

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

1. File Number: <b>50008</b>	2. Status Change Date: <b>11/2/2018</b>	3. Field Office: <b>02</b>	4. GMD:
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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

7a. Applicant(s)    Person ID **63192**  
New to system     Add Seq# **1**

**COWLEY CO COMMUNITY COLLEGE  
TODD RAY  
221 S 3RD  
ARKANSAS CITY KS 67005**

7c. Landowner(s)    Person ID \_\_\_\_\_  
New to system     Add Seq# \_\_\_\_\_

7d. Misc.    Person ID \_\_\_\_\_  
New to system     Add Seq# \_\_\_\_\_

7a

8. WUR Correspondent    Person ID \_\_\_\_\_  
New to system     Add Seq# \_\_\_\_\_  
Overlap File (s) WUC    Notarized WUC Form   
Agree  Yes  No

7a

9. Use of Water:    Changing?     Yes     No

Groundwater     Surface Water

IRR     REC     DEW     MUN

STK     SED     DOM     CON

HYD DRG     WTR PWR     ART RECHRG

IND SIC: \_\_\_\_\_     OTHER: \_\_\_\_\_

10. Completion Date: **12/31/2019**    11. Perfection Date: **12/31/2023**    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: **9/21/18**    By: **AJW**  
Date Entered: **11/7/2018**    By: **UM**

File No. **50008**      15. Formation Code: **533**      Drainage Basin: **ARKANSAS**      County: **SU**      Special Use:      Stream:

16. Points of Diversion									
T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	
✓	86635	SE NW NE	13	32S	1W	1	4772	890	

17. Rate and Quantity				
Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
40	17.04	40	17.04	NA

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 **12/31/2019**      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
T 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	NE ¼	NW ¼	SW ¼	SE ¼								
✓	68775	13	32S	1W	1	6.81	4.71	.63	.95														13.1	7A	no	none			

Comments:

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**M E M O R A N D U M**

**TO:** Files

**DATE:** September 4, 2018

**FROM:** Alex Whitesell

**RE:** Application, File No. 50,008

Cowley County Community College has filed the referenced application to appropriate 17.04 acre-feet of groundwater at a diversion rate of 40 gallons per minute for irrigation use from a single well. The proposed point of diversion is located in the SE $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 13, Township 32 South, Range 1 West, Sumner County, Kansas.

The requested quantity of 17.04 acre-feet applied to 13.1 acres will provide 1.3 acre-feet per acre, which is the maximum reasonable quantity for irrigation use in Sumner County, per K.A.R. 5-3-24. The application is proposing to irrigate grasses and landscape features around a newly under construction college campus. Applications of this nature typically request a higher quantity of water for the acres which could present a problem in the future. Because the construction of the college will be completed in phases, we are moving forward with this application with the knowledge that another application will most likely be needed in the future. Jeff Lanterman, Water Commissioner of the Stafford Field Office, and Bryce Barkus, P.E., the engineer handling this project on behalf of the college, is aware of the potential need for another new application.

A well log was not submitted for the point of diversion. Based on area well logs and information from the Kansas Geological Survey, supply appears to be Wellington formation with some Quaternary contribution. There are no other appropriations within two miles; therefore, the application is being approved knowing that safe-yield will not be an issue and a well log will be submitted upon completion of the well giving better information on the source of supply.

The area of the proposed point of diversion is open to new appropriations, subject to safe yield. The specific method for calculating safe yield for unconfined groundwater aquifers is described in K.A.R. 5-3-11. The safe yield area of consideration is the entire two-mile circle, 8,042 acres using 2.9 inches of potential annual recharge and 100% recharge available for appropriation. The safe yield was calculated to be 1,943.6 acre-feet with total prior appropriation of 0 acre-feet leaving 1,943.6 acre-feet available for appropriation. Therefore, the application meets safe yield.

Nine nearby well owners were notified of proposed appropriation in a letter dated August 30, 2018. No comments were received. The WRIS database shows no non-domestic wells within two-miles and the nearest domestic well is over 1,000 feet away. Thus, the proposed point of diversion meets minimum well spacing criteria to all existing wells per the requirements in K.A.R. 5-4-4.

As allowed by K.S.A. 82a-706(c) an approved water flow meter shall be installed on the diversion works for this file. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will need to be installed. Water level measurement tubes will not be required because the authorized rate will not exceed 100 gpm.

Jeff Lanterman, Water Commissioner for the Stafford Field Office, recommended approval of the referenced application in a September 20, 2018 e-mail. Based on the above discussion, it is recommended that the referenced application be approved.

Alex Whitesell  
Environmental Scientist  
Division of Water Resources

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE MCCLASKEY, SECRETARY OF AGRICULTURE

COWLEY COUNTY COMMUNITY COLLEGE  
TODD RAY  
221 S 3<sup>RD</sup>  
ARKANSAS CITY KS 67005

November 8, 2018

**FILE COPY**

RE: Appropriation of Water  
File No. 50,008

Dear Mr. Ray:

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. 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.

Enclosed is a form which 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 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,

A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum  
New Application Unit Supervisor  
Division of Water Resources

KAB:ajw  
Enclosures  
pc: 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. 50,008** of the applicant

**COWLEY COUNTY COMMUNITY COLLEGE**  
**221 S 3RD**  
**ARKANSAS CITY KS 67005**

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 8, 2018**
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	
13	32S	1W	6.81	4.71	0.63	0.95													13.1

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 Southeast Quarter of the Northwest Quarter of the Northeast Quarter (SE¼ NW¼ NE¼) of Section 13, more particularly described as being near a point 4,772 feet North and 890 feet West of the Southeast corner of said section, in Township 32 South, Range 1 West, 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 **40 gallons per minute (0.089 c.f.s.)** and to a quantity not to exceed **17.04 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, 2019** 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, 2023 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 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 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 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.

Ordered this 2nd day of November, 2018, in Manhattan, Riley County, Kansas.

Lane P. Letourneau

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

State of Kansas            )  
  ) SS  
County of Riley            )

The foregoing instrument was acknowledged before me this 2nd day of November, 2018, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

Notary Public

**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.

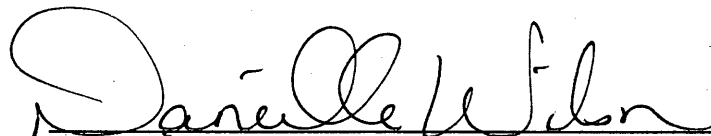
**CERTIFICATE OF SERVICE**

On this 8<sup>th</sup> day of November, 2018, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,008, dated November 2<sup>nd</sup>, 2018, was mailed postage prepaid, first class, US mail to the following:

COWLEY CO COMMUNITY COLLEGE  
221 S 3RD  
ARKANSAS CITY KS 67005

With photocopy to:

Stafford Field Office



Division of Water Resources





APPLICATION COMPLETE  
9 10 110  
Reviewer AW

KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 50008  
This item to be completed by the Division of Water Resources.

**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.)

WATER RESOURCES  
RECEIVED  
MAR 08 2018  
2:45  
KS DEPT OF AGRICULTURE

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): Cowley County Community College  
Address: 125 S. 2nd Street  
City: Ark City State KS Zip Code 67005  
Telephone Number: (620) 441-5207

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Lower Arkansas River Basin (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 17.04 acre-feet OR 5,553,479 gallons per calendar year, to be diverted at a maximum rate of 40 gallons per minute OR 0.09 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 AW Date 3/6/18  
Code REA Fee \$ 300 TR # \_\_\_\_\_ Receipt Date 3/8/18 Check # 39833

SCANNED

3/12/2018 UCM

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 SE quarter of the NW quarter of the NE quarter of Section 13, more particularly described as being near a point 4772 feet North and 890 feet West of the Southeast corner of said section, in Township 32 South, Range 1 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):

\_\_\_\_\_  
(name, address and telephone number)

\_\_\_\_\_  
(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 1, 2018. Dennis C.  
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 1 water well \_\_\_\_\_  
(number of wells, pumps or dams, etc.)  
and (was) will be completed (by) June 2018 \_\_\_\_\_  
(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 \_\_\_\_\_  
(Mo/Day/Year)

WATER RESOURCES  
RECEIVED

MAR 08 2018  
SCANNED

KS DEPT OF AGRICULTURE

## IRRIGATION USE SUPPLEMENTAL SHEET

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

Name of Applicant (Please Print): Cowley County Community College

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: Cowley College- Sumner Campus  
 ADDRESS: Highway 160 & William Drive

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13	32S	1W	6.81	4.71	0.63	0.95													13.1

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

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

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

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

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
<u>Bethany Silt Loam(0-1%)</u>	<u>8</u>	_____	_____
<u>Bethany Silt Loam(1-3%)</u>	<u>92</u>	_____	_____
_____	_____	_____	_____
<u>Total:</u>	<u>100 %</u>	_____	_____

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

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

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

Center pivot                       Center pivot - LEPA                       "Big gun" sprinkler

Gravity system (furrows)                       Gravity system (borders)                       Sideroll sprinkler

Other, please describe: Landscape Irrigation System

d. System design features:

i. Describe how you will control tailwater:

N/A

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: 70 psi

(2) What is the sprinkler package design rate? 40 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:

Grass and other landscaping.

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).

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

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 The site will not require impounded water, therefore 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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---

---

WATER RESOURCES  
RECEIVED **SCANNED**

MAR 08 2018



## Whitesell, Alex [KDA]

---

**From:** Lanterman, Jeff [KDA]  
**Sent:** Thursday, September 20, 2018 4:21 PM  
**To:** Whitesell, Alex [KDA]  
**Cc:** Conant, Cameron [KDA]  
**Subject:** FW: 50,008 Recommendation  
**Attachments:** 50008 Memo To File.docx; 50008 SafeYield.docx; 50008 app map.pdf

Alex.

I never got a chance to congratulate you on your new position. So CONGRATS!

We will miss you, and it has been an honor working with you.

I am going to send you off with a recommendation of approval on this one ! Wish It was more.

Keep in touch.

Jeff

---

**From:** Conant, Cameron [KDA]  
**Sent:** Wednesday, September 19, 2018 4:11 PM  
**To:** Lanterman, Jeff [KDA] <[Jeff.Lanterman@ks.gov](mailto:Jeff.Lanterman@ks.gov)>  
**Subject:** FW: 50,008 Recommendation

Jeff, we had discussed this in passing a couple weeks ago and Alex has now sent the review for recommendation. This is what you and I discussed a couple weeks ago--*"Since it's the only game in town, Jeff said he is comfy without the log for the review. Of course we'd want the log with the N&P and will make the source call when doing the New App compliance check..."*

This is for a "new expansion campus in Sumner County, ie Cowley County Community College-Sumner Campus" near the City of Wellington. They are requesting 17.04 AF on 13.1 acres or 1.3 AF/acre for irrigation on and around the new campus in phase I.

I've attached the application map prepared by MKEC. There is a residence right at the 660' mark on the attached map but I can't tell that it has any type of domestic well. Alex notified 10 nearby wells based on the map provided by MKEC. They had an engineer sign it saying "all wells of any kind...have been plotted". I'm inclined to accept the map produced by the engineering firm under the assumption they did their homework and we have notified everyone appropriately, I found no information that directly disputes the nearby wells they show on the map. This area doesn't appear to have a great aquifer, as such it is quite possible many of the nearby wells utilize city or RWD water depending on what is available to them.

Some nearby well logs show shale at 12', 15', 18', ect. with SWL at 8'-15' or so. On occasion there is a logged sand layer around 20' but that is on only a couple rare logs.

As Alex notes, this is going to be a bit of a process as they are doing this "Sumner Campus" in stages. The engineers fully understand they will likely need to request additional permitting along the way and they should also fully understand the timetable we are dealing with to get any new applications approved.

I think this can be recommended for approval. Seems to be a very poor aquifer here but there is really no development around and this seems to meet spacing to all nearby domestic wells. I think this can be recommended for approval.

Cameron

---

**From:** Whitesell, Alex [KDA]  
**Sent:** Wednesday, September 19, 2018 2:53 PM  
**To:** Conant, Cameron [KDA] <[Cameron.Conant@ks.gov](mailto:Cameron.Conant@ks.gov)>  
**Subject:** FW: 50,008 Recommendation

Cameron,

The nearby comment period is over and I have received no comments regarding this application. I just wanted to follow up to see about getting this one out before I leave Friday. Thanks!

---

**From:** Whitesell, Alex [KDA]  
**Sent:** Tuesday, September 04, 2018 2:53 PM  
**To:** Conant, Cameron [KDA]  
**Subject:** 50,008 Recommendation

Cameron,

This is the file that we spoke about on the phone today that does not have a well log and there is not much to go off of in the two mile circle.

At this time, I am still waiting on the period of comment to end for nearby well owners. Do you mind giving this a look over to see if any major changes are needed? I will resend it once the nearby comment period is over. I thought that it might be good to have another set of eyes since the safe-yield is a situation I haven't come across.

Thanks!

Alex Whitesell  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, KS  
(785) 564 - 6631

**My email has changed [alex.whitesell@ks.gov](mailto:alex.whitesell@ks.gov)**



## Whitesell, Alex [KDA]

---

**From:** Conant, Cameron [KDA]  
**Sent:** Tuesday, September 04, 2018 11:14 AM  
**To:** Whitesell, Alex [KDA]  
**Subject:** Cowley County CC

Since it's the only game in town, Jeff said he is comfy without the log for the review. Of course we'd want the log with the N&P and will make the source call when doing the New App compliance check...

**Cameron**

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

August 30, 2018

HAROLD TOWNSEND  
817 N WOODLAWN  
WELLINGTON KS 67152

**FILE COPY**

RE: Application  
File No. 50,008

Dear Sir or Madam:

This is to advise you that Cowley County Community College has filed the application referred to above for permit to appropriate 17.04 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 40 gallons per minute from a well or wells located as follows:

one (1) well located in the Southeast Quarter of the Northwest Quarter of the Northeast Quarter (SE $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 13, more particularly described as being near a point 4,772 feet North and 890 feet West of the Southeast corner of said section, in Township 32 South, Range 1 West, Sumner County, Kansas.

A copy of an aerial photograph depicting the location of the proposed point of diversion is also enclosed. 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(s) of the applicant's point(s) 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, please contact me at (785) 564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

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

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

AJW:  
Enclosure(s)  
pc: Stafford Field Office

SCANNED

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
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GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

August 30, 2018

BNSF RAILWAY  
1315 1<sup>ST</sup> ST  
WELLINGTON KS 67152

RE: Application  
File No. 50,008

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Water Appropriation Program

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GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

August 30, 2018

WELLINGTON HIGH SCHOOL  
221 S WASHINGTON AVE  
WELLINGTON KS 67152

RE: Application  
File No. 50,008

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GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

August 30, 2018

KRISTY DEBUHR  
220 N HASLET ST  
WELLINGTON KS 67152

RE: Application  
File No. 50,008

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Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

AJW:  
Enclosure(s)  
pc: Stafford Field Office

SCANNED

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GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

August 30, 2018

ROBERT & NEDELYN BANNISTER  
217 N HASLET ST  
WELLINGTON KS 67152

RE: Application  
File No. 50,008

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Environmental Scientist  
Water Appropriation Program

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pc: Stafford Field Office

SCANNED

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GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

August 30, 2018

WILLIAM SMITHBACK  
2013 E 7<sup>TH</sup> ST  
WELLINGTON KS 67152

RE: Application  
File No. 50,008

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GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

August 30, 2018

JOAN DILLARD  
MALINDA FRENCH  
2023 E 7<sup>TH</sup> ST  
WELLINGTON KS 67152

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File No. 50,008

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Environmental Scientist  
Water Appropriation Program

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GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

August 30, 2018

DEBRA SISSON  
2027 E 7<sup>TH</sup> ST  
WELLINGTON KS 67152

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Environmental Scientist  
Water Appropriation Program

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GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

August 30, 2018

JAMES & PHILLIS ETTER  
2111 E 7<sup>TH</sup> ST  
WELLINGTON KS 67152

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File No. 50,008

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Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

AJW:  
Enclosure(s)  
pc: Stafford Field Office

SCANNED

STATE OF KANSAS



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GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 9, 2018

COWLEY COUNTY COMMUNITY COLLEGE  
125 S 2ND ST  
ARK CITY KS 67005

RE: Application  
File No. 50008

Dear Sir or Madam:

Your application for permit to appropriate water in 13-32S-1W 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) 564-6637. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: STAFFORD Field Office  
GMD

SCANNED

5008



170152-016  
LETTER OF TRANSMITTAL

TO: David Barfield, Division of Water Resources  
1320 Research Park Drive  
Manhattan, KS 66502

CC:

WATER RESOURCES  
RECEIVED  
MAR 08 2018  
KS DEPT OF AGRICULTURE

CLIENT: Gordon  
LOCATION: Wellington, KS  
PROJECT: Cowley College Public Paving  
DATE: 3/7/2018  
XMTL No: 170152-016  
DESCRIPTION: Application for Permit to Appropriate Water for Beneficial Use

MKEC is forwarding the following information:

By: Attached  
Via: Express Delivery  
Docs: Submittals

Code	Date	Doc. No.	Qty.	Rev.	Description
1. IFA - For Approval	3/7/2018	Permit Application	1	0	Application for Permit to Appropriate Water for Beneficial Use
1. IFA - For Approval	3/7/2018	3 - Drawings	1	0	3 - Exhibit Drawings
1. IFA - For Approval	3/7/2018	Check	1	0	Application Fee Check for \$200

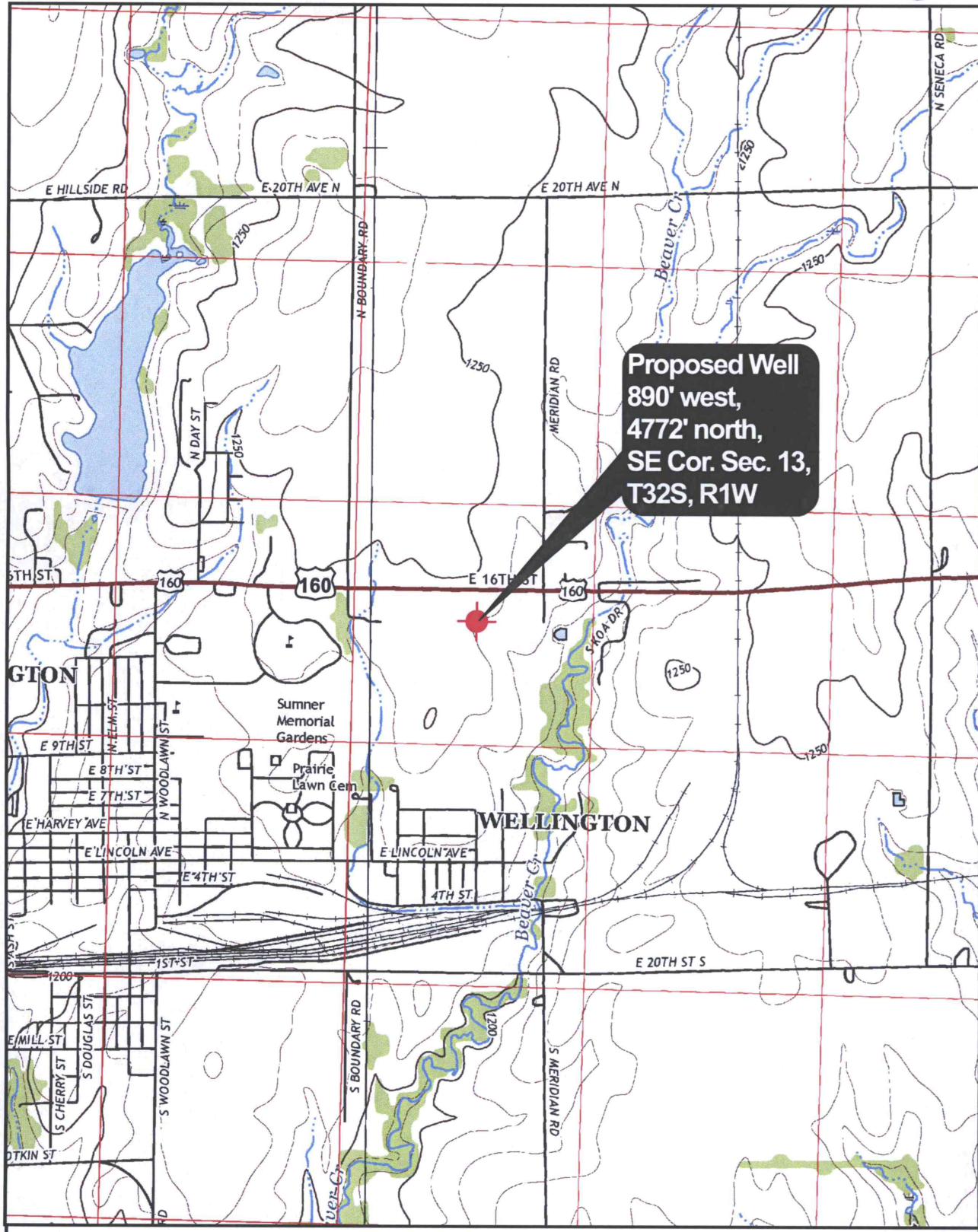
REMARKS

For Approval

Adam Koster  
SENDER'S NAME

RECIPIENT SIGNATURE

50008



Proposed Well  
890' west,  
4772' north,  
SE Cor. Sec. 13,  
T32S, R1W

**USGS QUAD EXHIBIT**  
**COWLEY COLLEGE - SUMNER CAMPUS**  
**WELLINGTON, KANSAS**

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MKEC Engineering  
All Rights Reserved  
www.mkec.com  
These drawings and their contents, including, but not limited to, all concepts, designs, & ideas are the exclusive property of MKEC Engineering (MKEC), and may not be used or reproduced in any way without the express consent of MKEC.

SEC: 13  
TWP: T32S  
RNG: R1W

PROJECT NO. 1701010152

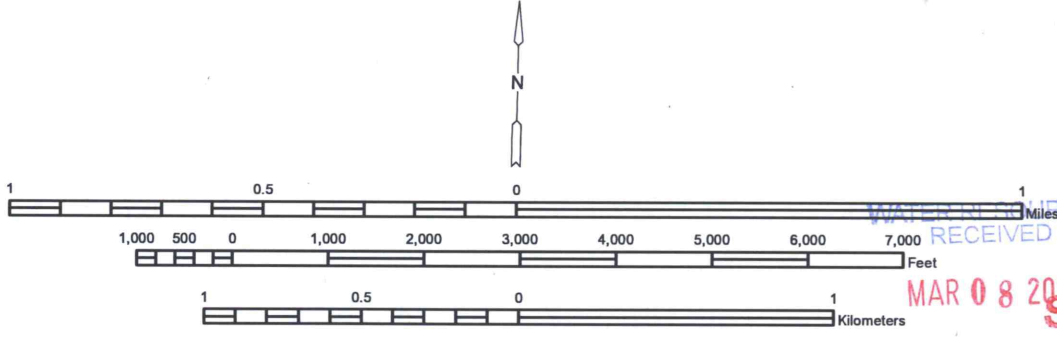
DATE 3/7/2018

SCALE 1"=2000'

DESIGNED DRAWN CHECKED  
JGD JGD KLA

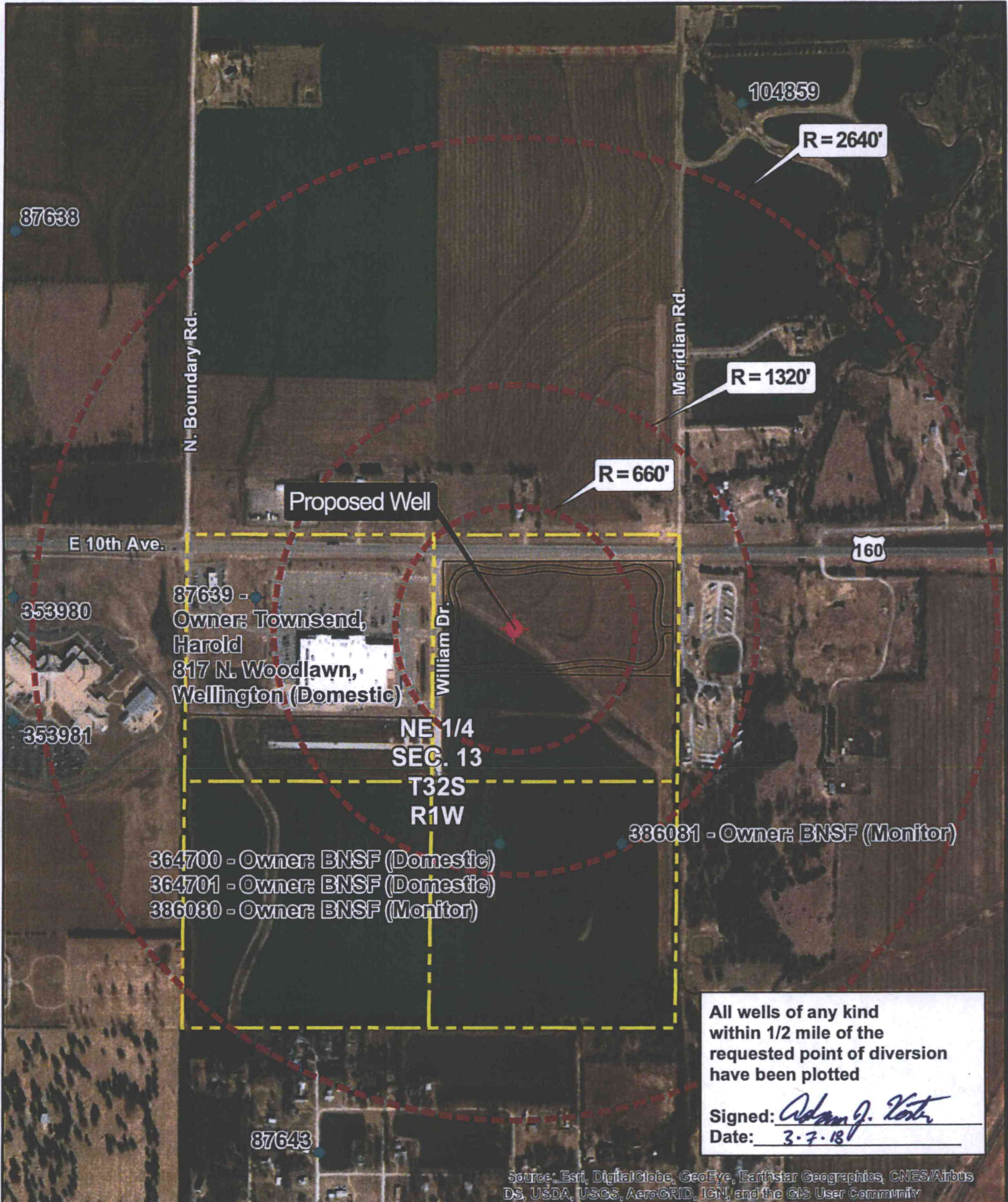
NO.	REVISION	DATE

SHEET NO. 1 OF 1





50208



Proposed Well

R = 2640'

R = 1320'

R = 660'

87639 -  
 Owner: Townsend,  
 Harold  
 817 N. Woodlawn,  
 Wellington (Domestic)

NE 1/4  
 SEC. 13  
 T32S  
 R1W

386081 - Owner: BNSF (Monitor)

364700 - Owner: BNSF (Domestic)  
 364701 - Owner: BNSF (Domestic)  
 386080 - Owner: BNSF (Monitor)

All wells of any kind  
 within 1/2 mile of the  
 requested point of diversion  
 have been plotted

Signed: *Adam J. Koster*  
 Date: 3-7-18

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus  
 DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



SEC: 13  
 TWP: T32S  
 RNG: R1W

1"=700' / 1:8400



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**MKEC**

Wichita, KS · 316.684.9500

**POINT OF DIVERSION EXHIBIT**

**COWLEY COLLEGE - SUMNER CAMPUS  
 WELLINGTON, KANSAS**

PROJECT NO. 17010152	DATE: 3/7/2018	SHEET NO.
DRAWN BY: JGD	DESIGNED BY: JGD	APPROVED BY: KLA
		1 OF 1

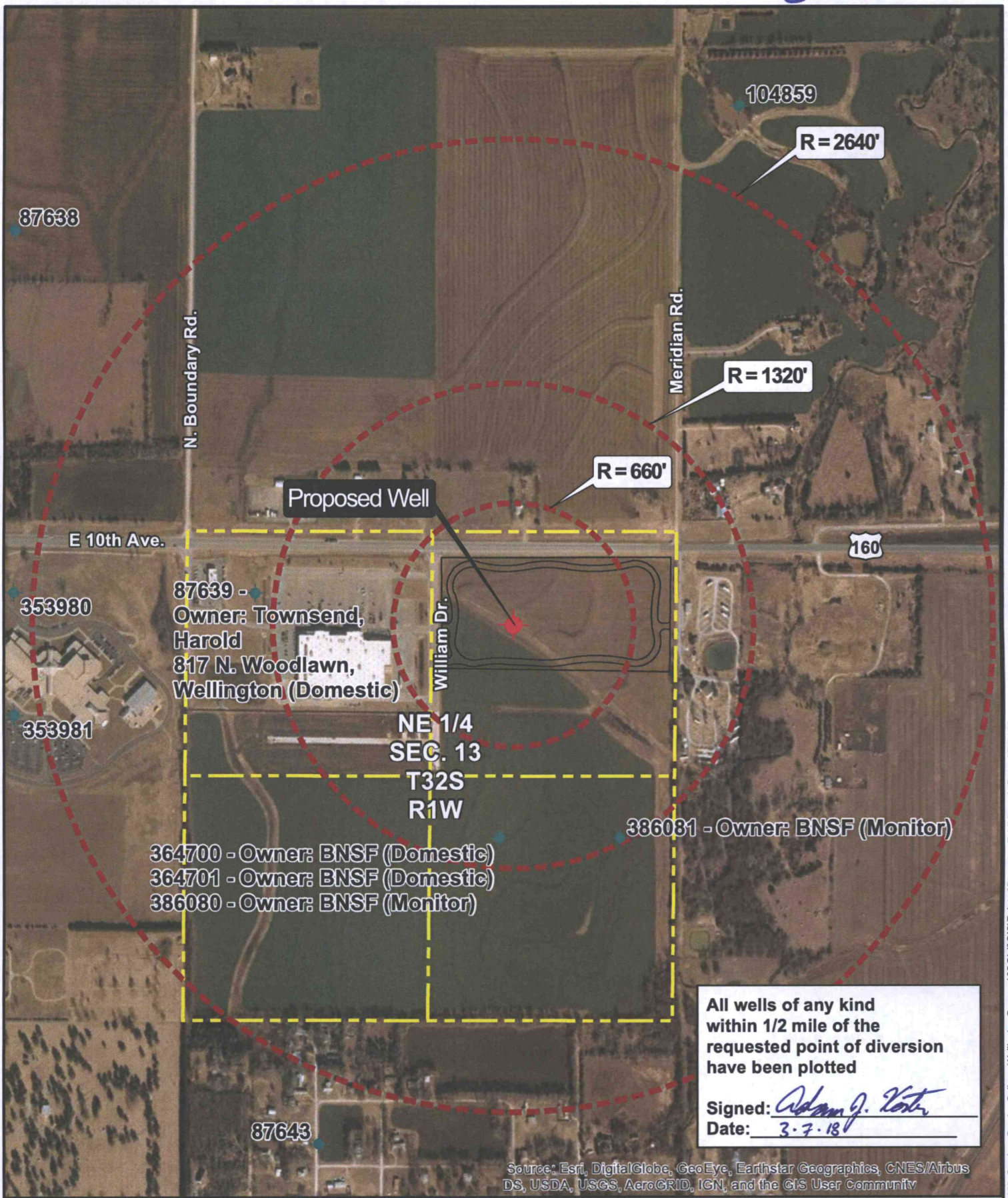
KS DEPT OF AGRICULTURE

**SCANNED**

Path: J:\Projects\2017\17010152\_Gordon\_Cowley College-Wellington Campus\05 CIV\GIS\Point of Diversion Exhibit.mxd - Date: 3/7/2018



50008



Proposed Well

R = 2640'

R = 1320'

R = 660'

87639 -  
 Owner: Townsend,  
 Harold  
 817 N. Woodlawn,  
 Wellington (Domestic)

NE 1/4  
 SEC. 13  
 T32S  
 R1W

364700 - Owner: BNSF (Domestic)  
 364701 - Owner: BNSF (Domestic)  
 386080 - Owner: BNSF (Monitor)

386081 - Owner: BNSF (Monitor)

All wells of any kind  
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SEC: 13  
 TWP: T32S  
 RNG: R1W  
 1"=700' / 1:8400  
 0 175 350 700

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<b>POINT OF DIVERSION EXHIBIT</b>			
<b>COWLEY COLLEGE - SUMNER CAMPUS</b>			
<b>WELLINGTON, KANSAS</b>			
PROJECT NO. 1701010152	DATE: 3/7/2018	SHEET NO.	
DRAWN BY: JGD	DESIGNED BY: JGD	APPROVED BY: KLA	1 OF 1

KS DEPT OF AGRICULTURE **SCANNED**

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