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.



KANSAS DEPARTMENT OF AGRICULTURE

Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES Earl D. Lewis Jr., Chief Engineer

File Number _

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

2/25/2022, 2:18 PM

Water Resources Received

KS Dept Of Agriculture

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:

1.	Name of Applicant (Plea	se Print): MARK BRUNA		
	Address: 2852 HILLTO	P AVE		
	City: HANOVER		State KS	Zip Code <u>66945</u>
	Telephone Number: (7	85) 713-1754		
2.	The source of water is:	Surface water in TF	RIBS TO LITTLE BLUE RIVER	
	OR	groundwater in	(drainage b	nasin)
	when water is released to these regulations on and return to the Division	from storage for use by wate the date we receive your ap n of Water Resources. STC	ows established by law or may er assurance district members. oplication, you will be sent the a DRAGE: 37 AF @ NATUF acre-feet OR gall	be subject to administration If your application is subject appropriate form to complete RAL FLOWS REDIVERSION
	to be diverted at a maxi	mum rate of <u>1,000</u>	gallons per minute OR	cubic feet per second.
	requested quantity of a requested maximum rat	water under that priority ne of diversion and maximum	y, the requested maximum rate number can NOT be increase n quantity of water are appropr vision of Water Resources' req	d. Please be certain your rate and reasonable for your
3.	The water is intended to	be appropriated for (Check	use intended):	
	(a) Artificial Recharg	e (b) 🛭 Irrigation	(c) Recreational	(d) Water Power
	(e) ☐ Industrial	(f) Municipal	(g) ☐ Stockwatering	(h) ☐ Sediment Control
	(i) Domestic	(j) Dewatering	(k) ☐ Hydraulic Dredging	(I) Fire Protection
	(m) Thermal Exchange	ge (n) ☐ Contamination	RemediationYOU MUST COMPL	ETE AND ATTACH ADDITIONAL
For O F.O Code	ffice Use Only: 1 GMD Meets K.A.F	R. 5-3-1 (YES / NO) Use IR Fee \$ 200 TR # PY	R Source G/S County 00038050 Receipt Date 2/25	WS By BMM 2/28/22 Check #_

LMoody

		File No
4.	The	ocation of the proposed wells, pump sites or other works for diversion of water is: 2 PONDS AND DAMS
		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 $\underline{\text{NE}}$ quarter of the $\underline{\text{NE}}$ quarter of the $\underline{\text{SW}}$ quarter of Section 33, more particularly described as
		being near a point 2602 feet North and 2689 feet West of the Southeast corner of said section, in
		Township 2 South, Range 5 E East/West (circle one), WASHINGTON County, Kansas.
		One in the \underline{NC} quarter of the $\underline{N2}$ quarter of the \underline{SW} quarter of Section $\underline{33}$, more particularly described as being near a point $\underline{1971}$ feet North and $\underline{3970}$ feet West of the Southeast corner of said section, in Township $\underline{2}$ South, Range $\underline{5}$ East/West (circle one), $\underline{WASHINGTON}$ County, Kansas.
		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.
		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 wells, in the well.	source of supply is groundwater, a separate application shall be filed for each proposed well or battery or except that a single application may include up to four wells within a circle with a quarter (¼) mile radius same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per
	than t	tery of wells is defined as two or more wells connected to a common pump by a manifold; or not more four wells in the same local source of supply within a 300 foot radius circle which are being operated by s not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a non distribution system.
5.	The o	wner of the point of diversion, if other than the applicant is (please print):
	Applic	cant closes on the contract for this property on or about April 29th, 2022 (name, address and telephone number)
	lando	nust provide evidence of legal access to, or control of, the point of diversion from the landowner or the wner's authorized representative. Provide a copy of a recorded deed, lease, easement or other nent 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 February 24 th , 2022. Applicant's Signature
	The a	applicant must provide the required information or signature irrespective of whether they are the wner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the ation will be returned to the applicant.
6.	The p	roposed project for diversion of water will consist of a well or wells, multiple dams & ponds & system
	and (v	vas)(will be) completed (by) upon approval (Month/Day/Year - each was or will be completed)
		(month bay reat - each was of will be confineded)

The first actual application of water for the proposed beneficial use was or is estimated to be <u>upon approval</u>. (Mo/Day/Year)

7.

2/25/2022

8.	Will pe	sticide, fe	rtilizer, or other for	reign substance	be injected into	the water pumpe	ed from the dive	rsion works
	X Yes	□ No	If "yes", a chec	ck valve shall be	required.			
	All che	emigation s	safety requiremer	nts must be met	including a che	migation permit	and reporting re	quirements.
9.	submit	ting the a	ng to impound wa pplication. Pleas area above the r	e attach a reser	act the Division voir area capac	of Water Resor	urces for assistationm us of the t	ance, prior to otal acres of
	Have y Water	ou also m Resource	nade an applicatio s? ⊠ Yes	on for a permit fo ☐ No	or construction of	of this dam and i	reservoir with th	e Division o
	• If y	es, show	the Water Structu	ıres permit numt	per here			
	• If r	no, explain	here why a Wate	er Structures per	mit is not requir	red		
	A	REVIEW	OF THE PROPO	SAL IS NECES	SARY TO DE	TERMINE IF A	PERMIT IS NE	EDED FOR
			M. An attachment					
10.	showing the se	g the folloction, the	must be supplement of the supp	On the topogra he section corne	aphic map, aeri ers and show th	al photograph, o	or plat, identify t	he center of
	div So	ersion wo	of the propose rks) should be plo ce and the East-V	tted as describe	d in Paragraph	No. 5 of the app	olication, showing	a the North-
	1/2	mile of the	tion is for ground e proposed well o ess of the propert	r wells. Identify	each existing v	well as to its use	e and furnish th	e name and
	(c) If t	he applica d ½ mile u	ation is for surface	e water, the nam ur property lines	es and address must be shown	ses of the landowner	wner(s) ½ mile	downstream
			of the proposed graph or plat. Sho		ould be shown	by crosshatchin	ng on the topog	raphic map,
			cation of the pipeli to the place of use		ervoirs or other	facilities for con	veying water from	om the point
	nui		U.S.G.S. topogr Kansas Geologio 47.					
11.	diversi	on points	tion, appropriation or any of the sai de to existing per	me place of use	e described in t	this application.	Also list any	other recent
	A perm	it for a we	ll or wells is being	g made simultan	eously.			
	THIS IS	A HYDR	A-PONDSTER A	PPLICATION. M	lultiple ponds.			
	,x==							

2/25/2022

Water Resources Received

File No.

12.	Furnish the following well in well has not been complete	nformation if the pd. d, give information	proposed ap n obtained t	opropriation is fi from test holes,	or the use of if available.	groundwater. If the
	Information below is from:	☐ Test holes	☐ Well a	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 for	mation				
	Depth to static water level					
	Depth to bottom of pump is	ntake pipe				
13.	The relationship of the application of the applicat		sed place w	here the water	will be used is	s that of
14.	The owner(s) of the property	where the water	is used, if o	other than the a	pplicant, is (p	lease print):
	Applicant closes on the contra	ct for this property	on or about A	April 29th, 2022		
				phone number)		
	2852 Hilltop Ave., Hanover,	KS 66945 Home (name, addre	 785-337-2 ss and telej 	<u>2320, Cell – 785</u> phone number)	5-337-2320	Management of the second of th
15.	The undersigned states that this application is subm	itted in good faith.				her knowledge and
	Dated at Lanover	. Kansas.	this 24th	day of Febr	vary	1022
				,	(month)	(year)
	mal hua					
_	(Applicant Signatur	e)				
B	(Agent or Officer Signa	iture)				
	(rigent of Onlost Oighs	iture)				
_	(Agent or Officer - Pleas	e Print)	_			
Assiste	ed by Katie Tietsort	W	С/ТЕО	110000000000000000000000000000000000000	Date: 2/2	0/2022

(office/title)

2/25/2022

Date: 2/20/2022

File No. __

FEE SCHEDULE

 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.

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

2/25/2022

NEARBY LANDOWNERS:

UPSTREAM:

Kathleen Bruna Revocable Trust

Attn: Dale Bruna

2569 Yankee Rd

Hanover KS 66945

DOWNSTREAM:

Turk Family Trust

1892 Zenith Rd.

Hanover, KS 66945

Jay A. & Cynthia L. Hynek Trust

2764 17th RD

Hanover, KS 66945

APPLICANT

Mark & Jodie Bruna & their Trust

2852 Hilltop Ave

Hanover, KS 66945

Wilbur & Loretta Jueneman Trust #1

413 N Railroad St.

Hanover, KS 66945

2/25/2022

Kansas Department of Agriculture Division of Water Resources Earl D. Lewis, Jr., Chief Engineer 1320 Research Park Drive Manhattan, Kansas 66502

Re: Application

File No.

Minimum Desirable Streamflow

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

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.

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.

State of Kansas

County of Washington

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 24th day of February, 2022.

My Commission Expires: 5-19-2025

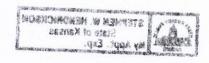
2/25/2022

MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River



2/25/2022

Water Resources Received

KS Dept Of Agriculture

IRRIGATION USE SUPPLEMENTAL SHEET

							F	ile No)										
			Nar	ne of	Appl	icant	(Pleas	se Pri	nt): <u>N</u>	/ARF	BRI	JNA				1			
1.	Please lesign	supp nate th	oly the	e nam ual nu	ne and imber	d add of ac	ress o	f each	h land rigate	downed in e	er, the	e lega orty a	l desc cre tra	criptic act or	on of fracti	the la	nds t portio	o be i	rrigated, and
Land	lowne	er of l	Recor	rd :	NAM	E: <u>A</u>	pplica	nt clo	ses o	n the	contra	act for	this	prope	rty on	or at	out A	pril 2	9th, 2022
				ADI	DRES	SS: <u>28</u>	52 H	illtop	Ave.	Hano	ver, k	S 66	945						
s	T	R		N	E¼			NW¼			SW¼				SI	E¼			
3	1	A	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	TOTAL
33	2 S	5 E													40	40	40	40	160
Land	owne	r of I	Recor	d 1	NAM	E:													
				ADI															
S	т	R														SE	Ε¼		TOTAL
S	Т	R	NE		DRES									SE	NE	SE	SW SW	SE	TOTAL
S	Т	R	NE	NI	DRES	S:		NV	V1/4			SV	V1/4					SE	TOTAL
S	Т	R	NE	NI	DRES	S:		NV	V1/4			SV	V1/4					SE	TOTAL
S	Т	R	NE	NI	DRES	S:		NV	V1/4			SV	V1/4					SE	TOTAL
s	Т	R	NE	NI	DRES	S:		NV	V1/4			SV	V1/4					SE	TOTAL
				NI NW	DRES	SE SE		NW	V¼ SW			SV	V1/4					SE	TOTAL
Land	owne	er of I		NI NW	NAM ORES	SE SE	NE	NW	V¾ SW			SV	SW				SW	SE	
				NI NW	NAM ORES	SE SE	NE	NW NW	V¾ SW			SV NW	SW			NW	SW	SE	TOTAL
Land	owne	er of I	Recor	NI NW	NAM ORES	S:	NE	NW NW	V1/4 SW	SE	NE	SW	71/4 SW	SE	NE	NW	SW SW		
Land	owne	er of I	Recor	NI NW	NAM ORES	S:	NE	NW NW	V1/4 SW	SE	NE	SW	71/4 SW	SE	NE	NW	SW SW		
Land	owne	er of I	Recor	NI NW	NAM ORES	S:	NE	NW NW	V1/4 SW	SE	NE	SW	71/4 SW	SE	NE	NW	SW SW		

2/25/2022

DWR 1-100.23 (Revised 07/07/2000)

Page 1 of 2

2.	Ple	ease complete the following info pplemental sheets as needed.	ormation for the description of	the operation for the ir	rigation project. Attach
	a.	Indicate the soils in the field(s	s) and their intake rates:		
		Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
		Total:	100 %		
	b.	Estimate the average land slop	be in the field(s):	%	
		Estimate the maximum land s	lope in the field(s):	%	
	c.	Type of irrigation system you	propose to use (check one):		
		x Center pivot	Center pivo		"Big gun" sprinkler
			rows) Gravity sys		_ Sideroll sprinkler
	d.	System design features:			
			ontrol to liveton CENTED DU	UOT QUOTEM	
		i. Describe now you will c	ontrol tailwater: CENTER PI	VOI STSTEM.	
		ii. For sprinkler systems:			
		(1) Estimate the ope	rating pressure at the distribution	on system:	_ psi
		(2) What is the sprin	kler package design rate?	gpm	
		(3) What is the wetter	ed diameter (twice the distance	the sprinkler throws w	ater) of a sprinkler on
		the outer 100 fee	t of the system?	_ feet	
		(4) Please include a	copy of the sprinkler package of	design information.	
	e.	Crop(s) you intend to irrigate.	Please note any planned crop	rotations: Corn, soybe	eans, and wheat
	f.	Please describe how you will of important if you do not plan a	determine when to irrigate and full irrigation).	how much water to app	ply (particularly

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

request.

Page 2 of 2

2/25/2022

KANSAS DEPARTMENT OF AGRICULTURE Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES Earl D. Lewis Jr., Chief Engineer

Kansas Department of Agriculture Division of Water Resources David W. Barfield, Chief Engineer 1320 Research Park Drive Manhattan, Kansas 66502

Date:	

Re: AGREEMENT - Application For Hydra Pond Projects

I understand that the diversion and storage of natural flows of surface water in a reservoir is subject to the principles of priority per K.S.A. 82a-707, namely that the date of priority of every water right of every kind, determines the right to divert and use water at any time when the supply is not sufficient to satisfy all water rights. Surface water stored in a reservoir is administered under K.A.R. 5-6-9, which states that water lawfully stored within any reservoir authorized to store water for subsequent beneficial use shall not be subject to administration unless senior water right holders downstream of the reservoir make an appropriate request to have water bypassed to satisfy their senior water right within two weeks of the runoff event, or any other time frame in which inflow to the reservoir could reasonably have been expected to be available to the downstream senior water right if the reservoir had not impounded the water.

That the owner shall bypass natural flow and/or release water from storage when directed by the Chief Engineer or his authorized representative, in order to satisfy reasonable requests by senior water rights and permits, and to comply with any applicable minimum desirable streamflow requirements. That for purposes of administration, all water contained within the primary pools of the reservoirs shall be considered to be stored from natural flows.

That acceptable water flow meters shall be installed on all Places of Use, providing the total quantity of water applied. This total quantity of water will allow the Division of Water Resources to determine the natural flow quantity that has been diverted, in conjunction with the water flow meters installed on all non-reservoir sources (i.e. pump sites and/or wells).

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources (DWR), when I would be required to bypass inflows or make releases at any or all of the proposed reservoirs, to be withdrawn, released or otherwise diverted from the reservoirs. I acknowledge and consent that all water in the reservoirs is collected natural flows for purposes of administration and that this could influence my operation and management of these reservoirs. 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 this application.

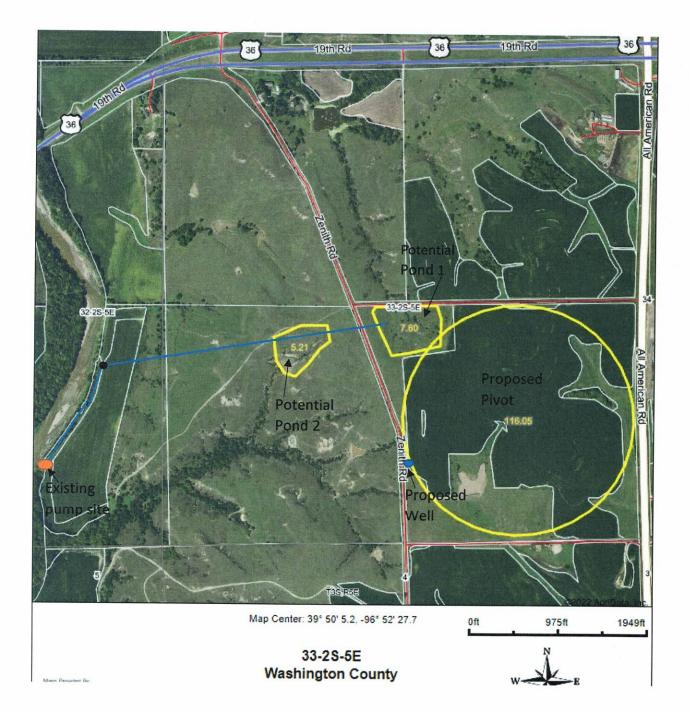
The permit if approved will contain the following condition of approval:

That the owner shall bypass natural flow and/or release water from storage when directed by the Chief Engineer or his authorized representative, in order to satisfy reasonable requests by senior water rights and permits, and to comply with any applicable minimum desirable streamflow requirements. That for purposes of water right administration, all water collected and stored in these reservoirs shall be considered to be natural flows.

2/25/2022

	Muck Bura
	Signature of Owner or Agent
	(Print Owner or Agent Name)
State of Kansas)	A 1997-W. Michigan S. Late, by C. State and Subdivious.
County of Washington) ss	
I hereby certify that the fore this <u>24⁷¹</u> day of <u>Fedroa</u>	going instrument was signed in my presence and sworn to before me
STEPHEN Sta	W. HENDRICKSON Notary Public Staff

2/25/2022



First, we would like to drill a well near the "Proposed Well" site. There was a hand-dug well hear at one time. We would still likely need to build a pond in one of the proposed locations.

If the well does not work, the blue line is the proposed water line from the existing pump site at the river. The line along the river is already buried underground and used to operate that pivot. From the black point east we would need to add a new line.

We would like to build "Potential Pond 1" if possible. There is a rock shelf that could cause issues. We would also need work with the township as far as building a dam along the road.

If pond 1 doesn't work, we would look to build "Potential Pond 2". There is an existing pond there but the dam would need constructed much larger.

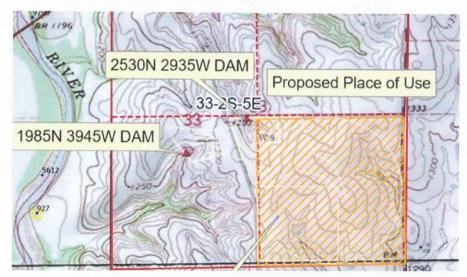
2/25/2022

Structures Program

Division of Water Resources.

To Whom It May Concern,

I am making application to appropriate water from two small ponds to be located in Section 33, Township 2 South, Range 5 East, in Washington County, Kansas.



We estimate the ponds as follows:

POND#1 7.6 SURFACE ACRES, 34 ACRES OF DRAINAGE CAPACITY~20X7.6x0.33= 50.2 ACRE FEET CAPACITY

POND#2 5.21 SURFACE ACRES, 13 ACRES OF DRAINAGE CAPACITY~20X5.21X0.33= 34.4 ACRE FEET CAPACITY

TOTAL 84.6 AF CAPACITY. THE MAXIMUM TOTAL RUNOFF REQUESTED IS 36.6 AF IN BOTH PONDS.

We are requesting a determination if these dams will be granted an exemption to dam permitting and to determine if any other permitting needs are necessary such as a Stream Obstruction permit and/or a Floodplain Fill permit.

Please contact me at 785-713-1754 with any questions. Sincerely,

Mark Bruna

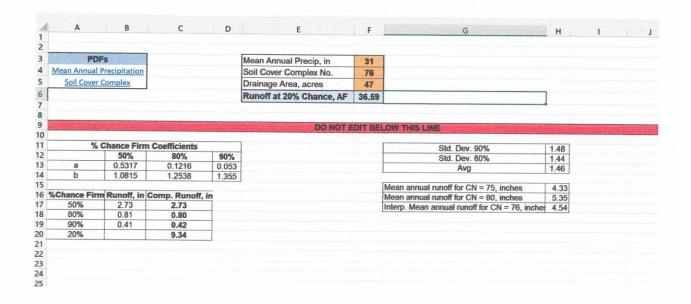
2852 Hilltop Ave.

Muchbon

Hanover, KS 66945

2/25/2022

HYDRA-PONDSTER APPLICATION



POND #1 7.6 SURFACE ACRES, 34 ACRES OF DRAINAGE CAPACITY ~20X7.6x0.33= 50.2 ACRE FEET CAPACITY

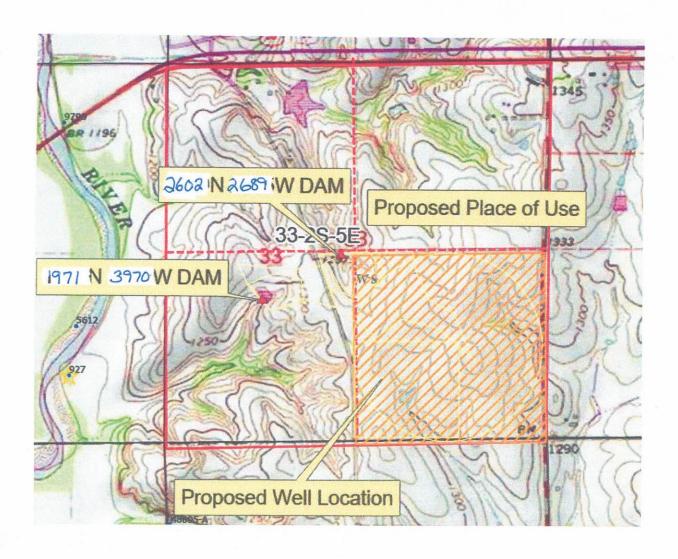
POND #2 5.21 SURFACE ACRES, 13 ACRES OF DRAINAGE CAPACITY ~20x5.21x0.33= 34.4 ACRE FEET CAPACITY

TOTAL 84.6 AF CAPACITY

THE TOTAL RUNOFF THAT CAN BE REQUESTED IS 36.6 AF OF WATER IN BOTH PONDS.

2/25/2022

MARK BRUNA HYDRA-PONDSTER APPLICATION



1:12,000

N



Water Resources Received

KS Dept Of Agriculture

DATA ENTRY SYSTEM ID NUMBER SHEET

50729 **FILE NUMBER PDIV ID BATTERY ID APPLICANT** 89305 PERSON ID & SEQ # 29122 89306 **LANDOWNER PUSE ID** 70738 PERSON ID & SEQ # 29122 WATER USE CORRESPONDENT PERSON ID & SEQ # 29122