

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

| | | | | | | | |
|--|--|--|--|---|--|--|--|
| 1. File Number: 49,993 | | 2. Status Change Date: 5/14/2018 | | 3. Field Office: 01 | | 4. GMD: 0 | |
| 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 | | | | | | | |
| 7a. Applicant(s) New to system <input type="checkbox"/> ATHENA M & KURT M LARSON 447 SUNFLOWER RD WATERVILLE KS 66548 | | | | 7c. Landowner(s) New to system <input type="checkbox"/> EUNICE E & LUIN D LARSON TRUSTS 133 E LINCOLN WATERVILLE KS 66548 | | | |
| Person ID 65958 Add Seq# _____ | | Person ID 10184 Add Seq# _____ | | Person ID _____ Add Seq# _____ | | Person ID _____ Add Seq# _____ | |
| 7b. Landowner(s) New to system <input type="checkbox"/> 7a. | | | | 7d. Misc. New to system <input type="checkbox"/> 7a. | | | |
| 8. WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No | | | | 9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | |
| Person ID _____ Add Seq# _____ Notarized WUC Form <input type="checkbox"/> | | | | <input type="checkbox"/> Groundwater <input checked="" type="checkbox"/> Surface Water <input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN <input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON <input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG <input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____ | | | |
| 7a. | | 7a. | | 7a. | | 7a. | |
| 10. Completion Date: 12/31/2019 11. Perfection Date: 12/31/2023 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: _____ | | | | | | | |
| | | | | | | Date Prepared: 4/24/2018 By: DWS Date Entered: 5/14/2018 By: UM | |

| | | | | | | | | | | | | | | | | | | | | | |
|--|---------------------|--------------------------------|--|--------------|------------------------|------------|--|--|--|---------|--|--|--|--------------|------------|-----------|-------------|-------|-------|---------|---------------|
| File No. 49,993 | 15. Formation Code: | Drainage Basin: BIG BLUE RIVER | County: MS | Special Use: | Stream: BIG BLUE RIVER | | | | | | | | | | | | | | | | |
| 16. Points of Diversion | | | 17. Rate and Quantity | | | | | | | | | | | | | | | | | | |
| T MOD DEL ENT | | | Authorized Additional Rate gpm Quantity af Rate gpm Quantity af Overlap PD Files | | | | | | | | | | | | | | | | | | |
| PDIV Qualifier S T R ID 'N 'W | | | | | | | | | | | | | | | | | | | | | |
| MOD 29218 SE SE NW 6 4 7E 1 2800 3260 | | | 1200 230 1200 230 NONE | | | | | | | | | | | | | | | | | | |
| √ 86606 SW SW SE 31 3 7E 2 300 2524 | | | NONE | | | | | | | | | | | | | | | | | | |
| 18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ 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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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 |
| T MOD DEL ENT | | NE ¼ | | | | NW ¼ | | | | SW ¼ | | | | SE ¼ | | | | | | | |
| PUSE S T R ID | | NE ¼ | | | | NW ¼ | | | | SW ¼ | | | | SE ¼ | | | | | | | |
| √ 68754 31 3 7E 2 | | | | | | | | | | 38.3 31 | | | | 69.3 | 7a. | NO | NONE | | | | |
| √ 34049 6 4 7E 1 | | 36 | | | | 38.2 39 27 | | | | | | | | 140.2 | 7c. | NO | NONE | | | | |
| | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | 209.5 | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | |
| Comments: | | | | | | | | | | | | | | | | | | | | | |

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files

DATE: April 24, 2018

FROM: Doug Schemm

RE: New Application, File No. 49,993

Kurt Larson has filed the above referenced new application to appropriate 230 acre-feet of surface water directly from the Big Blue River for irrigation use from two proposed pump sites, at a diversion rate of 1,200 gallons per minute to irrigate 209.5 acres in Marshall County. The place of use is owned by the applicant and the Eunice E. and Luin D. Trusts, and the applicant has signed the application form stating he has access to the points of diversion. The requested quantity of water, 230 acre-feet, is reasonable to irrigate the proposed 209.5 acres with 1.1 acre-feet per acre allowable in Marshall County, Kansas. There are no overlapping files in point of diversion or place of use. The pump sites are located in the extreme upper extent of Tuttle Creek Lake.

The applicant provided a list of landowners, and notification letters were sent to upstream and downstream landowners on April 5, 2018. A telephone call was received from upstream landowner (Eddington) who wanted to make sure that the applicant did not enter onto his property to access the stream, and had general questions about the application. I informed the caller that our approval did not grant access to private property. There is only one other surface water right located within a two-mile radius, File No. 49,687, which is located over 4,000 feet upstream. Therefore, approval of this application will not impair any senior water rights. The applicant has submitted a signed and notarized Minimum Desirable Streamflow (MDS) form acknowledging that there may be times when diversion of water will not be allowed.

Per K.A.R. 5-3-15, Availability of water for appropriation - safe yield; surface water. (a) Each application filed to directly divert the natural flow of the Kansas river, the Missouri river, the Big Blue river, the Spring river, or their tributaries, shall:

- (1) be processed in accordance with K.A.R. 5-3-9; and
- (2) meet all other requirements for the approval of a new application.

(b) The water right owner shall be required by the chief engineer to meet minimum desirable streamflows (MDS), assurance district target flows (assurance target flows) and division of water resources (DWR) target flows where applicable.

The application meets these safe yield criteria. The permit will also contain the condition that streamflow cannot be stopped at the first riffle below the point of diversion while diversion is taking place.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

Katie Tietsort, Water Commissioner, Topeka Field Office, gave a recommendation that the application should be approved in an April 23, 2018 discussion. Based on the above discussion, the Big Blue River is open to new appropriations, the new application complies with all regulations, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, 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
May 15, 2018

KURT M LARSON
447 SUNFLOWER RD
WATERVILLE KS 66548

FILE COPY

Re: Appropriation of Water, File No. 49,993

Dear Mr. Larson:

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 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
Eunice E & Luin D Larson Trusts



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. 49,993** of the applicant

**KURT M LARSON
447 SUNFLOWER RD
WATERVILLE KS 66548**

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 **February 9, 2018**.
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 | |
| 31 | 3S | 7E | | | | | | | | | | 38.3 | 31 | | | | | 69.3 | |
| 6 | 4S | 7E | | | | | 36 | 38.2 | 39 | 27 | | | | | | | | 140.2 | |

3. That the authorized source from which the appropriation shall be made is surface water from the Big Blue River, to be diverted at two (2) pump sites located as follows: one in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW¼ SW¼ SE¼) of Section 31, more particularly described as being near a point 300 feet North and 2,524 feet West of the Southeast corner of said section, in Township 3 South; and one in the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (SE¼ SE¼ NW¼) of Section 6, more particularly described as being near a point 2,800 feet North and 3,260 feet West of the Southeast corner of said section, in Township 4 South, both in Range 7 East, Marshall County, Kansas, located substantially as shown on the topographic map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **1,200 gallons per minute (2.67 c.f.s.)** and to a quantity not to exceed **230 acre-feet** of water for any calendar year.

5. 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 of \$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 of \$100.00.

6. 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 of \$100.00.
7. 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.
8. 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.
9. 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.
10. 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.
11. That all 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 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.
12. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance 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).
13. 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.
14. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.
15. 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.
16. That the stream flow shall not be stopped at the first riffle below the point of diversion while diversion is taking place under the authority of this water right or permit.
17. 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.

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.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Ordered this 14th day of May, 2018, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

Lane P. Letourneau, P.G.
Program Manager
Water Appropriation Program
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 14th day of May, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson
Notary Public

CERTIFICATE OF SERVICE

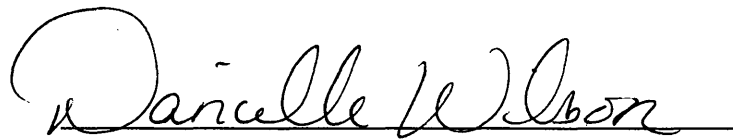
On this 15th day of May, 2018, I hereby certify that the foregoing Approval of Application, File No. 49,993, dated May 14th, 2018 was mailed postage prepaid, first class, US mail to the following:

ATHENA M & KURT M LARSON
447 SUNFLOWER RD
WATERVILLE KS 66548

With photocopies to:

EUNICE E & LUIN D LARSON TRUSTS
133 E LINCOLN
WATERVILLE KS 66548

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 49993
This item to be completed by the Division of Water Resources.

WATER RESOURCES
RECEIVED

APPLICATION COMPLETE
4/24/18
Reviewer KAB
DWS

APPLICATION FOR PERMIT TO
APPROPRIATE WATER FOR BENEFICIAL USE

FEB 09 2018

10:14

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

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): Kurt Larson
Address: 447 Sunflower Rd
City: Waterville State KS Zip Code 66548
Telephone Number: (785) 747-8277

2. The source of water is: surface water in Big Blue River #13 (stream)
OR groundwater in Big Blue (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 230 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 1200 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> Meets K.A.R. 5-3-1 (YES/NO) Use <u>FREE</u> Source <u>G/S</u> County <u>MS</u> By <u>ATW</u> Date <u>2/9/18</u> | |
| Code <u>252</u> | Fee \$ <u>300</u> | TR # _____ | Receipt Date <u>2/9/18</u> Check # <u>2088</u> |

SCANNED
2/20/2018 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 SW quarter of the SW quarter of the SE quarter of Section 31, more particularly described as being near a point 300 feet North, and 2524 feet West of the Southeast corner of said section, in Township 3 South, Range 7 East, Marshall County, Kansas.

(B) One in the SE quarter of the SE quarter of the NW quarter of Section 6, more particularly described as being near a point 3081 feet North and 3200 feet West of the Southeast corner of said section, in Township 4 South, Range 7 East, Marshall County, Kansas.

(C) One in the SE quarter of the SE quarter of the NW quarter of Section _____, more particularly described as being near a point 2800 feet North and 3260 feet West of the Southeast corner of said section, in Township 4 South, Range 7 East West (circle one), Marshall 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):

Athena M & Kurt M Larson 447 Sunflower Rd Waterville KS 66548
(name, address and telephone number)

Eunice E Larson Trust & Luin D Larson Trust 133 E Lincoln Waterville KS 66548
(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 2-8, 2018. Kurt Larson
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 2 pumpsites & pivot
(number of wells, pumps or dams, etc.)

and will be completed (by) Spring/Summer 2018
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be May/June 2018.
(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.

*1 (A) One in the SW quarter of the SW quarter of the SE quarter of Section 31, more particularly described as being near a point 300 feet North, and 2524 feet West of the Southeast corner of said section, in Township 3 South, Range 7 East, Marshall County, Kansas.

(B) One in the SE quarter of the SE quarter of the NW quarter of Section 6, more particularly described as being near a point 3081 feet North and 3280 feet West of the Southeast corner of said section, in Township 4 South, Range 7 East, Marshall County, Kansas.

* *2 (C) One in the SE quarter of the SE quarter of the NW quarter of Section 6, more particularly described as being near a point 2800 feet North and 3260 feet West of the Southeast corner of said section, in Township 4 South, Range 7 East West (circle one), Marshall 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):

Athena M & Kurt M Larson 447 Sunflower Rd Waterville KS 66548

(name, address and telephone number)

Eunice E Larson Trust & Luin D Larson Trust 133 E Lincoln Waterville KS 66548

(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 2-8, 2018.

Kurt Larson

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 2 pumpsites & pivot

(number of wells, pumps or dams, etc.)

and will be completed (by) Spring/Summer 2018

(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be May/June 2018.

(Mo/Day/Year)

* Revised pumpsite location #2 per applicant. DWS/DWR

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49993
This item to be completed by the Division of Water Resources.

WATER RESOURCES
RECEIVED

**APPLICATION FOR PERMIT TO
APPROPRIATE WATER FOR BENEFICIAL USE**

FEB 09 2018
10:14

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

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:

- Name of Applicant (Please Print): Kurt Larson
Address: 447 Sunflower Rd
City: Waterville State KS Zip Code 66548
Telephone Number: (785) 747-8277
- The source of water is: surface water in Big Blue River #13 (stream)
OR groundwater in Big Blue (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.

- The maximum quantity of water desired is 230 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 1200 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.

- 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 | <u>1</u> | GMD | <u>0</u> | Meets K.A.R. 5-3-1 | <u>(YES)</u> | Use | <u>FREE</u> |
| Source | <u>G/S</u> | County | <u>MS</u> | By | <u>ATW</u> | Date | <u>2/9/18</u> |
| Fee \$ | <u>300</u> | TR # | | Receipt Date | <u>2/9/18</u> | Check # | <u>2088</u> |

2/20/2018 UCM

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 49993

Name of Applicant (Please Print): Kurt Larson

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: Athena M & Kurt M Larson

ADDRESS: 447 Sunflower Rd Waterville KS 66548

| S | T | R | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL |
|----|----|----|-----|----|----|----|-----|----|----|----|-----|----|------|----|-----|----|----|----|-------|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| 31 | 3S | 7E | | | | | | | | | | | 38.3 | 31 | | | | | 69.3 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Landowner of Record NAME: Eunice E Larson Trust & Luin D Larson Trust

ADDRESS: 133 E Lincoln Waterville KS 66548

| S | T | R | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL |
|---|----|----|-----|----|----|----|-----|------|----|----|-----|----|----|----|-----|----|----|----|--------------|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| 6 | 4S | 7E | | | | | 36 | 38.2 | 39 | 27 | | | | | | | | | 140.2 |
| | | | | | | | | | | | | | | | | | | | Total: 209.5 |
| | | | | | | | | | | | | | | | | | | | |

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

FEB 09 2018

KS DEPT OF AGR CULTURE

SCANNED

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:

NONE ANTICIPATED

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:

STANDARD ROW CROPS

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).

PLANT STRESS & SOIL MOISTURE

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

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 No structure involved.

11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) ~~If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.~~
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

None

WATER RESOURCES RECEIVED

FEB 09 2018

KS DEPT OF AGRICULTURE

SCANNED

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 & Tenant
(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):

Athena M & Kurt M Larson 447 Sunflower Rd Waterville KS 66548
(name, address and telephone number)

Eunice E Larson Trust & Luin D Larson Trust 133 E Lincoln Waterville KS 66548
(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 _____
(month) (year)

Kurt Larson
(Applicant Signature)

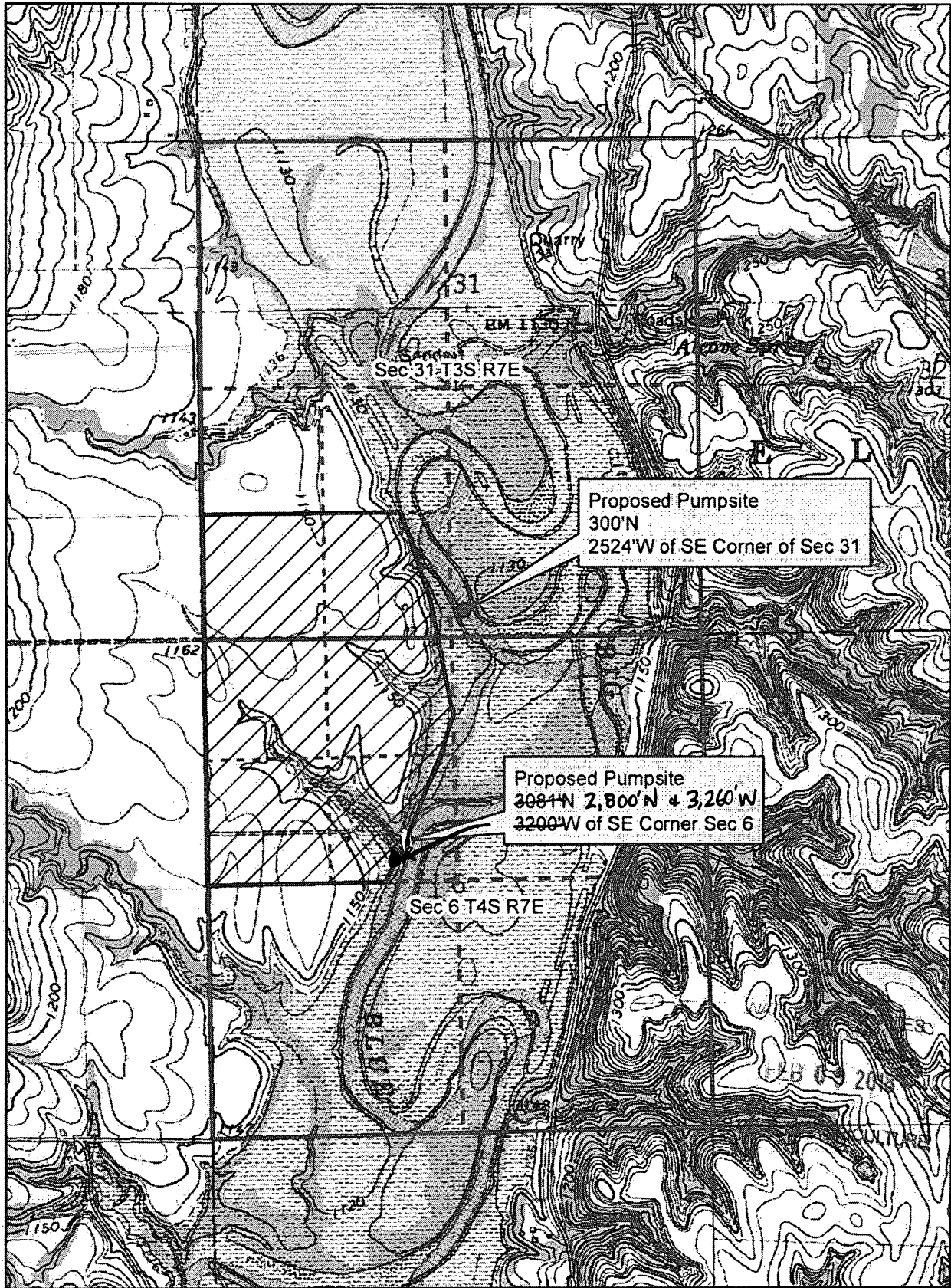
By _____
(Agent or Officer Signature)


(Agent or Officer - Please Print)

Assisted by Lloyd Hemphill TFO/ESII Date: 2/2/18
(office/title)

49993

New Application - Kurt Larson



 Proposed Place of Use
Map Prepared by LHH/TFO 2-5-2018



1:18,000
0 0.25 0.5 Mile

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49993 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49993 00 IRR

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

3081 Feet North and 3200 Feet West of the Southeast Corner of Section 6 T 4S R 7E

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__  49687 00 IRR GY S      7443 -- CN NW NE  5270  2326  31  3  7E  3          101.97  101.97 AF
A__  49993 00 IRR AY S      2508 -- SW SW SE   300  2524  31  3  7E  2          230.00  230.00 AF
Same                0 -- SE SE NW  3081  3200   6  4  7E  1
=====

```

```

=====
Total Net Quantities Authorized:  Direct      Storage
Total Requested Amount (AF) =      230.00      .00
Total Permitted Amount (AF) =      101.97      .00
Total Inspected Amount (AF) =         .00      .00
Total Pro_Cert Amount (AF) =         .00      .00
Total Certified Amount (AF) =         .00      .00
Total Vested Amount (AF) =         .00      .00
TOTAL AMOUNT (AF) =      331.97      .00
=====

```

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:

3081 Feet North and 3200 Feet West of the Southeast Corner of Section 6 T 4S R 7E

SURFACE WATER ONLY

WATER USE CORRESPONDENTS:

```

=====
File Number  Use ST SR
A__  49687 00 IRR GY S
> LOUIS HOLLE
>
> 892 6TH RD
> MARYSVILLE KS 66508
>-----
A__  49993 00 IRR AY S
> ATHENA M & KURT M LARSON
>
> 447 SUNFLOWER RD
> WATERVILLE KS 66548
>-----
=====

```

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49993 00 IRR

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

300 Feet North and 2524 Feet West of the Southeast Corner of Section 31 T 3S R 7E

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__ | 49687 00 IRR GY S | 4974 -- CN NW NE | 5270 | 2326 | 31 | 3 | 7E | 3 | 101.97 | 101.97 | AF |
| A__ | 49993 00 IRR AY S | 0 -- SW SW SE | 300 | 2524 | 31 | 3 | 7E | 2 | 230.00 | 230.00 | AF |
| Same | | 2508 -- SE SE NW | 3081 | 3200 | 6 | 4 | 7E | 1 | | | |

```

=====
Total Net Quantities Authorized:  Direct      Storage
Total Requested Amount (AF) =    230.00      .00
Total Permitted Amount (AF) =    101.97      .00
Total Inspected Amount (AF) =      .00      .00
Total Pro_Cert Amount (AF) =      .00      .00
Total Certified Amount (AF) =      .00      .00
Total Vested Amount (AF) =      .00      .00
TOTAL AMOUNT (AF) =      331.97      .00

```

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:
300 Feet North and 2524 Feet West of the Southeast Corner of Section 31 T 3S R 7E

SURFACE WATER ONLY
WATER USE CORRESPONDENTS:

```

=====
File Number   Use ST SR
A__ 49687 00 IRR GY S
> LOUIS HOLLE
>
> 892 6TH RD
> MARYSVILLE KS 66508
>

```

```

-----
A__ 49993 00 IRR AY S
> ATHENA M & KURT M LARSON
>
> 447 SUNFLOWER RD
> WATERVILLE KS 66548
>
=====

```

#####

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
TOPEKA FIELD OFFICE
6531 SE FORBES AVE., SUITE B
TOPEKA, KS 66619

STATE OF KANSAS



PHONE: (785) 296-5733
FAX: (785) 296-8298
www.agriculture.ks.gov

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

April 5, 2018

EDINGTON FAMILY TRUST
1104 LARAMIE
MARYSVILLE KS 66508

Re: Pending Application, File No. 49,993

Dear Sir or Madam:

This is to advise you that Kurt Larson has filed the application referred to above for a permit to appropriate 230 acre-feet of surface water per calendar year from the Big Blue River, for irrigation use to be diverted at a maximum rate of 1,200 gallons per minute from two pump sites. One pump site is located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 31, in Township 3 South, Range 7 East; and one pump site is located in the Southeast Quarter of the Southeast Quarter of the Northwest Quarter of Section 6, in Township 4 South, Range 7 East, in Marshall County, Kansas.

Records in this office indicate that you own land along the stream 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,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Kurt Larson

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
TOPEKA FIELD OFFICE
6531 SE FORBES AVE., SUITE B
TOPEKA, KS 66619

STATE OF KANSAS



PHONE: (785) 296-5733
FAX: (785) 296-8298
www.agriculture.ks.gov

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

April 5, 2018

DARRELL & MARJORIE CUDNEY
1183 HWY 77
MARYSVILLE KS 66508

Re: Pending Application, File No. 49,993

Dear Sir or Madam:

This is to advise you that Kurt Larson has filed the application referred to above for a permit to appropriate 230 acre-feet of surface water per calendar year from the Big Blue River, for irrigation use to be diverted at a maximum rate of 1,200 gallons per minute from two pump sites. One pump site is located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 31, in Township 3 South, Range 7 East; and one pump site is located in the Southeast Quarter of the Southeast Quarter of the Northwest Quarter of Section 6, in Township 4 South, Range 7 East, in Marshall County, Kansas.

Records in this office indicate that you own land along the stream 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,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Kurt Larson

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
TOPEKA FIELD OFFICE
6531 SE FORBES AVE., SUITE B
TOPEKA, KS 66619

STATE OF KANSAS



PHONE: (785) 296-5733
FAX: (785) 296-8298
www.agriculture.ks.gov

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

April 5, 2018

BLUE RIVER FARMS LLC
ATTN: ALAN BRUNA
405 E NORTH STREET
HANOVER KS 66945

Re: Pending Application, File No. 49,993

Dear Sir or Madam:

This is to advise you that Kurt Larson has filed the application referred to above for a permit to appropriate 230 acre-feet of surface water per calendar year from the Big Blue River, for irrigation use to be diverted at a maximum rate of 1,200 gallons per minute from two pump sites. One pump site is located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 31, in Township 3 South, Range 7 East; and one pump site is located in the Southeast Quarter of the Southeast Quarter of the Northwest Quarter of Section 6, in Township 4 South, Range 7 East, in Marshall County, Kansas.

Records in this office indicate that you own land along the stream 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,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Kurt Larson

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
TOPEKA FIELD OFFICE
6531 SE FORBES AVE., SUITE B
TOPEKA, KS 66619

STATE OF KANSAS



PHONE: (785) 296-5733
FAX: (785) 296-8298
www.agriculture.ks.gov

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

April 5, 2018

BRADLEY J & JULIA M HAMMETT
13505 JENNICE CT
WAMEGO KS 66547

Re: Pending Application, File No. 49,993

Dear Sir or Madam:

This is to advise you that Kurt Larson has filed the application referred to above for a permit to appropriate 230 acre-feet of surface water per calendar year from the Big Blue River, for irrigation use to be diverted at a maximum rate of 1,200 gallons per minute from two pump sites. One pump site is located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 31, in Township 3 South, Range 7 East; and one pump site is located in the Southeast Quarter of the Southeast Quarter of the Northwest Quarter of Section 6, in Township 4 South, Range 7 East, in Marshall County, Kansas.

Records in this office indicate that you own land along the stream 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,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Kurt Larson

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
TOPEKA FIELD OFFICE
6531 SE FORBES AVE., SUITE B
TOPEKA, KS 66619

STATE OF KANSAS



PHONE: (785) 296-5733
FAX: (785) 296-8298
www.agriculture.ks.gov

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

April 5, 2018

CLAYTON J & MIRIAM A STRAHM JOINT REV TRUST
2739 X ROAD
SABETHA KS 66534

Re: Pending Application, File No. 49,993

Dear Sir or Madam:

This is to advise you that Kurt Larson has filed the application referred to above for a permit to appropriate 230 acre-feet of surface water per calendar year from the Big Blue River, for irrigation use to be diverted at a maximum rate of 1,200 gallons per minute from two pump sites. One pump site is located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 31, in Township 3 South, Range 7 East; and one pump site is located in the Southeast Quarter of the Southeast Quarter of the Northwest Quarter of Section 6, in Township 4 South, Range 7 East, in Marshall County, Kansas.

Records in this office indicate that you own land along the stream 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,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Kurt Larson

49993

FEE SCHEDULE

- 1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

| ACRE-FEET | FEE |
|---------------|--|
| 0-100 | \$200.00 |
| 101-320 | \$300.00 |
| More than 320 | \$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof. |

- 2. The fee for an application in which storage is requested, except for domestic use, shall be:

| ACRE-FEET | FEE |
|---------------|---|
| 0-250 | \$200.00 |
| More than 250 | \$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof. |

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

- 3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

WATER RESOURCES
 RECEIVED
 FEB 09 2018
 KS DEPT OF AGRICULTURE

SCANNED

49993

UPSTREAM AND DOWNSTREAM LANDOWNERS WITHIN ½ MILE OF THE LARSON PROPERTY

Upstream

Edington Family Trust
1104 Laramie
Marysville KS 66508

Bradley J & Julia M Hammett
13505 Jennice CT
Wamego KS 66547

Upstream & Downstream

Blue River Farms, LLC
Attn: Alan Bruna
405 E North St
Hanover KS 66945

Downstream

Darrell & Marjorie Cudney
1183 HWY 77
Marysville KS 66508

Clayton J & Miriam A Strahm Joint Rev Trust
2739 X RD
Sabetha KS 66534

WATER RESOURCES
RECEIVED

FEB 09 2018

KS DEPT OF AGRICULTURE

SCANNED

(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. 49993

Minimum Desirable Streamflow
Big Blue River

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.

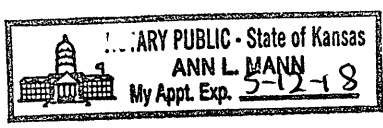
I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Kurt Larson
Signature of Applicant

State of Kansas)
County of Marshall) ss

Kurt Larson
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 9th day of February, 2018.



Ann L. Mann
Notary Public

My Commission Expires:
May 12, 2018

WATER RESOURCES
RECEIVED

FEB 09 2018

KS DEPT OF AGRICULTURE

SCANNED

**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

February 14, 2018

KURT LARSON
447 SUNFLOWER RD
WATERVILLE KS 66548

RE: Application
File No. 49993

Dear Sir or Madam:

Your application for permit to appropriate water in 31-3S-7E in Marshall 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,

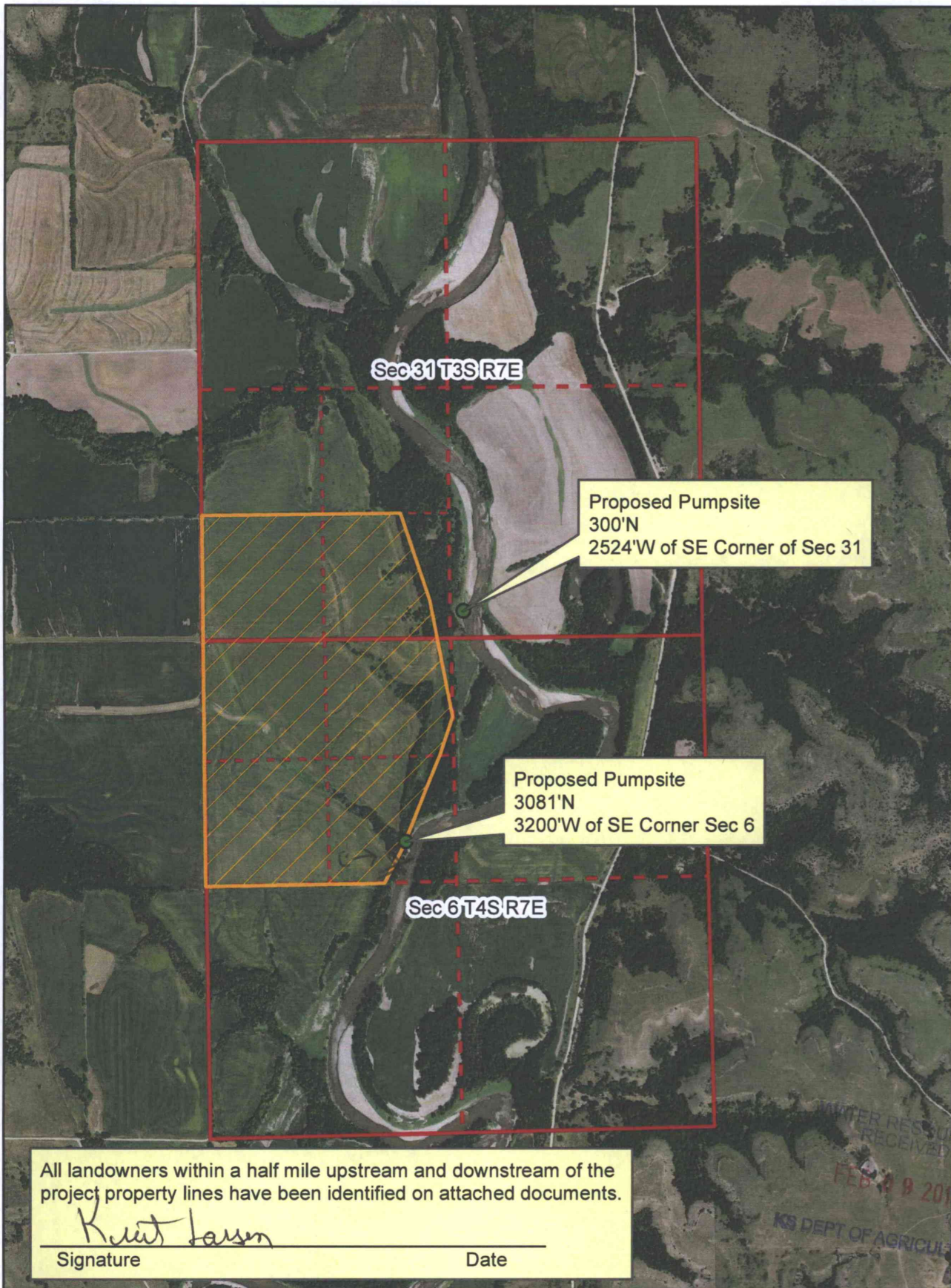
Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: TOPEKA Field Office
GMD

SCANNED

49993

New Application - Kurt Larson



WATER RESOURCES
RECEIVED
FEB 29 2018
KS DEPT OF AGRICULTURE



Proposed Place of Use

Map Prepared by LHH/TFO 2-5-2018



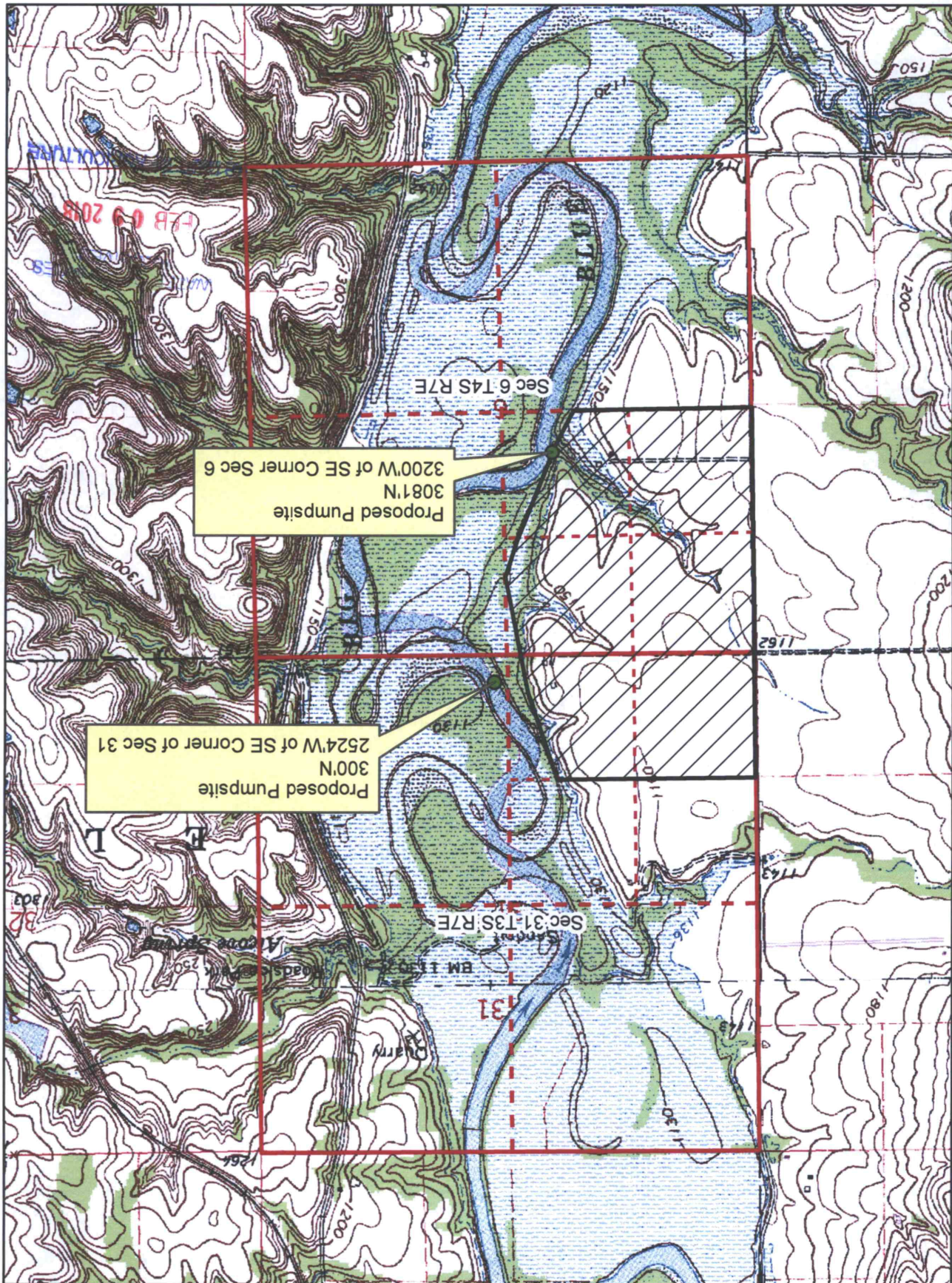
1:18,000


0 0.25 0.5 Mile

SCANNED

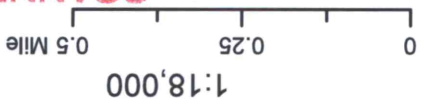
49993

New Application - Kurt Larson



Proposed Place of Use 

Map Prepared by LHH/TFO 2-5-2018



SCANNED

49993

Parcel Map



TO RESOURCES
RECEIVED

FEB 09 2018

DEPT OF AGRICULTURE

SCANNED