

12/30/2024

12/4/2024

Water Resources Received

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KS Dept Of Agriculture

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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

51392

File Number 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.)

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12:20 PM

UNACCEPTABLE FOR PRIORITY

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): Barbara McGuire Address: 4401 W 111th S City: Peck State: KS Zip Code: 67120 Telephone Number: (316) 285-4412

2. The source of water is: [] surface water in (stream) OR [X] groundwater in NINNESCAH RIVER BASIN (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 1000 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 SG By KJN Date 12/6/24 Code 292 Fee \$ 300 TR # Receipt Date 11/21/2024 Check # 2649 12/30/2024

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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 N quarter of the NE quarter of the _____ quarter of Section 35, more particularly described as being near a point 540 feet North and 1625 feet West of the Southeast corner of said section, in Township ~~35~~ 29 South, Range ~~29~~ 1W East/West (circle one), Wagonwheel 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 Dec 2, 2024. [Signature]
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 (number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) _____ (Month/Day/Year - each was or will be completed)

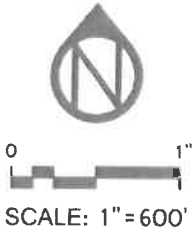
12/4/2024

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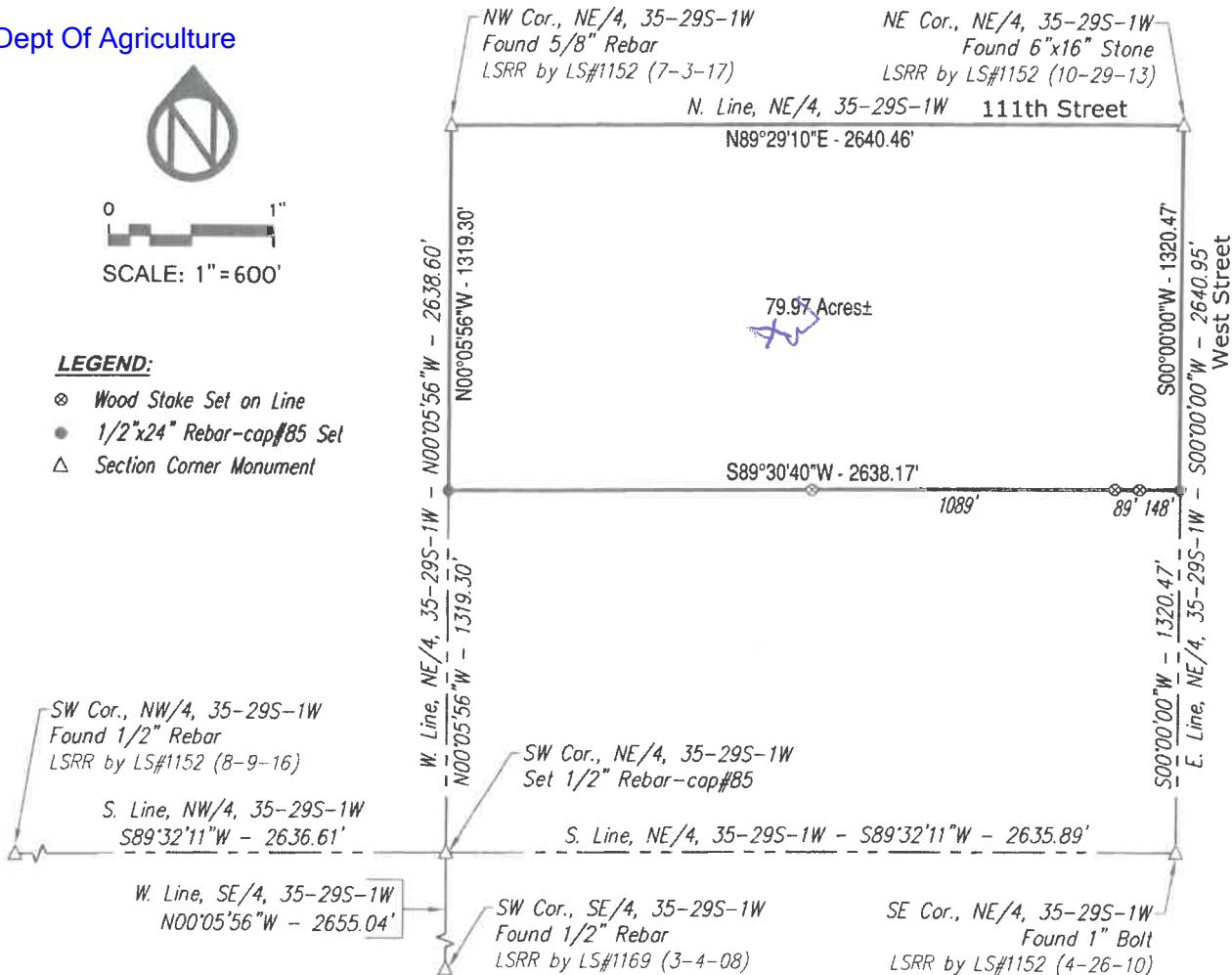
11a)

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LEGEND:

- ⊗ Wood Stake Set on Line
- 1/2"x24" Rebar-cap#85 Set
- △ Section Corner Monument



DESCRIPTION OF SURVEY:

The North Half of the Northeast Quarter of Section 35, Township 29 South, Range 1 West of the 6th Principal Meridian, Sedgwick County, Kansas.

NOTES:

-Bearings for this survey are based on an assumed S00°00'00"W for the East Line of the Northeast Quarter, 35-29S-1W. All distances shown are as measured in the field.

-Surveyor has made no investigation or independent search for easements of record, encumbrances, vacated lands, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.

CERTIFICATION:

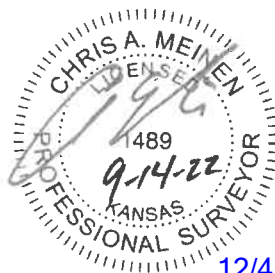
I hereby certify that the above is an accurate plat of the survey completed by me on the 13th day of September, 2022, and that the survey meets or exceeds the Minimum Technical Standards for a Boundary Survey as adopted by the Kansas State Board of Technical Professions.

Chris A. Meinen

Kansas LIC. NO.: PS 1489

PREPARED FOR:

Barbara McGuire
1900 S. Rock Road, Apt. 6106
Wichita, KS 67207



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DATE: 09/14/2022 DRAWN BY: GDF SHEET: 1 OF 1 PROJECT # 42-174

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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.

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. *none*

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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8. The first actual application of water for the proposed beneficial use was or is estimated to be 11/5/24.
(Mo/Day/Year)

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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	_____	_____	_____	_____
Total depth of well	_____	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

no test drills done

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):

Barbara McGuire 4401 W. 111th St S Peck, K 67120
(name, address and telephone number)

316-285-4412

(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 11/11/2024, Kansas, this 11 day of November, 2024.
(month) (year)

[Signature]
(Applicant Signature)

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[Signature]
By
(Agent or Officer Signature)

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Barbara McGuire
(Agent or Officer - Please Print)

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Assisted by _____ Date: _____
(office/title)

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Sedgwick County ~~KS~~
N 1/2 NE 1/4 SEC 35-29-1W

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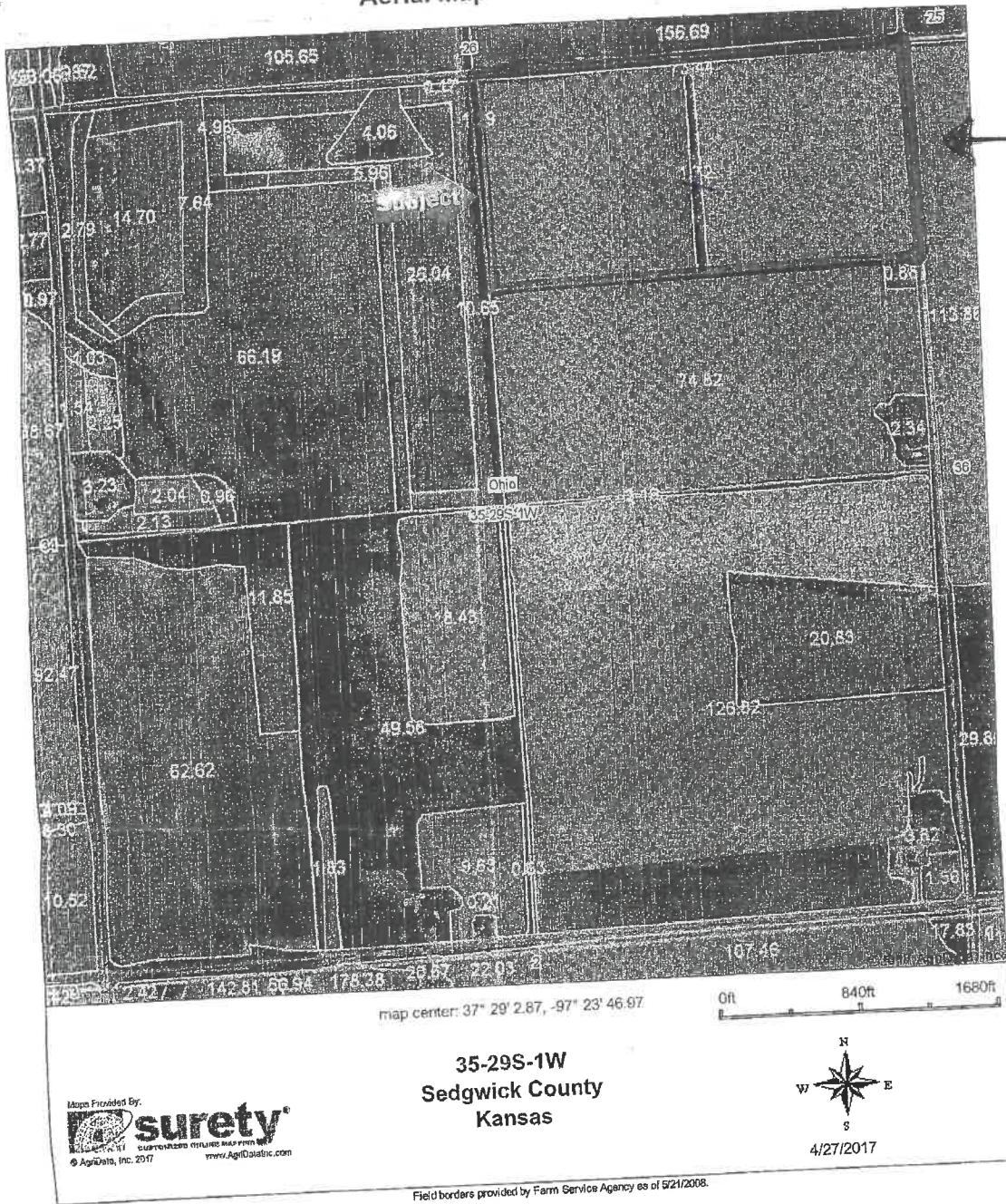
2 residential
wells - Barbara
McGuire

12/30/2024

Aerial Map - McGuire

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11b
—

According to google
maps Butts family farm
well is 2025 feet away
from my proposed well.
Just 615 feet shy of 1/2 mile.

Butts Family farm

Manager Bryson ("Bryce")
Butts
cell: 316-304-7449

2300 E. 111th St
Mulvane, KS 67110

IRRIGATION USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): _____

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: **BARBARA MCGUIRE** _____

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	
35	29	1W	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	

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.

From: "Luttjohann, Bobbi [KDA]"
Sent: Mon 11/18/2024 9:36 AM
To: "Baum, Kristen [KDA]" <Kristen.Baum@ks.gov>
Subject: New application - McGuire
Categories: Green category

Good morning Kristen-

I had a Barabra McGuire call in this morning requesting that we put a note on the application for an irrigation permit she just sent in. She wanted to note that if there is any way possible to put a rush on her approval because her farm is dying, and her tenant is leaving. The application should be under her name with an address from Peck, KS. She also noted that her PO Box #71 should be added to the application because that is where mail should be sent because she does not have a mailbox because people steal her mail.

Thank you -Bobbi

Bobbi Luttjohann
Environmental Scientist
Division of Water Resources
Kansas Department of Agriculture
Topeka Field Office
1131 SW Winding Rd, Suite 400
Topeka, KS 66615
Phone: 785-296-1886
Mobile: 785-296-9984
Bobbi.luttjohann@ks.gov

12/6/2024
KJN



phone: (785) 296-3717
fax: (785) 296-1176
www.ksda.gov/dwr

109 SW 9th Street, 2nd Floor
Topeka, Kansas 66612-1283

Dale A. Rodman, Secretary
David W. Barfield, Chief Engineer

Sam Brownback, Governor

November 27, 2024

BARBARA MCGUIRE
4401 W 111TH S
PECK KS 67120

RE: Unacceptable Application

Dear Applicant:

Returned herewith is your application for Permit to Appropriate Water for Beneficial Use, which was received in this office on November 21, 2024, with your Check No. 2649, in the amount of \$300. The application is not acceptable for filing in its present form.

The application requires a maximum rate of diversion under Paragraph No. 3 (in gpm or cfs); please complete this portion of the application.

As of July 1, 2009, K.S.A. 82a-709 *requires* all applicants for new appropriation rights for the beneficial use of water in the State of Kansas to provide evidence of legal access to or control of the point of diversion from the landowner or the landowner's authorized representative. Applicants may provide a copy of a recorded deed, lease, easement or other document with the application. **In lieu of providing this documentary evidence, applicants may submit a sworn statement. Paragraph No. 6, of the application constitutes a sworn statement as required by the new regulations. Please sign and date Paragraph No. 6.**

Upon return of an acceptable application, with the required information and filing fee, the application will be assigned a priority based on the date and time it is received in the office of the Chief Engineer.

If you have any questions, please contact me at Kris.Neuhauser@ks.gov or call our main line at 785-564-6640.

Sincerely,

Kris Neuhauser
New Applications Lead
Water Appropriation Program

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 14, 2025

BARBARA MCGUIRE
PO BOX 71
PECK KS 67120

RE: Application, File No(s). **51392**

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