

File No. **49,459** 15. Formation Code: 113 Drainage Basin: KANSAS River County: PT Special Use: Stream:

16. Points of Diversion									
T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	
√	84635	NC NW	1	10	11E	4	3955	4030	

17. Rate and Quantity				
Authorized		Additional		
Rate gpm	Quantity AF	Rate gpm	Quantity AF	Overlap PD Files
1000	39	1000	39	49,456

18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ 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 **12/31/2018** 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						
MOD	57620	1	10	11E	5								18.5											18.5	7c.	No	NONE*	
MOD	57621	1	10	11E	6								19										19	7b.	No	NONE*		

Comments: ***THE OWNERS HAVE AGREED TO CHANGE THE PLACE OF USE UNDER WATER RIGHT, FILE NO. 22,747, WHICH WILL REMOVE THE ACREAGE UNDER THIS NEW APPLICATION FROM THIS SENIOR FILE, AND ELIMINATE ANY PARTIAL OVERLAP IN PU.**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files

DATE: March 27, 2017

FROM: Doug Schemm

RE: Application, File No. 49,459

Steven R. Holz has filed the referenced application to appropriate 39 acre-feet of groundwater from an existing well, at a rate of diversion of 1,000 gallons per minute for irrigation use on 37.5 acres. The well is located near the center of the Northwest Quarter of Section 1, Township 10 South, Range 11 East, in Pottawatomie County. Note that this well was recently drilled upon the approval of Appropriation of Water, File No. 49,456. The proposed place of use is owned by Lee W. & Willa Dean Kensing (19 acres – South Half), and Leota R & Carl Golden (18.5 acres – North Half). The applicant, Steven Holz has signed the application form stating he has access to the point of diversion. The applicant was assisted by Topeka Field Office staff in preparation of the application. As noted above, the point of diversion will overlap with File No. 49,456, and after changes, there will be no overlaps in place of use. The requested quantity of water of 39 acre-feet is slightly less than the maximum allowable to irrigate the proposed 37.5 acres with 1.1 acre-feet per acre in Pottawatomie County.

This application has been held for some time due to complexities with an overlapping water right in place of use. Currently, the place of use is authorized under Water Right, File No. 22,747. The landowners under this new application, and Scott A. & Daphne D. Schoemann have submitted Applications to Change the Place of Use under Water Right, File No. 22,747. This will eliminate any partial overlaps in place of use, and will ensure that the correct acreage is being covered under this existing water right.

The applicant provided the names and addresses of two domestic and two non-domestic well owners within one-half mile of the proposed point of diversion, which complies with K.A.R. 5-3-4. Nearby well owner letters were sent out on March 9, 2017. No responses of any kind were received. The proposed point of diversion meets minimum well spacing of 660 feet to the existing domestic wells, while the nearest non-domestic well (File No. 22,747) is located 1,320 feet away. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be 660 feet to domestic wells and 1,320 feet to non-domestic wells, and the application complies with minimum well spacing criteria.

No well log was submitted with the application, which is typical for wells sourcing the Kansas River alluvium. Nearby well logs display the typical alluvium lithology ranging from medium sand to gravel generally extending from 20 feet to more than 60 feet below ground where shale bedrock was encountered. Static water levels are generally about 20 feet below ground level. Based on these well logs and the physical location of the wells, the source will be the Kansas River alluvium. K.A.R. 5-3-11 states that calculated recharge in the Kansas River alluvium shall be determined by taking 25% of the average annual rainfall in the area of consideration. For this application, the safe yield was determined following the processing of the senior file on this same well to maintain consistency. The extent of the alluvium for the area of consideration provides a total of 6,373 acres. With a potential recharge of 8.5 inches, and 75% available for appropriation, safe yield was determined to be 3,385.7 acre-feet, while prior appropriations total 2,754.68 acre-feet, leaving 631.02 acre-feet available water, and the application complies with safe yield.

NOTE: When this application was initially filed, the area of consideration included Water Right, File Nos. 22,544; 22,545; and 22,546 (owned by Westar Energy), which had been assigned to standby status. Per K.A.R. 5-1-2, standby wells shall not be counted in safe yield or allowable appropriation analysis, and this is consistent with how all previous appropriations were processed in this local area. In addition, all applicants had to sign a statement regarding the standby Westar Energy files acknowledging that their junior appropriation could be regulated, and a waiver of safe yield K.A.R. 5-3-11 was required. However, File Nos. 22,544; 22,545; and 22,546 were voluntarily dismissed on January 5, 2017. Therefore, there is water available and no waiver of safe yield is required.

Memorandum – Steven Holz
File No. 49,459
Page 2

Note that the proposed well is located over one-quarter mile from the Kansas River; therefore per the Kansas River Water Assurance Program Operations Agreement, the KRWAD was not notified of this pending application.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. 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 a March 21, 2017 discussion, Katie Tietsort, Water Commissioner, Topeka Field Office, recommended approval of the referenced application. Based on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced new application be approved, in conjunction with the proposed Place of Use change under Water Right, File No. 22,747.

Douglas W. 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

May 2, 2017

STEVEN R HOLZ
22284 WELLS CREEK RD
BELVUE KS 66407

FILE COPY

RE: Appropriation of Water, File No. 49,459

Dear Mr. Holz:

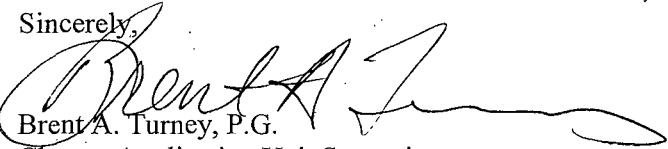
There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location 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 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
Lee W. & Willa Dean Kensing
Leota R. & Carl Golden



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)

FILE COPY

This is to certify that I have examined Application, **File No. 49,459** of the applicant

**STEVEN R & TERESA J HOLZ
22284 WELLS CREEK RD
BELVUE KS 66407**

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 11, 2015**.
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	
1 10S 11E							37.5										37.5

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located near the center of the Northwest Quarter (NW¼) of Section 1, more particularly described as being near a point 3,955 feet North and 4,030 feet West of the Southeast corner of said section, in Township 10 South, Range 11 East, Pottawatomie County, Kansas, located substantially as shown on the topographic map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **1,000 gallons per minute** (2.23 c.f.s.) and to a quantity not to exceed **39 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2018**, 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 accompanied by the required statutory fee, which is currently \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2022**, 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. That all 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 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.
12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.
13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance 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).
14. 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.
15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.
16. 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.

CERTIFICATE OF SERVICE

On this *2nd* day of *May*, 2017, I hereby certify that the foregoing Approval of Application, File No. 49,459, dated *May 1, 2017* was mailed postage prepaid, first class, US mail to the following:

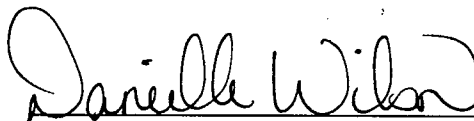
STEVEN R & TERESA J HOLZ
22284 WELLS CREEK RD
BELVUE KS 66407

With photocopies to:

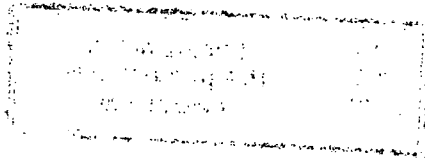
LEE W & WILLA DEAN KENSING
7450 NW KIRO CT
TOPEKA KS 66608

LEOTA R & CARL GOLDEN
8624 SW 10TH
TOPEKA KS 66615

Topeka Field Office



Division of Water Resources



APPLICATION COMPLETE

3/24/2017

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 49459

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

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.)

WATER RESOURCES RECEIVED

SEP 11 2015

12:50

KS DEPT OF AGRICULTURE

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): STEVEN R HOLZ
Address: 22284 WELLS CREEK RD
City: BELVUE State KS Zip Code 66407
Telephone Number: (785) 456-3303

2. The source of water is: [] surface water in (stream)
OR [x] groundwater in KANSAS 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 39 acre-feet OR gallons per calendar year, to be diverted at a maximum rate of 1,000 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) [x] 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 - Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source GYS County PT By KAB Date 9/11/15
Code REG Fee \$ 200 TR # Receipt Date 9/11/15 Check # 2820

*modified feet distances to overlap Senior
File 49,456 on same well. DWS lower 3/14/17

File No. 49,459

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 NC of the 3955 quarter of the NW quarter of Section 1, more particularly described as being near a point 3956 feet North and 4030 feet West of the Southeast corner of said section, in Township 10 South, Range 11 East, POTTAWATOMIE 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):

LEOTA R & CARL D GOLDEN 8624 SW 10TH TOPEKA KS 66615
(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 9/3/15, 2015. Leota R Golden
Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

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

and (will be) completed (by) JULY 2015 Spring 2016
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 Spring 2016
JULY 2015
(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 N/A

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

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 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.

P/U - FILE NO. 22747 (PARTIAL) (Change App Eliminated Partial Overlap).

WATER RESOURCES
RECEIVED

SEP 11 2015

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 Driller's log attached

NO TEST HOLES ARE PLANNED – SOURCE WILL BE KANSAS RIVER ALLUVIUM

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
(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):

SEE IRRIGATION USE SUPPLEMENTAL SHEET

(name, address and telephone number)

(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at _____, Kansas, this ____ day of _____, (month) (year)

Steven R. Golden
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by **BRETT BUNGER**

TFO/ASST WATER COMM
(office/title)

Date: **12-31-14**

RECEIVED
SEP 11 2014
KANSAS DEPARTMENT OF REVENUE

* Added NW + SW corners of proposed place of use per applicant, slight increase in acres. DWR lower 3/14/17

IRRIGATION USE
SUPPLEMENTAL SHEET

File No. 49,459

Name of Applicant (Please Print): STEVEN R HOLZ

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: LEOTA R & CARL D GOLDEN

ADDRESS: 8624 SW 10TH TOPEKA KS 66615

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
*	1	10	11E																	17.5	18.5

Landowner of Record NAME: LEE W & WILLA DEAN KENSING

ADDRESS: 7450 NW KIRO CT TOPEKA KS 66608

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
*	1	10	11E																		18	19

Total = 37.5

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				

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.

SEP 11 2010

RECEIVED

(Date)

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

Re: Application
File No. 49,459

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

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.

Leota R Golden
Signature of Applicant

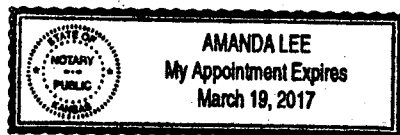
Leota R Golden
Print Applicant Name

State of Kansas)
County of Shawnee) SS

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 3rd day of September, 2015

Amanda Lee
Notary Public

My Commission Expires:



WATER RESOURCES
RECEIVED

SEP 11 2015

KS DEPT OF AGRICULTURE

WELLS WITHIN ONE-HALF MILE

- #1) Ronnau Family (DOM.)
27155 Oregon Trail Rd
St Marys KS 66536
- #2) Industrial (File No. 22546)
Westar Energy
Jeffrey Energy Center
TOPGO-4 MCCORMICK
PO Box 889
Topeka KS 66601
- #3) Industrial (File No. 22546)
Westar Energy
Jeffrey Energy Center
TOPGO-4 MCCORMICK
PO Box 889
Topeka KS 66601
- #4) Scott Schoemann (DOM.)
4375 Schoemann Rd
Belvue KS 66407
- #5) Irrigation – File No. 22747
Owner = Same as #4



Dismissed (wells are plugged)

WATER RESOURCES
RECEIVED

SEP 11 2015

KS DEPT OF AGRICULTURE

Owner Information	Property Address	Property Description	Apr Amount	Prop Class
<p>075-281-01-0-00-00-004.00-0 Quick Ref ID = 9238 Tax Year = 2017 SCHOEMANN SCOTT ANDREW & SCHOEMANN DAPHNE DENISE</p> <p>Owner Mailing Address: 4375 SCHOEMANN RD BELVUE, KS 66407</p>	<p>00000 HWY 24, Saint Marys, KS 66536</p> <p>ACRES=111.08 Neighborhood=282</p>	<p>S01 , T10 , R11 , ACRES 111.0 , NW4 LESS SW4 NW4 LESS ROW</p>	<p>\$111,510</p>	<p>Agricultural Use</p>
<p>075-281-01-0-00-00-005.00-0 Quick Ref ID = 9239 Tax Year = 2017 GOLDEN LEOTA R & CARL D</p> <p>Owner Mailing Address: 8624 S W 10TH TOPEKA, KS 66615</p>	<p>00000 SCHOEMAN RD, Saint Marys, KS 66536</p> <p>ACRES=19.5 Neighborhood=282</p>	<p>S01 , T10 , R11 , ACRES 19.5 , N2 SW4 NW4 LESS ROW</p>	<p>\$20,220</p>	<p>Agricultural Use</p>
<p>075-281-01-0-00-00-005.01-0 Quick Ref ID = 9240 Tax Year = 2017 KENSING LEE W & WILLA DEAN</p> <p>Owner Mailing Address: 7450 N W KIRO COURT TOPEKA, KS 66608</p>	<p>00000 SCHOEMAN RD, Saint Marys, KS 66536</p> <p>ACRES=20 Neighborhood=282</p>	<p>S01 , T10 , R11 , ACRES 20.0 , S2 SW4 NW4 LESS ROW</p>	<p>\$17,280</p>	<p>Agricultural Use</p>
<p>075-281-01-0-00-00-006.00-0 Quick Ref ID = 9241 Tax Year = 2017 SCHOEMANN SCOTT ANDREW & SCHOEMANN DAPHNE DENISE</p> <p>Owner Mailing Address: 4375 SCHOEMANN RD BELVUE, KS 66407</p>	<p>4025 SCHOEMAN RD, Belvue, KS 66407</p> <p>ACRES=78.87 Neighborhood=282</p>	<p>S01, T10, R11, ACRES 78.87, W2 SW4 LESS TR BEG 30'E NW COR SW4 TH E180' S208' W180' N208' TO POB</p>	<p>\$82,570 A \$53,590 F</p>	<p>Farm Homesite</p>
<p>075-281-01-0-00-00-006.01-0 Quick Ref ID = 9242 Tax Year = 2017 SCHOEMANN SCOTT ANDREW & SCHOEMANN DAPHNE DENISE</p> <p>Owner Mailing Address: 4375 SCHOEMANN RD BELVUE, KS 66407</p>	<p>4375 SCHOEMAN RD, Belvue, KS 66407</p> <p>ACRES=0.86 Neighborhood=282</p>	<p>S01 , T10 , R11 , ACRES 0.8 , TR BEG 30'E NW COR SW4 TH E180 ' S208' W180' N208' TO POB</p>	<p>\$6,560 A \$135,330 F</p>	<p>Farm Homesite</p>

Schemm, Doug

From: Bunger, Brett
Sent: Monday, January 30, 2017 12:48 PM
To: Schemm, Doug
Subject: Steven Holz application

Doug, to leave options open Steven would like to add the SW and NW corners that the pivot cannot reach. With the age of the landowners, he would like to have multiple options in the event that the pivot is too expensive. Would you please modify application accordingly.

Thanks,

Brett

49,459
 Meets
 safe yield

Analysis Results

The selected PD is in an area to new appropriations.
 The safe yield, based on the variables listed below is 3,385.66 AF.
 Total prior appropriation in the circle is 2,822.38 AF. $-39 = 2,783.38 - 28.7 = 2,754.68$
 Total quantity of water available for appropriation is ~~563.28~~ AF.

631.02

Safe Yield Variables

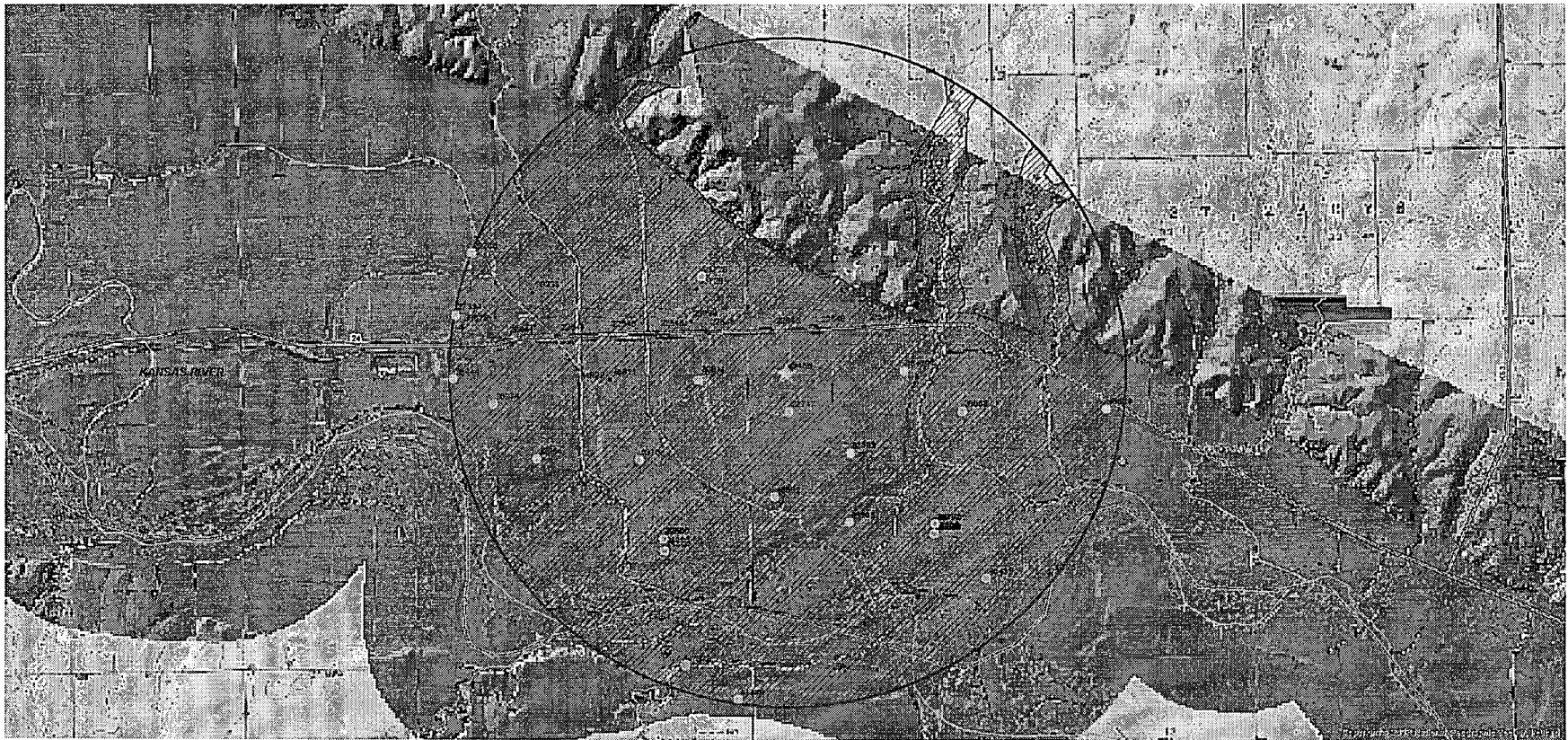
The area used for the analysis is set at 6373 acres.
 Potential annual recharge of the area is estimated to be 8.5 inches.
 The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 14-MAR-2017 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 30 water right(s) and 23 point(s) of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth_Quant	Add_Quant	Tacres	Nacres
A	2250	00	IRR	NK	G		NC N2	3960	2673	11	10	11E	4	WR	150.00	150.00	231.00	231.00
A	3752	00	IRR	NK	G		NE SW NW	3955	4491	07	10	12E	7	WR	220.00	220.00	347.09	347.09
A	5375	00	IRR	NK	G		NW SE SW	1164	3357	02	10	11E	1	WR	155.00	155.00	118.00	118.00
A	19410	00	IRR	NK	G		NE SE NE	3830	460	01	10	11E	1	WR	138.00	138.00	138.00	138.00
A	22747	00	IRR	NK	G		SW SE NW	2660	3860	01	10	11E	2	WR	226.00	226.00	226.00	226.00
A	24856	00	IRR	NK	G	NC	N2 S2 N2	3490	2654	11	10	11E	3	WR	70.00	70.00	231.00	0.00
A	26374	00	IRR	NK	G		SE SE NW	3000	2700	03	10	11E	5	WR	131.50	131.50	289.50	289.50
A	27394	00	MUN	NK	G		NW SE SW	800	3860	34	09	11E	2	WR	28.38	28.38		
A	28009	00	IRR	NK	G		NE SW NW	3955	4491	07	10	12E	7	WR	121.00	0.00	347.09	0.00
A	28444	00	IRR	NK	G		NC NW	3800	3900	03	10	11E	6	WR	81.00	81.00	88.00	88.00
A	29200	00	IRR	NK	G		NE NE SW	2600	3250	34	09	11E	4	WR	3.30	3.30	9.00	9.00
A	30770	00	IRR	NK	G		SE NW NW	4283	4460	07	10	12E	8	WR	135.00	49.00	347.09	0.00
A	30911	00	IRR	NK	G		NE SW NE	3780	1430	02	10	11E	8	WR	150.00	150.00	179.00	179.00
A	32185	00	IRR	NK	G		SW NW SE	1381	2086	01	10	11E	3	WR	96.00	96.00	205.00	205.00
A	32854	00	IRR	NK	G		NC SE	1320	1320	03	10	11E	7	WR	132.00	132.00	289.50	0.00
A	33728	00	IRR	NK	G		SE NW SE	1740	1450	35	09	11E	1	WR	72.00	72.00	300.00	300.00
A	38057	00	IRR	NK	G		SW SE NW	2680	3545	06	10	12E	1	WR	143.00	143.00	233.00	233.00
A	39918	00	IRR	NK	G		SW SE NW	2680	3545	06	10	12E	1	WR	44.00	44.00	233.00	0.00
A	40435	00	IRR	NK	G		NE NE SW	2512	2949	07	10	12E	5	WR	85.00	85.00	347.09	0.00
A	40945	00	IRR	NK	G		SW NW NE	4420	2175	12	10	11E	1	WR	58.00	58.00	256.00	256.00
A	41022	00	IRR	NK	G		SW NW SE	1381	2086	01	10	11E	3	WR	58.00	58.00	205.00	0.00

Safe Yield Report Sheet
Water Right- A4945900
Point of Diversion in NWNC 1-10S-11E 4 (84635)



A	45592	00	IRR	MM	G	NE NW NW	5170	4480	12	10	11E	2	WR	221.00	221.00	256.00	0.00
A	45829	00	IRR	NK	G	NE NW SW	2596	4391	05	10	12E	2	WR	34.00	34.00	57.00	57.00
A	46101	00	IRR	MM	G	SW NW NE	4420	2175	12	10	11E	1	WR	288.20	9.20	256.00	0.00
A	47979	00	IRR	LO	G	NW NW NE	5165	2040	14	10	11E	1	WR	259.60	259.60	236.00	236.00
A	48749	00	IRR	KE	G	SE NE NE	4058	453	14	10	11E	2	WR	125.40	125.40	114.00	114.00
A	48792	00	IRR	KE	G	SE NW NW	4283	4460	07	10	12E	8	WR	354.00	0.00	347.09	0.00
A	49456	00	IRR	KE	G	NC NW	3955	4030	01	10	11E	4	WR	100.00	15.30	95.70	0.00
A	49459	00	IRR	AY	G	NC NW	3955	4030	01	10	11E	4	WR	39.00	39.00	35.50	0.00
A	49504	00	IRR	GY	G	NE NW SW	2596	4391	05	10	12E	2	WR	62.70	28.70	57.00	0.00



Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov
Sam Brownback, Governor

November 19, 2015

STEVEN R & TERESA J HOLZ
22284 WELLS CREEK RD
BELVUE KS 66407

Re: Pending Application, File No. 49,459

Dear Sir or Madam:

As we discussed, enclosed is a form that must be signed and notarized in order to complete our processing of the above referenced application. As detailed on the form, approval of your application is dependent on not including nearby Westar Energy water rights (standby status) in our safe yield calculations. However, if the Chief Engineer were to authorize the use of water under these water rights, your junior appropriation may be regulated. Once completed, please mail the form back to the address at the top left hand side of this letter.

If you have any questions or comments, please contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Doug Schemm".

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

SCANNED

Enclosure



Kansas
Department of Agriculture
Division of Water Resources

Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

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November 19, 2015

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22284 WELLS CREEK RD
BELVUE KS 66407

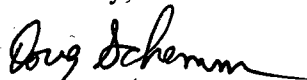
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If you have any questions or comments, please contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,



Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Enclosure



Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Department of Agriculture
Division of Water Resources

Phone: (785) 296-5733

Fax: (785) 862-2460

www.agriculture.ks.gov

Sam Brownback, Governor

March 9, 2017

CHARLES RONNAU
27155 OREGON TRAIL RD
ST MARYS KS 66536

Re: Pending Application, File No. 49,459

Dear Sir or Madam:

This is to advise you that Steven R Holz has filed the new application referred to above for a permit to appropriate 39 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 1,000 gallons per minute. Please note that this is an **existing** well currently authorized under Appropriation of Water, File No. 49,456, and is located as follows:

Near the Center of the Northwest Quarter of Section 1, in Township 10 South, Range 11 East,
Pottawatomie County, Kansas.

A map is enclosed indicating the location of the proposed point of diversion. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Enclosure

pc: Steven R. Holz



Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Department of Agriculture
Division of Water Resources

Phone: (785) 296-5733

Fax: (785) 862-2460

www.agriculture.ks.gov

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Sam Brownback, Governor

March 9, 2017

SCOTT A & DAPHNE D SCHOEMANN
4375 SCHOEMANN RD
BELVUE KS 66407

Re: Pending Application, File No. 49,459

Dear Sir or Madam:

This is to advise you that Steven R Holz has filed the new application referred to above for a permit to appropriate 39 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 1,000 gallons per minute. Please note that this is an **existing** well currently authorized under Appropriation of Water, File No. 49,456, and is located as follows:

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Sincerely,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Enclosure

pc: Steven R. Holz

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 15, 2015

STEVEN R HOLZ
22284 WELLS CREEK RD
BELVUE KS 66407

RE: Application
File No. 49459

Dear Sir or Madam:

Your application for permit to appropriate water in 1-10S-11E in Pottawatomie 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) 564-6634. 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 black ink, appearing to read "Kenneth A. Kopp".

Kenneth A. Kopp, P.G.
New Application Unit Supervisor
Water Appropriation Program

BAT: dwl
pc: TOPEKA Field Office
GMD 0

* Golden's own N $\frac{1}{2}$ SW NW
Kensings own S $\frac{1}{2}$ SW NW

49,459

1:12,000

New Application



All wells of any kind located within one-half mile have been plotted

Signature *Leota Golden* Date 9/3/15

WATER RESOURCES RECEIVED SEP 11 2015 KS DEPT OF REVENUE