

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
 Earl D. Lewis Jr., Chief Engineer

50622-A

File Number _____
 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.)

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 11:46
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*To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,
 1320 Research Park Drive, Manhattan, Kansas 66502:*

1. Name of Applicant (Please Print): Joel Taylor
 Address: 417 W Grand Ave.
 City: La Cygne State KS Zip Code 66040
 Telephone Number: (____) _____

2. The source of water is: surface water in Marais des Cygnes River Basin (natural flows in marsh)
 (stream)
 OR groundwater in _____
 (drainage basin)

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

3. The maximum quantity of water desired is 100 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of all nat. flows _____ gallons per minute re-diversion rate)

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) <input type="checkbox"/> Artificial Recharge	(b) <input type="checkbox"/> Irrigation	(c) <input checked="" type="checkbox"/> Recreational	(d) <input type="checkbox"/> Water Power
(e) <input type="checkbox"/> Industrial	(f) <input type="checkbox"/> Municipal	(g) <input type="checkbox"/> Stockwatering	(h) <input type="checkbox"/> Sediment Control
(i) <input type="checkbox"/> Domestic	(j) <input type="checkbox"/> Dewatering	(k) <input type="checkbox"/> Hydraulic Dredging	(l) <input type="checkbox"/> Fire Protection
(m) <input type="checkbox"/> Thermal Exchange	(n) <input type="checkbox"/> 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. <u>1</u>	GMD	Meets K.A.R. 5-3-1	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Use	REC	Source	G <u>S</u>	County	LINN	By	BMM	Date	8/2/21
Code	REG	Fee \$	<u>500</u>	TR #		Receipt	Date	<u>8-2-2021</u>	Check #	<u>1034</u>			

DWR 1-100 (Revised 05/17/2019) **\$200**

8/18/2021
 LMoody

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 SE quarter of the SE quarter of the NE quarter of Section 7, more particularly described as being near a point 3257 feet North and 189 feet West of the Southeast corner of said section, in Township 20 South, Range 24 East, Linn County, Kansas.

(B) One in the SW quarter of the NE quarter of the SE quarter of Section 7, more particularly described as being near a point 1444 feet North and 1246 feet West of the Southeast corner of said section, in Township 20 South, Range 24 East, Linn County, Kansas.

(C) One in the SW quarter of the NE quarter of the NW quarter of Section 8, more particularly described as being near a point 4289 feet North and 3413 feet West of the Southeast corner of said section, in Township 20 South, Range 24 East, Linn 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):

JBB FARMS LLC 6300 SPRINT PKWY STE 200 OVERLAND PARK, KS 66211
(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 7/27, 2021. [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 three marsh cells, three water control structures
(number of wells, pumps or dams, etc.)
and will be completed following 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 following approval
(Mo/Day/Year)

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

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

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

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 _____

This project is being discussed with the DWR Water Structures Program to determine permitting requirements.

- 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.

This application should be paired with another pending application requesting direct use of water from the nearby oxbow lake to fill and maintain levels in the marshes.

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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 AGENT
(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):
JBB FARMS LLC 6300 SPRINT PKWY STE 200 OVERLAND PARK, KS 66211
(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 _____, Kansas, this 27 day of July, 2021.
(month) (year)



(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by Lloyd Hemphill TFO _____ Date: 7/22/21
(office/title)

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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 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

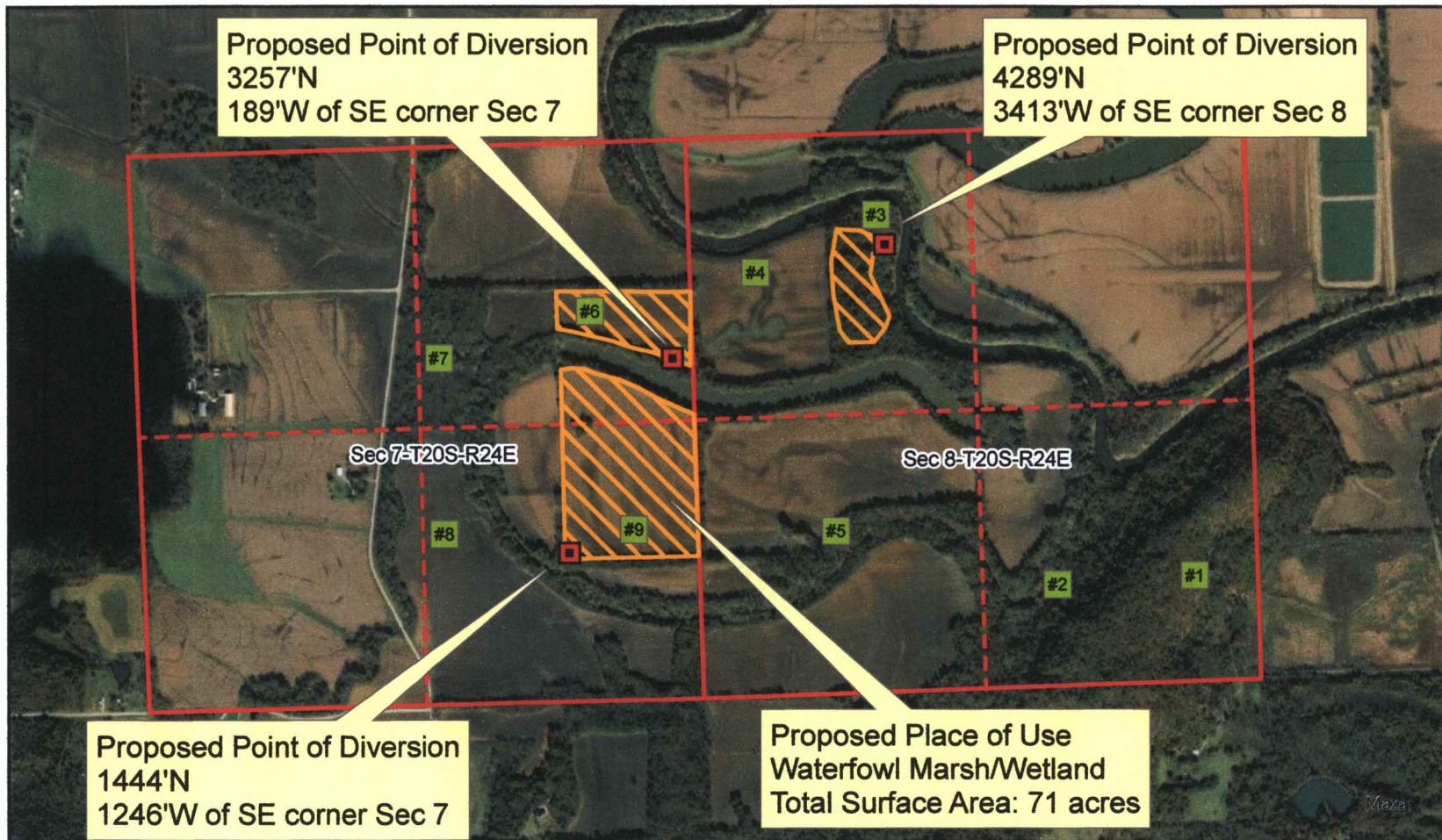
1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

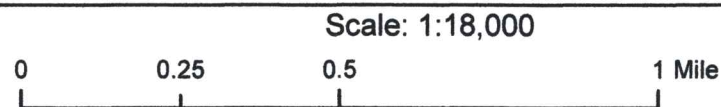
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NEW APPLICATION - REC USE Natural Flow Permit

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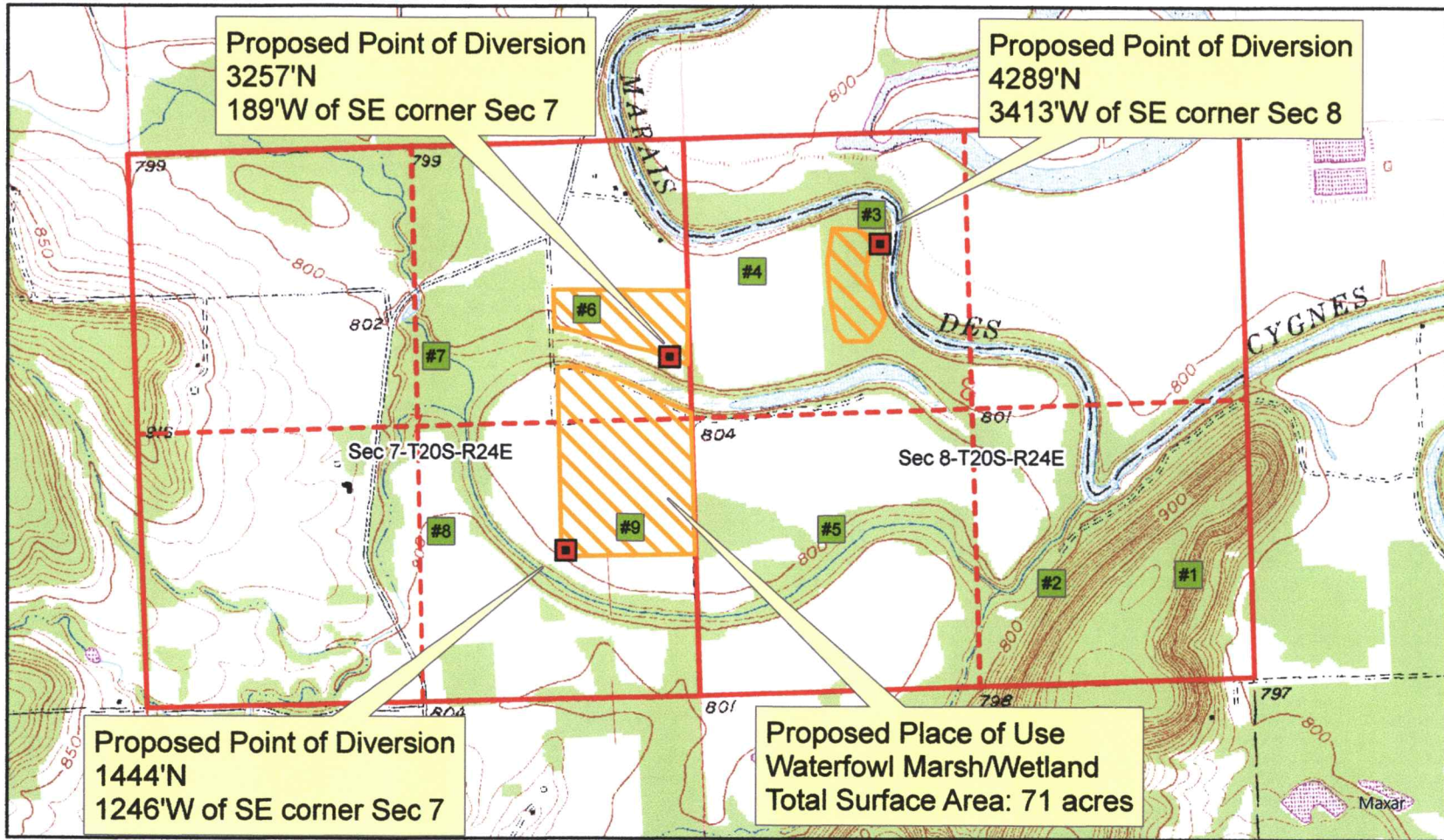


Map prepared by: LHH/TFO 3-12-2021



NEW APPLICATION - REC USE Natural Flow Permit

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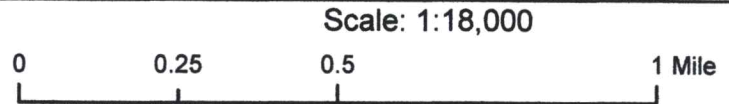
Proposed Point of Diversion
1444'N
1246'W of SE corner Sec 7

Proposed Point of Diversion
3257'N
189'W of SE corner Sec 7

Proposed Point of Diversion
4289'N
3413'W of SE corner Sec 8

Proposed Place of Use
Waterfowl Marsh/Wetland
Total Surface Area: 71 acres

Map prepared by: LHH/TFO 3-12-2021



**NEARBY LANDOWNERS WITHIN ½ MILE UP STREAM AND DOWNSTREAM
(refer to the site map attached to the application)**

- #1** C4 RIVER RIDGE LLC
3012 W 120TH TERR
LEAWOOD, KS 66209

- #2** MICHAEL WAYNE HUDSON TRUST
PO BOX 419692
KANSAS CITY, MO 64141-6692

- #3** **APPLICANT**
JBB FARMS LLC
6300 SPRINT PKWY STE 200
OVERLAND PARK, KS 66211

- #4** MATTHEW F KOSTER
11619 TOMAHAWK CREEK PKWY UNIT 6
LEAWOOD, KS 66211

- #5** GLEN CREAGER JR
BOX 158 BELOIT, KS 67420

- #6** **APPLICANT**

- #7** GARBERG FARMS LLC
13225 GRANADA DR
LEAWOOD, KS 66209

- #8** DONALD L STAINBROOK FAMILY TRUST
715 N 4TH ST
LA CYGNE, KS 66040

- #9** **APPLICANT**

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**RECREATIONAL USE
SUPPLEMENTAL SHEET**

File No. _____

Name of Applicant (Please Print): Joel Taylor

1. Please indicate type of recreational use (boating, fishing, swimming, etc.): _____
Collect and store natural runoff in seasonal marsh(s) used for hunting.

2. Please summarize how the water will be used and justify the quantity of water requested: _____
Proposed marsh area = 71 acres X 1.4 feet average depth = 100 acre-feet.

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

ESTIMATED FUTURE WATER DIVERTED/STORED	
NEXT 5 YEARS	WATER TO BE DIVERTED (ACRE-FEET OR GALLONS)
Year 1	100 AF
Year 2	100 AF
Year 3	100 AF
Year 4	100 AF
Year 5	100 AF

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 by providing the fractional part of the Section, Township and Range.

Marshes in the SE1/4 of NE1/4 and NE1/4 SE1/4 of Sec 7 and the E1/2 of the NW1/4 of Sec 8

T20S-R24E, Linn Co KS

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

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DATA ENTRY SYSTEM ID NUMBER SHEET

50622-A

FILE NUMBER _____

APPLICANT

PDIV ID

BATTERY ID

PERSON ID & SEQ #

89014

67913

LANDOWNER

PUSE ID

PERSON ID & SEQ #

70531

67913

70532

WATER USE CORRESPONDENT

PERSON ID & SEQ #

67913