

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

1. File Number: <p style="text-align: center; font-size: 1.2em;">49,698</p>	2. Status Change Date: <u>12/8/2016</u>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">01</p>	4. GMD: <p style="text-align: center; font-size: 1.2em;">0</p>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input type="checkbox"/> Check Valve <input checked="" 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 <u>54949</u> New to system <input type="checkbox"/> Add Seq# _____</p> <p>LONG-SCOTT CREEKS WATERSHED DIST #93 KING ENGINEERING AGENT 24400 M RD HOLTON KS 66436</p> <p>7b. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p> <p>7a.</p>	<p>7c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</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>7a.</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;"><input type="checkbox"/> Groundwater <input checked="" type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input checked="" 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: _____</p>		
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="" type="checkbox"/> No Date Required: _____ Date Approved: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
<p>Date Prepared: 11/28/16 By: DWS Date Entered: <u>12/8/2016</u> By: <u>UM</u></p>			

File No. **49,698** 15. Formation Code: Drainage Basin: **NEOSHO River** County: **CF** Special Use: Stream: **LONG Creek Trib 8 (NEOSHO)**

16. Points of Diversion										17. Rate and Quantity				
T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W		Authorized Rate gpm	Quantity af	Additional Rate gpm	Quantity af	Overlap PD Files
√	85602	NE SW SW	33	21	16E	1	711	4423		0	0	0	0	None

18. Storage: Rate _____ NF Quantity **28.5** ac/ft Additional Rate _____ NF Additional Quantity **28.5** 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
T 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								
√	68026	33	21	16E	1	RESERVOIR (SW)																		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: November 28, 2016

FROM: Doug Schemm

RE: Application, File No. 49,698

Long-Scott Creeks Watershed District No. 93 has filed the above-referenced application to appropriate 28.5 acre-feet of surface water storage at a rate not to exceed natural flows of Long Creek Trib 8 (Neosho) for sediment control use. The application is designed to cover the indirect use of water (evaporation) from an existing reservoir located in the Southwest Quarter of Section 33, Township 21 South, Range 16 East, Coffey County, Kansas. The point of diversion represents the point at which the center of the dam intersects the stream. This reservoir has been in place for many years (since 1961), and approval of this application will bring it into compliance with the water appropriation act. The dam is already permitted under Water Structures Program Permit Number DCF-0029. The property encompassing the reservoir (SW $\frac{1}{4}$) is owned by William L. & Rosemary Williams Trust.

Information included with the application indicates that at normal pool storage elevation, the surface area of the reservoir is approximately 9.5 acres. The requested quantity of 28.5 acre-feet was based on evaporation, as follows:

9.5 surface acres x 12 inches of net evaporation / 12 inches/foot = 9.5 acre-feet

3 years x 9.5 acre-feet = 28.5 acre-feet of evaporation

Note that this quantity allows for the appropriation of three years of evaporation, per K.A.R. 5-6-5. By definition in K.A.R. 5-1-1 (pp), indirect use includes the total of seepage loss and annual net evaporation. However, the applicant did not request or provide any quantity for seepage loss, therefore it is not included in the maximum requested storage quantity per K.A.R. 5-6-8. Normally a Special Condition on the Permit to address the initial fill (capacity) is not required if this is an existing reservoir already storing water, however the applicant will be lowering the water level in the reservoir for upcoming maintenance work. Therefore, this special condition will be added to this approval, in lieu of obtaining a term permit for the refilling. A runoff calculation was not prepared because it can be assured that in 1 out of every five (5) years, (20% chance of occurrence) the 345 acre drainage area will provide 28.5 acre-feet of surface water runoff.

There is only one other permitted surface water diversion within the two-mile radius circle, which is a domestic right on Wolf Creek, and it would not be affected in any way by this approval. Therefore, the proposed appropriation of water will not impair any senior water rights.

As noted above, this is an existing reservoir (in place since 1961), and the appropriation permit is merely to authorize the on-going beneficial sediment control use of water (evaporation) from the reservoir. Typically for these types of applications, nearby landowners are not notified, since they would be cognizant of the current storage of water in this reservoir. Please note that the nearby landowners were identified, which complies with K.A.R. 5-3-4, and the applicant signed the site map. Therefore, in keeping with the consistent processing of these types of applications, no notification letters are required. No physical changes will occur to the dam or reservoir as part of this appropriation process.

Katie Tietsort, Water Commissioner, Topeka Field Office, recommended approval of the application in a November 28, 2016 discussion. Based upon the above discussion, the area is open to new applications, the project is in the public interest, the dam is already permitted by the structures program, approval will bring this reservoir into compliance, and there is no indication that the proposed beneficial use of water will impair existing water rights, it is recommended that the referenced application be approved.

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 9, 2016

LONG-SCOTT CREEKS WATERSHED DIST #93
% KING ENGINEERING AGENT
24400 M RD
HOLTON KS 66436

FILE COPY

Re: Appropriation of Water, File No. 49,698

Dear Ms. King:

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

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit, with **specific reference to Paragraph Nos. 16 and 17** which describe the watershed district's responsibilities for maintenance and operation of the structure and bypassing water when requested. Records must be maintained from which the quantity of water actually diverted may be readily determined. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed. All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

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

Sincerely,

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

BAT:dws
Enclosures

pc: Topeka Field Office



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
And
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,698** of the applicant

**LONG-SCOTT CREEKS WATERSHED DIST #93
KING ENGINEERING AGENT
24400 M RD
HOLTON KS 66436**

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 **September 1, 2016**.
2. That the water sought to be appropriated shall be used for sediment control use in a reservoir located in the Southwest Quarter (SW $\frac{1}{4}$) of Section 33, Township 21 South, Range 16 East, Coffey County, Kansas.
3. That the appropriation sought shall be limited to all natural flows of an unnamed tributary to Long Creek, designated in the office of the Chief Engineer as Long Creek Trib 8 (Neosho), not needed to satisfy all vested rights and prior appropriation rights to be stored to a maximum extent of **28.5 acre-feet** per calendar year, in a reservoir created by a dam located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 33, more particularly described as being near a point 711 feet North and 4,423 feet West of the Southeast corner of said section, in Township 21 South, Range 16 East, Coffey County, Kansas, as shown on the topographic map accompanying the application.
4. That in accordance with K.A.R. 5-6-6, a maximum quantity not to exceed **37 acre-feet** of water may also be diverted to complete the initial filling of the reservoir only, and shall not count toward perfection of a water right under the authority of this permit. Subsequent refilling of the reservoir shall require authorization under a term permit.
5. That the structure creating the above referenced reservoir has been assigned Division of Water Resources Structures Permit No. DCF-0029.
6. 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 \$200.00, 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.

7. 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.

8. 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.

9. 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.

10. 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.

11. 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.

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.

16. That Long-Scott Creeks Watershed District No. 93 shall be responsible for the continued maintenance and operation of the above described watershed structures and appurtenances, including the valves and other physical controls necessary to release water, per the powers and duties described in K.S.A. 24-1209.

17. That Long-Scott Creeks Watershed District No. 93 shall bypass water when directed by the Chief Engineer or his authorized representative, in order to satisfy all demands by senior water rights and permits, and to comply with any applicable minimum desirable streamflow requirements.

CERTIFICATE OF SERVICE

On this *9th* day of *December*, 201*6*, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,698, dated *December 8, 2016* was mailed postage prepaid, first class, US mail to the following:

LONG-SCOTT CREEKS WATERSHED DIST #93
KING ENGINEERING AGENT
24400 M RD
HOLTON KS 66436

With photocopies to:

Topeka Field Office

Division of Water Resources

APPLICATION COMPLETE

11/21/2016

Revised: 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 49,698

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

WATER RESOURCES RECEIVED

SEP 01 2016 11:48

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

KS DEPT OF AGRICULTURE

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:

2 King Engineering

1. Name of Applicant (Please Print): LONG-SCOTT CREEKS WATERSHED DISTRICT #93
Address: 1234 SHETLAND ROAD SE 24400 M RD
City: BURLINGTON Holton State: KS Zip Code: 66839-9067 66436
Telephone Number: (620) 364-6620

DWS/bwr 11/21/16

2. The source of water is: [X] surface water in Tributary to Long Creek Trib 8 (Neosho) (stream)
OR [] groundwater in NEOSHO 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 28.5 (storage) 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) [X] 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 SED Source G/S County CF By Atw Date 9/1/16
Code REG Fee \$ 200 TR # Receipt Date 9/1/16 Check # 2097

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 SW quarter of the SW quarter of Section 33, more particularly described as being near a point 711 feet North and 4,423 feet West of the Southeast corner of said section, in Township 21 South, Range 16 EAST, COFFEY 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):

(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 8-30, 2016. Ethel O. King
Applicant's Signature

7. The proposed project for diversion of water will consist of ONE DAM AND RESERVOIR
(number of wells, pumps or dams, etc.)

and (will be) completed (by) Summer 2016 Existing Reservoir 1961 (per Structures data)
(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 11/21/16
(Mo/Day/Year)

9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?

Yes No If "yes", a check valve shall be required.

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

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

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

- If yes, show the Water Structures permit number here DCF-0029
- If no, explain here why a Water Structures permit is not required _____

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

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.

~~(c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.~~

- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

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

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

NONE

WATER RESOURCES
RECEIVED

SEP 01 2016

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):

(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 Holt, Kansas, this 20 day of August, 2016.
(month) (year)

Ethel C. King C.O. N/A
(Applicant Signature) APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By _____ and/or _____
(Agent or Officer Signature) APPLICANT(S) TAXPAYER I.D. NO.(S)

(Agent or Officer - Please Print)

**SEDIMENT CONTROL USE
SUPPLEMENTAL SHEET**

File No. 49,698

Name of Applicant (Please Print): Long-Scott Creeks Watershed District #93

1. Please summarize how the water will be used and justify the quantity of water requested: _____

Sediment Control Use. Surface Area of Reservoir at Principal Spillway = 9.5 acres.
9.5 acres x 12" / 12 = 9.5 acre-feet of annual evaporation

9.5 acre-feet x 3 years = 28.5 acre-feet.

Total Qty. requested = 28.5 AF.

2. Please complete the following table showing estimated future water requirements:

ESTIMATED FUTURE WATER DIVERTED/STORED	
NEXT YEARS	WATER TO BE DIVERTED (GALONS)
Year 1	28.5 AF
Year 2	28.5 AF
Year 3	28.5 AF
Year 4	28.5 AF
Year 5	28.5 AF

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

3. Please designate the legal description of the location where the water is to be used by providing the fractional part of the Section, Township and Range.

Reservoir Located in the Southwest Quarter of Section 33, in Township 21 South, Range 16 East, Coffey County.

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

WATER RESOURCES
RECEIVED

SEP 01 2016

KS DEPT OF AGRICULTURE

**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

49,698

DCF-0029

ENGINEERING DATA

ENGINEERING INFORMATION

Eng Data Id: 424	Group: Water Right	Farm: LEROY	Type Of Dam: 2	Dam Length: 1060	Pi Material: P	Canopy: <input type="checkbox"/>	Phase (Yes): <input checked="" type="checkbox"/>
National Id: 424	Water Right: 2	Volume Of Fill: 15160	Dam Height: 23.2	Pi Size: 12	Es Type: G	Es Width: 40	ES: <input type="checkbox"/>
Hz Class: 1	Nearest City Town: LEROY	Assessment: <input type="checkbox"/>	Spillway Type: 1	Discharge (cfs): ES	Discharge (cfs): TDU	Drawn By: <input type="checkbox"/>	Core: <input type="checkbox"/>
Purpose 1: 1	Distance To City Town: 9	Assessment: <input type="checkbox"/>	Assessment: <input type="checkbox"/>	Discharge (cfs): ES	Discharge (cfs): TDU	Foundation: <input type="checkbox"/>	Rotation Schedule: <input type="checkbox"/>
Purpose 2: <input type="checkbox"/>	Funding: W	Assessment: <input type="checkbox"/>	Assessment: <input type="checkbox"/>	Discharge (cfs): ES	Discharge (cfs): TDU	Foundation: <input type="checkbox"/>	Rotation Schedule: <input type="checkbox"/>
Purpose 3: <input type="checkbox"/>	Funding: W	Assessment: <input type="checkbox"/>	Assessment: <input type="checkbox"/>	Discharge (cfs): ES	Discharge (cfs): TDU	Foundation: <input type="checkbox"/>	Rotation Schedule: <input type="checkbox"/>

Elevation: Streambed 1026, PS 1037, ES 1043.5, TOP 1047.3

Area: AS 9.13, ES 18.66, TOP 33.15

Storage (ac-ft): PS 36.9, ES 122, TOP 220.9

Discharge (cfs): ES, TDU

Drawn By:

Core:

Foundation:

Rotation Schedule:

City Of Name: CSNNAME 424, Dam Former Name: , Design: USDA SCS, Hydraulic Flow:

Remarks: Re/Site LONG CREEK-TR, Structural Height: 23, Outlet Gates:

WSI:

ID	Type	County	Num	EXT	Application Recd Date	File Location	Applicav

#49,698

TRANSACTION WATER RIGHTS LOCATION NUMBER EDA TRAIL CONTINUING WAVE

STRUCTURE NUMBER D CF 0029	Year 19677 LAST 111	APPLICATION App Recd Date	INDICATORS Pending Complete N
REVIEWER UJK	CURRENT STATUS Permit IN	Project Activity	App Recd N
File Location	Compliance	Site North 1-33	Pending Inad N
	Permit NON-JURIS	Stream LONG CREEK-TR	After the Fact N
		PDOT Type	General Events N

APPLICANT LAST BULL FIRST VIRGIL	App Fee	App Fee Time
OWNER LAST LONG-SCOTT CREEKS WD NO 93 FIRST	OWB	Total
DESIGNER LAST UNKNOWN FIRST	Location	Publ Date
Group Comp Date DDMMYY 045	Remarks	SCOPE-A

ACTIONS

Date	Action	Deadline	Remarks
06-30-2016	MODIFICATION APPLICATION RECEIVED		DAM REGIS
04-14-2015	INFORMATION RECEIVED		CORPS PUI

FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

**WATER RESOURCES
RECEIVED**

SEP 01 2016

KS DEPT OF AGRICULTURE

NEW STREAM WORKSHEET

ES AW

Date: 9/1/16

File No. 49,698

Basin Name: Neasho RCR Basin No. 34

Stream Name: Long Creek Trib 8 (Neasho)

Stream location (confluence with parent stream):

Section 9, Township 22 South, Range 16 (East)

Map Color Coding:

Basin Stream – Blue

Named Main Stream off Basin Stream – Yellow

Named Stream off Main Stream – Green

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

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

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

Stream No. 3 8 8 57 (computer assigned - entered by data entry staff)

Date Entered 9/7/2016 By LLM

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

September 2, 2016

LONG SCOTT CREEKS WATERSHED DISTRICT 93
1234 SHETLAND ROAD SE
BURLINGTON KS 66839

FILE COPY

RE: Application
File No. 49698

Dear Sir or Madam:

Your application for permit to appropriate water in 33-21S-16E in Coffey 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,

A handwritten signature in cursive script that reads "Brent A. Turney".

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

BAT: dlw
pc: TOPEKA Field Office
GMD

SCANNEL

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49698 00

#####

ONLY 1 other water right within 2 miles.

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49698 00 SED

Water Right and Points of Diversion Within 2.00 miles of point defined as:

711 Feet North and 4423 Feet West of the Southeast Corner of Section 33 T 21S R 16E

SURFACE WATER ONLY

=====

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A_	1143	02	DOM	NK S	7965	--	--	--	3978	1100	31	21	16E	1		1.01	1.01	AF

***** ERROR *****

No active quantity associated with Water Right A_ 49698 00 SED

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49,698

Long-Scott Creeks Watershed District #93
Section 33, Township 21 South, Range 16 East
Coffey County

WATER RESOURCES
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SEP 01 2016



1:12,000



Proposed Place of Use

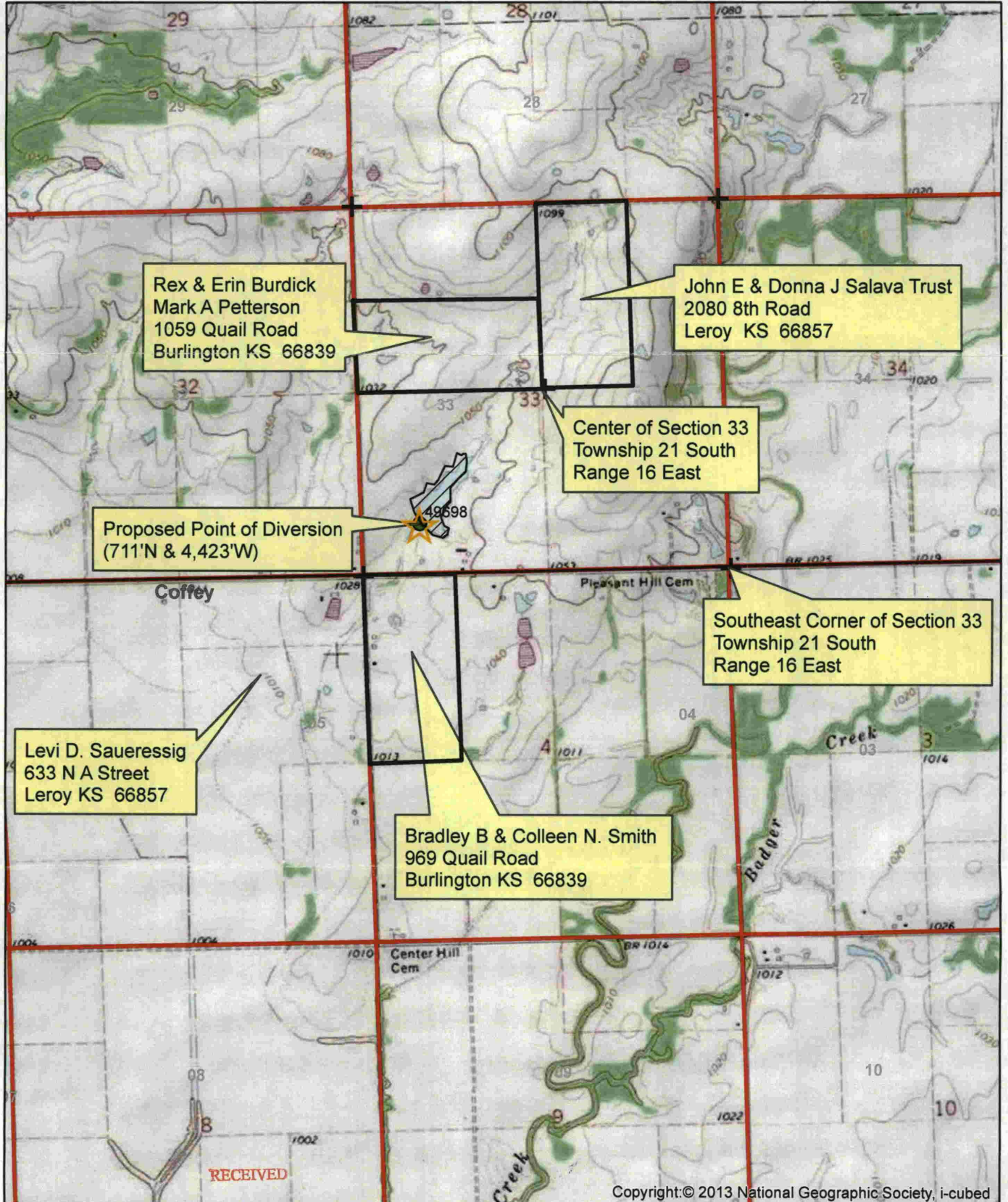


Proposed Point of Diversion

All known landowners adjacent to the stream within one-half mile upstream and downstream of the property lines have been shown.

SCANNED

LONG-SCOTT CREEKS WATERSHED DISTRICT #93
 FILE NO. 49,698 - NEARBY LANDOWNERS



Rex & Erin Burdick
 Mark A Petterson
 1059 Quail Road
 Burlington KS 66839

John E & Donna J Salava Trust
 2080 8th Road
 Leroy KS 66857

Center of Section 33
 Township 21 South
 Range 16 East

Proposed Point of Diversion
 (711'N & 4,423'W)

Southeast Corner of Section 33
 Township 21 South
 Range 16 East

Levi D. Saueressig
 633 N A Street
 Leroy KS 66857

Bradley B & Colleen N. Smith
 969 Quail Road
 Burlington KS 66839

RECEIVED

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NOV 21 2016

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Topeka Division of Water Resources
 Proposed Point of Diversion

Upstream and Downstream Landowners within 1/2 mile
 of property lines have been shown.

Ethan C. King

