

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;"><b>49,810</b></p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;"><i>12/6/2017</i></p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;"><b>2</b></p>	4. GMD:
---	---	---	---------

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)     Person ID <u>65415</u> New to system <input type="checkbox"/>     Add Seq# <u>1</u></p> <p><b>KEVIN WHITE</b> PO BOX 966 OXFORD KS 67119</p>	<p>7c. Landowner(s)     Person ID _____ New to system <input type="checkbox"/>     Add Seq# _____</p>
<p>7b. Landowner(s)     Person ID <u>39088</u> New to system <input type="checkbox"/>     Add Seq# _____</p> <p><b>BROADHURST FOUNDATION</b> 320 S BOSTON STE 937 TULSA OK 74103</p>	<p>7d. Misc.     Person ID _____ New to system <input type="checkbox"/>     Add Seq# _____</p>

<p>8. WUR Correspondent     Person ID _____ New to system <input type="checkbox"/>     Add Seq# _____ Overlap File (s) WUC     Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>7b. 7a</i></p>	<p>9. Use of Water:     Changing?     <input type="checkbox"/> Yes     <input type="checkbox"/> No</p> <p><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>
--	---

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: **10/19/2017** By: **AM**  
Date Entered: *12/1/2017* By: *WM*

File No. **49,810**      15. Formation Code: 100      Drainage Basin: ARKANSAS RIVER    County: SU      Special Use:      Stream:

16. Points of Diversion										17. Rate and Quantity									
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		Overlap PD Files				
											Rate gpm	Quantity af	Rate gpm	Quantity af					
MOD				85984	SW	SW	NE	15	33S	2WE	3	2822	2307	(GEO)	800	195	800	195	NONE
ENT				86457	SW	SW	NE	15	33S	2WE	X	2701	2401	(1 of 4)					
ENT				86458	SW	SW	NE	15	33S	2WE	X	2701	2079	(1 of 4)					
ENT				86459	SW	SW	NE	15	33S	2WE	X	2894	2259	(1 of 4)					
ENT				86460	SW	SW	NE	15	33S	2WE	X	2995	2490	(1 of 4)					
Battery ID# 2052																			

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		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files			
MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
CHK				68283	15	33S	2WE	4	37.5	37	38	37.5												

Comments:

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**  
**M E M O R A N D U M**

**TO:** Files

**DATE:** November 2, 2017

**FROM:** Austin McColloch

**RE:** Application, File No. 49,810

Kevin White has filed the referenced application to appropriate groundwater for irrigation use, requesting a battery of four (4) wells, a quantity of 195 acre-feet, and a diversion rate of 800 gallons per minute. The proposed geo-center of the battery of wells is to be located in the Southwest Quarter of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 15, more particularly described as being near a point 2,822 feet North and 2,307 feet West of the Southeast corner of said section, in Township 33 South, Range 2 East, Sumner County, within the drainage basin of the Arkansas River. There are no other water rights overlapping the point of diversion or place of use. The propose place of use is owned by Broadharst Foundation, with Kevin being the tenant.

The applicant identified zero domestic and non-domestic wells within one-half mile of the proposed geo-center. Therefore no nearby letters were sent. According to the WRIS database, there is one water right within 2 miles of the proposed point of diversion, located approximately 3,450 feet away. The site map the nearest possible domestic well is approximately 2,700 feet away. 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.

Well logs submitted with the application shows top soil from 0 to 3 feet, reddish sandy clay from 3 to 5 feet, small sand and gravel from 15 to 27 feet, tan clay with fine gravel from 27 to 35 feet, medium size gravel from 35 to 40 feet, and green shale from 44 to 60 feet. The static water level was 20 feet below ground surface which provides a saturated thickness of 24 feet.

Per the requirements of K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within the two-mile circle radius of the point of diversion, which establishes the area of consideration. Evaluation of the area of consideration included the extent of the unconfined aquifer, which provided an area of consideration of 8,042 acres. With a potential annual recharge of 3.27 inches, and 100% of recharge available for appropriation, safe yield was determined to be 2,191.45 acre-feet. Existing water rights have appropriated 208 acer-feet, providing a difference of 1,983.45 acre-feet available for appropriation, and the application requesting 195 acre-feet complies with safe yield.

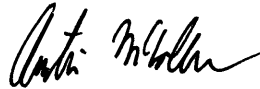
The requested quantity of water, 195 acre-feet, is reasonable to irrigate the proposed 150 acres identified in the application. This is the maximum allowable of 1.3 acre-feet per acre for Sumner County, Kansas.

In accordance with K.S.A. 82s-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 hers 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 measurement tube is required because this is a proposed new well exceeding 100 gpm.

The proposed application is subject to minimum desirable streamflow requirements. The applicant signed, notarized, and submitted the required form to our office.

In an email dated November 1, 2017, Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the application.

Based on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

A handwritten signature in black ink, appearing to read "Austin McColloch". The signature is fluid and cursive, with the first name "Austin" being more prominent than the last name "McColloch".

Austin McColloch  
Environmental Scientist

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

BROADHURST FOUNDATION  
320 S BOSTON STE 937  
TULSA OK 74103

December 12, 2017

Re: Appropriation of Water  
File No. 49,810

**FILE COPY**

Dear Sir or Madam:

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. Please note that this permit does not give authority for irrigation of green space in the development area around the groundwater pit. If there is need for irrigation of green space, other than domestic use, this must be permitted with a separate application. Please contact the Stafford Field Office for assistance with the new application(s) if needed.

The enclosed form must be used to notify the Chief Engineer that the proposed diversion works have been completed. Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works and pay the field inspection fee within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. 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 enclosed permit. 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  
Division of Water Resources

KAB:am

Enclosures

pc: Kevin White  
Stafford Field Office

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. 49,810** of the applicant

**BROADHURST FOUNDATION  
320 S BOSTON STE 937  
TULSA OK 74103**

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 **March 30, 2017**.
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	
15	33S	2E	37.5	37	38	37.5													150

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of four (4) wells, the geo-center of which is located in the Southwest Quarter of the Southwest Quarter of the Northeast Quarter (SW¼ SW¼ NE¼) of Section 15, more particularly described as being near a point 2,822 feet North and 2,307 feet West of the Southeast corner of said section, in Township 33 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 **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **195 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 of \$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 submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$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 of \$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 water supply. The type of valve installed shall meet the 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 with the 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 all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

14. 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.

15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

16. 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.

17. 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.

18. That this permit is further limited such that all wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply, and shall supply water to a common distribution system.

**RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW**

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

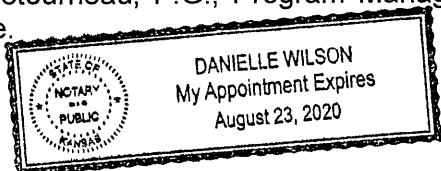
Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 – 6777.

Ordered this 10<sup>th</sup> day of December, 2017, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau  
 Lane P. Letourneau, P.G.  
 Program Manager  
 Water Appropriation Program  
 Division of Water Resources  
 Kansas Department of Agriculture

State of Kansas                    )  
   ) SS  
 County of Riley                    )

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of December, 2017, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson  
 Notary Public



### CERTIFICATE OF SERVICE

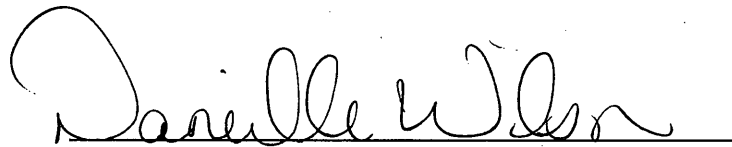
On this 12<sup>th</sup> day of December, 2017, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,810, dated December 6<sup>th</sup>, 2017 was mailed postage prepaid, first class, US mail to the following:

BROADHURST FOUNDATION  
320 S BOSTON STE 937  
TULSA OK 74103

With photocopies to:

KEVIN WHITE  
PO BOX 966  
OXFORD KS 67119

Stafford Field Office

A handwritten signature in cursive script, reading "Danielle Wilson", written over a horizontal line.

Division of Water Resources

APPLICATION COMPLETE  
11/1/17  
Reviewer: AM

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

WATER RESOURCES RECEIVED

File Number 49810  
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

APR 10 2017

MAR 30 2017

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.)

1:50  
KS DEPT OF AGRICULTURE

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,  
1320 Research Park Drive, Manhattan, KS 66502:

1. Name of Applicant (Please Print): Kevin White  
Address: P.O. Box 966  
City: Oxford State KS Zip Code 67119  
Telephone Number: (620) 440-0024

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Arkansas River (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 195 acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of 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 G/S County SU By ADW Date 3/31/17  
Code RES Fee \$ 300 TR # \_\_\_\_\_ Receipt Date 3/30/17 Check # 22103

SCANNED 4/3/2017 AM

SW SWNE 15-33S-2E 2822 ft North 2307 ft West

Geo-center

KAB/DWR 11-29-17

File No. 49810

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 quarter of the SW quarter of the NE quarter of Section 15, more particularly described as being near a point 270' feet North and 240' feet West of the Southeast corner of said section, in Township 33 South, Range 2 East, Sumner County, Kansas.

(B) One in the SW quarter of the SW quarter of the NE quarter of Section 15, more particularly described as being near a point 270' feet North and 207' feet West of the Southeast corner of said section, in Township 33 South, Range 2 East West (circle one), Sumner County, Kansas.

(C) One in the Sw quarter of the Sw quarter of the NE quarter of Section 15, more particularly described as being near a point 289' feet North and 225' feet West of the Southeast corner of said section, in Township 33 South, Range 2 East West (circle one), Sumner County, Kansas.

(D) One in the Sw quarter of the Sw quarter of the NE quarter of Section 15, more particularly described as being near a point 299' feet North and 249' feet West of the Southeast corner of said section, in Township 33 South, Range 2 East West (circle one), Sumner 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):

Broadhurst Foundation 918-294-9789  
(name, address and telephone number)  
1630 South Boston Ave Tulsa, Oklahoma 74119  
(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 March 12, 2017. Kerri White  
Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of Battery of 4 wells  
(number of wells, pumps or dams, etc.)  
and Will be completed (by) ASAP  
(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 ASAP  
(Mo/Day/Year)

APR 10 2017

MAR 30 2017

KS DEPT OF AGRICULTURE

KS DEPT OF AGRICULTURE

SCANNED

- 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.

None  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WATER RESOURCES RECEIVED

APR 10 2017

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

MAR 30 2017

KS DEPT OF AGRICULTURE

SCANNED

## IRRIGATION USE SUPPLEMENTAL SHEET

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

Name of Applicant (Please Print): Kevin White

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: Broadhurst Foundation  
 ADDRESS: 1630 South Boston Ave Tulsa, OK 74119

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15	33S	2E	37.5	37	38	37.5													150

**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	

**WATER RESOURCES  
RECEIVED**

**WATER RESOURCES  
RECEIVED**

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	12/25/2016	3/8/17	3/9/17	3/9/17
Total depth of well	60'	60'	50'	51'
Depth to water bearing formation	15'	16'	14'	17'
Depth to static water level	20'	22'	N/A	N/A
Depth to bottom of pump intake pipe	44'	52'	49'	49'

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

Tenant  
(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):

Broadhurst Foundation 918-294-9789  
(name, address and telephone number)

1630 South Boston Ave Tulsa, Oklahoma 74119  
(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 Oxford, Kansas, this 12 day of March, 2017.  
(month) (year)

  
(Applicant Signature)

By \_\_\_\_\_  
(Agent or Officer Signature)

\_\_\_\_\_  
(Agent or Officer - Please Print)

Assisted by MJM/SFFO ESII Date: 3/2/2017  
(office/title)

WATER RESOURCES RECEIVED APR 10 2017 KS DEPT OF AGRICULTURE  
WATER RESOURCES RECEIVED MAR 30 2017 SCANNED KS DEPT OF AGRICULTURE

## McColloch, Austin

---

**From:** Lanterman, Jeff  
**Sent:** Wednesday, November 1, 2017 4:33 PM  
**To:** McColloch, Austin  
**Cc:** Conant, Cameron  
**Subject:** FW: Recommendation File No. 49810  
**Attachments:** 49810 Memo.docx; 49810 map.jpg; 49810 app well info.pdf; log 1.pdf; log 2.pdf; log 3.pdf; log 4.pdf

Austin;

This one appears to be OK to approve. Some of the well logs show > 25' of saturated thickness and we can infer that he is probably going to utilize those areas with the thickest aquifer. There are areas available to the app with greater than 25' of saturated thickness.

Plus there isn't a whole lot in the neighborhood domestic or other wells that may be impacted by approval of this app.

I agree with Cameron that this appears to be an approvable app.

Thanks  
Jeff

---

**From:** Conant, Cameron  
**Sent:** Tuesday, October 31, 2017 2:25 PM  
**To:** Lanterman, Jeff <Jeff.Lanterman@ks.gov>  
**Subject:** FW: Recommendation File No. 49810

Jeff, this is a battery of wells for irrigation covering 150 acres with 190 AF, or the allowable 1.3 AF/acre in Sumner County. This is outside the lower ark recharge area. The SY analysis showed plenty of water available.

Spacing to all nearby wells has been met and it appears there are no wells within ½ mile of the proposed well location. I've attached a rough map.

Test logs by Rosencrantz-Bemis were submitted with the application. 2 of the supplied logs showed shale beginning at 44' and 52' with a SWL of 20' and 22', so the available logs show 24' and 30' of saturated thickness to the shale layer. The other 2 logs did not have a SWL but showed shale at 49'. Based on the logs this is borderline to be applicable for additional information from the Limited Saturated Thickness Study to ensure the requested quantity is available from the source and the nearby wells won't be negatively impacted. That said, spacing to nearby wells is met by a wide margin and there is only one other permitted groundwater well in this 2 mile circle so the Limited Saturated Thickness "LST" study should not be requested in this instance. Also, in past instances when we have had a log showing "LST" and additional logs showing more than 25' of thickness, we have not required the study. Also, the logs and application are sketchy but it appears the wells will be or have been completed to 60', 60', 50', & 51' so I assume they are creating a bit of a sump area where the casing is not perforated and the shale is not being sourced. All this reasoning to say I don't think we need a "LST" study. See attached logs and application well information.

I think this application can be recommended for approval. Please pass on to Austin if you agree and let me know if you have any questions about the "LST" determination in this case.

Cameron

---

**From:** McColloch, Austin  
**Sent:** Wednesday, October 18, 2017 3:12 PM  
**To:** Lanterman, Jeff <[Jeff.Lanterman@ks.gov](mailto:Jeff.Lanterman@ks.gov)>  
**Cc:** Conant, Cameron <[Cameron.Conant@ks.gov](mailto:Cameron.Conant@ks.gov)>  
**Subject:** Recommendation File No. 49810

Jeff,

Attached is my draft memo for New Application File No. 49,810. Pretty straightforward one. Let me know if you have any questions.

Thanks,

Austin McColloch  
Environmental Scientist  
Ph: (785) 564-6643



April 6, 2017

Dear Alex,

I have now filled out everything that your letter addressed as being incomplete. I am sorry for not having it completely filled out the first time. On the topography map that I plotted, I showed where there is a permit within one half mile of the diversion point. I could not find if there was an actual water well in place or not. However I did put the landowner and mailing address on the topography map. If there is anything else I have still left out, please let me know. Thanks again for your time and understanding.

Sincerely



Kevin White

620-440-0024

whiteagservices@gmail.com

WATER RESOURCES  
RECEIVED

APR 10 2017

KS DEPT OF AGRICULTURE

SCANNED

49820

Dear Matt,

I have filled out the rest of water application to the best of my knowledge please let me know if you need any other information. This is my first time applying for water permit so I may have left something out. I have attached the driller's logs for the four proposed wells. Only thing that I did not have was a copy of the sprinkler package system for the irrigation page. I am still waiting to hear back from Valley on the design. I can just email that to you, if you end up needing it.

The only water permits within a half mile of the proposed wells are Permit#47820 which, I believe is owned by the Department of Wildlife and Parks. The only address I could find was 1020 S. Kansas, Rm 200, Topeka, Kansas 66612-1327.

If you could just shoot me a short email confirming you got this information that would be great. Also our banker was wondering how short the application permit process is. He was just wondering if we were going to be able to have a system up and going for this year's summer crops.

Thanks for your time and help,

Kevin White

620-440-0024

whiteagservices@gmail.com

WATER RESOURCES  
RECEIVED

APR 10 2017

KS DEPT OF AGRICULTURE

WATER RESOURCES  
RECEIVED

MAR 30 2017

KS DEPT OF AGRICULTURE

SCANNED

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  
**FILE COPY**

April 4, 2017

KEVIN WHITE  
PO BOX 966  
OXFORD KS 67119

Re: Pending Application,  
File No. 49,810

Dear Mr. White:

After a preliminary review of your above referenced application for permit to appropriate water received in this office on March 30, 2017, it is being returned to you for additional information. In your original application, you requested a 60-day period of time in which to determine the precise location for your point of diversion within a specified quarter section tract of land described as the Northeast Quarter (NE $\frac{1}{4}$ ) of Section 23, in Township 2 South, Range 20 East, Sumner County, Kansas. Due to our delay in returning the original application to you, the 60-day period of time will start as of the date of this letter.

Once you've determined the precise location for your point of diversion, complete the rest of Paragraph No. 5 of your application by providing the description for the 10-acre tract location of the point of diversion as well as the feet distances North and West of the Southeast corner of the Section. The location of the point of diversion must also be plotted on the topographical map included. In the case of a battery of wells, please provide the description of the location of the proposed geographic center of the well battery, as well as **the location for each of the individual wells comprising the battery of wells**.

The locations of all other water wells of every kind within one-half mile ( $\frac{1}{2}$ ) of the point of diversion must be plotted on the topographical map as well. Each well should be identified as to its use (e.g. domestic, irrigation, industrial, etc.) and must **include the name and mailing address of the well owner**. A signed statement should be included on the map declaring that all wells within one-half mile ( $\frac{1}{2}$ ) of the point of diversion have been plotted, or it should declare that none exist. Please provide this information once you have established your point of diversion.

Paragraph No. 13 of the application requests well information so the source of supply of the proposed well may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of a well or test hole within 300 feet of the proposed point of diversion. Please supply the indicated information and a test hole log or a driller's log with the returned application.

In order to retain its priority of filing, the original application and attachments must be returned to this office with the requested information on or before **May 30, 2017**, or within any authorized extension of time thereof. According to law, default in refileing of the completed application and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

(over)

SCANNED

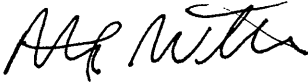
White

April 4, 2017

Page 2 of 2

If you have any questions, please contact me at (785) 564-6631 or by email at [alex.whitesell@ks.gov](mailto:alex.whitesell@ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Whitesell".

Alex Whitesell

Environmental Scientist

Water Appropriation Program

enclosures

pc: Stafford Field Office

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
Vanoss Silt Loam	79.8		
Waurika Silt Loam	19.3		
Milan Loam	.9		
Total:	100 %		

b. Estimate the average land slope in the field(s): ~~0~~ 1 %  
 Estimate the maximum land slope in the field(s): 3-6 %

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: *Minimize tailwater by irrigating responsible and making sure all soil & water conservation is done and maintained.*
- ii. For sprinkler systems:
- (1) Estimate the operating pressure at the distribution system: 15-25 psi
  - (2) What is the sprinkler package design rate? 800 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:  
*Soybeans, Corn, Cotton, Wheat, Alfalfa*

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).  
*Our certified agronomist has a soil moisture probe which will allow us to determine when crop needs irrigated.*

*Also crop stress and weather forecast will help determine how much to apply.*  
 You may attach any additional information you believe will assist in informing the Division of the need for your request.

WATER RESOURCES RECEIVED

WATER RESOURCES RECEIVED

MAR 30 2017

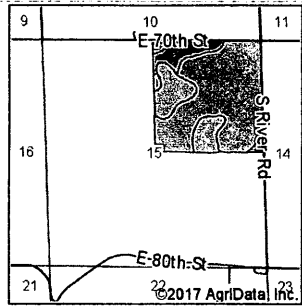
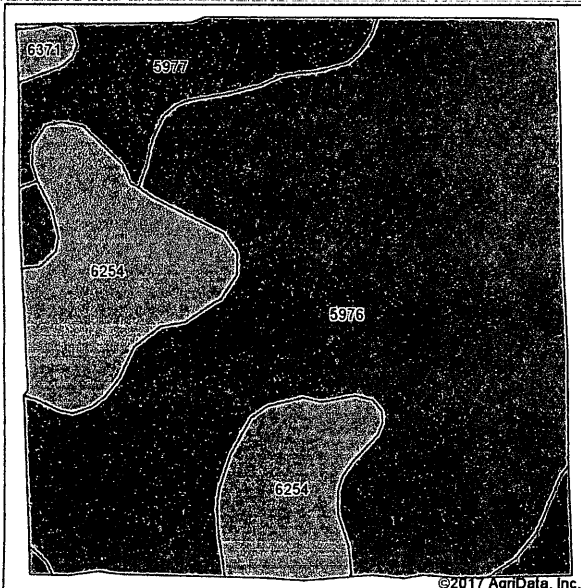
APR 10 2017

KS DEPT OF AGRICULTURE

KS DEPT OF AGRICULTURE

SCANNED

Soils Map



State: **Kansas**  
 County: **Sumner**  
 Location: **15-33S-2E**  
 Township: **Valverde**  
 Acres: **152.21**  
 Date: **3/12/2017**



Soils data provided by USDA and NRCS.

Area Symbol: KS191, Soil Area Version: 13

Code	Soil Description	Acres	Percent of field	Non-Irr Class Legend	Non-Irr Class *c	Irr Class *c	Alfalfa hay	Cotton lint	Grain sorghum	Improved bermudagrass	Peanuts	Weeping lovegrass	Wheat	Introduced bluestem	Caucasian bluestem	Cantaloupe	Oats	Sorghum hay	Wheat grazeout	Barley	Smooth brome grass	Winter wheat
5976	Vanoss silt loam, 0 to 1 percent slopes	105.01	69.0%		le	le	4	424	54	6	1530	5	35	1	1	9						
6254	Waurika silt loam, 0 to 1 percent slopes, occasionally ponded	29.40	19.3%		llw			330	41	5	34		26				37			1		
5977	Vanoss silt loam, 1 to 3 percent slopes	16.51	10.8%		lle			39	42	5	85		39	6	1	9	42	6	4			
6371	Milan loam, 3 to 6 percent slopes, eroded	1.29	0.8%		llle				40												5	28
<b>Weighted Average</b>							<b>2.8</b>	<b>360.5</b>	<b>50.1</b>	<b>5.6</b>	<b>1071.3</b>	<b>3.4</b>	<b>33.4</b>	<b>1.3</b>	<b>0.8</b>	<b>7.2</b>	<b>11.7</b>	<b>0.7</b>	<b>0.4</b>	<b>0.2</b>	<b>-</b>	<b>0.2</b>

\*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.

WATER RESOURCES RECEIVED

APR 10 2017

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

MAR 30 2017

KS DEPT OF AGRICULTURE

SCANNED

\_\_\_\_\_  
(Date)

Kansas Department of Agriculture  
Division of Water Resources  
David W. Barfield, Chief Engineer  
109 SW 9<sup>th</sup> Street, 2nd Floor  
Topeka, Kansas 66612-1283

Re: Application  
File No. \_\_\_\_\_

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also 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. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Kevin White  
Signature of Applicant

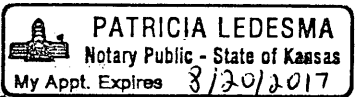
State of Kansas )  
County of Sumner ) ss

Kevin White  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 14<sup>th</sup> day of March, 2017.

Patricia Ledesma  
Notary Public

My Commission Expires: 8/20/2017



WATER RESOURCES  
RECEIVED

WATER RESOURCES  
RECEIVED

APR 10 2017

MAR 30 2017

**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN  
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT  
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River  
Big Blue River  
Chapman Creek  
Chikaskia River  
Cottonwood River  
Delaware River  
Little Arkansas River  
Little Blue River  
Marais des Cygnes River  
Medicine Lodge River  
Mill Creek (Wabaunsee Co. area)  
Neosho River

Ninnescah River  
North Fork Ninnescah River  
Rattlesnake Creek  
Republican River  
Saline River  
Smoky Hill River  
Solomon River  
South Fork Ninnescah  
Spring River  
Walnut River  
Whitewater River

WATER RESOURCES  
RECEIVED

APR 10 2017

KS DEPT OF AGRICULTURE

WATER RESOURCES  
RECEIVED

MAR 30 2017

KS DEPT OF AGRICULTURE

SCANNED



# Water Easement

This water easement is between Broadhurst Foundation who is the landowner of the NE 1/4 of 15-33-2E and Kevin White. Broadhurst Foundation is hereby granting Kevin White the rights to use any water found on the NE 1/4 of 15-33-2E. This water easement is for the purpose of irrigating crops that are raised on the same field described above.

Kevin White: *Kevin White*  
Date: 3/15/17

Broadhurst Foundation: *Mr. Steven D. Broadhurst + Mrs. [illegible]*  
Date: 3/15/17

WATER RESOURCES RECEIVED

APR 10 2017

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

MAR 30 2017

KS DEPT OF AGRICULTURE

SCANNED

49810

49810

DRILLER'S TEST LOG

Customer Name: Kevin White Date: 10/25/2016
Address: Test No: #2-16
County: Sumner Quarter: NE Section: 15 Township: 33 Range: 2

Drilled Footage From To Description of Strata Indicate Test Location by an X

Table with 4 columns: From, To, Description of Strata, and Indicate Test Location by an X. Rows include: Top soil, Reddish sandy clay, Sand & gravel- fine to small, med, clean, loose, Tan clay, Tan clay w/ fine to small gravel, Gravel- med clean coarsse loose, Green shale.

Static Water Level: 20 Ft
Remarks: Set 45' of 2" casing for water level.
Pulled casing & plugged test.

Garmin GPS- Nad 83
Latitude: 37.1809 N
Longitude: 97.1939 W
Elevation:

WATER RESOURCES RECEIVED
APR 10 2017
KS DEPT OF AGRICULTURE

Driller: Luis Luna
Spot Location: SW/ SW/ NE

ROSENCRANTZ-BEMIS EQUIPMENT CO., INC
Telephone (620) 792-2488 or (620) 793-5512
P.O. Box 713, Great Bend, KS 67530

WATER RESOURCES RECEIVED
MAR 30 2017

SCANNED
KS DEPT OF AGRICULTURE

# DRILLER'S TEST LOG

49810

Customer Name: Kevin White Date: 3/8/2017  
 Address \_\_\_\_\_ Test No: #1-17  
 County: Sumner Quarter: NE Section: 15 Township: 33 Range: 2E

Drilled Footage From	To	Description of Strata	Indicate Test Location by an X
0	3	Top soil	
3	16	Reddish clay	
16	25	Sand & gravel- small, med, coarse, clean, loose	
25	33	Tan clay	
33	40	Sand & gravel- fine to small, clean	X
40	52	Sand & gravel- small med coarse clean	
52	60	Gray shale	
			Static Water Level: <u>22</u> Ft
			Remarks: <u>Set pipe for supply well</u>
			Garmin GPS- Nad 83
			Latitude: 37.1809 N
			Longitude: 97.1928 W
			Elevation:
			WATER RESOURCES RECEIVED
			APR 10 2017
			KS DEPT OF AGRICULTURE
			Driller: <u>Luis Luna</u>
			Spot Location: <u>SW/ SW/ NE</u>

**ROSENCRANTZ-BEMIS EQUIPMENT CO., INC**  
 Telephone (620) 792-2488 or (620) 793-5512  
 P.O. Box 713, Great Bend, KS 67530

WATER RESOURCES  
RECEIVED  
MAR 30 2017  
SCANNED  
KS DEPT OF AGRICULTURE

*Geo Center*

DRILLER'S TEST LOG

*49810*

Customer Name: Kevin White

Date: 3/9/2017

Address:

Test No: #4-17

County: Sumner

Quarter: NE

Section: 15

Township: 33

Range: 2E

Drilled Footage

From	To	Description of Strata	Indicate Test Location by an X			
0	3	Top soil				
3	14	Tan & gray clay				
14	20	Sand & gravel- small med coarse clean				
20	32	Tan clay				
32	38	Gray clay				
38	49	Sand & gravel-med to large coarse clean			X	
49	50	Gray shale				

Static Water Level: \_\_\_\_\_ Ft

Remarks: Test hole was plugged

Geo Center

Garmin GPS- Nad 83

Latitude: 37.1815 N

Longitude: 97.1934 W

Elevation:

WATER RESOURCES  
RECEIVED

APR 10 2017

KS DEPT OF AGRICULTURE

Driller: Luis Luna

Spot Location: SW/SW/NE WATER RESOURCES  
RECEIVED

ROSENCRANTZ-BEMIS EQUIPMENT CO., INC  
Telephone (620) 792-2488 or (620) 793-5512  
P.O. Box 713, Great Bend, KS 67530

MAR 30 2017

KS DEPT OF AGRICULTURE  
SCANNED





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

March 31, 2017

KEVIN WHITE  
PO BOX 966  
OXFORD KS 67119

RE: Application  
File No. 49810

Dear Sir or Madam:

Your application for permit to appropriate water in 15-33S-02E 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) 564-6645. 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, P.G.  
Change Application Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: STAFFORD Field Office  
GMD

SCANNED

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

March 31, 2017

KEVIN WHITE  
PO BOX 966  
OXFORD KS 67119

RE: Application  
File No. 49810

Dear Sir or Madam:

Your application for permit to appropriate water in 15-33S-02E 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) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

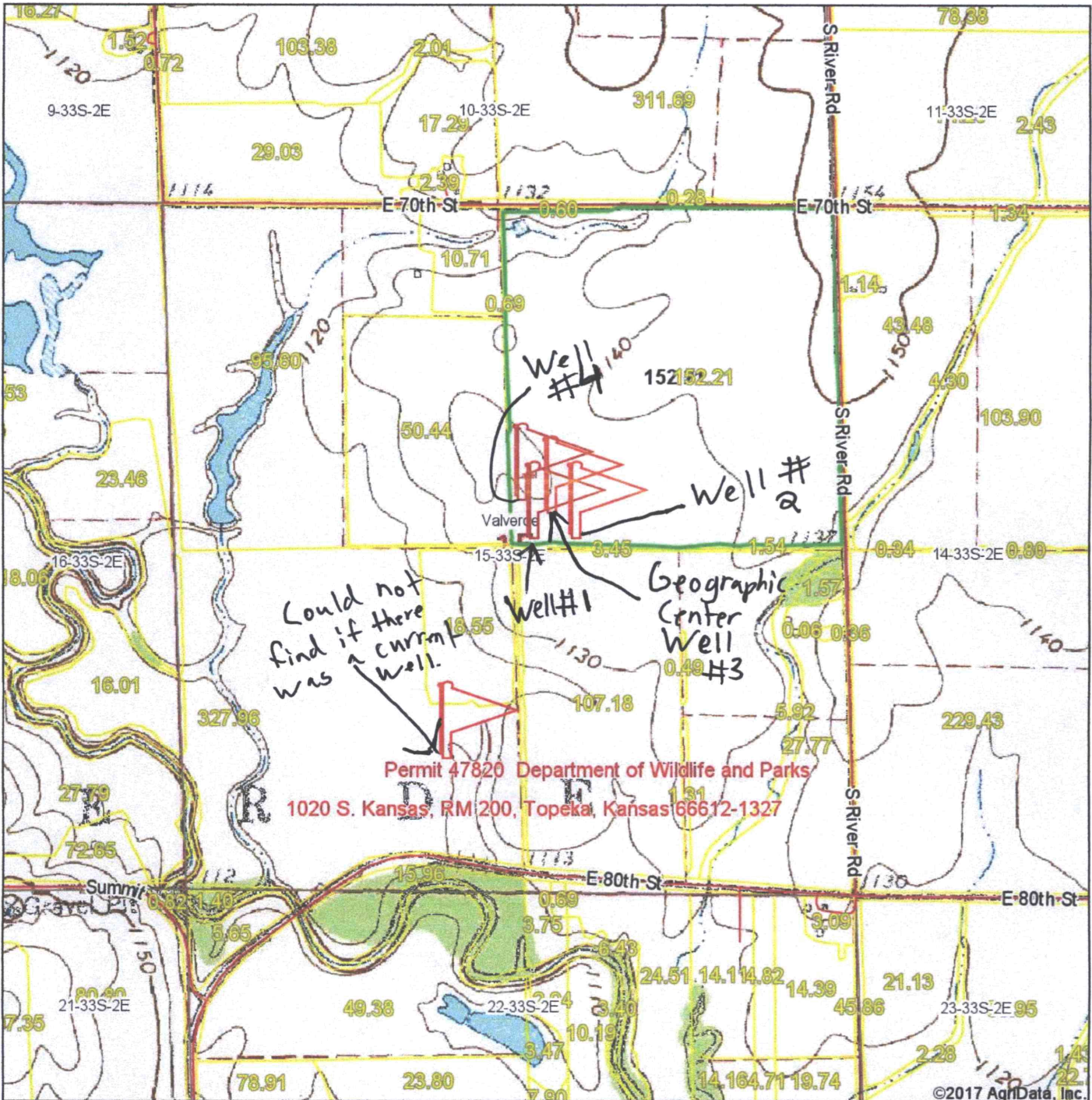
Sincerely,

A handwritten signature in cursive script that reads "Brent A. Turney".

Brent A Turney, P.G.  
Change Application Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: STAFFORD Field Office  
GMD

# Topography Map



map center: 37° 10' 50.03, -97° 11' 36.27

0ft 1201ft 2402ft

**15-33S-2E**  
**Sumner County**  
**Kansas**

**WATER RESOURCES RECEIVED**

**APR 1 0 2017**

**KS DEPT OF AGRICULTURE**



4/6/2017

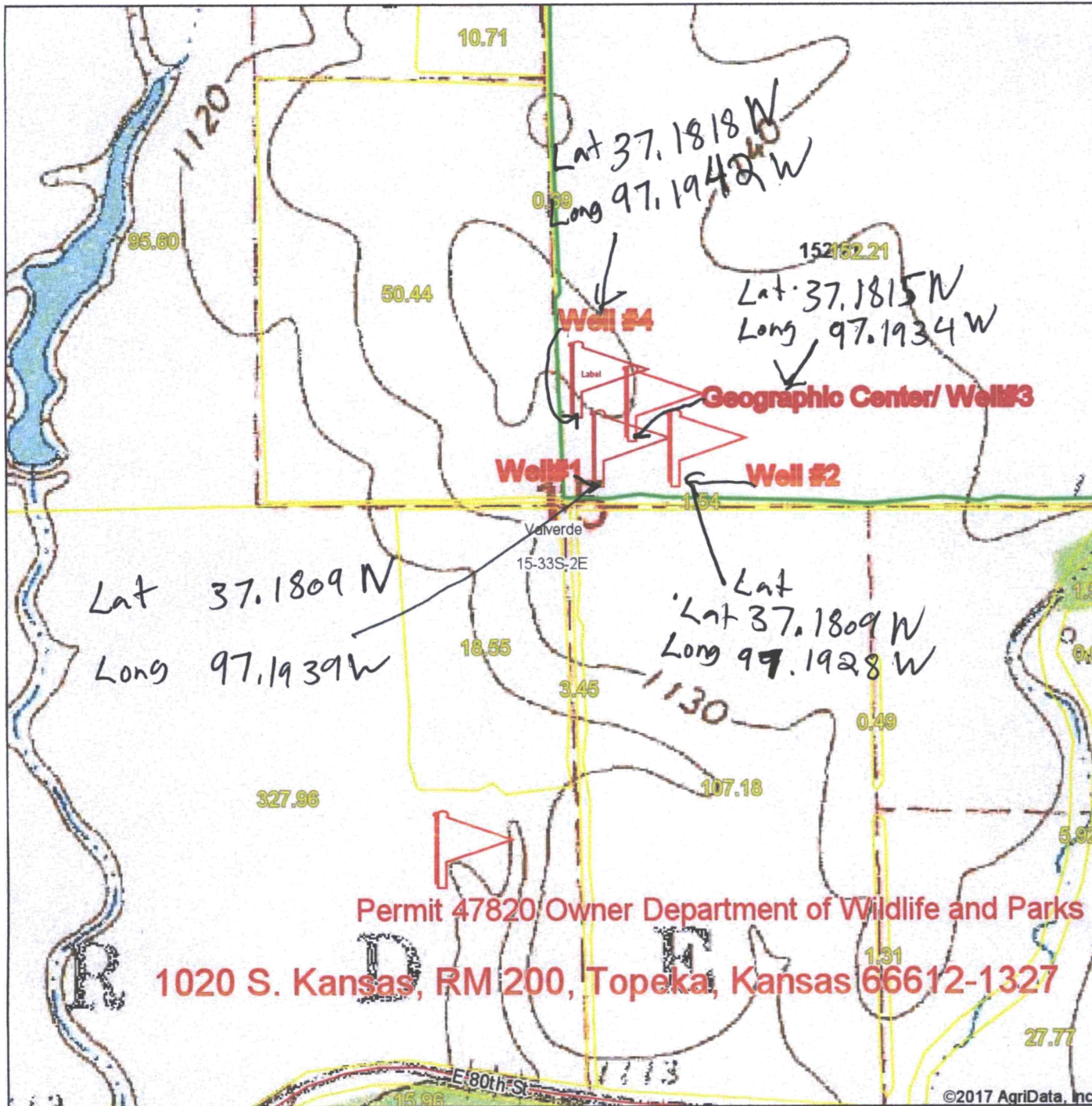


Field borders provided by Farm Service Agency as of 5/21/2008.

All wells within 1/2 mile point of diversion have been plotted.  
*Kevin White*



# Topography Map



©2017 AgriData, Inc.

map center: 37° 10' 48.4, -97° 11' 40.26

0ft 659ft 1319ft



15-33S-2E  
Sumner County  
Kansas

WATER RESOURCES  
RECEIVED

APR 10 2017



KS DEPT OF AGRICULTURE

4/6/2017

Field borders provided by Farm Service Agency as of 5/21/2008.

49810

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



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

- ★ Domestic Wells
- Proposed PD
- ▲ Water Rights
- ✚ SFFOsec\_corners
- ▨ Proposed Place Of Use

APR 10 2017

MAR 30 2017



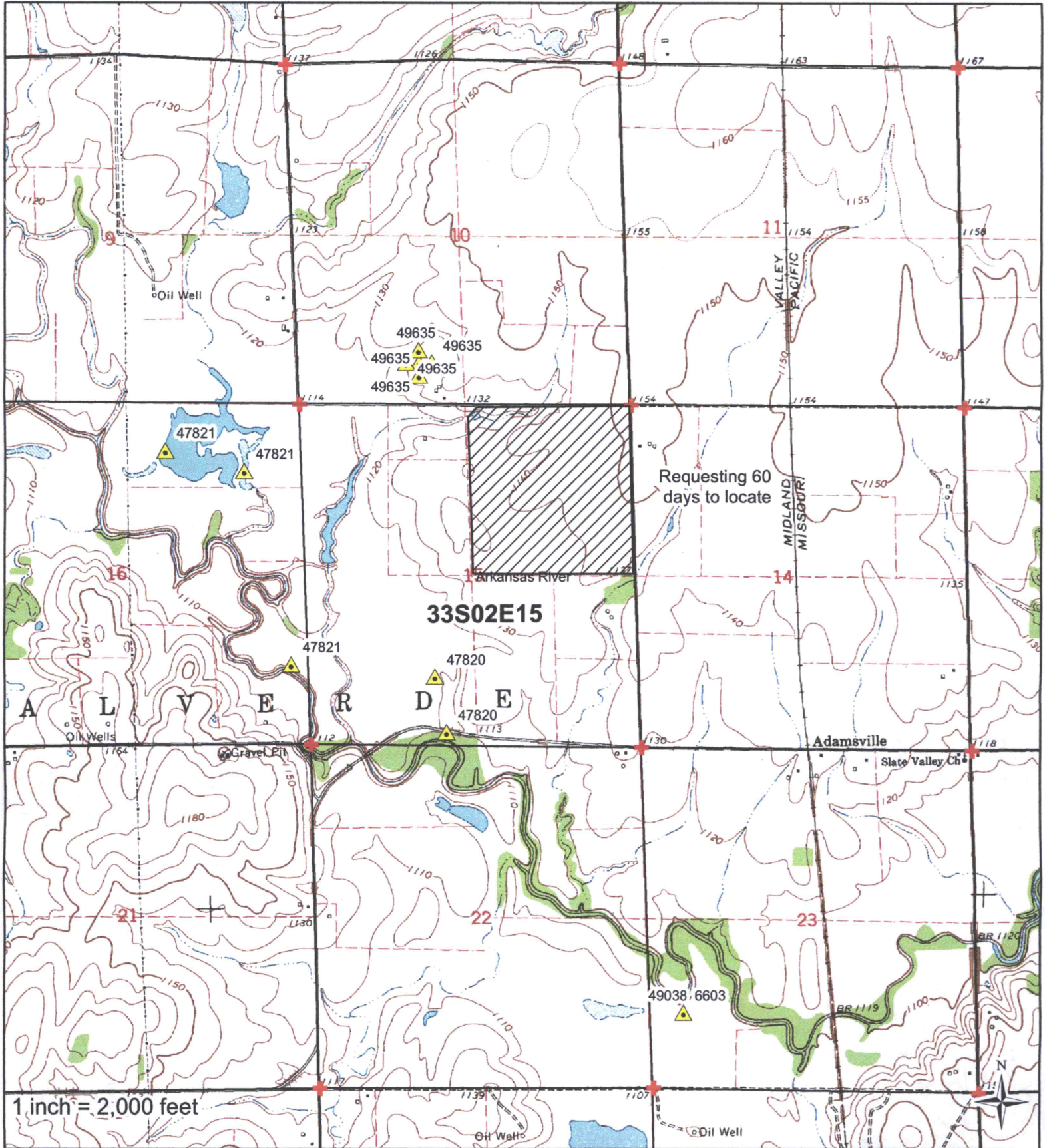
Created By: Matt Meier  
FO 2  
Date: 3/2/2017

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

SCANNED

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



I declare that all water wells or diversion sites using the same source of supply and within 2 mile of the proposed point of diversion have been plotted on the application map.

★ Domestic Wells

● Proposed PD

▲ Water Rights

⊕ SFFOsec\_corners

▨ ProposedPlaceOfUse

APR 10 2017

MAR 30 2017

Signature

Date

Created By: Matt Meier

KS DEPT OF AGRICULTURE

KS DEPT OF AGRICULTURE

Date: 3/2/2017

0 800 1,600 3,200 4,800 6,400 Feet

SCANNED