

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.

APR 14 2023

1244

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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 51012
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): Aeonard R Borel
Address: 131 NE 100 Rd
City: Harper State KS Zip Code 67058
Telephone Number: (620) 222-9722

2. The source of water is: [] surface water in (stream)
OR [x] groundwater in Chikaskia 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 12.47 acre-feet OR 4,062.940 gallons per calendar year, to be diverted at a maximum rate of 50 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) [x] 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 HP ALB Date 4/14/23
Code REG Fee \$ 200 TR # Receipt Date 4/14/23 Check # 1147

4/25/2023
LMoody

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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 NW quarter of the NE quarter of the NW quarter of Section 6, more particularly described as being near a point 4983 feet North and 3427 feet West of the Southeast corner of said section, in Township 32 South, Range 6 West, Harper 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 _____, _____ 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 _____, _____ 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 _____, _____ 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):

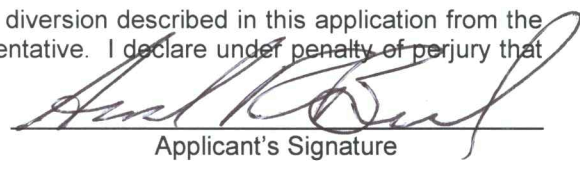
(name, address and telephone number)

(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 April 10, 2023.


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 will be completed February 3, 2006
(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 04/15/2023
(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 1/2 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 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 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.

Small Use Exemption limited to 12.47 AF and 50 gpm when combined with accompanying application.

PD and PU overlap with accompanying application.

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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>2/3/2006</u>	_____	_____	_____
Total depth of well	<u>55 ft</u>	_____	_____	_____
Depth to water bearing formation	<u>35 ft</u>	_____	_____	_____
Depth to static water level	<u>15 ft</u>	_____	_____	_____
Depth to bottom of pump intake pipe	<u>55 ft</u>	_____	_____	_____

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):

Janette E. BOREL 131 NE 100 Rd Harper KS 67058 (303)522-0572
(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 Harper, Kansas, this 10th day of April, 2023.
(month) (year)


(Applicant Signature)

By _____
(Agent or Officer Signature)

AEGNARD R. BOREL
(Print Name)

Assisted by _____ SFFO _____ Date: 04/05/2023
(office/title)

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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): Aeonard R Borel

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: Aeonard R Borel

ADDRESS: 131 NE 100 Rd, Harper, KS 67058

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	32	6W					28.0	0										30.0	

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	

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:

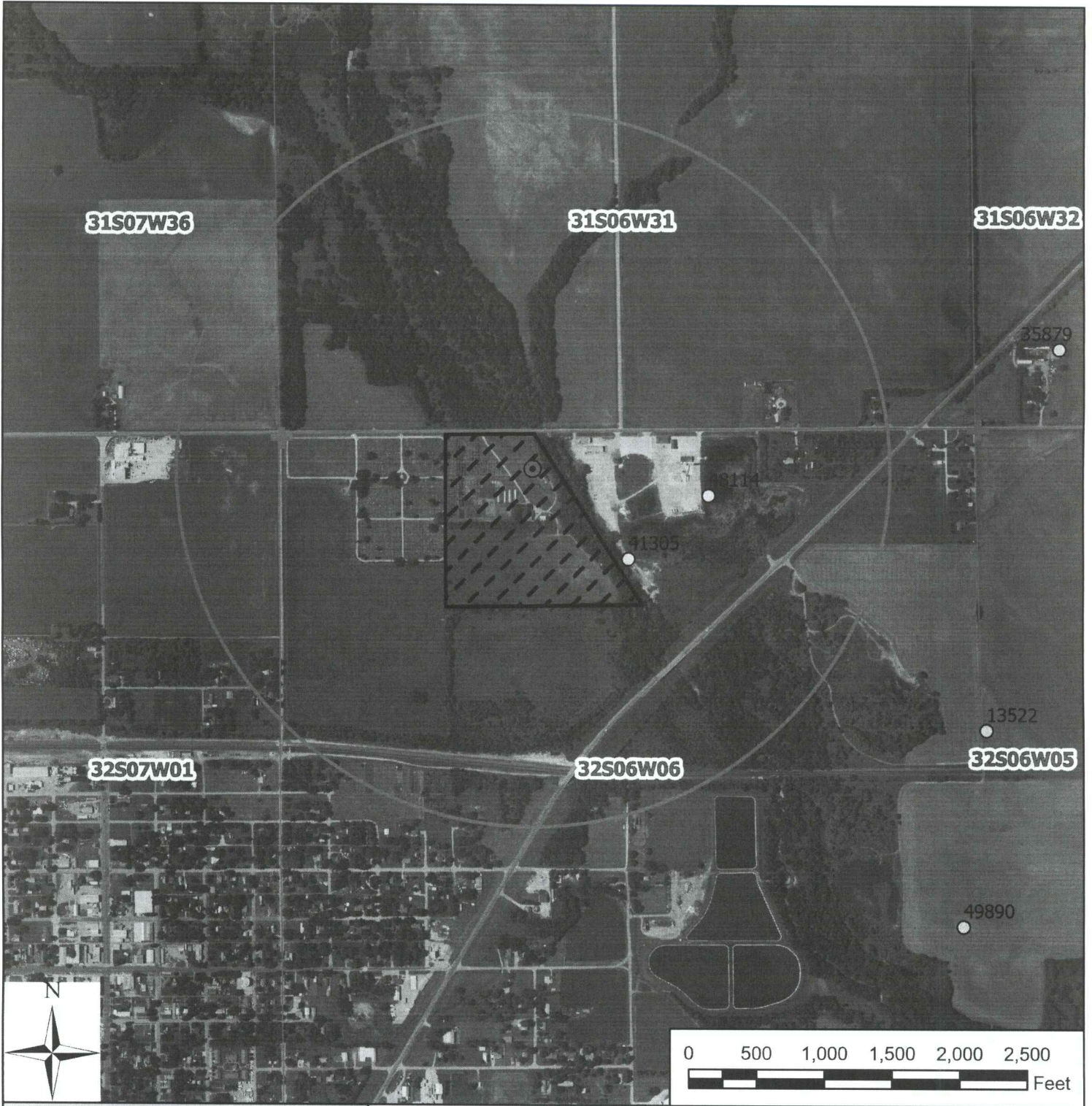
f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

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

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Legend

- PD
- Proposed Point of Diversion
- ⊕ Section Corner
- Section Line
- ▭ Half-Mile
- ▨ Proposed Place of Use

Application, File No. _____
 6-32-6W // Harper County
 4,983' North, 3427' West

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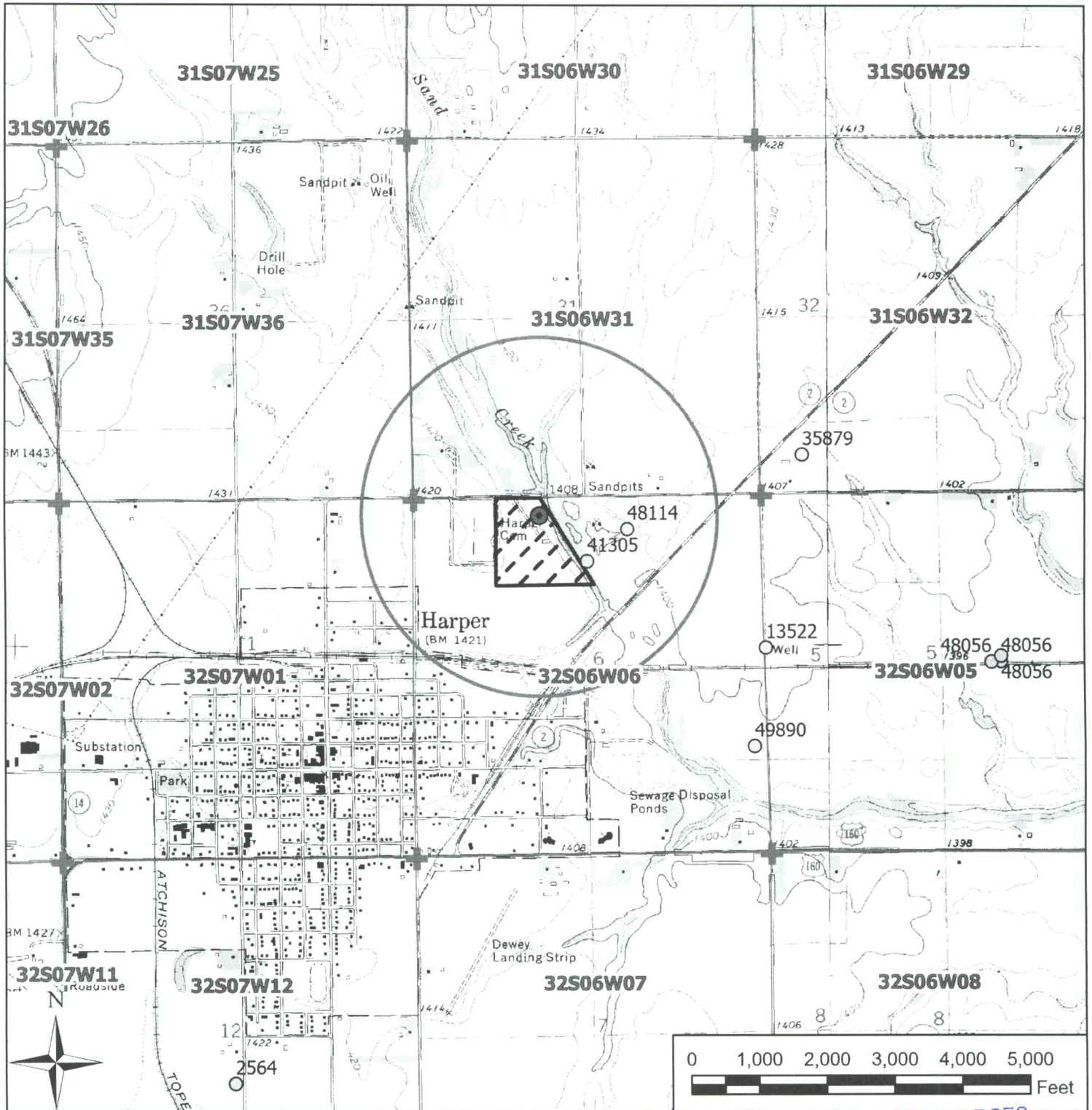
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To the best of my knowledge, all points of diversion within one-half mile of the proposed point of diversion have been shown.

Signature / Date

04/05/2023 JNE/SFFO 1:12,000



Legend

- PD
- Proposed Point of Diversion
- ⊕ Section Corner
- ▭ Section Line
- ▭ Half-Mile
- ▨ Proposed Place of Use

Application, File No. _____ **APR 14 2023**
6-32-6W // Harper County
4,983' North, 3427' West

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

Well Owners within ½ Mile

1. Tihen Family Farms LLC
919 SE 29th St
Cape Corral FL 33904
2. Seth T & Heather D Harding
172 NE 100 RD
Harper KS 67058
3. James M & Pamela A Fallis
1104 Pine
Harper KS 67058
4. White Iron INC
3170 N Ohio
Wichita KS 67219
5. Mary K Gaug
1003 Cleveland
Harper KS 67058
6. Lewis & Katelyn McCartney
1217 E 8th
Harper KS 67058

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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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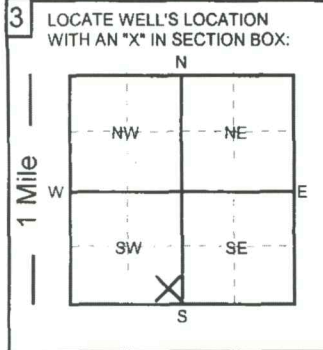
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WATER WELL RECORD Form WWC-5 KSA 82a-1212

1 LOCATION OF WATER WELL: Sedgwick	FRACTION SE 1/4 SE 1/4 SW 1/4	SECTION NUMBER 31	TOWNSHIP NUMBER T 31 S	RANGE NUMBER R 6W E/W
--	---	-----------------------------	----------------------------------	---------------------------------

Distance and direction from nearest town or city street address of well if located within city?
K-2 to NE 100 Road, 1/2 mile West on Southside Harper, Kansas

2 WATER WELL OWNER: BEAL, Steve	Board of Agriculture, Division of Water Resource
RR#,ST. ADDRESS,BOX #: 1018 Central	Application Number:
CITY, STATE: Harper, Kansas	ZIP CODE:



4 DEPTH OF COMPLETED WELL: 55 ft.	ELEVATION:
Depth of groundwater Encountered: _____ ft.	_____ ft.
WELL'S STATIC WATER LEVEL 15 FT. BELOW LAND SURFACE MEASURED ON mo/day/yr: 2/23/06	
Pump test data: Well water was _____ ft. after _____ hours of pumping @ _____ gpm	
Est. Yield: _____ gpm Well water was _____ ft. after _____ hours of pumping @ _____ gpm	
Bore Hole Diameter 12 in. to 55 ft. and _____ in. to _____ ft.	
WELL WATER TO BE USED AS:	
<input checked="" type="checkbox"/> 1. Domestic	<input type="checkbox"/> 3. Feedlot
<input type="checkbox"/> 2. Irrigation	<input type="checkbox"/> 4. Industrial
<input type="checkbox"/> 5. Public water supply	<input type="checkbox"/> 7. Lawn and garden only
<input type="checkbox"/> 6. Oil field water supply	<input type="checkbox"/> 8. Air conditioning
<input type="checkbox"/> 9. Dewatering	<input type="checkbox"/> 11. Injection well
<input type="checkbox"/> 10. Monitoring well	<input type="checkbox"/> 12. Other (Specify below)
Was a chemical/bacteriological sample submitted to Department? YES	Was Water Well Disinfected? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

5 TYPE OF CASING USED:	1. Steel	3. RPM (SR)	5. Wrought Iron	7. Fiberglass	9. Other (Specify below)	CASING JOINTS: <input checked="" type="checkbox"/> Glued <input type="checkbox"/> Threaded
	<input checked="" type="checkbox"/> 2. PVC	<input type="checkbox"/> 4. ABS	<input type="checkbox"/> 6. Asbestos-Cement	<input type="checkbox"/> 8. Concrete tile	SDR-26	<input type="checkbox"/> Welded <input type="checkbox"/> Clamped
Blank casing diameter 5 in. to 35 ft., Dia. in. to _____ ft., Dia. in. to _____ ft.						
Casing height above land surface: 12 in., Weight: 2.35 lbs. / ft. Wall thickness or gauge No. .214						
TYPE OF SCREEN OR PERFORATION MATERIAL:						
1. Steel	3. Stainless Steel	5. Fiberglass	<input checked="" type="checkbox"/> 7. PVC	9. ABS	11. Other (specify)	
2. Brass	4. Galvanized	6. Concrete Tile	8. RMP (SR)	10. Asbestos-Cement	12. None used (open hole)	
SCREEN OR PERFORATION OPENINGS ARE:						
1. Continuous slot	3. Mill slot	5. Gauzed wrapped	7. Torch cut	9. Drilled holes	11. None (open hole)	
2. Louvered shutter	4. Key punched	6. Wire wrapped	<input checked="" type="checkbox"/> 8. Saw cut	10. Other (specify)		
SCREEN - PERFORATION INTERVAL	From 35 ft. to 55 ft.,	From _____ ft. to _____ ft.,	From _____ ft. to _____ ft.,	From _____ ft. to _____ ft.,	From _____ ft. to _____ ft.,	
GRAVEL PACK INTERVALS:	From 24 ft. to 55 ft.,	From _____ ft. to _____ ft.,	From _____ ft. to _____ ft.,	From _____ ft. to _____ ft.,	From _____ ft. to _____ ft.,	

6 GROUT MATERIALS:	1. Neat cement	2. Cement Grout	3. Bentonite	Other bentonite hole plug
Grout Intervals: From 4 ft. to 24 ft.,	From _____ ft. to _____ ft.,	From _____ ft. to _____ ft.,	From _____ ft. to _____ ft.,	From _____ ft. to _____ ft.,
What is the nearest source of possible contamination:				
1. Septic tank	<input checked="" type="checkbox"/> 4. Lateral lines	7. Pit privy	10. Livestock pens	13. Insecticide storage
2. Sewer lines	5. Cess Pool	8. Sewage lagoon	11. Fuel storage	14. Abandon water well
3. Watertight sewer line	6. Seepage pit	9. Feed yard	12. Fertilizer storage	15. Oil well/Gas well
Direction from well? South				How many feet? 300

From	To	LITHOLOGIC LOG	From	To	LITHOLOGIC LOG
0	2	topsoil			
2	20	very coarse gravel			
20	32	medium sand			
32	35	clay			
35	55	medium sand			

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7 Contractor's or Landowner's Certification: This water well was 1. <input checked="" type="checkbox"/> constructed 2. reconstructed or 3. plugged under my jurisdiction and was completed on (mo/day/year) 2/23/2006 and this record is true to the best of my knowledge and belief.	
Kansas Water Well Contractor's License No. 236 This water well record was completed on (mo/day/year) 2/27/2006	
under the business name of Harp Well & Pump Service Inc. by (signature) <i>Jo dd S. Harp</i>	

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

April 20, 2023

AEONARD R BOREL
131 NE 100 RD
HARPER KS 67058

RE: Application, File No(s). **51012**

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

DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 51012

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
<u>68969</u>	<u>90258</u>	

LANDOWNER PERSON ID & SEQ #	PUSE ID
<u>68969</u>	<u>71334</u>

**WATER USE CORRESPONDENT
PERSON ID & SEQ #**

38969
