

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, Kansas 66502
 http://agriculture.ks.gov/dwr

**APPLICATION FOR TERM PERMIT TO
 ESTABLISH A MULTI-YEAR FLEX ACCOUNT**

(GROUNDWATER ONLY)

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 MAR 01 2021
 1:19



State of Kansas

STATUTORY FILING FEE OF \$400.00 MUST ACCOMPANY THIS APPLICATION
 (Make check payable to the Kansas Department of Agriculture)

Multi-Year Flex Accounts (also known as "MYFAs") allow for water management and improved conservation via a term permit for five years of flexible water planning. At the conclusion of the five years, a return to the authorizations under the base water right(s) is automatic. The MYFA program usually can be continued for an additional five-year term, however, by applying for another MYFA term permit when the previous term permit has expired.

Please note that basic requirements under state laws still exist. A list of legal requirements and recommended management practices is part of this application, as "Attachment A". The terms of this application and the requirements of its Attachment A will be incorporated as conditions of any approved MYFA application and term permit, unless otherwise stated in the approval order.

MYFA Term Permit File No. 20227001 (to be completed by DWR staff)

1. Application is hereby made for approval of the Chief Engineer to establish a Multi-Year Flex Account for a point of diversion authorized under (base water right(s) must be certified) File No(s). 32168-00

Note that during the period of the MYFA, the base water right(s) is suspended and may be exercised only under the specific conditions described in K.A.R. 5-16-7.

Note also that multiple base water rights that have an exact overlap in both point of diversion and place of use must all be included on a single MYFA term permit.

2. Name and address of applicant: Mark Rinehart
3601 Redmont Trace, Edmond, OK 73034 Phone Number: (405) 531-7121
 E-mail Address: mrine3601@gmail.com Agent Owner Tenant (circle one)

3. Name and address of water use correspondent: Same as Applicant
 Phone Number: ()
 E-mail Address: _____

4. The proposed place of use under this Multi-Year Flex Account is: Same as base water right(s)**
 Owner of Land --- NAME: Mark Rinehart
 ADDRESS: 3601 Redmont Trace, Edmond, OK 73034
 (If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		

Owner of Land --- NAME: _____
 ADDRESS: _____
 (If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		

**The proposed Place of Use shall include any and only acreage that is currently authorized under the base water right(s). Checking this box signifies that the proposed place of use for the MYFA is identical to the base water right(s) and thus completion of this table is not required.

For Office Use Only: **3**
 F.O. **4** GMD **TPF** Meets K.A.R. 5-3-1 (YES / NO) Use **IRR** County **SW** By **BMM** Date **3/1/21**
 Code **TPF** Fee \$ **400** TR # _____ Receipt Date **3.1.21** Check # **9064**

Needing Attachment A

**3/1/2021
 BMM**

**3/4/2021
 LMoody**

5. The point of diversion authorized by base Water Right, File No(s). 32168, and subject to this application, is as follows:
 One well or the geographic center of a battery of wells, located in the SE Quarter of the SE Quarter of the NE Quarter of Section 4, more particularly described as being near a point 2740 feet North and 375 West of the Southeast Quarter of said section, in Township 32 South, Range 33 East/West (circle one) in Seward County, Kansas.
6. All beneficial uses of water authorized under the base water right(s) shall be authorized by a Multi-Year Flex Account term permit. If the base water right(s) pertaining to this MYFA authorizes more than one type of use, specify the type of use to be authorized under this specific MYFA term permit (i.e., irrigation, stockwatering, etc.).
Irrigation.
7. The Rate of Diversion for the point of diversion to be authorized by this application is not to exceed 910 g.p.m. or c.f.s. The rate of diversion cannot exceed the authorized rate of diversion for the point of diversion described under Paragraph No. 5 above.
8. The quantity of water deposited in the Multi-Year Flex Account shall not exceed the greatest of the following computations. Furthermore, the final authorized quantity will be determined by Division of Water Resources staff based on a review of base water right(s) documentation and may differ from these computations if an error was made (if the quantity is proposed to be reduced, you will be informed and provided an opportunity to withdraw this application).

Water Use Data (NOT to exceed authorized quantity) (AF or MGY)		Reported acres lawfully irrigated:	
2000	285	2000	250
2001	285	2001	250
2002	283	2002	250
2003	281	2003	250
2004	284	2004	250
2005	245	2005	250
2006	285	2006	250
2007	285	2007	250
2008	285	2008	250
2009	285	2009	250

8a. Average Use Calculation	8b. NIR Calculation
Average Water Use <u>280</u> AF/MGY	Highest number of acres irrigated <u>250</u> X
Average Water Use <u>280</u> X 5 years = <u>1401</u> AF/MGY	<u>250</u> 50% NIR (per K.A.R. 5-5-12) in <u>Seward</u> County, KS: <u>14.5</u> X 5 years X 110% = <u>1661</u> AF/MGY
8c. Base Water Right Annual Authorized Quantity = <u>285</u> AF/MGY Five Times Authorized Quantity = <u>1425</u> AF/MGY	
8d. Big Bend GMD#5 End Gun Removal Alternative Calculation (only applicable to base water right(s) within GMD#5) Authorized Quantity _____ AF/MGY X 90% X 5 years = _____ AF/MGY	
<input type="checkbox"/> An approved, signed affidavit verifying that the end gun was removed must be submitted with this MYFA application to qualify for this calculation.	

- Add any applicable MYFA carryover quantity of _____ AF, providing a remaining total of _____ AF. MYFA carryover is only available when a new MYFA application is being filed during the calendar year in which an existing MYFA expires. The proposed carryover quantity may not exceed the base average usage as computed in 8a AND the proposed MYFA quantity may not exceed the annual authorized quantity of the base water right multiplied by 5.

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Subtract any applicable penalty, overage, or reduction in quantity of _____ AF, providing a remaining total of _____ AF. The proposed MYFA quantity may not exceed the annual authorized quantity of the base water right multiplied by 5.

9. The authorized quantity under this proposed Multi-Year Flex Account is not to exceed 1425 AF to be diverted during a period of five (5) consecutive calendar years beginning January 1, 2022 and ending December 31, 2026.

A MYFA application must be filed with the Chief Engineer on or before October 1 of the first year of the MYFA term for which the application is being made.

10. By signing below as the owner or a duly authorized agent of the owner of the base water right(s), I understand that if this application is approved, a term permit will be issued for a period of not more nor less than five (5) consecutive calendar years and that this term permit will suspend the appropriation of water under the Certificate(s) of Appropriation for Beneficial Use of Water or the Vested Right(s) that is used as the base water right(s) for this MYFA, for the effective period of this MYFA. Such term permit will be subject to state law and applicable rules and regulations, including any applicable groundwater management district regulations. (See Attachment A.)

11. As owner/authorized agent regarding this application, I agree to supply, upon request, any additional documentation necessary to support DWR's review of this application. I understand that failure to provide all necessary documentation in support of this proposed MYFA will result in the dismissal of this application. Further, I understand that such dismissal will result in the loss of the application filing fee, but shall not limit the applicant's standing to file subsequent MYFA term-permit applications on this base water right(s) or other base water right(s).

12. I declare that I am the owner of the base water right(s) identified herein, or that I am the representative of the same and I am authorized to make this application in such owner's behalf, and I declare further that the information provided herein is true, correct, and complete to the best of my knowledge.

13. By signing below, I acknowledge that during the period authorized pursuant to the Multi-Year Flex Account, all conditions thereof are binding upon all owners, heirs, successors, assignees, or lessees of the base water right(s).

NOTE: To be accepted for filing, this application must be signed by at least one owner of the base water right(s) or an authorized representative of same. Before the MYFA can be established and the term permit approved, however, all of the owners of the base water right(s), or their respective authorized representatives, must verify under oath or affirmation that the statements herein are true and complete. If an individual owner is married, the spouse must also sign. Please indicate if there is no spouse. If a water right is being purchased under contract, either by itself or as part of a land transaction, then the seller must sign as owner of the water right until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may, as necessary, sign separate copies of this application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of this application.

If this application is signed on behalf of any owner by someone with legal authority to do so (e.g., an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

Dated at Logan County Oklahoma, 24th day of February, 2021.

Mark Riechart

(Owner) Signature

Carol Riechart

(Spouse) Signature

Mark Riechart

(Owner) Print

Carol Riechart

(Spouse) Print

(Owner) Signature

(Spouse) Signature

(Owner) Print

(Spouse) Print

State of Oklahoma)
Kansas)
County of Logan) SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 24th day of February, 2021.

Brandi Gaudin

Notary Public

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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

March 3, 2021

MARK RINEHART
3601 REDMONT TRACE
EDMOND OK 73034

RE: Application, File No(s). **20227001**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) for a permit to appropriate water for beneficial use. Your application(s) has been assigned the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any other questions, please contact our office at 785-564-6640 or your local Garden City Field Office at 620-276-2901. *Garden City Field Office at 620-276-2901.* If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Kris Neuhauser". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kris Neuhauser
New Applications Lead
Water Appropriation Program

DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 20227001-MF

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
34915	17272	

LANDOWNER PERSON ID & SEQ #	PUSE ID
34915	26553

WATER USE CORRESPONDENT PERSON ID & SEQ #
34915