

File No. **50,146** 15. Formation Code: Drainage Basin: KANSAS River County: WY Special Use: Stream: TOOLEY CREEK (KANSAS)

16. Points of Diversion										17. Rate and Quantity MOD RATE & QTY						
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional			
											Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files	
√				9057	SE SW SW	32	11	24E	1	375	4375	1600	200	1600	200	WY-23 & 46,004

18. Storage: Rate **NF** Quantity **200** ac/ft Additional Rate **NF** Additional Quantity **200** 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 **12/31/2020** Date Acceptable Meter Installed _____

21. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	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						
√			1958	32	11S	24E	2			2.5	8					11.5		1.5	12	30	36	29	40	170.5	7a.	No	46,004		
√			66459	32	11S	24E	2											13						13	7a.	No	46,004		
			56592	4	12S	24E	1						1.5											1.5	7a.	No	46,004		
			56593	5	12S	24E	1	26	17															43	7a.	No	46,004		

Comments

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: February 14, 2019

FROM: Doug Schemm

RE: Application, File No. 50,146

Quivira Inc. has filed the application referred to above for a permit to appropriate 200 acre-feet of surface water storage at the rate of natural flows, and the redirection of 200 acre-feet for irrigation use. This is an existing reservoir (Lake Quivira) with a dam located in the Southwest Quarter of Section 32, in Township 11 South, Range 24 East, Wyandotte County, Kansas. The dam is located on Tooley Creek, in the Kansas River basin. The point of diversion is located on property owned by the applicant, and the application has been signed stating they have legal access to the point of diversion. The place of use, a total of 228 acres, is solely owned by the applicant. File Nos. WY-023 and 46,004 overlap in point of diversion. File No. WY-023 authorizes recreational use at the reservoir. File No. 46,004 will form a complete overlap in the irrigation place of use after approval of a pending change application.

File No. WY-023 is authorized 600 acre-feet of storage, while File No. 46,004 is authorized 468 acre-feet of storage (limited to 778.5 acre-feet of storage with WY-023) and 156 acre-feet of direct irrigation use. Please note that the place of use extends into both Wyandotte and Johnson Counties.

The capacity of the reservoir is 766 acre-feet and reservoir surface area is 207 acres. Runoff from the 2,880-acre drainage area is estimated at 4,080 acre-feet, based on 17" of runoff, in 1 out of every five (5) years (a 20% chance). The current authorized storage of 778.5 acre-feet, plus the requested storage quantity of 200 acre-feet is equal to 978.5 acre-feet, which is far less than the runoff value. Therefore, per K.A.R. 5-6-5, the runoff quantity IS NOT the limiting factor. The requested quantity of water for direct use (re-diversion) of 200 acre-feet under the pending application, plus the authorized quantity under File No. 46,004 of 156 acre-feet, provides a total of 356 acre-feet for irrigation use on 228 acres. This will provide for just over 1.5 acre-feet per acre, which exceeds the maximum allowable of 1.0 acre-feet per acre in Wyandotte & Johnson Counties, Kansas, per K.A.R. 5-3-24. However, maintaining consistency with other golf course projects the need for 1.5 to 2 acre-feet of water per acre is common, due to the multiple, special grass varieties, high traffic areas (greens and tees), and the need to keep the grass cut very short during the playing season. Golf course grasses can be considered a "specialty crop", and therefore this additional quantity of water is reasonable and justified. No limitations of any kind are required on the new application.

Due the large number of nearby landowners, the applicant agreed to publish a Public Notice in the "The Quiviran". Note that both the new application and change in place of use for File No. 46,004 were stated in the notice. No responses of any kind were received. As noted, this is an existing reservoir that has been in place for many years, and the proposed use of water has been ongoing for many years. All nearby landowners would obviously be aware of the storage of surface water in the reservoir, and no physical changes to the reservoir or structure are proposed.

The WRIS database indicates that there are several other surface water rights within a two-mile radius circle of the proposed point of diversion. However, three of these authorize a surface water intake located directly on the Kansas River, while one is for recreational storage in a small upstream reservoir. Therefore, approval of this application would not impact any senior, permitted water rights. The dam is already permitted under DWR Water Structures Program, File No. DWY-0001.

Quivira Inc.
File No. 50,146
Page 2

As allowed by K.S.A. 82a-706(c) an approved water flow meter shall be installed on the secondary diversion works (pump site) for this file. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. Since this is an existing reservoir holding water, no Special Condition on the Permit will be needed to provide an initial fill quantity.

In a February 13, 2019 discussion, Katie Tietsort, Water Commissioner, Topeka Field Office, stated that the referenced new application should be approved. Based on the above discussion, that this area is open to new appropriations, the proposed appropriation of water is reasonable and justified, the dam is already permitted under DWR Structures File No. DWY-001, and senior rights will not be impacted, it is recommended that the referenced new application be approved, in conjunction with the change in place of use on File No. 46,004.

Doug Schemm
Environmental Scientist
Topeka Field Office

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



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

Mike Beam, Acting Secretary

Laura Kelly, Governor

March 15, 2019

FILE COPY

QUIVIRA INC
GENERAL MANAGER
100 CRESCENT BLVD
LAKE QUIVIRA KS 66217

Re: Appropriation of Water, File No. 50,146

Dear Sir or Madam:

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. A water meter is required on the proposed re-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 this 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

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Acting 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. 50,146** of the applicant

**QUIVIRA INC
GENERAL MANAGER
100 CRESCENT BLVD
LAKE QUIVIRA KS 66217**

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 **October 15, 2018**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			
32	11S	24E			2.5	8							11.5		1.5	12	30	36	29	40	170.5
33	11S	24E													13						13
4	12S	24E						1.5													1.5
5	12S	24E	26	17																	43

3. That the appropriation sought shall be limited to all natural flows of Tooley Creek (Kansas), not needed to satisfy all vested rights and prior appropriation rights to be incrementally accumulated as reservoir storage space becomes available to a maximum extent of **200 acre-feet** per calendar year in one (1) reservoir created by a dam located in the Southeast Quarter of the Southwest Quarter of the Southwest Quarter (SE¼ SW¼ SW¼) of Section 32, more particularly described as being near a point 375 feet North and 4,375 feet West of the Southeast corner of said section, in Township 11 South, Range 24 East, Wyandotte County, Kansas, to provide **200 acre-feet** of water as needed for direct irrigation use to be withdrawn, released or otherwise diverted from the reservoir at a re-diversion rate of approximately **1,600 gallons per minute (3.57 c.f.s.)**. A reasonable maximum re-diversion rate will be established during the perfection period and assigned at certification.

4. That installation of works for diversion of water shall be completed on or before **December 31, 2020** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$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, which is currently \$100.00.

5. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2024** 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, which is currently \$100.00.

6. 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.

7. 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.

8. 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.

9. 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.

10. That all re-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 re-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.

11. That an acceptable water flow meter shall be installed and maintained on the re-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).

12. 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.

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

14. 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.

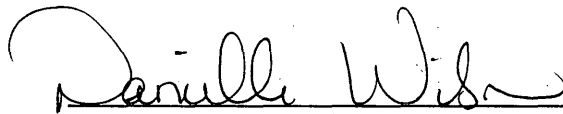
CERTIFICATE OF SERVICE

On this 15th day of March, 2019, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,146, dated March 13th, 2019 was mailed postage prepaid, first class, US mail to the following:

QUIVIRA INC
GENERAL MANAGER
100 CRESCENT BLVD
LAKE QUIVIRA KS 66217

With photocopies to:

Topeka Field Office



A handwritten signature in cursive script, reading "Darrell Wilson", is written over a solid horizontal line.

Division of Water Resources

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

APPLICATION COMPLETE
3/12/19
Reviewer KAB

File Number 50146
This item to be completed by the Division of Water Resources.

Water Resources
Received
OCT 15 2018
1:00
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, KS 66502:

1. Name of Applicant (Please Print): QUIVIRA INC %GENERAL MANAGER GERRY Goss
Address: 100 CRESCENT BLVD
City: LAKE QUIVIRA State: KS Zip Code 66217
Telephone Number: (785) 336-1073

2. The source of water is: surface water in TOOLEY CREEK (KANSAS)
(stream)
OR groundwater in KANSAS RIVER
(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. Redivert 200 acre-feet at 1,600 gpm for IRR use

3. The maximum quantity of water desired is 200 AF (storage) acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of NF 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. 1 GMD Meets K.A.R. 5-3-1 (YES / NO) Use 1R2 Source G/S County WY By DAW Date 10/15/18
Code REG Fee \$ 300 TR # _____ Receipt Date 10/15/18 Check # 54800

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

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

- (A) One in the SE Quarter of the SW quarter of the SW quarter of Section 32, more particularly described as being near a point 375 feet North and 4375 feet West of the Southeast corner of said section, in Township 11 South, Range 24 EAST, WYANDOTTE County, Kansas. (PDIV ID: 9057)
- (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):

APPLICANT BRAD LUCKEY, 100 CRESCENT BLVD, LAKE QUIVIRA, KS 66217 913-631-8062
(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 AUG 21st, 2018.

Brad Luckey
Applicant's Signature

7. The proposed project for diversion of water will consist of ONE DAM AND RESERVOIR
(number of wells, pumps or dams, etc.)
and (was)(will be) completed (by) EXISTING
(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 FALL 2018
(Mo/Day/Year)

Water Resources
Received

OCT 15 2018

9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?

Yes No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources? Yes No

- If yes, show the Water Structures permit number here DWY--0001
- If no, explain here why a Water Structures permit is not required EXISTING DAM AND RESERVOIR (LAKE QUIVERA).

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.

FILE NO. 46,004 - COMPLETE OVERLAP IN PU AND PD (After Change in Place of Use is Approved)

File No. WY-023 - REC use - Pd overlap

Drainage Area of 2,880 Acres, will produce runoff far in excess of the current and requested storage quantity.

File No. 46,004 is authorized 468 AF of Storage (178.5 addl) and 156 AF of Direct Use.

New Application requested Storage and Direct Use Quantity based on additional acreage of 81 acres x 2.5 AF per acre. No limitations to senior files are required.

Water Resources
Received

OCT 15 2018

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):

Geary Cox 100 Crescent Blvd Lake Quivira KS 66217
General Manager (name, address and telephone number) 913.553.7860

(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 Lake Quivira, Kansas, this 27th day of August, 2018.
(month) (year)



(Applicant Signature)

APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By _____
(Agent or Officer Signature)

and/or
APPLICANT(S) TAXPAYER I.D. NO.(S)

(Agent or Officer - Please Print)

Assisted by DWS

TOPEKA FO
(office/title)

Date: 8/8/2018

Water Resources
Received

OCT 15 2018

SCANNED

KS Dept Of Agriculture

8/27/18
(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
1320 Research Park Drive
Manhattan, Kansas 66502

Re: Application
File No. 50146

Minimum Desirable Streamflow
KANSAS River Assurance District
Water Reservation Rights


Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established, an Assurance District has been formed and established or a Water Reservation Right is held by the Kansas Water Office (**circle the appropriate item**) for the source of supply to which the above referenced application applies, namely the KANSAS RIVER.

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, Assurance District or Water Marketing releases are being made from storage in Federal Reservoirs or when a Reservation Right upstream of a Federal Reservoir is being administered.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

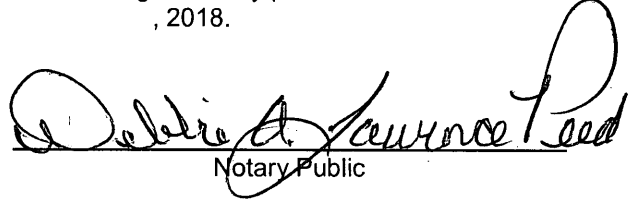
I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.


Signature of Applicant

BRAD LACKEY
Print Applicant Name

State of Kansas)
County of Wyandotte) SS

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


Notary Public

My Commission Expires: 7/14/21

Water Resources
Received
OCT 15 2018

Debbie A. Lawrence-Peed
Notary Public - State of Kansas
My Appt. Exp. 7/14/2021

DWR 1-100.172 (Revised 06/05/2008)

KS Dept Of Agriculture

SCANNED

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 50,146

Name of Applicant (Please Print): QUIVIRA INC

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: QUIVIRA INC %GENERAL MANAGER
ADDRESS: 100 CRESCENT BLVD, LAKE QUIVIRA, KS 66217

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
32	11S	24E			2.5	8					11.5		1.5	12	30	36	29	40	170.5
33	11S	24E											13						13
4	12S	24E						1.5											1.5
5	12S	24E	26	17															43

TOTAL = 228 Acres

Landowner of Record NAME: _____
ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			

Landowner of Record NAME: _____
ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

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

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

c. Type of irrigation system you propose to use (check one):

- Center pivot Center pivot - LEPA "Big gun" sprinkler
 Gravity system (furrows) Gravity system (borders) Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: _____ psi

(2) What is the sprinkler package design rate? _____ gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

(4) Please include a copy of the sprinkler package design information.

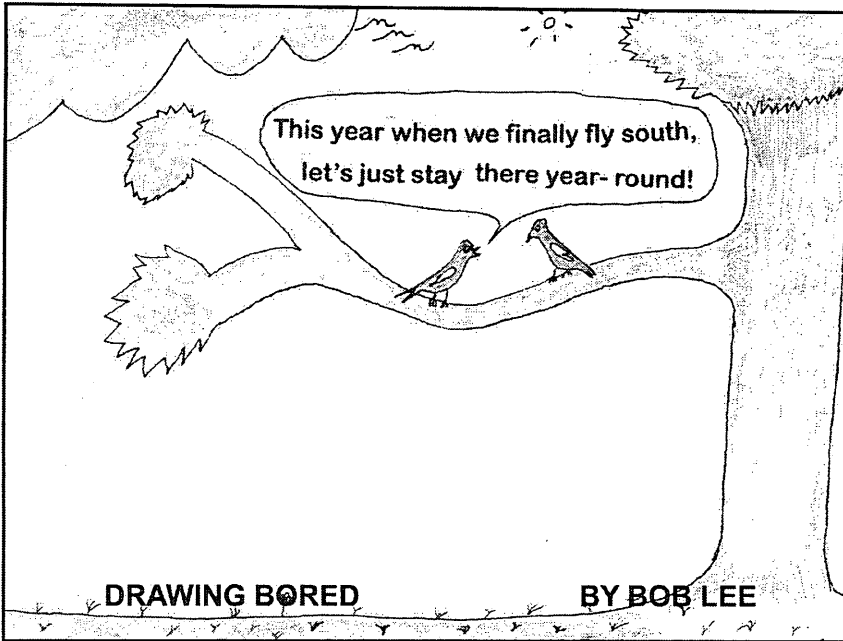
e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

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

#50,146

↓
46,004



Q Inc. files application with KS Department of Agriculture to appropriate water for irrigation

"Quivira Inc. has filed new application, File No. 50,146 for permit to appropriate water for beneficial use, with the Division of Water Resources, Kansas Department of Agriculture. The application proposes the appropriation of 200 acre-feet of surface water to be diverted at the rate of natural flows, storage in an existing reservoir, and re-diversion for irrigation use. The existing dam is in the Southeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 32, Township 11 South, Range 24 East, Wyandotte County, Kansas.

Quivira Inc. has also filed an application to change the place of use under Water Right, File No. 46,004. This change will create a complete overlap in place of use with the new application.

Anyone owning property adjacent to the stream in the immediate vicinity of this existing dam is invited to submit written comments regarding Applications, File Nos. 50, 146 and 46,004. Persons submitting comments should specifically indicate their interest in the proposed appropriation of water. Comments regarding these applications will be accepted through February 15, 2019.

Written comments or questions regarding these applications may be directed to the Office of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502. If you wish more information concerning these applications, you may also contact Douglas Schemm, Environmental Scientist, in the Topeka Field Office of the Water Appropriation Program at (785) 296-3495."

MARRSTREE SERVICE, INC.
Phone Answered 24 hrs.
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For Over 25 Years

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AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A

50146 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50146 00 IRR

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

375 Feet North and 4375 Feet West of the Southeast Corner of Section 32 T 11S 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__ 3678	00	MUN	NK	S	2137	--	NW	SE	SE	886	1168	31	11	24E	1	24368.40	19409.00	AF	
A__ 18180	00	MUN	NK	S	2137	--	NW	SE	SE	886	1168	31	11	24E	1	25907.23	1756.42	AF	
A__ 39228	00	REC	NK	S	9839	--	SW	NW	NE	4400	2450	9	12	24E	1	9.00	9.00	AF	
A__ 46004	00	IRR	NK	S*	0	--	SE	SW	SW	375	4375	32	11	24E	1	156.00	156.00	AF	
A__ 47083	00	MUN	KE	S	2137	--	NW	SE	SE	886	1168	31	11	24E	1	42522.50	42522.50	AF	
A__ 50146	00	IRR	AY	S	0	--	SE	SW	SW	375	4375	32	11	24E	1	156.00	.00	AF	
T__ 949159	00	HYD	GY	S	7131	--	NW	SE	SE	800	1200	36	11	23E	3	1000.00	1000.00	AF	
T__ 20029025	00	HYD	GY	S	6093	NC	S2	S2	SE	300	1320	29	11	24E	6	2073.50	2073.50	AF	
T__ 20169045	00	DEW	GY	S	9728	--	NW	SW	SE	855	2511	1	12	23E	3	284.00	284.00	AF	
T__ 20169046	00	IND	GY	S	7668	--	NE	SE	SE	878	30	1	12	23E	2	239.01	239.01	AF	
T__ 20169070	00	IND	GY	S	6471	--	NE	SE	SE	746	543	36	11	23E	11	7008.00	7008.00	AF	
Same					7036	--	NW	SE	SE	828	1105	36	11	23E	12				
Same					7628	--	NE	SW	SE	956	1690	36	11	23E	13				
Same					8189	--	NW	SW	SE	1071	2245	36	11	23E	14				
VWY	23	00	REC	AA	S	0	--	SE	SW	SW	375	4375	32	11	24E	1	600.00	600.00	AF

KS River intake
Applicant file

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	200.00
Total Permitted Amount (AF) =	53127.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	21330.42	178.50
Total Vested Amount (AF) =	600.00	.00
TOTAL AMOUNT (AF) =	75057.41	378.50

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:

375 Feet North and 4375 Feet West of the Southeast Corner of Section 32 T 11S R 24E

SURFACE WATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 3678	00	MUN	NK S
>	WATER DIST #1 JOHNSON CO		
>	7601 HOLLIDAY DR		
>	KANSAS CITY KS 66106		

A__ 18180	00	MUN	NK S
>	WATER DIST #1 JOHNSON CO		
>			

> 7601 HOLLIDAY DR
> KANSAS CITY KS 66106

>-----
A__ 39228 00 REC NK S
> LAKEVIEW ESTATES HOMEOWNERS ASSOC INC
>
> 14300 W 56TH PL
> SHAWNEE KS 66216

>-----
A__ 46004 00 IRR NK S
> QUIVIRA INC
> GENERAL MANAGER
> 100 CRESCENT BLVD
> LAKE QUIVIRA KS 66217

>-----
A__ 47083 00 MUN KE S
> WATER DIST #1 JOHNSON CO
>
> 7601 HOLLIDAY DR
> KANSAS CITY KS 66106

>-----
A__ 50146 00 IRR AY S
> QUIVIRA INC
> GENERAL MANAGER
> 100 CRESCENT BLVD
> LAKE QUIVIRA KS 66217

>-----
T__ 949159 00 HYD GY S
> KAW VALLEY COMPANIES
> DAN HAYS
> 5600 KANSAS AVE
> KANSAS CITY KS 66106

>-----
T__ 20029025 00 HYD GY S
> KAW VALLEY SAND & GRAVEL INC
>
> 5600 KANSAS AVE
> KANSAS CITY KS 66106

>-----
T__ 20169045 00 DEW GY S
> DEFFENBAUGH INDUSTRIES INC
>
> 2601 MIDWEST DR
> KANSAS CITY KS 66111

>-----
T__ 20169046 00 IND GY S
> DEFFENBAUGH INDUSTRIES INC
>
> 2601 MIDWEST DR
> KANSAS CITY KS 66111

>-----
T__ 20169070 00 IND GY S

#46,004

Justification for Quantity Requested

Existing Water Right - File No. WY 023 - (REC.USE) Quantity = 600 acre-feet

Capacity of Reservoir = 766 acre-feet

Reservoir Surface Area = 207 acres

Direct Use = 156 acre-feet

Due to the fact that 600 acre-feet of storage for recreational use has been accounted for under the Vested Right, recreational use will not be considered for this application. Therefore, only 3 years direct use will be considered for storage with a limitation to the maximum storage allowed when combined with the Vested Right.

Total Reasonable Storage = (3yrs direct use + 3 yrs net. evap.)

156 AF x 3 = 468 acre-feet

3 yrs net evap = $207 \times \frac{6}{12} = 103.5$ acre-feet $103.5 \times 3 = 310.5$ acre-feet

TOTAL = 468 AF + 310.5 AF = 778.5 AF

Storage Request = **468 AF**

Limitation - storage quantity limited to 778.5 acre-feet when combined with
File No. WY 023

RECEIVED

WATER RESOURCES
RECEIVED

MAR 24 2005

AUG 02 2004

TOPEKA FIELD OFFICE
DIVISION OF WATER RESOURCES DEPT OF AGRICULTURE

MICROFILMED

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

January 10, 2019

QUIVIRA INC
GENERAL MANAGER
100 CRESCENT BLVD
LAKE QUIVIRA KS 66217

RE: Application, File No. 50,146, and Water Right, File No. 46,004

Dear Sir or Madam:

In keeping with similar applications to appropriate water located near highly populated areas, we realize the difficulty in identifying all the owners of property located adjacent to the stream within on-half mile upstream and downstream of your property lines. Therefore, an acceptable alternative is to notify potential landowners by publication of a public notice.

Enclosed is a notification of your application to appropriate water for beneficial use File No. 50,146 and the pending change in Place of Use under File No. 46,004. This notice should be published in a local newspaper(s) once per week for three consecutive weeks at your expense. An affidavit of publication or copies of the published notification are to be submitted to this office within two weeks of the final publication date. The date proposed in Paragraph No. 2 of the notice is designed to allow at least 15 days for public comment following the final publication, and should be revised as needed to ensure this time allowance is met, based on your publication date.

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,

Doug Schemm
Environmental Scientist
Permits Unit

Enclosure

Public Notice

File Nos. 50,146 and 46,004

Quivira Inc. has filed new application, File No. 50,146 for permit to appropriate water for beneficial use, with the Division of Water Resources, Kansas Department of Agriculture. The application proposes the appropriation of 200 acre-feet of surface water to be diverted at the rate of natural flows, storage in an existing reservoir, and re-diversion for irrigation use. The existing dam is in the Southeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 32, Township 11 South, Range 24 East, Wyandotte County, Kansas.

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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

QUIVIRA, INC

10/24/2018

G.M. GEARY GOSS
100 CRESCENT BLVD
LAKE QUIVIRA, KS 66217

RE: Application, File No. **50146**

Dear Sir or Madam:

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

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

Additional information about the process may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any other questions, please contact our office at 785-564-6640 or your local Topeka Field Office at 785-296-5733. If you call, please reference the file number so we can help you more efficiently.

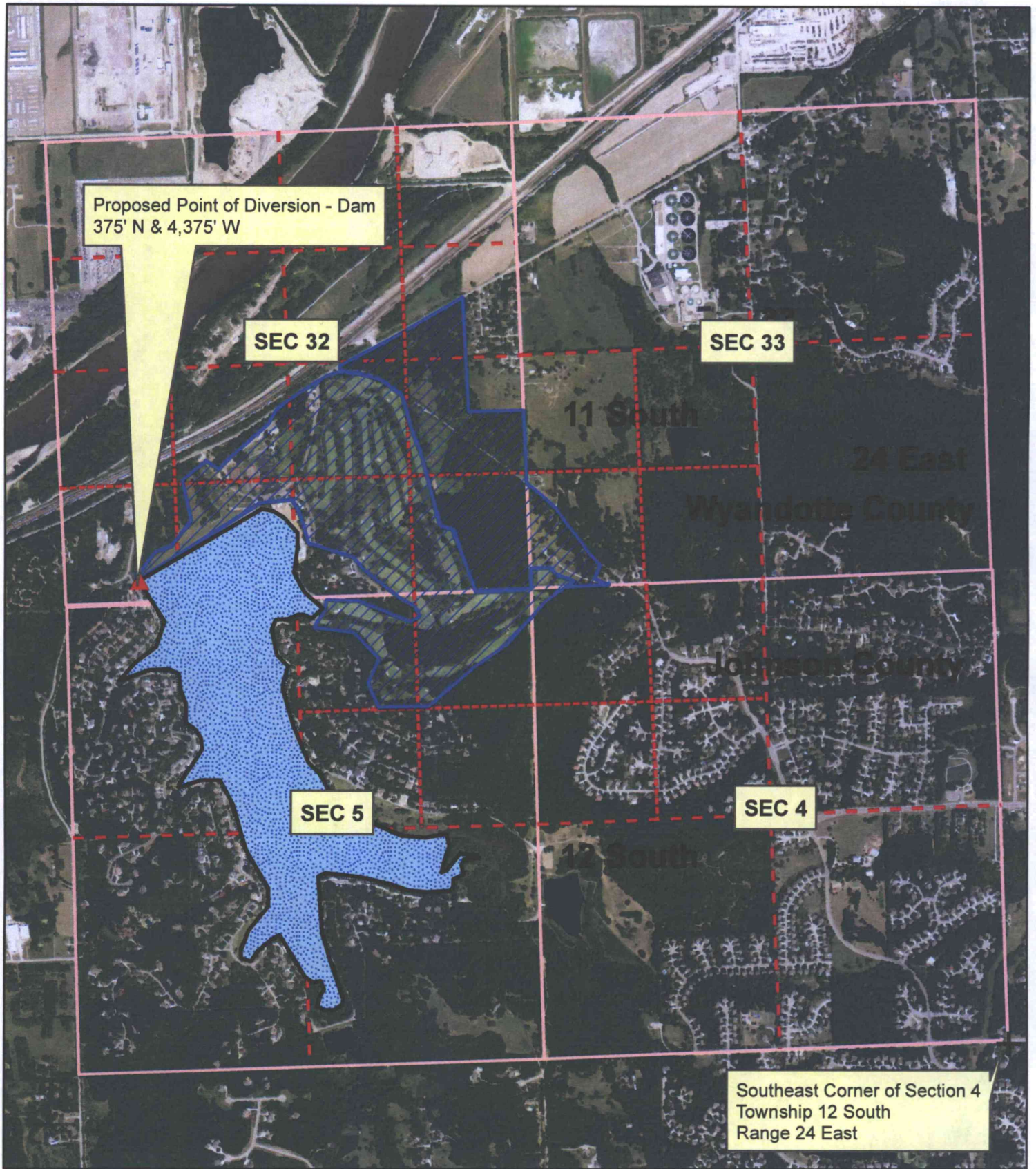
Sincerely,

A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum
New Application Unit Supervisor
Division of Water Resources

SCANNED

QUIVIRA INC - NEW APPLICATION SITE MAP #50,146



Proposed Place Of Use

1:18,000

Request Public Notice Due to Large Number
of Adjacent Landowners.