Provided By  
  
 CUSTOMIZED ONLINE MAPPING  
 © AgriData, Inc. 2021 www.AgridataInc.com



©2022 AgriData, Inc.

Soils data provided by USDA and NRCS.

Area Symbol: KS035, Soil Area Version: 18

Code	Soil Description	Acres	Percent of field	Non-Irr Class Legend	Water Table	Restrictive Layer	Soil Drainage	Non-Irr Class	Irr Class	Range Production (lbs/acre/yr)	*n NCCPI Overall	*n NCCPI Corn	*n NCCPI Small Grains	*n NCCPI Soybeans
590	Clime-Sogn complex, 3 to 20 percent slopes	532.07	30.0%		> 6.5ft.	2.5ft. (Paralithic bedrock)	Well drained	Vle		3225	35	33	32	34
052	Ivan silt loam, occasionally flooded	332.65	18.7%		> 6.5ft.	> 6.5ft.	Well drained	Ilw	Ilw	7995	81	64	55	81
746	Labette-Sogn silty clay loam, 0 to 8 percent slopes	209.77	11.8%		> 6.5ft.	3ft. (Lithic bedrock)	Well drained	Ve	IVe	3500	36	32	36	33
170	Reading silt loam, rarely flooded	129.27	7.3%		> 6.5ft.	> 6.5ft.	Well drained	lw	lw	7935	84	83	73	76
750	Sogn silty clay loam, 0 to 10 percent slopes	119.97	6.8%		> 6.5ft.	0.6ft. (Lithic bedrock)	Somewhat excessively drained	Vls		2250	21	20	20	17
002	Martin silty clay loam, 3 to 7 percent slopes	119.35	6.7%		2ft.	> 6.5ft.	Moderately well drained	Ille	Ille	4250	52	45	51	49

WATER RESOURCES RECEIVED

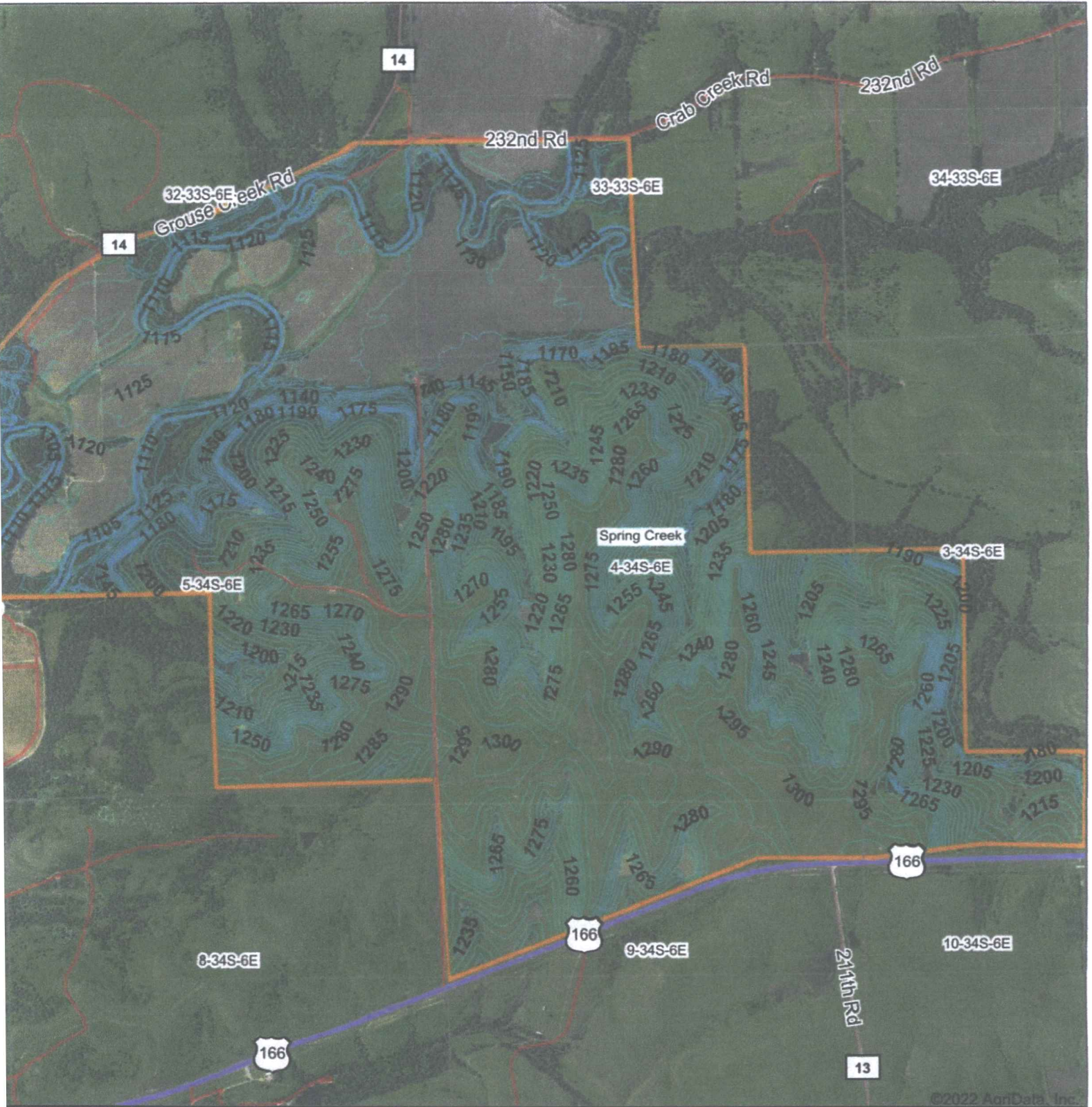
FEB 06 2023

KS DEPT OF AGRICULTURE

Soils data provided by USDA and NRCS.



# Topography Contours



©2022 AgriData, Inc.



Maps Provided By  
**surety**  
 CUSTOMIZED ONLINE MAPPING  
 © AgriData, Inc. 2021 www.AgriDataInc.com

Source: USGS 10 meter dem  
 Interval(ft): 5.0  
 Min: 1,097.2  
 Max: 1,303.7  
 Range: 206.5  
 Average: 1,208.1  
 Standard Deviation: 65.45 ft



4-34S-6E  
 WKS. DEPT. OF AGRICULTURE  
 Cowley County  
 Kansas  
 2/11/2022

Map Center: 37° 7' 20.73, -96° 47' 4.5



Neighbors W/In ½ Mi Range, Up or Down Stream:

Pudden, William D & Tamara  
21734 232<sup>nd</sup> Rd Dexter, KS 67038

Martin Mark W & Martin Debra R Rev Trust  
24806 249<sup>th</sup> Dr, Dexter, KS 67038

Keeling Land & Cattle – KS/CO LLC  
PO Box 326  
Monett, MO 65708

Jones Gary L & Marilyn C Jones, Mike & Tresa Jones  
104 South 4<sup>th</sup> Street, Seneca, KS 66538

Short Land Company LLC  
PO Box 729, Oxford, KS 67119

Beaver, Terry H & Jody  
David Ruth A  
Attn First National Bank  
PO Box 913  
Hutchinson, KS 67504

Lindley Farm Irrev Trust  
Attn Lindly James W  
2006 W 9<sup>th</sup> Ave, Winfield, KS 67156

WATER RESOURCES  
RECEIVED

FEB 06 2023

KS DEPT OF AGRICULTURE

**DATA ENTRY SYSTEM ID NUMBER SHEET**

FILE NUMBER 50961

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
68849	90048	
	90049	

LANDOWNER PERSON ID & SEQ #	PUSE ID
68849	71228
	71229
	71230
	71231

WATER USE CORRESPONDENT PERSON ID & SEQ #
68849