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
Earl D. Lewis Jr., Chief Engineer

File Number 50526
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED
FEB 24 2021
12:15
KS DEPT OF AGRICULTURE

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

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): **KANSAS RIVER PROPERTIES LLC**

   Address: **PO BOX 668**

   City: **MANHATTAN** State **KS** Zip Code **66505-0668**

   Telephone Number: (**785**) **776-8811**

2. The source of water is: ☐ surface water in _____ (stream)

   OR ☒ groundwater in **KANSAS RIVER** (drainage basin)

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

3. The maximum quantity of water desired is **126** acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of **1000** gallons per minute OR _____ cubic feet per second.

   QUANTITY LIMITED TO 126 AF WHEN COMBINED WITH 47947

   RATE LIMTED TO 1000 GPM WHEN COMBINED WITH 47947

   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

For Office Use Only:
F.O. 1 *GMD* ____ *Meets K.A.R. 5-3-1* (YES / NO) *Use* IRR *Source* G / S *County* JF *By* BMM *Date* 2/24/21
Code RE2 *Fee $* 300 *TR #* _____ *Receipt Date* 2.24.2021 *Check #* 1257

DWR 1-100 (Revised 05/17/2019)

2/25/2021
LMoody

File No. _____

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.

LOCATED IN KAW HALF BREED INDIAN LAND SURVEY 320

(A) One in the **SW** quarter of the **SE** quarter of the **SE** quarter of Section **26**, more particularly described as being near a point **415** feet North and **758** feet West of the Southeast corner of said section, in Township **11** South, Range **18E** East/West (circle one), **JEFFERSON** 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.

THE QUANTITY REQUESTED IS BASED ON THE NEEDS OF SOD GRASS WHICH IS IDENTIFIED BY DEFINITION AS A SPECIALTY CROP. THE BEST JUSTIFICATION FOR THIS REQUEST IS THE QUANTITY DEVELOPED UNDER FILE NO. 46782. 241 AF WAS DEVELOPED FOR 132 ACRES OF SOD GRASS IRRIGATION. THAT IS 1.83 AF/ACRE.

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 (¼) 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)

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 _____, 20___. _____
> 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 (1) WELL**
(number of wells, pumps or dams, etc.)
and **WAS** completed (by) **EARLY 2012**.
(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 **JULY 2021**
(Mo/Day/Year)

File No. _____

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 _____

    NOT APPLICABLE

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.

    P/D & P/U - 47947

File No. _____

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	**5-10-12**			
Total depth of well	**84'**			
Depth to water bearing formation				
Depth to static water level	**18'**			
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 Manhattan, Kansas, this 23rd day of February (month), 2021 (year).

Kansas River Properties, LLC
(Applicant Signature)

By _____
(Agent or Officer Signature)

Richard C. Shermoen
(Agent or Officer - Please Print)

Assisted by **BRETT BUNGER** **TFO/ASST WATER COMM.** (office/title) Date: **2-1-21**

WATER RESOURCES
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KS DEPT OF AGRICULTURE

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

WELLS WITHIN ONE-HALF MILE

#1) Homer & Ruth Leslie (DOM.)
12015 12th St
Perry KS 66073

#2) Phillip E & Theresa L Hart (DOM.)
11967 12th St
Perry KS 66073

#3) Lorna G & David Brammell (DOM.)
45 E 53rd St
Kansas City MO 64112

#4) Joshua Sanderson (DOM.)
11801 12th St
Perry KS 66073

#5) Janet Gibson (DOM.)
12202 12th St
Perry KS 66073

#6) Christopher Alexander (DOM>)
1250 Lecompton Rd
Perry KS 66073

#7) Justin & Barbara Hill (IRR 39385 & 48055)
735 Broadview DR
Lawrence KS 66044-2438

#8) RCS Properties LLC (IRR – 46406)
PO BOX 668
Manhattan KS 66505

IRRIGATION USE
SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): **KANSAS RIVER PROPERTIES LLC**

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: **KANSAS RIVER PROPERTIES LLC**

ADDRESS: **PO BOX 668 MANHATTAN KS 66505-0668**

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
25	11	18E										1	2						3
26	11	18E													1		8	39	48
35	11	18E	11	1.5															12.5
36	11	18E						.5											.5

Landowner of Record NAME: **LORNA G & DAVID BRAMMELL**

ADDRESS: **45 E 53RD ST KANSAS CITY MO 64112**

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
35	11	18E	3																3

Landowner of Record NAME: _____

ADDRESS: _____

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

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

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

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

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

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

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

_____ Center pivot _____ Center pivot - LEPA _____ "Big gun" sprinkler

_____ Gravity system (furrows) _____ Gravity system (borders) _____ Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

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

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

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

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

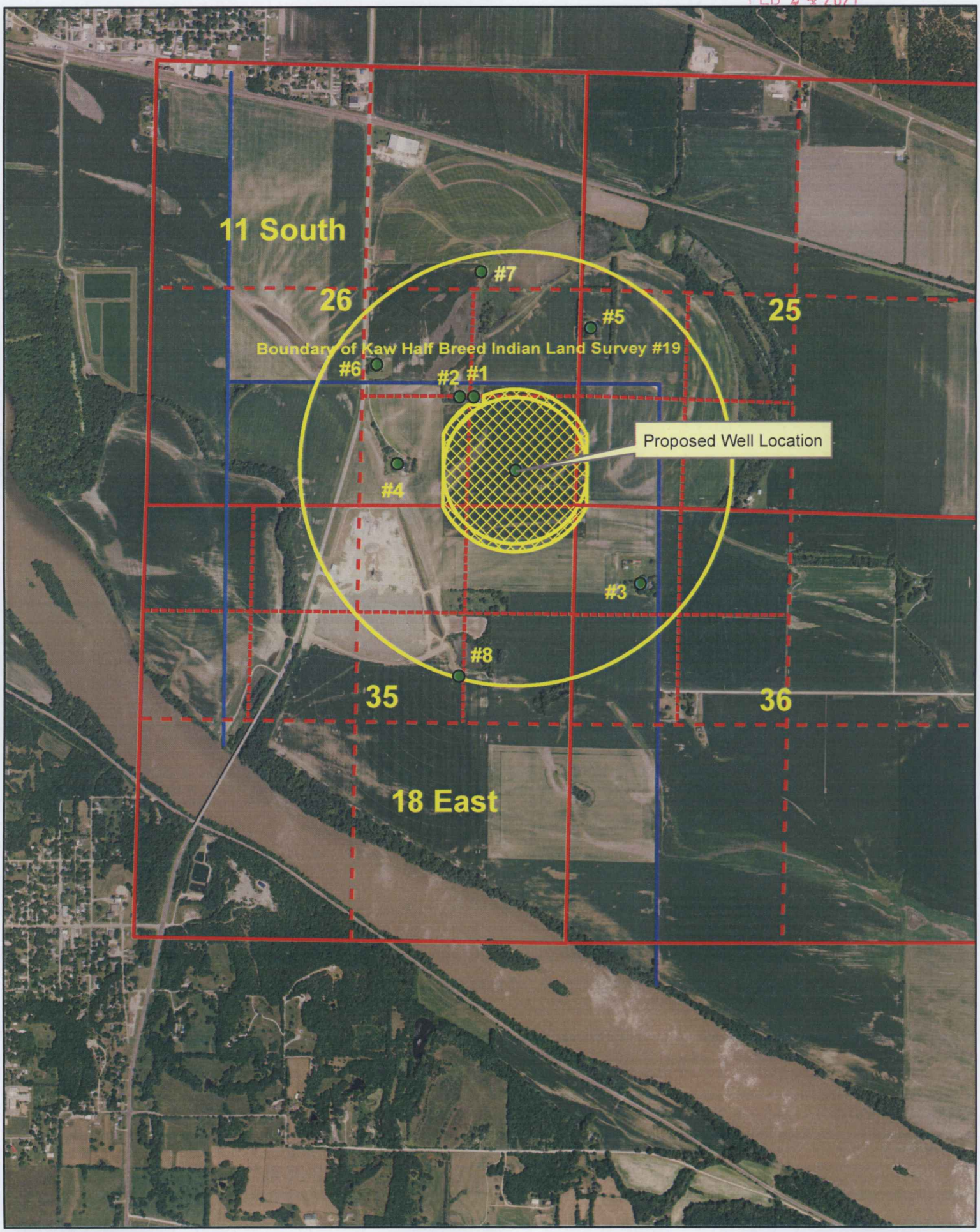
e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

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

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

1:18,000

New Application



DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 50526

APPLICANT PERSON ID & SEQ #		PDIV ID		BATTERY ID
65943		79110		

LANDOWNER PERSON ID & SEQ #		PUSE ID	
65943		62374	
64724		62375	
		62376	
		62377	
		67291	

WATER USE CORRESPONDENT PERSON ID & SEQ #	
65943	