

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
2/16/2023, 2:43 PM

File Number **50969**
This item to be completed by the Division of Water Resources.

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 (Please Print): **DOUGLAS P JOHNSON**
Address: **936 170TH RD**
City: **BENDENA** State **KS** Zip Code **66008**
Telephone Number: **(785) 359-6789**

2. The source of water is: surface water in _____ (stream)
OR groundwater in **MISSOURI 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.

3. The maximum quantity of water desired is **300** acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of **800** gallons per minute OR _____ cubic feet per second.

QUANTITY LIMITED TO 322 AF WHEN COMBINED WITH ANY PRIOR PERMITS

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.

For Office Use Only:
F.O. **1** GMD _____ Meets K.A.R. 5-3-1 (YES/NO) Use **IRR** Source **G/S** County **DP** By **ALB** Date **2/17/23**
Code **RE2** Fee \$ **300** TR # **PY00054157** Receipt Date **2/16/23** Check # _____

2/20/2023
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) **GEO CTR** One in the **NE** quarter of the **NW** quarter of the **SE** quarter of Section **33**, more particularly described as being near a point **2145** feet North and **1830** feet West of the Southeast corner of said section, in Township **3** South, Range **20 EAST, DONIPHAN** County, Kansas.
- (B) **ONE WELL** One in the **NW** quarter of the **NW** quarter of the **SE** quarter of Section **33**, more particularly described as being near a point **2145** feet North and **2125** feet West of the Southeast corner of said section, in Township **3** South, Range **20 EAST, DONIPHAN** County, Kansas.
- (C) **ONE WELL** One in the **NE** quarter of the **NW** quarter of the **SE** quarter of Section **33**, more particularly described as being near a point **2145** feet North and **1535** feet West of the Southeast corner of said section, in Township **3** South, Range **20 EAST, DONIPHAN** 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.

2/16/2023

6. The owner of the point of diversion, if other than the applicant is (please print):

PAUL C & MARY L JOHNSON 930 170TH RD BENDENA KS 66008
(name, address and telephone number)

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(name, address and telephone number)

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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 2-14, 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 **BATTERY OF 2 WELLS**
(number of wells, pumps or dams, etc.)
and WILL BE completed (by) **JULY 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 **JULY 2023**
(Mo/Day/Year)

- 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 **NOT APPLICABLE**

- 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. 2/16/2023

P/U – NEW APPLICATION

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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	<u>3-27-19</u>	_____	_____	_____
Total depth of well	<u>87'</u>	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	<u>11'</u>	_____	_____	_____
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 14 day of February, 2023.
(month) (year)



(Applicant Signature)

2/16/2023

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By _____
(Agent or Officer Signature)

KS Dept Of Agriculture

(Agent or Officer - Please Print)

Assisted by BRETT BUNGER TFO/ASST WATER COMMISSIONER Date: 2-14-23
(office/title)

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. _____

Name of Applicant (Please Print): DOUGLAS P JOHNSON

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: PAUL C & MARY L JOHNSON

ADDRESS: 930 170TH RD BENDENA KS 66008

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
33	3	20E	40	40	37	40													157

Landowner of Record NAME: CRAIG S JOHNSON

ADDRESS: 952 FRIENDSHIP RD BENDENA KS 66008

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
33	3	20E			1														1

Landowner of Record NAME: DOUGLAS P JOHNSON

ADDRESS: 936 170TH RD BENDENA KS 66008

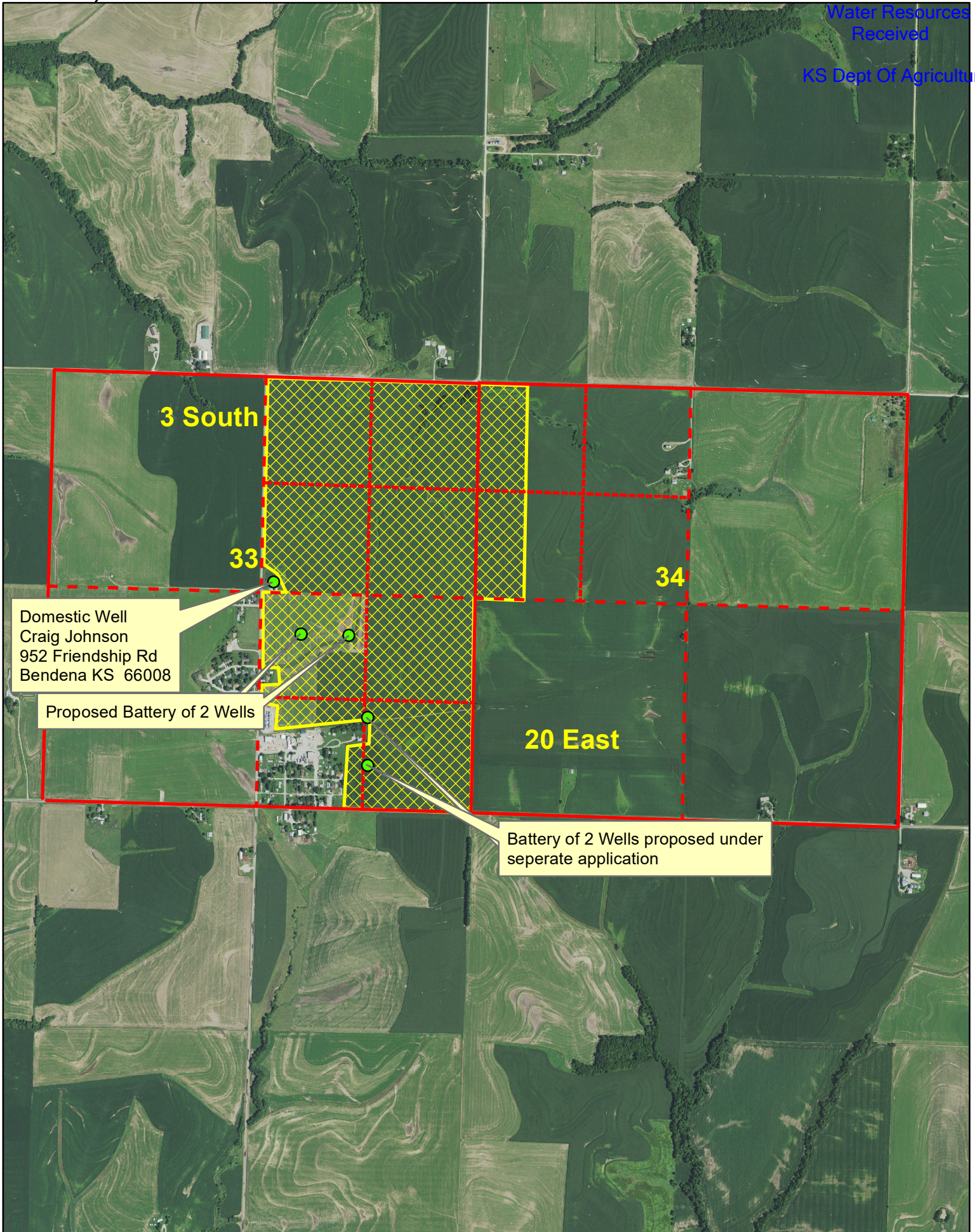
S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
33	3	20E												40	36.5	12	39.5	128	
34	3	20E					18	18										36	
																			TOTAL = 322 ACRES

1:18,000

New Application

2/16/2023

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KS Dept Of Agriculture



3 South

33

34

Domestic Well
Craig Johnson
952 Friendship Rd
Bendena KS 66008

Proposed Battery of 2 Wells

20 East

Battery of 2 Wells proposed under
seperate application

DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 50969

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
<u>62838</u>	<u>90093</u>	<u>2333</u>
<u> </u>	<u>90094</u>	<u> </u>
<u> </u>	<u>90095</u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

LANDOWNER PERSON ID & SEQ #	PUSE ID
<u>62838</u>	<u>71244</u>
<u> </u>	<u>71245</u>
<u>67133</u>	<u>71246</u>
<u> </u>	<u> </u>
<u>68870</u>	<u>71247</u>
<u> </u>	<u> </u>

**WATER USE CORRESPONDENT
PERSON ID & SEQ #**

<u> </u>
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<u> </u>
<u> </u>

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900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

February 21, 2023

DOUGLAS P JOHNSON
936 170TH RD
BENDENA KS 66008

RE: Application, File No(s). **50969**

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.

Kris Neuhauser
New Applications Lead
Water Appropriation Program

50969
Johnson Farms

3/29/24

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TH 18-02
N 39 44' 45.4"
W 95 10' 37.9"
N 39.745944
W-95.177194
0-5 no sample
5-22 silty clay brown
22-25 sandy clay light brown
25-35 silty clay light brown
35-37 silty clay very light brown
37-38 sandy clay brown hard
38-46 sand M-C brown clean
46-49 silty clay brown hard
49-65 silty clay gray
65-72 sand M-C brown clean
72-82 sand F-M brown clean
82-87 silty clay gray
87-88 sand C-VC gray
88-90 silty clay gray
90-94 sand VF
94-103 sand F-C gray
103-105 silty clay gray
105-116 shale gray
116 limestone

19-01 16" Cased
N 39 44' 45.4"
W 95 10' 37.9"
N 39.745944
W -95.177194
SWL 11'
0-5 no sample
5-22 silty clay brown
22-25 sandy clay light brown
25-35 silty clay light brown
35-37 silty clay very light brown
37-48 sand M-C brown clean
48-62 silty clay gray
62-82 sand M-C brown clean
82-87 silty clay gray

22-1 8" Cased
N 39 44' 45.8"
W 95 10' 44.6"
N 39.746056
W -95.179056
SWL 38'
0-5 no sample
5-22 silty clay grayish brown
22-37 silty clay light gray
37-45 silty clay light grayish brown
45-52 silty clay grayish brown
52-58 sandy clay grayish brown
58-67 sand M-C brown
67-71 sandy clay brown few sand layers
71 hard layer
71-79 silty clay brown
79-82 silty clay gray
82-94 sand F-M clean
94-104 silty clay gray
104-105 sand and gravel gray

105-109 silty clay gray
109-110 sand and gravel gray
110-111 silty clay gray
111-116 sand and gravel gray
116-122 silty clay gray
122-137 shale gray
137 limestone

3/29/24

Water Resources Received

KS Dept Of Agriculture

Johnson Farms 8" Cased 22-01

A 50969 NENWSE 6

A 50969 NENWSE 5

Johnson Farms 16" Cased 19-01 & TH 18-02

A 50969 NENWSE 7

Johnson Farms TH 18-06

A 50968 NWSESE 3

Johnson Farms TH 18-03

Miller Gregg

From: Bunger, Brett [KDA]
Sent: Fri 3/29/2024 7:35 AM
To: Neuhauser, Kris [KDA]
Subject: FW: records needed for well approval Files 50968 and 50969
Attachments: 50968 Johnson Logs.txt, 50968 Map.jpg, 50969 Johnson Logs.txt, 50969 Map.jpg

Kris, attached are the test hole logs you were looking for and some maps as an added bonus. Let me know if you need anything else.

Brett

-----Original Message-----

From: Keith Grimm <Keith@mwivalley.com>
Sent: Thursday, March 28, 2024 3:15 PM
To: Bunger, Brett [KDA] <Brett.Bunger@ks.gov>
Subject: FW: records needed for well approval Files 50968 and 50969

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

-----Original Message-----

From: Andy Halbert <andy@drill-well.com>
Sent: Thursday, March 28, 2024 2:58 PM
To: 'Ryan Eickhoff Drill-Well, LLC' <ryan@drill-well.com>
Cc: jfinc@rainbowtel.net; mwivalley@gmail.com
Subject: RE: records needed for well approval

Gentlemen,

Attached are four files. The two text files have the drilling logs and the two jpg files are the mapped locations.

If anyone needs anything else, let me know.

Thank you,

Andy

-----Original Message-----

From: Ryan Eickhoff Drill-Well, LLC [<mailto:ryan@drill-well.com>]
Sent: Thursday, March 28, 2024 7:36 AM
To: andy halbert
Subject: Fwd: records needed for well approval

----- Original Message -----

Subject: records needed for well approval
Date: 2024-03-27 15:40
From: JOHNSON FARMS INCJOHNSON AG JOHNSON FARMS INCJOHNSON AG <jfinc@rainbowtel.net>
To: ryan@drill-well.com
Cc: Keith Grimm <mwivalley@gmail.com>

Ryan,

Here is what I got from the state.

Doug

