

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.

JAN 21 2022
11:10

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

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

File Number 50707

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.)

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): Carmen Schmitt

Address: PO Box 47

City: Great Bend State KS Zip Code 67530-0047

Telephone Number: (620) 793-5100 Email: carmen@schmittinc.net

2. The source of water is: surface water in _____ (stream)
OR groundwater in 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 195 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 902 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) 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. Code	<u>2</u>	GMD	<u>5</u>	Meets K.A.R. 5-3-1 (YES/NO)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Use	<u>IRR</u>	Source	<u>G/S</u>	County	<u>SF</u>	By	<u>BMM</u>	Date	<u>1/24/22</u>
Fee \$	<u>200</u>	TR #		Receipt Date	<u>1/21/22</u>	Check #	<u>3174</u>								

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5. The location of the proposed wells, pump sites or other works for diversion of water is: KS DEPT OF AGRICULTURE

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 ____ quarter of the ____ quarter of the NC N2 quarter of Section 25, more particularly described as being near a point 3840 feet North and 2620 feet West of the Southeast corner of said section, in Township 21 South, Range 14 West, Stafford 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):

(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 January 12, 2022.

Carman Schwartz

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 1 well _____
(number of wells, pumps or dams, etc.)
and was completed on 12/29/2021 _____
(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 ASAP _____
(Mo/Day/Year)

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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 N/A
- If no, explain here why a Water Structures permit is not required N/A

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:

- 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.
- 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.
There are no existing water wells within ½ mile
- 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.
- The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- 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.

19,938 recent change of ownership and change in point of diversion and place of use. New Application is an exact PD and PU overlap of file no. 19,38. Application was filed for additional rate only. Quantity will be limited to 195 AF when combined with file no. 19.938.

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 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):

_____ (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 Greeat Bend, Kansas, this 12 day of January, 2022.
(month) (year)

(Applicant Signature)

Carmen Schmitt

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

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FEE SCHEDULE

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):

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

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**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. _____

Name of Applicant (Please Print): Carmen Schmitt

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: Carmen Schmitt

ADDRESS: PO Box 47, Great Bend KS 67530

S	T	R	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
25	21	14W	0.5	31.5	35.75	0.75	31.5	0.5	0.5	35.5	1.75								140

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				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	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

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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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

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

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

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: _____

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

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

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

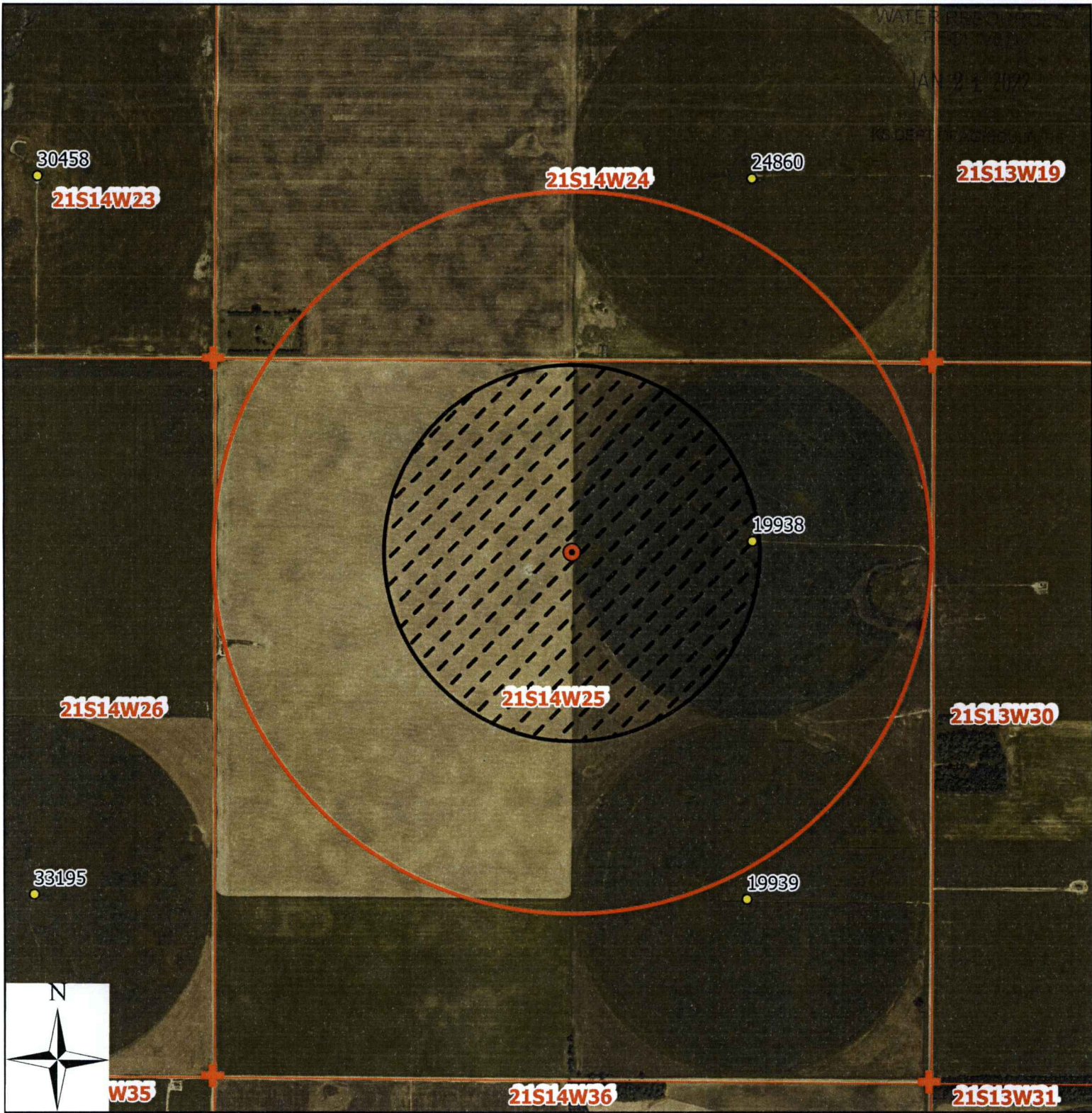
(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

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

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

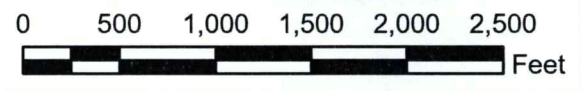
f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

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



Legend

- Water Appropriation
- Proposed Point of Diversion
- + Section Corner
- Section Line
- Half Mile Circle
- Place Of Use



No existing water wells within 1/2 mile

Water Right Application, File No. 19938
25-21-14W // Stafford County

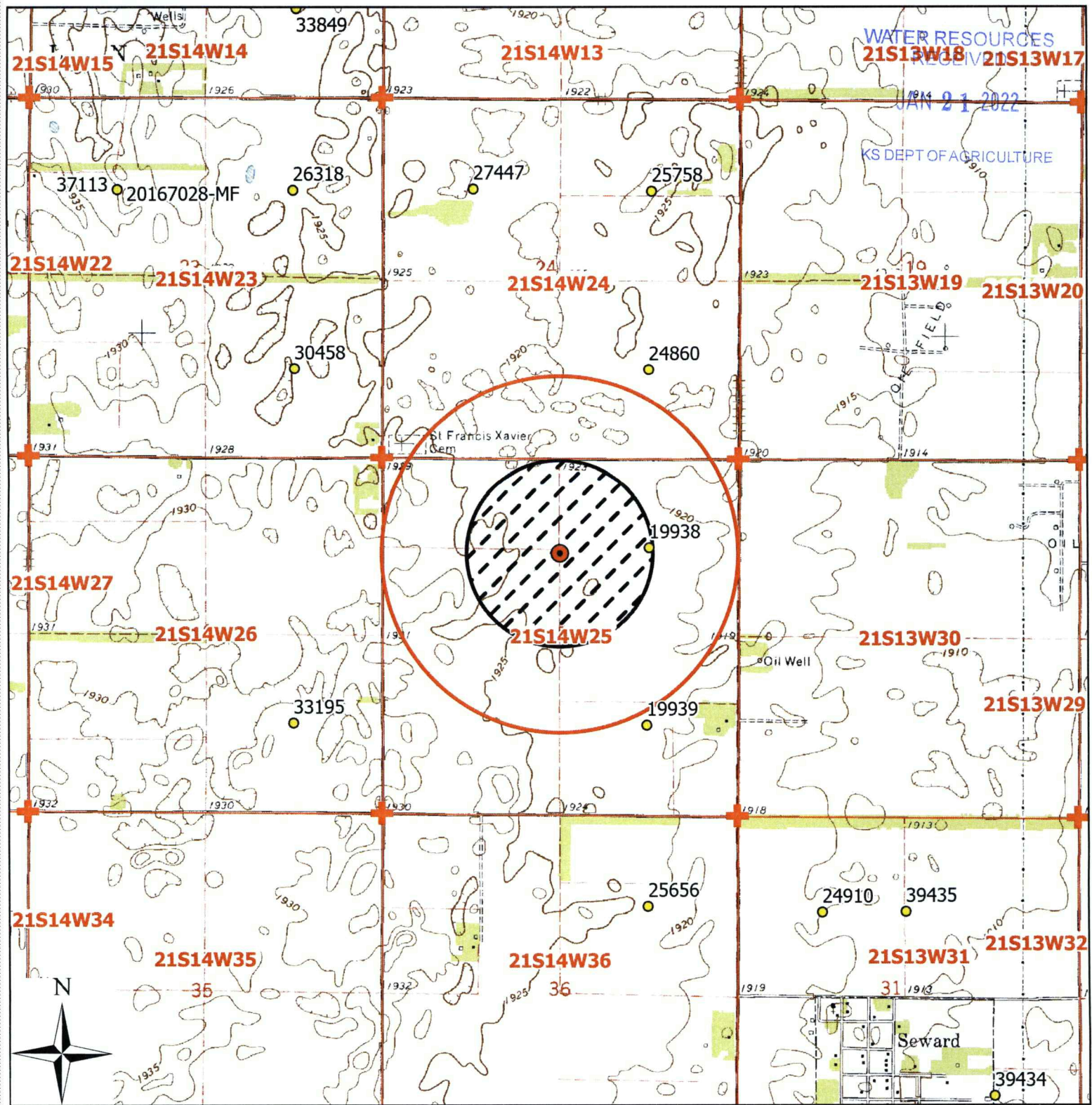
To the best of my knowledge, all points of diversion within one-half mile of proposed point of diversion have been shown.

Comm Schwab

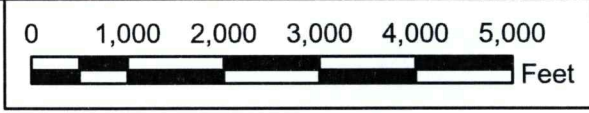
1-12-2022

Signature / Date

01/12/2022 JNE/SFFO 1:12,000 scale



WATER RESOURCES
 21S13W18 21S13W17
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- Legend**
- Water Appropriation
 - Proposed Point of Diversion
 - ⊕ Section Corner
 - Section Line
 - Half Mile Circle
 - ▨ Place Of Use

Water Right Application, File No. 19938
 25-21-14W // Stafford County

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

Cam Sullivan 1-12-2022
 Signature / Date 01/12/2022 JNE/SFFO 1:24,000 scale

DRILLER'S TEST LOG

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Date: 12/29/2021
JAN 21 2022
Test No: #1-21

Customer Name: Carmen Schmitt
Address: _____
County: Stafford Quarter: NE Section: 25 Township: 21 Range: 14

Drilled Footage
From To Description of Strata Indicate Test Location by an X

From	To	Description of Strata	Indicate Test Location by an X
0	3	Top soil	<div style="border: 1px dashed black; width: 100%; height: 100%; position: relative;"> <div style="border-left: 2px solid black; border-right: 2px solid black; width: 50%; height: 100%;"></div> <div style="position: absolute; top: 50%; left: 50%; transform: translate(-50%, -50%); font-size: 2em;">X</div> </div>
3	22	Soft sandy clay	
22	25	Light gray clay	
25	41	White tan clay & soft caliche	
41	96	Sand & gravel - small to med clean	
96	98	White tan clay	
98	112	Sand & gravel- small to med clean	
112	115	Clay	
115	136	Sand & gravel- small med clean coarse	
136	138	Clay	
138	141	Sand & gravel- small to med clean	
141	150	Sand & gravel- small to med very	
		little clay	
150	160	Gray yellow shale	
			Remarks: _____
			Garmin GPS: NAD 83
			Latitude: <u>38.199397 N</u>
			Longitude: <u>98.811845 W</u>
			Elevation: _____
			Driller: <u>Luis Luna</u>
			Spot Location: <u>NW/ NW/ SW/ NE</u>

ROSENCRANTZ-BEMIS EQUIPMENT CO., INC
Telephone (620) 792-2488 or (620) 793-5512
P.O. Box 713, Great Bend, KS 67530

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Stafford Field Office

WATER RESOURCES
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Carmen Schmitt

From: Engelbrecht, Jessica [KDA] <Jessica.Engelbrecht@ks.gov>
Sent: Wednesday, January 12, 2022 4:27 PM
To: carmen@schmittinc.net
Subject: Rate Increase Application
Attachments: 19938 Application Packet.pdf

Carmen,
I have attached a partially completed Application for Water Appropriation. Please carefully review the application for accuracy. If everything looks good, please do the following;

- Print "19,938 Application Packet" in color.
- Sign No. 6 on Page 2.
- As noted in 11b on Page 3, you will need to identify nearby domestic wells and supply names and addresses for the landowner.
- The information for No. 13 on Page 4 will be left blank as a well log has been provided.
- Fill in No. 16 on Page 4 as well as sign the application.
- Sign both maps. Mark on one of the maps the locations of the nearby domestic wells as mentioned above.
- Page 11 will need to be signed in the presence of a notary public.

Once you have completed all the information, mail the application along with the application fee of \$200 to the Kansas Department of Agriculture in Manhattan. The address is on the first page of the application.

After you have submitted your application, it will be assigned a priority number according to the date and time received. It will take time for the application to be checked in and assigned to an environmental scientist to be processed. Applications are processed by their priority number assigned when received in our office in Manhattan. This means that it could take 9-12 months or longer for your application to be processed. There is no guarantee that your application will be approved as filed. If additional information is needed or the application needs to be modified by DWR in any way once it has been filed, we will contact you.

If you have any questions, or if the application need to be modified in any way, please let me know.

Jessica Engelbrecht, Environmental Scientist
KDA Division of Water Resources
Stafford Field Office
(620) 234-5311 Office
(620) 234-6900 Fax
Jessica.engelbrecht@ks.gov
www.agriculture.ks.gov



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**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

January 12, 2022
(Date)

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Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
1320 Research Park Drive
Manhattan, Kansas 66502

Re: Application
File No. 19938

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.

Carmen Schmitt
Signature of Applicant

State of Kansas)
) ss
County of Barton)

Carmen Schmitt
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 12 day of January, 2022.

Karla D. Wilkens
Notary Public

My Commission Expires:

