

NOTICE

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



THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50304
This item to be completed by the Division of Water Resources.

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

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

Water Resources Received
OCT 10 2019 12:20
KS Dept Of Agriculture

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,
1320 Research Park Drive, Manhattan, KS 66502:

1. Name of Applicant (Please Print): DALE & JUDITH SPRINGER
Address: 5816 COUNTY RD 3300
City: INDEPENDENCE State: KS Zip Code: 67301
Telephone Number: (620) 331-4036

2. The source of water is: [X] surface water in SYCAMORE CREEK TRIB 2 (stream)
OR [] groundwater in ELK RIVER (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources. 11.4 MGY to be rediverted for STK use @ 1,000 gpm

3. The maximum quantity of water desired is 58 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) [X] Stockwatering (h) [] Sediment Control
(i) [] Domestic (j) [] Dewatering (k) [] Hydraulic Dredging (l) [] Fire Protection
(m) [] Thermal Exchange (n) [] Contamination Remediation

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

For Office Use Only:
F.O. 1 GMD 0 Meets K.A.R. 5-3-1 (YES/NO) Use STK Source G/S County MG By DAW Date 10/10/19
Code REG Fee \$ 200 TR # Receipt Date 10/10/19 Check # 7482

10/15/2019
LMoody

***MODIFIED POINT OF DIVERSION TO REFLECT SEPARATE DAM AND RESERVOIR. DWS/DWR 1/16/2020**

File No. 50304

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

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

1/16/2020
DWS

* (A) One in the ^{NW}~~SW~~ quarter of the ^{SE}~~NE~~ quarter of the NW quarter of Section 23, more particularly described as being near a point 4350^{3,858} feet North and 3450^{3,767} feet West of the Southeast corner of said section, in Township 31 South, Range 15 EAST, MONTGOMERY 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):

(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 _____, 2019_. _____
Applicant's Signature

7. The proposed project for diversion of water will consist of ONE DAM & 3 INTERCONNECTED RESERVOIRS
(number of wells, pumps or dams, etc.)
and (was) completed (by) Summer 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 Summer 2019.
(Mo/Day/Year)

Water Resources
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OCT 10 2019

KS Dept Of Agriculture

9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?

Yes No If "yes", a check valve shall be required.

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

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

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

• If yes, show the Water Structures permit number here _____

• If no, explain here why a Water Structures permit is not required.
To be reviewed by DWR Water Structures Program ~~Determined to be exempt from structures permitting.~~

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

(a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.

(b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.

(c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.

(d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.

(e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

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

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

FILE NO. 44,157 COMPLETE OVERLAP IN ~~PD AND~~ PU.

FILE NOS. 38,549; 38,550 AND 47,710 PU OVERLAP. STORAGE QUANTITY BASED ON:

1 YEAR DIRECT USE (35 AF) + CAPACITY (20 AF) + 1 YEAR OF EVAP (3 AF) = 58 AF (for new pond).

POTENTIAL RUNOFF = 125 AF (Not Limiting Factor) ~~SENIOR FILE HAS AUTHORIZED 41 AF of storage.~~

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Received

OCT 10 2019

KS Dept Of Agriculture

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

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

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

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

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

(name, address and telephone number)

(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at Independence, Kansas, this 7th day of August, 2019.
(month) (year)



(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by DWS TOPEKA FO Date: 5/14/2019
(office/title)

Water Resources
Received
OCT 10 2019
KS Dept Of Agriculture

50304

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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OCT 10 2019

KS Dept Of Agriculture

**STOCKWATER USE
SUPPLEMENTAL SHEET**

File No. 50304

Name of Applicant (Please Print): DALE & JUDITH SPRINGER

1. Please indicate type of livestock (cattle, hogs, etc.): HOGS

2. Please complete the following table showing past and present water requirements:

PAST NUMBER OF HEAD AND WATER DIVERTED, IF APPLICABLE

LAST 5 YEARS	NUMBER OF HEAD	WATER DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
5 years ago			
Last year	3600	825,000	5 Gal
Present Year	6000	11.4	5 + Cooling & Sanitation

3. Please complete the following table showing estimated future water requirements:

ESTIMATED FUTURE NUMBER OF HEAD AND WATER DIVERTED

NEXT 5 YEARS	NUMBER OF HEAD	WATER TO BE DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
Year 1	6,000	11.4 Million	5 + COOLING AND SANITATION
Year 2			
Year 3			
Year 4			
Year 5	6,000	11.4 MILLION	5 + COOLING AND SANITATION

Please attach any additional information, tables, or curves showing past, present and estimated future water requirements to substantiate the amount of water requested.

4. Please designate the legal description of the location where the water is to be used. Show in the space provided below the Section (S), Township (T), and Range (R), and the number of acres in each forty acre tract or fractional portion thereof.

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			STOCKWATERING USE AT A SWINE FACILITY IN THE NW¼ OF THE NW¼ OF SECTION 23; IN T31S, R15E, MG CO.																

Water Resources
Received

OCT 10 2019

50304

5. Show quantities of water used and all associated water uses at the feedlot such as water used in feed mills, cooling of animals, washing, flushing of wastes, etc.:

DRINKING

6,000 head of Finishing Hogs x 5 gallons/head (avg.) x 365 days = 10.95 MILLION gallons
_____ head of _____ x _____ gallons/head (avg.) x _____ days = _____ gallons
_____ head of _____ x _____ gallons/head (avg.) x _____ days = _____ gallons

COOLING

20 _____ g.p.m. x 60 min/hr x 10 hour/day x 160 days = 1.92 Million gallons

SANITATION

50 _____ g.p.m. x 60 min/hr x 14 hr/wk x 52 wks/yr = 2.18 Million gallons

OTHER USE (Explain) _____ = _____ gallons

TOTAL ----- **15.1 MILLION** gallons

6. Show location of present and future location of confinement pens on your attached maps or photographs.

7. Total feed bunk space for cattle or livestock _____ linear feet.

8. Total size of stock pens for confinement area of cattle, hogs, etc. is _____ square feet.

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

Water Resources
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OCT 10 2019

50304

SPRINGER - NEW APPLICATION
OVERLAPS WITH FILE NO. 44,157
SEC. 23, T31S, R15E

Twin Valley

Robert Kibliner

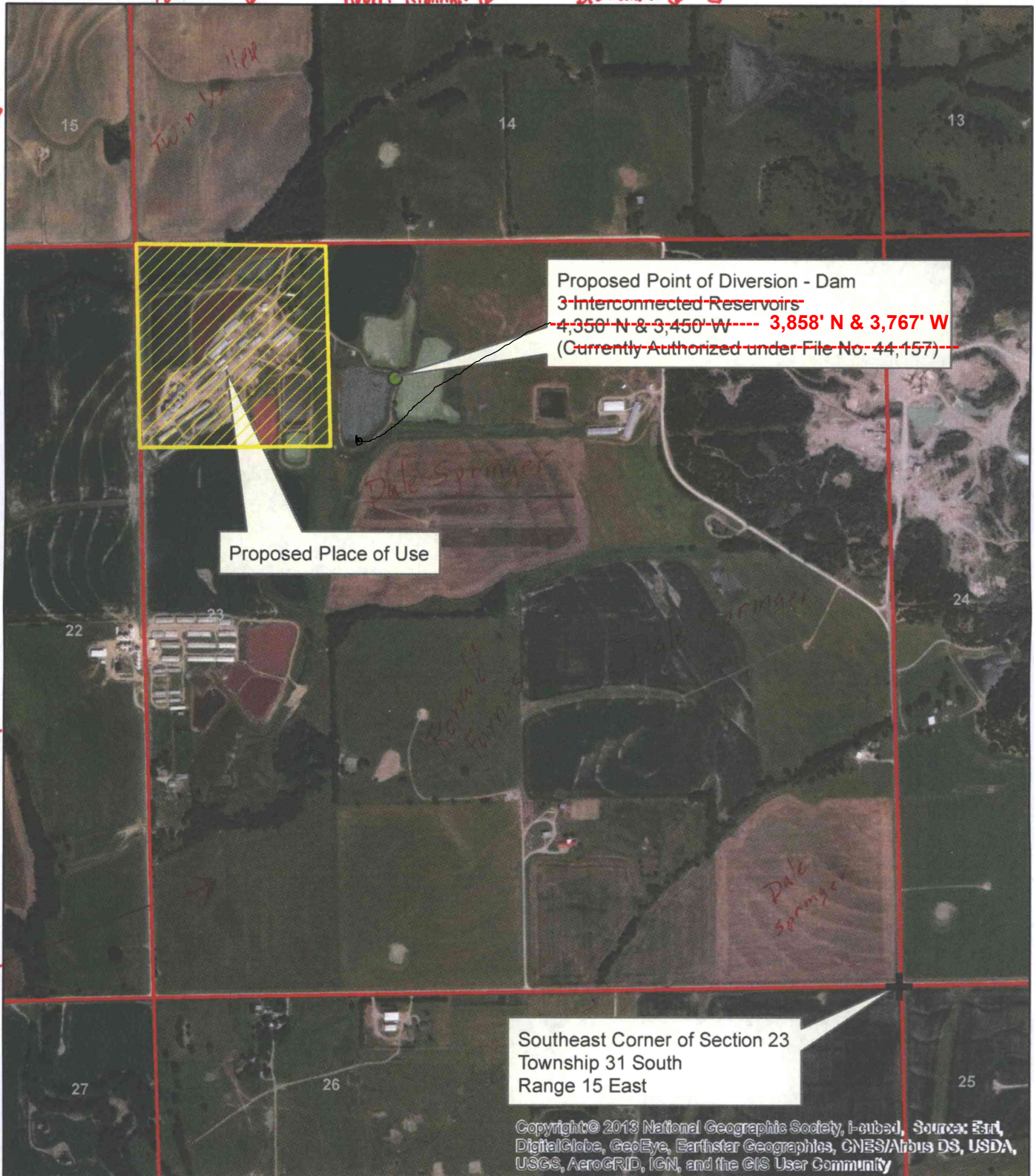
Dee Sanders

Lee Springer

Lucile Jensen

Lee Springer

Dale Springer



Proposed Point of Diversion - Dam
~~3 Interconnected Reservoirs~~
~~4,350' N & 3,450' W~~ ~~3,858' N & 3,767' W~~
 (Currently Authorized under File No. 44,157)

Proposed Place of Use

Southeast Corner of Section 23
 Township 31 South
 Range 15 East

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1:12,000

● Proposed Point of Diversion



Proposed Place of Use

All upstream and downstream landowners adjacent to the stream within 1/2 mile of property lines have been identified.

Water Resources Received
OCT 10 2019

Dale Springer

KS Dept Of Agriculture



50304

SPRINGER - NEW APPLICATION
OVERLAPS WITH FILE NO. 44,157
SEC. 23, T31S, R15E

Twin Valley ↓

Robert Kibbinger ↓

Dee Sanders ↓

Lee Springer →

Lucille Jensen →

Lee Springer →

Dale Springer →



1:12,000

- Proposed Point of Diversion
- ▨ Proposed Place of Use

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OCT 10 2019
KS Dept Of Agriculture

All upstream and downstream landowners adjacent to the stream within 1/2 mile of property lines have been identified.

Dale Springer

as named on this map. Attached page give addresses

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Attachment Page for # 11. (c) question

Land owners within 1/2 mile

1. Lucile Jensen
215 mulberry
Independence Ks 67301
2. Twin Valley Enterprises
5816 C.R. 3300
Independence Ks 67301
3. Robert Kiblinger
1783 E. 5th
Cherryvale, Ks 67335
4. Dee Sanders
3751 County Rd. 6030
Neodesha, Ks 66757
5. Lee Springer
3321 C.R. 5800
Independence Ks 67301

331-1060
331-5176
Home

6. Ronald Furnas
P.O. Box
Sycamore, Ks 67363

Water Resources
Received

OCT 10 2019

KS Dept Of Agriculture

UNACCEPTABLE FOR PRIORITY
RESOURCES RECEIVED
SEP 09 2019

KS DEPT OF AGRICULTURE

Being Resubmitted 10/9/19

50304
Recorded
Deed
for Farm
This is located on.

DEED—General Warranty (Statutory Form)—Joint Tenancy.
General Statutes of Kansas, Sec. 67-203.
(Joint tenancy wording adopted by the Kansas State Bar Assn.)

Montgomery County Abstract Co.
Independence, Kansas

THE GRANTORS, Merle Wilson and Grace Wilson, husband and wife,
of the County of Montgomery and State of Kansas, in consideration of
the sum of One Dollar and other valuable considerations Dollars,
the receipt of which is hereby acknowledged, convey and warrant to Dale Springer
and Judith Springer, husband and wife,
and the survivor of them as joint tenants and not as tenants in common,
of the County of Montgomery and State of Kansas, the following described
real estate situated in the County of Montgomery and State of Kansas, to-wit:

The Northwest Quarter (NW/4); and all of that
part of the Northwest Quarter (NW/4) of the
Northeast Quarter (NE/4) lying West of the
Township road, in Section Twenty-three (23),
Township Thirty-one (31), Range Fifteen (15)
in Montgomery County, Kansas.

Pursuant to K.S.A. 79-1457 a real estate valuation
questionnaire is not required due to exemption No. 1

Except

Dated this 13th day of September A. D., 1979

Merle P. Wilson
Merle Wilson
Grace Wilson
Grace Wilson

STATE OF KANSAS MONTGOMERY COUNTY, ss.
BE IT REMEMBERED, That on this 13th day of September
A.D. 19 79, before me, the undersigned, a Notary Public
in and for the County and State aforesaid, came

Merle Wilson and Grace Wilson, husband and
wife,

Original Compared With Record

who are personally known to me to be the same person s who exe-
cuted the within instrument of writing, and such person s duly ac-
knowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and
affixed my official seal, the day and year last above written.

RACHEL A. AFFOLTER
Notary Public Rachel A. Affolter Notary Public.
My commission expires February 4, 19 82
State of Kansas

\$6.00

Entered in Transfer Records in
my office, this 30 day of April
A. D., 1993

Charlotte Scott
County Clerk

STATE OF KANSAS, ss.
Montgomery County
This instrument was filed for rec-
ord on the 30 day of April, A. D.,
19 93, at 12:15 o'clock P. M., and
duly recorded in Book 401 of Deeds,
at page 257

Jeanne Burton
JEANNE BURTON
By Deputy

Water Resources
Received

OCT 10 2019

KS Dept Of Agriculture

Dale Springer
Rt. 4 Box 261
Independence, KS 67301

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, Acting Secretary

Laura Kelly, Governor

September 9, 2019

Water Resources
Received

OCT 10 2019

DALE & JUDITH SPRINGER
5816 COUNTY RD 3300
INDEPENDENCE KS 67301

KS Dept Of Agriculture

Re: Unacceptable Application

Dear Mr. & Mrs. Springer:

Returned herewith is your Application for Permit to Appropriate Water for Beneficial Use received by the Division of Water Resources on September 9, 2019 with Check No. 7482 in the amount of \$200. This application is not acceptable for filing in its present form.

Effective July 1, 2009, K.S.A. 82a-709 requires all applicants for new appropriation rights for the beneficial use of water in the State of Kansas to provide evidence of legal access to or control of the point of diversion from the landowner or the landowner's authorized representative. Applicants may provide a copy of a recorded deed, lease, easement or other document with the application. **In lieu of providing this documentary evidence, you may sign Paragraph No. 6 of the original permit application (where indicated), which constitutes a sworn statement.** Please note that the enclosed new application must bear an original signature.

Upon return of the acceptable application, it will be assigned a priority based upon the date and time it is received in the office of the Chief Engineer. If you have any questions, please contact me at (785) 564-6643 or Kris.Neuhauser@ks.gov.

Sincerely,

Kris Neuhauser
Environmental Scientist
Water Appropriation Program

Attention Doug Schermann,
Being

Re submitted on clean, new application
signed in blue ink
attach a recorded property deed.

Dale Springer

DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 50304

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
<u>17006</u>	<u>64665</u>	

LANDOWNER PERSON ID & SEQ #	PUSE ID
<u>17006</u>	<u>5205</u>

WATER USE CORRESPONDENT PERSON ID & SEQ #
<u>17006</u>

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

October 16, 2019

DALE & JUDITH SPRINGER
5816 COUNTY RD 3300
INDEPENDENCE, KS 67301

RE: Application, File No. **50304**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application for a permit to appropriate water for beneficial use. Your application has been assigned the file number referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the application is unlawful.

Additional information about the process may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any other questions, 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,

A handwritten signature in black ink that reads "Kristen A. Baum". The signature is written in a cursive style with a large initial 'K'.

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program