

# 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**  
Jackie McClaskey, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**  
David W. Barfield, Chief Engineer

WATER RESOURCES RECEIVED  
APR 10 2017  
1:02  
KS DEPT OF AGRICULTURE

File Number 49820  
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.)

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MAR 07 2017  
1:27  
KS DEPT OF AGRICULTURE

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

1. Name of Applicant (Please Print): Jeffery A & Tracy K Strnad  
Address: 1130 Riverview Lane  
City: Scandia State KS Zip Code 66966-8028  
Telephone Number: (785) 335-3065

2. The source of water is:  surface water in Republican River # 27 (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 459 acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of 1000 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

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:							
F.O. <u>3</u>	GMD <u>2</u>	Meets K.A.R. 5-3-1 (YES/NO) <u>(YES)</u>	Use <u>FRR</u>	Source <u>G</u>	County <u>AW</u>	By <u>AW</u>	Date <u>4/10/17</u>
Code <u>RE2</u>	Fee \$ <u>340</u>	TR # <u>17029866</u>	Receipt Date <u>4/10/17</u>	Check # <u>4897</u>			

4/13/2017 UM

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 06, more particularly described as being near a point 1550 feet North and 3660 feet West of the Southeast corner of said section, in Township 03 South, Range 06 West, Republic Jewell 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):

Jeff Strad 785-335-3065  
(name, address and telephone number)

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

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on 3-31, 2017. [Signature]  
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 pump \_\_\_\_\_  
(number of wells, pumps or dams, etc.)

and (will be) completed (by) 12/31/2018  
(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 03/01/2018  
(Month/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. *NA* 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 \_\_\_\_\_

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.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

Water Right File No. 39239 covers the same place of use and a change in place of use is pending to cover additional acres as proposed in this new application. It is understood the quantity of water proposed under this application will be limited when combined with those authorized by File No. 39239.

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13. *NA* 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 Scandia, Kansas, this 23 day of March, 2017.  
(month) (year)

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

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

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

Assisted by SU/STKFD \_\_\_\_\_ Date: \_\_\_\_\_  
(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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(Date)

Kansas Department of Agriculture  
Division of Water Resources  
David W. Barfield, Chief Engineer  
109 SW 9<sup>th</sup> Street, 2nd Floor  
Topeka, Kansas 66612-1283

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

Minimum Desirable Streamflow

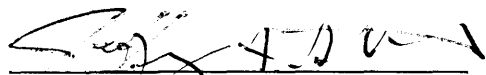
Dear Sir:

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 )  
County of Republic ) ss

Jeffrey A. Strnad  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 23 day of March, 2017.

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

My Commission Expires:



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## IRRIGATION USE SUPPLEMENTAL SHEET

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

Name of Applicant (Please Print): Jeff Strnad

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: Jeffery A & Tracy K Strnad  
 ADDRESS: 1130 Riverview Land, Scandia, KS 66966-8028

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
01	03S	05W	40	40	40	40														320	
06	03S	4 06W																	31	32	63

**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			

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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
sand	100	4	
Total:	100 %		

b. Estimate the average land slope in the field(s): 2-3 %  
 Estimate the maximum land slope in the field(s): 3 %

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:

none

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.

yet to be designed

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

corn + alfalfa

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).

computer program + soil probes

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

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Landowners within 1/2 mile of the proposed Place of Use  
For Water Right File # 39239 and New Application

Lucile B Faulkner Trust #1  
Attn: Susan Lala  
11 Z Street  
Lake Lotawana, MO 64086-9761

Kearney, NE 68847-3966  
Lonny D & Kimberly K Swanson Revocable Trust  
PO Box 234  
Scandia, KS 66966-0234

George O Faulkner Trust 1  
Attn: Susan Lala  
11 Z Street  
Lake Lotawana, MO 64086-9761

Richard J Kueker  
1700 Republican St  
Concordia, KS 66901-4102

Kim A Swearingen  
PO Box 1038  
Elkhart, KS 67950-1038

Wildcat Farms LLC  
Attn: Cheryl Mellenthin  
1884 Bostik Rd  
Cat Spring, TX 78933-5306

Robison Farms #2 LLC  
1390 70 Rd  
Scandia, KS 66966-8020

Jeffery L & Regine L Thompson  
PO Box 166  
Scandia, KS 66966-0166

Gerry & Delores Thompson  
1075 50 Rd  
Courtland, KS 66939-8058

Mud Creek Drainage District  
Attn Robert Larson  
PO Box 83  
Scandia, KS 66966-0083

Sally Ward  
Attn: Richard J Kueker  
1700 Republican St  
Concordia, KS 66901-4102

Dorothy Arlene Sandell  
Attn: Daniel Sandell  
3806 Ave E

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Department of Agriculture  
Division of Water Resources

Stockton Field Office  
820 S. Walnut  
Stockton, Kansas 67669-0192  
Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Kelly Stewart, Water Commissioner

Phone: (785) 425-6787  
Fax: (785) 425-6842  
www.agriculture.ks.gov  
Sam Brownback, Governor

March 20, 2017

JEFFREY A & TRACY K STRNAD  
PO BOX 230  
SCANDIA KS 66966

Re: New Application & Change in Place of Use File No. 39239

Dear Mr. Strnad:

Per your request, please find enclosed the necessary applications for the change in place of use for File No. 39239 and a new application for a surface water appropriation out of the Republican River.

In regards to the change application, the application must be signed and notarized by you and your spouse, if applicable. Also, please review the landowner list make any changes to the list as necessary, and sign the map on the signature line.

In regards to the new application, I have completed the majority of the application for you; however there are still some areas requiring your attention. Please sign sections 6 and 16. If you plan on chemigation, please indicate as such in section 9. Your notarized signature is required on the Minimum Desirable Streamflow acknowledgment sheet. Also, please fill out the back page of the irrigation use supplemental sheet the best you can and review the attached map for accuracy.

Once complete, submit the applications, irrigation use supplemental sheet, maps, and MDS sheet to the Manhattan address highlighted at the top of the front page of the application. Be sure to include a check for \$540 made payable to the Kansas Department of Agriculture for the application processing fee.

If you have any questions or require further assistance, please contact our office at 785-425-6787.

Sincerely,

Steven Walters  
Environmental Scientist

SW  
enclosures

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1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700

900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

March 28, 2017

JEFFERY A & TRACY K STRNAD  
1130 RIVERVIEW LANE  
SCANDIA KS 66966

Re: Unacceptable Application

Dear Mr. and Mrs. Strnad

Returned herewith is your Application for Permit to Appropriate Water for Beneficial Use received by the Division of Water Resources on March 27, 2017 with Check No. 4888 in the amount of \$540. This application is not acceptable for filing in its present form.

Effective July 1, 2009, K.S.A. 82a-709 requires all applicants for new appropriation rights for the beneficial use of water in the State of Kansas to provide evidence of legal access to or control of the point of diversion from the landowner or the landowner's authorized representative. Applicants may provide a copy of a recorded deed, lease, easement or other document with the application. **In lieu of providing this documentary evidence, you may sign Paragraph No. 6 of the original permit application (where indicated), which constitutes a sworn statement.** Please note that the enclosed new application must bear an **original signature**. Photocopies or fax signatures are not acceptable.

The required fee as stated on the enclosed fee schedule or as stated on the bottom of the signature page of the application was incorrect. Therefore, we find it necessary to return the application to you. Upon submitting the application to this office with the required fee, it will be further examined and processed. Based on the information received, \$340 is needed for the filing fee.

Upon return of the acceptable application with required original signatures and information, it will be assigned a priority based upon the date and time it is received in the office of the Chief Engineer. If you have any questions, please contact me at (785) 564-6631 or [alex.whitesell@ks.gov](mailto:alex.whitesell@ks.gov).

Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

enclosure

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1320 Research Park Drive  
Manhattan, Kansas 66502  
Jackie McClaskey, Secretary



Phone: (785) 564-6700  
Fax: (785) 564-6777  
Email: ksag@kda.ks.gov  
www.agriculture.ks.gov  
Sam Brownback, Governor

April 11, 2017

**FILE COPY**

JEFFERY A & TRACY K STRNAD  
1130 RIVERVIEW LANE  
SCANDIA KS 66966

RE: Application  
File No. 49820

Dear Sir or Madam:

Your application for permit to appropriate water in 06-03S-04W in Republican County, was received and has been assigned the file number noted above.

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

**Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.**

**(b) (1) The violation of any provision of this section by any person is a class C misdemeanor . . .**

**A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.**

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

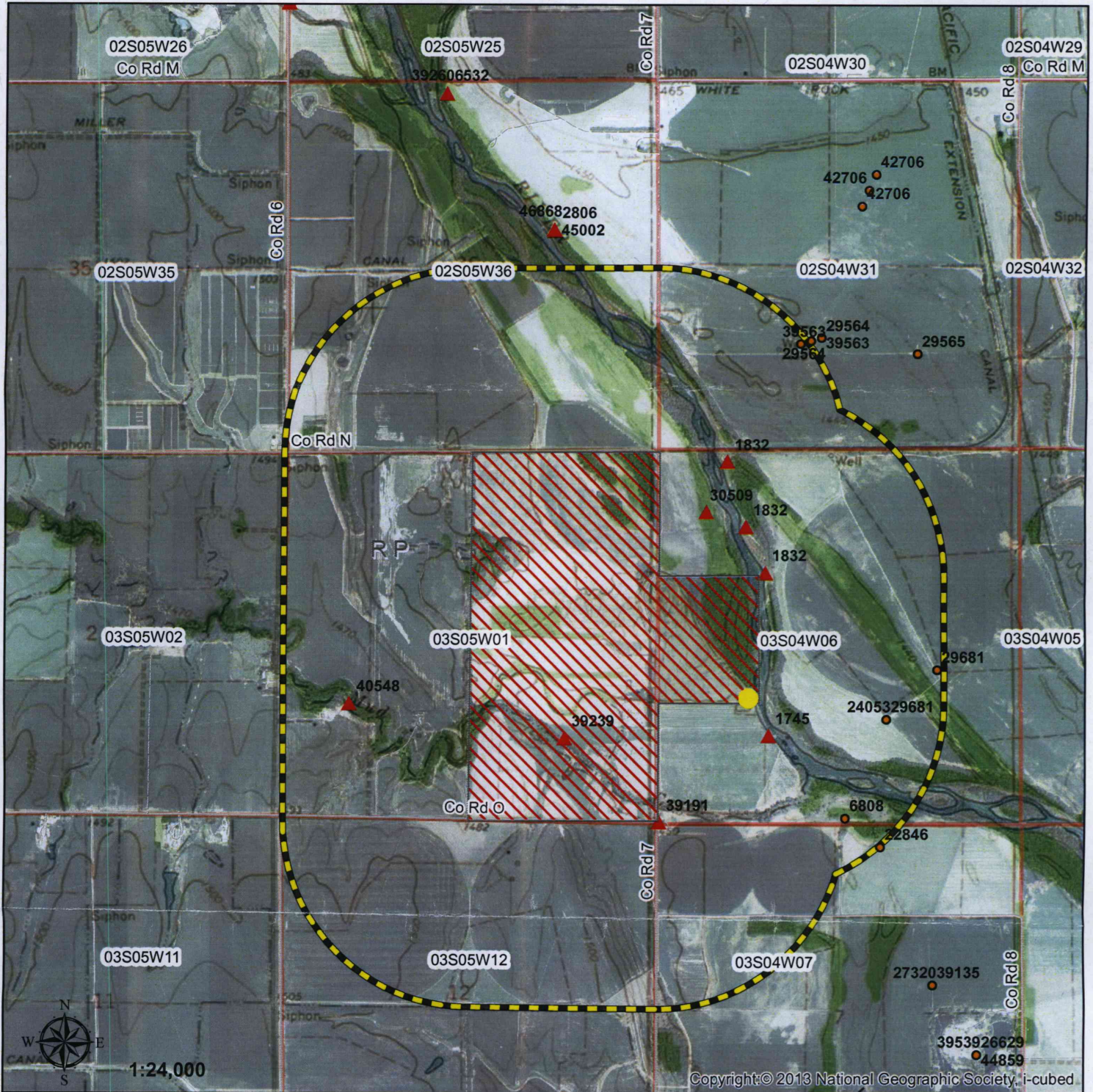
A handwritten signature in cursive script that reads "Brent A. Turney".

Brent A Turney, P.G.  
Change Application Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: STOCKTON Field Office  
GMD

49820

# Application for Permit to Appropriate Water for Beneficial Use



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Authorized Place of Use



Proposed Place of Use



1/2 mile buffer

▲ Surface Water Point of Diversion

● Groundwater Point of Diversion

● Proposed Point of Diversion

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All landowners within 1/2 mile upstream and downstream from the proposed place of use are identified on the enclosed attachment.

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