

# 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.

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: **51066**

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

1. Name of Applicant: MURRFIELD FARMS  
Address: 22947 243RD ST  
City: MCCLOUTH State: KS Zip Code: 66054  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

2. The source of water is:  surface water in UNNAMED TRIBUTARY (stream)  
 groundwater in STRANGER CREEK (drainage basin)

3. The maximum annual quantity of water desired is 334  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 redirection. The maximum annual quantity of water desired to be  
rediverted is 250  acre-feet  gallons, at a rate of 1000  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.

7/5/2023  
KAnderson

**FOR OFFICE USE ONLY**  
FO 1 GMD \_\_\_\_\_ DUA \_\_\_\_\_ Use IRR Source S County LV By ALB Date 6/30/23  
Code RE3 Fee \$ 320 TR # PY00076062 Receipt Date 6/30/2023 Check # \_\_\_\_\_

7/5/2023  
LMoody

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

(A) One in the SE quarter of the SE quarter of the SE quarter of Section 10, more particularly described as being near a point 465 feet North and 100 feet West of the Southeast corner of said section, in Township 10 South, Range 20 E W, LEAVENWORTH 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: JULY 2024  
(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 JULY 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.

NONE

6/30/2023

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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 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 1/2 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 1/2 mile, please indicate that on the map.)

**For Surface Water Use**, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 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	_____	_____	_____	6/30/2023	_____
Total depth of well	_____	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____	_____

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13. The owner(s) of the point of diversion, if other than the applicant is:  
**WILLIAM LYNN & JOY ANNA MURR 22947 243RD ST MCCLOUTH KS 66054**  
\_\_\_\_\_  
(name, address, and phone)

\_\_\_\_\_  
(name, address, and phone)



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

**SEE IRRIGATION USE SUPPLEMENTAL SHEET**

KS Dept Of Agriculture

\_\_\_\_\_  
(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:

**SAME AS APPLICANT**

\_\_\_\_\_  
(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.

**Darcy Nightingale**

\_\_\_\_\_  
(Applicant Signature)

 Digitally signed by Darcy Nightingale  
Date: 2023.06.30 13:26:14 -05'00'

\_\_\_\_\_  
(Date)

**Darcy Nightingale**

\_\_\_\_\_  
(Applicant Name – please print)

\_\_\_\_\_  
(Applicant Title, if applicable – please print)

Assisted by **BRETT BUNGER**

TFO/ASST WATER COMM.

\_\_\_\_\_  
(office/title)

Date: **6-8-23**

## 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):

6/30/2023

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

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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  
DWR Water Appropriation Forms  
KGS Water Well Completion Records  
DWR Structures Program

<https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation>  
<https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-appropriation-forms>  
<https://www.kgs.ku.edu/Magellan/WaterWell/index.html>  
<https://agriculture.ks.gov/divisions-programs/dwr/dam-safety/permit-requirements>

6/30/2023

**IRRIGATION USE  
SUPPLEMENTAL SHEET**

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

KS Dept Of Agriculture

Name of Applicant (Please Print): MURRFIELD FARMS

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: WILLIAM LYNN & JOY ANNA MURR

ADDRESS: 22947 243<sup>RD</sup> ST MCCLOUTH KS 66054

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10	10	20E		24	40	40	2		26	33	40	36.5	24.5	40	34	39.5	33.5	23	436

**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	

6/30/2023

STORAGE QUANTITY CALCULATION

RESERVOIR CAPACITY = 124.9 AF

DIRECT USE QUANTITY = 250 AF

STORAGE QUANTITY = 334 AF

THE STORAGE QUANTITY IS BASED ON CALCULATED RUNOFF WHICH IS THE LIMITING FACTOR

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UPSTREAM AND DOWNSTREAM LANDOWNERS

Upstream –

#1) RANDALL S & PEGGY ANN ORGAN  
25588 STATE AVE  
TONGANOXIE KS 66086

#2) DAVID BARNCORD  
24820 DEHOFF DR  
TONGANOXIE KS 66086

Downstream –

#1) SHANNON W FELIX  
25078 FAIRMONT RD  
MCCLOUTH KS 66054

#2) NICHOLAS MCCARTY  
23008 207<sup>TH</sup> ST  
TONGANOXIE KS 66086

#3) DAVID WORKMAN  
22727 235<sup>TH</sup> ST  
LEAVENWORTH KS 66048

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<b>PDFs</b>
<a href="#">Mean Annual Precipitation</a>
<a href="#">Soil Cover Complex</a>

Mean Annual Precip, in	<b>39</b>
Soil Cover Complex No.	<b>77</b>
Drainage Area, acres	<b>216</b>
<b>Runoff at 20% Chance, AF</b>	<b>334.47</b>

**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%	1.32
Std. Dev. 80%	1.29
Avg	1.30

%Chance Firm	Runoff, in	Comp. Runoff, in
50%	6.20	<b>6.20</b>
80%	2.10	<b>2.07</b>
90%	1.14	<b>1.17</b>
20%		<b>18.58</b>

Mean annual runoff for CN = 75, inches	9.14
Mean annual runoff for CN = 80, inches	10.53
Interp. Mean annual runoff for CN = 77, inches	9.69



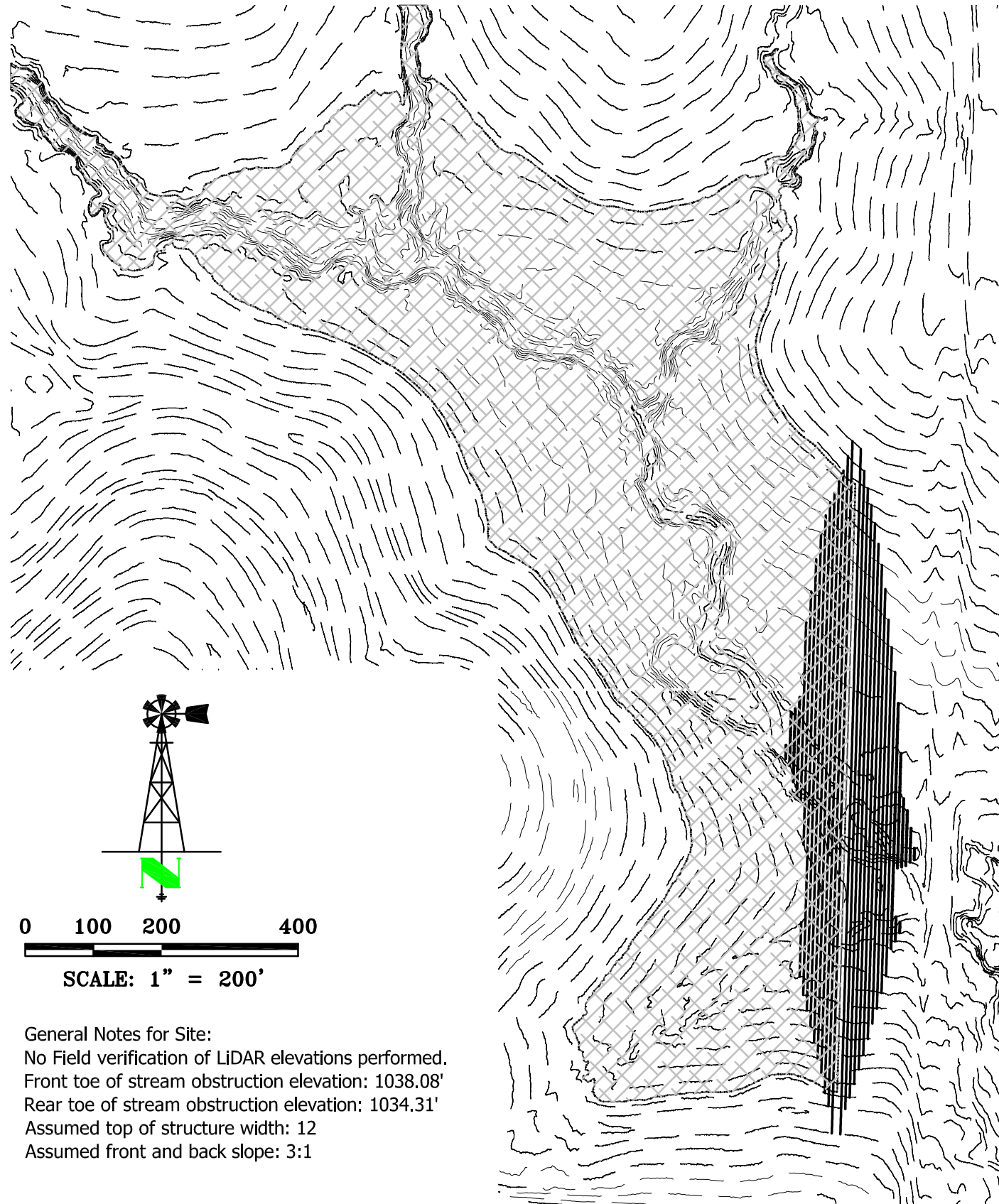
# TOPOGRAPHIC SURVEY

Compute Proposed Stream Obstruction Volume in the Southeast One-Quarter of Section 10, Township 10 South, Range 20 East of the Sixth Principal Meridian, Leavenworth County, Kansas

6/30/2023

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Embankment Height



Contour	Area	Inc Volume	Total Volume	Ac. Ft.	Embankment	Height
1037	-					
1038	228.47	114.24	114.235	0.0026		3.69
1039	4,111.93	2,170.20	2,284.435	0.0524		4.69
1040	7,968.48	6,040.21	8,324.640	0.1911		5.69
1041	13,523.07	10,745.78	19,070.415	0.4378		6.69
1042	20,171.79	16,847.43	35,917.845	0.8246		7.69
1043	28,549.66	24,360.73	60,278.570	1.3838		8.69
1044	36,969.65	32,759.66	93,038.225	2.1359		9.69
1045	45,313.35	41,141.50	134,179.725	3.0803		10.69
1046	56,403.61	50,858.48	185,038.205	4.2479		11.69
1047	68,731.10	62,567.36	247,605.560	5.6842		12.69
1048	85,443.39	77,087.25	324,692.805	7.4539		13.69
1049	107,329.77	96,386.58	421,079.385	9.6667		14.69
1050	128,866.04	118,097.91	539,177.290	12.3778		15.69
1051	152,811.24	140,838.64	680,015.930	15.6110		16.69
1052	180,580.48	166,695.86	846,711.790	19.4378		17.69
1053	211,770.42	196,175.45	1,042,887.240	23.9414		18.69
1054	244,485.71	228,128.07	1,271,015.305	29.1785		19.69
1055	279,695.24	262,090.48	1,533,105.780	35.1953		20.69
1056	319,416.12	299,555.68	1,832,661.460	42.0721		21.69
1057	360,500.25	339,958.19	2,172,619.645	49.8765		22.69
1058	403,798.85	382,149.55	2,554,769.195	58.6494		23.69
1059	448,570.45	426,184.65	2,980,953.845	68.4333		24.69
1060	494,629.90	471,600.18	3,452,554.020	79.2597		25.69
1061	543,275.42	518,952.66	3,971,506.680	91.1732		26.69
1062	598,670.04	570,972.73	4,542,479.410	104.2810		27.69
1063	659,520.27	629,095.16	5,171,574.565	118.7230	27,430	28.69
1063.1	670,653.22	66,508.67	5,238,083.239	120.2498		28.79
1063.2	677,218.48	67,393.59	5,305,476.825	121.7970		28.89
1063.3	683,725.37	68,047.19	5,373,524.017	123.3591		28.99
1063.4	690,419.40	68,707.24	5,442,231.256	124.9364		29.09
1063.5	697,068.34	69,374.39	5,511,605.643	126.5291		29.19
1063.6	704,178.54	70,062.34	5,581,667.986	128.1375		29.29
1063.7	711,166.49	70,767.25	5,652,435.238	129.7621		29.39
1063.8	718,096.83	71,463.17	5,723,898.404	131.4026		29.49
1063.9	724,938.13	72,151.75	5,796,050.152	133.0590		29.59
1064	731,521.78	72,823.00	5,868,873.148	134.7308	30,572	29.69
1065	799,778.31	765,650.05	6,634,523.193	152.3077	33,920	30.69
1066	865,944.74	832,861.53	7,467,384.718	171.4276	37,478	31.69
1067	936,551.99	901,248.37	8,368,633.083	192.1174	41,254	32.69
1068	1,007,874.05	972,213.02	9,340,846.103	214.4363	45,259	33.69

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

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

Stream Obstruction  
SE 1/4 Sec 10, T10S, R20E  
Leavenworth County, Kansas  
PREPARED FOR  
MWI - Murrfield Farms

SCALE	1"=200'
FIELD ON:	-
CHK. BY	MARCY
DWN. BY	BRENT
DATE:	12/22/22
SHEET	1 OF 2
JOB NO.	5262.141

General Notes for Site:  
No Field verification of LiDAR elevations performed.  
Front toe of stream obstruction elevation: 1038.08'  
Rear toe of stream obstruction elevation: 1034.31'  
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 \_\_\_\_\_.



top of structure elevation 1064  
emergency spillway elevation 1062  
primary spillway 1061



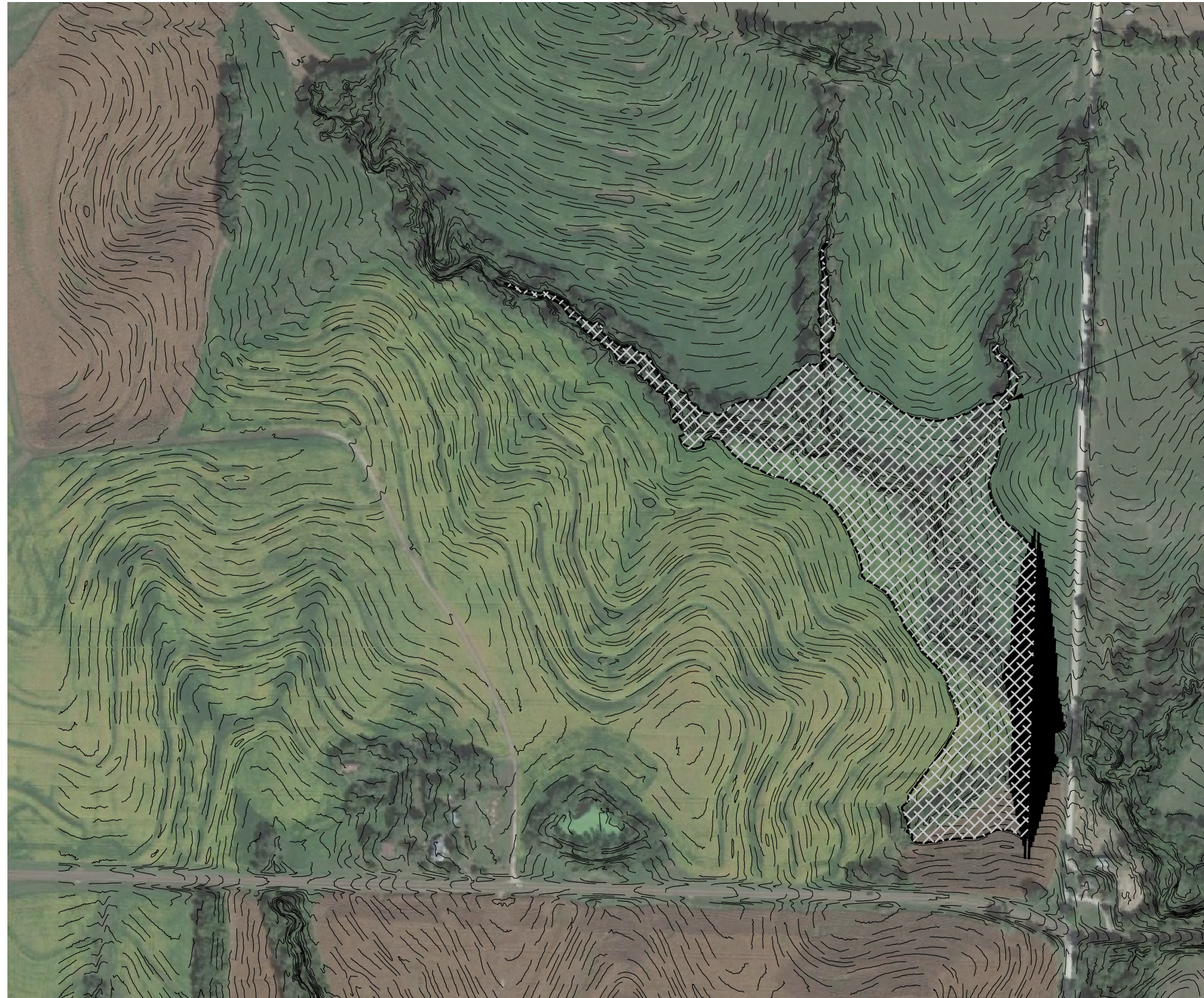
# TOPOGRAPHIC SURVEY

Compute Proposed Stream Obstruction Volume in the Southeast One-Quarter of Section 10, Township 10 South, Range 20 East of the Sixth Principal Meridian, Leavenworth County, Kansas

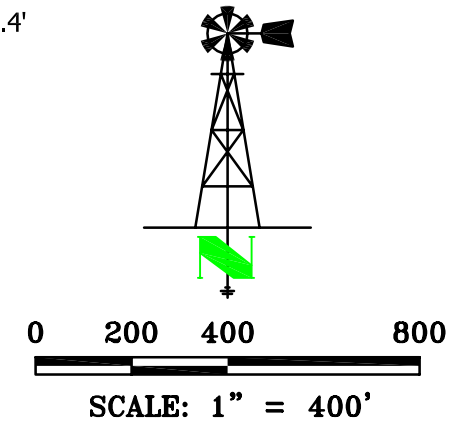
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Water Level at Elev: 1063.4'



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

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

Stream Obstruction  
SE 1/4 Sec 10, T10S, R20E  
Leavenworth County, Kansas  
PREPARED FOR  
MWI - Murrfield Farms

SCALE	1"=400'
FIELD ON:	-
CHK. BY	MARCY
DWN. BY	BRENT
DATE:	12/22/22
SHEET 2 OF 2	
JOB NO. 5262.141	



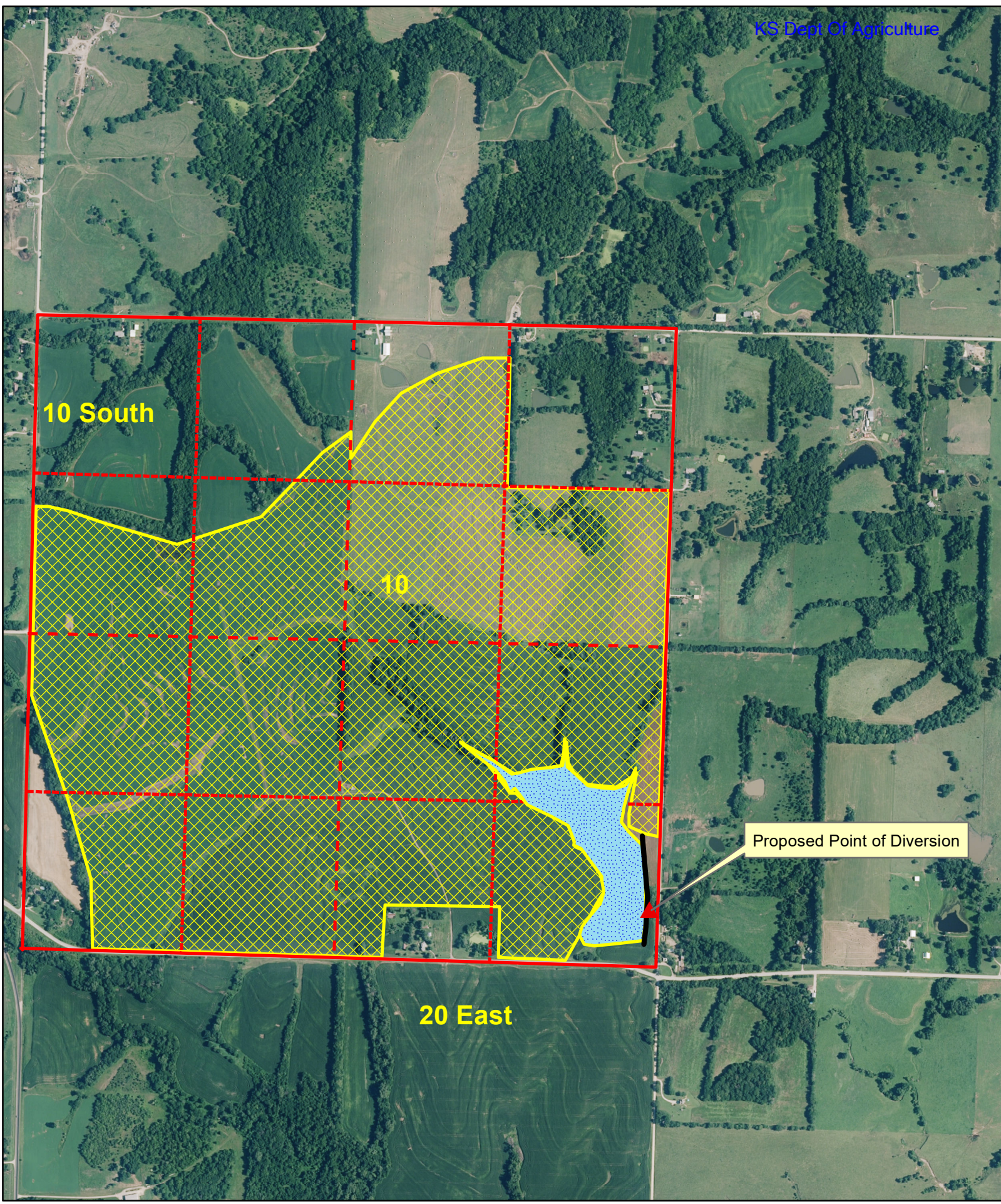
# New Application

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1:12,000

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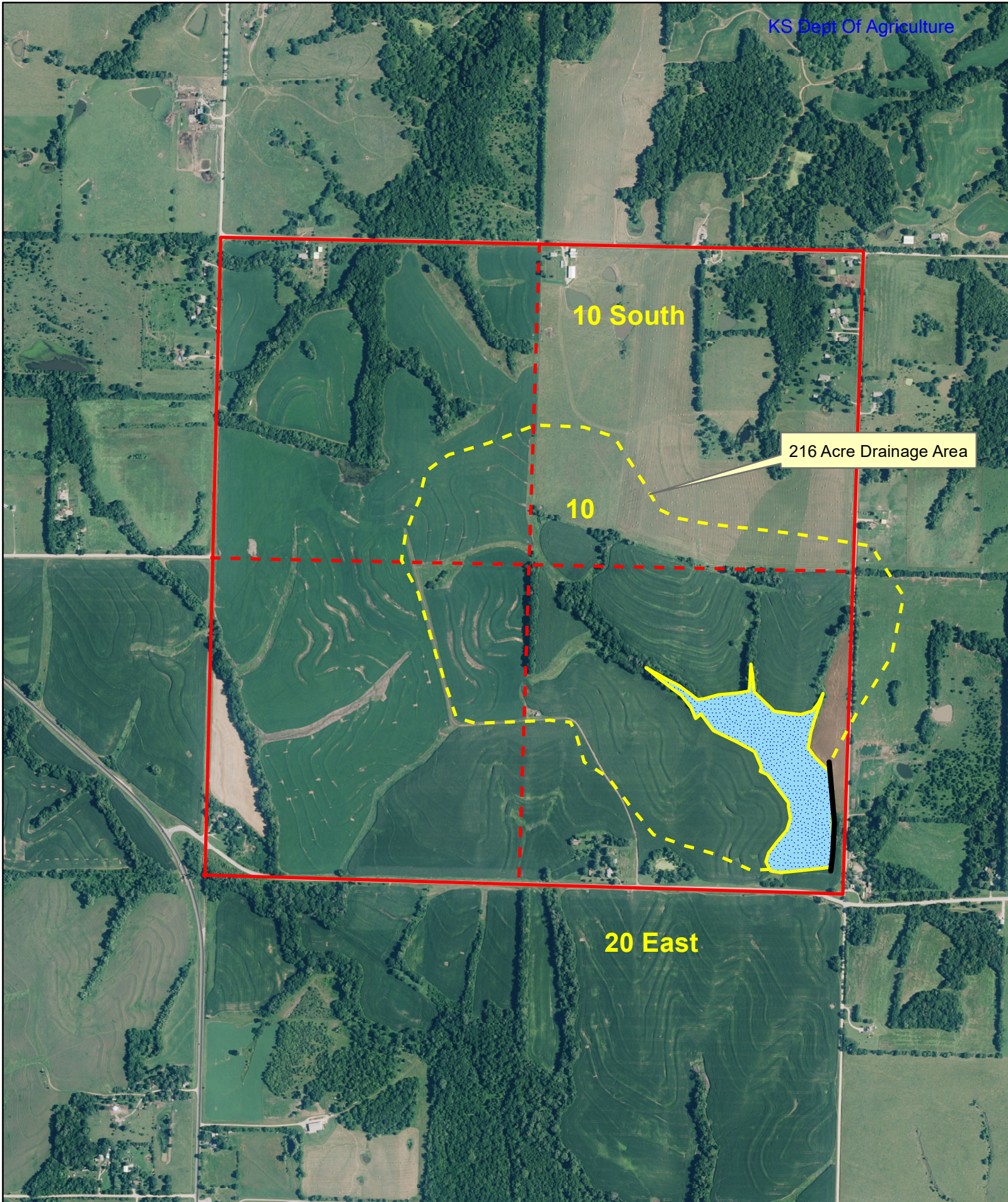
1:12,000

# Murrfield App Drainage Area

6/30/2023

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**DATA ENTRY SYSTEM ID NUMBER SHEET**

FILE NUMBER **51066**

APPLICANT PERSON ID & SEQ #		PDIV ID	BATTERY ID
<b>69073</b> <b>1</b>		<b>90435</b>	
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

LANDOWNER PERSON ID & SEQ #		PUSE ID	
<b>69074</b> <b>1</b>		<b>71460</b>	
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

WATER USE CORRESPONDENT  
PERSON ID & SEQ #  
**69073**

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