

# 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 49913  
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  
UNACCEPTABLE  
SEP 22 2017  
11:00  
KS DEPT OF AGRICULTURE  
WATER RESOURCE RECEIVED  
PRIORITY  
SEP 22 2017  
11:00  
KS DEPT OF AGRICULTURE

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,  
1320 Research Park Drive, Manhattan, Kansas 66502:

1. Name of Applicant (Please Print): Leavenworth Water  
Address: 601 Cherokee  
City: Leavenworth State KS Zip Code 66048  
Telephone Number: (913) 682-1513

2. The source of water is:  surface water in Missouri River (stream)  
OR  groundwater in \_\_\_\_\_ (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 7326.61 acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of 7666.67 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. <u>1</u>	GMD <u>0</u>	Meets K.A.R. 5-3-1 (YES/NO)	Use <u>WVA</u>	Source <u>G</u>	County <u>LV</u>
Code <u>RE3</u>	Fee \$ <u>120</u>	TR # _____	Receipt Date <u>9/22/17</u>	By <u>DW</u>	Date <u>9/22/17</u>
				Check # <u>53836</u>	

9/27/17 WVA

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

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

- (A) One in the SE quarter of the SW quarter of the SE quarter of Section 8, more particularly described as being near a point 491 feet North and 1527 feet West of the Southeast corner of said section, in Township 9 South, Range 23 East West (circle one), Leavenworth 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 \_\_\_\_\_, 20\_\_\_\_. \_\_\_\_\_  
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 horizontal collector well  
(number of wells, pumps or dams, etc.)

and (was) (will be) completed (by) \_\_\_\_\_  
(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)

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- 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 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.

WR File No. 27613  
 \_\_\_\_\_  
 WR LV2-00  
 \_\_\_\_\_  
 WR No. 3578  
 \_\_\_\_\_

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13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from:  Test holes  Well as completed  Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	_____	_____	_____	_____
Total depth of well	_____	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of municipal/rural supplier  
(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 LEAVENWORTH, Kansas, this 14th day of SEPTEMBER, 2017.  
(month) (year)

\_\_\_\_\_  
(Applicant Signature)

By *Joel Mahren*  
(Agent or Officer Signature)

JOEL MAHREN  
(Agent or Officer - Please Print)

Assisted by \_\_\_\_\_ Date: \_\_\_\_\_  
(office/title)

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UNACCEPTABLE FOR PRIORITY

Applicant's Name Leavenworth Water  
(Please Print)

## MUNICIPAL (PUBLIC WATER SUPPLY) APPLICATION SUPPLEMENTAL INFORMATION SHEET

**Application File Number**  
  
(assigned by DWR)

**SECTION 1: PRESENT WATER USE SUMMARY (IF NO PREVIOUS MUNICIPAL WATER USE HAS BEEN UTILIZED, PROCEED TO SECTION 3)**  
**NOTE: WORKSHEET FOR WATER PUMPED, PURCHASED, AND SOLD BY YOUR WATER DISTRIBUTION SYSTEM.**

in 1000 gallons

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Raw Water Diverted Under Your Rights	Water Purchased From All Sources	Water Sold to Other Public Water Suppliers	Water Sold to Your Industrial, Stock, and Bulk Customers	Water Sold to Your Residential and Commercial Customers	Other Metered Water	Remaining Water Used (See Below Explanation)
1,800,508	0	425,558	35,239	1,051,258	99,025	189,428
<b>TOTAL WATER = Columns 1 + 2</b>		<b>ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6</b>			<b>UNACCOUNTED FOR WATER</b>	

**UNACCOUNTED FOR WATER = TOTAL WATER - ACCOUNTED FOR WATER**

- Column 1: The amount of raw water diverted from all of your points of diversion.
- Column 2: The amount of water purchased wholesale from all other public water supply systems or the Kansas Water Office.
- Column 3: The amount of water sold wholesale to all other public water supply systems.
- Column 4: The amount of water sold retail to all industrial, pasture, stockwater, feedlot, and bulk water service connections. Include the amount of water sold to all farmsteads using at least 200,000 gallons of water per year.
- Column 5: The amount of water sold retail to your residential and commercial customers and to industries and farmsteads using less than 200,000 gallons of water per year.
- Column 6: The amount of water used that is metered at individual service connections and supplied free, such as for public service, treatment processes, and connections receiving free water.
- Column 7: The amount of remaining water used. The gallons reported in this column are found by adding the numbers in Columns 1 and 2 and subtracting the numbers in Columns 3, 4, 5, and 6.

**UNACCOUNTED FOR WATER**

Use the following to calculate your distribution system's Unaccounted For Water:

Start with the amount in Column 1 and add the amount in Column 2, then subtract the amounts in Columns 3, 4, 5, and 6 leaving an amount of water representing your unaccounted for water to enter in Column 7.

Use the following to calculate the percent Unaccounted For Water versus the Total Water of your system:

$$\text{Percent Unaccounted For Water} = \frac{\text{Unaccounted For Water}}{\text{Total Water (Columns 1,2)}} \times 100$$

If this number exceeds 20%, please explain the large amount of unaccounted for water and describe any steps being taken to reduce it.

**SECTION 2: PAST WATER USE**

**COMPLETE THE FOLLOWING TABLE FROM YOUR PAST WATER USE RECORDS.** in 1000 gallons

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
	Raw Water Diverted Under Your Rights	Water Purchased From All Sources	Water Sold to Other Public Water Suppliers	Water Sold to Your Industrial, Stock, and Bulk Customers	Water Sold to Your Residential and Commercial Customers	Other Metered Water	Remaining Water Used (See Above Explanation)
20 years ago	1,778,636	0	422,471	39,389	1,212,094	2,815	101,867
15 years ago	1,805,886	0	374,665	21,558	1,268,380	5,467	135,816
10 years ago	1,669,958	0	401,452	34,974	1,049,734	1,972	181,826
5 years ago	1,860,109	0	478,698	31,361	1,084,239	2,553	263,258
	<b>TOTAL WATER = Columns 1 + 2</b>		<b>ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6</b>			<b>UNACCOUNTED FOR WATER</b>	

KANSAS DEPARTMENT OF AGRICULTURE  
WATER RESOURCES DIVISION  
ACCEPTED FOR RECORDS  
SEP 24 2013

49913

**SECTION 3: PROJECTED FUTURE WATER NEEDS**

Acre-feet/year

PLEASE COMPLETE THE FOLLOWING TABLE SHOWING YOUR FUTURE WATER REQUIREMENTS FOR THE NEXT 20 YEARS:

	Column 1 Raw Water Diverted Under Your Rights	Column 2 Water Purchased From All Sources	Column 3 Water Sold to Other Public Water Suppliers	Column 4 Water Sold to Your Industrial, Stock, and Bulk Customers	Column 5 Water Sold to Your Residential and Commercial Customers	Column 6 Other Metered Water	Column 7 Remaining Water Used (See Explanation on other side)
Year 5	7897	0	1352	111	4000	202	404
Year 10	8034	0	1400	114	4087	207	414
Year 15	8173	0	1450	117	4176	212	425
Year 20	8315	0	1502	119	4261	218	436
<b>TOTAL WATER = Columns 1 + 2</b>		<b>ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6</b>				<b>UNACCOUNTED FOR WATER</b>	

**SECTION 4: POPULATION AND SERVICE CONNECTIONS**

City/Rural (estim.)

ESTIMATE THE NUMBER OF PERSONS DIRECTLY SERVED BY YOUR WATER DISTRIBUTION SYSTEM

PAST POPULATION - PROVIDE INFORMATION BELOW:  
(CENSUS BUREAU INFORMATION)

LAST 20 YEARS	POPULATION
20 years ago	35,448 / 10,772
15 years ago	35,251 / 10,712
10 years ago	35,526 / 10,796
5 years ago	35,800 / 10,879
Last Year	35,937 / 10,921

PROJECTED FUTURE POPULATION

ESTIMATE FUTURE POPULATION AND SUBSTANTIATE NUMBERS ON SEPARATE ATTACHMENTS

NEXT 20 YEARS	POPULATION
Year 5	36,534 / 11,326
Year 10	37,095 / 11,730
Year 15	37,660 / 12,149
Year 20	38,232 / 12,581

Provide number of current active service connections:

Residential \_\_\_\_\_ Industrial \_\_\_\_\_ Other (specify) \_\_\_\_\_  
 Commercial \_\_\_\_\_ Pasture/ Stockwater/ Feedlot \_\_\_\_\_  
 Total \_\_\_\_\_

**SECTION 5: PRESENT GALLONS PER PERSON PER DAY**

CALCULATE YOUR GALLONS PER PERSON PER DAY

Water in Columns 5, 6, and 7 ÷ Population ÷ 365 Days/Year = Gallons per Person per Day

$$\frac{1339711}{35937} \div 46,858 \div 365 \text{ Days/Year} = 78.33 \text{ GALLONS PER PERSON PER DAY.}$$

Amount of Water in Columns 5, 6, and 7 of Section 4 ÷ Population from Last Year of Section 4

**SECTION 6: AREA TO BE SERVED**

Describe the area to be served or provide the legal description of the location where the water is to be used including any other city or water supply system (i.e. Rural Water District):

See attached page

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

499/13

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 WATER RESOURCES DIVISION

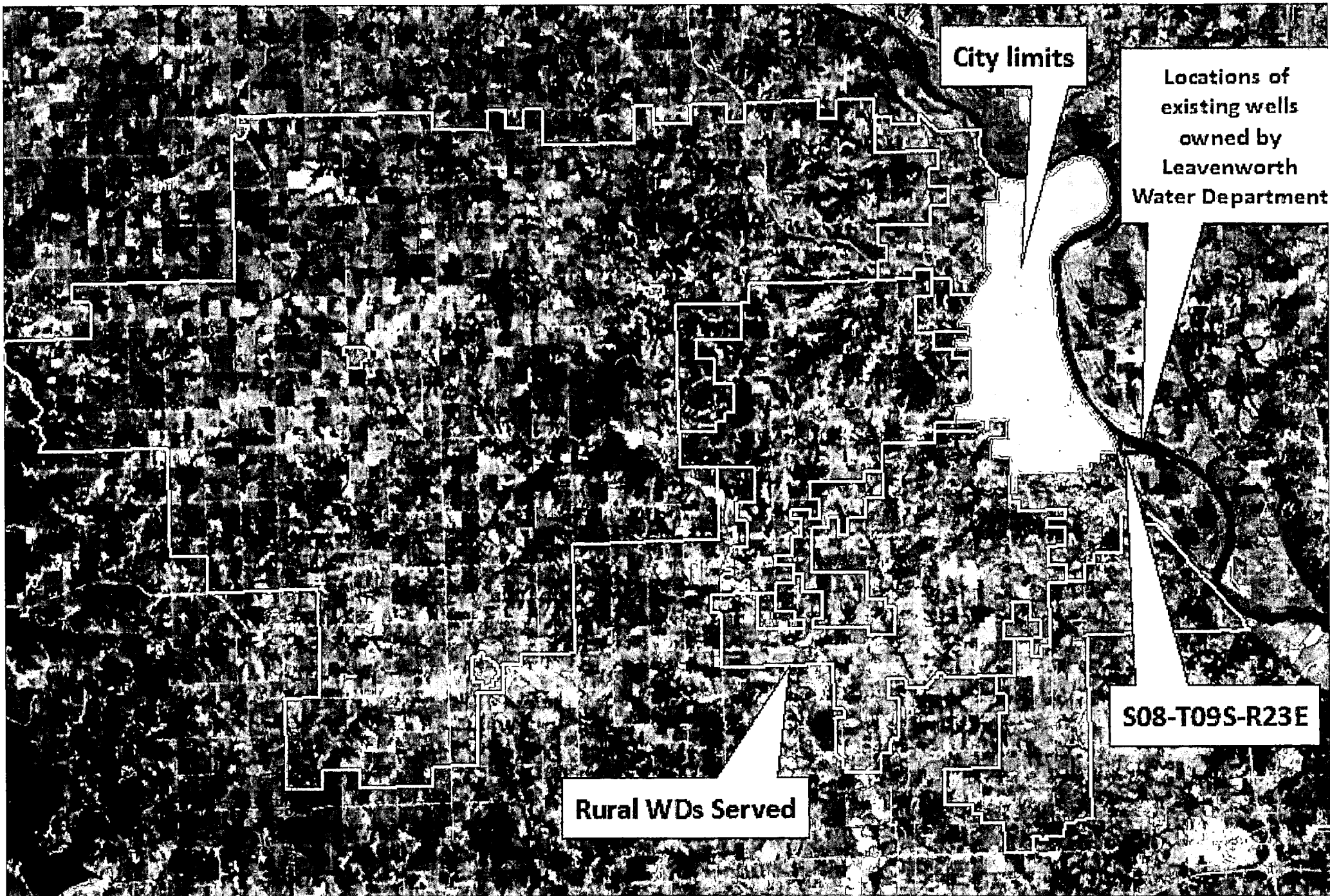
**SECTION 6: AREA TO BE SERVED**

**Describe the area to be served or provide the legal description of the location where the water is to be used including any other city of water supply system (i.e. Rural Water District):**

For municipal use in the City of Leavenworth, Kansas and its immediate vicinity; within the boundaries of Lan-Del Water District, Leavenworth County, Kansas and its immediate vicinity; within the boundaries of Consolidated Rural Water District No. 1, Leavenworth and Wyandotte County, Kansas and its immediate vicinity; within the boundaries of Rural Water District Nos. 1, 2, 5, and 8 Leavenworth County, Kansas and their immediate vicinity; within the boundaries of Rural Water District No. 12 Jefferson County, Kansas and its immediate vicinity; and within the boundaries of Fort Leavenworth, Kansas and the Lansing Correctional Facility in Lansing, Kansas and their immediate vicinity.

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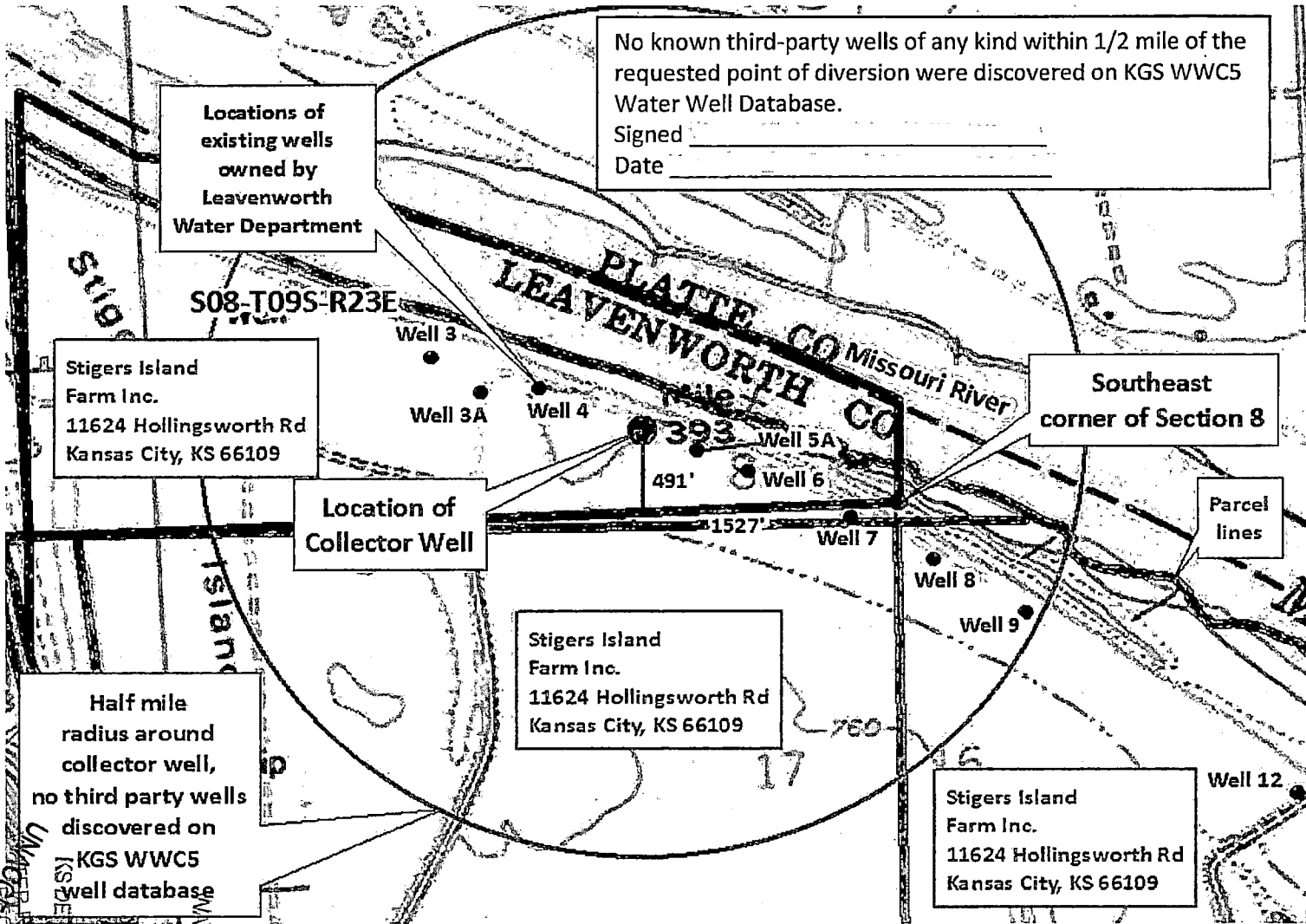
**City limits**

**Locations of  
existing wells  
owned by  
Leavenworth  
Water Department**

**Rural WDs Served**

**S08-T09S-R23E**

ORITY



Locations of existing wells owned by Leavenworth Water Department

No known third-party wells of any kind within 1/2 mile of the requested point of diversion were discovered on KGS WWCS Water Well Database.  
 Signed: \_\_\_\_\_  
 Date: \_\_\_\_\_

Stigers Island Farm Inc.  
 11624 Hollingsworth Rd  
 Kansas City, KS 66109

Location of Collector Well

Southeast corner of Section 8

Parcel lines

Stigers Island Farm Inc.  
 11624 Hollingsworth Rd  
 Kansas City, KS 66109

Half mile radius around collector well, no third party wells discovered on KGS WWCS well database

Stigers Island Farm Inc.  
 11624 Hollingsworth Rd  
 Kansas City, KS 66109

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49913

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 27, 2017

LEAVENWORTH WATER  
601 CHEROKEE  
LEAVENWORTH KS 66048

**FILE COPY**

RE: Application  
File No. 49913

Dear Sir or Madam:

Your application for permit to appropriate water in 8-9S-23E in Leavenworth County, was received and has been assigned the file number noted above.

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

**Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.**

**(b) (1) The violation of any provision of this section by any person is a class C misdemeanor . . .**

**A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.**

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: TOPEKA Field Office  
GMD