

Kansas Department of Agriculture  
Division of Water Resources  
**PERMIT OF NEW APPLICATION WORKSHEET**

1. File Number: <p style="text-align: center; font-size: 1.2em;"><b>49,671</b></p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;"><i>11/10/2016</i></p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;"><b>3</b></p>	4. GMD: <p style="text-align: center; font-size: 1.2em;"><b>0</b></p>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
<p>7a. Applicant(s)     Person ID <u><b>63966</b></u> New to system <input type="checkbox"/>     Add Seq# _____</p> <p><b>TYLER CROSSON</b> <b>1537 NUGGET RD</b> <b>MINNEAPOLIS KS 67467</b></p>	<p>7c. Landowner(s)     Person ID <u><i>65305</i></u> New to system <input checked="" type="checkbox"/>     Add Seq# <u><i>1</i></u></p> <p><b>CROSSON BARBRA TRUST</b> <b>1537 NUGGET RD</b> <b>MINNEAPOLIS KS 67467</b></p>		
<p>7b. Landowner(s)     Person ID <u><b>63967</b></u> New to system <input type="checkbox"/>     Add Seq# _____</p> <p><del>MARLIN</del> <b>MARILYN J CROSSON REV TRUST</b> <b>661 BRIARCLIFF RD</b> <b>SALINA KS 67401</b></p>	<p>7d. Misc.     Person ID _____ New to system <input type="checkbox"/>     Add Seq# _____</p>		
<p>8. WUR Correspondent     Person ID _____ New to system <input type="checkbox"/>     Add Seq# _____ Overlap File (s) WUC     Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>7a.</b></p>	<p>9. Use of Water:    Changing?    <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;"><input type="checkbox"/> Groundwater    <input checked="" type="checkbox"/> Surface Water</p> <p><input checked="" type="checkbox"/> IRR    <input type="checkbox"/> REC    <input type="checkbox"/> DEW    <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK    <input type="checkbox"/> SED    <input type="checkbox"/> DOM    <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG    <input type="checkbox"/> WTR PWR    <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____    <input type="checkbox"/> OTHER: _____</p>		
10. Completion Date: <u><b>12/31/2017</b></u>		11. Perfection Date: <u><b>12/31/2021</b></u>	
12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
<p>Date Prepared: <b>11/8/2016</b> By: <b>AM</b></p> <p>Date Entered: <i>11/14/2016</i> By: <i>LLM</i></p>			



**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**M E M O R A N D U M**

**TO:** Files

**DATE:** November 9, 2016

**FROM:** Austin McColloch

**RE:** New Application,  
File No. 49,671

Tyler Crosson has filed the above referenced application to appropriate surface water from the Solomon River Basin for irrigation use. The applicant is proposing one pump site requesting a quantity of 143 acre-feet of surface water to be collected in a reservoir at a re-diversion rate of 1,000 gallons per minute to irrigate 110 acres in Ottawa County, Kansas.

The proposed pumpsite is located in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 22, more particularly described as being near a point 1,940 feet North and 3,549 feet West of the Southeast corner of said section, in Township 10 South, Range 3 West, Ottawa County, Kansas. The pump site is located in the unnamed tributary to Lindsey Creek, designated in the office of the Chief Engineer as Lindsey Creek Trib 2 (Solomon River).

The place of use is 110 acres as follows: 92 acres in the Southwest Quarter and 18 acres in the Northwest Quarter all in Section 22, Township 10 South, Range 3 West, Ottawa County, Kansas. There is no overlap in the point of diversion or place of use.

When calculating acre-feet runoff for the area involved the following calculations were done:

From "Normal Annual Precipitation", determined rainfall to be 28"

From "General Soil Cover Complex" determined soil to be 76

From "Annual Yield Runoff" determined chance occurrence 50% = 1.95" and 80% = .55"

- Calculated 20% occurrence to be 7"

Calculated acres in the drainage basin to be 270 acres

270 acres in drainage x 7" (20% chance occurrence) = 1,890"/12" = 157.5 acre-feet of runoff  
(20% chance annually)

The overall limitation on the place of use will be based on K.A.R. 5-3-24 for the reasonable quantity for irrigation of 1.3 acre-feet per acre for Ottawa County. With 1.3 acre-feet per acre on 110 acres, the quantity of 143 is reasonable for the place of use and within the calculated acre-feet of runoff for the drainage basin. A reasonable maximum re-diversion rate will be established during the perfection period and assigned at certification.

There are no surface water diversions located within one-half mile up or downstream from the pumpsite. Nearby letters were sent to landowners up and downstream from the proposed pumpsite on October 19, 2016. No written correspondence has been received.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gauges, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

Kelly Stewart, Water Commissioner, Stockton Field Office, recommended approval of the application in an email dated November 9, 2016.

Based on the above discussion, the area is open to new appropriations, approval of the new application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, and is recommended that the referenced application be approved.

A handwritten signature in black ink, appearing to read "Austin McColloch", with a long horizontal flourish extending to the right.

Austin McColloch  
Environmental Scientist

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

TYLER CROSSON  
1537 NUGGET RD  
MINNEAPOLIS KS 67467

November 14, 2016

**FILE COPY**

Re: Appropriation of Water,  
File No. 49,671

Dear Mr. Crosson:

There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a 301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit, with specific reference to paragraph No. 11. A water meter is required and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

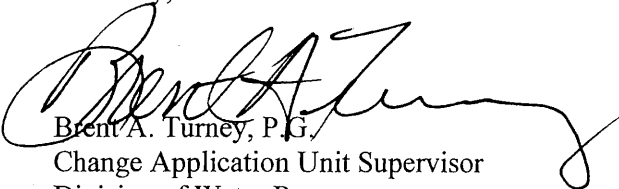
Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,



Brent A. Turney, P.G.  
Change Application Unit Supervisor  
Division of Water Resources

BAT:am

Enclosures

pc: Stockton Field Office

**KANSAS DEPARTMENT OF AGRICULTURE**  
 Jackie McClaskey, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**  
 David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION**  
**and**  
**PERMIT TO PROCEED**  
 (This is not a Certificate of Appropriation)

This is to certify that I have examined Application File No. **49,671** of the applicant

**TYLER CROSSON**  
**1537 NUGGET RD**  
**MINNEAPOLIS KS 67467**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **July 13, 2016**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
22	10S	3E							15	3	10	40	32	10					110

3. That the appropriation sought shall be limited to all natural flows of an unnamed tributary to Lindsey Creek, designated in the office of the Chief Engineer as Lindsey Creek Trib. 2 (Solomon River), not needed to satisfy all vested rights and prior appropriation rights to be incrementally accumulated as reservoir storage space becomes available to a maximum extent of 143 acre feet per calendar year in a reservoir created by a dam located in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW¼ NE¼ SW¼) of Section 22, more particularly described as being near a point 1,940 feet North and 3,549 feet West of the Southeast corner of said section, in Township 10 South, Range 3 East, Ottawa County, Kansas, to provide **143 acre-feet** of water as needed for direct irrigation use to be withdrawn, released or otherwise diverted from the reservoir at a re-diversion rate of approximately **1000 gallons per minute (2.23 c.f.s.)**. A reasonable maximum re-diversion rate will be established during the perfection period and assigned at certification.

4. That installation of works for diversion of water shall be completed on or before **December 31, 2017** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$400.00, when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

5. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2021** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

6. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

7. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

8. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

9. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

10. That all re-diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the re-diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

11. That an acceptable water flow meter shall be installed and maintained on the re-diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

12. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

13. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

14. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

15. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.





### CERTIFICATE OF SERVICE

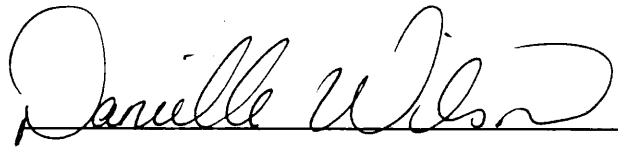
On this *14<sup>th</sup>* day of *November*, 2016, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,671, dated *November 10, 2016* was mailed postage prepaid, first class, US mail to the following:

TYLER CROSSON  
1537 NUGGET RD  
MINNEAPOLIS KS 67467

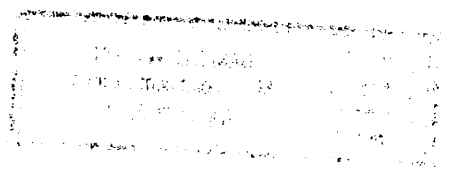
With photocopies to:

MARILN J CROSSON REV TRUST  
661 BRIARCLIFF RD  
SALINA KS 67401

Stockton Field Office



Division of Water Resources



APPLICATION COMPLETE  
11/9/16  
Reviewer AM

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

WATER RESOURCES RECEIVED

File Number 49,671  
This item to be completed by the Division of Water Resources.

UNACCEPTABLE FOR PRIORITY  
WATER RESOURCES RECEIVED  
APR 07 2016  
4:05  
KS DEPT OF AGRICULTURE

JUL 13 2016  
10:30  
KS DEPT OF AGRICULTURE

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): Tyler Crosson  
Address: 1537 Nugget RD  
City: Minneapolis State KS Zip Code 67467  
Telephone Number: (785) 392-4093

2. The source of water is:  surface water in Solomon River Basin (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 143 acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of 1000 GPM gallons per minute OR \_\_\_\_\_ cubic feet per second.

relocated at 1000 gpm x 1 hr  
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. 3 GMD 6 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G(S) County OT By AMJ Date 7/13/16  
Code 252 Fee \$ 300 TR # 17001716 Receipt Date 7/13/16 Check # 15179

SCANNED

7/21/2016 UM

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 SW quarter of the NE quarter of the SW quarter of Section 22, more particularly described as being near a point 1940 feet North and 3549 feet West of the Southeast corner of said section, in Township 10 South, Range 03 West, Ottawa 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):

Kent and Suzy Crosson 1554 OS Hwy 81 Minneapolis, KS  
(name, address and telephone number)  
785-392-4078 & 785-392-0373  
(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 10, 2016. [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 pump set up in pond  
(number of wells, pumps or dams, etc.)  
and will completed (by) end of 2017  
(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 2017  
(Mo/Day/Year)

- 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.

no other water rights involved

WATER RESOURCES RECEIVED

WATER RESOURCES RECEIVED

JUL 13 2016

UNACCEPTABLE FOR PRIORITY

KS DEPT OF AGRICULTURE SCANNED 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	_____	_____	_____	_____

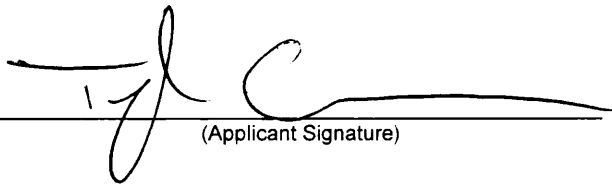
14. The relationship of the applicant to the proposed place where the water will be used is that of \_\_\_\_\_  
(owner, tenant, agent or otherwise)

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 Minneapolis, Kansas, this 25 day of April, 2015.  
(month) (year)

  
\_\_\_\_\_  
(Applicant Signature)

By \_\_\_\_\_  
(Agent or Officer Signature)

\_\_\_\_\_  
(Agent or Officer - Please Print)

Assisted by M. Billinger \_\_\_\_\_ Asst. Water Commissioner \_\_\_\_\_ Date: 02/05/16  
(office/title)

\* Created by AM  
10-6-16 From  
County Appraisers website

### IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49.671

Name of Applicant (Please Print): Tyler Crosson

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: CROSSON, BARBRA TRUST

ADDRESS: 1537 NUGGET RD MINNEAPOLIS, KS 67467-8508

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
22	10S	3W										10	40	32	10					92

**Landowner of Record** NAME: CROSSON, MARLIN J REVOCABLE TRUST

ADDRESS: 661 BRIARCLIFF RD SALINA, KS 67401-3619

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
22	10S	3W							15	3										18

**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		

## IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49,671

Name of Applicant (Please Print): Tyler Crosson

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: \_\_\_\_\_

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	
22	10S	03W							15	3	10	40	32	10					110

**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: no-till

ii. For sprinkler systems:

- (1) Estimate the operating pressure at the distribution system: 30 psi
- (2) What is the sprinkler package design rate? 500-800 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: wheat, milo, soybeans

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). soil moisture, stress

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



3-4-16

(Date)

Kansas Department of Agriculture  
Division of Water Resources  
David W. Barfield, Chief Engineer  
1320 Research Park Drive  
Manhattan, Kansas 66502

Re: Application 49,671  
File No. \_\_\_\_\_

Minimum Desirable Streamflow

Dear Sir:

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

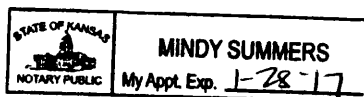
Tyler Crosson  
(Print Applicant's Name)

State of Kansas )  
County of Ottawa ) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 4th day of March, 2016.

  
Notary Public

My Commission Expires:  
1-28-2017



WATER RESOURCES  
RECEIVED

WATER RESOURCES  
RECEIVED  
UNACCEPTABLE FOR PRICE  
APR 07 2016

**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN  
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT  
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River  
Big Blue River  
Chapman Creek  
Chikaskia River  
Cottonwood River  
Delaware River  
Little Arkansas River  
Little Blue River  
Marais des Cygnes River  
Medicine Lodge River  
Mill Creek (Wabaunsee Co. area)  
Neosho River

Ninnescah River  
North Fork Ninnescah River  
Rattlesnake Creek  
Republican River  
Saline River  
Smoky Hill River  
Solomon River  
South Fork Ninnescah  
Spring River  
Walnut River  
Whitewater River

### 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 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

WATER RESOURCES RECEIVED

JUL 13 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

UNACCEPTABLE FOR PRIORITY

SCANNED

KS DEPT OF AGRICULTURE

NEW STREAM WORKSHEET

ES AJW

Date: 7/13/14

File No. 49,671

Basin Name: Solomon River Basin Basin No. 23

Stream Name: Lindsey Creek Trib 2 (Solomon)

Stream location (confluence with parent stream):

Section 27, Township 10 South, Range 3 <sup>W</sup> (~~East~~)

Map Color Coding:

Basin Stream – Blue

Named Main Stream off Basin Stream – Yellow

Named Stream off Main Stream – Green

Unnamed Trib (1, 2, 3, 4, etc.) – Pink

Unnamed Trib to Unnamed Trib (A, B, C, etc.) – Orange

Unnamed Trib to Unnamed Trib to Unnamed Trib (1, 2, 3, etc.) – Purple

---

Stream No. 3 8 7 4 (computer assigned - entered by data entry staff)

Date Entered 7/21/2016 By LLM

SCANNED

## McColloch, Austin

---

**From:** Stewart, Kelly  
**Sent:** Wednesday, November 9, 2016 7:41 AM  
**To:** McColloch, Austin  
**Cc:** Billinger, Mark; Hageman, Rebecca  
**Subject:** RE: Recommendation, File No. 49,671

Austin,

I have no objection to the approval of this application.

Kelly

---

**From:** McColloch, Austin  
**Sent:** Tuesday, November 8, 2016 1:51 PM  
**To:** Stewart, Kelly <Kelly.Stewart@ks.gov>  
**Cc:** Billinger, Mark <Mark.Billinger@ks.gov>  
**Subject:** Recommendation, File No. 49,671

Kelly,

Attached is my memo for Tyler Crosson, File No. 49,671. Please let me know your recommendation on the proposed diversion works.

Thanks,

Austin McColloch  
Environmental Scientist  
Ph: (785) 564-6643

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

October 19, 2016

MARLIN CROSSON TRUST  
661 BRIARCLIFF RD  
SALINA KS 67401-3619

Re: Application  
File No. 49,671

**FILE COPY**

Dear Sir or Madam:

This is to advise you that Tyler Crosson has filed the application referred to above for permit to appropriate 143 acre-feet of surface water per calendar year from the Tributary 2 to Lindsey Creek for irrigation use from a pond to be filled by natural flow and re-diverted at a maximum rate of 1,000 gallons per minute. Surface water will be diverted from one pump site located as follows:

one (1) pumpsite located in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 22, more particularly described as being near a point 1,940 feet North and 3,549 feet West of the Southeast corner of said section, in Township 10 South, Range 3 West, Ottawa County, Kansas.

A copy of an aerial photograph depicting the location of the proposed point of diversion is also enclosed. Records in this office indicate that you own land along the tributary in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location(s) of the applicant's point(s) of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office within 15 days from the date of this letter.

If you have any questions, please contact me at (785) 564-6643. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Austin McColloch  
Environmental Scientist  
Water Appropriation Program

Enclosure(s)

pc: Stockton Field Office

SCANNED

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

October 19, 2016

CROSSON FARMS INC  
ATTN KENT CROSSON  
1544 US HWY 81  
MINNEAPOLIS KS 67467-8508

**FILE COPY**

Re: Application  
File No. 49,671

Dear Mr. Crosson:

This is to advise you that Tyler Crosson has filed the application referred to above for permit to appropriate 143 acre-feet of surface water per calendar year from the Tributary 2 to Lindsey Creek for irrigation use from a pond to be filled by natural flow and re-diverted at a maximum rate of 1,000 gallons per minute. Surface water will be diverted from one pump site located as follows:

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If you have any questions, please contact me at (785) 564-6643. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Austin McColloch  
Environmental Scientist  
Water Appropriation Program

Enclosure(s)

pc: Stockton Field Office

SCANNED

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

October 19, 2016

JOHN TIBBITS  
1575 NUGGET RD  
MINNEAPOLIS KS 67436

Re: Application  
File No. 49,671

**FILE COPY**

Dear Mr. Tibbits:

This is to advise you that Tyler Crosson has filed the application referred to above for permit to appropriate 143 acre-feet of surface water per calendar year from the Tributary 2 to Lindsey Creek for irrigation use from a pond to be filled by natural flow and re-diverted at a maximum rate of 1,000 gallons per minute. Surface water will be diverted from one pump site located as follows:

one (1) pumpsite located in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 22, more particularly described as being near a point 1,940 feet North and 3,549 feet West of the Southeast corner of said section, in Township 10 South, Range 3 West, Ottawa County, Kansas.

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If you have any questions, please contact me at (785) 564-6643. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

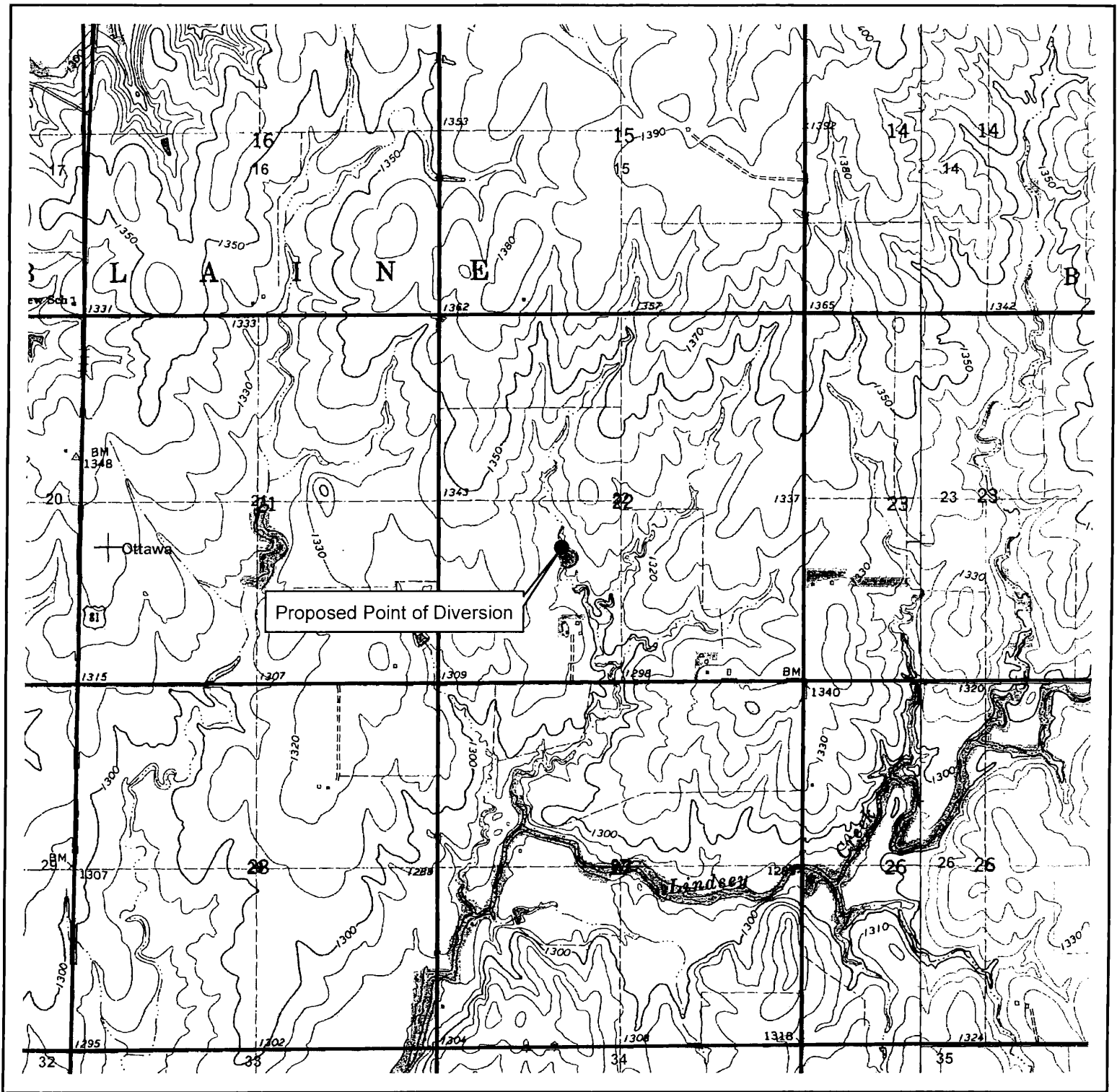
Austin McColloch  
Environmental Scientist  
Water Appropriation Program

Enclosure(s)

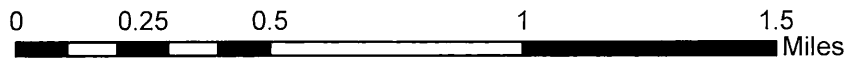
pc: Stockton Field Office

SCANNED





1:24,000



## New Application, File No. 49,671

Proposed Point of Diversion - Surface Water  
 Section 22 - Township 10 South - Range 3 West  
 Ottawa County, Kansas

SCANNED

AM/DWR  
 Date: 10/11/2016



1320 Research Park Drive  
Manhattan, Kansas 66502  
Jackie McClaskey, Secretary

Phone: (785) 564-6700  
Fax: (785) 564-6777  
Email: ksag@kda.ks.gov  
www.agriculture.ks.gov  
Sam Brownback, Governor

July 18, 2016

TYLER CROSSON  
1537 NUGGET RD  
MINNEAPOLIS KS 67467

RE: Application  
File No. 49671

Dear Sir or Madam:

Your application for permit to appropriate water in 22-10S-3W in Ottawa County, was received and has been assigned the file number noted above.

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

**Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.**

**(b) (1) The violation of any provision of this section by any person is a class C misdemeanor . . .**

**A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.**

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent A Turney, P.G.  
Change Application Unit Supervisor  
Water Appropriation Program

BAT: ALH  
pc: STOCKTON Field Office  
GMD

SCANNED

49,671

1 field, 102 acres in Ottawa County, KS

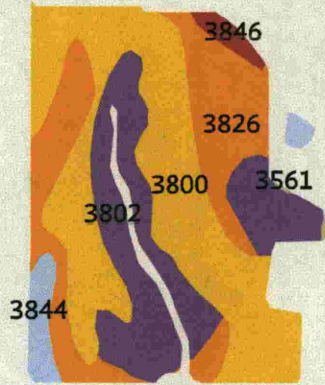
TOWNSHIP/SECTION 10S 3W - 22

AVG NCCPI

COUNTY AVG

52.8

55.9



QUALITY 38 71

Google

Map data ©2016 Google

Source: NRCS Soil Survey

## All fields

102 ac

SOIL CODE	SOIL DESCRIPTION	ACRES	PERCENTAGE OF FIELD	SOIL CLASS	NCCPI	
3800	Crete silt loam, 0 to 1 percent slopes, loess plains and breaks	44.91	44.2%	2	57.0	
3802	Crete silty clay loam, 3 to 7 percent slopes, eroded, loess plains and breaks	25.86	25.4%	3	43.0	
3826	Crete silt loam, 3 to 7 percent slopes	25.52	25.1%	3	53.0	
3844	Geary silt loam, 3 to 7 percent slopes	3.53	3.5%	3	70.0	
3846	Geary silty clay loam, 3 to 7 percent slopes, eroded	1.79	1.8%	3	52.0	
3561	Hobbs silt loam, occasionally flooded	0.11	0.1%	2	79.0	
					<b>101.71</b>	<b>52.8</b>

WATER RESOURCES RECEIVED

JUL 13 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED  
UNACCEPTABLE FOR PRIOR  
APR 07 2016

KS DEPT OF AGRICULTURE

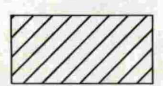
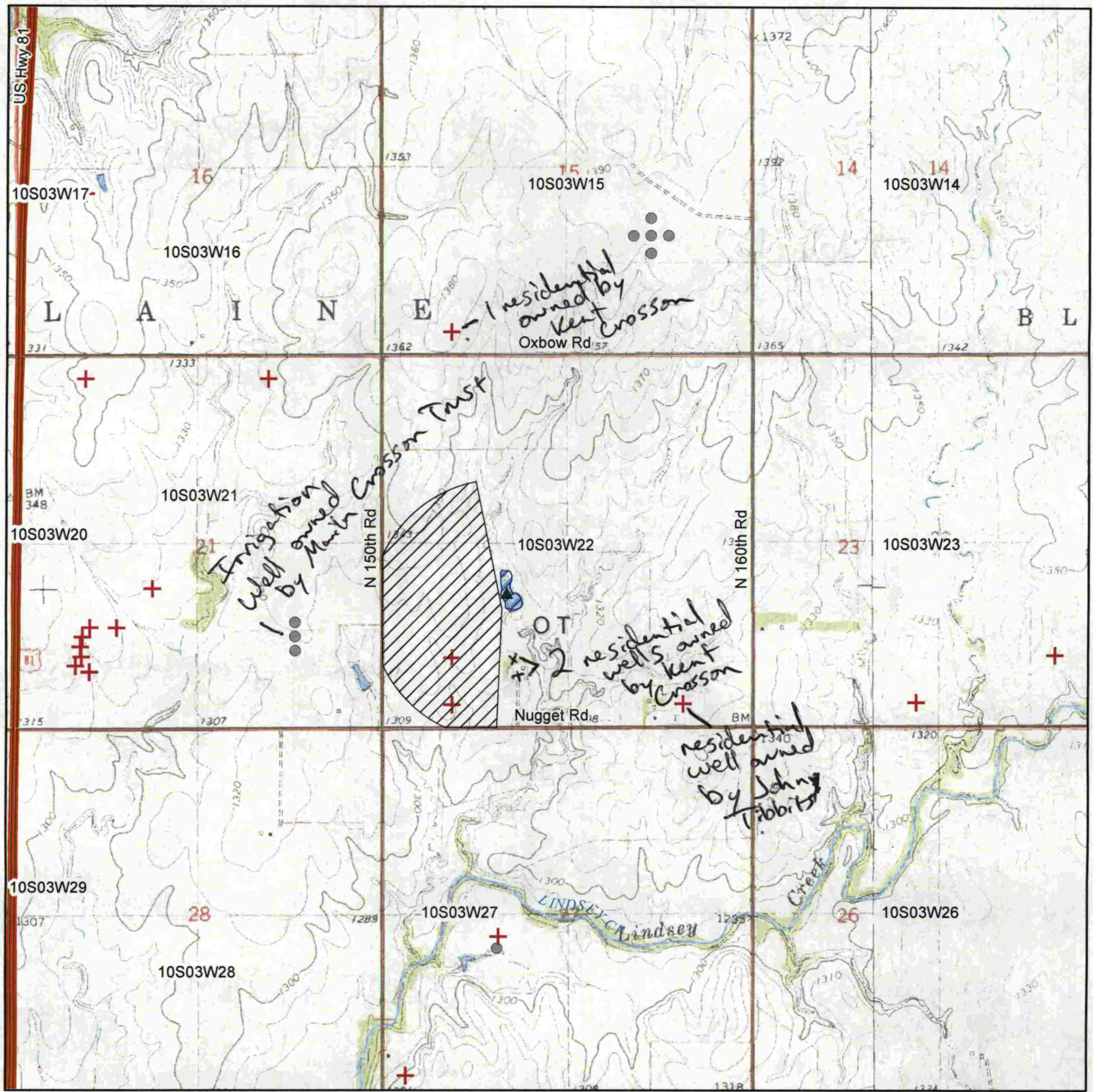
Page 1 of 1

SCANNED



Addresses on reverse 49,671

# Surface Water Right Application



Proposed Place of Use

WATER RESOURCES RECEIVED

▲ Surface Water Point of Diversion

JUL 13 2016

● Groundwater Point of Diversion

*[Signature]*

KS DEPT OF AGRICULTURE

WVC-5 Records RECEIVED

1:24,000

All wells within 1/2 mile of proposed well location are identified on the map.

SCANNED

UNACCEPTABLE FOR PRIORITY



KS DEPT OF AGRICULTURE



Kent Crosson 1554 US Hwy 81  
Minneapolis, KS 67467

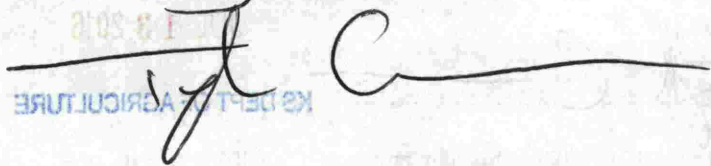
Marion Crosson Trust  
1537 Nugget Rd  
Minneapolis, KS 67467

John Tibbits  
1575 Nugget Rd  
Minneapolis, KS 67467

John Tibbits owns the property  $\frac{1}{2}$  mi  
downstream from the pump site

Marion Crosson Trust owns the property  $\frac{1}{2}$  mi  
upstream from the pump site.

My phone number is 785-342-4093  
I believe I've answered the info  
to the best of my knowledge.

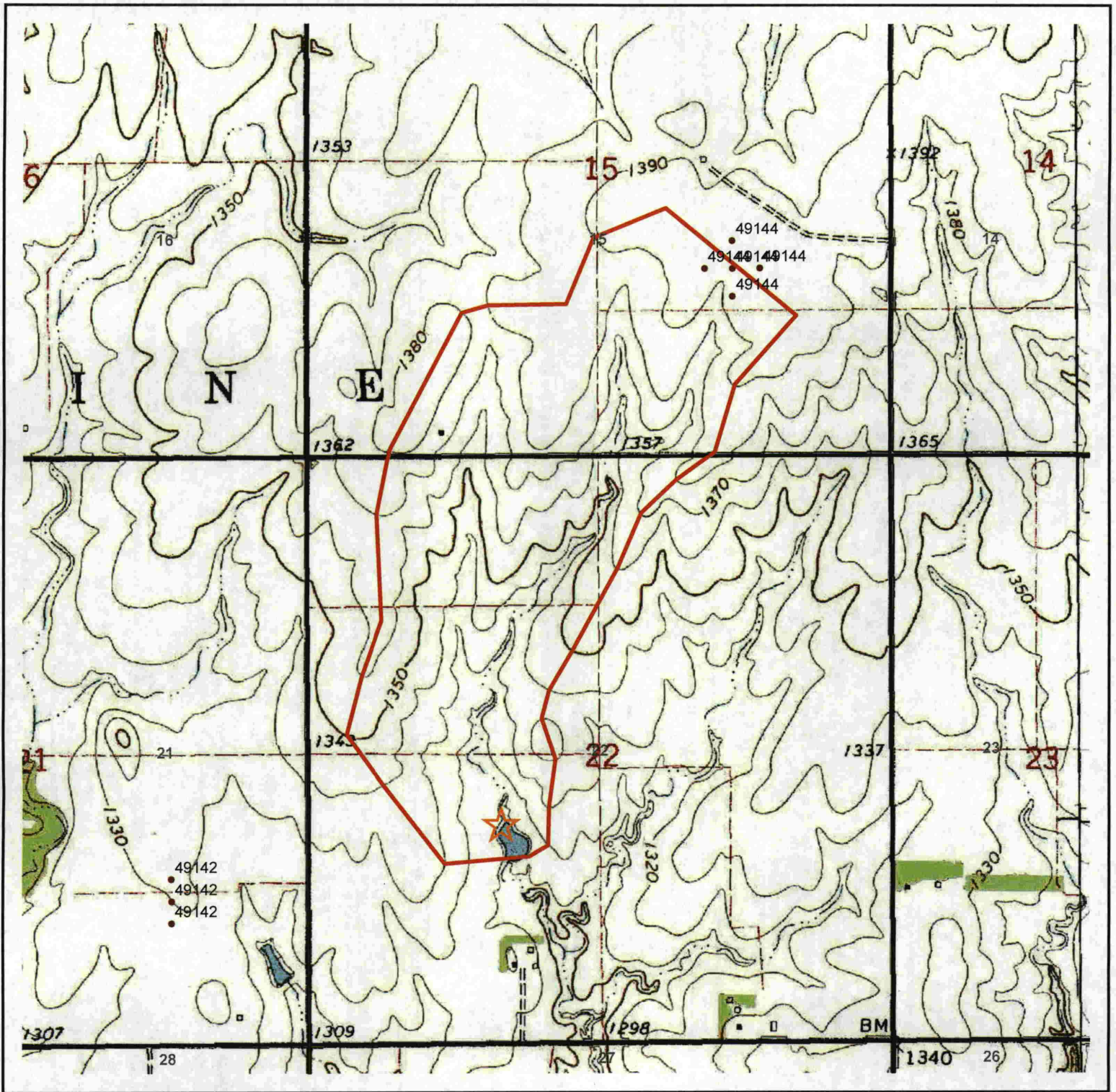


UNACCEPTABLE FOR PRIORITY  
APR 11 2018  
WATER RESOURCES  
RECEIVED

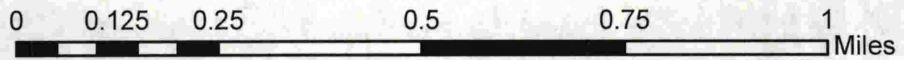
KS DEPT OF AGRICULTURE  
RECEIVED  
APR 11 2018

KS DEPT OF AGRICULTURE

SCANNED



1:15,000



**Legend**

- Point of Diversion



New Application, File No. 49,671  
 Drainage Basin = 270 acres