

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.

4/19/2021

Submit To: CHIEF ENGINEER

Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
<http://agriculture.ks.gov/dwr>

Water Resources
Received

APPLICATION FOR TERM PERMIT

GROUNDWATER
 SURFACE WATER
(check one)

WATER RESOURCES
RECEIVED

APR 15 2021
Unacceptable for Priority



State of Kansas

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

20219027

1. Applicant: (Please print or type)
Name Bob Bergkamp Construction Co., Inc.
Street 3709 S. West Street
City and State Wichita, KS
Zip Code 67217 Telephone No. (316) 522-3471
E-Mail Address rthome@bergkampconstruction.com
Social Security I.D. No. _____
and/or Taxpayer I.D. No. 48-0796660

2. Location of Point of Diversion:
Sec. 09, Twp. 21S, Rng. 08, W
Rice County, Kansas.
Distance from Southeast Corner of Section:
560 feet North from Southeast Corner
2200 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) 47.25
per calendar year
Depth of Well (feet) Groundwater Pit
Date (completed) (will be completed) 2023
Drainage Basin Cow Creek
Name of Stream NA

4. Water is to be used for (briefly describe proposed use and explain the rate and quantity requested):
K14 Highway – Dredge pit for fill material.
Dredge will be active approximately 9 months

5. Location of place of use:
S09 T21S R08W 560N 2200W Rice County
File No. 6979 IND USE IN SE/4 *

6. Period of use:
Commencing date: June 1, 2021
Ending Date: June 23, 2023 Also enter on Item 12

If off-stream pit, check here .
Will pit floor intersect water table? Yes 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:
See attached quadrangle map

FEE SCHEDULE

- 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.

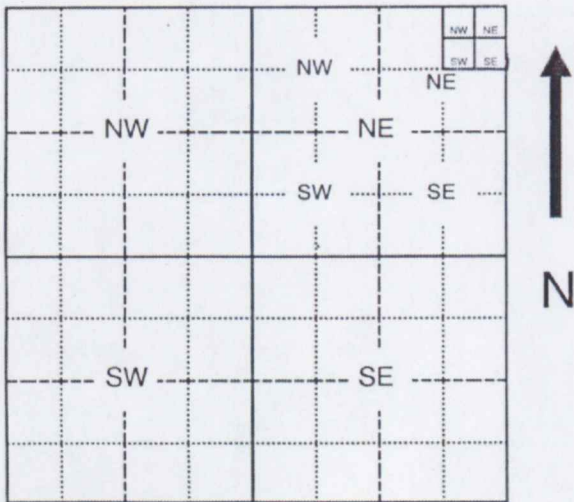
NOTE: If an application requests both direct use and storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

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

* LI/DWR 5/5/2021



Assisted by _____

4/21/2021
LMoody

For Office Use Only
F.O. 2 GMD 5 Meets K.A.R. 5-3-1 (YES / NO) Use IND Source G / S County RC By BMM Date 4/16/21
Code TRP Fee \$ 200 TR # _____ Receipt Date 4-15-2021 Check # 118531

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): Wilkey Livestock Sales
Address: 1960 State Rd 14, Sterling KS 67579

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):

Ellen Evans Trust c/o Todd Zimmerman 1550 Ave R Sterling KS 67579 620-562-7056

(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 _____, 20____. _____

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 of Applicant

or

Rick Thome

4/15/2021

Authorized Representative

Date

AGENT

Title

Applicant's Name Printed

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.

4/19/2021

Water Resources
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KS Dept Of Agriculture

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RECEIVED

Unacceptable for Priority

KS DEPT OF AGRICULTURE

4/19/2021

WATER RESOURCES RECEIVED

APR 15 2021 Unacceptable for Priority

S INTERIOR VEY

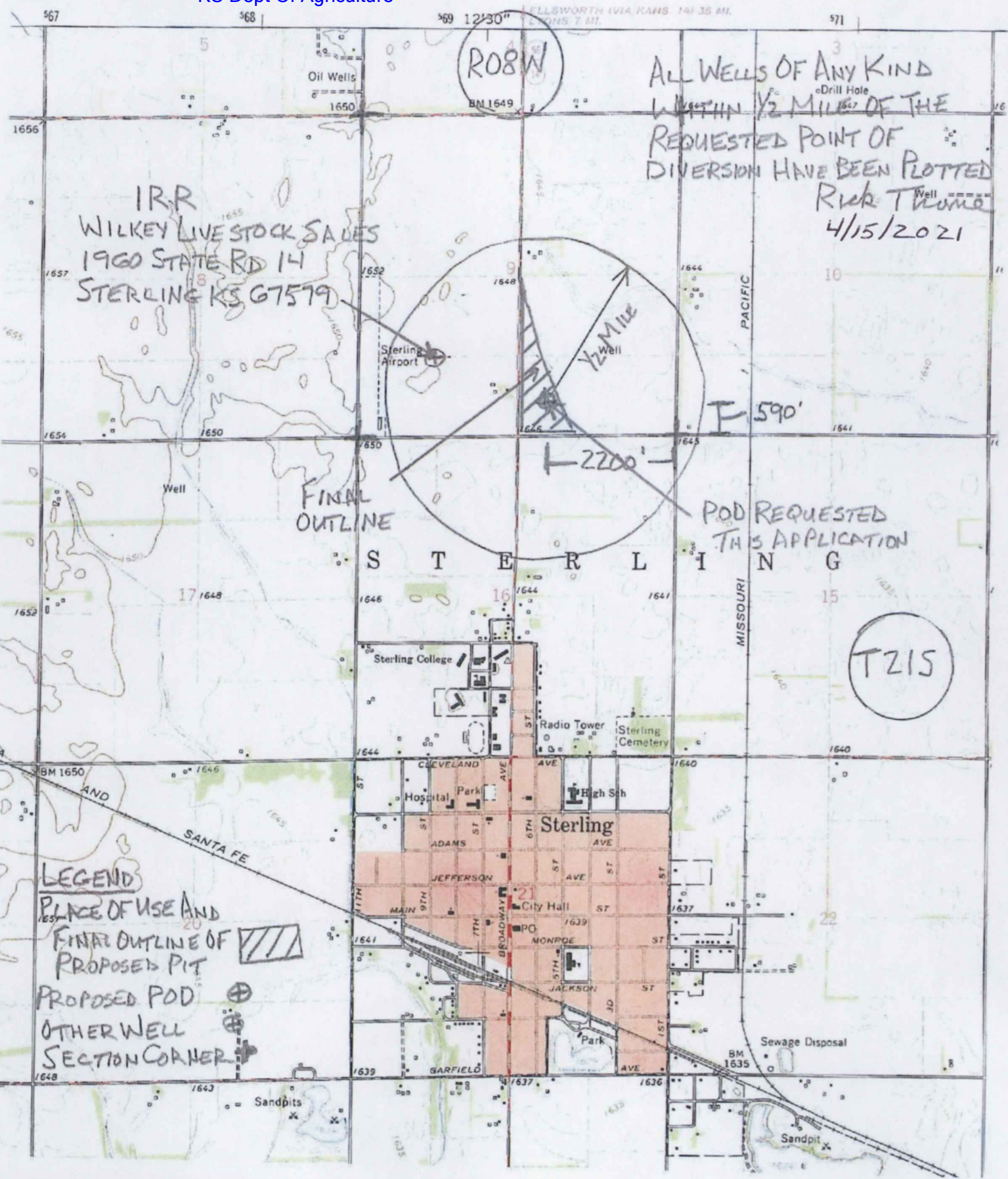
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KS Dept Of Agriculture

NEW APPLICATION

↑ N
1" = 2000'

STATE OF KANSAS



IRR
WILKEY LIVESTOCK SALES
1960 STATE RD 14
STERLING KS 67579

ALL WELLS OF ANY KIND
WITHIN 1/2 MILE OF THE
REQUESTED POINT OF
DIVERSION HAVE BEEN PLOTTED
RICK THOMAS
4/15/2021

FINAL
OUTLINE

POD REQUESTED
THIS APPLICATION

TZ15

LEGEND

- PLACE OF USE AND FINAL OUTLINE OF PROPOSED PIT
- PROPOSED POD
- OTHER WELL
- SECTION CORNER



"an equal opportunity employer"
(316) 522-3471 • FAX # (316) 522-5296

April 15, 2021

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

Re: K14 Highway Rice County KDOT #14-80 KA 1007-03
S09 T21S R08W Rice County
Changes to Water File 6979, Rice 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
-Application For Term Permit (Hydraulic Excavation) + Fee \$200 (BY Bergkamp Construction)

Enclosed From: Ellen Evans Trust and Todd Zimmerman
File No. 6979
-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 + Fee \$500 (by Bergkamp Construction)
-Voluntary Waiver of Hearing & Dismissal of Water Right

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 9 months.

The end result will be a permanent groundwater pit.

Chris Snook
CEO
Bob Bergkamp Construction Co., Inc.

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KS DEPT OF AGRICULTURE

4/19/2021

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KS Dept Of Agriculture

DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 20219027

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
39370	88767	

LANDOWNER PERSON ID & SEQ #	PUSE ID
39370	70370

WATER USE CORRESPONDENT PERSON ID & SEQ #
39370

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

April 21, 2021

BOB BERGKAMP CONSTRUCTION CO., INC
3709 S. WEST STREET
WICHITA KS 67217

RE: Application, File No(s). **20219027**

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,

Kris Neuhauser
New Applications Lead
Water Appropriation Program