

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

1. File Number: <p align="center"><b>50,046</b></p>	2. Status Change Date: <p align="center"><b>2/11/2019</b></p>	3. Field Office: <p align="center"><b>02</b></p>	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 **65415**  
New to system     Add Seq# \_\_\_\_\_

**KEVIN WHITE  
PO BOX 966  
OXFORD KS 67119**

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

7b. Landowner(s)    Person ID **66053**  
New to system     Add Seq# \_\_\_\_\_

**KELLY HILL REVOCABLE TRUST  
3300 S CLAYTON BLVD  
ENGLEWOOD CO 80113**

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: \_\_\_\_\_

8. WUR Correspondent    Person ID **65415**  
New to system     Add Seq# \_\_\_\_\_  
Overlap File (s) WUC    Notarized WUC Form   
Agree  Yes     No

**7a**

10. Completion Date: **12/31/2020**    11. Perfection Date: **12/31/2024**    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: **12/31/2020** Date WLMD Installed: \_\_\_\_\_

Date Prepared: **2/1/19**    By: **MJM**  
Date Entered: **2/12/2019**    By: **LLM**

File No. **50,046**      15. Formation Code: 105      Drainage Basin: Arkansas River (Lower Ark)      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			
											Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files	
MOD		86740		NWNWNE	2	33S	2E	1	4688	2268	Geo-Cent	800	195	800	195	
ENT		87316		SWNWNE	2	33S	2E		4538	2268	Bat 1 of 4					
ENT		87317		NWNWNE	2	33S	2E		4838	2268	Bat 2 of 4					
ENT		87318		NWNWNE	2	33S	2E		4688	2118	Bat 3 of 4					
ENT		87319		NWNWNE	2	33S	2E		4688	2418	Bat 4 of 4					

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 **12/31/2020**      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	NE ¼	NW ¼	SW ¼	SE ¼							
MOD		68865		2	33S	2E	1	38.5	40	40	38.5																			

Comments: **PU and PD Modified during processing**

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

**MEMORANDUM**

**TO:** Files

**DATE:** February 1, 2019

**FROM:** Matt Meier

**RE:** Application, File No. 50,046

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 geo-center of the well battery is to be located in the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 2, more particularly described as being near a point 4,688 feet North and 2,268 feet West of the Southeast corner of said section, in Township 33 South, Range 2 East, Sumner County, within the Arkansas River drainage basin. There are no overlapping water rights. The proposed place of use is owned by the Kelly Hill Revocable Trust. The applicant has signed the application form stating that he has legal access to the point of diversion. Modifications were made to the footages and irrigational use supplemental sheet during the processing of the application to more accurately match what the applicant had drawn on the original application maps. These changes were verified with the applicant via phone and email.

The applicant had identified zero wells within one-half mile of the proposed well and no nearby well owner letters were sent. There is a home within a one-half mile, but it is owned by a relative of the applicant named Eric Lacy (which matched the county parcel search) and is on rural water with no wells located on the property. According to the WRIS database, the nearest non-domestic point of diversion (File No. 49,909) is located over 3,450 feet away. The site nearest domestic well is over  $\frac{1}{2}$  mile away. The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be one-quarter mile to all other non-domestic wells and 660 feet to domestic wells.

Based on senior fines and geographical location (i.e. not within the alluvial valley), the source of water will be Quaternary System deposits (undifferentiated Terrance – 105). The test hole log submitted with the application shows topsoil from 0 to 3 feet, brown to tan clay from 3 to 11 feet, fine to small sand and gravel from 11 to 15 feet, gravel from 15 to 38 feet, layers of green clay and green clay mixed with sand from 38 to 48 feet, and green shale from 48 to 60 feet below ground. The static water level was listed at 27 feet, and saturated thickness would be around 21 feet provided the well is only sourced from the Quaternary System. A static water level of 21 feet would be less than the normal limited saturated thickness cutoff of 25 feet which would require a study be conducted. After consulting with the water commissioner, it was decided to not require a study as the nearest domestic well is over  $\frac{1}{2}$  mile away which should limit any possible impact, could be sourced slightly deeper depending on the final individual well locations, and there is an existing water right (File No. 48657 which hasn't been inspected yet) located approximately 1.67 miles away with a similar log, saturated thickness (25' vs 21') and distance from the Arkansas River which has been reporting a rate of 700 gpm.

Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile circle radius of the point of diversion, which establishes the area of consideration. Evaluation of the area of consideration included the extent of the unconfined aquifer, which provided an area of consideration of 6,426 acres (truncating out the alluvium in the east portion of the 2-mile circle which is consistent with how other recent applications were processed in the area). With a potential annual recharge of 3.3 inches, and 100% of recharge available for appropriation, safe yield was determined to be 1,767.08 acre-feet. Existing water rights have appropriated 825.5 acre-feet, providing a difference of 941.78 acre-feet available for appropriation, and the application requesting 195 acre-feet complies with safe yield.

As noted above, these files are NOT in the alluvial aquifer and therefore safe yield was not evaluated using the United States Geological Survey data (i.e. 5.4 inches of recharge – 75% available). In addition, these wells are not within the boundaries of any South-Central Kansas Designated Unit Area.

The requested quantity of water, 195 acre-feet, is to irrigate the proposed 157 acres identified in the application. This is roughly 1.25 acre-feet per acre which is less than the maximum allowable of 1.3 acre-feet per acre for Sumner County, Kansas. There are multiple pending applications in this general area of the state, and they are being worked in priority order to ensure that senior applications are provided the available water.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. A water level measurement tube is 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 returned the required form to our office.

Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the referenced application on January 31, 2019. 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.

Matthew J. Meier  
Environmental Scientist  
Water Appropriations Unit

1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6700  
www. agriculture.ks.gov



900 SW Jackson, Room 456  
Topeka, KS 66612  
785-296-3556

Mike Beam, Acting Secretary

Laura Kelly, Governor

**FILE COPY**

KEVIN WHITE  
PO BOX 966  
OXFORD KS 67119

February 15, 2019

RE: Application, File No. 50,046

Dear Water User:

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 this permit. A water meter is required and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

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

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum  
New Application Unit Supervisor  
Water Appropriation Program

Enclosures

pc: Stafford Field Office  
KELLY HILL REVOCABLE TRUST

# THE STATE OF KANSAS



**KANSAS DEPARTMENT OF AGRICULTURE**  
Mike Beam, Acting 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. 50,046 of the applicant

**KEVIN WHITE**  
**PO BOX 966**  
**OXFORD KS 67119**

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 **April 26, 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	
2	33S	2E	38.5	40	40	38.5													157

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 to located in the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW¼ NW¼ NE¼) of Section 2, more particularly described as being near a point 4,688 feet North and 2,268 feet West of the Southeast corner of said section, in Township 33 South, Range 2 East, Sumner County, located substantially as shown on the 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 (1.783 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, 2020** 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, 2024** 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 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, Kansas 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, Kansas 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.

Ordered this 14<sup>th</sup> day of February, 2019, 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 14<sup>th</sup> day of February, 2019, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.

Danielle Wilson

Notary Public





**CERTIFICATE OF SERVICE**

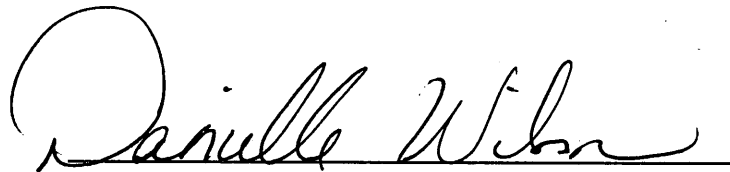
On this *5<sup>th</sup>* day of *February*, 2019, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,046, dated *February 11, 2019* was mailed postage prepaid, first class, US mail to the following:

KEVIN WHITE  
PO BOX 966  
OXFORD KS 67119

With photocopies to:

KELLY HILL REVOCABLE TRUST  
3300 S CLAYTON BLVD  
ENGLEWOOD CO 80113

Stafford Field Office



Division of Water Resources

THE STATE OF KANSAS



APPLICATION COMPLETE  
4/26/18  
Reviewer: MMS/SEFO

1-31-19  
KAB

KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 50040  
This item to be completed by the Division of Water Resources.

Water Resources  
Received

APPLICATION FOR PERMIT TO  
APPROPRIATE WATER FOR BENEFICIAL USE

APR 26 2018

Filing Fee Must Accompany the Application  
(Please refer to Fee Schedule attached to this application form.)

11:24  
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): Kevin White  
Address: 418 East Olive Street P.O. Box 966  
City: Oxford State KS Zip Code 67119  
Telephone Number: (620) 440-6024

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 GS County SW By AW Date 4/26/18  
Code 252 Fee \$ 300 TR # \_\_\_\_\_ Receipt Date 4/26/18 Check # 2597

4/27/18 DAW

1/30/19 \* MSW/SFFO updated footages to match location on map. Will use placeholders for individual wells. Verified with applicant via phone & email.

File No. 50040

Bat 1 of 4 SWNW NE 4538' N 2268' W Sec. 2 T 33S R 2E

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.

Geo Center

(A) One in the SW quarter of the NW quarter of the NE quarter of Section 2, more particularly described as being near a point 4580 feet North and 2200 feet West of the Southeast corner of said section, in Township 33 South, Range 2 East/West (circle one), Sumner County, Kansas.

Bat 2 of 4

(B) One in the NW quarter of the NW quarter of the NE quarter of Section 2, more particularly described as being near a point 4438 feet North and 2268 feet West of the Southeast corner of said section, in Township 33 South, Range 2 East/West (circle one), \_\_\_\_\_ County, Kansas.

Bat 3 of 4

(C) One in the NW quarter of the NW quarter of the NE quarter of Section 2, more particularly described as being near a point 4688 feet North and 2118 feet West of the Southeast corner of said section, in Township 33 South, Range 2 East/West (circle one), \_\_\_\_\_ County, Kansas.

Bat 4 of 4

(D) One in the NW quarter of the NW quarter of the NE quarter of Section 2, more particularly described as being near a point 4688 feet North and 2418 feet West of the Southeast corner of said section, in Township 33 South, Range 2 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):

Kelly Hill Revocable Trust 1-303-898-8248  
(name, address and telephone number)  
3300 S. Clayton Blvd Englewood, CO 80113  
(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 April 14, 2018. Ken 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 (was)(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 anticipated to be ASAP  
(Mo/Day/Year) Water Resources

Received

APR 26 2018

SCANNED  
KS Dept Of Agriculture

9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?  
 Yes    No   If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources?    Yes    No

- If yes, show the Water Structures permit number here \_\_\_\_\_
- If no, explain here why a Water Structures permit is not required \_\_\_\_\_

11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Water Resources  
Received

APR 26 2018

KS Dept Of Agriculture

SCANNED

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	<u>4/2/18</u>			
Total depth of well	<u>60'</u>			
Depth to water bearing formation	<u>11'</u>			
Depth to static water level	<u>29'</u>			
Depth to bottom of pump intake pipe	<u>60'</u>			

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):

Kelly Hill Revocable Trust    1-(303)-898-8248  
(name, address and telephone number)  
3300 S. Clayton BLVD Englewood, Co 80113  
(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 23 day of April, 2018.  
(month) (year)

  
(Applicant Signature)

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

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

Assisted by \_\_\_\_\_  
(office/title)

Date: April 23, 2018

Water Resources  
Received

APR 26 2018

KS Dept Of Agriculture

SCANNED

## IRRIGATION USE SUPPLEMENTAL SHEET

File No. 50,046 (Updated Sheet 1/24/19)

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: Kelly Hill Revocable Trust

ADDRESS: 3300 S. Clayton Blvd Englewood, CO 80113

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	33S	2E	38.5	40	40	38.5													157

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

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

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

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

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

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

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

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

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

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

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

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

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

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

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

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

(2) What is the sprinkler package design rate? \_\_\_\_\_ gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? \_\_\_\_\_ feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

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.

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	85.1		
Bethany Silt Loam	14.9		
Total:	100 %		

b. Estimate the average land slope in the field(s): 1.5 %  
 Estimate the maximum land slope in the field(s): 5 %

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: Will not irrigate when soil is saturated and making sure terraces and grass waterways are in working order.

ii. For sprinkler systems:

- (1) Estimate the operating pressure at the distribution system: 30 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? 20 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, wheat, Cotton, 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).

Will check soil moisture with soil probe. to see if crops are deficient on water. Also will check future weather forecast.

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

Water Resources  
 Received Page 2 of 2

APR 26 2018





# Water Easement

This water easement is between Kelly Hill Revocable Trust who is the landowner of the NE  $\frac{1}{4}$  of 2-33S-2E and Kevin White. Kelly Hill Revocable Trust is hereby granting Kevin White the rights to use any water found on the NE  $\frac{1}{4}$  of 2-33S-2E. This water easement is for the purpose of irrigating crops that are raised on the NE  $\frac{1}{4}$  of 2-33S-2E.

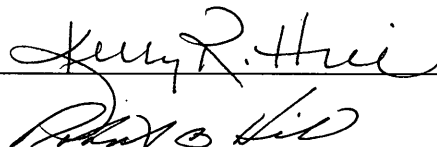
Kevin White:



Date:

4/23/18

Kelly Hill Revocable Trust:



Date:

4.14.2018

4/14/18

Water Resources  
Received

APR 26 2018

4/9/18  
(Date)

Kansas Department of Agriculture  
Division of Water Resources  
David W. Barfield, Chief Engineer  
1320 Research Park Drive  
Manhattan, Kansas 66502

Re: Application  
File No. 50046

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.

*Kern White*  
Signature of Applicant

Kern White  
(Print Applicant's Name)

State of Kansas )  
County of Sumner ) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 9 day of April, 2018.

*Andrea Kreifels*  
Notary Public



My Commission Expires:

Water Resources  
Received  
APR 26 2018

Draft

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

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

**TO:** Files

**DATE:** January 30, 2019

**FROM:** Matt Meier

**RE:** Application, File No. 50,046

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 geo-center of the well battery is to be located in the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 2, more particularly described as being near a point 4,688 feet North and 2,268 feet West of the Southeast corner of said section, in Township 33 South, Range 2 East, Sumner County, within the Arkansas River drainage basin. There are no overlapping water rights. The proposed place of use is owned by the Kelly Hill Revocable Trust. The applicant has signed the application form stating that he has legal access to the point of diversion. Modifications were made to the footages and irrigational use supplemental sheet during the processing of the application to more accurately match what the applicant had drawn on the original application maps. These changes were verified with the applicant via phone and email.

The applicant had identified zero wells within one-half mile of the proposed well and no nearby well owner letters were sent. There is a home within a one-half mile, but it is owned by a relative of the applicant named Eric Lacy (which matched the county parcel search) and is on rural water with no wells located on the property. According to the WRIS database, the nearest non-domestic point of diversion (File No. 49,909) is located over 3,450 feet away. The site nearest domestic well is over  $\frac{1}{2}$  mile away. The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be one-quarter mile to all other non-domestic wells and 660 feet to domestic wells.

Based on senior fines and geographical location (i.e. not within the alluvial valley), the source of water will be Quaternary System deposits (undifferentiated Terrance – 105). The test hole log submitted with the application shows topsoil from 0 to 3 feet, brown to tan clay from 3 to 11 feet, fine to small sand and gravel from 11 to 15 feet, gravel from 15 to 38 feet, layers of green clay and green clay mixed with sand from 38 to 48 feet, and green shale from 48 to 60 feet below ground. The static water level was listed at 27 feet, and saturated thickness would be around 21 feet provided the well is only sourced from the Quaternary System. A static water level of 21 feet would be less than the normal limited saturated thickness cutoff of 25 feet which would require a study be conducted. After consulting with the water commissioner, it was decided to not require a study as the nearest domestic well is over  $\frac{1}{2}$  mile away which should limit any possible impact, could be sourced slightly deeper depending on the final individual well locations, and there is an existing water right (File No. 48657 which hasn't been inspected yet) located approximately 1.67 miles away with a similar log, saturated thickness (25' vs 21') and distance from the Arkansas River which has been reporting a rate of 700 gpm.

Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile circle radius of the point of diversion, which establishes the area of consideration. Evaluation of the area of consideration included the extent of the unconfined aquifer, which provided an area of consideration of 6,426 acres (truncating out the alluvium in the east portion of the 2-mile circle which is consistent with how other recent applications where process in the area). With a potential annual recharge of 3.3 inches, and 100% of recharge available for appropriation, safe yield was determined to be 1,767.08 acre-feet. Existing water rights have appropriated 825.5 acre-feet, providing a difference of 941.78 acre-feet available for appropriation, and the application requesting 195 acre-feet complies with safe yield.

As noted above, these files are NOT in the alluvial aquifer and therefore safe yield was not evaluated using the United States Geological Survey data (i.e. 5.4 inches of recharge – 75% available). In addition, these wells are not within the boundaries of any South-Central Kansas Designated Unit Area.

Kevin White  
Application, File No. 50,046  
Page 2

The requested quantity of water, 195 acre-feet, is to irrigate the proposed 157 acres identified in the application. This is roughly 1.25 acre-feet per acre which is less than the maximum allowable of 1.3 acre-feet per acre for Sumner County, Kansas. There are multiple pending applications in this general area of the state, and they are being worked in priority order to ensure that senior applications are provided the available water.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. A water level measurement tube is 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 returned the required form to our office.

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.

Matthew J. Meier  
Environmental Scientist  
Water Appropriations Unit

1/31/17  
concur w/ recommendation  
Approve it JFW.L.

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

4688 ft N and 2268 ft W of the SE Corner of Section 2, T 33S, R 2E

Located at: 97.175039 West Longitude and 37.214840 North Latitude

GROUNDWATER ONLY

#50046  
meets spacing

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit		
A__ 48657	00	IRR	KE	G	8889	--	NE	NE	SE	2015	576	27	32	2E	1	G	4	208.00	208.00	AF
Same					8879	--	NE	NE	SE	2040	495	27	32	2E	2	B	4			
Same					9168	--	NE	NE	SE	2290	645	27	32	2E	3	B	4			
Same					8610	--	SE	NE	SE	1790	395	27	32	2E	4	B	4			
Same					8902	--	SW	NE	SE	1940	770	27	32	2E	5	B	4			
A__ 49730	00	IRR	KE	G	8889	--	NE	NE	SE	2015	576	27	32	2E	1	G	4	201.50	201.50	AF
Same					8879	--	NE	NE	SE	2040	495	27	32	2E	2	B	4			
Same					9168	--	NE	NE	SE	2290	645	27	32	2E	3	B	4			
Same					8610	--	SE	NE	SE	1790	395	27	32	2E	4	B	4			
Same					8902	--	SW	NE	SE	1940	770	27	32	2E	5	B	4			
A__ 49908	00	IRR	GY	G	4439	--	NW	SW	NE	3800	2400	35	32	2E	1	G	4	300.00	300.00	AF
Same					4453	--	NW	SW	NE	3800	2600	35	32	2E	3	B	4			
Same					4434	--	NW	SW	NE	3800	2200	35	32	2E	4	B	4			
Same					4639	--	SW	NW	NE	4000	2400	35	32	2E	5	B	4			
Same					4240	--	NW	SW	NE	3600	2400	35	32	2E	6	B	4			
A__ 49909	00	IRR	GY	G	3450	--	NW	NE	SE	2500	750	35	32	2E	11	G	4	300.00	116.00	AF
Same					3541	--	NW	NE	SE	2600	750	35	32	2E	12	B	4			
Same					3360	--	NW	NE	SE	2400	750	35	32	2E	13	B	4			
Same					3410	--	NE	NW	SE	2500	850	35	32	2E	14	B	4			
Same					3493	--	NW	NW	SE	2500	650	35	32	2E	15	B	4			
A__ 50046	00	IRR	AY	G	128	--	SW	NW	NE	4580	2200	2	33	2E	1			195.00	195.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	195.00	.00
Total Permitted Amount (AF) =	825.50	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	1020.50	.00

An \* after the source of supply indicates a pending application for change for the file number.  
 An \* after the ID indicates a 15 AF exemption was granted for the file number.  
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.  
 The number in the Batt column is the number of wells in the battery.

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

97.175039 West Longitude and 37.214840 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 48657	00	IRR	KE G
> DARREN IRONS			
>			
> 2001 WORTHINGTON LN			
> EDMOND OK 73013			

>-----  
A\_\_ 49730 00 IRR KE G  
> DARREN IRONS  
>  
> 2001 WORTHINGTON LN  
> EDMOND OK 73013  
>-----

A\_\_ 49908 00 IRR GY G  
> DEREK TOTTEN  
>  
> 267 S OXFORD RD  
> OXFORD KS 67119  
>-----

A\_\_ 49909 00 IRR GY G  
> RICK TOTTEN  
>  
> 1724 E 20TH ST S  
> OXFORD KS 67119  
>-----

A\_\_ 50046 00 IRR AY G  
> KEVIN WHITE  
>  
> PO BOX 966  
> OXFORD KS 67119  
>-----

=====





#50,046

meets safe yield

-825.5 = 941.78 AF available

-195 = 825.5

### Analysis Results

The selected PD is in an area OPEN to new appropriations.

The safe yield based on the variables listed below is 1,767.08 AF.

Total prior appropriations in the circle is 1,020.50 AF.

Total quantity of water available for appropriation is 746.58 AF.

### Safe Yield Variables

The area used for the analysis is set at 6,426 acres.

The potential annual recharge at the circle center is estimated to be 3.3 inches.

The percent of recharge available for appropriation is 100%.

Authorized Quantity values are as of 29-JAN-2019 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 5 water rights and 16 points of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
A 48657 00	IRR	KE	G		NE	NE	SE	2015	576	27	32	02E	1	WR	208.00	208.00	315.00	315.00
Same	IRR	KE	G		NE	NE	SE	2040	495	27	32	02E	2	WR				
Same	IRR	KE	G		NE	NE	SE	2290	645	27	32	02E	3	WR				
Same	IRR	KE	G		SE	NE	SE	1790	395	27	32	02E	4	WR				
Same	IRR	KE	G		SW	NE	SE	1940	770	27	32	02E	5	WR				
A 49730 00	IRR	KE	G		NE	NE	SE	2015	576	27	32	02E	1	WR	201.50	201.50	315.00	0.00
Same	IRR	KE	G		NE	NE	SE	2040	495	27	32	02E	2	WR				
Same	IRR	KE	G		NE	NE	SE	2290	645	27	32	02E	3	WR				
Same	IRR	KE	G		SE	NE	SE	1790	395	27	32	02E	4	WR				
Same	IRR	KE	G		SW	NE	SE	1940	770	27	32	02E	5	WR				
A 49908 00	IRR	GY	G		NW	SW	NE	3800	2400	35	32	02E	1	WR	300.00	300.00	320.00	320.00
Same	IRR	GY	G		NW	SW	NE	3800	2600	35	32	02E	3	WR				
Same	IRR	GY	G		NW	SW	NE	3800	2200	35	32	02E	4	WR				
Same	IRR	GY	G		SW	NW	NE	4000	2400	35	32	02E	5	WR				
Same	IRR	GY	G		NW	SW	NE	3600	2400	35	32	02E	6	WR				
A 49909 00	IRR	GY	G		NW	NE	SE	2500	750	35	32	02E	11	WR	300.00	116.00	320.00	0.00
Same	IRR	GY	G		NW	NE	SE	2600	750	35	32	02E	12	WR				
Same	IRR	GY	G		NW	NE	SE	2400	750	35	32	02E	13	WR				
Same	IRR	GY	G		NE	NW	SE	2500	850	35	32	02E	14	WR				
Same	IRR	GY	G		NW	NW	SE	2500	650	35	32	02E	15	WR				
A 50046 00	IRR	AY	G		SW	NW	NE	4580	2200	02	33	02E	1	WR	195.00	195.00	150.00	150.00

825.5 approved

Pending

### Limitations

File Number	Seq Num	Limitations
A 49730 00	1	800 GPM COM/W #48657
A 49909 00	1	416 AF/YR COM/W #49908 (ON PLACE OF USE)

## Meier, Matt [KDA]

---

**From:** Kevin White <whiteagservices@gmail.com>  
**Sent:** Tuesday, January 29, 2019 10:22 AM  
**To:** Meier, Matt [KDA]  
**Subject:** Re: 50046 Updated Map

*EXTERNAL:* This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Matt,

I have reviewed the corrections and everything looks good to me. Thanks for your help.

Kevin White  
620-440-0024

On Tue, Jan 29, 2019, 9:29 AM Meier, Matt [KDA] <[Matt.Meier@ks.gov](mailto:Matt.Meier@ks.gov)> wrote:

Hello Kevin,

As we discussed on the phone yesterday, attached are updated maps with the Geo-Center footages corrected to match the location shown on your maps. An updated irrigation supplemental sheet is also attached showing listing the Proposed Place of Use as 157 acres which matches the hatched areas in your original maps. As we also discussed, place holders will be used for the individual wells (which will be located 150 feet North, South, East, and West of the Geo-Center). If the information looks correct, please let me know and I can continue my review of the application. Let me know if you have any other questions or if anything needs further modified.

Matt Meier

Environmental Scientist

Stafford Field Office

[Matt.meier@ks.gov](mailto:Matt.meier@ks.gov)

620-234-5311

INPUTS	
Target Section Definition	
Section	2
Township	33
Range	2
Range Direction	e
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-97.175357
Target Latitude	37.214867

**Load Data and Compute**

- Instructions**
1. Enter values for section, township, range and range direction.
  2. Enter **NAD27** or **NAD83** longitude and latitude of target point.
  3. Click "Load Data and Compute" button.
  4. Use feet distances corresponding to datum of target point.

**Application, File No. 50046**

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	37.20241825	-97.18583498
NW	37.21703495	-97.18586599
NE	37.21660814	-97.16782948
SE	37.20199044	-97.16757048
Degrees Longitude per Foot		3.43363053E-06
Degrees Latitude per Foot		2.74646674E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	4533	-3052
NW	-789	-3061
NE	-634	2192
SE	4688	2268

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	37.20239300	-97.18551600
NW	37.21701000	-97.18554700
NE	37.21658300	-97.16751100
SE	37.20196500	-97.16725200
Degrees Longitude per Foot		3.43362939E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	4543	-2959
NW	-780	-2968
NE	-625	2285
SE	4698	2360

# 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

April 27, 2018

KEVIN WHITE  
PO BOX 966  
OXFORD KS 67119

RE: Application  
File No. 50046

Dear Sir or Madam:

Your application for permit to appropriate water in 2-33S-2E 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,

A handwritten signature in black ink that reads "Kristen A. Baum".

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: STAFFORD Field Office  
GMD

SCANNED

**IRRIGATION USE  
SUPPLEMENTAL SHEET**

File No. 50046

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: Kelly Hill Revocable Trust  
 ADDRESS: 3300 S. Clayton Blvd Englewood, Co 80113

S	T	R	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2	33	28	37.5	37.5	37.5	37.5												150	

Landowner of Record NAME: [Signature]  
 ADDRESS: \_\_\_\_\_

S	T	R	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

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

S	T	R	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

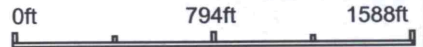
APR 26 2018

50046

# Aerial Map



map center: 37° 12' 34.75, -97° 10' 28.11



Maps Provided By:  
  
 CUSTOMIZED ONLINE MAPPING  
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**2-33S-2E** Water Resources  
 Sumner County Received  
 Kansas APR 26 2018



KS Dept Of Agriculture

4/23/2018

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

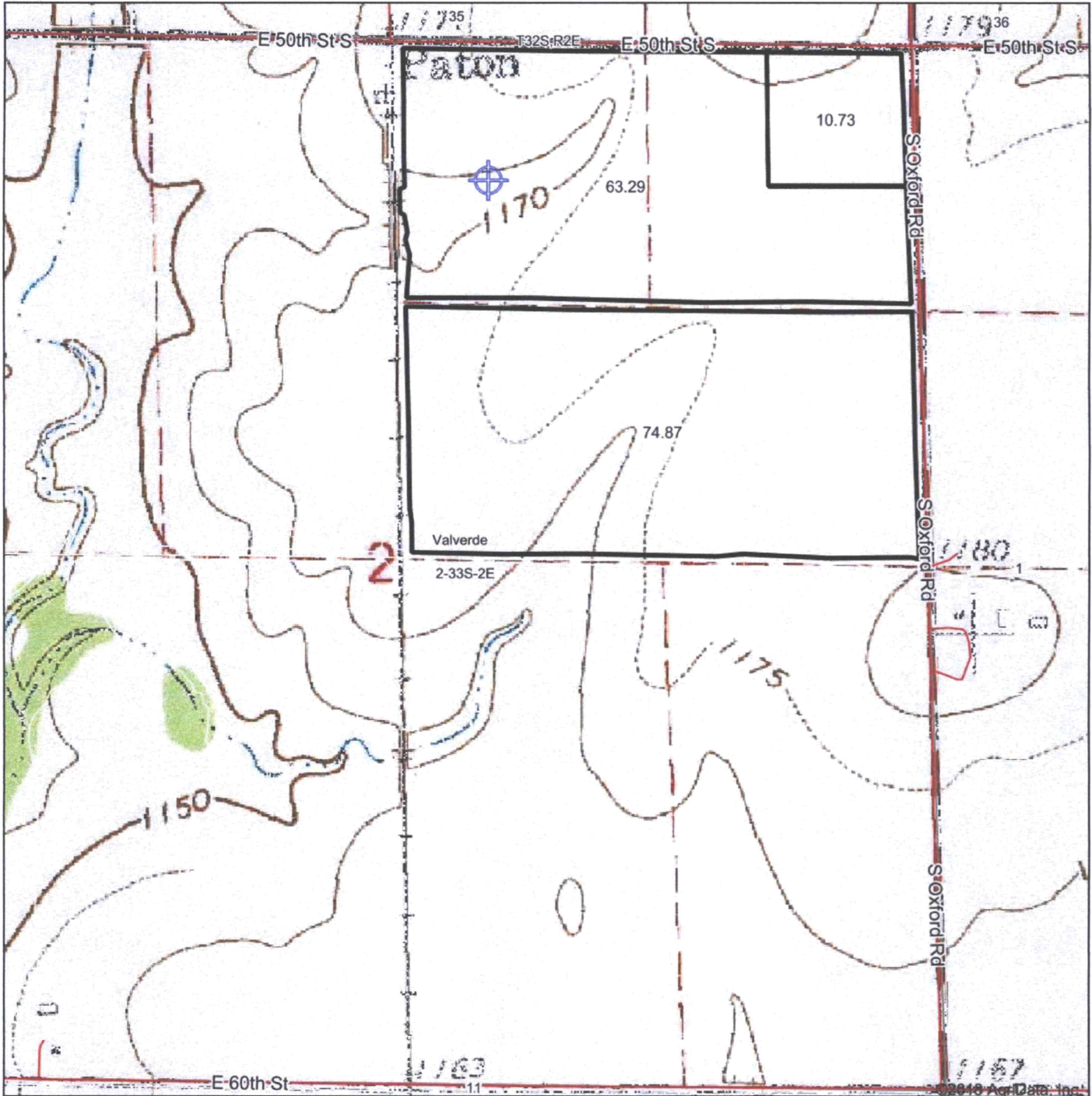
No wells within 1/2 mile  
 4/23/18 *Karl Wilson*

SCANNED

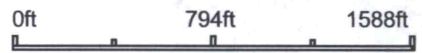


50046

# Topography Map



map center: 37° 12' 34.75, -97° 10' 28.11



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

Maps Provided By:  
  
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**Water Resources**  
**Received**



4/23/2018

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

**APR 26 2018**

**KS Dept Of Agriculture**

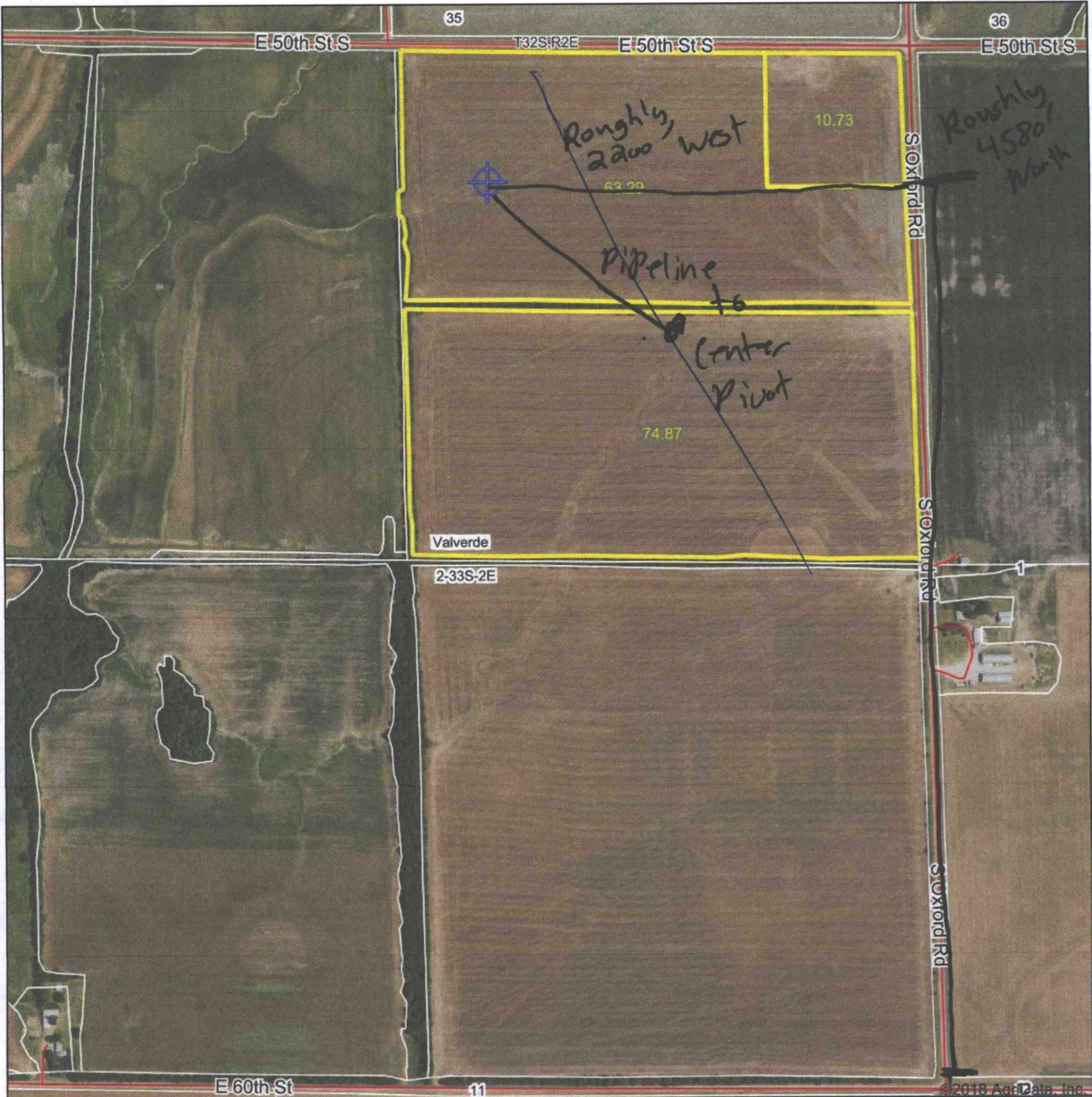
**SCANNED**



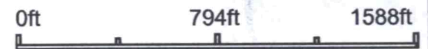
VOIP footages don't match P.D. location

50040

# Aerial Map



map center: 37° 12' 34.75, -97° 10' 28.11



Maps Provided By:  
  
 CUSTOMIZED ONLINE MAPPING  
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**2-33S-2E**  
**Sumner County Water Resources**  
**Kansas Received**

**APR 26 2018**



4/23/2018

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

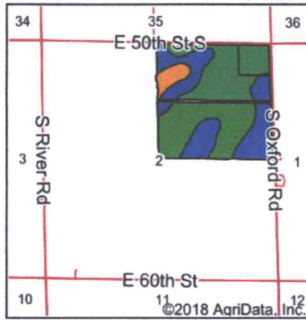
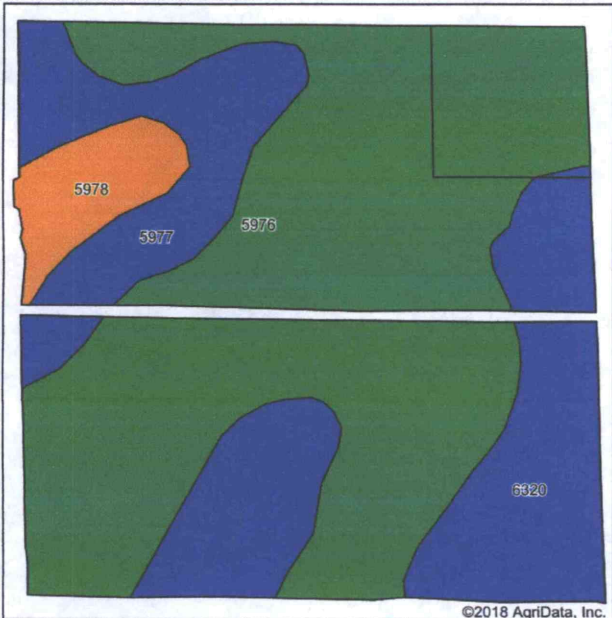
KS Dept Of Agriculture

SCANNED



50046

### Soils Map



State: **Kansas**  
 County: **Sumner**  
 Location: **2-33S-2E**  
 Township: **Valverde**  
 Acres: **148.89**  
 Date: **4/9/2018**



Soils data provided by USDA and NRCS.

Area Symbol: KS191, Soil Area Version: 14

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	Small grains grazeout	Introduced bluestem	Caucasian bluestem	Cantaloupe	Oats	Sorghum hay	Wheat grazeout	Barley
5976	Vanoss silt loam, 0 to 1 percent slopes	88.23	59.3%		le	le	4	424	54	6	1530	5	35	1	1	1	9				
5977	Vanoss silt loam, 1 to 3 percent slopes	30.97	20.8%		lle			39	42	5	85		39		6	1	9	43	6	4	
6320	Bethany silt loam, 0 to 1 percent slopes	22.21	14.9%		lle	lle		276	44	5			31		5			2			2
5978	Vanoss silt loam, 3 to 7 percent slopes	7.48	5.0%		llle	llle															
<b>Weighted Average</b>							<b>2.4</b>	<b>300.5</b>	<b>47.3</b>	<b>5.3</b>	<b>924.3</b>	<b>3</b>	<b>33.5</b>	<b>0.6</b>	<b>2.6</b>	<b>0.8</b>	<b>7.2</b>	<b>9.2</b>	<b>1.2</b>	<b>0.8</b>	<b>0.3</b>

\*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.

Water Resources  
 Received  
**APR 26 2018**  
 KS Dept Of Agriculture

**SCANNED**

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.

-  Water Rights
-  ProposedPD
-  ProposedPlaceOfUse
-  Domestic Wells
-  SFFOsec\_corners

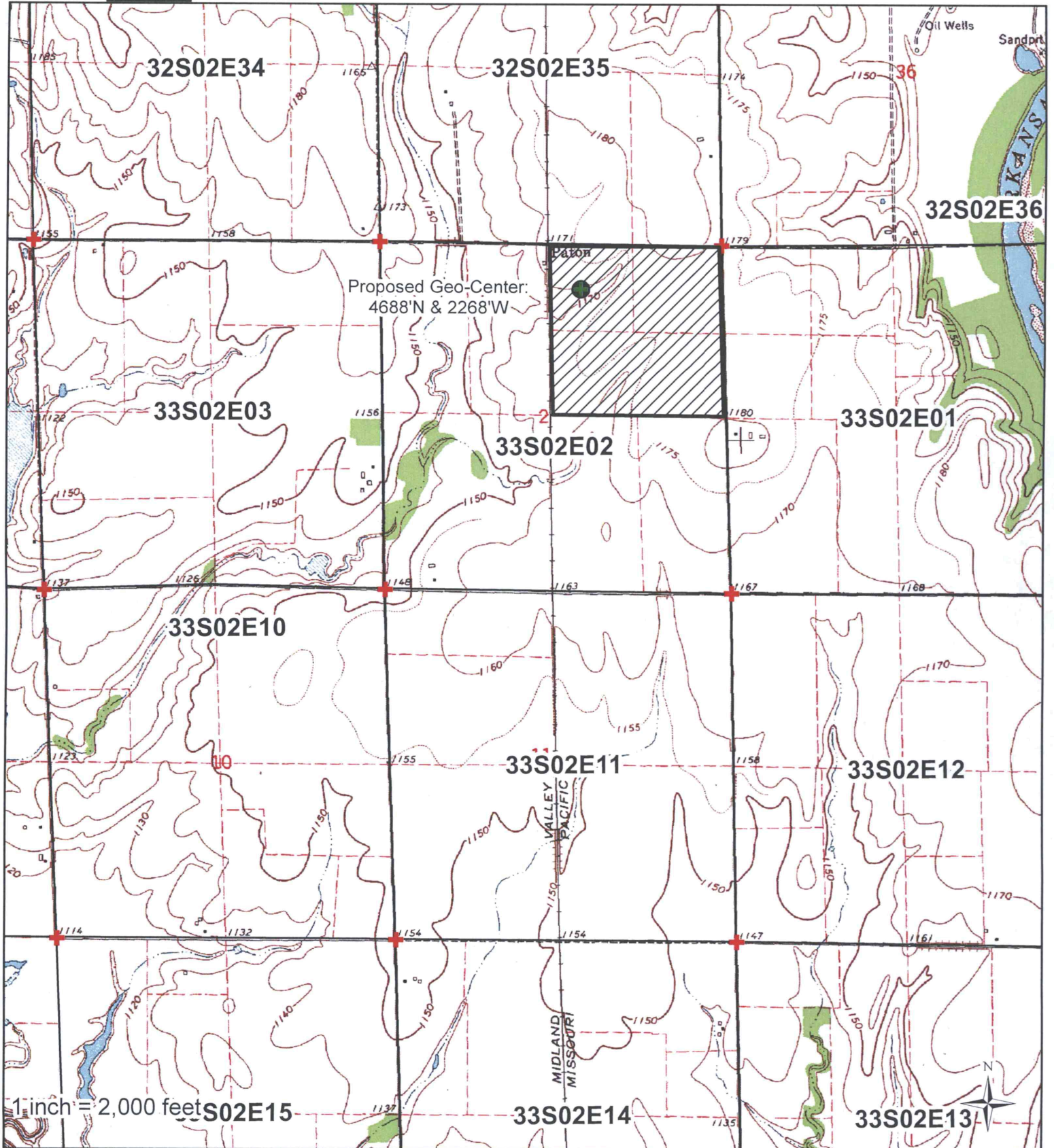
Signature \_\_\_\_\_ Date \_\_\_\_\_

0 400 800 1,600 2,400 3,200 Feet

Created By: Matt Meier  
F.O. 2  
Date: 1/29/2019



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.

-  Water Rights
-  Proposed PD
-  Proposed Place of Use
-  Domestic Wells
-  SFFOsec\_corners

Signature \_\_\_\_\_ Date \_\_\_\_\_  
0 800 1,600 3,200 4,800 6,400 Feet

Created By: Matt Meier  
F.O. 2  
Date: 1/29/2019