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.

THE STATE OF KANSAS

Water Resources
Received
MAY 14 2018
12:47
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KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50056
This item to be completed by the Division of Water Resources.

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APR 30 2018
11:58
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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): Dick Walsh

   Address: 910 N. 4th St.

   City: ~~Ebron.~~ Hebron State NE Zip Code 68730

   Telephone Number: (402) 768-3395

2. The source of water is: ☐ surface water in _____ (stream)

   OR ☒ groundwater in Solomon 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 208 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 800 gallons per minute OR 1.78 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. 3 *GMD* 5 *Meets K.A.R. 5-3-1* (YES) NO) *Use* IRR *Source* (G) S *County* CD *By* AW *Date* 5/14/18
Code 120 *Fee $* 300 *TR #* _____ *Receipt Date* 5/14/18 *Check #* 8899

DWR 1-100 (Revised 06/16/2014)

5/14/18 DAW

File No. 50056

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 _____ quarter of the _____ quarter of Section 20, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township 8 South, Range 4 West, Cloud _____ County, Kansas.

(B) One in the _____ quarter of t _____, more particularly described as being near a po outheast corner of said section, in Township _____ S _____ County, Kansas.

(C) One in the _____ quarter of tl _____, more particularly described as being near a poi outheast corner of said section, in Township _____ Sc _____ County, Kansas.

(D) One in the _____ quarter of th _____, more particularly described as being near a poi outheast corner of said section, in Township _____ So _____ County, Kansas.

60 PTL

3960 N

1320 W

If the source of supply is groundwat posed well or battery of wells, except that a single applicatio uarter (¼) mile radius in the same local source of supply whic ons per minute per well.

A battery of wells is defined as two or ifold; or not more than four wells in the same local source o ng operated by pumps not to exceed a total maximum diver ly water to a common distribution system.

6. The owner of the point of diversion, i
Dick & Cheryl Walsh 910 N. 4th St. I _____

_____ _____

You must provide evidence of legal a the landowner or the landowner's authorized representative nt or other document with this application. In lieu thereof, y

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 5-10, 2018. _____
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 a battery of four (4) wells
(number of wells, pumps or dams, etc.)
and (was)(will be) completed (by) 12/31/19.
(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 6/1/19.
(Mo/Day/Year)

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File No. 500516

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

11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

(a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.

(b) If the application is for groundwater, please show the location of any existing water wells of any kind within ½ mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within ½ mile, please advise us.

(c) If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.

(d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.

(e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

Applicant is requesting 60 days to complete test hole drilling in the Northeast Quarter of 20-8S-4W in Cloud County, Kansas.

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File No. 500510

13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from: ☐ Test holes ☐ Well as completed ☐ Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled				
Total depth of well				
Depth to water bearing formation				
Depth to static water level				
Depth to bottom of pump intake pipe				

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

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

~~Dick & Cheryl Walsh~~ 910 N. 4th St. ~~Ebron~~ Hebron, NE 68370 402-768-3395
(name, address and telephone number)

Richard W + Cheryl A Walsh

(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 Hebron, ~~Kansas~~ Nebraska, this 24 day of April (month), 2018 (year).

Dick Walsh
(Applicant Signature)

By
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by DLM STKFO (office/title) Date: 4/24/18

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APR 30 2018
KS Dept Of Agriculture

IRRIGATION USE
SUPPLEMENTAL SHEET

File No. 50056

Name of Applicant (Please Print): Dick Walsh

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: ~~Dick & Cheryl Walsh~~ Richard W & Cheryl A Walsh

ADDRESS: 910 N. 4th St. Ebron, NE 68370

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20	8	4 W	40	40	40	40													160

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	

50056

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
Hobbs	3		
Muir	.8		
Crete	92		
Hastings	.4		
Total:	100 %		

   b. Estimate the average land slope in the field(s): 5 %

      Estimate the maximum land slope in the field(s): 7 %

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

      X Center pivot ____ Center pivot - LEPA ____ "Big gun" sprinkler

      ____ Gravity system (furrows) ____ Gravity system (borders) ____ Sideroll sprinkler

      Other, please describe: _____

   d. System design features:

      i. Describe how you will control tailwater:

      ii. For sprinkler systems: Not purchased, estimate only

         (1) Estimate the operating pressure at the distribution system: 40 psi

         (2) What is the sprinkler package design rate? 500 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, Soybeans, Milo

   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 blocks + Agronomist

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

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MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- Capability Class - I
- Capability Class - II
- Capability Class - III
- Capability Class - IV
- Capability Class - V
- Capability Class - VI
- Capability Class - VII
- Capability Class - VIII
- Not rated or not available

Soil Rating Lines
- Capability Class - I
- Capability Class - II
- Capability Class - III
- Capability Class - IV
- Capability Class - V
- Capability Class - VI
- Capability Class - VII
- Capability Class - VIII
- Not rated or not available

Soil Rating Points
- Capability Class - I
- Capability Class - II
- Capability Class - III
- Capability Class - IV
- Capability Class - V
- Capability Class - VI
- Capability Class - VII
- Capability Class - VIII
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Cloud County, Kansas
Survey Area Data: Version 16, Oct 4, 2017

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 5, 2013—Feb 25, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

500516

Irrigated Capability Class

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
3561	Hobbs silt loam, occasionally flooded	2	4.7	3.0%
3775	Muir silt loam, rarely flooded	1	1.3	0.8%
3800	Crete silt loam, 0 to 1 percent slopes, loess plains and breaks	2	28.7	18.5%
3801	Crete silt loam, 1 to 3 percent slopes, loess plains and breaks	2	22.3	14.3%
3802	Crete silty clay loam, 3 to 7 percent slopes, eroded, loess plains and breaks	3	93.5	60.2%
3870	Hastings silty clay loam, 3 to 7 percent slopes, eroded	3	4.9	3.1%
Totals for Area of Interest			**155.3**	**100.0%**

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Description

Land capability classification shows, in a general way, the suitability of soils for most kinds of field crops. Crops that require special management are excluded. The soils are grouped according to their limitations for field crops, the risk of damage if they are used for crops, and the way they respond to management. The criteria used in grouping the soils do not include major and generally expensive landforming that would change slope, depth, or other characteristics of the soils, nor do they include possible but unlikely major reclamation projects. Capability classification is not a substitute for interpretations that show suitability and limitations of groups of soils for rangeland, for woodland, or for engineering purposes.

In the capability system, soils are generally grouped at three levels-capability class, subclass, and unit. Only class and subclass are included in this data set.

Capability classes, the broadest groups, are designated by the numbers 1 through 8. The numbers indicate progressively greater limitations and narrower choices for practical use. The classes are defined as follows:

Class 1 soils have few limitations that restrict their use.

Class 2 soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices.

Class 3 soils have severe limitations that reduce the choice of plants or that require special conservation practices, or both.

Class 4 soils have very severe limitations that reduce the choice of plants or that require very careful management, or both.

Class 5 soils are subject to little or no erosion but have other limitations, impractical to remove, that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.

Class 6 soils have severe limitations that make them generally unsuitable for cultivation and that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.

Class 7 soils have very severe limitations that make them unsuitable for cultivation and that restrict their use mainly to grazing, forestland, or wildlife habitat.

Class 8 soils and miscellaneous areas have limitations that preclude commercial plant production and that restrict their use to recreational purposes, wildlife habitat, watershed, or esthetic purposes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
109 SW 9th Street, 2nd Floor
Topeka, Kansas 66612-1283

Re: Application File No. 50056

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.

Dick Walsh
Signature of Applicant

State of ~~Kansas~~ Nebraska)
) ss
County of Thayer)

Dick Walsh
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 25 day of April, 2018.

GENERAL NOTARY - State of Nebraska
TRACI A. FANGMEIER
My Comm. Exp. August 17, 2020

Traci A Fangmeier
Notary Public

My Commission Expires:
August 17, 2020

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DWR 1-100.171 (Revised 03/27/2008)

50056

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

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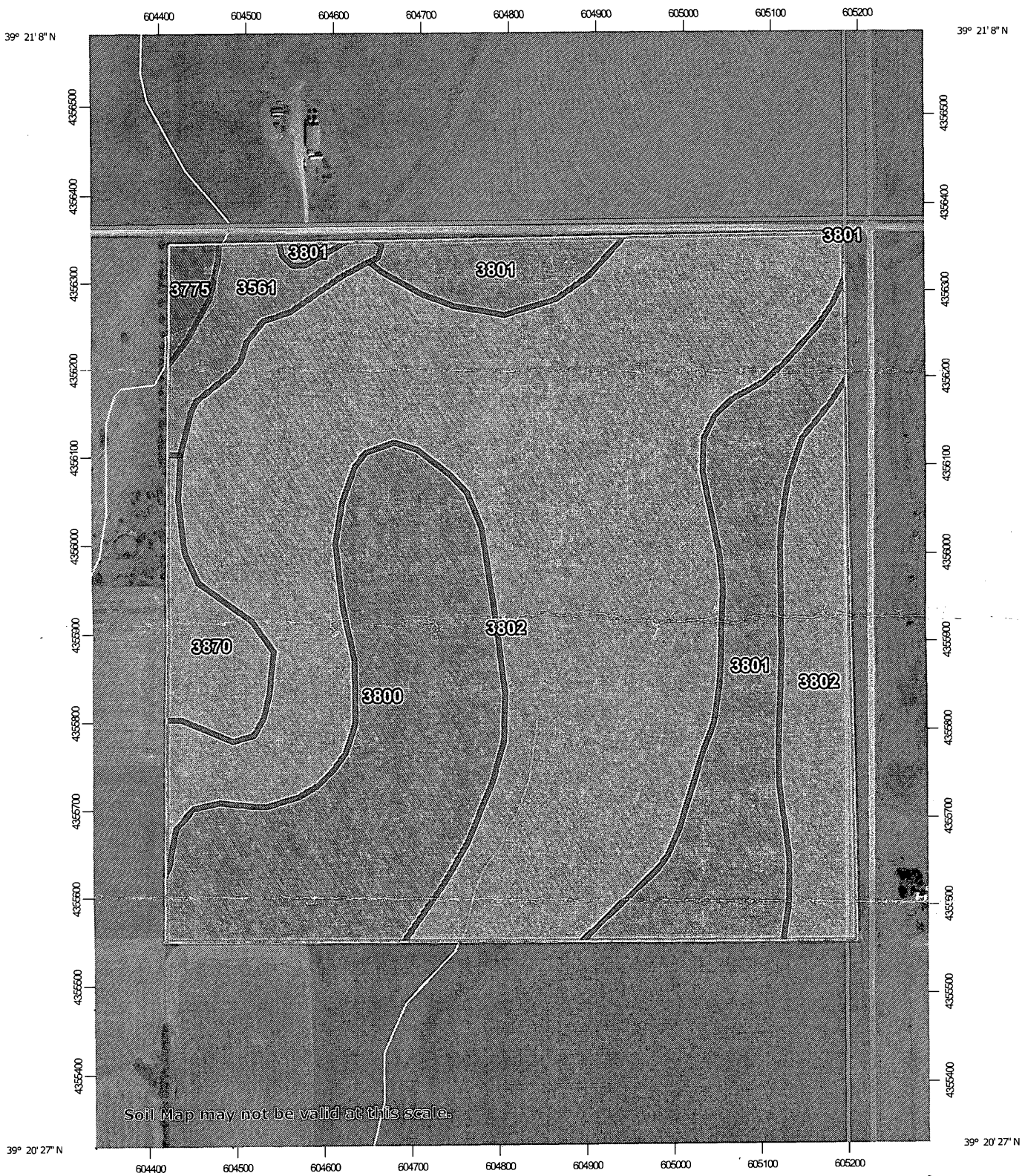
Irrigated Capability Class—Cloud County, Kansas



Map Scale: 1:6,150 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 50 100 200 300

Feet: 0 250 500 1000 1500

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 14N WGS84

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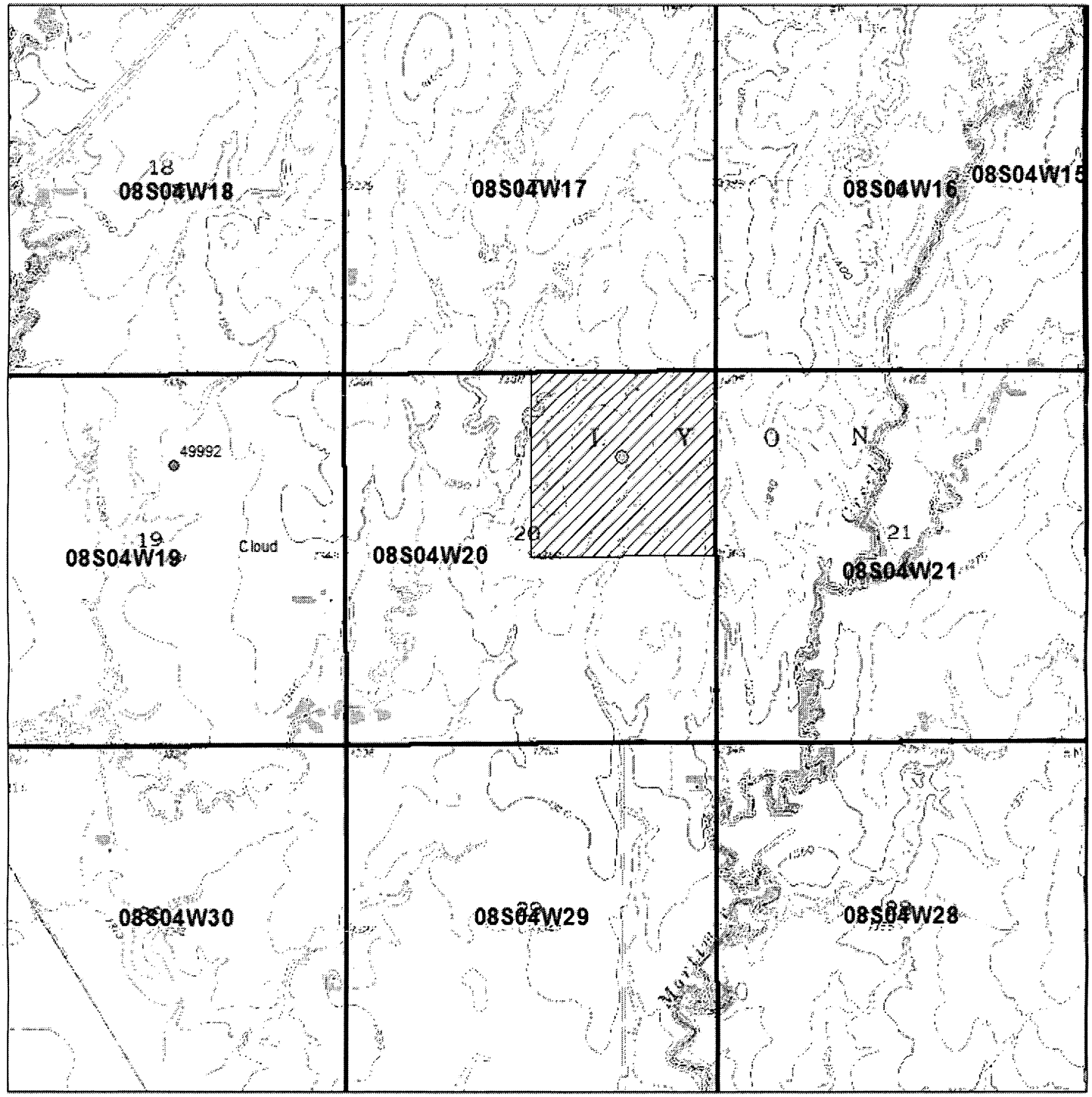
New Application - Groundwater
Assisted by Division of Water Resources
Stockton Field Office



Authorized Place of Use

▲ Surface Water Point of Diversion

● Groundwater Point of Diversion

1:24,000

300 feet radius

1/2 mile radius

+ WWC-5 Recods

Signature Required

By signing this I am stating that to the best of my knowledge that all wells within 1/2 mile of proposed well are identified on this map.

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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

May 16, 2018

DICK WALSH
910 N 4TH ST
HEBRON NE 68730

RE: Application
File No. 50056

Dear Sir or Madam:

Your application for permit to appropriate water in 20-8S-4W in Cloud 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) 564-6637. 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

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: STOCKTON Field Office
GMD