

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.

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

50546

File Number
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

MAR 23 2021

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): BOB BERGKAMP CONSTRUCTION CO., INC.
Address: 3709 S West Street
City: Wichita State KS Zip Code 67217
Telephone Number: (316) 522-3471

2. The source of water is: [] surface water in (stream)
OR [x] groundwater in Cow Creek (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 49.5 acre-feet OR gallons per calendar year, to be diverted at a maximum rate of natural evaporation 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) [] Irrigation (c) [] Recreational (d) [] Water Power
(e) [x] 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 5 Meets K.A.R. 5-3-1 (YES/NO) Use IND Source G/S County RC By BMM Date 3/22/21
Code REG Fee \$ 200 TR # Receipt Date 3-22-21 Check # 118394

3/24/2021
LMoody

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.

(A) One in the SW quarter of the SW quarter of the NW quarter of Section 32, more particularly described as being near a point 3230 feet North and 4620 feet West of the Southeast corner of said section, in Township 21 South, Range 7 West (circle one), Rice 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):

Delvin D Randolph Trust c/o Andy Zwick 2230 23rd Rd Sterling KS 67579 620-680-0442
(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 MARCH 18, 2021. Bob Bergkamp Construction Co., Inc.
Rick Thome - AGENT
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 (1) Groundwater Pit exposing no more than 22.87 acres of groundwater.

(number of wells, pumps or dams, etc.)

and (will be) completed (by) June 23, 2023

WATER RESOURCES
RECEIVED

MAR 22 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 6/23/2023.

(A

WATER RESOURCES
RECEIVED

MAR 22 2021

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

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 ½ 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 ½ mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ 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.

File Nos. 33055 and 33735 are providing the offset water for this project. Both files have reductions and changes associated with approval of this new application. The applications for those files were submitted with this new application as a packet and should be worked together.

WATER RESOURCES
RECEIVED

MAR 23 2021

KS DEPT OF AGRICULTURE

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.

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

Well location as shown in paragraph

No.

(A)

(B)

(C)

(D)

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 Agent
(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):

Delvin D Randolph Trust c/o Andy Zwick 2230 23rd Rd Sterling KS 67579 620-680-0442
(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 Wichita, Kansas, this 18 day of March 18, 2021.
(month) (year)

BOB BERGKMP CONSTRUCTION Co., INC.
(Applicant Signature)

By Rick Thome - AGENT
(Agent or Officer Signature)

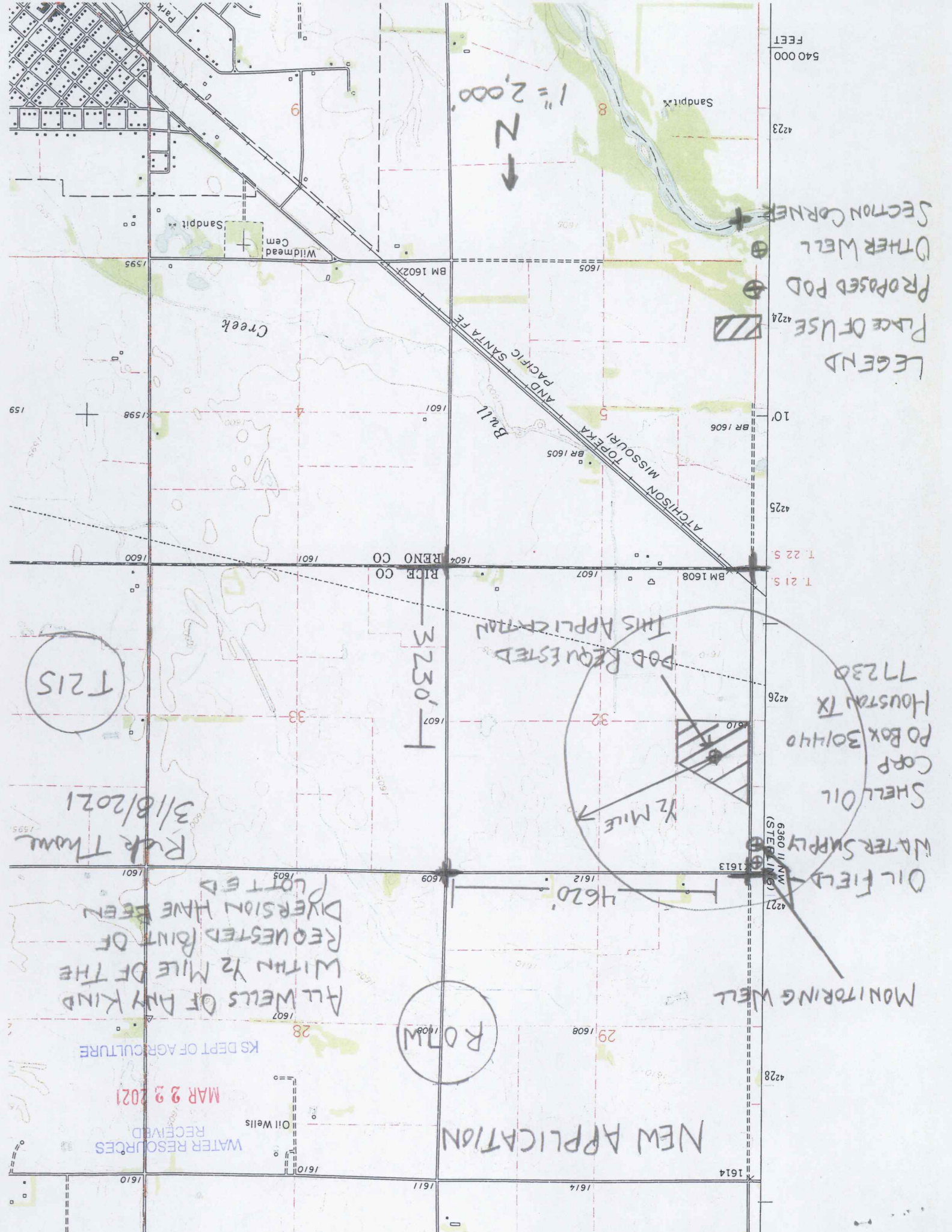
Rick Thome
(Agent or Officer - Please Print)

Assisted by Cameron Conant Assistant Water Commissioner Date: Marh 9, 2021
(office/title)

WATER RESOURCES
REC

MAR 9 2021

KS DEPT OF AGRICULTURE



540 000
FEET

1" = 2,000'
N
↓

LEGEND
 PLACE OF USE
 PROPOSED POD
 OTHER WELL
 SECTION CORNER

10'
4225
T. 21 S.
T. 22 S.

OIL FIELD
 WATER SUPPLY
 SHELL OIL
 CORP
 PO BOX 30144
 HOUSTON TX
 77230

POD REQUESTED
 THIS APPLICATION

1/2 MILE

R07W

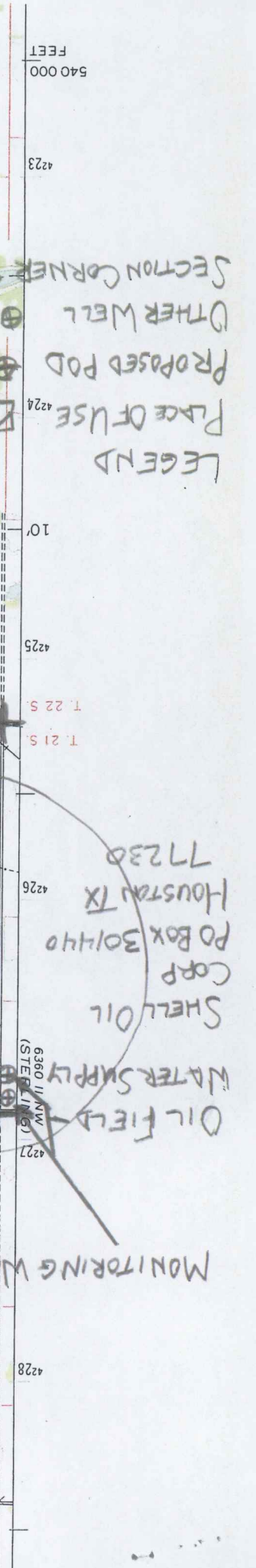
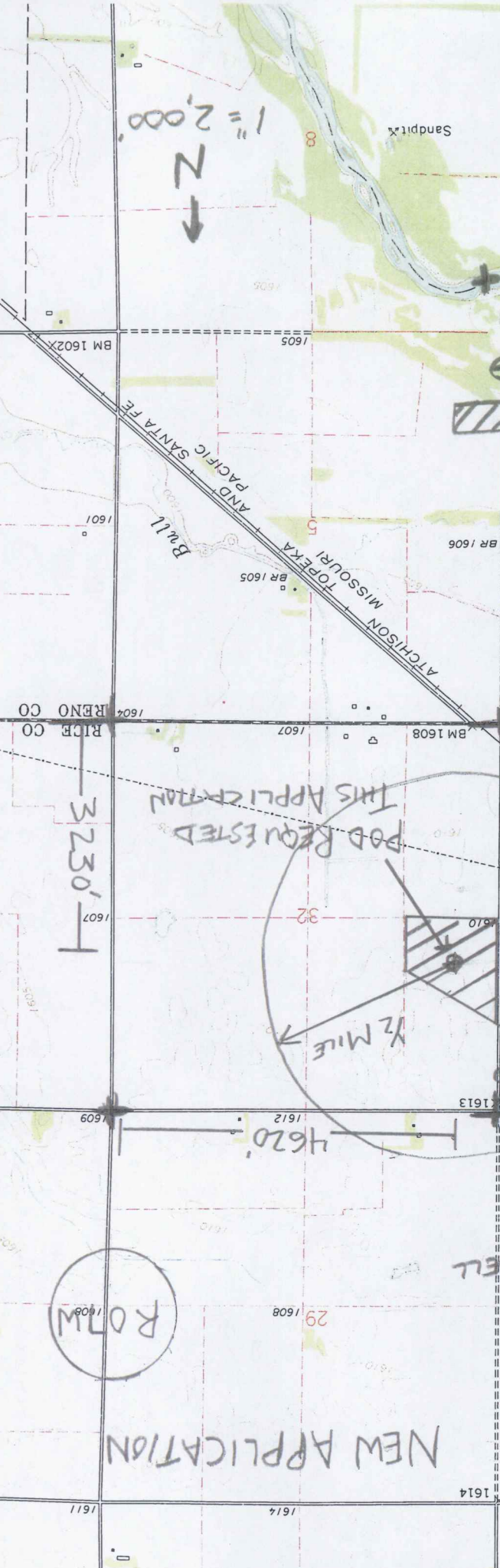
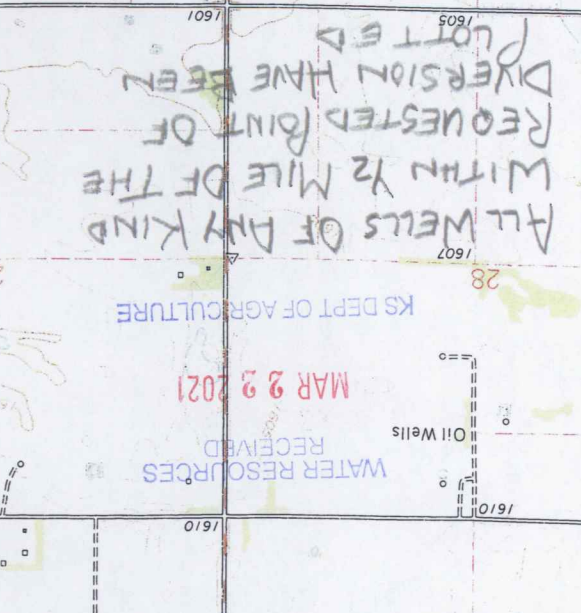
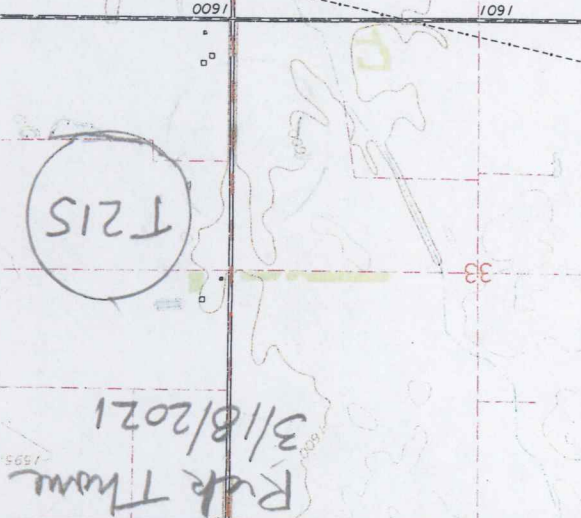
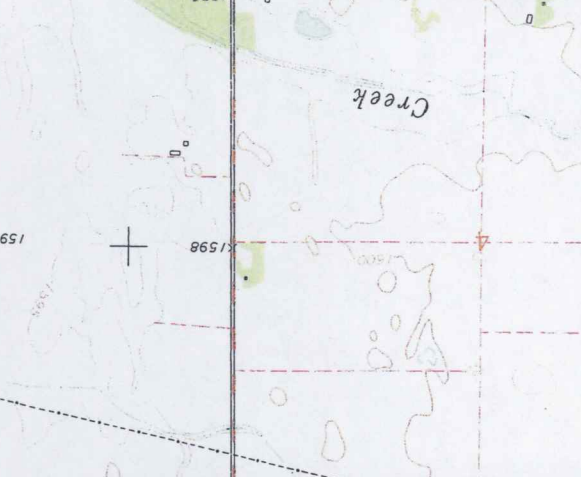
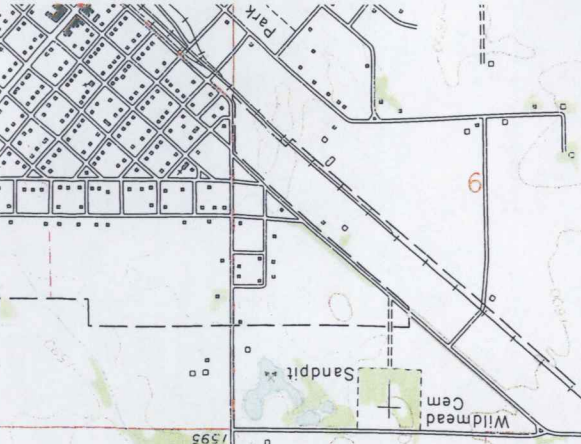
NEW APPLICATION

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

Rick Thumm
 3/18/2021

WATER RESOURCES
 RECEIVED
 MAR 23 2021
 KS DEPT OF AGRICULTURE

T21S



**INDUSTRIAL USE
SUPPLEMENTAL SHEET**

File No. _____

Name of Applicant (Please Print): BOB BERGKAMP CONSTRUCTION CO, INC.

1. Please describe type of industry or product produced: K14 HIGHWAY - GROUNDWATER
PIT FOR FILL MATERIAL Standard Industrial Classification Code Number: _____

2. Please complete the following table to show your past and present water requirements:

PAST PRODUCT PRODUCTION AND WATER DIVERTED, IF APPLICABLE

LAST 5 YEARS	AMOUNT OF PRODUCT	WATER DIVERTED (GALLONS)	GALLONS PER PRODUCT PER DAY
5 years ago			
Last year			
Present year			

3. Please complete the following table to show your future water requirements:

ESTIMATED FUTURE PRODUCT PRODUCTION AND WATER DIVERTED

NEXT 5 YEARS	AMOUNT OF PRODUCT <u>ACRES OF GROUNDWATER</u>	WATER TO BE DIVERTED (GALLONS)	GALLONS PER PRODUCT PER DAY
Year 1	<u>22.87</u>	<u>16,129,624</u>	<u>1,841</u>
Year 2	<u>22.87</u>	<u>16,129,624</u>	<u>1,841</u>
Year 3	<u>22.87</u>	<u>16,129,624</u>	<u>1,841</u>
Year 4	<u>22.87</u>	<u>16,129,624</u>	<u>1,841</u>
Year 5	<u>22.87</u>	<u>16,129,624</u>	<u>1,841</u>

Number of days of operation of the industry per year is _____ days.

Please attach any tables, curves or additional information showing past, present and estimated future water requirements to substantiate the amount of water requested.

4. Please designate the legal description of the location where the water is to be used. Show in the space provided below the Section (S), Township (T), and Range (R), and the number of acres in each forty acre tract or fractional portion thereof.

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>32</u>	<u>2157W</u>								<u>22.87</u>										<u>22.87</u>

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

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

NOTICE OF INTENT TO OPEN OR EXPAND A SAND AND GRAVEL PIT OPERATION
(In accordance with K.S.A. 82s-734(c), K.A.R. 5-13-1, and amendments thereto)

File No. (Office Use Only)

1. Operator Name (Please Print) Bob Bergkamp Construction Co., Inc.

Address 3709 S. West Street

Wichita, KS 67217

Telephone (316) 522-3471

2. Please designate the legal description of the pit. 22.87 acres in the SW 1/4 of the SW 1/4 of the NW 1/4 of Section 32, Township 21 South, Range 07 W, Rice County, Kansas.

3. Outline on an aerial photograph or topographical map the current and FINAL outline of the proposed pit, and attach it to the Notice of Intent. The photograph or map shall indicate the legal description of the location of the proposed pit and the scale of the map or photograph.

4. What year did, or will, the excavation of the pit begin? 2021

5. Indicate the proposed final size of the pit in acres. 22.87 acres.

6. Estimate the year the pit will be completed? 2023

7. By what method will the pit be excavated? Hydraulic X Mechanical Other

8. Will you have any other diversions of water at the pit site besides hydraulic dredging, such as pumpsites or wells? Yes No X. If yes, please specify the type of diversion and use to be made of the water. Hydraulic excavation to generate fill material for K14 Highway

9. Attach a copy of the Reclamation Plan you have on file with the State Conservation Commission.

WATER RESOURCES RECEIVED

MAR 22 2021

10. Please specify the measures you plan to use to protect groundwater from pollution, such as berms or vegetative strips. Temporary – Silt fence, berms
Permanent – Seeded berms and seeded slopes

11. Please complete the following table showing the estimated pit size at the end of each of the next five years.

Size of the Pit	Projected Pit Size in Acres
Current size of pit	0
Year 1	22.87
Year 2	22.87
Year 3	22.87
Year 4	22.87
Year 5	22.87

12. Owner's Name (Please Print) Bob Bergkamp Construction Co., Inc.

Address 3709 S. West Street

Wichita, KS 67207

Telephone (316) 522-3471

13. Please attach any additional information you believe will assist the Division in understanding the nature of your proposed pit or the expansion of your existing pit.
 Dredging activity will last approximately 4 months, providing fill material for K14 Highway.

Rick Thome
 Name (Please Print)

3/18/2021
 Date

Rick Thome
 Signature

Agent
 Title/Relationship to Owner

WATER RESOURCES
 RECEIVED

MAR 22 2021

KS DEPT OF AGRICULTURE

NEW APPLICATION

RO7W

WATER RESOURCES RECEIVED

MAR 22 2021

KS DEPT OF AGRICULTURE

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

Rick Thome
3/18/2021

T21S


MONITORING WELL


OIL FIELD WATER SUPPLY


SHELL OIL CORP
PO BOX 301440
HOUSTON TX 77230

POD REQUESTED THIS APPLICATION

LEGEND

PLACE OF USE 

PROPOSED POD 

OTHER WELL 

SECTION CORNER 

N
1" = 2,000'

540 000 FEET

T. 21 S.
T. 22 S.

RICE CO
RENO CO

ATCHISON MISSOURI TOPEKA AND PACIFIC SANTA FE

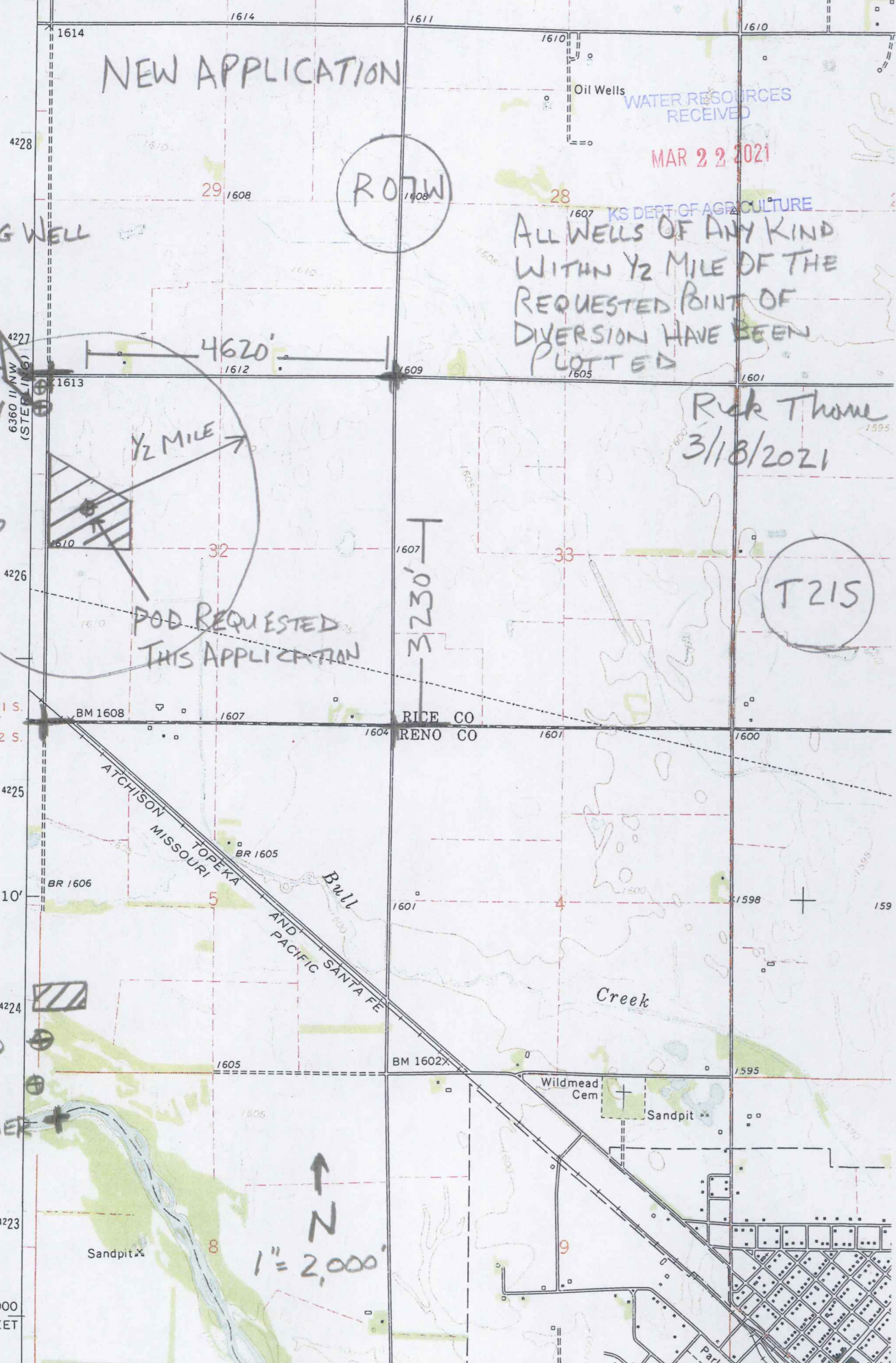
Creek

Wildmead Cem

Sandpit

Sandpit

Park





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

March 19, 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
S32 T21S R07W Rice County
Changes to Water Files 33055, 33735 Rice County

Enclosed From: Bob Bergkamp Construction Co., Inc.
-Application For Permit To Appropriate Water For Beneficial Use + Fee \$200
-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

Enclosed From: Andy Zwick
File No. 33735
-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 \$200
-Request To Reduce A Portion Of An Existing Water Right
File No. 33055
-Request To Reduce A Portion Of An Existing 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 4 months.

The end result will be a permanent groundwater pit.

Chris Snook
CEO
Bob Bergkamp Construction Co., Inc.

DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 50546

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
<u>39370</u>	<u>88693</u>	

LANDOWNER PERSON ID & SEQ #	PUSE ID
<u>39370</u>	<u>70314</u>

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

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

March 24, 2021

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

RE: Application, File No(s). **50546**

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 "Kris Neuhauser". The signature is written in a cursive style with a long horizontal flourish at the end.

Kris Neuhauser
New Applications Lead
Water Appropriation Program