NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a. Submit To: CHIEF ENGINEER Division of Water Resources Kansas Department of Agriculture 1320 Research Park Drive Manhattan, Kansas 66502 http://agriculture.ks.gov/dwr

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE, THE POINT OF DIVERSION OR THE USE MADE OF THE WATER UNDER AN EXISTING WATER RIGHT



WATER RESOURCES

DEC 26 2023

Filing Fee Must Accompany the Application (Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

□ Place of Use

(Check one or more)

Point of Diversion
 Use Made of Water

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	File No. 6979 KS DEPT OF AGRICULTURE
2.	Name of applicant: TOWANDA LAND COMPANY
	Address: 3709 S WEST STREET
	City, State and Zip: WICHITA KS 67217
	Phone Number: (36) 522-3471 E-mail address: rthomee bergKampconstruction.com
	What is your relationship to the water right; 🖵 owner 🔲 tenant 🔲 agent 🔲 other? If other, please explain
	Name of water use correspondent: BOB BERGKAMP CONSTRUCTION
	Address: 3709 5 WEST STREET
	City, State and Zip: WICHITA KS 67217
	Phone Number: 316,522-3471 E-mail address: 1-thome bergkampconstruction.com
3	The change (s) proposed herein are desired for the following reasons (please be specific): CILANGE DELICE FROM

3. The change(s) proposed herein are desired for the following reasons (please be specific): <u>CHEAN & UFUSE FROM</u> <u>IND</u> TO REC. ORIGNAL IND USE WASE FOR EXCAVATION OF BORROW MATERIAL FOR KDOT KIH HIGHWAY REALIGNMENT IN RICE COUNTY. WORLS COMPLETED, <u>FINAL GROUNDWATER POND IS COMPLETED</u> FOR RECREATIONAL USE. The change(s) (was) (will be) completed by <u>8</u>[29/2022

For Office Use On	y: Meets K.A.R. 5-5-1 (YES / NO)	Use	IND/REC Source G/S County Receipt Date 22/20	С		12/26/23
CodeC	Fee \$ 300	TR #	Receipt Date 12 700	73	Check #_	128539

Assisted by:

(Date)

File No.	69	17	9	

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

DEC 26 2023

File No. 69

12. The presently authorized use of water is for _______ It is proposed that the use be changed to ______ REC

ND IRR purposes. REC NO CHARGE purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

PROPOSED CHANGE OF USE IS FOR A COMPLETED GROUNDWATER POND. CONSUMPTIVE USE 13 FOR ANNUAL EVAPORATION. POND SIZE 15 STATIC AND WILL NOT CHANGE.

(Please show any calculations here.)

- 14. It is requested that the maximum annual quantity of water be reduced to ______ (acre-feet or million gallons).
- 15. It is requested that the maximum rate of diversion of water be reduced to ______ gallons per minute (_____ c.f.s.).
- 16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.
 - a. If a change in the location of the point(s) of diversion is proposed, show:
 - The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within ½ mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within ½ mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.
 - b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.
- 17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

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KS DEPT OF AGRICULTURE

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

File No. 6979

Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

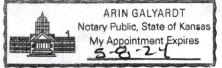
If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

1

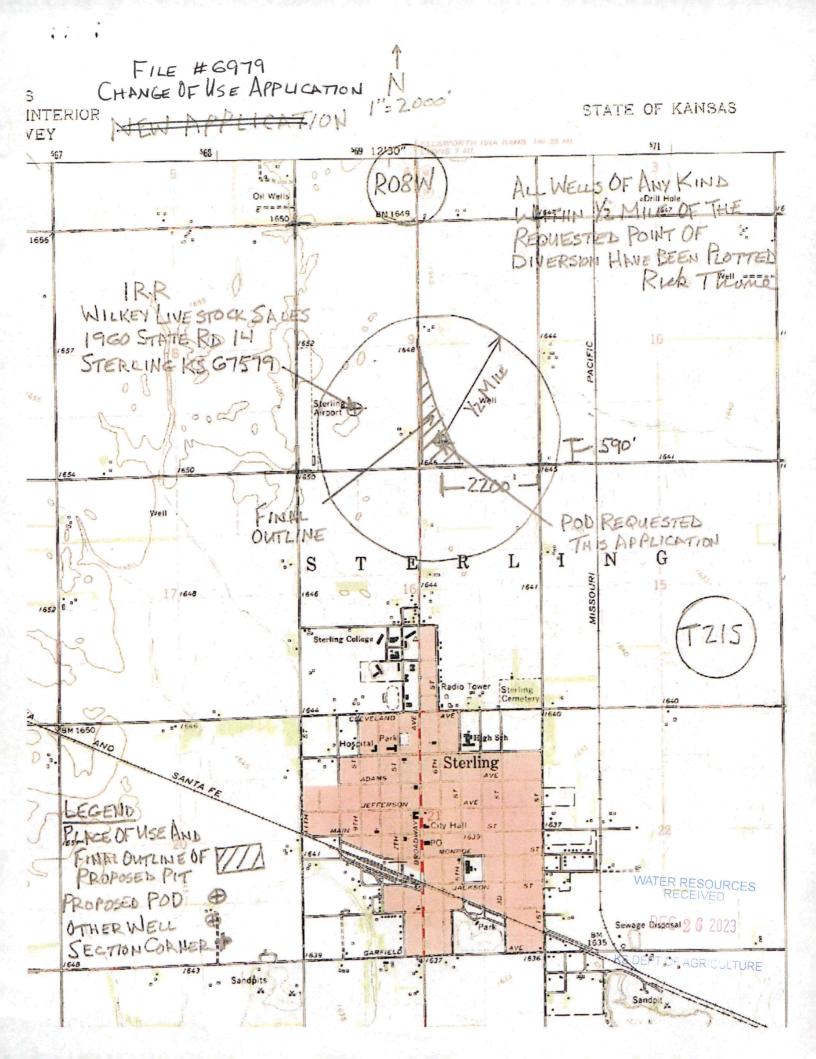
Dated at, Kansas, this,	LI day of DECEMBER, 20 Z3.
Click	
(Owner)	(Spouse)
TOWANDA LAND COMPANY-CHRIS SNOOK	
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of Sedgusck	
I hereby certify that the foregoing application was signed in my p	presence and sworn to before me this 2132 day of
My Commission Expires 5-8-24	Notary Public
FEE SCHEDU	JLE
Each application to change the place of use, the point of diversion or the use application fee set forth in the schedule below:	e made of the water under this section shall be accompanied by the

(1) (2) (3) (4)	Application to change a point of diversion 300 feet of Application to change a point of diversion more than Application to change the place of use	or less\$100 n 300 feet
Make check	payable to Kansas Department of Agriculture.	



WATER RESOURCES RECEIVED DEC 2.6 2023

KS DEPT OF AGRIC.





"an equal opportunity employer" (316) 522-3471 • FAX # (316) 522-5296 WATER RESOURCES RECEIVED DEC 26 2023

KS DEPT OF AGRICULTURE

December 21, 2023

Chief Engineer Division of Water Resources Department of Agriculture 1320 Research Park Drive Manhattan KS 68052-5000

Re: Application For Approval To Change The Use Made Of Water Under An Existing Water Right

Enclosed are completed Applications For Change Of Use Made Of Water File Nos: 50614 Change from IND to REC for Groundwater Pond Natural Evaporation 41995 Change from IND to REC for Groundwater Pond Natural Evaporation 50546 Change from IND to REC for Groundwater Pond Natural Evaporation 6979 Change from IND to REC for Groundwater Pond Natural Evaporation (No change for IRR Well)

Also enclosed is a check for $1,200.00 - 4 \times 300.00$

Sincerely

Rick Thome

Rick Thome Bob Bergkamp Construction Co Inc Cell: 316-218-8718 Email: rthome@bergkampconstruction.com 1320 Research Park Drive Manhattan, KS 66502 785-564-6700 www. agriculture.ks.gov

Mike Beam, Secretary



900 SW Jackson, Room 456 Topeka, KS 66612 785-296-3556

Laura Kelly, Governor

January 2, 2024

TOWANDA LAND COMPANY 3709 S WEST STREET WICHITA KS 67217

RE: File No(s). 6979

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) to change the place of use, point of diversion or use made of water for 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(s) 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 <u>agriculture.ks.gov/divisions-</u> <u>programs/dwr</u>. 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,

Kristen Baum

Kristen Baum New Applications and Changes Supervisor Water Appropriation Program