

File No. **51,032** 13. County: **MN** Basin: **Cottowood River** Stream:
 Structures File No: Aquifer Code: **540** Special Use Area:

14. Points of Diversion, Rates & Quantities										Qty AF		Rate gpm		Storage Qty AF		Storage Rate	
PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)		Auth	Add	Auth	Add	Auth	Add	Auth/Add	Overlaps
MOD	90334	NE NW NE	35	20S	2E	1	5166	1944	Geo-Center	96	96	800	800				NA
ENT	91244	NW NW NE	35	20S	2E		5166	2044	BATT 1 OF 2		4						
ENT	91245	NW NW NE	35	20S	2E		5166	2144	BATT 1 OF 2		4						
ENT	91246	NE NW NE	35	20S	2E		5166	1844	BATT 1 OF 2		4						
ENT	91247	NE NW NE	35	20S	2E		5166	1744	BATT 1 OF 2		4						

BATT ID 2419

15. Limitations **NEW** Type: Quantity: **AF** Rate: **gpm** combined with file no(s):
NEW Type: Quantity: **AF** Rate: **gpm** combined with file no(s):

16. Metering Metering Required Anti-Reverse Required Seal Required Compliance Date: **12/31/2024**

17. Place of Use																		Total	Owner(s)	Chg?	Overlaps			
PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼							
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
CHK	71393	35	20S	2E	1		40	40													80	5a	<input type="checkbox"/>	
																					0.00		<input type="checkbox"/>	
																					0.00		<input type="checkbox"/>	
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18. Point of Diversion and Place of Use Overlaps

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KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: September 16th, 2024

FROM: Brandon Milner

RE: New Application,
File No. 51,032

Collin Quiring has filed an application to appropriate groundwater for irrigational use, requesting a battery of four wells (4) for a quantity of 32.29 million gallons (96 acre-feet) at a diversion rate of 800 gallons per minute. The proposed point of diversion will be a battery of four wells with a geographical center located in the Northeast Quarter of the Northwest Quarter of the Northeast Quarter of Section 35, in Township 20 South, Range 2 East in Marion County. The entire place of use is owned by Collin Quiring, and the applicant has signed the application form stating that he has legal access to the point of diversion.

This application does not overlap with current water appropriations in the area. The applicant requests to irrigate 80 acres in Marion County. This is equal than the maximum allowable reasonable quantity for Marion County at 1.2 Acre Feet/Acre.

The source of water based on well logs submitted with the application is the Chase Group. Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile radius of the point of diversion, which establishes the area of consideration. Evaluation of the area of consideration included the extent of the unconfined aquifer, provided an area of consideration of 8,042 acres. With a potential annual recharge of 3.2 inches, and 75% of recharge available for appropriation, safe yield was determined to be 1608.50 acre-feet. There are three other groundwater appropriations within two miles but this leaves 1,477.5 acre-feet available for appropriation, so this application complies with safe yield.

There is one domestic groundwater well within one half mile as a nearby notice was sent out on August 28th, 2024. A phone call and email correspondence was received from this nearby domestic well owner. He had questions about the location of the well and if there was a possibility of putting in his owner irrigation system in the future but he did not have any specific concerns to report on this application. This application meets the standard spacing of 1320' for nearby water rights/appropriations and 660' for nearby domestic wells from the point of the diversion as per the requirements in K.A.R. 5-4-4.

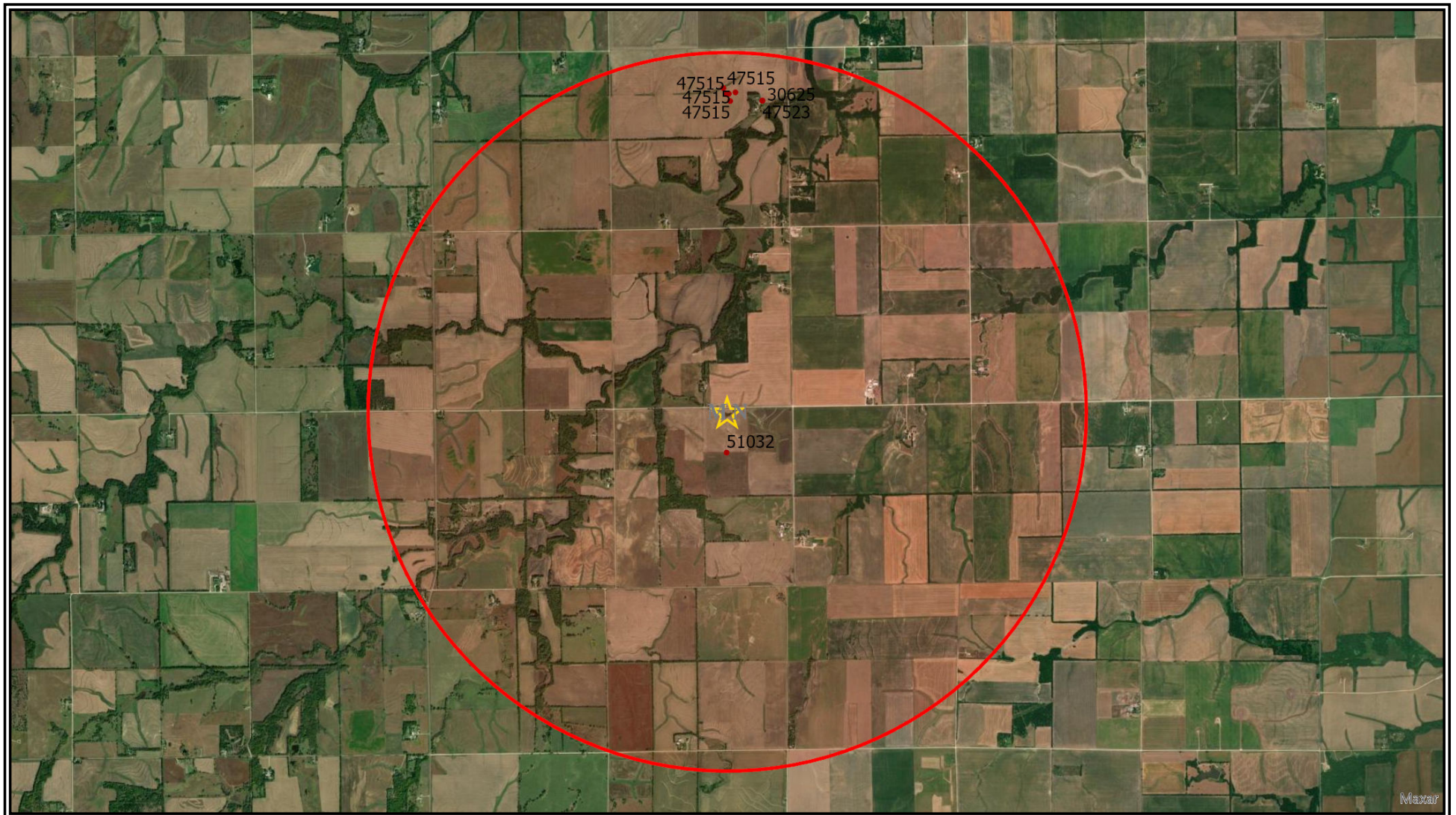
In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

This application was sent to the Topeka Field Office on August 16th, 2024 and was recommended for approval on DATE.

Based on the above discussion, the area is open to new appropriations, the application complies with safe yield and well spacing criteria, approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest. It is recommended that the referenced new application be approved.

Brandon Milner
Environmental Scientist
Manhattan Headquarters

Safe Yield Report Sheet
Water Right- Proposed Point of Diversion
Point of Diversion in 35-20S-02E
Footages from SE corner- 5,166 feet North 1,944 feet West



Analysis Results

The selected PD is in an area OPEN to new appropriations.

The safe yield based on the variables listed below is 1,608.50 AF.

Total prior appropriations in the circle is 227.00 AF.-96=**131 AF**

Total quantity of water available for appropriation is ~~1,381.50 AF~~**1477.5 AF**

Safe Yield Variables

The area used for the analysis is set at 8,042 acres.

The potential annual recharge at the circle center is estimated to be 3.2 inches.

The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 16-SEP-2024 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 4 water rights and 7 points of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
A 30625 00	IRR	NK	G		NW	SE	NE	3800	800	23	20	02E	1	WR	68.00	68.00	171.00	171.00
A 47515 00	IRR	NK	G		NE	SW	NE	3765	1724	23	20	02E	3	WR	93.00	63.00	171.00	0.00
Same	IRR	NK	G		SE	NW	NE	4140	1925	23	20	02E	4	WR				
Same	IRR	NK	G		NE	SW	NE	3958	1836	23	20	02E	5	WR				
Same	IRR	NK	G		SE	NW	NE	4009	1575	23	20	02E	7	WR				
Same	IRR	NK	G		SE	NW	NE	3968	1765	23	20	02E	8	WR				
A 47523 00	IRR	NK	G		NW	SE	NE	3800	800	23	20	02E	1	WR	45.00	0.00	171.00	0.00
A 51032 00	IRR	AY	G				NE	3960	1980	35	20	02E	1	WR	96.00	96.00	80.00	80.00

Limitations

File Number	Seq Num	Limitations
A 47515 00	2	131 AF/YR COM/W #30625
A 47523 00	3	68 AF/YR @ 375 GPM COM/W #30625
Same	4	131 AF/YR COM/W #30625

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

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

APPROVAL OF APPLICATION
and
PERMIT TO PROCEED

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 51,032** of the applicant

COLLIN QUIRING
1152 140TH ST
HILLSBORO, KS 67063

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **May 8, 2023**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
35 - 20S - 2E		40	40														80

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of battery of four (4) wells with a geographical center located in the Northeast Quarter of the Northwest Quarter of the Northeast Quarter (NE¼ NW¼ NE¼) of Section 35, more particularly described as being near a point 5,166 feet North and 1,944 feet West of the Southeast corner of said section, in Township 20 South, Range 2 East, Marion County, Kansas, located substantially as shown on the topographic map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **96 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2025**, or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2029**, or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The required water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

