

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.

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

50861

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

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.)

SEP 19 2022
12:40
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): ROGER ZIMMERMAN
Address: 32790 NORTH CREEK RD
City: ALTA VISTA State KS Zip Code 66834
Telephone Number: (785) 499-3038

2. The source of water is: surface water in MIDDLE BRANCH MUNKERS CREEK
(stream)
OR groundwater in NEOSHO 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.

DIRECT USE = 300 AF

3. The maximum quantity of water desired is STORAGE = 474.9 AF acre-feet OR _____ gallons per calendar year,

DIRECT USE = 1000 GPM

to be diverted at a maximum rate of STORAGE = ALL NAT FLOWS 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) 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

9/28/2022
LMoody

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. 1 GMD _____ Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G/S County WB By ALB Date 9/23/22
Code RE2 Fee \$ 300 TR # _____ Receipt Date 9-19-22 Check # 12764

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 **SE** quarter of the **SE** quarter of the **SW** quarter of Section **14**, more particularly described as being near a point **3200** feet North and **3035** feet West of the Southeast corner of said section, in Township **14** South, Range **9 EAST, WABAUNSEE** 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

(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 9-9, 2022. Boyan W. Zimmerman
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 WILL BE completed (by) **JUNE 2023** _____
(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 2023**
(Mo/Day/Year)

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SEP 19 2022

KS DEPT OF AGRICULTURE

- 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 _____

A PERMIT DETERMINATION IS REQUESTED

- 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

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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):

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 _____, Kansas, this _____ day of _____ (month) (year)


_____ (Applicant Signature)

By _____ (Agent or Officer Signature)

_____ (Agent or Officer - Please Print)

Assisted by **BRETT BUNGER** _____ **TFO/ASST WATER COMMISSIONER** Date: **9-9-22**
(office/title)

WATER RESOURCES RECEIVED
SEP 19 2022
KS DEPT OF AGR CULTURE

DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 50861

APPLICANT PERSON ID & SEQ #	89805	PDIV ID	BATTERY ID
<u>68600</u>			

LANDOWNER PERSON ID & SEQ #	71010	PUSE ID
<u>68600</u>	<u>71011</u>	

WATER USE CORRESPONDENT PERSON ID & SEQ #
<u>68600</u>

**IRRIGATION USE
SUPPLEMENTAL SHEET**

Water Resources
Received

KS Dept Of Agriculture

File No. _____

Name of Applicant (Please Print): ROGER ZIMMERMAN

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: ROGER ZIMMERMAN

ADDRESS: 32790 NORTH CREEK RD ALTA VISTA KS 66834

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13	14	9E	40	40	40	40	33.5	36.5		40	40				40	40			390
14	14	9E	31	34	20	35.5	40	40	40	31	40	40	40	40	36	40	40	40	587.5
																			TOTAL = 977.5 ACRES

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	

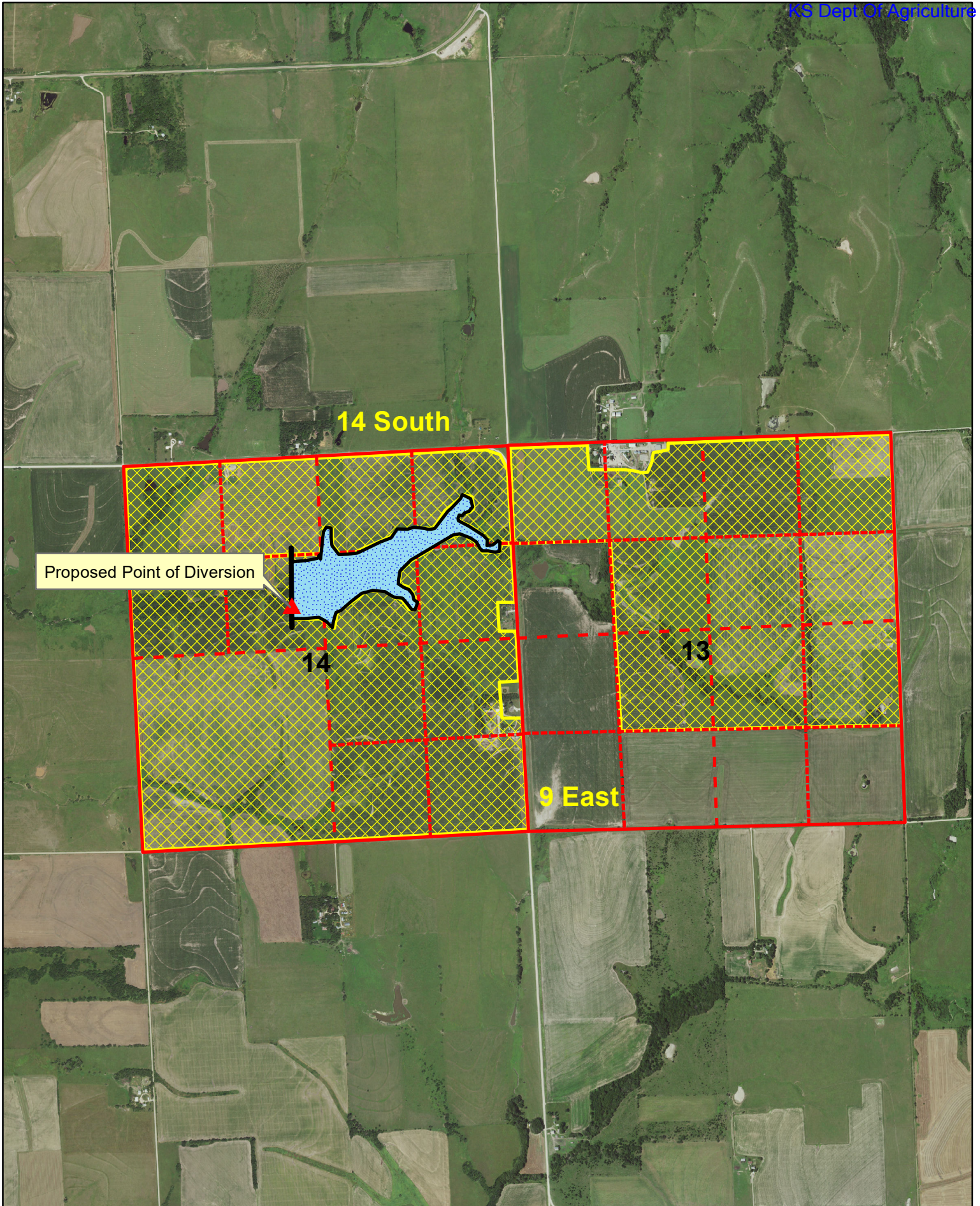
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NEW APPLICATION

9/28/2022

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KS Dept Of Agriculture



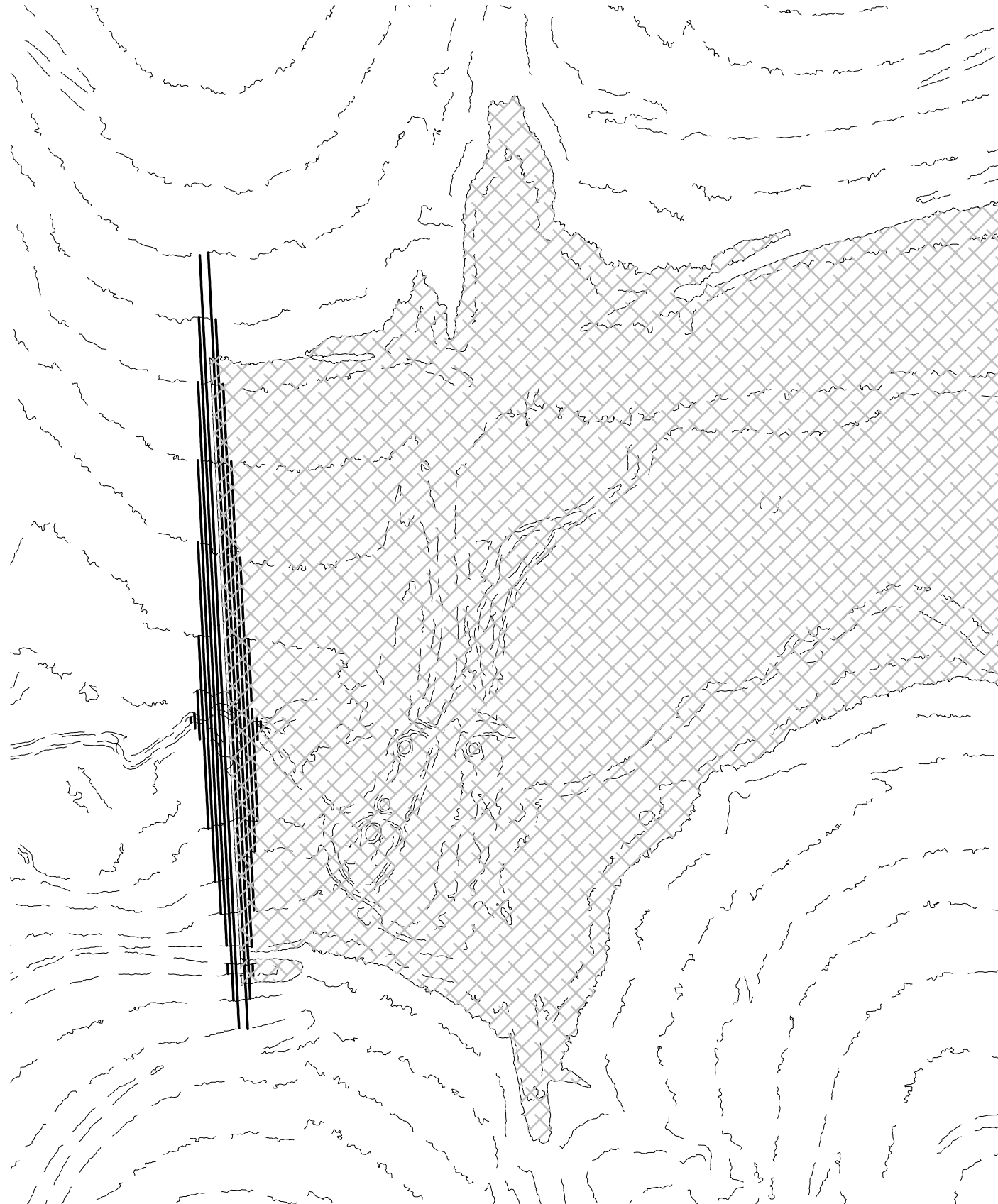
9/28/2022

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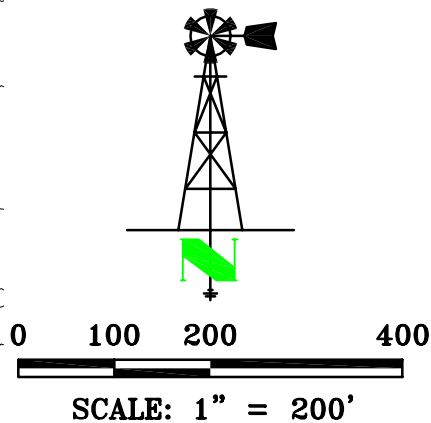
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TOPOGRAPHIC SURVEY

Compute Proposed Stream Obstruction Volume in the North One-Half of
Section 14, Township 14 South, Range 9 East of the
Sixth Principal Meridian, Wabaunsee County, Kansas



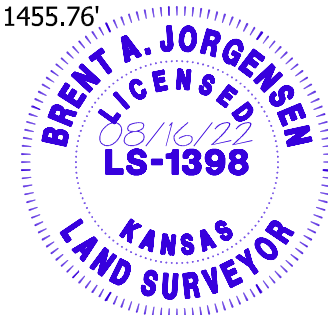
Contour	Area	Inc Volume	Total Volume	Ac. Ft.	Embankment	Height
1455	-					
1456	17.80	8.90	8.900	0.0002		0.24
1457	1,006.25	512.03	520.925	0.0120		1.24
1458	2,095.53	1,550.89	1,559.790	0.0358		2.24
1459	4,302.37	3,198.95	3,207.850	0.0736		3.24
1460	14,227.83	9,265.10	12,472.950	0.2863		4.24
1461	34,921.75	24,574.79	37,047.740	0.8505		5.24
1462	81,392.31	58,157.03	95,204.770	2.1856		6.24
1463	234,653.72	158,023.02	253,227.785	5.8133		7.24
1464	497,322.66	365,988.19	619,215.975	14.2152		8.24
1465	630,163.63	563,743.15	1,182,959.120	27.1570		9.24
1466	847,944.37	739,054.00	1,922,013.120	44.1233		10.24
1467	1,116,169.30	982,056.84	2,904,069.955	66.6683		11.24
1468	1,439,947.53	1,278,058.42	4,182,128.370	96.0085		12.24
1468.25	1,515,746.23	369,461.72	4,551,590.090	104.4901		12.49
1468.50	1,612,239.63	390,998.23	4,942,588.323	113.4662		12.74
1468.75	1,704,288.92	414,566.07	5,357,154.391	122.9833		12.99
1469	1,796,046.95	437,541.98	5,794,696.375	133.0279	5,781	13.24
1470	2,141,869.72	1,968,958.34	7,763,654.710	178.2290	7,247	14.24
1471	2,510,651.49	2,326,260.61	10,089,915.315	231.6326	9,173	15.24
1472	2,877,101.14	2,693,876.32	12,783,791.630	293.4755	11,321	16.24



General Notes for Site:
 No Field verification of LiDAR elevations performed.
 Front toe of stream obstruction elevation: 1456.08'
 Rear toe of stream obstruction elevation: 1455.76'
 Assumed top of structure width: 12
 Assumed front and back slope: 3:1

LAND SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THIS SURVEY
 WAS DONE BY THE UNDERSIGNED, AND
 THAT THE SURVEY WAS DONE ON THE
 GROUND ON _____.



THIS DRAWING ORIGINALLY CREATED AT
 SPECIFIED SCALE. IF LINE BELOW DOES NOT
 MEASURE 1 INCH, DRAWING HAS BEEN
 REDUCED.

ORIGINAL DRAWING
 SIZE: 1 INCH



73051 617 Ave
 Tecumseh, NE 68450
 (402) 335-2033
 jorgensensurveying@gmail.com

Stream Obstruction
 N 1/2 Sec 14, T14S, R9E
 Wabaunsee County, Kansas

PREPARED FOR
 MWI - Roger Zimmerman

SCALE	1"=200'
FIELD ON:	-
CHK. BY	MARCY
DWN. BY	BRENT
DATE:	08/16/22
SHEET	1 OF 2
JOB NO.	5262.131

9/28/2022

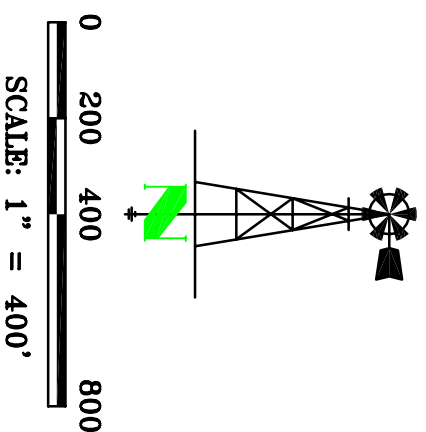
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TOPOGRAPHIC SURVEY
Compute Proposed Stream Obstruction Volume in the North One-Half of
Section 14, Township 14 South, Range 9 East of the
Sixth Principal Meridian, Wabaunsee County, Kansas



Water Level at Elev: 1468.75'



SCALE 1"=400' FIELD ON: - CHK. BY MARCY DWN. BY BRENT DATE: 08/16/22 SHEET 2 OF 2 JOB NO. 5262.131	Stream Obstruction N 1/2 Sec 14, T14S, R9E Wabaunsee County, Kansas	JORGENSEN SURVEYING 73051 617 Ave Tecumseh, NE 68450 (402) 335-2033 jorgensensurveying@gmail.com	THIS DRAWING ORIGINALLY CREATED AT SPECIFIED SCALE. IF LINE BELOW DOES NOT MEASURE 1 INCH, DRAWING HAS BEEN REDUCED. <u>ORIGINAL DRAWING</u> SIZE: 1 INCH
	PREPARED FOR MWI - Roger Zimmerman		

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UPSTREAM AND DOWNSTREAM LANDOWNERS

UPSTREAM –

- #1) STEVEN SHEPARD
316 S HIGHWAY 4
DWIGHT KS 66849-9524

- #2) MARK MEIER
6104 SW 41ST ST
TOPEKA KS 66610-1424

- #3) BILL UNRUH
PO BOX 74
ALTA VISTA KS 66834-0074

- #4) CALVERT MEIER
5815 SW 28TH TER
TOPEKA KS 66614-2460

DOWNSTREAM –

- #1) BEST RANCH LLC
34790 ALTA VISTA RD
ALTA VISTA KS 66834

STORAGE QUANTITY CALCULATIONS

DIRECT USE = 300 AF
RESERVOIR CAPACITY = 122.9 AF
RESERVOIR SURFACE AREA = 39 ACRES
1 YR NET EVAP = $39 \times 16''/12'' = 52$ AF

STORAGE QUANTITY = 300 AF + 122.9 AF + 52 AF = 474.9 AF