

Kansas Department of Agriculture
Division of Water Resources
PERMIT OF NEW APPLICATION WORKSHEET

1. File Number: <p style="text-align: center; font-size: 1.2em;">49,273</p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;">8/9/2017</p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">02</p>	4. GMD: <p style="text-align: center; font-size: 1.2em;">0</p>
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5. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

6. Enclosures: Check Valve N of C Form Water Tube Driller Copy Meter

<p>7a. Applicant(s)* New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID 36242 Add Seq# _____</p> <p>DOUGLAS E HISKEN 1459 E 60TH AVE N BELLE PLAINE KS 67013-8258</p>	<p>7c. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p>
<p>7b. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p> <p>7a.</p>	<p>7d. Misc. New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p>

<p>8. WUR Correspondent New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p> <p>Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: right;">Notarized WUC Form <input type="checkbox"/></p> <p>7a.</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>
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10. Completion Date: 12/31/2018 11. Perfection Date: 12/31/2022 12. Exp Date: _____

13. Conservation Plan Required? Yes No Date Required: _____ Date Approved: _____ Date to Comply: _____

14. Water Level Measuring Device? Yes No Date to Comply: _____ Date WLMD Installed: _____

Date Prepared: **7/17/2017** By: **DWS**
Date Entered: **8/10/2017** By: **UM**

File No. **49,273** 15. Formation Code: 113 Drainage Basin: Ninescah River County: SU Special Use: Stream:

16. Points of Diversion

MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
MOD	83987			SW NE NE	21	31	2E	10	4016	1210

17. Rate and Quantity **MOD QTY AND RATE**

Authorized		Additional		Overlap PD Files
Rate gpm	Quantity af	Rate gpm	Quantity af	
50	15	50	15	None

18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

20. Meter Required? Yes No To be installed by **12/31/2018** Date Acceptable Meter Installed _____

21. Place of Use

MOD	DEL	ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
								NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
MOD	66658			21	31	2E	4	15															15	7a.	No	NONE	

Comments: *Spec. Cond: 15 AF exemption*

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: July 17, 2017

FROM: Doug Schemm

RE: Application File No. 49,273

Douglas E. Hisken has filed the above referenced new application proposing to appropriate 15 acre-feet of groundwater at a diversion rate of 50 gallons per minute for irrigation use. Please note that the initial application had requested 169 acre-feet at a diversion rate of 800 gallons per minute. However, the application failed safe yield, and the applicant requested the application be reduced to 15 acre-feet and 50 gpm in order to meet the criteria for safe yield exemption. Per K.A.R. 5-3-16, if an application meets all other criteria for processing, is requesting up to 15 acre-feet, and the maximum rate of diversion does not exceed 50 gallons per minute, it is exempt from meeting safe yield. The pending application complies with these exemption criteria. The place of use was reduced to 15 acres and the well was slightly relocated. There are no other water rights overlapping the point of diversion or place of use. The proposed acreage is entirely owned by the applicant, and he has signed the application form stating he has legal access to the point of diversion.

In 2004 the United States Geological Survey (USGS) completed a hydrologic model of a portion of the Arkansas River and associated drainage basins (Ninnescah River), generally bounded by Ranges 2 West to 3 East and Townships 26 South to 34 South (near state line). The USGS model indicated that the aquifer in this area receives more recharge from precipitation than DWR has historically used in safe yield calculations. The data and analyses are detailed in the USGS Scientific Investigations Report 2004-5204 entitled "Characterization and Simulation of Flow in the Lower Arkansas River Alluvial Aquifer, South-Central Kansas". In order to evaluate the potential impact of this study on our safe yield calculations, DWR suspended processing applications for new appropriations of water in the model area.

DWR staff completed an evaluation of the USGS model and determined that the precipitation recharge value of 5.4 inches per year that is used in the USGS model is reasonable and appropriate. In order to reserve water in the alluvial aquifers that can contribute to base flow to area streams and for domestic use, it was determined that 75 percent of the 5.4 inches of precipitation recharge shall be available for appropriation. This is consistent with safe yield appropriation in many other basins across the state, and is the current percent available in for all applications in the Ninnescah River drainage basin. Therefore, for all pending applications within the model area, safe yield will be evaluated using the standard methodology in K.A.R. 5-3-11, which is based on the extent of the unconfined aquifer (area of consideration), a Potential Annual Recharge value of 5.4 inches, and a percent of recharge available for appropriation of 75%. Current annual recharge across the model area is approximately 3 inches.

Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile circle radius of the point of diversion, which establishes the area of consideration. For this application, the area of consideration (alluvial aquifer) provided an area of consideration of 7,869 acres, with a potential annual recharge of 5.4 inches, and 75% of recharge available for appropriation, safe yield was determined to be 2,655.79 acre-feet. Existing water rights have appropriated 3,849.80 acre-feet, providing no water available for appropriation. A letter was sent to the applicant on September 29, 2016 explaining the safe yield calculation, and as noted above, the applicant subsequently requested the application be processed as an exemption to safe yield criteria.

The applicant did not initially identify any nearby domestic wells within one-half mile of the proposed well. However, after further review it was determined that there were two domestic wells within ½ mile, and nearby letters were sent out on June 28, 2017. A letter was received from one of the domestic well owners with several concerns, but it did not provide any specific issues related to impairment of his domestic right. According to the WRIS database, the nearest non-domestic well is over 2,700 feet away. The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be one-quarter mile to all other non-domestic wells and 660 feet to domestic wells.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. A water level measurement tube is not required because the rate of diversion cannot exceed 100 gpm.

In a July 17, 2017 e-mail, Jeff Lanterman, Water Commissioner, Stafford Field Office, stated that the referenced application should be approved.

Based on the above discussion, that the area is open to new appropriations for groundwater, the proposed appropriation of water complies with the criteria in K.A.R. 5-3-16 for a 15 acre-feet exemption and all other criteria, and there is no evidence that senior rights will be impaired, it is recommended that the referenced application be approved.

Doug Schemm
Environmental Scientist
Topeka Field Office

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 11, 2017

DOUGLAS E HISKEN
1459 E 60TH AVE N
BELLE PLAINE KS 67013-8258

FILE COPY

Re: Appropriation of Water, File No. 49,273

Dear Mr. Hisken:

There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approval documents, with specific reference to **Paragraph No. 4, which states you cannot exceed 50 gallons per minute pumping rate, and you cannot exceed 15 acre-feet of water.** A water meter is required on the proposed diversion works and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00. There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:dws
Enclosures

pc: Stafford Field Office

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**

(This is not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,273** of the applicant

**DOUGLAS E HISKEN
1459 E 60TH AVE N
BELLE PLAINE KS 67013-8258**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **February 2, 2015**.

2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
21	31S	2E	15																15

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Southwest Quarter of the Northeast Quarter of the Northeast Quarter (SW¼ NE¼ NE¼) of Section 21, more particularly described as being near a point 4,016 feet North and 1,210 feet West of the Southeast corner of said section, in Township 31 South, Range 2 East, Sumner County, Kansas, located substantially as shown on the topographic map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **50 gallons per minute** (0.11 c.f.s.) and to a quantity not to exceed **15 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2018**, or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$400.00, when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2022**, or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.
8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.
9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.
10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.
11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.
12. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).
13. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.
14. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.
15. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.
16. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.
17. That the applicant shall submit to the Chief Engineer a copy of the well log required by the Kansas Department of Health and Environment under the authority of K.S.A. 82a-1212, currently form WWC-5, within 30 days following the drilling of the well at the location authorized herein.

CERTIFICATE OF SERVICE

On this 11th day of August, 2017, I hereby certify that the foregoing Approval of Application, File No. 49,273, dated August 9, 2017 was mailed postage prepaid, first class, US mail to the following:

DOUGLAS E HISKEN
1459 E 60TH AVE N
BELLE PLAINE KS 67013-8258

With photocopies to:

Stafford Field Office

A handwritten signature in cursive script that reads "Daniell Wilson". The signature is written in black ink and is positioned above a solid horizontal line.

Division of Water Resources

APPLICATION COMPLETE
7/18/2017
Reviewer DWS

THE STATE OF KANSAS



WATER RESOURCES RECEIVED

NOV 04 2016

KS DEPT OF AGRICULTURE

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49273
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED
SCANNED

FEB 02 2015

1:42
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 E Hisken
Address: 1459 E 60th Ave N
City: Belle Plaine, KS State KS Zip Code 67013
Telephone Number: (620) 326-0543

2. The source of water is: surface water in _____ (stream)
OR groundwater in Ark/Ninnescah (drainage basin)

*BAT/DWR
2-3-15

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 169 acre-feet OR _____ gallons per calendar year,
to be diverted at a maximum rate of 50-800 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
 - (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. 2 GMD 0 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source @/S County SU By KAG Date 2-3-15
Code RE-2 Fee \$ 300 TR # _____ Receipt Date 2-3-15 Check # 10727

DWR 1-100 (Revised 06/16/2014)

*Reduced Quantity of water and Rate to comply with 15 AF Exemption. DWS/DWR 2/11/15

2/3/2015 UN

SCANNED

* Revised well location per discussion with applicant (see Revised Site map). DWS/DWR 2/9/17

File No. 49273

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~~ ^{SE} quarter of the ~~SW~~ ^{SE} quarter of the ~~NE~~ ^{NE} quarter of Section 21, more particularly described as being near a point ~~3926~~ ⁴⁰¹⁶ feet North and ~~1261~~ ¹²¹⁰ feet West of the Southeast corner of said section, in Township 31S South, Range 2E East/West (circle one), Sumner 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):

~~AAA~~ Douglas E Hicken 1459 E 60th Ave N
(name, address and telephone number)
Belle Plaine KS 67013 7620 326 0543
(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 Jan 29, 2015. Douglas E Hicken
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 4 _____ (number of wells, pumps or dams, etc.)

and (was) (will be) completed (by) 1/1/2016 (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 6/16 (Mo/Day/Year)

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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 _____

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

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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	_____	_____	_____	_____
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):

Douglas E Hisher 1459 E 60th Ave N, Belle Plaine, KS 67013
(name, address and telephone number) 620 326 0543

(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 ~~1/29/15~~, Kansas, this 29 day of January, 2015.
Belle Plaine (month) (year)

Douglas E Hisher
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by _____ Date: _____
(office/title)

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KS DEPT OF AGRICULTURE

* Revised to 15 Acre Place of Use based on Reduction in Quantity to 15 AF (Small use Exemption). See Revised Site map. DWS / DWR 2/9/2017.

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. 49273

Name of Applicant (Please Print): Douglas E Hisken

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: Douglas E Hisken
ADDRESS: 1459 E 60th Ave N, Belle Plaine, KS 67013

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21	31	2E	32.5	32.5	32.5	32.5												130	
*	21	31	2E	15														15 *	

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	

Schemm, Doug

From: Lanterman, Jeff
Sent: Monday, July 17, 2017 11:29 AM
To: Schemm, Doug
Cc: Conant, Cameron
Subject: FW: 49273 Hisken----NEARBY LETTER DID COME
Attachments: 49273 Memo to File.docx; 49273 map.jpg; 20170713144005501.pdf

Doug.

I don't have any objections to approval of this application now.

Thanks

Jeff

From: Conant, Cameron
Sent: Thursday, July 13, 2017 3:32 PM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Subject: FW: 49273 Hisken----NEARBY LETTER DID COME

Jeff, a nearby letter did come. Topeka must have an odd mail system, the letter was mailed on July 1 and it just now ended up on Doug's desk. Regardless, we do have a letter from a nearby landowner. I've read the letter and it outlines several issues this landowner has with the proposal. That said, spacing is met by a wide margin (domestic is over 2,000' away), this was just an effort to notify nearby wells. The letter provides no evidence of potential impairment nor does it even address potential impairment from a quality/quantity standpoint. This is a 15AF permit at 50gpm for an orchard covering up to 15 acres.

I feel better now that we have notified all nearby wells but the letter we received does not change my recommendation to you to recommend approval of this.

Cameron

From: Conant, Cameron
Sent: Thursday, July 13, 2017 10:46 AM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Subject: FW: 49273 Hisken

Jeff, please see the full review below. Doug researched a bit more and has sent two nearby letters to the domestic owners shown on the attached map. The nearby comment period has ended with no response from the 2 nearby owners who were recently notified.

I don't know a ton about orchards. I think Doug said he went with 15 acres to give the applicant some flexibility on where to actually locate the orchard since the orchard was not the applicants original project (applicant wanted a full irrigation right but didn't meet SY). A possible orchard was an after-the-fact revision to the application.

If you are good with 15AF on potentially 15 acres of orchard in Sumner County (reasonable Q map shows 11.5 acres), please pass this on to Doug for approval.

Cam

From: Conant, Cameron
Sent: Monday, June 26, 2017 2:09 PM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Subject: FW: 49273 Hisken

Jeff, the original application was for a full irrigation right. The app didn't meet SY, so the owner/applicant has revised it to a 15AF small use exemption. It is the only exemption in the 2 mile circle. The owner may do an orchard covering the proposed place of use of 15 acres. The rate has been reduced from 800gpm down to 50gpm.

The revised application is not in docuware, so I can't see the new, reduced p/u and the final p/d location, but Doug's memo indicates spacing is met to all nearby wells including domestic and the aerial photo confirms there are likely no issues with minimum spacing. Also, this is basically an additional domestic well in the area at 50gpm, so with spacing being met there really shouldn't be impairment concerns. That said, we do have some concern about notifying all nearby wells w/in ½ mile. Doug is going to contact the applicant and confirm that the home directly North and directly NE do not have domestic wells (the application indicated there were no nearby domestic wells and it was signed by the applicant)—see attached rough map.

As the revised application is not in Docuware, I can't see any test logs, but other irrigation wells in this section are drilled to shale at 48-57' and have a SWL of 12-14'. Those logs show decent medium sand/gravel starting at 18'-28' down to the shale.

I think this 15AF exemption can be recommended for approval, pass on to Doug if you agree with the understanding that Doug will figure out if there are 2 nearby domestic wells in need of notification or not. If so, he will notify and let us know about any responses, but again, it's 50gpm and 15AF so impairment or even influence is unlikely in this case.

Cameron

From: Schemm, Doug
Sent: Wednesday, June 7, 2017 1:50 PM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Cc: Conant, Cameron <Cameron.Conant@ks.gov>
Subject: 49273 Hisken

Finally got Doug to say ok just approve it. Reduced to 15 AF @ 50 gpm. Meets all the criteria. He said he may do an orchard, but may not complete it at all.

Doug


Kansas
Department of Agriculture
Division of Water Resources

Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov
Sam Brownback, Governor

July 18, 2017

JOHN E SKINNER
1604 E 60TH AVE N
BELLE PLAINE KS 67013

Re: Pending Application, File No. 49,273

Dear Mr. Skinner:

This will acknowledge receipt of your letter received in our office on July 13, 2017 in which you expressed concerns regarding the proposed appropriation of groundwater by Douglas Hisken under the above referenced application. The application is proposing to appropriate groundwater for irrigation use. We are in the process of thoroughly reviewing this pending application to ensure that it complies with the Kansas Water Appropriation Act and applicable rules and regulations. The Chief Engineer is required to approve applications for water appropriation unless the proposed appropriation will impair existing water rights or prejudicially and unreasonably affect the public interest. Impairment is indicated if existing water rights will experience an unreasonable lowering of the static water level.

The applicable rules and regulations (K.A.R. 5-4-4) require that new non-domestic wells must meet specific spacing guidelines based on the source of water supply in order to minimize the potential that existing water wells of any kind would be impaired. The source of water for the pending application appears to be alluvial deposits, based on the geographical location of the proposed point of diversion between the Ninnescah River and the Arkansas River. This aquifer requires a minimum well spacing of 1,320 feet from any existing non-domestic well, and 660 feet from any existing domestic well in the same source of supply. Based on the location of your domestic well, it is over 2,000 feet away, which is beyond this minimum well spacing distance.

Additionally, the rules and regulations (K.A.R. 5-4-1) require the Chief Engineer to investigate any complaint that a prior right to the use of water is being impaired. If such impairment is found, the Chief Engineer must secure water to satisfy prior water rights. Therefore, if this permit application is approved by the Chief Engineer and you believe the diversion of water is impairing your existing water right, you should notify Jeff Lanterman, Water Commissioner, Stafford Field Office, as follows, so that an investigation can be made.

Division of Water Resources
Stafford Field Office
300 S Main Street
Stafford, Kansas 67578
Telephone: 620-234-5311

If an applicant without cause fails to comply with the provisions of the permit and its terms, conditions and limitations, it could result in the forfeiture of the priority date, revocation of the permit and dismissal of the application. If you have any further questions, please contact me at 785-296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Kansas Department of Agriculture
Division of Water Resources
RE: Pending New Application, File No. 49,273

RECEIVED

6/30/2017

JUL 13 2017

Topeka Field Office
DIVISION OF WATER RESOURCES

Dear Sirs:

Thank you for the opportunity to reply concerning the application for a water well near me. (Ref. --In the Southwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 21, in Township 31 South, Range 2 East, Sumner County, Kansas.) This section currently has two irrigation wells, two residences and a commercial business drawing water from the aquifer.

Your records indicating that I have a well in this vicinity are correct. I own and live on twenty acres located in the southwest corner of Section 15, Township 31 South, Range 2 East, Sumner County, Kansas, and depend on the existing well for all of my water needs.

My great grandfather originally homesteaded this particular property and a portion of it has been handed down to me. My father farmed and lived on this quarter for more than forty years; therefore I am very familiar with the area.

I guess I would have to question why one would want to irrigate the land located in this area. It is located between the Arkansas and Ninnescah Rivers and usually has ample rain fall to grow the crops that are common to the area. Any documentation I have read or seen all indicate that irrigation in the long term is certainly not beneficial to the land or the water table. The depletion of the water table is of major concern to me being I rely on it for my survival.

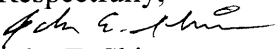
I would also have to question the rationale used to determine the need to irrigate when in fact for the last three years Mr. Hisken has been digging many ditches trying to drain the referenced property.

Another area of concern for me is the noise associated with the pumping of the well. It seems like that the existing wells in the area tend to run during the night, which disturbs my sleeping habits. Evidently the design of irrigation pumps does not include a tolerable limit of decibels for human ears. I can't imagine how it affects the wild life in the area.

One other problem associated with the existing irrigation systems in the area is the constant watering of the public right of way. Traveling these roads every day I find these watered spots to be somewhat dangerous if you are not familiar with the area. Mr. Hisken currently has several irrigation systems which water the right of ways.

I know this short list of my personal concerns will probably not prevent this permit from being issued but for what it's worth I certainly do not want to see the permit granted. The section that I live on currently has three irrigation wells and the city of Oxford, Kansas also has a well that supplies their water needs plus two residences. Surely there isn't a need to further deplete this resource.

Respectfully,


John E. Skinner
1604 E. 60th Ave. N.
Belle Plaine, Kansas


Kansas
Department of Agriculture
Division of Water Resources

Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov
Sam Brownback, Governor

June 28, 2017

JAMES K PALMER
1567 E 60TH AVE N
BELLE PLAINE KS 67013

Re: Pending New Application, File No. 49,273

Dear Sir or Madam:

This is to advise you that Douglas E. Hisken has filed the application referred to above for a permit to appropriate 15 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 50 gallons per minute from a well located as follows:

In the Southwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 21, in Township 31 South, Range 2 East, Sumner County, Kansas.

A map is enclosed indicating the location of the proposed well. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,



Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Enclosure

pc: Douglas E. Hisken

The logo features the word "Kansas" in a large, serif font. Above the letters "a", "s", and "s" is a decorative arch of stars. Below "Kansas" are the words "Department of Agriculture" and "Division of Water Resources" in a smaller, sans-serif font.

Kansas
Department of Agriculture
Division of Water Resources

Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov
Sam Brownback, Governor

June 28, 2017

JOHN E SKINNER
1604 E 60TH AVE N
BELLE PLAINE KS 67013

Re: Pending New Application, File No. 49,273

Dear Sir or Madam:

This is to advise you that Douglas E. Hisken has filed the application referred to above for a permit to appropriate 15 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 50 gallons per minute from a well located as follows:

In the Southwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 21, in Township 31 South, Range 2 East, Sumner County, Kansas.

A map is enclosed indicating the location of the proposed well. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Doug Schemm".

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Enclosure

pc: Douglas E. Hisken



Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733
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www.agriculture.ks.gov
Sam Brownback, Governor

September 29, 2016

DOUGLAS E HISKEN
1459 E 60TH AVENUE
BELLE PLAINE KS 67013-8258

RE: Pending Application, File No. 49,273

Dear Mr. Hisken:

We have conducted a preliminary review of your application referenced above based on the information received in our office on February 2, 2015. The proposed point of diversion is a battery of four wells, with a geographic center located in the Northwest Quarter of the Southeast Quarter of the Northeast Quarter (NW¼ SE¼ NE¼) of Section 21, more particularly described as being near a point 3,926 feet North and 1,261 feet West of the Southeast corner of said section, in Township 31 South, Range 2 East, Sumner County, Kansas. The application is requesting to appropriate 169 acre-feet of groundwater for irrigation use. The source of water for the pending application appears to be alluvial deposits, based on the geographical location of the proposed point of diversion between the Ninnescah River and the Arkansas River.

DWR has determined that the precipitation recharge value of 5.4 inches per year (used in the USGS model of this area) is reasonable and appropriate. In order to reserve water in the alluvial aquifers that can contribute to base flow to area streams and for domestic use, it was determined that 75 percent of the 5.4 inches of precipitation recharge shall be available for appropriation. This is consistent with safe yield appropriation in many other basins across the state, and is the current percent available in for all applications in the Ninnescah River drainage basin. Therefore, for all pending applications within the model area, safe yield will be evaluated using the standard methodology in K.A.R. 5-3-11, which is based on the extent of the unconfined aquifer (area of consideration), a Potential Annual Recharge value of 5.4 inches, and a percent of recharge available for appropriation of 75%.

Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile circle radius of the point of diversion, which establishes the area of consideration. For this application, the area of consideration (alluvial aquifer) provided an area of consideration of 7,869 acres. With a potential annual recharge of 5.4 inches, and 75% of recharge available for appropriation, safe yield was determined to be 2,655.79 acre-feet. The safe yield determination is summarized below.

Safe Yield = Area of Consideration x potential annual recharge x percent of recharge available	
7,869 acres x 5.4 inches x 75% = 31,869.45 acre-inches / 12 =	2,655.79 acre-feet
Prior Appropriations within the area of consideration =	<u>3,849.80</u> acre-feet
Total quantity of water available =	<u>0</u> acre-feet

It will be recommended to the Chief Engineer that pending application, File No. 49,273 be denied and dismissed due to the failure to meet safe yield criteria, as required by K.A.R. 5-3-10 and K.A.R. 5-3-11.

We are advising you of this recommendation in order to allow you an opportunity to submit additional information to show why our evaluation should be reconsidered. You have a period of 15 days (**until October 14, 2016**) to either (1) submit additional information to our office or (2) request additional time beyond the 15 days to submit additional information. If you wish to request additional time, you must do so **in writing**, before the 15 day period expires. Such a request should state what steps are being taken to obtain the information and the amount of time you will need to supply the information to our office.

Doug Hisken
File No. 49,273
Page 2

If you do not request more time within the 15 day period, or if your request is not granted, the above- referenced application will be submitted to the Chief Engineer for final decision based on the recommendation stated above. Any relevant credible information submitted within the time allowed will be given due consideration, prior to final action on the application.

You had requested the opportunity to pursue a 15 acre-feet of water safe yield exemption. In order for DWR to review that option, please modify the enclosed site map to indicate the place of use (approximately 10 acres), and also revise the irrigation use supplemental sheet to show these acres. Finally please sign the map where indicated, and initial the reduced quantity and rate of diversion on your original application form. Return these forms to my attention at:

**Kansas Department of Agriculture
Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, KS 66619**

If you have any questions, please contact me at (785) 296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Doug Schemm
Environmental Scientist
Topeka Field Office

Enclosures

#49,273
 Fails safe yield

Analysis Results

The selected PD is in an area to new appropriations.
 The safe yield, based on the variables listed below is 2,655.79 AF.
 Total prior appropriation in the circle is 4,319.80 AF. - 432 AF (pending) - 38 AF (Reduced Geyon 49,077) = 3,849.8
 Total quantity of water available for appropriation is 0.00 AF.

Applicant Requested
 15 AF Exemption.

Safe Yield Variables

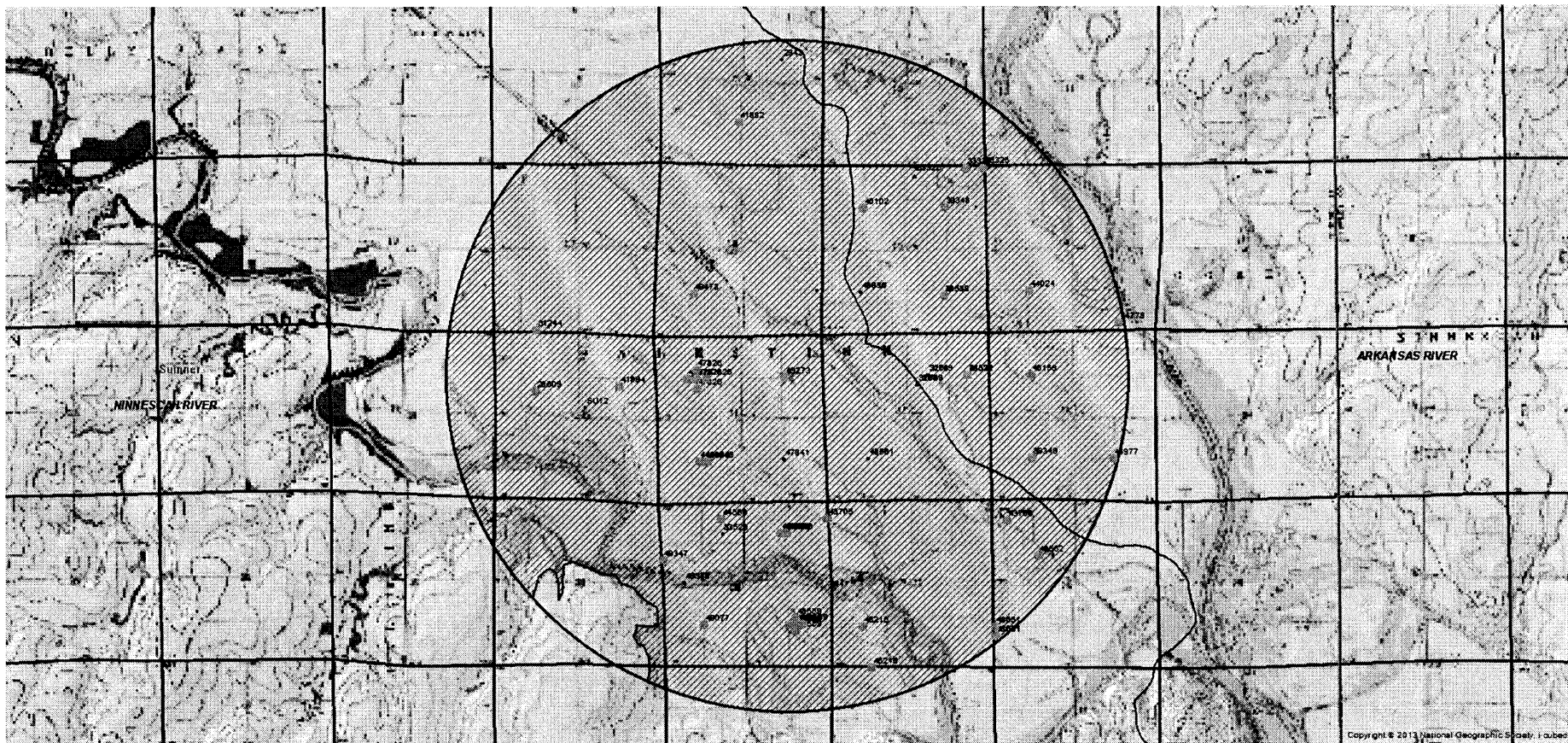
The area used for the analysis is set at 7869 acres.
 Potential annual recharge of the area is estimated to be 5.4 inches.
 The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 20-SEP-2016 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 29 water right(s) and 44 point(s) of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth_Quant	Add_Quant	Tacres	Nacres	
A 28532	00	IRR	NK	G		NE	SW	SE	1170	1380	15	31	02E	7	WR	118.00	118.00	88.00	88.00
A 28609	00	IRR	NK	G		NC	S2	NW	3460	3695	20	31	02E	2	WR	148.00	148.00	222.00	222.00
A 31244	00	IRR	NK	G					80	3770	17	31	02E	1	WR	152.00	152.00	317.00	317.00
A 33325	00	MUN	NK	G		NE	NE	NE	5180	100	15	31	02E	2	WR	245.51	245.51		
Same		MUN	NK	G		NE	NE	NE	5180	645	15	31	02E	1	WR				
A 39348	00	IRR	NK	G		NW	SE	NE	3955	1314	15	31	02E	4	WR	186.00	186.00	124.00	124.00
A 39349	00	IRR	NK	G		SW	NE	SW	1455	3897	23	31	02E	1	WR	201.00	201.00	134.00	134.00
A 40102	00	IRR	NK	G			NC	NE	3974	3860	15	31	02E	5	WR	202.50	202.50	135.00	135.00
A 40159	00	IRR	NK	G		SW	NE	NW	4060	3871	23	31	02E	2	WR	210.00	210.00	140.00	140.00
A 41882	00	IRR	NK	G		SW	NW	SE	1409	2571	09	31	02E	3	WR	195.00	195.00	130.00	130.00
A 41894	00	IRR	NK	G		NW	SE	NE	3750	1163	20	31	02E	3	WR	155.00	155.00	103.60	103.60
A 41946	00	IRR	NK	G		NW	SE	SW	1288	3948	21	31	02E	1	WR	151.00	151.00	128.00	128.00
Same		IRR	NK	G		NW	SE	SW	1286	3814	21	31	02E	2	WR				
Same		IRR	NK	G		NW	SE	SW	1285	3680	21	31	02E	3	WR				
A 43705	00	IRR	NK	G		NW	NW	NW	4739	5142	27	31	02E	1	WR	163.50	163.50	135.00	135.00
A 43706	00	IRR	NK	G		NW	NW	NW	4706	4699	26	31	02E	1	WR	152.00	152.00	101.00	101.00
A 44024	00	IRR	NK	G		SE	NW	SW	1332	4071	14	31	02E	5	WR	184.00	184.00	122.30	122.30
A 44569	00	IRR	NK	G		NW	NE	NW	4659	3369	28	31	02E	2	WR	54.60	54.60	42.00	42.00
A 44778	00	IRR	NK	G					272	1255	14	31	02E	6	WR	150.00	150.00	115.30	115.30
A 44977	00	IRR	NK	G		SE	NW	SE	1375	1324	23	31	02E	3	WR	81.00	81.00	62.00	62.00
A 45215	00	IRR	NK	G		NE	SW	SW	1316	4098	27	31	02E	2	WR	91.00	91.00	79.00	79.00

Safe Yield Report Sheet
Proposed Water Right Application
Point of Diversion in SWSWNE 21-31S-02E
FILE NO. 49,273 (3,926'N & 1,261'W)



A	45216	00	IRR	NK	G	NW	NE	NW	5319	3874	34	31	02E	1	WR	135.20	135.20	114.00	114.00
A	46508	00	IRR	KE	G	SE	NW	NE	4200	1440	28	31	02E	3	WR	122.59	122.59	94.30	94.30
Same			IRR	KE	G	SE	NW	NE	4200	1340	28	31	02E	5	WR				
Same			IRR	KE	G	SE	NW	NE	4200	1540	28	31	02E	6	WR				
A	47826	00	IRR	KE	G	NE	SW	NW	3890	4000	21	31	02E	4	WR	169.00	169.00	130.00	130.00
Same			IRR	KE	G	NE	SW	NW	3890	4300	21	31	02E	6	WR				
Same			IRR	KE	G	NW	SE	NW	3890	3700	21	31	02E	7	WR				
Same			IRR	KE	G	SE	NW	NW	4190	4000	21	31	02E	8	WR				
Same			IRR	KE	G	NE	SW	NW	3590	4000	21	31	02E	9	WR				
A	48521	00	IRR	KE	G	NC	E2	NE	3932	683	22	31	02E	3	WR	94.90	94.90	73.00	73.00
A	48559	00	IRR	GY	G	NW	SE	SE	1306	1112	28	31	02E	4	WR	77.00	77.00	67.00	67.00
Same			IRR	GY	G	NW	SE	SE	1106	1112	28	31	02E	10	WR				
Same			IRR	GY	G	SW	NE	SE	1506	1112	28	31	02E	11	WR				
Same			IRR	GY	G	NW	SE	SE	1306	1312	28	31	02E	12	WR				
Same			IRR	GY	G	NW	SE	SE	1306	912	28	31	02E	13	WR				
A	48562	00	IRR	GY	G	NE	SE	NW	3592	3731	26	31	02E	2	WR	74.00	74.00	64.00	64.00
A	48651	00	IRR	GY	G	NW	SW	SW	1060	5110	26	31	02E	3	WR	175.00	175.00	146.00	146.00
Same			IRR	GY	G	NW	SW	SW	1360	5110	26	31	02E	6	WR				
Same			IRR	GY	G	NW	SW	SW	1060	5110	26	31	02E	7	WR				
A	49077	00	IRR	AY	G	SW	SW	SW	1320	3960	28	31	02E	7	WR	200.00	200.00	132.00	132.00
A	49273	00	IRR	AY	G		SE	NE	3926	1261	21	31	02E	10	WR	169.00	169.00	130.00	130.00
A	49347	00	IRR	AY	G	NW	SW	NW	3383	5215	28	31	02E	8	WR	94.00	94.00	73.00	73.00
A	49473	00	IRR	AY	G		SW	SW	1320	3960	16	31	02E	1	WR	169.00	169.00	130.00	130.00

432

$$200 - 162 = \frac{38}{470 \text{ AF}}$$

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

4016 ft N and 1210 ft W of the SE Corner of Section 21, T 31S, R 2E

Located at: 97.209133 West Longitude and 37.343702 North Latitude

GROUNDWATER ONLY

*All wells > 1/2 mile
meets spacing of
1,320'*

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 28532	00	IRR	NK	G	5494	--	NE	SW	SE	1170	1380	15	31	2E	7	118.00	118.00	AF
A__ 28609	00	IRR	NK	G	7730	--	NC	S2	NW	3460	3695	20	31	2E	2	148.00	148.00	AF
A__ 31244	00	IRR	NK	G	8997	--	--	--	--	80	3770	17	31	2E	1	152.00	152.00	AF
A__ 33325	00	MUN	NK	G	8576	--	NE	NE	NE	5180	645	15	31	2E	1	245.51	245.51	AF
Same					8945	--	NE	NE	NE	5180	100	15	31	2E	2			
A__ 39348	00	IRR	NK	G	7221	--	NW	SE	NE	3955	1314	15	31	2E	4	186.00	186.00	AF
A__ 39349	00	IRR	NK	G	8085	--	SW	NE	SW	1455	3897	23	31	2E	1	201.00	201.00	AF
A__ 40102	00	IRR	NK	G	5779	--	--	NC	NE	3974	3860	15	31	2E	5	202.50	202.50	AF
A__ 40159	00	IRR	NK	G	7645	--	SW	NE	NW	4060	3871	23	31	2E	2	210.00	210.00	AF
A__ 41882	00	IRR	NK	G	8116	--	SW	NW	SE	1409	2571	9	31	2E	3	195.00	195.00	AF
A__ 41894	00	IRR	NK	G	5202	--	NW	SE	NE	3750	1163	20	31	2E	3	155.00	155.00	AF
A__ 41946	00	IRR	NK	G	3773	--	NW	SE	SW	1286	3814	21	31	2E	2 G 2	151.00	151.00	AF
Same					3865	--	NW	SE	SW	1288	3948	21	31	2E	1 B 2			
Same					3682	--	NW	SE	SW	1285	3680	21	31	2E	3 B 2			
A__ 43705	00	IRR	NK	G	4737	--	NW	NW	NW	4739	5142	27	31	2E	1	163.50	163.50	AF
A__ 43706	00	IRR	NK	G	8288	--	NW	NW	NW	4706	4699	26	31	2E	1	152.00	152.00	AF
A__ 44024	00	IRR	NK	G	8049	--	SE	NW	SW	1332	4071	14	31	2E	5	184.00	184.00	AF
A__ 44569	00	IRR	NK	G	5010	--	NW	NE	NW	4659	3369	28	31	2E	2	54.60	54.60	AF
A__ 44778	00	IRR	NK	G	10554	--	--	--	--	272	1255	14	31	2E	6	150.00	150.00	AF
A__ 45215	00	IRR	NK	G	8314	--	NE	SW	SW	1316	4098	27	31	2E	2	91.00	91.00	AF
A__ 45216	00	IRR	NK	G	9641	--	NW	NE	NW	5319	3874	34	31	2E	1	135.20	135.20	AF
A__ 46508	00	IRR	KE	G	5024	--	SE	NW	NE	4200	1440	28	31	2E	3 G 2	122.59	122.59	AF
Same					5022	--	SE	NW	NE	4200	1340	28	31	2E	5 B 2			
Same					5027	--	SE	NW	NE	4200	1540	28	31	2E	6 B 2			
A__ 47826	00	IRR	KE	G	2793	--	NE	SW	NW	3890	4000	21	31	2E	4 G 4	169.00	169.00	AF
Same					3092	--	NE	SW	NW	3890	4300	21	31	2E	6 B 4			
Same					2493	--	NW	SE	NW	3890	3700	21	31	2E	7 B 4			
Same					2795	--	SE	NW	NW	4190	4000	21	31	2E	8 B 4			
Same					2822	--	NE	SW	NW	3590	4000	21	31	2E	9 B 4			
A__ 48521	00	IRR	KE	G	5656	--	NC	E2	NE	3932	683	22	31	2E	3	94.90	94.90	AF
A__ 48559	00	IRR	KE	G	7918	--	NW	SE	SE	1306	1112	28	31	2E	4 G 4	77.00	77.00	AF
Same					8118	--	NW	SE	SE	1106	1112	28	31	2E	10 B 4			
Same					7718	--	SW	NE	SE	1506	1112	28	31	2E	11 B 4			
Same					7916	--	NW	SE	SE	1306	1312	28	31	2E	12 B 4			
Same					7925	--	NW	SE	SE	1306	912	28	31	2E	13 B 4			
A__ 48562	00	IRR	KE	G	9724	--	NE	SE	NW	3592	3731	26	31	2E	2	74.00	74.00	AF
A__ 48651	00	IRR	KE	G	10525	--	NW	SW	SW	1060	5110	26	31	2E	3 G 4	175.00	175.00	AF
Same					10289	--	NW	SW	SW	1360	5110	26	31	2E	6 B 4			
Same					10525	--	NW	SW	SW	1060	5110	26	31	2E	7 B 4			
A__ 49077	00	IRR	GY	G	7736	--	NW	NW	SW	2393	4934	28	31	2E	7	162.00	162.00	AF
A__ 49273	00	IRR	AY	G	103	--	--	SE	NE	3926	1261	21	31	2E	10	169.00	169.00	AF
A__ 49347	00	IRR	AY	G	7030	--	NW	SW	NW	3383	5215	28	31	2E	8	94.00	94.00	AF
A__ 49473	00	IRR	AY	G	3851	--	--	--	SW	1320	3960	16	31	2E	1	169.00	169.00	AF
A__ 49829	00	IRR	AY	G	10551	--	--	NE	NE	3960	1320	33	31	2E	2	110.00	110.00	AF
T__20127043	MF	IRR	GY	G	8997	--	--	--	--	80	3770	17	31	2E	1	730.89	.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	542.00	.00
Total Permitted Amount (AF) =	874.49	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	2894.31	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	4310.80	.00

An * after the source of supply indicates a pending application for change for the file number.

An * after the ID indicates a 15 AF exemption was granted for the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

97.209133 West Longitude and 37.343702 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

=====

File Number Use ST SR

A__ 28532 00 IRR NK G
> CHARLES C & LOU ANN BUSS

>
> 1692 E 30TH AVE N
> OXFORD KS 67119

>-----

A__ 28609 00 IRR NK G
> MICHAEL NEISES

>
> 1277 E 50TH AVE N
> BELLE PLAINE KS 67013

>-----

A__ 31244 00 IRR NK G
> CURT HOOBLER

>
> 1346 E 130TH AVE N
> MULVANE KS 67110

>-----

A__ 33325 00 MUN NK G
> CITY OF OXFORD

>
> PO BOX 337
> OXFORD KS 67119

>-----

A__ 39348 00 IRR NK G
> FORREST G BUTTS

>
> 205 S CENTRAL AVE
> MULVANE KS 67110

>-----

A__ 39349 00 IRR NK G
> FORREST G BUTTS

>

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
Brewer 6220	17.4		
Brewer 6222	89.4 51.0	see attached	
Elandco 6246	31.6		
Total:	100 %		

b. Estimate the average land slope in the field(s): 0 %

Estimate the maximum land slope in the field(s): 0 %

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:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: 30 psi

(2) What is the sprinkler package design rate? 700 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? 2380 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, soy bean, wheat, sorghum, sunflower

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).

crop consultant, moisture meters, experience

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

Sumner County, Kansas

6220—Brewer silty clay loam, rarely flooded

Map Unit Setting

National map unit symbol: 1kh82
Elevation: 700 to 1,500 feet
Mean annual precipitation: 24 to 31 inches
Mean annual air temperature: 45 to 70 degrees F
Frost-free period: 195 to 225 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Brewer and similar soils: 100 percent
Minor components: 0 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Brewer

Setting

Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium

Typical profile

Ap - 0 to 14 inches: silty clay loam
Bt - 14 to 50 inches: silty clay
BC - 50 to 61 inches: silty clay
C - 61 to 80 inches: silty clay loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat):
Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: Rare
Frequency of ponding: None
Calcium carbonate, maximum in profile: 2 percent
Gypsum, maximum in profile: 2 percent
Salinity, maximum in profile: Nonsaline to slightly saline (0.0 to 8.0 mmhos/cm)
Sodium adsorption ratio, maximum in profile: 5.0
Available water storage in profile: High (about 9.7 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 1

WATER RESOURCES
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FEB 02 2015
SCANNED

KS DEPT OF AGRICULTURE

Hydrologic Soil Group: C

Ecological site: Loamy terrace (pe 24-32) (R080AY014KS)

Minor Components

Aquolls

Percent of map unit: 0 percent

Landform: Depressions, drainageways

Down-slope shape: Concave

Across-slope shape: Concave

Data Source Information

Soil Survey Area: Sumner County, Kansas

Survey Area Data: Version 11, Sep 3, 2014

WATER RESOURCES
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KS DEPT OF AGRICULTURE

Sumner County, Kansas

6246—Elandco silty clay loam, rarely flooded

Map Unit Setting

National map unit symbol: 1kh8f
Elevation: 970 to 1,500 feet
Mean annual precipitation: 24 to 31 inches
Mean annual air temperature: 45 to 70 degrees F
Frost-free period: 205 to 265 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Elandco and similar soils: 100 percent
Minor components: 0 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Elandco

Setting

Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium

Typical profile

A - 0 to 40 inches: silty clay loam
C - 40 to 60 inches: silty clay loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat):
Moderately high to high (0.60 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: Rare
Frequency of ponding: None
Salinity, maximum in profile: Nonsaline (0.0 to 2.0 mmhos/cm)
Available water storage in profile: High (about 11.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: B
Ecological site: Loamy lowland (pe 21-28) (R079XY013KS)

Minor Components

Aquolls

Percent of map unit: 0 percent

WATER RESOURCES
RECEIVED

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Landform: Drainageways, hillslopes, depressions
Down-slope shape: Concave
Across-slope shape: Concave

Data Source Information

Soil Survey Area: Sumner County, Kansas
Survey Area Data: Version 11, Sep 3, 2014

WATER RESOURCES
RECEIVED

FEB 02 2015
SCANNED
KS DEPT OF AGRICULTURE



1320 Research Park Drive
Manhattan, Kansas 66502
Jackie McClaskey, Secretary

Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

February 4, 2015

DOUGLAS E HISKEN
1459 E 60TH AVE N
BELLE PLAINE KS 67013

RE: Application
File No. 49273

Dear Sir or Madam:

Your application for permit to appropriate water in 21-31-2-E in Sumner County, was received and has been assigned the file number noted above.

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor . . .

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6643. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

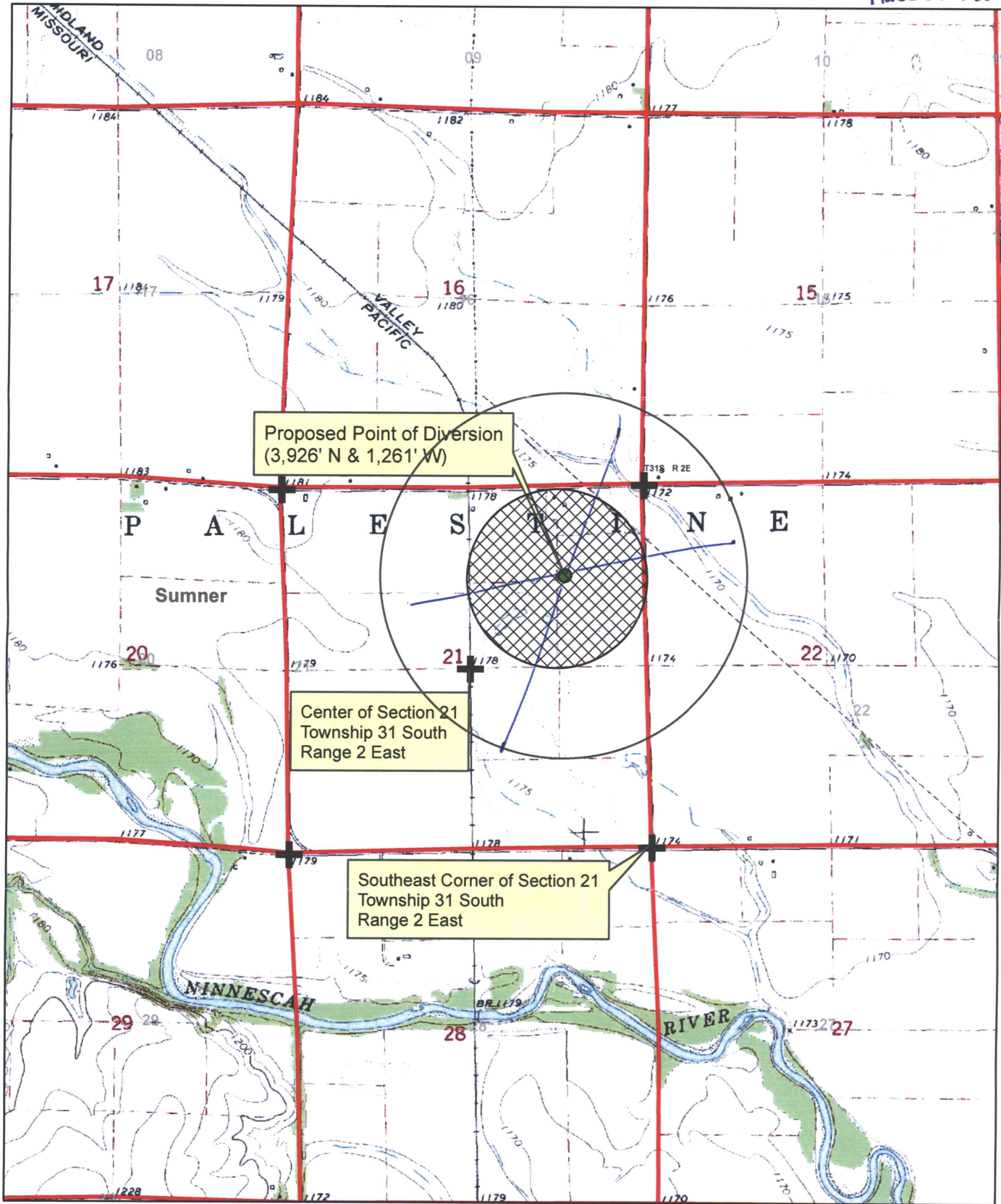
Brent A Turney, L.G.
New Application Unit Supervisor
Water Appropriation Program

LPL: dlw
pc: STAFFORD Field Office
GMD

SCANNED

DOUGLAS E HISKEN - FILE NO. 49,273
 Section 21, Township 31 South, Range 2 East
 Sumner County

See Additional
 map for Revised
 Place of use + well
 location
 DWS/pwr
 2/9/17



 Proposed Place of Use

 Proposed Point of Diversion

There are no known wells within one-half mile of the proposed point of diversion shown on this map.

Douglas E Hisken

1:24,000

NOV 04 2016

DOUG HISKEN
FILE NO. 49,273 - REVISED SITE MAP



- Proposed Point of Diversion
- ▨ Proposed Place of Use

1:12,000

See original map
Signed by applicant