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.

04/11/2023

Submit To:
CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502-5000
http://agriculture.ks.gov/dwr

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

Water Resources Received
KS Dept Of Agriculture

State of Kansas

STATUTORY FILING FEE MUST ACCOMPANY THIS APPLICATION
Please refer to the Fee Schedule attached to this application form.

File Number: **51007**
This item to be completed by the Division of Water Resources staff.

1. Name of Applicant: ALAN HEIGELE
Address: 720 5TH RD
City: LONGFORD State: KS Zip Code: 67458-9331
Phone: 785-447-0996 Email: aheigele@wilburellis.com

2. The source of water is: ■ surface water in UNNAMED TRIB TO CHAPMAN CREEK (stream)
☐ groundwater in CHAPMAN (drainage basin)

3. The maximum annual quantity of water desired is 1001.8 ■ acre-feet ☐ gallons
to be diverted at a maximum rate of ALL NAT FLOWS ☐ gpm ☐ c.f.s. ■ natural flows ☐ natural evaporation

☐ This project involves surface water storage and rediversion. The maximum annual quantity of water desired to be rediverted is 320 ■ acre-feet ☐ gallons, at a rate of 1200 ■ gpm ☐ c.f.s.

Conversion Factors
1 acre-foot (AF) = 325,851 gallons
1 million gallons (mg) = 3.07 acre-feet (AF)
1 cubic foot per second (c.f.s.) = 448.8 gallons per minute (gpm)

IMPORTANT: Once your application has been assigned a priority date and file number, the requested maximum rate of diversion and maximum requested annual quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum annual quantity of water are appropriate and reasonable for your proposed project.

4. The water is intended to be appropriated for the following use(s):

☐ Artificial Recharge*	■ Irrigation*	☐ Recreational*	☐ Water Power*
☐ Industrial*	☐ Municipal*	☐ Stockwatering*	☐ Sediment Control
☐ Domestic	☐ Dewatering	☐ Hydraulic Dredging	☐ Fire Protection
☐ Thermal Exchange	☐ Contamination Remediation		

*__IMPORTANT:__ You **must** submit a supplemental form providing information to substantiate your request for the quantity of water listed in Item No. 3 for the intended use(s) referenced above.

4/17/2023
LMoody

FOR OFFICE USE ONLY
FO 1 GMD ____ DUA ____ Use IRR Source S County CY By ALB Date 4/14/23
Code RE2 Fee $ $300.00 TR # PY00061215 Receipt Date 4/11/23 Check # ____

DWR 1-100 (Revised 02/16/2023)

File No. _____

5. The location(s) of the proposed diversion work(s) (well, pumpsite, etc.) are described below. Note that for the application to be accepted, the point of diversion location(s) **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. You can specify a nickname for the point of diversion via the A.K.A. line to help you identify it.

> 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 800gpm and which supply water to a common distribution system.

(A) One in the SE quarter of the SW quarter of the SE quarter of Section 7, more particularly described as being near a point 315 feet North and 1530 feet West of the Southeast corner of said section, in Township 10 South, Range 2 ■E ☐W, CLAY County, KS. A.K.A: _____

(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 _____ ☐E ☐W, _____ County, KS. A.K.A: _____

(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 _____ ☐E ☐W, _____ County, KS. A.K.A: _____

(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 _____ ☐E ☐W, _____ County, KS. A.K.A: _____

(E) 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 _____ ☐E ☐W, _____ County, KS. A.K.A: _____

6. The proposed project for diversion of water will consist of ONE DAM
(number of wells, pumps, dams, etc.)
and was/will be completed on or by the following date: UPON APPROVAL OF APPLICATION
(date each was or will be completed)

7. The first actual application of water for the proposed beneficial use was or is estimated to be JUNE 2024
(Date)

8. List any application, appropriation of water, water right, or vested right file number that covers the same point(s) of diversion 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.
OVERLAP PLACE OF USE WITH A SEPERATE APP FOR PUMPING FROM CHAPMAN CREEK

04/11/2023

File No. _____

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 DWR prior to submitting this application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you made an application for a permit for construction of this dam and reservoir with DWR? ☐ Yes ■ No

If yes, write the Water Structures permit number here: _____

11. Furnish a detailed topographic or aerial map that depicts the following information:

The application **must** be supplemented by a topographic map, aerial photograph or a detailed plat showing the information described in A-D below.

(A) The center of the section, the section lines or the section corners, and labels showing the appropriate section, township and range numbers, as well as a north arrow and scale,

(B) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) described in Item No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section,

(C) The location of the proposed place of use identified by crosshatching,

(D) **For Groundwater Use,** the location of any existing water wells of any kind within ½ mile of the proposed well or wells and indicate for each well its type of use and the name and mailing address of the property owner or owners, (If there are no wells within ½ mile, please indicate that on the map.)

For Surface Water Use, the names and addresses of the landowner(s) ½ mile downstream and ½ mile upstream from your property lines, and

(E) The locations of proposed or existing dams, dikes, reservoirs, canals, pipelines, power houses, and any other structures for the purpose of storing, conveying, or using water.

12. For groundwater use, furnish copies of the driller's logs for all test holes or completed wells. Please ensure that the driller's logs provide depth to the static water level. If driller's logs cannot be obtained for an existing well, provide the following information:

Well location as shown in Item No. 5	(A)	(B)	(C)	(D)	(E)
Date drilled					
Total depth of well					
Depth to static water level					

13. The owner(s) of the point of diversion, if other than the applicant is:

APPLICANT Alan Heigele 720 F.ftL Road Longford KS 67458
(name, address, and phone) 785 447-0956

Hayden Heigele 763 F.ftL Road Longford KS 67458
(name, address, and phone) 785 447-2662

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

SEE IRRIGATION USE SUPPLEMENTAL SHEET

(name, address, and phone)

(name, address, and phone)

15. The relationship of the applicant to the proposed place where the water will be used is that of:

☒ Owner ☐ Agent ☒ Tenant ☐ Other:_____

16. A water use correspondent (WUC) must be designated. The WUC will be mailed the annual water use report, which must be filed with the Division by March 1 of each year. Failure to timely file an accurate water use report will subject the owner(s) to a civil fine of up to $1,000 and potential suspension of the water appropriation or right. By signing this application, I verify that the owner(s) of the water right or permit have confirmed that the following person or agent should be designated as the WUC:

Alan Heigele 720 Fifth Rd Longford KS 67458 785 447-0556

(name, address, and phone)

17. I understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. This could affect the economics of my decision to appropriate water. Situations where this might occur may include times when minimum desirable streamflow (MDS) requirements are not met, when Assurance District or Water Marketing releases are made from storage in federal reservoirs, when a Water Reservation Right upstream of a federal reservoir is administered, or when water rights administration becomes necessary to prevent impairment.

I declare, under penalty of perjury, that I have legal access to or control of, the point(s) of diversion described in this application from the landowner or the landowner's authorized representative.

By signing below, I verify that the information set forth above is true to the best of my knowledge, I agree with all statements made above, and that this application is submitted in good faith.

Alan Heigele 4-10-2023

(Applicant Signature) (Date)

Alan Heigele

(Applicant Name – please print)

(Applicant Title, if applicable – please print)

Assisted by BRETT BUNGER TFO/ASST WATER COMMISSIONER Date: 3-29-23

(office/title)

FEE SCHEDULE

Make checks payable to the Kansas Department of Agriculture.

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic, waterpower, dewatering, or sediment control use, shall be (see No. 2 below if requesting storage):

Million Gallons (mg)	Acre-Feet (AF)	Fee
≤ 32.585	≤ 100	$200.00
32.586 - 104.272	100.1 – 320.0	$300.00
> 104.272	> 320	$300.00 plus $20 for each additional 100AF (32.586mg) or any part thereof

2. The fee for an application in which **storage** of water is requested, except for domestic use, shall be:

Million Gallons (mg)	Acre-Feet (AF)	Fee
≤ 81.462	≤ 249.9	$200.00
≥ 81.463	≥ 250	$200.00 plus $20 for each additional 100AF (32.586mg) 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 **waterpower** or **dewatering** use shall be $100.00 plus $200.00 for each 44,880 gallons per minute (100 c.f.s.), or part thereof, of the diversion rate requested.

IMPORTANT NOTICE

If this application is approved, the applicant shall notify the Chief Engineer when the diversion works (well, pump, reservoir, pit, etc.) has/have been completed via the *Notice of Completion of Diversion Works* form (DWR 1-203.11) and along with the statutorily required field inspection fee of:

- $200.00 for sediment control use or groundwater pits for industrial use, or
- $400.00 for all other uses made of water

Failure to complete the diversion works by the deadline specified in the *Approval of Application and Permit to Proceed* (or any subsequent extension of time of said deadline) and/or failure to submit the proper notice and field inspection fee will result in the dismissal of the appropriation and forfeiture of any priority associated with it.

For assistance with this application, please contact the Division of Water Resources (DWR).

Manhattan HQ
1320 Research Park Dr.
Manhattan, KS 66502
785-564-6638

Topeka Field Office
1131 SW Winding Rd, Ste 400
Topeka, KS 66615
785-296-5733

Stafford Field Office
300 S. Main St
Stafford, KS 67578
620-234-5311

Stockton Field Office
820 S. Walnut
Stockton, KS 67669
785-425-6787

Garden City Field Office
4532 W. Jones Ave, Ste B
Garden City, KS 67846
620-276-2901

Helpful Sources of Information

DWR Water Appropriation Program	https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation
DWR Water Appropriation Forms	https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-appropriation-forms
KGS Water Well Completion Records	https://www.kgs.ku.edu/Magellan/WaterWell/index.html
DWR Structures Program	https://agriculture.ks.gov/divisions-programs/dwr/dam-safety/permit-requirements

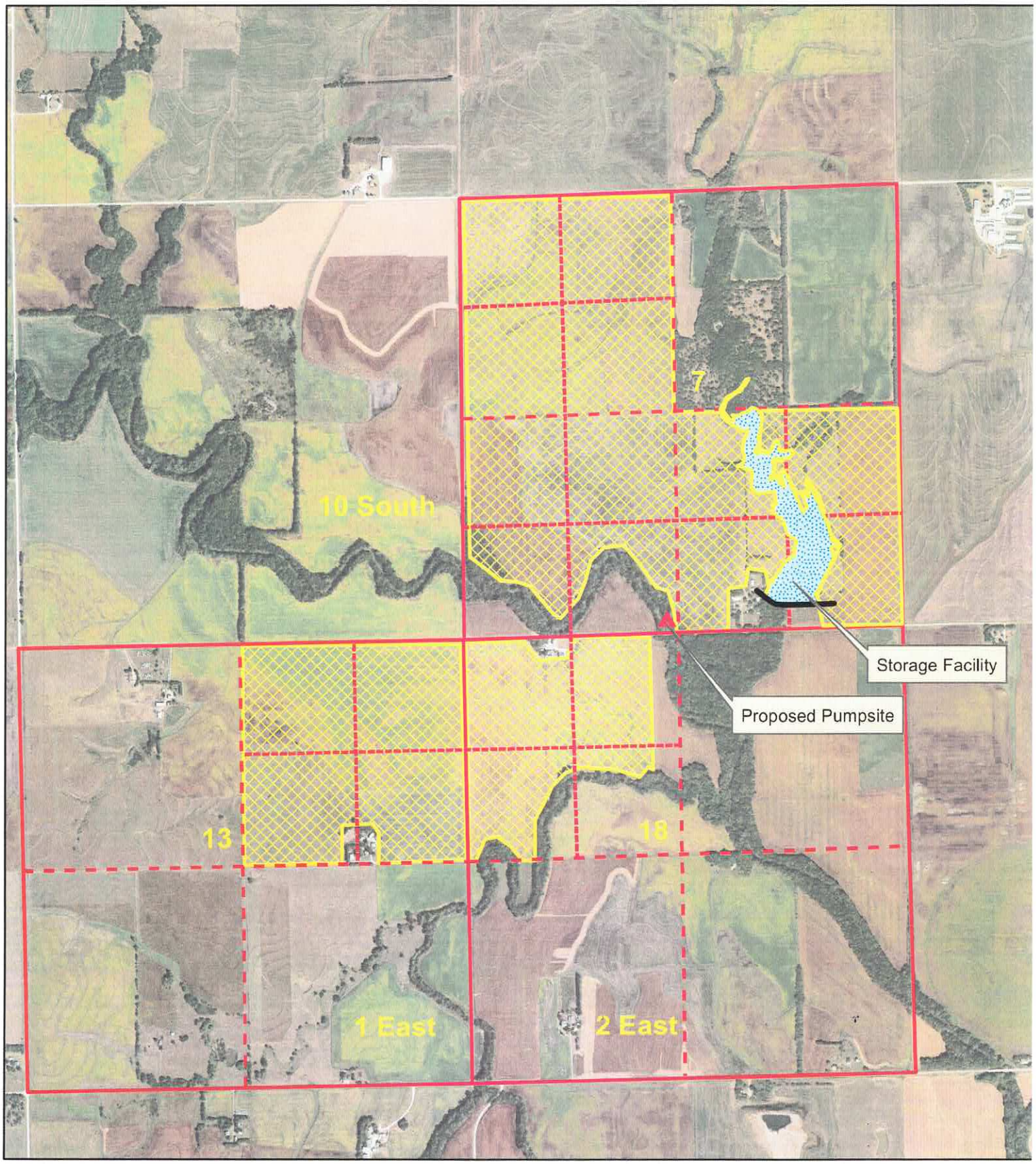
1:18,000

New Application

04/11/2023

Water Resources
Received

KS Dept Of Agriculture



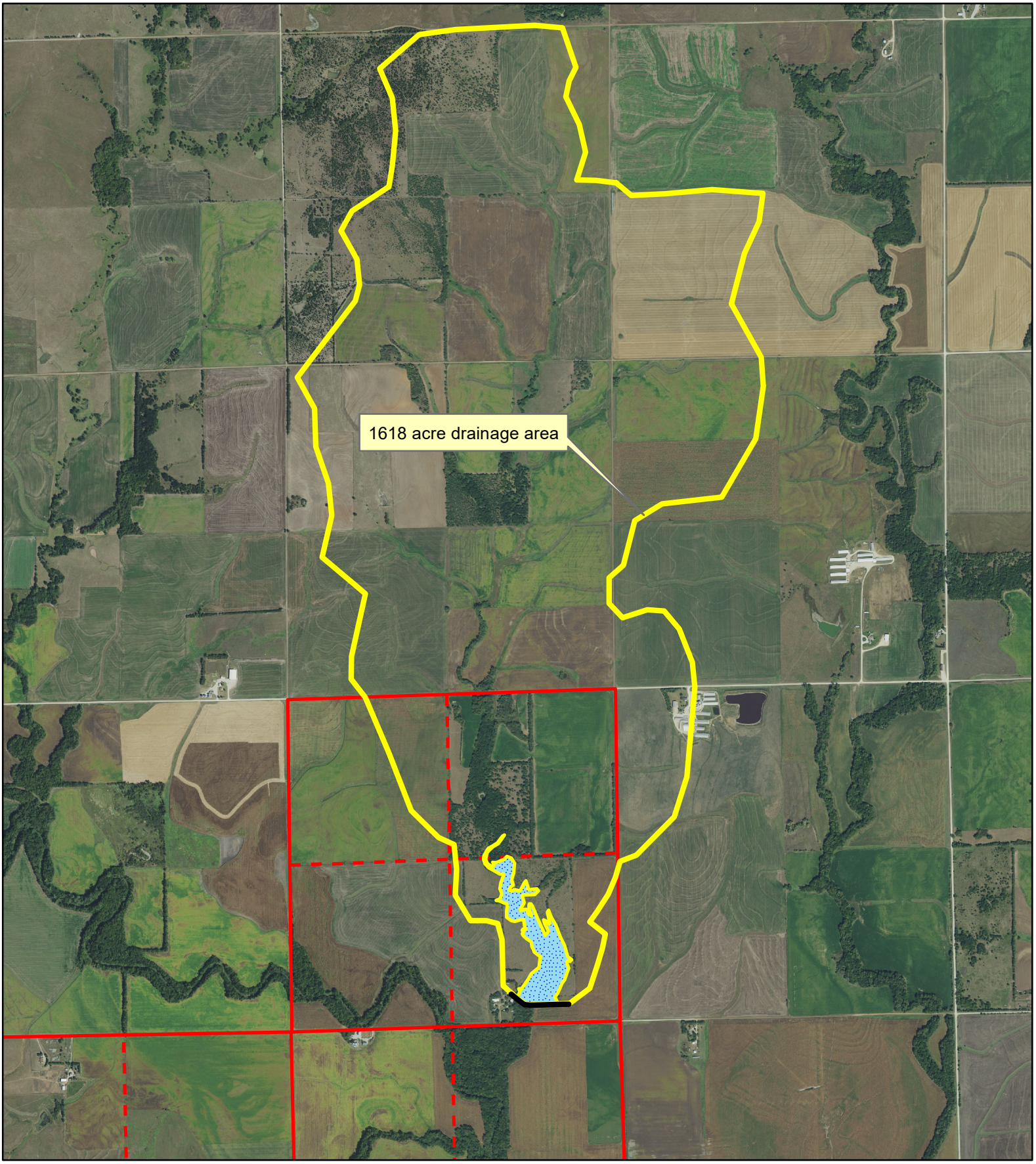
1:24,000

New Application

04/11/2023

Water Resources
Received

KS Dept Of Agriculture



UPSTREAM AND DOWNSTREAM LANDOWNERS

Upstream –

#1) CHARLES E MACY TRUST
450 JAYHAWK RD
LONGFORD KS 67458-9315

Downstream –

#1) JAMES M & JUDY L CURTIS
6407 SW 10TH ST
TOPEKA KS 66615

STORAGE CALCULATIONS

RESERVOIR CAPACITY = 123.8 AF
DIRECT USE = 320 AF
NET EVAP = 18”
RESERVOIR SURFACE AREA = 9.3 ACRES
1 YEAR NET EVAP = 9.3 X 18/12” = 13.95 AF
DRAINAGE BASIN YIELD = 1301.58 AF

STORAGE QUANTITY = 3 YEARS DIRECT USE + 3 YEARS NET EVAP

STORAGE = 960 AF + 41.8 AF = 1001.8 AF

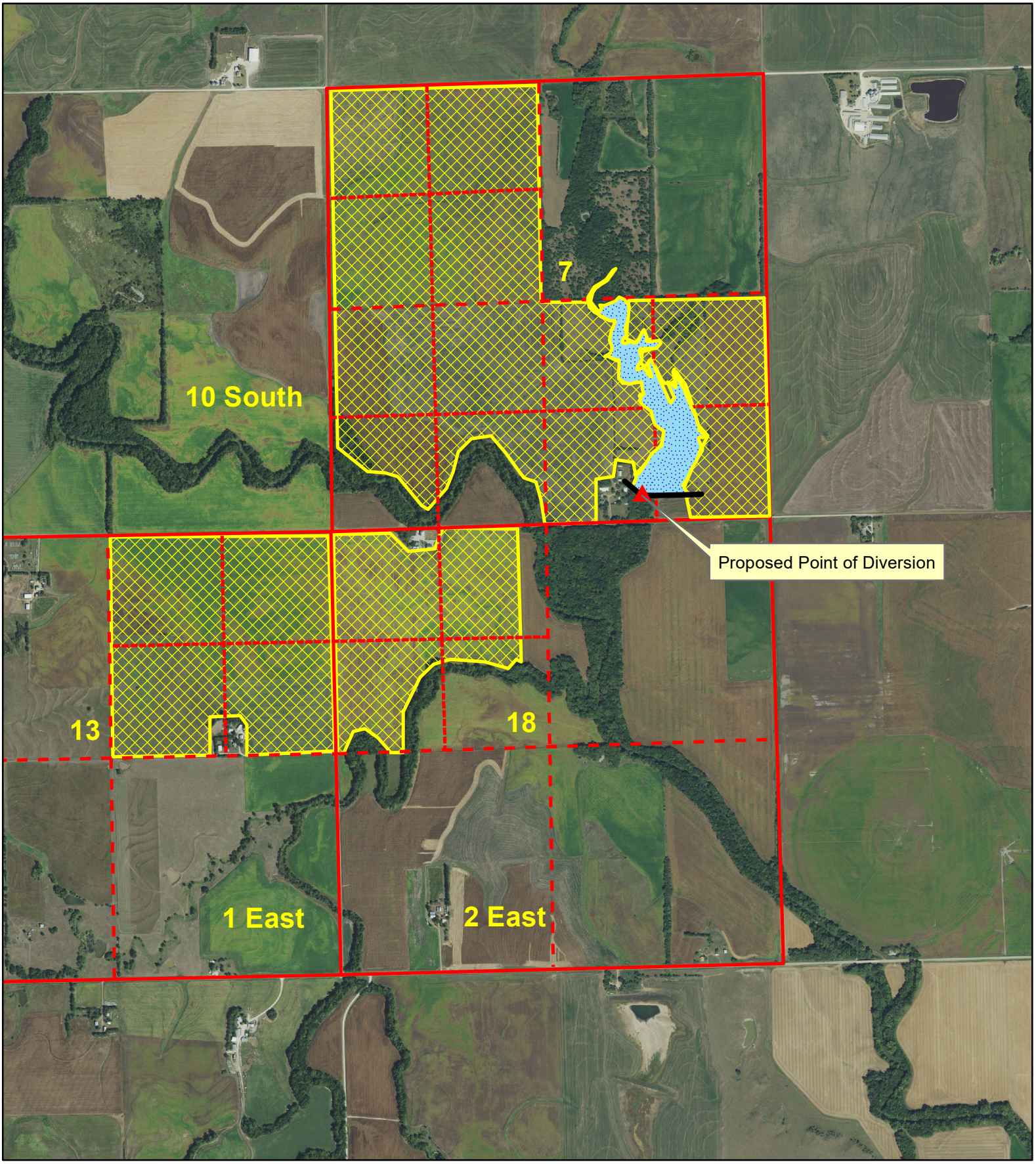
1:18,000

New Application

04/11/2023

Water Resources Received

KS Dept Of Agriculture



IRRIGATION USE
SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): **ALAN HEIGELE**

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: **PHILLIP F & JANET E HEIGELE TRUST**

ADDRESS: **686 4TH RD LONGFORD KS 67458**

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7	**10**	**2E**					**40**	**40**	**40**	**40**									**160**

Landowner of Record NAME: **ALAN P & SANDRA K HEIGELE**

ADDRESS: **720 5TH RD LONGFORD KS 67458-9331**

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7	**10**	**2E**									**40**	**40**	**20**	**17.5**					**117.5**
18	**10**	**2E**					**28**	**34**	**27**	**6**									**95**

Landowner of Record NAME: **HAYDEN A HEIGELE**

ADDRESS: **763 5TH RD LONGFORD KS 67458**

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7	**10**	**12E**													**35.5**	**31**	**30**	**27**	**123.5**

IRRIGATION USE
SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): **ALAN HEIGELE**

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: **LOUIS L & DOLORES F HEIGELE TRUST**

ADDRESS: **2008 NAVAJO RD 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	
13	**10**	**1E**	**40**	**40**	**38**	**36.5**													**154.5**

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	

PDFs
Mean Annual Precipitation
Soil Cover Complex

Mean Annual Precip, in	**31**
Soil Cover Complex No.	**77**
Drainage Area, acres	**1618**
Runoff at 20% Chance, AF	#####

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

%Chance Firm	Runoff, in	Comp. Runoff, in
50%	2.86	**2.86**
80%	0.86	**0.84**
90%	0.43	**0.44**
20%		**9.72**

Std. Dev. 90%	1.47
Std. Dev. 80%	1.43
Avg	1.45

Mean annual runoff for CN = 75, inches	4.33
Mean annual runoff for CN = 80, inches	5.35
Interp. Mean annual runoff for CN = 77, inches	4.74

DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 51007

APPLICANT PERSON ID & SEQ #		PDIV ID		BATTERY ID
68972		90262		

LANDOWNER PERSON ID & SEQ #		PUSE ID	
7315		71336	
68972		71337	
68973		71338	
68974		71339	
		71340	

WATER USE CORRESPONDENT PERSON ID & SEQ #	
68972	