

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.

Submit To: CHIEF ENGINEER
 Division of Water Resources
 Kansas Department of Agriculture
 1320 Research Park Drive
 Manhattan, Kansas 66502
<http://agriculture.ks.gov/dwr>

APPLICATION FOR TERM PERMIT

GROUNDWATER
 SURFACE WATER
 (check one)

WATER RESOURCES RECEIVED

JUL 19 2021

1:32



KS DEPT OF AGRICULTURE State of Kansas

20219054

STATUTORY FILING FEE MUST ACCOMPANY THIS APPLICATION
 (Make check payable to the Kansas Department of Agriculture)

1. Applicant: (Please print or type)
 Name NOWAK CONSTRUCTION, INC - Ryan Nelson
 Street 200 SOUTH GODDARD RD
 City and State GODDARD KS
 Zip Code 67052 Telephone No. (316) 794-8898
 E-Mail Address _____
 Social Security I.D. No. XXXXXXXXXXXXXXXXXXXXXXXXXX
 and/or Taxpayer I.D. No. XXXXXXXXXXXXXXXXXXXXXXXXXX

2. Location of Point of Diversion:
 Sec. 32, Twp. 12S, Rng. 4, EAST,
Dickinson County, Kansas.
 Distance from Southeast Corner of Section:
4724 feet North from Southeast Corner
1133 feet West from Southeast Corner

NOTE: If point of diversion is not site specific (i.e. groundwater pit) show the approximate geographic center.

3. Water Use Data:
Proposed Max. Pumping Rate (gpm) 900
 Amount Requested (acre-feet) 123 AF (40 million gallons)
 per calendar year
 Depth of Well (feet) N/A
 Date (completed) (will be completed) January 5, 2022
 Drainage Basin Smoky Hill River
 Name of Stream Chapman Creek

4. Water is to be used for (briefly describe proposed use and explain the rate and quantity requested):
Leak testing of wastewater lagoons and operational testing of the associated infrastructure. Q based on capacity of lagoons.

5. Location of place of use:
Lagoon construction site in the SW 1/4 of the NE 1/4 of Sec 28 Township 12 South, Range 4 East.

6. Period of use:
 Commencing date: 8/1/2021
 Ending Date: 2/1/2022 **Also enter on Item 12**

If off-stream pit, check here
 Will pit floor intersect water table? Yes No

7. Location of the proposed point of diversion and those of other water users within 1/2 mile shall be indicated on the diagram to the lower-left, scale 1 inch = 2,000 feet. If surface water, indicate on the diagram the course of the stream, and its name. List other D.W.R. permit numbers that cover the requested point(s) of diversion or place of use here:
No overlap in point of diversion or place of use.

FEE SCHEDULE

1. The filing fee for an application is based on the maximum amount of water use proposed within a year. Except for storage, the fee is:

Acre-feet	Fee
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00

plus \$20 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, is:

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.

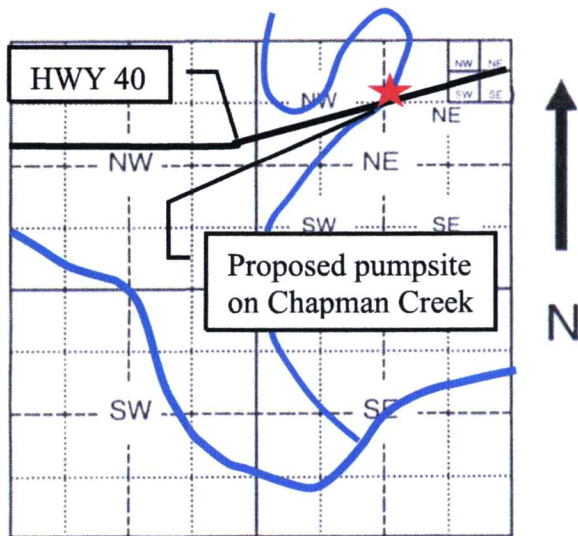
NOTE: If an application requests both direct use and storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. A request for an extension of time to extend the term of a term permit shall be accompanied by a fee of \$100.00.

4. There is a separate application form for domestic use. Do not use this form for domestic use.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons
 1 million gallons equal 3.07 acre-feet



Assisted by Lloyd Hemphill-TFO

For Office Use Only:
 F.O. 1 GMD Meets K.A.R. 5-3-1 (YES / NO) Use IND Source G/S County DK By BMM Date 7/20/21
 Code TR2 Fee \$ 300 TR # _____ Receipt Date 7-19-21 Check # 177394

8. For groundwater use, list below all wells within 1/2 mile of the proposed well, and plot locations upon the diagram on reverse side. If additional space is needed, attach a map.

Other wells -

Well A Owner(s): N/A
Address: _____

Well B Owner(s): N/A
Address: _____

9. For surface water use, list below the names and addresses of all landowners from a point 1/2 mile upstream to a point 1/2 mile downstream of the tract of land upon which the point of diversion is located. If additional space is needed, attach sheet.

Tract A Owner(s): SEE SUPPLEMENTAL SHEET "A"
Address: _____

Tract B Owner(s): SEE SUPPLEMENTAL SHEET "A"
Address: _____

10. 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 July 16, 2021.

Ryan Nelson
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.

- 11. The applicant states that the information set hereon is true and accurate to the best of his/her knowledge.
- 12. The applicant agrees to waive any right to a hearing on the matter of abandonment of this appropriation right and further agrees that this appropriation right may be dismissed and terminated upon completion of the proposed project, said dismissal date to be on February 1, 2022 or within any extension of time authorized by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.
- 13. The applicant agrees to provide water to nearby water users, at no charge to said users, should their rights to use water become impaired by the project proposed by this application.

14. Water use contact person (in event emergency contact is needed):

Name: Ryan Nelson Telephone No. (316) 794-8898

Ryan Nelson
Signature of Applicant
RYAN NELSON
Applicant's Name Printed

or

Authorized Representative

Date

Title

DO NOT WRITE BELOW THIS LINE

CONDITIONS OF APPROVAL:

The applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined. Accurate and complete records shall be furnished to 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.

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.

The Chief Engineer specifically retains jurisdiction in this matter with authority to make such reasonable reductions in the approved rate of diversion and quantity authorized, and such changes in other terms, conditions, and limitation set forth in this approval and permit to proceed as may be deemed to be in the public interest.

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SUPPLEMENTAL SHEET "A"

**LANDOWNERS WITHIN ½ MILE UPSTREAM AND DOWNSTREAM OF THE PROPOSED PUMPSITE ON
CHAPMAN CREEK**

Upstream

GABIE M GIBBENS

JON R GIBBENS

PO BOX 343 CHAPMAN, KS 67431

RIVER BEND LAND COMPANY, LLC

C/O: FARMERS NATIONAL COMPANY

PO BOX 542016

OMAHA, NE 68154

AGRI TRAILS COOP, INC

PO BOX 157

HOPE, KS 67451

FINK, GEORGE M

FINK, MILDRED CORBETT

2641 SAGE RD

CHAPMAN, KS 67431

Downstream

RIVER BEND LAND COMPANY, LLC

C/O: FARMERS NATIONAL COMPANY

PO BOX 542016

OMAHA, NE 68154

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