



THE STATE OF KANSAS

WATER RESOURCES RECEIVED

JUL 22 2024

13:51

KS Dept. of Agriculture

KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

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

File Number 51272

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): Tanganyika Wildlife Park LLC
Address: 1000 S. Hawkins Lane
City: Goddard State KS Zip Code 67052
Telephone Number: (316) 644-9273 - Matt Fouts, Director

2. The source of water is: [ ] surface water in (stream)
OR [x] groundwater in Arkansas 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 45 acre-feet OR gallons per calendar year, to be diverted at a maximum rate of 350 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 - Meets K.A.R. 5-3-1 (YES/NO) Use IND Source G/S County SG By KJN Date 7/23/24
Code REC Fee \$ 200 TR # Receipt Date 7-22-24 Check # 34316

PLEASE email me a copy

OF THE PERMIT when approved

Charles Berry

wranglerss@outlook.com



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1 Battery of 3 Wells

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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.

Well A1 (A) One in the SE quarter of the SW quarter of the NE quarter of Section 29, more particularly described as being near a point 3120 feet North and 1365 feet West of the Southeast corner of said section, in Township 27 South, Range 2 East West (circle one), Sedgwick County, Kansas.

Well A2 (B) One in the SW quarter of the SE quarter of the NE quarter of Section 29, more particularly described as being near a point 2825 feet North and 1020 feet West of the Southeast corner of said section, in Township 27 South, Range 2 East West (circle one), Sedgwick County, Kansas.

Well A3 (C) One in the SE quarter of the SW quarter of the NE quarter of Section 29, more particularly described as being near a point 2675 feet North and 1530 feet West of the Southeast corner of said section, in Township 27 South, Range 2 East West (circle one), Sedgwick County, Kansas.

Geo Ctr (D) One in the SW quarter of the SE quarter of the NE quarter of Section 29, more particularly described as being near a point 2873 feet North and 1305 feet West of the Southeast corner of said section, in Township 27 South, Range 2 East West (circle one), Sedgwick 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):

same

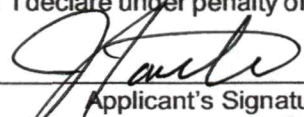
\_\_\_\_\_  
(name, address and telephone number)

\_\_\_\_\_  
(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 July 12<sup>TH</sup>, 2024.



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 existing 3 wells and submersible pumps and (was) (will be) completed (by) 2008 (exact completion date unknown, no logs available)

8. The first actual application of water for the proposed beneficial use was or is estimated to be 2008

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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. **Not applicable**

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.

*Completed. See application map.*

- (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.

*No non-domestic wells within 1/2 mile. Applicant requests public notice in lieu of plotting domestic wells due to heavily developed area and potential large number of domestic wells within the 1/2 mile radius area of consideration.*

- (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.

*Not applicable.*

- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.

*Completed. See application map.*

- (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.

*Exact existing piping configuration plan not available.*

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.

None

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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  
*Information provided are estimates for each well based on available information and other area driller's logs on file with KGS.* (A) (B) (C) (D)

Well location as shown in paragraph No. \_\_\_\_\_  
 Date Drilled 2007 or 2008  
 Total depth of well 60'  
 Depth to water bearing formation 25'  
 Depth to static water level 25'  
 Depth to bottom of pump intake pipe unknown

- 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):  
same  
(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 Goddard, Kansas, this 12<sup>th</sup> day of July, 2024.  
(month) (year)

Tanganyika Wildlife Park  
(Applicant Signature)

By [Signature]  
(Agent or Officer Signature)

Matt Fouts, Director  
(Agent or Officer - Please Print)

Assisted by Don Koci (620-664-0273) Hydrogeologist Date: July 11, 2024  
(office/title)

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**INDUSTRIAL USE  
SUPPLEMENTAL SHEET**

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

Name of Applicant (Please Print): Tanganyika Wildlife Park LLC

Wildlife park, endangered animal

conservation and education.

1. Please describe type of industry or product produced: \_\_\_\_\_

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	N/A	Undetermined	N/A
Last year	N/A	est. 14.3 MG	N/A
Present year	N/A	est. 14.6 MG	N/A

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	See Attachment A for water use projections.	14,631,000	See Attachment A for water use projections.
Year 2		14,631,000	
Year 3		14,631,000	
Year 4		14,631,000	
Year 5		14,631,000	

Number of days of operation of the industry per year is 365 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		
29	27S	2W	portions of 14.5 acre area in S/2 of NE/4																	14.5

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

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## **Attachment A.**

### **Industrial Use Projections**

Proposed use of water is for industrial purposes at the Tanganyika Wildlife Park.

The proposed quantity of water is based on estimated prior well battery use hours, pumping rates, habitat pool volumes, pump and common distribution sizing. Wells A1 and A2 are equipped with 5 hp submersible pumps/motors, and Well A3 is equipped with a 7.5 hp submersible pump/motor. The wells are not presently equipped with water flowmeters for measurement of rate and volume. The proposed rate of 350 gpm is based on pump and distribution sizing. Based on area lithologic log data, it is anticipated that the actual maximum rate of diversion will be lower once verified by future meter installations following permit approvals.

### **Volume Projections**

**9,500,000 gallons per year** for cleaning/washdown in barns and habitats within designated place of use. The various habitats served include giraffes, rhinos, primates, large cats, penguins, hippos, etc.

**3,500,000 gallons per year** for animal pool filling. Pools consist of 4 small pools for hippos, rhinos and large cat exhibit, and 1 larger pool for penguin exhibit.

**1,631,000 gallons per year** (April-October) for facility and exhibit green space watering (landscaping and turf grass). The water distribution delivery system for this component is equipped with drip emitters and various spray nozzles.

**The total water use projection is 14,631,000 gallons per year or 45 acre-feet per year.**



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**FEE SCHEDULE**

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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

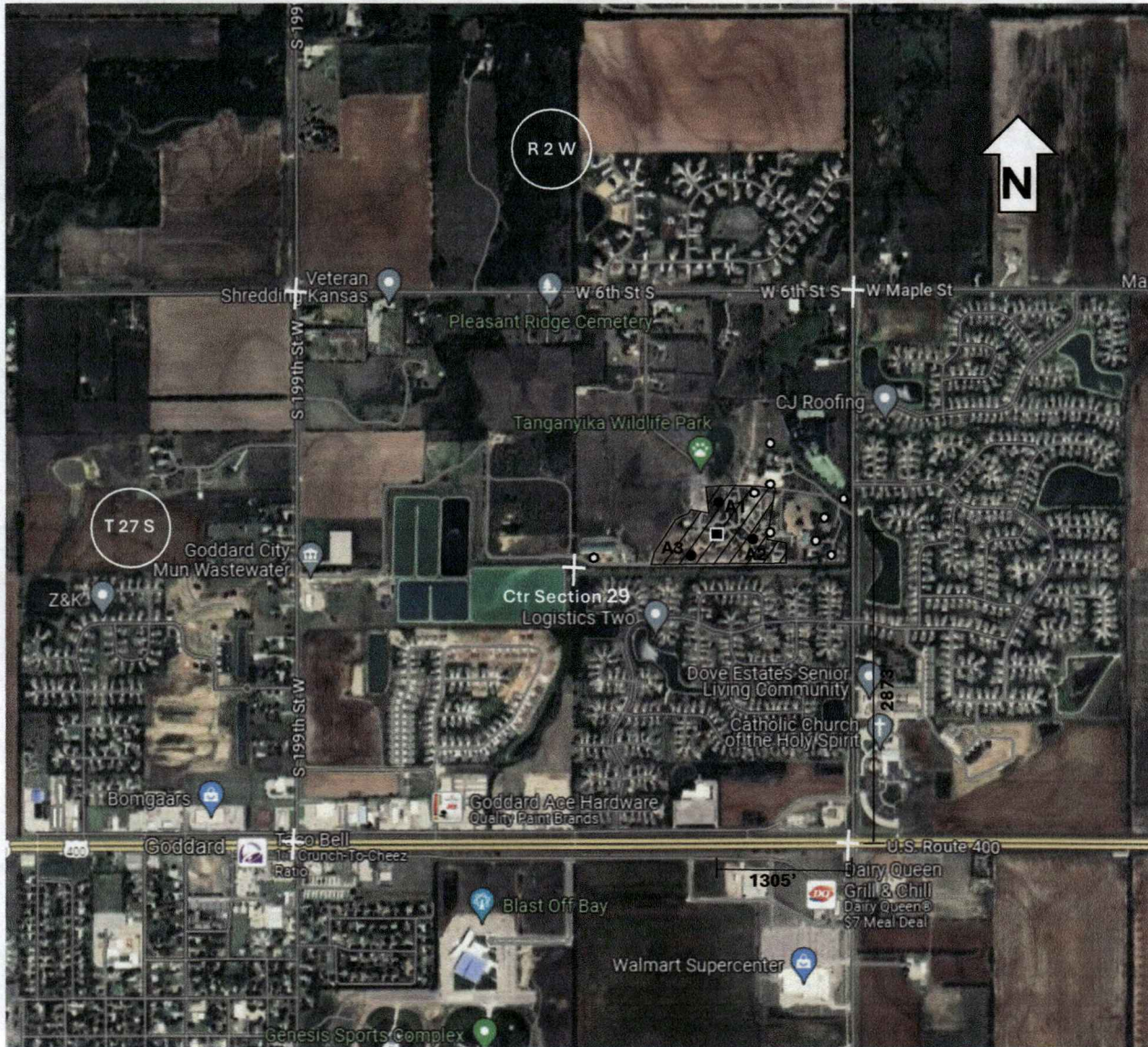
1 million gallons equal 3.07 acre-feet



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# Application Map – Tanganyika Wildlife Park



### Legend

- Proposed battery of wells geographic center
- Applicant's well of proposed battery
- Applicant's domestic well
- ▨ Proposed place of use

2640'

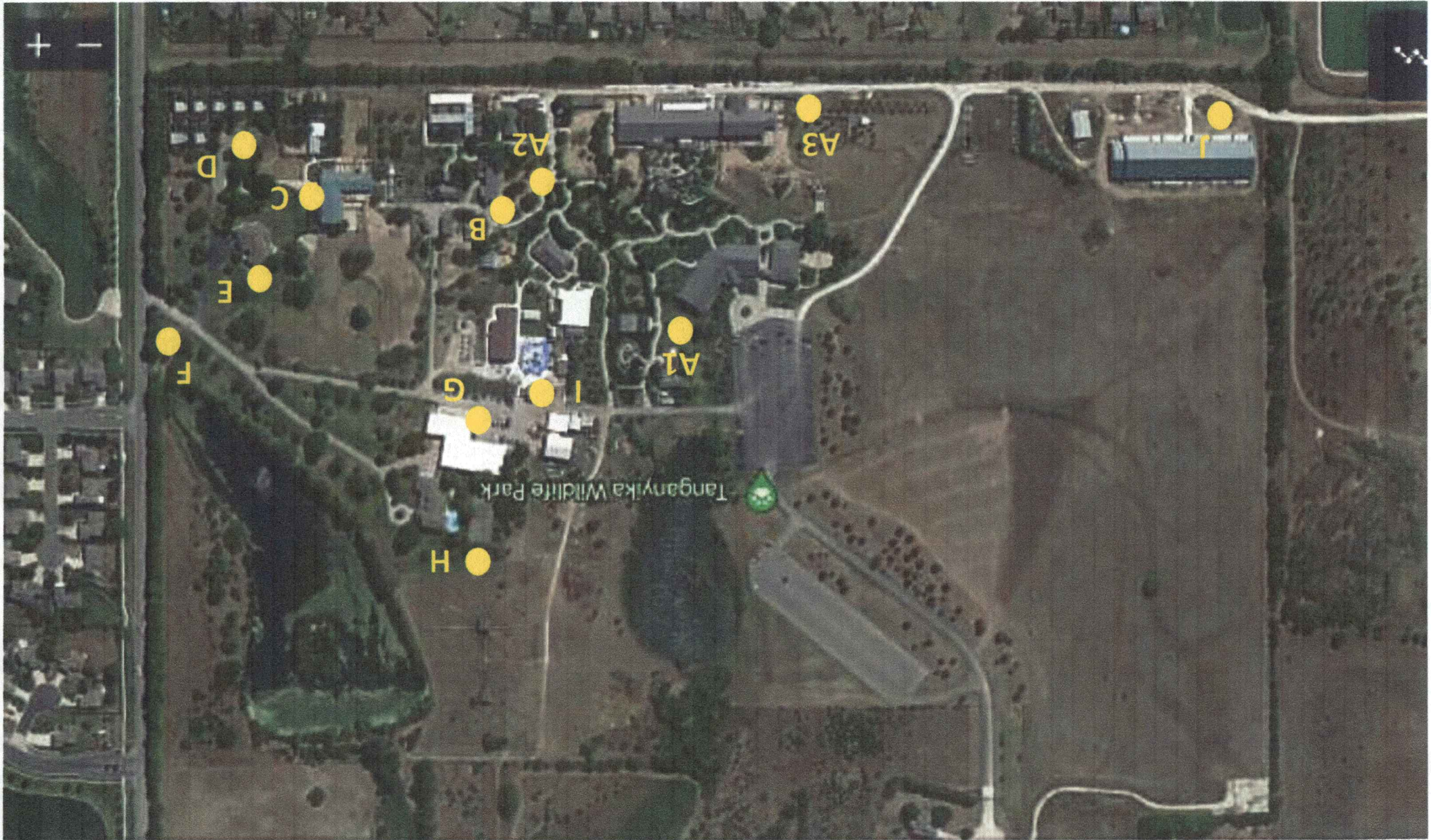
**There are no non-domestic wells within ½ mile of the proposed point of diversion.**

**The applicant's domestic wells have been plotted, but it is requested that a public notice be issued in lieu of plotting remaining domestic wells within ½ mile due to the large area of development and potentially large number of domestic wells.**



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**Matt,**

*As discussed yesterday I have enclosed the water appropriation permit application documents to be submitted to the Chief Engineer, DWR. I've outlined some steps to assist in your completion and submittance of the documents.*

- 1. Please review application and attachments for any needed changes,*
- 2. Complete all highlighted signature and date blocks (pages 2 and 4),*
- 3. Make a copy of all documents for your records,*
- 4. Attach check to front of application payable to Kansas Department of Agriculture for \$200. This is the non-refundable filing fee, that must accompany the application for its acceptance by the Division of Water Resources,*
- 5. Mail documents to: Chief Engineer, DWR, KS Department of Agriculture (addressed envelope is provided).*

*Once DWR receives the application they will assign it a File Number and send you a standard form letter acknowledging its receipt. After that, it is then a matter of waiting for DWR to process the application which could take as long as 12 to 18 months depending on the number of other applications currently being processed.*

*I will not receive any written correspondence from DWR regarding application processing updates, because everything is directed to the Applicant. I will check in with you in 2 to 3 months to see if you have received any status updates and to determine if a follow-up call to DWR is needed.*

*I've also included an invoice for the application work to date as discussed yesterday. Please feel free to give me a call with any questions.*

*Thanks,*

*Don*

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

August 9, 2024

TANGANYIKA WILDLIFE PARK LLC  
1000 S HAWKINS LANE  
GODDARD KS 67052

RE: Application, File No(s). **51272**

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](http://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,

Kris Neuhauser  
New Applications Lead  
Water Appropriation Program