

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.

380

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50016
This item to be completed by the Division of Water Resources.

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.)

Water Resources
Received
MAR 19 2018
1:47
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): Craig & Tamara Ginstead
Address: 15272 US 59 Hwy
City: Valley Falls State KS Zip Code 66088
Telephone Number: (913) 426-1760

2. The source of water is: surface water in unnamed tributary to crooked creek #3741
(stream)
OR groundwater in Stranger Creek
(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 720 acre-feet OR _____ gallons per calendar year,
to be diverted at a maximum rate of 2000 gallons per minute OR _____ cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):
- (a) Artificial Recharge
 - (b) Irrigation
 - (c) Recreational
 - (d) Water Power
 - (e) Industrial
 - (f) Municipal
 - (g) Stockwatering
 - (h) Sediment Control
 - (i) Domestic
 - (j) Dewatering
 - (k) Hydraulic Dredging
 - (l) Fire Protection
 - (m) Thermal Exchange
 - (n) Contamination Remediation

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:
F.O. 1 GMD 0 Meets K.A.R. 5-3-1 (YES / NO) Use RR Source G S County JF By DW Date 3/19/18
Code 2E3 Fee \$ 380 TR # _____ Receipt Date 3/19/18 Check # 8067

3/28/2018 ULM

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 NW quarter of the NW quarter of Section 28, more particularly described as being near a point 4900 feet North and 4400 feet West of the Southeast corner of said section, in Township 8 South, Range 19 East West (circle one), Jefferson County, Kansas.
- (B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

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

Same

 (name, address and telephone number)

 (name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on 2/19/18, 20____. Craig Sigstad
 Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of 1 Dam and pump
 (number of wells, pumps or dams, etc.)
 and (was)(will be) completed (by) Dec 1st 2018
 (Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be June 1st 2019
 (Mo/Day/Year)

Water Resources
 Received
MAR 19 2018
 KS Dept Of Agriculture

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 50016

Name of Applicant (Please Print): Craig Gignstad Trust

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: Craig M Gignstad Trust

ADDRESS: 15272 W-59 Hwy Valley Falls KS 66088

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
28	8	19							40					40	40	40	40	40	40	40	360
22	8	19							38.28					40	40	33	40				219

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			

WATER RESOURCES
RECEIVED

NOV 13 2013

- 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. 775 Acres

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 Low class A Hazard Exception requested. Top Dam under 30ft (26.72ft) ES under 125 Ac/PL (119 ac/PL)

- 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.

will need to be complete overlap with file 48873.

Water Resources
Received

MAR 19 2018

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):
Same

(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 Hawortha, Kansas, this 9 day of February, 2018.
(month) (year)

Craig Sigurd

(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by Keith Cermon _____ MWF
(office/title)

Date: 2/9/18

Water Resources
Received

MAR 19 2018

KS Dept Of Agriculture

50016

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

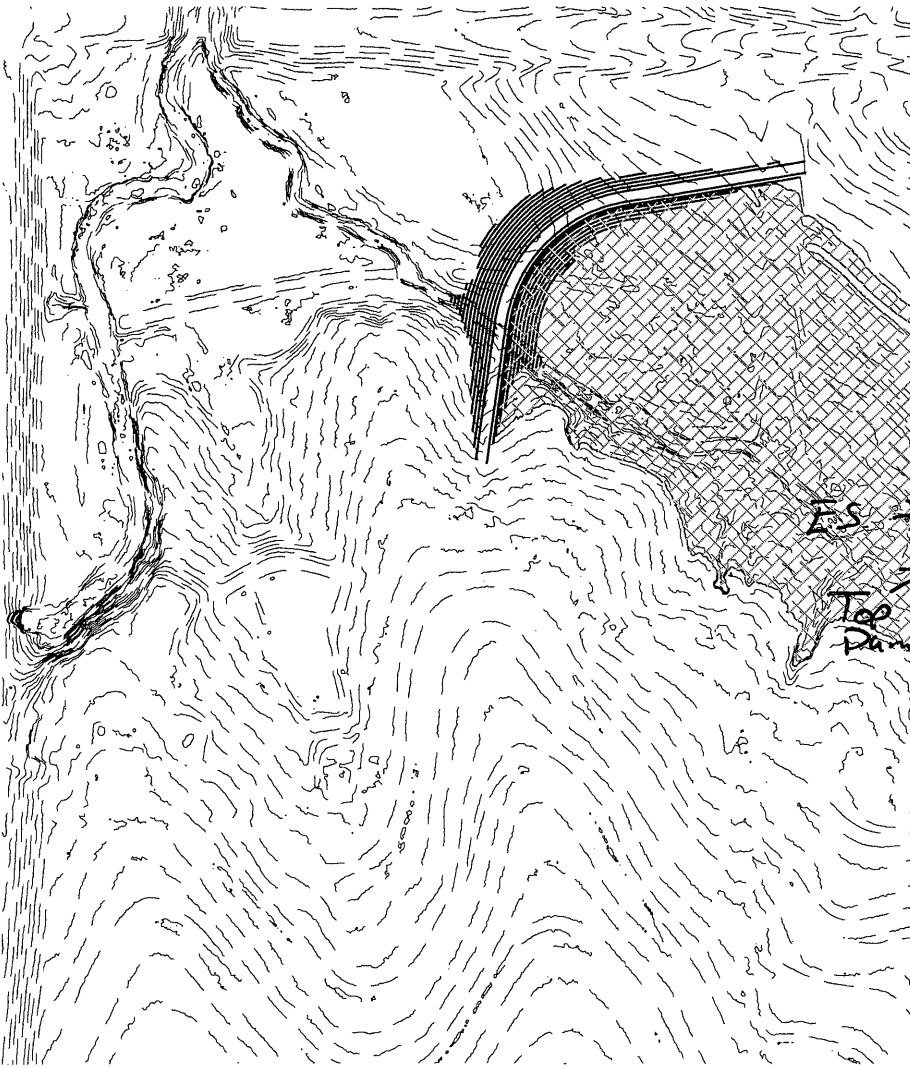
Water Resources
 Received

MAR 19 2018

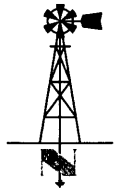
KS Dept Of Agriculture

50016

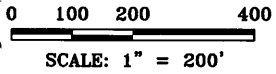
TOPOGRAPHIC SURVEY
 Compute Proposed Stream Obstruction Volume in the Northwest One-Quarter of Section 28,
 Township 8 South, Range 19 East of the
 Sixth Principal Meridian, Jefferson County, Kansas



Contour	Area	1' Volume	Total Volume	Ac. Ft.	Embankment	Height
1065	-	-	-	-	-	-
1066	590.23	295.12	295.115	0.0068		2.72
1067	3,556.92	2,073.58	2,368.690	0.0544		3.72
1068	9,240.70	6,398.81	8,767.500	0.2013		4.72
1069	12,493.42	10,867.06	19,634.560	0.4507		5.72
1070	15,388.40	13,940.91	33,575.470	0.7708		6.72
1071	20,046.28	17,717.34	51,292.810	1.1775		7.72
1072	43,343.20	31,694.74	82,987.550	1.9051		8.72
1073	63,641.68	53,492.44	136,479.990	3.1331		9.72
1074	92,731.08	78,186.38	214,666.370	4.9281		10.72
1075	129,442.49	111,086.79	325,753.155	7.4783		11.72
1076	167,504.30	148,473.40	474,226.550	10.8867		12.72
1077	212,398.40	189,951.35	664,177.900	15.2474		13.72
1078	249,283.05	230,840.73	895,018.625	20.5468		14.72
1079	286,446.03	267,864.54	1,162,883.165	26.6961		15.72
1080	335,403.98	310,925.01	1,473,808.170	33.8340		16.72
1081	383,981.54	359,692.76	1,833,500.930	42.0914		17.72
1082	437,235.93	410,608.74	2,244,109.665	51.5177		18.72
1083	494,591.93	465,913.93	2,710,023.595	62.2136		19.72
1084	550,916.70	522,754.32	3,232,777.910	74.2144		20.72
1085	615,278.54	583,097.62	3,815,875.530	87.6004		21.72
1086	688,028.06	651,653.30	4,467,528.830	102.5603		22.72
1087	765,745.11	726,886.59	5,194,415.415	119.2474	13,660	23.72
1088	848,863.41	807,304.26	6,001,719.675	137.7805	15,623	24.72
1089	938,769.92	893,816.67	6,895,536.340	158.2997	17,783	25.72
1090	1,031,186.28	984,978.10	7,880,514.440	180.9117	20,126	26.72
1091	1,135,996.56	1,083,591.42	8,964,105.860	205.7876	22,657	27.72



General Notes for Site:
 No Field verification of LIDAR elevations performed.
 Front toe of stream obstruction elevation: 1065.31'
 Rear toe of stream obstruction elevation: 1063.28'
 Assumed top of structure width: 12'
 Assumed front and back slope: 3:1



LAND SURVEYOR'S CERTIFICATE
 THIS IS TO CERTIFY THAT THIS SURVEY
 WAS DONE BY THE UNDERSIGNED, AND
 THAT THE SURVEY WAS DONE ON THE
 GROUND ON _____



Water Resources Received
 APR 19 2018
 KS Dept Of Agriculture

THIS DRAWING ORIGINALLY CREATED AT
 SPECIFIED SCALE. IF LINE BELOW IS NOT
 MEASURE 1 INCH, DRAWING HAS BEEN
 REDUCED. ORIGINAL DRAWING
 SIZE 11 INCH

JORGENSEN SURVEYING
 7303 I 617 Ave
 Tecumseh, NE 68450
 (402) 335-2033
 jorgensensurveying@gmail.com

Stream Obstruction
 NW 1/4 Sec 28, T8S, R19E
 Jefferson County, Kansas
 PREPARED FOR
 MWT - Craig Gligstead

SCALE	1"=200'
FIELD ON:	-
CHK. BY	MARCY
DWN. BY	BRENT
DATE:	02/03/18
SHEET	1 OF 2
JOB NO.	5262.85

50016

Craig Gigstad

775acres Drainage

Downstream landowners ½ mile

Matthew Kramer
15632 US-59 HWY Valley Falls, KS 66088

Lane, Ronald E & Marlene R

14728 K-16 HWY Valley Falls, KS 66088

Scott, Linda Jean
718 Y ST Atchison, KS 66002

Gigstad owns all up stream

Water Resources
Received

MAR 19 2018

KS Dept Of Agriculture

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

March 26, 2018

CRAIG & TAMARA GIGSTEAD
15272 US 59 HWY
VALLEY FALLS KS 66088

RE: Application
File No. 50016

Dear Sir or Madam:

Your application for permit to appropriate water in 28-8S-19E in Jefferson 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 . . .

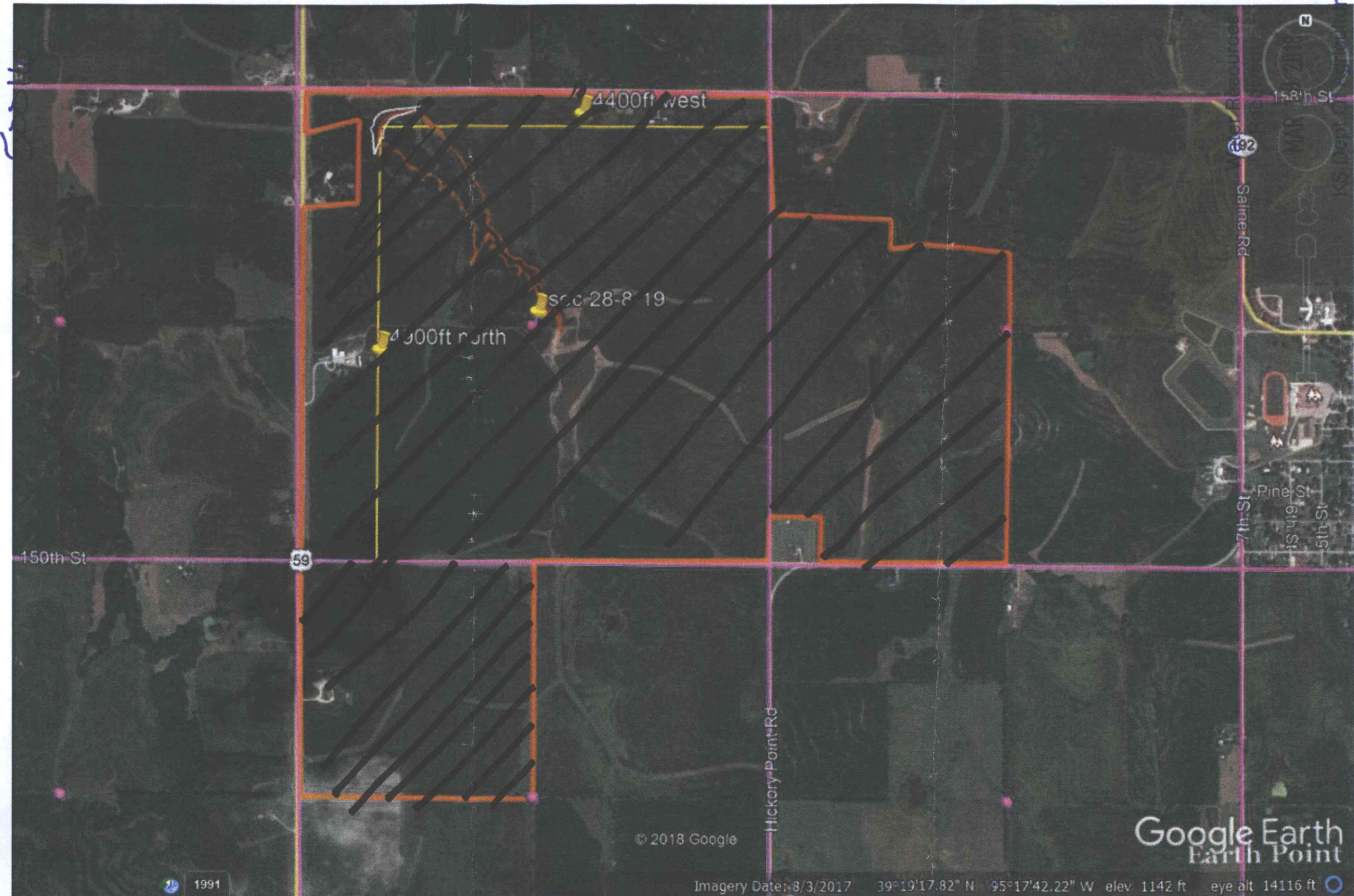
A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

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



4400ft west

sec 28-8-19

4300ft north

150th St

59

Hickory Point Rd

Saline Rd

7th St

Pine St

6th St

5th St

168th St

Google Earth
Earth Point

© 2018 Google

Imagery Date: 8/3/2017 39°19'17.82" N 95°17'42.22" W elev. 1142 ft eye alt. 14116 ft

1991



4400ft west

sec 28-8-19

4900ft north

150th St

59

192

Sahne Rd

7th St

Pine St

S 419 St

5th St

153th St

© 2018 Google

Google Earth
Earth Point

1991

Imagery Date: 8/3/2017 39°19'17.82" N 95°17'42.22" W elev 1142 ft eye alt 14116 ft

Case

ture



LC

LINDA JEAN

LANE RONALD E & MARLENE R

WEISHAAR PHILIP L

SIXTA FARMS LLC

SIXTA JOSEPH V

59

LANE RONALD E & MARLENE R

PERRY WILLIAM R JR & GLYNIS J

MARTIN ROSE P

MANNING ERIC C

DOMANN ELAINE SUE & DENNIS L

LANE KEVIN M & RANDI N

CORPSTEIN PAUL ANTHONY

BROWN TRUST MARLENE K

GIGSTAD REVOCABLE TRUST CRAIG M

Creek

Winchester City 01

GOFF STEPHEN C

GIGSTAD CRAIG M TRUST & GIGSTAD TAMARA J TRUST

MANVILLE REVOCABLE LIVING TRUST

150th St

150th St

DILL ROBERT P & HOLMES JESSIE D REV TRUST

GIGSTAD CHARLENE B TR

STOECKLE LOUIS P

ABEL LIVING TRUST ROBERT W & ROSE MARY

O'NEILL ROBERT GENE

59

MANVILLE

MANVILLE

STOECKLE LOUIS P

HEN SLEIGH FAMILY TRUST

SWOYER KARL F

LYON BLTA

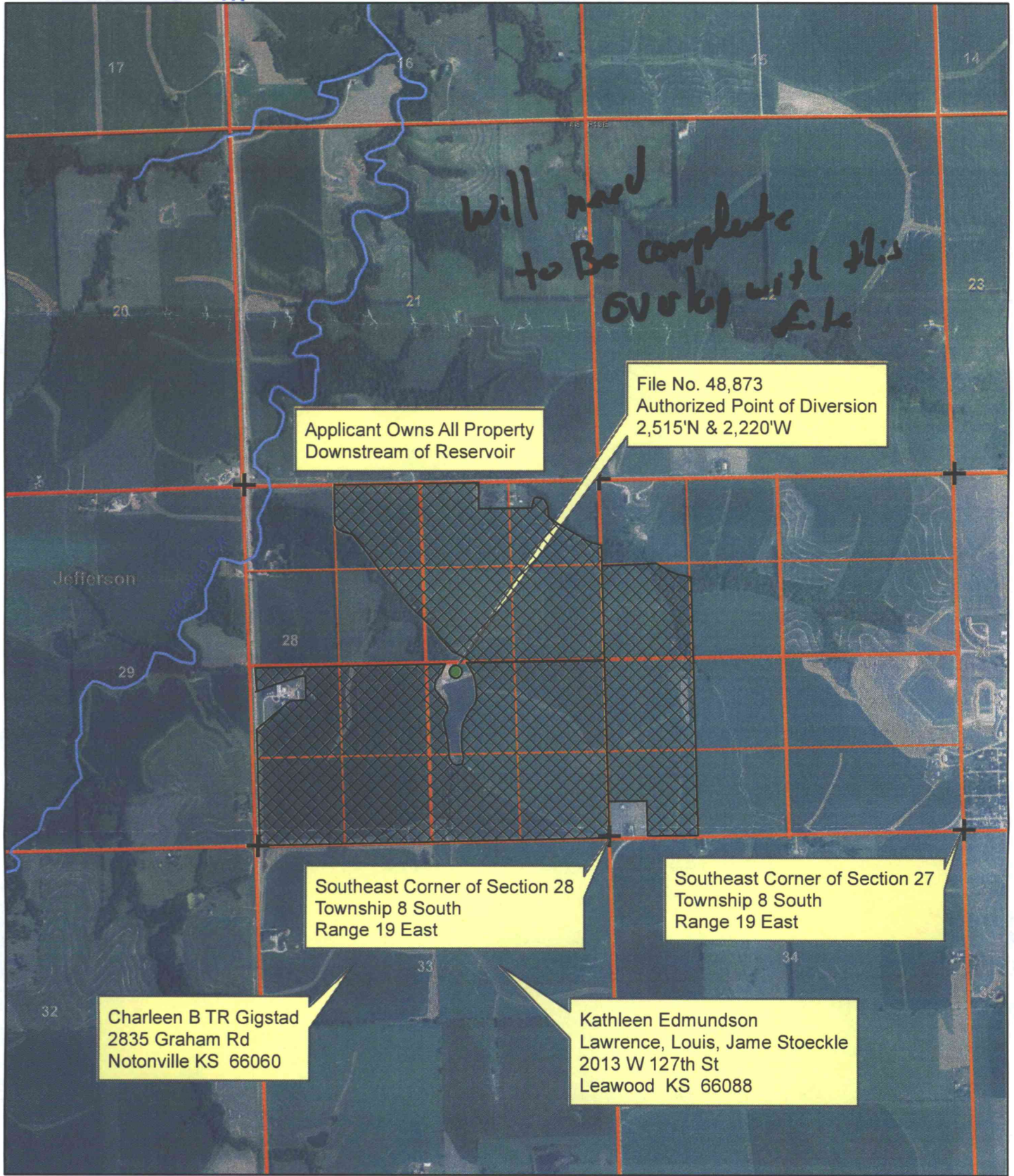
56016

MAR 19 2018

Water Resources
Received

CRAIG GIGSTAD TRUST - FILE NO. 48,873
PROPOSED PLACE OF USE
Sections 27 & 28, Township 8 South, Range 19 East
Jefferson County

*Will need
to be complete
overlapping with this
file*



Applicant Owns All Property
Downstream of Reservoir

File No. 48,873
Authorized Point of Diversion
2,515'N & 2,220'W

Southeast Corner of Section 28
Township 8 South
Range 19 East

Southeast Corner of Section 27
Township 8 South
Range 19 East

Charleen B TR Gigstad
2835 Graham Rd
Notonville KS 66060

Kathleen Edmundson
Lawrence, Louis, Jame Stoeckle
2013 W 127th St
Leawood KS 66088

Scale



Proposed Place of Use



Authorized Point of Diversion

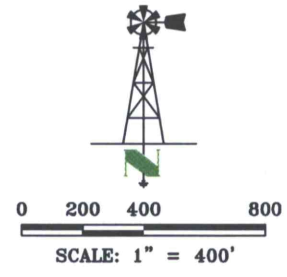
1:24,000

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



50014

TOPOGRAPHIC SURVEY
 Compute Proposed Stream Obstruction Volume in the Northwest One-Quarter of Section 28,
 Township 8 South, Range 19 East of the
 Sixth Principal Meridian, Jefferson County, Kansas



Water Resources
Received

MAR 19 2018

THIS DRAWING ORIGINALLY CREATED AT
 SPECIFIC SCALE. ALL DIMENSIONS AND
 MEASUREMENTS SHOWN ON THIS DRAWING
 ARE TO BE TAKEN FROM THE ORIGINAL
 MEASURED DATA. ORIGINAL DRAWING
 SIZE: 11 X 17 INCHES
 REDUCED TO: 11 X 17 INCHES

JORGENSEN SURVEYING
 73051 617 Ave
 Tecumseh, NE 68450
 (402) 335-2033
 jorgensensurveying@gmail.com

Stream Obstruction
 NW 1/4 Sec 28, T8S, R19E
 Jefferson County, Kansas
 PREPARED FOR
 MWI - Craig Gigstead

SCALE	1"=400'
FIELD ON:	-
CHK. BY	MARCY
DWN. BY	BRENT
DATE:	02/03/18

SHEET 2 OF 2
 JOB NO.
 5262.85