

# 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.

5/18/2021

Submit To: CHIEF ENGINEER  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, Kansas 66502  
http://agriculture.ks.gov/dwr

APPLICATION FOR TERM PERMIT

X GROUNDWATER  
□ SURFACE WATER  
(check one)

Water Resources  
Received



KS Dept Of Agriculture

State of Kansas

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

20219043

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. 21 S, 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) 4,000  
Amount Requested (acre-feet) 1,362  
per calendar year. \*Calculation is on separate sheet.  
Depth of Well (feet) Groundwater Pit  
Date (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 -- Hydraulic dredging for fill material

5. Location of place of use:  
S09 T21S R08W 560N 2200W Rice County

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 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:  
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.

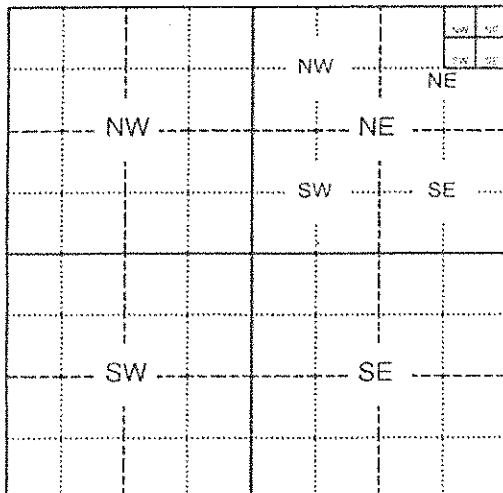
NOTE: If an application requests both direct use and storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

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



Assisted by KJN/HQ/DWR

5/20/2021  
LMoody

For Office Use Only: F.O. 2 Meets K.A.R. 5-3-1 (YES/NO) Use HYD Source G/S County RC By BMM Date 5/18/21  
Code TR3 Fee \$ 320 TR # PY00026252 Receipt Date \_\_\_\_\_ Check # \_\_\_\_\_

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 quadrangle 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):

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 5/18, 2021. Rick Thome  
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 Authorized Representative 5/18/2021 Date  
\_\_\_\_\_  
Applicant's Name Printed Rick Thome - Agent 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.

KDOT K14

TERM PERMIT CALCULATIONS FOR HYDRAULIC EXCAVATION

PUMPING RATE PER HOUR

SAND AT 30% = 13,527 CUBIC FEET

WATER AT 70% = 31,563 CUBIC FEET

GALLONS OF WATER PER HOUR AT = 236,723 GALLONS

GALLONS OF WATER PER MINUTE =  $236,723/60 = 3,946$  GPM

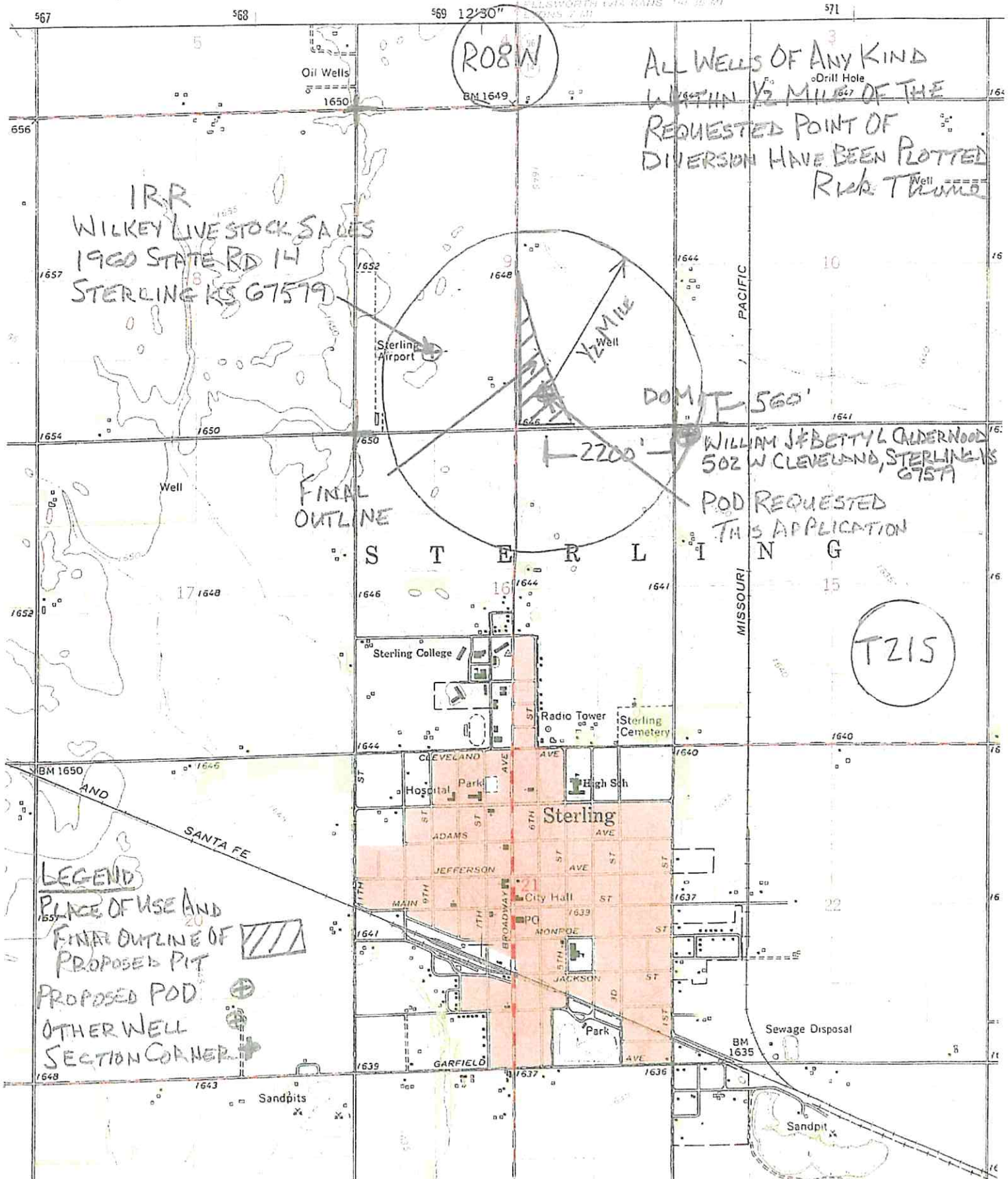
COUNTY - LEGALS	CUBIC YARDS PUMPED	HOURS PUMPING AT 350 CY/HOUR	GALLONS WATER PUMPED AT 4,000 GPM	ACRE FEET AT 325,851 G/AF
RICE COUNTY - 21.0 ACRES S09 T21S R08W 560N 2200W	646,833	1,848	443,542,629	1,361.18

INTERIOR  
DEPT

# NEW APPLICATION

↑  
N  
1" = 2000'

STATE OF KANSAS



ALL WELLS OF ANY KIND  
WITHIN 1/2 MILE OF THE  
REQUESTED POINT OF  
DIVERSION HAVE BEEN PLOTTED  
RICK THURMOND

IRR  
WILKEY LIVESTOCK SALES  
1960 STATE RD 14  
STERLING KS 67579

FINAL  
OUTLINE

S T E R L I N G

DOM T 560'

WILLIAM J & BETTY L CALDERWOOD  
502 W CLEVELAND, STERLING, KS  
67571

POD REQUESTED  
THIS APPLICATION

TZ15

ROB W  
BM 1649

### LEGEND

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

**DATA ENTRY SYSTEM ID NUMBER SHEET**

**FILE NUMBER** 20219043

<b>APPLICANT PERSON ID &amp; SEQ #</b>	<b>PDIV ID</b>	<b>BATTERY ID</b>
<u>39370</u>	<u>88767</u>	

<b>LANDOWNER PERSON ID &amp; SEQ #</b>	<b>PUSE ID</b>
<u>39370</u>	<u>70370</u>

<b>WATER USE CORRESPONDENT PERSON ID &amp; SEQ #</b>
<u>39370</u>