

# 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  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 50171  
This item to be completed by the Division of Water Resources.

Water Resources  
Received

NOV 29 2018

11:36

KS Dept Of Agriculture

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.)

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): MARK LAWLESS  
Address: 514 N SUMNER, P.O. Box 515  
City: BELLE PLAINS State KS Zip Code 67013  
Telephone Number: (316) 617-3126

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Minnescah (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 692.9 acre-feet OR \_\_\_\_\_ gallons per calendar year,  
to be diverted at a maximum rate of 800 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)  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. 2 GMD 0 Meets K.A.R. 5-3-1 (YES / NO) Use IRR Source G/S County SU By DAW Date 11/29/18  
Code RE.3 Fee \$ 380 TR # \_\_\_\_\_ Receipt Date 11/29/18 Check # 9249

DWR 1-100 (Revised 06/16/2014) <sup>pd</sup> \$400

12/4/2018  
um

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 SW quarter of the SW quarter of the SW quarter of Section 24, more particularly described as being near a point 50 feet North and 5050 feet West of the Southeast corner of said section, in Township 31 South, Range 1 (East) West (circle one), SUMNER County, Kansas.
- (B) One in the SW quarter of the SW quarter of the SW quarter of Section 24, more particularly described as being near a point 380 feet North and 5265 feet West of the Southeast corner of said section, in Township 31 South, Range 1 (East) West (circle one), SUMNER County, Kansas.
- (C) One in the SW quarter of the SW quarter of the SW quarter of Section 24, more particularly described as being near a point 150 feet North and 5252 feet West of the Southeast corner of said section, in Township 31 South, Range 1 (East) West (circle one), SUMNER County, Kansas.
- (D) One in the SW quarter of the SW quarter of the SW quarter of Section 24, more particularly described as being near a point 240 feet North and 5100 feet West of the Southeast corner of said section, in Township 31 South, Range 1 (East) West (circle one), SUMNER 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):

\_\_\_\_\_  
 (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 11/26, 2018. [Signature]  
 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 4 wells  
 (number of wells, pumps or dams, etc.)  
 and (was)(will be) completed (by) ASAP  
 (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 4-10-19  
 (Mo/Day/Year)

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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.

Water Right Numbers that covers the same  
place of use 46,205, 47040 and also 47,613 and 49,257  
THANKS

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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	<u>11/26/18</u>	_____	_____	_____
Total depth of well	<u>46'</u>	_____	_____	_____
Depth to water bearing formation	<u>19'</u>	_____	_____	_____
Depth to static water level	<u>19'</u>	_____	_____	_____
Depth to bottom of pump intake pipe	<u>45'</u>	_____	_____	_____

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):

\_\_\_\_\_  
(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 Belle Plaine, Kansas, this 26 day of November, 2018.  
(month) (year)

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

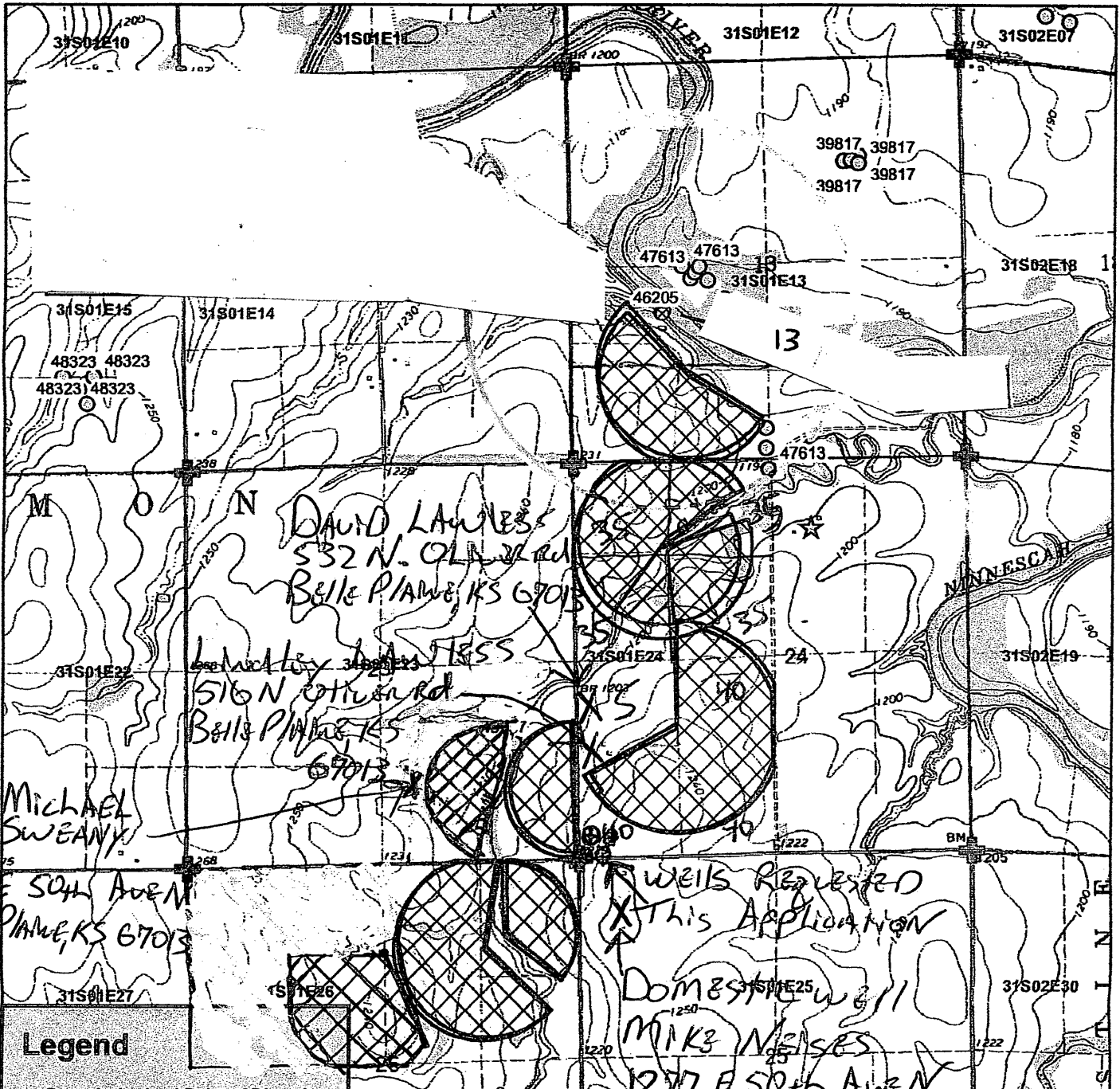
By \_\_\_\_\_  
(Agent or Officer Signature)

\_\_\_\_\_  
(Agent or Officer - Please Print)

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

Water Resources  
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**NOV 29 2018**  
KS Dept Of Agriculture

50171

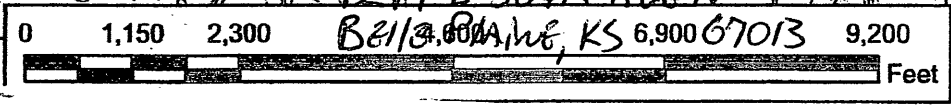


**Legend**

- ⊗ Authorized Point of Diversion
- Water Appropriations
- ⊕ Section Corner
- ▭ Section Line
- ☆ Domestic Well
- ▭ 1/2 Mile Buffer

**Place of Use**

- ▨ Authorized
- ▧ Proposed



*David Lawless*

N  
W  
E  
S

To the best of my knowledge, all water wells including domestic wells within 1/2 mile of the authorized point of diversion have been shown.

*David Lawless*

NOV 29 2018

**IRRIGATION USE  
SUPPLEMENTAL SHEET**

File No. 50171

Name of Applicant (Please Print): MARK LAWLESS

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: MARK LAWLESS  
ADDRESS: P.O. Box 515, Belle Plaine, KS 67013

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	31s	1E											1	14	25	25					65	
24	31s	1E					35	35	35	35	40	5	40	40								265
23	31s	1E															9	14	6	23		52
26	31s	1E	28	33	39	18				33												151

46205 (NE only)  
← 49257

Landowner of Record <sup>16</sup> NAME: 33 <sup>14</sup>  
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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2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %	_____	_____

b. Estimate the average land slope in the field(s): 1 to 2 %

Estimate the maximum land slope in the field(s): \_\_\_\_\_ %

c. Type of irrigation system you propose to use (check one):

- Center pivot                       Center pivot - LEPA                       "Big gun" sprinkler
- Gravity system (furrows)                       Gravity system (borders)                       Sideroll sprinkler

Other, please describe: \_\_\_\_\_

d. System design features:

i. Describe how you will control tailwater:

No tailwater

ii. For sprinkler systems:

- (1) Estimate the operating pressure at the distribution system: 35 psi
- (2) What is the sprinkler package design rate? 800 gpm
- (3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? 68 feet
- (4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

Corn, Soybeans, Cotton, wheat, Milo, Alfalfa

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

Plan to irrigate by soil water holding capacity and crop needs.

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

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 KS Dept Of Agriculture



Nov 27, 2018  
(Date)

Kansas Department of Agriculture  
Division of Water Resources  
David W. Barfield, Chief Engineer  
1320 Research Park Drive  
Manhattan, Kansas 66502

Re: Application  
File No. 50171

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also 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. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

[Handwritten Signature]  
Signature of Applicant

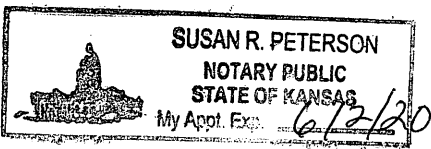
MARK LAWLESS  
(Print Applicant's Name)

State of Kansas )  
County of Sumner ) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 27th day of November, 2018.

[Handwritten Signature: Susan R Peterson]  
Notary Public

My Commission Expires:



Water Resources  
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IRRIGATION TEST WELL

50171

Driller & Assistant: Logan, Tom, Tucker

Date: 11-20-18

CUSTOMER: Mark Lawless P.O. Box 515 Belle Plaine, KS 67013

LOCATION:

- |  |                                       |  |   |
|--|---------------------------------------|--|---|
| <input type="checkbox"/> Screen 2-1/2"     | <input type="checkbox"/> Holeplug     | <input type="checkbox"/> Gas & Oil - W.T.  | <input type="checkbox"/> 6" or 5" Liner if needed |
| <input type="checkbox"/> Casing 2-1/2"     | <input type="checkbox"/> Quarters     | <input type="checkbox"/> 3/4" Polyethylene | <input type="checkbox"/> Solvent & Glue           |
| <input type="checkbox"/> Couplings, 2-1/2" | <input type="checkbox"/> Water        | <input type="checkbox"/> 2-1/2" PVC Tee    | <input type="checkbox"/> Water Sample Bottle      |
| <input type="checkbox"/> End Caps, 2-1/2"  | <input type="checkbox"/> Lime         | <input type="checkbox"/> 5" & 6" Bits      | <input type="checkbox"/> Inspection Sheet         |
| <input type="checkbox"/> Gravel Pack       | <input type="checkbox"/> Drilling Mud | <input type="checkbox"/> Packing           |   |

Depth:	Formation:	Well Information:
0-3	TOP SOIL	Static Water Level: 19'
3-25	Reddish clay	Est. Production: 100-150
25-40	Fine-medium sand	Casing Size/Depth: Not Cased
40-55	gray shale	
		Screen Size/Depth: _____
		Slot Size: _____
		Grouting Depth: 0-55
		Number of Bags: 2
		Nearest Contamination:
		Notes: none

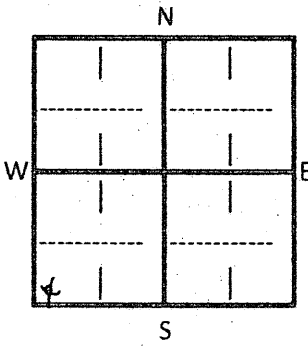
Directions:

Latitude: 37.33412	N decimal degrees (ex. 38.881796)
Longitude: -97.27553	W decimal degrees (ex. 95.373889)

Datum:  NAD27  NAD83  WGS84

Elevation: 1241 ft.

SW 1/4	SW 1/4	SW 1/4	SW 1/4
Sec. 24	T 31	R 1	<del>E 1</del>
County Sumner			



\$	/ft. Well
\$	/Grout
\$	/Test Pumping
\$	/Water Sample
\$	/Mobilization/Travel
\$	/Discount

Contract Received: \_\_\_\_\_

Invoice #: \_\_\_\_\_

Date Mailed: \_\_\_\_\_

Well Data: \_\_\_\_\_ Access: \_\_\_\_\_ Water Resources  
 Materials: \_\_\_\_\_ Incent: \_\_\_\_\_ Received

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Place of Use									
WR ID:	57042	Right Type:	Appropriated Water Right	Vested County:		WR Num:	ZE005	WR Quat:	00
PUSE ID:	57042	Section:	13	Twp:	21	Twp Dir:	S	Range:	1
						Rng Dir:	E	ID:	2
Total Acres Authorized:		57.00		Total New Acres:		57.00			
Irrigated Acres									
Qtr-Qtr	Qtr	Active?	Acres Authorized	New Acres Authorized					
NW	NE	Y							
NW	NE	Y							
SW	NE	Y							
SE	NE	Y							
NE	NW	Y							
NW	NW	Y							
SW	NW	Y							
SE	NW	Y							
NE	SW	Y	50	50					
NW	SW	Y	9.00	9.00					
SW	SW	Y	23.00	23.00					
SE	SW	Y	24.50	24.50					
NE	SE	Y							
NW	SE	Y							
SW	SE	Y							
SE	SE	Y							

Reserved from WR  
 PIU 57042  
 Section 13

8/ Update to Request Acres

Place of Use:  PDUSE ID: 57043 Section: 24 Range: S-1-W-1  
WR ID: 58858 Right Type: Agricultural Water Right Vetoed County: WY WR Num: 45205 WR Quat: B  
Total Acres Authorized: 127.50  Total New Acres: 149.02

Requested Acres

Quadrant	Acres Authorized	New Acres Authorized
NE		
NW		
SE		
SW		
NE	21.50	21.50
NW	34.50	34.50
SE	26.00	26.00
SW	26.00	26.00
NE	3.00	3.00
NW	20.00	20.00
SE	23.00	23.00
SW		
NE		
NW		
SE		
SW		

P/U 57043

Section 24

Section 23

R/V 67682

File of List	Right Type	Right	Section	Section	Imp	Imp	Imp	Imp	Imp	Imp	Imp	Imp
57082			23									
W/R Num	2057		W/R Date	20								
Total Acres Authorized	26.00											
Total New Acres	26.00											

Dir	QTY	Actual	Acres Authorized	New Acres Authorized
NE	1/4		6.00	6.00
SE	1/4		4.50	4.50
NW	1/4		9.00	9.00
SW	1/4		5.70	5.70

Calculate Impaired Acres											
Pick of Unit											
WR ID: 00000		Appropriation: Water Right		Vegeted County:		WR Item: 45705		WR Quar: D		WR Item ID:	
Project: B1446		Section: 23		Type: B1		Range: S		Ring Dr:		Total New Acres:	
Total Acres Authorized: 30.00										33.00	
Impaired Acres											
Qtr	Active?	Acres Authorized		New Acres Authorized							
NE	Y										
NW	Y										
SE	Y										
SW	Y										
NE	Y										
NW	Y										
SE	Y										
SW	Y										
NE	Y										
NW	Y										
SE	Y										
SW	Y										
NE	Y										
NW	Y										
SE	Y										
SW	Y										
SE	Y										
										6.50	23.50

P/U 61446

Section 23



Update Impaired Acres  
 Price of Ups: \_\_\_\_\_  
 WFI ID: 67083  
 PROSE ID: 67083  
 Section: 26  
 Imp: E1  
 Imp Dir: S  
 Range: 1  
 Right Type: Anticipated Water Right  
 Yeared County: \_\_\_\_\_  
 WFI Num: 4527  
 WFI Quat: 33  
 Total Acres Authorized: 63.00  
 Total New Acres: 63.00

Qtr	Active?	Acres Authorized	New Acres Authorized
NE	Y		
NW	Y	15.00	15.00
SE	Y	1.00	1.00
SW	Y		
NE	Y		
NW	Y		
SE	Y	30.00	30.00
SW	Y		
NE	Y		
NW	Y		
SE	Y	14.00	14.00
SW	Y		
SE	Y		

P/U 67083

Section 26





STATE OF KANSAS



DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777

900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE  
November 30, 2018

MARK E LAWLESS  
PO BOX 515  
BELLE PLAINE KS 67013

RE: Appropriation of Water  
File No. 50,171

Dear Mr. Lawless:

We are in receipt of your Application for Approval of Application and Permit to Proceed on November 29, 2018, accompanied by \$400.00 check number 9249.

Upon examining the application, and the amount of water requested, we find you have submitted \$20.00 too much. A refund will be processed and returned to you in a few weeks.

If you have any questions, please contact me at (785) 564-6645. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Brent A. Turney P.G.  
Change Application Unit Supervisor  
Water Appropriation Program

BAT  
Enclosure  
pc: Stafford Field Office

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

December 4, 2018

MARK LAWLESS  
PO BOX 515  
BELLE PLAINE, KS 67013

RE: Application, File No. **50171**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application for a permit to appropriate water for beneficial use. Your application has been assigned the file number 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 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 is unlawful.

Additional information about the process may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any other questions, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Brent A. Tourney".

Brent Tourney, L.G.  
Change Applications Unit Supervisor  
Water Appropriation Program