

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.

WATER RESOURCES RECEIVED
MAR 24 2022 1:40 PM
KS DEPT OF AGRICULTURE



THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

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

50753

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.)

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): Colten Deutsch
Address: 785 Avenue N
City: Chase State KS Zip Code 67524
Telephone Number: (620) 680-0615

2. The source of water is: surface water in _____ (stream)
OR groundwater in Smokey Hill 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 800 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. 2 GMD Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G/S County EW By BMM Date 3/29/22
Code RE2 Fee \$ 300 TR # _____ Receipt Date 3/24/22 Check # 1845

3/30/2022
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 NE quarter of the NE quarter of the NE quarter of Section 24, more particularly described as being near a point 4743 feet North and 74 feet West of the Southeast corner of said section, in Township 17 South, Range 9 West, Ellsworth 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):

Maxx, LLC - Series 01, 2445 10th Rd, Lorraine, KS 67459

(name, address and telephone number)

Patricia Mollhagen 1512 Prairie Lane Ellsworth, KS 67439 (785) 531-0504

(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 19, _____, 2022. _____

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 Well, One Pump, Pivot
(number of wells, pumps or dams, etc.)
and will be completed (by) ASAP
(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)

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:

- (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.

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 Tenant
(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):
Maxx, LLC - Series 01, 2445 10th Rd, Lorraine, KS 67459
(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 Chase, Kansas, this 19 day of March, 2022.
(month) (year)


(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

MAR 24 2022

FEE SCHEDULE

KS DEPT OF AGRICULTURE

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

IRRIGATION USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): Colten Deutsch

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: MOLLHAGEN, INC
 ADDRESS: 2445 10th Rd, Lorraine, KS 67459

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24	17	9W													37.5	37.5	37.5	37.5	150

Landowner of Record NAME: _____
 ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				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	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

MAR 24 2022

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
Crete silt loam	100		
Total:	100 %		

b. Estimate the average land slope in the field(s): 1-2 %

Estimate the maximum land slope in the field(s): 1 %

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: 35 psi

(2) What is the sprinkler package design rate? 700 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:

Corn & Soybeans

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).

Crop Consultant

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

This well will be tied to the quarter section where this place of use is located. (It is a separate landowner that I listed step #6, below Maxx LLC)

INPUTS

Target Section Definition	
Section	24
Township	17
Range	9
Range Direction	W
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-98.257280
Target Latitude	38.564240

Load Data and Compute

Instructions

1. Enter values for section, township, range and range direction.
2. Enter **NAD27** or **NAD83** longitude and latitude of target point.
3. Click "Load Data and Compute" button.
4. Use feet distances corresponding to datum of target point.

**Colten Deutsch 24-17-9W
NE1/4 NE1/4 NE1/4**

Loaded Section Data

From LEOBASE using **NAD83**

Corner	Corner Latitudes	Corner Longitudes
SW	38.55071494	-98.27550100
NW	38.56521094	-98.27551575
NE	38.56575978	-98.25706701
SE	38.55121785	-98.25702108
Degrees Longitude per Foot		3.49682859E-06
Degrees Latitude per Foot		2.74582762E-06

Target Point Distances from Corners using NAD83

Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	4926	-5211
NW	-354	-5215
NE	-553	61
SE	4743	74

Loaded Section Data

From LEOBASE using **NAD27**

Corner	Corner Latitudes	Corner Longitudes
SW	38.55070500	-98.27516200
NW	38.56520100	-98.27517700
NE	38.56575000	-98.25672900
SE	38.55120800	-98.25668300
Degrees Longitude per Foot		3.49682811E-06
Degrees Latitude per Foot		2.74598553E-06

Target Point Distances from Corners using NAD27

Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	4929	-5114
NW	-350	-5118
NE	-550	158
SE	4746	171

DRILLER'S TEST LOG

MAR 24 2022

Customer Name: Colten Deutsch Date: 3/8/2022
 Address: _____
 County: Ellsworth Quarter: NE Section: 24 Township: 17 Range: 9
 Test No: #322

Borehole Depth		Description of Strata	Indicate Test Location by an X			
From	To		1	2	3	4
0	3	Top soil				
3	11	Brown clay				✘
11	18	Red bed				
18	28	Yellow red shale				
28	30	Gray shale				
30	65	Sand rock - coarse clean tan				
65	73	Red bed				
73	78	Sand rock - coarse tan w/ tan clay 70/30				
78	81	Gray shale				
81	101	Fire clay				
101	105	Sand rock - tan coarse w/ white clay 80/20				
105	130	Fire clay				
130	141	White sandy brittle shale w/ sand rock	Static Water Level: <u>76</u> Ft			
141	142	Hard cemented rock w/ sand rock	Remarks: <u>Set 2" pipe for water sample (customer)</u>			
142	145	Gray shale w/ tan sand rock	Test for SE 1/4			
145	160	Fire clay				
160	165	Gray shale				
165	180	Tan sand rock w/ clay mix 70/30	Garmin GPS: NAD 83			
180	185	Tan sand rock w/ little caly streaks 95/5	Latitude: 38.56424 N			
185	192	Sand rock - tan ironated clean	Longitude: 98.25728 W			
192	193	Hard iron pyrite rock	Elevation:			
193	195	Sand rock - tan ironated				
195	245	Sand rock - soft clean				
245	247	Fire clay & shale				
247	250	Iron pyrite				
250	260	Gray shale	Driller: <u>Luis Luna</u>			
260	275	Sand rock - ironated coarse clean	Spot Location: <u>SE/ NE/ NE/ NE</u>			

ROSENCRANTZ-BEMIS EQUIPMENT CO., INC

Telephone (620) 792-2488 or (620) 793-5512

P.O. Box 713, Great Bend, KS 67530

WATER RESOURCES
RECEIVED

MAR 24 2022

KS DEPT OF AGRICULTURE

(Date)

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

Re: Application
File No. _____

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.

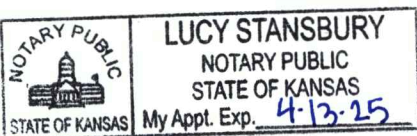
I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Colten Deutsch
Signature of Applicant

State of Kansas)
County of Rice) ss
)

Colten Deutsch
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 19 day of march, 20 22.



Lucy Stansbury
Notary Public

My Commission Expires:
4-13-2025

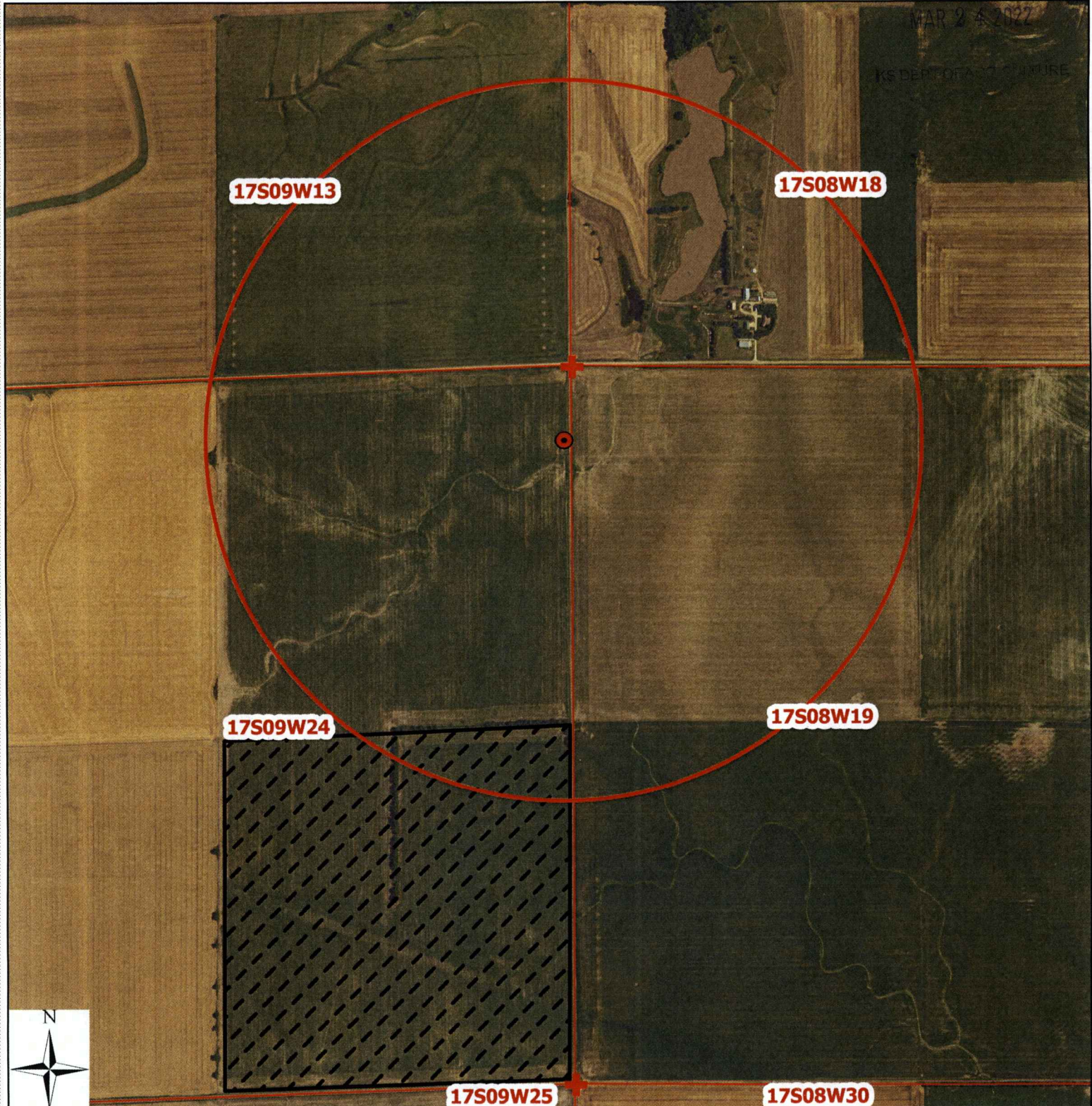
**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

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

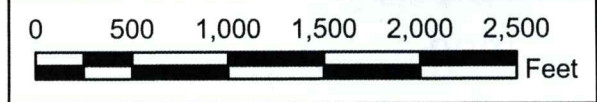
Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River

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KS DEPT OF AGRICULTURE



Legend

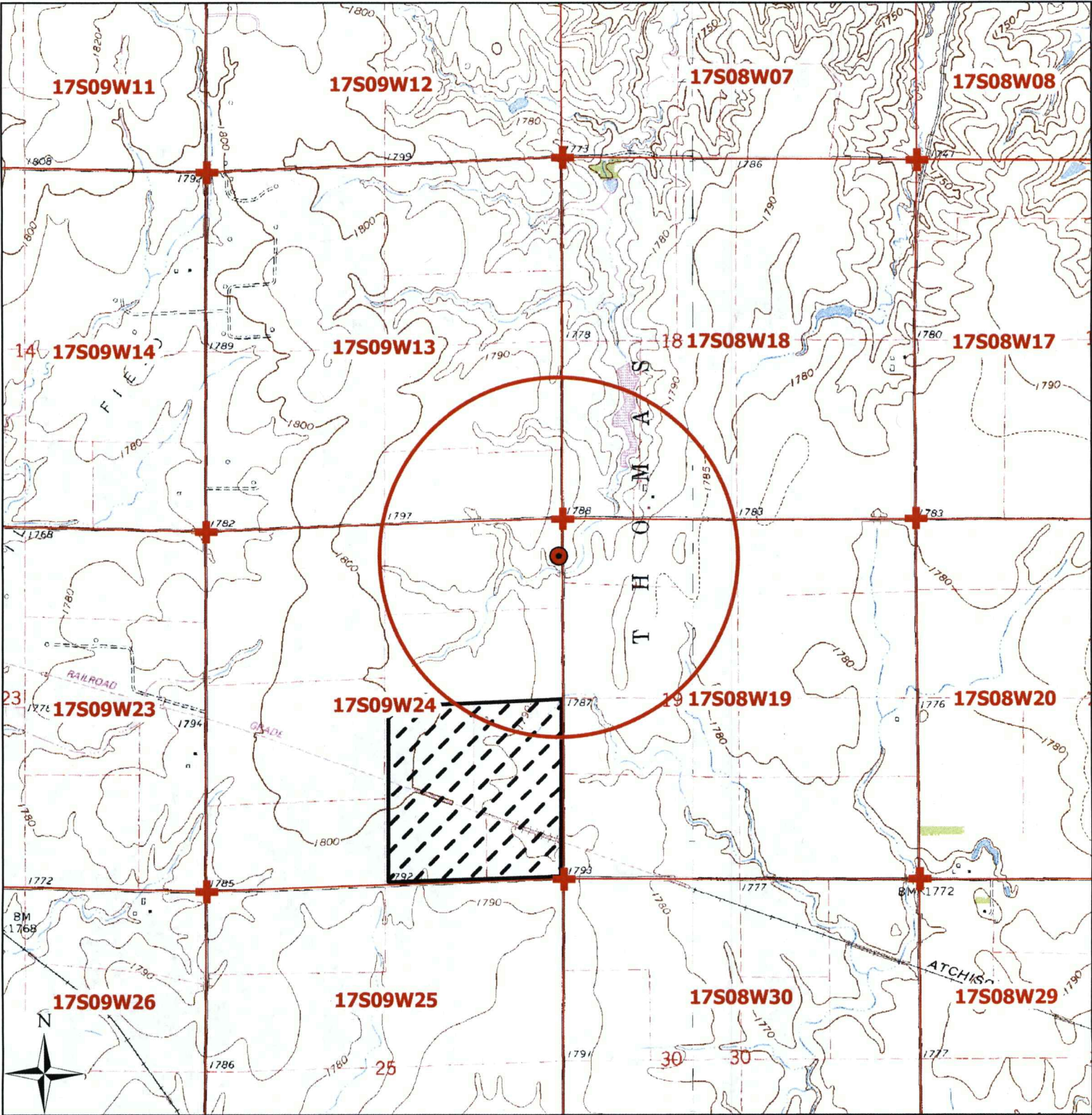
- Water Appropriation
- Proposed Point of Diversion
- Section Corner
- Section Line
- Half-Mile
- Proposed Place of Use









24-17-9W // Ellsworth County

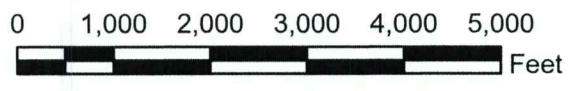
To the best of my knowledge, all points of diversion within one-half mile of the proposed point of diversion have been shown.

Application, File No.



Legend

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



24-17-9W // Ellsworth County

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

DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 50753

APPLICANT	PDIV ID	BATTERY ID
PERSON ID & SEQ # 68210	89389	
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

LANDOWNER	PUSE ID
PERSON ID & SEQ # 24102	58732
_____	_____
_____	_____
_____	_____
_____	_____

WATER USE CORRESPONDENT

PERSON ID & SEQ #

68210
