# **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.



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(1:56)
KS Dept Of Agriculture

## KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

### **DIVISION OF WATER RESOURCES**

David W. Barfield, Chief Engineer

File Number	50321
This item to be comple	eted 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.)

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

	Oit Och ath a		01.1.10	7' 0 1 222
	City: Sabetha		State KS	Zip Code 66534
	Telephone Number: (785-	285-2390		
2.	The source of water is:		named tributary to Elk Creek Delware river	
	OR	☐ groundwater in	(strea	m)
	OIT		(drainage	basin)
	when water is released fror	m storage for use by wate ate we receive your appli	lows established by law or mager assurance district members. cation, you will be sent the app	If your application is subject
3.	The maximum quantity of	water desired is 315	acre-feet OR	gallons per calendar yea
	to be diverted at a maximu	im rate of 1500	gallons per minute OP	cubic feet per secon
	to be diverted at a maxima	an rate or	ganoris per minute OR	dable leet per decem
	Once your application has requested quantity of water maximum rate of diversion	s been assigned a priori r under that priority numb a and maximum quantity	ty, the requested maximum raper can <b>NOT</b> be increased. Ple of water are appropriate and invalue requirements	te of diversion and maximu ase be certain your requeste reasonable for your propose
ŀ.	Once your application has requested quantity of water maximum rate of diversion	s been assigned a priori r under that priority numb n and maximum quantity ent with the Division of V	ty, the requested maximum raper can <u>NOT</u> be increased. Ple of water are appropriate and i Vater Resources' requirements	te of diversion and maximu ase be certain your requeste reasonable for your propose
ŀ.	Once your application has requested quantity of water maximum rate of diversion project and are in agreement.	s been assigned a priori r under that priority numb n and maximum quantity ent with the Division of V	ty, the requested maximum raper can <u>NOT</u> be increased. Ple of water are appropriate and i Vater Resources' requirements	te of diversion and maximu ase be certain your requeste reasonable for your propose
<b>!.</b>	Once your application has requested quantity of water maximum rate of diversion project and are in agreement.  The water is intended to be	s been assigned a priority runder that priority numbers and maximum quantity ent with the Division of Veceses	ty, the requested maximum raper can <b>NOT</b> be increased. Ple of water are appropriate and water Resources' requirements use intended):	te of diversion and maximu ase be certain your requeste reasonable for your propose s.
<b>i.</b>	Once your application has requested quantity of water maximum rate of diversion project and are in agreement.  The water is intended to be (a)   Artificial Recharge	s been assigned a priority runder that priority number and maximum quantity ent with the Division of Volume appropriated for (Check (b) Irrigation	ty, the requested maximum raper can <u>NOT</u> be increased. Ple of water are appropriate and invater Resources' requirements use intended):  (c) □ Recreational	te of diversion and maximulase be certain your requeste reasonable for your proposes.  (d) □ Water Power  (h) □ Sediment Contro
<b>!.</b>	Once your application has requested quantity of water maximum rate of diversion project and are in agreemed.  The water is intended to be (a)   Artificial Recharge (e)   Industrial	s been assigned a priority runder that priority number and maximum quantity ent with the Division of V e appropriated for (Check (b) Irrigation (f) Immunicipal (j) Dewatering	ty, the requested maximum raper can NOT be increased. Ple of water are appropriate and law and law are requirements and law are intended):  (c) Recreational  (g) Stockwatering  (k) Hydraulic Dredging	te of diversion and maximulase be certain your requeste reasonable for your proposes.  (d) □ Water Power  (h) □ Sediment Contro

_	
5.	The location of the proposed wells, pump sites or other works for diversion of water is:
	<b>Note:</b> 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 <u>NE</u> quarter of the <u>NE</u> quarter of the <u>NE</u> quarter of Section <u>23</u> , more particularly
	described as being near a point $5080$ feet North and $337$ feet West of the Southeast corner of said
	section, in Township 6 South, Range 13 East/ West (circle one), Jackson 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 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 ( $\frac{1}{4}$ ) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well
	A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.
6.	The owner of the point of diversion, if other than the applicant is (please print):  Same
	(name, address and telephone number)
	(name, address and telephone number)
	You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:
	I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.  Executed on
	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 1pond and pump
	and (was)(will be) completed (by) July 1st 2020
<b>8</b> .	(Month/Day/Year - each was or will be completed) The first actual application of water for the proposed beneficial use was or is estimated to be july1st 2020 (Mo/Day/Year)  Water Resources
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9.	Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
	☑ Yes ☐ No If "yes", a check valve shall be required.
	All chemigation safety requirements must be met including a chemigation permit and reporting requirements.
10.	If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.  Drainage will be 323 acres and under 30ft tall and under 125ac/ft to es Table attached  Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources?
	If yes, show the Water Structures permit number here
	If no, explain here why a Water Structures permit is not required
11.	The application <u>must</u> 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 ½ 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 ½ mile, please advise us.
	(c) If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.
	(d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
	(e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.
	A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.
12.	List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.  None
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	ncc 0.5.2019

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1 <b>3</b> NA	Furnish the following well inf has not been completed, giv					oundwater. If the	well
	Information below is from:	☐ Test holes	□ Well	as complete	d □ Drillers	log attached	
	Well location as shown in pa	aragraph No.	(A)	(B)	(C)	(D)	
	Date Drilled	_	~~~				
	Total depth of well	_					
	Depth to water bearing form	ation _			· · · · · · · · · · · · · · · · · · ·		
	Depth to static water level				· · · · · · · · · · · · · · · · · · ·		
	Depth to bottom of pump int	ake pipe		•			
14.	The relationship of the ap  Owner  (owner, tenant, agent or otherwise)		proposed p	place where	the water will	be used is that	t of
15.	The owner(s) of the property Same	where the wate	r is used, if	other than th	ne applicant, is (p	please print):	
		(name, addr	ess and tel	ephone num	ber)		
		(name, addr	ess and tel	ephone num	ber)	· · · · · · · · · · · · · · · · · · ·	
16.	The undersigned states that this application is submitted	the information s		•	•	er knowledge and	that
	Dated at SABETH	A, Kansas	, this <u> <b>4</b> </u>	_ day of <b>_</b>	ECEMSE (month)	<u>.R.</u> , <u>201</u> 2 (year)	1
_	(Applicant Signatur	re)					
<u>By</u>	(Agent or Officer Signa	ature)	_				
	(Agent or Officer - Pleas	e Print)	_				
Assisted	d by Keith Grimm		/WI, LLC	office/title)	Date: <u>1</u>	2-3-19	

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#### **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

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

ACRE-FEET	FEE
0-250 More than 250	\$200.00 \$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

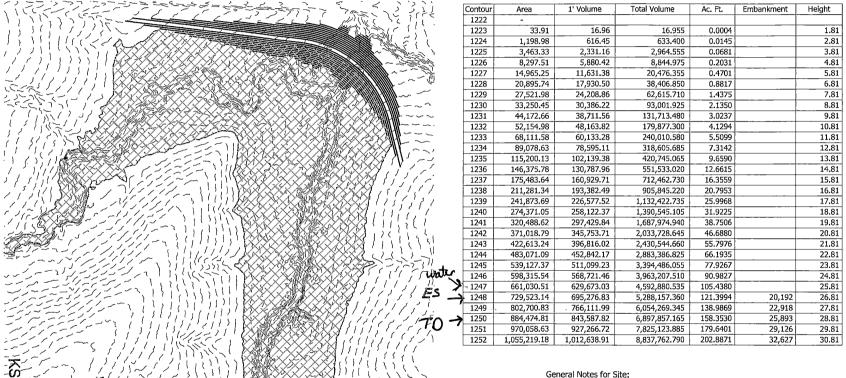
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Land	lowne	er of l	Recor	·d :	NAM	Œ: Ar	ndy R	enyer											
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Water Resources

## **TOPOGRAPHIC SURVEY**

Compute Proposed Stream Obstruction Volume in the Northeast One-Quarter of Section 23, Township 6 South, Range 13 East of the Sixth Principal Meridian, Jackson County, Kansas



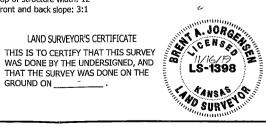
No Field verification of LiDAR elevations performed. Front toe of stream obstruction elevation: 1222.29' Rear toe of stream obstruction elevation: 1221.19' Assumed top of structure width: 12' Assumed front and back slope: 3:1

## LAND SURVEYOR'S CERTIFICATE THIS IS TO CERTIFY THAT THIS SURVEY

GROUND ON SCALE: 1" = 200'

400

100 200

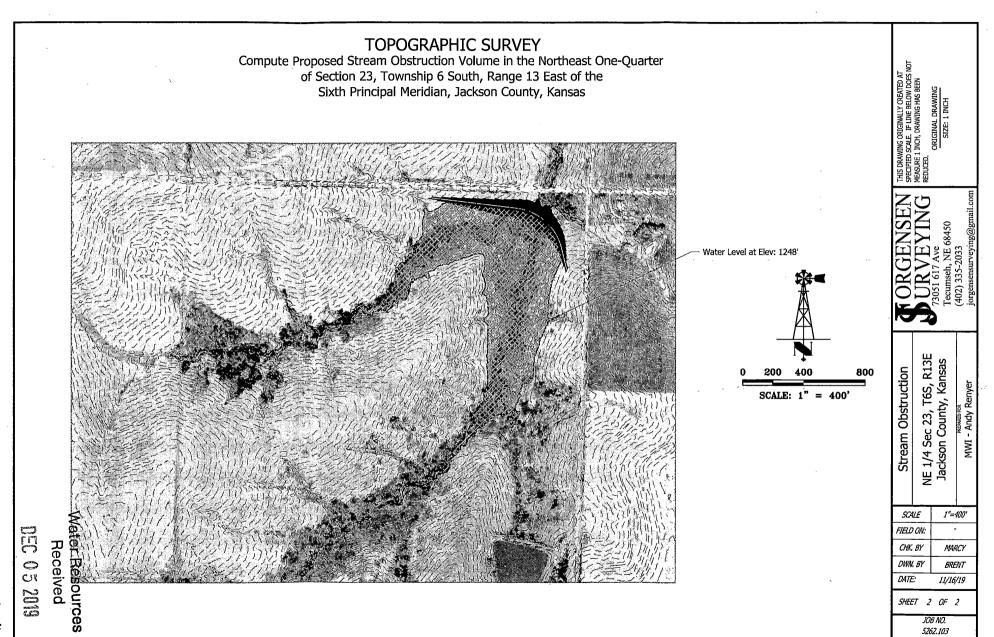


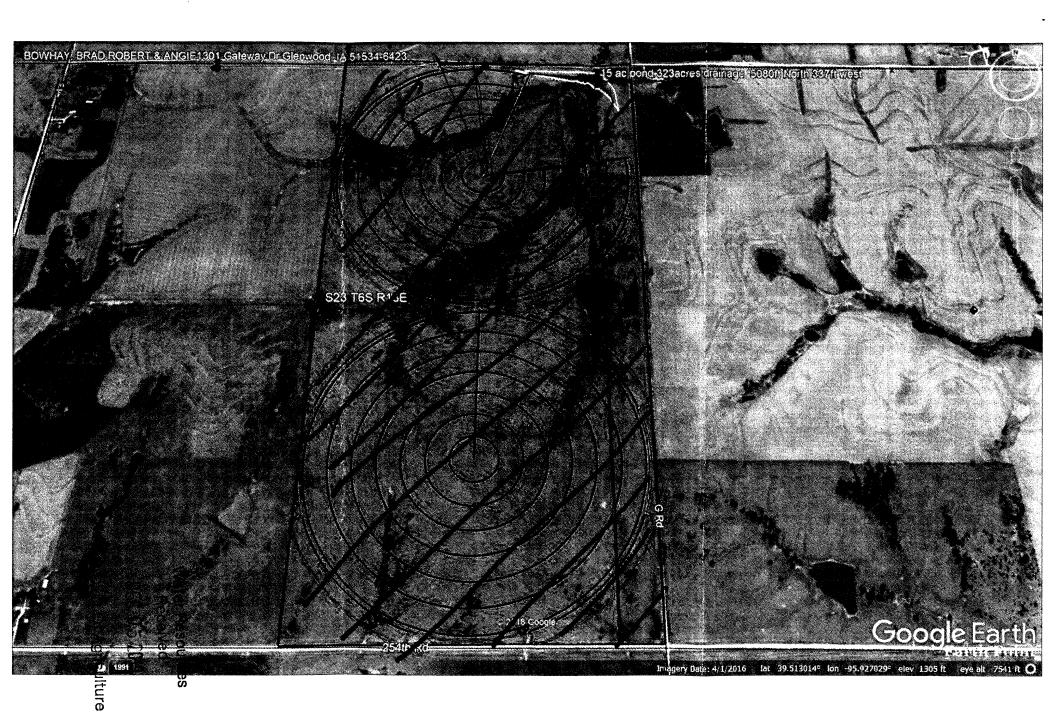
NE 1/4 Sec 23, T6S, R13E Jackson County, Kansas Stream Obstruction

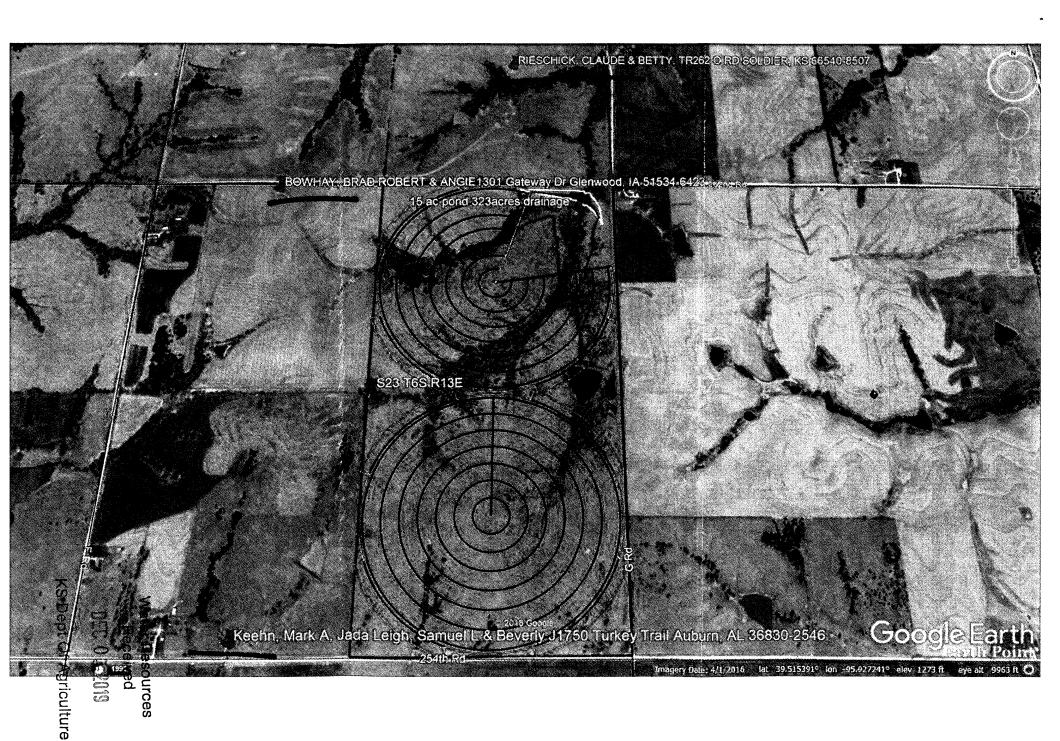
SCALE	1"=200'
TELD ON:	-
CHK. BY	MARCY
DWN. BY	BRENT
DATE:	11/16/19

SHEET 1 OF 2

JOB NO. 5262.103







## REGISTRATION FORM FOR EXEMPT CLASS A DAMS K.S.A. 82a-301

"Dam" means any artificial barrier including appurtenant works with the ability to impound water, waste water or other liquids that has a height of 25 feet or more; or has a height of six feet or greater and a storage volume at the top of the <a href="mailto:emergency spillway">emergency spillway</a> elevation of 50 or more acre-feet. The prior written consent or permit of the chief engineer shall not be required for construction or modification of a hazard class A dam that:

- 1. has a height of less than 30 feet and a storage volume at the top of the emergency spillway elevation of less than 125 acre feet, and the dam location and dimensions have been registered with the division of water resources in a written form prescribed by the chief engineer; or
- 2. is a wastewater storage structure for a confined feeding facility that has been approved by the secretary of health and environment pursuant to K.S.A. 65-171d, and amendments thereto.

Complete the following information to satisfy the registration for exempt low, hazard class A dams defined in K.S.A. 82a-301(d)(1).

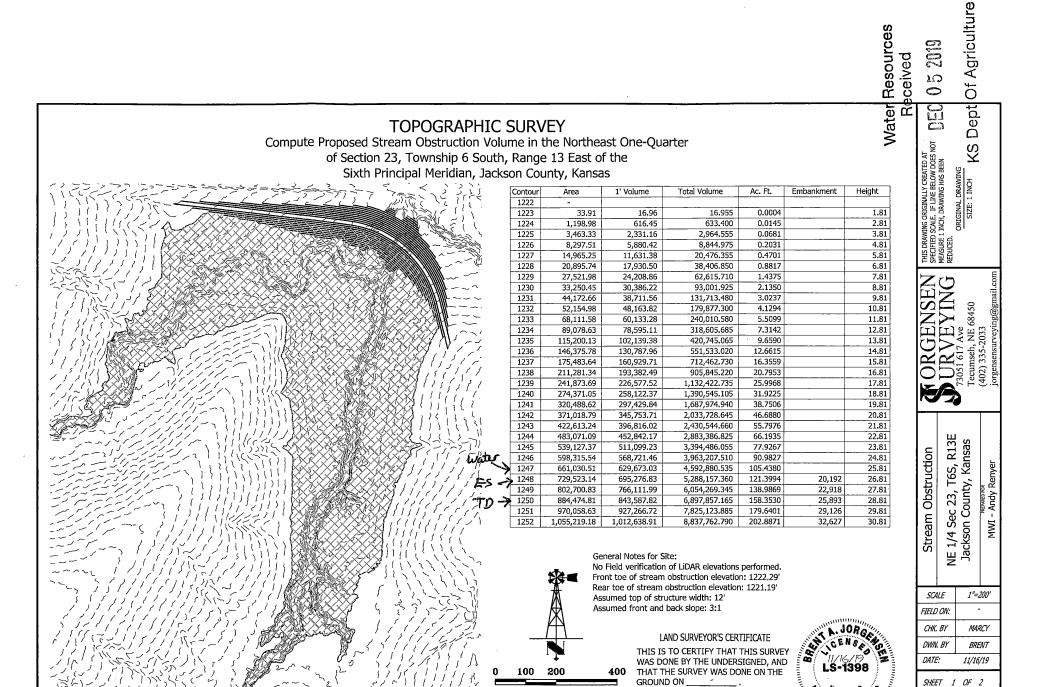
m owner information
me: Andy Renyer
iling Address:2381 128 <sup>th</sup> Rd Sabetha, KS 66534
one:785-285-2390
nail
dress:andyrenyer@uscllc.com
al description of location: The location of the proposed dam is (use intersection of project centerline and earn centerline):NE_quarter of the _NE_ quarter of the _NE_quarter of Section23_, more particularly cribed as being near a point5080feet North and337feet West of the Southeast corner of section, in Township_6_ South, Range_13_ (East) Jackson County, Kansas, across, along, or in (stream or tercourse name): Unamed Tributary Elk Creek in the Delware river Basin
inage area (acres):323
intersection of dam centerline and stream centerline as drainage area point.
m height (feet): _28.81ft
height of a dam or barrier shall be measured from the lowest elevation of the streambed, downstream toe or side limit of the dam to the elevation of the top of the dam.

Area capacity table: Please attach a reservoir area capacity table for the dam. The table identifies the number of acres enclosed by each contour within the reservoir area and the total storage capacity of the reservoir in acrefeet at the elevation of each contour. The data shall be compiled for all contours in the reservoir up to the elevation of the top of the dam. Computations of capacity shall be based on the natural topography of the reservoir basin but may include the volume of any excavation in the reservoir made during construction of the dam. The storage in acre-feet must be shown in the table for the proposed emergency spillway elevation. This will be used to identify the jurisdiction of the dam.

Location map: Submit a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the location and layout of the proposed dam, the location of the stream, and the property lines. The distance from the North-South distance and the East-West distance from a section line or southeast corner of sections are the map along with a north arrow and map scale.

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SCALE: 1" = 200'

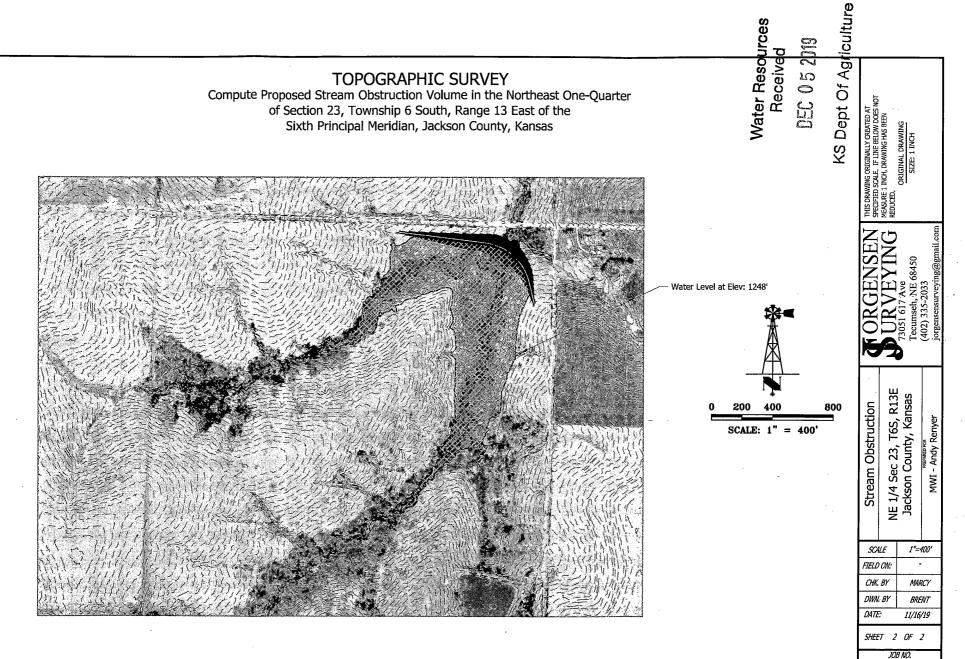
JOB NO. 5262.103

## **TOPOGRAPHIC SURVEY**

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5262.103

Compute Proposed Stream Obstruction Volume in the Northeast One-Quarter of Section 23, Township 6 South, Range 13 East of the Sixth Principal Meridian, Jackson County, Kansas



## **DATA ENTRY SYSTEM ID NUMBER SHEET**

FILE NUMBER	50321				e e		
APPLICANT PERSON ID & SEQ	#	87751	PDIV	ID		BATTER	' ID
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LANDOWNER PERSON ID & SEQ	#	69692	PUSE	ID			÷
67100				•			
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WATER USE CORRI	•		٠				
PERSON ID & SEQ	<b>f</b>						
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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

January 22, 2020

ANDY RENYER 2381 128<sup>TH</sup> RD SABETHA KS 66534

RE: Application, File No. **50321** 

#### 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 <u>agriculture.ks.gov/divisions-programs/dwr</u>. If you have any other questions, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum

New Applications Unit Supervisor Water Appropriation Program

ristenaBaum