

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.

8340

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50050
This item to be completed by the Division of Water Resources.

Water Resources
Received
APR 30 2018
11:44
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, Kansas 66502:

1. Name of Applicant (Please Print): SHAWN & ROBIN LOYD
Address: 2252 LINDEN Rd.
City: HIAWATHA State KS Zip Code 66434
Telephone Number: (785) 742-3125

2. The source of water is: surface water in _____ (stream)
OR groundwater in _____ (drainage basin)

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

3. The maximum quantity of water desired is 516 acre-feet OR _____ gallons per calendar year,
to be diverted at a maximum rate of 1500 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 - Meets K.A.R. 5-3-1 (YES/NO) Use IRA Source G(S) County BR By AM Date 4-30-16
Code RE3 Fee \$ 340 TR # _____ Receipt Date 4-30-16 Check # 1079

NEW STREAM WORKSHEET

ES ajw

Date: 5/7/18

File No. 50,050

Basin Name: MISSOURI RIVER Basin No. 1

Stream Name: WOLF RIVER TRIB 8 (MISSOURI)

Stream location (confluence with parent stream):

Section 1, Township 3 South, Range 16 (East)

Map Color Coding:

Basin Stream – Blue

Named Main Stream off Basin Stream – Yellow

Named Stream off Main Stream – Green

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

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

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

Stream No. 3942 (computer assigned - entered by data entry staff)

Date Entered _____ By _____

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 NW quarter of the NE quarter of Section 14, more particularly described as being near a point 447⁶ feet North and 2510 feet West of the Southeast corner of said section, in Township 3 South, Range 16 East West (circle one), Brown 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)

~~Beth Joy 11552 [unclear] [unclear] 4724~~

(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 4/27/2018, 2018. [Signature]
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 Pond & Pump
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) June 1st 2019
(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 July 1st 2019
(Mo/Day/Year)

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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. 952 Acres Drained

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 Applied for Low Hazard
- If no, explain here why a Water Structures permit is not required _____

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

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131A

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):

same? Brett Loyd 11552 Madoff Rd Greenville, In 47124
(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 Hawatha, Kansas, this 27 day of April, 2018
(month) (year)

[Signature]
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by Keith Gamm MWI, LLC Date: 4/18/18
(office/title)

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 50050

Name of Applicant (Please Print): Shawn i Robin Loyd

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: Shawn i Robin Loyd
ADDRESS: 2252 Linden Rd Hiawatha KS 66434

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
14	3s	16E	40	40	40	40	40	40								40	40	40	40	440

516
Total

Landowner of Record NAME: Brett Loyd
ADDRESS: 11552 Macbriff Rd Greenville, Ar 72124

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
14	3s	16E										30			36					76

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		

50050

Shawn Loyd Permit Sheet

952 acres Drainage

5/6 acres on permit

1/2 mile up stream and downstream landowners

JACOBSEN, CURT H. & AMANDA K.:
1948 HORNED OWL RD HIAWATHA, KS 66434

JACOBSEN, OWEN L. TRUST
1911 HORNED OWL RD HIAWATHA, KS 66434

GEORGESON, ROBERT K. IRREVOCABLE TRUST
2145 VERMONT ST LAWRENCE, KS 66044

MCCREREY, STEVEN R.
1128 190TH ST HIAWATHA, KS 66434

JACOBSEN FARMS, LLC
1804 HORNED OWL RD HIAWATHA, KS 66434

GARTRELL, GREGORY & SUSAN TRUST
415 6 RD STOCKTON, KS 67669

MEYER, DWIGHT C. & SUE E.
1780 HORNED OWL RD HIAWATHA, KS 66434

SIEBENMORGEN, JAMES
2240 PLUM TREE RD ROBINSON, KS 66532

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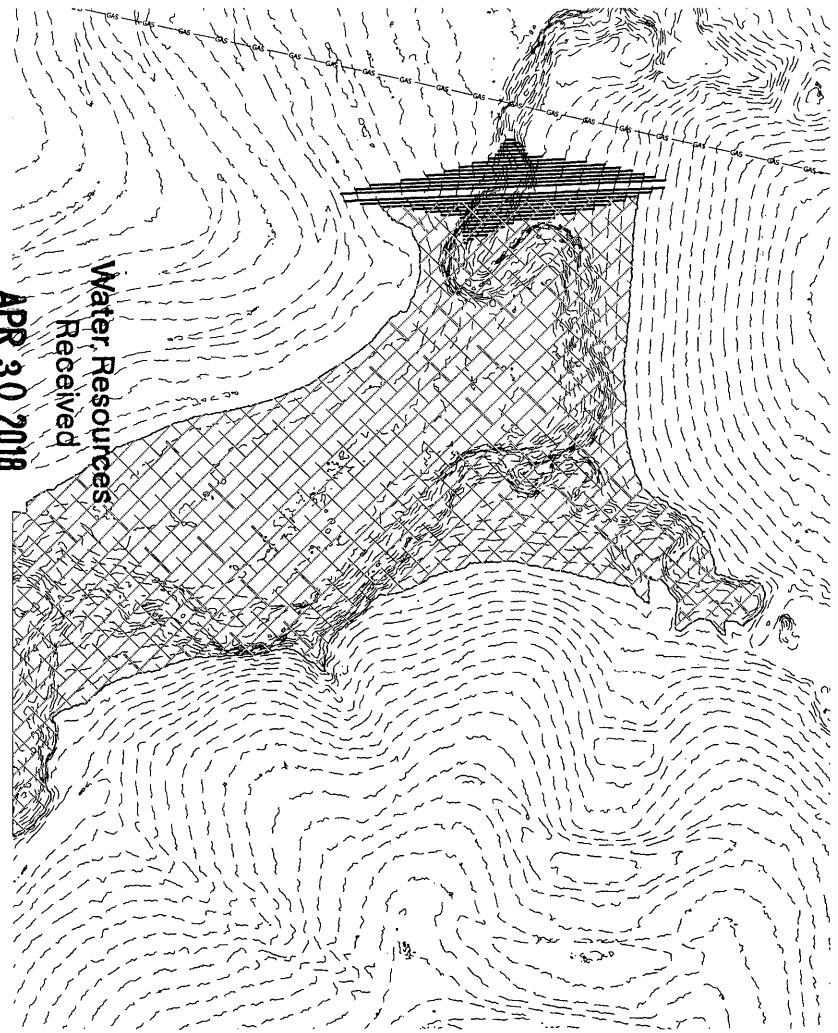
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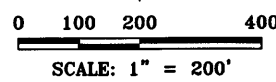
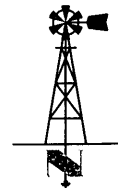
TOPOGRAPHIC SURVEY

Compute Proposed Stream Obstruction Volume in the North One-Half
of Section 14, Township 3 South, Range 16 East of the
Sixth Principal Meridian, Brown County, Kansas



Contour	Area	1' Volume	Total Volume	Ac. Ft.	Embankment	Height
1089	-					
1090	560.68	280.34	280.340	0.0064		1.28
1091	2,305.74	1,433.21	1,713.550	0.0393		2.28
1092	6,455.03	4,380.39	6,093.935	0.1399		3.28
1093	8,263.27	7,359.15	13,453.085	0.3088		4.28
1094	21,589.33	14,926.30	28,379.385	0.6515		5.28
1095	28,504.71	25,047.02	53,426.405	1.2265		6.28
1096	35,230.17	31,867.44	85,293.845	1.9581		7.28
1097	42,148.72	38,689.45	123,983.290	2.8463		8.28
1098	49,897.80	46,023.26	170,006.550	3.9028		9.28
1099	59,845.54	54,871.67	224,878.220	5.1625		10.28
1100	73,261.29	66,553.42	291,431.635	6.6903		11.28
1101	87,366.03	80,313.66	371,745.295	8.5341		12.28
1102	107,078.40	97,222.22	468,967.510	10.7660		13.28
1103	136,258.97	121,668.69	590,636.195	13.5591		14.28
1104	174,064.23	155,161.60	745,797.795	17.1212		15.28
1105	211,171.69	192,617.96	938,415.755	21.5431		16.28
1106	254,556.50	232,864.10	1,171,279.850	26.8889		17.28
1107	300,443.37	277,499.94	1,448,779.785	33.2594		18.28
1108	356,759.23	328,601.30	1,777,381.085	40.8031		19.28
1109	434,846.66	395,802.95	2,173,184.030	49.8894		20.28
1110	521,333.53	478,090.10	2,651,274.125	60.8649		21.28
1111	597,630.40	559,481.97	3,210,756.090	73.7088		22.28
1112	675,206.87	636,418.64	3,847,174.725	88.3190		23.28
1113	754,672.29	714,939.58	4,562,114.305	104.7317		24.28
1114	828,540.92	791,606.61	5,353,720.910	122.9045	7,378	25.28
1115	927,471.90	878,006.41	6,231,727.320	143.0608	8,436	26.28
1116	1,020,628.48	974,050.19	7,205,777.510	165.4219	9,604	27.28
1117	1,116,475.96	1,068,552.22	8,274,329.730	189.9525	10,923	28.28

72
75
70



General Notes for Site:
No field verification of LIDAR performed.
Front toe of obstruction: 1089.74'
Rear toe of obstruction: 1088.72'
Assumed top of obstruction 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 _____



THIS DRAWING ORIGINALLY CREATED AT
SPECIFIED SCALE. IF LINE BELOW DOES NOT
MEASURE 1 INCH, DRAWING HAS BEEN
REDUCED.

ORIGINAL DRAWING
SIZE: 1 INCH

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

Stream Obstruction

N 1/2 Sec 14, T3S, R16E
Brown County, Kansas

PREPARED FOR
MWI - Shawn Loyd

SCALE	1"=200'
FIELD ON:	
CHK. BY	MARCY
DWN. BY	BRENT
DATE:	04/09/18
SHEET	1 OF 2
JOB NO.	5262.88

0500

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 1, 2018

SHAWN & ROBIN LOYD
2252 LINDEN RD
HIAWATHA KS 66434

RE: Application
File No. 50050

Dear Sir or Madam:

Your application for permit to appropriate water in 14-3S-16E in Brown 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,

A handwritten signature in black ink that reads "Kristen A. Baum".

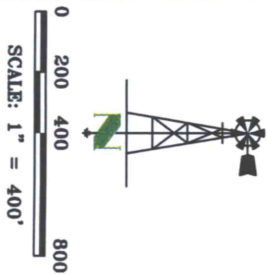
Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: TOPEKA Field Office
GMD

TOPOGRAPHIC SURVEY
 Compute Proposed Stream Obstruction Volume in the North One-Half
 of Section 14, Township 3 South, Range 16 East of the
 Sixth Principal Meridian, Brown County, Kansas



Water Level at Elev: 1113.25'



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SCALE 1" = 400' FIELD ON: - CHK. BY: MARCY DWN. BY: BRENT DATE: 04/09/18 SHEET 2 OF 2	Stream Obstruction N 1/2 Sec 14, T3S, R16E Brown County, Kansas <small>PREPARED FOR</small> MWI - Shawn Loyd	JORGENSEN SURVEYING 73051 617 Ave Tecumseh, NE 68450 (402) 335-2033 jorgensensurveying@gmail.com	THIS DRAWING ORIGINALLY CREATED AT SPECIFIED SCALE. IF LINE BELOW DOES NOT MEASURE 1 INCH, DRAWING HAS BEEN REDUCED. ORIGINAL DRAWING SIZE: 1 INCH
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JOB NO.
5262.88

0000



200th St

2510ft west

S14 T3S R16E

4476ft North

190th St

Horned Owl Rd

Jackrabbit Rd

© 2018 Google

Google Earth
Earth Point

Imagery Date: 4/1/2016 lat 39.789557° lon -95.590701° elev 1170 ft eye alt 10761 ft

1991

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Water Resources Received
Horned-Owl-Rd

1991

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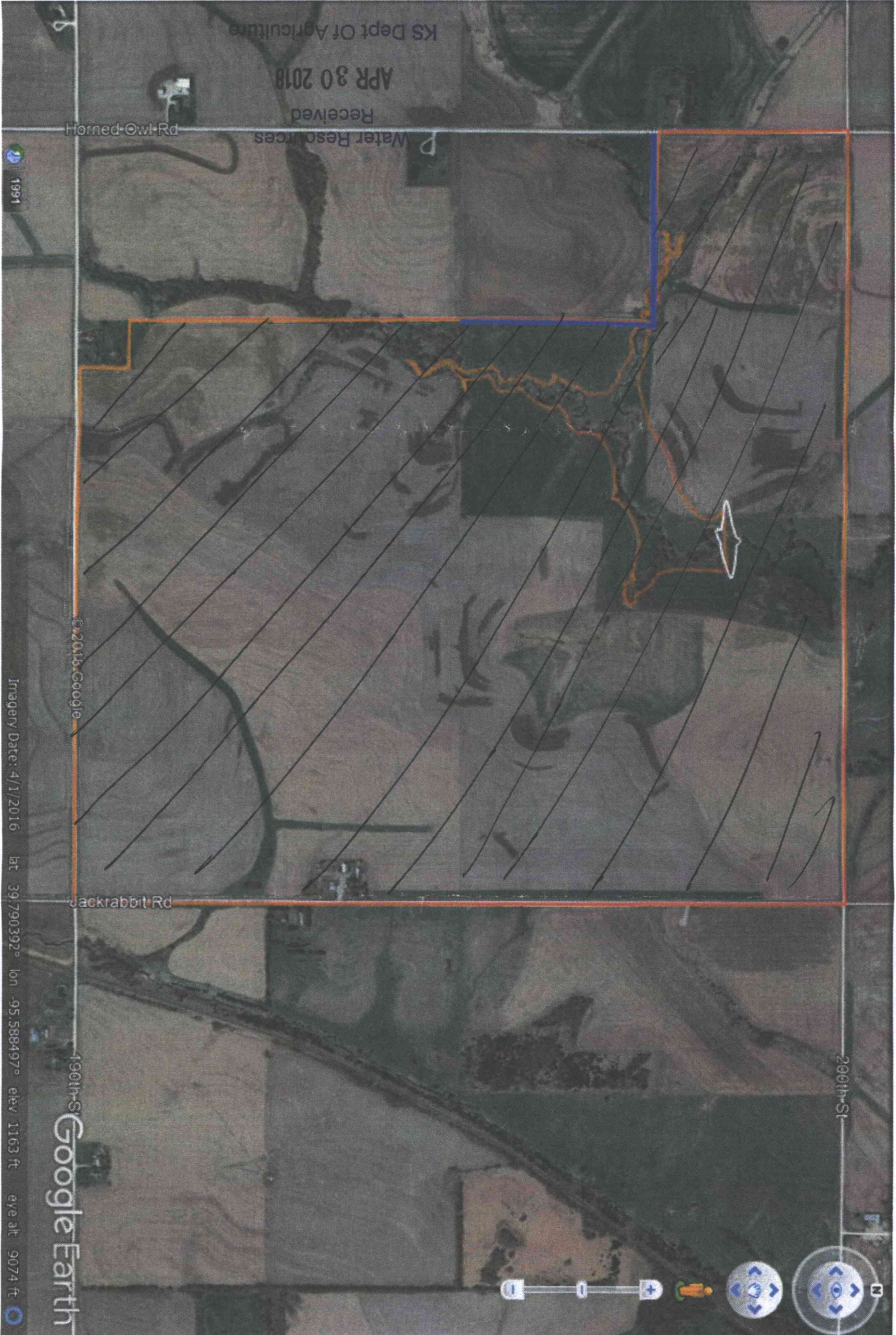
Jackrabbit Rd

190th St

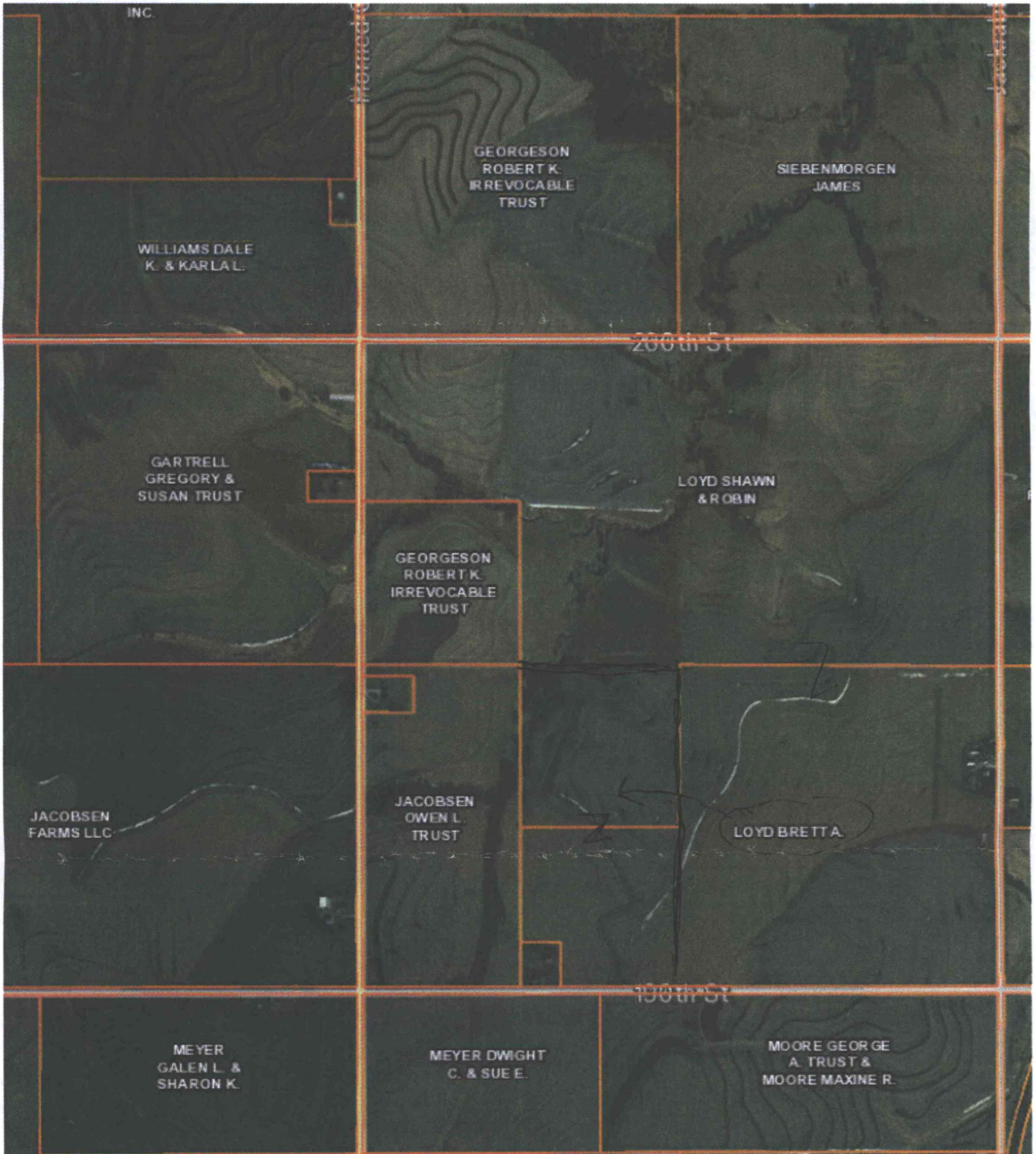
Google Earth

Imagery Date: 4/1/2016 lat 39.790392° lon -95.588497° elev 1163 ft eye alt 9074 ft

50050



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