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.



KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

File Number 49914 This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

SEP 2 5 2017

Filing Fee Must Accompany the Application (Please refer to Fee Schedule attached to this application form.)

1:35 KS DEPT OF AGRICULTURE

1.	Name of Applicant (Please P	rint): Howard	Farms	
	Address: 1606 2		1.66	
	City: Hiawatha			Zip Code <u>6694</u>
	Telephone Number: (78	5) 741 4516	hfarmsince gm	ail. com spring Brunen T
2.	The source of water is:	surface water in im	amalfribday to walnut (stre	ail. com spring Bruneh 7 in Rightenahe Basin Baman
	OR	☐ groundwater in	SF Big Nem	a ha e basin)
	when water is released fron	n storage for use by wate ate we receive your appli	er assurance district members.	ay be subject to administration. If your application is subject to propriate form to complete and
3.	The maximum quantity of v	water desired is 287	acre-feet OR	gallons per calendar year,
				cubic feet per second.
	to be diverted at a maximu Once your application has requested quantity of water maximum rate of diversion	m rate of <u>2060</u> been assigned a priorit under that priority numb and maximum quantity	gallons per minute OR y, the requested maximum rater can <u>NOT</u> be increased. Pla	cubic feet per second. ate of diversion and maximum ease be certain your requested reasonable for your proposed
1.	to be diverted at a maximu Once your application has requested quantity of water maximum rate of diversion	m rate of <u>2060</u> been assigned a priorit under that priority numb and maximum quantity ent with the Division of W	gallons per minute OR	cubic feet per second. ate of diversion and maximum ease be certain your requested reasonable for your proposed is.
1.	to be diverted at a maximular Once your application has requested quantity of water maximum rate of diversion project and are in agreement.	m rate of <u>2060</u> been assigned a priorit under that priority numb and maximum quantity ent with the Division of W	gallons per minute OR	cubic feet per second. ate of diversion and maximum ease be certain your requested reasonable for your proposed ts.
1.	to be diverted at a maximular Once your application has requested quantity of water maximum rate of diversion project and are in agreement. The water is intended to be	m rate of _2060 been assigned a priorit runder that priority numb and maximum quantity ent with the Division of We appropriated for (Check	gallons per minute OR	cubic feet per second. ate of diversion and maximum ease be certain your requested reasonable for your proposed ts.
l.	to be diverted at a maximum. Once your application has requested quantity of water maximum rate of diversion project and are in agreement. The water is intended to be (a) Artificial Recharge	m rate of _2060 been assigned a priority under that priority number and maximum quantity ent with the Division of Well appropriated for (Check (b) In Irrigation	gallons per minute OR	cubic feet per second. ate of diversion and maximum ease be certain your requested reasonable for your proposed ts.
.	to be diverted at a maximul Once your application has requested quantity of water maximum rate of diversion project and are in agreemed. The water is intended to be (a) Artificial Recharge (e) Industrial	been assigned a priority runder that priority number and maximum quantity ent with the Division of West appropriated for (Check (b) Irrigation (f) Municipal (j) Dewatering	gallons per minute OR	cubic feet per second. ate of diversion and maximum ease be certain your requested reasonable for your proposed is.

DWR 1-100 (Revised 06/16/2014)

* AW/DWR 9/28/17

9/28/2017 cm

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 \underline{NV} quarter of the \underline{NE} quarter of the \underline{SE} quarter of Section $\underline{32}$, more particularly
	described as being near a point 2527 feet North and 1200 feet West of the Southeast corner of said
	section, in Township South, Range East/West (circle one), 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 (¼) 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):
	Same
	(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 diversi on descr ibed in this application from the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.
	Executed on Sept 27 , 2017 . 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 Pond & Pump
	The proposed project for diversion of water will consist of Pond Punce (number of wells, pumps or dams, etc.) and (was)(will be) completed (by) July 1st 2018 (Month/Day/Year - each was or will be completed) RESOURCES
8.	The first actual application of water for the proposed beneficial use was or is estimated to be still 1/5 + 20) 8.
	(Mo/Day/Year) SEP 2 5 2017

File No.	PP	414	

9.	Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
	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. Attached 1050 Ac Draing c
	Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources? □ Yes ☑No Class A Hazad Exemplies
	If yes, show the Water Structures permit number here
	If no, explain here why a Water Structures permit is not required
11.	The application <u>must</u> 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:
V	(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.
	none
	WATER RESOURCES
	RECEIVED
	SEP 2 5 2017
	KS DEPT OF AGRICULTURE

File No.	19914
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13)	Furnish the following well in has not been completed, gi					undwater. If the w	ell
	Information below is from:	☐ Test holes	☐ Well a	as completed	☐ Drillers	log attached	
	Well location as shown in p	aragraph No.	(A)	(B)	(C)	(D)	
	Date Drilled	_				<u>. </u>	
	Total depth of well						
	Depth to water bearing form	nation					
	Depth to static water level	_					
	Depth to bottom of pump in	take pipe					
14.	The relationship of the a		proposed p	lace where t	he water will	be used is that	of
15.	The owner(s) of the propert Wilson Family						>
		(name, addr	ess and tele	phone numbe	er)		
16.	The undersigned states that this application is submitted	in good faith.				rknowledge and th	at
	Dated at Hiawatha	, Kansas	, this <u>22</u>	day of <u>Se</u>	(month)	, <u>2017</u> (year)	
	Applicant Signatu	egua (7				
<u>By</u>	(Agent or Officer Sign	ature)	_				
	(Agent or Officer - Plea	se Print)					
Assisted	by Keith Grin	~~	MWI	LLC	Date:		
			(c	ffice/title)	WATER RES	OURCES VED	

49914

FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET FEE

0-100 \$200.00
101-320 \$300.00

More than 320 \$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

e: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

WATER RESOURCES RECEIVED

1 million gallons equal 3.07 acre-feet

SFP 2 5 2017

KS DEPT OF AGRICULTURE

IRRIGATION USE SUPPLEMENTAL SHEET

							File	No.	da	191	N								
	Name of Applicant (Please Print): Howard Farms																		
1: I	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:																		
Land	Landowner of Record NAME: Howard Farms ADDRESS: 1606 280th st Higwatha KS 66434																		
	<u> </u>		ı —			DRE	SS:_ <u>/</u>			<u>50+5</u>	<i>5</i> ≠ I			ha	77				
S	T	R	NE	NW	E¼ sw	SE	NE	NW	w¼ sw	SE	NE	NW	V¼ SW	SE	NE		E¼ SW	SE	TOTAL
<u> </u>	15	17 ^E		11,11					5.11	D.D.	40		4,7		40	40	40	18	256.7
							•												
Landowner of Record NAME: Wilson Family fruit ETal ADDRESS: 1108 Wentley Dr Hiavalla KS 66434																			
S	Т	R		NW	E¼	0.5	NE	T .	W¼	l or	SW¼			SE¼ NE NW SW SE				TOTAL	
32	1	17	NE	NW	WS WS	SE	NE	NW	sw 8	SE 8	NE	NW	SW	SE	NE	NW	SW	SE	26
Land	Landowner of Record NAME:																		
		,	ı		_	DRE	SS:									-			<u> </u>
S	Т	R	NE		E¼ SW	SE	NE		w¼ sw	SE	NE	NW	V¼ sw	SE	NE	NW	E¼ sw	SE	TOTAL
														<u> </u>					
									_										

49914

REGISTRATION FORM FOR EXEMPT CLASS A DAMS K.S.A. 82a-301

"Dam" means any artificial barrier including appurtenant works with the ability to impound water, waste water or other liquids that has a height of 25 feet or more; or has a height of six feet or greater and a storage volume at the top of the emergency spillway elevation of 50 or more acre-feet. The prior written consent or permit of the chief engineer shall not be required for construction or modification of a hazard class A dam that:

- 1. has a height of less than 30 feet and a storage volume at the top of the emergency spillway elevation of less than 125 acre feet, and the dam location and dimensions have been registered with the division of water resources in a written form prescribed by the chief engineer; or
- 2. is a wastewater storage structure for a confined feeding facility that has been approved by the secretary of health and environment pursuant to K.S.A. 65-171d, and amendments thereto.

Complete the following information to satisfy the registration for exempt low, hazard class A dams defined in K.S.A. 82a-301(d)(1).

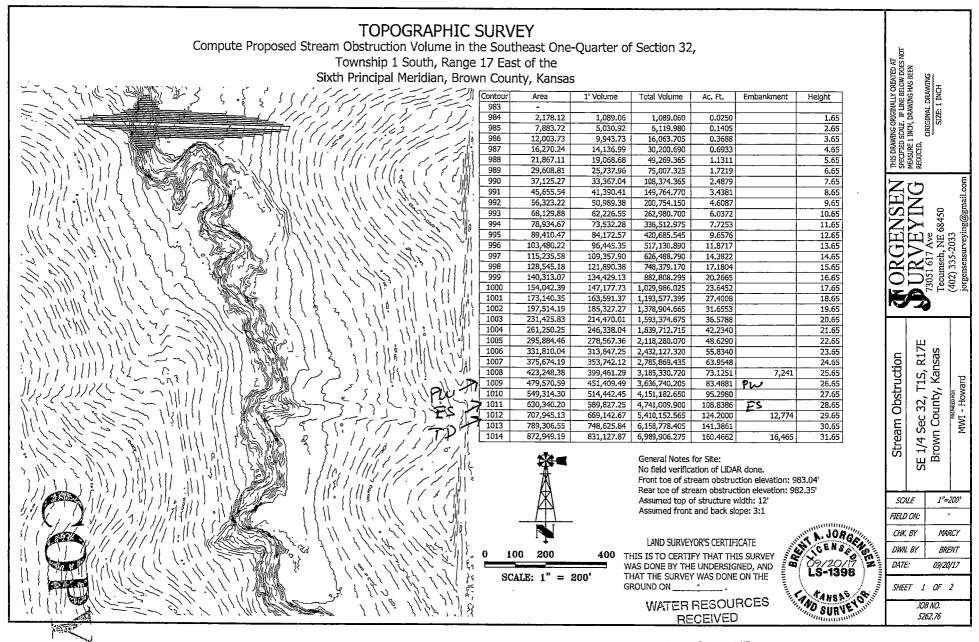
Dam owner information	
Name: Howard Farms	
Mailing Address: 1606 280th 5 t	-
Phone: 785-741-4516	
E-mail Address: hfarms incogmail. Com	-
Legal description of location: The location of the proposed dam is (use intersection of project centerling stream centerline): www.quarter.of the NE quarter of the SE quarter of Section_32, more particular.	
described as being near a point 2527 feet North and 1200 feet West of the South corner of said section, in Township / South, Range 17 (East/West) <u>Rown</u> County, Kansas, ac	heast
along, or in (stream or watercourse name): uncomed to bedruft (serk By Wenah Kowing)	ATER RESOURCES RECEIVED
Drainage area (acres): 1050	0 5 0017
Use intersection of dam centerline and stream centerline as drainage area point.	SEP 25 2017
Dam height (feet): $29.9\mathcal{L}I$	KS DEPT OF AGRICULTURE
The height of a dam or barrier shall be measured from the lowest elevation of the streambed, downstream	am toe or
outside limit of the dam to the elevation of the top of the dam.	
outside fifth of the dain to the elevation of the top of the dain.	

Area capacity table: Please attach a reservoir area capacity table for the dam. The table identifies the number of acres enclosed by each contour within the reservoir area and the total storage capacity of the reservoir in acrefeet at the elevation of each contour. The data shall be compiled for all contours in the reservoir up to the elevation of the top of the dam. Computations of capacity shall be based on the natural topography of the reservoir basin but may include the volume of any excavation in the reservoir made during construction of the dam. The storage in acre-feet must be shown in the table for the proposed emergency spillway elevation. This will be used to identify the jurisdiction of the dam.

Location map: Submit a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the location and layout of the proposed dam, the location of the stream, and the property lines. The distance from the North-South distance and the East-West distance from a section line or southeast corner of section should be marked on the map along with a north arrow and map scale.

Hazard class determination: List any homes, businesses, highways, improved roads, railroads, camp grounds, recreational facilities, or public utilities located downstream from the dam that could be inundated if the dam fails.

None



1320 Research Park Drive Manhattan, Kansas 66502 Department of Agriculture

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

Sam Brownback, Governor

Jackie McClaskey, Secretary

September 27, 2017

HOWARD FARMS 1606 280TH ST HIAWATHA KS 66934

FILE COPY

RE: Application File No. 49914

Dear Sir or Madam:

Your application for permit to appropriate water in 32-1S-17E in Brown 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

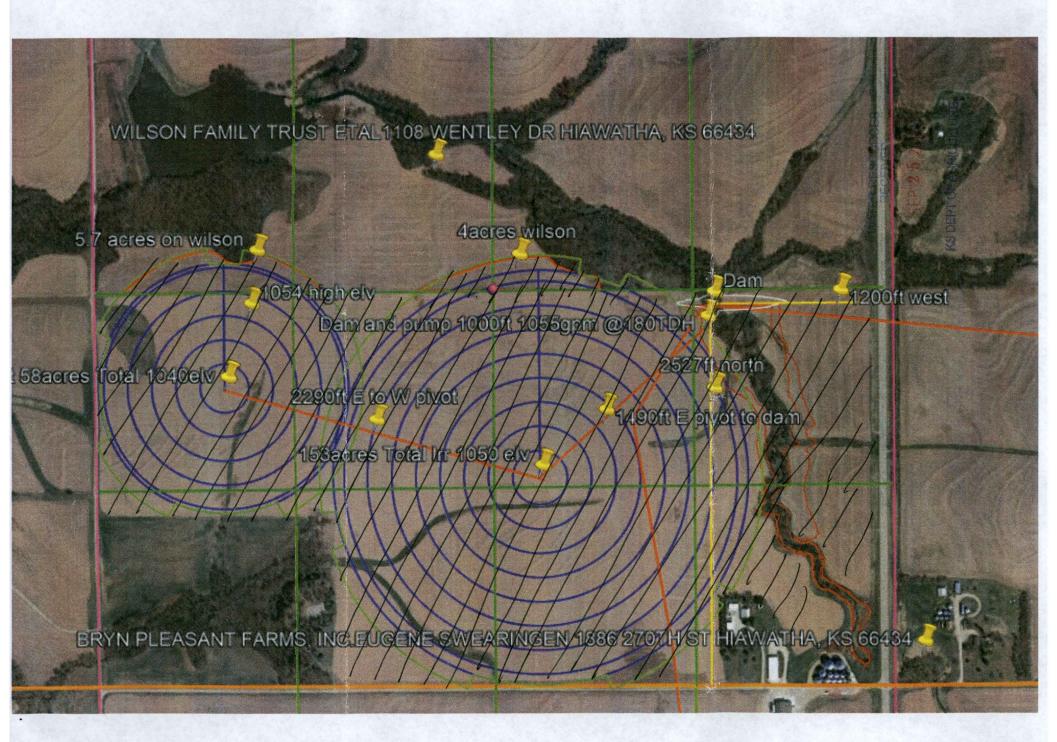
ister a Baum

Water Appropriation Program

BAT: dlw

DC: TOPEKA Field Office

GMD

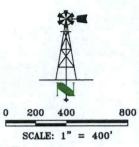


TOPOGRAPHIC SURVEY

Compute Proposed Stream Obstruction Volume in the Southeast One-Quarter of Section 32, Township 1 South, Range 17 East of the Sixth Principal Meridian, Brown County, Kansas



Water Level at Flev: 1008'



SE 1/4 Sec 32, T1S, R17E Brown County, Kansas Stream Obstruction

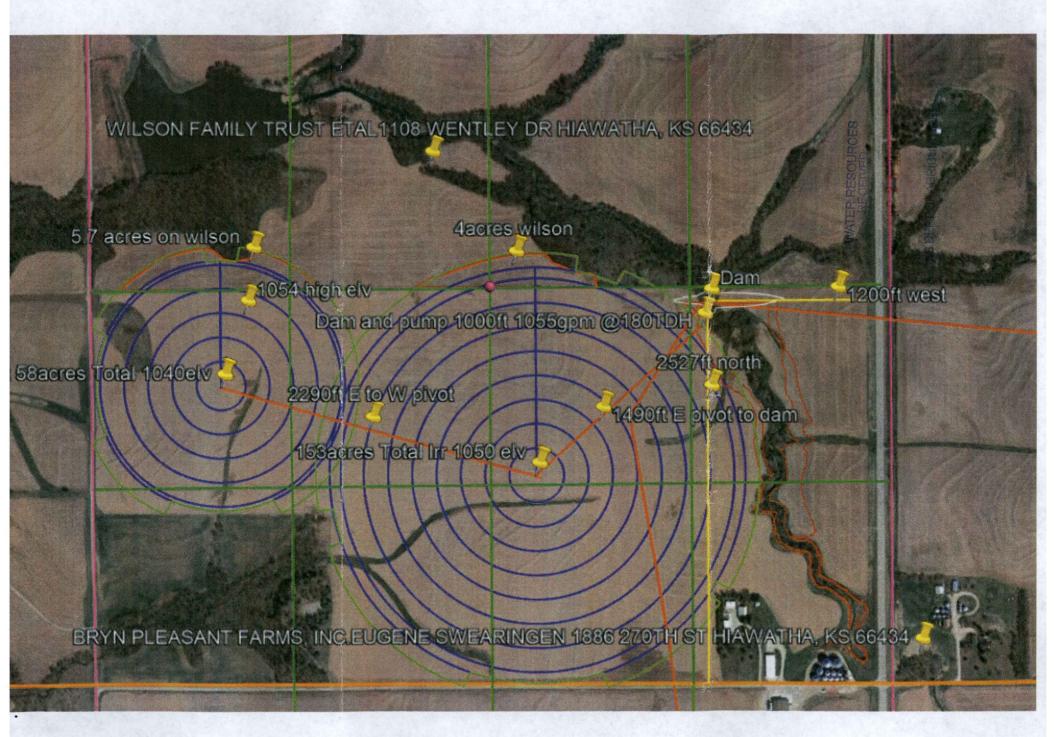
1"=400" FIELD ON: CHK. BY MARCY DWN. BY BRENT DATE: 09/20/17

SHEET 2 OF 2 JOB NO.

5262.76

WATER RESOURCES RECEIVED

WILSON FAMILY TRUST ETAL 1108 WENTLEY DRIHIAWATHA KS 66434 4acres wilson 5 / acres on wilson Dami 1054 high elv 1200ft west Dem and pump 100011 1055gpm @1801015 2527ft north 58acres Total 1040eW 22901 E to W phot 1490ff E avot to dam 153acres Total Ir 1050 elv BRYN PLEASANT FARMS, INCLEUGENE SWEARINGEN 1886 27 OTH ST HIAWATHA, KS 66434

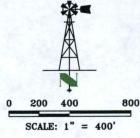


TOPOGRAPHIC SURVEY

Compute Proposed Stream Obstruction Volume in the Southeast One-Quarter of Section 32, Township 1 South, Range 17 East of the Sixth Principal Meridian, Brown County, Kansas



Water Level at Elev: 1008'



ORGENSEN HIS DR

URVEYIN 73051 617 Ave Tecumseh, NE 68450 (402) 335-2033

> SE 1/4 Sec 32, T1S, R17E Brown County, Kansas

Stream Obstruction

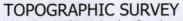
SCALE 1"=400'
FIELD ON:
CHK. BY MARCY
DWN. BY BRENT
DATE: 09/20/17

SHEET 2 OF 2 JOB NO.

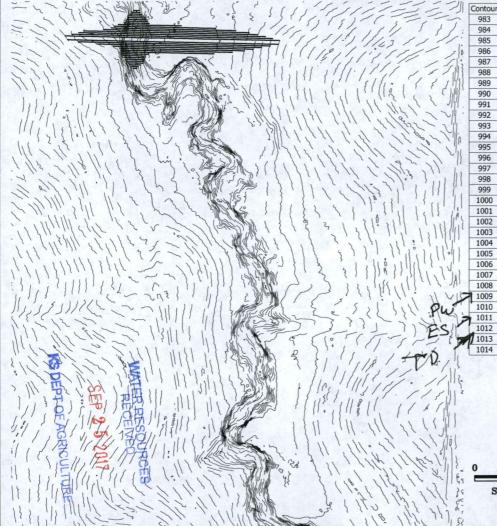
5262.76

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED



Compute Proposed Stream Obstruction Volume in the Southeast One-Quarter of Section 32, Township 1 South, Range 17 East of the Sixth Principal Meridian, Brown County, Kansas



Contour	Area	1' Volume	Total Volume	Ac. Ft.	Embankment	Height
983						
984	2,178.12	1,089.06	1,089.060	0.0250		1.65
985	7,883.72	5,030.92	6,119.980	0.1405		2.65
986	12,003.73	9,943.73	16,063.705	0.3688	THE RUN LAND	3.65
987	16,270.24	14,136.99	30,200.690	0.6933		4.65
988	21,867.11	19,068.68	49,269.365	1.1311		5.65
989	29,608.81	25,737.96	75,007.325	1.7219		6.65
990	37,125.27	33,367.04	108,374.365	2.4879		7.65
991	45,655.54	41,390.41	149,764.770	3.4381	THE WEST	8.65
992	56,323.22	50,989.38	200,754.150	4.6087		9.65
993	68,129.88	62,226.55	262,980.700	6.0372		10.65
994	78,934.67	73,532.28	336,512.975	7.7253		11.65
995	89,410.47	84,172.57	420,685.545	9.6576		12.65
996	103,480.22	96,445.35	517,130.890	11.8717		13.65
997	115,235.58	109,357.90	626,488.790	14.3822	The American	14.65
998	128,545.18	121,890.38	748,379.170	17.1804		15.65
999	140,313.07	134,429.13	882,808.295	20.2665	7 -	16.65
1000	154,042.39	147,177.73	1,029,986.025	23.6452		17.65
1001	173,140.35	163,591.37	1,193,577.395	27.4008		18.65
1002	197,514.19	185,327.27	1,378,904.665	31.6553		19.65
1003	231,425.83	214,470.01	1,593,374.675	36.5788	The state of the s	20.65
1004	261,250.25	246,338.04	1,839,712.715	42.2340		21.65
1005	295,884.46	278,567.36	2,118,280.070	48.6290		22.65
1006	331,810.04	313,847.25	2,432,127.320	55.8340		23.65
1007	375,674.19	353,742.12	2,785,869.435	63.9548		24.65
1008	423,248.38	399,461.29	3,185,330.720	73.1251	7,241	25.65
1009	479,570.59	451,409.49	3,636,740.205	83.4881		26.65
1010	549,314.30	514,442.45	4,151,182.650	95.2980	Carlotta Carlo	27.65
1011	630,340.20	589,827.25	4,741,009.900	108.8386		28.65
1012	707,945.13	669,142.67	5,410,152.565	124.2000	12,774	29.65
1013	789,306.55	748,625.84	6,158,778.405	141.3861		30.65
1014	872,949.19	831,127.87	6,989,906.275	160.4662	16,465	31.65



0 100 200 400 SCALE: 1" = 200' General Notes for Site:
No field verification of LiDAR done.
Front toe of stream obstruction elevation: 983.04'
Rear toe of stream obstruction elevation: 982.35'
Assumed top of structure width: 12'
Assumed front and back slope: 3:1

LAND SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THIS SURVEY WAS DONE BY THE UNDERSIGNED, AND THAT THE SURVEY WAS DONE ON THE GROUND ON ______.



DRAWING ORIGINALLY CREATED AT JFIED SCALE. IF LINE BELOW DOES NOT SURE 1 INCH, DRAWING HAS BEEN

SPECIFIED SCALE. IF LIN
MEASURE 1 INCH, DRAWII
REDUCED.
ORIGINAL D

URVEYING 73051 617 Ave Tecumsch, NE 68450 (402) 335-2033

Stream Obstruction SE 1/4 Sec 32, T1S, R17E Brown County, Kansas

SCALE	1"=200'
TELD ON:	
CHK. BY	MARCY
OWN. BY	BRENT
DATE:	09/20/17
WEET 1	05 2

SHEET 1 OF 2

JOB NO. 5262.76