

JAN 19 2024

13:08

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

File Number **51176**
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): MARK LAWLESS
Address: 573 N. Mount Zion Rd.
City: BELLE PLAINS State KS Zip Code 67013
Telephone Number: (316) 617-3126

2. The source of water is: surface water in _____ (stream)
OR groundwater in _____ (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 104 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 su By alb Date 1/19/24
Code RE2 Fee \$ 300 TR # _____ Receipt Date 1-19-24 Check # 11866

JAN 19 2024

File No. _____

KS Dept. of Agriculture

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 NW quarter of the SE quarter of Section 8, more particularly described as being near a point 2282 feet North and 2575 feet West of the Southeast corner of said section, in Township 30 South, Range 1 (East) West (circle one), Sumner County, Kansas.
- (B) One in the NW quarter of the NW quarter of the SE quarter of Section 8, more particularly described as being near a point 2095 feet North and 2575 feet West of the Southeast corner of said section, in Township 30 South, Range 1 (East) West (circle one), Sumner County, Kansas.
- (C) One in the SW quarter of the NW quarter of the SE quarter of Section 8, more particularly described as being near a point 1904 feet North and 2575 feet West of the Southeast corner of said section, in Township 30 South, Range 1 (East) West (circle one), Sumner County, Kansas.
- (D) One in the SW quarter of the NW quarter of the SE quarter of Section 8, more particularly described as being near a point 1714 feet North and 2575 feet West of the Southeast corner of said section, in Township 30 South, Range 1 (East) West (circle one), Sumner 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 1-15, 2024 Paul Leuberg
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 4 W3MS
and (was)(will be) completed (by) ASAP (number of wells, pumps or dams, etc.)
(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 10/20/24
(Mo/Day/Year)

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JAN 19 2024

File No. _____

KS Dept. of Agriculture

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 _____

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.

JAN 19 2024

KS Dept. of Agriculture

File No. _____

- 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 Belle Plaine, Kansas, this 15 day of JANUARY, 2024.
(month) (year)

Paul Lawless
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by _____ Date: _____
(office/title)

JAN 19 2024

KS Dept. of Agriculture

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 fore 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

JAN 19 2024

KS Dept. of Agriculture

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. _____

Name of Applicant (Please Print): MARK LAWLESS

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: Mark Lawless
ADDRESS: 573 N. Mount Zion Rd. Bell's Prairie, KS 67013

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8	30	1/2 E														40	40		80

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	

JAN 19 2024

KS Dept. of Agriculture

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
<u>VANOSS</u>	<u>57.4</u>	<u>2 in/hr</u>	<u>GWO</u>
<u>BEAumont</u>	<u>21.9</u>	<u>2 in/hr</u>	<u>GWO</u>
<u>Malim</u>	20.7	<u>2 in/hr</u>	<u>GWO</u>
Total:	100 %		

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

1-3 %

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

2 %

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:

NO TAILWATER

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: 35 psi

(2) What is the sprinkler package design rate? 300 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? 68 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, Cotton, Wheat, Alfalfa

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).

WE USE SOM MASTERS PROBES TO HELP MONITOR OUR SOM PROBLE HELPING US KNOW WHEN TO IRRIGATE. WE ALSO MONITOR WHICH AREAS SAVED A LOT OF SOM MASTERS.

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

Well Owners

1. Bryce Boe - 1353 N. Westview Rd. Peck, KS 67120
2. Chantelle Long - 1352 N. Westview Rd. Peck, KS 67120
3. Raymond Macias - 902 SW Wallingston St. Wichita, KS 67214
4. David Lebeda - 1365 N. Westview Rd. Peck, KS 67120
5. John Soileau - 1375 N Bellevue. Peck, KS 67120
6. Hybrow Building Inc - P.O. Box 117 Mulvane, KS 67110
7. Seth Wilson - 887 E 136th Ave. Peck, KS 67120
8. Bryant Zimmerman - 1519 E. 14th Ave. Winfield, KS 67156
9. Rose Mallett - 1345 N Broadway Rd. Peck, KS 67120
10. Carolyn McLaughlin - 870 E. 130th Ave. Peck, KS 67120
11. LADAWNA SPROUT - 109 Cypress. Emporia, KS 66801
12. Marilyn Walton - 837 E. 130th Ave. Peck, KS 67120

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Aerial Map

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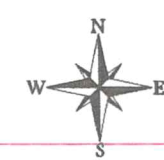


Place
of Use

Boundary Center: 37° 27' 12.89, -97° 20' 18.58



8-30S-1E
Sumner County
Kansas



Maps Provided By:
surety
CUSTOMIZED ONLINE MAPPING
© AgriData, Inc. 2023 www.AgriDataInc.com

1/14/2024

Field borders provided by Farm Service Agency as of 5/21/2008.

JAN 19 2024

KOLAR Document ID: 1677925

WATER WELL RECORD (WWC-5)

Constructed by KS Dept. of Agriculture LOC ID 1677925 WELL ID _____

Original Record Correction Change in Well Use

LOCATION OF WATER WELL

Latitude	37.457439	Longitude	-97.340582	Section	8	Township	30	Range	1	<input checked="" type="checkbox"/> E <input type="checkbox"/> W	Fraction	SW ¼ SW ¼ NE ¼
Datum	WGS84	Elevation	1261	County	Sumner							

WATER WELL OWNER

Name	BRYCE BOE
Business	BRYCE BOE
Address	1353 N WESTVIEW RD PECK KS 67120
Well location	
<input checked="" type="checkbox"/> at owner's address	

WELL WATER USE

Domestic Household

COMPLETION

Depth of completed well: 60 ft.
 Depth(s) groundwater encountered:
 (1) 26 ft.; (2) _____ ft.;
 (3) _____ ft.; (4) dry well

Static water level in well: 26 ft.
 measured below land surface on (mm/dd/yy): 12/16/2022
 measured above land surface on (mm/dd/yy): _____

Estimated yield: _____ gpm
 Water level was: _____ ft. after _____ hours pumping _____ gpm
 Pump installed? Yes No

Water well disinfected? Yes No
 Date disinfected (mm/dd/yy): 12/16/2022

Aquifer, if known: _____

NEAREST SOURCE OF POTENTIAL CONTAMINATION

Source: Lateral lines
 Distance from well: 125 Direction from well: N
 Source description: _____
 Source: _____
 Distance from well: _____ Direction from well: _____
 Source description: _____
 No potential source of contamination within 100 feet.

CONSTRUCTION

Borehole interval: from 0 to 60 ft. Borehole diameter: 12 in.
 from _____ to _____ ft. _____ in.

Casing height above land surface: 16 in.
 If casing height is less than 12 in. has a variance been approved?* Yes No
 *variance not required for monitoring or environmental remediation wells
 Casing type: ThermalPlastic

Blank casing interval: 0 ft. to 60 ft.
 Blank casing diameter: 5 in.
 Casing joints: Glued
 Weight: 160 lbs/ft.
 Wall thickness or gauge no.: 26

Blank casing interval: _____ ft. to _____ ft.
 Blank casing diameter: _____ in.
 Casing joints: _____
 Weight: _____ lbs/ft.
 Wall thickness or gauge no.: _____

Grout interval: 4 ft. to 24 ft.
 Grout material: Bentonite
 Grout interval: _____ ft. to _____ ft.
 Grout material: _____

Screen / perforation material: PVC
 Screen / perforation openings: Mill slot
 Screen / perforation intervals:
 From 40 ft. to 60 ft.
 Slot size .025 unit mils
 From _____ ft. to _____ ft.
 Slot size _____ unit _____

Gravel pack intervals:
 Gravel pack not used: Gravel size _____ in
 From 24 ft. to 60 ft.
 Gravel pack not used: Gravel size _____ in
 From _____ ft. to _____ ft.

LITHOLOGIC LOG

FROM	TO	LITHOLOGY INTERVALS
0	3	topsoil
3	23	clay,tannish
23	57	sand & gravel,medium to coarse
57	60	shale,broken,greenish

COMMENTS

CONTRACTOR'S OR LANDOWNERS CERTIFICATION

This water well was constructed reconstructed pursuant to the stated water well contractor's license and was completed on 12/16/2022. I certify that this record is true to the best of my knowledge and belief. This water well record was completed on 02/08/2023 under the business name of Chase Drilling, Kansas Water Well Contractor's License No. 611 under the authority of the designated person as defined in K.A.R. 28-30-2(j) and signed and certified by the electronic signature of the designated person at its submittal: Rick Chase

Send one copy to WATER WELL OWNER and retain one for your records. Fee of \$5.00 for each constructed well.

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JAN 19 2024

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(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

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.

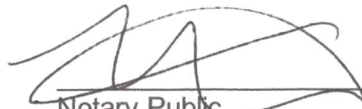


Signature of Applicant

State of Kansas)
) ss
County of SEDGWICK)

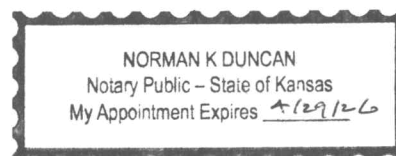
MARK LAWLESS
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 16th day of JANUARY, 2024.



Notary Public

My Commission Expires: 4/29/26



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

January 26, 2024

MARK LAWLESS
573 N MOUNT ZION RD
BELLE PLAINE KS 67013

RE: Application, File No(s). **51176**

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. 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