

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.

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1345

KS DEPT OF AGRICULTURE

THE STATE OF KANSAS



NSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

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

File Number **51092**

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.)

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): Rick Elnicki

Address: 130 S Highway 69

City: Pittsburg State KS Zip Code 66762-8525

Telephone Number: (620) 249-5800

2. The source of water is: surface water in Tributary of East Cow Creek (Spring River Basin)

(stream)

OR groundwater in _____

(drainage basin)

Certain streams in Kansas have minimum target flows 276 AF to be diverted at a max rate of 2000 gpm. 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 276 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of Natural Flow 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) |
| Recreational | (d) | Water Power | | | |
| (e) | Industrial | (f) | Municipal | (g) | Stockwatering |
| Sediment Control | | | | | (h) |
| (i) | Domestic | (j) | Dewatering | (k) | Hydraulic Dredging |
| Fire Protection | | | | | (l) |
| (m) | Thermal Exchange | (n) | Contamination Remediation | | |

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For Office Use Only:

F.O. **1** GMD Meets K.A.R. 5-3-7 (YES) NO Use IRR Source **G** S County **CR** By **ALB** Date

8/22/23

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.

Code **REA** Fee \$ **300** TR # Receipt Date **8/22/23** Check # **6310**

DWR 1-100 (Revised 05/17/2019)

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 SW quarter of the NE quarter of Section 3, more particularly described as being near a point 3380 feet North and 2590 feet West of the Southeast corner of said section, in Township 30 South, Range 25 East/West (circle one), Crawford 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):

Brice Elnicki, 191 Deer Creek Court, Pittsburg, KS 66762 620 704-7575
(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 8-11, 2023


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 1 reservoir/pit, dam and terrace to catch

AUG 21 2023

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runoff

(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) 12/31/2023

(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

06/1/2024 (Mo/Day/Year)

DWR 1-100 (Revised 05/17/2019)

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.

THE IMPOUNDMENT WAS A BORROW PIT FOR CONSTRUCTION OF THE OVERPASS ON HWY. 160.

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 _____

Contact DWR – structures for possible 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.

N/A



□

DWR 1-100 (Revised 05/17/2019)

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.

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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):

Brice Elnicki, 191 Deer Creek Court, Pittsburg, KS 66762 620 704-7575

(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 PITTSBURGH Kansas, this 11 day of AUG. 2023

(month) (year)

(Applicant Signature)

By

(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by SMD _____

(office/title)

Date: _____

			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

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

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
PARSONS SILT LOAM	100%	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %	_____	_____

b. Estimate the average land slope in the field(s): 1 %

Estimate the maximum land slope in the field(s): 3 %

c. Type of irrigation system you propose to use (check one):

<input type="checkbox"/>	Center pivot	<input type="checkbox"/>	Center pivot - LEPA	<input type="checkbox"/>	"Big gun"
				sprinkler	
<input type="checkbox"/>	Gravity system	<input type="checkbox"/>	Gravity system	<input type="checkbox"/>	Sideroll
(furrows)		(borders)		sprinkler	

Other, please describe: Subsurface Drip

d. System design features:

i. Describe how you will control tailwater:

AUTOMATED VALVES, MOISTURE PROBES

ii. For sprinkler systems:

- (1) Estimate the operating pressure at the distribution system: _____ psi
- (2) What is the sprinkler package design rate? _____ gpm
- (3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler

on the outer 100 feet of the system? _____ feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations: Corn, soybeans, wheat, cover crops.

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation). Moisture probes and automated valves.

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

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AUG 21 2023

PDFs
Mean Annual Precipitation
Soil Cover Complex

Mean Annual Precip, in	44
Soil Cover Complex No.	80
Drainage Area, acres	80
Runoff at 20% Chance, AF	180.05

DO NOT EDIT BELOW THIS LINE

% Chance Firm Coefficients			
	50%	80%	90%
a	0.5317	0.1216	0.0527
b	1.0815	1.2538	1.3547

%Chance Firm	Runoff, in	Comp. Runoff, in
50%	9.69	9.69
80%	3.52	3.48
90%	2.00	2.04
20%		27.01

Std. Dev. 90%	1.23
Std. Dev. 80%	1.20
Avg	1.22

Mean annual runoff for CN = 80, inches	14.65
Mean annual runoff for CN = 85, inches	15.58
Interp. Mean annual runoff for CN = 80, inches	14.65

Probability (Long-axis) by 3rd Cycle Log

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FILE NO. FOX BRICKS: NEW APP

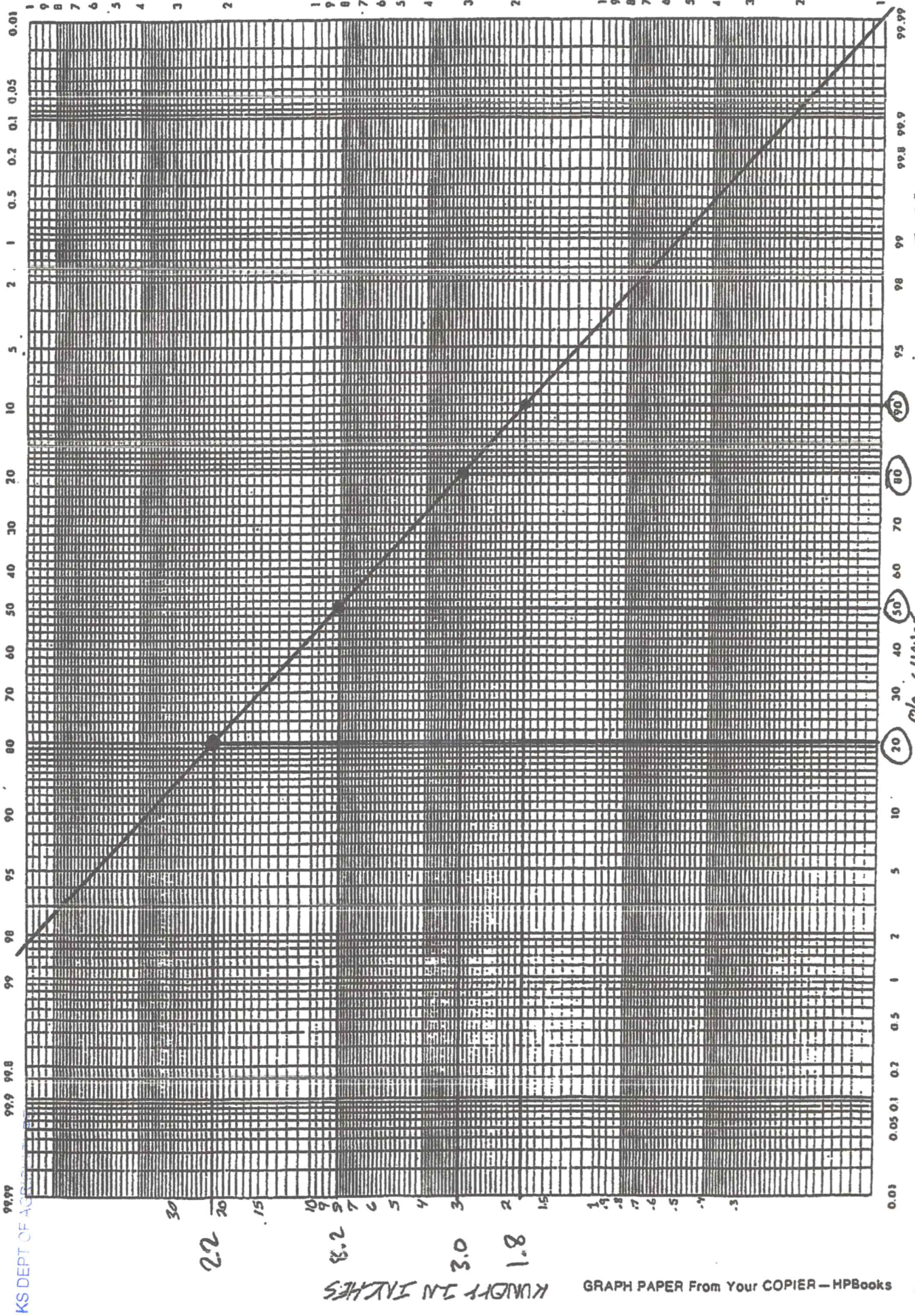
SOIL: "80" PRECIP: 44"

INCHES RUNOFF / ACRE: 2.2"

AF OF RUNOFF (20% CHANCE ANNUALLY)

1700" / 12" = 1417

222



PREPARED BY:

OLD CHANCE

RICK ELNICKI - NEW APP

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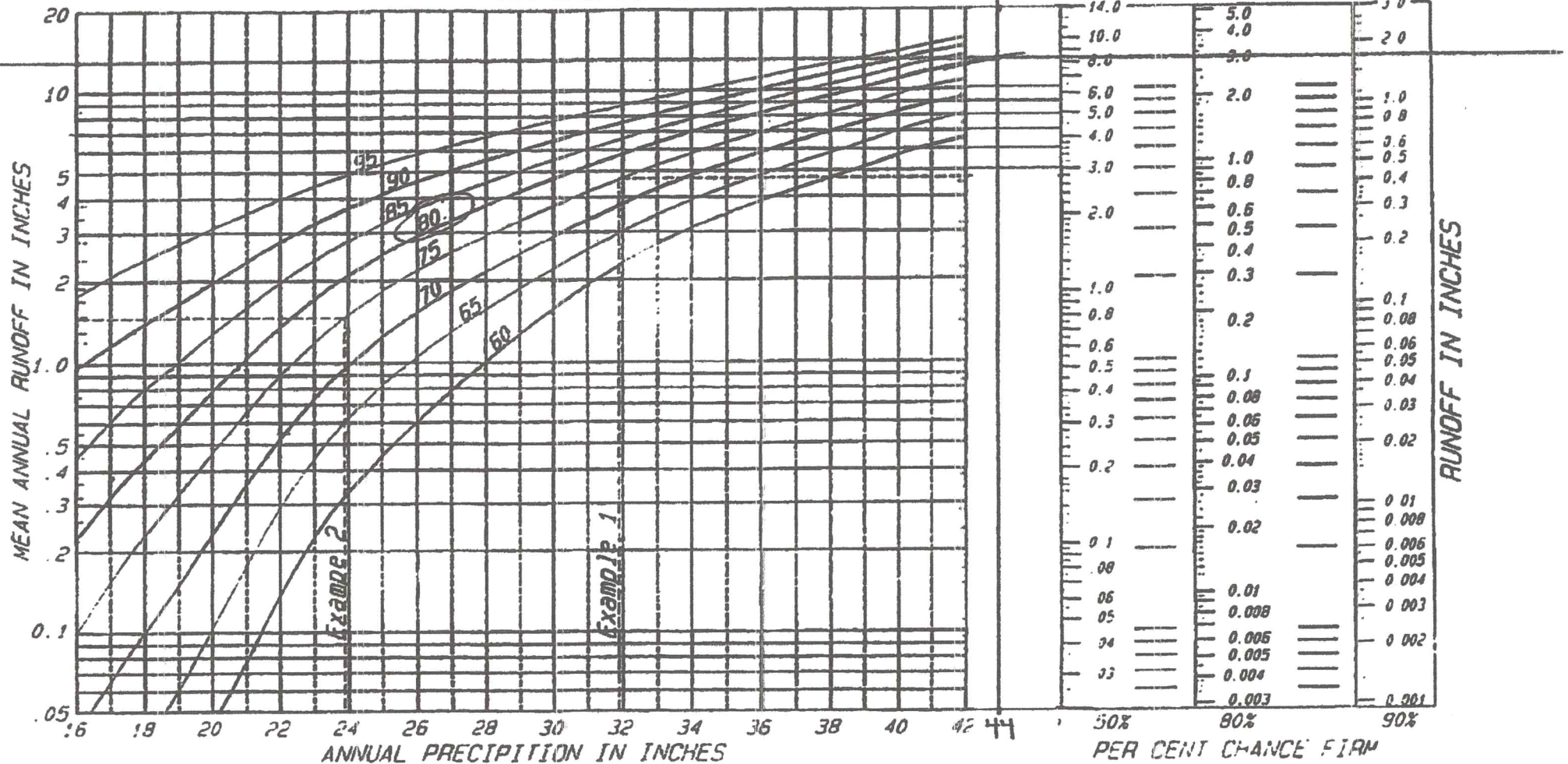
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SOIL COVER COMPLEX - 80
ANNUAL PRECIPITATION - 44"

ANNUAL YIELD OF RUNOFF

8.2 3.0 1.8



United States department of agriculture, natural resources conservation service, nation engineering handbook series, part 650, engineering field handbook.

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Elnicki Application



From: Dyke, Sheila [KDA] Sheila.M.Dyke@ks.gov

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Subject: Application paperwork

Date: Aug 10, 2023 at 11:12:21 AM

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To: Rick Elnicki rickelnicki@gmail.com

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Rick,

I have attached the new paperwork for your application. Please go over all the information and if you see anything that is not correct, please let me know. I have also included a certified meter list. I have already sent one but thought that it would be nice to have all the paperwork together. We talked about upstream and downstream landowners on the phone, but the topo map I have attached has them listed. Please let me know if you have any questions or need any additional assistance!

Thank you!

Sheila Dyke

Kansas Department of Agriculture

Division of Water Resources

300 N. 17th Street

Parsons, KS 67357

Sheila.M.Dyke@ks.gov

Office: 620 421-2697

Cell: 785 256-5393

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237 KB

W

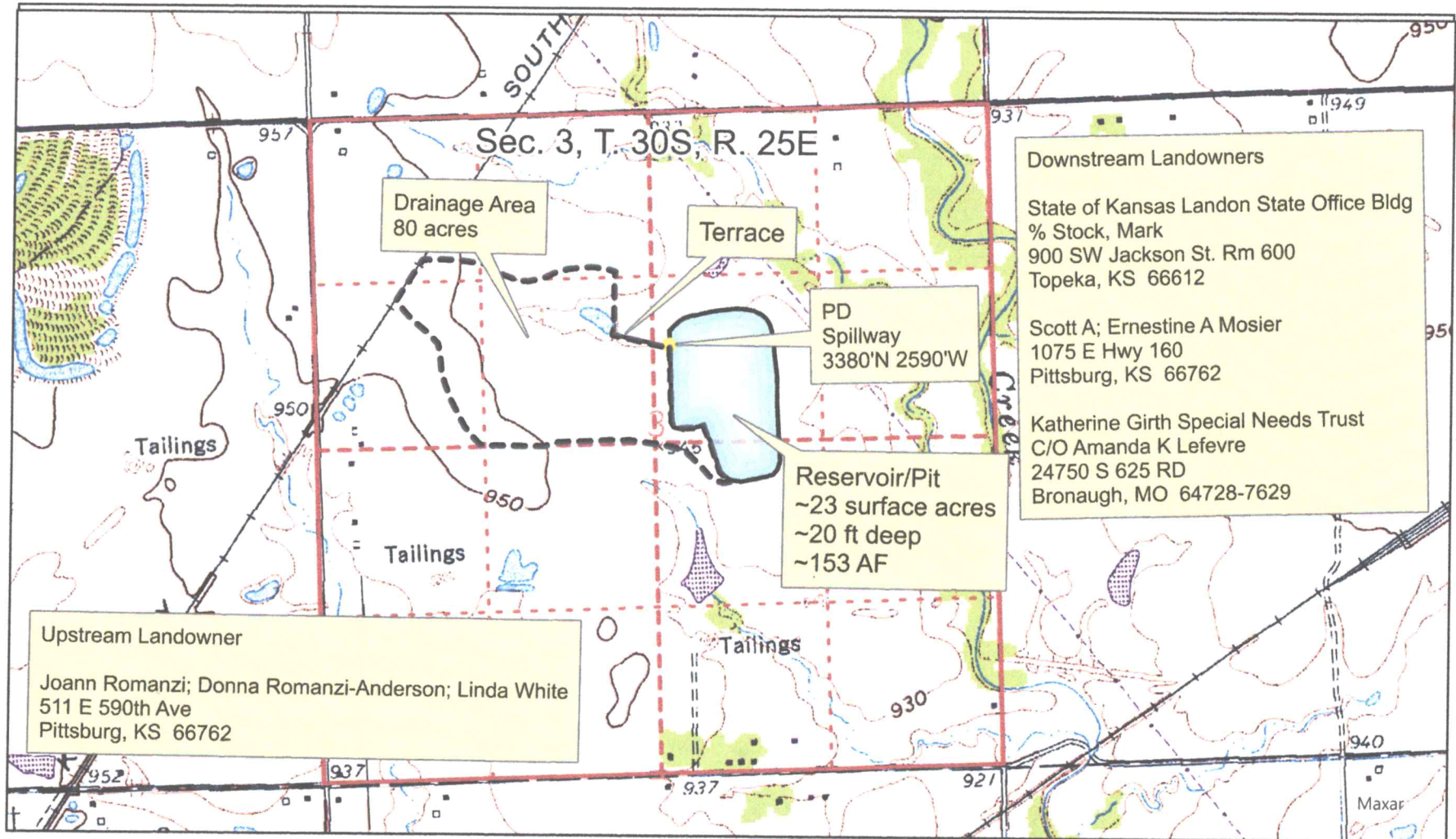
Elnicki Irrig...Sheet.docx

110 KB

AUG 21 2023

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ELNICKI



Upstream Landowner
Joann Romanzi; Donna Romanzi-Anderson; Linda White
511 E 590th Ave
Pittsburg, KS 66762

Downstream Landowners

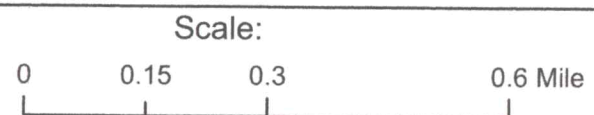
State of Kansas Landon State Office Bldg
% Stock, Mark
900 SW Jackson St. Rm 600
Topeka, KS 66612

Scott A; Ernestine A Mosier
1075 E Hwy 160
Pittsburg, KS 66762

Katherine Girth Special Needs Trust
C/O Amanda K Lefevre
24750 S 625 RD
Bronaugh, MO 64728-7629

1:15,000

Map prepared by: SMD



DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 51092

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
<u>39242</u>	<u>90504</u>	

LANDOWNER PERSON ID & SEQ #	PUSE ID
<u>69156</u>	
<u>39242</u>	

WATER USE CORRESPONDENT PERSON ID & SEQ #
<u>69156</u>