

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 49934
This item to be completed by the Division of Water Resources.

WATER RESOURCES
RECEIVED

APPLICATION FOR PERMIT TO
APPROPRIATE WATER FOR BENEFICIAL USE

NOV 02 2017

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

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): KKTGC Holding Trust
Address: 218 East McKay
City: Frontenac State KS Zip Code 66763
Telephone Number: (620) 249-0033

2. The source of water is: surface water in Neosho 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 210 acre-feet OR _____ gallons per calendar year,
to be diverted at a maximum rate of 8000 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 7 Meets K.A.R. 5-3-1 (YES) / (NO) Use REC Source G (S) County NO By KAB Date 11-2-17
Code 250 Fee \$ 000 TR # _____ Receipt Date 11/2/17 Check # 115

11/13/2017 UM

5. The location of the proposed wells, pump sites or other works for diversion of water is: Basin 34

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 _____ quarter Lot 7 quarter of the _____ quarter of Section 30, more particularly described as being near a point 3090 feet North and 5090 feet West of the Southeast corner of said section, in Township 29 South, Range 21 East, Neosho County, Kansas.

(B) One in the _____ quarter Lot 2 quarter of the _____ quarter of Section 30, more particularly described as being near a point 3170 feet North and 5370 feet West of the Southeast corner of said section, in Township 29 South, Range 21 East, Neosho County, Kansas.

(C) One in the _____ quarter Lot 3 quarter of the _____ quarter of Section 30, more particularly described as being near a point 2580 feet North and 5390 feet West of the Southeast corner of said section, in Township 29 South, Range 21 East, Neosho 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):

Same as applicant

(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 Pumpsite(s) and waterfowl marsh
(number of wells, pumps or dams, etc.)
and will be completed (by) 12/31/18
(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 12/31/18
(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 _____
In process of determining structures permit requirements

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.

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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

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):

Same as applicant
(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)

(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by Caleb Fabrycky _____ TFO/Parsons _____ Date: 10/26/17
(office/title)

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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.

Note: 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

1 million gallons equal 3.07 acre-feet

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**RECREATIONAL USE
SUPPLEMENTAL SHEET**

File No. 49934

Name of Applicant (Please Print): KKTGC Holding Trust

1. Please indicate type of recreational use (boating, fishing, swimming, etc.): _____
Wildlife habitat and waterfowl hunting.

2. Please summarize how the water will be used and justify the quantity of water requested: _____
Used to fill and maintain a marsh complex from October through January.
35 acre complex at 3 ft average depth, 2 fills per year to account for evaporation and seepage losses.
35 ac x 3 ft x 2/yr = 210 AF per year

3. Please complete the following table showing estimated future water requirements:

ESTIMATED FUTURE WATER DIVERTED/STORED	
NEXT 5 YEARS	WATER TO BE DIVERTED (ACRE-FEET OR GALLONS)
Year 1	210
Year 2	210
Year 3	210
Year 4	210
Year 5	210

Please attach any additional information, tables, or curves showing past, present and estimated future water requirements to substantiate the amount of water requested.

4. Please designate the legal description of the location where the water is to be used by providing the fractional part of the Section, Township and Range.

Recreational use for a marsh complex located in the west half of the northwest quarter (W^{1/2} NW^{1/4}),
of Section 30, Township 29 South, Range 21 East, Neosho County Kansas.

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

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12:13

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File Number
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.)

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

Name of Applicant (Please Print): KKTGC Holding Trust

Address: FORMTEXT 218 East McKay

City: FORMTEXT Frontenac State FORMTEXT KS

Zip Code FORMTEXT 66763

Telephone Number: (FORMTEXT 620) FORMTEXT 249-0033

The source of water is: surface water in FORMTEXT Neosho River
(stream)

OR groundwater in FORMTEXT
(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.

The maximum quantity of water desired is FORMTEXT 210 acre-feet OR FORMTEXT gallons per calendar year,

to be diverted at a maximum rate of FORMTEXT 8000 gallons per minute OR FORMTEXT 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

49934

quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

The water is intended to be appropriated for (Check use intended):

- (a) FORMCHECKBOX Artificial Recharge
- (b) FORMCHECKBOX Irrigation
- (c) FORMCHECKBOX Recreational
- (d) FORMCHECKBOX Water Power
- (e) FORMCHECKBOX Industrial
- (f) FORMCHECKBOX Municipal
- (g) FORMCHECKBOX Stockwatering
- (h) FORMCHECKBOX Sediment Control
- (i) FORMCHECKBOX Domestic
- (j) FORMCHECKBOX Dewatering
- (k) FORMCHECKBOX Hydraulic Dredging
- (l) FORMCHECKBOX Fire Protection
- (m) FORMCHECKBOX Thermal Exchange
- (n) FORMCHECKBOX 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.

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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.

One in the FORMTEXT quarter of the FORMTEXT quarter of the FORMTEXT quarter of Section FORMTEXT 30, more particularly described as being near a point FORMTEXT 3090 feet North and FORMTEXT 5090 feet West of the Southeast corner of said section, in Township FORMTEXT 29 South, Range FORMTEXT 21 FORMTEXT East, FORMTEXT Neosho County, Kansas.

One in the FORMTEXT quarter of the FORMTEXT quarter of the FORMTEXT quarter of Section FORMTEXT 30, more particularly described as being near a point FORMTEXT 3170 feet North and FORMTEXT 5370 feet West of the Southeast corner of said section, in Township FORMTEXT 29 South, Range FORMTEXT 21 FORMTEXT East, FORMTEXT Neosho County, Kansas.

One in the FORMTEXT quarter of the FORMTEXT quarter of the FORMTEXT quarter of Section FORMTEXT 30, more particularly described as being near a point FORMTEXT 2580 feet North and FORMTEXT 5390 feet West of the Southeast corner of said section, in Township FORMTEXT 29 South, Range FORMTEXT 21 FORMTEXT East, FORMTEXT Neosho County, Kansas.

One in the FORMTEXT quarter of the FORMTEXT quarter of the FORMTEXT quarter of Section FORMTEXT, more particularly described as being near a point FORMTEXT feet North and FORMTEXT feet West of the Southeast corner of said section, in Township FORMTEXT South, Range FORMTEXT FORMTEXT East/West (circle one), FORMTEXT

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Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works? *No.*

FORMCHECKBOX Yes FORMCHECKBOX No If "yes", a check valve shall be required. All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

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? FORMCHECKBOX Yes
FORMCHECKBOX *(No)* *In process*

If yes, show the Water Structures permit number here FORMTEXT

If no, explain here why a Water Structures permit is not required FORMTEXT

FORMTEXT In process of determining structures permit requirements

FORMTEXT

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:

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.

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.

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.

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

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

WATER RESOURCES
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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.

The owner of the point of diversion, if other than the applicant is (please print):

FORMTEXT Same as applicant

(name, address and telephone number)

FORMTEXT

(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 [Signature], 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.

The proposed project for diversion of water will consist of FORMTEXT Pumpsite(s) and waterfowl marsh

(number of wells, pumps or dams, etc.)

and FORMTEXT will be completed (by) FORMTEXT 12/31/18

(Month/Day/Year - each was or will be completed)

The first actual application of water for the proposed beneficial use was or is estimated to be

FORMTEXT 12/31/18 (Mo/Day/Year)

WATER RESOURCES RECEIVED

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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.

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.

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FORMTEXT

FORMTEXT

FORMTEXT

FORMTEXT

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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: FORMCHECKBOX Test holes

FORMCHECKBOX Well as completed FORMCHECKBOX Drillers log attached

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

The relationship of the applicant to the proposed place where the water will be used is that of FORMTEXT Owner (owner, tenant, agent or otherwise)

The owner(s) of the property where the water is used, if other than the applicant, is (please print): FORMTEXT Same as applicant

(name, address and telephone number)

FORMTEXT

WATER RESOURCES RECEIVED

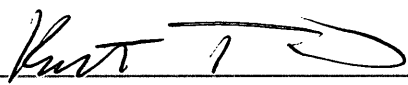
NOV 02 2017

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(name, address and telephone number)

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

(Applicant Signature)	
By (Agent or Officer Signature)	
<u>FORMTEXT</u> (Agent or Officer - Please Print)	

Assisted by FORMTEXT Caleb Fabrycky FORMTEXT TFO/Parsons Date: FORMTEXT 10/26/17
(office/title)

WATER RESOURCES
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KS DEPT OF AGRICULTURE

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FEE SCHEDULE

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):

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0-100	\$200.00
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More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

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MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

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CONVERSION FACTORS

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1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE

DIVISION OF WATER RESOURCES

Jackie McClaskey, Secretary of Agriculture
David W. Barfield, Chief Engineer

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

File No.

For Office Use Only:

F.O. _____ GMD _____ Meets K.A.R. 5-3-1 (YES / NO) Use _____ Source G / S County

By _____ Date

Code _____ Fee \$ _____ TR # _____ Receipt Date

Check #

Lot 7

Lot 2

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From: **Fabrycky, Caleb** Caleb.Fabrycky@ks.gov
Subject: New Application
Date: October 26, 2017 at 2:39 PM
To: Kurt Terlip kurtterlip@gmail.com
Cc: Phillips, Janelle Janelle.Phillips@ks.gov

Pg 1

Hi Kurt,

Attached is the drafted application for permit to appropriate water. You'll need to print these pages out and complete the following steps:

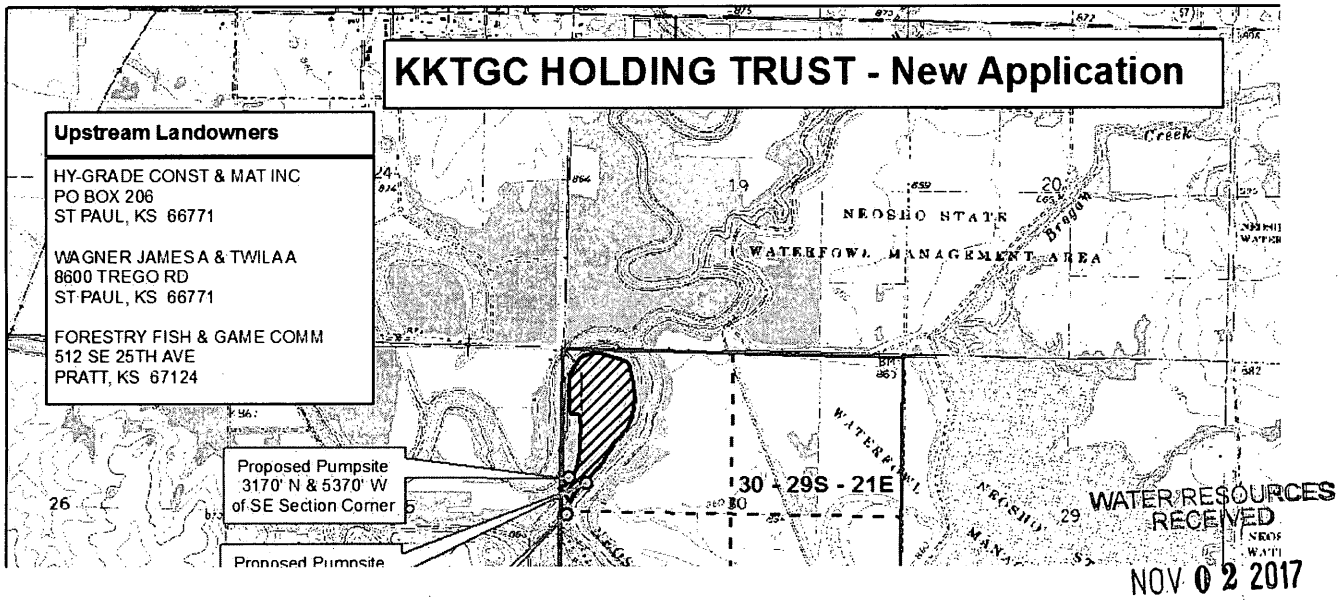
1. Look over all pages and maps for accuracy
2. Sign #6 of the application
3. Sign #16 of the application
4. Sign at the bottom of the topographic map
5. Enclose the \$300 filing fee
6. Mail everything to DWR Headquarters:
Chief Engineer of The Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502

I've copied Janelle Phillips, with DWR - Structures Program, so that she can take a look at the aerial photo and inform you of any necessary structures permits pertaining to your project.

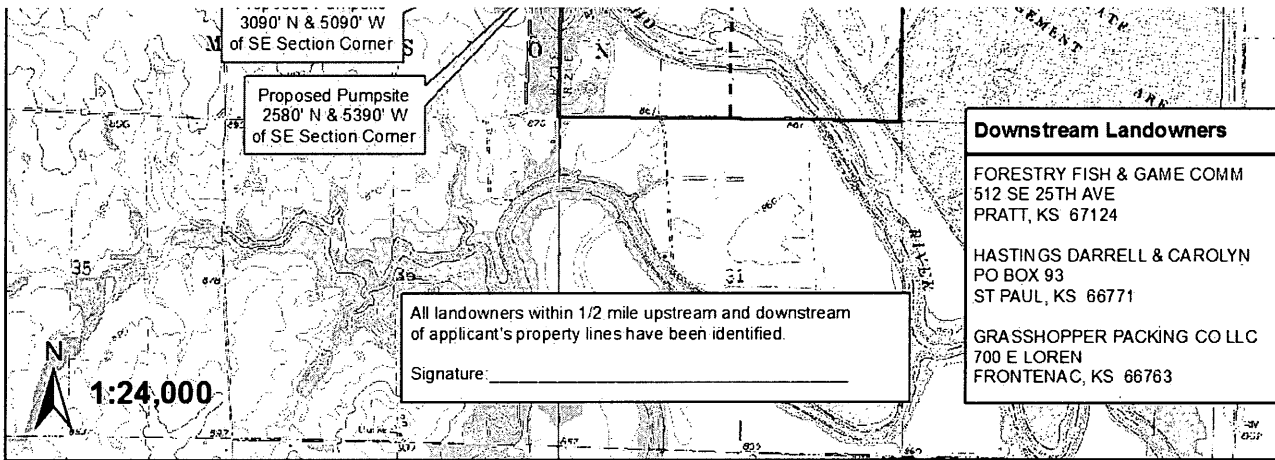
Feel free to call with any questions.

Thank you

Caleb Fabrycky, Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources - Parsons Satellite Office
Phone: (620) 421-2697
Caleb.Fabrycky@ks.gov



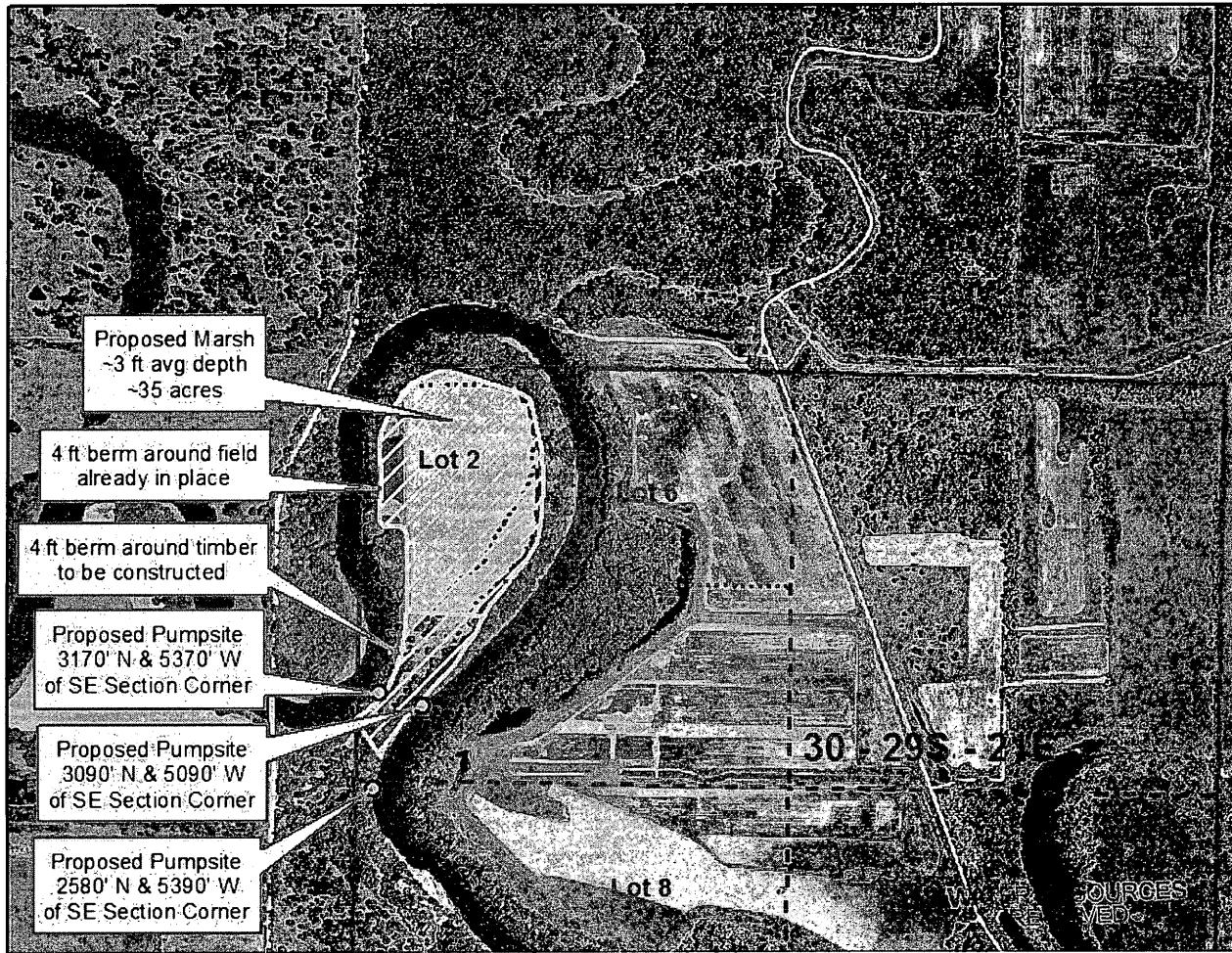
K T KS DEPT OF AGRICULTURE



Kurt Terlip Rec Kurt Terlip
Use Su...et.doc Application.doc

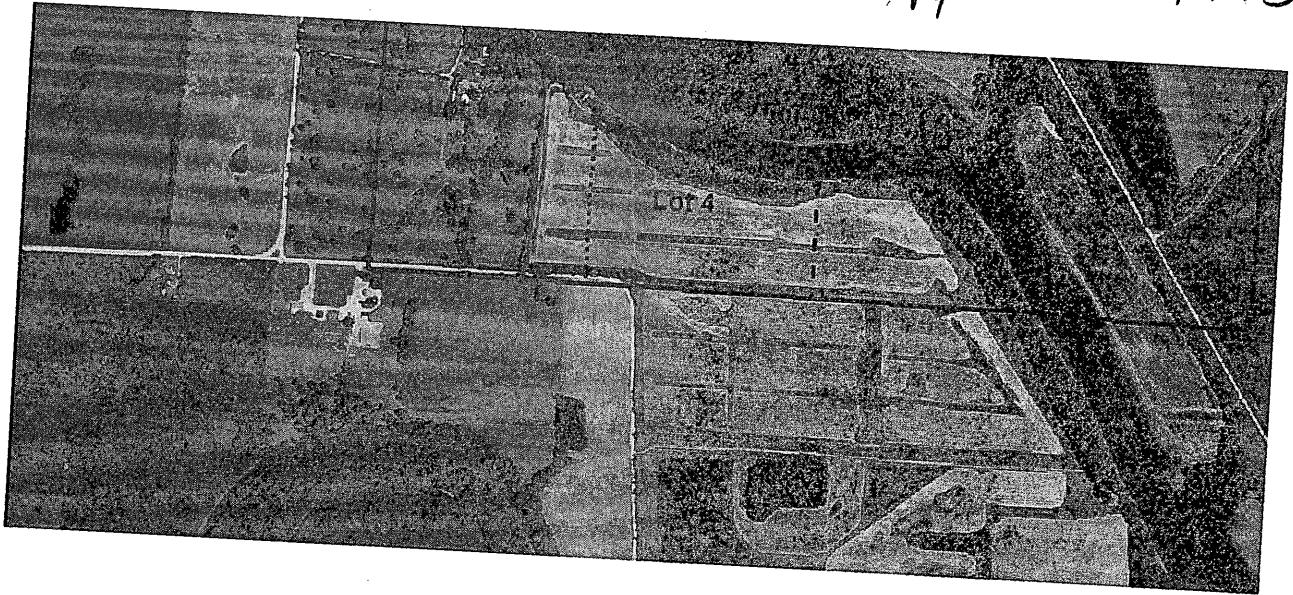
KKTGC Holding Trust - New Application

1:12,000



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KS DEPT OF AGRICULTURE

K T U

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

November 9, 2017

KKTGC HOLDING TRUST
218 E MCKAY
FRONTENAC KS 66763

FILE COPY

RE: Application
File No. 49934

Dear Sir or Madam:

Your application for permit to appropriate water in 30-29S-21E in Neosho 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 "Kristen A. Baum". The signature is written in a cursive style.

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

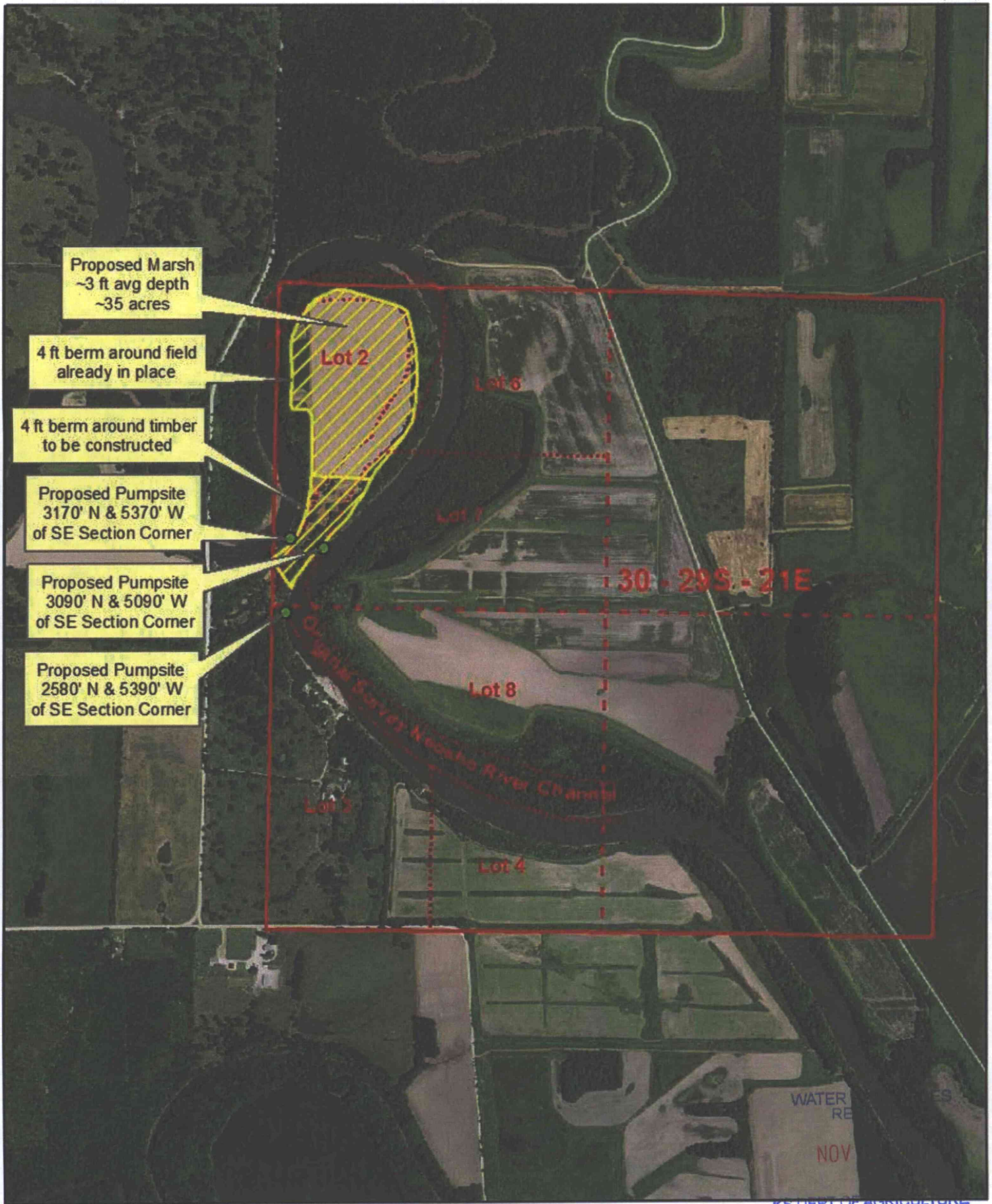
BAT: dlw
pc: TOPEKA Field Office
GMD

KKTGC Holding Trust - New Application

49934



1:12,000



KKTGC HOLDING TRUST - New Application

Upstream Landowners

HY-GRADE CONST & MAT INC
PO BOX 206
ST PAUL, KS 66771

WAGNER JAMESA & TWILAA
8600 TREGO RD
ST PAUL, KS 66771

FORESTRY FISH & GAME COMM
512 SE 25TH AVE
PRATT, KS 67124

Proposed Pumpsite
3170' N & 5370' W
of SE Section Corner

Proposed Pumpsite
3090' N & 5090' W
of SE Section Corner

Proposed Pumpsite
2580' N & 5390' W
of SE Section Corner

All landowners within 1/2 mile upstream and downstream
of applicant's property lines have been identified.

Signature: _____

Downstream Landowners

FORESTRY FISH & GAME COMM
512 SE 25TH AVE
PRATT, KS 67124

HASTINGS DARRELL & CAROLYN
PO BOX 93
ST PAUL, KS 66771

GRASSHOPPER PACKING CO LLC
700 E LOREN
FRONTENAC, KS 66763

49931
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