

File No. **50,084** 15. Formation Code: Drainage Basin: **SUGAR CREEK** County: **LN** Special Use: Stream: **BIG SUGAR CREEK**

16. Points of Diversion										
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
√			86871	NE SE NW	3	21	24E	1	3939	3073
DEL 86872										

17. Rate and Quantity				
Authorized			Additional	
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
700	8	700	8	NONE

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

19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 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							NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? YES	Overlap Files					
MOD	DEL	ENT	PUSE	S	T	R	ID	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								
MOD			68976	3	21	24E	1	WATERFOWL MARSH (E2 NW)																					7a &c.	YES	NONE

Comments: *special conditions*

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
MEMORANDUM

TO: Files

DATE: September 17, 2018

FROM: Doug Schemm

RE: Application, File No. 50,084

Kingston Properties – BB Farms LLC has filed the application referred to above proposing to appropriate 8 acre-feet of surface water at a diversion rate of 700 gallons per minute from one pump site on Big Sugar Creek, within the Sugar Creek basin, for recreational use in a waterfowl marsh. This application will allow water to be pumped directly from Big Sugar Creek (when flows are adequate and permission is granted). The water will be used to fill and maintain water levels in this small marsh (i.e. offset evaporative and seepage losses). This is an existing marsh that has been in place for many years and appears to be formed by a small depression. There are no overlapping files in point of diversion or place of use. The marsh is located in the East Half of the Northwest Quarter of Section 3, Township 21 South, Range 24 East, Linn County, on property owned by the applicant. A representative of the applicant (Ryan Tebbenkamp) 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 4 acres, filling it with 2 feet of water per year.

A list of nearby landowners was provided, and notification letters were sent out on August 22, 2018. A telephone call was received from one of the nearby landowners who had no concerns but requested an application, so he could pump water for REC use in a duck marsh on his adjacent property.

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 are several existing recreational users within the two-mile radius circle, however there are no other direct diversions from Big Sugar Creek in this area. With proper conditioning, no senior water rights will be impaired. These recreational users have operated in this area for many years, and they are well aware of how these systems are managed.

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. DWR Structures Program staff have reviewed the marsh and determined that if no berms are constructed, no structures permitting will be required.

In a September 13, 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 limited to fall “off-season” pumping, the project is exempt from structures permitting, and there is no indication that existing water rights will be impaired, it is recommended that the referenced application be approved.

Doug Schemm
Environmental Scientist
Topeka Field Office

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

STATE OF KANSAS



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

FILE COPY

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

KINGSTON PROPERTIES - BB FARMS LLC
% RYAN TEBBENKAMP
13725 METCALF AVE #334
OVERLAND PARK KS 66223

October 8, 2018

RE: Appropriation of Water, File No. 50,084

Dear Mr. Tebbenkamp:

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,

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:dws
Enclosures

pc: Topeka Field Office
ELCK Properties 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. 50,084** of the applicant

**KINGSTON PROPERTIES - BB FARMS LLC
13725 METCALF AVE #334
OVERLAND PARK KS 66223**

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 **July 5, 2018**.
2. That the water sought to be appropriated shall be used for recreational use in a waterfowl marsh located in the East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 3, in Township 21 South, Range 24 East, Linn County, Kansas.
3. That the authorized source from which the appropriation shall be made is surface water from Big Sugar Creek, to be diverted at one (1) pump site located in the Northeast Quarter of the Southeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 3, more particularly described as being near a point 3,939 feet North and 3,073 feet West of the Southeast corner of said section, in Township 21 South, Range 24 East, Linn 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 **700 gallons per minute (1.56 c.f.s.)** and to a quantity not to exceed **8 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.

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.

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50084
This item to be completed by the Division of Water Resources.

Water Resources
Received

APPLICATION COMPLETE
9/13/18
Reviewer KAB/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.)

JUL 05 2018
12:20
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: Elch Properties LLC

1. Name of Applicant (Please Print): Kingston Properties BB Farms LLC
Address: 13725 Metcalf Ave #334
City: OP State KS Zip Code 66223
Telephone Number: () 816 482 3998 Ryan Tebbenkang

2. The source of water is: surface water in Big Sugar Creek
(stream)
OR groundwater in Big Sugar Small Well
(drainage basin) Sugar Creek

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 8 acre-feet OR 2.6 million gallons per calendar year, to be diverted at a maximum rate of 700 gallons per minute OR _____ cubic feet per second.

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

4. The water is intended to be appropriated for (Check use intended):
- (a) Artificial Recharge
 - (b) Irrigation
 - (c) Recreational
 - (d) Water Power
 - (e) Industrial
 - (f) Municipal
 - (g) Stockwatering
 - (h) Sediment Control
 - (i) Domestic
 - (j) Dewatering
 - (k) Hydraulic Dredging
 - (l) Fire Protection
 - (m) Thermal Exchange
 - (n) Contamination Remediation

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

For Office Use Only:		F.O. <input type="checkbox"/> GMD <input type="checkbox"/> Meets K.A.R. 5-3-1 (YES/NO) Use <u>REC</u> Source <u>G(S)</u> County <u>W</u> By <u>AW</u> Date <u>7/5/18</u>	
Code <u>VEG</u>	Fee \$ <u>200</u>	TR # _____	Receipt Date <u>7/5/18</u> Check # <u>1077</u>

* based on phone conversation 7/5/18

SCANNED

7/9/18 DAW

* Applicant agreed to single pump site directly on Big Sugar Creek during 8/22/18 phone call. DWS/DWR

File No. 50084

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

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

* (A) One in the NE quarter of the ~~SE~~ quarter of the NW quarter of Section 3, more particularly described as being near a point 3939 feet North and 3073 feet West of the Southeast corner of said section, in Township 21 South, Range 24 East/West (circle one), Lin County, Kansas.

~~(B) One in the SE quarter of the NE quarter of the NW quarter of Section 3, more particularly described as being near a point 4345 feet North and 2920 feet West of the Southeast corner of said section, in Township 21 South, Range 24 East/West (circle one), Lin 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 _____, more particularly described as being near a point A 3939'N 3073'W East corner of said section, in Township _____ South _____ County, Kansas.

If the source of supply is groundwater wells, except that a single application for the same local source of supply which:
A battery of wells is defined as two or four wells in the same local source of water not to exceed a total maximum diversion of _____ gpm per well.
not to exceed a total maximum diversion of _____ gpm per well.
distribution system.

NE SE NW

6. The owner of the point of diversion, if _____
AIA

B 4345'N 2920'W
SE NE NW

You must provide evidence of legal access to the landowner or the landowner's authorized representative 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 6/28, 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) and (was)(will be) completed (by) 11/1/2018 (number of wells, pumps or dams, etc.) (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 10/1/18 (Mo/Day/Year)

Water Resources Received
JUL 05 2018
KS Dept Of Agriculture

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50084
This item to be completed by the Division of Water Resources.

Water Resources Received
JUL 05 2018
12:20
KS Dept Of Agriculture

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE
Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

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

1. Name of Applicant (Please Print): Kingston Properties BB Farms LLC
Address: 13725 Metcalf Ave #334
City: OP State KS Zip Code 66223
Telephone Number: () 816 4823998 Ryan Tebbenkang

2. The source of water is: surface water in Big Sugar Creek (stream)
OR groundwater in Big Sugar Sandy Wood (drainage basin)
Sugar Creek

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 8 acre-feet OR 2.6 million gallons per calendar year, to be diverted at a maximum rate of 700 gallons per minute OR _____ cubic feet per second.

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

4. The water is intended to be appropriated for (Check use intended):
- (a) Artificial Recharge
 - (b) Irrigation
 - (c) Recreational
 - (d) Water Power
 - (e) Industrial
 - (f) Municipal
 - (g) Stockwatering
 - (h) Sediment Control
 - (i) Domestic
 - (j) Dewatering
 - (k) Hydraulic Dredging
 - (l) Fire Protection
 - (m) Thermal Exchange
 - (n) Contamination Remediation

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

For Office Use Only:		F.O. <u>1</u> <u>GMD</u> <u>0</u> Meets K.A.R. 5-3-1 (YES/NO) Use <u>REC</u> Source <u>G(S)</u> County <u>UN</u> By <u>AW</u> Date <u>7/5/18</u>	
Code <u>VEG</u>	Fee \$ <u>000</u>	TR # _____	Receipt Date <u>7/5/18</u> Check # <u>1077</u>

* based on phone conversation 7/5/18

7/9/18 DAW

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

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

- (A) One in the NE quarter of the NW quarter of the NW quarter of Section 3, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township 21 South, Range 24 East/West (circle one), Lin County, Kansas.
38° 15' 05.13" N 94° 45' 40.97" W
- (B) One in the NE quarter of the NW quarter of the NE quarter of Section 3, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township 21 South, Range 24 East/West (circle one), Lin 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.
38° 15' 09.15" N 94° 45' 39.05" W
- (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):

N/A

 (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 6/28, 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) _____ (number of wells, pumps or dams, etc.) and (was)/(will be) completed (by) 11/1/2018 (Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be 10/1/18 (Mo/Day/Year)

Water Resources
Received

JUL 05 2018

SCANNED

File No. 50084
JUL 05 2018

KS Dept of Agriculture

9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the reservoir?
 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. 5 acres

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 N/A
- If no, explain here why a Water Structures permit is not required Structure too small

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:

- X (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.
- X (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. NA
- X (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.
- X (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- X (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. Brett Demis 13816 73034 of KS 66227 Hemlock

- Downstream
- Brian Danielson 1814 Manchester Edward OK
 - Gray Family Holdings 1310 View St Morrilton AR 72110-3700
 - Lawrence Lehment 10406 Crestwood Cove Ct Cypress TX 7783
- Upstream
- James Shetlar 21145 Switch Cir Elkhorn NE 68022
 - Doug Pensen 10991 W 247 Bryan KS 66013
 - Dragon Project Fly 810 LLC 9214 High Leaned KS 66206
 - Wilkinson Trust 16217 Peterson Ln Pleasanton KS 66075

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.

MB

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):

MB
(name, address and telephone number)

(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at _____, Kansas, this _____ day of _____ (month) (year)

Kent Davis, VBA, LLC

[Signature]
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by _____ (office/title) Date: _____

Water Resources
Received

JUL 05 2018

KS Dept Of Agriculture

SCANNED

**RECREATIONAL USE
SUPPLEMENTAL SHEET**

File No. 50084 Elde Properties, LLC

Name of Applicant (Please Print): Kingston Properties B9 Farms LLC

1. Please indicate type of recreational use (boating, fishing, swimming, etc.): _____
Pump for a duck marsh

2. Please summarize how the water will be used and justify the quantity of water requested: _____
Pump water in October or November
for duck hunting. Release
water in February

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	5
Year 2	5
Year 3	5
Year 4	5
Year 5	5

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.

18301 E 1600 Rd Pleasant KS
E 1/2 NW 1/4 Section 3 Township 21 Range 24

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

50,084

Schemm, Doug [KDA]

From: Phillips, Janelle [KDA]
Sent: Wednesday, September 12, 2018 12:04 PM
To: Schemm, Doug [KDA]
Subject: RE: WR50084

2012 lidar shows a small depression. As long as no berms are built or work in the creek then no permit will be required

Janelle N. Phillips, P.E., C.F.M., LEED-AP
Stream Permit Team Lead
Water Structures Program
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan, KS 66502
785-564-6656
My email has changed: janelle.phillips@ks.gov

Analytical-Consistency-Learner-Discipline-Deliberative

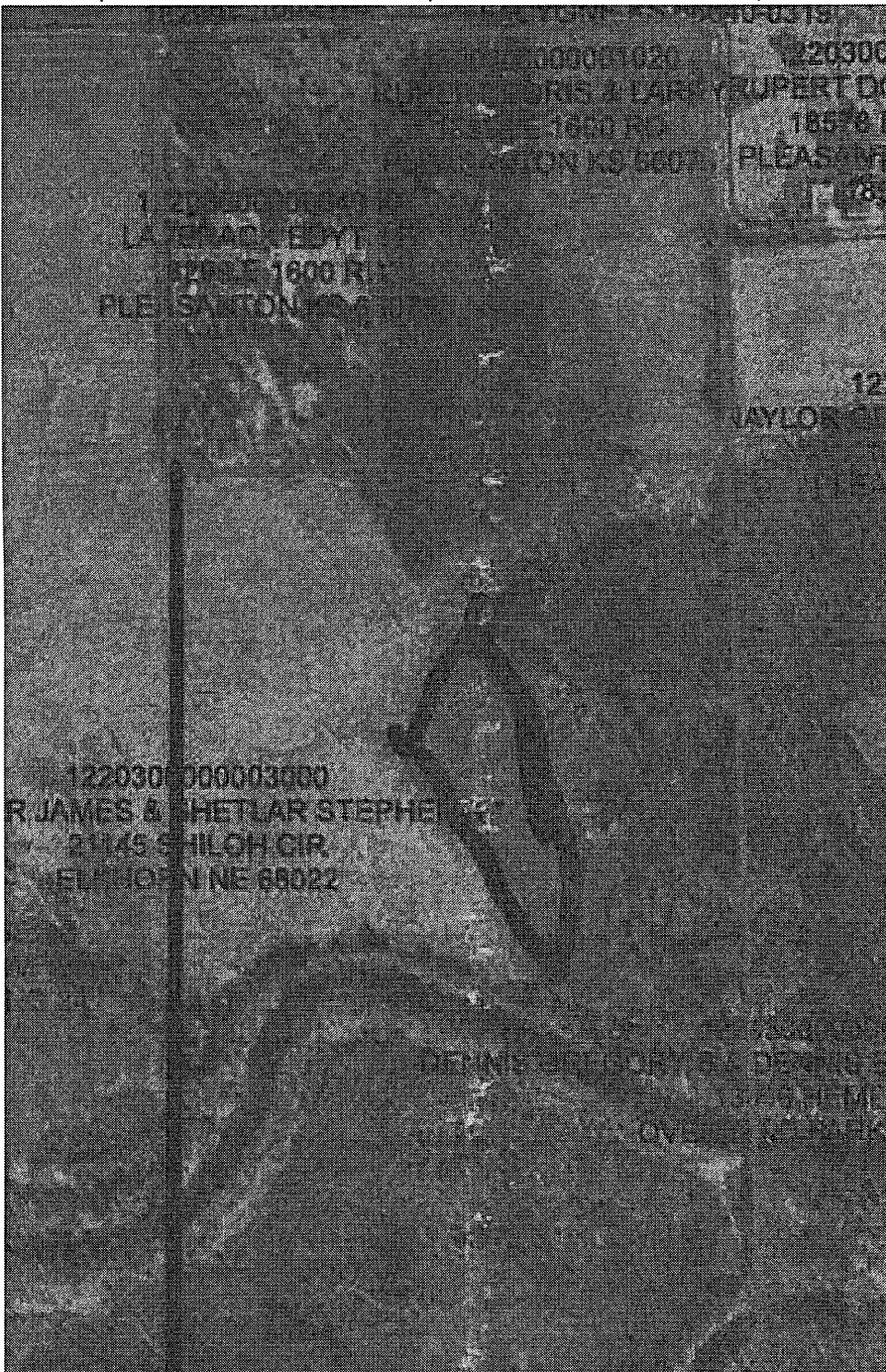
From: Schemm, Doug [KDA]
Sent: Wednesday, September 12, 2018 12:02 PM
To: Phillips, Janelle [KDA]
Subject: RE: WR50084

Yes

From: Phillips, Janelle [KDA]
Sent: Wednesday, September 12, 2018 11:34 AM
To: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Subject: WR50084

Doug –

Just to clarify is this the duck marsh outlined in marker?



Janelle N. Phillips, P.E., C.F.M., LEED-AP
Stream Permit Team Lead
Water Structures Program
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan, KS 66502
785-564-6656
My email has changed: janelle.phillips@ks.gov

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AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A

50084 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50084 00 REC

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

3939 Feet North and 3073 Feet West of the Southeast Corner of Section 3 T 21S R 24E

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__ 26866	00 REC	NK	S	7618	--	SW	SE	NE	3250	800	2	21	24E	1		.00	.00	AF						
A__ 40715	00 REC	NK	S	10178	--	--	--	--	5300	3600	1	21	24E	3		156.00	156.00	AF						
A__ 46187	00 REC	NK	S	8656	--	--	--	--	5664	977	5	21	24E	1		.00	.00	AF						
Same				9099	--	--	--	--	5405	1476	5	21	24E	2										
***** Authorized storage =										.00 AF					Additional storage =					.00 AF				
A__ 46550	00 REC	NK	S	8322	--	--	--	--	5609	647	5	21	24E	3		.00	.00	AF						
Same				8267	--	--	--	--	5336	644	5	21	24E	4										
***** Authorized storage =										.00 AF					Additional storage =					.00 AF				
A__ 50084	00 REC	AY	S	0	--	NE	SE	NW	3939	3073	3	21	24E	1		8.00	8.00	AF						
Same				434	--	SE	NE	NW	4345	2920	3	21	24E	2										
A__ 50122	00 REC	AY	S	2117	--	NW	SW	NW	3430	5128	3	21	24E	3		120.00	120.00	AF						

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	128.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	156.00	523.30
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	284.00	523.30

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:

3939 Feet North and 3073 Feet West of the Southeast Corner of Section 3 T 21S R 24E

SURFACE WATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 26866	00 REC	NK	S
>	KANSAS DEPT OF WILDLIFE PARKS & TOURISM		
>	STAGE LEVELS ONLY (TOP)		
>	1020 S KANSAS AVE FL 2		
>	TOPEKA KS 66612		

A__ 40715	00 REC	NK	S
>	BOICOURT HUNTING ASSOCIATION		
>	JIM ANTHONY		
>	3807 W 171 ST		
>	STILWELL KS 66085		

A__ 46187	00 REC	NK	S

> LARRY D LARGENT
 >
 > 16813 E 1650 RD
 > PLEASANTON KS 66075
 >-----
 A__ 46550 00 REC NK S
 > USDA NATURAL RESOURCES CONS SER
 >
 > 760 S BROADWAY
 > SALINA KS 67401
 >-----

A__ 50084 00 REC AY S
 > KINGSTON PROPERTIES BB FARMS, LLC
 >
 > 13725 METCALF AVE #334
 > OVERLAND PARK KS 66223
 >-----

A__ 50122 00 REC AY S
 > JAMES SHETTLAR
 >
 > 21145 SHILOH CIRCLE
 > ELKHORN NE 68022
 >-----

=====

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50084 00 REC

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

4345 Feet North and 2920 Feet West of the Southeast Corner of Section 3 T 21S R 24E

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__ 26866	00 REC NK S				7513	--	SW	SE	NE	3250	800	2	21	24E	1		.00	.00	AF				
A__ 40715	00 REC NK S				9979	--	--	--	--	5300	3600	1	21	24E	3		156.00	156.00	AF				
A__ 46187	00 REC NK S				8733	--	--	--	--	5664	977	5	21	24E	1		.00	.00	AF				
Same					9192	--	--	--	--	5405	1476	5	21	24E	2								
***** Authorized storage =						.00 AF						Additional storage =						.00 AF					
A__ 46550	00 REC NK S				8399	--	--	--	--	5609	647	5	21	24E	3		.00	.00	AF				
Same					8358	--	--	--	--	5336	644	5	21	24E	4								
***** Authorized storage =						.00 AF						Additional storage =						.00 AF					
A__ 50084	00 REC AY S				434	--	NE	SE	NW	3939	3073	3	21	24E	1		8.00	8.00	AF				
Same					0	--	SE	NE	NW	4345	2920	3	21	24E	2								
A__ 50122	00 REC AY S				2390	--	NW	SW	NW	3430	5128	3	21	24E	3		120.00	120.00	AF				

=====

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	128.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	156.00	523.30
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	284.00	523.30

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

August 22, 2018

BRIAN DANIELSON
1814 MANCHASTER AVE
EDMOND OK 73034

Re: Pending Application, File No. 50,084

Dear Sir or Madam:

This is to advise you that Kingston Properties-BB Farms LLC has filed the application referred to above for a permit to appropriate 8 acre-feet of surface water per calendar year from Big Sugar Creek for recreational use, to be diverted at a maximum rate of 700 gallons per minute. Please note that 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.

Surface water will be diverted from one (1) pump site located in the Northeast Quarter of the Southeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 3, in Township 21 South, Range 24 East, Linn 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 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. 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 application and site map posted by the file number 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: Kingston Properties-BB Farms LLC

STATE OF KANSAS

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

August 22, 2018

BRETT DENNIS
13816 HEMLOCK
OVERLAND PARK KS 66223

Re: Pending Application, File No. 50,084

Dear Sir or Madam:

This is to advise you that Kingston Properties-BB Farms LLC has filed the application referred to above for a permit to appropriate 8 acre-feet of surface water per calendar year from Big Sugar Creek for recreational use, to be diverted at a maximum rate of 700 gallons per minute. Please note that 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.

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Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Kingston Properties-BB Farms LLC

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

August 22, 2018.

GRAY FAMILY HOLDINGS LLC
1310 VIEW STREET
MORRILTON AR 72110-3700

Re: Pending Application, File No. 50,084

Dear Sir or Madam:

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JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

August 22, 2018

DOUGLAS PEUSER
10991 W 247TH STREET
BUCYRUS KS 66013

Re: Pending Application, File No. 50,084

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Environmental Scientist
Topeka Field Office

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JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

August 22, 2018

JAMES SHETLAR
21145 SHILOH CIRCLE
ELKHORN NE 68022

Re: Pending Application, File No. 50,084

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Environmental Scientist
Topeka Field Office

pc: Kingston Properties-BB Farms LLC

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

August 22, 2018

LAWRENCE LEHNERT
10406 CRESTWOOD COVE CT
CYPRESS TX 77433

Re: Pending Application, File No. 50,084

Dear Sir or Madam:

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Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Kingston Properties-BB Farms LLC

STATE OF KANSAS



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

August 22, 2018

DRAGONFLY810 LLC
9216 HIGH DRIVE
LEAWOOD KS 66206

Re: Pending Application, File No. 50,084

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Douglas W. Schemm
Environmental Scientist
Topeka Field Office

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TOPEKA, KS 66619

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

August 22, 2018

KAY WILKERSON TRUST
16217 PETERSON LANE
PLEASANTON KS 66075

Re: Pending Application, File No. 50,084

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Sincerely,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Kingston Properties-BB Farms LLC

SHETLAR JAMES & SHETLAR STEPHEN Owner Mailing Address: 21145 SHILOH CIR ELKHORN, NE 68022		4.72 E OF NW/C SEC TH E 510.84 S 1067.79 W 511.11 N 1068.2 T O POB LESS ROW		
054-122-03-0-00-00-003.01-0 Quick Ref ID = 305156 Tax Year = 2018 KINGSTON PROPERTIES-BB FARMS LLC & ELCK PROPERTIES LLC Owner Mailing Address: 13725 METCALF AVE 334 OVERLAND PARK, KS 66223	18301 E 1600 RD, Pleasanton, KS 66075 ACRES=100.82 Neighborhood=101.0	S03, T21, R24, ACRES 100.8, BEG NE/C GOVT LOT 3 TH S 3675.97 W 1303.87 N 847.11 NWLY 95.77 N 1681.68 E 510.60 N 1071.56 E 816.55 TO POB LESS RD	\$22,590 A \$36,670 F	Farm Homesite
054-122-03-0-00-00-004.00-0 Quick Ref ID = 10859 Tax Year = 2018 LAVERACK EDYTH F Owner Mailing Address: 706 N KENTUCKY ST ADRIAN, MO 64720-8300	18299 E 1600 RD, Pleasanton, KS 66075 ACRES=12.07 Neighborhood=101.0	S03 , T21 , R24 , ACRES 12.0 , BEG 1314.72' E OF NW/C TH E 510.84' S 1067.79' W 511.11' N 1068.2' TO POB LESS ROW	\$35,860	Residential
054-122-03-0-00-00-005.00-0 Quick Ref ID = 10860 Tax Year = 2018 PEUSER DOUGLAS JAMES TRUST & PEUSER DANA L TRUST Owner Mailing Address: 10991 W 247TH ST BUCYRUS, KS 66013	00000 RANDALL RD, Pleasanton, KS 66075 ACRES=68.35 Neighborhood=101.0	S03 , T21 , R24 , ACRES 68.3 , W2 SW4 EX E 11.25AC LESS ROW	\$24,300	Agricultural Use
054-122-03-0-00-00-005.01-0 Quick Ref ID = 10861 Tax Year = 2018 GRAY FAMILY HOLDINGS LLC & GRAY FRANKLIN JOHN JR & * Owner Mailing Address: 1310 VIEW ST MORRILTON, AR 72110-3700	00000 1500 RD, Pleasanton, KS 66075 ACRES=203.44 Neighborhood=101.0	S03 , T21 , R24 , ACRES 203.4 , E 11.25AC W2 SW4 & E2 SW4 & W 115AC SE4 LESS RD	\$52,130	Agricultural Use
054-122-03-0-00-00-005.01-0 Quick Ref ID = 10861 Tax Year = 2018	00000 1500 RD, Pleasanton, KS 66075 ACRES=203.44 Neighborhood=101.0	S03 , T21 , R24 , ACRES 203.4 , E 11.25AC W2 SW4 & E2 SW4	\$52,130	Agricultural Use

Applicant →

<p>GRAY JESSICA ELLEN</p> <p>Owner Mailing Address: 1310 VIEW ST MORRILTON, AR 72110-3700</p>		<p>& W 115AC SE4 LESS RD</p>		
<p><u>054-122-03-0-00-00-006.00-0</u> Quick Ref ID = 10862 Tax Year = 2018 HUDSON MICHAEL WAYNE SHARE TRUST UMB BANK TRUSTEE</p> <p>Owner Mailing Address: Attn: TRUST REAL ESTATE 1010 GRAND BLVD KANSAS CITY, MO 64106</p>	<p>00000 RANDALL RD, Pleasanton, KS 66075</p> <p>ACRES=43.08 Neighborhood=101.0</p>	<p>S03 , T21 , R24 , ACRES 43.0 , E 45A OF SE4 EX 3/4A IN NW/C N & W OF RD</p>	<p>\$11,590</p>	<p>Agricultural Use</p>
<p><u>054-122-03-0-00-00-007.00-0</u> Quick Ref ID = 10863 Tax Year = 2018 STATON TERRY LYNNE & COX WANETA MARIE</p> <p>Owner Mailing Address: PO BOX 429 PLEASANTON, KS 66075</p>	<p>15526 RANDALL RD, Pleasanton, KS 66075</p> <p>ACRES=3.75 Neighborhood=101.0</p>	<p>S03 , T21 , R24 , ACRES 3.7 , BEG 993.50' N SE/C NE4 TH W 57 8' N 306' E 570' S 306' TO POB LESS RD ROW</p>	<p>\$16,240</p>	<p>Residential</p>
<p><u>054-122-03-0-00-00-008.00-0</u> Quick Ref ID = 10864 Tax Year = 2018 DENNIS BRETT & VIRGINIA LEE TRUST</p> <p>Owner Mailing Address: 13816 HEMLOCK OVERLAND PARK, KS 66223</p>	<p>00000 RANDALL RD, Pleasanton, KS 66075</p> <p>ACRES=72.98 Neighborhood=101.0</p>	<p>S03, T21, R24, ACRES 72.9, S 128A NE4 EX BEG 993.50' N SE /C NE4 TH W 570' N 306' E 570' S 306' EX BEG 3053 S NE/C SEC TH S 632 W 2596 NELY 1129 SELY 2398 TO POB LESS RD ROW</p>	<p>\$14,070</p>	<p>Agricultural Use</p>
<p><u>054-122-03-0-00-00-008.01-0</u> Quick Ref ID = 305441 Tax Year = 2018 DANIELSON BRIAN</p> <p>Owner Mailing Address: 1814 MANCHASTER AVE EDMOND, OK 73034</p>	<p>00000 RANDALL RD, Pleasanton, KS 66075</p> <p>ACRES=49.57 Neighborhood=101.0</p>	<p>S03, T21, R24, Acres 49.5, BEG 3053 S NE/C SEC TH S 632 W 2596 NELY 1129 SELY 2398 TO POB LESS RD SEC 3 TWP 21 RNG 24</p>	<p>\$8,560</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><u>054-122-04-0-00-00-001.00-0</u> Quick Ref ID = 10865 Tax Year = 2018 SHETLAR JAMES & SHETLAR STEPHEN</p> <p>Owner Mailing Address: 21145 SHILOH CIR ELKHORN, NE 68022</p>	<p>00000 1600 RD, Pleasanton, KS 66075</p> <p>ACRES=90.88 Neighborhood=101.0</p>	<p>S04 , T21 , R24 , ACRES 90.8 , E 26A OF LOT 1 & E 65A OF NE4 LESS RD ROW</p>	<p>\$16,040 A \$5,570 V</p>	<p>Vacant</p>
<p><u>054-122-04-0-00-00-002.00-0</u> Quick Ref ID = 10866 Tax Year = 2018 WILKERSON KAY TRUST</p> <p>Owner Mailing Address: 16217 PETERSON LN PLEASANTON, KS 66075</p>	<p>00000 PETERSON LN, Pleasanton, KS 66075</p> <p>ACRES=84.77 Neighborhood=101.0</p>	<p>S04 , T21 , R24 , ACRES 84.7 , COM CTR SEC TH N 3646.5' TO N LN SEC E 1567.5' S 3646.5' W 1567.5' TO POB EX PT S OF C/L SUGAR CR</p>	<p>\$12,950</p>	<p>Agricultural Use</p>
<p><u>054-122-04-0-00-00-003.00-0</u> Quick Ref ID = 10867 Tax Year = 2018 SIRON HATTIE M</p> <p>Owner Mailing Address: 6154 S KANSAS ST WICHITA, KS 67215</p>	<p>17330 E 1500 RD, Mound City, KS 66056</p> <p>ACRES=12.42 Neighborhood=101.0</p>	<p>S04 , T21 , R24 , ACRES 12.4 , BEG SE/C SW4 TH N 763.3 W 727.88 E TO POB LESS RD</p>	<p>\$1,220 A \$29,460 F</p>	<p>Farm Homesite</p>
<p><u>054-122-04-0-00-00-003.01-0</u> Quick Ref ID = 10868 Tax Year = 2018 DRAGONFLY810 LLC</p> <p>Owner Mailing Address: 9216 HIGH DR LEAWOOD, KS 66206</p>	<p>00000, Pleasanton, KS 66075</p> <p>ACRES=46.65 Neighborhood=101.0</p>	<p>S04 , T21 , R24 , ACRES 46.6 , BEG CTR SEC TH E 1567.5 N TO CTR CREEK WLY ALG CK TO W LN NE4 S TO POB</p>	<p>\$7,540</p>	<p>Agricultural Use</p>
<p><u>054-122-04-0-00-00-003.02-0</u> Quick Ref ID = 10869 Tax Year = 2018 DRAGONFLY810 LLC</p> <p>Owner Mailing Address:</p>	<p>00000 E 1500 RD, Pleasanton, KS 66075</p> <p>ACRES=107.23 Neighborhood=101.0</p>	<p>S04 , T21 , R24 , ACRES 107.2 , E2 SW4 & NW4 SE4 EX BEG SE/C SW4 TH N 763.3 W 727.93 S 742.88 E TO POB LESS RD</p>	<p>\$12,760</p>	<p>Agricultural Use</p>

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

July 9, 2018

KINGSTON PROPERTIES, BB FARMS, LLC
13725 METCALF AVE #334
OVERLAND PARK KS 66223

RE: Application
File No. 50084

Dear Sir or Madam:

Your application for permit to appropriate water in 3-21S-24E in Linn 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.

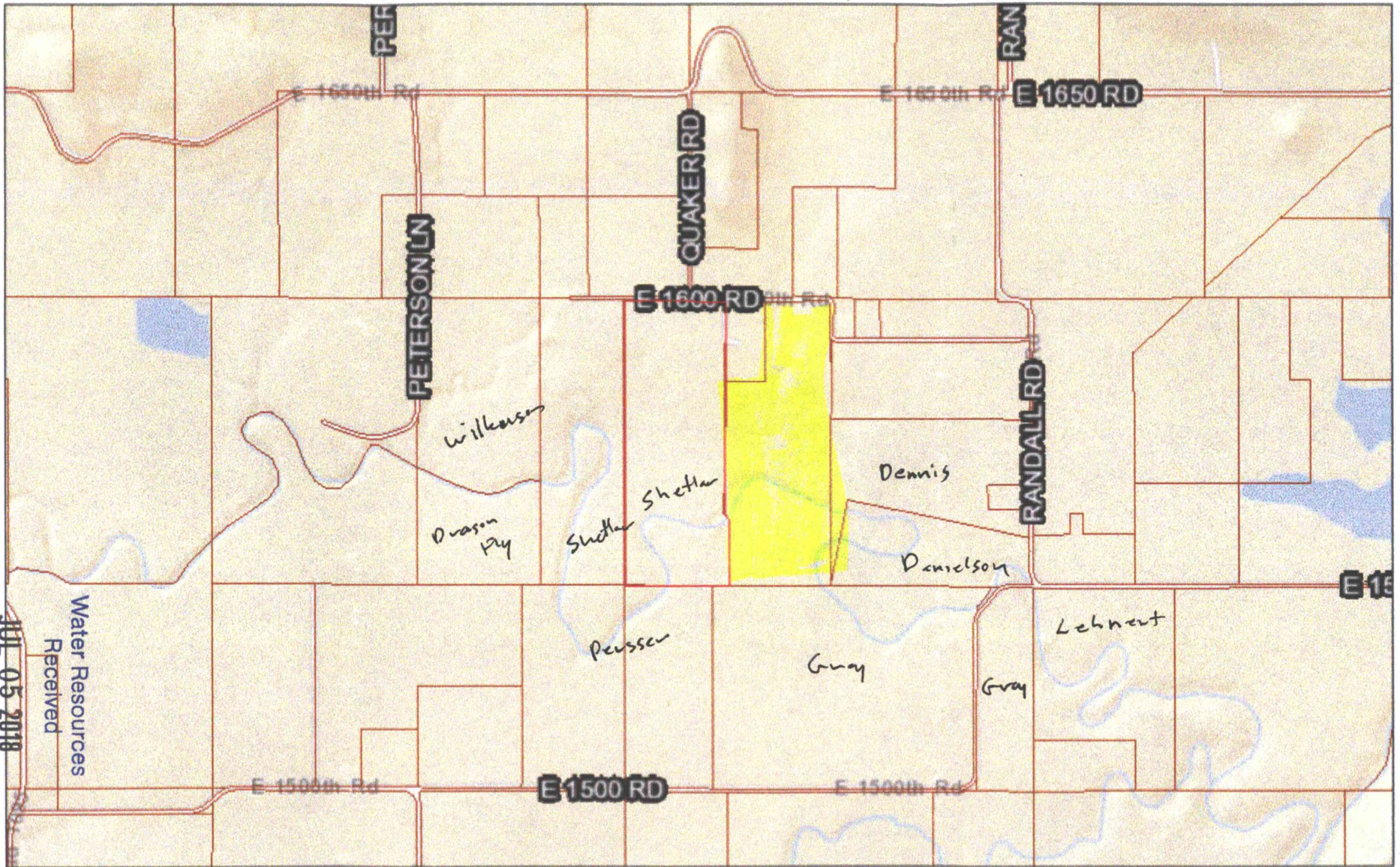
Sincerely,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: TOPEKA Field Office
GMD

SCANNED

72



JUL 05 2018

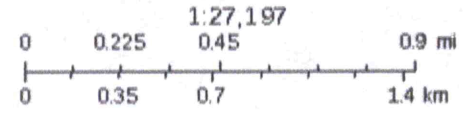
Water Resources
Received

KS Dept Of Agriculture

SCANNED

June 28, 18

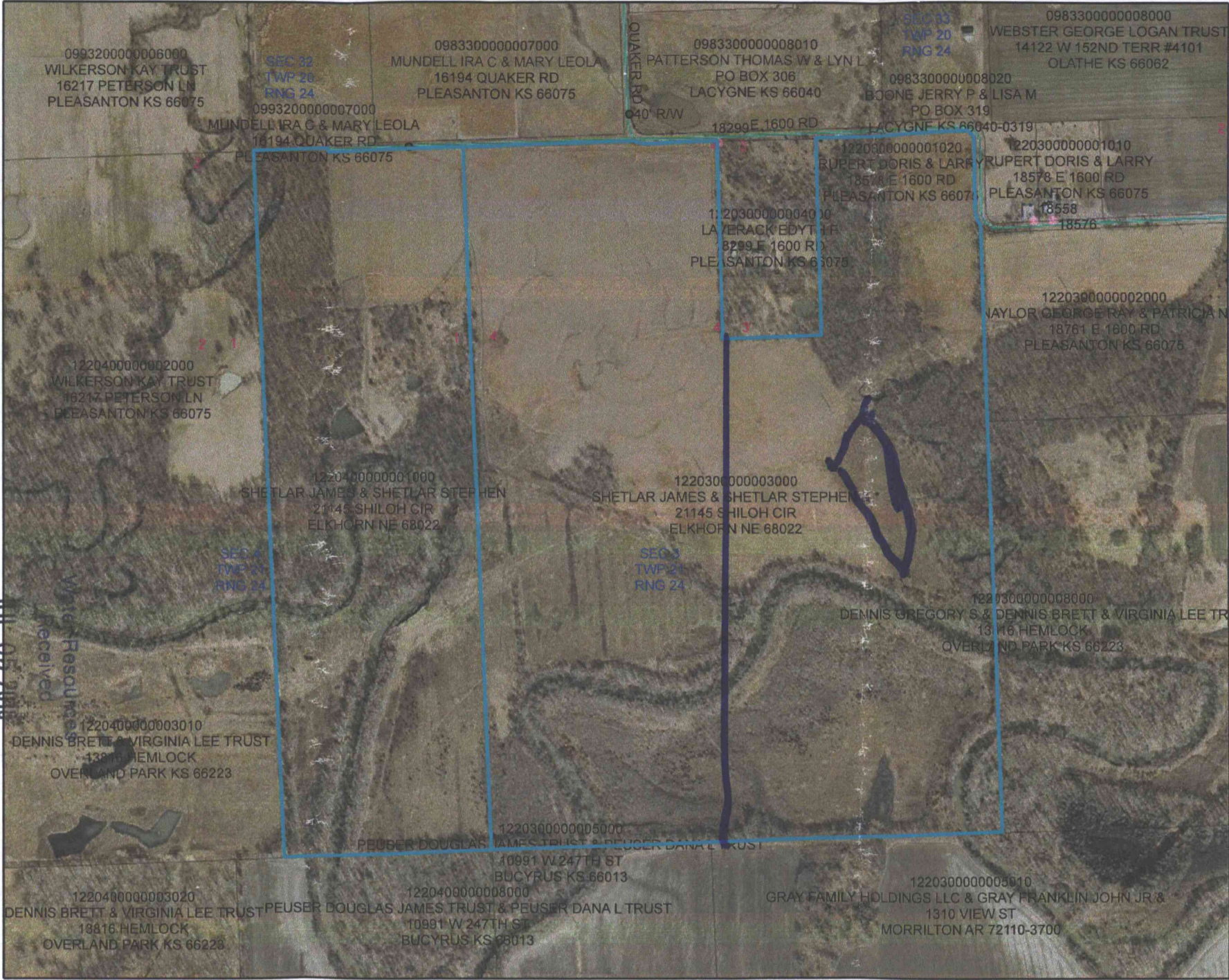
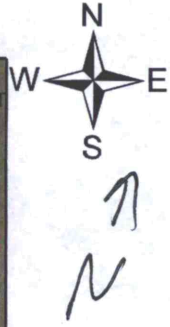
polygonLayer Parcels 36112
 Override 1
 Parcels



Kansas counties, KDOT
 Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan

50084

LINN COUNTY



KS Dept Of Agriculture SCANNED

JUL 05 2013
Water Resources
Received

50084

50084



Topographic Plan Map



X
Pumping
Spots

•
well

150 0 150 300 BM1 - Top of 1x2 Wooden Stake
N 10255.04, E 10068.70, Z 798.32
Scale in Feet Image: 2014 NAIP

Drawing Name
tebbenkamp
7/25/14 10:12 AM
Sheet 1 of 1



Tebbenkamp
NW 1/4 Sec 3 T21S R24E
Linn County, Kansas

Designed _____ Date _____
Drawn B Severin
Checked _____
Approved _____

Water Resources
Received

JUL 05 2018