

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

WELL No. 5

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

File Number **50622**
This item to be completed by the Division of Water Resources.

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12:56

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APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

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

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

1. Name of Applicant (Please Print): Rural Water District No. 1, Cowley County
Address: 33191 Tower Road
City: Arkansas City State Kansas Zip Code 67005-6400
Telephone Number: (620) 442-0753

2. The source of water is: surface water in - NA - (stream)
OR groundwater in Arkansas River Drainage 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 _____ acre-feet OR 32,585,000 gallons per calendar year, to be diverted at a maximum rate of 185 gallons per minute OR _____ cubic feet per second,
LIMITED TO 185 g.p.m. WHEN COMBINED WITH FILE NOS. 22,157 + 50,303 + LIMITED TO 63,834 m.g.y. WHEN COMBINED WITH SENIOR WATER RIGHTS.
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. Code <u>2</u> <u>GMD</u> Meets K.A.R. 5-3-1 (YES/NO) Use <u>MUN</u> Source <u>G/S</u> County <u>CL</u> By <u>BMM</u> Date <u>7/26/21</u>	Fee \$ _____ TR # _____ Receipt Date _____ Check # _____

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 NE quarter of the NW quarter of the SE quarter of Section 6, more particularly described as being near a point 2,487 feet North and 1,439 feet West of the Southeast corner of said section, in Township 35 South, Range 4 East/West (circle one), Cowley 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):

N/A

(name, address and telephone number)

N/A

(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 7th July, 2021. Andrew Simle
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 one (1) well, etc.
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) _____ in 1962 _____
(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)

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- 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 _____ N/A
- If no, explain here why a Water Structures permit is not required This is an application for
a groundwater water right.

- 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.

Place of Use: File Nos. 8,382; 22,157; 37,768; 37,769; 50,303 and other new applications.

Point of Diversion: File Nos. 22,157 & 50,303.

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13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from: Test holes Well as completed Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	1962	_____	_____	_____
Total depth of well	35'	_____	_____	_____
Depth to water bearing formation	14'	_____	_____	_____
Depth to static water level	14'	_____	_____	_____
Depth to bottom of pump intake pipe	~ 34'	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of _____
owner
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

_____ N/A
(name, address and telephone number)

_____ N/A
(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 ARKANSAS CITY, Kansas, this 7th day of JULY, 2021.
(month) (year)

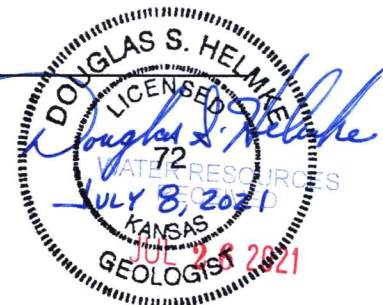
Andrew Sene
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by _____
(office/title)

Date: _____



Please send a copy of all correspondence, including application acknowledgment letter, to:

Douglas S. Helmke, P.G.
Kansas Rural Water Assn.
6847 SE 29th Street
Tecumseh, Kansas 66542-9571

Applicant's Name COWLEY RWD 1
(Please Print)

MUNICIPAL (PUBLIC WATER SUPPLY) APPLICATION SUPPLEMENTAL INFORMATION SHEET

Application File Number

(assigned by DWR)

**SECTION 1: PRESENT WATER USE SUMMARY (IF NO PREVIOUS MUNICIPAL WATER USE HAS BEEN UTILIZED, PROCEED TO SECTION 3)
NOTE: WORKSHEET FOR WATER PUMPED, PURCHASED, AND SOLD BY YOUR WATER DISTRIBUTION SYSTEM.**

Column 1 <i>2018</i> Raw Water Diverted Under Your Rights	Column 2 Water Purchased From All Sources	Column 3 Water Sold to Other Public Water Suppliers	Column 4 Water Sold to Your Industrial, Stock, and Bulk Customers	Column 5 Water Sold to Your Residential and Commercial Customers	Column 6 Other Metered Water	Column 7 Remaining Water Used (See Below Explanation)
<i>46,573,000</i>	---	---	---	<i>41,000,000</i>	<i>1,758,000</i>	<i>3,815,000</i>
TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6			UNACCOUNTED FOR WATER	

UNACCOUNTED FOR WATER = TOTAL WATER - ACCOUNTED FOR WATER

- Column 1: The amount of raw water diverted from all of your points of diversion.
- Column 2: The amount of water purchased wholesale from all other public water supply systems or the Kansas Water Office.
- Column 3: The amount of water sold wholesale to all other public water supply systems.
- Column 4: The amount of water sold retail to all industrial, pasture, stockwater, feedlot, and bulk water service connections. Include the amount of water sold to all farmsteads using at least 200,000 gallons of water per year.
- Column 5: The amount of water sold retail to your residential and commercial customers and to industries and farmsteads using less than 200,000 gallons of water per year.
- Column 6: The amount of water used that is metered at individual service connections and supplied free, such as for public service, treatment processes, and connections receiving free water.
- Column 7: The amount of remaining water used. The gallons reported in this column are found by adding the numbers in Columns 1 and 2 and subtracting the numbers in Columns 3, 4, 5, and 6.

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UNACCOUNTED FOR WATER

Use the following to calculate your distribution system's Unaccounted For Water:

Start with the amount in Column 1 and add the amount in Column 2, then subtract the amounts in Columns 3, 4, 5, and 6 leaving an amount of water representing your unaccounted for water to enter in Column 7.

Use the following to calculate the percent Unaccounted For Water versus the Total Water of your system:

$$\text{Percent Unaccounted For Water} = \frac{\text{Unaccounted For Water}}{\text{Total Water (Columns 1,2)}} \times 100$$

If this number exceeds 20%, please explain the large amount of unaccounted for water and describe any steps being taken to reduce it.

SECTION 2: PAST WATER USE

COMPLETE THE FOLLOWING TABLE FROM YOUR PAST WATER USE RECORDS.

	Column 1 Raw Water Diverted Under Your Rights	Column 2 Water Purchased From All Sources	Column 3 Water Sold to Other Public Water Suppliers	Column 4 Water Sold to Your Industrial, Stock, and Bulk Customers	Column 5 Water Sold to Your Residential and Commercial Customers	Column 6 Other Metered Water	Column 7 Remaining Water Used (See Above Explanation)
20 years ago <i>1999</i>	<i>58,478,000</i>	---	---	---	<i>40,440,000</i>	<i>9,594,000</i>	<i>8,444,000</i>
15 years ago <i>2004</i>	<i>41,878,000</i>	---	---	---	<i>38,269,000</i>	<i>436,000</i>	<i>3,173,000</i>
10 years ago <i>2009</i>	<i>41,211,000</i>	---	---	---	<i>38,215,000</i>	<i>606,000</i>	<i>2,390,000</i>
5 years ago <i>2014</i>	<i>46,727,000</i>	---	---	---	<i>41,931,000</i>	<i>532,000</i>	<i>4,264,000</i>
	TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6			UNACCOUNTED FOR WATER	

SECTION 3: PROJECTED FUTURE WATER NEEDS

PLEASE COMPLETE THE FOLLOWING TABLE SHOWING YOUR FUTURE WATER REQUIREMENTS FOR THE NEXT 20 YEARS:

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
	Raw Water Diverted Under Your Rights	Water Purchased From All Sources	Water Sold to Other Public Water Suppliers	Water Sold to Your Industrial, Stock, and Bulk Customers	Water Sold to Your Residential and Commercial Customers	Other Metered Water	Remaining Water Used (See Explanation on other side)
Year 5 2024	56,274,000	---	---	---	49,977,000	650,000	5,627,000
Year 10 2029	58,794,000	---	---	---	52,264,000	650,000	5,879,000
Year 15 2034	61,314,000	---	---	---	54,533,000	650,000	6,131,000
Year 20 2039	63,834,000	---	---	---	56,801,000	650,000	6,383,000
	TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6				UNACCOUNTED FOR WATER

SECTION 4: POPULATION AND SERVICE CONNECTIONS

ESTIMATE THE NUMBER OF PERSONS DIRECTLY SERVED BY YOUR WATER DISTRIBUTION SYSTEM

PAST POPULATION - PROVIDE INFORMATION BELOW:
(CENSUS BUREAU INFORMATION)

LAST 20 YEARS	POPULATION
20 years ago 1999	1,250
15 years ago 2004	1,500
10 years ago 2009	1,500
5 years ago 2014	1,500
Last Year 2018	1,500

PROJECTED FUTURE POPULATION

ESTIMATE FUTURE POPULATION AND SUBSTANTIATE NUMBERS ON SEPARATE ATTACHMENTS

NEXT 20 YEARS	POPULATION
Year 5 2024	1,533
Year 10 2029	1,592
Year 15 2034	1,651
Year 20 2039	1,710

Provide number of current active service connections:

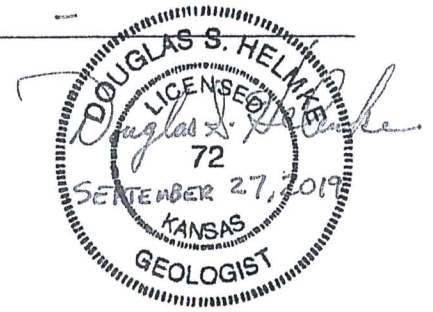
469 Residential --- Industrial --- Other (specify) _____
--- Commercial --- Pasture/ Stockwater/ Feedlot 469 Total

SECTION 5: PRESENT GALLONS PER PERSON PER DAY

CALCULATE YOUR GALLONS PER PERSON PER DAY

Water in Columns 5, 6, and 7 ÷ Population ÷ 365 Days/Year = Gallons per Person per Day

$\frac{46,727,000}{\text{Amount of water in Columns 5, 6, and 7 of Section 1}} \div \frac{1,500}{\text{Population from Last Year of Section 4}} \div 365 \text{ Days/Year} = \underline{85} \text{ GALLONS PER PERSON PER DAY.}$

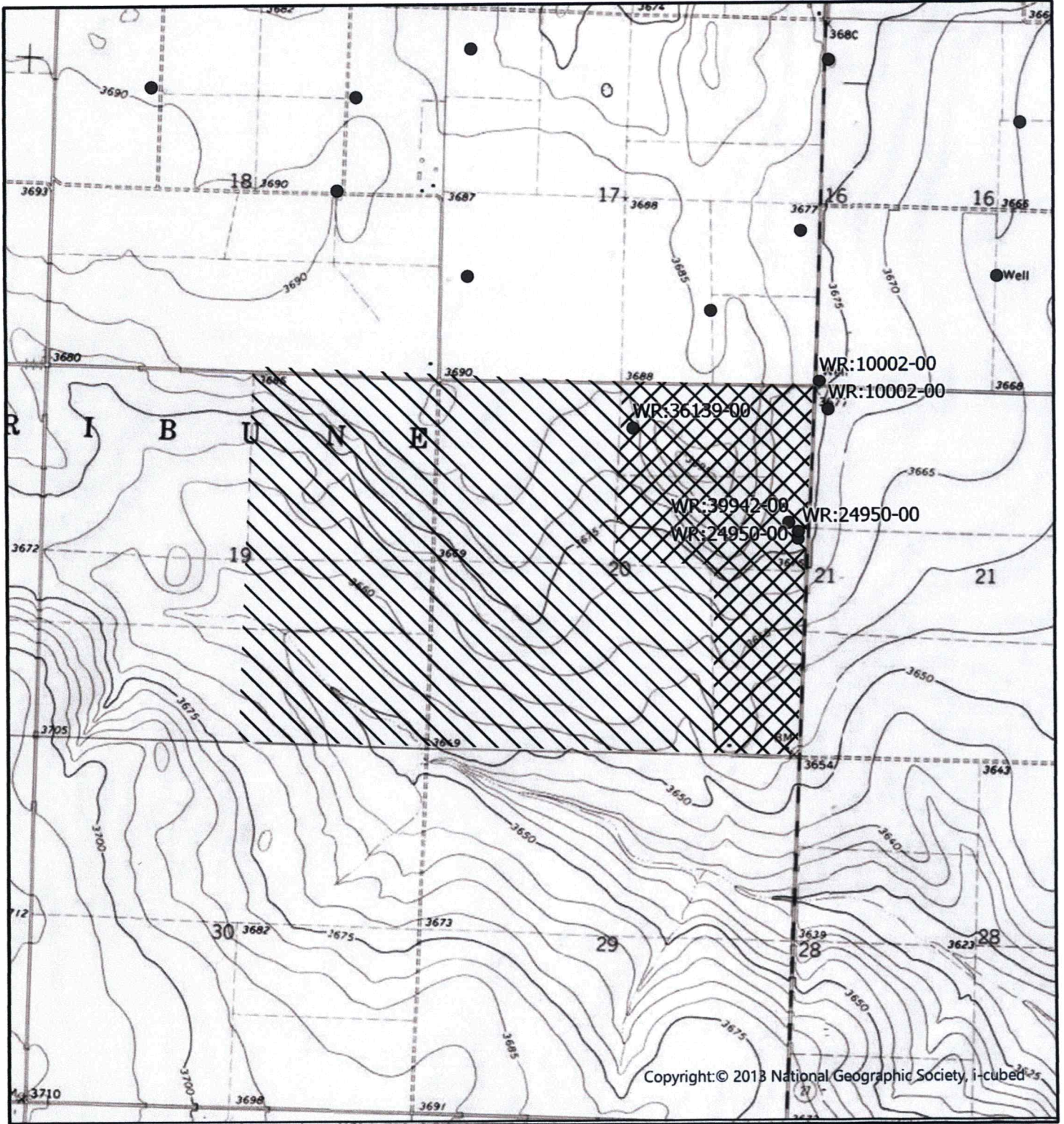


SECTION 6: AREA TO BE SERVED

Describe the area to be served or provide the legal description of the location where the water is to be used including any other city of water supply system (i.e. Rural Water District): Municipal Use
WITHIN THE BOUNDARIES OF RURAL WATER DISTRICT No. 1, COWLEY COUNTY, AND IMMEDIATE VICINITY, AND AT THE FIRST COUNCIL CASINO LOCATED IN THE NORTHWEST QUARTER (NW/4) OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 2 EAST, KAY COUNTY, OKLAHOMA.

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

CHANGE IN PLACE OF USE 24950



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Township 16 South Range 40 West
GL County



AUTHORIZED PLACE OF USE



PROPOSED PLACE OF USE

0 0.17 0.35

0.7 Miles

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FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

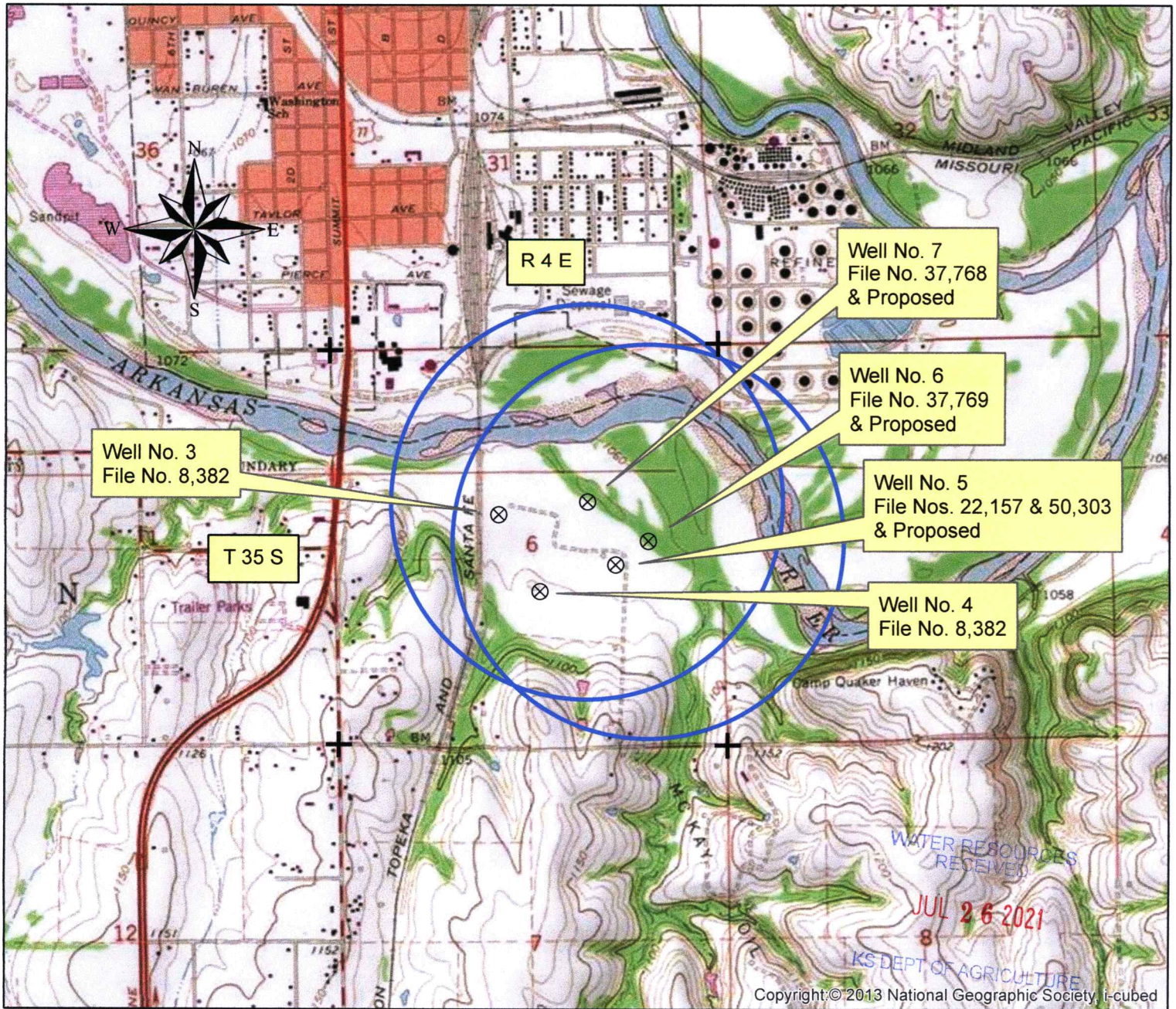
1 million gallons equal 3.07 acre-feet

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Rural Water District No. 1 Cowley County, Kansas Application to Appropriate Water File No. _____



Legend

⊗ PWS Well

All wells of every kind within ½ mile of the proposed
and authorized wells have been plotted.

Arden Gule

(Signature)



7-7-21

(Date)

Kansas Department of Agriculture
Division of Water Resources
Earl D. Lewis, Jr., Chief Engineer
1320 Research Park Drive
Manhattan, Kansas 66502

Re: Application
File No. _____

Minimum Desirable Streamflow

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.

Andrew Soule

Signature of Applicant

State of Kansas)
County of Cowley) ss

ANDREW SOULE
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 7th day of July, 2021.

Charlene Aguinaga

Notary Public

My Commission Expires:

3-11-22

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