Kansas Department of Agriculture Division of Water Resources PERMIT OF NEW APPLICATION WORKSHEET

2. Status Change Date: 3. Field Office: 4. GMD: 1. File Number: 5/30/2019 50,201 01 0 ☐ Denied by DWR/GMD ☐ Dismiss by Request/Failure to Return 5. Status: □ Approved 6. Enclosures: ☐ Check Valve N of C Form ☐ Water Tube ☐ Driller Copy ■ Meter Person ID 7a. Applicant(s) Person ID 66563 7c. Landowner(s) Add Seg# New to system ☐ Add Seg# New to system LANTER & SONS INC 1196 SAGEBRUSH RD **EVEREST KS 66424-9119** 7b. Landowner(s) Person ID 7d. Misc. Person ID New to system Add Sea# New to system Add Sea# 7a. ⊠ No ☐ Yes **WUR Correspondent** Person ID 9. Use of Water: Changing? Add Sea# New to system Surface Water ☐ Groundwater Overlap File (s) WUC Notarized WUC Form Agree Yes No **⊠** REC ☐ DEW ☐ IRR ☐ MUN □ STK □ SED ☐ CON ☐ DOM 7a. ☐ HYD DRG ☐ WTR PWR ☐ ART RECHRG ☐ IND SIC: _____ ☐ OTHER: _____ 11. Perfection Date: 12/31/2024 10. Completion Date: 12/31/2020 12. Exp Date: 13. Conservation Plan Required? ☐ Yes ☒ No Date Required: _____ Date Approved: _____ Date to Comply: _____ 14. Water Level Measuring Device? Yes No Date to Comply: _____ Date WLMD Installed: _____ Date Prepared: 4/16/2019 By: DWS Date Entered: 44/2019 By: UM

File No.	50,201		15.	. Format	ion Cod	de:		С	Orainage	Basin:	MISSO	DURI I	RIVER	C	ounty:	BR		Spe	ecial U	se:		Stream: RIVER	SOUT TRIB 7	H FORK WO (MISSOURI)	LF 3957	
16. Poir T MOD	nts of Diversion	on													17. Ra		d Quar				Additiona	al				
DEL	PDIV	C	ualifier	s		т	R	ID		'N	c	W			Rate gpm			antity gy		Rate		Quantity mgy	Ove	rlap PD Files		
MOD	87277	NW	NE S	W 2	7	4	18E	1	25	26	38	46			C)		0		0		0		NONE		
MOD	87278	NE	NW N	W 2	7	4	18E	2	50)51	42	48														
																								da.		
							k /		T in										, FACE							
18. Stor	age: Rate _				NF	Qua	antity	2	32		_ ac/ft		Additio	nal Ra	te				NF	Add	litional Qua	antity	32	2	ac/ft	
19. Limi	tation:	5 1.7	W.C.	af/yr	at			gr	om (cfs) w	hen c	ombine	ed with	file nu	umber(s)								
Limi	tation:			af/yr	at			gr	om (cfs) w	hen c	ombine	ed with	file nu	umber(s)								
20. Met	er Required?	☐ Yes	s ⊠ No		То	be ins	stalled by							_ D	ate Ac	ceptal	ole Met	ter Insta	alled _							
21. Pla	ce of Use	of Use						NE1/4			NW1/4			SW1/4		N¹/4		SE¼			Total	Owner	Chg	NO NO	Overlap Fil	les
MOD DEL ENT	PUSE S	Т	R	ID	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE NV		SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE ¼							
	9276 27	4		1	21	RESI	ERVOI	RS ((W2)												7a.	NO)	NON	E	
			2.2					T	F		T															
															-											
Comme	nts: BOTH F	RESER\	/OIRS A	RE LOC	ATED	ON SA	ME TRIE	BUTAR	RY STRI	EAM: S	SOUTH	I I FORI	K WOL	F RIV	ER TR	IB 7 (I	MISSO	URI)			4 4					
			456					10										4		J.A.			6 EX			

KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources

<u>MEMORANDUM</u>

TO: Files DATE: April 16, 2019

FROM: Doug Schemm RE: Application, File No. 50,201

Lanter & Sons, Inc. have filed the above-referenced new application to appropriate 32 acre-feet of surface water storage at a rate not to exceed natural flows of South Fork Wolf River Trib 7 (Missouri) for recreational use in two existing reservoirs. The application is designed to cover the indirect use of water (evaporation) from two reservoirs located in the West Half of Section 27, in Township 4 South, Range 18 East, Brown County, Kansas. The points of diversion represent the points at which the center of the dams intersect the stream, and a representative of the applicant (Debra Lanter) has signed the form stating they have access to these points of diversion. The North Reservoir is already permitted by the DWR Water Structures Program under File No. DBR-0299, and was built in the late 1950's. The South Reservoir is already permitted by the DWR Water Structures Program under File No. DBR-0199, and was built in the late 1970's. Topeka Field Office staff had received complaints from a downstream landowner regarding recent activities at the reservoirs. After further review, DWR appropriation staff assiduously determined that these existing reservoirs did not have the required appropriation permit, and assisted in bringing the applicant into compliance with regulations.

The requested quantity of 32 acre-feet appears to be reasonable for indirect use, based on the following information. The combined reservoir surface area at normal pool storage elevation is estimated at 18.29 acres. Potential net evaporation in inches, based on K.A.R. 5-6-3, is 7 inches; therefore the natural evaporation can be estimated as follows:

18.29 acres x 7 inches of evaporation / 12 inches = 10.67 acre-feet (1 year of evaporation) 10.67 acre-feet x 3 years = 32 AF

No seepage quantity was requested by the applicant. Typically, these types of applications request up to three years of evaporation, so it is reasonable. A runoff calculation was not prepared because it is reasonable to assume that with the significant drainage area in excess of 400 acres, engendering the requested 32 acre-feet of runoff in 1 out of every five (5) years (20% annually), will be readily accomplished. The capacity of the reservoirs is the controlling factor. As noted above, the dams are already permitted under DWR Water Structures Program, File Nos. DBR-0199 and 0299. Since the reservoirs are currently storing water, no Special Condition on the Permit is needed to provide an initial fill quantity.

There is only one other permitted surface water right within a two-mile radius circle, which is a blanket sediment control authorizing four other reservoirs (File No. 45,596 – Wolf River Watershed Joint District #66). All of these reservoirs are located on different tributary streams, and would not be impacted in any way. As noted above, these are existing reservoirs (in place for many years), and the appropriation permit is merely to authorize the on-going beneficial recreational use of water (evaporation) from the reservoirs. Nearby landowner notification letters were sent out on March 7, 2019. No responses of any kind were received.

Katherine Tietsort, Water Commissioner, Topeka Field Office, recommended approval of the application in a discussion on April 10, 2019.

Lanter & Sons, Inc. – Memo File No. 50,201 Page 2

Based upon the above discussion, the area is open to new applications, the structures have been properly permitted under DWR water structures program, approval will bring this beneficial use of water into compliance, and there is no indication that the proposed beneficial use of water will impair existing water rights, it is recommended that the referenced application be approved.

Douglas W. 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

Laura Kelly, Governor

Mike Beam, Secretary

June 7, 2019

LANTER & SONS INC 1196 SAGEBRUSH RD EVEREST KS 66424-9119

FILE COPY

Appropriation of Water, File No. 50,201 RE:

Dear Sir or Madam:

Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit.

Notice must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at www.kswaterusereport.org.

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Enclosed is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any questions or need assistance with any of these requirements, 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,

Kristen A. Baum

New Application Unit Supervisor

Division of Water Resources

KAB:dws Enclosure(s)

Topeka Field Office pc:

KANSAS DEPARTMENT OF AGRICULTURE

Mike Beam, 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. 50,201 of the applicant

LANTER & SONS INC 1196 SAGEBRUSH RD EVEREST KS 66424-9119

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 January 18, 2019.
- 2. That the water sought to be appropriated shall be used for recreational use at two (2) reservoirs located in the West Half (W½) of Section 27, in Township 4 South, Range 18 East, Brown County, Kansas.
- 3. That the appropriation sought shall be limited to all natural flows of an unnamed tributary to the South Fork Wolf River, designated in the office of the Chief Engineer as South Fork Wolf River Trib 7 (Missouri), not needed to satisfy all vested rights and prior appropriation rights to be stored to a maximum extent of 32 acre-feet per calendar year, in two reservoirs created by dams located as follows: one (1) dam in the Northwest Quarter of the Northwest Quarter (NW¼ NE¼ SW¼) of Section 27, more particularly described as being near a point 2,526 feet North and 3,846 feet West of the Southeast corner of said section, and one (1) dam in the Northeast Quarter of the Northwest Quarter of the Northwest Quarter (NE¼ NW¼ NW½) of Section 27, more particularly described as being near a point 5,051 feet North and 4,248 feet West of the Southeast corner of said section, both in Township 4 South, Range 18 East, Brown County, Kansas, located substantially as shown on the topographic map accompanying the application.
- 4. That installation of works for diversion of water shall be completed on or before <u>December 31</u>, <u>2020</u>, 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 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 <u>December 31, 2024</u>, 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.

File No. 50,201 Page 2

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 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.
- 11. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.
- 12. 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.
- 13. 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.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

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

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

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 18 days after this Order was mailed to you), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

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

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

Ordered this 30th day of May

, 2019, in Manhattan, Riley County, Kansas.

Lane P. Letourneau, P.G.

Program Manager

Water Appropriation Program
Division of Water Resources

Kansas Department of Agriculture

State of Kansas

SS

County of Riley

The foregoing instrument was acknowledged before me this 3 day of Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.

DANIELLE WILSON
My Appointment Expires
August 23, 2020

Notary Public

CERTIFICATE OF SERVICE

On this He day of Application, File No. 50,201, dated Way 3015, 2019, I hereby certify that the foregoing Approval of Application, File No. 50,201, dated Way 3015, 2019 was mailed postage prepaid, first class, US mail to the following:

LANTER & SONS INC 1196 SAGEBRUSH RD EVEREST KS 66424-9119

With photocopies to:

Topeka Field Office

Division of Water Resources



KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

1	RESOURCES	File Number	>25\ ne Division of Water Resources.	Water Resources Received
	R-2:5 2019		FOR PERMIT TO	JAN 18 2019
KS DEP	TOFAGRIOUS	E. E. M A	mpany the Application attached to this application form.)	10x10x
			Resources, Kansas Depart	ment of Agriculture,
1.		,,	ve, Manhattan, KS 66502:	
1.			INC	
	Address: 1196 SAGEBRU	סח אט	State: KS Z	in Codo 66424-9119
	City: EVEREST	5U8-60073	1/2 State. NS 2	1 Code 66424 - 111
•			W.	Hansas Missouri
2.	The source of water is:		outary to South Fork Wolf River (stream)	/
	OR	☐ groundwater in Mis	souri River Basin(drainage ba	sin)
	when water is released from	n storage for use by wate date we receive your ap	ws established by law or may law or may law or may law rassurance district members. Dilication, you will be sent the application.	be subject to administration If your application is subject
3.	The maximum quantity of w	vater desired is 32	acre-feet OR	gallons per calendar year,
	to be diverted at a maximum	m rate of Natural Flow	gallons per minute OR	cubic feet per second.
	requested quantity of water maximum rate of diversion	under that priority number and maximum quantity of	, the requested maximum rate er can <u>NOT</u> be increased. Pleas of water are appropriate and re- ater Resources' requirements.	se be certain your requested
4.	The water is intended to be	appropriated for (Check t		
	(a) Artificial Recharge	(b) ☐ Irrigation	(c) ⊠ Recreational ONLY	(d) ☐ Water Power
	(e) ☐ Industrial	(f) ☐ Municipal	(g) ☐ Stockwatering	(h) Sediment Control
	(i) Domestic	(j) ☐ Dewatering	(k) ☐ Hydraulic Dredging	(I) Fire Protection
	(m) ☐ Thermal Exchange	(n) Contamination F	Remediation	
	YOU <u>MUST</u> COMPLETE AND AT SUBSTANTIATE YOUR REQUES	TACH ADDITIONAL DIVISION T FOR THE AMOUNT OF WA	OF WATER RESOURCES FORM(S) TER FOR THE INTENDED USE REFE	PROVIDING INFORMATION TO ERENCED ABOVE
For Offi F.O Code	ce Use Only:GMDMeets K.A.R. 5REGF	3-1 (YES / NO) Use QFC ee \$ 3000 TR #	SEL Source G S County B	2 By NW Date 1/18/19

*	Revised	feet	Distance	es bas	ed on
	better	site	Map. 7	ows/pw	R 4/10/19

	-	_	
File No.	50	20	l
I IIC IVO.		00	

5.	The	location of the proposed wells, pump sites or other works for diversion of water is:
	Not	e: 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.
4		One in the NW quarter of the NE quarter of the SW quarter of Section 27, more particularly
		described as being near a point 25/17 feet North and 38/11 feet West of the Southeast corner of said
		section, in Township 4 South, Range 18_ East, <u>BROWN</u> County, Kansas. (SOUTH DAM)
*	(B)	One in the <u>NE</u> quarter of the <u>NW</u> quarter of the <u>NW</u> quarter of Section 27, more particularly described as being near a point <u>5091</u> feet North and <u>4108</u> feet West of the Southeast corner of said section, in Township 4 South, Range 18 East, <u>BROWN</u> County, Kansas. (NORTH DAM)
	(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.
	well	e source of supply is groundwater, a separate application shall be filed for each proposed well or battery of s, except that a single application may include up to four wells within a circle with a quarter (¼) mile radius in same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.
	four not	attery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common ribution system.
6.		owner of the point of diversion, if other than the applicant is (please print):
	Whh	(name, address and telephone number)
		(name, address and telephone number)
,	Jano	must provide evidence of legal access to, or control of, the point of diversion from the landowner or the lowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document 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, 2019Applicant's Signature
7.	The	proposed project for diversion of water will consist of (number of wells, pumps or dams, etc.)
	and	(was)(will be) completed (by) Existing dams 1976 + 1975 (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 Spring 2019 (Mo/Day/Year)

File No. 55351

	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.
0.	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 <u>DBR-0199 & DBR-0299.</u>
	If no, explain here why a Water Structures permit is not required
	The dams have been reviewed by DWR structures program under the above referenced file numbers, and
	both dams are considered to be exempt from structures permitting.
1.	The application <u>must</u> be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:
	(a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
	(b) If the application is for groundwater, please show the location of any existing water wells of any kind within ½ mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within ½ mile, please advise us.
	(c) If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.
	(d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
	(e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.
	A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.
2.	List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application. Water Resources
	NONE
	Quantity based on combined surface area of 18.29 acres x 7" of evap / 12 = 10.67 AF 1AN 18 2019
	3 years x 10 67 = 32 01 acre-feet
T	TR Furms, Raymond Becker 468 Hwy 20 Lancaster, RS Pept Of Agriculture
M	LAM Development, Irc. Tom Messina 117 Lakeview Circle, Alma KS 6

SCANNED

ssisted	d by <u>DWS</u>	TOPEKA FO	O (office/title)	Date: 12/	26/2018					
25	(Agent or Officer - Please Print)									
	(Agent or Officer Signature)		APPLICAN [*]	and/or Γ(S) TAXPAYER I.D. N	IO.(S)					
Ву			ag course							
	(Applicant Signature)			NT(S) SOCIAL SECUP FICATION NUMBER(S						
	Dema John		APPLICA	UT(0) BOOLAL BEOLE	NEW					
(Lantur Dong Inc									
	0			(month)	(year)					
	Dated at Everest, Kar	nsas, this 10t	day of	January	,2019					
6.	The undersigned states that the informati this application is submitted in good faith		ove is true to t	he best of his/her	knowledge and tha					
	(name, address and telephone number)									
	Applicant (name, address and telephone number)									
5.	The owner(s) of the property where the v	water is used, it	f other than th	e applicant, is (ple	ease print):					
	Owner (owner, tenant, agent or otherwise)									
4.	The relationship of the applicant to t	he proposed	place where	the water will b	e used is that o					
			· barrer							
	Depth to bottom of pump intake pipe									
	Depth to static water level									
	Depth to water bearing formation									
	Total depth of well									
	Date Drilled		Assista esta Laboratoria		强力的。 对此 与那样会 一切的					
	Well location as shown in paragraph No.	(A)	(B)	(C)	(D)					
		es 🗆 Well	as complete	_ Dillers id	g attached					

File No. _

RECREATIONAL USE SUPPLEMENTAL SHEET

File No. 5020

	Name of Applicant (Please Print): Lanter & Sons, Inc
1.	Please indicate type of recreational use (boating, fishing, swimming, etc.):
2.	Please summarize how the water will be used and justify the quantity of water requested:
	Surface Area of Reservoirs (combined) = 18.29 acres. (18.29 acres x 7") / 12 = 10.67 acre-feet of annual evaporation
	10.67 acre-feet x 3 years = 32 acre-feet (3 years of indirect evaporation).

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	32 AF					
Year 2						
Year 3						
Year 4						
Year 5	32 AF					

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

4. Please designate the legal description of the location where the water is to be used by providing the fractional part of the Section, Township and Range.

2 Reservoirs Located in the West Half of Section 27, in Township 4 South, Range 18 East, Brown Co.

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

Received

JAN 18 2019

From:

Baum, Kristen [KDA]

Sent:

Friday, March 8, 2019 11:53 AM

To:

Philip, Charlotte [KDA]; Schemm, Doug [KDA]

Subject:

RE: File No. 50,201 Lanter and Sons

Thanks Charlotte!

Doug - Charlotte filled out a worksheet for Laura so everything should be good to go.

From: Philip, Charlotte [KDA]

Sent: Friday, March 8, 2019 9:44 AM

To: Baum, Kristen [KDA] < Kristen.Baum@ks.gov>; Schemm, Doug [KDA] < Doug.Schemm@ks.gov>

Subject: RE: File No. 50,201 Lanter and Sons

South Fork Wolf River Trib 7 (Missouri)

Stream No. 3957 Basin No. 1

Is this what you needed? Do I need to give Laura a stream worksheet? Or are you going to take care of it, Doug?

Charlotte Philip

From: Baum, Kristen [KDA]

Sent: Friday, March 08, 2019 9:30 AM

To: Philip, Charlotte [KDA] < Charlotte. Philip@ks.gov>

Subject: RE: File No. 50,201 Lanter and Sons

I think they are on the same tributary so just one name needed for both.

From: Philip, Charlotte [KDA]

Sent: Friday, March 8, 2019 9:21 AM

To: Baum, Kristen [KDA] < Kristen.Baum@ks.gov **Subject:** RE: File No. 50,201 Lanter and Sons

Which pumpsite? Or both?

Charlotte Philip

From: Baum, Kristen [KDA]

Sent: Friday, March 08, 2019 8:35 AM

To: Philip, Charlotte [KDA] < Charlotte. Philip@ks.gov>

Subject: FW: File No. 50,201 Lanter and Sons

It sounds like we might need a stream named. Can you assist? Thanks!

WATER RESOURCES RECEIVED



Topeka Field Office 6531 SE Forbes Ave., Suite B Topeka, KS 66619

Mike Beam, Acting Secretary

Phone: 785-296-5733 Fax: 785-296-8298 www.agriculture.ks.gov

Laura Kelly, Governor

March 7, 2019

M&M DEVELOPMENT INC % TOM MESSINA 117 LAKEVIEW CIRCLE ALMA KS 66401

Re: Pending New Application, File No. 50,201

Dear Sir or Madam:

This is to advise you that Lanter & Sons, Inc. have filed the new application referred to above for a permit to appropriate 32 acre-feet of surface water per calendar year to be stored in two **existing reservoirs**, for recreational use. The proposed points of diversion (where the dams cross the centerline of the stream) are located as follows: one in the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NW¼ NE¼ SW¼) of Section 27, and one in the Northeast Quarter of the Northwest Quarter of the Northwest Quarter (NE¼ NW¼ NW¼) of Section 27, both in Township 4 South, Range 18 East, Brown County, Kansas. This permit is to authorize the indirect use of water (evaporation and seepage) from these reservoirs.

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 points of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office within 15 days from the date of this letter.

You can find the new 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: Lanter & Sons, Inc.

WATER RESOURCES RECEIVED

Topeka Field Office 6531 SE Forbes Ave., Suite B Topeka, KS 66619



Phone: 785-296-5733 Fax: 785-296-8298 www.agriculture.ks.gov

Mike Beam, Acting Secretary

Laura Kelly, Governor

March 7, 2019

T&R FARMS % RAYMOND BECKER 468 HWY 20 LANCASTER KS 66041

Re: Pending New Application, File No. 50,201

Dear Sir or Madam:

This is to advise you that Lanter & Sons, Inc. have filed the new application referred to above for a permit to appropriate 32 acre-feet of surface water per calendar year to be stored in two **existing reservoirs**, for recreational use. The proposed points of diversion (where the dams cross the centerline of the stream) are located as follows: one in the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NW¼ NE¼ SW¼) of Section 27, and one in the Northeast Quarter of the Northwest Quarter of the Northwest Quarter (NE¼ NW¼ NW¼) of Section 27, both in Township 4 South, Range 18 East, Brown County, Kansas. This permit is to authorize the indirect use of water (evaporation and seepage) from these reservoirs.

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 points of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office within 15 days from the date of this letter.

You can find the new 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

Dong Dehemm

pc: Lanter & Sons, Inc.

WATER RESOURCES RECEIVED

APR 2 5 2019

KS DEPT OF AGRICULTURE

FOI

RECEIVED

NEW STREAM WORKSHEET

MAR 1 8 2019

Topeka Field Office
DIVISION OF WATER RESOURCES

Date: 3/8/19

ES CCP

File No. 50201

Basin Name: MISSOURI River Basin No. 1

Stream Name: South Fork Wolf River Trib 7

Stream location (confluence with parent stream):

Section 22, Township 4 South, Range 18 (East)

Map Color Coding:
Basin Stream – Blue
Named Main Stream off Basin Stream – Yellow
Named Stream off Main Stream – Green
Unnamed Trib (1, 2, 3, 4, etc.) – Pink
Unnamed Trib to Unnamed Trib (A, B, C, etc.) – Orange
Unnamed Trib to Unnamed Trib to Unnamed Trib (1, 2, 3, etc.) – Purple

Stream No. 3 9 5 7 (computer assigned - entered by data entry staff)

Date Entered 3 12 2019 By LLM

WATER RESOURCES RECEIVED

APR 2 5 2019

KS DEPT OF AGRICULTURE

SCANNED

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50201

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

5091 Feet North and 4108 Feet West of the Southeast Corner of Section 27 T 4S R 18E

SURFACE WATER ONLY

00 REC

File Number Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan Unit

A_ 45596 00 SED NK S 5955 -- NE NW SW 2611 3998 21 4 18E 1 .00

Same 3717 -- NE SE NW 3305 2910 22 4 18E 1

****** Authorized storage = .00 AF Additional storage = .00 AF

Same 6596 -- NE SW SW 1151 4148 26 4 18E 2

****** Authorized storage = .00 AF Additional storage = .00 AF

Same 7784 -- NW NE NW 5214 3592 35 4 18E 1

****** Authorized storage = .00 AF Additional storage = .00 AF

A_ 50201 00 REC AY S 2531 -- NW NE SW 2577 3811 27 4 18E 1 32.00 32.00 AF

Same 0 -- NE NW NW 5091 4108 27 4 18E 2

Total Net Quantities Authorized: Direct Storage 32.00 Total Requested Amount (AF) = .00 Total Permitted Amount (AF) = .00 .00 .00 Total Inspected Amount (AF) = .00 Total Pro Cert Amount (AF) = .00 .00 .00 162.51 Total Certified Amount (AF) = .00 Total Vested Amount (AF) = .00 32.00 (AF) =162.51 TOTAL AMOUNT

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:

5091 Feet North and 4108 Feet West of the Southeast Corner of Section 27 T 4S R 18E

SURFACE WATER ONLY

WATER USE CORRESPONDENTS:

File Number Use ST SR

A 45596 00 SED NK S

- > WOLF RIVER WATERSHED JOINT DIST #66
- > 121 PARSONS ST
- > PO BOX 216
- > ROBINSON KS 66532

>-----

A 50201 00 REC AY S

- > LANTER & SONS INC
- >
- > 1196 SAGEBRUSH RD
- > EVEREST KS 66424

WATER RESOURCES

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50201 00

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50201 00 REC

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

2577 Feet North and 3811 Feet West of the Southeast Corner of Section 27 T 4S R 18E

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 7691 -- NE NW SW 2611 3998 21 4 18E 1 45596 00 SED NK S .00 .00 AF 6105 -- NE SE NW 3305 2910 22 4 18E 1 Same ****** Authorized storage = .00 AF Additional storage = .00 AF 5188 -- NE SW SW 1151 4148 26 4 18E 2 .00 AF Additional storage = .00 AF ****** Authorized storage = 6132 -- NW NE NW 5214 3592 35 4 18E 1 Same .00 AF Additional storage = .00 AF ***** Authorized storage = 50201 00 REC AY S 0 -- NW NE SW 2577 3811 27 4 18E 1 32.00 32.00 AF 2531 -- NE NW NW 5091 4108 27 4 18E 2

Total	Net Quant:	ities Au	thor:	ized	Direct	Storage
Total	Requested	Amount	(AF)	=	32.00	.00
Total	Permitted	Amount	(AF)	=	.00	.00
Total	Inspected	Amount	(AF)	=	.00	.00
Total	Pro_Cert	Amount	(AF)	=	.00	00
Total	Certified	Amount	(AF)	-	.00	162.51
Total	Vested	Amount	(AF)	=	.00	.00
TOTAL	AMOUNT		(AF)	=	32.00	162.51

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:

2577 Feet North and 3811 Feet West of the Southeast Corner of Section 27 T 4S R 18E SURFACE WATER ONLY

WATER USE CORRESPONDENTS:

File Number Use ST SR

A 45596 00 SED NK S

- > WOLF RIVER WATERSHED JOINT DIST #66
- > 121 PARSONS ST
- > PO BOX 216
- > ROBINSON KS 66532

>-----

A_ 50201 00 REC AY S

> LANTER & SONS INC

>

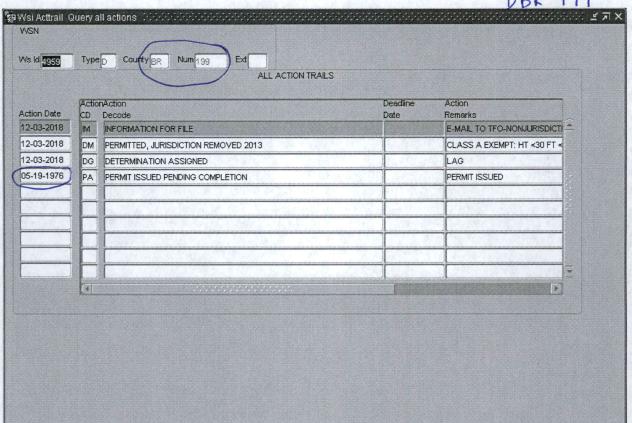
- > 1196 SAGEBRUSH RD
- > EVEREST KS 66424

>-----

over 7 a 49

South Dam

50,201 DBR-199

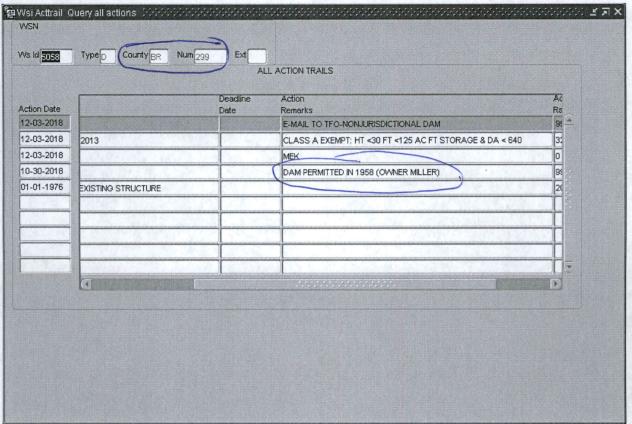


WATER RESOURCES RECEIVED

North Dam

50,201

DBR-299



WATER RESOURCES RECEIVED

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, Interim Secretary

Laura Kelly, Governor

January 18, 2019

LANTER & SONS, INC 1196 SAGEBRUSH RD EVEREST, KS 66424

RE: Application, File No. 50201

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 <u>agriculture.ks.gov/divisions-programs/dwr</u>. 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,

Kristen A. Baum

New Applications Unit Supervisor Water Appropriation Program

ristenaBaum





KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

File Number This item to be completed by the Division of Water Resources. Received 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.) KS Dept Of Agriculture To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502: Name of Applicant (Please Print): LANTER & SONS, INC. Address: 1196 SAGEBRUSH RD Zip Code 66424-9119 City: EVEREST State: KS Telephone Number: (X 2. The source of water is: OR ☐ groundwater in Missouri River Basin (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. acre-feet OR gallons per calendar year, The maximum quantity of water desired is 32 to be diverted at a maximum rate of Natural Flow 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. 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 Sediment Control (i) Domestic □ Dewatering (k) ☐ Hydraulic Dredging ☐ 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 REFÉRENCED ABOVE.

Fee \$ TR #

GMD Meets K.A.R. 5-3-1 (YES / NO) Use Source G Sounty Receipt Date

For Office Use Only:

F.O.

Code

Th	e location of the proposed wells, pump sites or other works for diversion of water is:
No	ote: 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 NW quarter of the NE quarter of the SW quarter of Section 27, more particularly
	described as being near a point 2577 feet North and 3811 feet West of the Southeast corner of said
	section, in Township 4 South, Range 18_ East, BROWN County, Kansas. (SOUTH DAM)
(B	One in the <u>NE</u> quarter of the <u>NW</u> quarter of the <u>NW</u> quarter of Section 27, more particularly
	described as being near a point 5091 feet North and 4108 feet West of the Southeast corner of said
	section, in Township 4 South, Range 18_ East, BROWN County, Kansas. (NORTH DAM)
(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.
WE	the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of ells, except that a single application may include up to four wells within a circle with a quarter (¼) mile radius i e same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well
for	battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than ur wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps at to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common stribution system.
	ne owner of the point of diversion, if other than the applicant is (please print):
Ar	oplicant (name, address and telephone number)
	(name, address and telephone number)
la	ou must provide evidence of legal access to, or control of, the point of diversion from the landowner or the indowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document the 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 of the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.
	Executed on, 2019
Th	ne proposed project for diversion of water will consist of (number of wells, pumps or dams, etc.)
ar	nd (was)(will be) completed (by) Existing dams 1976 + 1975 (Month/Day/Year - each was or will be completed)

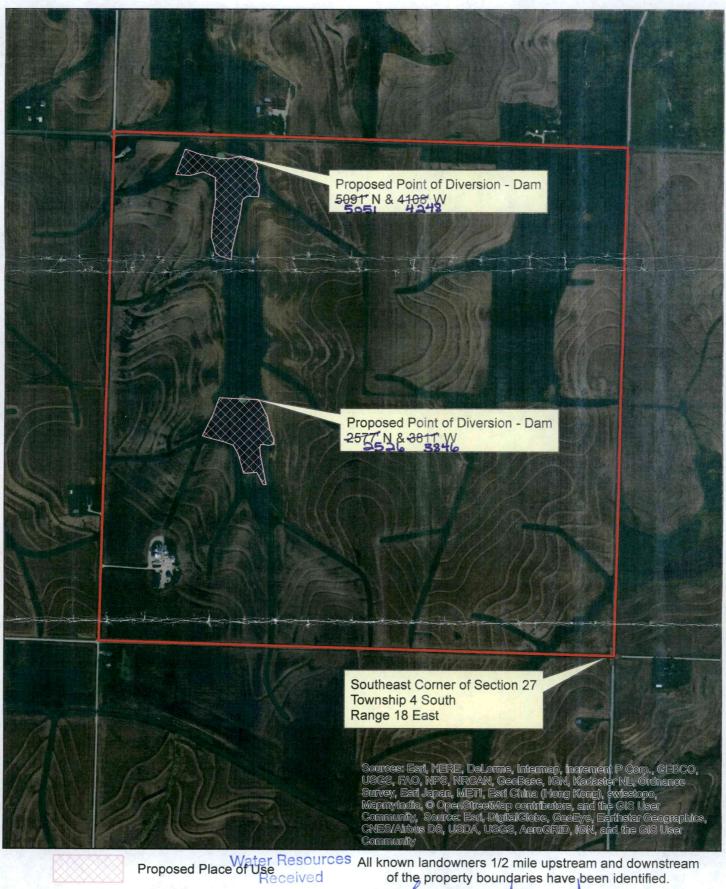
File No. _

The first actual application of water for the proposed beneficial use was or is estimated to be Spring 2019 (Mo/Day/Year) 8.



1:12,000

LANTER & SONS INC - SITE MAP



KS Dept Of Agriculture

Proposed Point of Diversion 18 2019

1"= 1148



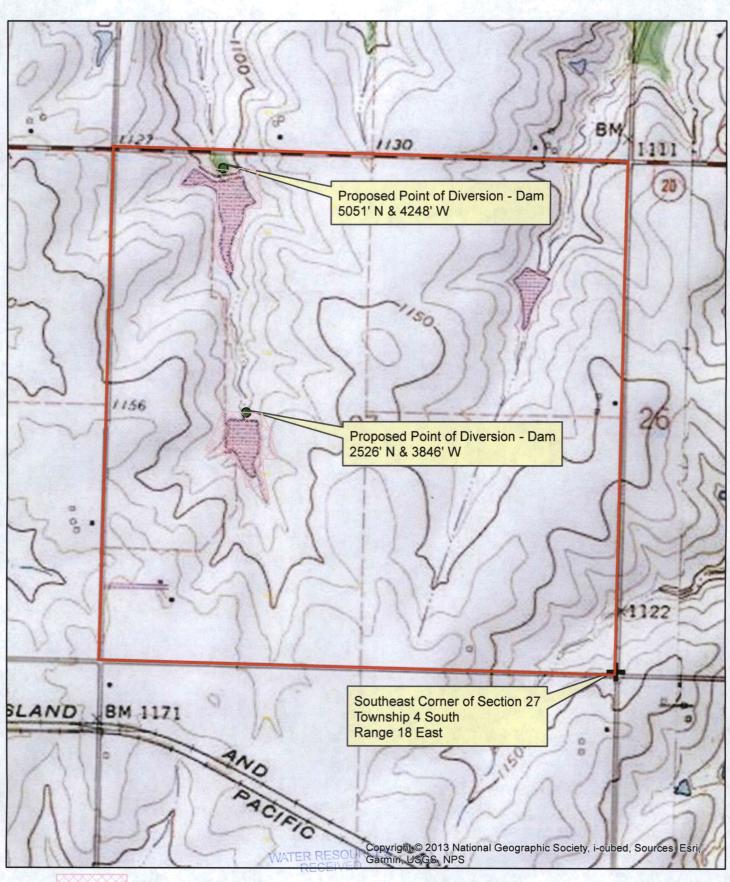
DWR Application WebMap

GPS Coordinates are in Web Mercator



APR 2 5 2019

LANTER & SONS INC - SITE MAP 1:12,000



Proposed Place of Use APR 2 5 2019

Proposed Point of Diversion