

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

1. File Number: 49,658	2. Status Change Date: <i>12/6/2016</i>	3. Field Office: 01	4. GMD: 0
5. Status: <input checked="checked" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="checked" type="checkbox"/> Check Valve <input checked="checked" type="checkbox"/> N of C Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="checked" type="checkbox"/> Meter			
7a. Applicant(s) New to system <input type="checkbox"/>	Person ID 60577 Add Seq# _____	7c. Landowner(s) New to system <input type="checkbox"/>	Person ID _____ Add Seq# _____
SCHECKEL FARMS 20190 NW 2500 RD RICHMOND KS 66080			
7b. Landowner(s) New to system <input type="checkbox"/>	Person ID 60578 Add Seq# _____	7d. Misc. New to system <input type="checkbox"/>	Person ID _____ Add Seq# _____
SCHECKEL MANAGEMENT LP 2211 ALLEN TERR RICHMOND KS 66080			
8. WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No	Person ID _____ Add Seq# _____ Notarized WUC Form <input type="checkbox"/>	9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="checked" type="checkbox"/> No <input type="checkbox"/> Groundwater <input checked="checked" type="checkbox"/> Surface Water <input checked="checked" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN <input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON <input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG <input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____	
7a.			
10. Completion Date: <u>12/31/2017</u>	11. Perfection Date: <u>12/31/2021</u>	12. Exp Date: _____	
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="checked" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="checked" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
		Date Prepared: 8/10/2016 By: DWS Date Entered: <i>12/7/2016</i> By: <i>LM</i>	

File No. **49,658** 15. Formation Code: Drainage Basin: Pottawatomie Creek County: FR Special Use: Stream: SAC CREEK TRIB 2 (POTTAWATOMIE)

16. Points of Diversion										17. Rate and Quantity				
MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W		Authorized Rate gpm	Quantity af	Additional Rate gpm	Quantity af	Overlap PD Files
√	76308									1600	586	1600	586	NONE
√	76309													
√	76310													
√	76311													
√	76312													

18. Storage: Rate _____ NF Quantity **586** ac/ft Additional Rate _____ NF Additional Quantity **586** 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 **12/31/2017** Date Acceptable Meter Installed _____

21. Place of Use MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files			
						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							
√	67796																									7b.	No	NONE
√	60265																									7b.	No	NONE
√	60266																									7b.	No	NONE
√	60267																									7b.	No	NONE

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: August 10, 2016

FROM: Doug Schemm

RE: Application, File No. 49,658

Scheckel Farms has filed the application referred to above for a permit to appropriate 586 acre-feet of surface water at the rate of natural flows to be stored in five (5) existing reservoirs located in the East Half of Section 1, in Township 19 South, Range 18 East, Franklin County, Kansas. The dams are all located on Sac Creek Trib 2 (Pottawatomie). The points of diversion are located on property owned by the applicant, and Mr. Gerald Scheckel has signed the application form stating he has legal access to the points of diversion. The entire place of use, comprising 790.5 acres is entirely owned by Scheckel Management LP. There are no overlapping files in point of diversion or place of use. However, Appropriation of Water, File No. 47,240 had previously authorized this irrigation project, but was recently dismissed for failure to complete diversion works and submit the field inspection fee.

Runoff computations for senior file No. 47,240 determined that the 370 acre drainage area will result in 586 acre-feet of runoff in 1 out of every five (5) years (a 20% chance). Therefore, per K.A.R. 5-6-5, this quantity **IS** the limiting factor, and it is the maximum allowed storage quantity. The quantity of water for direct IRR use (rediversion) will provide for almost 9 inches per acre, which is less than the maximum allowable for Franklin County, Kansas, per K.A.R. 5-3-24, but certainly reasonable for this area of the state.

The applicant provided a list of upstream and downstream landowners within one-half (½) mile of property lines. All of the adjacent property is owned by the applicant, the landowner for this application, or a member of the farm management. David Scheckel, an upstream landowner, was notified during processing of the senior file, and provided no response. There is no need for notification letters. These are all existing reservoirs that have been in place for many years, and this new application is merely replacing File No. 47,240. There are no other surface water rights within a two-mile radius according to the WRIS database, and no indication that any senior water right would be affected in any way.

The existing structures were determined to be non-jurisdictional for permitting by the DWR Water Structures Program (per an August 20, 2013 letter from the Division of Water Resources Structures Program to Mr. Scheckel). Senior file information indicates that the Army Corps of Engineers sent a letter to the applicant on December 17, 2008 exempting the reservoirs from permitting under their regulations. Per information in the senior file, Pond Number 1 is the primary diversion pond from which the water is re-diverted to the very large center pivot. The other ponds are designed to store and release water into Pond Number 1, as needed.

As allowed by K.S.A. 82a-706(c) an approved water flow meter shall be installed on the secondary diversion works (pump site) for this file. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

In an August 10, 2016 discussion, Katie Tietsort, Water Commissioner, Topeka Field Office, stated that the referenced new application should be approved. Based on the above discussion, that this area is open to new appropriations, the proposed appropriation of water is reasonable, the structures are non-jurisdictional for structures permitting, and senior rights will not be impacted, it is recommended that the referenced new application be approved, which in essence replaces File No. 47,240.

Doug Schemm
Environmental Scientist
Topeka Field Office

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

December 7, 2016

SCHECKEL FARMS
% GERALD SCHECKEL
20190 NW 2500 RD
RICHMOND KS 66080

FILE COPY

Re: Appropriation of Water, File No. 49,658

Dear Mr. Scheckel:

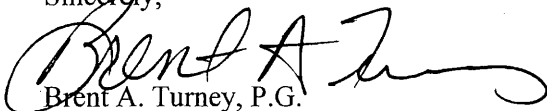
There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location 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 these approval documents. A water meter is required on the proposed re-diversion works 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 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
Water Appropriation Program

BAT:dws
Enclosures

pc: Topeka Field Office
Scheckel Management LP



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. 49,658** of the applicant

**SCHECKEL FARMS
20190 NW 2500 RD
RICHMOND KS 66080**

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 **June 22, 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	
36	18S	18E													40	40	40	40	160
1	19S	18E										1.5	13				13	1	28.5
12	19S	18E	30	40	40	40	40	30	39	40	40	39	23.5	39.5	40	40	39.5	23.5	584
7	19S	19E						1	9.5			7.5							18

3. That the appropriation sought shall be limited to all natural flows of Sac Creek Trib 2 (Pottawatomie), 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 **586 acre-feet** per calendar year in five (5) reservoirs created by dams located as follows: one in the Southwest Quarter of the Northwest Quarter of the Southeast Quarter (SW¼ NW¼ SE¼) of Section 1, more particularly described as being near a point 1,390 feet North and 2,225 feet West of the Southeast corner of said section, one in the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW¼ NE¼ SE¼) of Section 1, more particularly described as being near a point 2,615 feet North and 1,260 feet West of the Southeast corner of said section, one in the Southwest Quarter of the Southeast Quarter of the Northeast Quarter (SW¼ SE¼ NE¼) of Section 1, more particularly described as being near a point 3,220 feet North and 1,210 feet West of the Southeast corner of said section, one in the Northeast Quarter of the Southeast Quarter of the Northeast Quarter (NE¼ SE¼ NE¼) of Section 1, more particularly described as being near a point 3,340 feet North and 460 feet West of the Southeast corner of said section,

and one in the Southeast Quarter of the Southeast Quarter of the Northeast Quarter (SE¼ SE¼ NE¼) of Section 1, more particularly described as being near a point 2,920 feet North and 20 feet West of the Southeast corner of said section, all in Township 19 South, Range 18 East, Franklin County, Kansas, to provide **586 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 **1,600 gallons per minute (3.57 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.

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 below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer, or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. The applicant, if aggrieved by this Order, may petition for administrative review, pursuant to K.S.A. 82a-711(c) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564-6777.

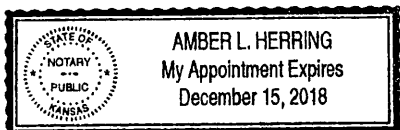
Ordered this 6th day of December, 2016, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

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 6th day of December, 2016, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Amber L. Herring

Notary Public

CERTIFICATE OF SERVICE

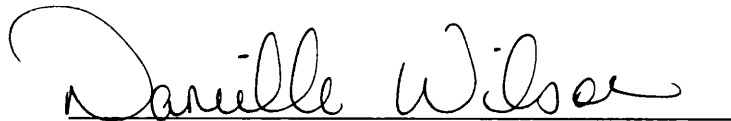
On this 7th day of December, 2016, I hereby certify that the foregoing Approval of Application, File No. 49,658, dated December 6, 2016 was mailed postage prepaid, first class, US mail to the following:

SCHECKEL FARMS
20190 NW 2500 RD
RICHMOND KS 66080

With photocopies to:

SCHECKEL MANAGEMENT LP
2211 ALLEN TERR
RICHMOND KS 66080

Topeka Field Office

A handwritten signature in cursive script that reads "Danielle Wilson". The signature is written in black ink and is positioned above a horizontal line.

Division of Water Resources

APPLICATION COMPLETE

6/22/2016

Reviewer DWS



THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49,658

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

WATER RESOURCES RECEIVED

JUN 22 2016

10:27

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, KS 66502:

1. Name of Applicant (Please Print): SCHECKEL FARMS
Address: 20190 NW 2500 RD
City: RICHMOND State: KS Zip Code 66080
Telephone Number: (785) 241-4066

2. The source of water is: surface water in SAC CREEK TRIB 2 (POTTAWATOMIE)
(stream)
OR groundwater in POTTAWATOMIE CREEK
(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. **REDIVERSION OF 586 AF @ 1,600 GPM**

3. The maximum quantity of water desired is 586 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of NF 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. 1 GMD 0 Meets K.A.R. 5-3-1 (YES/NO) Use ILL Source G/S County FR By ADW Date 6/22/16
Code REG RE3 Fee \$ 360 TR # _____ Receipt Date 6/22/16 Check # 1145

* MAXIMUM Storage Quantity Based on Potential Annual Run-off. DWS/DWR 5/24/16

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 **NW** quarter of the **SE** quarter of Section 1, more particularly described as being near a point **1,390** feet North and **2,225** feet West of the Southeast corner of said section, in Township 19 South, Range 18 EAST, FRANKLIN County, Kansas. (Pond #1-pdiv id: 76308).
- (B) One in the **NW** quarter of the **NE** quarter of the **SE** quarter of Section 1, more particularly described as being near a point **2,615** feet North and **1,260** feet West of the Southeast corner of said section, in Township 19 South, Range 18 EAST, FRANKLIN County, Kansas. (Pond #2-pdiv id: 76309).
- (C) One in the **SW** quarter of the **SE** quarter of the **NE** quarter of Section 1, more particularly described as being near a point **3,220** feet North and **1,210** feet West of the Southeast corner of said section, in Township 19 South, Range 18 EAST, FRANKLIN County, Kansas. (Pond #3-pdiv id: 76310).
- (D) One in the **NE** quarter of the **SE** quarter of the **NE** quarter of Section 1, more particularly described as being near a point **3,340** feet North and **460** feet West of the Southeast corner of said section, in Township 19 South, Range 18 EAST, FRANKLIN County, Kansas. (Pond #4-pdiv id: 76311).
- (E) One in the **SE** quarter of the **SE** quarter of the **NE** quarter of Section 1, more particularly described as being near a point **2,920** feet North and **20** feet West of the Southeast corner of said section, in Township 19 South, Range 18 EAST, FRANKLIN County, Kansas. (Pond #5-pdiv id: 76312).

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):

APPLICANT

 (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 6-19, 2016, Gerald Schockel

 Applicant's Signature

7. The proposed project for diversion of water will consist of FIVE DAMS AND RESERVOIRS

 (number of wells, pumps or dams, etc.)
 and were completed (by) Existing dams 2006 to 2008

 (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 SUMMER 2016.

 (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

WATER RESOURCES RECEIVED

JUN 22 2016

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required _____

Structures Review under File Nos. DFR-150; DFR-151; and DFR-152 determined that the structures meet the exemption criteria in KSA 82a-301(d)(1).

KS DEPT OF AGRICULTURE

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.

NONE. Appropriation of Water, File No. 47,240 was dismissed on April 21, 2016 for Failure to Complete Diversion Works and pay required field inspection fee prior to deadline.

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/agent
(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):
Scheckel Management LP, 2211 Allen Terrace, Richmond, KS 66080
(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 9:00 AM, Kansas, this 19 day of June, 2016
(month) (year)

Gerald Scheckel
(Applicant Signature)

[REDACTED]
APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By Gerald Scheckel
(Agent or Officer Signature)

48-1292514
and/or
APPLICANT(S) TAXPAYER I.D. NO.(S)

Gerald Scheckel
(Agent or Officer - Please Print)

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49658

Name of Applicant (Please Print): SCHECKEL FARMS

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: SCHECKEL MANAGEMENT LP

ADDRESS: 2211 ALLEN TERRACE RICHMOND, KS 66080

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
36	18	18E													40	40	40	40	160
1	19	18E											1.5	13			13	1	28.5
12	19	18E	30	40	40	40	40	30	39	40	40	39	23.5	39.5	40	40	39.5	23.5	584
7	19	19E						1	9.5			7.5							18
																	TOTAL ACRES =	790.5	

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	

**WATER RESOURCES
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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:

ii. For sprinkler systems:

(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:

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).

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

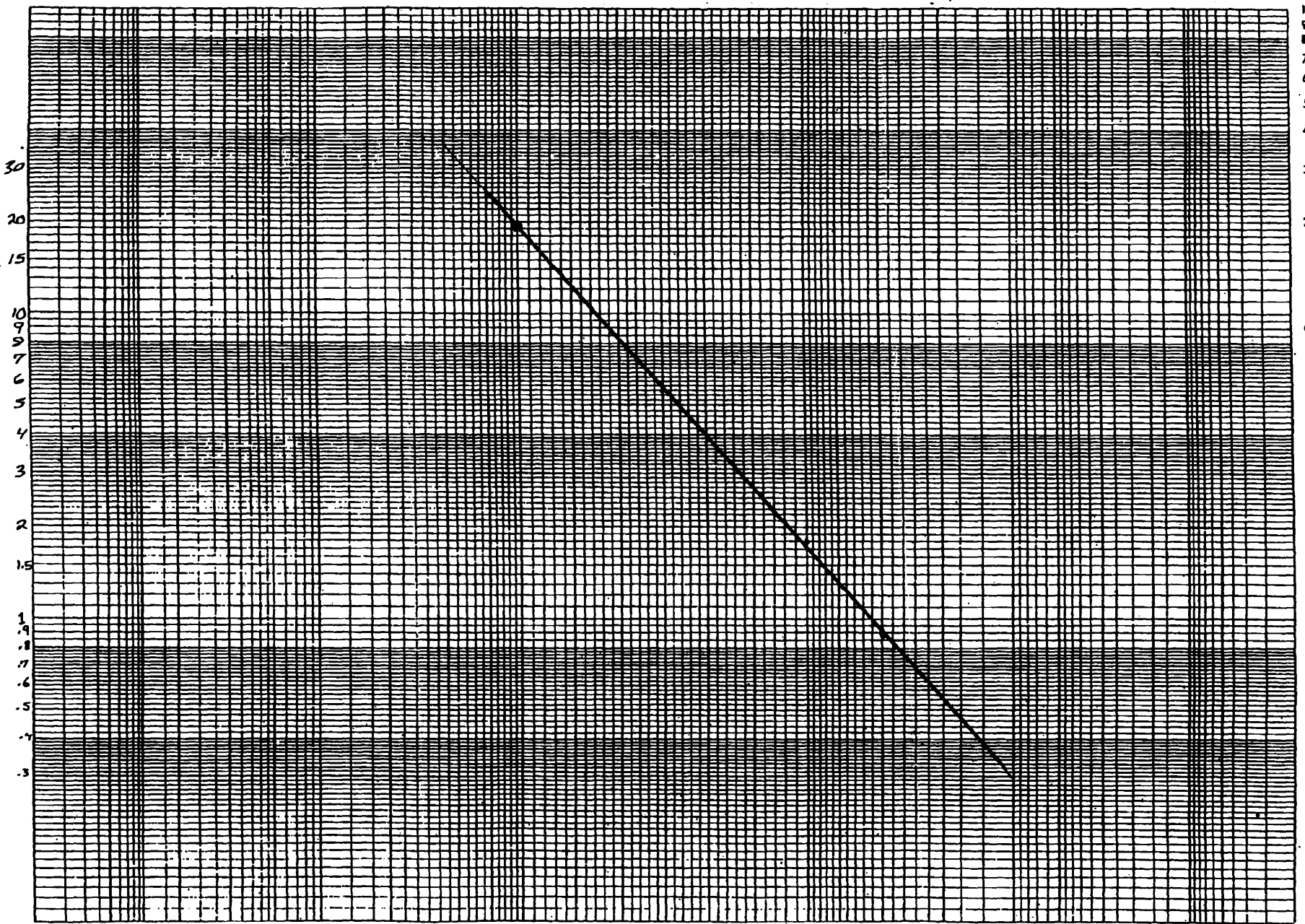
FILE No. 49,658

SOIL: "78" PRECIP.: 37"

INCHES RUNOFF / ACRE: 19"

370 ACRES IN DRAINAGE x 19" = 7030" / 12" ⇒ 586 AF OF RUNOFF (20% CHANCE ANNUALLY)

99.99 99.9 99.8 99 98 95 90 80 70 60 50 40 30 20 10 5 2 1 0.5 0.2 0.1 0.05 0.01



Probability (Long-axis) by 3 Cycle Log

C/O CHANCE

PREPARED BY:

Upstream and Downstream Landowners

Upstream

- #1) David M. Scheckel
1677 Butler Rd
Richmond KS 66080
- #2) Scheckel Farms
20190 NW 2500 Rd
Richmond KS 66080

Downstream

- #1) Scheckel Management LP
2211 Allen Terrace
Richmond KS 66080

WATER RESOURCES
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FEB 17 2009
KS DEPT OF AGRICULTURE

\$49,658

The estimated capacities of the reservoirs are as follows:

Pond #1 = **95** acre-feet
Pond #2 = 65 acre-feet
Pond #3 = 65 acre-feet
Pond #4 = 35 acre-feet
Pond #5 = 23 acre-feet

Kansas

Department of Agriculture
Division of Water Resources

109 SW 9th Street, 2nd Floor
Topeka, Kansas 66612-1283

phone: (785) 296-3717
fax: (785) 296-1176
www.ksda.gov/dwr

Dale A. Rodman, Secretary
David W. Barfield, Chief Engineer

Sam Brownback, Governor

File No. 47,240
49,658

August 20, 2013

Gerald Scheckel
Scheckel Farms
20190 Northwest 2500 Road
Richmond KS 66080-8147

Re: Dams located on your property
WS#: DFR-0150 (Ponds #1 & #6)
DFR-0152 (Pond #2)

Dear Mr. Scheckel:

This is in regards to the dams located in the Northeast Quarter of the Northwest Quarter of the Southeast Quarter and the Southwest Quarter of the Northwest Quarter of the Southeast Quarter of Section 1, Township 19 South, Range 18 East of Franklin County, Kansas. These ponds are referred to as Pond #1/#6 and Pond #2 on the Application for Permit to Appropriate Water #47240.

House Bill 2363 has been adopted by the Kansas Legislature, approved by the Governor, and became effective on July 1, 2013. The bill includes several amendments to dam and stream obstruction permit requirements. With this letter we are notifying you that the dams referenced above will not require permits, because the dams meet the exemption in KSA 82a-301(d)(1) (low hazard, height less than 30', storage less than 125 acre feet, drainage area less than 640 acres). You may disregard our previous correspondence requiring a permit for your dams.

Please note that the water rights application for these ponds and the other ponds remain outstanding and that other local, state or federal requirements may still apply. If you have any questions, please feel free to contact me at 785-296-2933.

Respectfully,

Sherry Ann Durst

Sherry Ann Durst, P.E.
Dams Safety Engineer
Dams Safety Team
sherry.durst@kda.ks.gov

RECEIVED

FEB 12 2014

TOPEKA FIELD OFFICE
DIVISION OF WATER RESOURCES

pc: Topeka Field Office
Doug Schemm

SCANNED



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

June 22, 2016

SCHECKEL FARMS
20190 NW 2500 RD
RICHMOND KS 66080

RE: Application
File No. 49658

Dear Sir or Madam:

Your application for permit to appropriate water in 1-19S-18E in Franklin 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: TOPEKA Field Office
GMD

SCANNED

**SCHECKEL FARMS - FILE NO. 49,658
FRANKLIN COUNTY**



185
195



Proposed Place of Use

● Proposed Point of Diversion

18E/19E
A list of Upstream and Downstream Landowners adjacent to the stream within one-half mile of property lines is attached.

** See Attached List for owners* *DWS/12/08*
8/10/16

1:24,000

SCHECKEL FARMS - NEW APPLICATION
FRANKLIN COUNTY

49,058



18S
19S

Center of Section 12
Township 19 South
Range 18 East

Center of Section 1
Township 19 South
Range 18 East

Center of Section 36
Township 18 South
Range 18 East

Southeast Corner of Section 36
Township 18 South
Range 18 East

Southeast Corner of Section 1
Township 19 South
Range 18 East

Center of Section 7
Township 19 South
Range 19 East

Southeast Corner of Section 12
Township 19 South
Range 18 East

Southeast Corner of Section 7
Township 19 South
Range 19 East

Pond #3

Pond #4

Pond #5

Pond #2

Pond #1

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JUN 22 2016



Proposed Place of Use



Proposed Point of Diversion

1:24,000

KS DEPT. OF AGRICULTURE

18E | 19E

A list of Upstream and Downstream Landowners adjacent to the stream within one-half mile of property lines is attached.

*See attached List for owners DW 10/16/16

SCANNED