

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.

WATER RESOURCES
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MAY 11 2022
11:30 AM

KS DEPT OF AGRICULTURE

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

50787

File Number _____
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.)

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): Mackir LLC
Address: 516 Grant Ave
City: Clay Center State KS Zip Code 67432
Telephone Number: (785) 747-7325

2. The source of water is: surface water in tributary to Ash Creek (Mill Creek Basin) **Need Stream Name)**
(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. **STORAGE: 192 AF**

3. The maximum quantity of water desired for **direct use** is 192 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of all nat. flows re-diverted at 1,000 gallons per minute OR _____ 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>RE2</u>	GMD	<u>Meets K.A.R. 5-3-1 (YES / NO)</u>	Use	<u>IRR</u>	Source	<u>G/S</u>	County	<u>WS</u>
				Fee \$	<u>300</u>	TR #		Receipt Date	<u>5/11/22</u>
								By	<u>BMM</u>
								Date	<u>5/11/22</u>
								Check #	<u>2540</u>

5/16/2022
LMoody
5/11/22

MAY 11 2022

5. The location of the proposed wells, pump sites or other works for diversion of water is: KS DEPT OF AGRICULTURE

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 SE quarter of the NW quarter of Section 32, more particularly described as being near a point 3835 feet North and 3249 feet West of the Southeast corner of said section, in Township 3 South, Range 3 EAST, Washington 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 MACKER, LLC BRAD DRECKMAN 516 GRAFT CLAY CENTER, KS 67432
(name, address and telephone number)

[Signature]
(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 April 29th, 2022 [Signature]
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 existing pond with rehabilitated dam and spillway
(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 following approval
(Mo/Day/Year)

File No. MAY 11 2022

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):
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 April 29, 2022, Kansas, this 29th day of April, 2022.
(month) (year)

516 Grant Ave
Clay Center, KS 67432

[Signature]
(Applicant Signature)

Please notify Brett Herrs with any information on this application.

By [Signature]
(Agent or Officer Signature)

Brett Herrs
122 N Pennsylvania St
Palmer, KS 66962
785-747-7325
brett.herrs@gmail.com

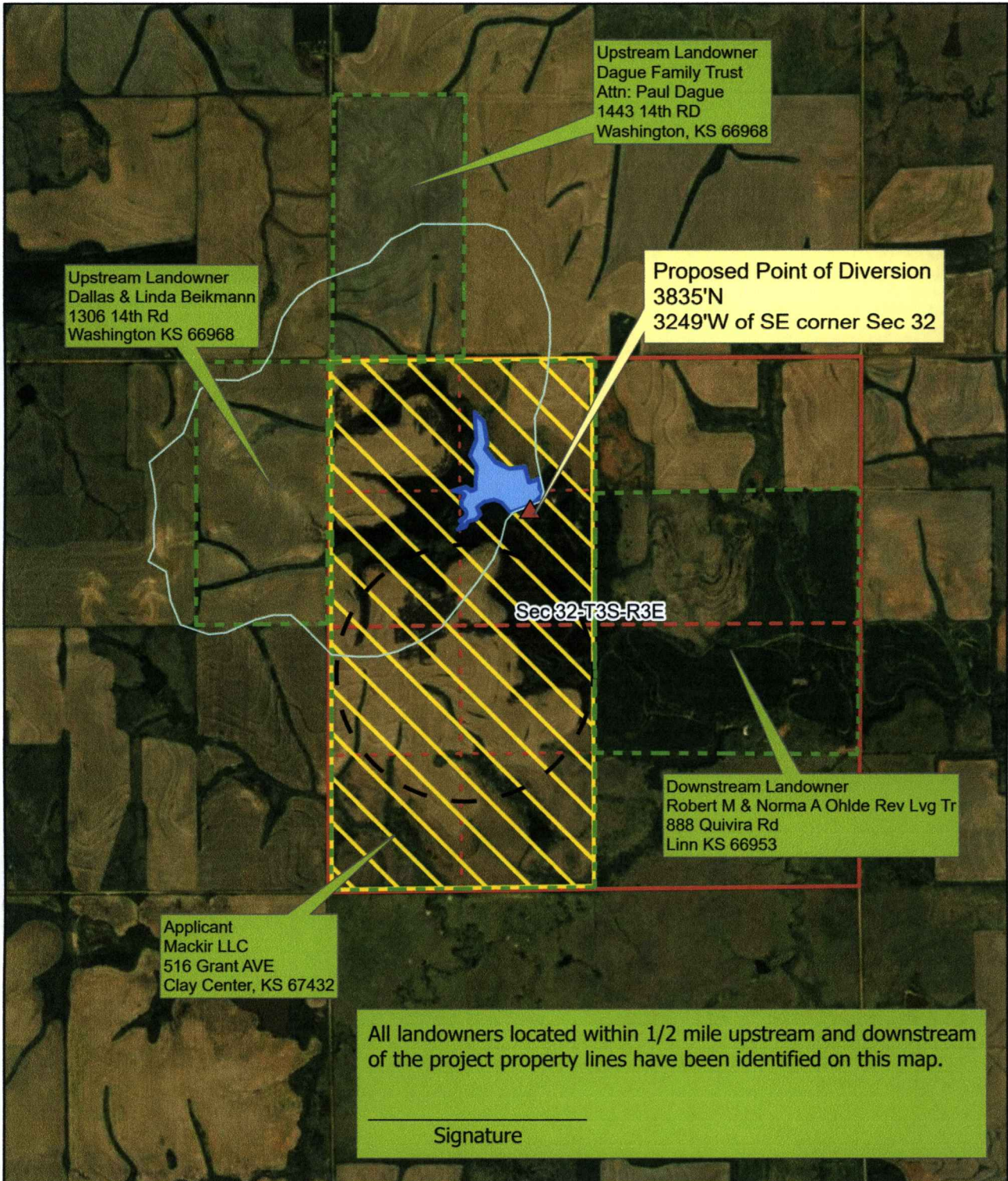
Brett Herrs
(Agent or Officer - Please Print)

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NEW APPLICATION SEC 32-T3S-R3E

KS DEPT OF AGRICULTURE



Map prepared by: LHH/TFO 3.29.2022



Scale: 1:18,000



MAY 11 2022

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. _____

Name of Applicant (Please Print): MACKIR 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: Mackir LLC

ADDRESS: 516 Grant Ave Clay Center KS 67432

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
32	3S	3E					40	40	40	40	40	40	40	40					320

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	

MAY 11 2022

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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:

NONE ANTICIPATED

ii. For sprinkler systems:

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

(2) What is the sprinkler package design rate? 700 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:

Corn/Soybeans
 STANDARD CROPS (corn, soybeans, etc.)

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).

SOIL MOISTURE AND PLANT STRESS

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

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MAY 11 2022

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PDFs
Mean Annual Precipitation
Soil Cover Complex

Mean Annual Precip, in	30
Soil Cover Complex No.	76
Drainage Area, acres	276
Runoff at 20% Chance, AF	191.71

DO NOT EDIT BELOW THIS LINE

% Chance Firm Coefficients			
	50%	80%	90%
a	0.5317	0.1216	0.0527
b	1.0815	1.2538	1.3547

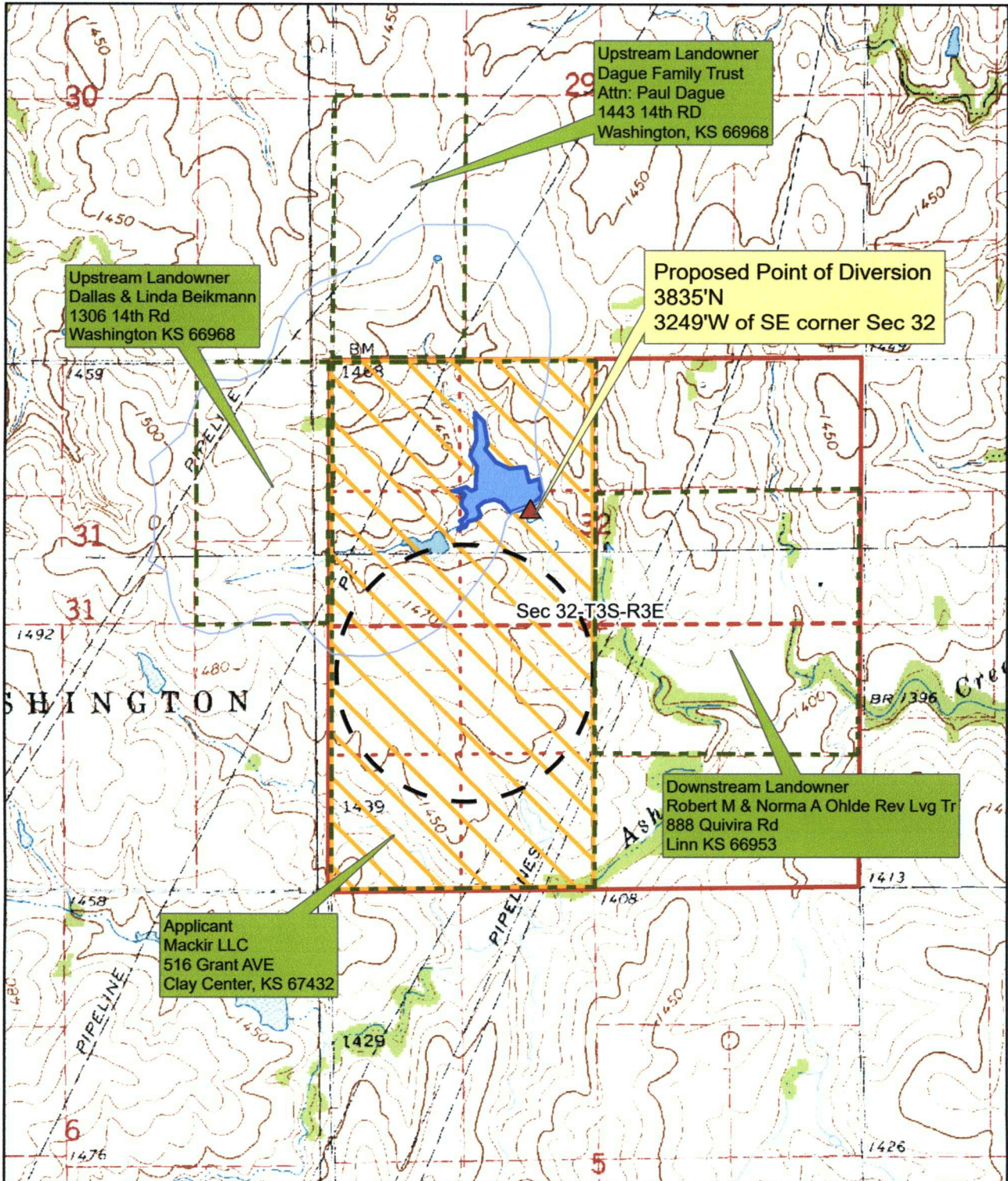
Std. Dev. 90%	1.51
Std. Dev. 80%	1.47
Avg	1.49

%Chance Firm	Runoff, in	Comp. Runoff, in
50%	2.38	2.38
80%	0.69	0.68
90%	0.34	0.35
20%		8.34

Mean annual runoff for CN = 75, inches	3.80
Mean annual runoff for CN = 80, inches	4.80
Interp. Mean annual runoff for CN = 76, inches	4.00

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NEW APPLICATION SEC 32-T3S-R3E



Scale: 1:18,000



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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

MAY 11 2022

Maximum Reasonable Annual Quantity for Storage in Reservoirs

KAR 5-6-5

File Number: Sec 32-T3S-R3E; Brett Herrs

The lesser of:

a) **Potential annual runoff, 20% chance (KAR 5-6-4)**

Normal Annual Precipitation:	30	inches
Soil Complex Number:	76	
Runoff/ Acre (from graph):	8.34	inches
Acres in Drainage Basin:	276	

Potential annual runoff, 20% chance (KAR 5-6-4) 192 acre-feet

or

b) One of the following:

1) A) 3 year supply for all authorized uses; and acre-feet

B) 3 year supply for indirect use

3 Year Seepage:

Evaporation:

Potential Net Annual Evaporation:	17	inches
Reservoir Surface Area:	7.8	acres
Annual Quantity Lost by Evaporation:		acre-feet
3 Year Total Indirect Use:		acre-feet

Total (3-yr): acre-feet

2) If the total quantity requested in b(1)(A) and (B) exceeds reservoir capacity, the maximum authorized annual quantity shall not exceed the total of:

A) Annual quantity rediverted for beneficial use:	384	acre-feet
B) Reservoir capacity:	31	acre-feet *
C) One year of indirect use from the reservoir:	11.05	acre-feet
Total:	426.05	acre-feet **

* (estimated: 7.8 ac SA X 12 ft depth X .333 = 31 AF)

** Storage is limited by the potential runoff to 192 AF.

Prepared by: LHH/TFO
Date: 3/29/2022

File No. MAY 11 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 After speaking with Janel,
she said they will determine that after this application is submitted.

The applicant will submit any necessary information to determine any Structures permitting requirements.

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.

NONE

DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 50787

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
<u>68386</u>	<u>89530</u>	

LANDOWNER PERSON ID & SEQ #	PUSE ID
<u>68386</u>	<u>70804</u>

WATER USE CORRESPONDENT
PERSON ID & SEQ #
68386
