

# 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**

GROUNDWATER  
 SURFACE WATER  
 (check one)

Water Resources  
 Received

DEC 26 2019  
 11:03

KS Dept Of Agriculture



State of Kansas

**STATUTORY FILING FEE MUST ACCOMPANY THIS APPLICATION**

(Make check payable to the Kansas Department of Agriculture)

20199083

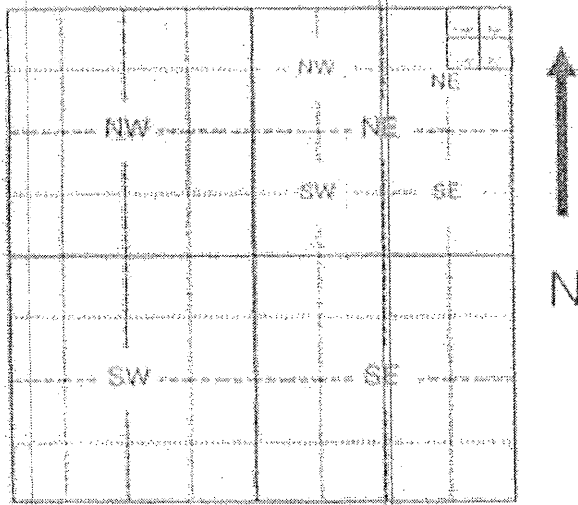
1. Applicant: (Please print or type)  
 Name PERRY M SMITH MD & JEFFREY E BROZEK MD  
 Street 1309 POLK ST  
 City and State GREAT BEND, KS  
 Zip Code 67530 Telephone No. ( ) \_\_\_\_\_  
 E-Mail Address \_\_\_\_\_  
 Social Security I.D. No. \_\_\_\_\_  
 and/or Taxpayer I.D. No. \_\_\_\_\_

2. Location of Point of Diversion:  
 Sec. 29, Twp. 19S, Rng. 13, W,  
Barton County, Kansas.  
 Distance from Southeast Corner of Section:  
970 feet North from Southeast Corner  
3541 feet West from Southeast Corner

NOTE: If point of diversion is not site specific (i.e. groundwater pit) show the approximate geographic center.

3. Water Use Data:  
 Proposed Max. Pumping Rate (gpm) 100  
 Amount Requested (acre-feet) 161.3  
 per calendar year  
 Depth of Well (feet) \_\_\_\_\_  
 Date (completed) (will be completed) \_\_\_\_\_  
 Drainage Basin Walnut creek

Name of Stream ---



Assisted by MJM/SFFO

4. Water is to be used for (briefly describe proposed use and explain the rate and quantity requested):

Water to be used for dewatering  
See attached sheet for justification of quantity

5. Location of place of use:  
SW 1/4 of Sec 29 Township 19S Range 13 West  
Barton County

6. Period of use:  
 Commencing date: 1/23/2020  
 Ending Date: 1/23/2029 Also enter on Item 12 1/22/25

If off-stream pit, check here .  
 Will pit floor intersect water table? Yes  No  **3/9/2020**  
**ELM**

7. Location of the proposed point of diversion and those of other water users within 1/2 mile shall be indicated on the diagram to the lower-left, scale 1 inch = 2,000 feet. If surface water, indicate on the diagram the course of the stream, and its name. List other D.W.R. permit numbers that cover the requested point(s) of diversion or place of use here:

**12/30/19: Still unable to associate a P/U with DEW permit. Will enter as soon as I am able. ELM**

1. The filing fee for an application is based on the maximum amount of water use proposed within a year. Except for storage, the fee is:

Acre-feet	Fee
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00

plus \$20 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, is:

Acre-feet	Fee
0-250	\$200.00
More than 250	\$200.00

plus \$20.00 for each additional 250 acre-feet of storage 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 a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

4. A request for an extension of time to extend the term of a term permit shall be accompanied by a fee of \$100.00.

5. There is a separate application form for domestic use. Do not use this form for domestic use.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons  
 1 million gallons equal 3.07 acre-feet

**12/30/2019**  
**L Moody**

For Office Use Only:  
 F.O. 2 GMD 5 Meets K.A.R. 5-3-1 (YES/NO) Use DEW Source G/S County BT By KAB Date 12/26/19  
 Code TRA Fee \$ 300 TR # \_\_\_\_\_ Receipt Date 12/26/19 Check # 2325

8. For groundwater use, list below all wells within 1/2 mile of the proposed well, and plot locations upon the diagram on reverse side. If additional space is needed, attach a map.

Other wells -

Well A Owner(s): \_\_\_\_\_  
Address: \_\_\_\_\_

Well B Owner(s): \_\_\_\_\_  
Address: \_\_\_\_\_

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9. For surface water use, list below the names and addresses of all landowners from a point 1/2 mile upstream to a point 1/2 mile downstream of the tract of land upon which the point of diversion is located. If additional space is needed, attach sheet.

Tract A Owner(s): \_\_\_\_\_  
Address: \_\_\_\_\_

Tract B Owner(s): \_\_\_\_\_  
Address: \_\_\_\_\_

10. The owner of the point of diversion, if other than the applicant is (please print):

\_\_\_\_\_  
(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 12-19, 2019. Perry M. Smith  
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.

- 11. The applicant states that the information set hereon is true and accurate to the best of his/her knowledge.
- 12. The applicant agrees to waive any right to a hearing on the matter of abandonment of this appropriation right and further agrees that this appropriation right may be dismissed and terminated upon completion of the proposed project, said dismissal date to be on January 23, 2029 or within any extension of time authorized by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.
- 13. The applicant agrees to provide water to nearby water users, at no charge to said users, should their rights to use water become impaired by the project proposed by this application.
- 14. Water use contact person (in event emergency contact is needed):

Name: \_\_\_\_\_ Telephone No. (620) 792 5341

Perry M. Smith \_\_\_\_\_  
Signature of Applicant or Authorized Representative 11/10/19  
Date

Perry M. Smith, MD \_\_\_\_\_  
Applicant's Name Printed Title

**DO NOT WRITE BELOW THIS LINE**

**CONDITIONS OF APPROVAL:**

The applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined. Accurate and complete records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date, shall cause the applicant to be subject to a civil penalty.

The use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

The Chief Engineer specifically retains jurisdiction in this matter with authority to make such reasonable reductions in the approved rate of diversion and quantity authorized, and such changes in other terms, conditions, and limitation set forth in this approval and permit to proceed as may be deemed to be in the public interest.

Requesting 10-year term permit but would be willing to cut down to 5-year term if needed. Term permit needed for dewatering. Well currently covered by Temp Permit 20190210. Have an elevator shaft that fills up with water on a pretty constant basis even with the dewatering well going. The bottom of the shaft is 5' below their basement.

Pumping Rate: 100 GPM

Currently running 24 hours a day 7 days a week for dewatering.

Estimated Quantity:

$100\text{gpm} \times 60 = 600\text{g an hour} \times 24 = 144,000\text{g a day} \times 365 = 52,560,000\text{g or } 161.3\text{AF a year}$

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**DEC 26 2019**

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[External] RE: dewatering well

Baum, Kristen [KDA] <Kristen.Baum@ks.gov>

Thu 12/19/2019 11:32 AM

To: Jennifer Glynn <jglynn2@kumc.edu>

Cc: Anderson, Katie [KDA] <Katie.Anderson@ks.gov>

Hi Jenny,

There's one more place on the application where we need a signature – on the 2<sup>nd</sup> page under #10. Otherwise, we would just need the filing fee. You are welcome to send us a scanned copy and pay with a card over the phone. If you would like to do so, please include the name and a good phone number for us to call and receive payment info. The filing fee will be \$300 based upon the quantity you are requesting. Your other option is to mail in the application with a check. Either option is fine for us. Let me know if you have any questions.

Thanks,

Kristen A. Baum  
Division of Water Resources – Water Appropriations  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan KS 66502  
(785) 564-6627

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**From:** Jennifer Glynn <jglynn2@kumc.edu>

**Sent:** Thursday, December 19, 2019 8:15 AM

**To:** Wilson, Dani [KDA] <Dani.Wilson@ks.gov>

**Subject:** dewatering well

*EXTERNAL:* This email originated from outside of the organization. Do not click any links or

Hi Dani! I have spoken to Jeff Lanterman and he suggested that we fill this form out to keep our dewatering well running. Please let me know what I need to do or who I need to talk with about this well. Thanks so much! Jenny Glynn

Water Resources  
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KS Dept Of Agriculture

**DATA ENTRY SYSTEM ID NUMBER SHEET**

**FILE NUMBER** 20199083

<b>APPLICANT PERSON ID &amp; SEQ #</b>	<b>PDIV ID</b>	<b>BATTERY ID</b>
<u>66818</u>	<u>87640</u>	

<b>LANDOWNER PERSON ID &amp; SEQ #</b>	<b>PUSE ID</b>
<u>66818</u>	<u>69567</u>

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

66818

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_