

# 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 49945  
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.)

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2:11  
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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): Steve Wilson  
Address: 1108 Wentley Dr  
City: Hiawatha KS State KS Zip Code 66434  
Telephone Number: (785) 741-4889

2. The source of water is:  surface water in unnamed tributary to Noharks creek Big Mancha Basin  
(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 150 acre-feet OR \_\_\_\_\_ gallons per calendar year,  
to be diverted at a maximum rate of 1000 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>GMD</u>	<u>Meets K.A.R. 5-3-1</u>	<u>(YES/NO)</u>	Use <u>FR</u>	Source <u>GS</u>	County <u>BR</u>	By <u>AW</u>	Date <u>11/22/17</u>
Code _____	Fee \$ _____	TR # _____	Receipt Date _____	Check # _____			

11/29/2017 CCM

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 NE quarter of the SE quarter of the NW quarter of Section 28, more particularly described as being near a point 3733 feet North and 2744 feet West of the Southeast corner of said section, in Township 1 South, Range 17 (East) West (circle one), Brown 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):

Same

(name, address and telephone number)

(name, address and telephone number)

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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 11/14, 2017. Stephen R. Wilson  
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 1 Pond and Pivet  
(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)

8. The first actual application of water for the proposed beneficial use was or is estimated to be July 1st 2018  
(Mo/Day/Year)

# NEW STREAM WORKSHEET

ES AJW

Date: 11/21/2017

File No. 49945

Basin Name: S F Big Nemaha River Basin No. 2

Stream Name: Noharts Creek Trib 2 (sf big nemaha)

Stream location (confluence with parent stream):

Section 27, Township 1 South, Range 17; (East)

Map Color Coding:

Basin Stream – Blue

Named Main Stream off Basin Stream – Yellow

Named Stream off Main Stream – Green

Unnamed Trib (1, 2, 3, 4, etc.) – Pink

Unnamed Trib to Unnamed Trib (A, B, C, etc.) – Orange

Unnamed Trib to Unnamed Trib to Unnamed Trib (1, 2, 3, etc.) – Purple

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Stream No. 3925 (computer assigned - entered by data entry staff)

Date Entered 11/29/2017 By CCM

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.

*200 Acres waiting for storage table but will be under 125 to 150 and under 30ft tall*

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 Low hazard Dam

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.

none

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*NR*

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  
(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 Hawatha, Kansas, this 14 day of November, 2017.  
(month) (year)

Stephen R. Wilson  
(Applicant Signature)

By \_\_\_\_\_  
(Agent or Officer Signature)

\_\_\_\_\_  
(Agent or Officer - Please Print)

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Assisted by Keith Grimm mwf Date: 11/14/17  
(office/title)

**IRRIGATION USE  
SUPPLEMENTAL SHEET**

File No. 49945

Name of Applicant (Please Print): Steve Wilson

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

**Landowner of Record** NAME: Steve Wilson  
ADDRESS: 1108 Wentley Dr Hiawatha KS 66434

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
28	1	17					40	35	35	40								150	

**Landowner of Record** NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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

**Landowner of Record** NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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

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NOV 21 2017 Page 1 of 2

Steve wilson Pond permit

150acre feet of water for 150acres

Primary water will be around the 60-70ac ft area to give us the 6-7in water need per ac/ irr

200acres Drainage

Storage will be under 125ac/ft to es and will be under 30ft tall from rear tow

~~We are waiting for surveyor to get us the storage table for it but as soon as he does will send it in~~

Downsteam landowners 1/2mile

HC B FARMS, LLC  
Owner Mailing Address:  
1407 320TH ST HIAWATHA, KS 66434

REESMAN INVESTMENT CORP.  
Owner Mailing Address:  
PO BOX 530 FALLS CITY, NE 68355

Upstream 1/2 mile

STEELE, S. GREGORY REVOCABLE LIVING TRUST  
Owner Mailing Address:  
PO BOX 27065 SHAWNEE MISSION, KS 66225

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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 28, 2017

STEVE WILSON  
1108 WENTLEY DR  
HIAWATHA KS 66434

**FILE COPY**

RE: Application  
File No. 49945

Dear Sir or Madam:

Your application for permit to appropriate water in 28-1S-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  
Water Appropriation Program

BAT: dlw  
pc: TOPEKA Field Office  
GMD

Steel's Gregory R LT

REESMAN INVESTMENT CORP PO BOX 530 FALLS CITY, NE 68355

HCB FARMS, LLC 1407 320TH ST HIAWATHA, KS 66434

Center

200 acres Drain pond

2744 west

sec 28 1w/1s r7E

3733th North

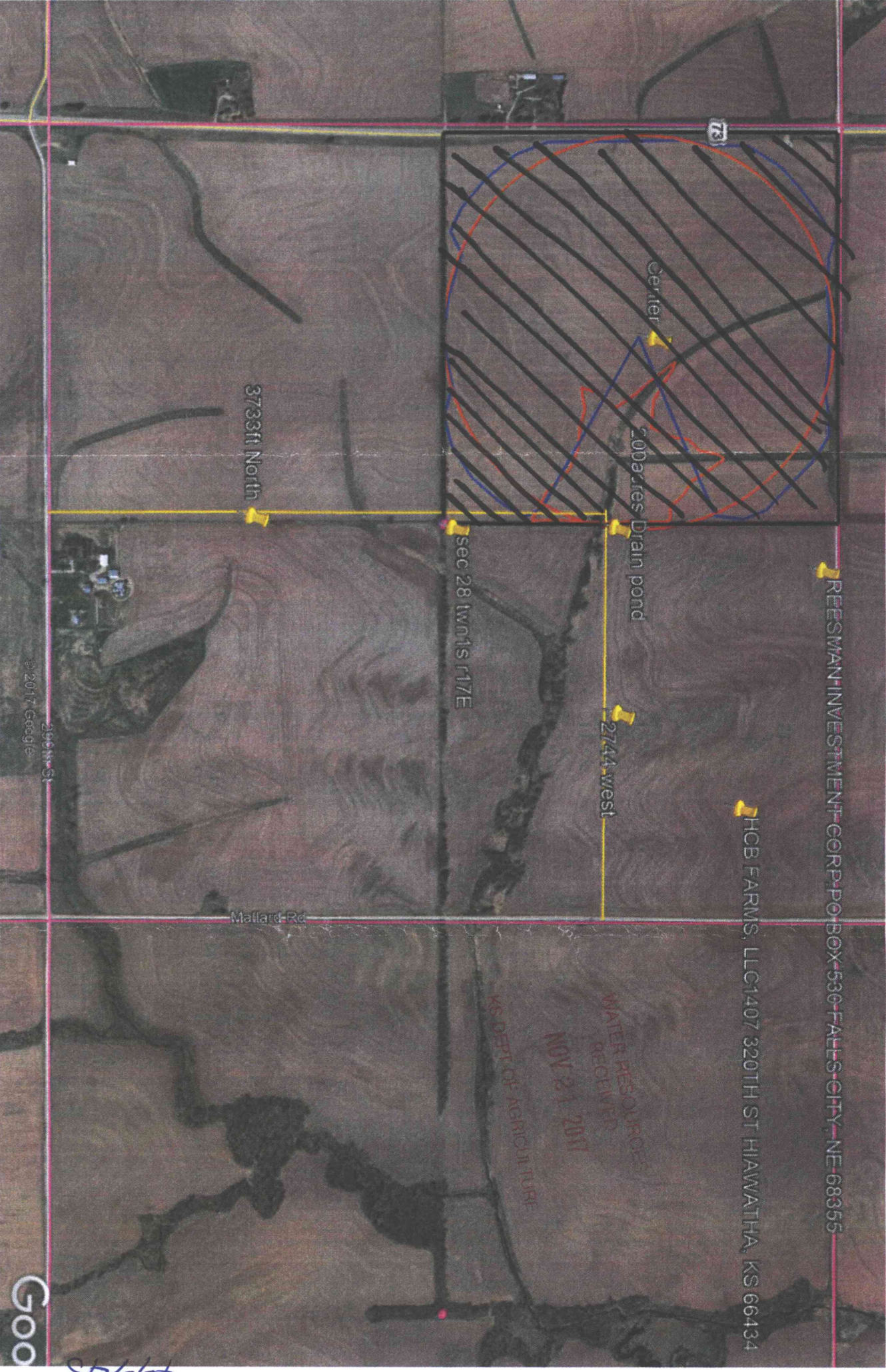
Mallard Rd

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© 2017 Google 295th St

500

9/16/16



REESMAN INVESTMENT CORP PO BOX 536 FALLS CITY, NE 68355

HCB FARMS, LLC 1407 320TH ST HIAWATHA, KS 66434

Center  
200 acres Drain pond

2744 west

sec 28 (w/1/4 1/2 E)

3733ft North

Mallard Rd

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Goo

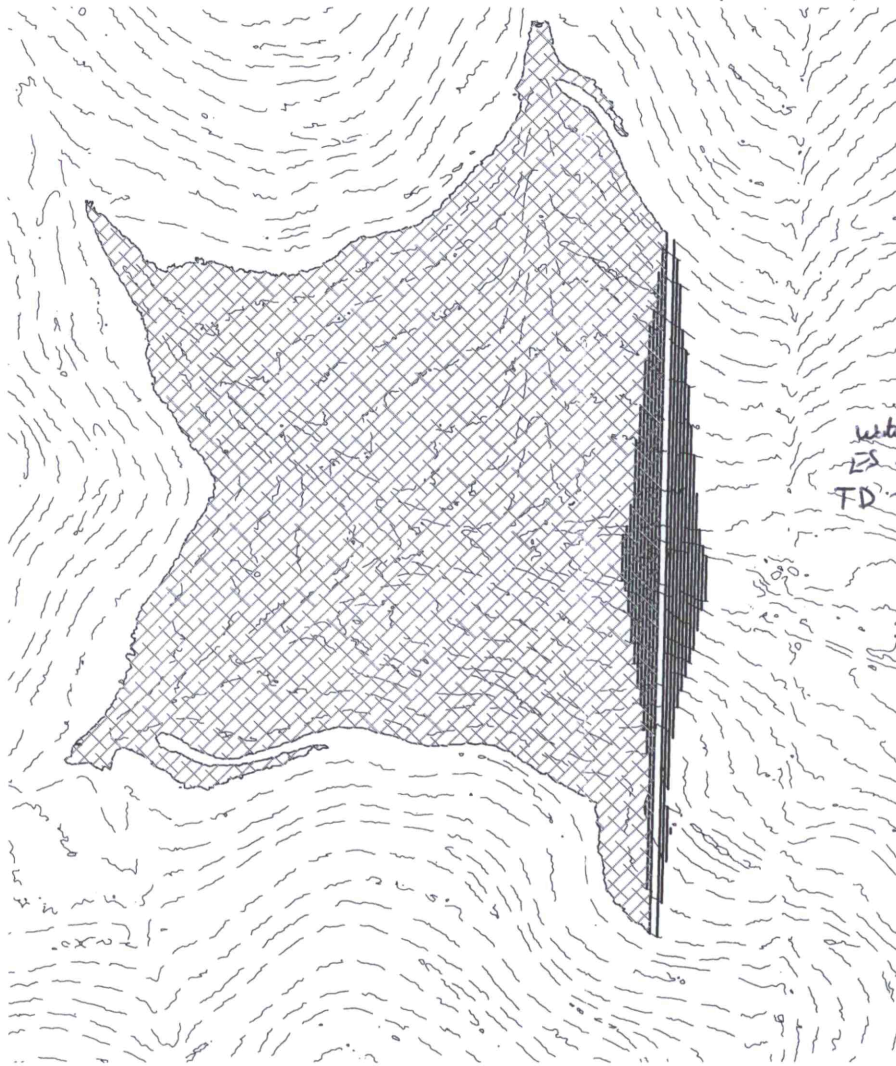
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**TOPOGRAPHIC SURVEY**  
Compute Proposed Stream Obstruction Volume in the Northwest One-Quarter of Section 28,  
Township 1 South, Range 17 East of the  
Sixth Principal Meridian, Brown County, Kansas



Contour	Area	1' Volume	Total Volume	Ac. Ft.	Embankment	Height
1034						
1035	187.89	93.95	93.945	0.0022		2.19
1036	3,265.92	1,726.91	1,820.850	0.0418		3.19
1037	6,186.01	4,725.97	6,546.815	0.1503		4.19
1038	10,081.01	8,133.51	14,680.325	0.3370		5.19
1039	15,136.45	12,608.73	27,289.055	0.6265		6.19
1040	23,241.51	19,188.98	46,478.035	1.0670		7.19
1041	38,521.79	30,881.65	77,359.685	1.7759		8.19
1042	59,836.16	49,178.98	126,538.660	2.9049		9.19
1043	84,921.49	72,378.83	198,917.485	4.5665		10.19
1044	109,949.31	97,435.40	296,352.885	6.8033		11.19
1045	138,577.94	124,263.63	420,616.510	9.6560		12.19
1046	175,434.43	157,006.19	577,622.695	13.2604		13.19
1047	217,445.99	196,440.21	774,062.905	17.7700		14.19
1048	265,987.37	241,716.68	1,015,779.585	23.3191		15.19
1049	319,661.42	292,824.40	1,308,603.980	30.0414		16.19
1050	375,270.22	347,465.82	1,656,069.800	38.0181		17.19
1051	433,661.29	404,465.76	2,060,535.555	47.3034		18.19
1052	496,585.97	465,123.63	2,525,659.185	57.9812		19.19
1053	561,710.24	529,148.11	3,054,807.290	70.1287		20.19
1054	631,695.66	596,702.95	3,651,510.240	83.8271	16,892	21.19
1055	700,393.73	666,044.70	4,317,554.935	99.1174	19,533	22.19
1056	772,779.55	736,586.64	5,054,141.575	116.0271	22,447	23.19
1057	864,271.16	818,525.36	5,872,666.930	134.8179	25,643	24.19
1058	949,783.51	907,027.34	6,779,694.265	155.6404		25.19
1059	1,044,204.84	996,994.18	7,776,688.440	178.5282		26.19
1060	1,141,794.02	1,092,999.43	8,869,687.870	203.6200		27.19
1061	1,233,271.43	1,187,532.73	10,057,220.595	230.8820		28.19
1062	1,329,119.08	1,281,195.26	11,338,415.850	260.2942	46,326	29.19



0 100 200 400  
SCALE: 1" = 200'

General Notes for Site:  
No Field verification of LIDAR elevations performed.  
Front toe of stream obstruction elevation: 1034.74'  
Rear toe of stream obstruction elevation: 1032.81'  
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 \_\_\_\_\_.



THIS DRAWING ORIGINALLY CREATED AT  
SPECIFIED SCALE. IF LINE BELOW DOES NOT  
MEASURE 1 INCH, DRAWING HAS BEEN  
REDUCED.  
ORIGINAL DRAWING  
SIZE: 1 INCH

**JORGENSEN  
SURVEYING**  
73051 617 Ave  
Tecumseh, NE 68450  
(402) 335-2033  
jorgensensurveying@gmail.com

Stream Obstruction  
NW 1/4 Sec 28, T1S, R17E  
Brown County, Kansas  
PREPARED FOR  
MWI - Steve Kennedy

SCALE	1"=200'
FIELD ON:	-
CHK. BY	MARCY
DWN. BY	BRENT
DATE:	11/14/17
SHEET	1 OF 2
JOB NO.	5262.79

Shbbth

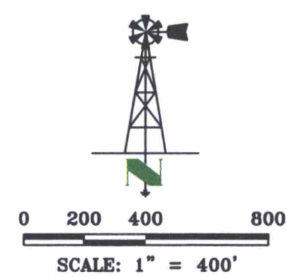
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Township 1 South, Range 17 East of the  
Sixth Principal Meridian, Brown County, Kansas



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THIS DRAWING ORIGINALLY CREATED AT  
SPECIFIED SCALE. IF LINE BELOW DOES NOT  
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REDUCED.

ORIGINAL DRAWING  
SIZE: 1 INCH

**JORGENSEN SURVEYING**  
73051 617 Ave  
Tecumseh, NE 68450  
(402) 335-2033  
jorgensensurveying@gmail.com

Stream Obstruction  
NW 1/4 Sec 28, T1S, R17E  
Brown County, Kansas  
PREPARED FOR  
MWI - Steve Kennedy

SCALE	1"=400'
FIELD ON:	-
CHK. BY	MARCY
DWN. BY	BRENT
DATE:	11/14/17
SHEET	2 OF 2
JOB NO.	5262.79

57666