

# 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, Acting Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 50259-A  
This item to be completed by the Division of Water Resources.

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.)

WATER RESOURCES  
RECEIVED

MAY 23 2019  
1049

KS DEPT OF AGRICULTURE

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

1. Name of Applicant (Please Print): Vernon & Barbara Egbert  
Address: 1142 W 560th Ave  
City: McCune State KS Zip Code 66753  
Telephone Number: (620) 632-5242

2. The source of water is:  surface water in Hickory Creek Trib 2A (Neosho)  
(stream)  
OR  groundwater in \_\_\_\_\_  
(drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 215.77 AF/yr for storage, and 60 AF/yr for direct use,  
to be diverted at a maximum rate of Natural Flows for storage, and 1000 gpm for redirection.

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. GMD Meets K.A.R. 5-3-1 (YES/NO) Use RR Source G/S County CR By DW Date 5/23/19  
Code VEA Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 5/23/19 Check # 40810

5/29/2019 CW

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 Near the center of the south half (S<sup>1/2</sup>) of Section 17, more particularly described as being near a point 1319 feet North and 2273 feet West of the Southeast corner of said section, in Township 30 South, Range 22 East, Crawford County, Kansas.

(B) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.

(C) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.

(D) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.

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

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

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

Applicant Barbara Egbert, 1142 W 560 Ave, McCune, KS 66753  
(name, address and telephone number)  
620-632-5241  
(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 May 18, 2019. Vernon Egbert  
Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of One dam/reservoir  
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) upon approval  
(Month/Day/Year - each was or will be completed)

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

9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?  
 Yes  No If "yes", a check valve shall be required.

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

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

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

- If yes, show the Water Structures permit number here DCR-0039
- If no, explain here why a Water Structures permit is not required \_\_\_\_\_

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.

This file will share an overlap in the point of diversion with File Nos. 17747 and 45072.

This file will share an overlap in the place of use with File No. 45072.

Limited to a maximum rediversion rate of 2000 gpm when combined with File No. 45072.

Limited to a maximum annual storage quantity of 386.57 AF when combined with File Nos. 17747 & 45072.

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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~~

<del>Well location as shown in paragraph No.</del>	<del>(A)</del>	<del>(B)</del>	<del>(C)</del>	<del>(D)</del>
<del>Date Drilled</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>
<del>Total depth of well</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>
<del>Depth to water bearing formation</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>
<del>Depth to static water level</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>
<del>Depth to bottom of pump intake pipe</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>

14. The relationship of the applicant to the proposed place where the water will be used is that of

Owner Barbara Egbert  
(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):

Applicant Vernon Egbert, 1142 W 560 Ave, McCune, KS 66753  
(name, address and telephone number) 620-632-5242

Barbara Egbert, 1142 W 560 Ave, McCune, KS 66753  
(name, address and telephone number) 620-632-5242

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 McCune, Kansas, this 18 day of May, 2019.  
(month) (year)

Vernon Egbert  
(Applicant Signature)

By \_\_\_\_\_  
(Agent or Officer Signature)

\_\_\_\_\_  
(Agent or Officer - Please Print)

**FEE SCHEDULE**

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

**MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE**

**ATTENTION**

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

**CONVERSION FACTORS**

- 1 acre-foot equals 325,851 gallons
- 1 million gallons equal 3.07 acre-feet

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KS DEPT OF AGRICULTURE

## IRRIGATION USE SUPPLEMENTAL SHEET

File No. 50259-A

Name of Applicant (Please Print): Vernon & Barbara Egbert

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: Barbara Egbert Revocable Trust

ADDRESS: 1142 W 560<sup>th</sup> Ave, McCune, KS 66753

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21	30 S	22 E					32	32	32	32									128

**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
Zaar (Za)	50		2
Dennis-Parsons (Dp)	30		3/1
Parsons (Pb)	20		1
Total:	100 %		

b. Estimate the average land slope in the field(s): 1.5 %

Estimate the maximum land slope in the field(s): 2.5 %

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:

There is no tailwater.

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: 40 psi

(2) What is the sprinkler package design rate? 800 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? 202 feet

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

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

Beans - 2019      Rotation  
Corn - 2020

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).

A soil sample will be taken and determination made by how moist the soil is at that time. I usually try to put on 1/2" at a time.

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



50259-A

REINKE IRRIGATION SYSTEMS  
PIVOT SYSTEM SPRINKLER CHART  
ELECTROGATOR 665  
REINKE MFG. CO. INC.  
PSN100

CASE NUMBER: RP022427

DATE: 19 AUG 02

DEALER: BAR'S IRRIGATION  
NUMBER: 58479

CUSTOMER NAME: VERNON EGBERT  
SERIAL NUMBER: 0802-C23139-665G

NUMBER OF TOWERS: 7  
GAUGE PRESSURE: 38.0 PSI  
TOTAL SYSTEM FLOW: 800.0 GPM  
TOTAL PIPE LENGTH: 1241.0 FT  
END GUN TYPE: SR100

NOZZLE FILES: NB154 , NB154D  
NOZZLE SELECTION OPTION: 1  
FRICTION C-FACTOR: 140  
COVERAGE WITHOUT GUN: 1247.0 FT  
ADJ. END GUN RADIUS: 101.0 FT

SYSTEM GPM PER ACRE: 6.2

LAST TOWER - TIRE SIZE: 11.2 X 38

CENTERDRIVE: 48:1

- 1 175F665 SPAN(S), 179.3 FT, 6.41 INCH ID PIPE
- 6 175F665 SPAN(S), 175.0 FT, 6.41 INCH ID PIPE
- 1 13GF OVERHANG, 11.8 FT, 2.78 INCH ID PIPE

DISCLAIMER

The uniformity of water application obtained with this system can be adversely affected by many variables including, but not limited to, the improper makeup or installation of the nozzle package; obstructed nozzles; tight and/or sloping soils; improper end gun arc settings; incorrect maintenance of pivot pressure; unfavorable climate conditions; and erratic and improper operating speed of the system. Reinke Mfg. Co., Inc. makes no warranty as to the uniformity of the coverage to be obtained from this water application printout other than its mathematical accuracy.

The products, which are specified as a part of this nozzle package design, are covered by the original manufacturer's printed "Warranty and Disclaimer", which applies to the individual components of their own manufacture. Reinke Mfg. Co., Inc. cannot be responsible for the performance of these products and makes no warranties, INCLUDING THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR PARTICULAR PURPOSE, where permitted by law, and does hereby disclaim any liability for damages due to failure of these products to perform as anticipated.

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## Vernon & Barbara Egbert New Application Quantity Calculations

PD overlap with File No. 17747

- Storage – 236.97 AF @ Natural Flows (1 yr direct use + reservoir capacity)
- Direct Use – 92 AF @ 625 gpm

PD overlap with File No. 45072

- Storage – 223.77 AF @ Natural Flows (1 yr direct use + reservoir capacity + 1 yr indirect use/evap)
- Direct Use – 68 AF @ 865 gpm
- Limited to 315.77 AF storage per year when combined with File No. 17747

Annual 20% Chance Run-off – 646 AF\*

Reservoir Capacity – 144.97 AF\*

Indirect Use/Evap – 10.8 AF\*

Acres Irrigated – 128 (Overlap in place of use with File No. 45072)

Direct Use – 60 AF (all additional) (1 AF per acre)

Storage Quantity – 215.77 AF (144.97 AF Res Capacity + 60 AF Direct Use + 10.8 AF Indirect Use)

Limitation – 386.57 AF of storage when combined with File Nos. 17747 & 45072

(144.97 AF Res Capacity + (92+68+60) AF Direct Use + (10.8+10.8) AF Indirect Use)

*\*See File No. 45072 approval for permit application for detailed calculations.*

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KS DEPT OF AGRICULTURE

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 28, 2019

VERNON & BARBARA EGBERT  
1142 W 560TH AVE  
MCCUNE, KS 66753

RE: Application, File No. **50259-A**

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](http://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 black ink that reads "Kristen A. Baum". The signature is written in a cursive, flowing style.

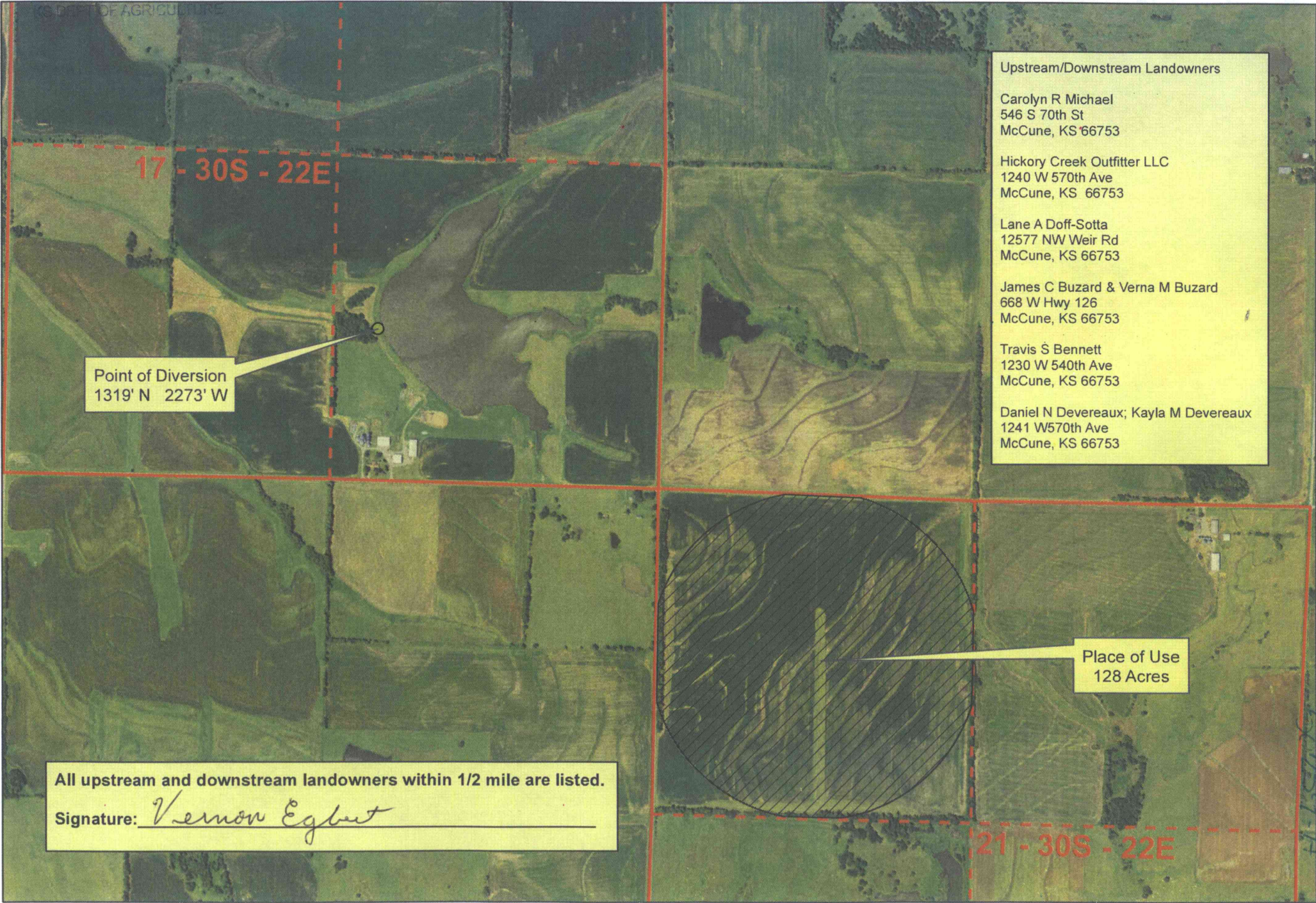
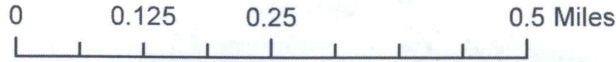
Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program



# Vernon and Barbara Egbert - New Application



MAY 23 2019  
1:12,000



- Upstream/Downstream Landowners
- Carolyn R Michael  
546 S 70th St  
McCune, KS 66753
  - Hickory Creek Outfitter LLC  
1240 W 570th Ave  
McCune, KS 66753
  - Lane A Doff-Sotta  
12577 NW Weir Rd  
McCune, KS 66753
  - James C Buzard & Verna M Buzard  
668 W Hwy 126  
McCune, KS 66753
  - Travis S Bennett  
1230 W 540th Ave  
McCune, KS 66753
  - Daniel N Devereaux; Kayla M Devereaux  
1241 W570th Ave  
McCune, KS 66753

Point of Diversion  
1319' N 2273' W

Place of Use  
128 Acres

All upstream and downstream landowners within 1/2 mile are listed.

Signature: Vernon Egbert

21 - 30S - 22E