

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

File Number 49980
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.)

WATER RESOURCES
RECEIVED
JAN 31 2018
10:29
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): KKTGC Holding Trust
Address: 218 East McKay
City: Frontenac State KS Zip Code 66763
Telephone Number: (620) 249-0033

2. The source of water is: surface water in Neosho River #34 (stream)
OR groundwater in Neosho (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 230 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 8000 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>1</u>	GMD	<u>0</u>	Meets K.A.R. 5-3-1 (YES/NO)	Use	<u>REC</u>	Source	G	County	<u>NO</u>	By	<u>AW</u>	Date	<u>1/31/18</u>
Code	<u>RE</u>	Fee \$	<u>300</u>	TR #		Receipt Date	<u>1/31/18</u>	Check #	<u>1135</u>					

2/19/2018 CEM

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 Lot 4 quarter of the _____ quarter of Section 33, more particularly described as being near a point 340 feet North and 4470 feet West of the Southeast corner of said section, in Township 30 South, Range 21 East, Neosho 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):

Same as applicant
(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 1-29- 2018. Kurt T. Toussaint
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 Pumpsite and waterfowl marsh
(number of wells, pumps or dams, etc.)

and will be completed (by) 12/31/18
(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 12/31/18
(Mo/Day/Year)

**WATER RESOURCES
RECEIVED**

JAN 31 2018

- 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 _____
In process of determining structures permit requirements

- 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 RESOURCES
RECEIVED

JAN 31 2018

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):
Same as applicant
(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 Frontier, Kansas, this 29 day of Jan 2018
(month) (year)

Kurt T. D. KKBC Holdig Trust
(Applicant Signature)

By Kurt T. D.
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by Caleb Fabrycky TFO/Parsons Date: 1/26/18
(office/title)

WATER RESOURCES
RECEIVED

JAN 31 2018

49986

CF

From: **Fabrycky, Caleb [KDA]** Caleb.Fabrycky@ks.gov
Subject: New Application 3
Date: January 26, 2018 at 5:05 PM
To: Kurt Terlip kurtterlip@gmail.com
Cc: Phillips, Janelle [KDA] Janelle.Phillips@ks.gov

Hi Kurt,

Attached is the drafted application for permit to appropriate water. You'll need to print these pages out and complete the following steps:

1. Look over all pages and maps for accuracy
2. Sign #6 of the application
3. Sign #16 of the application
4. Sign at the bottom of the topographic map
5. Enclose the \$300 filing fee
6. Mail everything to DWR Headquarters:
Chief Engineer of The Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502

(Be sure to print and send in the engineering specs you had sent me as well)

I've copied Janelle Phillips, with DWR - Structures Program, so that she can take a look at the aerial photo/engineering specs and inform you of any necessary structures permits pertaining to your project.

Feel free to call with any questions.

Thank you

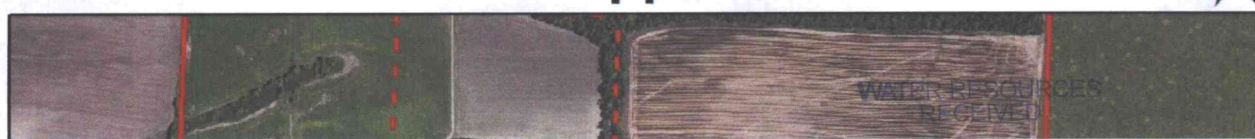
Caleb Fabrycky, Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources - Parsons Satellite Office
Phone: (620) 421-2697
Caleb.Fabrycky@ks.gov



Kurt Terlip
Applica...n 3.pdf

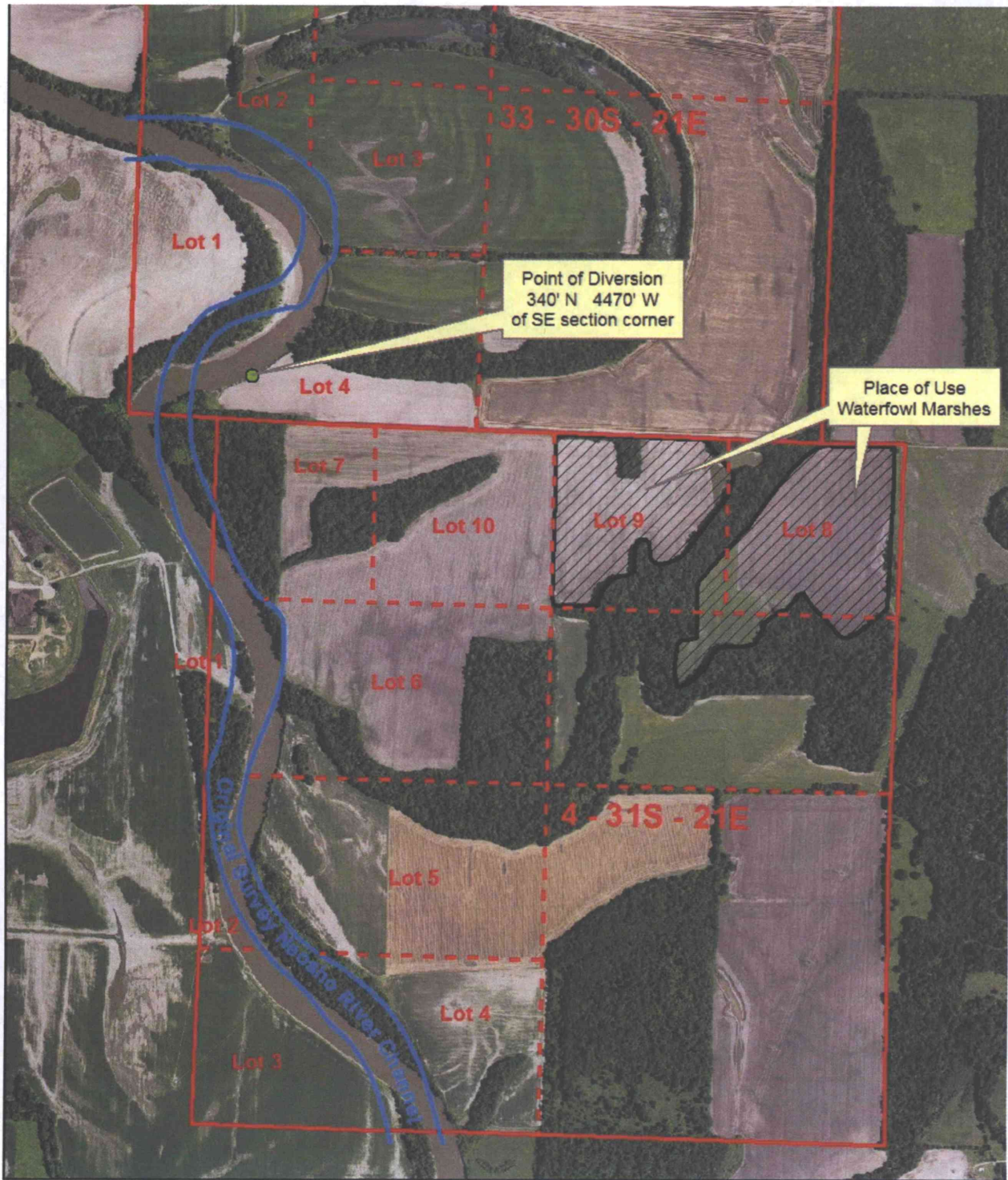
KKTGC Holding Trust New Application

1:12,000



JAN 31 2018

499810



Handwritten signature

**RECREATIONAL USE
SUPPLEMENTAL SHEET**

File No. _____

Name of Applicant (Please Print): KKTGC Holding Trust

WATER RESOURCES
RECEIVED

JAN 31 2018

KS DEPT OF AGRICULTURE

49984

- Please indicate type of recreational use (boating, fishing, swimming, etc.): _____
Wildlife habitat and waterfowl hunting.
- Please summarize how the water will be used and justify the quantity of water requested: _____
Used to fill and maintain a marsh complex from October through January.
Water Capacity*: West side = 15,658,636 gal + East side = 21,794,588 gal
37,453,224 gal = ~115 AF x 2 fills per year to account for evaporation, seepage, and transpiration.
230 AF per year *(see attached engineering specs)
- Please complete the following table showing estimated future water requirements:

ESTIMATED FUTURE WATER DIVERTED/STORED	
NEXT 5 YEARS	WATER TO BE DIVERTED (ACRE-FEET OR GALLONS)
Year 1	230
Year 2	230
Year 3	230
Year 4	230
Year 5	230

Please attach any additional information, tables, or curves 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 by providing the fractional part of the Section, Township and Range.

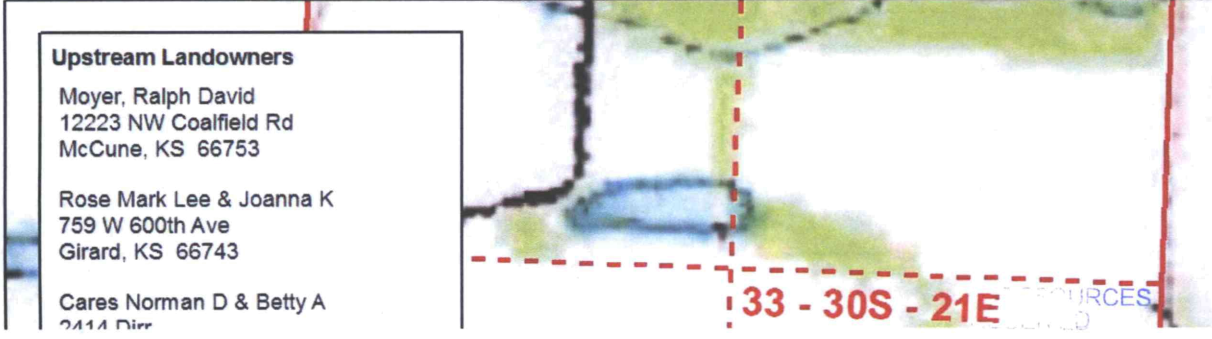
Recreational use for a marsh complex located in Lot 8, Lot 9, and the Northeast Quarter (NE 1/4)
of Section 4, Township 31 South, Range 21 East, Labette County Kansas.

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

DWR 1-100.25 (Revised 09/05/2001)

KKTGC Holding Trust New Application

1:12,000



JAN 31 2018

49980

Parsons, KS 67357

Pumpsite
340' N 4470' W
of SE section corner

Downstream Landowners

Neosho Valley Feeders LLC
PO Box 128
St Paul, KS 66771

Mocnik, Lieselotte
705 E Quincy St
Pittsburg, KS 66762

Satzler, Rick J
7299 NW Coal Valley Rd
McCune, KS 66753

4 - 31S - 21E

All landowners within 1/2 mile upstream and downstream of
applicant's property lines have been identified

Signature: _____

WATER RESOURCES
RECEIVED

JAN 31 2018

KS DEPT OF AGRICULTURE

Terlip McCune South Duck Marsh

Drawings

- 1 Title
- 2 West Grading
- 3 East Grading
- 4 West Perimeter Berm CL Profile
- 5 West Interior Berm CL Profile
- 6-7 West Perimeter Berm Cross Sections
- 8 West Interior Berm Cross Sections
- 9 East Perimeter Berm CL Profile
- 10-11 East Perimeter Berm Cross Sections
- 12 Water Capacity
- 13 Details



all contours and designs are based in a local coordinate system not tied to any state planes

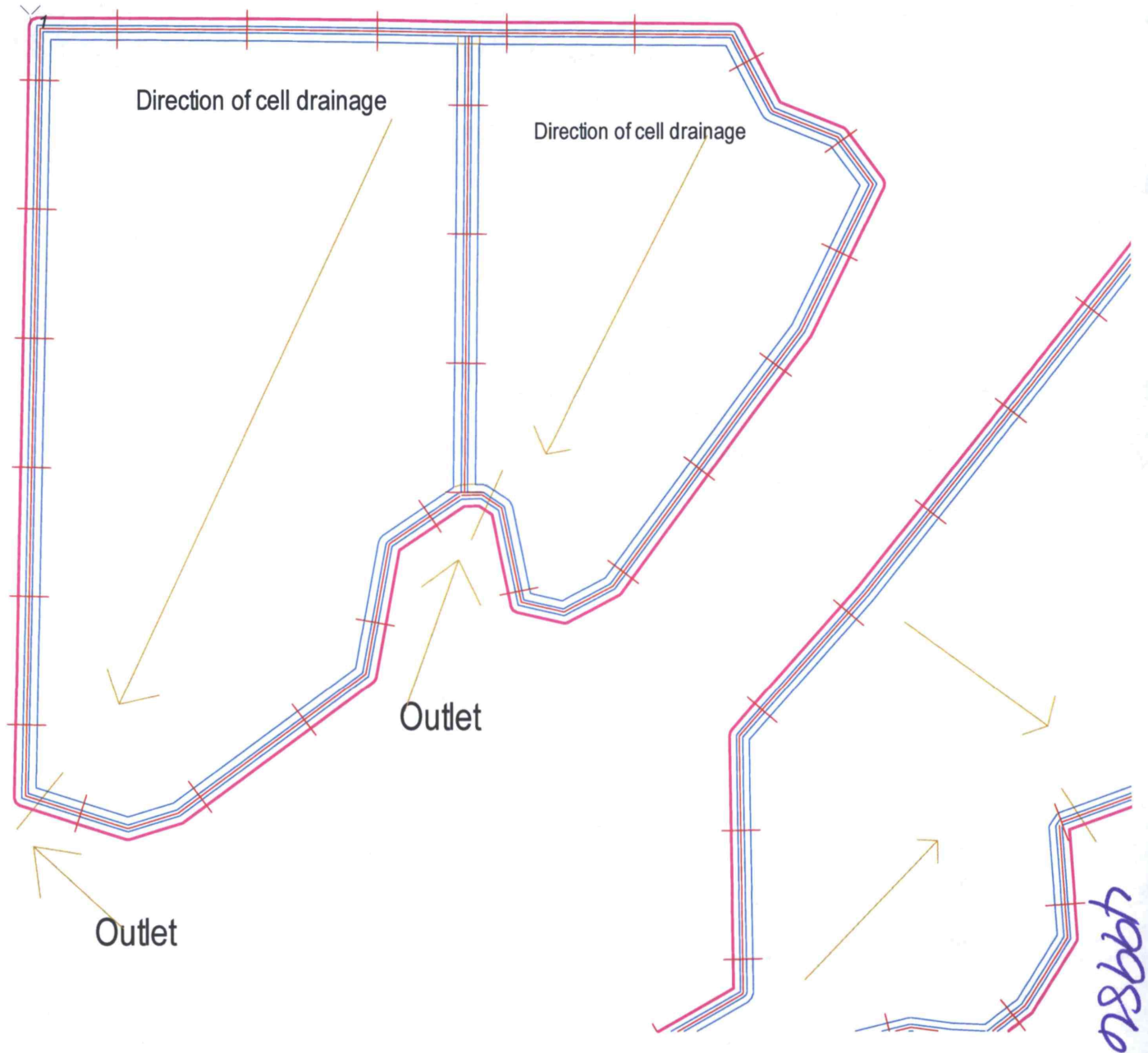
WATER RESOURCES
RECEIVED

JAN 31 2018

KS DEPT OF AGRICULTURE

49986

West Site Grading



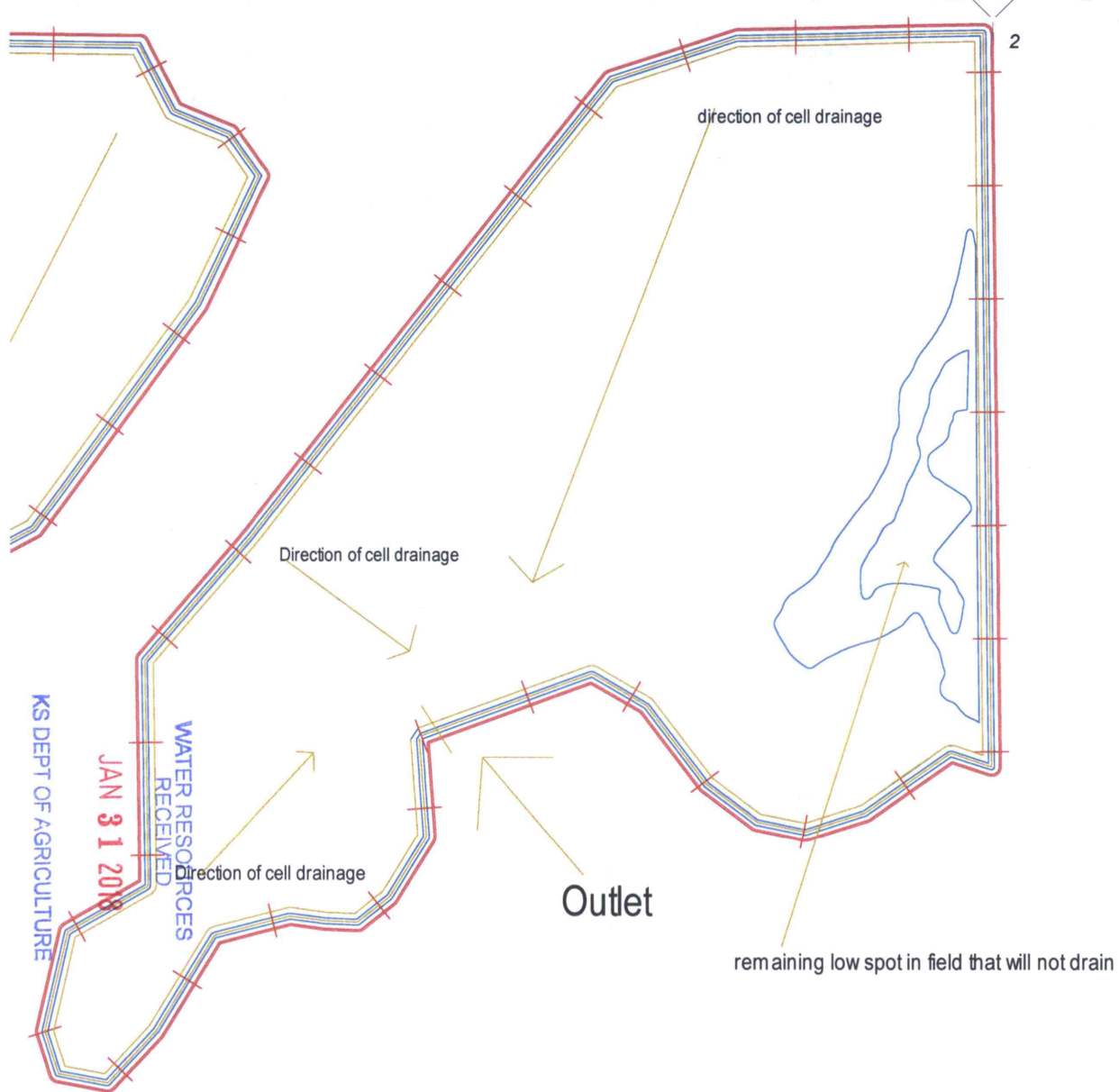
499810

WATER RESOURCES
RECEIVED

JAN 31 2018

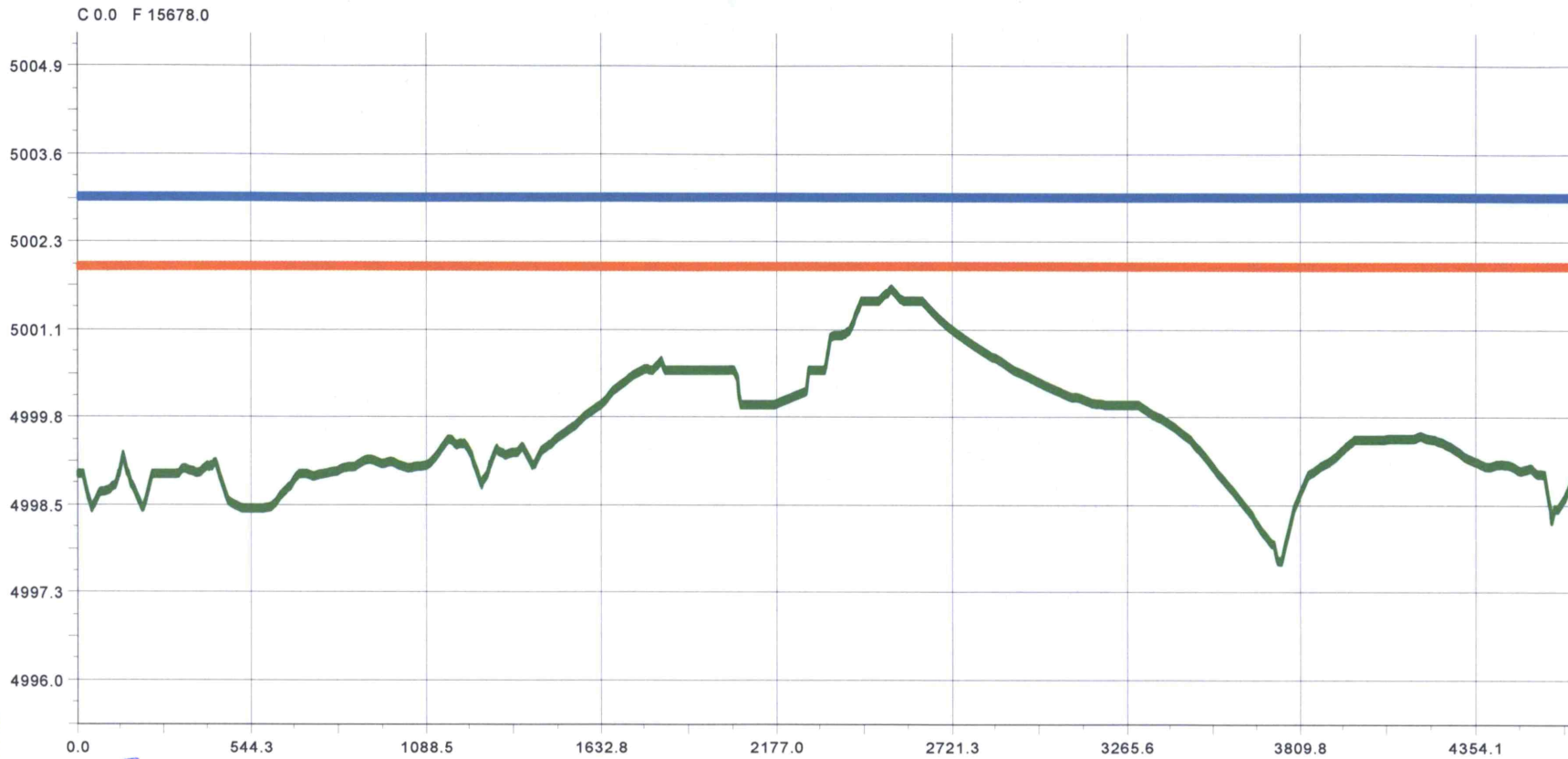
KS DEPT OF AGRICULTURE

East site grading



499870

West perimeter berm CL



KS DEPT OF AGRICULTURE

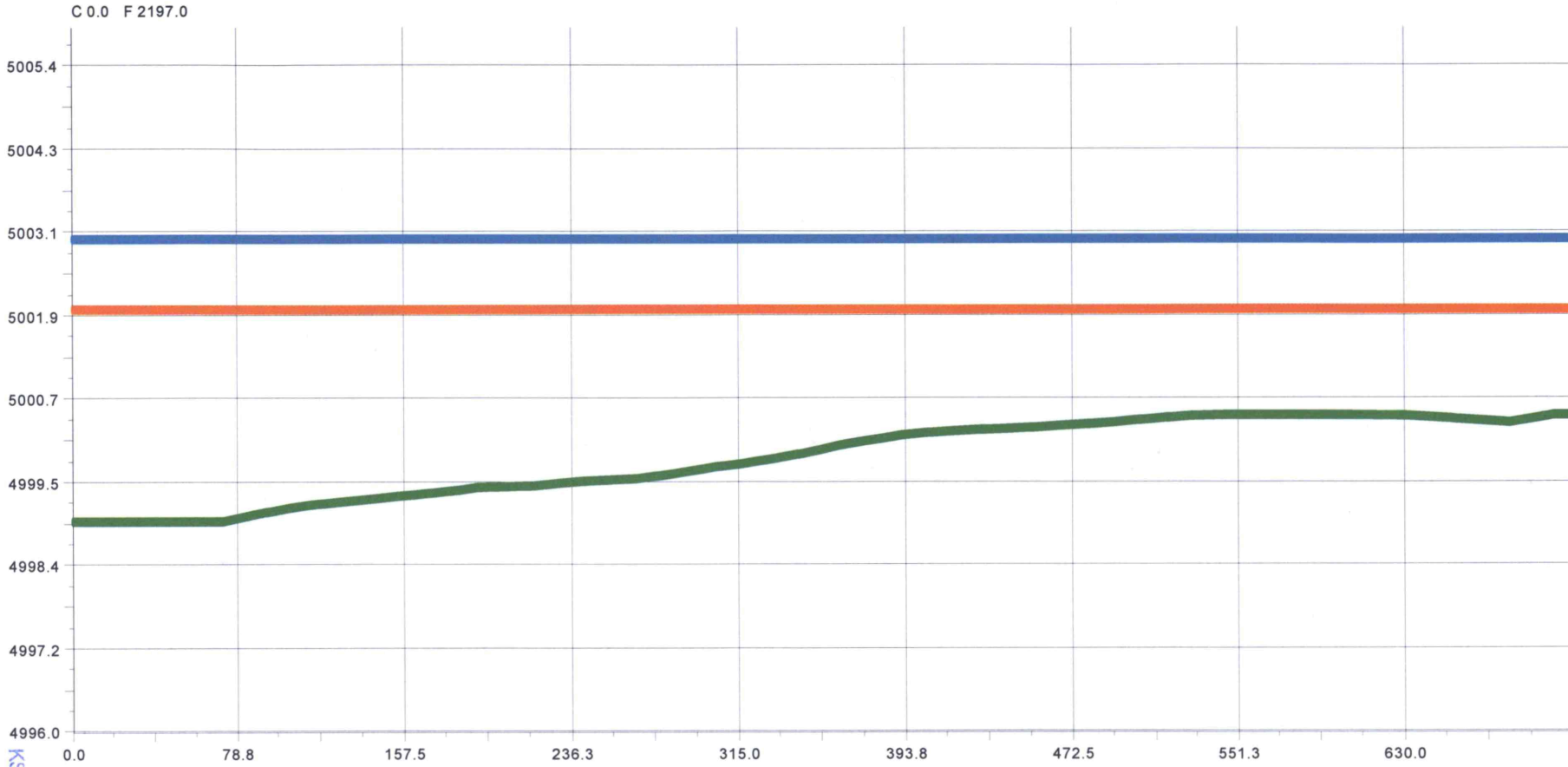
JAN 31 2018

WATER RESOURCES
RECEIVED

blue line = top of berm
orange line = designed water line
green line = existing ground

499810

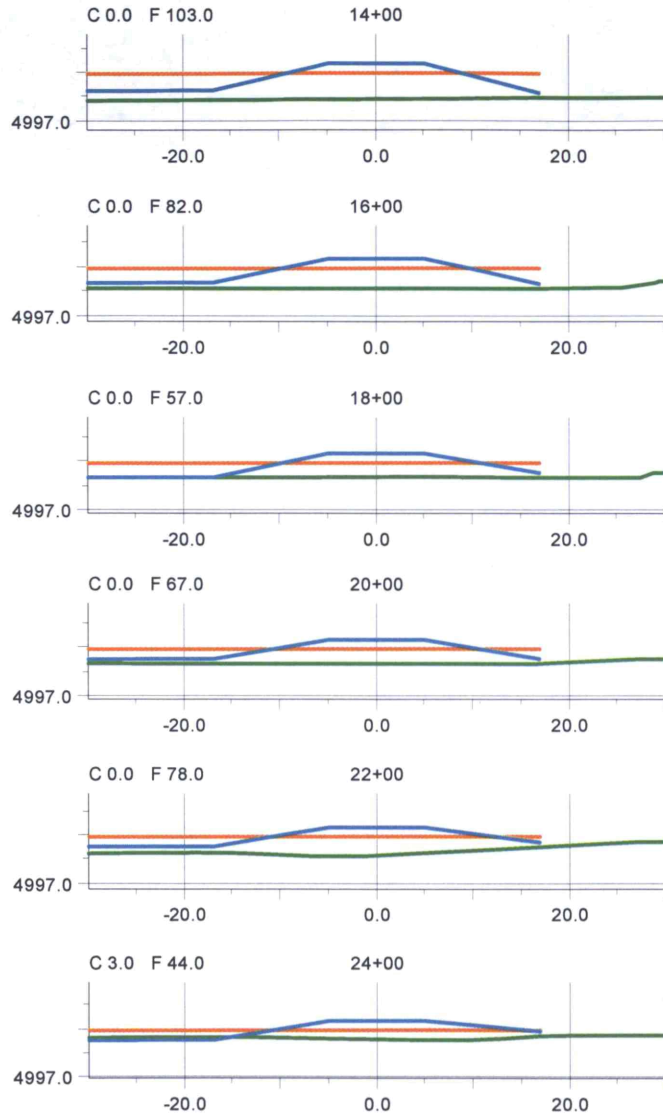
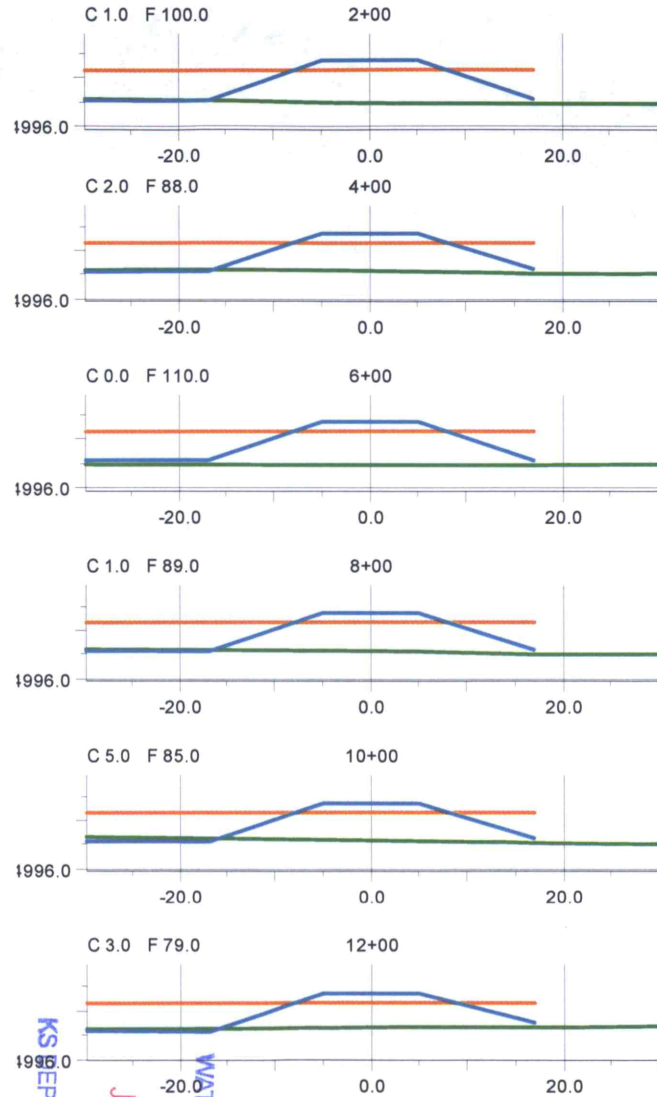
West interior berm CL



KS DEPT OF AGRICULTURE
WATER RESOURCES
RECEIVED
JAN 31 2018

4998.0

west perimeter cross sections



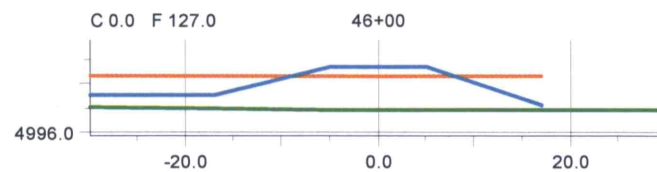
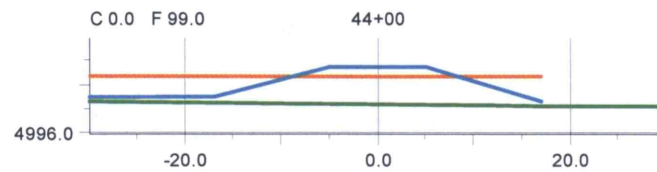
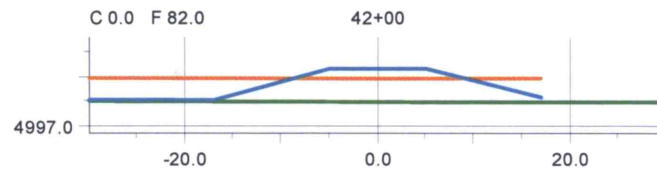
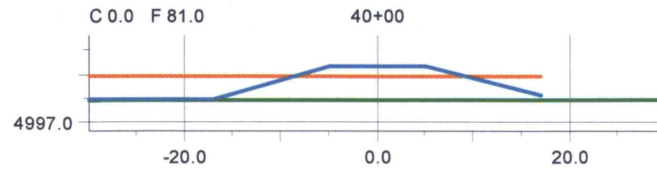
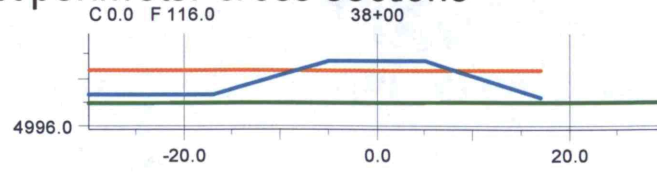
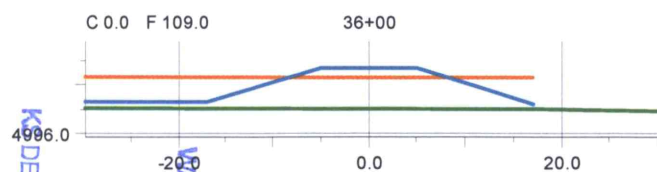
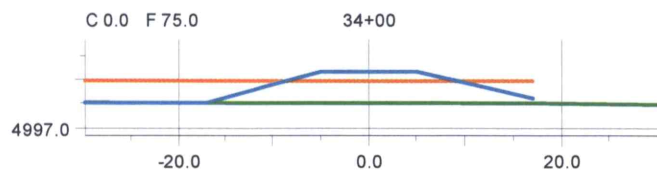
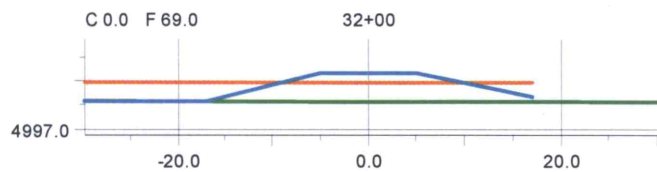
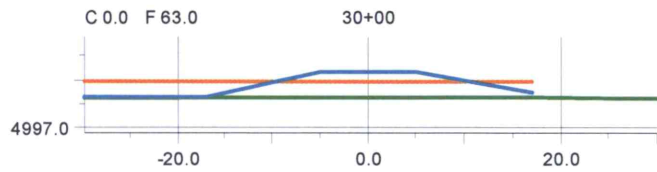
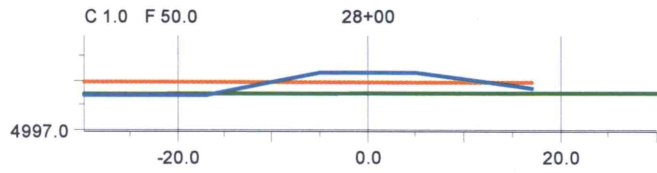
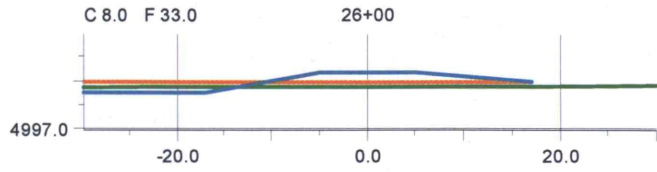
KS DEPT OF AGRICULTURE

JAN 31 2018

WATER RESOURCES
RECEIVED

499810

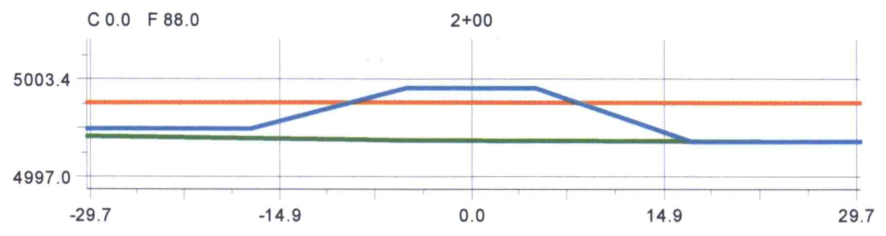
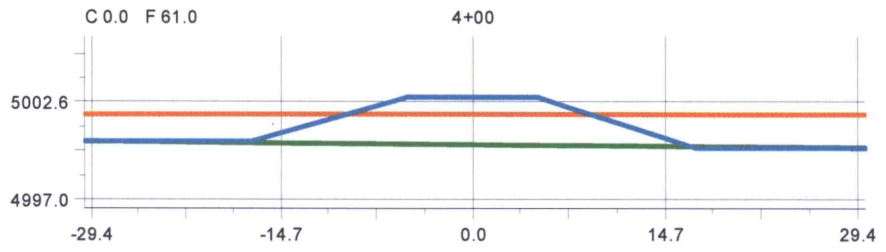
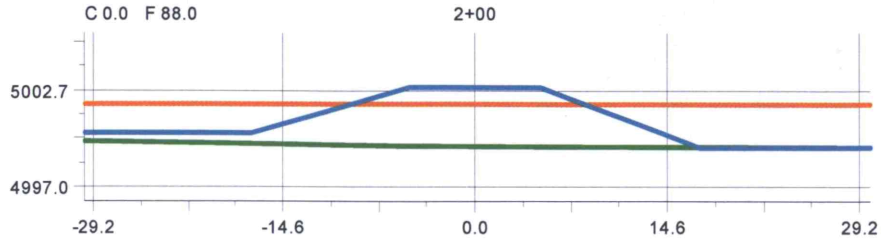
west perimeter cross sections



DEPT OF AGRICULTURE
 WATER RESOURCES
 RECEIVED
 JAN 31 2018

499840

west interior berm cross sections



KS DEPT OF AGRICULTURE
WATER RESOURCES
RECEIVED
JAN 31 2018

499824

East perimeter berm CL

C 0.0 F 18086.0



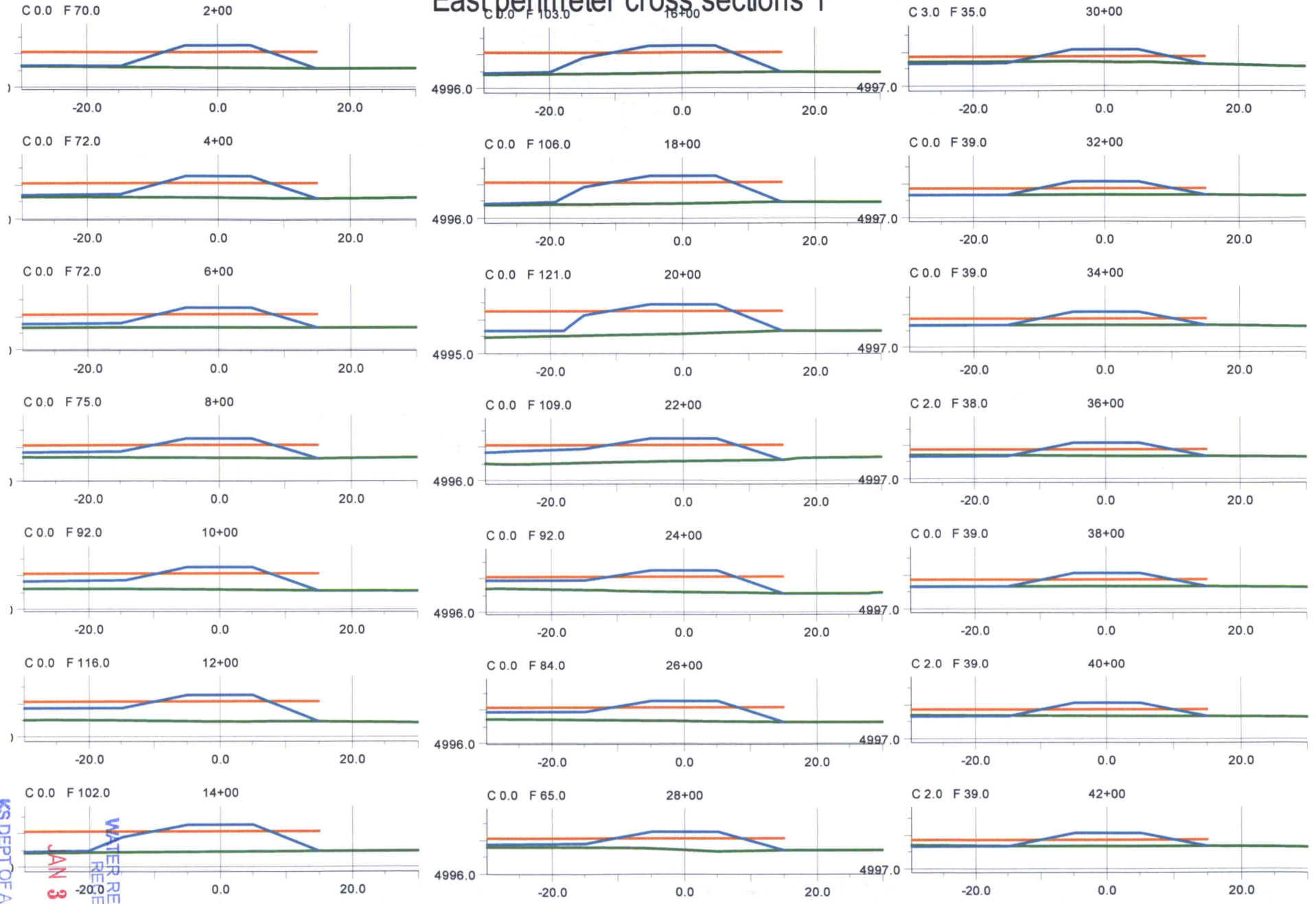
WATER RESOURCES
RECEIVED

JAN 31 2018

KS DEPT OF AGRICULTURE

49984
728667

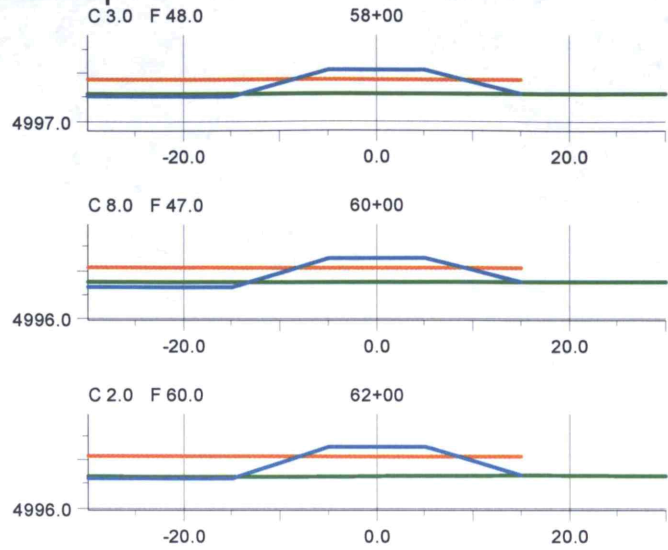
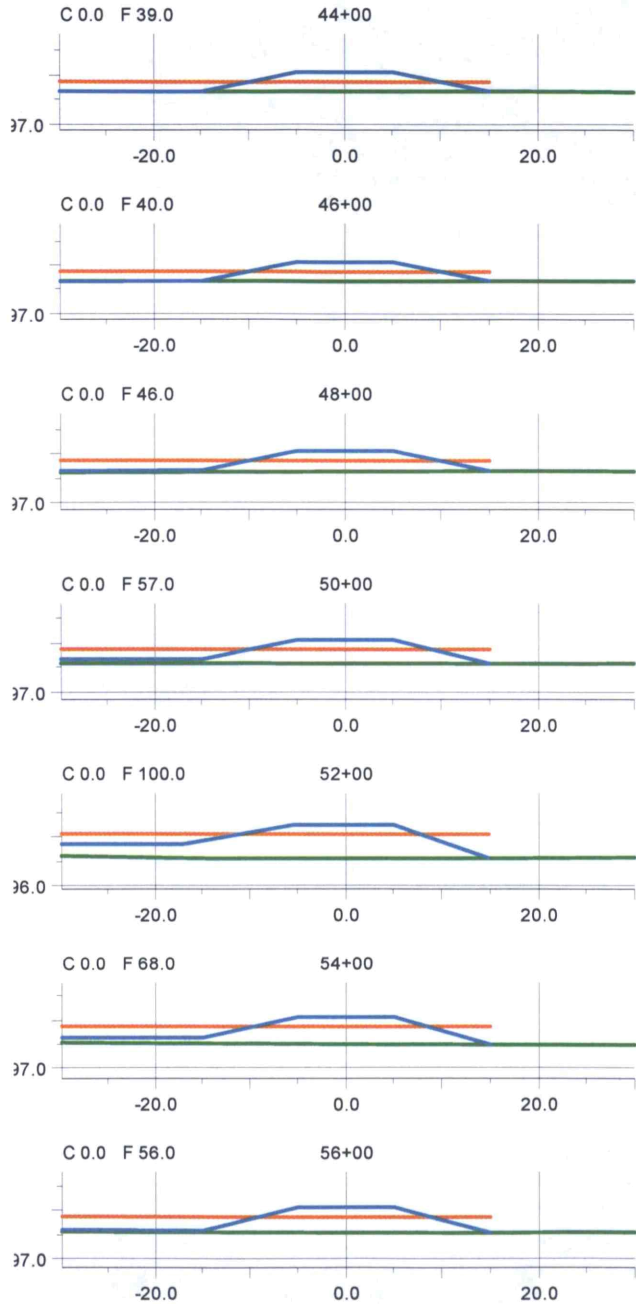
East perimeter cross sections 1



KS DEPT OF AGRICULTURE
 WATER RESOURCES
 RECEIVED
 JAN 31 2018

49980

East perimeter cross sections 2



KS DEPT OF AGRICULTURE

JAN 31 2018

WATER RESOURCES
RECEIVED

499840

Water Capacity

West side

East side

Water capacity during normal conditions

Water capacity during normal conditions

15,658,636 Gallons

21,794,588 Gallons

Water at max capacity

Water at max capacity

24,548,364 Gallons

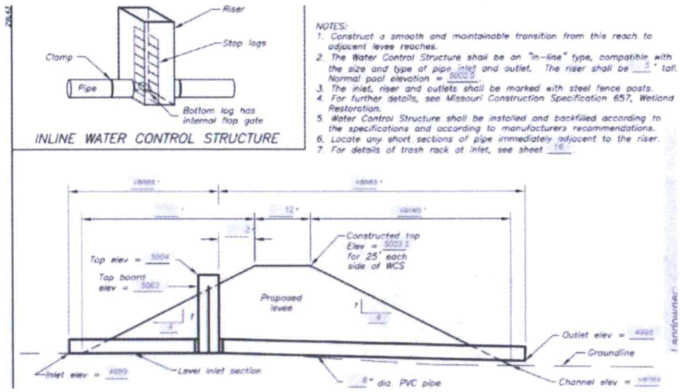
34,380,602 Gallons

Normal conditions is considered allowing 1 foot of freeboard

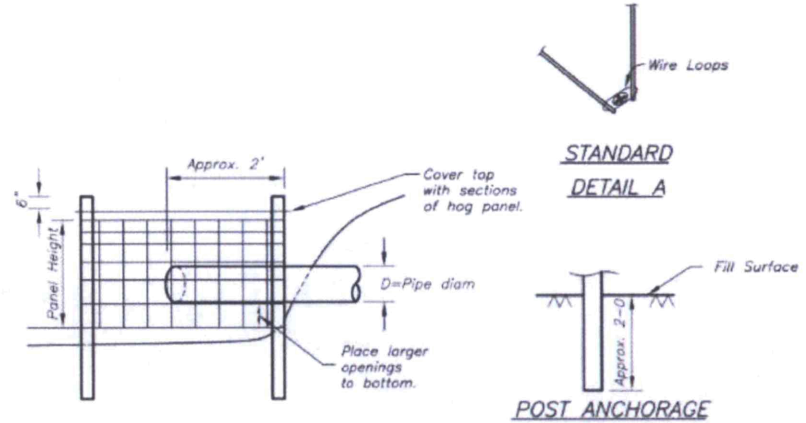
Max capacity is considered the capacity at the moment the berms begin to overflow

Details

Berm and pipe outlet details



Trash rack



KS DEPT OF AGRICULTURE

JAN 31 2018

WATER RESOURCES
RECEIVED

49986