

# 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

File Number 50906
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
NOV 07 2022 12:58
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:

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1. Name of Applicant (Please Print): Knop Sand Co Inc
Address: 305 E Santa Fe
City: Ellinwood State KS Zip Code 67526
Telephone Number: (620) 791-7191
Stafford Field Office
Division of Water Resources

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2. The source of water is: [ ] surface water in (stream)
OR [x] groundwater in Arkansas River Basin (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 328 acre-feet OR 106,881,800 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 GS County BT By Date
Code RMP Fee \$500 S&G project permit TR # Receipt Date 11-7-22 Check # 015498

11/10/2022
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 Geographic Center of a Groundwater Pit in the SW quarter of the SE quarter of the NE quarter of Section 6, more particularly described as being near a point 3,050 feet North and 1,030 feet West of the Southeast corner of said section, in Township 20 South, Range 11 West, Barton 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):

Don L & Janice Knop, 305 E Santa Fe Blvd, Ellinwood KS 67526  
(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 11-21, 2022.

Janice Z. Knop  
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 groundwater pit w/ hydraulic dredge  
(number of wells, pumps or dams, etc.)  
and was completed (by) October 1994  
(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 October 1994.  
(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 \_\_\_\_\_
- If no, explain here why a Water Structures permit is not required water Returns directly back into the pond

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. 41153, 41154 & 44892 currently authorized portions of the proposed place of use. These three (3) files are being used as offsets via K.A.R. 5-13-7 and 5-13-8 and will be dismissed contingent upon approval of this new application. Existing permits authorize a total of 139,466,900 gallons (428 AF) for evaporation from sand and gravel groundwater pits. Of this quantity, 100 AF is being used to offset a separate new application. The remaining 328 AF will be used for the offset of this application.

This application is proposed as a project permit and will include hydraulic dredging as a secondary use.

Therefore, Term Permit, File No. 20179009 will no longer be needed and will also be dismissed.

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Division of Water Resources

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	<u>N/A</u>	<u>Ground</u>	<u>water</u>	<u>pit</u>
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/Operator  
(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):

Don L & Janice Knop, 305 E Santa Fe Blvd, Ellinwood KS 67526  
(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 Ellinwood, Kansas, this 21 day of October, 2022.  
(month) (year)

 David H. Knop  
(Applicant Signature)

By \_\_\_\_\_  
(Agent or Officer Signature)

\_\_\_\_\_  
(Agent or Officer - Please Print)

Assisted by EKF SFFO/ESII Date: 5/24/2022  
(office/title)

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Division of Water Resources

## INDUSTRIAL USE SUPPLEMENTAL SHEET

File No. \_\_\_\_\_

Name of Applicant (Please Print): Knop Sand Co Inc

1. Please describe type of industry or product produced: Sand & Gravel  
 \_\_\_\_\_ 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	57,127 tons		
Last year	69,444		
Present year	37,200		

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	WATER TO BE DIVERTED (GALLONS)	GALLONS PER PRODUCT PER DAY
Year 1	65,000 tons		
Year 2	65,000 tons		
Year 3	65,000 tons		
Year 4	65,000 tons		
Year 5	65,000 tons		

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	
6	20S	11W	A sand and gravel pit with a projected surface area not to exceed 103 acres in the East Half of Section and the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of																
5	20S	11W	Section																

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

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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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Division of Water Resources

# NOTICE OF INTENT TO OPEN OR EXPAND A SAND AND GRAVEL PIT OPERATION



State of Kansas

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) Knop Sand Co Inc  
Address 305 E Santa Fe  
Ellinwood KS 67526  
Telephone (620) 791-7191
2. Please designate the legal description of the pit: 131.3 acres in the \_\_\_\_\_<sup>1</sup>/<sub>4</sub> of the \_\_\_\_\_<sup>1</sup>/<sub>4</sub> of the \_\_\_\_\_<sup>1</sup>/<sub>4</sub> of Section 5 & 6, Township 20 South, Range 11 E W, Barton County, KS.
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? 1994
5. Indicate the proposed final size of the pit in acres: 131.3 acres
6. Estimate the year the pit will be completed: \_\_\_\_\_
7. By what method will the pit be excavated?  
Hydraulic 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  
If yes, please specify the type of diversion and use to be made of the water. \_\_\_\_\_
9. Attach a copy of the Reclamation Plan you have on file with the State Conservation Commission.
10. Please specify the measures you plan to use to protect groundwater from pollution, such as berms or vegetative strips:

Berms and ditches for drainage surround the pit

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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	36
Year 1	38
Year 2	40
Year 3	42
Year 4	44
Year 5	46

12. Owner's Name (Please Print) Don L & Janice Knop

Address 305 E Santa Fe

Ellinwood KS 67526

Telephone (620) 564-3166

13. Please attach any additional information you believe will assist DWR in understanding the nature of your proposed pit or the expansion of your existing pit.

Janice K Knop 10-01-2022  
Name (Please Print) Date

Janice K. Knop  
Signature

\_\_\_\_\_  
Title/Relationship to Owner

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Division of Water Resources

\_\_\_\_\_  
(Date)

Kansas Department of Agriculture  
Division of Water Resources  
Earl D. Lewis, Jr, 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.

Janice K. Knop  
Signature of Applicant

Janice K. Knop  
(Print Applicant's Name)

State of Kansas )  
County of Barton ) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 21 day of Oct, 2022.

Janice Birzer  
Notary Public

My Commission Expires:



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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.

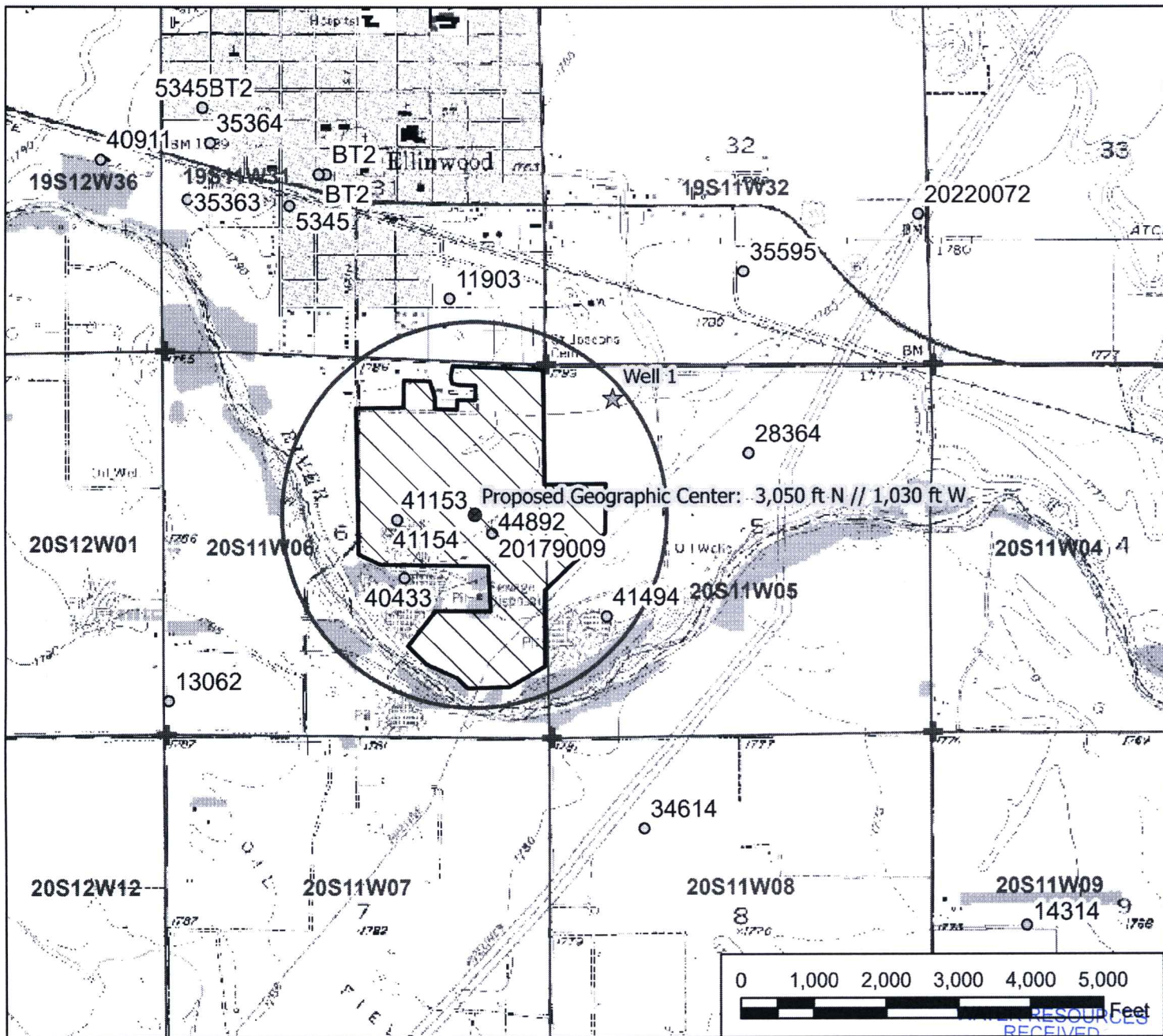
Arkansas River  
Big Blue River  
Chapman Creek  
Chikaskia River  
Cottonwood River  
Delaware River  
Little Arkansas River  
Little Blue River  
Marais des Cygnes River  
Medicine Lodge River  
Mill Creek (Wabaunsee Co. area)  
Neosho River

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

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Division of Water Resources



**Legend**

- Water Appropriations
- Proposed Point of Diversion
- ⊙ Authorized Point of Diversion
- ☆ Domestic Well
- ⊕ Section Corner
- Half Mile Circle
- ▭ Section Lines
- ▨ Proposed Place of Use

**New Application, File No.**

NOV 07 2022

**New Application Map  
05 & 06-20S-11W // Barton County**

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

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*Janice Z. Knop*  
Signature / Date

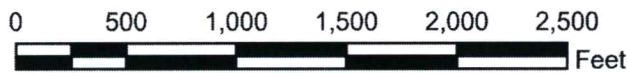
Stafford Field Office  
Division of Water Resources

5/24/2022 EKF/SFFO 1:24,000 scale



**Legend**

- Water Appropriations
- Proposed Point of Diversion
- Proposed Point of Diversion
- ⊙ Authorized Point of Diversion
- ☆ Domestic Well
- ⊕ Section Corner
- Half Mile Circle
- Section Lines
- ▨ Proposed Place of Use



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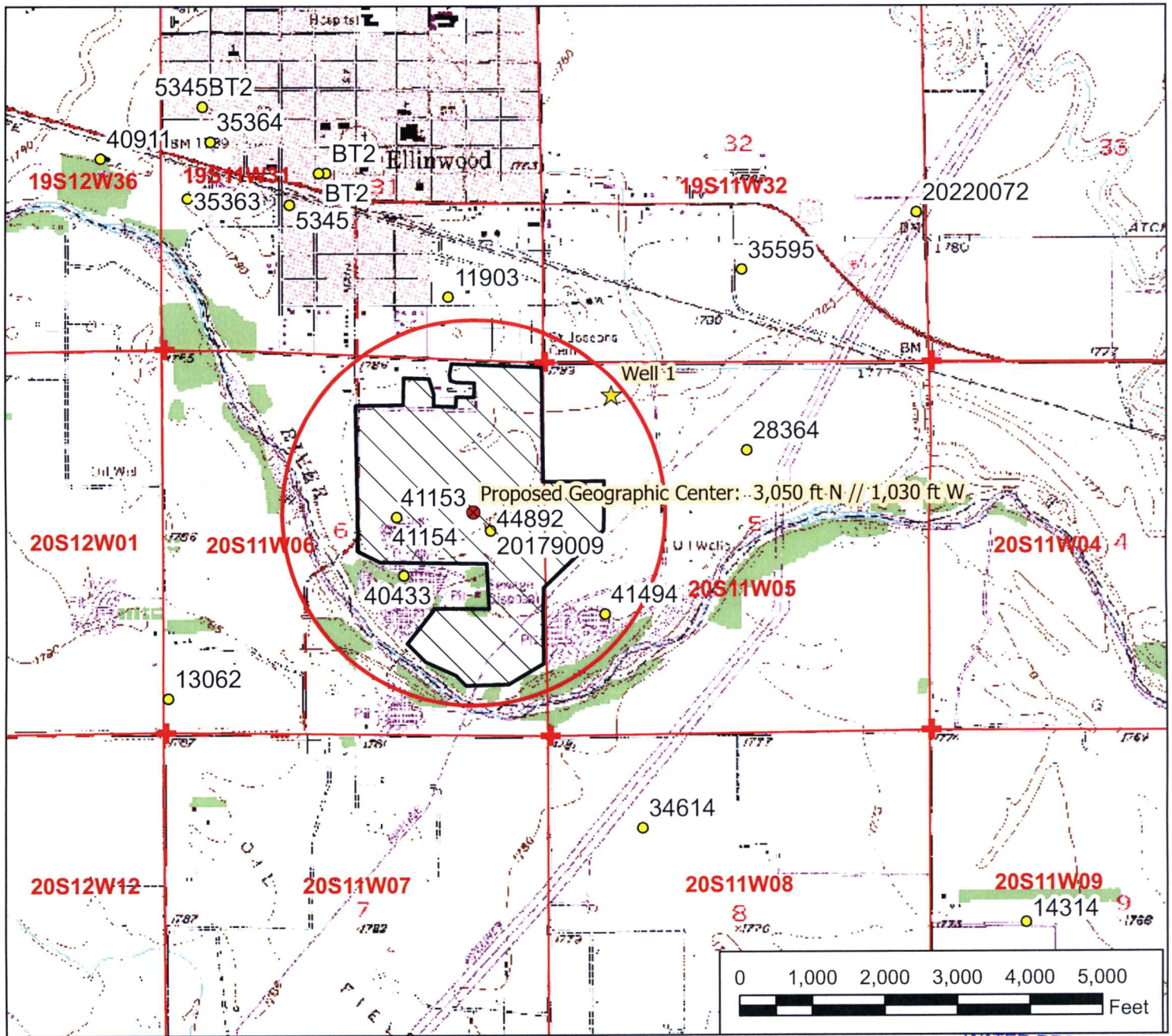
**NOV 03 2022**

**New Application, File No.**

**New Application Zoomed Map  
05 & 06-20S-11W  
Barton County**

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- Legend**
- Water Appropriations
  - Proposed Point of Diversion
  - Authorized Point of Diversion
  - ★ Domestic Well
  - ⊕ Section Corner
  - ⊞ Half Mile Circle
  - ▭ Section Lines
  - ▨ Proposed Place of Use

**New Application, File No.** NOV 07 2022

**New Application Map**  
**05 & 06-20S-11W // Barton County**

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

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 Division of Water Resources

Signature / Date

5/24/2022 EKF/SFFO 1:24,000 scale

**DATA ENTRY SYSTEM ID NUMBER SHEET**

FILE NUMBER 50906

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
<u>54595</u>	<u>89892</u>	

LANDOWNER PERSON ID & SEQ #	PUSE ID	SIC
<u>54595</u>	<u>13416</u>	<u>1442</u>

WATER USE CORRESPONDENT PERSON ID & SEQ #
<u>54595</u>