

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.

Submit To: CHIEF ENGINEER
 Division of Water Resources
 Kansas Department of Agriculture
 1320 Research Park Drive
 Manhattan, Kansas 66502
<http://agriculture.ks.gov/dwr>

APPLICATION FOR TERM PERMIT

GROUNDWATER
 SURFACE WATER
 (check one)

WATER RESOURCES RECEIVED

APR 20 2021

2:22



KS DEPT. OF AGRICULTURE State of Kansas

20219028

STATUTORY FILING FEE MUST ACCOMPANY THIS APPLICATION
 (Make check payable to the Kansas Department of Agriculture)

1. Applicant: (Please print or type)
 Name Deffenbaugh Industries Inc.
 Street 2601 Midwest Drive
 City and State Kansas City, KS 66111
 Zip Code 66111 Telephone No. (913) 667-8764
 E-Mail Address dasham1@wm.com
 Social Security I.D. No. _____
 and/or Taxpayer I.D. No. 43-1029944

4. Water is to be used for (briefly describe proposed use and explain the rate and quantity requested):
Stormwater is pumped from a sedimentation basin in base of quarry.

2. Location of Point of Diversion:
 Sec. 1, Twp. 12S, Rng. 23E, (E/W),
Johnson County, Kansas.

5. Location of place of use:
Johnson County Landfill-Phase 6
01-125-23E

Distance from Southeast Corner of Section:
855 feet North from Southeast Corner
2,511 feet West from Southeast Corner

6. Period of use:
 Commencing date: 4/26/2021
 Ending Date: 4/25/2026 Also enter on Item 12

NOTE: If point of diversion is not site specific (i.e. groundwater pit) show the approximate geographic center.

If off-stream pit, check here
 Will pit floor intersect water table? Yes No

3. Water Use Data:
 Proposed Max. Pumping Rate (gpm) 3,000
 Amount Requested (acre-feet) 284
 per calendar year
 Depth of Well (feet) NA
 Date (completed) (will be completed) NA
 Drainage Basin Kansas River
 Name of Stream Mill Creek 2 Trib 9

7. Location of the proposed point of diversion and those of other water users within 1/2 mile shall be indicated on the diagram to the lower-left, scale 1 inch = 2,000 feet. If surface water, indicate on the diagram the course of the stream, and its name. List other D.W.R. permit numbers that cover the requested point(s) of diversion or place of use here:
Term Permit 20169045
(Previous permit for the same)

FEE SCHEDULE

1. The filing fee for an application is based on the maximum amount of water use proposed within a year. Except for storage, the fee is:

Acre-feet	Fee
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00

plus \$20 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, is:

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.

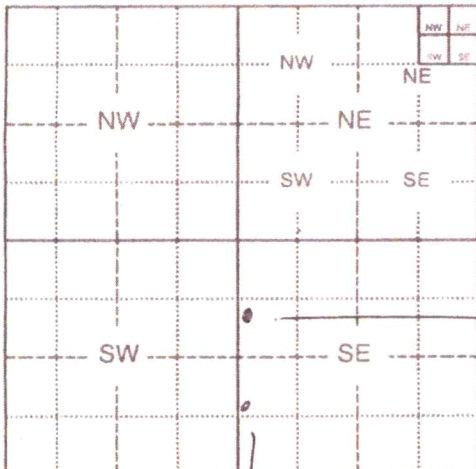
NOTE: If an application requests both direct use and storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. A request for an extension of time to extend the term of a term permit shall be accompanied by a fee of \$100.00.

4. There is a separate application form for domestic use. Do not use this form for domestic use.

CONVERSION FACTORS

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



4/21/2021
 LMoody

Assisted by _____

For Office Use Only:
 F.O. 1 GMD _____ Meets K.A.R. 5-3-1 (YES/NO) Use DEW Source G/S County JO By BMM Date 4/21/21
 Code TR2 Fee \$ 300 TR # _____ Receipt Date 4-20-21 Check # 15151634

8. For groundwater use, list below all wells within 1/2 mile of the proposed well, and plot locations upon the diagram on reverse side. If additional space is needed, attach a map.

WATER RESOURCES
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Other wells -

Well A Owner(s): _____
Address: _____

Well B Owner(s): _____
Address: _____

KS DEPT OF AGRICULTURE

9. For surface water use, list below the names and addresses of all landowners from a point 1/2 mile upstream to a point 1/2 mile downstream of the tract of land upon which the point of diversion is located. If additional space is needed, attach sheet.

Tract A Owner(s): Deffenbaugh Industries, Inc.
Address: 17955 Holiday Drive, Shawnee KS 66217

Tract B Owner(s): _____
Address: _____

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

(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 February 5, 2021. Darryl S. Basham
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.

11. The applicant states that the information set hereon is true and accurate to the best of his/her knowledge.

12. The applicant agrees to waive any right to a hearing on the matter of abandonment of this appropriation right and further agrees that this appropriation right may be dismissed and terminated upon completion of the proposed project, said dismissal date to be on 4/25/2026 or within any extension of time authorized by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

13. The applicant agrees to provide water to nearby water users, at no charge to said users, should their rights to use water become impaired by the project proposed by this application.

14. Water use contact person (in event emergency contact is needed):

Name: Darryl Basham Telephone No. (913) 667-8764

Darryl S. Basham
Signature of Applicant

or

Authorized Representative 2/5/2021
Date

Darryl S. Basham
Applicant's Name Printed

Title

DO NOT WRITE BELOW THIS LINE

CONDITIONS OF APPROVAL:

The applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined. Accurate and complete records shall be furnished to 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.

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.

The Chief Engineer specifically retains jurisdiction in this matter with authority to make such reasonable reductions in the approved rate of diversion and quantity authorized, and such changes in other terms, conditions, and limitation set forth in this approval and permit to proceed as may be deemed to be in the public interest.

DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 20219028

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
<u>59360</u>	<u>77109</u>	

LANDOWNER PERSON ID & SEQ #	PUSE ID
<u>59360</u>	<u>58372</u>

WATER USE CORRESPONDENT PERSON ID & SEQ #
<u>59360</u>

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

April 21, 2021

DEFFENBAUGH INDUSTRIES INC
2601 MIDWEST DRIVE
KANSAS CITY KS 66111

RE: Application, File No(s). **20219028**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) for a permit to appropriate water for beneficial use. Your application(s) has been assigned the file number(s) 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(s) 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(s) 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. *Topeka Field Office at 785-296-5733*. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kris Neuhauser
New Applications Lead
Water Appropriation Program