

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 49907
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

SEP 18 2017 11:31
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): CLOUD CO. RWD 1
Address: P.O. BOX 416
City: CONCORDIA State: KS Zip Code: 66901
Telephone Number: (785) 243-7929

2. The source of water is: [] surface water in (stream)
OR [x] groundwater in Republican 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 acre-feet OR 10 million gallons per calendar year, to be diverted at a maximum rate of 400 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) [x] 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 1 GMD Meets K.A.R. 5-3-1 (YES/NO) Use MWL Source GYS County CD By KAB Date 9/18/17
REG Fee \$ 200 TR # Receipt Date 9/18/17 Check # 3916

9/19/2017 CUM

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 NW quarter of the NW quarter of the NE quarter of Section 25, more particularly described as being near a point 5,227 feet North and 2,507 feet West of the Southeast corner of said section, in Township 5 South, Range 5 WEST, CLOUD 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.

Cloud County RWD # 1

Executed on September 12, 2017. By: Marcia Johnson
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
(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 _____
(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.

46,173 OVERLAP IN PD AND PU.

WATER RESOURCES
RECEIVED

19,812; 35,452; AND 45,284 OVERLAP IN PU.

SEP 18 2017

KS DEPT OF AGRICULTURE

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	<u>See Senior</u>			
	<u>File</u>	_____	_____	_____
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 Concordia, Kansas, this 12 day of September, 2017.
(month) (year)

<p>_____ (Applicant Signature) <u>Cloud County Rural Water Dist #2</u> By <u>Marcia Johnson</u> (Agent or Officer Signature)</p> <p><u>Marcia Johnson</u> (Agent or Officer - Please Print)</p>	<p>_____ APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S) <u>48-0803194</u> and/or APPLICANT(S) TAXPAYER I.D. NO.(S)</p>
---	---

Assisted by DWS _____ TOPEKA FO _____ Date: 1/31/2017
(office/title)

(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

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.

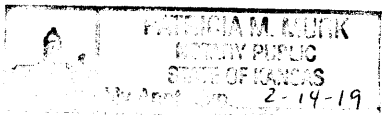
Cloud County BWD #1

By: Marcia Johnson
Signature of Applicant

State of Kansas)
County of Cloud) ss)

Marcia Johnson
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 13 day of September, 2017.



Patricia M. Murk
Notary Public

My Commission Expires: 2-14-19

WATER RESOURCES
RECEIVED
SEP 18 2017
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

**CLOUD COUNTY RURAL WATER DISTRICT #1
APPLICATION FOR ADDITIONAL WATER RIGHTS**

Additional information regarding our need for additional water rights:

-FARMING PRACTICES: Local farming practices have changed over the years which require additional water usage. The use of no-till requires thousands of gallons of water for chemicals sprayed on weeds. Since implementation of no-till, we have not had our water rights increased to cover this additional use of water.

-AGE OF WATER DISTRICT: Our water district is over 20 years old having been developed in the mid 1970's. Although we do our best to locate and repair leaks, a lot of the leaks are small ones or are extremely large ones that run a considerable amount of water before we are able to repair. We used to be a self read meter system but invested in an automated meter reading system in 2014 so that we would have a more accurate picture of water loss and be able to recognize high usage and possibly a leak. We have also installed master meters on our main lines to help locate leaks and reduce water loss. We continue to try to control water loss but it is very difficult with an old system.

-ADDING NEW BENEFIT UNITS: Since 2001 when our records were computerized, we have added 41 pasture units and 41 residential units for a total of 82 units. This averages over 5 benefit units/year. We have averaged 4 new units/year in the past 5 years. The new residential units come from people building new homes in the country and also homes that have had their own wells which are failing and they want to get on a reliable, safe water source. Several homeowners have installed units but continue to use their wells until their wells fail so we can expect them to begin using rural water in the near future. In addition, many of the older homeowners are selling their properties to young families increasing the number of users in a residence. These individuals also may have a few animals (horses, a few head of cattle) which increase the daily water usage of an otherwise residential household.

-INCREASED USAGE DURING DROUGHT: We have installed many pasture units for cattle watering in anticipation of future drought. A lot of these units do not get used when the pasture ponds are full. Water usage can increase substantially when it is a dry year and the ponds are low on water or dry which happened in 2012.

-WILL HAVE TO STOP ISSUING NEW BENEFIT UNITS: Our current water rights provide for approximately 25 million gallons over all our wells. We have been running up against our water rights for several years and this is in time of no drought. We will have to limit or discontinue issuing new benefit units to keep from going over our water allocation if we do not receive additional water rights. We will be unable to provide water for people and animals that may not have a better option for a safe, reliable, cost effective water source. We anticipate that our greatest increase will come from agriculture but without additional water rights, we will be unable to take on any type of commercial users.

WATER RESOURCES
RECEIVED

SEP 18 2017

CLOUD COUNTY RURAL WATER DISTRICT #1
P.O. BOX 416
CONCORDIA, KS 66901

September 12, 2017

Kansas Dept of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan, KS 66502

WATER RESOURCES
RECEIVED

SEP 18 2017

KS DEPT OF AGRICULTURE

Re: Water Rights Applications

To Whom It May Concern:

Enclosed please find applications for additional rights for the Cloud County Rural Water District #1 and our application fee in the amount of \$400.00.

If you require additional information or have questions regarding the application, please contact me at 785-243-7929 or by e-mail at ccrwd1@yahoo.com.

Sincerely,
CCRWD #1



Marcia Johnson
Bookkeeper

Enclosures



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 18, 2017

CLOUD CO RWD 1
PO BOX 416
CONCORDIA KS 66901

FILE COPY

RE: Application
File No. 49907

Dear Sir or Madam:

Your application for permit to appropriate water in 25-5S-5W in Cloud 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.

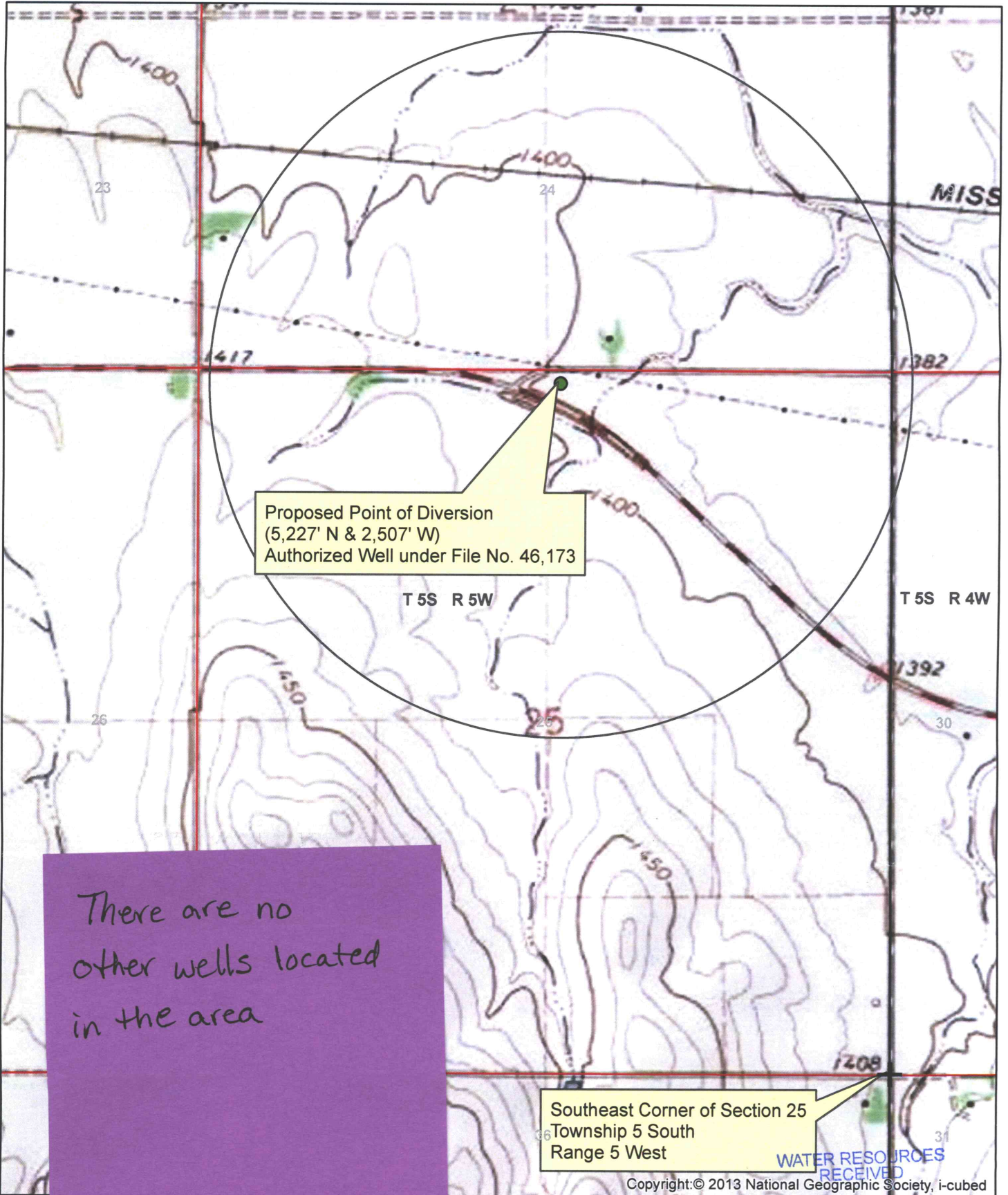
Sincerely,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: TOPEKA Field Office
GMD

49907

CLOUD COUNTY RWD NO. 1
NEW APPLICATION SITE MAP
SEC. 25, T5S, R5W - CLOUD CO.



There are no other wells located in the area



12,000

Copyright: © 2013 National Geographic Society, i-cubed

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

Marcia Johnson
KS DEPT OF AGRICULTURE

SEP 18 2017