

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.

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

50909

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

11/17/2022, 3:13 PM

**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.)

Water Resources
Received

KS Dept Of Agriculture

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): WAYNE EDELMAN
Address: 1751 200TH RD
City: BERN State KS Zip Code 66408
Telephone Number: (____) _____

2. The source of water is: surface water in UNNAMED TRIB TO DEER CREEK
(stream)
OR groundwater in SOUTH FORK BIG NEMAHA RIVER
(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.

DIRECT USE = 200 AF

3. The maximum quantity of water desired is STORAGE = 254.6 AF acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of ALL NAT FLOWS gallons per minute OR _____ cubic feet per second.

DIRECT USE = 1200 GPM

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) 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.

12/7/2022
LMoody

For Office Use Only:
F.O. 1 GMD _____ Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G/S County NM By ALB Date 11/29/22
Code RE2 Fee \$ 300 TR # PY00047798 Receipt Date 11/17/2022 Check # _____

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File No. _____

KS Dept Of Agriculture

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 **SW** quarter of the **SW** quarter of the **NE** quarter of Section **35**, more particularly described as being near a point **2680** feet North and **2050** feet West of the Southeast corner of said section, in Township **1** South, Range **13 EAST, NEMAHA** _____ 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 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 (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):

APPLICANT

(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 November 17, 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 **ONE DAM** _____
(number of wells, pumps or dams, etc.)

and WAS completed (by) **GREATER THAN 10 YEARS AGO** _____
(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 **JULY 2023** _____
(Mo/Day/Year)

KS Dept Of Agriculture

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 **PROJECT IS NON-JURISDICTIONAL**

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.

NONE

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

11/17/2022

Total depth of well

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Depth to water bearing formation

Depth to static water level

KS Dept Of Agriculture

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/ 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):

SEE IRRIGATION USE SUPPLEMENTAL SHEET

(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 Hiawatha, Kansas, this 17th day of November, 2022.
(month) (year)



(Applicant Signature)

By

(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by **BRETT BUNGER**

TFO/ASST WATER COMMISSIONER

(office/title)

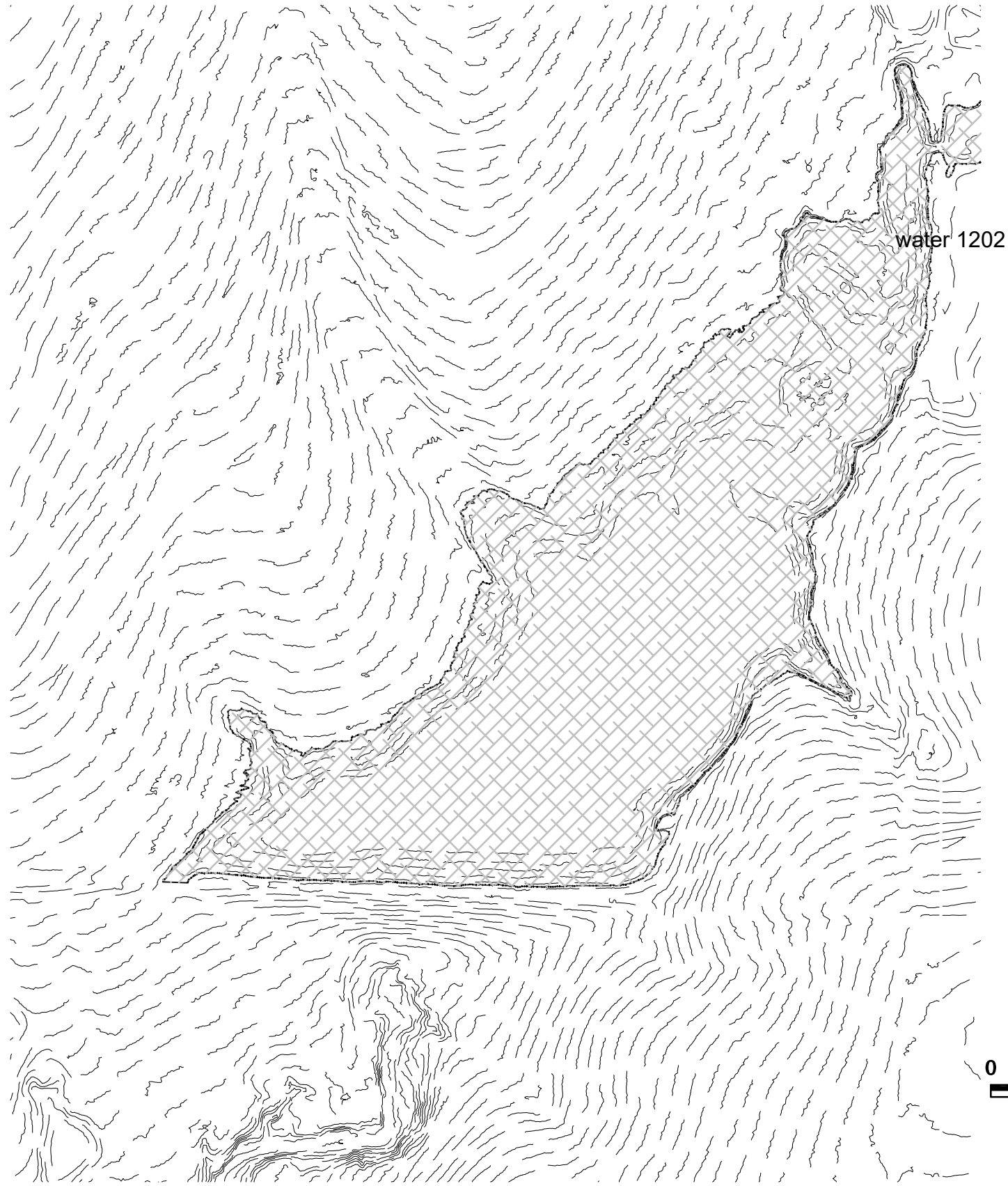
Date: **11-17-22**

Water Resources
Received

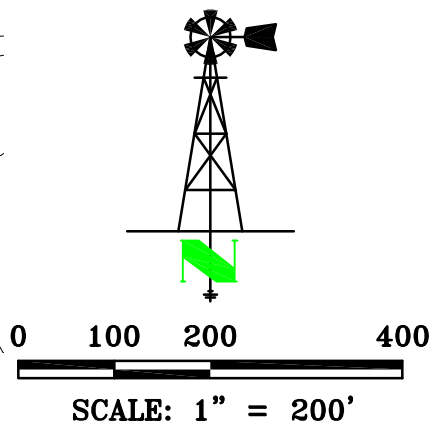
KS Dept Of Agriculture

TOPOGRAPHIC SURVEY

Compute Proposed Stream Obstruction Volume in the North One-Half of
Section 35, Township 1 South, Range 13 East of the
Sixth Principal Meridian, Nemaha County, Kansas

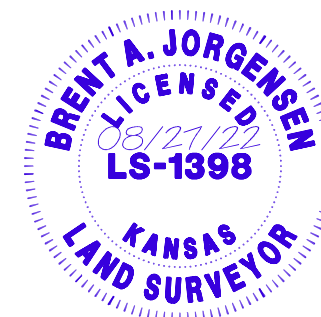


Contour	Area	Inc Volume	Total Volume	Ac. Ft.	Embankment	Height
1195	-					
1196	234,619.24	117,309.62	117,309.620	2.6931		
1197	267,424.74	251,021.99	368,331.610	8.4557		
1198	296,931.22	282,177.98	650,509.590	14.9336		
1199	323,017.15	309,974.19	960,483.775	22.0497		
1200	352,843.71	337,930.43	1,298,414.205	29.8075		
1201	376,617.13	364,730.42	1,663,144.625	38.1805		
1202	400,516.53	388,566.83	2,051,711.455	47.1008		
1203	423,559.05	412,037.79	2,463,749.245	56.5599		
1204	460,778.66	442,168.86	2,905,918.100	66.7107		
1205	502,544.34	481,661.50	3,387,579.600	77.7681	Existing Top	



Current rear tow apx 1180
General Notes for Site:
No Field verification of LiDAR elevations performed.
Existing Structure used for volumes.

LAND SURVEYOR'S CERTIFICATE
THIS IS TO CERTIFY THAT THIS SURVEY
WAS DONE BY THE UNDERSIGNED, AND
THAT THE SURVEY WAS DONE ON THE
GROUND ON _____.



THIS DRAWING ORIGINALLY CREATED AT
SPECIFIED SCALE. IF LINE BELOW DOES NOT
MEASURE 1 INCH, DRAWING HAS BEEN
REDUCED.
ORIGINAL DRAWING
SIZE: 1 INCH

JORGENSEN SURVEYING
73051 617 Ave
Tecumseh, NE 68450
(402) 335-2033
jorgensensurveying@gmail.com

Stream Obstruction
N 1/2 Sec 35, T1S, R13E
Nemaha County, Kansas
PREPARED FOR
MWI - Edelman

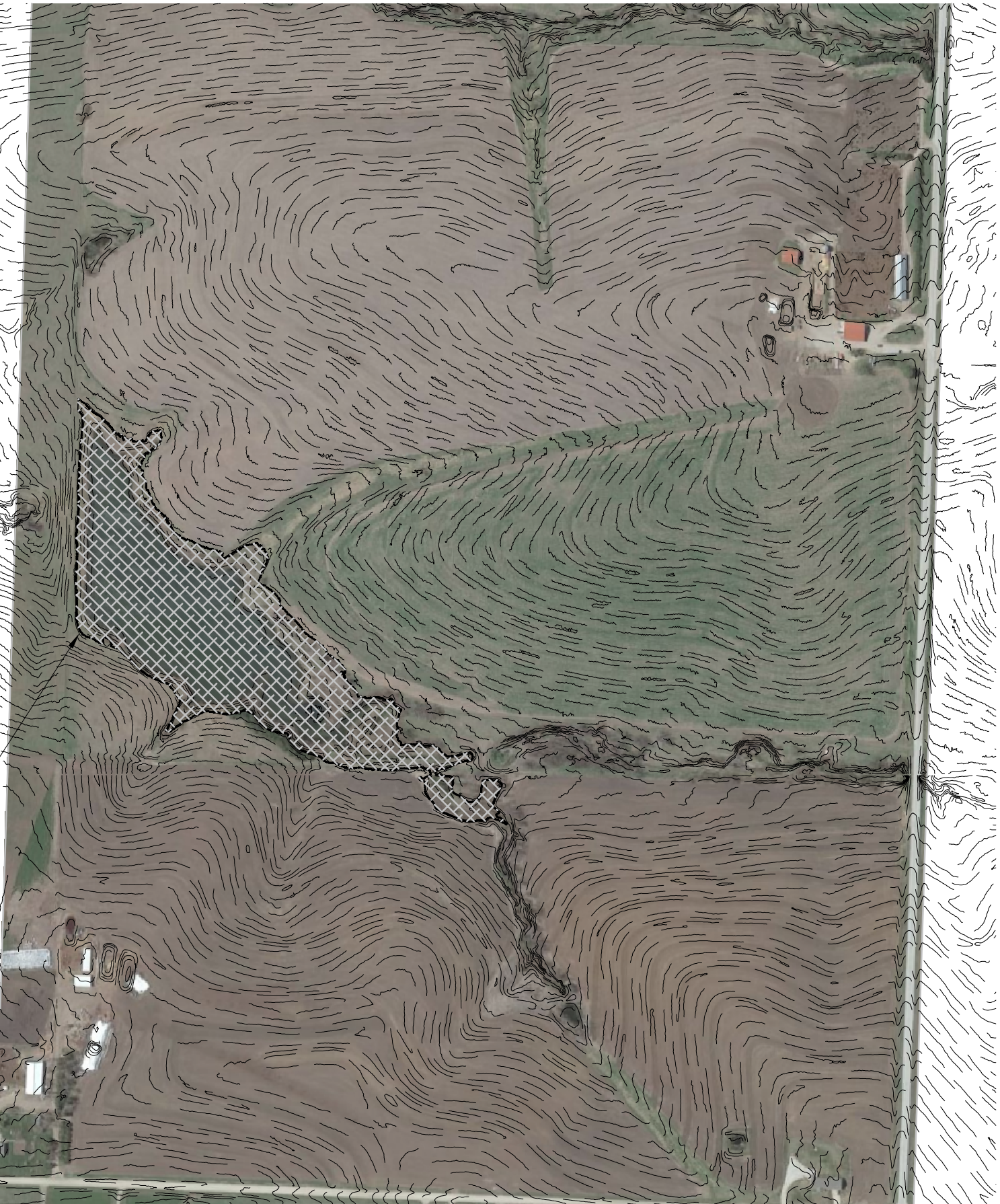
SCALE	1"=200'
FIELD ON:	-
CHK. BY	MARCY
DWN. BY	BRENT
DATE:	08/27/22
SHEET	1 OF 2
JOB NO.	5262.136

11/17/2022

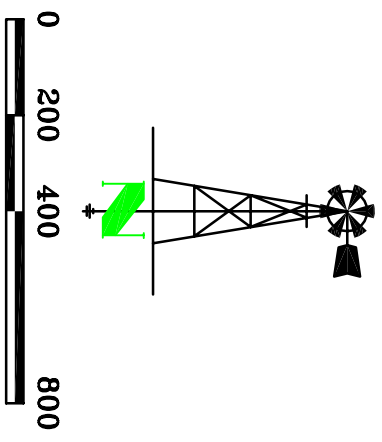
Water Resources
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KS Dept Of Agriculture

TOPOGRAPHIC SURVEY
 Compute Proposed Stream Obstruction Volume in the North One-Half of
 Section 35, Township 1 South, Range 13 East of the
 Sixth Principal Meridian, Nemaha County, Kansas



Water Level at Elev: 1205'



SCALE 1"=400' FIELD ON: - CHK. BY MARCY DWN. BY BRENT DATE: 08/27/22 SHEET 2 OF 2 JOB NO. 5262.136	Stream Obstruction N 1/2 Sec 35, T1S, R13E Nemaha County, Kansas	JORGENSEN SURVEYING 73051 617 Ave Tecumseh, NE 68450 (402) 335-2033 jorgensensurveying@gmail.com	THIS DRAWING ORIGINALLY CREATED AT SPECIFIED SCALE. IF LINE BELOW DOES NOT MEASURE 1 INCH, DRAWING HAS BEEN REDUCED. <u>ORIGINAL DRAWING</u> SIZE: 1 INCH
	PREPARED FOR MWI - Edelman		

11/17/2022

Water Resources
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KS Dept Of Agriculture **UPSTREAM AND DOWNSTREAM LANDOWNERS**

Upstream –

- #1) JOAN L MEYER
2613 S RD
SABETHA KS 66534

- #2) JOHN C STRAHM
2589 R RD
SABETHA KS 66534

Downstream –

- #1) SCOTT R & VALERIE EDELMAN
1741 192ND RD
SABETHA KS 66534

- #2) BRADLEY EDELMAN
1738 192ND RD
SABETHA KS 66534

STORAGE CALCULATIONS

RESERVOIR CAPACITY = 47 AF

DIRECT USE = 200 AF

RESERVOIR SURFACE AREA = 9.2 ACRES

NET EVAPORATION = 10"

1 YR NET EVAP = $9.2 \times 10''/12'' = 7.6$ AF

STORAGE QUANTITY = 200 AF + 47 AF + 7.6 AF = 254.6 AF

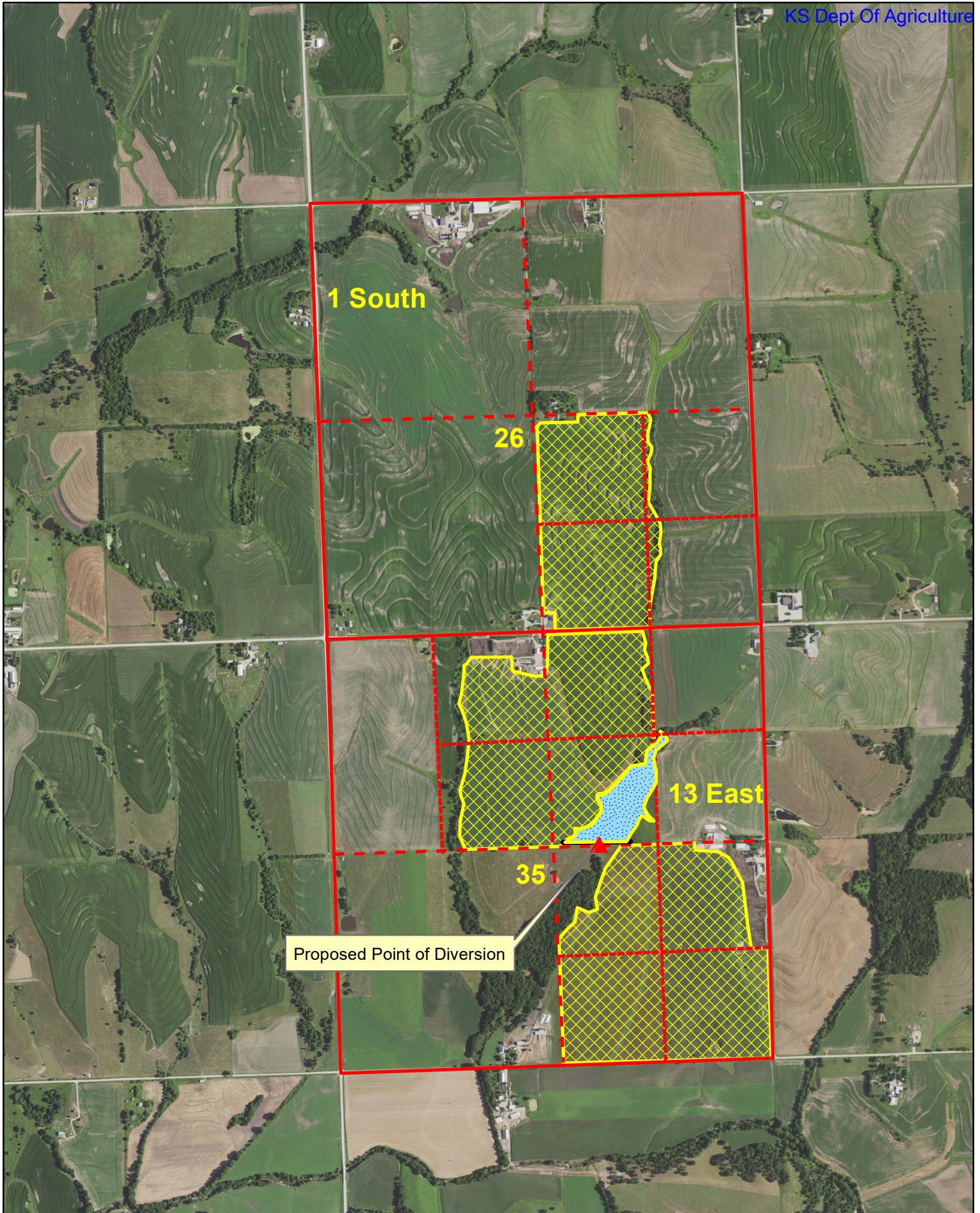
NEW APPLICATION

11/17/2022

1:18,000

Water Resources
Received

KS Dept Of Agriculture



**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. _____

Name of Applicant (Please Print): WAYNE EDELMAN

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: WAYNE & LINDA EDELMAN

ADDRESS: 1751 200TH RD BERN KS 66408

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
26	1	13E														.5	38	38	1	77.5
35	1	13E		39.5	23			21				31.5								115

Landowner of Record NAME: JOHN C & BETSY STRAHM ET AL

ADDRESS: 17362 208TH RD BERN KS 66408

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
35	1	13E															27	40		67

Landowner of Record NAME: CURTIS R & ELLEN J STRAHM

ADDRESS: 2545 R RD SABETHA KS 66534

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
35	1	13E														28			40	68

TOTAL = 327.5 ACRES

DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 50909

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
67658	89912	

LANDOWNER PERSON ID & SEQ #	PUSE ID
67658	71122
68724	71123 71124
68774	71125

WATER USE CORRESPONDENT PERSON ID & SEQ #
67658