

# 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** WATER RESOURCES RECEIVED  
 GROUNDWATER  
 SURFACE WATER  
 (check one)



MAR 30 2021  
 1:43

State of Kansas

20219022

**STATUTORY FILING FEE MUST ACCOMPANY THIS APPLICATION**  
 (Make check payable to the Kansas Department of Agriculture)

1. Applicant: (Please print or type)  
 Name Craig E & Kenneta K Zwick Trust  
 Street 411 S Pioneer  
 City and State Lyons KS  
 Zip Code 67554 Telephone No. (620) 562-7142  
 E-Mail Address craigz@bzbeeinc.com  
 Social Security I.D. No. --  
 and/or Taxpayer I.D. No. --

2. Location of Point of Diversion:  
 Sec. 3, Twp. 22, Rng. 7, W  
Reno County, Kansas.  
 Distance from Southeast Corner of Section:  
789 feet North from Southeast Corner  
2,058 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) 800  
 Amount Requested (acre-feet) 99  
 per calendar year  
 Depth of Well (feet) Groundwater pit  
 Date (completed) (will be completed) --  
 Drainage Basin Cow Creek  
 Name of Stream --

4. Water is to be used for (briefly describe proposed use and explain the rate and quantity requested):  
Hydraulic Dredge at sand & gravel pit  
K14 Highway borrow fill material

5. Location of place of use:  
S03 T22S R07W 789W 2058N Rice County

6. Period of use:  
 Commencing date: 3/15/2021  
 Ending Date: 6/23/2023 Also enter on Item 12

If off-stream pit, check here X.  
 Will pit floor intersect water table? Yes X No

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:  
File No. 41995 is proposed to authorize the groundwater pit

**FEE SCHEDULE**

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

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

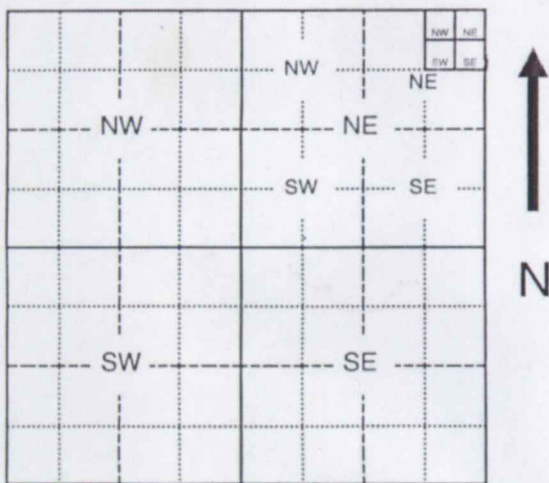
 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

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.

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



Assisted by EKF/SFFO

For Office Use Only  
 F.O. 2 GMD 2 Meets K.A.R. 5-3-1 (YES / NO) Use IND Source G/S County RN By BMM Date 3/30/21  
 Code TRP Fee \$ 200 TR #          Receipt Date 3-30-21 Check # 118532

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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): See attached map Address: \_\_\_\_\_

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

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):

Applicant \_\_\_\_\_ (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 3-23, 2021. [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.

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 June 23, 2023 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: Loren Schroeder Telephone No. (316) 213-2311

[Signature] Signature of Applicant or \_\_\_\_\_ Authorized Representative Date MARCH 26, 2021

[Signature] 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.



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**File No. 41995 Change Application Nearby Well Owners**

Domestic Well 1

Harrison Farms Limited  
11014 W 95<sup>th</sup> Ave  
Nickerson KS 67561-9008

Domestic Well 2

Sharol L & Edward J Rudolph  
9612 N Riverton Rd  
Nickerson, KS 67561

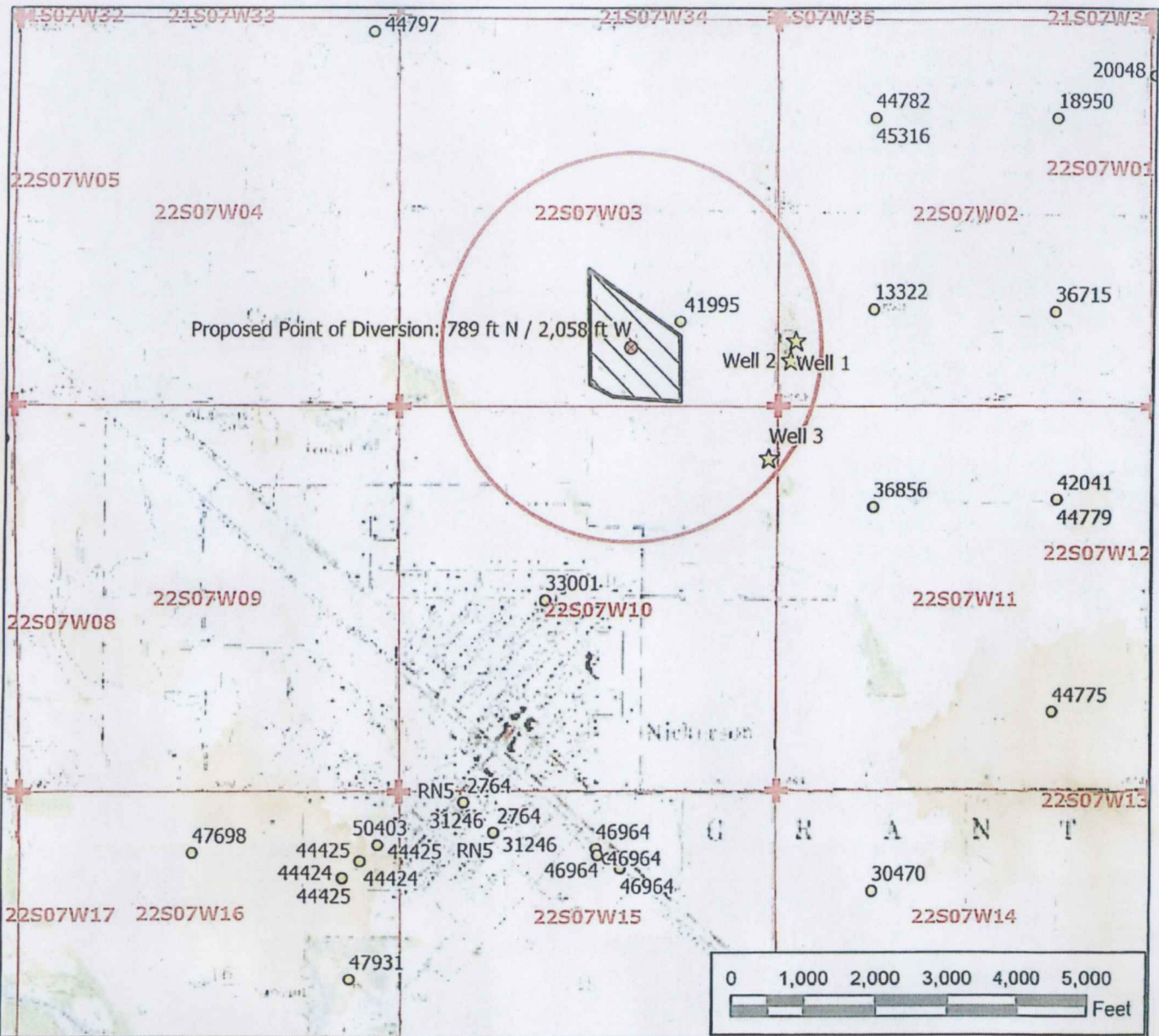
Domestic Well 3

Ethan C Rule  
9209 N Riverton Rd  
Nickerson, KS 67561

Domestic Well 4

RANDY J & KAREN E HUJING  
10721 NW 120TH ST  
WHITEWATER, KS 67154-8950

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### Legend

- Water Appropriation
- ⊗ Proposed Point of Diversion
- ☆ Domestic Well
- ⊕ Section Corner
- ▭ Section Line
- Half Mile Circle
- ▨ Proposed Place of Use IND

Term Permit, File No. \_\_\_\_\_

## HYD Application Map 3-22S-7W // Reno County

To the best of my knowledge, all groundwater wells within one-half mile of the proposed point of diversion have been shown.



Signature / Date

3/15/2021 EKF/SFFO 1:24,000 scale



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March 26, 2021

Kansas Department of Agriculture  
Department of Water Resources  
1320 Research Park Drive  
Manhattan, KS 66502

Re: K14 Highway Reno County KDOT #14-78 KA 1007-02  
S03 T22S R07W Reno County  
Changes to Water File 41995, Reno County

Enclosed From: Bob Bergkamp Construction Co., Inc.  
-Industrial Use Supplemental Sheet  
-Notice Of Intent To Open Or Expand A Sand And Gravel Pit Operation

Enclosed From: Craig E and Kenneta K Zwick Trust  
File No. 41995  
-Application For Approval To Change The Place Of Use, The Point Of Diversion Or The Use  
Made Of The Water Under An Existing Water Right + Fees \$~~300~~ (By Bergkamp Construction)  
-Application For Term Permit (Hydraulic Excavation) + Fee \$200 (By Bergkamp Construction)  
7900

Bob Bergkamp Const. Co. is submitting these changes and new applications as a package,  
since each one depends on the others. This package is basically all or none

Hydraulic excavation will be to obtain fill material for the K14 Highway. We are asking to keep the  
Term Permit open through June 23, 2023, which is the completion date of the project. The actual  
dredging will last approximately 7 months.

The end result will be a permanent groundwater pit.

Chris Snook  
CEO  
Bob Bergkamp Construction Co., Inc.