

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.

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

October 28, 2020

DONALD L UNRUH
1995 US 56 HWY
GALVA KS 67443

Re: Pending Application
File No. 50,459

Dear Mr. Unruh:

After a preliminary review of your above referenced application for permit to appropriate water received in this office on October 23, 2020 it is being returned to you for additional information. In your original application, you requested a 60-day period of time in which to determine the precise location for your point of diversion within a specified quarter section tract of land described as the Northeast Quarter (NE ¼) of Section 29, in Township 19 South, Range 1 West, McPherson County, Kansas. Due to our delay in returning the original application to you, **the 60-day period of time will start as of the date of this letter.**

Once you've determined the precise location for your point of diversion, complete the rest of Paragraph No. 5 of your application by providing the description for the 10-acre tract location of the point of diversion as well as the feet distances North and West of the Southeast corner of the Section. **In the case of a battery of wells, please provide the description of the location of the proposed geographic center of the well battery, as well as the location for each of the individual wells comprising the battery of wells.**

The locations of all other water wells of every kind within one-half mile (½) of the point of diversions must be plotted on the topographical map as well. Each well should be identified as to its use (e.g. domestic, irrigation, industrial, etc.) and must **include the name and mailing address of the well owner**. A signed statement should be included on the map declaring that all wells within one-half mile (½) of the point of diversions have been plotted, or it should declare that none exist. Please provide this information once you have established your point of diversion.

Paragraph No. 13 of the application requests well information so the source of supply of the proposed well may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of a well or test hole within 300 feet of the proposed points of diversion. Please supply the indicated information and a test hole log or a driller's log with the returned application.

In order to retain its priority of filing, the original applications and attachments must be returned to this office with the requested information on or before **December 28, 2020**, or within any authorized extension of time thereof. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me by email at Kris.Neuhauser@ks.gov, or call our main line at (785) 564-6640. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

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

Kris Neuhauser
Environmental Scientist
Water Appropriation Program

KJN: kjn

pc: Stafford Field Office

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Christopher W. Beightel, Acting Chief Engineer

File Number 50459
This item to be completed by the Division of Water Resources.

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.)

WATER RESOURCES RECEIVED
OCT 23 2020 1:20
KS DEPT OF AGRICULTURE

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): Donald L. Unruh
Address: 1995 US 56 HWY
City: Galva State KS Zip Code 67443
Telephone Number: (620) 654-7731

2. The source of water is: [] surface water in (stream)
OR [x] groundwater in Little Arkansas River (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 192.4 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) [x] 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 2 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G/S County MP By KJN Date 10/26/2020
Code RE2 Fee \$300 TR # Receipt Date 10-23-2020 Check # 62186

10/28/2020
LMoody

* Applicant requests 60 days to conduct test drilling & locate the proposed point of diversion.

60 DAYS TO LOCATE*

File No. _____

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OCT 22 2020

KS DEPT OF AGRICULTURE

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.

Geocenter Placeholder:

**3960 ft N
1320 ft W**

29-19S-1W

(A) One in the _____ quarter of the _____ quarter of the NE quarter of Section 29, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township 19 South, Range 1 West, McPherson County, Kansas.

(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 _____ East/West (circle one), _____ County, Kansas.

(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 _____ East/West (circle one), _____ County, Kansas.

(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 _____ East/West (circle one), _____ 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):

Donald L. Unruh Rev. Trust & Sharon Fay Unruh Rev. Trust, 1995 US 56 HWY, Galva, KS 67443 (620) 654-7731
(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 Oct. 21, 2020 Donald L. Unruh
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 one well or well battery
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) 5/1/2021
(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 6/1/2021
(Mo/Day/Year)

WATER RESOURCES
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OCT 23 2020

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 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 NA
- If no, explain here why a Water Structures permit is not required NA

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.

None

* Applicant requests 60 days to conduct test drilling & submit the test log.

File No. _____

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.

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 OCT 23 2020
 DEPT OF AGRICULTURE

Information below is from: Test holes Well as completed Drillers log attached

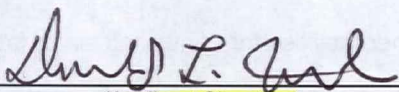
Well location as shown in paragraph No.	(A)	(B)	(C)
Date Drilled	_____	_____	_____
Total depth of well	_____	_____	_____
Depth to water bearing formation	_____	_____	_____
Depth to static water level	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____

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):
Donald L. Unruh Rev. Trust & Sharon Fay Unruh Rev. Trust, 1995 US 56 HWY, Galva, KS 67443 (620) 654-7731
 (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 Galva, Kansas, this 21st day of October, 2020
 (month) (year)


 (Applicant Signature)

By _____
 (Agent or Officer Signature)

 (Agent or Officer - Please Print)

Assisted by T. Boese GMD2 Manager Date: 9/25/2020
 (office/title)

FEE SCHEDULE

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OCT 23 2020

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

KS DEPT OF AGRICULTURE

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

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

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.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

IRRIGATION USE SUPPLEMENTAL SHEET

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File No. _____

OCT 23 2020

Name of Applicant (Please Print): Donald L. Unruh

KS DEPT OF AGRICULTURE

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: Donald L. Unruh Rev. Trust & Sharon Fay Unruh Rev. Trust
 ADDRESS: 1995 US 56 HWY, Galva, KS 67443

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
29	19S	1W	32	37	40	39													148

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	

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
<u>Crete silt loam (0-1 % slp)</u>	<u>61</u>	<u>0.06-0.20</u>	<u>3</u>
<u>Crete silt loam (1-3% slp)</u>	<u>24</u>	<u>0.06-0.20</u>	<u>3</u>
<u>Ladysmith silty clay loam</u>	<u>15</u>	<u>0.00-0.06</u>	<u>1</u>
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

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

Estimate the maximum land slope in the field(s): 2 %

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: Center pivot, possible SDI

d. System design features:

i. Describe how you will control tailwater: Will schedule and apply irrigation to eliminate runoff

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: _____ psi

(2) What is the sprinkler package design rate? _____ 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? _____ feet

(4) Please include a copy of the sprinkler package design information.

Not available yet

e. Crop(s) you intend to irrigate. Please note any planned crop rotations: corn, soybeans, milo, wheat

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). Contract with crop consultant

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

Application Map - File No. _____



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

Shirley L. Gabel
Signature

Oct 21st 2020
Date

- New Application
- Application No. _____ To Change:
 - Point of Diversion
 - Place of Use
 - Use Made of Water
 - Proposed Point of Diversion
 - Existing Points of Diversion
 - Proposed Place of Use
 - Authorized Place of Use

Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address)

- 1) WATER RESOURCES RECEIVED
- 2) OCT 23 2020
- 3) KS DEPT OF AGRICULTURE

Oct. 21, 2020
(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. _____

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

State of Kansas)
County of mp) ss
)

Donald L. Unruh
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 21 day of October, 2020.



[Handwritten Signature]
Notary Public

My Commission Expires: 01/02/2021

WATER RESOURCES
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OCT 23 2020

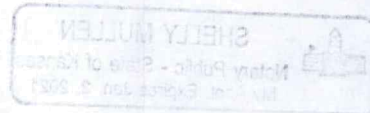
KS DEPT OF AGRICULTURE

**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River



01/09/2021

001 8 8 2020

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

October 29, 2020

DONALD L. UNRUH
1995 US 56 HWY
GALVA KS 67443

RE: Application, File No(s). **50459**

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 Stafford Field Office at 620-234-5311. *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 black ink that reads "Kristen A. Baum". The signature is written in a cursive, flowing style.

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 50459

APPLICANT PERSON ID & SEQ #	88455	PDIV ID	BATTERY ID
<u>64882</u>			

LANDOWNER PERSON ID & SEQ #	70155	PUSE ID
<u>64882</u>		
<u>67511</u>		

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

