

# 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 50973

2/21/2023, 2:38 PM

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

Water Resources Received

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

KS Dept Of Agriculture

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): Preheim Ag by Wesley Shaw, Partner
Address: 565 Quail Crk
City: Peabody State KS Zip Code 66866
Telephone Number: (316) 217-4237

2. The source of water is: [ ] surface water in (stream)
OR [X] groundwater in Doyle Creek / Cottonwood (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 98.67 acre-feet OR 32.15 gallons per calendar year, to be diverted at a maximum rate of 100 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) [X] 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. 1 GMD Meets K.A.R. 5-3-1 (YES/NO) Use STK Source G/S County MN By ALB Date 2/23/23
Code REG Fee \$ 200 TR # PY00054244 Receipt Date 2/21/2023 Check #

3/1/2023
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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.

3/15/2023  
BMM

(A) One in the NW quarter of the NW quarter of the NE quarter of Section 18, more particularly described as being near a point 4820 feet North and 870 feet West of the Southeast corner of said section, in Township 18 South, Range 4 East/West (circle one), Marion 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):  
Rehaim Farms LLC 565 Quail Ck, Penbody, KS 66866 316-217-4237  
(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 1-1, 2023. \_\_\_\_\_  
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 1 well  
(number of wells, pumps or dams, etc.)  
and (was)(will be) completed (by) 1-20-23  
(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 4-1-23.

10.  Yes  No  Not sure. If yes, what type of water right is required?

As shown on the accompanying map, including a cross-section profile and description:

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10.  Yes  No  Not sure. If yes, what type of water right is required? The Division of Water Resources for assistance in identifying the applicant's water right. Please also indicate the location of the proposed water right on the map and indicate if it is a new water right or an existing water right.

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11.  Yes  No  Not sure. If yes, what type of water right is required? The Division of Water Resources for assistance in identifying the applicant's water right. Please also indicate the location of the proposed water right on the map and indicate if it is a new water right or an existing water right.

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- Yes, with the appropriate structures shown on the map.
- Yes, including any water storage structures as required.

11. The applicant must be accompanied by a U.S.G.S. topographic map, aerial photograph or a detailed plan showing the following information. On the topographic map or aerial photograph, please identify the location of the proposed water right on the section corner and show the appropriate section number and range number. Also, please show the following information:

- (a) The location of the proposed point of diversion, headgate, structure, dam, or other diversion works should be plotted as described in Paragraph No. 9 of the application, showing the North-South distance and the East-West distance from a section line or section corner of section.
- (b) If the application is for groundwater, please show the location of any existing wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its owner, furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so.
- (c) If the application is for surface water, the names and addresses of all riparians within 1/2 mile downstream and 1/2 mile upstream from your property line must be shown.
- (d) The location of the proposed place of use should be shown by cross-section on the topographic map, aerial photograph or plan.
- (e) Show the location of the pipelines, canals, ditches 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, 1610 Constant, Camp Hill, University of Kansas, Lawrence, Kansas 66047.

12. List any application, appropriation of water, water right, or water right application that has been filed for diversion points or uses of the same type as the application in this application. Also list any other water modifications that may affect the water right or water right application in connection with the filing of this application.



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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.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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	1-20-23	_____	_____	_____
Total depth of well	90	_____	_____	_____
Depth to water bearing formation	70	_____	_____	_____
Depth to static water level	23	_____	_____	_____
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 / Tenant  
(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):  
Prochim Farms LLC, 565 Quail Ck, Peabody, KS 66866 316-217-4237  
(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 Peabody, Kansas, this 20<sup>th</sup> day of February, 2023.  
(month) (year)

Prochim Farms  
(Applicant Signature)

By Wesley Shaw, Partner  
(Agent or Officer Signature)

Wesley Shaw, Partner  
(Agent or Officer - Please Print)

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KS Dept Of Agriculture

Assisted by \_\_\_\_\_ Date: \_\_\_\_\_  
(office/title)

**STOCKWATER USE  
SUPPLEMENTAL SHEET**

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

Name of Applicant (Please Print): Prochim Ag

1. Please indicate type of livestock (cattle, hogs, etc.): Cattle

2. Please complete the following table showing past and present water requirements:

**PAST NUMBER OF HEAD AND WATER DIVERTED, IF APPLICABLE**

LAST 5 YEARS	NUMBER OF HEAD	WATER DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
5 years ago			
Last year			
Present Year			

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

**ESTIMATED FUTURE NUMBER OF HEAD AND WATER DIVERTED**

NEXT 5 YEARS	NUMBER OF HEAD	WATER TO BE DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
Year 1	2000	30,000	15
Year 2	2000	30,000	15
Year 3	2000	30,000	15
Year 4	2000	30,000	15
Year 5	4500	67,500	15

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. Show in the space provided below the Section (S), Township (T), and Range (R), and the number of acres in each forty acre tract or fractional portion thereof.

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17	22	4	X	X	X	X													160



- 5. Show quantities of water used and all associated water uses at the feedlot such as water used in feed mills, cooling of animals, washing, flushing of wastes, etc.:

**DRINKING**

4,500 head of Cattle x 15 gallons/head (avg.) x 365 days = 24,645 <sup>mil.</sup> gallons  
 \_\_\_\_\_ head of \_\_\_\_\_ x \_\_\_\_\_ gallons/head (avg.) x \_\_\_\_\_ days = \_\_\_\_\_ gallons  
 \_\_\_\_\_ head of \_\_\_\_\_ x \_\_\_\_\_ gallons/head (avg.) x \_\_\_\_\_ days = \_\_\_\_\_ gallons

**COOLING**

\_\_\_\_\_ gallons/hour x \_\_\_\_\_ hour/day x \_\_\_\_\_ days = \_\_\_\_\_ gallons

**SANITATION** - Cont. Flow water (20)

2 g.p.m. x 60 min/hr x 168 hr/wk x 18 wks/yr = 6,048 gallons

**OTHER USE** (Explain) \_\_\_\_\_ = \_\_\_\_\_ gallons

**TOTAL** \_\_\_\_\_ 50 mil gallons

- 6. Show location of present and future location of confinement pens on your attached maps or photographs.

7. Total feed bunk space for cattle or livestock is 5,500 linear feet.

8. Total size of stock pens for confinement area of cattle, hogs, etc. is 1050 square feet.

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



**DATA ENTRY SYSTEM ID NUMBER SHEET**

**FILE NUMBER** 50973

<b>APPLICANT PERSON ID &amp; SEQ #</b>	<b>PDIV ID</b>	<b>BATTERY ID</b>
<u>67737</u>	<u>90112</u>	

<b>LANDOWNER PERSON ID &amp; SEQ #</b>	<b>PUSE ID</b>
<u>67737</u>	<u>71259</u>

<b>WATER USE CORRESPONDENT PERSON ID &amp; SEQ #</b>
<u>67737</u>