

File No. **49,864** 15. Formation Code: Drainage Basin: MARAIS DES CYGNES RIVER County: MI Special Use: Stream: NORTH WEA CREEK TRIBS 8A, 8B, 8C, 9 & 9A (MARAIS DES CYGNES)

16. Points of Diversion										17. Rate and Quantity					
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		Overlap PD Files
											Rate gpm	Quantity af	Rate gpm	Quantity af	
√				85586 ✓ SW SE NW	2	16	24E	1	3225	3885	1600	609	1600	609	NONE*
√				85587 ✓ SW SW SW	2	16	24E	2	58	4943					
√				85588 ✓ LOT 4	2	16	24E	3	5076	4094					
√				85589 ✓ LOT 1	3	16	24E	1	5380	423					
√				85590 ✓ SE SW NE	3	16	24E	2	2730	1869					

18. Storage: Rate _____ NF Quantity **609** ac/ft Additional Rate _____ NF Additional Quantity **609** ac/ft

19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

20. Meter Required? Yes No To be installed by **12/31/2019** Date Acceptable Meter Installed _____

21. Place of Use										NE¼								NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼						
√				68015	2	16	24E	1					Lot 3 31.62	Lot 4 35.2	35.8	38.5			34.0	40.0								215.12	7a.	No	NONE*		
√				68016	3	16	24E	1	Lot 1 37.01	Lot 2 45.13	32.0	40.0								40.0						40.0	234.14	7a.	No	NONE*			

Comments: *FILE NOS. 49,691; 49,692; 49,693; 49,694; AND 49,695 WILL ALL BE DISMISSED UPON APPROVAL OF NEW APPLICATION, FILE NO. 49,864. THESE DISMISSALS WILL ELIMINATE ANY OVERLAPPING FILES IN PD AND PU.

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: May 21, 2018

FROM: Doug Schemm

RE: Application, File No. 49,864; and
Application, File Nos. 49,691; 49,692; 49,693; 49,694; and 49,695

Dover Real Estate LLC has filed Application, File No. 49,864 for a permit to appropriate 609 acre-feet of surface water at the rate of natural flows to be stored in five (5) existing reservoirs located in Sections 2 and 3, in Township 16 South, Range 24 East, Miami County, Kansas. The dams are located on various tributaries to North Wea Creek within the Marais des Cygnes River basin. The points of diversion are located on property owned by the applicant, and Virginia Dover has signed the application form stating they have legal access to the points of diversion. The entire place of use is owned by the applicant, and it comprises a total of 449.26 acres. This is an existing "on the ground" irrigation project and approval of this application will bring the applicant into compliance with KWAA regulations.

Please note that the applicant (with the assistance of Topeka Field Office staff) previously filed five applications, File Nos. 49,691; 49,692; 49,693; 49,694; and 49,695 to cover each reservoir separately. This was prior to the concept of the Division of Water Resources Multiple Reservoir (Hydra-Pondster) program. Once it was discovered that the reservoirs transferred water between them, and after review of reservoir geography, it was determined that all five reservoirs could be listed under one application, ergo the filing of Application, File No. 49,864. **NOTE:** The (Hydra-Pondster) program is designed to simplify the management of multiple reservoirs, which are used for the same irrigation project. The reservoirs can collect natural flows, and can have water pumped into them from other sources (e.g. groundwater wells or stream pump sites). In addition, water can be moved between individual reservoirs.

The applicant is required to sign a form (see attached) wherein he understands and agrees that the owner shall bypass natural flow and/or release water from storage when directed by the Chief Engineer or his authorized representative, in order to satisfy reasonable requests by senior water rights and permits, and to comply with any applicable minimum desirable streamflow requirements. That for purposes of administration, all water contained within the primary pools of the reservoirs shall be considered to be stored from natural flows. With the filing of the Hydra-Pondster application, the original five applications File Nos. 49,691; 49,692; 49,693; 49,694; and 49,695 are no longer necessary and will be dismissed in conjunction with this approval. Findings and Orders will be prepared to dismiss these applications.

Each of the individual reservoirs has a relatively small drainage area and limited runoff potential (see site map). Runoff computations determined that the 365 acres of combined drainage area, will generate 609 acre-feet of runoff in 1 out of every five (5) years (a 20% chance). Therefore, per K.A.R. 5-6-5, this quantity **IS** the limiting factor, and the application can be processed with no more than the requested storage quantity of 609 acre-feet. The requested quantity of water for direct use (rediversion) of 609 acre-feet for irrigation use on 449.26 acres, provides approximately 1.36 acre-feet per acre, which exceeds the maximum allowable of 1.0 acre-feet per acre in Miami County, Kansas, per K.A.R. 5-3-24. However, this is a turf farm, and it is common that they use this quantity per acre for this area of the state, with values of 1.5 acre-feet per acre considered to be reasonable.

The applicant owns all upstream property, and they identified five downstream landowners within one-half (½) mile of their property lines. Nearby landowner letters were sent out on August 3, 2017. A telephone call was received from one landowner (Lisa Stickler) who expressed concerns about potential damage to her property if the dam were to breach, but she did not express any impairment issues related to the appropriation of water. No other responses of any kind were received. There are several other surface water rights within a two-mile radius according to the WRIS database. These existing water rights are all located on different streams and or different tributary streams to North Wea Creek, and would not be impaired with approval of this application.

Each of the existing structures was reviewed by DWR Water Structures Program staff, under File Nos. DMI-243; DMI-244; DMI-245; DMI-246; and DMI-247, to determine jurisdictional status. It was concluded that none of the dams are within the jurisdiction of K.S.A. 82a-301 to 305a, (see February 5, 2018 letter from Mikayla Kortan).

As allowed by K.S.A. 82a-706(c) approved water flow meters shall be installed on the re-diversion works, which directly serve the places of use. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

In a May 14, 2018 discussion, Katie Tietsort, Water Commissioner, Topeka Field Office, stated that the referenced new application should be approved. Based on the above discussion, that this area is open to new appropriations, the proposed appropriation of water is reasonable, approval will bring the applicant into compliance with regulations, proper metering will installed, and senior rights will not be impacted, it is recommended that the referenced new application be approved, and that Application, File Nos. 49,691; 49,692; 49,693; 49,694; and 49,695 be dismissed.

Doug Schemm
Environmental Scientist
Topeka Field Office

STATE OF KANSAS



DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777

900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

July 5, 2018

DOVER REAL ESTATE LLC
10886 W 239TH ST
BUCYRUS KS 66013

FILE COPY

Re: Appropriation of Water, File No. 49,864, and
Applications, File Nos. 49,691; 49,692; 49,693; 49,694; and 49,695

Dear Sir or Madam:

There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the sources and at the locations specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approval documents. A water meter is required on the proposed re-diversion works and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed. All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00. There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right.

In addition, enclosed are the Findings and Orders by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Applications, File Nos. 49,691; 49,692; 49,693; 49,694; and 49,695 as you were previously informed. Appropriation of Water, File No. 49,864 replaces these five applications and they are longer required.

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:dws
Enclosures
pc: Topeka Field Office



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**
(This is not a Certificate of Appropriation)

This is to certify that I have examined Application, File No. **49,864** of the applicant

**DOVER REAL ESTATE LLC
10886 W 239TH ST
BUCYRUS KS 66013**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **June 26, 2017**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2	16S	24E					Lot 3 31.62	Lot 4 35.2	35.8	38.5			34.0	40.0					215.12
3	16S	24E	Lot 1 37.01	Lot 2 45.13	32.0	40.0									40.0			40.0	234.14

3. That the appropriation sought shall be limited to all natural flows of unnamed tributaries to North Wea Creek (Marais des Cygnes), not needed to satisfy all vested rights and prior appropriation rights to be incrementally accumulated as reservoir storage space becomes available to a maximum extent of **609 acre-feet** per calendar year in five (5) reservoirs created by dams located as follows: one dam in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW¼ SW¼ SW¼) of Section 2, more particularly described as being near a point 58 feet North and 4,943 feet West of the Southeast corner of said section; one dam in the Southwest Quarter of the Southeast Quarter of the Northwest Quarter (SW¼ SE¼ NW¼) of Section 2, more particularly described as being near a point 3,225 feet North and 3,885 feet West of the Southeast corner of said section; one dam in Lot 4, of Section 2, more particularly described as being near a point 5,076 feet North and 4,094 feet West of the Southeast corner of said section; one dam in Lot 1, of Section 3, more particularly described as being near a point 5,380 feet North and 423 feet West of the Southeast corner of said section; and one dam in the Southeast Quarter of the Southwest Quarter of the Northeast Quarter (SE¼ SW¼ NE¼) of Section 3, more particularly described as being near a point 2,730 feet North and 1,869 feet West of the Southeast corner of said section; all in Township 16 South, Range 24 East, Miami County, Kansas, to provide **609 acre-feet** of water as needed for direct irrigation use to be withdrawn, released or otherwise diverted from the reservoirs at a re-diversion rate of approximately **1,600 gallons per minute (3.57 c.f.s.)**. A reasonable maximum re-diversion rate will be established during the perfection period and assigned at certification.

4. That installation of works for diversion of water shall be completed on or before **December 31, 2019** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$400.00, when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

5. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2023** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

6. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

7. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

8. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

9. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

10. That all re-diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the re-diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

11. That an acceptable water flow meter shall be installed and maintained on the re-diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

12. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

13. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

14. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

15. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

16. That the owner shall bypass natural flow and/or release water from storage when directed by the Chief Engineer or his authorized representative, in order to satisfy reasonable requests by senior water rights and permits, and to comply with any applicable minimum desirable streamflow requirements. That for purposes of water right administration, all water collected and stored in these reservoirs shall be considered natural flows.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

APPLICATION COMPLETE
5/15/2018
Reviewer DWS

File Number 49864
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

JUN 26 2017

2:45

KS DEPT OF AGRICULTURE

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, KS 66502:

1. Name of Applicant (Please Print): DOVER REAL ESTATE LLC
Address: 10886 W 239TH ST
City: BUCYRUS State: KS Zip Code 66013
Telephone Number: (913) 897-2336

2. The source of water is: surface water in Tributaries to North Wea Creek #3806
(stream)
OR groundwater in MARAIS DES CYGNES RIVER
(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. **REDIVERSION OF 609 AF @ 1,600 GPM**

3. The maximum quantity of water desired is 609 (Storage) acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of NF 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. Code	GMD	Meets K.A.R. 5-3-1	(YES/NO)	Use	Source	County	By	Date	Check #
		REG	EE3	Fee \$	360	TR #	17006334	Receipt Date	6/20/17
									414555

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 SW quarter of the SW quarter of the SW quarter of Section 2, more particularly described as being near a point 58 feet North and 4,943 feet West of the Southeast corner of said section, in Township 16 South, Range 24 EAST, MIAMI County, Kansas. **POND #1**
- (B) One in the SW quarter of the SE quarter of the NW quarter of Section 2, more particularly described as being near a point 3,225 feet North and 3,885 feet West of the Southeast corner of said section, in Township 16 South, Range 24 EAST, MIAMI County, Kansas. **POND #2**
- (C) One in the _____ quarter of the _____ quarter of the LOT 4 quarter of Section 2, more particularly described as being near a point 5,076 feet North and 4,094 feet West of the Southeast corner of said section, in Township 16 South, Range 24 EAST, MIAMI County, Kansas. **POND #3**
- (D) One in the _____ quarter of the _____ quarter of the LOT 1 quarter of Section 3, more particularly described as being near a point 5,380 feet North and 423 feet West of the Southeast corner of said section, in Township 16 South, Range 24 EAST, MIAMI County, Kansas. **POND #4**
- (E) One in the SE quarter of the SW quarter of the NE quarter of Section 3, more particularly described as being near a point 2,730 feet North and 1,869 feet West of the Southeast corner of said section, in Township 16 South, Range 24 EAST, MIAMI County, Kansas. **POND #5**

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):

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 6/21, 2017. Virginia Dover
Applicant's Signature

7. The proposed project for diversion of water will consist of MULTIPLE DAMS AND RESERVOIRS
(number of wells, pumps or dams, etc.)

and (will be) completed (by) Summer 2017 (Existing ponds)
(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 SUMMER 2017.
(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 _____

To be determined by Structures Review - Non-jurisdictional for structures permitting
see 2/5/2018 letter. DWS/DWR 2/7/18

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.

MULTIPLE PENDING APPLICATIONS OVERLAP IN POINTS OF DIVERSION AND PLACE OF USE to be dismissed upon approval of This new application

WATER RESOURCES RECEIVED

JUN 26 2017

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):

(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 _____, 2017
(month) (year)

Virginia Dover
(Applicant Signature)

APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By _____
(Agent or Officer Signature)

and/or
APPLICANT(S) TAXPAYER I.D. NO.(S)

(Agent or Officer - Please Print)

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 49864

Name of Applicant (Please Print): DOVER REAL ESTATE LLC

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: DOVER REAL ESTATE LLC
ADDRESS: 10886 W 239TH ST BUCYRUS KS 66013

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2	16	24E					Lot 3 31.62	Lot 4 35.2	35.8	38.5			34.0	40.0					215.12
3	16	24E	Lot 1 37.01	Lot 2 45.13	32.0	40.0									40.0			40.0	234.14

Total = 449.26

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	

WATER RESOURCES
RECEIVED

JUN 26 2017



THE STATE OF KANSAS

RECEIVED

MAY 15 2018

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

Topeka Field Office
DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
1320 Research Park Drive
Manhattan, Kansas 66502

Date: _____

Re: FILE NO. 49,864 - AGREEMENT - Application For Hydra Pondster Projects

I understand that the diversion and storage of natural flows of surface water in a reservoir is subject to the principles of priority per K.S.A. 82a-707, namely that the date of priority of every water right of every kind, determines the right to divert and use water at any time when the supply is not sufficient to satisfy all water rights. Surface water stored in a reservoir is administered under K.A.R. 5-6-9, which states that water lawfully stored within any reservoir authorized to store water for subsequent beneficial use shall not be subject to administration unless senior water right holders downstream of the reservoir make an appropriate request to have water bypassed to satisfy their senior water right within two weeks of the runoff event, or any other time frame in which inflow to the reservoir could reasonably have been expected to be available to the downstream senior water right if the reservoir had not impounded the water.

That the owner shall bypass natural flow and/or release water from storage when directed by the Chief Engineer or his authorized representative, in order to satisfy reasonable requests by senior water rights and permits, and to comply with any applicable minimum desirable streamflow requirements. That for purposes of administration, all water contained within the primary pools of the reservoirs shall be considered to be stored from natural flows.

That acceptable water flow meters shall be installed on all Places of Use, providing the total quantity of water applied. This total quantity of water will allow the Division of Water Resources to determine the natural flow quantity that has been diverted, in conjunction with the water flow meters installed on all non-reservoir sources (i.e. pump sites and/or wells).

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources (DWR), when I would be required to bypass inflows or make releases at any or all of the proposed reservoirs, to be withdrawn, released or otherwise diverted from the reservoirs. I acknowledge and consent that all water in the reservoirs is collected natural flows for purposes of administration and that this could influence my operation and management of these reservoirs. I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of this application.

The permit if approved will contain the following condition of approval:

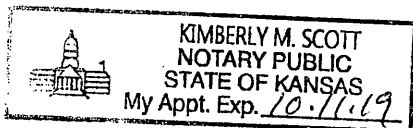
That the owner shall bypass natural flow and/or release water from storage when directed by the Chief Engineer or his authorized representative, in order to satisfy reasonable requests by senior water rights and permits, and to comply with any applicable minimum desirable streamflow requirements. That for purposes of water right administration, all water collected and stored in these reservoirs shall be considered to be natural flows.

Handwritten signature of Carol Flower

Signature of Owner or Agent
Carol Flower
(Print Owner or Agent Name)

State of Kansas)
) ss
County of Miami)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 26th day of March, 2018.



Handwritten signature of Kimberly M. Scott
Notary Public

Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619



Phone: 785-296-5733
Fax: 785-296-8298
www.agriculture.ks.gov
Governor Jeff Colyer, M.D.

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

February 20, 2018

DOVER REAL ESTATE LLC
% VIRGINIA DOVER
10886 W 239TH ST
BUCYRUS KS 66013

Re: Pending New Application, File No. 49,864, and
Appropriation of Water, File No. 49,696

Dear Ginger:

As we discussed, enclosed is an agreement form for File No. 49,864, which is necessary for all Hydra-Pondster projects. This Agreement must be signed, notarized, and returned to our office in order to complete processing of your pending application referenced above. This agreement provides specific criteria related to your proposed irrigation project.

In addition, I have enclosed a "Notice of Completion of Diversion Works" form for Appropriation of Water, File No. 49,696. This form must be signed and dated where shown, you must provide the flowmeter information on the second page, and it requires a \$400 filing fee.

Once you have signed these forms, and had the signature notarized (for the agreement), please mail them back to me, with the \$400 fee at:

**KANSAS DEPARTMENT OF AGRICULTURE
6531 SE FORBES AVENUE SUITE B
TOPEKA KS 66619**

If you have any questions or comments, you may also contact me at (785) 296-3495.

Sincerely,

A handwritten signature in cursive script that reads "Doug Schemm".

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Enclosure

1320 Research Park Drive
Manhattan, Kansas 66502
785-564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
785-296-3556

Secretary Jackie McClaskey

Governor Jeff Colyer, M.D.

February 5, 2018

DOVER REAL ESTATE LLC
10886 W 239TH ST
BUCYRUS KS 66013

RE: Jurisdictional Determination
WSN: DMI-0243, DMI-0244, DMI-0245, DMI-0246, DMI-0247

Dear Ms. Dover:

This will acknowledge receipt of your request for a permit determination. You reported that your ponds are located all in Township 16 South, Range 24 East in Miami County. The locations are as follows and a location map is attached with this letter:

- Pond 1 (DMI-0243) – SW ¼ of the SW ¼ of the SW ¼ of Section 2
- Pond 2 (DMI-0244) – SW ¼ of the SE ¼ of the NW ¼ of Section 2
- Pond 3 (DMI-0245) – NE ¼ of the NW ¼ of the NW ¼ of Section 2
- Pond 4 (DMI-0246) – NW ¼ of the NE ¼ of the NE ¼ of Section 3
- Pond 5 (DMI-0247) – SE ¼ of the SW ¼ of the NE ¼ of Section 3

We have reviewed the submitted documentation to this office. It has been concluded that these projects are not within the jurisdiction of K.S.A. 82a-301 to 305a by observing that the drainage area above the dams are less than 640 acres, has storage volume less than 50 acre-feet at the auxiliary spillway elevation, and are less than 25 feet in height.

These projects do not in any way relieve the project sponsor from complying with any other local, state, or federal requirements which may be applicable.

Should you have any questions, please feel free to contact me at (785) 564-6651, or e-mail me at Mikayla.Kortan@ks.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Mikayla Kortan".

Mikayla Kortan
Water Structures Engineer

PC: Doug Schemm – Topeka Field Office (WR# 49864)

Dover Real Estate LLC
WR: 49864
WSN: DMI-0243, DMI-0244, DMI-0245, DMI-0246, DMI-0247

Pond #3 WSN: DMI-0245
NE 1/4 of the NW 1/4 of the NW 1/4 of Section 2

Pond #4 WSN: DMI-0246
NW 1/4 of the NE 1/4 of the NE 1/4 of Section 3

Pond #2 WSN: DMI-0244
SW 1/4 of the SE 1/4 of the NW 1/4 of Section 2

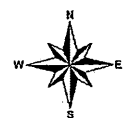
Pond #5 WSN: DMI-0247
SE 1/4 of the SW 1/4 of the NE 1/4 of Section 3

Pond #1 WSN: DMI-0243
SW 1/4 of the SW 1/4 of the SW 1/4 of Section 2

USDA-FSA-APFO Aerial Photography Field Office



1:11,000





Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov
Sam Brownback, Governor

August 3, 2017

HOPKINS FARMS
W 239TH ST
BUCYRUS KS 66013

Re: Pending Application, File No. 49,864

Dear Sir or Madam:

This is to advise you that Dover Real Estate LLC has filed the application referred to above for a permit to appropriate 609 acre-feet of surface water per calendar year to be stored in five (5) **existing reservoirs**, and re-divert 609 acre-feet of the stored water for irrigation use. The proposed points of diversion (where the structures cross the centerline of the streams) are located in the West Half of Section 2 and the East Half of Section 3, all in Township 16 South, Range 24 East, Miami County, Kansas. As noted, these are all existing dams and reservoirs that have been in place for many years, and they will not be modified.

Records in this office indicate that you own land along the streams in this vicinity and you are being notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's points of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

You can find the application and site map posted by the file number referenced above at:
<http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Doug Schemm".

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Dover Real Estate LLC

The logo features the word "Kansas" in a large, serif font. Above the letters "a", "n", "s", and "a" are decorative arches of small stars. Below "Kansas" is the text "Department of Agriculture" and "Division of Water Resources" in a smaller, sans-serif font.

Kansas
Department of Agriculture
Division of Water Resources

Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov
Sam Brownback, Governor

August 3, 2017

LISA STICKLER
24077 QUIVIRA ROAD
BUCYRUS KS 66013

Re: Pending Application, File No. 49,864

Dear Sir or Madam:

This is to advise you that Dover Real Estate LLC has filed the application referred to above for a permit to appropriate 609 acre-feet of surface water per calendar year to be stored in five (5) **existing reservoirs**, and re-divert 609 acre-feet of the stored water for irrigation use. The proposed points of diversion (where the structures cross the centerline of the streams) are located in the West Half of Section 2 and the East Half of Section 3, all in Township 16 South, Range 24 East, Miami County, Kansas. As noted, these are all existing dams and reservoirs that have been in place for many years, and they will not be modified.

Records in this office indicate that you own land along the streams in this vicinity and you are being notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's points of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

You can find the application and site map posted by the file number referenced above at:
<http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Doug Schemm".

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Dover Real Estate LLC



Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Sam Brownback, Governor

August 3, 2017

JAMES & JEANETTE CAMPBELL
24365 PFLUMM ROAD
LOUISBURG KS 66053

Re: Pending Application, File No. 49,864

Dear Sir or Madam:

This is to advise you that Dover Real Estate LLC has filed the application referred to above for a permit to appropriate 609 acre-feet of surface water per calendar year to be stored in five (5) **existing reservoirs**, and re-divert 609 acre-feet of the stored water for irrigation use. The proposed points of diversion (where the structures cross the centerline of the streams) are located in the West Half of Section 2 and the East Half of Section 3, all in Township 16 South, Range 24 East, Miami County, Kansas. As noted, these are all existing dams and reservoirs that have been in place for many years, and they will not be modified.

Records in this office indicate that you own land along the streams in this vicinity and you are being notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's points of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

You can find the application and site map posted by the file number referenced above at:
<http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Schemm".

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Dover Real Estate LLC

Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner



Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov
Sam Brownback, Governor

August 3, 2017

JACOB LOWMAN
24545 PFLUMM ROAD
LOUISBURG KS 66053

Re: Pending Application, File No. 49,864

Dear Sir or Madam:

This is to advise you that Dover Real Estate LLC has filed the application referred to above for a permit to appropriate 609 acre-feet of surface water per calendar year to be stored in five (5) **existing reservoirs**, and re-divert 609 acre-feet of the stored water for irrigation use. The proposed points of diversion (where the structures cross the centerline of the streams) are located in the West Half of Section 2 and the East Half of Section 3, all in Township 16 South, Range 24 East, Miami County, Kansas. As noted, these are all existing dams and reservoirs that have been in place for many years, and they will not be modified.

Records in this office indicate that you own land along the streams in this vicinity and you are being notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's points of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

You can find the application and site map posted by the file number referenced above at:
<http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Schemm".

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Dover Real Estate LLC



Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov
Sam Brownback, Governor

August 3, 2017

VINCENT ALAGNA
W 231 STREET
BUCYRUS KS 66013

Re: Pending Application, File No. 49,864

Dear Sir or Madam:

This is to advise you that Dover Real Estate LLC has filed the application referred to above for a permit to appropriate 609 acre-feet of surface water per calendar year to be stored in five (5) **existing reservoirs**, and re-divert 609 acre-feet of the stored water for irrigation use. The proposed points of diversion (where the structures cross the centerline of the streams) are located in the West Half of Section 2 and the East Half of Section 3, all in Township 16 South, Range 24 East, Miami County, Kansas. As noted, these are all existing dams and reservoirs that have been in place for many years, and they will not be modified.

Records in this office indicate that you own land along the streams in this vicinity and you are being notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's points of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

You can find the application and site map posted by the file number referenced above at:
<http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Doug Schemm".

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Dover Real Estate LLC

FILE NO. _____

SOIL: "78" PRECIP.: 41"

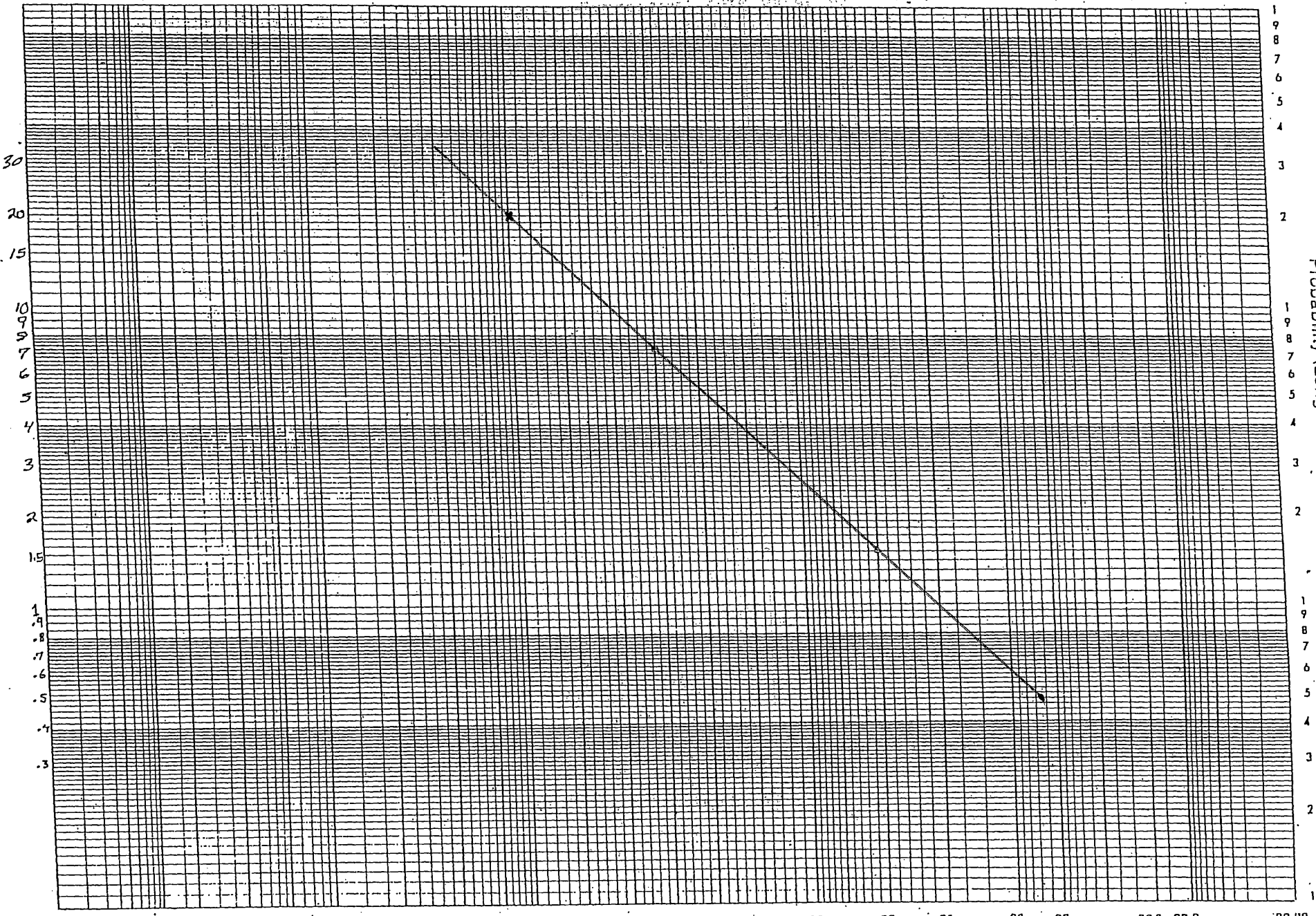
INCHES RUNOFF/ACRE: 20"

60 ACRES IN DRAINAGE x 20" = 1200" / 12" ⇒ 100 AF OF RUNOFF (20% CHANCE ANNUALLY)

99.99 99.9 99.8 99 98 95 90 80 70 60 50 40 30 20 10 5 2 1 0.5 0.2 0.1 0.05 0.01

RUNOFF IN INCHES

Probability (Long-axis) by 3 Cycle Log



0.01 0.05 0.1 0.2 0.5 1 2 5 10 20 30 40 50 60 70 80 90 95 98 99 99.8 99.9 99.99

% CHANCE

PREPARED BY:

FILE No. _____

SOIL: "78" PRECIP.: 41"

INCHES RUNOFF/ACRE: 20"

98

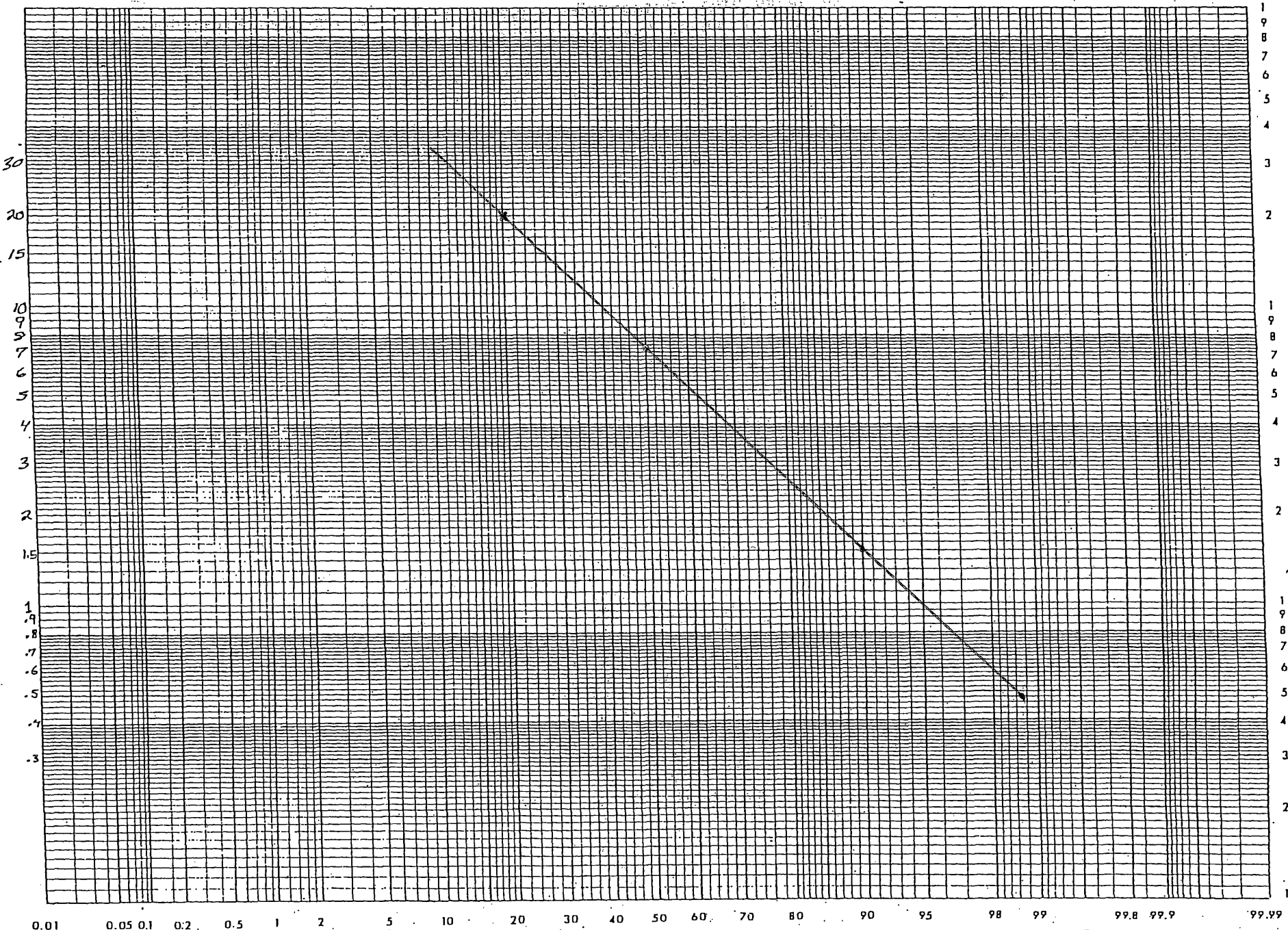
ACRES IN DRAINAGE x 20" = 1960" / 12" ⇒ 163 AF OF RUNOFF (20% CHANCE ANNUALLY)

AF OF RUNOFF (20% CHANCE ANNUALLY)

99.99 99.9 99.8 99 98 95 90 80 70 60 50 40 30 20 10 5 2 1 0.5 0.2 0.1 0.05 0.01

RUNOFF IN INCHES

Probability (Long-axis) by 3 Cycle Log



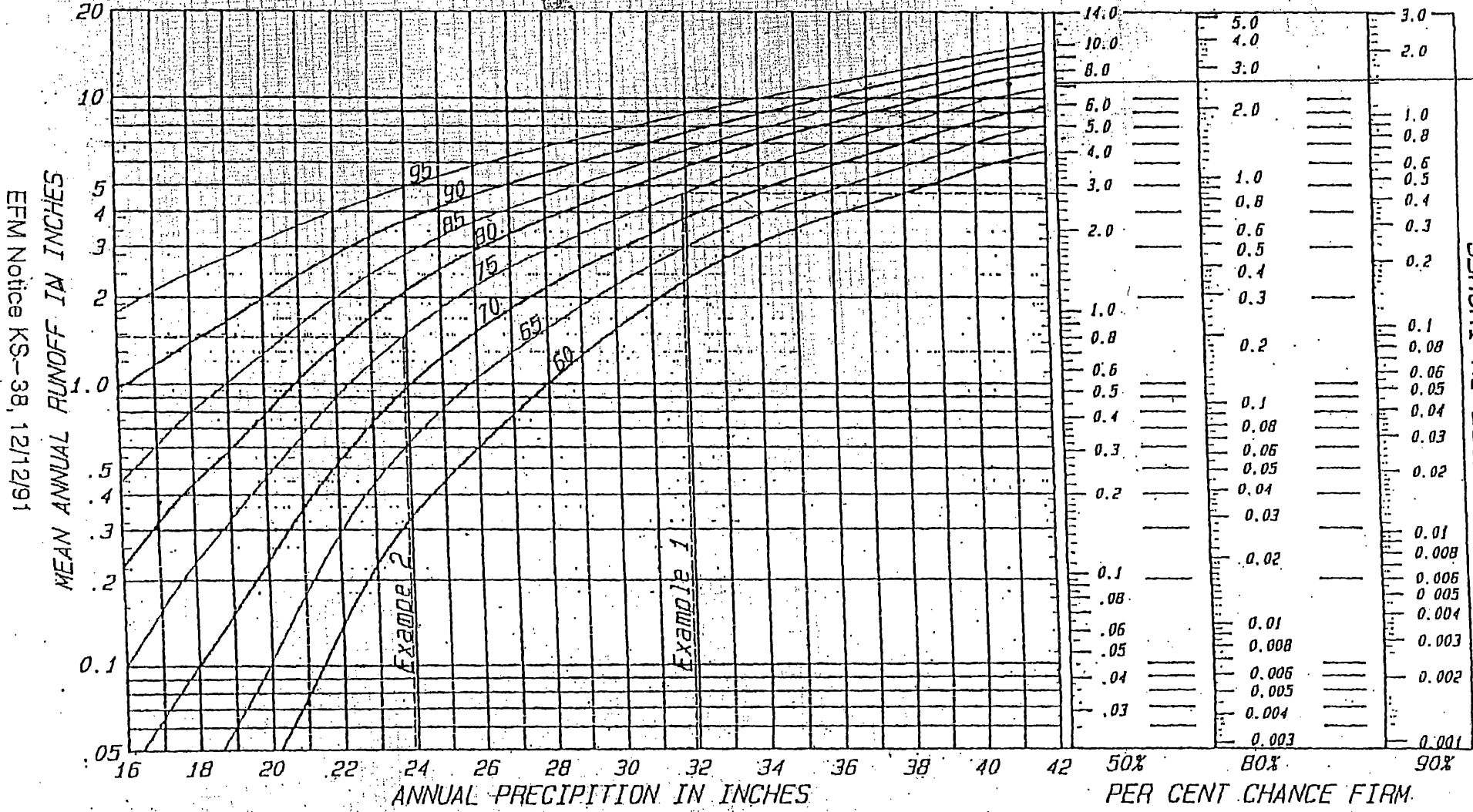
0% CHANCE

PREPARED BY:

GRAPH DATED FROM VARIOUS SOURCES UNB-1-1-

222

ANNUAL YIELD OF RUNOFF



EFM Notice KS-38, 12/12/91

MEAN ANNUAL RUNOFF IN INCHES

ANNUAL PRECIPITATION IN INCHES

PER CENT CHANCE FIRM

RUNOFF IN INCHES

United States department of agriculture, natural resources conservation service, nation engineering handbook series, part 650, engineering field handbook.

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49864 00

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49864 00 IRR

Water Right and Points of Diversion Within 2.00 miles of point defined as:

3225 Feet North and 3885 Feet West of the Southeast Corner of Section 2 T 16S R 24E

SURFACE WATER ONLY

File Number	Use	ST	SR	Dist	(ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 37693	00	IRR	NK	S	7490	--	NW	SE	NW	3430	3860	12	16	24E	1		12.00	12.00	AF
Same					8285	--	SE	NW	SW	1880	4480	12	16	24E	4				
Same					9422	NC	N2	S2	SW	900	3900	12	16	24E	6				
A__ 45667	00	REC	NK	S	7710	--	--	--	--	5365	605	4	16	24E	1		.00	.00	AF
A__ 49270	00	IRR	KE	S	4814	--	NE	NE	SW	2180	2760	34	15	24E	1		90.00	90.00	AF
A__ 49272	00	IRR	KE	S	3831	--	NE	SE	SW	1100	2750	34	15	24E	2		93.00	93.00	AF
A__ 49691	00	IRR	AY	S	3339	--	SW	SW	SW	58	4943	2	16	24E	2		163.00	163.00	AF
A__ 49692	00	IRR	AY	S	0	--	SW	SE	NW	3225	3885	2	16	24E	1		100.00	100.00	AF
A__ 49693	00	IRR	AY	S	1863	--	--	--	--	5076	4094	2	16	24E	3		100.00	100.00	AF
A__ 49694	00	IRR	AY	S	2882	--	--	--	--	5380	423	3	16	24E	1		100.00	100.00	AF
A__ 49695	00	IRR	AY	S	3347	--	SE	SW	NE	2730	1869	3	16	24E	2		100.00	100.00	AF
A__ 49864	00	IRR	AY	S	0	--	SW	SE	NW	3225	3885	2	16	24E	1		609.00	609.00	AF
Same					3339	--	SW	SW	SW	58	4943	2	16	24E	2				
*****	Authorized storage =									.00	AF	Additional storage =					.00	AF	
Same					1863	--	--	--	--	5076	4094	2	16	24E	3				
*****	Authorized storage =									.00	AF	Additional storage =					.00	AF	
Same					2882	--	--	--	--	5380	423	3	16	24E	1				
*****	Authorized storage =									.00	AF	Additional storage =					.00	AF	
Same					3347	--	SE	SW	NE	2730	1869	3	16	24E	2				
*****	Authorized storage =									.00	AF	Additional storage =					.00	AF	

To be dismissed

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	1172.00	1218.00
Total Permitted Amount (AF) =	183.00	188.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	12.00	2.90
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	1367.00	1408.90

An * after the source of supply indicates a pending application for change under the file number.
 An * after the ID indicates a 15 AF exemption was granted under the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 2.00 miles of point defined as:
 3225 Feet North and 3885 Feet West of the Southeast Corner of Section 2 T 16S R 24E

SURFACE WATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 37693	00	IRR	NK S
>	DARRELL YORK		
>			
>	25049 BARTON ST		

Level

Pond 1 - ^{at} Meter

Spring on Pond 4

→ portable pump #1 ^{req}
Pond 2 ^{req} meter

Pond 1

- 5, 4, 3, 2

used pivot 3

or field w of pivot west

always go dry

Pond 2345

can be used for pivot

or any where else w/ ^{solid pipe} trailing guns

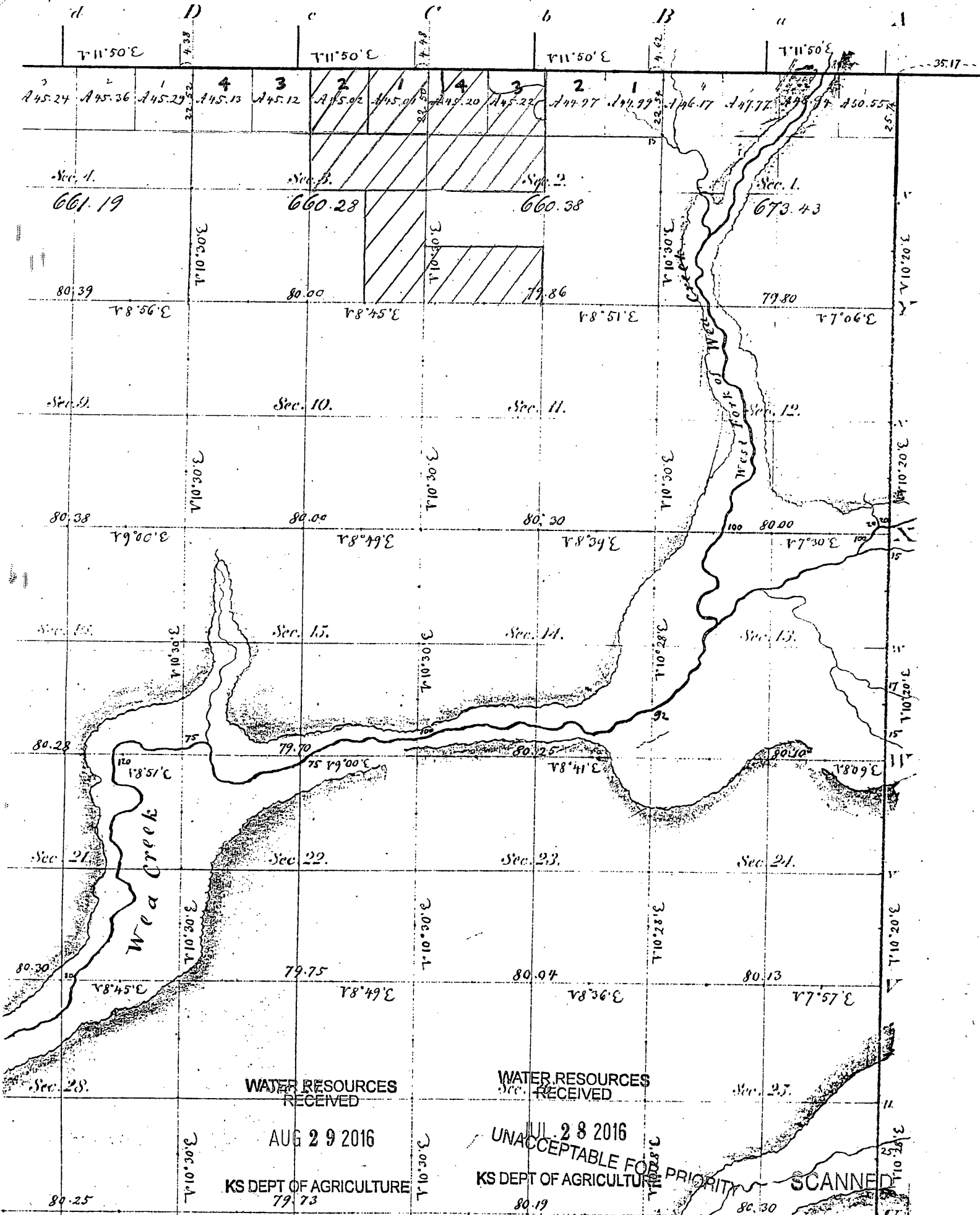
Pond 5 to Pond 1 only in 10 years

2,

Pond 2 or Pond 3 run the guns

N^o XXIV East of the 6th Principal MERIDIAN
16 South

49.011k



WATER RESOURCES RECEIVED

AUG 29 2016

KS DEPT OF AGRICULTURE 79.73

WATER RESOURCES RECEIVED

JUL 28 2016

UNACCEPTABLE FOR PRIORITY
KS DEPT OF AGRICULTURE 80.19

SCANNED

49864

Nearby Landowners

- #1 Hopkins Farms
W 239th St
Bucyrus KS 66013
- #2 Lisa Stickler
24077 Quivira Rd
Bucyrus KS 66013
- #3 James & Jeanette Campbell
24365 Pflumm Rd
Louisburg KS 66053
- #4 Jacob Lowman
24545 Pflumm Rd
Louisburg KS 66053
- #5 Vincent Alagna
W 231st St
Bucyrus KS 66013

WATER RESOURCES
RECEIVED

JUN 26 2017

KS DEPT OF AGRICULTURE

SCANNED

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

June 28, 2017

FILE COPY

DOVER REAL ESTATE, LLC
10886 W 239TH ST
BUCYRUS KS 66013

RE: Application
File No. 49864

Dear Sir or Madam:

Your application for permit to appropriate water in 2-16S-24E in Miami County, was received and has been assigned the file number noted above.

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

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

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

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

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

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

Sincerely,

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

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: TOPEKA Field Office
GMD

DOVER REAL ESTATE LLC
 Sections 2 and 3, Township 16 South, Range 24 East
 Miami County

498104



POND #4
 Proposed Point of Diversion
 (5,380' N and 423' W)

POND #3
 Proposed Point of Diversion
 (5,076 N and 4,094' W)

POND #5
 Proposed Point of Diversion
 (2,730' N and 1,869' W)



POND #2
 Proposed Point of Diversion
 (3,225' N and 3,885' W)

POND #1
 Proposed Point of Diversion
 (58' N and 4,943' W)

Southeast Corner of Section 3
 Township 16 South
 Range 24 East

Southeast Corner of Section 2
 Township 16 South
 Range 24 East

1:24,000

-  Proposed Place of Use
-  Proposed Point of Diversion

All known landowners adjacent to the stream within one-half mile upstream and downstream of the property lines have been shown.

Virginia Dover

JUN 26 2017

KS DEPT OF AGRICULTURE
 SCANNED

DOVER REAL ESTATE LLC
 Sections 2 and 3, Township 16 South, Range 24 East
 Miami County

LINE UNDERGROUND
 ABOVE GROUND
 PIPE



1:12,000



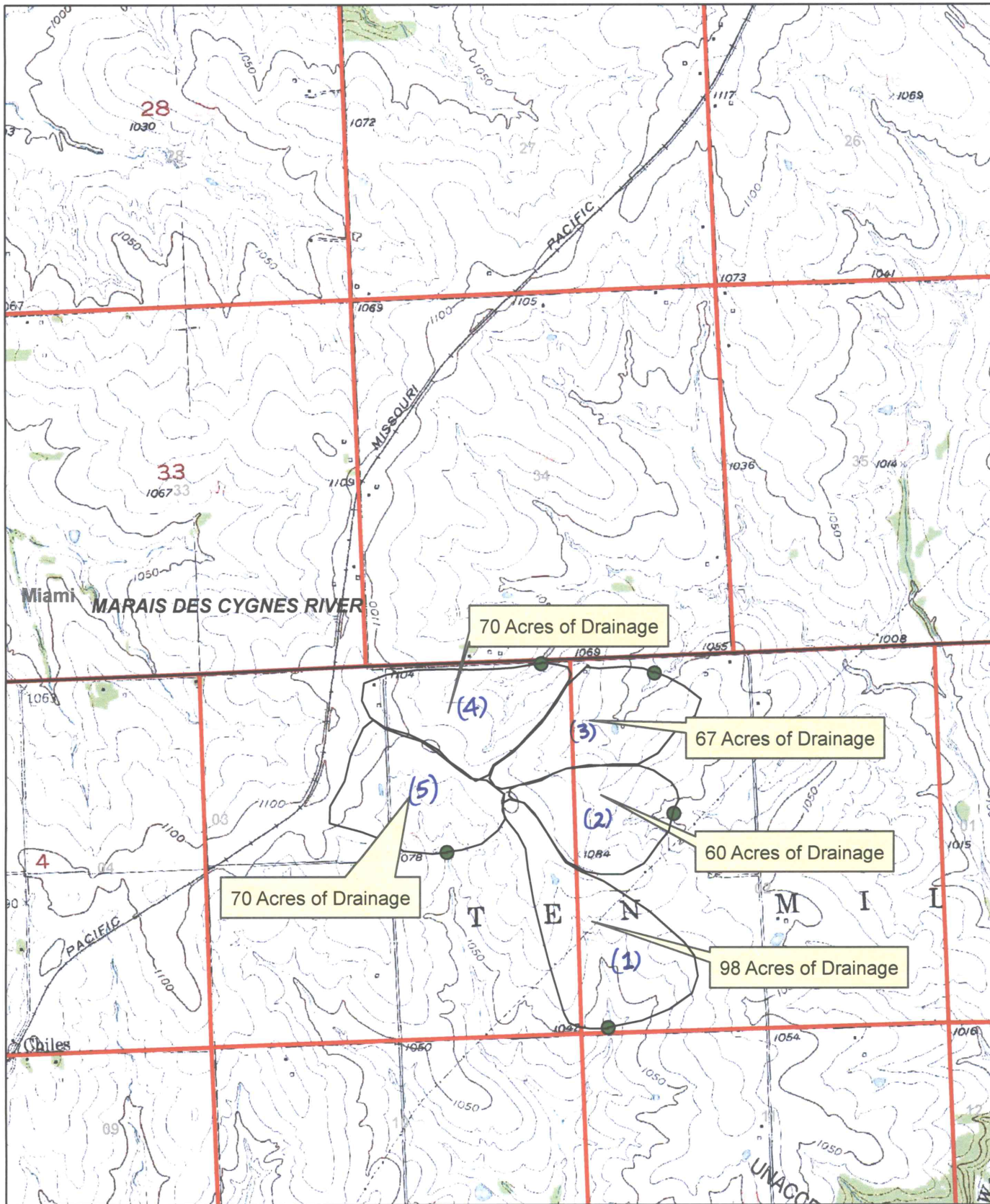
Proposed Place of Use



Proposed Point of Diversion

All known landowners adjacent to the stream within one-half mile upstream and downstream of the property lines have been shown.

DOVER REAL ESTATE LLC
Sections 2 & 3, Township 16 South, Range 24 East
Drainage Area Map



WATER RESOURCES RECEIVED

● Proposed Point of Diversion
AUG 29 2016

KS DEPT OF AGRICULTURE

- Pond #1 Runoff = 163 AF
- Pond #2 Runoff = 100 AF
- Pond #3 Runoff = 112 AF
- Pond #4 Runoff = 117 AF
- Pond #5 Runoff = 117 AF

WATER RESOURCES RECEIVED

JUL 28 2016

KS DEPT OF AGRICULTURE

1:24,000



SCANNED FOR PRIORITY