

# 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 50735  
This item to be completed by the Division of Water Resources.

3/9/2022, 11:15 AM

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.)

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): NEOSHONUF LLC  
Address: 40 W BROAD ST STE #500  
City: GREENSVILLE State SC Zip Code 29601  
Telephone Number: (803) 730-7059 TOM PATRICK

2. The source of water is:  surface water in NEOSHO RIVER (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 800 acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of 10,000 gallons per minute OR 22.3 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)  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. Code            | <u>1</u>   | GMD  | <u>RE3</u>        | Meets K.A.R. 5-3-1 (YES/NO) | <u>YES</u>      | Use     | <u>REC</u> | Source | <u>G/S</u> | County | <u>NO</u> | By | <u>BMM</u> | Date | <u>3/10/22</u> |
| Fee \$               | <u>400</u> | TR # | <u>PY00038264</u> | Receipt Date                | <u>3/7/2022</u> | Check # | <u>CC</u>  |        |            |        |           |    |            |      |                |

3/16/2022  
LMoody

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.

**THIS IS AN OFFSET PD, PLEASE DO NOT OVERLAP IT WITH 83903**

- (A) One in the SW quarter of the NW quarter of the SW quarter of Section 32, more particularly described as being near a point 1693 feet North and 5109 feet West of the Southeast corner of said section, in Township 29 South, Range 21 EAST East/West (circle one), NEOSHO 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 (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):

BEACHNER BROS INC PO BOX 128 ST PAUL KS 66771  
(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 March 7<sup>th</sup>, 2022 Thomas A. Beachner  
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 A PUMP, MULTIPLE REDIVERSION POINTS  
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) UPON APPROVAL FALL 2022  
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use 3/9/2022 is estimated to be FALL 2022.

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- 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 \_\_\_\_\_

- 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.

PU WILL OVERLAP PARTIALLY WITH FILE NOS. 47309, 47310, 44979, 47308, 44076, 47311, 47312, & 49241

UPSTREAM & DOWNSTREAM LANDOWNERS: BEACHNER BROS PO BOX 128 ST PAUL KS 66771, KDWPT JAMES SCHNEIDER 512 SE 25 AVE PRATT KS 67124, CHAD E & DARREN L NEWBERRY 20935 80TH RD ST PAUL KS 66771, GALEN L & SANDRA K MANNERS 24029 UDALL RD PARSONS KS 67357, MALLARDS BOOT LLV SATTERLEE PO BOX 400 JOPLIN MO 64802, SAUNDRA S AIKENS 20710 50TH RD PARSONS, KS 67357

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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. **SURFACE WATER**

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 Windsboro, S.C, Kansas, this 7<sup>th</sup> day of March, 2022.  
(month) (year)

Thomas A. Petz  
(Applicant Signature)

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

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

3/9/2022

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KS Dept Of Agriculture

## RECREATIONAL USE SUPPLEMENTAL SHEET

File No. \_\_\_\_\_

Name of Applicant (Please Print): NEOSHONUF LLC WATERFOWL

1. Please indicate type of recreational use (boating, fishing, swimming, etc.): \_\_\_\_\_  
WATERFOWL MARSHES

2. Please summarize how the water will be used and justify the quantity of water requested: \_\_\_\_\_  
FLOOD HABITAT TO BE MANAGED FOR WATERFOWL ATTRACTION AND NATURAL  
AND HUNTING OPPORTUNITIES

3. Please complete the following table showing estimated future water requirements:

| <b>ESTIMATED FUTURE WATER DIVERTED/STORED</b> |   |
|---|---|
| NEXT 5 YEARS                                  | WATER TO BE DIVERTED (ACRE-FEET OR GALLONS) |
| Year 1  | <i>800 AF</i>                               |
| Year 2  | <i>800 AF</i>                               |
| Year 3  | <i>800 AF</i>                               |
| Year 4  | <i>800 AF</i>                               |
| Year 5  | <i>800 AF</i>                               |

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Please attach any additional information, tables, or curves showing past, present and estimated future water requirements to substantiate the amount of water requested.

4. Please designate the legal description of the location where the water is to be used by providing the fractional part of the Section, Township and Range.

6/30/21E MARSH IN LOT 11 (NE NE) PU ID 54870 AKA GRANDPAS 40

31/29S/21E MARSH IN SE SW AND IN L-, L-9, L-12, 36/29S/20E PU IDS 53053/53054/53055 AKA NORTH PARK

6/30S/21E MARSHES IN LOT 5 & LOT 6 PU ID 54359 AKA GOLEY PLACE

24/30S/20E MARSHES IN L-1, L-3, L-4, NENE PU ID 53102, 13/30S/30E MARSHES L-6, L-7 PU ID 53103, 18/30S/20E MARSHES L-5, L-6, L-7, L-8 PU ID 60500, 19/30S/21E MARSHES L-8 & NE NW PU ID 67352 N HAY BARN & S HAY BARN



NEW AREA 6/30S/21E MARSH IN SE NE AND W1/2 NE1/4 NEW PU ID NAMED: \_\_\_\_\_

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

~775 ACRES

3/9/2022

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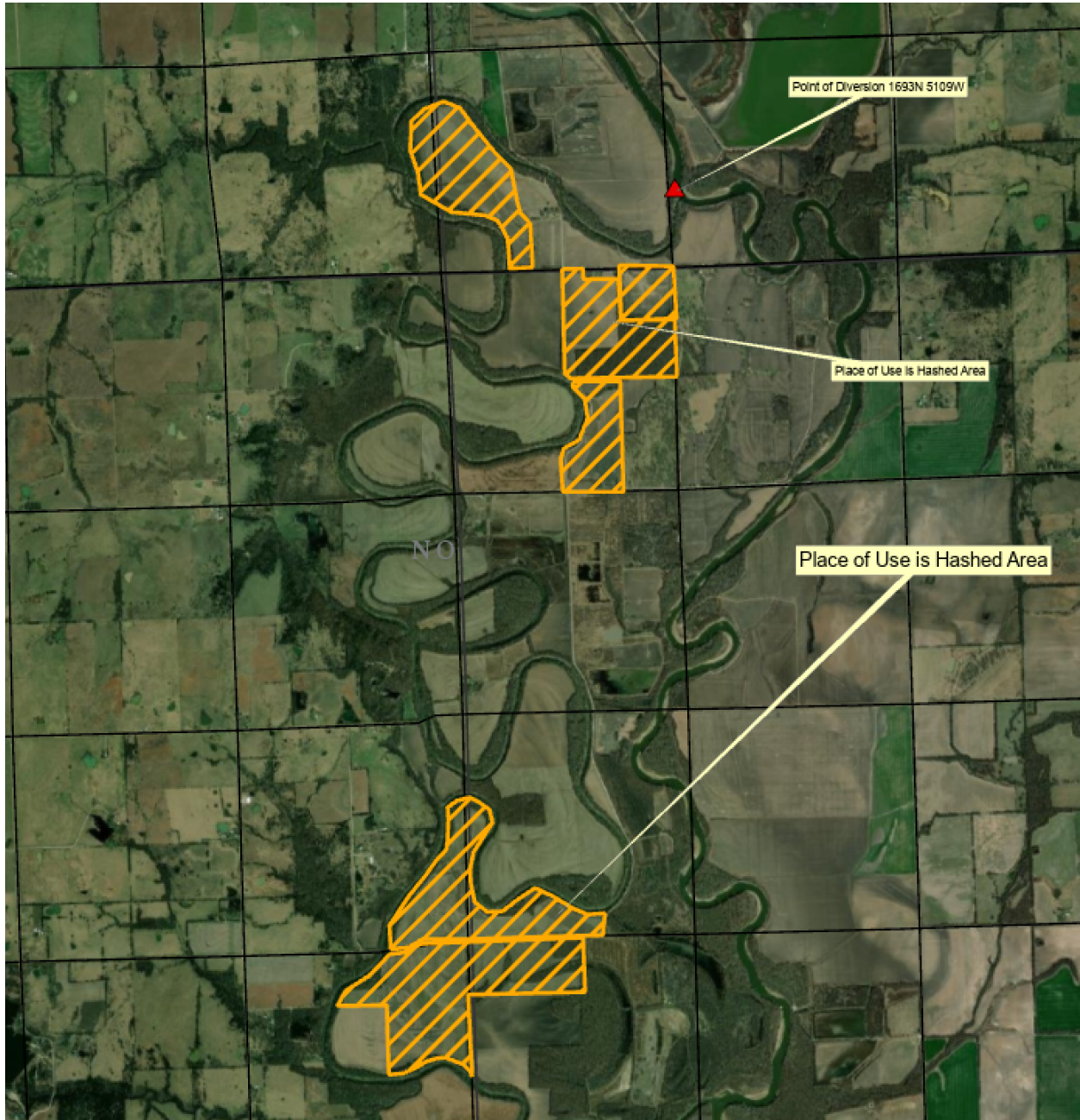


3/10/2022

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# NEW APPLICATION NEOSHONUF INC

KS Dept Of Agriculture



1:42,000

N



**DATA ENTRY SYSTEM ID NUMBER SHEET**

FILE NUMBER 50735

| APPLICANT<br>PERSON ID & SEQ # | PDIV ID | BATTERY ID |
|--------------------------------|---------|------------|
| 65683                          | 83903   |            |
|                                |         |            |
|                                |         |            |
|                                |         |            |
|                                |         |            |

| LANDOWNER<br>PERSON ID & SEQ # | PUSE ID              |
|--------------------------------|----------------------|
| 65683                          | 54870 - GRANDPA'S 40 |
|                                | 53053                |
|                                | 53054                |
|                                | 53055                |
|                                | 54359 GOLEY PLACE    |

|  | 53102 | HAY BARNs |
|--|-------|-----------|
|  | 53103 |           |
|  | 60500 |           |
|  | 67352 |           |
| WATER USE CORRESPONDENT<br>PERSON ID & SEQ # |       |           |
| 65683  |       |           |
|  |       |           |
|  |       |           |
|  |       |           |

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 21, 2022

NEISHONUF LLC  
40 W BROAD ST STE #500  
GREENSVILLE SC 29601

RE: Application, File No(s). **50735**

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](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. *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 fluid and cursive, with a long horizontal stroke at the end.

Kris Neuhauser  
New Applications Lead  
Water Appropriation Program