

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

50537

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

WATER RESOURCES
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MAR 16 2021

11:14

KS DEPT OF AGRICULTURE

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.)

*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): Friess Farms Land and Cattle LLC
Address: Attn: Steve Friess, 23458 6600 Road
City: Thayer State KS Zip Code 66776
Telephone Number: (620) 485-6531

2. The source of water is: surface water in Drum Creek Trib 2 (Verdigris)
(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 184* (storage) AF, 184* (rediversion) AF per calendar year.
to be diverted at a maximum rate of Natural Flows (storage), 2500 (rediversion) gallons per minute.

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) Recharge
(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

*Limited to 184 AF of storage and 184 AF direct use when combined with File No. 49050.

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. Code 1 GMD Meets K.A.R. 5-3-1 (YES / NO) Use IRR Source G/S County MG By BMM Date 3/16/21
Code REZ Fee \$ 300 TR # _____ Receipt Date 3-16-21 Check # 7885

3/18/2021
LMoody

MAR 16 2021

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.

(A) One in the NW quarter of the NW quarter of the SE quarter of Section 33, more particularly described as being near a point 2635 feet North and 2494 feet West of the Southeast corner of said section, in Township 30 South, Range 17 East, Wilson 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.

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.

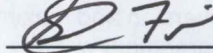
6. The owner of the point of diversion, if other than the applicant is (please print):

Same as applicant
(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 3-12, 2021. 
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
(number of wells, pumps or dams, etc.)
and was completed (by) 2013
(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 DWL-0088
- 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 a complete overlap in the place of use with File Nos. 49050 and 49051. It will share an overlap in the point of diversion with File No. 49050.

The irrigation works water significantly more acres than originally applied for in the senior rights. This new applications and changes in the places of use are necessary to bring all acres into compliance.

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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

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)

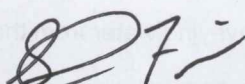
15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

Same as applicant
(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 3-12-21, Kansas, this 12 day of 3, 2021
Parsons, KS (month) (year)



(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

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KS DEPT OF AGRICULTURE

Assisted by Caleb Fabrycky TFO/Parsons Date: 2/25/21
(office/title)

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FEE SCHEDULE

KS DEPT OF AGRICULTURE

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

IRRIGATION USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): Steve Friess

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: Friess Farms Land & Cattle LLC

ADDRESS: Attn: Steve Friess, 23458 6600 Rd, Thayer, KS 66776

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
33	30S	17E			2	26					7		9	35	40	9	28	39	195
4	31S	17E					40	38	40	40	40	40	40	40		7	10		335
																			530

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	

SCANNED

HAZARD CLASSIFICATION	A
DRAINAGE AREA	
TOTAL	96 ACRES 0.15 SQUARE MILE
TIME OF CONCENTRATION	
KIRPICH	0.51 HOURS
SOIL COVER COMPLEX NUMBER	
AMC II	77
AMC III	89
SEDIMENT AND WATER SUPPLY CAPACITY AVAILABLE	
TOTAL CAPACITY	200.23 ACRE-FEET
CAPACITY EQUIVALENTS	25.03 INCHES
RETENTION CAPACITY AVAILABLE	
TOTAL CAPACITY	21.24 ACRE-FEET
CAPACITY EQUIVALENTS	2.66 INCHES
RESURCHARGE CAPACITY AVAILABLE	
TOTAL CAPACITY	59.03 ACRE-FEET
CAPACITY EQUIVALENTS	7.38 INCHES
PRINCIPAL SPILLWAY CAPACITY AVAILABLE	
AUXILIARY SPILLWAY CREST ELEVATION	6.9 CFS
FREEBOARD ELEVATION	11.0 CFS
AUXILIARY SPILLWAY DESIGN	
DESIGN STORM	100-YEAR, 6-HOUR
RAINFALL	6.10 INCHES
RUNOFF (AMC III)	4.80 INCHES
PEAK INFLOW	332.9 CFS
PERCENT CHANCE OF USE	<2 %
SPILLWAY TYPE	VEGETATED
VEGETATIVE CLASS: C (STABILITY AND CAPACITY DESIGN)	
MAXIMUM DISCHARGE	13.0 CFS
MAXIMUM VELOCITY	0.7 FPS
MAXIMUM WATER SURFACE ELEVATION	959.9 FEET
MANNING'S n VALUE USED	0.317

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PRINCIPAL SPILLWAY ELEVATION →

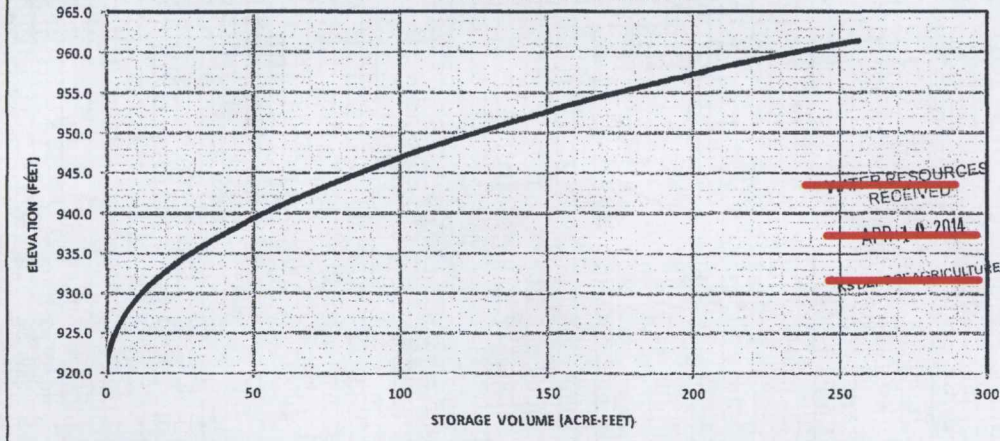
AUXILIARY SPILLWAY ELEVATION →

TOP OF DAM ELEVATION →

RESERVOIR CAPACITY TABLE

ELEVATION (FEET)	AREA (ACRES)	VOLUME (ACRE-FEET)	ACCUMULATED (ACRE-FEET)	OUTFLOWS	
				PRINCIPAL (CFS)	AUXILIARY (CFS)
920.0	0.02	0.00	0.00		
922.0	0.52	0.54	0.54		
924.0	0.93	1.45	1.98		
926.0	1.38	2.31	4.30		
928.0	1.89	3.27	7.57		
930.0	2.51	4.40	11.97		
932.0	3.27	5.77	17.75		
934.0	3.91	7.17	24.92		
936.0	4.55	8.45	33.37		
938.0	5.21	9.75	43.13		
940.0	5.78	10.98	54.11		
942.0	6.30	12.08	66.19		
944.0	6.82	13.12	79.31		
946.0	7.35	14.17	93.47		
948.0	8.09	15.44	108.92		
950.0	8.70	16.80	125.71		
952.0	9.39	18.09	143.80		
954.0	10.30	19.69	163.50		
956.0	11.28	21.58	185.08		
957.3	12.03	15.15	200.23	0.0	
958.0	12.40	23.68	208.76	1.5	
958.6	12.76	7.55	216.30	4.5	
959.0	13.06	5.16	221.47	8.9	0.0
959.9	13.72	12.05	233.52	11.0	13.1
960.0	13.81	18.60	234.90	13.9	233.0
961.5	15.07	21.66	256.56	16.0	395.8
963.0	16.84	23.94	280.50	19.3	972.5

STRUCTURE CAPACITY



DRAWN	KLS	DATE	4/14
CHECKED	JRC	DATE	4/14
APPROVED	KLS	DATE	4/14

FRIESS FARMS LAND AND CATTLE, LLC.
IRRIGATION DAM MODIFICATION
E 1/2 SECTION 33 T30S R17E
WILSON COUNTY, KANSAS

1700 E 80th
MUNICIPAL
(913) 625-8877
1303 MUCA STREET
SCOTT CITY, KANSAS 67071
ENVIRONMENTAL
(800) 872-3300



CAD FILE NAME:
PLAN VIEWS.DWG

SHEET NO. 3 of 11

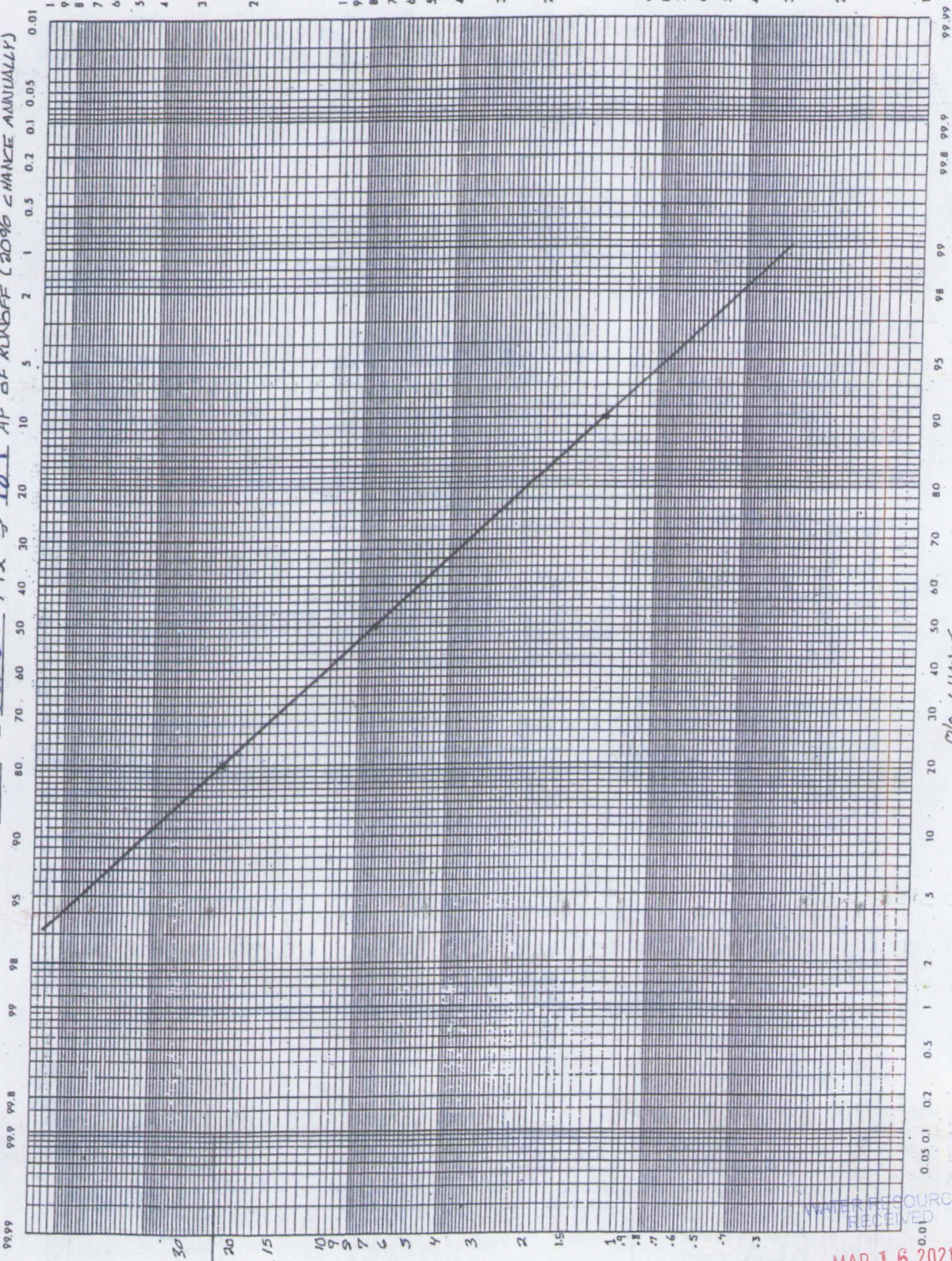
STRUCTURE DATA

FILE No. 17050

96 ACRES IN DRAINAGE x 23 " = 2208 " / 12 " ⇒ 184 AF

SOIL: "76" PRECIP: 40 "

INCHES RUNOFF / ACRE: 23 "
AF OF RUNOFF (20% CHANCE ANNUALLY)



PREPARED BY:

CID CHANCE

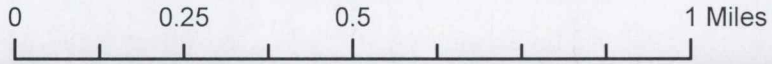
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MAR 16 2021

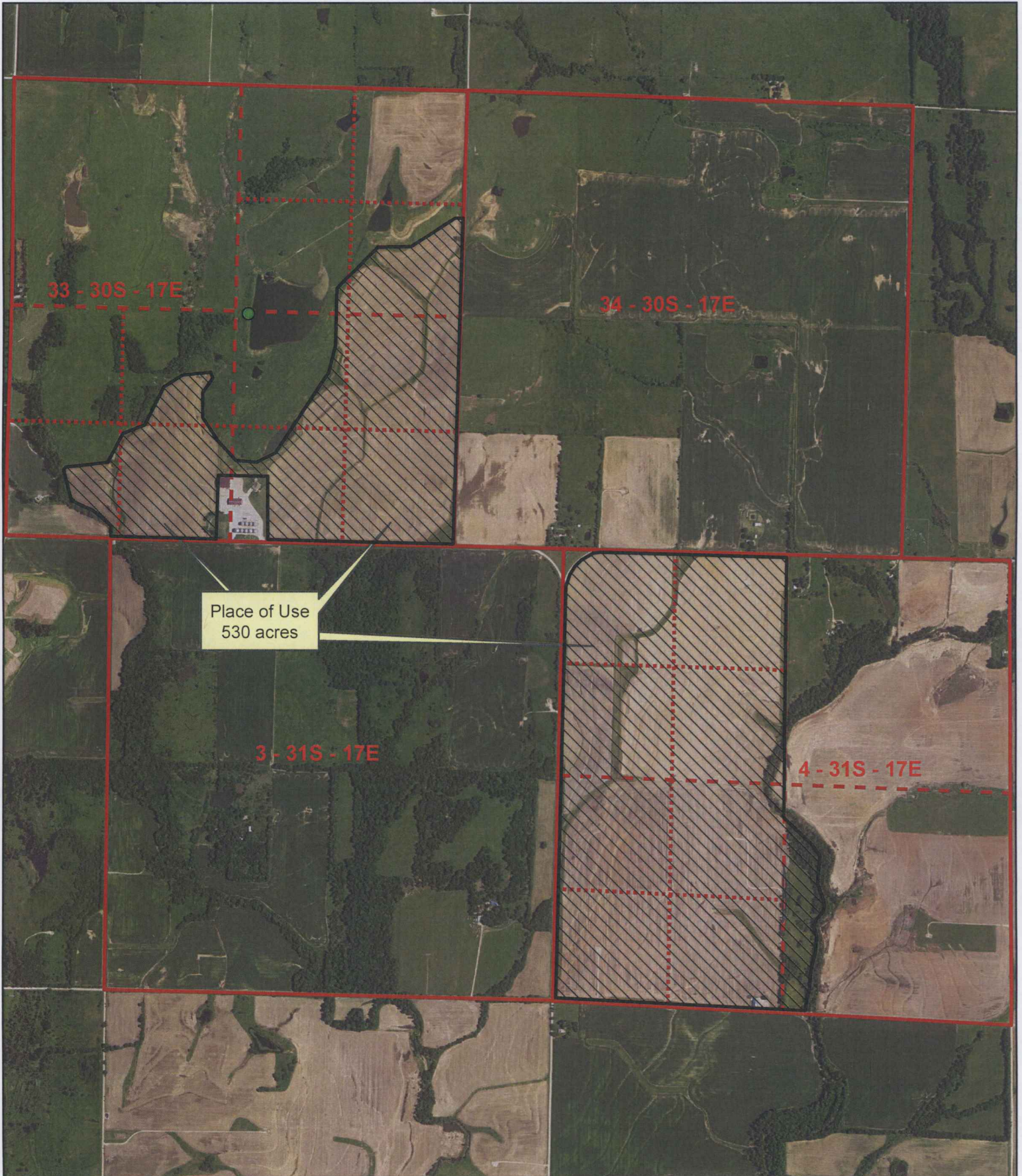
New Application - Steve Friess

Overlap in PU with File Nos. 49050 & 49051

Overlap in PD with File No. 49050



1:18,000



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

March 18, 2021

FRIESS FARMS LAND AND CATTLE CO
23458 6600 ROAD
THAYER KS 66776

RE: Application, File No(s). **50537**

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,

A handwritten signature in black ink that reads "Kris Neuhauser". The signature is written in a cursive style with a long horizontal flourish at the end.

Kris Neuhauser
New Applications Lead
Water Appropriation Program

DATA ENTRY SYSTEM ID NUMBER SHEET

50537

FILE NUMBER _____

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
63729	82980	

LANDOWNER PERSON ID & SEQ #	PUSE ID
63729	65858
	65859

WATER USE CORRESPONDENT PERSON ID & SEQ #
63729