

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

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50257
This item to be completed by the Division of Water Resources.

Water Resources
Received
MAY 17 2019
11:15
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): Dan Kuhn
Address: 304 Xavier Rd
City: Jamestown State KS Zip Code 66948
Telephone Number: (785) 614-1339

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 4.5 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 90 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) <input type="checkbox"/> Artificial Recharge | (b) <input type="checkbox"/> Irrigation | (c) <input type="checkbox"/> Recreational | (d) <input type="checkbox"/> Water Power |
| (e) <input checked="" type="checkbox"/> Industrial | (f) <input type="checkbox"/> Municipal | (g) <input type="checkbox"/> Stockwatering | (h) <input type="checkbox"/> Sediment Control |
| (i) <input type="checkbox"/> Domestic | (j) <input type="checkbox"/> Dewatering | (k) <input type="checkbox"/> Hydraulic Dredging | (l) <input type="checkbox"/> Fire Protection |
| (m) <input type="checkbox"/> Thermal Exchange | (n) <input type="checkbox"/> 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. Code	<u>3</u>	GMD	<u>0</u>	Meets K.A.R. 5-3-1 (YES/NO)	Use	Source	County
	<u>CEG</u>			<u>(YES)</u>	<u>IND</u>	<u>G/S</u>	<u>RP</u>
Fee \$	<u>200</u>	TR #		Receipt Date	<u>5/17/19</u>	By	<u>DAW</u>
				Check #	<u>14938</u>	Date	<u>5/17/19</u>

5/21/2019 UMY

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 SOUTHWEST quarter of the SOUTHWEST quarter of the SOUTHWEST quarter of Section 9, more particularly described as being near a point 314 feet North and 5,181 feet West of the Southeast corner of said section, in Township 3 South, Range 5 West, 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):

Daniel R. & Kathryn Kuhn 304 Xavier Rd Jamestown, KS 66948-9212 785-614-1339
 (name, address and telephone number)

(name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 25, 2019. Daniel R. Kuhn
 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 well _____
 (number of wells, pumps or dams, etc.)
 and will be completed (by) 12/31/20 _____
 (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 4/1/20 _____
 (Mo/Day/Year)

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- 9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
 Yes No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

- 10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources? Yes No

- If yes, show the Water Structures permit number here 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.

Requesting 1.5 AF/AC as the crops to be grown will be specialty crops (berries, apples, etc.)

Water will be used for industrial purposes in greenhouses and orchards.

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INDUSTRIAL USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): Dan Kuhn

1. Please describe type of industry or product produced: Fruits + vegetables
 _____ Standard Industrial Classification Code Number:

2. Please complete the following table to show your past and present water requirements:

PAST PRODUCT PRODUCTION AND WATER DIVERTED, IF APPLICABLE

LAST 5 YEARS	AMOUNT OF PRODUCT	WATER DIVERTED (GALLONS)	GALLONS PER PRODUCT PER DAY
5 years ago			
Last year			
Present year			

3. Please complete the following table to show your future water requirements:

ESTIMATED FUTURE PRODUCT PRODUCTION AND WATER DIVERTED

NEXT 5 YEARS	AMOUNT OF PRODUCT	WATER TO BE DIVERTED (GALLONS)	GALLONS PER PRODUCT PER DAY
Year 1		4,320,000	
Year 2		4,320,000	
Year 3		" "	
Year 4		" "	
Year 5		" "	

Number of days of operation of the industry per year is ~~90~~ ²⁰⁰ days.

Please attach any tables, curves or additional information showing past, present and estimated future water requirements to substantiate the amount of water requested.

4. Please designate the legal description of the location where the water is to be used. Show in the space provided below the Section (S), Township (T), and Range (R), and the number of acres in each forty acre tract or fractional portion thereof.

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9	3	5 W											4						4

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

Water Resources
Received
MAY 17 2019

March 25, 2019
(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. _____

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.

Daniel R. Kuhn
Signature of Applicant

Daniel R. Kuhn
(Print Applicant's Name)

State of Kansas)
County of Republic) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 25 day of March, 2019.



Kathryn Johnson
Notary Public

My Commission Expires:

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

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

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

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):

Daniel R. & Kathryn Kuhn 304 Xavier Rd Jamestown, KS 66948-9212 785-614-1339
(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 _____, Kansas, this _____ day of _____, _____
(month) (year)


(Applicant Signature)

By _____
(Agent or Officer Signature)

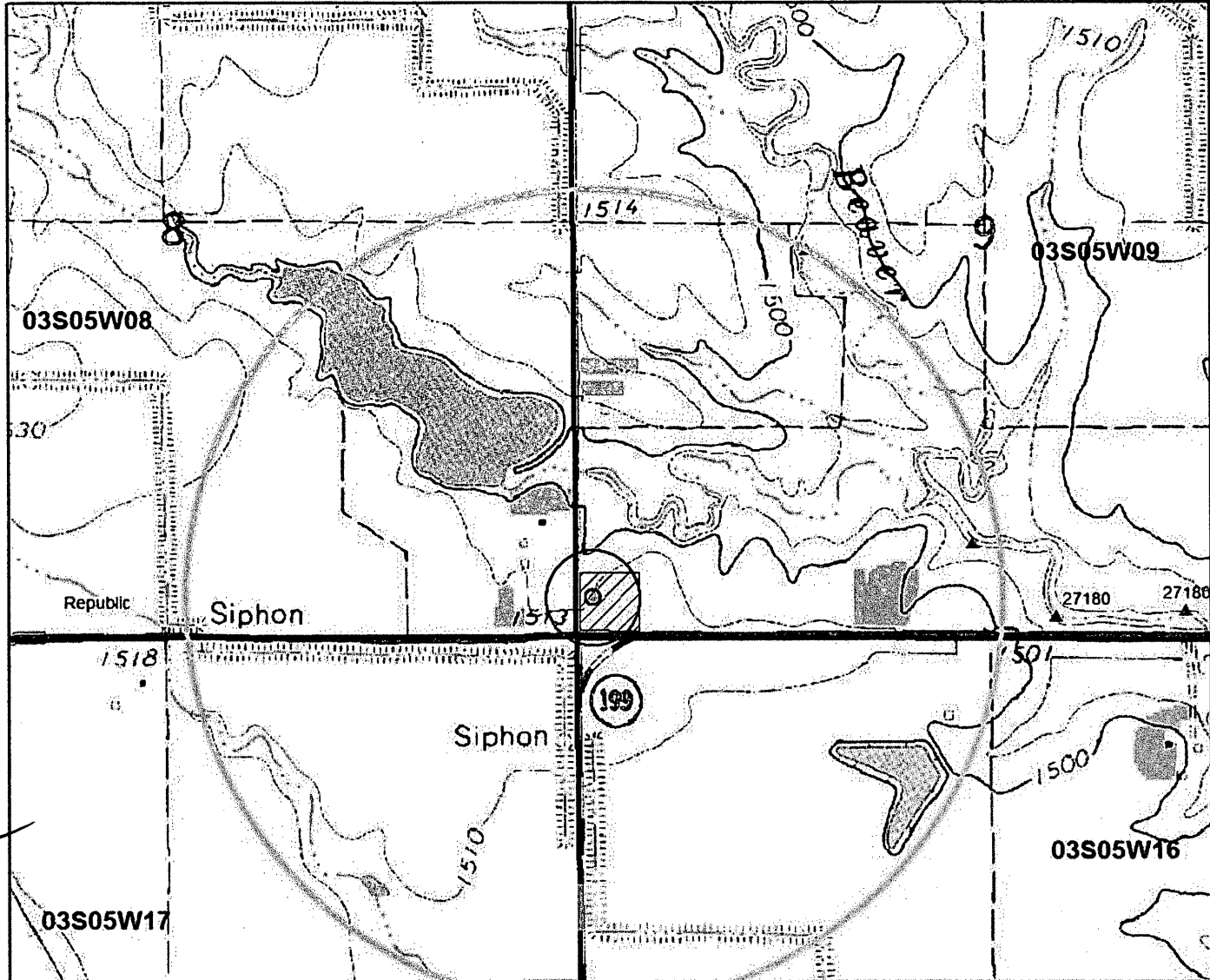
(Agent or Officer - Please Print)

Assisted by DLM _____ ECRS _____ Date: 3/7/19
(office/title)

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Back **Dan Kuhn New App.jpg**

New Application File No. _____



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8-48-97

WATER WELL RECORD Form WWC-5 KSA 82a-1212

1 LOCATION OF WATER WELL: Fraction SW 4 SW 4 SW 4 Section Number 9 Township Number T 3 S Range Number R 5 E W
 County: Republic
 Distance and direction from nearest town or city street address of well if located within city:
1 1/2 mi. south of

2 WATER WELL OWNER: Dan Ruhn
 RR#, St. Address, Box #: Rt 1 Box 192A Board of Agriculture, Division of Water Resources
 City, State, ZIP Code: Countland, KS Application Number:

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX: DEPTH OF COMPLETED WELL: 70 ft. ELEVATION:
 Depth(s) Groundwater Encountered: 1.3 ft. 2. 1.3 ft. 3. 1.3 ft.
 WELL'S STATIC WATER LEVEL: 13 ft. below land surface measured on mo/day/yr 4.12.99
 Pump test data: Well water was unknown ft. other 1 hours pumping 15 gpm
 Est. Yield 2.0 gpm; Well water was unknown ft. after 1 hours pumping 15 gpm
 Bore Hole Diameter 10" in. to 20 ft. and 8 1/4 in. to 70 ft.
 WELL WATER TO BE USED AS:
 1 Domestic 2 Irrigation 3 Feedlot 4 Industrial 5 Public water supply 6 Oil field water supply 7 Air conditioning 8 Dewatering 9 Injection well 10 Other (Specify below)
 11 Domestic 12 Irrigation 13 Feedlot 14 Industrial 15 Public water supply 16 Oil field water supply 17 Air conditioning 18 Dewatering 19 Injection well 20 Other (Specify below)
 Was a chemical/bacteriological sample submitted to Department? Yes X No X If yes, mo/day/yr sample was submitted
 Water Well Disinfected? Yes X No X

4 TYPE OF BLANK CASING USED:
 1 Steel 2 PVC 3 RMP (SR) 4 ABS 5 Wrought iron 6 Asbestos-Cement 7 Fiberglass 8 Concrete tile 9 Other (specify below)
 Blank casing diameter: 5 in. to 40 ft. Dia. 5 in. to 60 ft. Dia. 70 ft. Dia. 70 ft. Dia.
 Casing height above land surface: 16 in. weight _____ lbs./ft. Wall thickness or gauge No. 2.14
 TYPE OF SCREEN OR PERFORATION MATERIAL:
 1 Steel 2 Brass 3 Stainless steel 4 Galvanized steel 5 Fiberglass 6 Concrete tile 7 PVC 8 RMP (SR) 9 ABS 10 Asbestos-cement 11 Other (specify) 12 None used (open hole)
 SCREEN OR PERFORATION OPENINGS ARE:
 1 Continuous slot 2 Louvered shutter 3 Mill slot 4 Key punched 5 Gauzed wrapped 6 Vitro wrapped 7 Torch cut 8 Saw cut 9 Drilled holes 11 None (open hole)
 SCREEN-PERFORATED INTERVALS: From 40 ft. to 60 ft. From _____ ft. to _____ ft.
 GRAVEL PACK INTERVALS: From 25 ft. to 70 ft. From _____ ft. to _____ ft.

5 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other Hot. Plug. 2. Probs. L.C. lay.
 Grout intervals: From 0 ft. to 26 ft. From _____ ft. to _____ ft.
 What is the nearest source of possible contamination:
 1 Septic tank 2 Sewer lines 3 Watertight sewer lines 4 Lateral lines 5 Cess pool 6 Seepage pit 7 Pit privy 8 Sewage lagoon 9 Feedyard 10 Livestock pens 11 Fuel storage 12 Fertilizer storage 13 Insecticide storage 14 Abandoned water well 15 Oil well/Gas well 16 Other (specify below)
 Direction from well? SE How many feet? 100

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	4.5	Top ss. 1/2 cty			
4.5	5.6	Clay w/ lot of roots			
5.6	6.0	q. ch. c.			
6.0	70	Shale			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 4.12.99 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 765 This Water Well Record was completed on (mo/day/yr) 4.12.99 under the business name of Martha Well Drilling by (signature) Martha

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or check the correct answer. Send two copies to Kansas Department of Health and Environment, Bureau of Water, Topeka, Kansas 66620-0001. Telephone: 813-796-5545. Send one to WATER WELL OWNER and retain one for your records.

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 MAY 17 2019
 KS Dept Of Agriculture

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



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

Mike Beam, Secretary

Laura Kelly, Governor

May 28, 2019

DAN KUHN
304 XAVIER RD
JAMESTOWN, KS 66948

RE: Application, File No. **50257**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application for a permit to appropriate water for beneficial use. Your application has been assigned the file number referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the application is unlawful.

Additional information about the process may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any other questions, please contact our office at 785-564-6640 or your local Topeka Field Office at 785-296-5733. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program