

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

1. File Number: <b>49,406</b>	2. Status Change Date: <b>4/25/2019</b>	3. Field Office: <b>01</b>	4. GMD: <b>0</b>
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5. Status:  Approved  Denied by DWR/GMD  Dismiss by Request/Failure to Return

6. Enclosures:  Check Valve  N of C Form  Water Tube  Driller Copy  Meter

<p>7a. Applicant(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID <b>64532</b> Add Seq# <b>1</b></p> <p><b>THOMAS O &amp; AMY L PHILLIPS</b> 3955 ROAD V ALLEN KS 66833</p>	<p>7c. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID <b>64533</b> Add Seq# _____</p> <p><b>MARGARET F PRELLWITZ REV TRUST</b> 3545 NW 86TH ST TOPEKA KS 66618</p>
<p>7b. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID <b>64532</b> Add Seq# <b>1</b></p> <p><b>7a.</b></p>	<p>7d. Misc. (Consultant) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID <b>60054</b> Add Seq# _____</p> <p><b>MIDWEST IRRIGATION</b> % KEITH GRIMM 1215 OREGON ST HIAWATHA KS 66434</p>

<p>8. WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: right;">Person ID <b>64532</b> Add Seq# <b>1</b> Notarized WUC Form</p> <p><b>7a.</b></p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="text-align: center;"><input type="checkbox"/> Groundwater <input checked="" type="checkbox"/> Surface Water</p> <p><input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>
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10. Completion Date: **12/31/2020**      11. Perfection Date: **12/31/2024**      12. Exp Date: \_\_\_\_\_

13. Conservation Plan Required?  Yes  No Date Required: \_\_\_\_\_ Date Approved: \_\_\_\_\_ Date to Comply: \_\_\_\_\_

14. Water Level Measuring Device?  Yes  No Date to Comply: \_\_\_\_\_ Date WLMD Installed: \_\_\_\_\_

Date Prepared: **3/25/2019** By: **LHH**  
Date Entered: **4/25/2019** By: **WM**

File No. <b>49,406</b>	15. Formation Code:	Drainage Basin: <b>Neosho</b>	County: <b>LY</b>	Special Use:	Stream: <b>Plumb Creek Trib 1 (Neosho)</b>																
16. Points of Diversion MOD DEL PDIV ENT Qualifier S T R ID 'N 'W			17. Rate and Quantity Authorized Additional Rate gpm Quantity af Rate gpm Quantity af Overlap PD Files																		
✓ <b>84437 SW SE NE 31 18S 12E 1 2953 782</b> <i>structures Permit: DLY-0130</i>			<b>1200 210 1200 210 None</b>																		
18. Storage: Rate <u><b>All NF</b></u> NF Quantity <u><b>414.2</b></u> ac/ft Additional Rate <u><b>All NF</b></u> NF Additional Quantity <u><b>414.2</b></u> 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 <u><b>12/31/2020</b></u> Date Acceptable Meter Installed _____																					
21. Place of Use MOD DEL ENT		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
PUSE S T R ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
<i>MOD</i> <b>66968 31 18 12E 1</b>		<b>37</b>	<b>40</b>	<b>40</b>	<b>22</b>	<b>40</b>	<b>33.43</b>	<b>33.87</b>	<b>40</b>	<b>40</b>	<b>34.33</b>	<b>34.77</b>	<b>40</b>					<b>435.4</b>	<b>7c.</b>	<b>NO</b>	<b>49,567 &amp; 49,568</b>
<i>MOD</i> <b>66967 32 18 12E 1</b>						<b>40</b>	<b>40</b>	<b>40</b>	<b>36</b>	<b>5</b>	<b>13</b>							<b>174</b>	<b>7a.</b>	<b>NO</b>	<b>49,567 &amp; 49,568</b>
<i>ENT</i> <b>67601 32 18 12E 2</b>		<b>29</b>	<b>1</b>	<b>29</b>	<b>40</b>				<b>2.5</b>	<b>25</b>	<b>5</b>	<b>12</b>	<b>16</b>	<b>40</b>	<b>37</b>	<b>6.5</b>	<b>6.5</b>	<b>249.5</b>	<b>7c.</b>	<b>NO</b>	<b>49,567 &amp; 49,568</b>
																		<b>Total: 858.9</b>	<b>acres</b>		
Comments:																					

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**M E M O R A N D U M**

**TO:** Files

**DATE:** March 25, 2019

**FROM:** Lloyd Hemphill

**RE:** Application File No. 49,406

Thomas O. and Amy L. Phillips, have filed the above referenced new application proposing to appropriate 414.2 acre-feet of surface water, at a rate not to exceed all natural flows of Plumb Creek Trib 1, in the Neosho River drainage basin. The point of diversion is the center line of a dam (DWR Structures No. DLY-0130), located in the Southwest Quarter of the Southeast Quarter of the Northeast Quarter (SW¼ SE¼ NE¼) of Section 31, Township 18 South, Range 12 East, Lyon County, Kansas. The applicant is proposing to re-divert 210 acre-feet of the stored water for irrigation use at a proposed rate of 1,200 gallons per minute. The point of diversion is owned by the Margaret F Prellwitz Rev Trust. Thomas Phillips has signed the application form stating he has legal access to, or control of, the point of diversion. The place of use is owned by the applicants and the Margaret F Prellwitz Rev Trusts as described on the irrigation supplemental sheet. This application overlaps in place of use with File Nos. 49,567 and 49,568.

Runoff computations were completed as follows assuming a normal annual precipitation of 37 inches and a soil complex number of 80:

399 acres in drainage basin x 16.5 inches of runoff per acre / 12 inches = 548.6 acre-feet of potential runoff

These calculations show that in 1 out of every five (5) years (a 20% chance), 548.6 acre-feet of runoff will be generated in one calendar year. Therefore, there is sufficient runoff to provide the requested quantity of 414.2 acre-feet.

Potential net evaporation in inches based on K.A.R. 5-6-3 is 11 inches, therefore the natural evaporation is estimated as follows:

34 acres total surface area X 11 inches of evaporation / 12 inches = 31.2 acre-feet per year (indirect use)

The total capacity of the reservoir is the controlling factor in this case. Per K.A.R. 5-6-5, if the maximum annual quantity of water requested for re-diversion exceeds the reservoir capacity, the maximum quantity of water authorized to be diverted and stored in any one year shall not exceed the total of the following:

1. The annual quantity of water re-diverted for beneficial use (210 acre-feet);
2. The reservoir capacity (173 acre-feet); and
3. One year of indirect use from the reservoir (i.e. net evaporation + seepage) (31.2 acre-feet).

Therefore, the maximum storage quantity that can be requested based on the information above is 414.2 acre-feet. The applicants requested the total maximum quantity (414.2 AF), which is reasonable.

The applicant is proposing to irrigate a place of use of 858.9 acres. The quantity considered reasonable to irrigate the proposed acres in Lyon County is 858.9 acre-feet (858.9 acres x 1.0 AF/acre = 858.9 AF). The application was originally filed with a place of use describing 210 acres but the acreage was increased during application review, per applicant's request, to 858.9 acres to create a complete overlap with Application, File Nos. 49,567 and 49,568. The requested direct use quantity of 210 acre-feet is reasonable considering that this acreage will also be covered by these junior applications. The estimated re-diversion rate of 1,200 gallons per minute is reasonable for the project. The actual rate will be established during the perfection period and assigned at certification.

Landowners within one-half (½) mile upstream and downstream were notified by letter on September 3, 2015 of the applicant's intention to appropriate water. No response was received.

The WRIS database indicates there are currently no other non-domestic surface water rights within a two (2) mile radius of the proposed point of diversion. Thus, the proposed appropriation of water will not impact any senior water rights.

As allowed by K.S.A. 82a-706(c) an approved water flow meter shall be installed on the secondary diversion works (pumpsite). 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, recommended approval of the referenced application in a February 25, 2016 e-mail. Based on the above discussion, that this area is open to new appropriations, all requirements of the Water Structures Program have been fulfilled, and there is no evidence that senior rights will be impacted, it is recommended that the referenced new application be approved.

Lloyd Hemphill  
Environmental Scientist  
Topeka Field Office

1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6700  
www. agriculture.ks.gov



900 SW Jackson, Room 456  
Topeka, KS 66612  
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

April 30, 2019

**FILE COPY**

THOMAS O & AMY L PHILLIPS  
3955 ROAD V  
ALLEN KS 66833

RE: Appropriation of Water, File No. 49,406

Dear Sir or Madam:

Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit.

Notice must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

An acceptable water flowmeter must be installed on the re-diversion works authorized by this permit prior to using water. An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at [www.kswaterusereport.org](http://www.kswaterusereport.org).

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Enclosed is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640 or your local Topeka Field Office at 785-296-5733. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum  
New Application Unit Supervisor  
Division of Water Resources

KAB:dws  
Enclosure(s)

pc: Topeka Field Office  
Margaret F. Prellwitz Rev Trust  
MWI

# THE STATE OF KANSAS



**KANSAS DEPARTMENT OF AGRICULTURE**  
Mike Beam, 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. **49,406** of the applicant

**THOMAS O & AMY L PHILLIPS**  
**3955 ROAD V**  
**ALLEN KS 66833**

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 **June 9, 2015**.
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 18S 12E	37	40	40	22	40	33.43	33.87	40	40	34.33	34.77	40					435.4
32 18S 12E	29	1	29	40	40	40	40	38.5	30	18	12	16	40	37	6.5	6.5	423.5

3. That the appropriation sought shall be limited to all natural flows of Plumb Creek Trib 1 (Neosho), not needed to satisfy all vested rights and prior appropriation rights to be incrementally accumulated as reservoir storage space becomes available, to a maximum extent of **414.2 acre-feet** per calendar year in a reservoir created by a dam located in the Southwest Quarter of the Southeast Quarter of the Northeast Quarter (SW¼ SE¼ NE¼) of Section 31, more particularly described as being near a point 2,953 feet North and 782 feet West of the Southeast corner of said section, in Township 18 South, Range 12 East, Lyon County, Kansas, to provide **210 acre-feet** of water as needed for direct irrigation use to be withdrawn, released or otherwise diverted from the reservoir at a re-diversion rate of approximately **1,200 gallons per minute (2.67 c.f.s.)**. A reasonable maximum re-diversion rate will be established during the perfection period and assigned at certification.

4. That the structure creating the above referenced reservoir has been assigned Division of Water Resources Structures Permit No. DLY-0130.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2020** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$400.00, when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2024** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

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 re-diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the re-diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

12. That an acceptable water flow meter shall be installed and maintained on the re-diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

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 right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.





### CERTIFICATE OF SERVICE

On this <sup>30<sup>th</sup></sup> day of <sup>April</sup>, 2019, I hereby certify that the foregoing Approval of Application, File No. 49,406, dated <sup>April 25<sup>th</sup></sup>, 2019 was mailed postage prepaid, first class, US mail to the following:

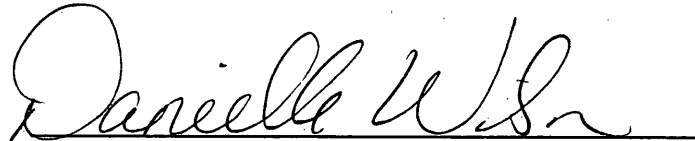
THOMAS O & AMY L PHILLIPS  
3955 ROAD V  
ALLEN KS 66833

With photocopies to:

MARGARET F PRELLWITZ REV TRUST  
3545 NW 86TH ST  
TOPEKA KS 66618

MIDWEST IRRIGATION  
% KEITH GRIMM  
1215 OREGON ST  
HIAWATHA KS 66434

Topeka Field Office



Division of Water Resources

1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6700  
www.agriculture.ks.gov



900 SW Jackson, Room 456  
Topeka, KS 66612  
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

April 30, 2019

**FILE COPY**

THOMAS PHILLIPS  
1470 ROAD 200  
EMPORIA KS 66801

RE: Appropriation of Water, File No. 49,567

Dear Mr. Phillips:

Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit, with specific reference to **Paragraph Nos. 19 and 20, which describe the need for you to obtain permission prior to diverting water.**

Notice must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

An acceptable water flowmeter must be installed on the diversion works authorized by this permit prior to using water. An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at [www.kswaterusereport.org](http://www.kswaterusereport.org).

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Enclosed is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640 or your local Topeka Field Office at 785-296-5733. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum  
New Application Unit Supervisor  
Division of Water Resources

KAB:dws  
Enclosure(s)

pc: Topeka Field Office  
Margaret F. Prellwitz Rev Trust  
Thomas & Amy Phillips  
MWI

# THE STATE OF KANSAS



**KANSAS DEPARTMENT OF AGRICULTURE**  
Mike Beam, 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. **49,567** of the applicant

**THOMAS PHILLIPS**  
**1470 ROAD 200**  
**EMPORIA KS 66801**

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 29, 2016**.
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	18S	12E	37	40	40	22	40	33.43	33.87	40	40	34.33	34.77	40					435.4
32	18S	12E	29	1	29	40	40	40	40	38.5	30	18	12	16	40	37	6.5	6.5	423.5

3. That the authorized source from which the appropriation shall be made is surface water from Plumb Creek (Neosho), to be withdrawn by means of one (1) pump site located in the Northwest Quarter of the Northwest Quarter of the Southwest Quarter (NW¼ NW¼ SW¼) of Section 32, more particularly described as being near a point 2,614 feet North and 5,199 feet West of the Southeast corner of said section, in Township 18 South, Range 12 East, Lyon 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 **1,000 gallons per minute (2.23 c.f.s.)** and to a quantity not to exceed **400 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, 2020** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$400.00, when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2024** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

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 on the diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and ending 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 diversion of natural flows shall not take place unless there is water available to satisfy all demands by senior water rights and permits.

18. 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.

19. That during the period October 1 through June 30, the verbal or written permission of the Chief Engineer, or an authorized representative of the Chief Engineer, shall be obtained in order to divert water each time the applicant desires to divert water.

20. That during the period July 1 through September 30 each calendar year, no direct diversions of surface water shall be permitted unless written permission is obtained from the Chief Engineer, or the Chief Engineer's authorized representative.

#### **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 25<sup>th</sup> day of April, 2019, in Manhattan, Riley 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 25<sup>th</sup> day of April, 2019, 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 30<sup>th</sup> day of April, 2019, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,567, dated April 25<sup>th</sup>, 2019 was mailed postage prepaid, first class, US mail to the following:

THOMAS O & AMY L PHILLIPS  
1470 ROAD 200  
EMPORIA KS 66801

With photocopies to:

MARGARET F PRELLWITZ REV TRUST  
3545 NW 86TH ST  
TOPEKA KS 66618

MIDWEST IRRIGATION  
% KEITH GRIMM  
1215 OREGON ST  
HIAWATHA KS 66434

Topeka Field Office

Danielle Wilson

Division of Water Resources

APPLICATION COMPLETE

03/15/2016  
Reviewer LHH/TEO

3-22-19 KAB

THE STATE



OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 49406  
This item to be completed by the Division of Water Resources.

WATER RESOURCES  
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**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.)

JUN 09 2015

1:41

KS DEPT OF AGRICULTURE

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,  
109 SW 9<sup>th</sup> Street, Second Floor, Topeka, KS 66612-1283:

1. Name of Applicant (Please Print): Thomas O. & Amy L. Phillips  
Address: 3955 Rd V.  
City: Allen KS State KS Zip Code 66833  
Telephone Number: ( ) \_\_\_\_\_
2. The source of water is:  surface water in Plumb Creek Trib 1 (Neosho)  
~~trib to Neosho River~~  
OR  groundwater in Neosho River Trib 25A (Neosho)  
(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. Rediversion 210 AFE ~ 1200 gpm

3. The maximum quantity of water desired is Storage 414.2 acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of NF gallons per minute OR \_\_\_\_\_ cubic feet per second.

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

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

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

For Office Use Only:							
F.O. Code	<u>1</u>	GMD	<u>0</u>	Meets K.A.R. 5-3-1	( <input checked="" type="checkbox"/> YES / <input type="checkbox"/> NO)	Use	<u>IRR</u>
Source	<u>G(S)</u>	County	<u>LY</u>	By	<u>KAB</u>	Date	<u>6/9/15</u>
Fee \$	<u>300</u>	TR #	<u>15850715</u>	Receipt Date	<u>6-3-15</u>	Check #	<u>1722</u>

6/10/2015 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 SE quarter of the NE quarter of Section 31, more particularly described as being near a point 2953 feet North and 782 feet West of the Southeast corner of said section; in Township 18 South, Range 12 East West (circle one), Lyon 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):

Margaret F. Prellwitz Rev. Trust  
(name, address and telephone number)  
3545 NW 86<sup>th</sup> St Topeka KS. 66618  
(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 6-3, 2015. [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 Dam, a pump + system  
(number of wells, pumps or dams, etc.)  
and (was)(will be) completed (by) upon approval  
(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 upon approval  
(Mo/Day/Year)



9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?  
 Yes    No   If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources?    Yes    No

- If yes, show the Water Structures permit number here DLY-130
- If no, explain here why a Water Structures permit is not required In WSI.

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 399 A drainage  
173 AF capacity

<u>34 Surface Acres X 11" / 12" = 31.2 AF evap (indirect 1yr)</u>	
<u>+ capacity</u>	<u>173 AF</u>
<u>+ 1yr direct use</u>	<u>210 AF</u>
	<u>414.2 AF storage</u>

WATER RESOURCES  
RECEIVED

JUN 09 2015

Surface water

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):  
N/A  
\_\_\_\_\_  
(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 2015, Kansas, this 3<sup>RD</sup> day of JUNE, 2015.  
(month) (year)

Thomas O. Phillips  
\_\_\_\_\_  
(Applicant Signature)

By \_\_\_\_\_  
(Agent or Officer Signature)

\_\_\_\_\_  
(Agent or Officer - Please Print)

Assisted by Katie Tietsoet TFD/WC Date: 6/2/15  
(office/title)

RECORDED BY / AS TAW  
RECORDED BY  
100 W O WILLE

**\*\*Revised per request by Keith Grimm on 2-15-2016.\*\***

**IRRIGATION USE  
SUPPLEMENTAL SHEET**

File No. 49,406

Name of Applicant (Please Print): Thomas O. and Amy L Phillips

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: Thomas O. and Amy L Phillips

ADDRESS: 3955 Rd V Allen KS 66833

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
32	18S	12E					40	40	40	36	5	13							174

**Landowner of Record** NAME: Margaret F. Prellwitz Revocable Living Trust

ADDRESS: 3545 NW 86<sup>th</sup> St Topeka KS 66618

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	18S	12E	37	40	40	22	40	33.43	33.87	40	40	34.33	34.77	40					435.4
32	18S	12E	29	1	29	40				2.5	25	5	12	16	40	37	6.5	6.5	249.5
																		Total:	858.9 ac.

**Landowner of Record** NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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

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

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

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

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

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

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

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

Other, please describe: \_\_\_\_\_

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

- (1) Estimate the operating pressure at the distribution system: \_\_\_\_\_ psi
- (2) What is the sprinkler package design rate? \_\_\_\_\_ gpm
- (3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? \_\_\_\_\_ feet
- (4) Please include a copy of the sprinkler package design information.

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

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

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

## Baum, Kristen [KDA]

---

**From:** Schemm, Doug [KDA]  
**Sent:** Monday, March 25, 2019 6:54 AM  
**To:** Dendurent, Mikayla [KDA]  
**Cc:** Baum, Kristen [KDA]; Ketter, Ambrose [KDA]  
**Subject:** RE: Structure status File Nos. 49,406 and 49,568

Awesome!! Thanks Mikayla.

---

**From:** Dendurent, Mikayla [KDA]  
**Sent:** Friday, March 22, 2019 1:39 PM  
**To:** Schemm, Doug [KDA] <Doug.Schemm@ks.gov>  
**Cc:** Baum, Kristen [KDA] <Kristen.Baum@ks.gov>; Ketter, Ambrose [KDA] <Ambrose.Ketter@ks.gov>  
**Subject:** RE: Structure status File Nos. 49,406 and 49,568

Hi Doug,

I have had a chance to look into the water rights you asked about in your email below. Both structures are non-jurisdictional for water structures. The water structures numbers are

49406 DLN-0130  
49568 DLN-0170

Let me know if you have any questions!

Mikayla E. Dendurent, I.E.  
Engineering Associate  
Kansas Department of Agriculture  
[Mikayla.Dendurent@ks.gov](mailto:Mikayla.Dendurent@ks.gov)  
785.564.6651

---

**From:** Ketter, Ambrose [KDA]  
**Sent:** Thursday, March 21, 2019 1:13 PM  
**To:** Dendurent, Mikayla [KDA] <[Mikayla.Dendurent@ks.gov](mailto:Mikayla.Dendurent@ks.gov)>  
**Subject:** FW: Structure status File Nos. 49,406 and 49,568

Please check the height and volume of these structures. We may need to get them permitted.

Ambrose J. Ketter, P.E.  
Dam Safety Team Leader  
Division of Water Resources  
Kansas Department of Agriculture  
(785) 564-6653  
[Ambrose.Ketter@ks.gov](mailto:Ambrose.Ketter@ks.gov)  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

---

**From:** Schemm, Doug [KDA]  
**Sent:** Wednesday, March 20, 2019 11:22 AM  
**To:** Ketter, Ambrose [KDA]  
**Cc:** Baum, Kristen [KDA]  
**Subject:** Structure status File Nos. 49,406 and 49,568

Good Morning Ambrose,

I'm just following up on some old files we got hanging around, File No.s 49,406; 49,567; and 49,568.

These involve 2 existing reservoirs and a pump site. One of the dams is listed under DLY-130. It looks like structures sent them a letter way back when, but nothing else. Is there any chance this is non-jurisdictional now? I don't see any structures permit for the second dam.

Do you have any information on these 2 dams. Or is there anything I can do?

By the way, these are Keith Grimm files from long ago, but I can see if Keith is still involved and he might help on the structures stuff.

Thanks, Doug

## Kopp, Kenneth

---

**From:** Hemphill, Lloyd  
**Sent:** Tuesday, March 01, 2016 4:54 PM  
**To:** Kopp, Kenneth  
**Cc:** Hunninghake, Kimberly  
**Subject:** RE: File No 49406 (Thomas Phillips): For Your Review

I knew that this WSN related to a fairly old reservoir and did not realize that it was not permitted.

Thomas Phillips is working with Keith Grimm on this project. Neither Keith nor Mr. Phillips will be expecting that a structures permit will be required. If we open communication with Keith, we should gather information for the other pond related to this place of use and make a determination (Keith has not submitted the Appropriation applications yet).

Who is going to make the contact to notify them that structures permitting is required?

Lloyd

---

**From:** Kopp, Kenneth  
**Sent:** Tuesday, March 01, 2016 4:07 PM  
**To:** Hemphill, Lloyd  
**Cc:** Hunninghake, Kimberly  
**Subject:** RE: File No 49406 (Thomas Phillips): For Your Review

Yes, DLY-0130 requires a WS permit. They haven't filed an application and it is not exempt. Call if we need to discuss.

Thanks,  
Ken

---

**From:** Hemphill, Lloyd  
**Sent:** Tuesday, March 01, 2016 4:03 PM  
**To:** Kopp, Kenneth  
**Cc:** Hunninghake, Kimberly  
**Subject:** RE: File No 49406 (Thomas Phillips): For Your Review

The WA application references DLY-130. There is another pond to the east that is not involved with this application (I don't think that it is permitted).

Let me know if we are still missing something.

Lloyd

---

**From:** Kopp, Kenneth  
**Sent:** Tuesday, March 01, 2016 3:58 PM  
**To:** Hemphill, Lloyd  
**Subject:** RE: File No 49406 (Thomas Phillips): For Your Review

Hi Lloyd,

I just checked with Kim and she indicates there is no WS application on file and that this reservoir is not exempt from their permitting.

Ken

---

**From:** Hemphill, Lloyd  
**Sent:** Friday, February 26, 2016 2:17 PM  
**To:** Kopp, Kenneth  
**Subject:** File No 49406 (Thomas Phillips): For Your Review

Ken,

Here are the documents related to Application, File No. 49,406 (Thomas & Amy Phillips) for your review.

This is a storage and re-diversion project for irrigation in Lyon County. It was originally a project that Bruce Engler (Heritage Tractor) was helping with, then Keith Grimm (MWI) picked it up. The application was originally filed with a smaller place of use, but Keith requested that land be added in order to make a complete overlap with applications(s) (another reservoir and a pump site) that will be filed in the near future (Keith is working on them). This will explain the somewhat small quantity for direct use relative to the acreage (210 AF for 858.9 acres).

Let me know if you have any questions.

Thanks,  
Lloyd Hemphill, Environmental Scientist  
Kansas Department of Agriculture  
Division of Water Resources, Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, KS 66619  
(785) 296-5733  
[Lloyd.Hemphill@kda.ks.gov](mailto:Lloyd.Hemphill@kda.ks.gov)



**Hemphill, Lloyd**

---

**From:** Tietsort, Katie  
**Sent:** Thursday, February 25, 2016 3:25 PM  
**To:** Hemphill, Lloyd  
**Subject:** RE: File No. 49406 (Thomas Phillips): For Your Recommendation

Lloyd,

This one looks ready to move forward for approval. Please proceed.

Thanks, Katie

Katie Tietsort, Water Commissioner

Kansas Department of Agriculture  
Division of Water Resources, Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, KS 66619  
(785) 296-5733  
FAX (785) 296-8298

[Katie.Tietsort@kda.ks.gov](mailto:Katie.Tietsort@kda.ks.gov)  
<http://agriculture.ks.gov/>

---

**From:** Hemphill, Lloyd  
**Sent:** Thursday, February 25, 2016 11:04 AM  
**To:** Tietsort, Katie  
**Subject:** File No. 49406 (Thomas Phillips): For Your Recommendation

Katie:

I would like your recommendation on Application, File No. 49,406 for Thomas and Amy Phillips.

This is a storage and re-diversion project for irrigation in Lyon County. It was originally a project that Bruce Engler was helping with, then Keith Grimm picked it up. The application was originally filed with a smaller place of use, but Keith requested that land be added in order to make a complete overlap with applications(s) (another reservoir and a pump site) that will be filed in the near future (Keith is working on them). This will explain the somewhat small quantity for direct use relative to the acreage (210 AF for 858.9 acres).

Let me know if you have any questions.

Thanks,

Lloyd Hemphill, Environmental Scientist  
Kansas Department of Agriculture  
Division of Water Resources, Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, KS 66619

(785) 296-5733

[Lloyd.Hemphill@kda.ks.gov](mailto:Lloyd.Hemphill@kda.ks.gov)

**Hemphill, Lloyd**

---

**From:** Hemphill, Lloyd  
**Sent:** Tuesday, February 23, 2016 1:22 PM  
**To:** 'Keith Grimm'  
**Subject:** RE: Creek Permit on Thomas Philip Location  
**Attachments:** Revised Supp Sheet\_49406.pdf

Thanks.

Here is the revised irrigation supplemental sheet that I will attach to Application, File No. 49,406 for Thomas and Amy Phillips. You can use the same description on the other applications.

Let me know if you see any corrections or if you have questions.

Lloyd

---

**From:** Keith Grimm [<mailto:Keith@mwivalley.com>]  
**Sent:** Tuesday, February 23, 2016 11:53 AM  
**To:** Hemphill, Lloyd  
**Subject:** Re: Creek Permit on Thomas Philip Location

No

Sent from myiPhone

Keith Grimm  
MWI,LLC  
O 785-288-1783  
C 785-547-7556  
[Keith@mwivalley.com](mailto:Keith@mwivalley.com)

On Feb 23, 2016, at 11:12 AM, Hemphill, Lloyd <[Lloyd.Hemphill@KDA.KS.GOV](mailto:Lloyd.Hemphill@KDA.KS.GOV)> wrote:

Keith,

I was drawing up the supplemental sheet for File No. 49,406 and noticed that there is a little more than 20 acres south of the farmyard in the NE¼ of Sec 32 that was not covered under the original application. Is there any plan to irrigate this?

Please let me know as soon as possible.

Thanks,  
Lloyd

---

**From:** Keith Grimm [<mailto:Keith@mwivalley.com>]  
**Sent:** Monday, February 15, 2016 3:51 PM  
**To:** Hemphill, Lloyd  
**Subject:** RE: Creek Permit on Thomas Philip Location

Lloyd

This looks great. Exactly what I was thinking and I will get the others done. If you can email me a copy of the supplemental irrigation sheet I can just copy that.

Looks good thanks

---

**From:** Hemphill, Lloyd [<mailto:Lloyd.Hemphill@KDA.KS.GOV>]  
**Sent:** Monday, February 15, 2016 3:48 PM  
**To:** Keith Grimm <[Keith@mwivalley.com](mailto:Keith@mwivalley.com)>  
**Subject:** RE: Creek Permit on Thomas Philip Location

Keith,

Here is a place of use map including the three tracts of land that you identified. I have labeled the acreage for all of the "40 acre" tracts that are not a full 40 acres. The west side of Section 31 has four correctional lots and are all short of 40 acres. The labeled acreages are from our original survey maps. For the tracts containing the ponds, I removed a conservative number of acres to account for the pond footprint. The total acreage is 860 acres. Does this look reasonable? Let me know if the acreage should be described differently so I can make File No. 49406 the same as the new applications.

According to County maps, it looks like the land in Sec 31 and the land east of the railroad in Sec 32 is owned by the Margaret F Prellwitz Rev Lining Trust; and the rest is owned by Thomas O & Amy L Phillips. Is this correct?

If this is all correct, I can proceed with Application, File No. 49,406. Let me know if you need anything for the new applications.

Thanks,  
Lloyd

---

**From:** Keith Grimm [<mailto:Keith@mwivalley.com>]  
**Sent:** Monday, February 15, 2016 12:52 PM  
**To:** Hemphill, Lloyd  
**Subject:** Creek Permit on Thomas Philip Location

Lloyd

Here is the map that I was suppose to send you. Let me know if you need anything further to finish that file 49406

Thanks Keith

**MWI**  
Keith Grimm  
Cell 785-547-7556  
Office 785-288-1783  
Fax 877-440-5435

**Hemphill, Lloyd**

File No. 49,406

**From:** Keith Grimm <Keith@mwivalley.com>  
**Sent:** Wednesday, February 10, 2016 3:42 PM  
**To:** Hemphill, Lloyd  
**Subject:** RE: 49406  
**Attachments:** Map to add to 49406 east side.PNG; Map to add to 49406.PNG

Lloyd

I am sorry to change this on you but I think that now is the time. We are going to be filing 2 more permits there and I feel like would be best to have a complete overlap of it all. The other permit will be for a pump station out of creek below this point of diversion and the other from the pond to the west on west side of tracks. Let me know what you want me to do and I will get on it.

Keith

*MWI*

Keith Grimm  
Cell 785-547-7556  
Office 785-288-1783  
Fax 877-440-5435

---

**From:** Hemphill, Lloyd [<mailto:Lloyd.Hemphill@KDA.KS.GOV>]  
**Sent:** Tuesday, February 09, 2016 8:26 AM  
**To:** Keith Grimm <[mwivalley@gmail.com](mailto:mwivalley@gmail.com)>  
**Subject:** RE: 49406

Keith,

Here is a copy of the application. If you anticipate any changes in the place of use, let me know as soon as possible and we can modify this application before approval.

Let me know if you have any questions.

Lloyd

---

**From:** Keith Grimm [<mailto:mwivalley@gmail.com>]  
**Sent:** Monday, February 08, 2016 9:42 AM  
**To:** Hemphill, Lloyd  
**Subject:** 49406

Lloyd

I am working on filing another app for Thomas Phillip and would like a copy of 49406 so I can make sure to do a complete overlap and I have no idea how that first one was filed.

Thanks Keith

*MWI*

Keith Grimm  
Cell 785-547-7556  
Office 785-288-1783  
Fax 877-440-5435

**Hemphill, Lloyd**

---

**From:** Hemphill, Lloyd  
**Sent:** Wednesday, January 06, 2016 2:19 PM  
**To:** 'tapfarms@yahoo.com'  
**Subject:** Water Appropriation Application File No. 49406  
**Attachments:** MDS WAD\_49406.pdf

Thomas,

The Minimum Desirable Streamflow form which we discussed on the phone is attached. Please sign and notarize the form and return it to the Topeka Field Office address listed below (not the Manhattan address on the form).

We must receive this form before we can continue processing your application.

Please contact me if you have any questions.

Lloyd Hemphill, Environmental Scientist  
Kansas Department of Agriculture  
Division of Water Resources, Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, KS 66619  
(785) 296-5733  
[Lloyd.Hemphill@kda.ks.gov](mailto:Lloyd.Hemphill@kda.ks.gov)

**Hemphill, Lloyd**

---

**From:** Derick McGhee <dmcghee@heritagetractor.com>  
**Sent:** Wednesday, December 23, 2015 4:58 PM  
**To:** Hemphill, Lloyd  
**Subject:** RE: Water Appropriation Application, File No. 49406 (Thomas Phillips)

Lloyd,

Thanks for letting us know, we have elected to get out of the Valley business but I talked to Thomas today and let him know. His cell phone is 785-256-5247 if you need to reach him on this. Sorry for the delay.

Thanks Again,

**Derick McGhee**

**Integrated Solutions Manager**

915 Industrial Park Rd. | Baldwin City, KS 66006

Tel (785) 594-6486 | Toll free (877) 594-6486

Mobile (785) 218-6260 | Fax (785) 594-6719



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**From:** Hemphill, Lloyd [<mailto:Lloyd.Hemphill@KDA.KS.GOV>]  
**Sent:** Friday, December 18, 2015 9:45 AM  
**To:** Heath Meier  
**Subject:** Water Appropriation Application, File No. 49406 (Thomas Phillips)

Heath,

We have not yet received the Minimum Desirable Streamflow form that is needed to accompany the Water Appropriation Application (File No. 49,406) for Thomas Phillips in Lyon County. Processing of this application cannot continue until we receive the form.

You indicated earlier that Mr. Phillip thought that he had the form and would get it signed and notarized. The form is also attached if another copy is needed.

I do not have a phone number for Mr. Phillips on file. Can you either provide a phone number or make an inquiry about the form. Otherwise, I can make a request by mail.

Let me know if you have any questions.

Thanks,  
Lloyd Hemphill, Environmental Scientist  
Kansas Department of Agriculture



Division of Water Resources, Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, KS 66619  
(785) 296-5733  
[Lloyd.Hemphill@kda.ks.gov](mailto:Lloyd.Hemphill@kda.ks.gov)

**Hemphill, Lloyd**

---

**From:** Heath Meier <hmeier@heritagetractor.com>  
**Sent:** Thursday, September 03, 2015 10:22 AM  
**To:** Tietsort, Katie; Hemphill, Lloyd  
**Subject:** RE: Application File No 49406 (Thomas Phillips)

Lloyd,

He is applying for the rights for the pond and pivot on the northwest side of the rr tracks. He believes he has the form and he will get it signed and notarized as soon as he can to get it back to you. If you would please still email me a copy of it.

**Thanks,**

**Heath Meier**

**Irrigation Coordinator**  
2701 NW Hwy 24 | Topeka, KS 66618  
Tel (785) 235-5100 | Toll free (866) 415-5151  
Mobile (785) 506-5456 | Fax (785) 235-5101



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**From:** Tietsort, Katie [mailto:Katie.Tietsort@KDA.KS.GOV]  
**Sent:** Thursday, September 03, 2015 9:45 AM  
**To:** Heath Meier; Hemphill, Lloyd  
**Subject:** RE: Application File No 49406 (Thomas Phillips)

Heath can you call Lloyd and get the info he needs from Tom? The application has been submitted and Lloyd is working it. He has to have the land info on what the plan is. Tom doesn't have to (and in fact shouldn't) do anything until an approval may be granted and then he has over a year to take action.

Katie Tietsort, Water Commissioner

Kansas Department of Agriculture  
Division of Water Resources, Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, KS 66619  
(785) 296-5733  
FAX (785) 296-8298

[Katie.Tietsort@kda.ks.gov](mailto:Katie.Tietsort@kda.ks.gov)  
<http://agriculture.ks.gov/>

---

**From:** Heath Meier [<mailto:hmeier@heritagetractor.com>]  
**Sent:** Thursday, September 03, 2015 9:38 AM  
**To:** Tietsort, Katie; Hemphill, Lloyd  
**Subject:** RE: Application File No 49406 (Thomas Phillips)

I talked to Tom a couple of weeks ago and he told me he was not going to do anything about irrigation until after harvest but I will try and get ahold of him again and see if he wants to start moving on the application.

Thanks,

**Heath Meier**  
Irrigation Coordinator  
2701 NW Hwy 24 | Topeka, KS 66618  
Tel (785) 235-5100 | Toll free (866) 415-5151  
Mobile (785) 506-5456 | Fax (785) 235-5101



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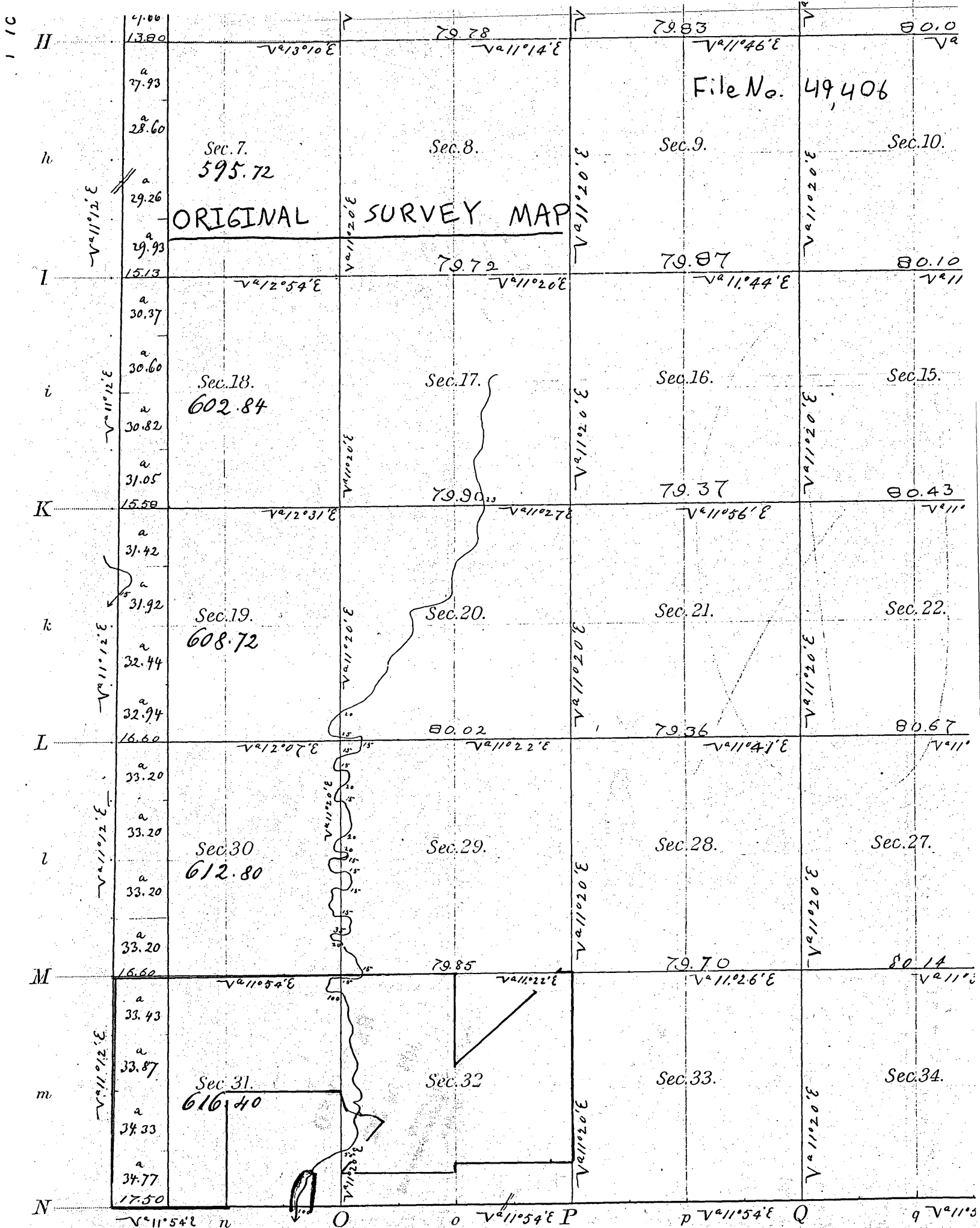
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**From:** Tietsort, Katie [<mailto:Katie.Tietsort@KDA.KS.GOV>]  
**Sent:** Thursday, September 03, 2015 9:04 AM  
**To:** Heath Meier; Hemphill, Lloyd  
**Subject:** RE: Application File No 49406 (Thomas Phillips)

Heath,

It is file no. 49406 under the name Tom and Amy Phillips in Allen Kansas. Owners of land are Margaret F Prellwitz Trust.



02-03-2016  
(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. 49,406

Minimum Desirable Streamflow  
Neosho River Assurance District

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established and an Assurance District has been formed and established for the source of supply to which the above referenced application applies, namely the Neosho River Basin.

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, Assurance District or Water Marketing releases are being made from storage in Federal Reservoirs or when a Reservation Right upstream of a Federal Reservoir is being administered.

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.

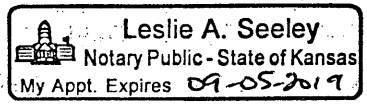
I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Thomas O. Phillips  
Signature of Applicant

Thomas O. Phillips  
Print Applicant Name

State of Kansas )  
County of Lyon ) SS

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me  
this 3rd day of February, 2016

 Leslie A. Seeley  
Notary Public - State of Kansas  
My Appt. Expires 09-05-2019

Leslie A. Seeley  
Notary Public

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My Commission Expires: 09-05-2019

FEB 09 2016

Tom Phillips

Landowners 1/2m up and 1/2m down

~~Margaret F. Prellwitz Revocable trust~~

*Owner of place of use.*

~~3545 NW 86<sup>th</sup> st.~~

~~Topeka, Ks. 66618~~

✓ Donald L. & Becky L. Kusmaul

516 Adams st.

Polk City, Iowa 50226

Pederson Living Trust

✓ 1356 rd. 200

Emporia, Ks. 66801

✓ Charles B. & Twyla J. Crawford

1368 rd. 200

Emporia, Ks. 66801

✓ Linda Forbes

1313 Washington st

Emporia, Ks. 66801

~~Timothy L. & Kristi G. Wright~~

~~1372 rd. 200~~

~~Emporia, Ks. 66801~~

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Kevin E. & Kay L. Church

1367 rd. 205

Emporia, Ks. 66801

Aaron Laib

1382 rd. 200

Emporia, Ks. 66801

Rodney L. Pederson

2285 rd. N

Emporia, Ks. 66801

Richard L. & Nicolette S. Edwards

1412 rd. 200

Emporia, Ks. 66801

Eric D. & Susan Pederson

1423 rd. 205

Emporia, Ks. 66801

✓ Fuller Ag Enterprises

1953 rd. M

Emporia, Ks. 66801

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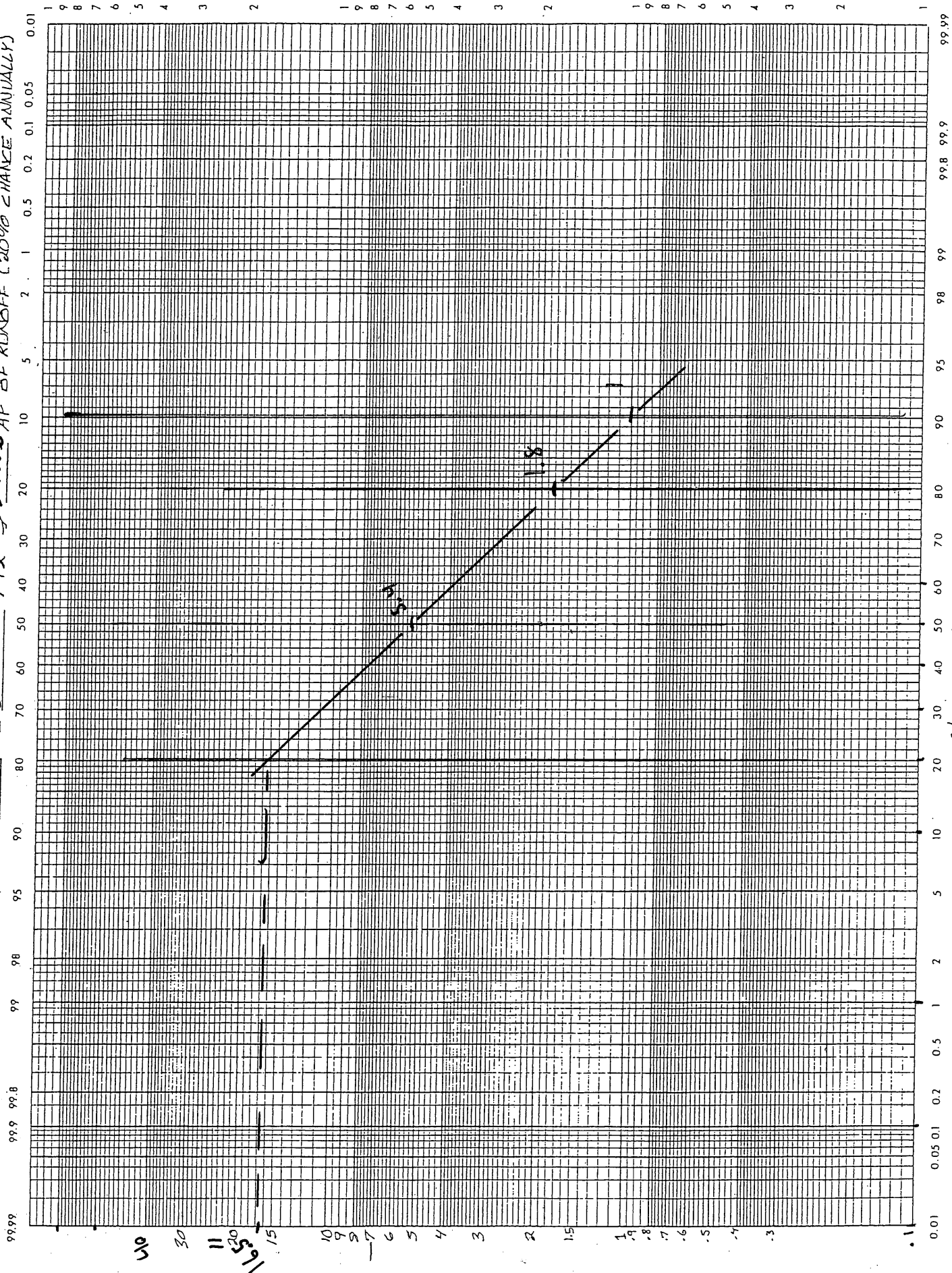
FILE NO. 49,406

SOIL: "80" PRECIP: 37"

File No. 49,406

INCHES RUNOFF/ACRE: 16.5"

399 ACRES IN DRAINAGE x 16.5" = 6533.5" / 12" = 548.6 AF OF RUNOFF (20% CHANCE ANNUALLY)



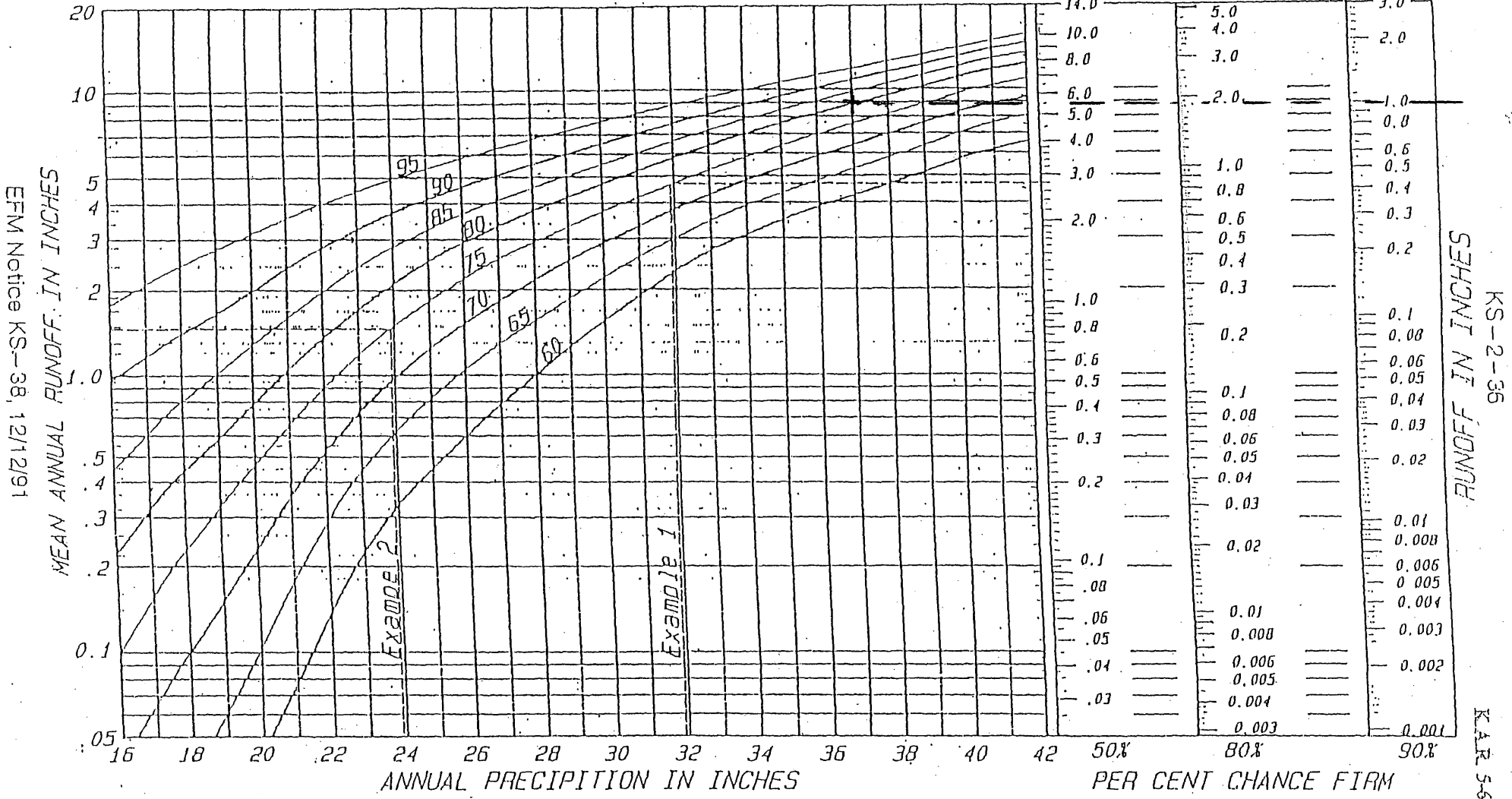
PREPARED BY: LHM/FO

C/O CHANCE



5.4      1.8      1

ANNUAL YIELD OF RUNOFF



EFM Notice KS-38, 12/12/91

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

KS-2-36  
KAR 564(EXT)

\$ 300.00

### 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

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**IRRIGATION USE  
SUPPLEMENTAL SHEET**

File No. 49406

Name of Applicant (Please Print): Thomas O. & Amy L. Phillips

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: Thomas O. & Amy L. Phillips  
ADDRESS: 3955 Rd V. Allen KS 66833

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>32</u>	<u>18S</u>	<u>12E</u>					<u>40</u>	<u>40</u>	<u>40</u>	<u>37</u>	<u>5</u>	<u>13</u>						<u>175</u>	

Landowner of Record NAME: Margaret F. Prellwitz Rev Trust  
ADDRESS: 3545 NW 86<sup>th</sup> St Topeka KS 66618

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>31</u>	<u>18S</u>	<u>12E</u>	<u>24</u>															<u>35</u>	

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	

\* See Irrigation Use Supplemental Sheet revised on 2-15-2016. LHM/TF0

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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:

*pivot*

ii. For sprinkler systems:

- (1) Estimate the operating pressure at the distribution system: \_\_\_\_\_ psi
- (2) What is the sprinkler package design rate? \_\_\_\_\_ gpm
- (3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? \_\_\_\_\_ feet
- (4) Please include a copy of the sprinkler package design information.

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

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

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

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

June 11, 2015

THOMAS O & AMY L PHILLIPS  
3955 RD V.  
ALLEN KS 66833

RE: Application  
File No. 49406

Dear Sir or Madam:

Your application for permit to appropriate water in 31-18S-12E in Lyon 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) 564-6643. 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 cursive script that reads "Brent A. Turney".

Brent Turney, L.G.  
Change Application Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: TOPEKA Field Office  
GMD 0

SCANNED

Map to add to 49406 east side. PNG

Attachment to 2-10-16 e-mail from Keith Grimm

File NO 49406

Thomas & Amy Phillips

1593200000001010

249.7 acres  
(parcel)

1593100000001000

Prellwitz Trust

15932000000001000

258.5 ac parcel

1593100000004000

1583300

1593200000005000

ROAD 190

1830600000003000

1830500000004000

1830500000001000

1820

Map to add to 49406.PNG

Attachment to 2-10-16 e-mail from Keith Grimm

File No 49,406

Deallwitz Trust  
451.5 ac parcel

1593 10000000 1000

1593 20000000 1010

1593 20000000 1000

1593 10000000 4000

1593 20000000 05 000

183 06000000 003 000

183 05000000 004 000

183 05000000 001 000

File No. 49,406

NEW STREAM WORKSHEET

ES KAB

Date: 6/9/15

File No. 49406

Basin Name: Neosho River Basin No. 34

Stream Name: Plumb Creek Trib 1 (Neosho)

Stream location (confluence with parent stream):

Section 31, Township 18 South, Range 1a (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. 3828 (computer assigned - entered by data entry staff)

Date Entered 6/16/2015 By LLM



NEW STREAM WORKSHEET

ES KAB

Date: 6/9/15

File No. 49406

Basin Name: Neosho River Basin No. 34

Stream Name: Plumb Creek (Neosho)

Stream location (confluence with parent stream):

Section 6, Township 19 South, Range 12 (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. 3827 (computer assigned - entered by data entry staff)

Date Entered 6/16/2015 By LM

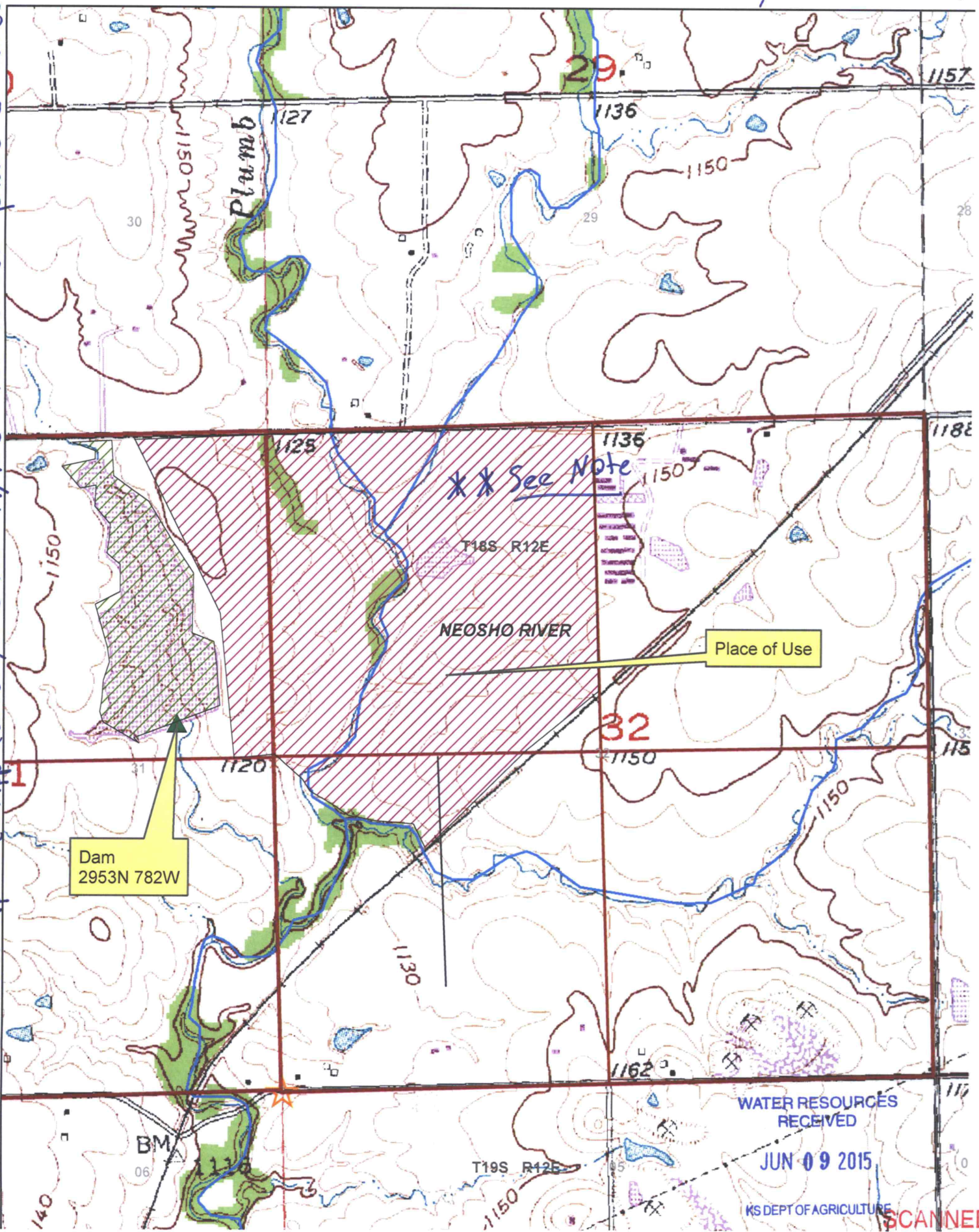
UHH/TFO  
1:12,000

Tom Phillips, new application

File No. 49,406



\*\* See 2-15-2016 map 'New Application, File No. 49,406' for revised place of use.



\*\* See Note

NEOSHO RIVER

Place of Use

Dam  
2953N 782W

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1:12,000

Tom Phillips, new application

File No 49,406



XX Note: See 2-15-2016 Map "New Application, File No. 49,406" for revised place of use.



Dam  
2953N 782W

Place of Use

XX  
See Note

NEOSHO RIVER

T16S R12E

30

29

28

31

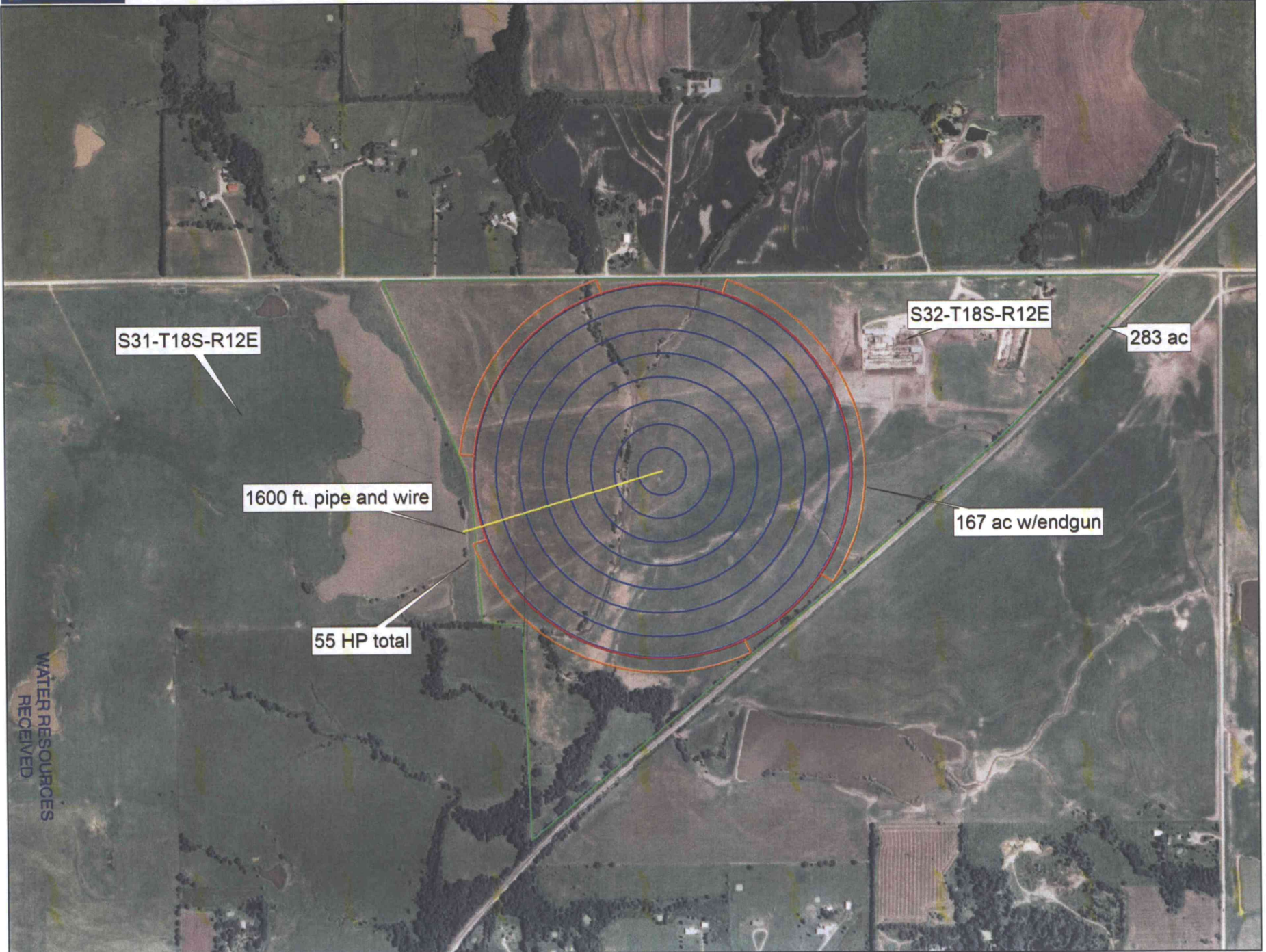
32

33

06

09

SCA



File No. 49,406

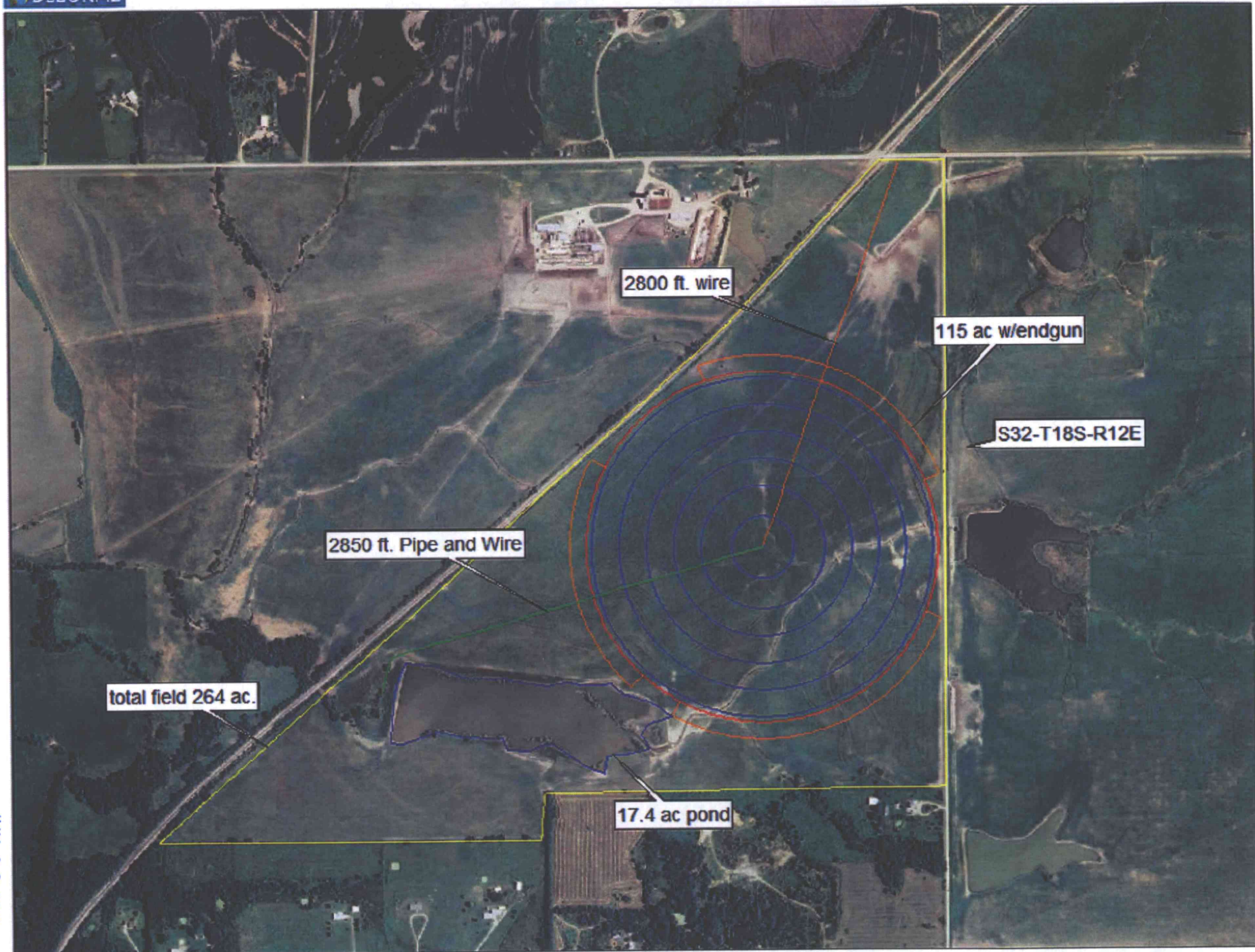
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total field 264 ac.

2800 ft. wire

115 ac w/endgun

S32-T18S-R12E

2850 ft. Pipe and Wire

17.4 ac pond

File No. 49,406

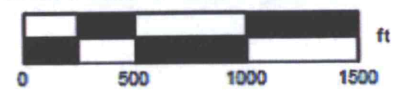
JUN 09 2015

Data use subject to license.

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www.delorme.com

Note: This pond will be covered by a future application. LHM/TFO



Date 7am 14 2

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File No. 49,406

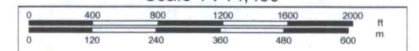
Data use subject to license.

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www.delorme.com



Scale 1 : 14,400



1" = 1,200.0 ft

Data Zoom 13-7

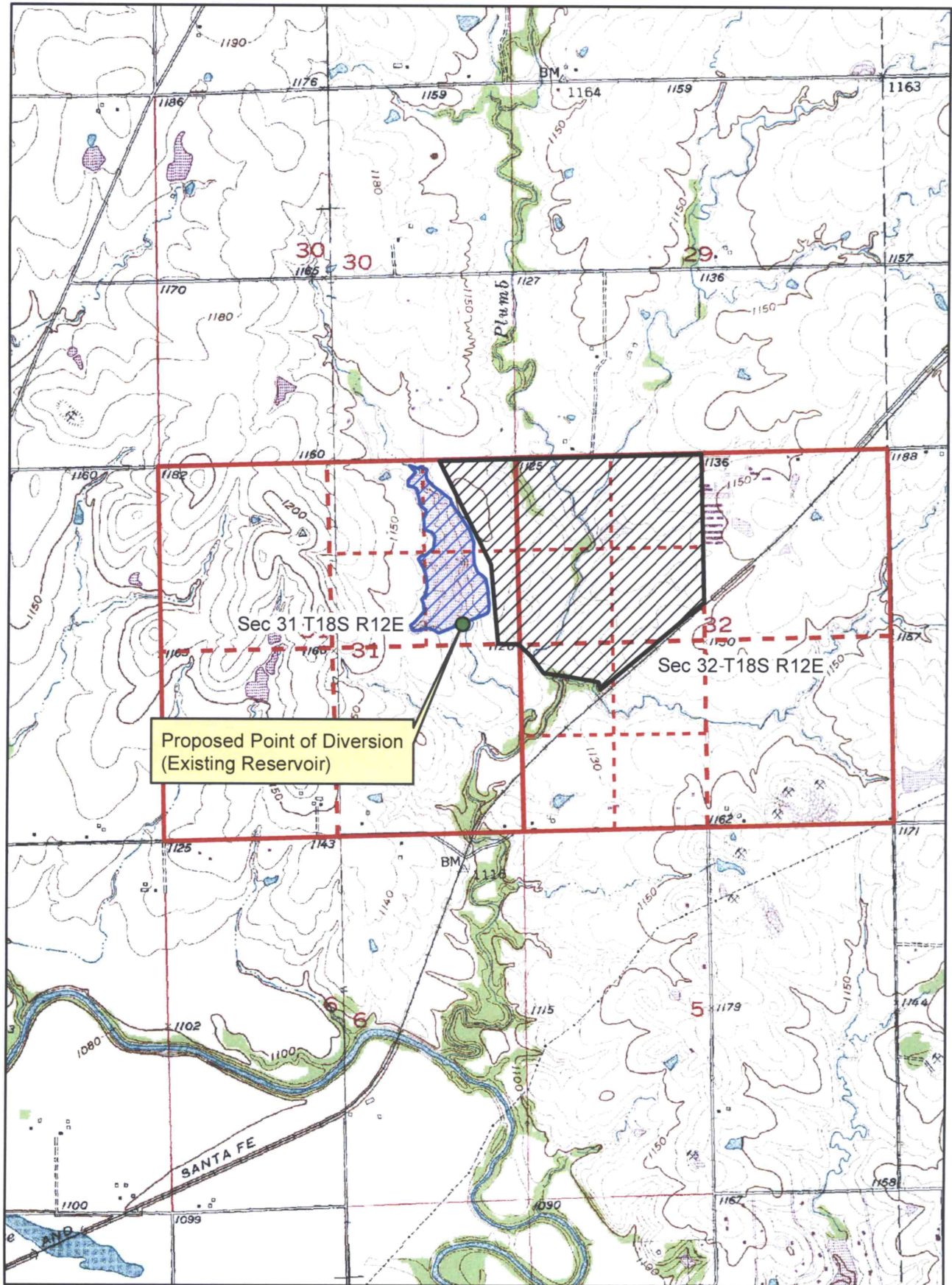
WATER RESOURCES  
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# New Application - File No. 49,406



Proposed Place of Use



N

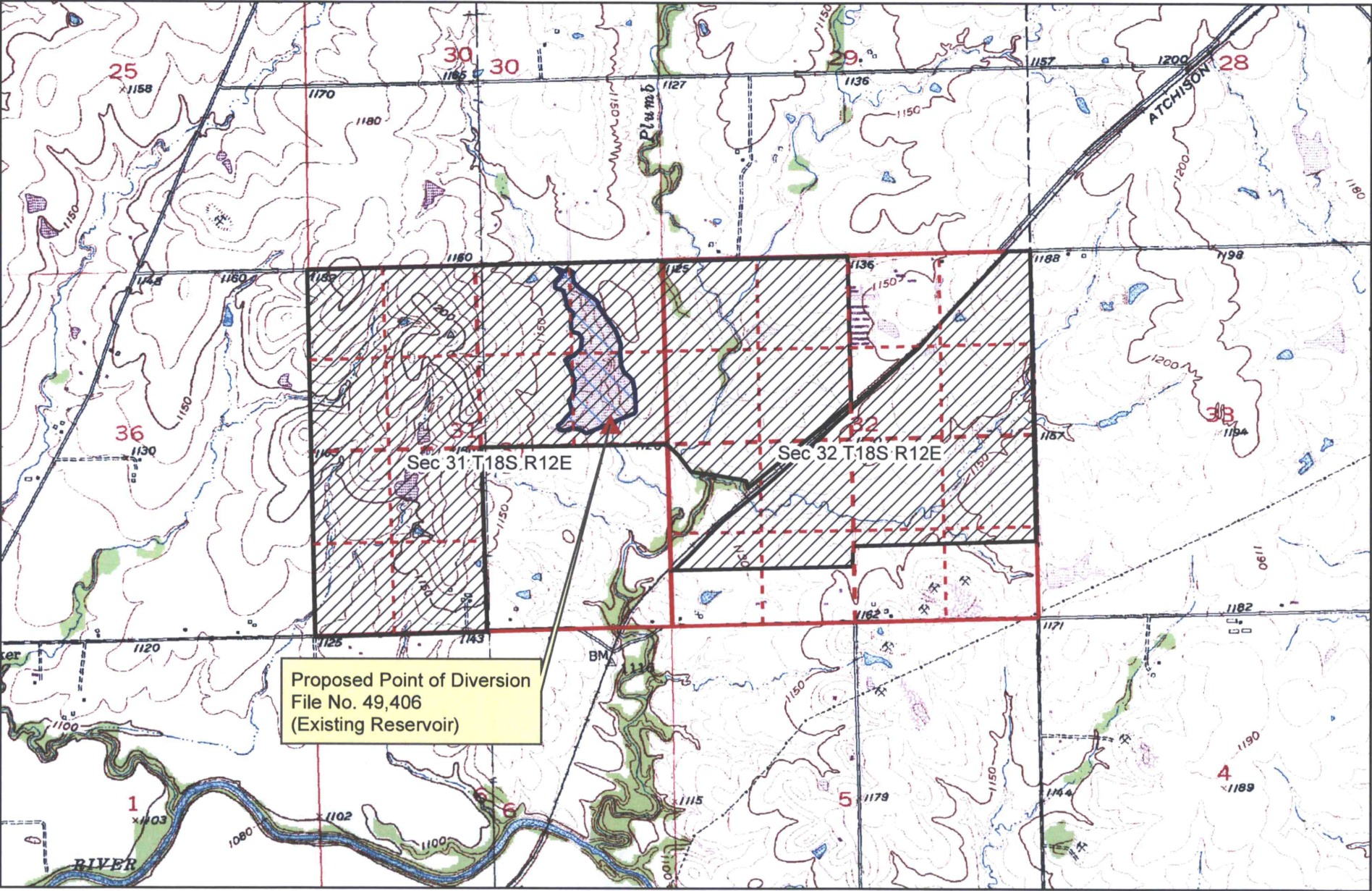
0


0.5

1 Mile

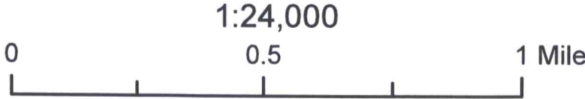
1:24,000

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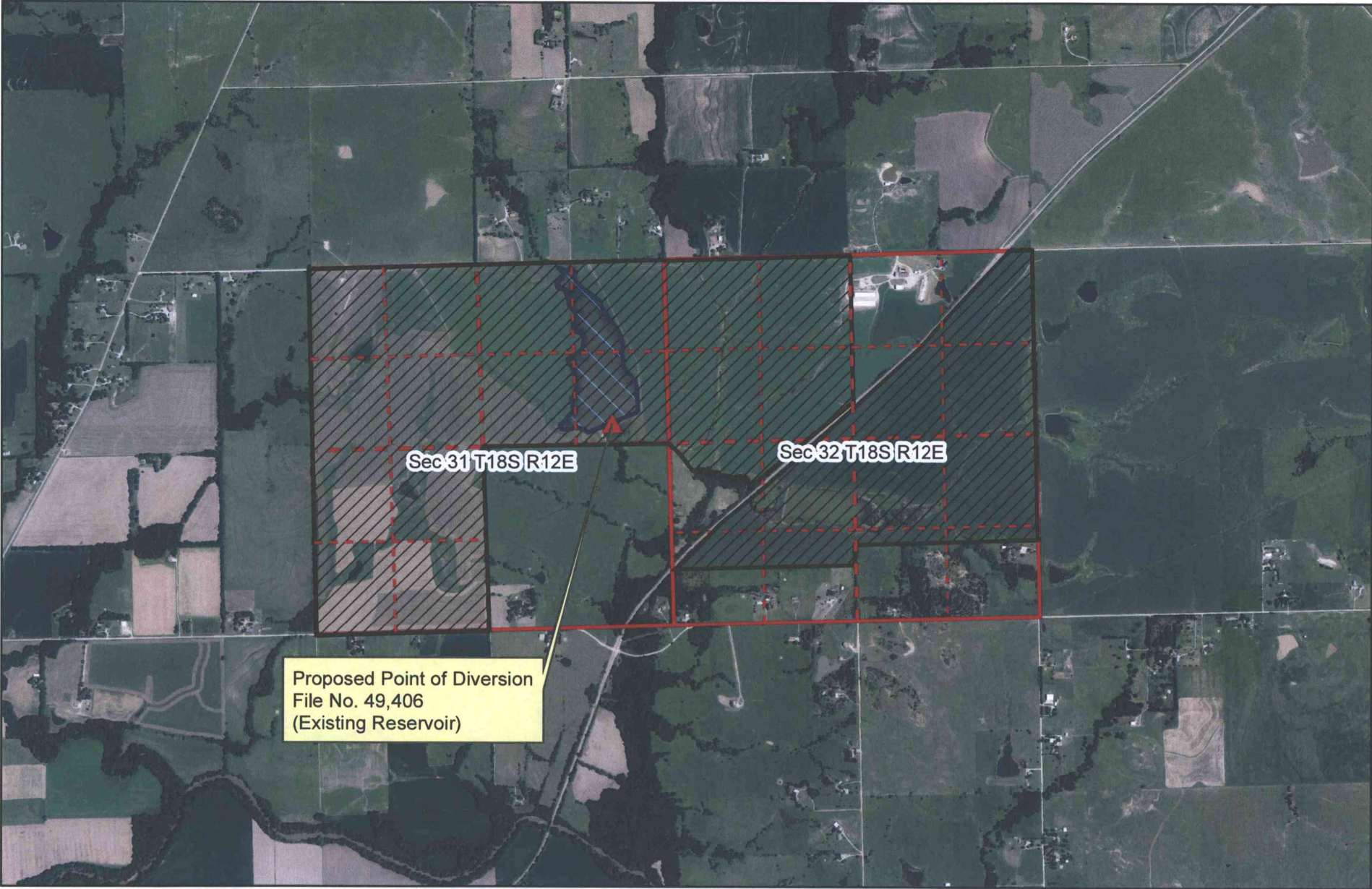
 Proposed Place of Use

Map Prepared by LHH/TFO 2-15-2016





New Application, File No. 49,406



Proposed Place of Use

Map Prepared by LHH/TFO 2-15-2016

