

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50245

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

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.)

APR 26 2019

11:01

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:

1. Name of Applicant (Please Print): CHAD BURKDOLL
Address:
City: State: KS Zip Code:
Telephone Number: ()

2. The source of water is: [X] surface water in WEST BRANCH MOSQUITO CREEK TRIBS (stream)
OR [] groundwater in POTTAWATOMIE CREEK 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. 1138.5 AF to be rediverted @ 2000 gpm

3. The maximum quantity of water desired is 1138.5 (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) [X] Irrigation (c) [] Recreational (d) [] Water Power
(e) [] Industrial (f) [] Municipal (g) [] Stockwatering (h) [] Sediment Control
(i) [] Domestic (j) [] Dewatering (k) [] Hydraulic Dredging (l) [] Fire Protection
(m) [] Thermal Exchange (n) [] Contamination Remediation

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

For Office Use Only:
F.O. 1 GMD 0 Meets K.A.R. 5-3-1 (YES/NO) Use 122 Source G (S) County FR Byl JAW Date 4/26/19
Code REG-223 Fee \$ 480 TR # Receipt Date 4/26/19 Check # 7243

5/1/2019
LM

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 **NW** quarter of the **NW** quarter of the **SE** quarter of Section **6**, more particularly described as being near a point **1,983** feet North and **1,921** feet West of the Southeast corner of said section, in Township **18** South, Range **21 EAST**, **FRANKLIN** County, Kansas. **POND #2**
- (B) One in the **NW** quarter of the **SW** quarter of the **NW** quarter of Section **7**, more particularly described as being near a point **3,487** feet North and **4,197** feet West of the Southeast corner of said section, in Township **18** South, Range **21 EAST**, **FRANKLIN** County, Kansas. **POND #5**
- (C) One in the **NW** quarter of the **SW** quarter of the **NE** quarter of Section **7**, more particularly described as being near a point **3,579** feet North and **2,028** feet West of the Southeast corner of said section, in Township **18** South, Range **21 EAST**, **FRANKLIN** County, Kansas. **POND #1**
- (D) One in the **SW** quarter of the **NW** quarter of the **SE** quarter of Section **7**, more particularly described as being near a point **1,960** feet North and **2,012** feet West of the Southeast corner of said section, in Township **18** South, Range **21 EAST**, **FRANKLIN** County, Kansas. **POND #4**

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print):

_____ (name, address and telephone number)

_____ (name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 2019. Chad Buhler
Applicant's Signature

7. The proposed project for diversion of water will consist of FOUR DAMS & RESERVOIRS
(number of wells, pumps or dams, etc.)
and (was) completed (by) Existing and Planned _____
(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 Summer 2019.
Received _____ (Mo/Day/Year)

APR 26 2019

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

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

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

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

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

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required _____

To be Reviewed by Structures for permitting status.

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 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.

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.

Will Overlap in PU with second new application. Basin Runoff is limiting factor. Quantity for storage based on 759 acres of run-off x 18"/acre = 1138.5 AF of Storage. Redivert entire quantity is less than allowed maximum of 1 AF/acre on 1188.93 acres.

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APR 26 2019

KS Dept Of Agriculture

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):

(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 _____, 2019
(month) (year)

Chad Burkholz

(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by DWS _____ TOPEKA FO _____ Date: 4/16/2019
(office/title)

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APR 26 2019

KS Dept Of Agriculture

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.

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APR 26 2019

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

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

Date: _____

Re: FILE NO. _____ - AGREEMENT - Application For Hydra Pondster Projects

I understand that the diversion and storage of natural flows of surface water in a reservoir is subject to the principles of priority per K.S.A. 82a-707, namely that the date of priority of every water right of every kind, determines the right to divert and use water at any time when the supply is not sufficient to satisfy all water rights. Surface water stored in a reservoir is administered under K.A.R. 5-6-9, which states that water lawfully stored within any reservoir authorized to store water for subsequent beneficial use shall not be subject to administration unless senior water right holders downstream of the reservoir make an appropriate request to have water bypassed to satisfy their senior water right within two weeks of the runoff event, or any other time frame in which inflow to the reservoir could reasonably have been expected to be available to the downstream senior water right if the reservoir had not impounded the water.

That the owner shall bypass natural flow and/or release water from storage when directed by the Chief Engineer or his authorized representative, in order to satisfy reasonable requests by senior water rights and permits, and to comply with any applicable minimum desirable streamflow requirements. That for purposes of administration, all water contained within the primary pools of the reservoirs shall be considered to be stored from natural flows.

That acceptable water flow meters shall be installed on all Places of Use, providing the total quantity of water applied. This total quantity of water will allow the Division of Water Resources to determine the natural flow quantity that has been diverted, in conjunction with the water flow meters installed on all non-reservoir sources (i.e. pump sites and/or wells).

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources (DWR), when I would be required to bypass inflows or make releases at any or all of the proposed reservoirs, to be withdrawn, released or otherwise diverted from the reservoirs. I acknowledge and consent that all water in the reservoirs is collected natural flows for purposes of administration and that this could influence my operation and management of these reservoirs. 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 this application.

The permit if approved will contain the following condition of approval:

That the owner shall bypass natural flow and/or release water from storage when directed by the Chief Engineer or his authorized representative, in order to satisfy reasonable requests by senior water rights and permits, and to comply with any applicable minimum desirable streamflow requirements. That for purposes of water right administration, all water collected and stored in these reservoirs shall be considered to be natural flows.

Chad Burkdoll
Signature of Owner or Agent

WATER RESOURCES RECEIVED

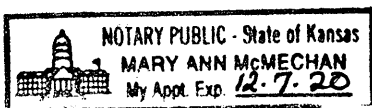
Chad Burkdoll
(Print Owner or Agent Name)

APR 24 2019

KS DEPT OF AGRICULTURE

State of Kansas)
County of Franklin) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 22nd day of April, 2019.



Mary Ann McMechan
Notary Public

NEW STREAM WORKSHEET

ES CCP

Date: 5/7/19

File No. 50245

Basin Name: Pottawatomie Creek Basin No. 5

Stream Name: see below

Stream location (confluence with parent stream):

Section 7, Township 18 South, Range 21 (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. 3962 (computer assigned - entered by data entry staff)

Date Entered _____ By _____

POND #1, #2 & #4

3961 - West Branch Mosquito Creek Trib 1 (Pottawatomie)

POND #5

3962 - West Branch Mosquito Creek (Pottawatomie)

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 50245

Name of Applicant (Please Print): CHAD BURKDOLL

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: CHAD BURKDOLL

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 | |
| 1 | 18S | 20E | 39.95 | 39.85 | 40 | 40 | 39.75 | 39.65 | 40 | 40 | | | 40 | 40 | | | | | 399.2 |
| 12 | 18S | 20E | | | | | | | | | | | | | 40 | | | 40 | 80 |
| 6 | 18S | 21E | | | | | | | | | | | | | 40 | 40 | 40 | 40 | 160 |
| 7 | 18S | 21E | 40 | 40 | 40 | 40 | 40 | 24.14 | 24.44 | 40 | 40 | 24.69 | 24.96 | 40 | 35 | 40 | 38.5 | 18 | 549.73 |
| TOTAL = 1188.93 | | | | | | | | | | | | | | | | | | | |

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 | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Water Resources
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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, Secretary

Laura Kelly, Governor

May 6, 2019

FILE COPY

CHAD BURKDOLL
4146 HAMILTON RD
RANTOUL, KS 66079

RE: Application, File No. **50245**

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.

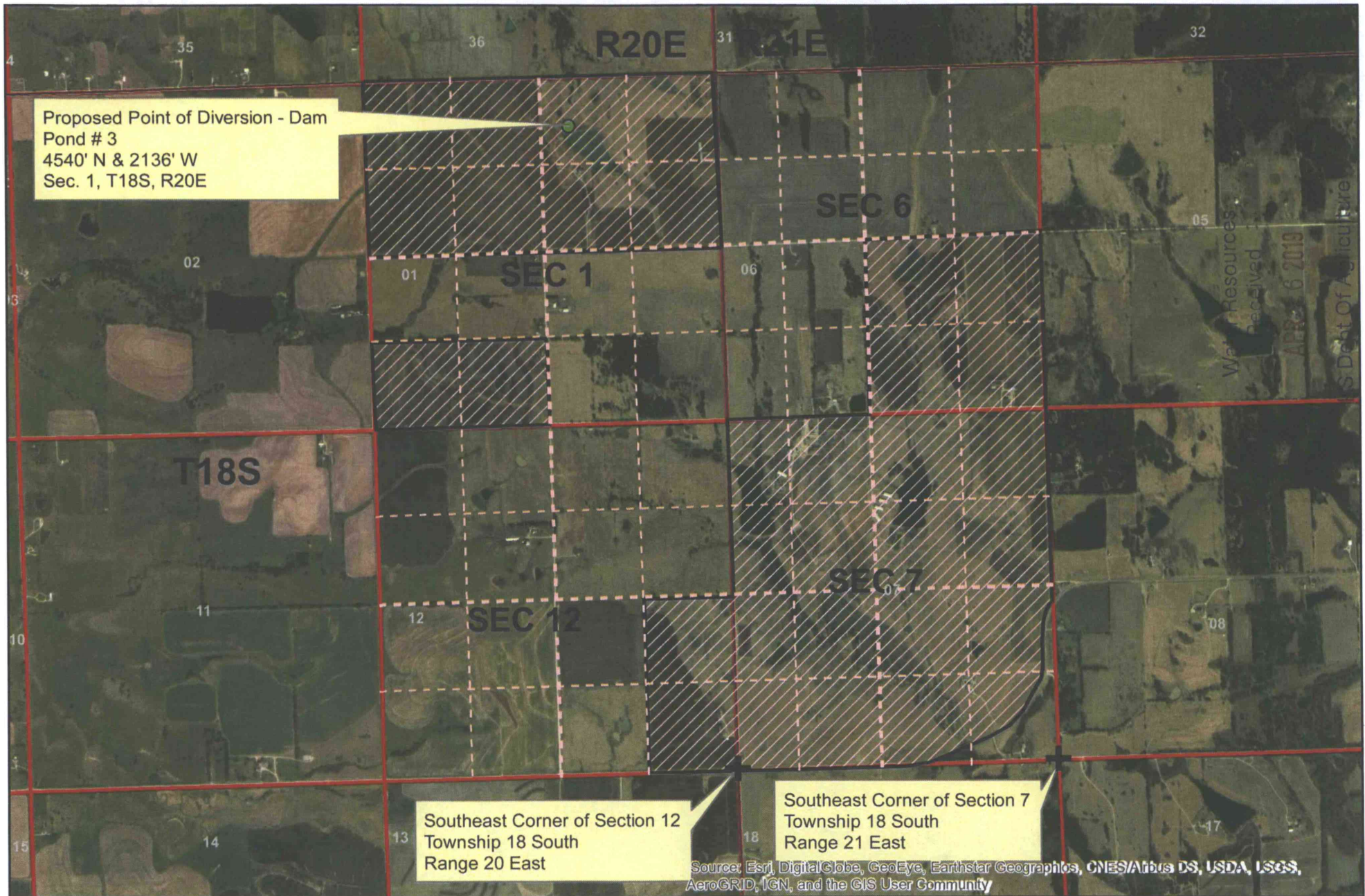
Additional information about the process may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any other questions, please contact our office at 785-564-6640 or your local Topeka Field Office at 785-296-5733. If you call, please reference the file number so we can help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

Sincerely,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

CHAD BURKDOLL NEW APPLICATION SITE MAP - POND 3

50245



1:24,000



Proposed Place of Use



Proposed Point of Diversion

All Upstream and Downstream Landowners adjacent to the Stream within 1/2 mile of the property boundaries are shown.

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Water Resources
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 APR 6 2019
 S. Dept. Of Agriculture