

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

THE STATE

OF



KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

WATER RESOURCES
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JAN 11 2018

11:59

File Number

49967

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

UNACCEPTABLE
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DEC 1 11:30 AM
FOR PRIORITY
KS DEPT OF AGRICULTURE

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): WESTAR ENERGY JEFFREY ENERGY CTR -TOPGO-LL J MORRISON
Address: P.O. BOX 889
City: TOPEKA State: KS Zip Code 66601
Telephone Number: (785) 575-1548 8273 Jared.Morrison jeath.horvath@westarenergy.com

2. The source of water is: surface water in KANSAS RIVER TRIB 3 # 320
(stream)
OR groundwater in KANSAS 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. Redivert 1,106.9 AF

3. The maximum quantity of water desired is 1,106.9 (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. GMD Meets K.A.R. 5-3-1 (YES/NO) Use IND Source G County PT By AW Date 1/10/18
Code REG 203 Fee \$ 460 TR # _____ Receipt Date 12/13/17 Check # 275039

1/10/2018 UM

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

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

(A) One in the NW quarter of the SW quarter of the SE quarter of Section 13, more particularly described as being near a point 1,060 feet North and 2,560 feet West of the Southeast corner of said section, in Township 9 South, Range 11 EAST, PT County, Kansas.

(B) One in the NW quarter of the NE quarter of the SE quarter of Section 26, more particularly described as being near a point 2,536 feet North and 1,288 feet West of the Southeast corner of said section, in Township 9 South, Range 11 EAST, PT 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.

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 _____, 2017___. _____
Applicant's Signature

7. The proposed project for diversion of water will consist of TWO DAMS AND RESERVOIRS
(number of wells, pumps or dams, etc.)
and (was)(will be) completed (by) EXISTING
(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)

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

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

(A) One in the NW quarter of the SW quarter of the SE quarter of Section 13, more particularly described as being near a point 1,060 feet North and 2,560 feet West of the Southeast corner of said section, in Township 9 South, Range 11 EAST, PT County, Kansas.

(B) One in the NW quarter of the NE quarter of the SE quarter of Section 26, more particularly described as being near a point 2,536 feet North and 1,288 feet West of the Southeast corner of said section, in Township 9 South, Range 11 EAST, PT 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.

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

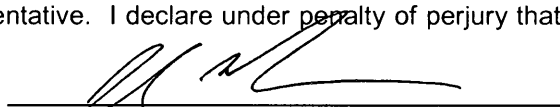
APPLICANT
(name, address and telephone number)

(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 January 4, 2018.



Applicant's Signature

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

and (was)(will be) completed (by) EXISTING
(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

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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 ALREADY PERMITTED UNDER STRUCTURES PERMIT NO. DPT-105 and DPT-126.

- 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.

FILE NO. 24,234 - COMPLETE OVERLAP IN PU AND PD (After Change)

FILE NOS. 24,233; 28,239; 34,442; 45,282; 47,134 - OL IN PU (JEFFREY ENERGY CENTER)

Requested Storage Quantity is limited to Basin Runoff potential. Runoff Basin = 1,555 acres x 11.5" of runoff / 12 = 1,490.2 AF. Senior File is authorized 465 AF, and covers 383.3 AF difference is 1,106.9 Acre-Feet.

Waiver of Metering is being requested (see Attachments)

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13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from: Test holes Well as completed Drillers log attached

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

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

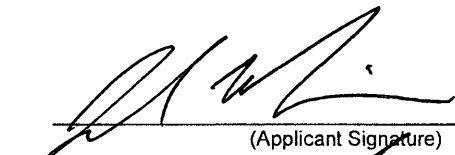
15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

(name, address and telephone number)

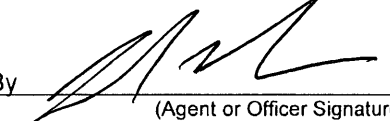
(name, address and telephone number)

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 Topeka, Kansas, this 5 day of December, 2017.
(month) (year)


(Applicant Signature)

~~_____
APPLICANT(S) SOCIAL SECURITY
IDENTIFICATION NUMBER(S)~~

By 
(Agent or Officer Signature)

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

Javed Morrison
(Agent or Officer - Please Print)

Assisted by DWS

TOPEKA FO
(office/title)

Date: 5/10/2017

49967

WSI | Query: WSI, ENG, WSI_TRANSACTIONS, WATER_RIGHTS, LOCATIONS, WAIVERS, ECA, ITRAL, COMPLIANCE, IMAGES, WSI_ACTIONS

STRUCTURE NUMBER: ID: 0105 Ws Id: 14110 LAST#: 172 APPLICATION: App Recd Date: 06-30-1975

REVIEWER: INT: 224 CURRENT STATUS: Perml: Compliance: Perml: 6549-2-ED E93 IDOT Type: JEFFERY ENERGY CENTER - MAKEL KANSAS RIVER-TR

INDICATORS: Pending Complaint: App Mod: Pending Mod: Alter the Fac: General Permits: Levee Ind: Corps: App Proc Time: (DAYS) Total: Location: Put Date:

APPLICANT: LAST: KANSAS POWER & LIGHT FIRST: OWNER: LAST: WESTAR ENERGY FIRST: DESIGNER: LAST: UNKNOWN FIRST: Const Comp Date: 01-01-1977 DDA: 100 Remarks: F01CFEKA

WVACT ALLACT LOCATCH ECA APPLICANT OWNER DESIGNER ENG COMPLAINT MODACT PROJECT

ACTIONS: LOCATION/ ECA/ FBI/ ITRAL/ LEGAL/ WAIVER/ WSR/ IMAGE/ CMP/ MODIFICATION/ TAXED/ AFF ID

P Loc	SEC	TWP	Dr	RNO	Dr	County	FA	LA	Q4	Q3	Q2	Q1	Computed Lat	Computed
N	13	9	S	11	E	PT				NW	SW	SE	30.262936	38.13602
1														

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WSI01 Query: WSI, ENG, WSI_TRANSACTIONS, WATER_RIGHTS, LOCATIONS, WAIVERS, ECA (TRAIL, COMPLIANCE, IMAGES, WSI_ACTIONS)

STRUCTURE NUMBER: D [] PT [] 0126 WSI ID [14131] LAST# [172] APPLICATION: App Recd Date [11-05-1984]

REVIEWER: [] CURRENT STATUS: [] Project Activity: [] INDICATORS: Pending Complet []
 File Location: [] Perml: [] Site Name: JEFFERY EC, ALIX MAKE-UP App Mod: []
 Compliance: [] Stream: KANSAS RIVER-TR After the Fact: []
 Perml: [] KDOT Type: [] General Permits: []

APPLICANT: LAST [KANSAS POWER & LIGHT] FIRST [] Levee Int: []
 OWNER: LAST [WESTAR ENERGY] FIRST [] App Proc Time: []
 DESIGNER: LAST [UNKNOWN] FIRST [] DWI: [] Total: []
 Const Comp Date: [] GDA: [] SSS: [] Remarks: [] FOLTCFEN: [] Location: []
 Put Date: []

WBIACT ALL ACT LOCATION ECA AFFIDAVIT OWNER DESIGNER SWS COMPLAINT MOD ACT PROJECT

ACTIVS LOCATION ECA FEE TRAIL LEGAL WAIVER WVR IMAGE CMP MODIFICATION STAGED AFF ID

P_Loc	SEC	TYP	Dr	RNO	Dr	County	FA	LU	G4	Q3	Q2	Q1	Computed_Lot	Computed
	23	S		111	E					SE	SV	NE	30 239536	98,15300

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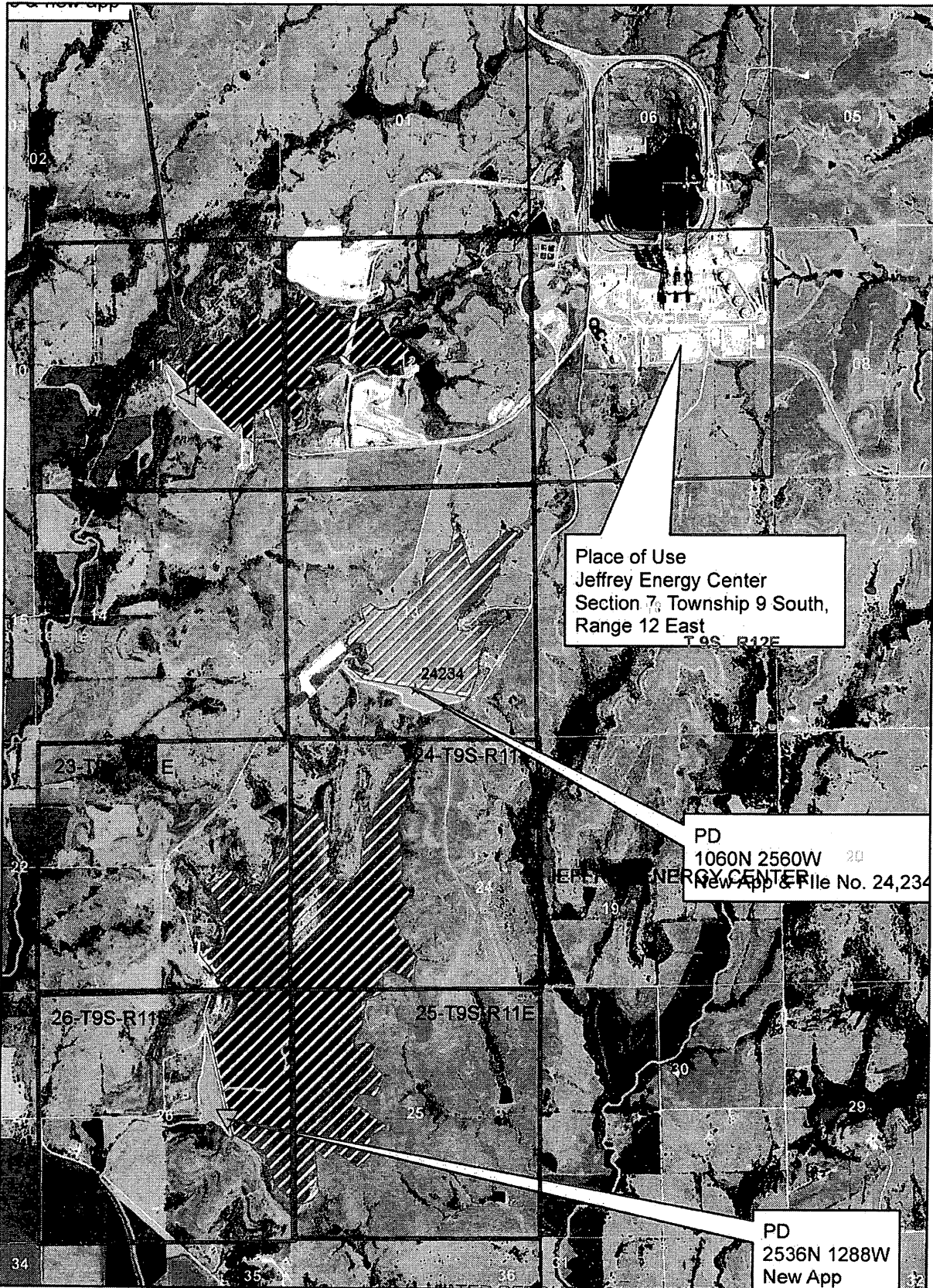
UNACC

DEC 15 2017

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JEC, New App 2 lakes & Change App PD File No. 24,223



1:36,000

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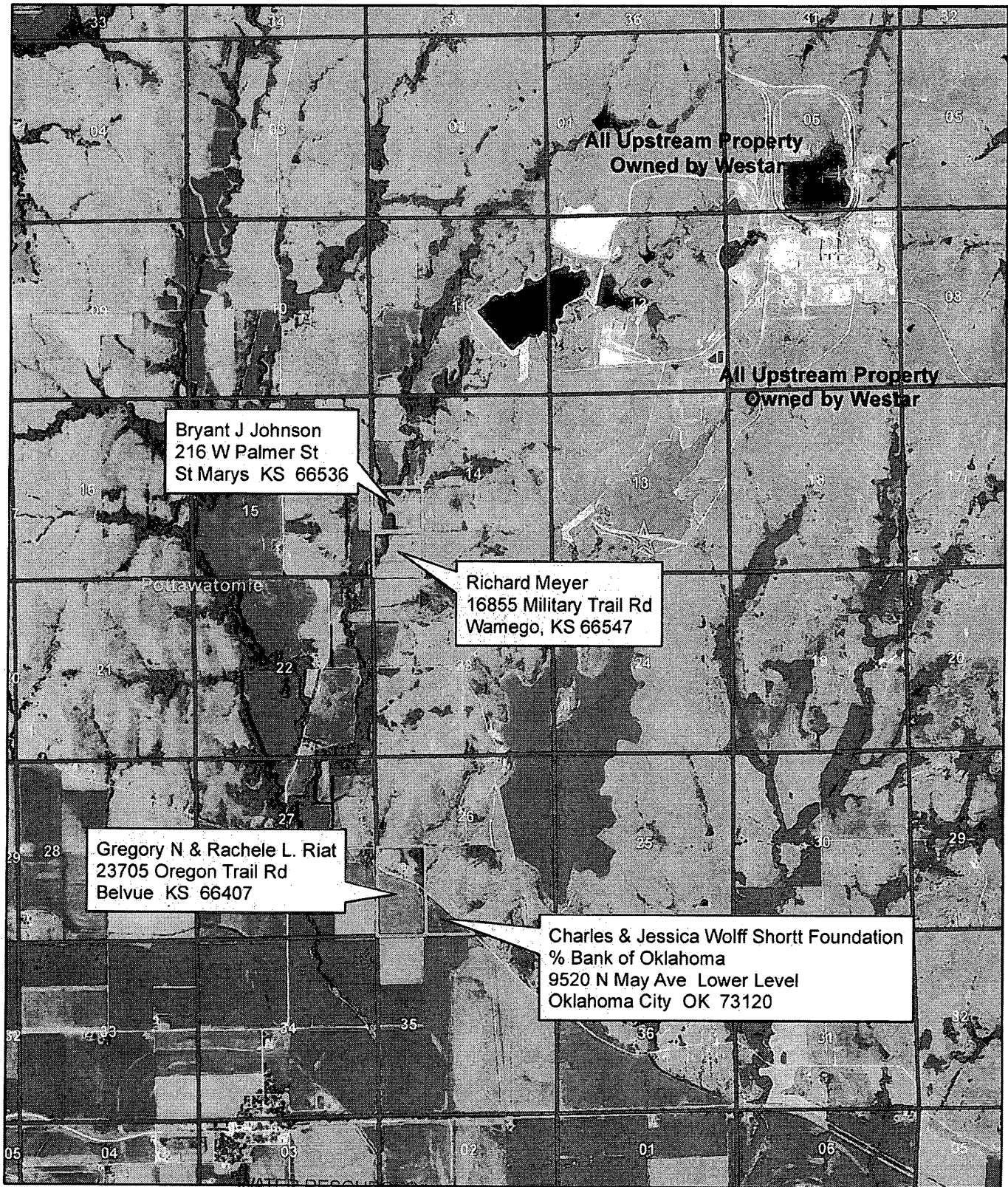
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WESTAR ENERGY NEARBY LANDOWNER MAP

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Downstream Landowners Adjacent To The Stream within 1/2 mile
are Indicated On This Map. Westar Owns all Upstream Property.

1:48,000

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FILE No. _____

SOIL: "76" PRECIP: 34"

INCHES RUNOFF/ACRE: 11.5"

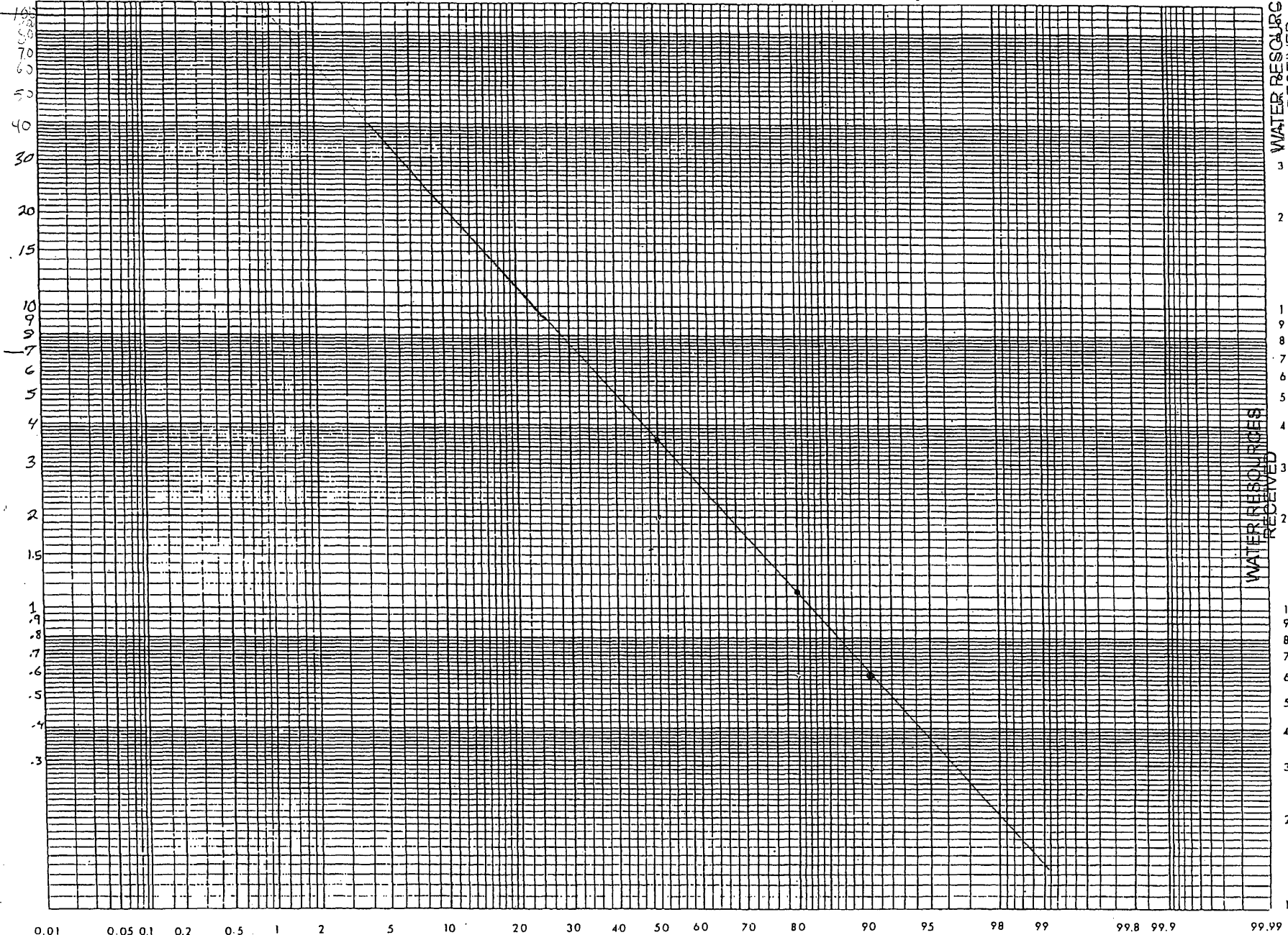
1555 ACRES IN DRAINAGE x 11.5" = 17882.5" / 12" ⇒ 1490.2 AF OF RUNOFF (20% CHANCE ANNUALLY)

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

10667

SEWANT NT JANUARY

GRAPH PAPER From Your COPIER - HPBooks



0% CHANCE

PREPARED BY:

UNACCEPTABLE FOR PRIORITY

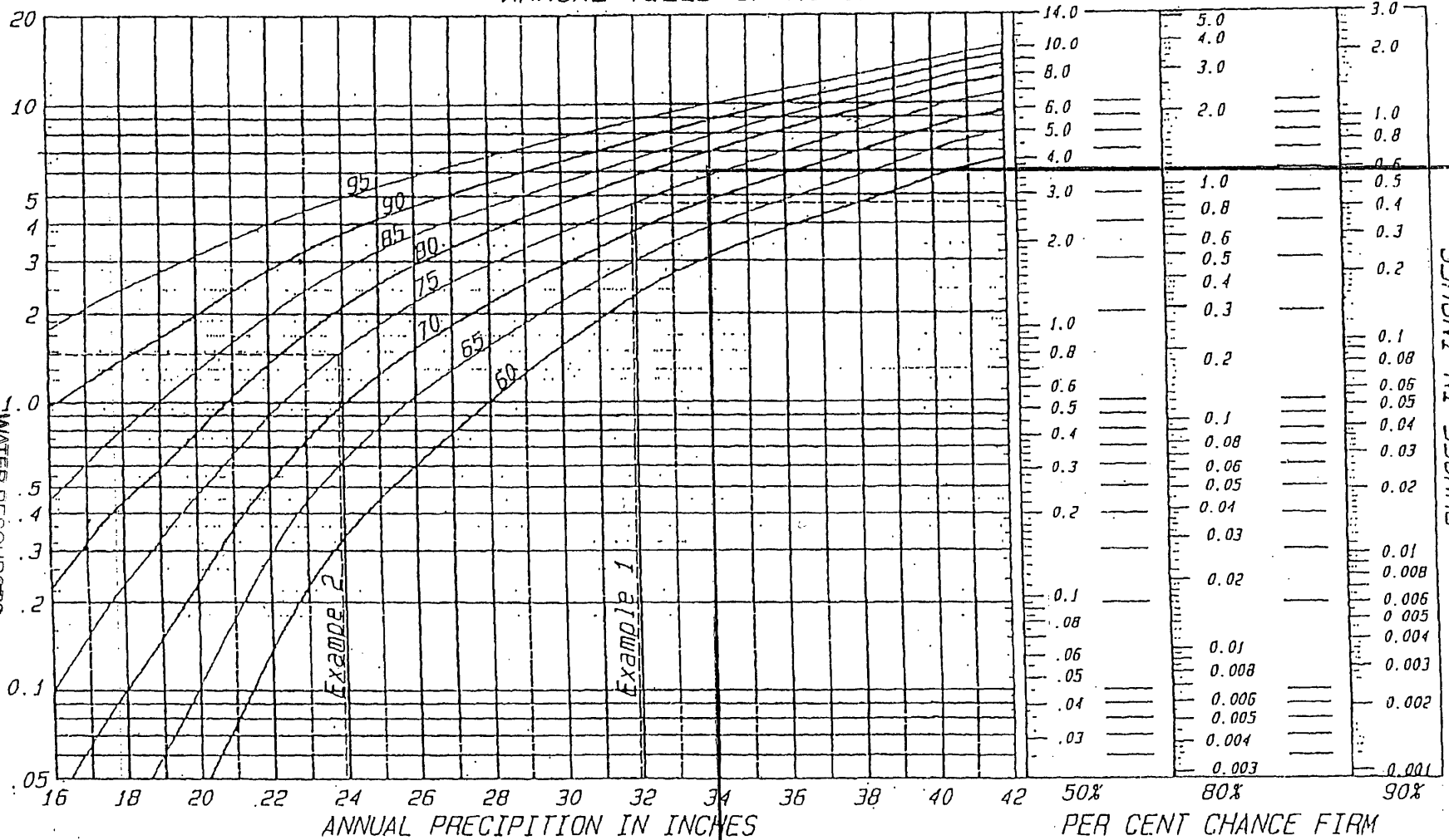
Probability (Long-a-11) JAN 11 2018

DEC 15 2017

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ANNUAL YIELD OF RUNOFF



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

KS-2-36
SECHNI NI FFONNB

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

49967

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EFM Notice KS-38, 12/12/91

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1320 Research Park Drive
Manhattan, Kansas 66502

Jackie McClaskey, Secretary

Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

January 12, 2018

WESTAR ENERGY JEFFREY ENERGY CTR
TOPGO- LL J MORRISON
PO BOX 889
TOPEKA KS 66601

RE: Application
File No. 49967

Dear Sir or Madam:

Your application for permit to appropriate water in 13-9S-11E in Pottawatomie County, was received and has been assigned the file number noted above.

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

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

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

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

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

If you have any questions, please contact me at (785) 564-6637. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: TOPEKA Field Office
GMD