

Dean Anderson: dean.anderson@whitetailproperties.com

Applicant Richard Davis passed away, selling land*

WATER RESOURCES RECEIVED

AUG 4 2022 11:05

KS DEPT OF AGRICULTURE

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE Mike Beam, Secretary of Agriculture

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

50841

File Number

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

New owner:

Keeling Land & Cattle - KS/CO LLC
Attn: Kevin Keeling
PO Box 326
Monett, MO 65708

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.)

10/13/2023 LHH

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): Richard Davis
Address: 6813 N. Meadowlark Lane
City: Owasso State OK Zip Code 74055
Telephone Number: (918) 671-3332

2. The source of water is: [X] surface water in Middle Caney River (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 190 acre-feet OR gallons per calendar year, to be diverted at a maximum rate of 6,500 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) [X] Recreational (d) [] Water Power
(e) [] Industrial (f) [] Municipal (g) [] 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 Meets K.A.R. 5-3-1 (YES/NO) Use REC Source G/S County CQ By ALB Date 8/5/22
Code RE2 Fee \$ 300 TR # Receipt Date 8/4/22 Check # 1173

8/11/2022 LMoody

File No. _____

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 NW quarter of the NW quarter of the SE quarter of Section 17, more particularly described as being near a point 2610 feet North and 2494 feet West of the Southeast corner of said section, in Township 34 South, Range 12 East, Chautauqua County, Kansas.
- (B) One in the NW quarter of the SE quarter of the NW quarter of Section 16, more particularly described as being near a point 3452 feet North and 3554 feet West of the Southeast corner of said section, in Township 34 South, Range 12 East, Chautauqua County, Kansas.
- (C) One in the SW quarter of the NW quarter of the SW quarter of Section 16, more particularly described as being near a point 1755 feet North and 4948 feet West of the Southeast corner of said section, in Township 34 South, Range 12 East, Chautauqua 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):

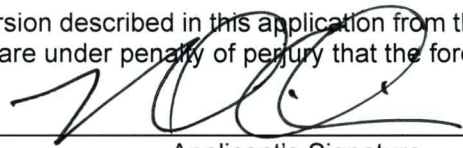
KEELING LAND & CATTLE - KS/CO LLC PO BOX 326 MONETT, MO 65708

(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 August 1st, 2022


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 3 pumpsites. _____
(number of wells, pumps or dams, etc.)
and (was)(will be) completed (by) already constructed.
(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 upon approval. _____
(Mo/Day/Year)

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AUG 4 2022

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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 the applicant will provide information to the water structures program for the determination of permit 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.

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AUG 4 2022

File No. _____

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)

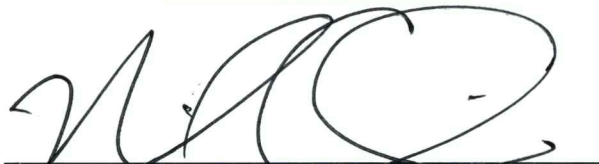
15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

(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 _____, Kansas, this 1 day of August, 2022
(month) (year)



(Applicant Signature)

By _____
(Agent or Officer Signature)

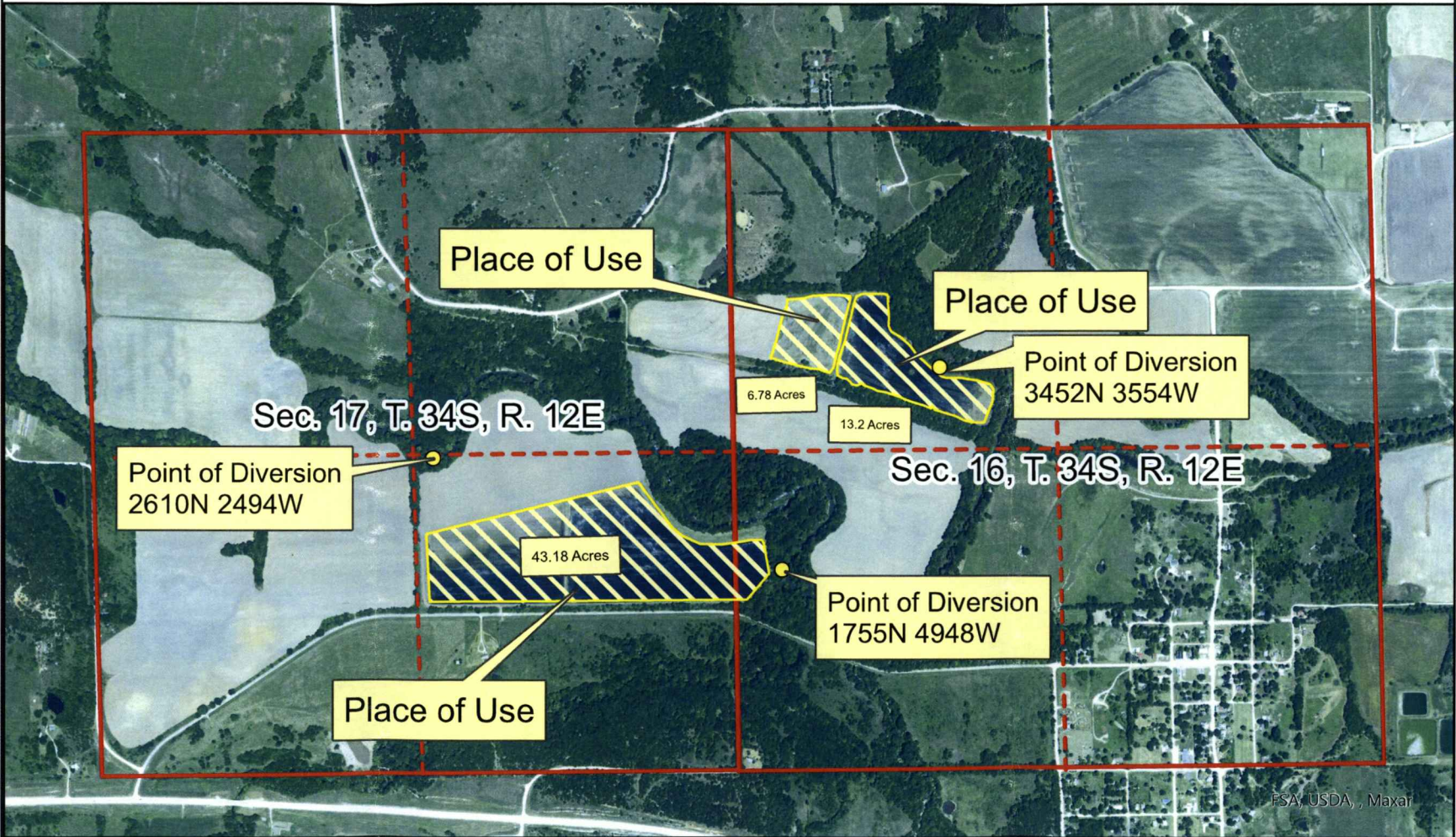
(Agent or Officer - Please Print)

Assisted by Sheila Dyke _____ KDA-DWR _____ Date: 7/27/22
(office/title)

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1:15,000

DAVIS



Map prepared by: SMD



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12022
Davis Application Upstream and Downstream Owners

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Upstream:

Gregory A Hull
% Alan Hull
201 E Laurel
Sedan, KS 67361-9114

John D Jr & Teresa K Gorby
518 E Logan
Ottawa, KS 66067

Barbara Jean Ross
% Sharon Ross
PO Box 389
Sedan, KS 67361

Downstream:

Storehouse Properties LLC
79605 Nina Circle
Haysville, KS 67060

Chad J & Lindsey L Carter
1072 Road 26
Sedan, KS 67361

Daniel & Cheryl McMillan
781 RD 23
Peru, KS 67360

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RECREATIONAL USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): Richard Davis

1. Please indicate type of recreational use (boating, fishing, swimming, etc.): Waterfowl marsh for hunting and wildlife habitat.

2. Please summarize how the water will be used and justify the quantity of water requested: _____
Fill the surface area of 63.16 acres to a depth of 12", plus 126.84 AF to offset losses due to evaporation and seepage.

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	190 AF
Year 2	190 AF
Year 3	190 AF
Year 4	190 AF
Year 5	190 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.

The North 1/2 of the SE 1/4 of Sec. 17, T 34S, R 12E and the NW 1/4 of the SW 1/4 of Sec. 16, T 34S, R 12E

The South 1/2 of the NW 1/4 of Section 16, T 34S, R 12E.

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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

FILE NUMBER 50841

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
68535	89737	
	89738	
	89739	

LANDOWNER PERSON ID & SEQ #	PUSE ID
68535	70978
	70979

WATER USE CORRESPONDENT PERSON ID & SEQ #
68535

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

August 29, 2022

RICHARD DAVIS
6813 N. MEADOWLARK LANE
OWASSO OK 74055

RE: Application, File No(s). **50841**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) for a permit to appropriate water for beneficial use. Your application(s) has been assigned the file number(s) 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(s) 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(s) 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. *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 "Kris Neuhauser". The signature is written in a cursive style with a long horizontal flourish at the end.

Kris Neuhauser
New Applications Lead
Water Appropriation Program