

13nsas Department of Agriculture
Division of Water Resources
PERMIT OF NEW APPLICATION WORKSHEET

1. File Number: <p style="text-align: center;">50,035</p>	2. Status Change Date: <p style="text-align: center;">8/27/2018</p>	3. Field Office: <p style="text-align: center;">01</p>	4. GMD: <p style="text-align: center;">0</p>
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5. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

6. Enclosures: Check Valve N of C Form Water Tube Driller Copy Meter

<p>7a. Applicant(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID <u>65964</u> Add Seq# _____</p> <p>HUCKLEBERRY FARM LLC 5341 WEST 151ST TERRACE LEAWOOD KS 66224</p>	<p>7c. Landowner(s) Person ID <u>40450</u></p> <p>KANSAS DEPT OF WILDLIFE PARKS & TOURISM ACTIVE DIVERSIONS (TOP) 1020 S KANSAS AVE FL 2 TOPEKA KS 66612-1389</p>
<p>7b. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p> <p>7a.</p>	<p>7d. Landowner(s) Person ID <u>65683</u></p> <p>NEOSHONUF LLC PO BOX 80016 BATON ROUGE LA 70898</p>

<p>8. WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: right;">Person ID <u>65684</u> Add Seq# _____ Notarized WUC Form <input type="checkbox"/></p> <p>NICK SMITH 528 WASHINGTON SAINT PAUL KS 66771</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="text-align: center;"><input type="checkbox"/> Groundwater <input checked="" type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR <input checked="" type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>
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10. Completion Date: **12/31/2019** 11. Perfection Date: **12/31/2023** 12. Exp Date: _____

13. Conservation Plan Required? Yes No Date Required: _____ Date Approved: _____ Date to Comply: _____

14. Water Level Measuring Device? Yes No Date to Comply: _____ Date WLMD Installed: _____

<p><u>Modify Address for Huckleberry Farm LLC</u></p> <p><u>Per deed records</u></p>	<p>Date Prepared: 7/11/18 By: DWS</p> <p>Date Entered: 8/28/2018 By: UJM</p>
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File No. **50,035** 15. Formation Code: Drainage Basin: **Neosho River** County: **NO** Special Use: Stream: **Neosho River**

16. Points of Diversion

✓ MOD
DEL
ENT

PDIV	Qualifier	S	T	R	ID	'N	'W
✓ 32895	CW SW	20	30	21	3	1396	5247

17. Rate and Quantity **MOD ADDL QTY**

Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
6,000	1035	6,000	339	40,414 & 42,379

18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

19. Limitation: **1,035** af/yr at _____ gpm (_____ cfs) when combined with file number(s) **40,414 & 42,379**

Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

20. Meter Required? Yes No To be installed by **12/31/2019** Date Acceptable Meter Installed _____

21. Place of Use

MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? YES	Overlap Files
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
ENT	690677	30S	21E			345 ACRE MARSH (SW SW)																	7a	NO	40,414 & 42,379
MOD	39598	19	30S	21E	2	345 ACRE MARSH L-4, L-5 & (NE)																	7a & d	YES	40,414 & 42,379
MOD	27419	20	30S	21E	3	345 ACRE MARSH L-2 & (NW)																	7a & c	YES	40,414 & 42,379

Comments: **special conditions: written permission**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files

DATE: July 11, 2018

FROM: Doug Schemm

RE: Application, File No. 50,035

Huckleberry Farm LLC has filed the application referred to above proposing to appropriate 1,035 acre-feet of surface water at a diversion rate of 6,000 gallons per minute from one pump site on the Neosho River, for recreational use in a waterfowl marsh. This application will allow water to be pumped directly from the Neosho River (when flows are adequate and permission is granted). The water will be used to fill and maintain water levels in this marsh (i.e. offset evaporative and seepage losses). This is an expansion of an existing marsh currently authorized under Water Right, File Nos. 40,414 and 42,379. Change applications have been filed on the senior files to create a complete overlap in place of use. The marsh is located adjacent to the Neosho River, in portions of Sections 17, 19, and 20, in Township 30 South, Range 21 East, Neosho County. A representative of the applicant has signed the application form stating they have access to the point of diversion. The quantity requested on the new application was based on a total marsh area of 345 acres, and filling it with 3 feet of water.

Water Right File No. 40,414 is authorized 72.5 acre-feet of water, and Water Right File No. 42,379 is authorized 696 acre-feet of water (limited to the senior file not to exceed 696 acre-feet). This new application will be limited to 1,035 acre-feet with the senior files, providing 339 additional acre-feet of water.

A list of nearby landowners was provided, and notification letters were sent out on June 20, 2018. No responses of any kind were received. The Cottonwood and Neosho River Water Assurance District No. 3 and Kansas Water Office were also informed of the pending application, and no response was received from them.

This approval will be subject to specific conditions, which stipulate strict requirements for direct surface water diversion. These conditions include the stipulation that no diversion shall occur unless there is water available to satisfy all demands by senior water rights and permits, written or verbal permission from the Chief Engineer, or an authorized representative is required prior to diverting water, and streamflow cannot be stopped at the first riffle below the point of diversion while diversion is taking place. The application also complies with K.A.R 5-3-15 (c)(5) because the proposed use of water for recreational use is typically during the fall season, and there is no need for direct diversion of water from July 1 through September 30.

There is only one downstream water right within the two-mile circle, located over 9,900 feet away. As noted above, with proper conditioning, no senior water rights will be impaired.

The applicant has submitted a signed and notarized Minimum Desirable Streamflow form acknowledging that there may be times when diversion of water will not be allowed. The marsh is currently authorized under DWR Structures Program File Nos. LNO-0120 and LNO-0073, and the applicant has a pending structures file LNO-0149 to address the expanded marsh area berms. → Issued 8/10

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. Please note that the proposed point of diversion is located upstream of the Parsons gage.

Huckleberry Farm LLC – Memo
File No. 50,035
Page 2

In a July 11, 2018 discussion, Katie Tietsort, Water Commissioner, Topeka Field Office, gave a recommendation that the application be approved. Based on the above discussion, the area remains open to new appropriations, the approval is subject to specific conditions relative to direct surface water diversions, diversion is typically limited to fall “off-season” pumping, and there is no indication that existing water rights will be impaired, it is recommended that the referenced application be approved, in conjunction with Change Applications, File Nos. 40,414 and 42,379.

Doug Schemm
Environmental Scientist
Topeka Field Office

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

HUCKLEBERRY FARM LLC
% DOUG HENZLIK
5341 WEST 151ST TERRACE
LEAWOOD KS 66224

August 29, 2018

FILE COPY

RE: Appropriation of Water, File No. 50,035

Dear Mr. Henzlik:

There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approval documents with specific reference to **Paragraph Nos. 19 and 20 requiring you to obtain permission prior to diverting water.** A water meter is required on the proposed diversion works and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed. All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00. There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Handwritten signature of Kristen A. Baum in cursive.

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:dws

Enclosures

pc: Topeka Field Office
KDWP & T
Neoshonuf LLC

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**
(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 50,035** of the applicant

**HUCKLEBERRY FARM LLC
5341 WEST 151ST TERRACE
LEAWOOD KS 66224**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **April 12, 2018**.
2. That the water sought to be appropriated shall be used for recreational use in a waterfowl marsh located in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 17; Lots 4 and 5, and the Northeast Quarter (NE $\frac{1}{4}$) of Section 19; and in Lot 2, and the Northwest Quarter (NW $\frac{1}{4}$) of Section 20, all in Township 30 South, Range 21 East, Neosho County, Kansas.
3. That the authorized source from which the appropriation shall be made is surface water from the Neosho River, to be diverted at one (1) pump site located near the center of the West Side of the Southwest Quarter (SW $\frac{1}{4}$) of Section 20, more particularly described as being near a point 1,396 feet North and 5,247 feet West of the Southeast corner of said section, in Township 30 South, Range 21 East, Neosho County, Kansas, located substantially as shown on the topographic map accompanying the application.
4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **6,000 gallons per minute (13.37 c.f.s.)** and to a quantity not to exceed **1,035 acre-feet** of water for any calendar year.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2019** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.
6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2023** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

12. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

13. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

14. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

15. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

16. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

17. That diversion of natural flow shall not take place unless there is water available to satisfy all demands by senior water rights and permits.

18. That the stream flow shall not be stopped at the first riffle below the point of diversion while diversion is taking place under the authority of this water right or permit.

19. That during the period October 1 through June 30, the verbal or written permission of the Chief Engineer, or an authorized representative of the Chief Engineer, shall be obtained in order to divert water each time the applicant desires to divert water.

20. That during the period July 1 through September 30 each calendar year, no direct diversions of surface water shall be permitted unless written permission is obtained from the Chief Engineer, or the Chief Engineer's authorized representative.

21. That the quantity of water approved under this permit is further limited to the quantity which combined with Water Right, File Nos. 40,414 and 42,379, will provide a total not to exceed 1,035 acre-feet of water per calendar year for recreational use on the land described herein.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary. To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 18 days after this Order was mailed to you), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

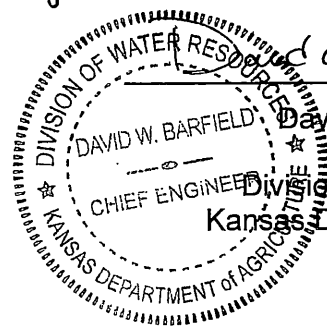
If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 33 days after this Order was mailed to you), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Ordered this 27th day of August, 2018, in Topeka, Shawnee County, Kansas.

David W. Barfield

 David W. Barfield, P.E.
 Chief Engineer
 Division of Water Resources
 Kansas Department of Agriculture




State of Kansas)
) SS
 County of Riley)

The foregoing instrument was acknowledged before me this 27th day of August, 2018, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

Karen Hunter

 Notary Public



CERTIFICATE OF SERVICE

On this *27th* day of *August*, 2018, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,035, dated *August 27th, 2018* was mailed postage prepaid, first class, US mail to the following:

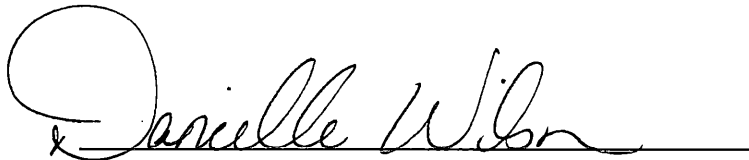
HUCKLEBERRY FARM LLC
5341 WEST 151ST TERRACE
LEAWOOD KS 66224

With photocopies to:

KANSAS DEPT OF WILDLIFE PARKS & TOURISM
ACTIVE DIVERSIONS (TOP)
1020 S KANSAS AVE FL 2
TOPEKA KS 66612-1389

NEOSHONUF LLC
PO BOX 80016
BATON ROUGE LA 70898

Topeka Field Office



Division of Water Resources



THE STATE OF KANSAS

Water Resources Received

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

APR 12 2018 DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

11:28
KS Dept Of Agriculture

File Number 50035
This item to be completed by the Division of Water Resources.

Water Resources Received

APPLICATION COMPLETE
8/10/18
Reviewer KAB for DWS

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.)

UNACCEPTABLE PRIORITY
APR 06 2018
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): Huckleberry Farm, LLC
Address: 5341 West 151st Terrace
City: Leawood State KS Zip Code 66224
Telephone Number: (913) 706-7037

2. The source of water is: surface water in Neosho 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 1035 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 6,000 gallons per minute OR 13.4 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. 1 GMD 0 Meets K.A.R. 5-3-1 (YES / NO) Use REC Source G County NO By AW Date 4/12/18
Code RE3 Fee \$ 400 TR # _____ Receipt Date 4/12/18 Check # 1001

SCANNED

4/17/2018 UCM

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 CW quarter of the SW quarter of the _____ quarter of Section 20, more particularly described as being near a point 1396 feet North and 5247 feet West of the Southeast corner of said section, in Township 30 South, Range 21 East East/West (circle one), 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):

(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 _____, 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 1 pump site, 1 pump
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) already complete under File Nos. 40414 & 42379
(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 upon approval
(Mo/Day/Year)

Water Resources

Received

APR 12 2018

KS Dept Of Agriculture

Water Resources

UNACCEPTABLE FOR PRIORITY

APR 06 2018

SCANNED

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 CW quarter of the SW quarter of the _____ quarter of Section 20, more particularly described as being near a point 1396 feet North and 5247 feet West of the Southeast corner of said section, in Township 30 South, Range 21 East East/West (circle one), 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.

**Water Resources
Received**

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)

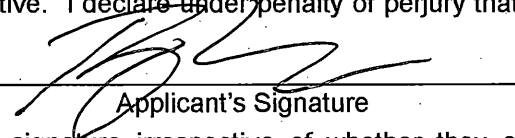
APR 12 2018

KS Dept Of Agriculture

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 March 28, 2018.


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 site, 1 pump
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) already complete under File Nos. 40414 & 42379
(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 upon approval
(Mo/Day/Year)

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 _____
Already permitted LNO-0073.

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.

PD & PU- 40414 & 42379

Water Resources
Received

APR 12 2018

KS Dept Of Agriculture

Water Resources
Received

UNACCEPTED PRIORITY
APR 09 2018

KS Dept Of Agriculture

SCANNED

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):
See attached

(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 Leawood, Kansas, this 28th day of March, 2018
(month) (year)


(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by KAT _____ TFO/WC _____ Date: 3/19/18
(office/title)

Water Resources
Received
APR 12 2018
KS Dept Of Agriculture

Water Resources
Received
UNACCEPTABLE FOR PRIORITY
APR 06 2018
KS Dept Of Agriculture
SCANNED

March 27, 2018
(Date)

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

Re: Application
File No. 50035

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]
Signature of Applicant

Dan Hewzick
(Print Applicant's Name)

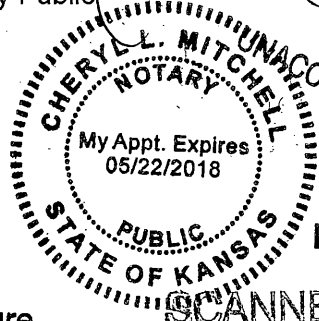
State of Kansas)
County of Johnson) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 27 day of March, 2018

[Signature]
Notary Public

My Commission Expires: May 22, 2018

Water Resources
Received
APR 12 2018



Water Resources
Received
APR 06 2018
KS Dept Of Agriculture

SCANNED

**RECREATIONAL USE
SUPPLEMENTAL SHEET**

File No. 50035

Name of Applicant (Please Print): Douglas L. Henzlik

1. Please indicate type of recreational use (boating, fishing, swimming, etc.): _____
REcreational use at a waterfowl marsh

2. Please summarize how the water will be used and justify the quantity of water requested: _____
345 Acres X 3feet depth = 1035 AF @ 6000 gpm

3. 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	1035 AF
Year 2	1035 AF
Year 3	1035 AF
Year 4	1035 AF
Year 5	1035 AF

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

4. 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.

A 320 acre marsh located in Lot 4 and Lot 5 and the Northeast Quarter (NE 1/4) of Section 19, and Lot 2 and the Northwest Quarter of Section 20, all in Township 30 South, Range 21 East, Neosho County, Kansas.

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

UNACCEPTABLE
 Water Resources Received
 APR 06 2018
 PRIORITY

Water Resources

Received

APR 12 2018

50035

**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River

Water Resources
Received

APR 12 2018

KS Dept Of Agriculture

Water Resources
Received

UNACCEPTABLE FOR PRIORITY
APR 06 2018
KS Dept Of Agriculture

SCANNED

#50,035

Schemm, Doug [KDA]

From: Schemm, Doug [KDA]
Sent: Tuesday, July 10, 2018 10:42 AM
To: 'Galen Biery'
Cc: 'Cara.Hendricks@kwo.ks.gov'
Subject: Huckleberry Farm 50,035
Attachments: 50035 Notification of Cottonwood Neosho WAD.DOCX

Good Morning,

This is a typical duck marsh with surface water from the Neosho River. Changes on senior files will create a complete overlap in place of use.

Have a great day,

Doug

50035

Whitesell, Alex [KDA]

From: Cheryl Mitchell <cheryl@henzlikrealestate.com>
Sent: Monday, April 09, 2018 11:24 AM
To: Whitesell, Alex [KDA]
Cc: Douglas Henzlik
Subject: FW: Huckleberry Farm Application - Page 2 Signature
Attachments: Huckleberry Farm App Sign pg 2 4-9-18.pdf

Hi Alex,

Attached please find a scanned copy of page 2, executed by Doug Henzlik, as requested. I am sending the original to your attention today. Please let me know if you need anything else. Thank you!

Best,
Cheryl

Cheryl L. Mitchell
Controller



5341 West 151st Terrace
Leawood, Kansas 66224
(913) 725-0406 office
(913) 221-9151 cell
(913) 725-0407 fax

Water Resources
Received

APR 12 2018

KS Dept Of Agriculture

SCANNED

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
TOPEKA FIELD OFFICE
6531 SE FORBES AVE., SUITE B
TOPEKA, KS 66619



PHONE: (785) 296-5733
FAX: (785) 296-8298
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

June 20, 2018

BEACHNER BROTHERS INC
PO BOX 128
ST PAUL KS 66771

Re: Pending New Application, File No. 50,035, and
Water Right, File Nos. 40,414 and 42,379 Change Applications (Place of Use)

Dear Sir or Madam:

This is to advise you that Huckleberry Farm, LLC has filed the new application referred to above for a permit to appropriate 1,035 acre-feet of surface water per calendar year from the Neosho River for recreational use, to be diverted at a maximum rate of 6,000 gallons per minute. Please note that this is an **existing pump site** currently authorized under Water Right, File Nos. 40,414 and 42,379. The purpose of this application, if approved, would be to divert surface water to supplement recreational use at a wildlife marsh. This direct diversion of surface water would be subject to specific permit conditions including requesting permission prior to diverting and not stopping flow at the first riffle below the point of diversion. The pending change applications for Water Right, File Nos. 40,414 and 42,379 will increase the place of use to match the new application recreational project.

Surface water will be diverted from one (1) pump site, located in the Southwest Quarter (SW¼) of Section 20, in Township 30 South, Range 21 East, Neosho County, Kansas.

Records in this office indicate that you own land along the stream in this vicinity and you are being notified of receipt of these applications in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

You can find the new and change applications and site maps posted by the file numbers referenced above at: <http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Huckleberry Farm, LLC

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
TOPEKA FIELD OFFICE
6531 SE FORBES AVE., SUITE B
TOPEKA, KS 66619



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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

June 20, 2018

LAWRENCE D & ILA JO MARTIN REVOCABLE LIVING TRUST
12012 HIGH DRIVE
LEAWOOD KS 66209

Re: Pending New Application, File No. 50,035, and
Water Right, File Nos. 40,414 and 42,379 Change Applications (Place of Use)

Dear Sir or Madam:

This is to advise you that Huckleberry Farm, LLC has filed the new application referred to above for a permit to appropriate 1,035 acre-feet of surface water per calendar year from the Neosho River for recreational use, to be diverted at a maximum rate of 6,000 gallons per minute. Please note that this is an **existing pump site** currently authorized under Water Right, File Nos. 40,414 and 42,379. The purpose of this application, if approved, would be to divert surface water to supplement recreational use at a wildlife marsh. This direct diversion of surface water would be subject to specific permit conditions including requesting permission prior to diverting and not stopping flow at the first riffle below the point of diversion. The pending change applications for Water Right, File Nos. 40,414 and 42,379 will increase the place of use to match the new application recreational project.

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Sincerely,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Huckleberry Farm, LLC

STATE OF KANSAS

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DIVISION OF WATER RESOURCES
TOPEKA FIELD OFFICE
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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

June 20, 2018

HOTZ FAMILY TRUST
912 E EDWARDS
GARDEN CITY KS 67846

Re: Pending New Application, File No. 50,035, and
Water Right, File Nos. 40,414 and 42,379 Change Applications (Place of Use)

Dear Sir or Madam:

This is to advise you that Huckleberry Farm, LLC has filed the new application referred to above for a permit to appropriate 1,035 acre-feet of surface water per calendar year from the Neosho River for recreational use, to be diverted at a maximum rate of 6,000 gallons per minute. Please note that this is an **existing pump site** currently authorized under Water Right, File Nos. 40,414 and 42,379. The purpose of this application, if approved, would be to divert surface water to supplement recreational use at a wildlife marsh. This direct diversion of surface water would be subject to specific permit conditions including requesting permission prior to diverting and not stopping flow at the first riffle below the point of diversion. The pending change applications for Water Right, File Nos. 40,414 and 42,379 will increase the place of use to match the new application recreational project.

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Sincerely,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Huckleberry Farm, LLC

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
TOPEKA FIELD OFFICE
6531 SE FORBES AVE., SUITE B
TOPEKA, KS 66619

STATE OF KANSAS



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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

June 20, 2018

NEOSHO VALLEY FEEDERS LLC
PO BOX 128
ST PAUL KS 66771

Re: Pending New Application, File No. 50,035, and
Water Right, File Nos. 40,414 and 42,379 Change Applications (Place of Use)

Dear Sir or Madam:

This is to advise you that Huckleberry Farm, LLC has filed the new application referred to above for a permit to appropriate 1,035 acre-feet of surface water per calendar year from the Neosho River for recreational use, to be diverted at a maximum rate of 6,000 gallons per minute. Please note that this is an **existing pump site** currently authorized under Water Right, File Nos. 40,414 and 42,379. The purpose of this application, if approved, would be to divert surface water to supplement recreational use at a wildlife marsh. This direct diversion of surface water would be subject to specific permit conditions including requesting permission prior to diverting and not stopping flow at the first riffle below the point of diversion. The pending change applications for Water Right, File Nos. 40,414 and 42,379 will increase the place of use to match the new application recreational project.

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Sincerely,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Huckleberry Farm, LLC

STATE OF KANSAS

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DIVISION OF WATER RESOURCES
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6531 SE FORBES AVE., SUITE B
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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

June 20, 2018

BARRETT G SATTERLEE
PO BOX 400
JOPLIN MO 64802

Re: Pending New Application, File No. 50,035, and
Water Right, File Nos. 40,414 and 42,379 Change Applications (Place of Use)

Dear Sir or Madam:

This is to advise you that Huckleberry Farm, LLC has filed the new application referred to above for a permit to appropriate 1,035 acre-feet of surface water per calendar year from the Neosho River for recreational use, to be diverted at a maximum rate of 6,000 gallons per minute. Please note that this is an **existing pump site** currently authorized under Water Right, File Nos. 40,414 and 42,379. The purpose of this application, if approved, would be to divert surface water to supplement recreational use at a wildlife marsh. This direct diversion of surface water would be subject to specific permit conditions including requesting permission prior to diverting and not stopping flow at the first riffle below the point of diversion. The pending change applications for Water Right, File Nos. 40,414 and 42,379 will increase the place of use to match the new application recreational project.


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Sincerely,


Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Huckleberry Farm, LLC

STATE OF KANSAS

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DIVISION OF WATER RESOURCES
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GOVERNOR JEFF COLYER, M.D.

JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

June 20, 2018

KANSAS DEPARTMENT OF WILDLIFE PARKS & TOURISM
ACTIVE DIVERSIONS (TOP)
1020 S KANSAS AVE FLOOR 2
TOPEKA KS 66612-1389

Re: Pending New Application, File No. 50,035, and
Water Right, File Nos. 40,414 and 42,379 Change Applications (Place of Use)

Dear Sir or Madam:

This is to advise you that Huckleberry Farm, LLC has filed the new application referred to above for a permit to appropriate 1,035 acre-feet of surface water per calendar year from the Neosho River for recreational use, to be diverted at a maximum rate of 6,000 gallons per minute. Please note that this is an **existing pump site** currently authorized under Water Right, File Nos. 40,414 and 42,379. The purpose of this application, if approved, would be to divert surface water to supplement recreational use at a wildlife marsh. This direct diversion of surface water would be subject to specific permit conditions including requesting permission prior to diverting and not stopping flow at the first riffle below the point of diversion. The pending change applications for Water Right, File Nos. 40,414 and 42,379 will increase the place of use to match the new application recreational project.

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If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Huckleberry Farm, LLC

STATE OF KANSAS

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DIVISION OF WATER RESOURCES
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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

July 10, 2018

COTTONWOOD AND NEOSHO RIVER WATER ASSURANCE
DISTRICT NO 3
% GALEN BIERY
212 SW 7TH STREET
TOPEKA KS 66603-3717

Re: Pending Application, File No. 50,035; and
Water Right, File Nos. 40,414 and 42,379 Change Applications (Place of Use)

Dear Mr. Biery:

This is to advise you that Huckleberry Farm, LLC has filed the application referred to above for a permit to appropriate 1,035 acre-feet of surface water per calendar year from the Neosho River for recreational use in a series of wildlife marshes, to be diverted at a maximum rate of 6,000 gallons per minute. Please note that this is an **existing pump site** currently authorized under Water Right, File Nos. 40,414 and 42,379. There are pending change applications for Water Right, File Nos. 40,414 and 42,379, which will increase the place of use to match the new application recreational project. This direct diversion of surface water would be subject to specific permit conditions including requesting permission prior to diverting and not stopping flow at the first riffle below the point of diversion.

Surface water will be diverted from one (1) pump site, located in the Southwest Quarter (SW¹/₄) of Section 20, in Township 30 South, Range 21 East, Neosho County, Kansas.

You can find the new and change applications and site maps posted by the file numbers referenced above at: <http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

You are being notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. If you have any questions, please contact me at (785) 296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Kansas Water Office

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 16, 2018

HUCKLEBERRY FARM, LLC
5341 WEST 15ST TERRACE
LEAWOOD KS 66224

RE: Application
File No. 50035

Dear Sir or Madam:

Your application for permit to appropriate water in 20-30S-21E in Neosho 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) 564-6637. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: TOPEKA Field Office
GMD

SCANNED

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50035 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50035 00 REC

Water Right and Points of Diversion Within 2.00 miles of point defined as:

1396 Feet North and 5247 Feet West of the Southeast Corner of Section 20 T 30S R 21E

SURFACE WATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 40079	00	REC	NK	S	2978	--	NE	SE	NW	3446	3087	20	30	21E	1	160.00	160.00	AF
A__ 40346	00	REC	NK	S	9084	--	NW	NE	NE	5188	859	18	30	21E	2	23.00	23.00	AF
Same					8813	--	NW	NE	NE	4873	1217	18	30	21E	4			
Same					8313	--	--	--	--	4339	1400	18	30	21E	11			
A__ 40414	00	REC	NK	S*	0	--	--	CW	SW	1396	5247	20	30	21E	3	72.50	72.50	AF
A__ 41122	00	REC	NK	S	6095	--	NW	NW	SW	2285	5216	17	30	21E	4	44.00	44.00	AF
Same					7432	--	NE	SE	NE	3559	516	18	30	21E	7			
Same					5090	--	--	--	--	1221	375	18	30	21E	8			
A__ 42379	00	REC	NK	S*	0	--	--	CW	SW	1396	5247	20	30	21E	3	696.00	623.50	AF
A__ 42380	00	REC	NK	S	6095	--	NW	NW	SW	2285	5216	17	30	21E	4	169.00	125.00	AF
Same					7432	--	NE	SE	NE	3559	516	18	30	21E	7			
Same					5090	--	--	--	--	1221	375	18	30	21E	8			
A__ 43440	00	REC	NK	S	10327	--	NE	SE	SE	1150	50	7	30	21E	10	67.50	67.50	AF
Same					9402	--	SW	SE	SE	200	700	7	30	21E	11			
A__ 44076	00	REC	NK	S	8429	--	--	--	--	1227	1290	13	30	20E	2	22.00	22.00	AF
Same					6946	--	--	--	--	2250	1500	24	30	20E	2			
Same					6339	--	--	--	--	2458	858	24	30	20E	3			
Same					6052	--	--	--	--	1105	3459	18	30	21E	9			
A__ 47311	00	REC	LR	S	8429	--	--	--	--	1227	1290	13	30	20E	2	121.50	121.50	AF
Same					6052	--	--	--	--	1105	3459	18	30	21E	9			
A__ 47312	00	REC	NK	S	8429	--	--	--	--	1227	1290	13	30	20E	2	94.50	72.50	AF
Same					6946	--	--	--	--	2250	1500	24	30	20E	2			
Same					6339	--	--	--	--	2458	858	24	30	20E	3			
Same					6052	--	--	--	--	1105	3459	18	30	21E	9			
A__ 49338	00	REC	LO	S	9084	--	NW	NE	NE	5188	859	18	30	21E	2	64.00	41.00	AF
Same					8813	--	NW	NE	NE	4873	1217	18	30	21E	4			
Same					8313	--	--	--	--	4339	1400	18	30	21E	11			
A__ 49978	00	REC	GY	S	9961	--	--	--	--	2774	1669	32	30	21E	1	385.00	385.00	AF
A__ 50030	00	REC	AY	S	8923	--	NE	NE	NE	5040	710	18	30	21E	12	99.00	99.00	AF
A__ 50035	00	REC	AY	S	0	--	--	CW	SW	1396	5247	20	30	21E	3	1035.00	1035.00	AF
VLB	2	D2	MUN	AA	S	8990	--	--	--	2720	3500	24	30	20E	1	2304.73	.00	AF

Nearest downstream
← Senior pending upstream

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	1134.00	.00
Total Permitted Amount (AF) =	385.00	.00
Total Inspected Amount (AF) =	162.50	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	1210.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2891.50	.00

An * after the source of supply indicates a pending application for change under the file number.
 An * after the ID indicates a 15 AF exemption was granted under the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

1396 Feet North and 5247 Feet West of the Southeast Corner of Section 20 T 30S R 21E

SURFACE WATER ONLY

WATER USE CORRESPONDENTS:

=====

File Number Use ST SR

A__ 40079 00 REC NK S

- > KANSAS DEPT OF WILDLIFE PARKS & TOURISM
- > ACTIVE DIVERSIONS (TOP)
- > 1020 S KANSAS AVE FL 2
- > TOPEKA KS 66612

>-----

A__ 40346 00 REC NK S

- > T WILLIE WATERFOWL LLC
- >
- > 1000 CENTRAL AVE
- > KANSAS CITY KS 66102

>-----

A__ 40414 00 REC NK S

- > NICK SMITH
- >
- > 528 WASHINGTON
- > SAINT PAUL KS 66771

>-----

A__ 41122 00 REC NK S

- > SNS LAND COMPANY LLC
- >
- > PO BOX 400
- > JOPLIN MO 64802

>-----

A__ 42379 00 REC NK S

- > NICK SMITH
- >
- > 528 WASHINGTON
- > SAINT PAUL KS 66771

>-----

A__ 42380 00 REC NK S

- > SNS LAND COMPANY LLC
- >
- > PO BOX 400
- > JOPLIN MO 64802

>-----

A__ 43440 00 REC NK S

- > JAMES R CHAPPELL
- > MARSH ALL
- > 202 S COUNTRY CLUB RD
- > CHANUTE KS 66720

>-----

A__ 44076 00 REC NK S

- > NICK SMITH
- >

50035

Huckleberry Farm, LLC
Properties within 1/2 Mile

Record Owner	Property	Mailing - Street	Mailing - City, State, Zip
Beachner Farms, Inc.	22505 50th	P.O. Box 128	St. Paul, KS 66771
Beachner Brothers, Inc.	4245 Wallace	P.O. Box 128	St. Paul, KS 66771
Beachner Brothers, Inc.	3995 Wallace	P.O. Box 128	St. Paul, KS 66771
Kansas Wildlife & Parks	3505 Wallace	512 SE 25th Avenue	Pratt, KS 67124
Martin, Laurence D & Ila Jo Revocable Living Trust	22496 30th	12012 High Drive	Leawood, KS 66209
Hotz Family Trust	22437 30th	912 E Edwards	Garden City, KS 67846
Neosho Valley Feeders, LLC	21156 20th	P.O. Box 128	St. Paul, KS 66771
Neosho Valley Feeders, LLC	22550 10th	P.O. Box 128	St. Paul, KS 66771
Neosho Valley Feeders, LLC	21154 20th	P.O. Box 128	St. Paul, KS 66771
Neosho Valley Feeders, LLC	21152 20th	P.O. Box 128	St. Paul, KS 66771
Neoshonuf, LLC	21515 40th	Kat Hall, 40 W Broadway, Ste 500	Greenville, SC 29601
Satterlee, Barrett G.	4230 Veterans	P.O. Box 400	Joplin, MO 64802
Satterlee, Barrett G. & William Satterlee	4600 Veterans	P.O. Box 400	Joplin, MO 64802

Water Resources
Received

APR 12 2018

KS Dept Of Agriculture

Water Resources
UNACCEPTABLE FOR PRIORITY
APR 06 2018

KS Dept Of Agriculture

SCANNED

Print Page

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Parcel Search Results (Click on the Parcel ID Number for Detailed Results)

Owner Information	Property Address	Property Description	Apr Amount	Prop Class
<p>067-204-17-0-00-00-001.00-0 Quick Ref ID = 11689 Tax Year = 2018 BEACHNER FARMS INC</p> <p>Owner Mailing Address: PO BOX 128 ST PAUL, KS 66771</p>	<p>22505 50TH RD, Saint Paul, KS 66771</p> <p>ACRES=479 Neighborhood=522.0</p>	<p>S17, T30, R021, ACRES 479.0, NW4 & NE4 & N2 SE4 & N2 SW4 & TR 3700' X 60' BEG 1580' W NE/C S2 SE4 W 3700' S 60' E 3700' N 60' TO POB LESS RD</p>	\$104,180	Agricultural Use
<p>067-204-17-0-00-00-002.00-0 Quick Ref ID = 11690 Tax Year = 2018 HUCKLEBERRY FARM LLC</p> <p>Owner Mailing Address: 5341 WEST 151ST TERRACE LEAWOOD, KS 66224</p>	<p>4080 VETERANS RD, Saint Paul, KS 66771</p> <p>ACRES=21 Neighborhood=523.0</p>	<p>S17, T30, R021, ACRES 21, ALL THAT PT S2 SW4 LYG W RIVER CUT-OFF</p>	\$2,740	Agricultural Use
<p>067-204-17-0-00-00-004.00-0 Quick Ref ID = 11691 Tax Year = 2018 BEACHNER BROS INC</p> <p>Owner Mailing Address: PO BOX 128 ST PAUL, KS 66771</p>	<p>4245 WALLACE RD, Saint Paul, KS 66771</p> <p>ACRES=117 Neighborhood=522.0</p>	<p>S17, T30, R021, ACRES 117.0, S2 SE4 & ALL THAT PT S2 SW4 LYG E OF RIVER CUT-OFF EXC TR BEG 1580'W NE/C S2SE4 W3700' S 60' E3700' N60'TO POB LESS RD</p>	\$25,260	Agricultural Use

[Back to Search Page](#) --- [Home](#)

Parcel Search powered by



50,035

2018222 - Floodplain Fill

APPLICATION NOTICE

As required by the Water Projects Environmental Coordination Act, K.S.A. 82a 325-327
Please Respond to: Janelle Phillips, P.E.

Notice No.: 2018222

Date of Notice: 7/11/2018

WS No.: LNO-0149

Expiration Date: 8/10/2018

Project No.: Duck Marsh Wetland

This notice of application is provided so that interested persons and agencies identified by the Water Projects Environmental Coordination Act and interested persons or organizations may have an opportunity to review the plans and submit any comments to the Chief Engineer for consideration. The plans are available in this office for review any time during regular office hours. Comments should be submitted, in writing, prior to the expiration date listed above. If no comments are received by that date, we will presume you have no information to be considered.

APPLICANT

DESIGNER

Name: Huckleberry Farms LLC
Doug Henzlik

Name: Ag Engineering Associates
Frank Young

Address: 13356 Metcalf Ave
Overland Park KS 66213

Address: P O Box 4
Uniontown KS 66779

Telephone: (913) 706-7037

Telephone: (620) 756-1000

PROJECT LOCATION: (See attached 7 1/2 minute quadrangle map: South Mound, Kansas).

Along Neosho River at a location in the S 1/2 of the SW 1/4 of the SW 1/4 of Section 17, and in the W 1/2, of the NW 1/4 of Section 20, all in Township 30 South, Range 21 East, Neosho County, Kansas.

STATUTE: 24-126

PROJECT ACTIVITY: Floodplain Fill

Prior Agency Comments (Attached): Yes () No (X)

IMAGES:
Application
Quad
Aerial
Plan Sheets

50,035

WSI01 Query WSI, ENG, WSI_TRANSACTIONS, WATER_RIGHTS, LOCATIONS, WAIVERS, ECA, ITRAIL, COMPLIANCE, IMAGES, WSI_ACTIONS

STRUCTURE NUMBER: L NO 0120 Ws Id 30046 LAST# 149

REVIEWER: [] CURRENT STATUS: Permt PC Compliance Permt CCNSTRUCTEC

APPLICATION: App Recd Date 04-18-2006 Project Activity WETLAND ENHANCEMENT Site Name NEW TIMBER Stream NEOSHO RIVER(FLOODPLAIN) KDOT Type

INDICATORS: Pending Complaint N App Mod N Pending Mod N After the Fact Y General Permits N

Levee Ind: Corps

App Proc. Time: DWR 1325 Total 1326

Location: Pull Date

APPLICANT: LAST CARTER FIRST ROY

OWNER: LAST HUCKLEBERRY FARMS LLC FIRST

DESIGNER: LAST CARTER FIRST ROY

Const Comp Date 07-25-2006 DDA 3055878 Remarks WETLAND ENHANCEMENT LEVEE FO TOPEKA

WYSI ACT ALL ACT LOCATION ECA APPLICANT OWNER DESIGNER ENG COMPLAINT MOD ACT PROJECT

ACTIONS LOCATION ECA FEE ITRAIL LEGAL WAIVER W/R IMAGE CMP/ MODIFICATION TAXRED AFF ND.

Date	Action	Deadline Date	Remarks
12-15-2009	PERMIT NOTICE OF COMPLETION		COMPLETE
12-04-2009	PERMIT ISSUED PENDING COMPLETION	01-04-2010	
10-22-2009	INFORMATION RECEIVED		OWNER AD

50,035

WSI01 Query: WSI_ENG, WSI_TRANSACTIONS, WATER_RIGHTS, LOCATIONS, WAIVERS, ECA, ITRAIL, COMPLIANCE, IMAGES, WSI_ACTIONS

STRUCTURE NUMBER: Ws Id: 19243 LAST#: 149

APPLICATION: App Recd Date: 09-20-1994

INDICATORS: Pending Complaint: N

PERMITTER: CURRENT STATUS: Project Activity: LEVEE (ALREADY BUILT) App Mod: N

INIT: Perml: P.A: Site Name: Pending Mod: N

File Location: Compliance: Stream: NEOSHO RIVER & CUTOFF After the Fact: N

Perml: PMT APPROVED KDOT Type: General Permits: N

APPLICANT: LAST: CARTER FIRST: DONALD E Levee Ind: Corps:

OWNER: LAST: UNKNOWN FIRST: App Proc Time: Total:

DESIGNER: LAST: CARTER FIRST: DONALD E DWR: Location: Pub Date:

Const Comp Date: 10-12-1994 DDA: Remarks: F0: TOPEKA

WSI ACT ALL ACT LOCATION ECA APPLICANT OWNER DESIGNER ENG COMPLAINT MOD ACT PROJECT

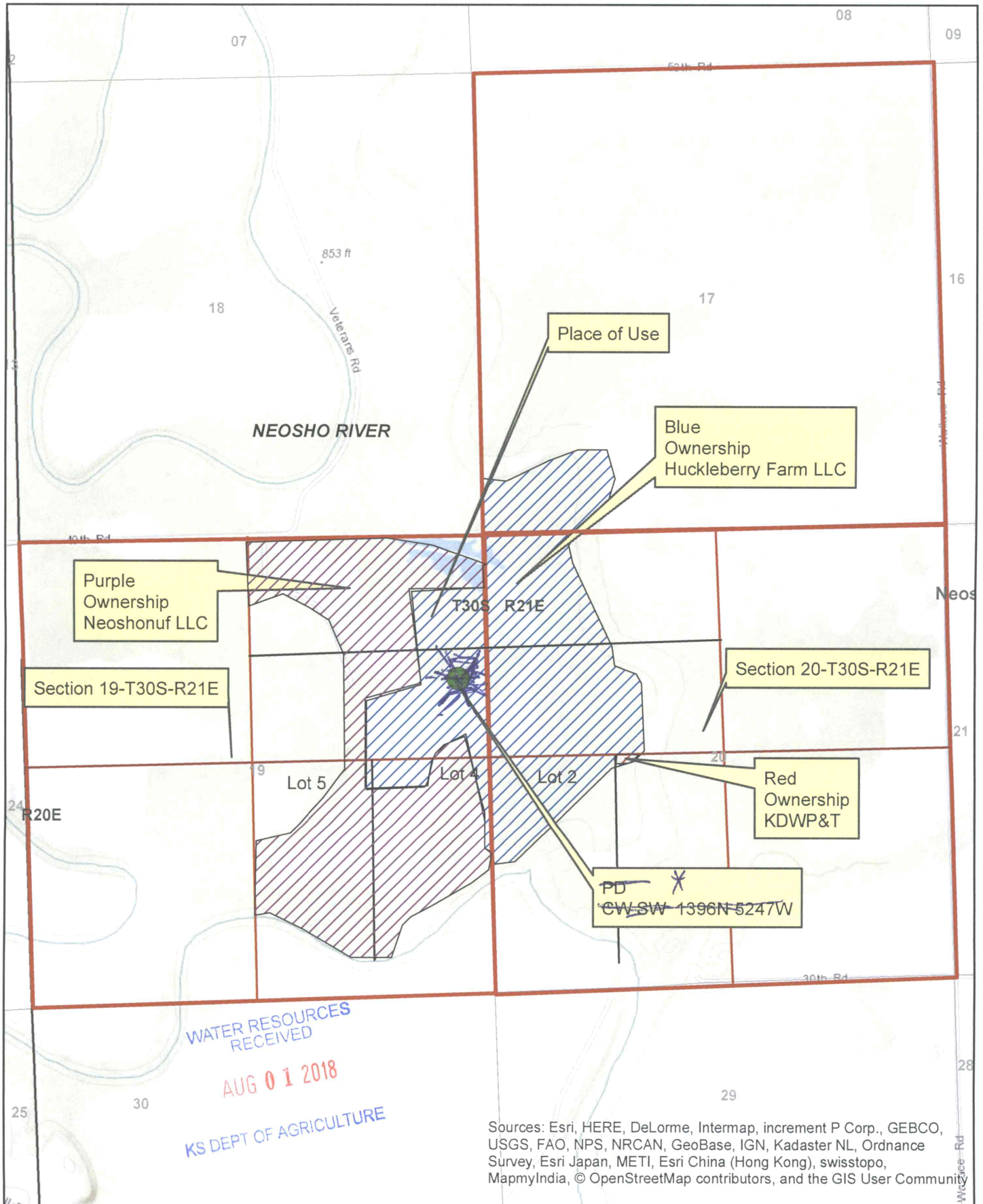
ACTIONS LOCATION ECA FEE ITRAIL LEGAL WAIVER YR IMAGE CMP/ MODIFICATION TAXED AFF ND

Date	Action	Deadline	Remarks
12-06-1994	PERMIT ISSUED PENDING COMPLETION		
10-12-1994	PERMIT NOTICE OF COMPLETION		

OWNERSHIP MAP- NEW APPLICATION HUCKLEBERRY FARM, LLC, 40414 & 42379 CHANGE PU



Proposed New Application and PU changes 40414 & 42379



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



1:18,000

Signature _____ Date _____

* Mark Down
8/1/18

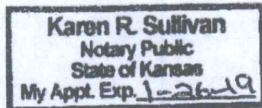
By: David L. Martin
David L. Martin, Successor Co-Trustee

By: Judy Jo Martin
Judy Jo Martin, Successor Co-Trustee

STATE OF KANSAS)
) SS:
COUNTY OF CRAWFORD)

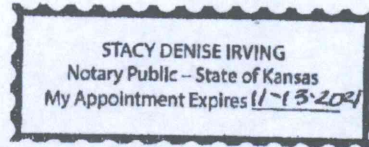
The foregoing instrument was acknowledged before me this 8 day of December, 2017, by Rick D. Martin, Successor Co-Trustee of the Laurence D. Martin and Ila Jo Martin Revocable Living Trust under agreement dated May 25, 1993 on behalf of the Trust.

(SEAL)



Karen R. Sullivan
Karen R. Sullivan, Notary Public
My Appointment expires: Jan. 26, 2019

STATE OF KANSAS)
) SS:
COUNTY OF Wyandotte)



The foregoing instrument was acknowledged before me this 7 day of December, 2017, by David L. Martin, Successor Co-Trustee of the Laurence D. Martin and Ila Jo Martin Revocable Living Trust under agreement dated May 25, 1993 on behalf of the Trust.

(SEAL)

Stacy Denise Irving
Notary Public
My Appointment expires: 11-13-2021

STATE OF KANSAS)
) SS:
COUNTY OF Johnson
Kansas)



The foregoing instrument was acknowledged before me this 8 day of December, 2017, by Judy Jo Martin, Successor Co-Trustee of the Laurence D. Martin and Ila Jo Martin Revocable Living Trust under agreement dated May 25, 1993 on behalf of the Trust.

(SEAL)

Theresa Coillot
Theresa Coillot, Notary Public
My Appointment expires: June 26th 2020

Huckleberry - All



- Huckleberry Farm, LLC
- KDWP&T
- Neoshonuf, LLC



RECEIVED

MAR 22 2018

Topeka Field Office
DIVISION OF WATER RESOURCES

Entered in Transfer Record
In my office, this 29th
day of December A.D., 2017
Ronald E Neely
Neosho County Clerk

STATE OF KANSAS, NEOSHO COUNTY, SS
KATHY MILNER, REGISTER OF DEEDS
Book: 521 Page: 279
Pages Recorded: 3 Recording Fee: \$46.00
Date Recorded: 12/29/2017 9:02:00 AM



SUCCESSOR CO-TRUSTEES' DEED

RECEIVED

This indenture made this 6th day of December, 2017, by and between Rick D. Martin, David L. Martin, and Judy Jo Martin, Successor Co-Trustees of the Laurence D. Martin and Ila Jo Martin Revocable Living Trust under agreement dated May 25, 1993, as Grantors, and Huckleberry Farm, L.L.C., a Kansas limited liability company, as Grantee.

MAR 22 2018

Topeka Field Office
DIVISION OF WATER RESOURCES

The Grantors, as Successor Co-Trustees by reason of the death of Ila Jo Martin on March 13, 2012 and the death of Laurence D. Martin on January 30, 2017, and by virtue of the terms and provisions of said Trust, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, sell, and convey to Huckleberry Farm, L.L.C., its successors and assigns, the following described real estate in Neosho County, Kansas, to-wit:

A tract of land located in the Southeast Quarter of the Northwest Quarter (SE/4, NW/4) of Section Twenty, Township Thirty South, Range Twenty-one East (20-30-21) of the Sixth Principal Meridian, Neosho County, Kansas, further described as follows: Commencing at the Northwest corner of said Section Twenty (20); thence South 00°00'36" West on the West line of the Northwest Quarter of said Section to the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section a distance of 1306.24 feet; thence South 89°45'09" East on the North line of the Southwest Quarter of said Northwest Quarter to the Northwest corner of the Southeast Quarter of the Northwest Quarter of said Section and the point of beginning a distance of 1327.15 feet; thence South 89°45'09" East on the North line of the Southeast Quarter of said Northwest Quarter to the Centerline of the Neosho River a distance of 129.23 feet; thence South 52°04'37" East on the Centerline of said river a distance of 781.97 feet; thence South 26°23'19" East on the Centerline of said river a distance of 226.77 feet; thence South 14°27'02" West on the Centerline of said river a distance of 421.94 feet; thence North 89°38'39" West to the West line of the Southeast Quarter of said Northwest Quarter a distance of 742.33 feet; thence North 00°02'20" East on the West line of the Southeast Quarter of said Northwest Quarter to the point of beginning a distance of 1088.28 feet. Tract 1 contains 15.96 acres, more or less.

AND

SCANNED

A tract of land located in the Southwest Quarter (SW/4) of Section Twenty, Township Thirty South, Range Twenty-one East (20-30-21) of the Sixth Principal Meridian, Neosho County, Kansas, further described as follows: Commencing at the Northwest corner of the Southwest Quarter of said Section; thence South 89°38'17" East on the North line of the Southwest Quarter of said Section to the Northwest corner of the East Half of said Southwest Quarter a distance of 1326.56 feet; thence South 00°04'45" West on the West line of said East Half to the point of beginning a distance of 657.00 feet; thence South 89°38'48" East to the Centerline of the Neosho River a distance of 549.94 feet; thence South 10°26'18" West on the Centerline of said river a distance of 374.46 feet; thence South 38°19'41" West on the Centerline of said river a distance of 226.20 feet; thence South 68°59'17" West on the Centerline of said river to the West line of the East Half of the Southwest Quarter of said Section a distance of 366.99 feet; thence North 00°03'57" East on the West line of said East Half to the point of beginning a distance of 680.69 feet. Tract 2 contains 6.58 acres, more or less.

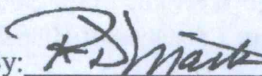
commonly known as 21519 40th Road, St. Paul, Neosho County, Kansas 66771,

EXCEPT AND SUBJECT TO: reservations, restrictions, covenants, easements and rights-of-way of record, if any.

The Grantors covenant that Grantors are the duly appointed, qualified and acting Successor Co-Trustees of the Laurence D. Martin and Ila Jo Martin Revocable Living Trust under agreement dated May 25, 1993, that the Agreement is in full force and effect and has not been revoked, that the Successor Co-Trustees have good right to convey Grantors' interest in the property conveyed by this Deed (the "Property") and warrant the quiet possession of the Property against the claims of those claiming any right, interest or title through Grantors, and further covenant that the Property is free from all encumbrances created by Grantors, and Grantors will warrant and defend the Property against all lawful claims of those claiming any right, interest or title through Grantors; but Grantors do not warrant title against those claiming a right, interest or title that arose prior to, or separate from Grantors' interest in the Property. Grantors execute this Deed as Successor Co-Trustees and not in individual capacities. By the acceptance hereof, it is agreed that Grantors are not and shall not be personally liable upon any covenant or warranty herein, whether expressed or implied, and that Grantors' liability as Successor Co-Trustees shall be limited to the assets of the trust held by Grantors as Successor Co-Trustees at the time any such liability may be determined.

TO HAVE AND TO HOLD the Property, together with the appurtenances and hereditaments and every part thereof, unto the Grantee, its successors and assigns.

Laurence D. Martin and Ila Jo Martin Revocable
Living Trust under agreement dated May 25, 1993

By: 
Rick D. Martin, Successor Co-Trustee

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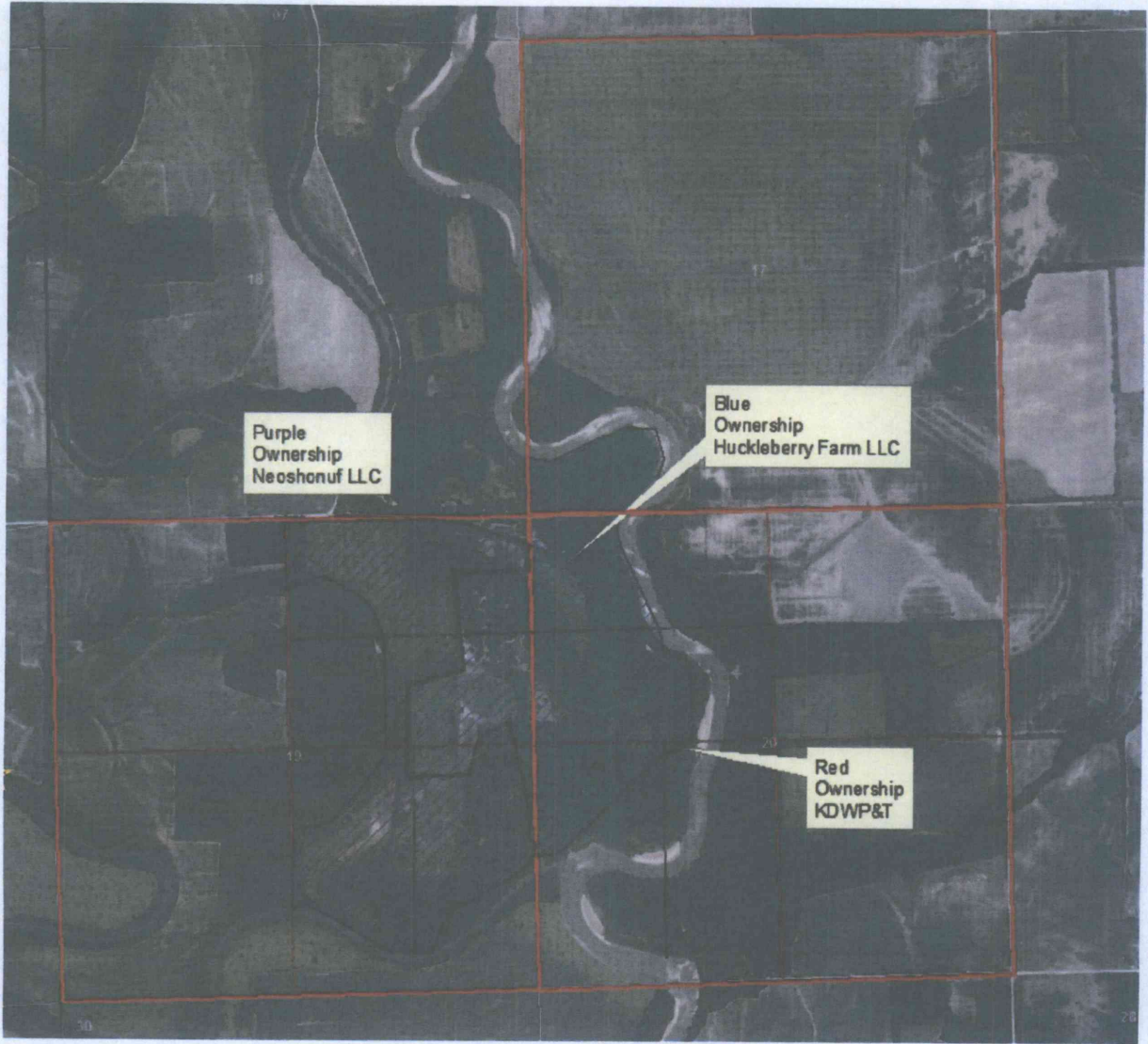
[Back to Search Page](#) --- [Home](#)

Topeka Field Office
DIVISION OF WATER RESOURCES

Parcel Search Results (Click on the Parcel ID Number for Detailed Results)

Owner Information	Property Address	Property Description	Apr Amount	Prop Class
<p>067-204-19-0-00-00-001.00-0 Quick Ref ID = 11701 Tax Year = 2017 NEOSHONUF LLC</p> <p>Owner Mailing Address: Attn: KAT HALL 40 W BROAD ST #STE 500 GREENVILLE, SC 29601</p>	<p>21515 40TH RD, McCune, KS 66753 ACRES=225.08 Neighborhood=522.0</p>	<p>S19, T30, R021, ACRES 225.09, NE4 & LTS 4-5 LESS RD EXC TR BEG 607.5' S NE/C S 1735.38' TH WLY & SLY 967.38' W 748.50' NLY 1103.49' NELY 646.50' NLY 1041.8' ELY 811.30' TO POB LESS 6.60 AC IN E2 SEC</p>	\$29,640	Agricultural Use
<p>067-204-19-0-00-00-001.01-0 Quick Ref ID = 11702 Tax Year = 2017 HUCKLEBERRY FARM LLC</p> <p>Owner Mailing Address: 5341 WEST 151ST TERRACE LEAWOOD, KS 66224</p>	<p>21605 40TH RD, McCune, KS 66753 ACRES=52.3 Neighborhood=522.0</p>	<p>S19, T30, R021, ACRES 52.3, TR BEG 607.5' S NE/C S1735.38' W147.18' WLY203' WLY152' WLY 134.4' SWLY168' SWLY162.8' W 746.5' N 986.15' NLY117' E 646.5' N 343.6' N 698' E 811.3' TO POB</p>	\$5,690	Agricultural Use
<p>067-204-19-0-00-00-001.02-0 Quick Ref ID = 11703 Tax Year = 2017 HUCKLEBERRY FARM LLC</p> <p>Owner Mailing Address: 5341 WEST 151ST TERRACE LEAWOOD, KS 66224</p>	<p>21603 40TH RD, McCune, KS 66753 ACRES=6.6 Neighborhood=522.0</p>	<p>S19, T30, R021, ACRES 6.6, TR BEG 2342.91' S NE/C TO POB THEN WLY 147.18' & 113.82' THENCE SLY 618', 613.97' & 70' TO E SEC LN N 1420' TO POB</p>	\$690	Agricultural Use
<p>067-204-19-0-00-00-002.00-0 Quick Ref ID = 11704 Tax Year = 2017 NEOSHONUF LLC</p> <p>Owner Mailing Address: Attn: KAT HALL 40 W BROAD ST #STE 500</p>	<p>21245 40TH RD, McCune, KS 66753 ACRES=80 Neighborhood=522.0</p>	<p>S19, T30, R021, ACRES 80, N2 NW4 LESS RD</p>	\$14,540	Agricultural Use

OWNERSHIP MAP- NEW APPLICATION HUCKLEBERRY FARM, LLC, 40414 & 42379 CHANGE PU



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MAR 22 2018

Topeka Field Office
DIVISION OF WATER RESOURCES

SCANNED

GREENVILLE, SC 29601				
<p>067-204-19-0-00-00-003.00-0</p> <p>Quick Ref ID = 11705</p> <p>Tax Year = 2017</p> <p>GOUVION CHARLES E & MARY J</p> <p>Owner Mailing Address: 6650 WALLACE RD ST PAUL, KS 66771</p>	<p>21015 40TH RD, McCune, KS 66753</p> <p>ACRES=81 Neighborhood=522.0</p>	<p>S19 , T30 , R021 , ACRES 81.0 , S2 NW4</p>	<p>\$15,040</p>	<p>Agricultural Use</p>
<p>067-204-19-0-00-00-004.00-0</p> <p>Quick Ref ID = 11706</p> <p>Tax Year = 2017</p> <p>BEACHNER BROS INC</p> <p>Owner Mailing Address: PO BOX 128 ST PAUL, KS 66771</p>	<p>21013 40TH RD, McCune, KS 66753</p> <p>ACRES=114 Neighborhood=522.0</p>	<p>S19 , T30 , R021 , ACRES 114.0 , NE4 SW4 & LTS 6-7</p>	<p>\$21,760</p>	<p>Agricultural Use</p>
<p>067-204-19-0-00-00-005.00-0</p> <p>Quick Ref ID = 11707</p> <p>Tax Year = 2017</p> <p>MANNERS JR ALFRED E & V E LIVING TRUST</p> <p>Owner Mailing Address: 22044 UDALL RD PARSONS, KS 67357</p>	<p>3006 TREGO RD, Saint Paul, KS 66771</p> <p>ACRES=21 Neighborhood=522.0</p>	<p>S19 , T30 , R021 , ACRES 21.0 , LT 1</p>	<p>\$6,710</p>	<p>Agricultural Use</p>
<p>067-204-19-0-00-00-005.00-0</p> <p>Quick Ref ID = 11707</p> <p>Tax Year = 2017</p> <p>MANNERS, GALEN LAYNE</p> <p>Owner Mailing Address: 24029 UDALL RD PARSONS, KS 67357</p>	<p>3006 TREGO RD, Saint Paul, KS 66771</p> <p>ACRES=21 Neighborhood=522.0</p>	<p>S19 , T30 , R021 , ACRES 21.0 , LT 1</p>	<p>\$6,710</p>	<p>Agricultural Use</p>
<p>067-204-19-0-00-00-006.00-0</p> <p>Quick Ref ID = 11708</p> <p>Tax Year = 2017</p> <p>NEOSHO VALLEY FEEDERS LLC</p> <p>Owner Mailing Address: PO BOX 128 ST PAUL, KS 66771</p>	<p>21152 20TH RD, Saint Paul, KS 66771</p> <p>ACRES=51 Neighborhood=522.0</p>	<p>S19 , T30 , R021 , ACRES 51.0 , LTS 2-3</p>	<p>\$6,300</p>	<p>Agricultural Use</p>

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Parcel Search Results (Click on the Parcel ID Number for Detailed Results)

Owner Information	Property Address	Property Description	Apr Amount	Prop Class
<p>067-204-20-0-00-00-001.00-0 Quick Ref ID = 11709 Tax Year = 2017 BEACHNER BROS INC</p> <p>Owner Mailing Address: PO BOX 128 ST PAUL, KS 66771</p>	<p>3995 WALLACE RD, Saint Paul, KS 66771 ACRES=117 Neighborhood=522.0</p>	<p>S20 , T30 , R021 , ACRES 117.0 , ALL THAT PT OF N2 NE4 & N2 NW4 LYG E OF RIVER CUT-OFF LESS RD</p>	<p>\$24,670</p>	<p>Agricultural Use</p>
<p>067-204-20-0-00-00-002.00-0 Quick Ref ID = 11710 Tax Year = 2017 HUCKLEBERRY FARM LLC</p> <p>Owner Mailing Address: 5341 WEST 151ST TERRACE LEAWOOD, KS 66224</p>	<p>4078 VETERANS RD, Saint Paul, KS 66771 ACRES=35 Neighborhood=523.0</p>	<p>S20, T30, R021, ACRES 35, N2 NW4 LYG W OF RIVER CUT-OFF</p>	<p>\$3,680</p>	<p>Agricultural Use</p>
<p>067-204-20-0-00-00-003.00-0 Quick Ref ID = 11711 Tax Year = 2017 HUCKLEBERRY FARM LLC</p> <p>Owner Mailing Address: 5341 WEST 151ST TERRACE LEAWOOD, KS 66224</p>	<p>21517 40TH RD, McCune, KS 66753 ACRES=19.3 Neighborhood=523.0</p>	<p>S20, T30, R021, ACRES 19.3, SW4 NW4, ALL THAT PT OF NW4 SW4 LYG N OF RIVER & CUT-OFF & TR BEG SW/C SE4 NW4 N 219.95' E 742. 5' S 219.95' W 742.5' TO POB EXC TR BEG NW/C SW4 NW4 E 1326.96' S 1087.91' E 742.50' S 220' W 742.50' TO SE/C SW4 NW4 S 667' W 725.02' N 648.23' TH N & WLY TO PT ON W LI SEC 20 1037.38' TO POB CONT 63.69 AC MORE OR LESS</p>	<p>\$2,540</p>	<p>Agricultural Use</p>
<p>067-204-20-0-00-00-003.01-0 Quick Ref ID = 11712</p>	<p>21607 40TH RD, McCune, KS 66753 ACRES=57 Neighborhood=523.0</p>	<p>S20, T30, R021, ACRES 57, TR BEG NW/C SW4</p>	<p>\$6,220 A \$164,980 R</p>	<p>Residential</p>

<p>Tax Year = 2017 HUCKLEBERRY FARM LLC</p> <p>Owner Mailing Address: 5341 WEST 151ST TERRACE LEAWOOD, KS 66224</p>		<p>NW4 E 1326.96' TO NE/C SW4 NW4 S 1087.91' E 742.50' S 220' W 742.50' TO SE/C SW4 NW4 S 667' TO PT DESCRIBED AS SW/C OF N 20 AC NE4 SW4 OF SEC 20 W 725.02 N 648.23' TH TRAVERSELY N & W TO PT ON W LI SEC 20 1037.38' S OF POB TH N 1037.38' TO POB CONT 63.69AC MORE OR LESS</p>		
<p>067-204-20-0-00-00-004.00-0 Quick Ref ID = 11713 Tax Year = 2017 HUCKLEBERRY FARM LLC</p> <p>Owner Mailing Address: 5341 WEST 151ST TERRACE LEAWOOD, KS 66224</p>	<p>21519 40TH RD, McCune, KS 66753 ACRES=10.98 Neighborhood=523.0</p>	<p>S20, T30, R021, ACRES 10.98, TR BEG 219.95' N SW/C SE4 NW4 N1100.05' E 990' S 1320' W 247.5' N 219.95' W 742.5' TO POB</p>	<p>\$1,220</p>	<p>Agricultural Use</p>
<p>067-204-20-0-00-00-004.01-0 Quick Ref ID = 304289 Tax Year = 2017 KANSAS WILDLIFE, PARKS & TOURISM</p> <p>Owner Mailing Address: 1020 S KANSAS TOPEKA, KS 66612</p>	<p>21519 40TH RD, McCune, KS 66753 ACRES=5.75 Neighborhood=523.0</p>	<p>S20, T30, R021, Acres 5.75, COM SE/C NW4 W 332.50' TO TRUE POB THENCE NLY 1307.70' WLY 865' TO APPROX CEN OF RIVER SELY 781.94' SELY 226.77' SWLY 421.54' SLY 220' TO S LI SD SE4 NW4, E ALG SD LI 251.37' TO POB</p>	<p>\$690</p>	<p>Agricultural Use</p>
<p>067-204-20-0-00-00-005.00-0 Quick Ref ID = 11714 Tax Year = 2017 NEOSHO VALLEY FEEDERS LLC</p> <p>Owner Mailing Address: PO BOX 128 ST PAUL, KS 66771</p>	<p>21154 20TH RD, Saint Paul, KS 66771 ACRES=25 Neighborhood=523.0</p>	<p>S20, T30, R021, ACRES 25.0, LT 1</p>	<p>\$3,040</p>	<p>Agricultural Use</p>
<p>067-204-20-0-00-00-006.00-0 Quick Ref ID =</p>	<p>22496 30TH RD, Saint Paul, KS 66771</p>	<p>S20, T30, R021, ACRES 66, LT 3, S2</p>	<p>\$6,060 A \$11,600 F</p>	<p>Farm Homesite</p>


<p>11715 Tax Year = 2017 MARTIN LAURENCE D & ILA JO REVOCABLE LIVING TRUST</p> <p>Owner Mailing Address: 12012 HIGH DR LEAWOOD, KS 66209</p>	<p>ACRES=66 Neighborhood=522.0</p>	<p>NE4 SW4 LYING E OF NEOSHO RIVER CUT- OFF & PT OF SW4 SW4 LYNG E OF NEOSHO RIVER AND NEOSHO RIVER CUT-OFF LESS RD</p>		
<p><u>067-204-20-0-00-00-006.01-0</u> Quick Ref ID = 305098 Tax Year = 2017 HUCKLEBERRY FARM LLC</p> <p>Owner Mailing Address: 5341 WEST 151ST TERRACE LEAWOOD, KS 66224</p>	<p>00000 30TH RD, Saint Paul, KS 66771</p> <p>ACRES=3.93 Neighborhood=522.0</p>	<p>S20, T30, R021, Acres 3.94, S2 NE4 SW4 LYING W OF NEOSHO RIVER CUT-OFF</p>	<p>N/A</p>	<p>Agricultural Use</p>
<p><u>067-204-20-0-00-00-006.02-1</u> Quick Ref ID = 11716 Tax Year = 2017 FLECK, RONNIE L & PRIER NICK</p> <p>Owner Mailing Address: 292 E HWY 126 PITTSBURG, KS 66762</p>	<p>22480 30TH RD, Saint Paul, KS 66771</p> <p>ACRES=0 Neighborhood=522.0</p>	<p>S20 , T30 , R021 , CABIN 68' W & 25' N SE/C SW4 LEASED LAND OF LAURENCE MARTIN</p>	<p>\$7,810</p>	<p>Residential</p>
<p><u>067-204-20-0-00-00-006.03-1</u> Quick Ref ID = 11717 Tax Year = 2017 COLLARD, ZACH</p> <p>Owner Mailing Address: 1311 S HOMER ST PITTSBURG, KS 66762</p>	<p>22460 30TH RD, Saint Paul, KS 66771</p> <p>ACRES=0 Neighborhood=523.0</p>	<p>S20 , T30 , R021 , CABIN 210' W & 15' N SE/C SW4 LEASED LAND OF LAURENCE MARTIN</p>	<p>\$5,380</p>	<p>Residential</p>
<p><u>067-204-20-0-00-00-006.04-1</u> Quick Ref ID = 11718 Tax Year = 2017 MARTIN LAWRENCE</p> <p>Owner Mailing Address: 12012 HIGH DR LEAWOOD, KS 66209</p>	<p>22430 30TH RD, Saint Paul, KS 66771</p> <p>ACRES=0 Neighborhood=523.0</p>	<p>S20 , T30 , R021 , LEASED IMPROVEMENTS ON LAWRECE MARTIN</p>	<p>\$19,450</p>	<p>Residential</p>
<p><u>067-204-20-0-00-00-006.05-1</u> Quick Ref ID = 11719 Tax Year = 2017 RAWLING, RODGER BRADFORD & LINDA</p>	<p>22410 30TH RD, Saint Paul, KS 66771</p> <p>ACRES=0 Neighborhood=523.0</p>	<p>S20 , T30 , R021 , CABIN 425' W & 35' N SE/C SW4 LEASED LAND OF LAURENCE MARTIN</p>	<p>\$3,110</p>	<p>Residential</p>

Owner Mailing Address: 612 S FULTON AVE MULBERRY, KS 66756				
067-204-20-0-00-00-006.06-1 Quick Ref ID = 11720 Tax Year = 2017 FENOGLIO ANDY Owner Mailing Address: 1124 W 2ND PITTSBURG, KS 66762	22420 30TH RD, Saint Paul, KS 66771 ACRES=0 Neighborhood=523.0	S20 , T30 , R021 , CABIN 325'W & 122'N SE/C SW4 LEASED LAND OF LAURENCE MARTIN	\$6,850	Residential
067-204-20-0-00-00-006.09-1 Quick Ref ID = 11721 Tax Year = 2017 COPPOCK, MARK Owner Mailing Address: 102 W 24TH ST PITTSBURG, KS 66762	22322 30TH RD, Saint Paul, KS 66771 ACRES=0 Neighborhood=523.0	S20 , T30 , R021 , CABIN 825' W & 305' N SE/C SW4 LEASED LAND OF LAURENCE MARTIN	\$1,740	Residential
067-204-20-0-00-00-006.10-1 Quick Ref ID = 11722 Tax Year = 2017 RODABAUGH JOHN Owner Mailing Address: 1264 E 580 AVE PITTSBURG, KS 66762	22320 30TH RD, Saint Paul, KS 66771 ACRES=0 Neighborhood=523.0	S20 , T30 , R021 , CABIN 845' W & 270' N SE/C SW4 LEASED LAND OF LAURENCE MARTIN	\$8,630	Residential
067-204-20-0-00-00-006.13-1 Quick Ref ID = 11723 Tax Year = 2017 JAMESON ARLISSE FAYE Owner Mailing Address: 1001 E MONROE PITTSBURG, KS 66762	22282 30TH RD, Saint Paul, KS 66771 ACRES=0 Neighborhood=523.0	S20 , T30 , R021 , CABIN 1030'W & 610'N SE/C SW4 LEASED LAND OF LAURENCE MARTIN	\$5,240	Residential
067-204-20-0-00-00-006.14-1 Quick Ref ID = 11724 Tax Year = 2017 STEVENS RICKY SHANE Owner Mailing Address: 1754 NW 36TH RD MINDENMINES, MO 64769	22284 30TH RD, Saint Paul, KS 66771 ACRES=0 Neighborhood=523.0	S20 , T30 , R021 , CABIN 1005'W & 560'N SE/C SW4 LEASED LAND OF LAURENCE MARTIN	\$3,470	Residential

<p>067-204-20-0-00-00-006.15-1 Quick Ref ID = 11725 Tax Year = 2017 BLYTHE SCOTT</p> <p>Owner Mailing Address: 114 E HOWARD GIRARD, KS 66743</p>	<p>22286 30TH RD, Saint Paul, KS 66771 ACRES=0 Neighborhood=523.0</p>	<p>S20 , T30 , R021 , CABIN 985'W & 525'N SE/C SW4 LEASED LAND OF LAURENCE MARTIN</p>	<p>\$7,680</p>	<p>Residential</p>
<p>067-204-20-0-00-00-006.15-1 Quick Ref ID = 11725 Tax Year = 2017 DISKIN DAVID J</p> <p>Owner Mailing Address: 1446 W 47 HWY WALNUT, KS 66780</p>	<p>22286 30TH RD, Saint Paul, KS 66771 ACRES=0 Neighborhood=523.0</p>	<p>S20 , T30 , R021 , CABIN 985'W & 525'N SE/C SW4 LEASED LAND OF LAURENCE MARTIN</p>	<p>\$7,680</p>	<p>Residential</p>
<p>067-204-20-0-00-00-006.16-1 Quick Ref ID = 11726 Tax Year = 2017 BRIMM FRANCES L REV TRUST</p> <p>Owner Mailing Address: PO BOX 961 ARMA, KS 66712</p>	<p>22288 30TH RD, Saint Paul, KS 66771 ACRES=0 Neighborhood=523.0</p>	<p>S20 , T30 , R021 , CABIN 965'W & 490' N SE/C SW4 LEASED LAND OF LAURENCE MARTIN</p>	<p>\$4,490</p>	<p>Residential</p>
<p>067-204-20-0-00-00-006.17-1 Quick Ref ID = 11727 Tax Year = 2017 LAKE DAVID</p> <p>Owner Mailing Address: 808 N GRAND PITTSBURG, KS 66762</p>	<p>22310 30TH RD, Saint Paul, KS 66771 ACRES=0 Neighborhood=523.0</p>	<p>S20 , T30 , R021 , CABIN 860'W & 495'N SE/C SW4 LEASED LAND OF LAURENCE MARTIN</p>	<p>\$3,890</p>	<p>Residential</p>
<p>067-204-20-0-00-00-006.18-1 Quick Ref ID = 11728 Tax Year = 2017 BANKS BOB & BRENDA</p> <p>Owner Mailing Address: PO BOX 981 ARMA, KS 66712</p>	<p>22312 30TH RD, Saint Paul, KS 66771 ACRES=0 Neighborhood=523.0</p>	<p>S20 , T30 , R021 , CABIN 822'W & 545' N SE/C SW4 LEASED LAND OF LAURENCE MARTIN</p>	<p>\$5,580</p>	<p>Residential</p>
<p>067-204-20-0-00-00-007.00-0 Quick Ref ID = 11729 Tax Year = 2017 KANSAS WILDLIFE & PARKS</p> <p>Owner Mailing Address:</p>	<p>3505 WALLACE RD, Saint Paul, KS 66771 ACRES=260 Neighborhood=522.0</p>	<p>S20 , T30 , R021 , ACRES 260.0 , SE4, S2 NE4, E2 E2 SE4 NW4 & N2 NE4 SW4 LESS RD</p>	<p>\$54,930</p>	<p>Agricultural Use</p>

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TRUSTEE'S DEED

NO0000713

The GRANTOR(S), _____ Trustee(s) of the Mike McCool Family Trust dated the 6th day of October, 1999, convey to Huckleberry Farm, LLC, Grantee.

The Grantor(s), by virtue of the terms and provisions of said trust agreement, in consideration of the sum of one dollar and other valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, sell, and convey to Grantee, the following described real estate in NEOSHO County, Kansas, to wit:

Surface Only:

All that part of the South Half (S/2) of the South Half (S/2) of Section Seventeen (17) and all that part of the North Half (N/2) of the North Half (N/2) of Section Twenty (20) lying West of the center of the Cut-off or Slough, all in Township Thirty (30) Range Twenty-one (21), East of the 6th P.M., Neosho County, Kansas; Tract 1, derived from the parent tract described above, is thus described as follows:

Tract 1: A tract of land located in the Southwest Quarter of Section 17, Township 30 South, Range 21 East of the 6th P.M., Neosho County, Kansas further described as follows: Beginning at the Southwest corner of said section; thence S89°48'13"E on the South line of the Southwest Quarter of said section to the centerline of the Neosho River a distance of 1162.00 feet; thence continuing on the center line of said river on a curve to the right with a radius 325.72 feet and an arc length of 178.02 feet on a chord of N60°20'06"E a distance of 175.81 feet; thence continuing on said centerline on a curve to the left with a radius of 463.20 feet and an arc length of 344.94 feet on a chord of N54°58'25"E a distance of 337.02 feet; thence continuing on said centerline on a curve to the left with a radius of 538.73 feet and an arc length of 761.15 feet on a chord of N04°22'28"W a distance of 699.40 feet; thence continuing on said centerline on a curve to the left with a radius of 521.20 and an arc length of 575.82 feet on a chord of N82°18'00"W a distance of 546.98 feet; thence continuing on said centerline S54°50'38"W a distance of 476.26 feet; thence continuing on said centerline on a curve to the right with a radius of 711.65 feet and an arc length of 624.62 feet on a chord of S83°58'13"W to the West line of the Southwest Quarter of said section a distance of 604.76 feet; thence S00°22'06"W on the West line of said Southwest Quarter to the point of beginning a distance of 709.38 feet.

Tract 2: A tract of land located in the Northwest Quarter of Section 20, Township 30

South, Range 21 East of the 6th P.M., Neosho County, further described as follows: Beginning at the Northwest corner of said section; thence S89°48'13"E on the North line of the Northwest Quarter of said section to the centerline of the Neosho River a distance of 1162.00 feet; thence continuing on said centerline on a curve to the left with a radius of 325.80 feet and an arc length 216.45 feet on a chord of S25°40'40"W a distance of 212.49 feet; thence continuing on said centerline on a curve to the left with a radius of 774.73 feet and an arc length of 303.27 feet on a chord of S06°33'22"E a distance of 301.33 feet; thence continuing on said centerline S30°12'11"E a distance of 352.63 feet; thence continuing on said centerline S18°45'29"E to the South line of the North Half of the Northwest Quarter of said section a distance of 542.51 feet; thence N89°45'01"W on the South line of the North Half of said Northwest Quarter to the Southwest corner of the North Half of said Northwest Quarter a distance of 1456.42 feet; thence N00°00'36"E on the West line of the Northwest Quarter of said section to the point of beginning a distance of 1306.96 feet.

EXCEPT AND SUBJECT TO: Easements, restrictions and assessments of record, and all the taxes and assessments that may be levied, imposed or become payable hereafter.

The Grantor(s) covenant(s) that the aforesaid trust remains in full force and effect and has not been revoked, that the undersigned is/are the trustees of said trust and have full right and authority to convey the above-described real estate and to make, execute and deliver this deed pursuant to the power set forth in the said trust instrument.

Dated this _____ day of _____, 2018.

Mike McCool Family Trust dated the 6th day of October, 1999

By _____, Trustee

State of Kansas, County of _____ §

The foregoing instrument was acknowledged before me this _____ day of _____, 2018 by _____ Trustee(s) of the Mike McCool Family Trust dated the 6th day of October, 1999.

Notary Public

My appointment expires: _____

File No.: NO0000713