

SEP 25 2024



State of Kansas

Submit To: CHIEF ENGINEER Division of Water Resources Kansas Department of Agriculture 1320 Research Park Drive Manhattan, KS 66502-5000 http://agriculture.ks.gov/dwr

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

KS DEPT OF AGRICULTURE

1:32 PM

STATUTORY FILING FEE MUST ACCOMPANY THIS APPLICATION Please refer to the Fee Schedule attached to this application form.

51323

File Number: \_\_\_\_\_

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

1. Name of Applicant: WILLIAM C. WINEINGER Address: 1405 N 16TH ST City: MARYSVILLE State: KS Zip Code: 66508 Phone: \_\_\_\_\_ Email: \_\_\_\_\_

NEEDS STREAM NAME

2. The source of water is: [x] surface water in TRIBUTARY TO JOY CREEK (LITTLE BLUE RIVER BASIN) (stream) [ ] groundwater in \_\_\_\_\_ (drainage basin)

3. The maximum annual quantity of water desired is 63 [x] acre-feet [ ] gallons to be diverted at a maximum rate of all [ ] gpm [ ] c.f.s. [x] natural flows [ ] natural evaporation [x] This project involves surface water storage and redirection. The maximum annual quantity of water desired to be rediverted is 63 [x] acre-feet [ ] gallons, at a rate of 1,200 [x] gpm [ ] c.f.s.

Conversion Factors

1 acre-foot (AF) = 325,851 gallons 1 million gallons (mg) = 3.07 acre-feet (AF) 1 cubic foot per second (c.f.s.) = 448.8 gallons per minute (gpm)

IMPORTANT: Once your application has been assigned a priority date and file number, the requested maximum rate of diversion and maximum requested annual quantity of water under that priority number can NOT be increased. Please be certain your requested maximum rate of diversion and maximum annual quantity of water are appropriate and reasonable for your proposed project.

4. The water is intended to be appropriated for the following use(s): [ ] Artificial Recharge\* [x] Irrigation\* [ ] Recreational\* [ ] Water Power\* [ ] Industrial\* [ ] Municipal\* [ ] Stockwatering\* [ ] Sediment Control [ ] Domestic [ ] Dewatering [ ] Hydraulic Dredging [ ] Fire Protection [ ] Thermal Exchange [ ] Contamination Remediation

\*IMPORTANT: You must submit a supplemental form providing information to substantiate your request for the quantity of water listed in Item No. 3 for the intended use(s) referenced above.

FOR OFFICE USE ONLY FO 1 GMD - DUA - Use IRR Source SW County WS By KJN Date 9/27/24 Code PEG Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 9/25/2024 Check # 51.50

SEP 25 2024

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File No. \_\_\_\_\_

5. The location(s) of the proposed diversion work(s) (well, pumpsite, etc.) are described below. Note that for the application to be accepted, the point of diversion location(s) **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. You can specify a nickname for the point of diversion via the A.K.A. line to help you identify it.

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 800gpm and which supply water to a common distribution system.

- (A) One in the SE quarter of the SE quarter of the NW quarter of Section 24, more particularly described as being near a point 3163 feet North and 2801 feet West of the Southeast corner of said section, in Township 1 South, Range 3 E W, WASHINGTON County, KS. A.K.A: PASTURE POND
- (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 \_\_\_\_\_ E W, \_\_\_\_\_ County, KS. A.K.A: \_\_\_\_\_
- (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 \_\_\_\_\_ E W, \_\_\_\_\_ County, KS. A.K.A: \_\_\_\_\_
- (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 \_\_\_\_\_ E W, \_\_\_\_\_ County, KS. A.K.A: \_\_\_\_\_
- (E) 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 \_\_\_\_\_ E W, \_\_\_\_\_ County, KS. A.K.A: \_\_\_\_\_

6. The proposed project for diversion of water will consist of one pond and re-diversion point  
(number of wells, pumps, dams, etc.)  
and was/will be completed on or by the following date: following approval  
(date each was or will be completed)

7. The first actual application of water for the proposed beneficial use was or is estimated to be following approval  
(Date)

8. List any application, appropriation of water, water right, or vested right file number that covers the same point(s) of diversion 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.

No existing water rights overlap this point of diversion or place of use. Upon successful development of this project, a subsequent application may be submitted for a separate pond point of diversion which will provide additional water to the proposed place of use.

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 DWR prior to submitting this application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you made an application for a permit for construction of this dam and reservoir with DWR?  Yes  No

If yes, write the Water Structures permit number here: DWS-142 (non-jurisdictional)

11. Furnish a detailed topographic or aerial map that depicts the following information:

The application **must** be supplemented by a topographic map, aerial photograph or a detailed plat showing the information described in A-D below.

- (A) The center of the section, the section lines or the section corners, and labels showing the appropriate section, township and range numbers, as well as a north arrow and scale,
- (B) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) described in Item No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section,
- (C) The location of the proposed place of use identified by crosshatching,
- (D) **For Groundwater Use**, the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells and indicate for each well its type of use and the name and mailing address of the property owner or owners, (If there are no wells within 1/2 mile, please indicate that on the map.)

**For Surface Water Use**, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines, and

- (E) The locations of proposed or existing dams, dikes, reservoirs, canals, pipelines, power houses, and any other structures for the purpose of storing, conveying, or using water.

12. For groundwater use, furnish copies of the driller's logs for all test holes or completed wells. Please ensure that the driller's logs provide depth to the static water level. If driller's logs cannot be obtained for an existing well, provide the following information:

Well location as shown in Item No. 5	(A)	(B)	(C)	(D)	(E)
Date drilled	_____	_____	_____	_____	_____
Total depth of well	_____	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____	_____

13. The owner(s) of the point of diversion, if other than the applicant is:

CARL & JUNE WINEINGER REV TR 2609 RAINBOW RD HOLLENBERG KS 66946

(name, address, and phone)

(name, address, and phone)

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

CARL & JUNE WINEINGER REV TR 2609 RAINBOW RD HOLLENBERG KS 66946

(name, address, and phone)

15. The relationship of the applicant to the proposed place where the water will be used is that of:

Owner     Agent     Tenant     Other: Farm Manager

16. A water use correspondent (WUC) must be designated. The WUC will be mailed the annual water use report, which must be filed with the Division by March 1 of each year. Failure to timely file an accurate water use report will subject the owner(s) to a civil fine of up to \$1,000 and potential suspension of the water appropriation or right. By signing this application, I verify that the owner(s) of the water right or permit have confirmed that the following person or agent should be designated as the WUC:

### Applicant

(name, address, and phone)

17. I 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. This could affect the economics of my decision to appropriate water. Situations where this might occur may include times when minimum desirable streamflow (MDS) requirements are not met, when Assurance District or Water Marketing releases are made from storage in federal reservoirs, when a Water Reservation Right upstream of a federal reservoir is administered, or when water rights administration becomes necessary to prevent impairment.

I declare, under penalty of perjury, that I have legal access to or control of, the point(s) of diversion described in this application from the landowner or the landowner's authorized representative.

By signing below, I verify that the information set forth above is true to the best of my knowledge, I agree with all statements made above, and that this application is submitted in good faith.

William C. Wineinger  
(Applicant Signature)

9-22-2024  
(Date)

William C. Wineinger  
(Applicant Name – please print)

Agent - Farm Manager  
(Applicant Title, if applicable – please print)

Assisted by Lloyd Hemphill

TFO/ES

(office/title)

Date: 7/22/2024

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**FEE SCHEDULE**

Make checks payable to the Kansas Department of Agriculture.

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic, waterpower, dewatering, or sediment control use, shall be (see No. 2 below if requesting storage):

Million Gallons (mg)	Acre-Feet (AF)	Fee
≤ 32.585	≤ 100	\$200.00
32.586 - 104.272	100.1 – 320.0	\$300.00
> 104.272	> 320	\$300.00 plus \$20 for each additional 100AF (32.586mg) or any part thereof

2. The fee for an application in which **storage** of water is requested, except for domestic use, shall be:

Million Gallons (mg)	Acre-Feet (AF)	Fee
≤ 81.462	≤ 249.9	\$200.00
≥ 81.463	≥ 250	\$200.00 plus \$20 for each additional 100AF (32.586mg) 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.

3. The fee for an application for **waterpower** or **dewatering** use shall be \$100.00 plus \$200.00 for each 44,880 gallons per minute (100 c.f.s.), or part thereof, of the diversion rate requested.

**IMPORTANT NOTICE**

If this application is approved, the applicant shall notify the Chief Engineer when the diversion works (well, pump, reservoir, pit, etc.) has/have been completed via the *Notice of Completion of Diversion Works* form (DWR 1-203.11) and along with the statutorily required field inspection fee of:

- \$200.00 for sediment control use or groundwater pits for industrial use, or
- \$400.00 for all other uses made of water

Failure to complete the diversion works by the deadline specified in the *Approval of Application and Permit to Proceed* (or any subsequent extension of time of said deadline) and/or failure to submit the proper notice and field inspection fee will result in the dismissal of the appropriation and forfeiture of any priority associated with it.

**For assistance with this application, please contact the Division of Water Resources (DWR).**

**Manhattan HQ**  
1320 Research Park Dr.  
Manhattan, KS 66502  
785-564-6638

**Topeka Field Office**  
1131 SW Winding Rd, Ste 400  
Topeka, KS 66615  
785-296-5733

**Stafford Field Office**  
300 S. Main St  
Stafford, KS 67578  
620-234-5311

**Stockton Field Office**  
820 S. Walnut  
Stockton, KS 67669  
785-425-6787

**Garden City Field Office**  
4532 W. Jones Ave, Ste B  
Garden City, KS 67846  
620-276-2901

**Helpful Sources of Information**

DWR Water Appropriation Program  
DWR Water Appropriation Forms  
KGS Water Well Completion Records  
DWR Structures Program

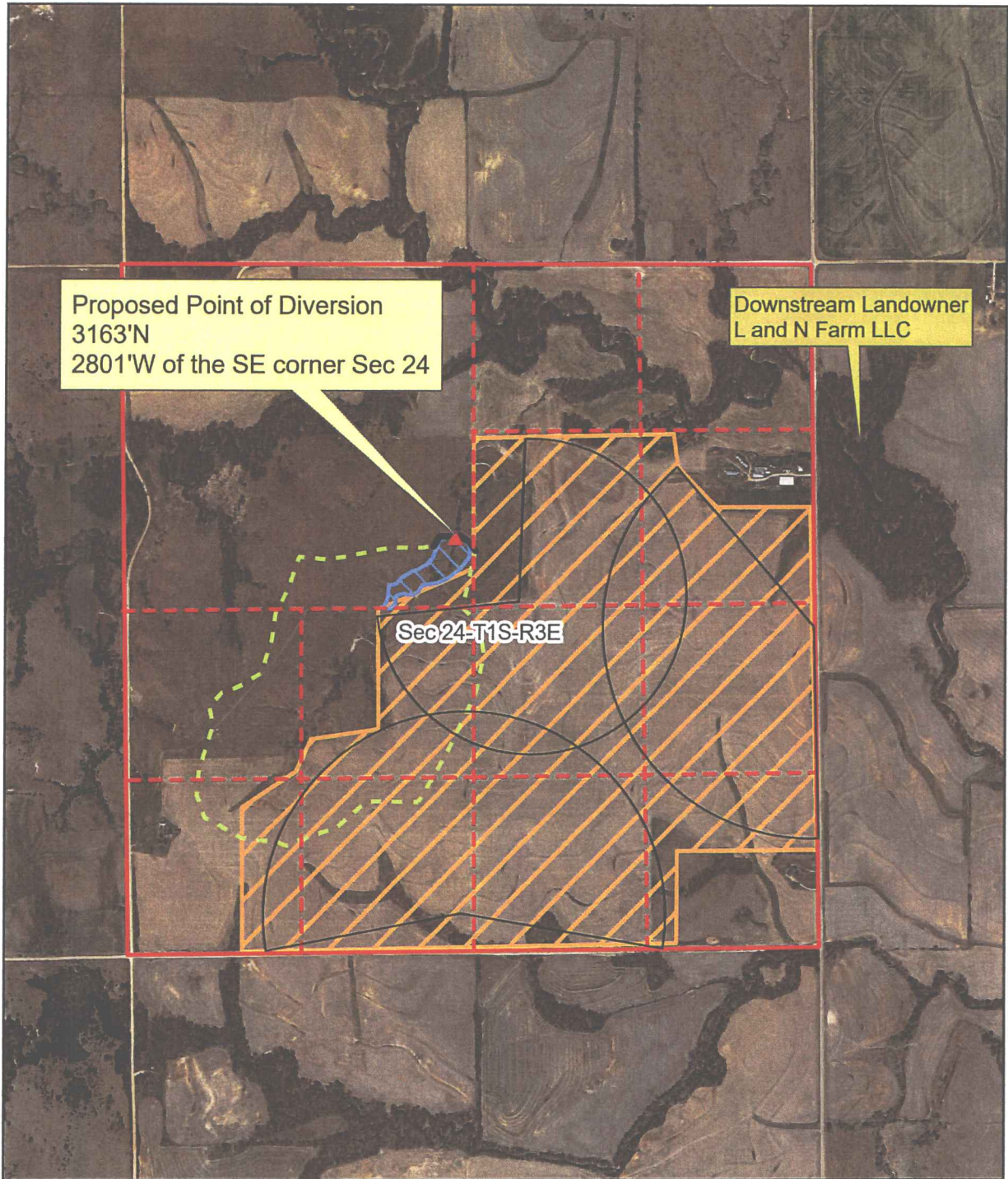
<https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation>  
<https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-appropriation-forms>  
<https://www.kgs.ku.edu/Magellan/WaterWell/index.html>  
<https://agriculture.ks.gov/divisions-programs/dwr/dam-safety/permit-requirements>

SEP 25 2024

# NEW APPLICATION - IRRIGATION USE

## Washington County, KS

KS DEPT OF AGRICULTURE



Drainage Area      Proposed Place of Use  
Pasture Pond



Scale: 1:14,000  
0      0.13      0.25      0.5 Mile

Map prepared by: LHH/TFO 7-23-2024

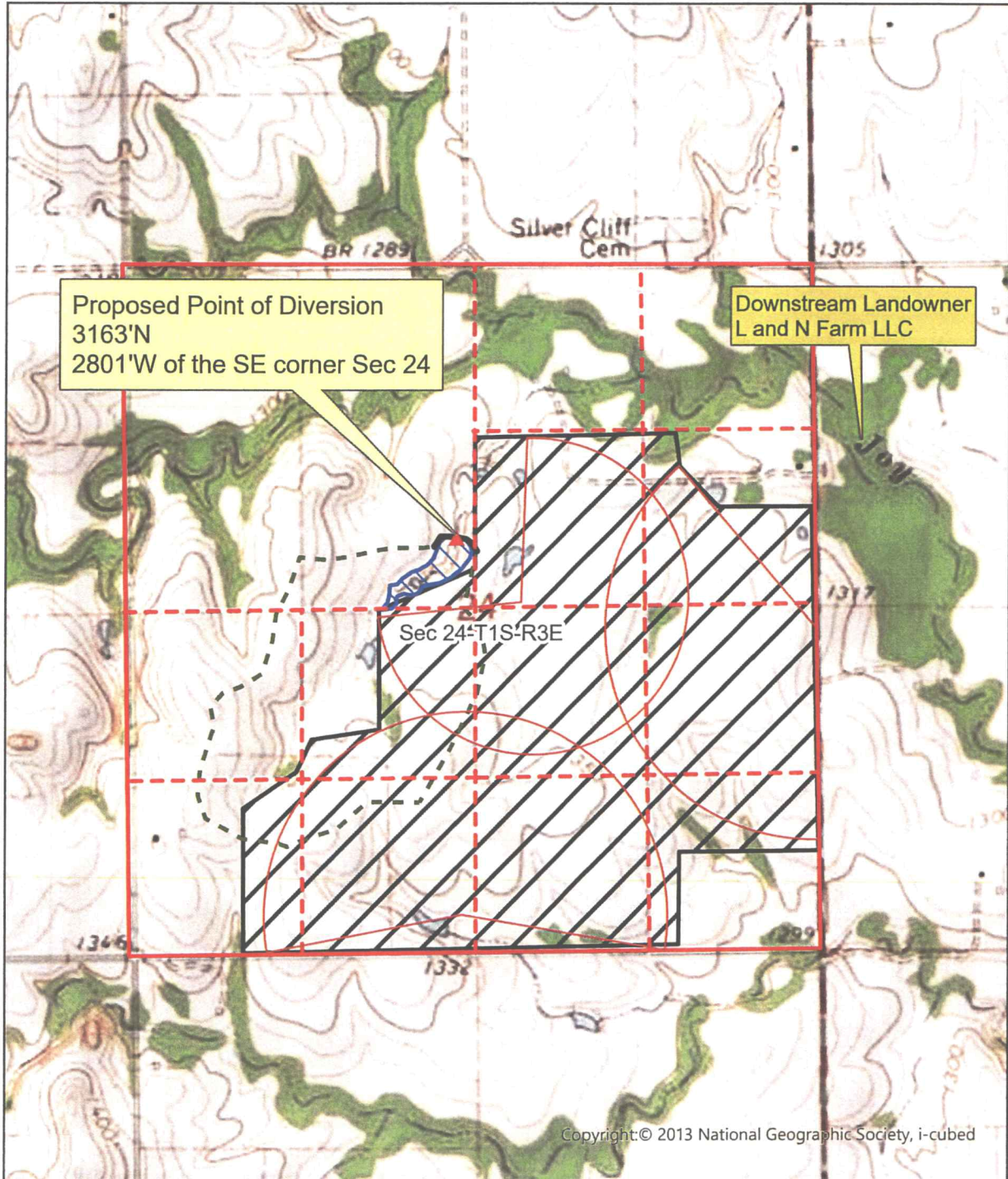
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# NEW APPLICATION - IRRIGATION USE

## Washington County, KS



Drainage Area  
 Pasture Pond

Proposed Place of Use



Scale: 1:14,000

0 0.13 0.25 0.5 Mile

Map prepared by: LHH/TFO 7-23-2024

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**IRRIGATION USE  
SUPPLEMENTAL SHEET**

KS DEPT OF AGRICULTURE

File No. \_\_\_\_\_

Name of Applicant (Please Print): WILLIAM WINEINGER

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: CARL & JUNE WINEINGER REV TR

ADDRESS: 2609 RAINBOW RD HOLLENBERG KS 66946

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24	1S	3E			40	27					26		13	40	40	40	40	22	288

**Landowner of Record** NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

**Landowner of Record** NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	



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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

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

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

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

- Center pivot      \_\_\_\_\_ Center pivot - LEPA      \_\_\_\_\_ "Big gun" sprinkler  
 Gravity system (furrows)      \_\_\_\_\_ Gravity system (borders)      \_\_\_\_\_ Sideroll sprinkler

Other, please describe: \_\_\_\_\_

d. System design features:

i. Describe how you will control tailwater: none anticipated

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: STANDARD CROPS

*Corn & Soybeans*

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). SOIL MOISTURE & PLANT STRESS

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

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## Upstream and downstream landowners within ½ mile of project property

### Upstream

The drainage area does not extend above the project property.

### Downstream

The project property includes all land to the main stem of Joy Creek

Next downstream landowner is:

L and N Farm LLC  
Attn: Vickie Gannon  
78 E Saint Cloud PL  
Wichita, KS 67230

## Quantity Justification

Requested Direct Use Quantity: 63 acre-feet

Requested Storage Quantity: 63 acre-feet

Estimated pond capacity = 13.5 acre-feet = 14 ft max depth X 2.9 acre surface area X 0.33

Potential evaporation = 16 in/yr X 2.9 ac. = 3.9 AF

Potential Annual Runoff = 63 acre-feet

Precipitation: 31 inches

Drainage area: 81 acres

Soil cover complex number: 76

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