

7/25/2024
KJN

NEEDS STREAM NAME*

WATER RESOURCES
RECEIVED
JUL 24 2024
11:52
KS Dept. of Agriculture

File Number 51273
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): BRIDGER AT CENTRAL, LP
Address: 5540 ELLSWORTH AVE
City: DALLAS State TX Zip Code 75206
Telephone Number: (314) 800-3519

2. The source of water is: surface water in TRIBUTARY TO NORTH FORK CALFSKIN CREEK
(stream) ARKANSAS?
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 105 ac-ft INITIAL FILL acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 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) 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 REC Source G S County SG By KJN Date 7/25/24
Code RE2 Fee \$ 300 TR # _____ Receipt Date 7-24-24 Check # 51914

JUL 24 2024

KS Dept. of Agriculture
File No. _____

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 NE quarter of the NW quarter of the SE quarter of Section 13, more particularly described as being near a point 1020 feet North and 3600 feet West of the Southeast corner of said section, in Township 27 South, Range 2 East (West) (circle one), SEDGWICK 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):

(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 10th, 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 5 SURFACE WATER PONDS
and (was)(will be) completed (by) DEC 31 2025
number of wells, pumps or dams etc.

8. The first actual application of water for the proposed beneficial use was or is estimated to be MAY 1 2025
(Mo/Dey/Year)

JUL 24 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 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.

JUL 24 2024

File No. _____

KS Dept. of Agriculture

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 Wichita, Kansas, this 10th day of July, 2024
(month) (year)

[Signature]
(Applicant Signature)

By [Signature]
(Agent or Officer Signature)

Carter Wells, Manager
(Agent or Officer - Please Print)

Assisted by Fisher Wells

Br. dgar / Manager
(office/title)

Date: 7/10/2024

JUL 24 2024

FEE SCHEDULE

KS Dept. of Agriculture

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

**RECREATIONAL USE
SUPPLEMENTAL SHEET**

WATER RESOURCE
RECEIVED

JUL 24 2024

KS Dept. of Agriculture

File No. _____

Name of Applicant (Please Print): Bridger @ Central LP

1. Please indicate type of recreational use (boating, fishing, swimming, etc.): _____
Fishing, Swimming, Aesthetics

2. Please summarize how the water will be used and justify the quantity of water requested: _____
Water will be used to initially fill new recreation ponds and to fill yearly evaporative losses that occur.

Requested quantity for initial fill and evaporation.

Quantity for Initial Fill (105 Ac-Ft) and Evaporation (20.0 Ac-Ft at a rate of 19 in/yr).

3. Please complete the following table showing estimated future water requirements:

ESTIMATED FUTURE WATER DIVERTED/STORED	
NEXT 5 YEARS	WATER TO BE DIVERTED (ACRE-FEET OR GALLONS)
Year 1	105 Ac-Ft
Year 2	20 Ac-Ft
Year 3	20 Ac-Ft
Year 4	20 Ac-Ft
Year 5	20 Ac-Ft

Please attach any additional information, tables, or curves 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 by providing the fractional part of the Section, Township and Range.

NW 1/4, SE1/4, Section 13, Township 27S Range 2W

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

Pond 1

<u>Elev</u>	<u>Area (sq ft)</u>	<u>Avg (sq ft)</u>	<u>Depth (ft)</u>
1347	46320	34228	14
1346	47594		
1345	45005		
1344	42471		
1343	39994		
1342	37571		
1341	35205		
1340	32894		
1339	30639		
1338	28440		
1337	26303		
1336	24232		
1335	22228		
1334	20294		

Volume Under Static (ac ft)
11.00

Initial Fill (gallons)
3584574

Total Appropriations

34131293 gallons
or
104.75 acft

Initial Fill volume does not include existing Pond 5

Total Exposed Surface Area

11.69 acres

Yearly Evap

19.53 acft
or
6362318 gallons

Yearly Evap Includes all Ponds 1-5

Pond 2

<u>Elev</u>	<u>Area (sq ft)</u>	<u>Avg (sq ft)</u>	<u>Depth (ft)</u>
1339.0	217786	173403	13
1338.0	209762		
1337.0	202746		
1336.0	195787		
1335.0	188883		
1334.0	182035		
1333.0	175244		
1332.0	138508		
1331.0	161829		
1330.0	155205		
1329.0	148638		
1328.0	142129		
1327.0	135682		

Volume Under Static (ac ft)
51.75

Initial Fill (gallons)
16862819

WATER RESOURCES
RECEIVED

JUL 24 2024

KS Dept. of Agriculture

Pond 3

<u>Elev</u>	<u>Area (sq ft)</u>	<u>Avg (sq ft)</u>	<u>Depth (ft)</u>
1342.0	49477	29262	13
1341.0	44757		
1340.0	41320		
1339.0	37935		
1338.0	34616		
1337.0	31394		
1336.0	28290		
1335.0	25318		
1334.0	22488		
1333.0	19806		
1332.0	17284		
1331.0	14938		
1330.0	12779		

Volume Under Static (ac ft)
8.73

Initial Fill (gallons)
2845587

Pond 4

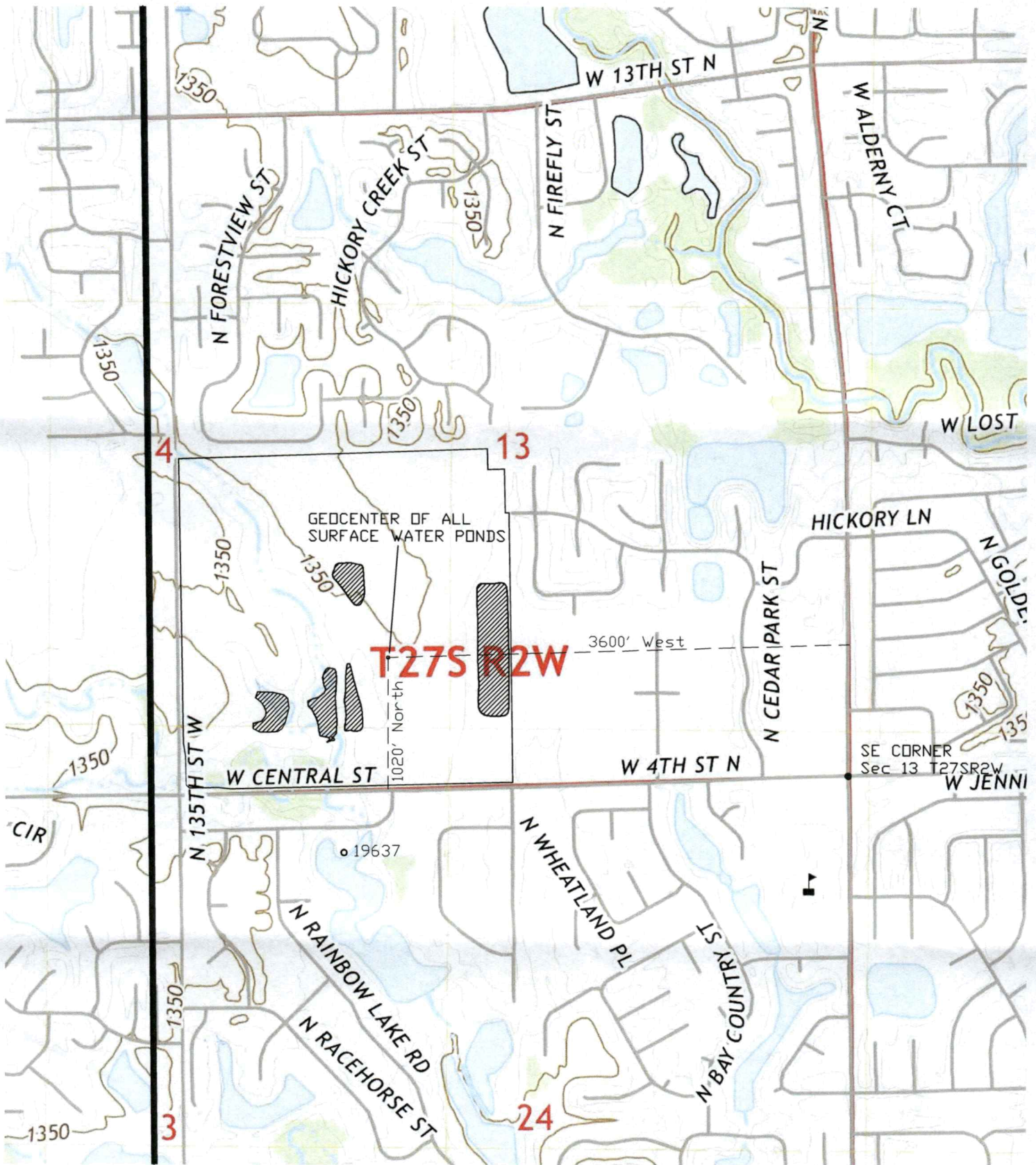
<u>Elev</u>	<u>Area (sq ft)</u>	<u>Avg (sq ft)</u>	<u>Depth (ft)</u>
1342.0	137403	111452	13
1341.0	132872		
1340.0	128397		
1339.0	123978		
1338.0	119615		
1337.0	115309		
1336.0	111059		
1335.0	106864		
1334.0	102726		
1333.0	98645		
1332.0	94619		
1331.0	90649		
1330.0	86737		

Volume Under Static (ac ft)
33.26

Initial Fill (gallons)
10838313

Existing Pond 5

<u>Static</u>	<u>Area (sq ft)</u>
1334.0	58308



LOCATION MAP:
BRIDGER @ CENTRAL, Central & 135th
 SW 1/4 of Section 13, Township 27 South, Range 2 West,
 Nearest Intersection is Central Ave. & 135th Street W.
 SEDGWICK COUNTY, KANSAS

WATER RESOURCES
 RECEIVED

JUL 24 2024

KS Dept. of Agriculture



Baughman Company, P.A.
 315 Ellis Wichita, KS 67211
 F316-262-7271 F316-262-0149

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

BRIDGER AT CENTRAL LP
5540 ELLSWORTH AVE
DALLAS TX 75206

RE: Application, File No(s). **51273**

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,

Kris Neuhauser
New Applications Lead
Water Appropriation Program