

Kansas Department of Agriculture
Division of Water Resources
PERMIT OF NEW APPLICATION WORKSHEET

1. File Number: <p style="text-align: center;">49,949</p>	2. Status Change Date: <p style="text-align: center;"><i>4/2/2018</i></p>	3. Field Office: <p style="text-align: center;">01</p>	4. GMD: <p style="text-align: center;">0</p>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
<p>7a. Applicant(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID 34975 Add Seq# _____</p> <p>BOTT FAMILY FARMS DOUGLAS BOTT 1665 FIRST RD PALMER KS 66962</p>	<p>7c. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID 52999 Add Seq# _____</p> <p style="text-align: center;">DOUGLAS A & KAYLEEN BOTT 144 NATIONAL RD PALMER KS 66962</p>		
<p>7b. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID 58193 Add Seq# _____</p> <p>DARYL BOTT 231 PRAIRIE RD LINN KS 66953</p>	<p>7d. Misc. New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p>		
<p>8. WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: right;">Person ID _____ Add Seq# _____ Notarized WUC Form <input type="checkbox"/></p> <p>7a.</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="text-align: center;"><input type="checkbox"/> Groundwater <input checked="" type="checkbox"/> Surface Water</p> <p><input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>		
10. Completion Date: <u>12/31/2019</u>		11. Perfection Date: <u>12/31/2023</u>	
12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
<p>Date Prepared: 3/21/2018 By: DWS Date Entered: <i>4/3/2018</i> By: <i>UM</i></p>			

File No. **49,949** 15. Formation Code: Drainage Basin: BIG BLUE RIVER County: WS Special Use: Stream: Carter Creek Trib 1B (Big Blue River)

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	
MOD			86450	NC NE NE	26	5	3E	2	4620	660	2000	371	2000	371	NONE

18. Storage: Rate **NF** Quantity **371** ac/ft Additional Rate **NF** Additional Quantity **371** 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	
MOD			68642	23	5	3E	1			40	40	26	40	40	40	40	40	40	40	40	40	40	40	40	546	7b.	No	NONE
ENT			68811	26	5	3E		40	40	40	40	40	9	3	35	7					24	22			300	7c.	No	NONE
DEL			52166*																									

Comments: ***THERE ARE NO OVERLAPPING FILES IN PLACE OF USE.**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: March 21, 2018

FROM: Doug Schemm

RE: Application, File No. 49,949

Bott Family Farms has filed the application referred to above for a permit to appropriate 371 acre-feet of surface water at the rate of natural flows to be stored in a proposed reservoir located in the Northeast Quarter of Section 26, in Township 5 South, Range 3 East, Washington County, Kansas. The dam is located on Carter Creek Trib 1B, within the Big Blue River basin. The point of diversion is located on property owned by Douglas & Kayleen Bott, and Douglas Bott has signed the application form stating they have legal access to the point of diversion. The place of use is owned by Daryl Bott, with another portion owned by Douglas & Kayleen Bott, and it comprises a total of 846 acres. There are **no other overlapping files in point of diversion or place of use**. Note that the initial application was filed for 611.55 acre-feet of storage, but this was reduced to 371 acre-feet per basin runoff potential. Both the site application map and the Irrigation Supplemental Sheet were modified to ensure that the proposed irrigation system would be watering authorized acres.

Runoff computations determined that the 524 acres of drainage area, will generate a runoff quantity (8.5") of only 371 acre-feet in 1 out of every five (5) years (a 20% chance). Therefore, per K.A.R. 5-6-5, this runoff quantity **IS** the limiting factor, and **the application quantity must be reduced** from the requested quantity of 611.55 acre-feet. The reduced quantity of water for direct use (rediversion) of 371 acre-feet for irrigation use on 846 acres, provides less than 0.5 acre-feet per acre, which is significantly less than the maximum allowable of 1.2 acre-feet per acre in Washington County, Kansas, per K.A.R. 5-3-24. However, this quantity although limited, is still reasonable for this area of the state. Please note that the application states there will be only 429 irrigated acres, which would be 0.9 acre-feet per acre. The applicant agreed to the reduced quantity in a December 27, 2017 telephone call.

The applicant identified that Bott Family members own all of the property upstream and downstream within one-half (½) mile of the property lines. Therefore, no nearby landowner letters are required. There are only two surface water rights within a two-mile radius according to the WRIS database. These senior files authorize the same dam, on a different tributary to Carter Creek, and no senior water rights will be impaired with approval of this application.

The proposed structure was reviewed by DWR Water Structures Program staff, under File No. DWS-0129, and they determined that it is exempt from dam safety permit requirements specified in K.S.A. 82a-301(a) (see October 5, 2017 letter). The dam location has been registered in the structures records. As allowed by K.S.A. 82a-706(c) an approved water flow meter shall be installed on the secondary diversion works (pump site) for this file. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. Since this reservoir is proposed, a Special Condition on the Permit will be needed to provide an initial fill quantity of 71.7 acre-feet.

In a December 28, 2017 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, the dam is exempt from permitting under the DWR Water Structures Program (but it has been registered), and senior rights will not be impacted, it is recommended that the referenced new application be approved.

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

April 5, 2018

BOTT FAMILY FARMS
1665 FIRST RD
PALMER KS 66962

FILE COPY

Re: Appropriation of Water, File No. 49,949

Dear Mr. Bott:

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 source and at the location 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. If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:dws
Enclosures

pc: Topeka Field Office
Daryl Bott
Douglas & Kayleen Bott

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. 49,949** of the applicant

BOTT FAMILY FARMS
1665 FIRST RD
PALMER KS 66962

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 **December 1, 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		
23 5S 3E			40	40	26	40	40	40	40	40	40	40	40	40	40	40	40	546
26 5S 3E	40	40	40	40	40	9	3	35	7				24	22				300

3. That the appropriation sought shall be limited to all natural flows of an unnamed tributary to Carter Creek, designated in the office of the Chief Engineer as Carter Creek Trib 1B (Big Blue River), 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 **371 acre-feet** per calendar year in one (1) reservoir created by a dam located near the center of the Northeast Quarter of the Northeast Quarter (NE¼ NE¼) of Section 26, more particularly described as being near a point 4,620 feet North and 660 feet West of the Southeast corner of said section, in Township 5 South, Range 3 East, Washington County, Kansas, to provide **371 acre-feet** of water as needed for direct irrigation use to be withdrawn, released or otherwise diverted from the reservoir at a re-diversion rate of approximately **2,000 gallons per minute (4.46 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.

CERTIFICATE OF SERVICE

On this ^{5th} day of *April* 2018, I hereby certify that the foregoing Approval of Application, File No. 49,949, dated *April 2nd, 2018* was mailed postage prepaid, first class, US mail to the following:

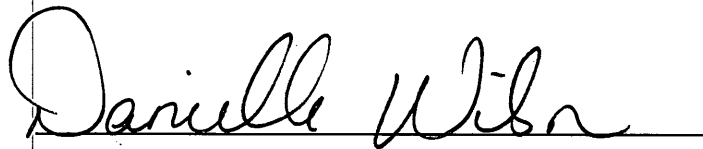
BOTT FAMILY FARMS
1665 FIRST RD
PALMER KS 66962

With photocopies to:

DARYL BOTT
231 PRAIRIE RD
LINN KS 66953

DOUGLAS A & KAYLEEN BOTT
144 NATIONAL RD
PALMER KS 66962

Topeka Field Office



Division of Water Resources

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49949
This item to be completed by the Division of Water Resources.

WATER RESOURCES
RECEIVED

**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 01 2017
12:02
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): BOTT FAMILY FARMS
Address: 1665 FIRST RD
City: PALMER State KS Zip Code 66962
Telephone Number: (785) 692-4530

2. The source of water is: surface water in Trib to West Fancy Cr Carter Creek Trib 1B
(stream)
OR groundwater in Big Blue 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. **Rediverted @ 548 AF at 2,000 gpm**

3. The maximum quantity of water desired is ~~644.55~~ ^{*} 371 ³⁷¹ acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of Nat-flow 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) Use <u>E122</u> Source <u>G</u> County <u>WS</u> By <u>AW</u> Date <u>12/1/17</u>	
Code <u>RES</u>	Fee \$ <u>240</u>	TR # _____	Receipt Date <u>12/1/17</u> Check # <u>10380</u>

DWR 1-100 (Revised 06/16/2014) * Reduced Storage and Rediversion Quantity based on Basin Runoff Potential. Applicant agreed in 12/27/17 phone call - DWS/DWR 12/27/17 12/6/2017 LCM

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49949
This item to be completed by the Division of Water Resources.

WATER RESOURCES
RECEIVED

**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 01 2017
12:02
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): BOTT FAMILY FARMS
Address: 1665 FIRST RD
City: PALMER State KS Zip Code 66962
Telephone Number: (785) 692-4530

2. The source of water is: surface water in Trib to West Fancy Cr (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. **Rediverted @ 516 AF at 2,000 gpm**

3. The maximum quantity of water desired is 611.55 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of Nat-flow 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>	<u>GMD</u>	<input checked="" type="checkbox"/> Meets K.A.R. 5-3-1 (YES) <input type="checkbox"/> (NO)	Use <u>Dir</u>	Source <u>G</u> <input checked="" type="checkbox"/> <u>S</u>	County <u>WS</u>	By <u>AWW</u> Date <u>12/1/17</u>
Code	<u>RE3</u>	Fee \$ <u>340</u>	TR # _____	Receipt Date <u>12/1/17</u>	Check # <u>10380</u>		

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 NE quarter of the NE quarter of Section 26, more particularly described as being near a point 4620 feet North and 660 feet West of the Southeast corner of said section, in Township 5 South, Range 3 East, WASHINGTON 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):

DOUGLAS A & KAYLEEN BOTT
(name, address and telephone number)

144 National Rd Plamer KS 66962
(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 11, 2017. Douglas Bott
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 _____
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) 12/1/2017
(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 _____
(Mo/Day/Year)

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.

Per feet Distances
DWS/DWR
3/21/18

(A) One in the ~~NE~~^{NC} quarter of the NE quarter of the NE quarter of Section 26, more particularly described as being near a point 4620 feet North and 660 feet West of the Southeast corner of said section, in Township 5 South, Range 3 East, WASHINGTON 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.

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DOUGLAS A & KAYLEEN BOTT
(name, address and telephone number)

144 National Rd Plamer KS 66962
(name, address and telephone number)

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Executed on 12 11, 2017. Douglas Bott
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7. The proposed project for diversion of water will consist of _____
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) 12/1/2017
(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 _____
(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 Considered 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.

N/A

Direct = ~~516~~ ³⁷¹ (429 Irrigated acres) at 1.2 AF/acre)

Indirect = ~~25.05~~ (Surface Evap.)

Capacity = ~~71.7~~

Limited to Basin Runoff
of 371 acre-feet

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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.

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 Considered 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.

N/A

Direct = 516 (429 Irrigated acres at 1.2 AF/acre)

Indirect = 25.05 (Surface Evap.)

Capacity = 71.7

WATER RESOURCES RECEIVED

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* Per discussion with applicant, and revised site map. DWS/DWR 2/27/2018

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 49949

Name of Applicant (Please Print): BOTT FAMILY FARMS

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: DOUGLAS A & KAYLEEN BOTT

ADDRESS: 144 NATIONAL RD PALMER KS 66962

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
26	5	3E	10	39	40	38	10			13	1					6	12		169
*	26	5	3E	40	40	40	40	40	9	3	35	7				24	22		300

Landowner of Record NAME: Daryl Bott

ADDRESS: 231 PRAIRIE RD LINN KS 66953

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
*	23	5	3E			40	40	26	40	40	40	40	40	40	40	40	40	40	40	546

Total = 846

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		

222

FILE NO. 49,949

SOIL: "77" PRECIP.: 30"

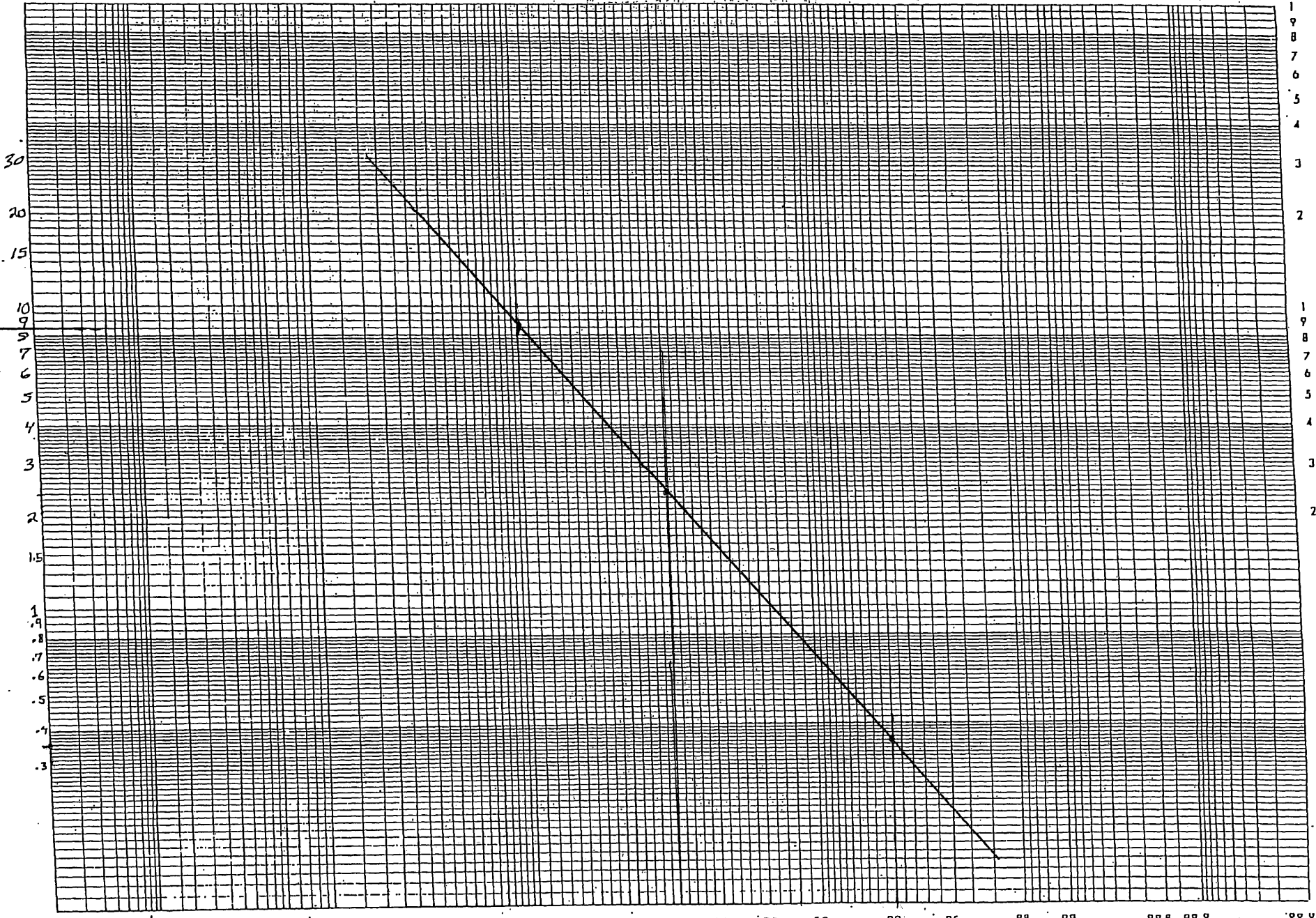
WS county
INCHES RUNOFF/ACRE: 8.5"

524 ACRES IN DRAINAGE x 8.5" = 4454" / 12" \Rightarrow 371 AF OF RUNOFF (20% CHANCE ANNUALLY)

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

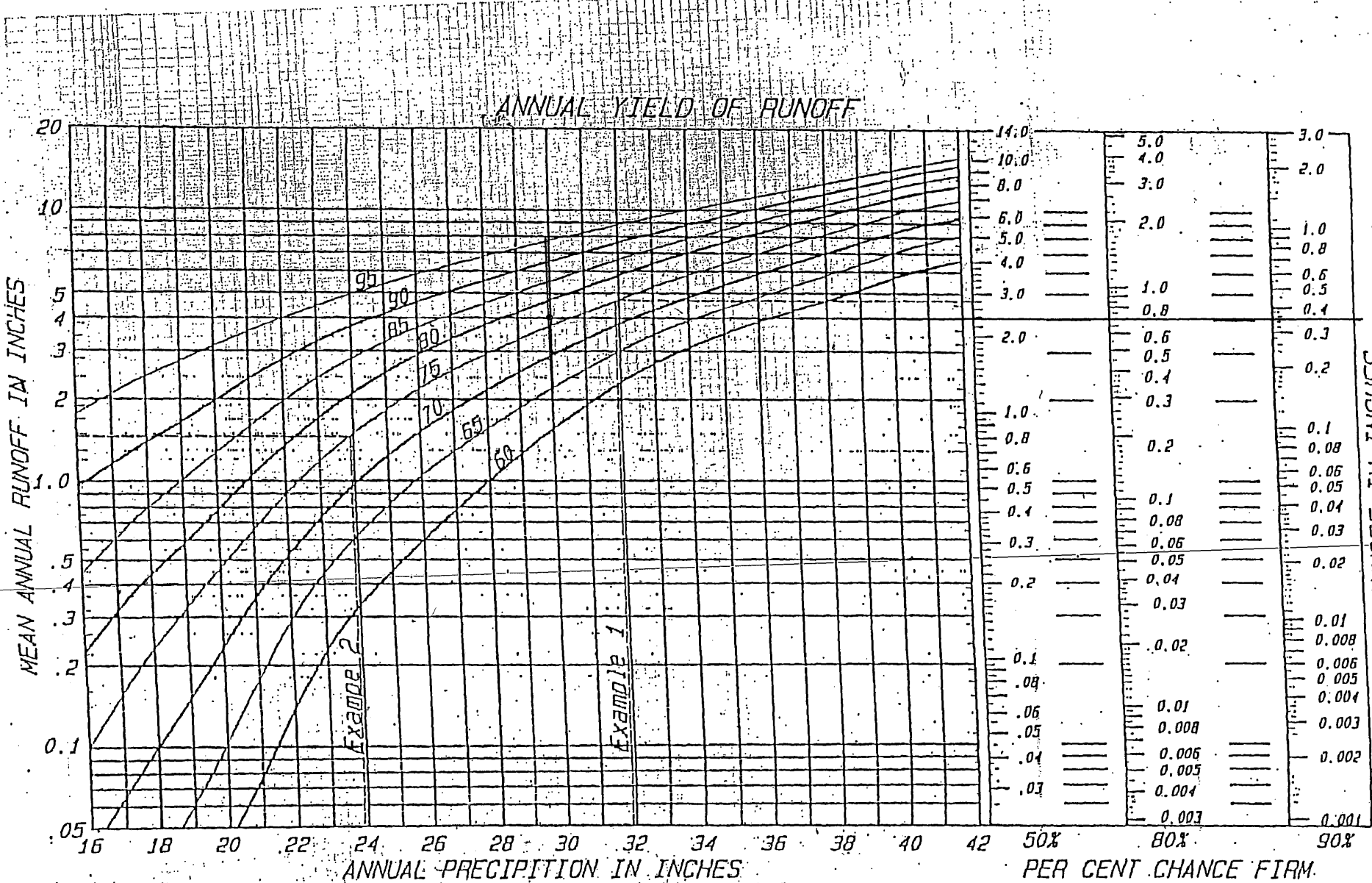
RUNOFF IN INCHES

Probability (Long-axis) by 3 Cycle Log



0% CHANCE

PREPARED BY:

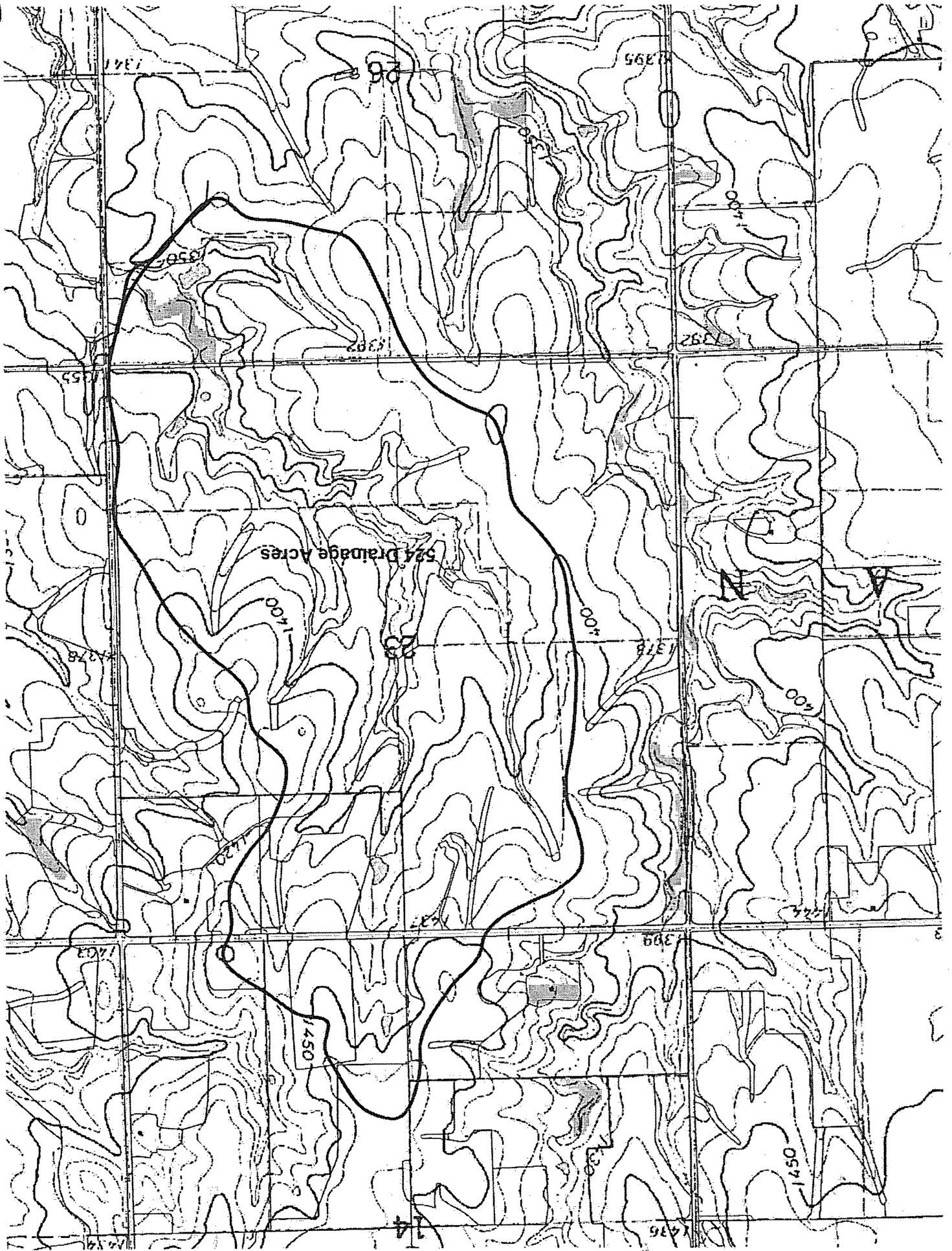


RUNOFF IN INCHES

KS-2-36

KAR 5-6-4(a)(1)

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



#49,949

WSI [Quarry] ENG, WSI, TRANSACTIONS, WATER RIGHTS, LOCATIONS, WAIVERS, ECA, ITRAIL, COMPLIANCE, IMAGES, WSI ACTIONS

STRUCTURE NUMBER: D [] IWS [] 0129 [] W# 499208 [] LAST# 130 []

REVIEWER: []

INIT: []

File Location: []

APPLICANT: LAST: BOTT FAMILY FARMS [] FIRST: []

OWNER: LAST: BOTT FAMILY FARMS [] FIRST: []

DESIGNER: LAST: CES GROUP PA [] FIRST: []

Const Comp Date: [] DDA: 495 [] Remarks: [] For: []

APPLICATION: App Recd Date: []

CURRENT STATUS: Perml: []

Project Activity: DAM REGISTRATION []

Site Name: []

Stream: CARTER CREEK-TR []

KDOT Type: []

INDICATORS: Pending Complaint: []

App Mod: []

Pending Mod: []

After the Fact: []

General Permits: []

Levee Ind: []

Corps: []

App Proc Time: []

DWR: [] Total: []

Location: []

Pub Date: []

WSI ACT ALL ACT LOCATION ECA APPLICANT OWNER DESIGNER ENG COMPLAINT MOD ACT PROJECT

ACTIONS LOCATION ECA FEE ITRAIL LEGAL WAIVER YWR IMAGE CMP MODIFICATION TAXED AFF IND

Active Ind	Last Name	First Name
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		

ENGINEERING DATA #49949

Eng Date	4/5/11
Water Rights	
Natural	
Material	
Dam Length	
Dam Height	22
Volume Of Fill	21200
Soil Type	
Assessment	
Storage (cu ft)	
Discharge (cfs)	
Emp Status	
State Regulated	
Rec Updated	
Priv On Fed	
Phase 1 Imp	
Group	
Water Rights	
Size Class	
Nearest City/Town	PALMER
Distance To City/Town	
Purpose 3	
Purpose 2	
Purpose 1	
Stru#	1333
PS#	1347
ES#	1350
TOC#	1353
TOC#	2716
TOC#	1912
ES#	1212
ES#	100
Drawn By	
Checked	
Foundation	
Reduction Schedule	
Remarks	
Old Dam Name	
Dam Former Name	River/Stream CARTER CREEK
Design/ESS GROUP	P.A.
Hydraulic Height	
Outlet Outlet	
Structural Height	
Application No	
Location	
Applicant	BOTT FARM V FARMS
Filed Date	
EXT	
Num	128
County	
Type	
WMS	
App	
HAZARD	

#49949

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49949 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49949 00 IRR

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

4620 Feet North and 660 Feet West of the Southeast Corner of Section 26 T 5S R 3E

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__ 43573 00 IRR NK S      4217 -- NE NW SW 2120 4056 26 5 3E 1      60.00 60.00 AF
A__ 49486 00 IRR KE S      4217 -- NE NW SW 2120 4056 26 5 3E 1     134.60 74.60 AF
A__ 49949 00 IRR AY S        0 -- NE NE NE 4620 660 26 5 3E 2     516.00 516.00 AF
=====

```

```

=====
Total Net Quantities Authorized:   Direct      Storage
Total Requested Amount (AF) =      516.00      611.55
Total Permitted Amount (AF) =       74.60      39.60
Total Inspected Amount (AF) =         .00         .00
Total Pro_Cert Amount (AF) =         .00         .00
Total Certified Amount (AF) =       60.00      95.00
Total Vested Amount (AF) =          .00         .00
TOTAL AMOUNT (AF) =      650.60      746.15
=====

```

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:

4620 Feet North and 660 Feet West of the Southeast Corner of Section 26 T 5S R 3E

SURFACE WATER ONLY

WATER USE CORRESPONDENTS:

```

=====
File Number   Use ST SR
A__ 43573 00 IRR NK S
> DOUGLAS A & KAYLEEN BOTT
>
> 144 NATIONAL RD
> PALMER KS 66962
>-----
A__ 49486 00 IRR KE S
> DOUGLAS A & KAYLEEN BOTT
>
> 144 NATIONAL RD
> PALMER KS 66962
>-----
A__ 49949 00 IRR AY S
> BOTT FAMILY FARMS
> DELWIN BOTT
> 1665 FIRST RD
> PALMER KS 66962
>-----
=====

```

#####

Schemm, Doug [KDA]

49,949

From: Daryl Bott <bottcattle@bluevalley.net>
Sent: Wednesday, March 21, 2018 11:15 AM
To: Schemm, Doug [KDA]
Subject: RE: New Site Map File No. 49,949

Looksgood.

From: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Sent: Thursday, March 15, 2018 2:35 PM
To: bottcattle@bluevalley.net
Subject: FW: New Site Map File No. 49,949

Hello Mr. Bott,
I just left you a message, but thought I would send this again, just in case you misplaced it.
Have a great day,
Doug

From: Schemm, Doug [KDA]
Sent: Monday, February 26, 2018 10:54 AM
To: bottcattle@bluevalley.net
Cc: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Subject: New Site Map File No. 49,949

Good Morning Mr. Bott,
Here's a revised site map for your review.
Let me know if this is ok,
Doug

Schemm, Doug [KDA]

Bott #49,949

From: Whitesell, Alex [KDA]
Sent: Wednesday, December 27, 2017 3:03 PM
To: Schemm, Doug [KDA]
Subject: RE: Stream Name File No. 49,949

It is Carter Creek Trib 1B #3926.

From: Schemm, Doug [KDA]
Sent: Wednesday, December 27, 2017 1:43 PM
To: Whitesell, Alex [KDA]
Subject: Stream Name File No. 49,949

Alex,
This reservoir is describe on the app as on a trib to West Fancy Creek (Although might be Carter Creek?)
Can you give me a stream name for it, please?
Thanks, Doug

49949

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

June 21, 2016

DOUGLAS BOTT
1663 1ST RD
PALMER KS 66962

RE: Low Hazard Dam Registration
WSN: DWS-0129

Dear Mr. Bott:

Please accept this letter as confirmation that your proposed dam is exempt from the dam safety permit requirements specified in K.S.A. 82a-301(a), and the submitted dam location has been registered in our records.

You reported that your dam will be located in the SE 1/4 of the NE 1/4 of the NE 1/4 of Section 26, Township 5 South, Range 3 East in Washington County. You also reported that the proposed dam has a height of 22 feet, and a storage volume of 121.2 acre-feet at the emergency spillway elevation. We verified that your proposed dam qualifies for the hazard class A permit exemption specified in K.S.A. 82a-301(d)(1).

Please note that your dam may be reclassified to a hazard class B or C in the future as a result of improvements or changes on downstream properties. If that occurs, you will be required to obtain a dam safety permit for the existing dam. This may require redesign and partial reconstruction of the dam to meet applicable dam safety standards.

Please contact me at 785-564-6652 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Hunninghake".

Kimberly A. Hunninghake, P.E.
Dam Safety Team Leader

49949

DWS0129

REGISTRATION FORM FOR EXEMPT CLASS A DAMS

K.S.A. 82a-301

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

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

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

Dam owner information

Name: BOTT Family Farms % Douglas Bott
 Mailing Address: 1663 First Road
 Phone: 785-692-4530 cell 785-632-4960
 E-mail Address: BOTT cattle @ blue valley . net

Legal description of location: The location of the proposed dam is (use intersection of project centerline and stream centerline): ___ quarter of the ___ quarter of the NE quarter of Section 26 more particularly described as being near a point ___ feet North and ___ feet West of the Southeast corner of said section, in Township 5 South, Range 3 (East/West) WS County, Kansas, across, along, or in (stream or watercourse name): trib to Carter Creek.

Drainage area (acres): 495 Acres
 Use intersection of dam centerline and stream centerline as drainage area point.

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 MAY 25 2016

Dam height (feet): 22 20ft. at centerline
 The height of a dam or barrier shall be measured from the lowest elevation of the streambed, downstream toe or outside limit of the dam to the elevation of the top of the dam.

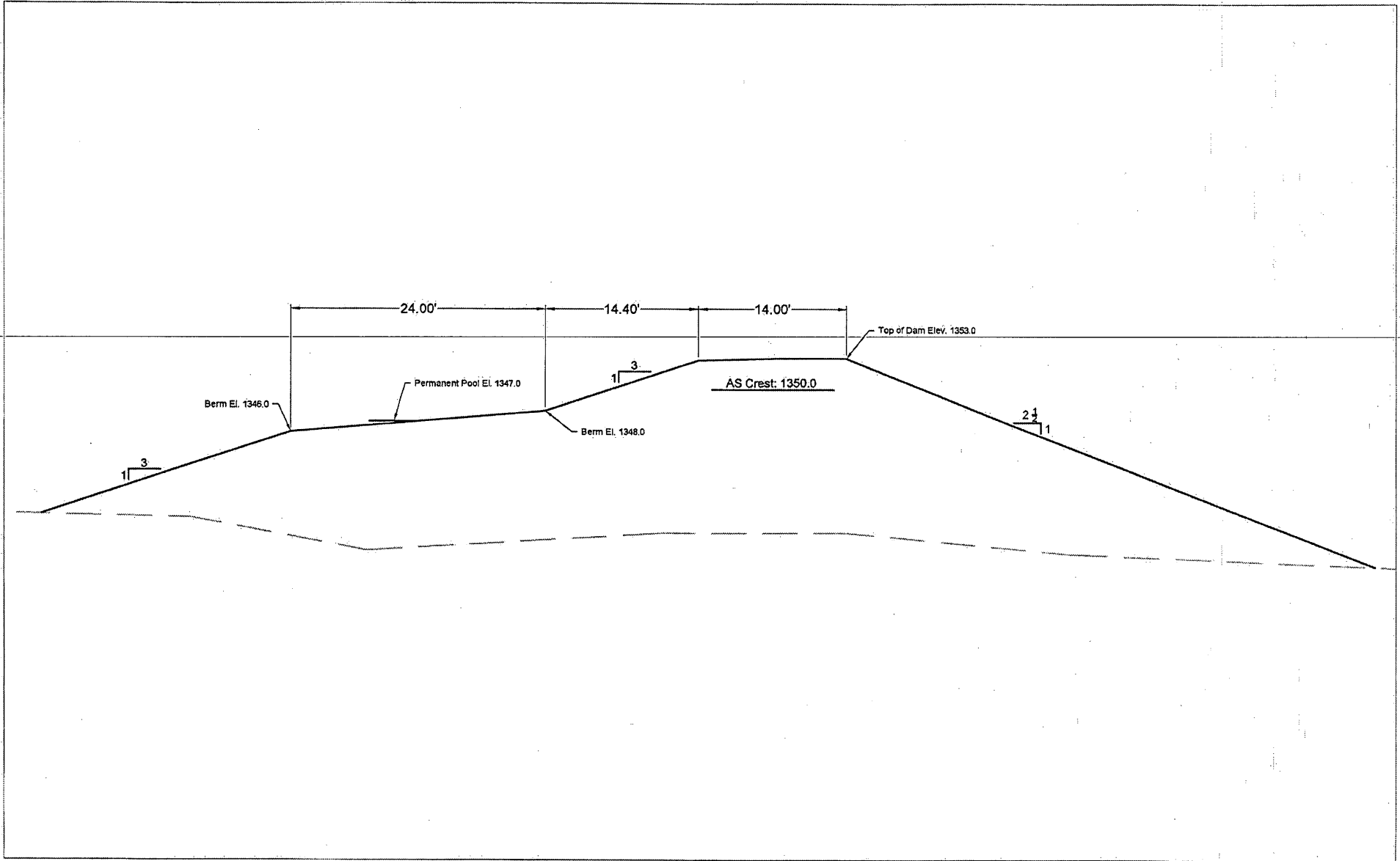
KS DEPT OF AGRICULTURE

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

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

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

SCANNED



49949

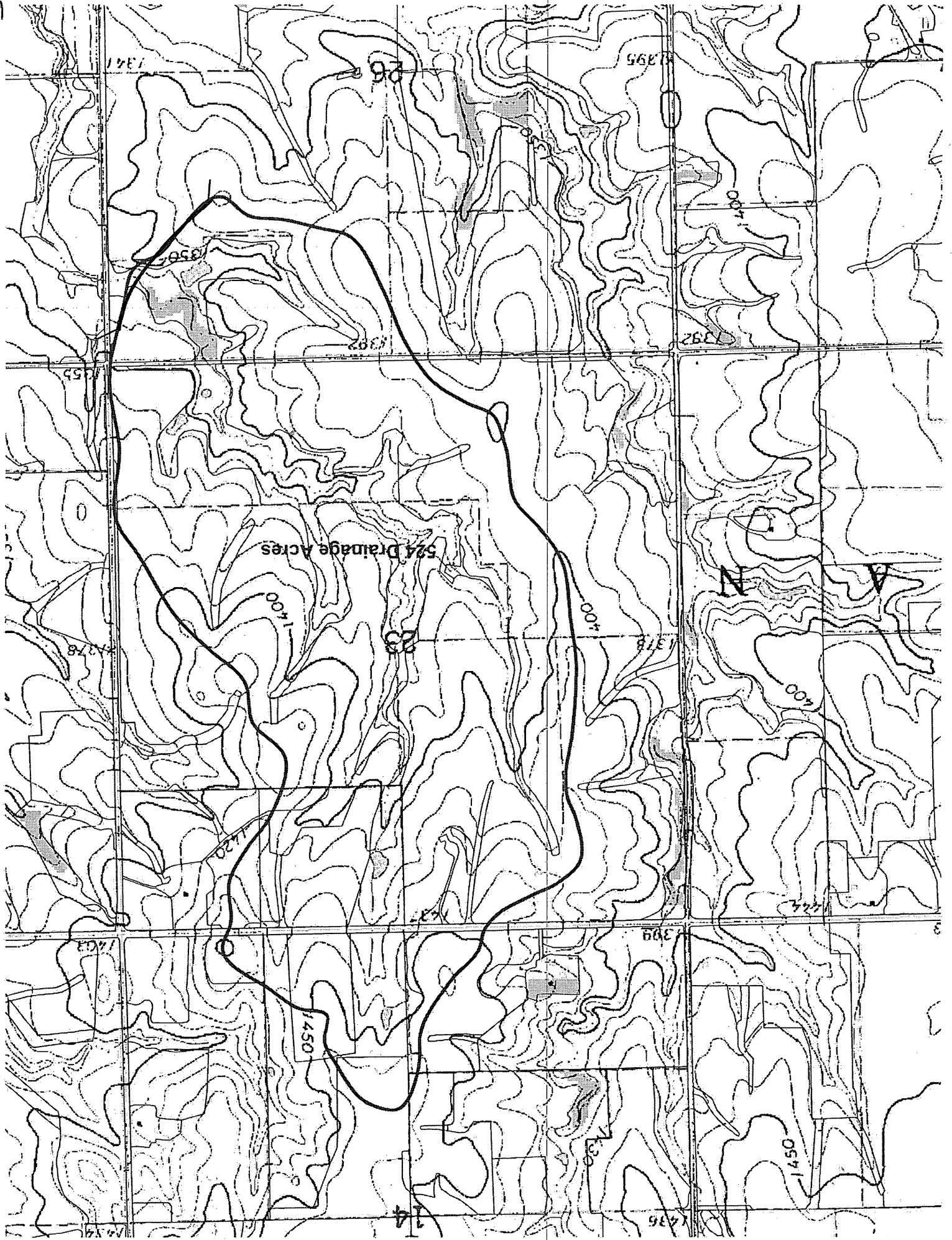
Project: Bott NE 26 Dam

WO# 162487

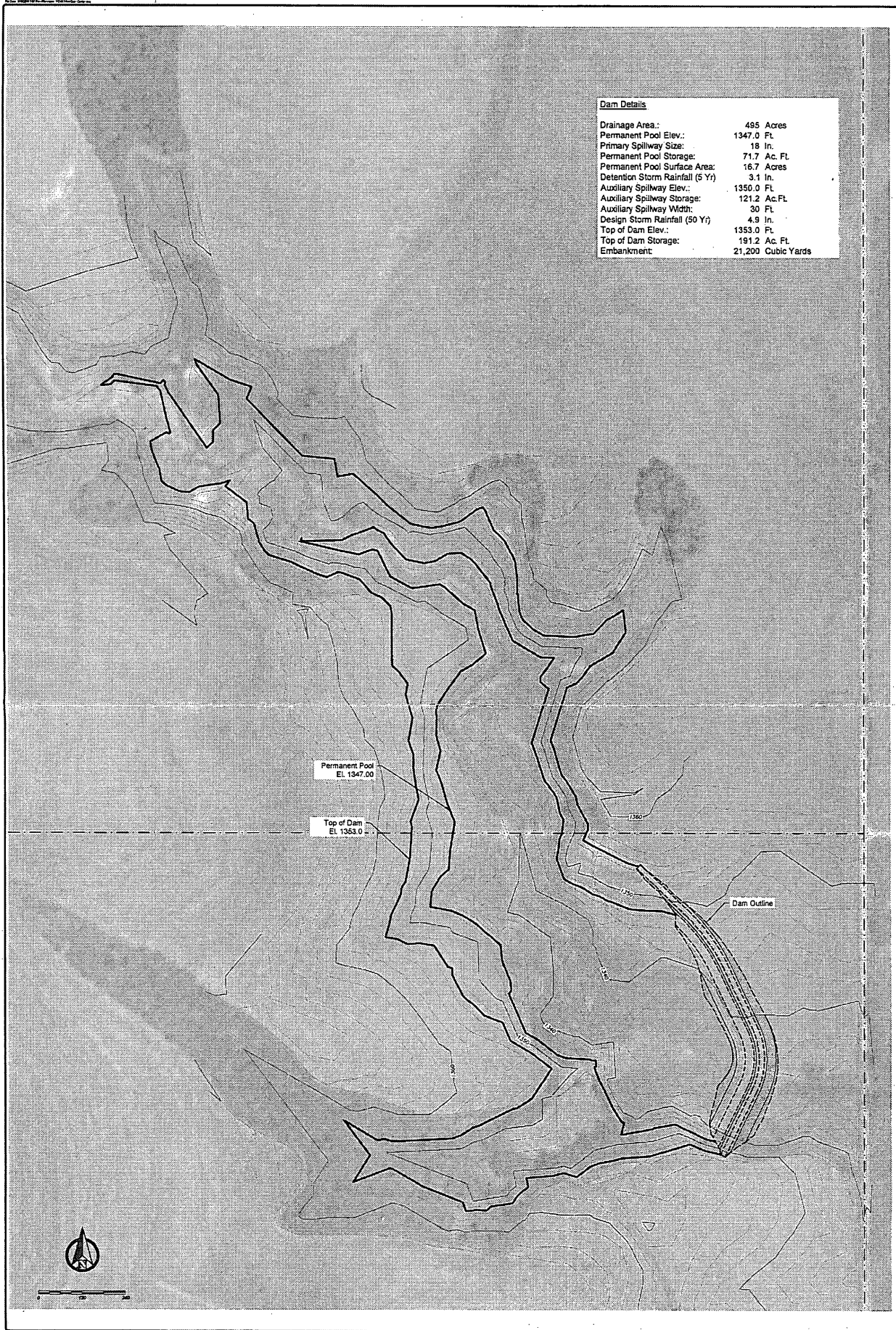
Stage Storage Table

Elevation	Height	Surface Area (Acres)	Volume (Ac-Ft)	Cumulative volume of Storage	Note
1333	0	0.00	0		Streambed
1334	1	0.10	0.1	0.1	
1335	2	1.05	0.6	0.6	
1336	3	1.71	1.4	2.0	
1337	4	2.30	2.0	4.0	
1338	5	3.01	2.7	6.7	
1339	6	3.87	3.4	10.1	
1340	7	4.51	4.2	14.3	
1341	8	5.13	4.8	19.1	
1342	9	5.98	5.6	24.7	
1343	10	6.99	6.5	31.2	
1344	11	8.38	7.7	38.8	
1345	12	9.98	9.2	48.0	
1346	13	11.90	10.9	59.0	
1347	14	13.65	12.8	71.7	PS
1348	15	15.53	14.6	86.3	
1349	16	17.43	16.5	102.8	
1350	17	19.49	18.5	121.2	AS
1351	18	22.06	20.8	142.0	
1352	19	24.57	23.3	165.3	
1353	20	27.16	25.9	191.2	Top

SCANNED



49949



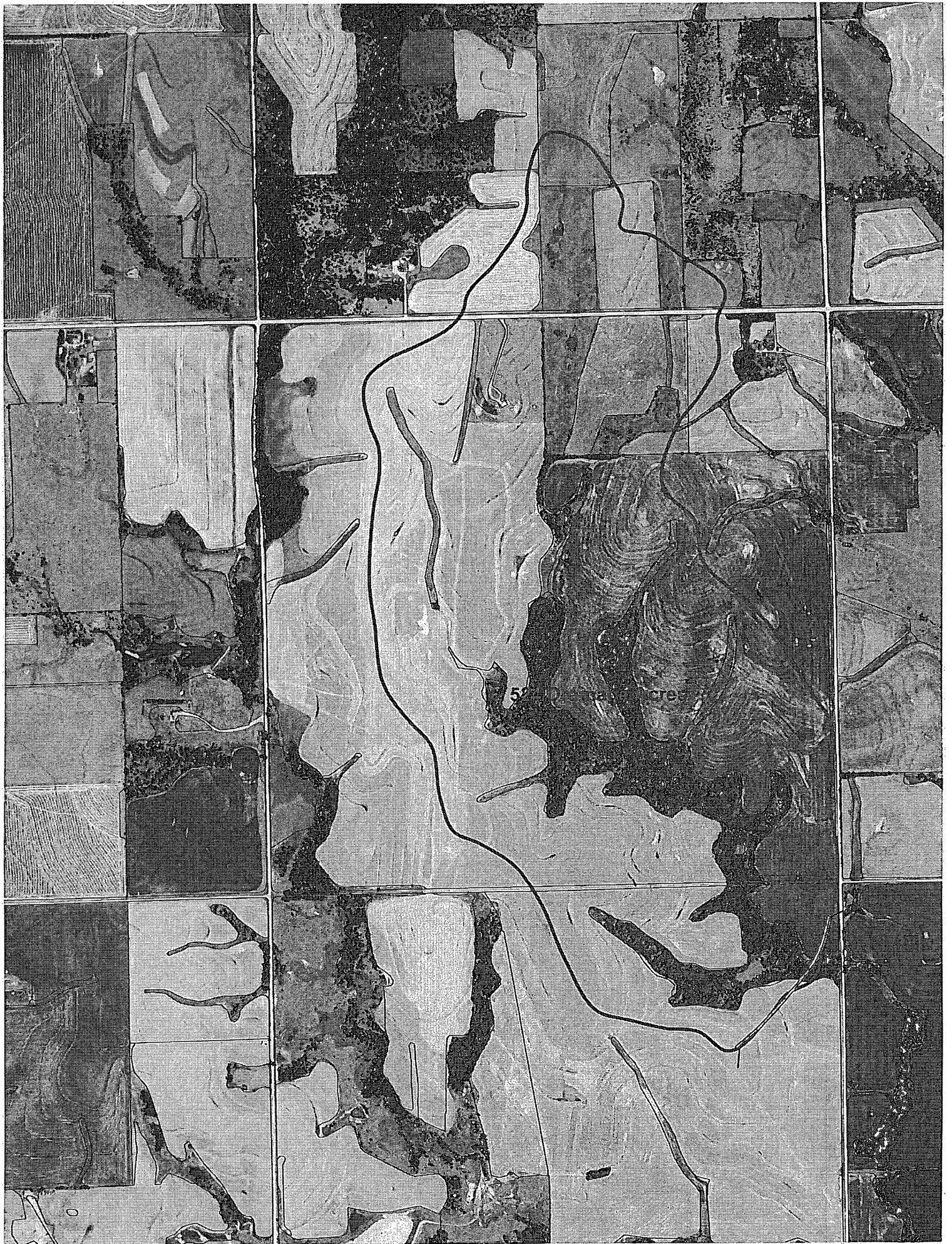
Dam Details	
Drainage Area:	495 Acres
Permanent Pool Elev.:	1347.0 Ft.
Primary Spillway Size:	18 In.
Permanent Pool Storage:	71.7 Ac. Ft.
Permanent Pool Surface Area:	16.7 Acres
Detention Storm Rainfall (5 Yr)	3.1 In.
Auxiliary Spillway Elev.:	1350.0 Ft.
Auxiliary Spillway Storage:	121.2 Ac. Ft.
Auxiliary Spillway Width:	30 Ft.
Design Storm Rainfall (50 Yr)	4.9 In.
Top of Dam Elev.:	1353.0 Ft.
Top of Dam Storage:	191.2 Ac. Ft.
Embankment:	21,200 Cubic Yards

Sheet No: 1	Design: — Detailed: — Checked: — W.O.# 162487 Date: 03/15	Bott Family Farms NE Sec 26 Dam							
Total Sheets: 1		Planview	No.	Revisions	Date	Init.			

CES GROUP P.A.
ENGINEERS & SURVEYORS
1182 Broadway, Mt. Vernon, NY 10549-3144 • ces@cesgroup.com

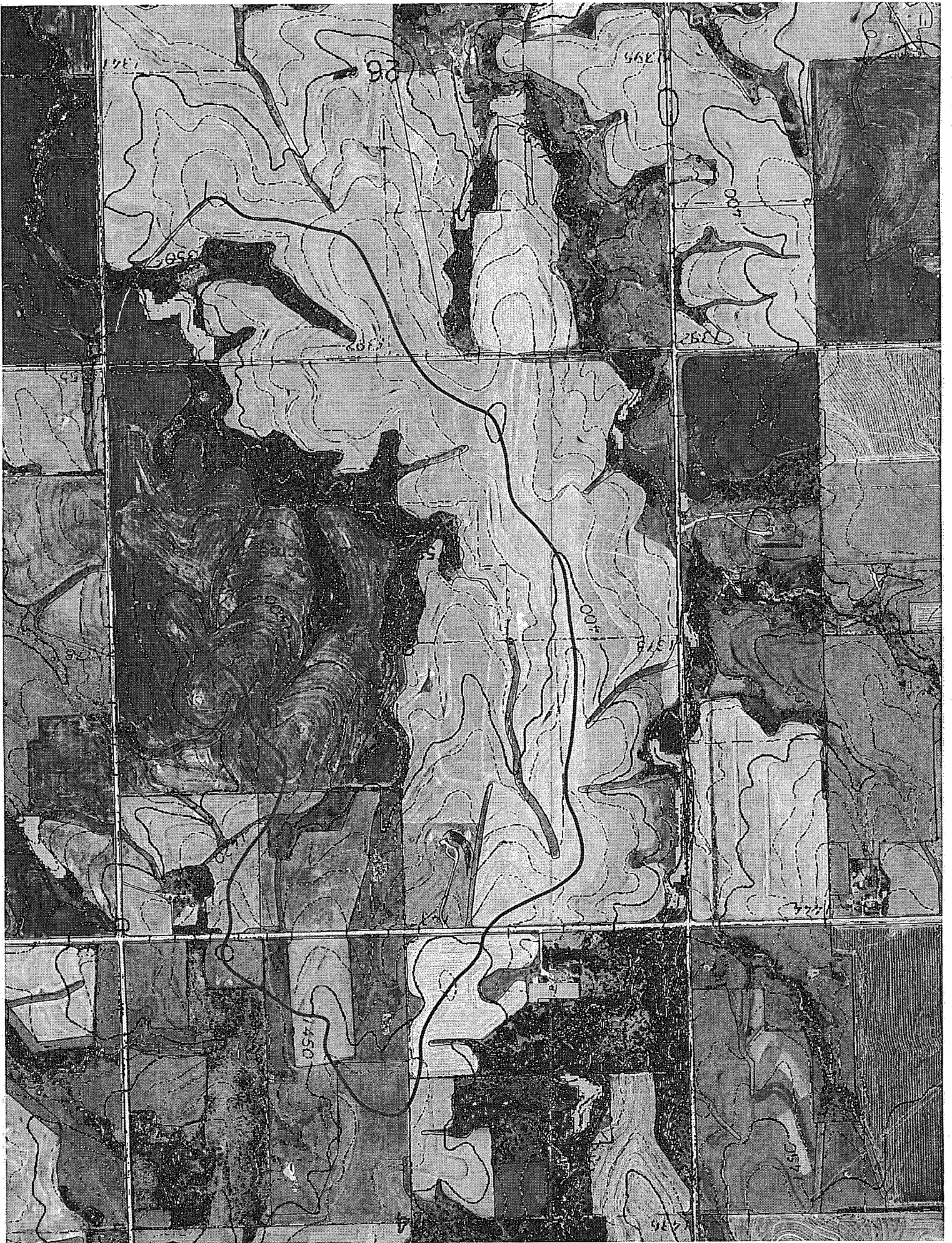
SCANNED

49949



23-5-3 P 26-5-3

SCANNED



IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49949

Name of Applicant (Please Print): BOTT FAMILY FARMS

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: DOUGLAS A & KAYLEEN BOTT

ADDRESS: 144 NATIONAL RD PALMER KS 66962

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
26	5	3E	10	39	40	38	10			13	1					6	12		169

Landowner of Record NAME: Daryl Bott

ADDRESS: 231 PRAIRIE RD LINN KS 66953

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
23	5	3E			40	40	40	25	40	40	40	40	40	40	40	40	40	40	40	545

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		

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): _____%

Estimate the maximum land slope in the field(s): _____%

c. Type of irrigation system you propose to use (check one):

- Center pivot Center pivot - LEPA "Big gun" sprinkler
 Gravity system (furrows) Gravity system (borders) Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: _____ psi

(2) What is the sprinkler package design rate? _____ gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

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

49949

1. BOTT, DARREN & LINDA
2. BOTT, DARYL & ANNETTE

106 QUIVIRA RD PALMER, KS 66962
231 PRAIRIE RD LINN, KS 66953

WATER RESOURCES
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KS DEPT OF AGRICULTURE

(Date)

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

Re: Application
File No. 49949

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

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 the above referenced application.

Douglas Bott
Signature of Applicant

State of Kansas)
County of Riley) ss

Douglas Bott
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 1st day of December, 2017.



Danielle Wilson
Notary Public

My Commission Expires: 8/23/2020

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**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River



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 4, 2017

BOTT FAMILY FARMS
1665 FIRST RD
PALMER KS 66962

FILE COPY

RE: Application
File No. 49949

Dear Sir or Madam:

Your application for permit to appropriate water in 26-5S-3E in Washington 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

SCANNED

NEW STREAM WORKSHEET

AJW
ES 49,949

Date: 12/6/17

File No. _____

Basin Name: Big Blue River Basin No. 13

Stream Name: Carter Creek Trib 1 B (Big Blue)

Stream location (confluence with parent stream):

Section 25, Township 5 South, Range 3 (East)

Map Color Coding:

Basin Stream – Blue

Named Main Stream off Basin Stream – Yellow

Named Stream off Main Stream – Green

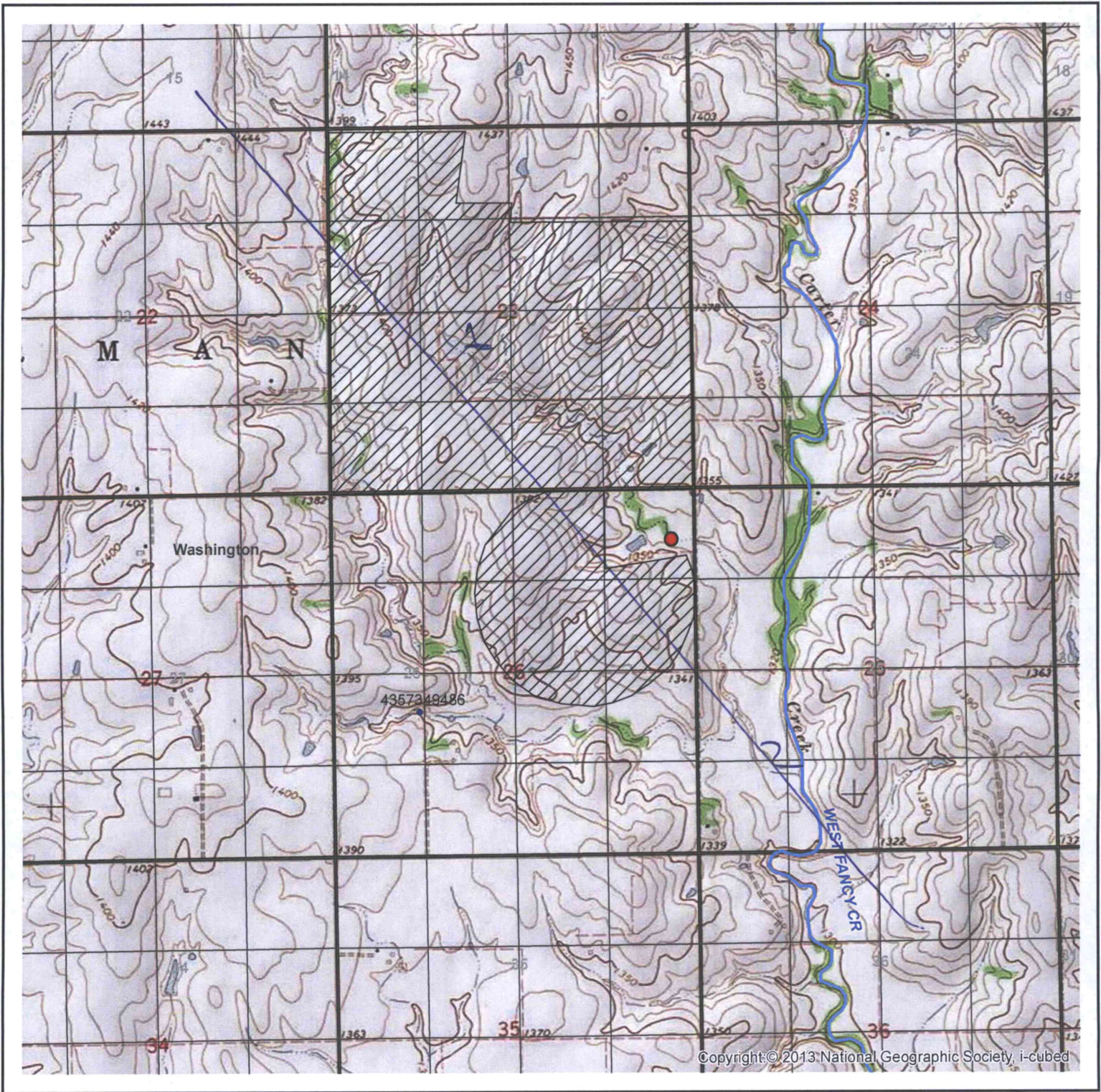
Unnamed Trib (1, 2, 3, 4, etc.) – Pink

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

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

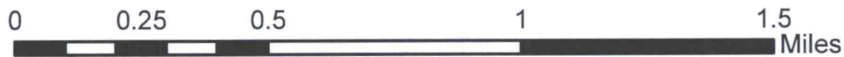
Stream No. 3 9 2 6 (computer assigned - entered by data entry staff)

Date Entered 12/6/2017 By CLM



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1:24,000



Legend

- Point of Diversion
- ▨ Place of Use

The names and addresses of the landowners 1/2 mile downstream and 1/2 mile upstream from my property lines are shown

Douglas Roth



WATER RESOURCES RECEIVED

DEC 01 2017

New Application, File No. 49949

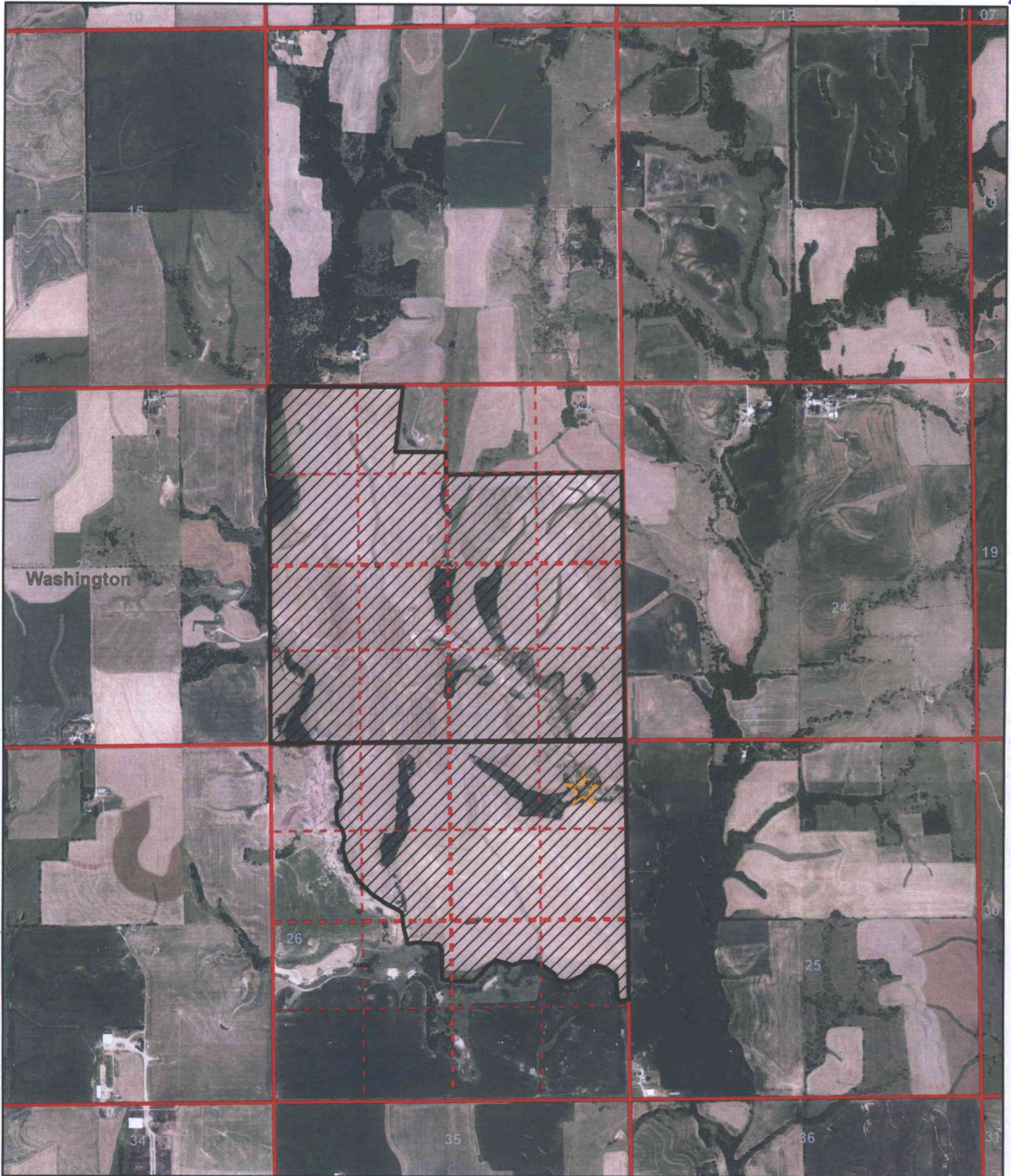
Nearby Landowners
26-5S-3E Washington County, KS

KS DEPT OF AGRICULTURE
AM/DWR
Date: 12/1/2017

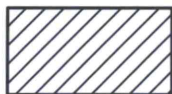
SCANNED

BOTT FAMILY FARMS - SITE MAP SECS. 23 & 26, T5S, R3E

Revised
Place of use
per applicant.
pws/dwr
2/27/18



1:24,000



Proposed Place of Use

