

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



State of Kansas

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

11/12/2024, 10:08 AM

File Number: **51355**

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

Water Resources
Received

KS Dept Of Agriculture

1. Name of Applicant: Maple Leaf Holdings LLC
Address: 3125 Jackrabbit RD
City: Hiawatha State: KS Zip Code: 66434
Phone: 785-741-0927 Email: bradunruh1988@gmail.com

NEEDS STREAM NAME

11/12/2024
KJN

2. The source of water is: surface water in UNAMED TRIBUTARY (stream)
 groundwater in Walnut Creek (drainage basin)

3. The maximum annual quantity of water desired is 58.08 acre-feet gallons
to be diverted at a maximum rate of ALL NAT FLOWS gpm c.f.s. natural flows natural evaporation
 This project involves surface water storage and redirection. The maximum annual quantity of water desired to be
rediverted is 40 acre-feet gallons, at a rate of 800 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* 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							
Code	FO <u>1</u>	GMD <u>-</u>	DUA <u>-</u>	Use <u>IRR</u>	Source <u>SW</u>	County <u>BR</u>	By <u>KJN</u> Date <u>11/12/24</u>
Fee \$	<u>200</u>	TR #	<u>PY2411D4L75</u>	Receipt Date	<u>11/12/2024</u>	Check #	

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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 ^{SW} quarter of the ^{SW} quarter of the ^{SW} quarter of Section 14, more particularly described as being near a point 70 feet North and 1585 feet West of the Southeast corner of said section, in Township 2 South, Range 16E E W, Brown County, KS. A.K.A: _____
- (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 1 dam
(number of wells, pumps, dams, etc.)
and was/will be completed on or by the following date: April 2025
(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 April 2025
(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.
None

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: _____

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:

APPLICANT

(name, address, and phone)

(name, address, and phone)

11/12/2024

DocuSign Envelope ID: 48C71BF4-CA76-4E04-A663-D417F2D30AEB

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

(name, address, and phone)

(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: _____

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.

DocuSigned by:

(Applicant Signature)

11/6/2024
(Date)

Bradley D Unruh

(Applicant Name – please print)

Member

(Applicant Title, if applicable – please print)

Assisted by Darcy Nightingale _____

MWI LLC _____
(office/title)

11/5/2024
Date: _____

FEE SCHEDULE

Make checks payable to the Kansas Department of Agriculture.

- 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

- 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.

- 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 <https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation>
- DWR Water Appropriation Forms <https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-appropriation-forms>
- KGS Water Well Completion Records <https://www.kgs.ku.edu/Magellan/WaterWell/index.html>
- DWR Structures Program <https://agriculture.ks.gov/divisions-programs/dwr/dam-safety/permit-requirements>

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. _____

Name of Applicant (Please Print): Maple Leaf Holdings LLC

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: Maple Leaf Holdings LLC

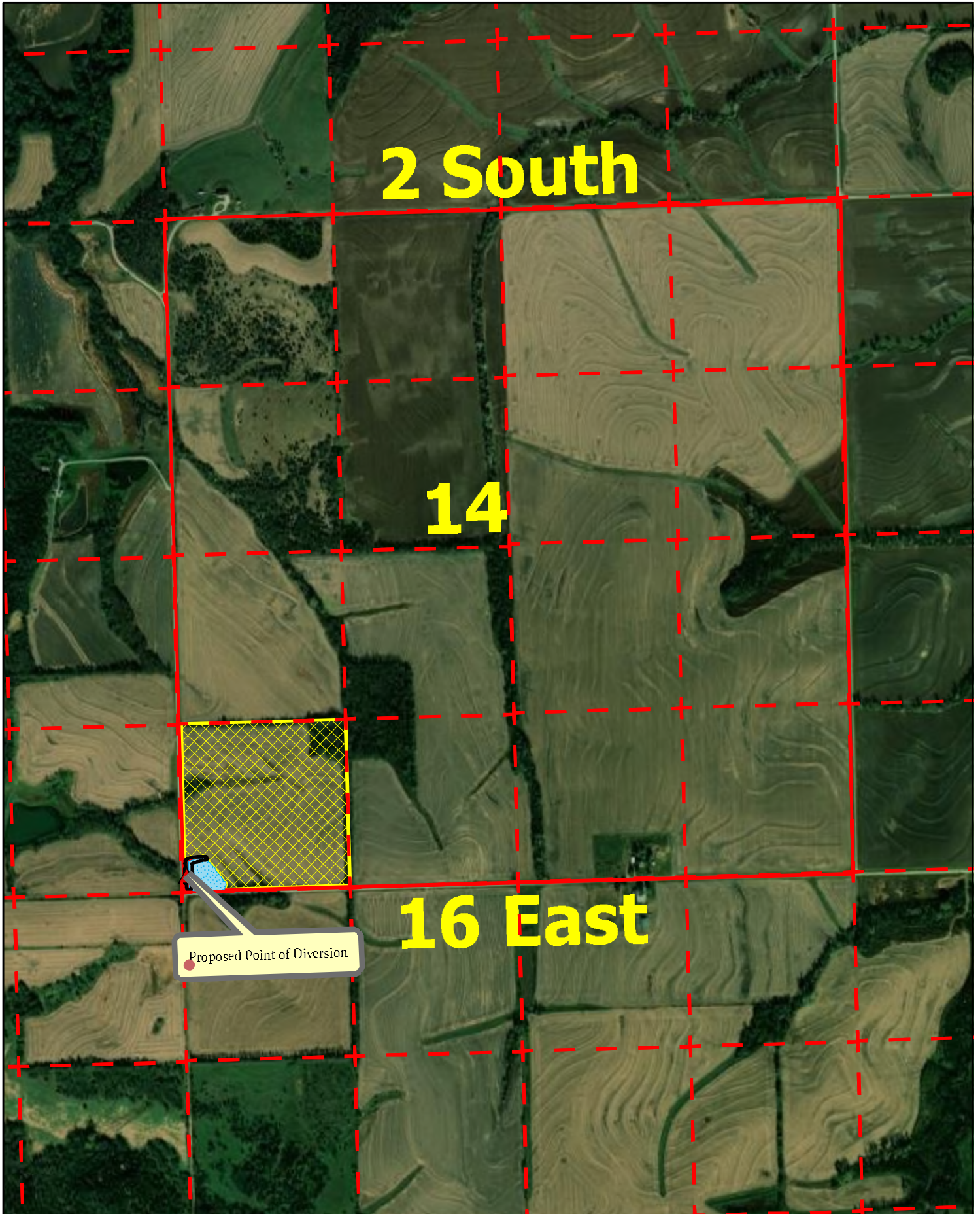
ADDRESS: 3125 Jackrabbit RD Hiawatha, Kansas 66434

S	T	R	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14	2	16E																	37



1:15,000

APP Map



2 South

14

16 East

Proposed Point of Diversion

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PDFs
Mean Annual Precipitation
Soil Cover Complex

Mean Annual Precip, in	37
Soil Cover Complex No.	80
Drainage Area, acres	52
Runoff at 20% Chance, AF	75.66

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

Std. Dev. 90%	1.33
Std. Dev. 80%	1.30
Avg	1.32

%Chance Firm	Runoff, in	Comp. Runoff, in
50%	5.76	5.76
80%	1.92	1.90
90%	1.04	1.06
20%		17.46

Mean annual runoff for CN = 80, inches	9.05
Mean annual runoff for CN = 85, inches	10.04
Interp. Mean annual runoff for CN = 80, inches	9.05

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STORAGE CALCULATIONS

TOTAL RESERVOIR CAPACITY =	17 AF
DIRECT USE =	40 AF
TOTAL RESERVOIR SURFACE AREA =	1.3 ACRES
1 YEAR NET EVAPORATION =	1.3 ACRES X 10"/12" = 1.08333 AF
STORAGE =	40 AF+ 17 + 1.0833 = 58.0833 AF

UPSTREAM AND DOWNSTREAM LANDOWNERS

Upstream -

#1) Roger Hinton
2929 Horned Owl RD
Hiawatha, KS 66434

David PFister
PO Box 234
Hiawatha, KS 66434

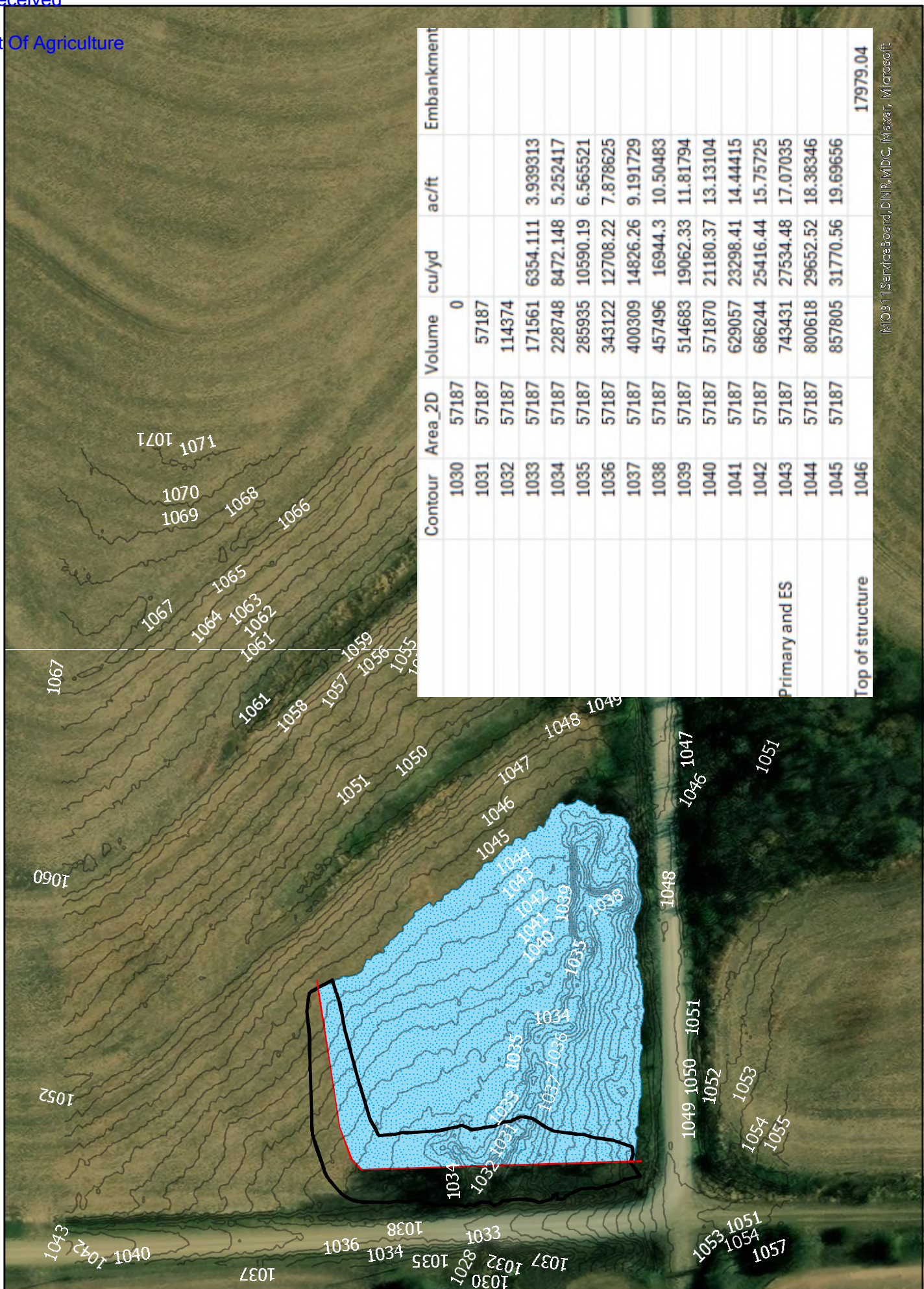
Downstream -

#1 Jeremy Schuetz
2246 US 73 HWY
Hiawatha, KS 66434

Virgil J & Lois A Wiltz Family Trust
2250 US 73 HWY
Hiawatha, KS 66434

Brad Unruh Pond Table

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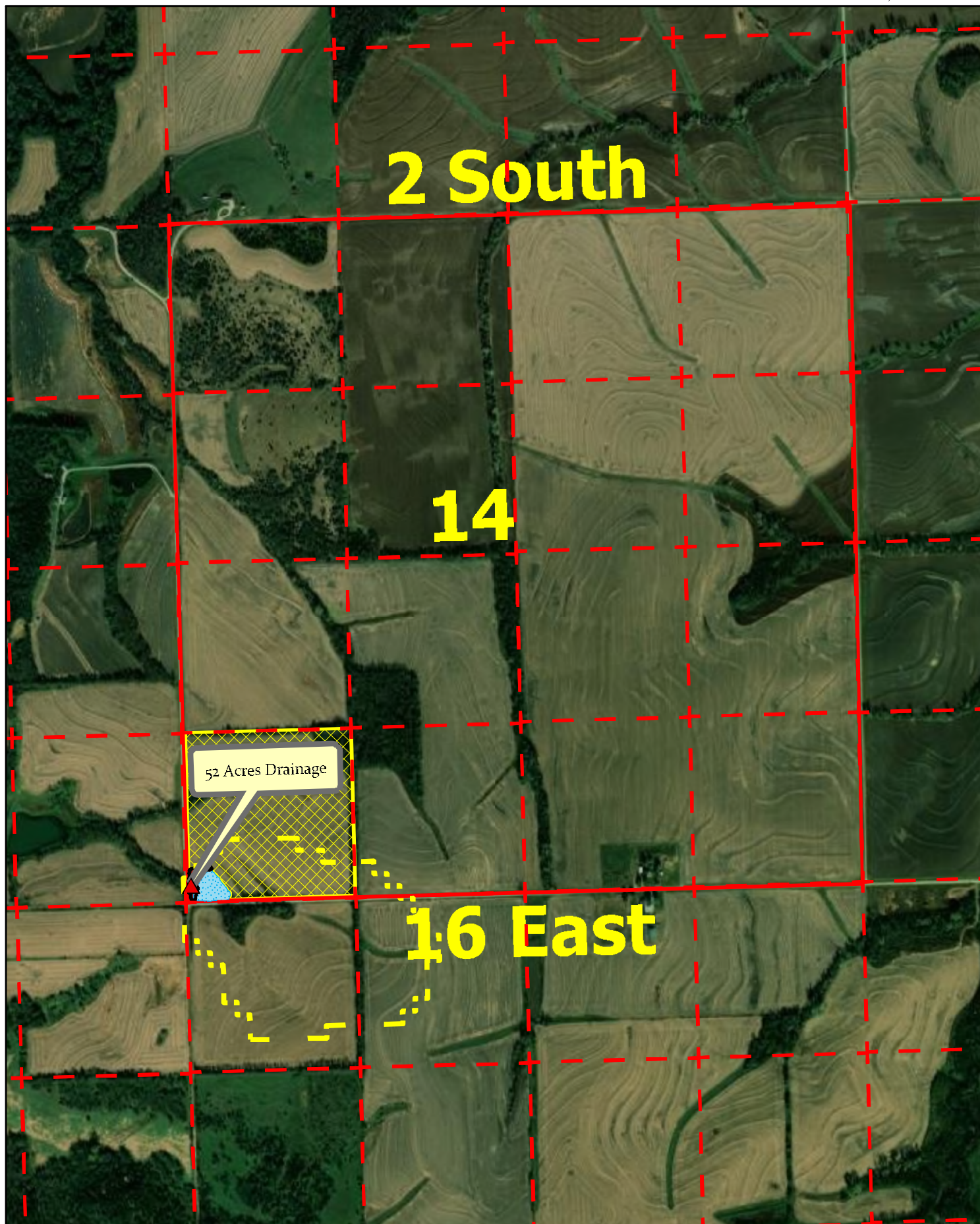


Contour	Area_2D	Volume	cu/yd	ac/ft	Embankment
1030	57187	0			
1031	57187	57187			
1032	57187	114374			
1033	57187	171561	6354.111	3.939313	
1034	57187	228748	8472.148	5.252417	
1035	57187	285935	10590.19	6.565521	
1036	57187	343122	12708.22	7.878625	
1037	57187	400309	14826.26	9.191729	
1038	57187	457496	16944.3	10.50483	
1039	57187	514683	19062.33	11.81794	
1040	57187	571870	21180.37	13.13104	
1041	57187	629057	23298.41	14.44415	
1042	57187	686244	25416.44	15.75725	
1043	57187	743431	27534.48	17.07035	
1044	57187	800618	29652.52	18.38346	
1045	57187	857805	31770.56	19.69656	
1046					17979.04
Primary and ES					
Top of structure					



1:15,000

Drainage Map



2 South

14

52 Acres Drainage

16 East

MWI, LLC

11/12/2024

PREPARED BY:

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Darcy Nightingale

KS Dept Of Agriculture

Please copy any applicant correspondence to the email and address below:

1215 Oregon St.
Hiawatha, KS 66534
785-285-8065
Darcy@mwivalley.com



Maple Leaf Holdings LLC



MWI, LLC