

# 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

50711

WATER RESOURCES RECEIVED  
FEB 01 2022  
11:45am  
KS DEPT OF AGRICULTURE

KANSAS DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES

Jackie McClaskey, Secretary of Agriculture David W. Barfield, Chief Engineer

File Number

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

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

Filing Fee Must Accompany the Application

(Please refer to Fee Schedule attached to this application form.)

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

1. Name of Applicant (Please Print): Jeff Weiler

Address: 1550 Hilltop DR

City: Hays State KS Zip Code 67601

Telephone Number: (785) 623-0312

2. The source of water is: surface water in Saline River

(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 43 acre-feet OR gallons per calendar year,

to be diverted at a maximum rate of 1500 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

2/7/2022  
LMoody

\$200 Code  
CK#6450 2/1/22

For Office Use Only: F.D. 3 GMD Yes/No USE IRR Source G/S County EL By BMM Date 2/1/22

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.

Code          DWR 1-~~100~~ ~~6~~ Revised 07/12/2014)          Receipt Date          Check #         

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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 SE quarter of the SE quarter of the NW quarter of Section 24, more particularly described as being near a point 2924 feet North and 3046 feet West of the Southeast corner of said section, in Township 11 South, Range 20 West, Ellis 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):

(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 1-27, 2022.

  
 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 surface water diversion  
 (number of wells, pumps or dams, etc.)

and was completed (by) 2019  
 (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

07/01/23 (Mo/Day/Year)  
8-01-22

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

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- 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.

This app proposes a complete overlap with 17,283 and 50,042. Changes of place of use for these two files

accompany this application to be processed concurrently upon approval.

17,283 is groundwater file authorized for 92 AF and 50,042 is a surface water right that is currently in

perfection. This application asks for additional amount allowable on the proposed acres combined with the

two senior files once 50,042 is certified. This app asks for 43 AF of additional qty along with extra acres.

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			

FEB 01 2022

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) 1-27-2022



(Applicant Signature)

By

(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by M Billinger

Asst WC

Date: 1/25/22

(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 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.

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FEB 01 2022

KS DEPT OF AGRICULTURE

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





FEB 01 2022

DWR 1-100.23 (Revised 07/07/2000)

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
E/Tree Silt loam	52%	7	
Roxbury Silt loam	3%	5	
McCook Silt loam	40%	7	
Majuro Sand loam	5%	9	
Total:	100 %		

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

1 1/2 %

Estimate the maximum land slope in the field(s):

3 1/2 %

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: 25 psi
- (2) What is the sprinkler package design rate? 200 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? 40 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: 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). SOIL MOISTURE



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\_\_\_\_\_

(Date)

Kansas Department of Agriculture  
Division of Water Resources  
Earl D. Lewis, Jr., Chief Engineer  
1320 Research Park Drive  
Manhattan, Kansas 66502

Re: Application

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

Minimum Desirable Streamflow

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 ) \_\_\_\_\_

) ss (Print Applicant's Name)

County of Ellis )

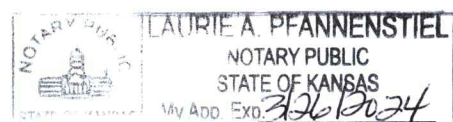
Jeff Weiten

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

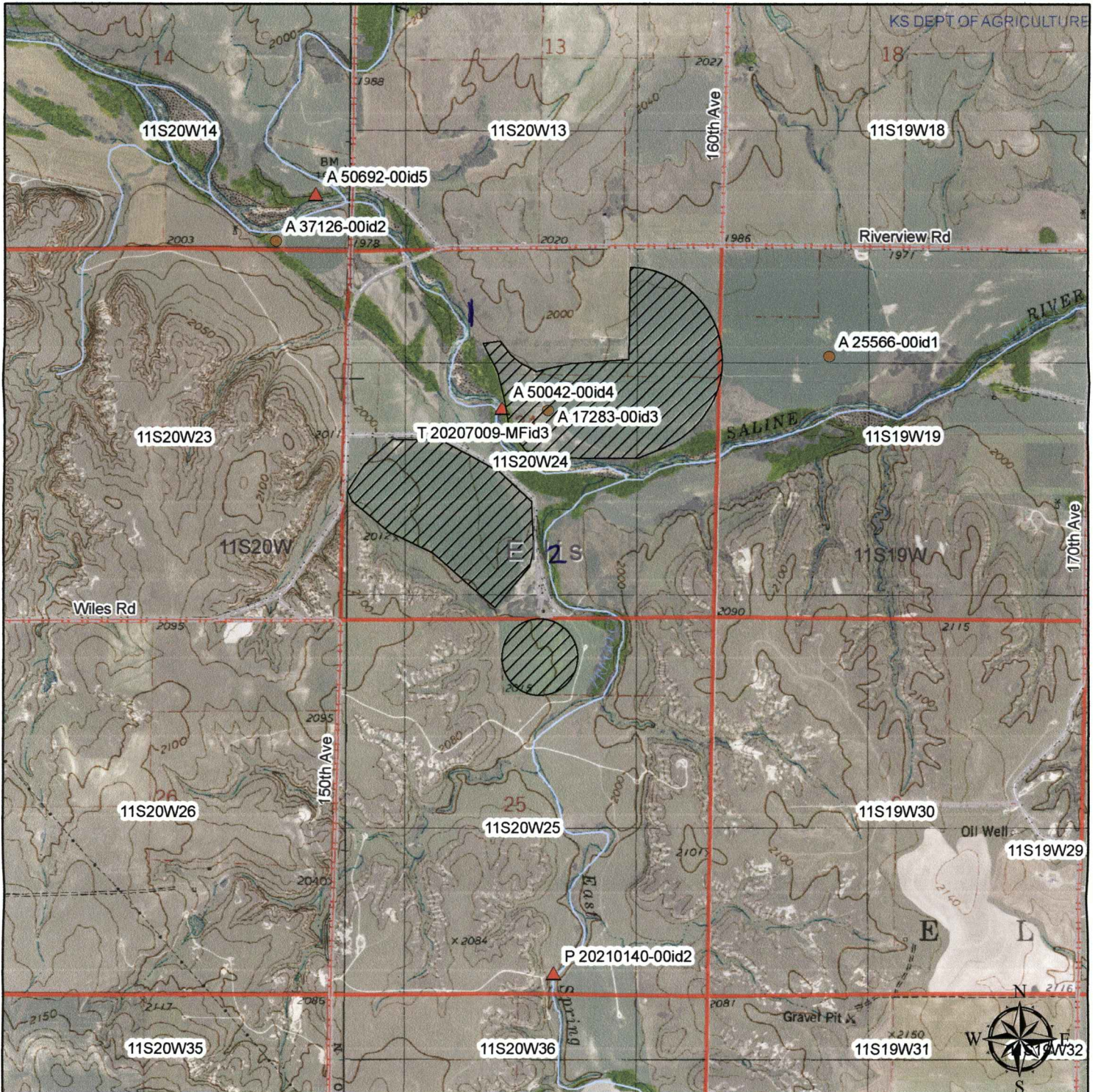


Notary Public

My Commission Expires: 3/26/2024



New Application - Surface Water



- ▲ Surface Water Point of Diversion
- Groundwater Point of Diversion

1:24,000

Signature Required

By signing this I am stating that to the best of my knowledge that all landowners within 1/2 mile upstream and downstream of the proposed point of diversion are identified on this map. (See attachment).

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FEB 01 2022

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Land Owners ½ mill up stream and down stream from point of diversion

- 1 William D Tomasheck  
3035 8 RD  
Zurick KS 67601
- 2 Fred Weilert  
2161 Hyacinth AVE  
Hays KS 67601

**DATA ENTRY SYSTEM ID NUMBER SHEET**

FILE NUMBER 50711

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
66048	86725	

LANDOWNER PERSON ID & SEQ #	PUSE ID
66048	37738
68212	70705
68213	70706

WATER USE CORRESPONDENT PERSON ID & SEQ #
66048

1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6700  
www. agriculture.ks.gov



900 SW Jackson, Room 456  
Topeka, KS 66612  
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

February 7, 2022

JEFF WEILERT  
1550 HILLTOP DR  
HAYS KS 67601

RE: Application, File No(s). **50711**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) for a permit to appropriate water for beneficial use. Your application(s) has been assigned the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any other questions, please contact our office at 785-564-6640 or your local Stockton Field Office at 785-425-6787. *Stockton Field Office at 785-425-6787*. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kris Neuhauser  
New Applications Lead  
Water Appropriation Program