

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 49739
This item to be completed by the Division of Water Resources.

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DEC 08 2016

11:38
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): UNIVERSITY OF KANSAS – FIELD STATION
Address: 2101 CONSTANT AVE
City: LAWRENCE State: KS Zip Code 66047
Telephone Number: (785) 864-1507 0

2. The source of water is: surface water in _____ (stream)
OR groundwater in KANSAS RIVER BASIN (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 100 acre-feet OR 32.585 million gallons per calendar year, to be diverted at a maximum rate of 300 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. Code	<u>1</u>	GMD	<u>0</u>	Meets K.A.R. 5-3-1	<u>(YES)</u> / NO	Use	<u>IND</u>
Source	<u>G</u>	S	County	<u>DG</u>	By	<u>KAB</u>	Date
Receipt Date	<u>12/8/16</u>	Check #	<u>INTERFUND</u>				

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 SE quarter of the SE quarter of the SE quarter of Section 8, more particularly described as being near a point 100 feet North and 100 feet West of the Southeast corner of said section, in Township 12 South, Range 20 EAST, DOUGLAS 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.

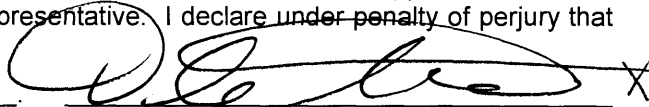
6. The owner of the point of diversion, if other than the applicant is (please print):

(name, address and telephone number)

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 2 Dec, 2016.


Applicant's Signature

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

and (was)(will be) completed (by) EXISTING WELL
(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 2017.
(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 _____
- If no, explain here why a Water Structures permit is not required _____

GROUNDWATER WELL

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.

FILE NOS. 26,460 AND 40,000 OVERLAP IN PD AND PU.

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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 TENANT/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):
KU ENDOWMENT ASSN, PROPERTY MANAGEMENT, PO BOX 928, LAWRENCE, KS 66044-0928
(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 Lawrence, Kansas, this 2 day of December, 2016.
(month) (year)

X 
(Applicant Signature) 48-0547734
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)

Assisted by DWS TOPEKA FO Date: 11/22/2016
(office/title)

[Faint, illegible text]

INDUSTRIAL USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): UNIVERSITY OF KS - FIELD STATION

1. Please describe type of industry or product produced: AQUATIC RESEARCH FACILITY
 _____ 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		55.9 AF	

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		180 AF	
Year 2		180 AF	
Year 3		180 AF	
Year 4		180 AF	
Year 5		180 AF	

Number of days of operation of the industry per year is 365 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					
			INDUSTRIAL USE AT AN AQUATIC RESEARCH FACILITY LOCATED IN THE EAST HALF (E½) OF SECTION 33, IN TOWNSHIP 11 SOUTH, RANGE 20 EAST, JEFFERSON COUNTY, KANSAS, AND THE SOUTHWEST QUARTER OF SECTION 34, IN TOWNSHIP 11 SOUTH, RANGE 20 EAST, LEAVENWORTH COUNTY, KANSAS.																				

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

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*see
Attached
memo
(7/26/94)*

KANSAS STATE BOARD OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: July 26, 1994

FROM: Brent A. Turney

RE: Appropriation of Water
File No. 40,000

The University of Kansas Experimental and Applied Ecology Program has filed the above referenced application proposing to appropriate 150 acre-feet of groundwater at a diversion rate not to exceed 150 gallons per minute for industrial use at an existing experimental aquatic research center and at a hydrologic research and monitoring site operated by the Kansas Geologic Survey. The appropriation is located in the drainage basin of the Kansas River. There are currently 2,243.52 acre-feet of groundwater appropriated within a two (2) mile radius of the existing point of diversion.

The requested quantity appears to be reasonable and is justified as follows:

K.G.S. Hydrologic Research

$\frac{150 \text{ gpm} \times 60 \text{ min/hr} \times 24 \text{ hrs} \times 23 \text{ days}}{325,851 \text{ gallons}} = 15 \text{ acre-feet}$

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DEC 05 1994

K.U. Applied Ecology Program

77 mesocosm ponds x .581 acre-feet volume x
2 fillings per year = 89.48 acre-feet

FIELD OFFICE
DIVISION OF WATER RESOURCE

3 ponds x 36.14 acre-feet total volume x
1 filling per year = 36.14 acre-feet

$\approx 100 \text{ small ponds} \approx 120 \text{ AF}$
 $+ 2 \text{ larger ponds} \approx 20 \text{ AF}$

Evaporation from all ponds = 12.81 surface acres
x 10 inches net lake evaporation = $128.1/12 = 10.68 \text{ acre-feet}$

K.U. Ecology Program

Water to fill mesocosm ponds - 89.48 acre-feet
Water to fill other ponds - 36.14 acre-feet
Evaporation from ponds - 10.68 acre-feet
136.30 acre-feet
K.G.S. Hydrologic Research - 15.00 acre-feet

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151.30 acre-feet

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This proposed appropriation will overlap in the point of diversion and place of use with Water Right, File No. 26,460. The rate of diversion will be limited to 150 gallons per minute when combined with File No. 26,460. The quantity will be limited to 151.3 acre-feet when combined with overlapping File No. 26,460.

MICROFILMED

2 Dec. 2016

(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
1320 Research Park Drive
Manhattan, Kansas 66502

Re: Application
File No. _____

Minimum Desirable Streamflow
KANSAS _____ River Assurance District
Water Reservation Rights

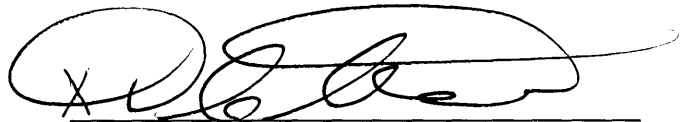
Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established, an Assurance District has been formed and established or a Water Reservation Right is held by the Kansas Water Office (**circle the appropriate item**) for the source of supply to which the above referenced application applies, namely the KANSAS RIVER.

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, Assurance District or Water Marketing releases are being made from storage in Federal Reservoirs or when a Reservation Right upstream of a Federal Reservoir is being administered.

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.



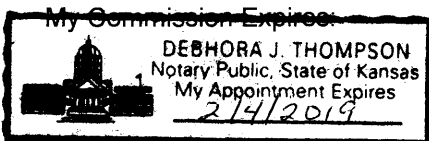
Signature of Applicant

Dale Senterling
Print Applicant Name

State of Kansas)
County of Douglas) SS

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 2nd day of December, 2016.

Deborah J. Thompson
Notary Public



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**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

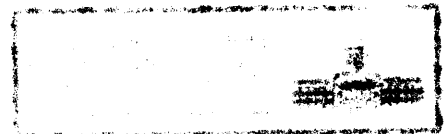
Assurance Districts have been formed on the following rivers:

Kansas River Marias des Cygnes River Neosho River

The Kansas Water Office has Water Reservation Rights for the following reservoirs:

Big Hill	Marion
Clinton	Melvorn
Council Grove	Milford
Elk City	Perry
Hillsdale	Pomona
John Redmond	Tuttle Creek

10/10/08 10:10 AM



KU Endowment Assn
File Nos. 26,460 and 40,000 Change Applications
Authorized Place of Use



Authorized Place of Use

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1:24,000

● Existing Well



KU Endowment Assn
File Nos. 26,460 and 40,000 Change Applications
Aquatic Research Facility
Proposed Place of Use



Proposed Place of Use

- Nearby Well
- Existing Point of Diversion

All known wells within one-half mile of the proposed point of diversion are shown on this map.

DEC 08 2016

[Handwritten Signature]

KS DEPT OF AGRICULTURE

1:24,000

KU Endowment Assn AQUATIC RESEARCH FACILITY New Application Site Map



Center of Section 33
Township 11 South
Range 20 East

Center of Section 34
Township 11 South
Range 20 East

Southeast Corner of Section 33
Township 11 South
Range 20 East

Southeast Corner of Section 34
Township 11 South
Range 20 East

Center of Section 8
Township 12 South
Range 20 East

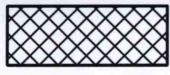
Domestic Well
Joseph & Barbara Sabol
Rt 1 Box 303A
West Coxsackie, NY 12192

Domestic Well
Dick A. Wise
Rt. 3
Lawrence KS 66044

Proposed Point of Diversion
100' N & 100' W

File Nos. 24,331; 42,722; & 42725 - MUN Use
Jefferson RWD #13
1951 Wellman Rd
Lawrence KS 66044

Southeast Corner of Section 8
Township 12 South
Range 20 East



Proposed **PLACE OF USE**
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- Nearby Well
- Proposed Point of Diversion

All known wells within one-half mile of the proposed point of diversion are shown on this map.

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1:24,000

DEC 08 2016



KU Endowment Assn
File Nos. 26,460 and 40,000 Change Applications
Authorized Place of Use



 Authorized Place of Use

 Existing Well

1:24,000

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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

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December 5, 2016

Kansas Department of Agric
Division of Water Resources
1320 Research Park Drive
Manhattan, KS 66502

Please note that an
inter-agency voucher in the
amount of \$ 600 will be sent to
KDA Water Resources Division separately.

SC

To Whom It May Concern:

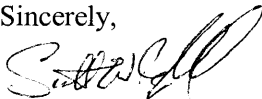
Attached are three signed do
under Water Right, File Nos. 26,460 and 40,000. The third document represents a new application, which
will provide additional water and overlap in point of diversion and place of use in combination with our
senior files.

Please note there is a recurring error in all three documents, as presented here. I have been in
communication with Mr. Doug Schemm (Doug.Schemm@kda.ks.gov; 785-296-5733), who worked with
us in developing this application, and he understands the situation and also informed me that the
necessary minor corrections can and will be made administratively once our formal application has been
received. Basically, we would like to retain (as before) our privileges at the Geohydrologic Research and
Monitoring Site (GEMS) "located in the southeast quarter of the southeast quarter of the southeast quarter
(SE1/4 SE1/4 SE1/4) of Section 8, in Township 12 South, Range 20 East, Douglas County, KS" as an
authorized place of use, much as is described in No. 4 of Files 26,460 and 40,000.

Otherwise, I understand that this application is mainly focused on more accurately defining the areas
encompassed by the GEMS, and also our Aquatic Research Facility, which represents our largest and
primary place of use.

Please contact Doug or me if you have any questions. Thank you.

Sincerely,



Scott W. Campbell
KU Field Station Experimental Pond Manager
University of Kansas, 152 Takeru Higuchi Hall
2101 Constant Ave
Lawrence, Kansas 66047
(785) 864-1502; swcamp@ku.edu

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1320 Research Park Drive
Manhattan, Kansas 66502
Jackie McClaskey, Secretary



Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

December 9, 2016

UNIVERSITY OF KANSAS - FIELD STATION
2101 CONSTANT AVE
LAWRENCE KS 66047

FILE COPY

RE: Application
File No. 49739

Dear Sir or Madam:

Your application for permit to appropriate water in 8-12S-20E in Douglas 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