

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 49,950
This item to be completed by the Division of Water Resources.

WATER RESOURCES
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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.)

DEC 08 2017

10:50

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): DEAN HARDEN TRUST
Address: 7403 302nd RD
City: EUERST State KS Zip Code 66424-9024
Telephone Number: (913) 370 0335

2. The source of water is: surface water in unnamed tributary to North Fork of Stranya creek
(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 654 acre-feet OR _____ gallons per calendar year,
to be diverted at a maximum rate of 2000 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)	<u>(YES)</u>	Use	<u>IRR</u>
Code	<u>RE 3</u>	Fee \$	<u>500</u>	TR #		Source	<u>G(S)</u>
						County	<u>AT</u>
						By	<u>ADW</u>
						Date	<u>12/8/17</u>
						Receipt Date	<u>12/8/17</u>
						Check #	<u>1045</u>

12/21/2017 CLM

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

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

- (A) One in the NW quarter of the SW quarter of the SE quarter of Section 5, more particularly described as being near a point 1243 feet North and 2520 feet West of the Southeast corner of said section, in Township 6 South, Range 19 (East) West (circle one), Atchison 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):

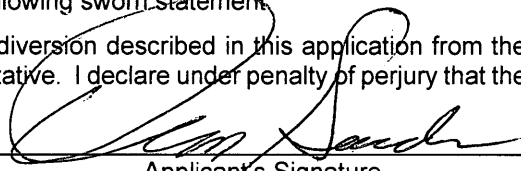
same

(name, address and telephone number)

(name, address and telephone number)

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 12/6, 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 1 Pond? Pump
(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)

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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. 890 Acres Drainage

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 Submitting for Low Hazard Exemption

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 Known

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13. *A*

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 / son.
(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):

Jason Harder, 8489 Graham Rd Lancaster, KS 66041
(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 Hiawatha, Kansas, this 6 day of December, 2017.
(month) (year)


(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by Keith Grimm MWI Date: 12/6/17
(office/title)

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KS DEPT OF AGRICULTURE

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 49950

Name of Applicant (Please Print): Dean Harden Trust

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: Dean Harden Trust
ADDRESS: 7403 302nd Rd Everst Ks 66424

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5	6 ^s	19 ^e	51	51	40	40									40	40	40	40	342

Landowner of Record NAME: Jason ; Susan Harden
ADDRESS: 8489 Graham Rd Lancaster KS 66041

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5	6 ^s	19 ^e													40	40			80
8	6 ^s	19 ^e			40	33 ⁵			40	40	40	38 ⁵							232

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	

Dean Harden Pond permit Section 5 Township 6 S Range 19 E

890acres Drainage

22.89ft tall 1073elv

120ac/ft to Emergency Spillway 1069elv

80-90ac/ft to primary water 1067.5 elv

Project shared with his son

Harden, Jason R & Susan J 8489 Graham RD Lancaster, KS 66041

½ Mile downstream landowners

Lueske, Alan M & Lueske, Steven F 13320 274th RD Lancaster, KS 66041.

Stirton, Mark A & Christie L 7532 Hamilton RD Lancaster, KS 66041

Cluck, Clarence A & Amelia A 7794 Hamilton RD Lancaster, KS 66041

Bonnel, Thomas J & Dorothy A 7456 Hamilton RD Lancaster, KS 66041

Jacobson, Tyler M & Myers, Bethany N 7324 Hamilton RD Lancaster, KS 66041

½ Mile upstream landowners

Boos, Donna J; Trust 9118 McPherson RD Lancaster, KS 66041

Boos, John P & Kathryn E; Trust 7068 Logeman RD Atchison, KS 66002

Meeks, Kathleen Ann; Trust 10972 266th RD Effingham, KS 66023

Boos, Mark E & Lori B 11336 286th RD Lancaster, KS 66041

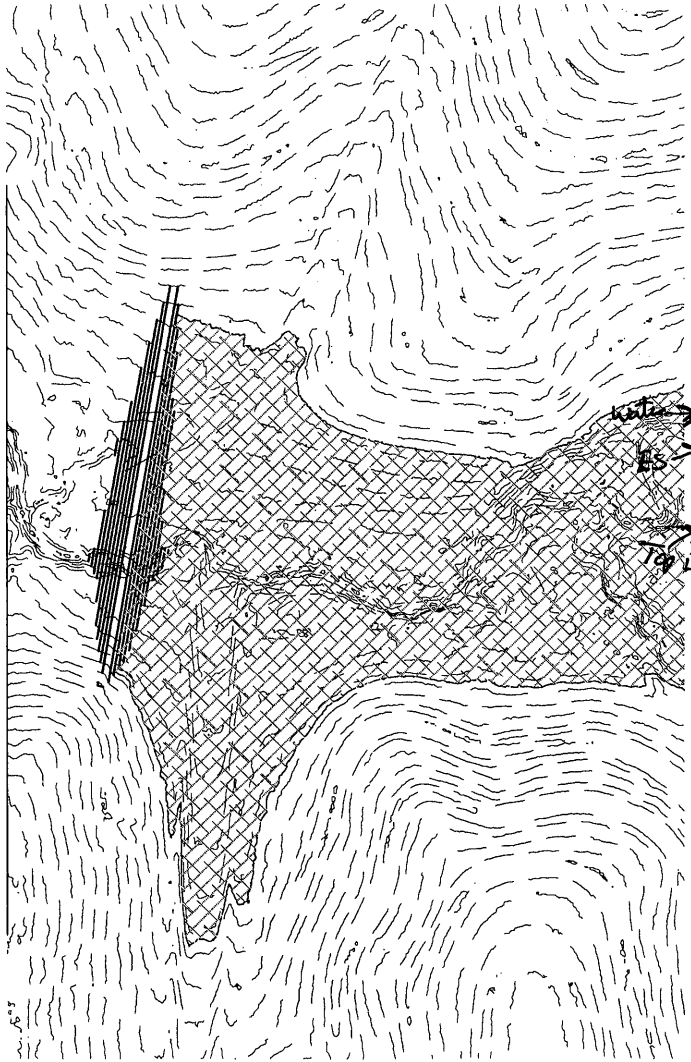
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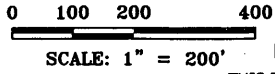
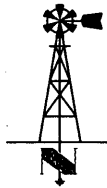
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TOPOGRAPHIC SURVEY

Compute Proposed Stream Obstruction Volume in the East One-Half of Section 5, Township 6
South, Range 19 East of the
Sixth Principal Meridian, Atchison County, Kansas

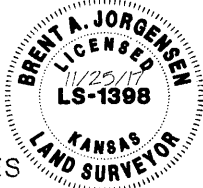


Contour	Area	1' Volume	Total Volume	Ac. Ft.	Embankment	Height
1050						
1051	31.79	15.90	15.895	0.0004		0.89
1052	132.81	82.30	98.195	0.0023		1.89
1053	4,570.04	2,351.43	2,449.620	0.0562		2.89
1054	11,066.88	7,818.46	10,268.080	0.2357		3.89
1055	17,218.90	14,142.89	24,410.970	0.5604		4.89
1056	29,470.55	23,344.73	47,755.695	1.0963		5.89
1057	44,388.61	36,929.58	84,685.275	1.9441		6.89
1058	72,998.68	58,693.65	143,378.920	3.2915		7.89
1059	127,863.01	100,430.85	243,809.765	5.5971		8.89
1060	185,499.61	156,681.31	400,491.075	9.1940		9.89
1061	242,068.75	213,784.18	614,275.255	14.1018		10.89
1062	307,144.68	274,606.72	888,881.970	20.4059		11.89
1063	397,459.76	352,302.22	1,241,184.190	28.4937		12.89
1064	474,977.12	436,218.44	1,677,402.630	38.5079		13.89
1065	557,141.23	516,059.18	2,193,461.805	50.3550		14.89
1066	646,216.60	601,678.92	2,795,140.720	64.1676		15.89
1067	742,002.71	694,109.66	3,489,250.375	80.1022		16.89
1068	852,199.70	797,101.21	4,286,351.580	98.4011	5,870	17.89
1069	1,001,362.93	926,781.32	5,213,132.895	119.6771	7,089	18.89
1070	1,154,605.49	1,077,984.21	6,291,117.105	144.4242	8,456	19.89
1071	1,270,284.39	1,212,444.94	7,503,562.045	172.2581	9,976	20.89
1072	1,390,220.03	1,330,252.21	8,833,814.255	202.7965	11,646	21.89
1073	1,532,678.48	1,461,449.26	10,295,263.510	236.3467	13,475	22.89



General Notes for Site:
 No Field verification of LIDAR elevations performed.
 Front toe of stream obstruction elevation: 1050.73'
 Rear toe of stream obstruction elevation: 1050.11'
 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 _____



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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**
 7305 I 617 AVE
 Tecumseh, NE 68450
 (402) 335-2033
 jorgensensurveying@gmail.com

Stream Obstruction
 E1/2 Sec 5, T6S, R19E
 Atchison County, Kansas
 PREPARED FOR
 MWT - Dean Harden

SCALE 1"=200'
 FIELD ON:
 CHK. BY MARCY
 DWN. BY BRENT
 DATE: 11/25/17

SHEET 1 OF 2
 JOB NO.
 5262.81

Q5b1bh

NEW STREAM WORKSHEET

ES AM

Date: 12/10/17

File No. 49,950

Basin Name: Stranger Creek Basin No. 9

Stream Name: North Fork Stranger Creek Trip 2

Stream location (confluence with parent stream):

Section 6, Township 1 South, Range 19 (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

Stream No. 3 9 2 7 (computer assigned - entered by data entry staff)

Date Entered 12/21/2017 By LLM



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

December 20, 2017

FILE COPY

DEAN HARDEN TRUST
7403 302ND RD
EUERREST KS 66424

RE: Application
File No. 49950

Dear Sir or Madam:

Your application for permit to appropriate water in 5-6S-19E in Atchison 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) 564-6637. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

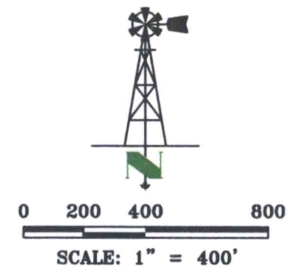
Sincerely,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: TOPEKA Field Office
GMD

TOPOGRAPHIC SURVEY
 Compute Proposed Stream Obstruction Volume in the East One-Half of Section 5, Township 6
 South, Range 19 East of the
 Sixth Principal Meridian, Atchison County, Kansas

Water Level at Elev: 1069'



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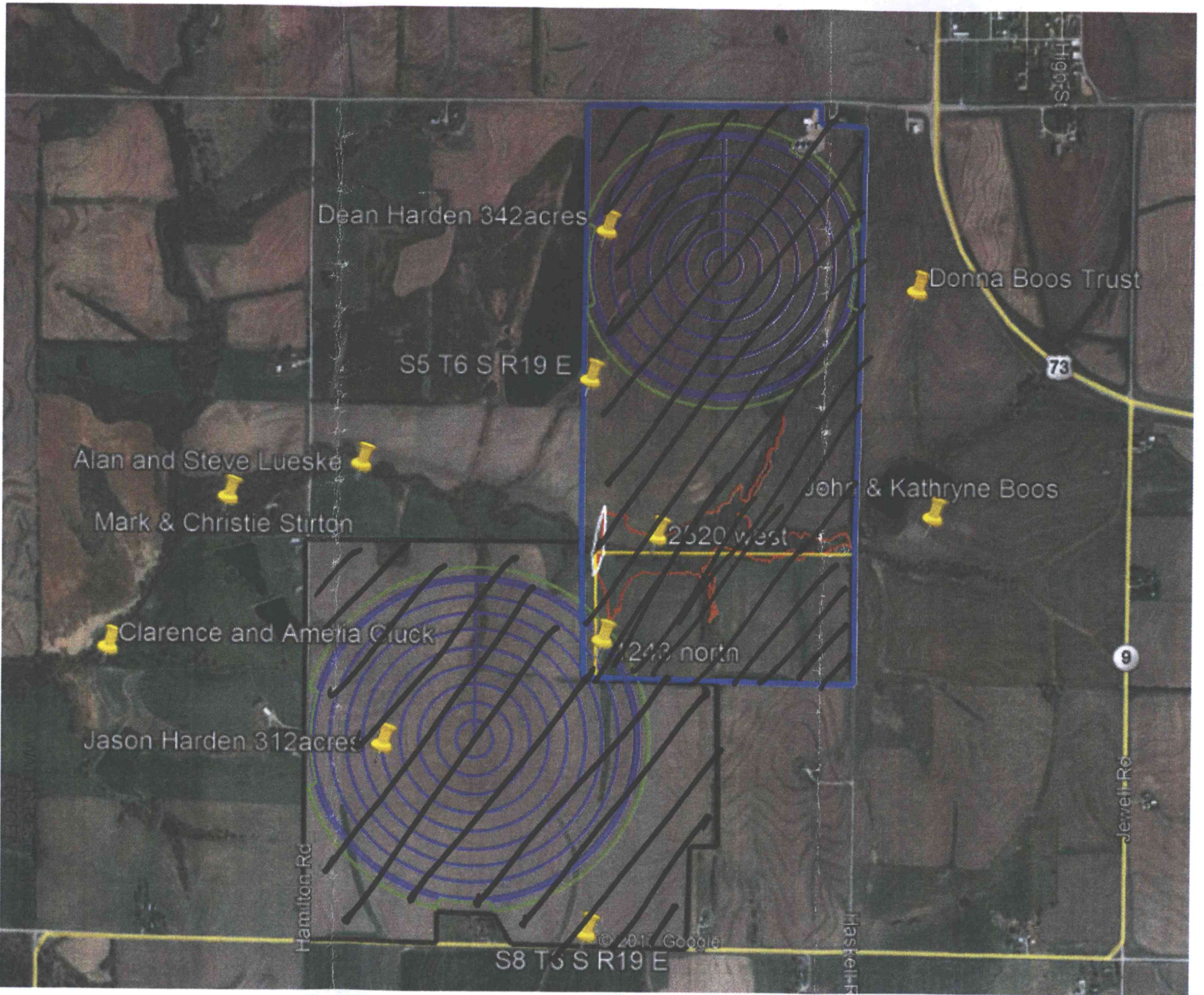
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Stream Obstruction
 E1/2 Sec 5, T6S, R19E
 Atchison County, Kansas
 PREPARED FOR
 MWI - Dean Harden

SCALE	1"=400'
FIELD ON:	-
CHK. BY	MARCY
DWN. BY	BRENT
DATE:	11/25/17
SHEET	2 OF 2
JOB NO.	5262.81

056'bh



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49,950



DEC 08 2017