

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

1. File Number: 49,784	2. Status Change Date: <i>6/14/2017</i>	3. Field Office: 01	4. GMD: 0
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5. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

6. Enclosures: Check Valve N of C Form Water Tube Driller Copy Meter

7a. Applicant(s) Person ID **60632**
New to system Add Seq# _____

DON VAN SCOYOC
875 4TH RD
LONGFORD KS 67458-9323

7b. Landowner(s) Person ID 63615
New to system Add Seq# _____

SHARON STEWART
1852 HAZLETT
EL DORADO KS 67042

7c. Landowner(s) Person ID 63614
New to system Add Seq# _____

MARGE RICE
6505 ERDMAN RD
ARENA WI 53503 ADDRESS CHANGE

7d. Misc. Person ID _____
New to system Add Seq# _____

8. WUR Correspondent Person ID _____
New to system Add Seq# _____
Overlap File (s) WUC Notarized WUC Form
Agree Yes No

7a.

9. Use of Water: Changing? Yes No

Groundwater Surface Water

IRR REC DEW MUN

STK SED DOM CON

HYD DRG WTR PWR ART RECHRG

IND SIC: _____ OTHER: _____

10. Completion Date: **12/31/2018** 11. Perfection Date: **12/31/2022** 12. Exp Date: _____

13. Conservation Plan Required? Yes No Date Required: _____ Date Approved: _____ Date to Comply: _____

14. Water Level Measuring Device? Yes No Date to Comply: _____ Date WLMD Installed: _____

Date Prepared: **5/23/2017** By: **DWS**
Date Entered: *6/15/2017* By: *WM*

File No. **49,784** 15. Formation Code: Drainage Basin: **Smoky Hill** County: CY Special Use: Stream: Chapman Creek (Smoky Hill)

16. Points of Diversion

MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
<i>400</i>		SW SW SW	17	10	2E	6	490	4833

17. Rate and Quantity MOD ADDL RATE

Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
2800	52	0	52	48,895-D

18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

19. Limitation: _____ af/yr at **2,800** gpm (_____ cfs) when combined with file number(s) **48,895-D**
 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

MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files	
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
√	65448	17	10	2E	4	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	7a, b, & c	No	48,895-C & D;	
																									49,433; 49,434; & 49,812	

Comments: *permission to pump*

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

TO: Files

DATE: May 23, 2017

FROM: Doug Schemm

RE: Application, File No. 49,784

Don Van Scoyoc has filed the above referenced new application proposing to appropriate 52 acre-feet of surface water at a diversion rate of 2,800 gallons per minute. The point of diversion is an existing pump site on Chapman Creek in the Smoky Hill River Basin, located in the Southwest Quarter of Section 17, Township 10 South, Range 2 East, Clay County, Kansas. Please note this is a complex irrigation project. Appropriation of Water, File No. 48,895-D overlaps in point of diversion and place of use. While Appropriation of Water, File Nos. 48,895-C; 49,433; 49,434; and Pending Application, File No. 49,812, all overlap in the Place of Use. Appropriation of Water, File No. 48,895-C authorizes storage and re-diversion from two reservoirs. Appropriation of Water, File Nos. 49,433 and 49,434 authorize well batteries, and Pending Application, File No. 49,812 is also proposing a separate well battery.

The applicant has requested this additional quantity of water from the pump site because of concerns that the groundwater wells were not capable of producing sufficient water. Water from the pump site will be used to fill the two off-stream reservoirs (estimated total capacity of 150 AF). Application, File No. 49,784 (like the overlapping senior file) is designed to allow water to be pumped directly from Chapman Creek (when flows are available "off-season") into the reservoirs authorized under File No. 48,895-C, to be stored for subsequent re-diversion for irrigation use. Generally, the off-season irrigation months are from October 1 through June 30 of each calendar year. The applicant has signed the application forms stating that he has legal access to the points of diversion. The place of use of 640 acres (entire Section 17), jointly owned by the applicant, Marge Rice, and Sharon Stewart.

This requested rate of diversion of 2,800 gallons per minute appears to be reasonable to provide a large quantity of water in a short time period to fill the reservoirs and take advantage of high flow conditions on the stream, which may be of short duration. This pending application will be limited to the requested rate of 2,800 gpm with the senior file, providing no additional rate of diversion.

Appropriation of Water, File No. 48,895-C is authorized 89.2 acre-feet of direct use; Appropriation of Water, File No. 48,895-D is authorized 98 acre-feet; and both Appropriation of Water, File Nos. 49,433 and 49,434 are authorized 220 acre-feet, for a combined total of 627.2 acre-feet. With the additional quantity of water requested under File No. 49,784 (52 acre-feet), the total quantity increases to 679.2 acre-feet. This quantity is still less than the maximum allowable to irrigate the proposed 640 acres, since 1.2 acre-feet per acre is allowable in Clay County, Kansas (768 AF). Therefore, this application will not be limited in quantity of water.

The applicant provided a list of the upstream and downstream landowners, which complies with K.A.R. 5-3-4. This same group of landowners were notified during processing of the senior file less than two years ago. At that time, the downstream landowners (Mr. and Mrs. Steenbock) came into the Topeka Field Office to discuss the application and their concerns about the impact to Chapman Creek flows. I explained the specific permit conditioning, including the requirement that the applicant get permission prior to diverting water. They were glad to have their concerns discussed, and did not object to approval of the application. No other responses of any kind were received. Since this application is simply for additional water from the existing pump site, and nearby landowners were previously notified, further notification would serve no purpose.

The WRIS database indicates there is only one other surface water right within a two (2) mile radius of the proposed point of diversion. Water Right, File No. 29,513 is diverting directly from Badger Creek, and is located upstream from the proposed pump site. The direct diversion of water under File No. 49,784 will generally be limited to off-season, and only when there is sufficient water to satisfy all senior water rights. Therefore, with proper conditioning, approval of this application will not impact any senior water rights.

Per K.A.R 5-3-15, Application, File No. 48,784 will be subject to specific conditions, which stipulate strict requirements for direct surface water diversion. These conditions include the stipulation that no diversion shall occur unless there is water available to satisfy all demands by senior water rights and permits, written or verbal permission from the Chief Engineer, or an authorized representative is required prior to diverting water, and streamflow cannot be stopped at the first riffle below the point of diversion while diversion is taking place. The application also complies with K.A.R 5-3-15 (c)(5) because the proposed off-stream reservoirs will provide adequate water storage, and the groundwater wells provide an alternative source, allowing for no need of direct diversion of water from July 1 through September 30.

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.

Katie Tietsort, Water Commissioner, Topeka Field Office, recommended the referenced application be approved in a May 22, 2017 e-mail. Based on the above discussion, Chapman Creek is open to new appropriations with specific permit conditions, the proposed direct use is in conjunction with off-stream storage, and groundwater wells (complying with 5-3-15), 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 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

June 16, 2017

FILE COPY

DON VAN SCOYOC
875 4TH RD
LONGFORD KS 67458-9323

Re: Appropriation of Water, File No. 49,784

Dear Mr. Van Scoyoc:

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, with specific reference to Paragraph Nos. 19 and 20. **You must obtain permission prior to diverting water** from Chapman Creek. 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,

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:dws
Enclosures
pc: Topeka Field Office
Sharon Stewart
Marge Rice

THE STATE OF KANSAS



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. 49,784** of the applicant

**DON VAN SCOYOC
875 4TH RD
LONGFORD KS 67458-9323**

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 **March 2, 2017**.
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		
17	10S	2E	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

3. That the authorized source from which the appropriation shall be made is surface water from Chapman Creek, to be diverted at one (1) pumpsite located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW¼ SW¼ SW¼) of Section 17, more particularly described as being near a point 490 feet North and 4,833 feet West of the Southeast corner of said section, in Township 10 South, Range 2 East, Clay 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 **2,800 gallons per minute (6.24 c.f.s.)** and to a quantity not to exceed **52 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 of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$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 of \$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 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).

13. 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.

14. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

15. 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.

16. That the stream flow shall not be stopped at the first riffle below the point of diversion while diversion is taking place under the authority of this water right or permit.

17. That diversion of natural flows shall not take place unless there is water available to satisfy all demands by senior water rights and permits.

18. 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.

19. That during the period October 1 through June 30, the verbal or written permission of the Chief Engineer, or an authorized representative of the Chief Engineer, shall be obtained in order to divert water each time the applicant desires to divert water.

20. That during the period July 1 through September 30 each calendar year, no direct diversions of surface water shall be permitted unless written permission is obtained from the Chief Engineer, or the Chief Engineer's authorized representative.

21. That the rate of diversion of water approved under this permit is further limited to the rate which combined with Appropriation of Water, File No. 48,895-D, will provide a total **not to exceed 2,800 gallons per minute** (6.24 c.f.s.) from the authorized point of diversion.

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

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

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

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

Ordered this 14th day of June, 2017, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau, P.G.
Program Manager
Water Appropriation Program
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 14th day of June, 2017, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Notary Public

CERTIFICATE OF SERVICE

On this *16th* day of *June*, 2017, I hereby certify that the foregoing Approval of Application, File No. 49,784, dated *June 14, 2017* was mailed postage prepaid, first class, US mail to the following:

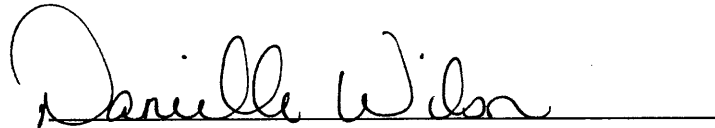
DON VAN SCOYOC
875 4TH RD
LONGFORD KS 67458-9323

With photocopies to:

SHARON STEWART
1852 HAZLETT
EL DORADO KS 67042

MARGE RICE
6505 ERDMAN RD
ARENA WI 53503

Topeka Field Office



Division of Water Resources

APPLICATION COMPLETE

3/2/2017

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 49,784

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
MAR 02 2017
11:25
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): DON VAN SCOYOC
Address: 875 4TH RD
City: LONGFORD State: KS Zip Code 67458-9323
Telephone Number: (785) 447-1814

2. The source of water is: surface water in CHAPMAN CREEK (stream)
OR groundwater in SMOKY HILL 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 52 acre-feet OR _____ gallons per calendar year,
to be diverted at a maximum rate of 2,800 gallons per minute OR _____ cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):
(a) Artificial Recharge (b) Irrigation (c) Recreational (d) Water Power
(e) Industrial (f) Municipal (g) Stockwatering (h) Sediment Control
(i) Domestic (j) Dewatering (k) Hydraulic Dredging (l) Fire Protection
(m) Thermal Exchange (n) Contamination Remediation

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:
F.O. 1 GMD Meets K.A.R. 5-3-1 (YES/NO) Use FRR Source G County CY By ADW Date 3/2/17
Code _____ REG _____ Fee \$ 200 TR # _____ Receipt Date 3/2/17 Check # 5870

SCANNED
3/10/2017 LLM

5. The location of the proposed wells, pump sites or other works for diversion of water is:

Note: For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

- (A) One in the SW quarter of the SW quarter of the SW quarter of Section 17 , more particularly described as being near a point 490 feet North and 4,833 feet West of the Southeast corner of said section, in Township 10 South, Range 2 East, CLAY 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 _____, 2017. Don Van Drogen
Applicant's Signature

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

and (was)(will be) completed (by) Summer 2017 _____
(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 _____

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

(a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.

(b) If the application is for groundwater, please show the location of any existing water wells of any kind within ½ mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within ½ mile, please advise us.

(c) If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.

(d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.

(e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

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

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

Pd and PU Overlap with File No. 48,895-D

PU Overlap with File Nos. 48,895-C; 49,433; and 49,434

To provide additional water from pump site to fill off-stream reservoirs (Estimated capacities of 150 AF).

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 _____, Kansas, this _____ day of _____ (month) (year)

Don Vandenberg
(Applicant Signature)

APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By _____
(Agent or Officer Signature)

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

(Agent or Officer - Please Print)

Assisted by DWS TOPEKA FO Date: 2/21/2017
(office/title)

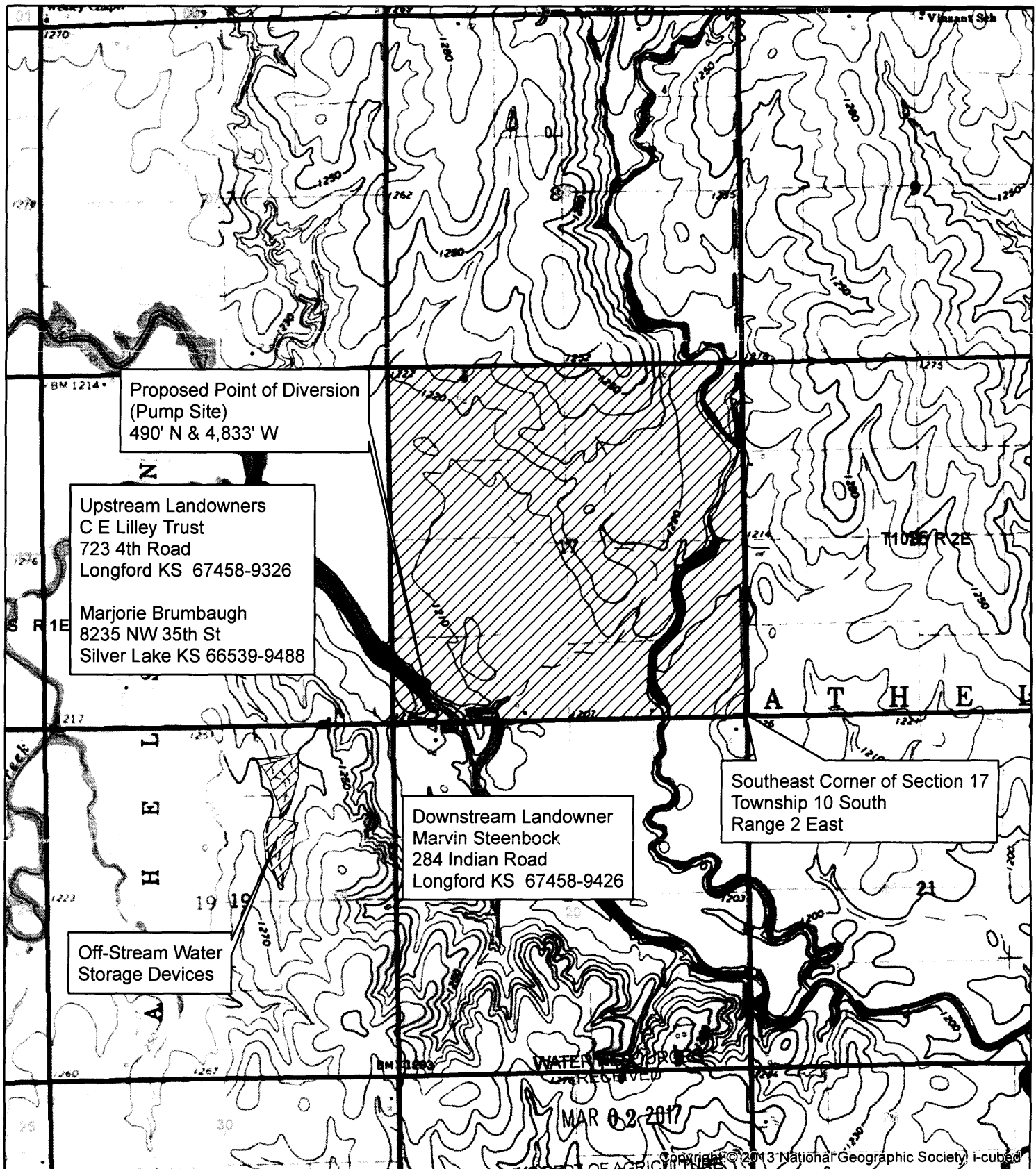
WATER RESOURCES RECEIVED

MAR 02 2017

KS DEPT OF AGRICULTURE

49,784

DON VAN SCOYOC - NEW APPLICATION
SEC. 17; T10S; R2E
CLAY COUNTY



Proposed Point of Diversion
(Pump Site)
490' N & 4,833' W

Upstream Landowners
C E Lilley Trust
723 4th Road
Longford KS 67458-9326
Marjorie Brumbaugh
8235 NW 35th St
Silver Lake KS 66539-9488

Downstream Landowner
Marvin Steenbock
284 Indian Road
Longford KS 67458-9426

Southeast Corner of Section 17
Township 10 South
Range 2 East

Off-Stream Water
Storage Devices

MAR 02 2017

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KS DEPT OF AGRICULTURE



- Proposed Point of Diversion
- ▨ Proposed Place of Use

1:24,000

All Upstream and Downstream Landowners
have been identified on this map.

SCANNED *Don Van Scoyoc*

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 49,784

Name of Applicant (Please Print): Don Van Scoyoc

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: DON VAN SCOYOC / MARGE RICE / SHARON STEWART

ADDRESS: 875 4TH RD / 6505 Erdman Rd. / 1852 HAZLETT
LONGFORD KS 67458-9323 / 2800 LINCOLNSHIRE CT / WANKESHA WI 53188 / EL DORADO KS 67042
Arena, WI 53503

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17	10	2E	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

WATER RESOURCES
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2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): _____ %

Estimate the maximum land slope in the field(s): _____ %

c. Type of irrigation system you propose to use (check one):

_____ Center pivot _____ Center pivot - LEPA _____ "Big gun" sprinkler

_____ Gravity system (furrows) _____ Gravity system (borders) _____ Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: _____ psi

(2) What is the sprinkler package design rate? _____ gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

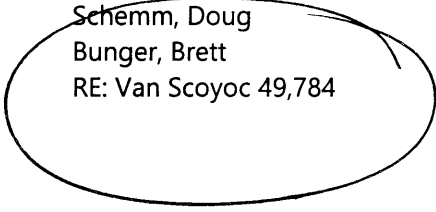
(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

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

Schemm, Doug

From: Tietsort, Katie
Sent: Monday, May 22, 2017 1:44 PM
To: Schemm, Doug
Cc: Bunger, Brett
Subject: RE: Van Scoyoc 49,784

Doug,

Then I am in agreement with your recommendation to proceed with this package for Don Van Scoyoc. Please make sure you emphasize in the cover letter that Don needs permission every time he wants to operate off the Creek.

Thanks, Katie

Katie Tietsort

Kansas Department of Agriculture
6531 SE Forbes Ave Ste B
Topeka, KS 66619
katie.tietsort@ks.gov
Phone 785-296-5733

From: Schemm, Doug
Sent: Monday, May 22, 2017 7:11 AM
To: Tietsort, Katie <Katie.Tietsort@ks.gov>
Cc: Bunger, Brett <Brett.Bunger@ks.gov>
Subject: RE: Van Scoyoc 49,784

Yes, two ponds in tandem and several well batteries. He said the last well he drilled was his best so far. And his direct diversion is only 1 times capacity of ponds.

From: Tietsort, Katie
Sent: Friday, May 19, 2017 12:09 PM
To: Schemm, Doug <Doug.Schemm@ks.gov>
Cc: Bunger, Brett <Brett.Bunger@ks.gov>
Subject: RE: Van Scoyoc 49,784

So bottom line, is Don's permits on the creek covered by something else that meets 5-3-15 (the well batteries and ponds)??

Katie Tietsort

Kansas Department of Agriculture
6531 SE Forbes Ave Ste B
Topeka, KS 66619
katie.tietsort@ks.gov
Phone 785-296-5733

From: Schemm, Doug
Sent: Monday, May 15, 2017 5:18 PM
To: Tietsort, Katie <Katie.Tietsort@ks.gov>
Subject: Van Scoyoc 49,784

More water from Don's pump site on Chapman Creek.

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49784 00

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AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49784 00 IRR

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

490 Feet North and 4833 Feet West of the Southeast Corner of Section 17 T 10S R 2E

SURFACE WATER ONLY

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=====
File Number   Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan Unit
A__ 29513 00 IRR NK S      7256 -- NE NE SE 2260  620 24 10 1E 1           41.00   41.00 AF
A__ 48895 C  IRR GY S      2412 -- NE NW NE 4774 1727 19 10 2E 1           89.20   89.20 AF
Same          2947 -- NE SW NE 3838 1732 19 10 2E 2
***** Authorized storage =      .00 AF Additional storage =      .00 AF
A__ 48895 D  IRR GY S        0 -- SW SW SW  490 4833 17 10 2E 6           98.00   98.00 AF
A__ 49784 00 IRR AY S        0 -- SW SW SW  490 4833 17 10 2E 6           52.00   52.00 AF
=====
    
```

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=====
Total Net Quantities Authorized:   Direct      Storage
Total Requested Amount (AF) =      52.00         .00
Total Permitted Amount (AF) =     187.20        89.20
Total Inspected Amount (AF) =         .00         .00
Total Pro_Cert Amount (AF) =         .00         .00
Total Certified Amount (AF) =      41.00         .00
Total Vested Amount (AF) =          .00         .00
TOTAL AMOUNT (AF) =      280.20        89.20
=====
    
```

An * after the source of supply indicates a pending application for change under the file number.
 An * after the ID indicates a 15 AF exemption was granted under the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

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

490 Feet North and 4833 Feet West of the Southeast Corner of Section 17 T 10S R 2E

SURFACE WATER ONLY

WATER USE CORRESPONDENTS:

```

=====
File Number   Use ST SR
A__ 29513 00 IRR NK S
> FRED & JANET HEIGELE
>
> 686 4TH RD
> LONGFORD KS 67458
>-----
A__ 48895 C  IRR GY S
> DON VAN SCOYOC
>
> 875 4TH RD
> LONGFORD KS 67458
>-----
A__ 48895 D  IRR GY S
> DON VAN SCOYOC
>
> 875 4TH RD
> LONGFORD KS 67458
>-----
    
```

A__ 49784 00 IRR AY S

> DON VAN SCOYOC

>

> 875 4TH RD

> LONGFORD KS 67458

>-----

=====

#####

(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
1320 Research Park Drive
Manhattan, Kansas 66619

Re: Application 49,784
File No. _____

CHAPMAN CREEK
Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Don I. Van Scoyoc
Signature of Applicant

State of Kansas)
County of Clay) ss

Don I Van Scoyoc
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 28th day of February, 2017.

Kathy A. Knottgen
Notary Public
WATER RESOURCES RECEIVED
MAR 02 2017

My Commission Expires:

June 14th, 2019

NOTARY PUBLIC - State of Kansas
KATHY A. KNOTTGEN
My Appt. Exp. 6/14/2019

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

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

March 3, 2017

DON VAN SCOYOC
875 4TH RD
LONGFORD KS 67458

FILE COPY

RE: Application
File No. 49784

Dear Sir or Madam:

Your application for permit to appropriate water in 17-10S-2E in Clay 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 black ink that reads "Brent A. Turney". The signature is written in a cursive, flowing style.

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

BAT: dlw
pc: TOPEKA Field Office
GMD

SCANNED