

Kansas Department of Agriculture
Division of Water Resources
CLOSURE OF NEW APPLICATION WORKSHEET

1. File Number: <p style="text-align: center; font-size: 1.2em;">49,578</p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;">7/18/2018</p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">3</p>	4. GMD: <p style="text-align: center; font-size: 1.2em;">0</p>
5. Status: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied by DWR /GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input type="checkbox"/> Check Valve <input type="checkbox"/> N of C Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> Meter			
<p>7a. Applicant(s) Person ID 58046 New to system <input type="checkbox"/> Add Seq# _____</p> <p>TONY R STRNAD 821 NICKEL RD SCANDIA KS 66966</p>	<p>7c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>		
<p>7b. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p> <p>7a.</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>9. Use of Water: Changing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="padding-left: 40px;"><input type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input 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: _____ 11. Perfection Date: _____ 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
<p>Date Prepared: 6/27/2018 By: DWS Date Entered: 7/19/2018 By: LLM</p>			

File No. **49,578** 15. Formation Code: Drainage Basin: County: Special Use: Stream:

16. Points of Diversion										
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
DEL	85086	NE NW NW	5	3	4W	1	5280	4200		

17. Rate and Quantity				
Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
				NONE

18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

20. Meter Required? Yes No To be installed by _____ Date Acceptable Meter Installed _____

21. Place of Use							NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? no	Overlap Files			
MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼						
DEL	67611	5	3	4W	4						35													35	7a.	No	NONE		

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: June 27, 2018

FROM: Doug Schemm

RE: Application, File No. 49,578

Tony Strnad filed the referenced application for a permit to appropriate water for beneficial use, proposing the appropriation of 40 acre-feet of groundwater at a diversion rate of 350 gallons per minute. The proposed point of diversion was a well located in the Northeast Quarter of the Northwest Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 5, more particularly described as being near a point 5,280 feet North and 4,200 feet West of the Southeast corner of said section, in Township 3 South, Range 4 West, Republic County, Kansas. The source of water for the pending application appears to be the "effective alluvial aquifer" of the Republican River.

Per K.A.R. 5-3-11(d)(6), Technical Guidelines: The "effective alluvial aquifer" is considered to extend up to one and one-half miles each side of the centerline of the Republican River unless the land surface has a slope of 2% or greater as determined from the latest U.S.G.S. seven and one half minute topographic map, in which case the boundary is 500 feet farther away from the river from the point where the land begins to slope at a grade in excess of 2% (not to exceed one and one-half miles from the centerline of the Republican River). This boundary shall be used unless better information is available to make a more precise determination in an individual case. If better or more site specific information is available, it may be used. A review of site specific information, well logs, and water levels, indicate this well is within the "effective alluvial aquifer", which is currently closed to new appropriations of groundwater.

The applicant was sent a letter on March 21, 2018 explaining the safe yield evaluation, and stating that it would be recommended to the Chief Engineer that pending application, File No. 49,578 be denied and dismissed due to the failure to meet safe yield criteria per K.A.R. 5-3-11(d)(6). The applicant was provided an extension of time until June 5, 2018. The applicant responded in a June 26, 2018 e-mail that he accepted the denial of this file.

Therefore, based on the existing information, it is recommended that application File No. 49,578 be denied and dismissed for failure to safe yield.

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

July 20, 2018

FILE COPY

TONY R STRNAD
821 NICKEL RD
SCANDIA KS 66966

RE: Application, File No. 49,578

Dear Mr. Strnad:

Enclosed is the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 49,578 for failure to meet the safe yield criteria in K.A.R. 5-3-11(d)(6).

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth in the enclosed Order.

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.

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Division of Water Resources

KAB:dws
Enclosures

pc: Stockton Field Office



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**FINDINGS AND ORDER
IN THE MATTER OF THE
DISMISSAL OF APPLICATION
FILE NO. 49,578**

After due consideration, the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (hereinafter referred to as the "Chief Engineer"), makes the following findings and order:

FINDINGS

1. That on March 11, 2016, the Chief Engineer received an application from Tony Strnad for a permit to appropriate water for beneficial use, assigned File No. 49,578, requesting the appropriation of 40 acre-feet of groundwater, at a maximum requested diversion rate of 350 gallons per minute, for irrigation use. The proposed point of diversion was located in the Northeast Quarter of the Northwest Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 5, more particularly described as being near a point 5,280 feet North and 4,200 feet West of the Southeast corner of said section, in Township 3 South, Range 4 West, Republic County, Kansas.
2. That the source of water for the pending application appears to be the "effective alluvial aquifer" of the Republican River.
3. That per K.A.R. 5-3-11(d)(6), Technical Guidelines: The "effective alluvial aquifer" is considered to extend up to one and one-half miles each side of the centerline of the Republican River unless the land surface has a slope of 2% or greater as determined from the latest U.S.G.S. seven and one half minute topographic map, in which case the boundary is 500 feet farther away from the river from the point where the land begins to slope at a grade in excess of 2% (not to exceed one and one-half miles from the centerline of the Republican River). This boundary shall be used unless better information is available to make a more precise determination in an individual case. If better or more site specific information is available, it may be used.
4. That a review of site specific information, well logs, and water levels, indicated the proposed well was within the "effective alluvial aquifer", which is currently closed to new appropriations of groundwater.
5. That on March 21, 2018, a letter was mailed to the applicant stating that the application did not comply with the safe yield requirements of K.A.R. 5-3-11(d)(6), and that the application would be submitted to the Chief Engineer with a recommendation that the pending application be denied and dismissed, for failure to meet safe yield criteria. The applicant was provided 15 days, until April 5, 2018 to either submit additional information to our office or request additional time, prior to final action on the application.
6. That the applicant was provided additional time to respond with an extension of time until June 5, 2018. The applicant responded by electronic mail on June 26, 2018, stating "I am at this time willing to accept the denial of appropriation on file 49578".
7. That the application should be denied and dismissed, and its priority forfeited for failure to comply with the safe yield requirements of K.A.R. 5-3-11(d)(6).

ORDER

NOW, THEREFORE, It is the decision and order of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, that effective the date of this order, in accordance with the law, Application, File No. 49,578, is herewith dismissed and the priority assigned to it is considered to be forfeited.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:


- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary. To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

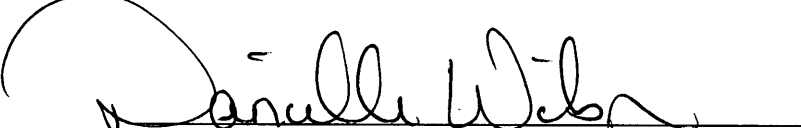
Ordered this 18th day of July, 2018, in Topeka, Shawnee County, Kansas.


 Lane P. Letourneau, P.G.
 Program Manager
 Water Appropriation Program
 Division of Water Resources
 Kansas Department of Agriculture

State of Kansas)
) SS
 County of Riley)

The foregoing instrument was acknowledged before me this 18th day of July, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.




 Notary Public

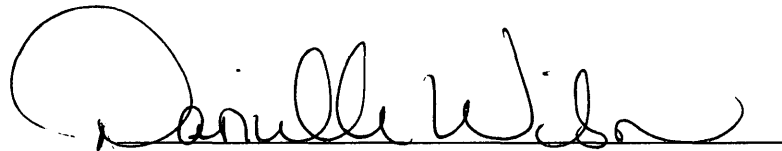
CERTIFICATE OF SERVICE

On this 20th day of July, 2018, I hereby certify that the foregoing Dismissal of Application, File No. 49,578, dated July 18th, 2018 was mailed postage prepaid, first class, US mail to the following:

TONY R STRNAD
821 NICKEL RD
SCANDIA KS 66966

With photocopies to:

Stockton Field Office



Division of Water Resources

#49,578

Schemm, Doug [KDA]

From: Tony Strnad <tonyrstrnad@gmail.com>
Sent: Tuesday, June 26, 2018 2:41 PM
To: Schemm, Doug [KDA]; Stewart, Kelly [KDA]
Subject: RE: 49578

Doug

I have failed to get a test hole completed in the east part of this farm. I am at this time willing to accept the denial of appropriation on file 49578.

Thank you

Tony Strnad

From: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Sent: Thursday, March 29, 2018 7:16 AM
To: Tony Strnad <tonyrstrnad@gmail.com>
Subject: RE: 49578

Tony,
Here's your extension of time.
Have a great day,
Doug

From: Tony Strnad [<mailto:tonyrstrnad@gmail.com>]
Sent: Monday, March 26, 2018 3:11 PM
To: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Subject: 49578

Doug

Please consider this my formal request for more time to gather additional information on the file number 49578. I would like to review the application to appropriate water at this location and discuss with your office if there are any changes that can be made to the application that would make this application meet safe yield. If there are no changes or options that can be made then I will accept this denial of the application.

Thank you

Tony Strnad

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
TOPEKA FIELD OFFICE
6531 SE FORBES AVE., SUITE B
TOPEKA, KS 66619



PHONE: (785) 296-5733
FAX: (785) 296-8298
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 29, 2018

TONY R STRNAD
821 NICKEL RD
SCANDIA KS 66966

RE: Pending Application, File No. 49,578

Dear Mr. Strnad:

Per your written request, received via electronic mail in our office on March 26, 2018, the Chief Engineer is allowing an extension of time for sixty (60) days, in which to supply further information concerning the above referenced file, until **June 5, 2018**. Your application is being recommended for denial for failure to meet safe yield criteria, as required by K.A.R. 5-3-11(d)(6).

Extension requests are evaluated on a case by case basis. Since it appears that no pending application would be adversely affected by granting an extension, you are being allowed these 60 days. If near the end of the current extension you determine that additional time will be needed, you may submit another request for an extension prior to the deadline given above. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

In order for the application to retain its priority of filing, the original application and attachments must be returned, with the requested information, to this office on or before **June 5, 2018**, or within any authorized extension of time thereof. Pursuant to K.S.A. 82a-710, failure to timely refile the completed application and attachments as outlined above shall constitute forfeiture of your priority date and result in dismissal of the application. If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Doug Schemm".

Doug Schemm
Environmental Scientist
Topeka Field Office

Schemm, Doug [KDA]

From: Tony Strnad <tonyrstrnad@gmail.com>
Sent: Monday, March 26, 2018 3:11 PM
To: Schemm, Doug [KDA]
Subject: 49578

Doug

Please consider this my formal request for more time to gather additional information on the file number 49578. I would like to review the application to appropriate water at this location and discuss with your office if there are any changes that can be made to the application that would make this application meet safe yield. If there are no changes or options that can be made then I will accept this denial of the application.

Thank you

Tony Strnad

STATE OF KANSAS



DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
TOPEKA FIELD OFFICE
6531 SE FORBES AVE., SUITE B
TOPEKA, KS 66619

PHONE: (785) 296-5733
FAX: (785) 296-8298
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 21, 2018

TONY R STRNAD
821 NICKEL RD
SCANDIA KS 66966

RE: Pending Application, File No. 49,578

Dear Mr. Strnad:

We have conducted a preliminary review of your application referenced above based on the information received in our office on March 11, 2016. The proposed point of diversion is a well located in the Northeast Quarter of the Northwest Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 5, more particularly described as being near a point 5,280 feet North and 4,200 feet West of the Southeast corner of said section, in Township 3 South, Range 4 West, Republic County, Kansas. The application is requesting to appropriate 40 acre-feet of groundwater for irrigation use. The source of water for the pending application appears to be the "effective alluvial aquifer" of the Republican River.

Per K.A.R. 5-3-11(d)(6), Technical Guidelines: The "effective alluvial aquifer" is considered to extend up to one and one-half miles each side of the centerline of the Republican River unless the land surface has a slope of 2% or greater as determined from the latest U.S.G.S. seven and one half minute topographic map, in which case the boundary is 500 feet farther away from the river from the point where the land begins to slope at a grade in excess of 2% (not to exceed one and one-half miles from the centerline of the Republican River). This boundary shall be used unless better information is available to make a more precise determination in an individual case. If better or more site specific information is available, it may be used. A review of site specific information, well logs, and water levels, indicate this well is within the "effective alluvial aquifer", which is currently closed to new appropriations of groundwater.

Therefore, it will be recommended to the Chief Engineer that pending application, File No. 49,578 be denied and dismissed due to the failure to meet safe yield criteria, as required by K.A.R. 5-3-11(d)(6). We are advising you of this recommendation in order to allow you an opportunity to submit additional information to show why our evaluation should be reconsidered. You have a period of 15 days (**until April 5, 2018**) to either (1) submit additional information to our office or (2) request additional time beyond the 15 days to submit additional information. If you wish to request additional time, you must do so **in writing**, before the 15 day period expires. Such a request should state what steps are being taken to obtain the information and the amount of time you will need to supply the information to our office.

If you do not request more time within the 15 day period, or if your request is not granted, the above- referenced application will be submitted to the Chief Engineer for final decision based on the recommendation stated above. Any relevant credible information submitted within the time allowed will be given due consideration, prior to final action on the application. If you have any questions, please contact me at (785) 296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Doug Schemm
Environmental Scientist
Topeka Field Office

THE STATE  OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49,578
This item to be completed by the Division of Water Resources.

WATER RESOURCES
RECEIVED

MAR 11 2016
10:31
KS DEPT OF AGRICULTURE

RECEIVED
JUN 21 2016

**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.)

Topeka Field Office
DIVISION OF WATER RESOURCES

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): Tony Strnad
Address: 821 Nickel Rd
City: Scandia State KS Zip Code 66966
Telephone Number: (785) 527-0163

2. The source of water is: surface water in _____ (stream)
OR groundwater in Republican River (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 40 acre-feet OR _____ gallons per calendar year,
to be diverted at a maximum rate of 350 gallons per minute OR _____ cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):

- (a) Artificial Recharge (b) Irrigation (c) Recreational (d) Water Power
(e) 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. <u>3</u>	GMD <u>0</u>	Meets K.A.R. 5-3-1 (YES/NO)	Use <u>FRR</u>	Source <u>@/S</u>	County <u>RP</u>	By <u>AJW</u>	Date <u>3/11/16</u>		
Code <u>REG</u>	Fee \$ <u>200</u>	TR # <u>2033</u>	Receipt Date <u>3/11/16</u>	Check # <u>2456</u>					

SCANNED
3/14/2016 LLM

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 NW quarter of Section 5, more particularly described as being near a point 5280 feet North and 4200 feet West of the Southeast corner of said section, in Township 3 South, Range 4 East (West) (circle one), Republic 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):

Owner is same as applicant
(name, address and telephone number)
Tony Strnad, 821 Nickel Rd Seward KS 66966, - 785-527-0163
(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 3-3- 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 one well
(number of wells, pumps or dams, etc.)
and (was) (will be) completed (by) 7-1-2017
(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 7-1-2017
(Mo/Day/Year)

WATER RESOURCES
RECEIVED

MAR 11 2016

SCANNED

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.
NA

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 NA
- If no, explain here why a Water Structures permit is not required NA

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.

NA (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.

None

WATER RESOURCES RECEIVED

MAR 11 2016

SCANNED

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: Old domestic well
 Test holes Well as completed Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	<u>1981</u>	_____	_____	_____
Total depth of well	<u>40</u>	_____	_____	_____
Depth to water bearing formation	<u>30</u>	_____	_____	_____
Depth to static water level	<u>25</u>	_____	_____	_____
Depth to bottom of pump intake pipe	<u>NA</u>	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of

owner
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

Same as applicant Tony Strnad 821 N. 2nd Rd Scandia KS
(name, address and telephone number)
785-527-0163
(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 Scandia, Kansas, this 3 day of March, 2016.
(month) (year)



(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by _____ Date: _____
(office/title)

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Google earth

4000 feet
1 km



Richard Kueker
515 Washington St
Concordia KS 66901

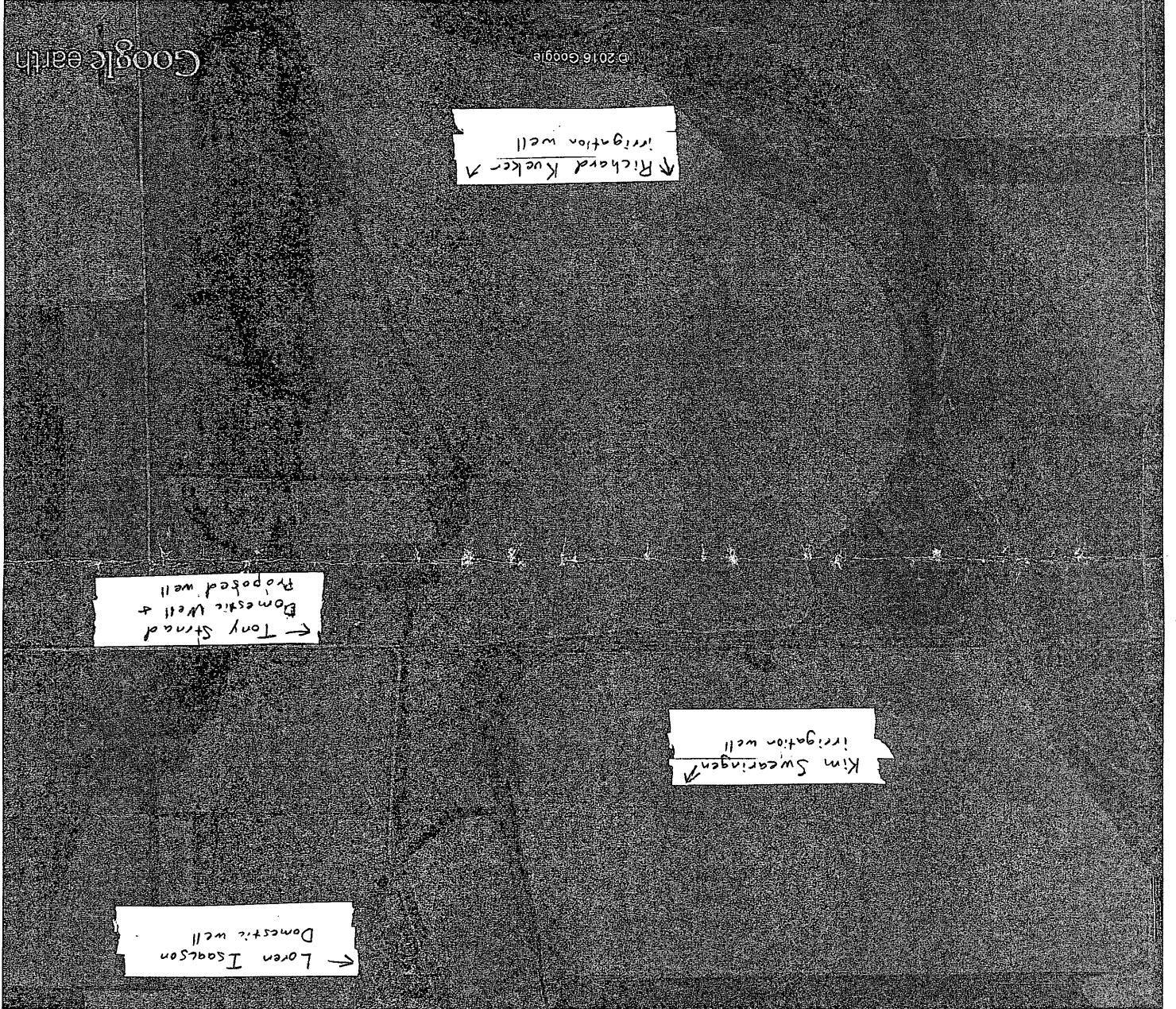
Loren Isaacson
1351 80 Rd
Scandia KS 66966

Kim Swearingen
PO Box 1038
Elkhart KS 67950

Tony Strnad
821 Nickel Rd
Scandia KS 66966

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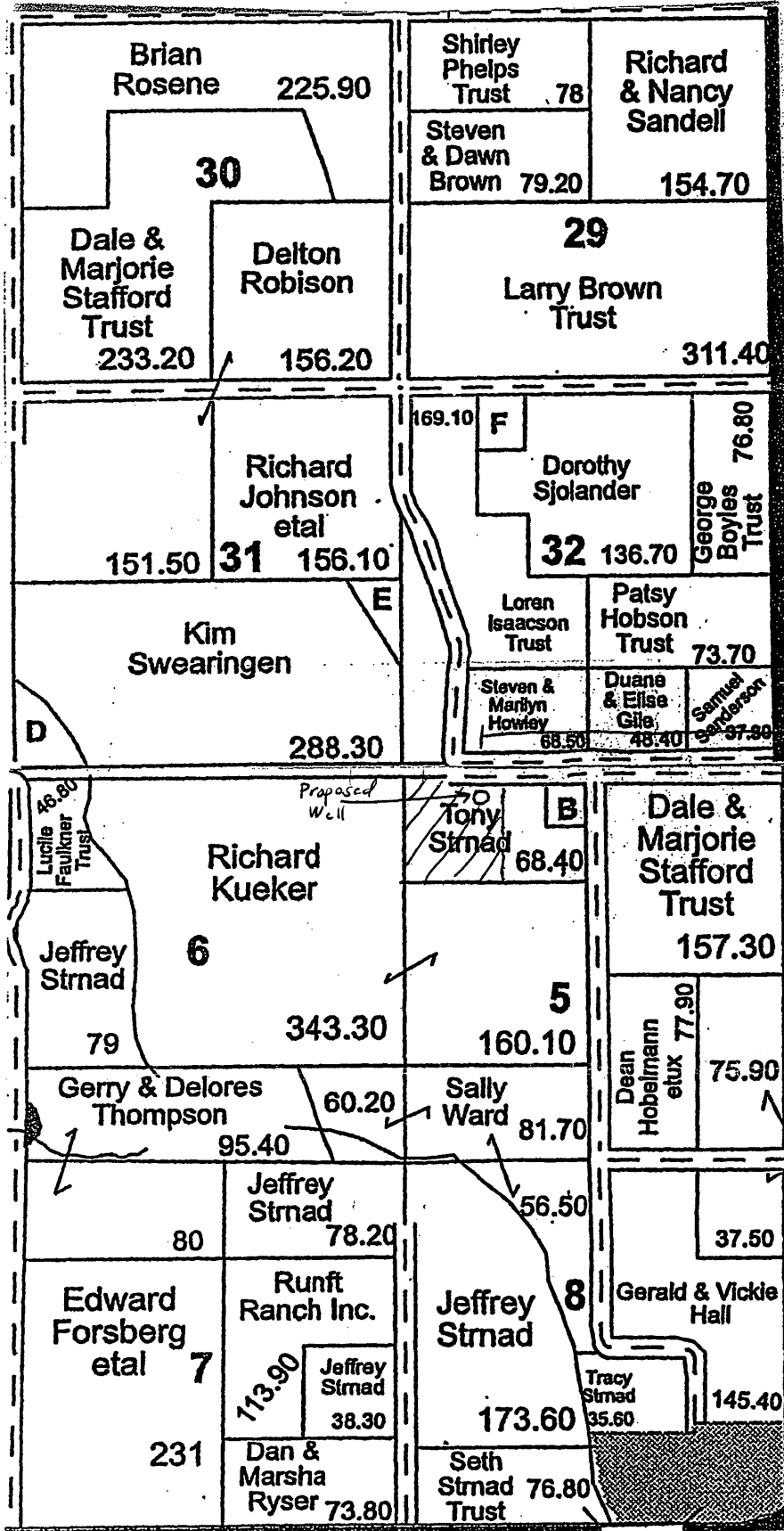


49.578

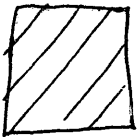
70 RD

80 RD

90 RD



place of use



4200 feet

Nickel Rd

5280 feet

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Scandia KS

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 49578

Name of Applicant (Please Print): Tony Strnad

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: Tony Strnad
ADDRESS: 821 Nickel Rd. Scandia KS66966

S	T	R	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5	3	4W						35										35	

Landowner of Record NAME: _____
ADDRESS: _____

S	T	R	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				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	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				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
<u>sandy loam</u>	<u>100</u>	<u>2</u>	<u>none</u>
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): 4 %
 Estimate the maximum land slope in the field(s): 4 %

c. Type of irrigation system you propose to use (check one):

- Center pivot
- Gravity system (furrows)
- Center pivot - LEPA
- Gravity system (borders)
- "Big gun" sprinkler
- Sideroll sprinkler

Other, please describe: This will start out by irrigating with gravity

d. System design features: 2 10ac fields but will eventually go to a pivot

i. Describe how you will control tailwater:

tailwater will move into the drainage ditch at the center of the field

ii. For sprinkler systems: NA

- (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:

corn, soybean

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 probes

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

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Planning Map

Date: 12/16/2015

Field Office: BELLEVILLE SERVICE CENTER

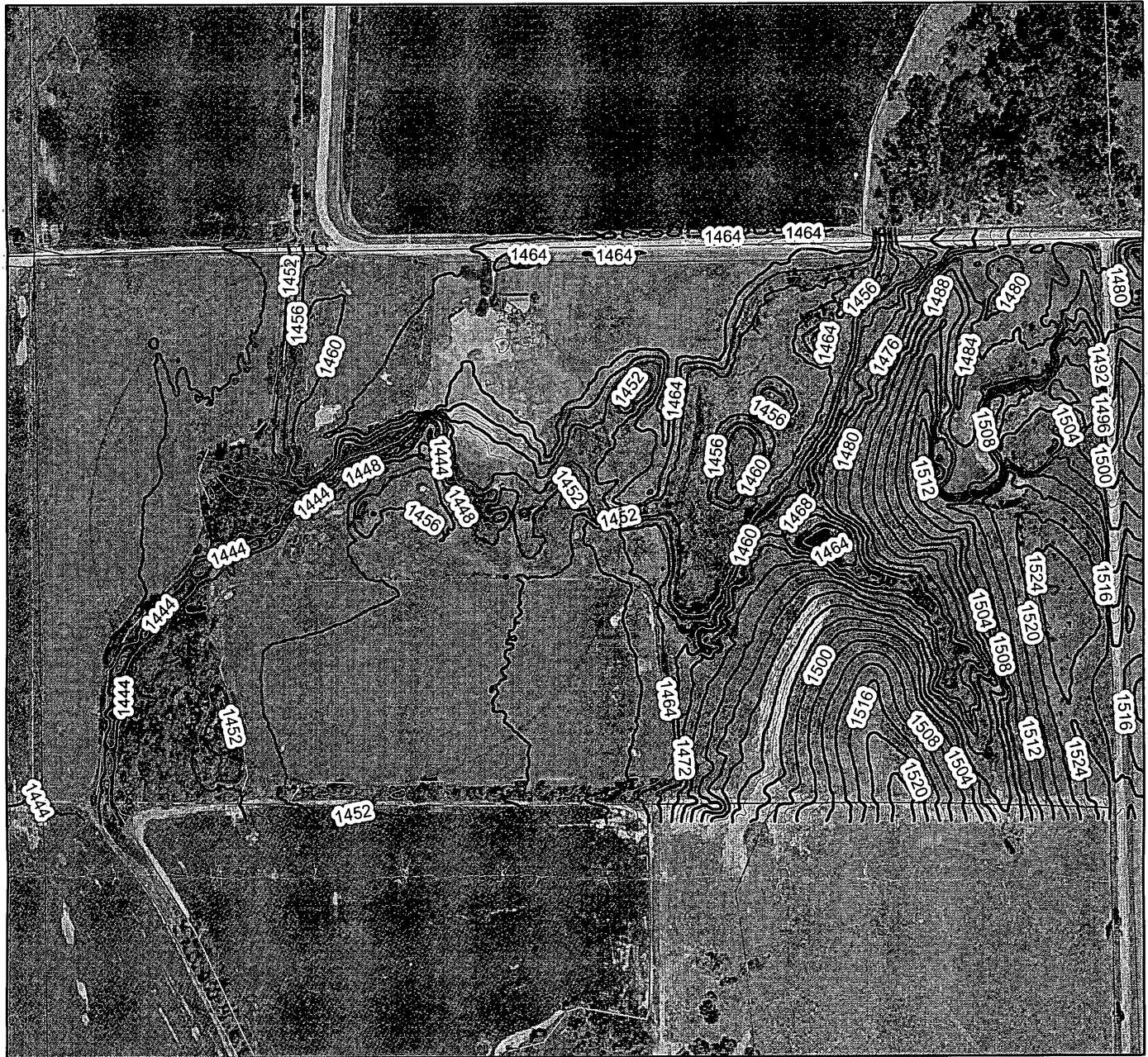
Agency: USDA-NRCS

Assisted By: KEVIN ELLIOTT

State and County: KS, Republic County, Kansas

District: REPUBLIC COUNTY CONSERVATION DISTRICT

Legal Description: N1/2 NW1/4 5-3-4



Legend

AOI_contours

Type

— intermediate

— index

☐ Case PLUs

☐ plss_a_ks157

☐ clu_a_copy_ks157

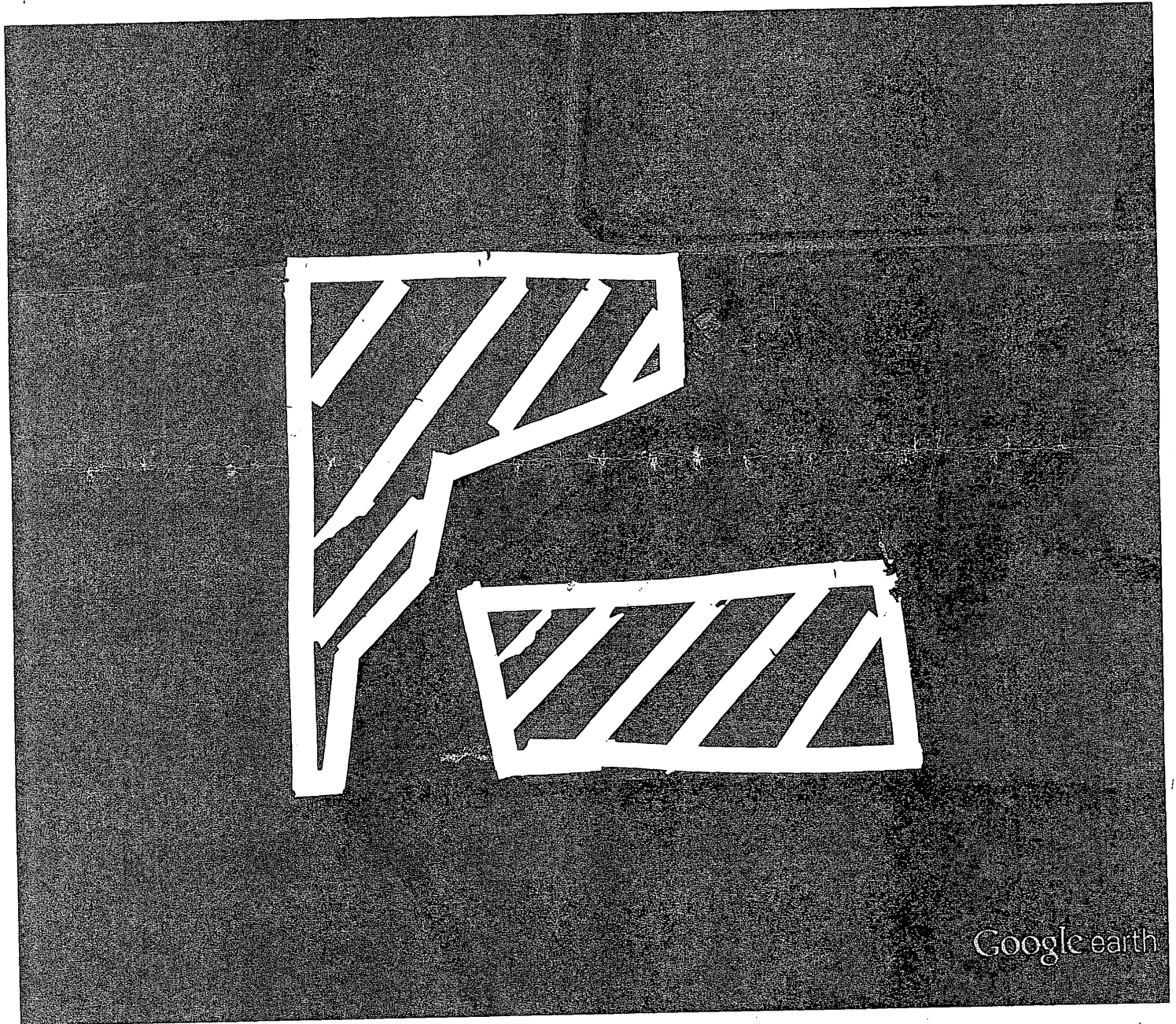
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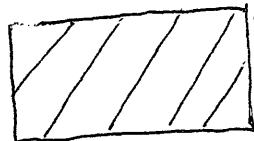
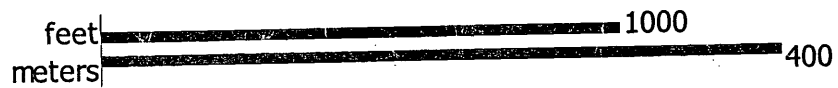


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Google earth

Google earth



ground to be irrigated

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SCANDIA TWP

LAND OWNER

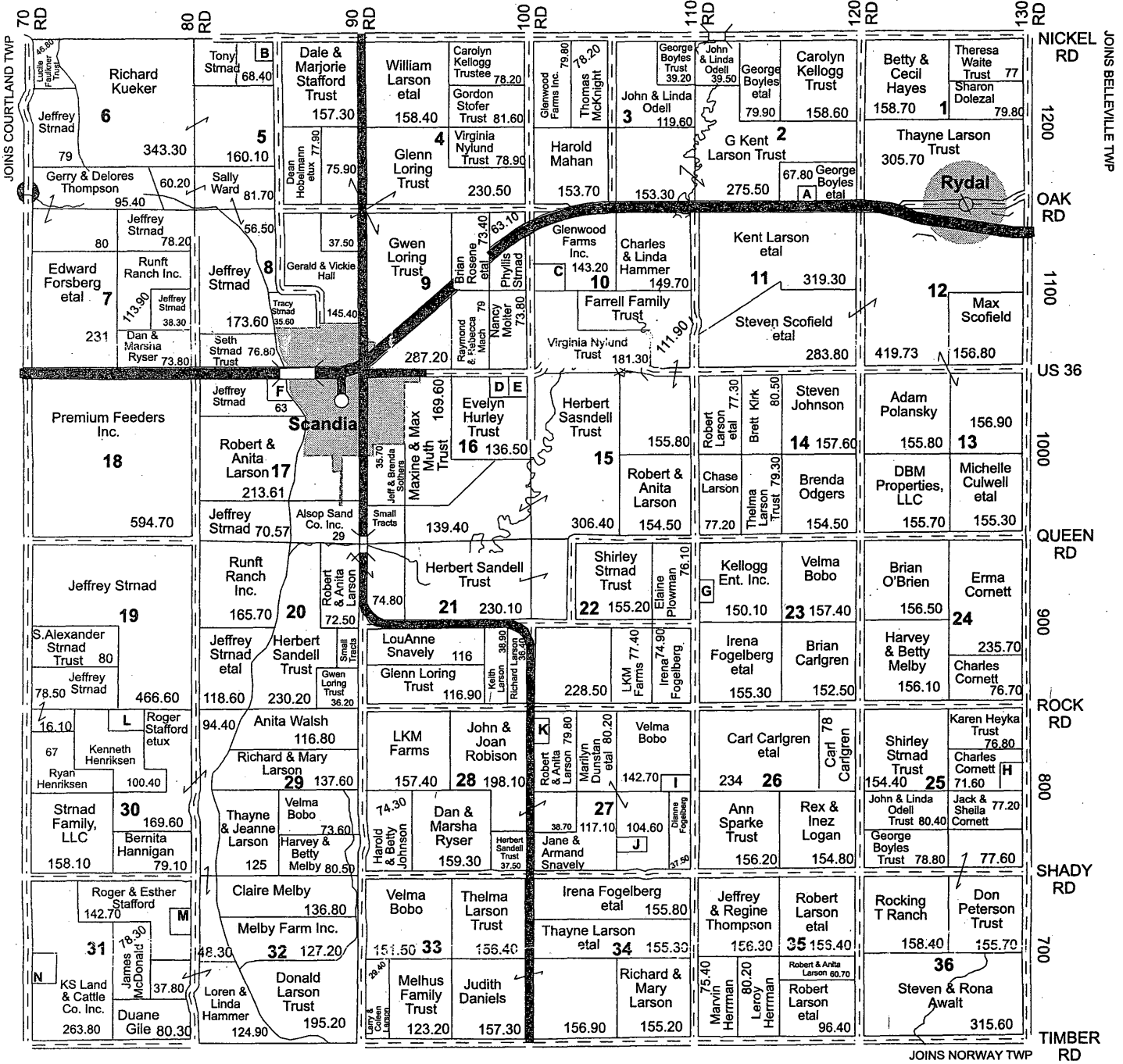
T 3 S

SW 1/4 of NW 1/4

R 4 W

JOINS UNION TWP

LAND OWNER & RURAL RESIDENT MAPS



Small Tracts

- Section 2 **A** Gary & Marsha Jensen - 9.36
- Section 5 **B** Alsop Sand Co. Inc. - 10.10
- Section 10 **C** Brett Kirk - 7.28
- Section 16 **D** Samuel Sanderson - 9.80
- E** Russell & Lisa Hall - 9
- Section 17 **F** John & Chandra Stuchlik - 16.40
- Section 23 **G** Wallace & Joyce Boman - 7.50
- Section 25 **H** Melvern & Carolyn Cornett - 5.60
- Section 27 **I** Landy Hay - 13.80
- J** Marilyn Coil - 14.50
- K** Brian Larsen - 5
- Section 30 **L** Russell Henriksen - 22.30
- Section 31 **M** Brenda Mikesell - 12
- N** Gary Housholder - 5.40

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REPUBLIC COUNTY, KS

RSW	R4W	R3W	R2W	R1W
100	100	100	100	100
100	100	100	100	100
100	100	100	100	100
100	100	100	100	100

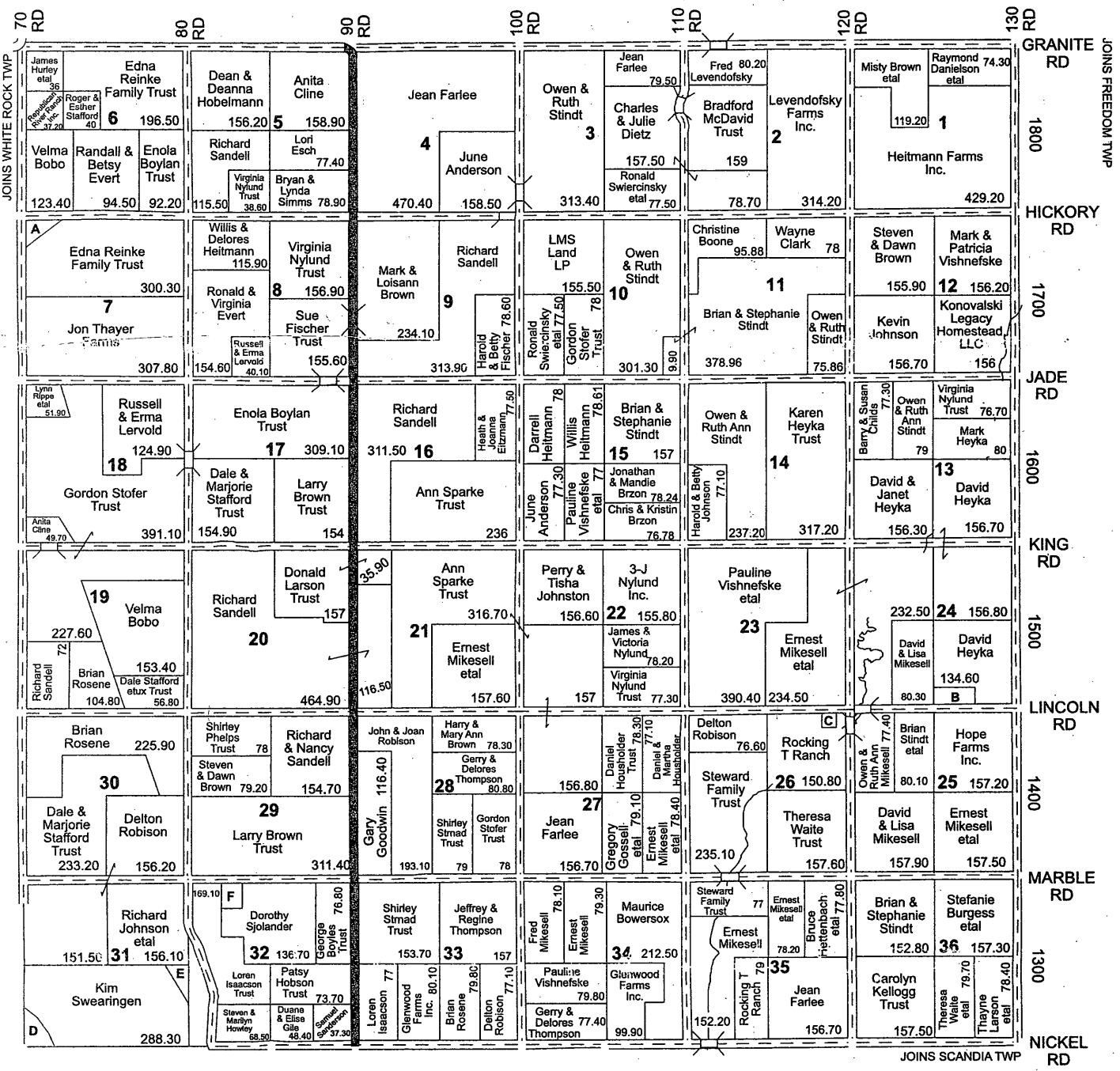
UNION TWP

LAND OWNER

T 2 S

R 4 W

JOINS WASHINGTON TWP



LAND OWNER & RURAL RESIDENT MAPS

RSW	R4W	R3W	R2W	R1W
145	144	143	142	141
145	144	143	142	141
145	144	143	142	141

- Small Tracts**
- Section 7 A Glenn Lervold - 10.14
 - Section 24 B John & Lois Swiercinsky - 22.20
 - Section 26 C David & Lisa Mikesell - 5.68
 - Section 31 D Lucile Faulkner Trust - 18.10
 - E Loren Isaacson - 6.20
 - Section 32 F John Davis - 9.30

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REPUBLIC COUNTY, KS

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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

March 11, 2016

TONY STRNAD
821 NICKEL RD
SCANDIA KS 66966

RE: Application
File No. 49578

Dear Sir or Madam:

Your application for permit to appropriate water in 5-3S-4W in Republic 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) 564-6634. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

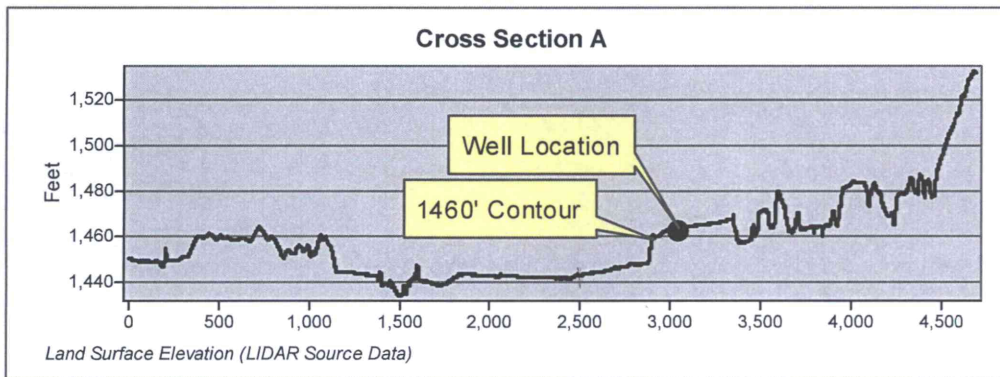
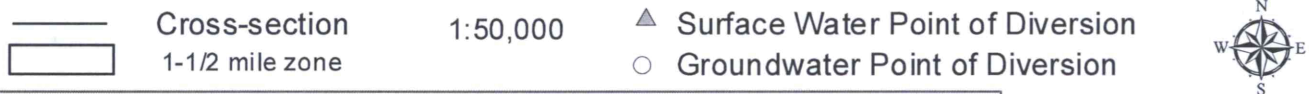
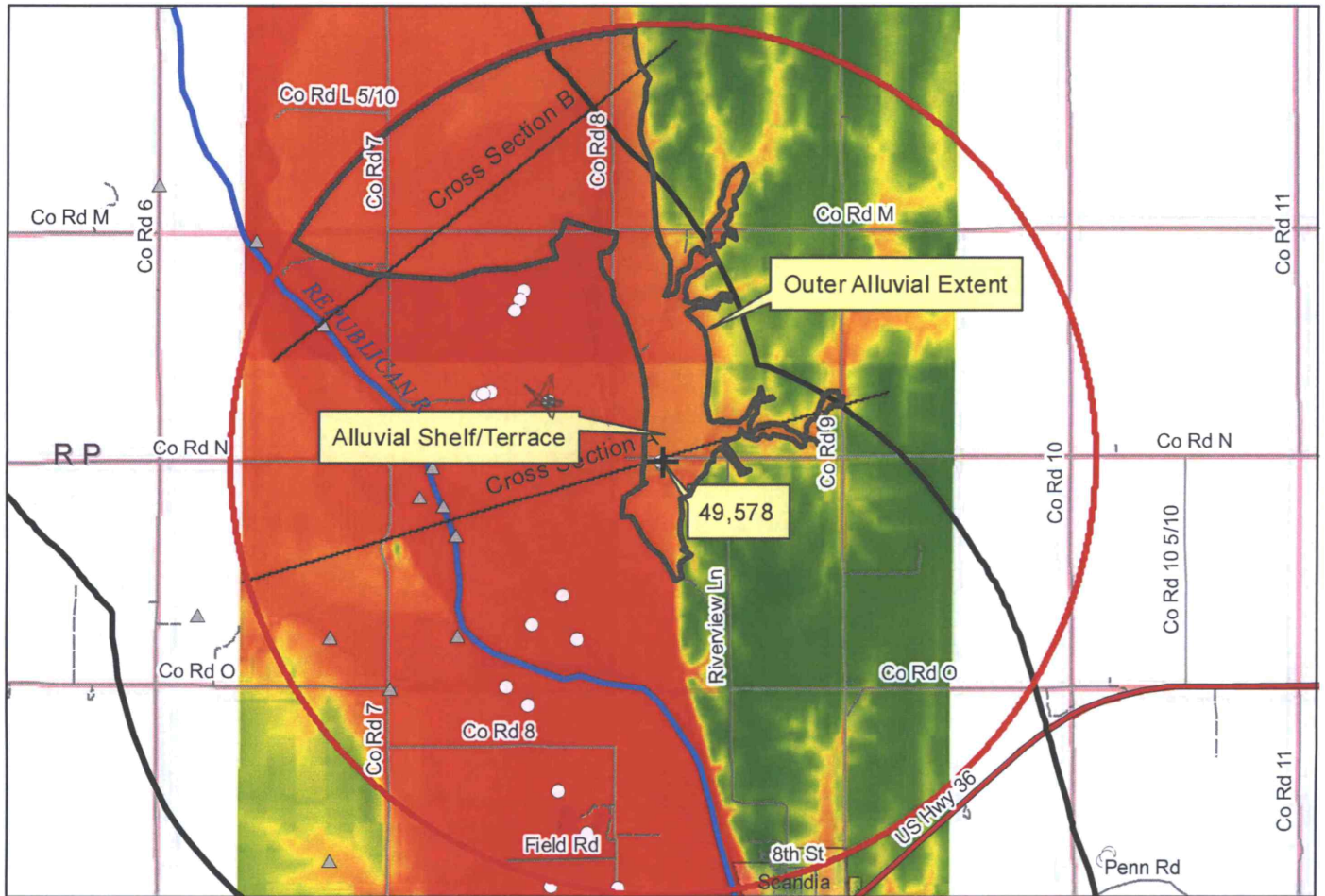
Sincerely,

Kenneth A. Kopp, P.G.
New Application Unit Supervisor
Water Appropriation Program

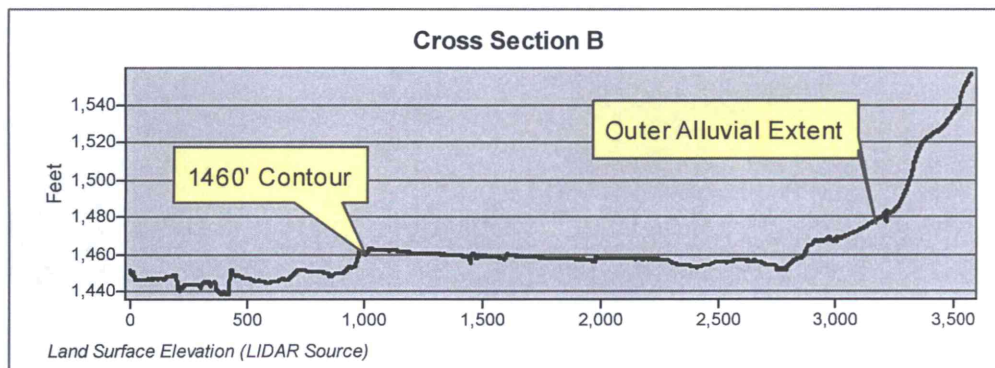
KAK: DLW
pc: STOCKTONField Office
GMD

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Application 49,578 Effective Alluvium Cross Section



Cross Section A displays the proposed well to be located just above the 1460' contour line.



Cross Section B displays the same alluvial feature upstream as an alluvial shelf created by a historical meander of the river.