

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Mike Beam, Secretary of Agriculture

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

2/3/2025

File Number **51162**

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

Water Resources  
Received  
KS Dept Of Agriculture

**APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE**  
Filing Fee Must Accompany the Application  
(Please refer to Fee Schedule attached to this application form.)

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DEC 19 2023  
**1512**  
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: P.O. Box 966 418 East Olive Street  
City: Oxford State KS Zip Code 67119  
Telephone Number: (620) 440-0024

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

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

3. The maximum quantity of water desired is 395 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.

r Office Use Only:															
No.	<u>2</u>	GMD	<u>RE3</u>	Meets K.A.R. 5-3-1	(YES/NO)	Use	<u>IRR</u>	Source	<u>G/S</u>	County	<u>CL</u>	By	<u>ALB</u>	Date	<u>12/19/23</u>
Fee	\$	<u>320</u>	TR #			Receipt Date	<u>12/19/23</u>	Check #	<u>4369</u>						

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 SE quarter of the SW quarter of Section 8, more particularly described as being near a point 198 feet North and 3,233 feet West of the Southeast corner of said section, in Township 33 South, Range 3 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):

BADSE OLESKY  
(name, address and telephone number)  
4265 County Road 23 Ridgway, CO 81432  
(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 22, 2023. [Signature]  
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 2-4 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 estimated to be \_\_\_\_\_  
(Mo/Day/Year)

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As soon as  
have permit

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	3/7/23	_____	_____	_____
Total depth of well	30	_____	_____	_____
Depth to water bearing formation	5	_____	_____	_____
Depth to static water level	8 1/2	_____	_____	_____
Depth to bottom of pump intake pipe	30	_____	_____	_____

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):  
White Ag Services LLC. Kevin White Owner  
(name, address and telephone number)  
P.O. Box 966, Oxford KS 67119  
(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 28 day of April, 2023.  
(month) (year)

K. White  
(Applicant Signature)

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

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

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



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.

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# Water Easement

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This water easement is between Badse Olesky LLC. who is the landowner of S08, T33, R03, PT SW1/4 BEG E1680.4 FROM SW COR,N609,E TO W BANK ARKANSAS RIVER,SELY TO S LI SW1/4 and Kevin White. Badse Olesky LLC is hereby granting Kevin White the rights to use any water found on the above-mentioned property. This water easement is for the purpose of irrigating crops that are raised on the entire SE ¼ of Sec 12-33S-2E and SW ¼ of Sec 1-33s-2e.

Kevin White:

*K. White*

Date:

*3/14/23*

Badse Olesky LLC :

*Robin C. Delp*

Date:

*3/14/2023*

**IRRIGATION USE  
SUPPLEMENTAL SHEET**

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

Name of Applicant (Please Print): Kevin White

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: White Ag Services LLC  
ADDRESS: P.O. Box 966 Oxford, KS 67119

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
12	33	2E														40	40	38	39	157

Landowner of Record NAME: White Ag Services LLC  
ADDRESS: P.O. Box 966 Oxford, KS 67119

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
1	33	2E								38	32	39	40							149

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
Vanoss Silt Loam	82%		
Bethany Silt Loam	17%		
Warrick Silt Loam	1%		
Total:	100%		

b. Estimate the average land slope in the field(s): .5 %  
 Estimate the maximum land slope in the field(s): 1 %

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: Iwob Sprinkler package

i. Describe how you will control tailwater: Do not irrigate when soils are saturated while making sure terraces are functioning properly. Also keep as much residue on top of soil to increase intake rates

ii. For sprinkler systems:

- (1) Estimate the operating pressure at the distribution system: 10 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? 45 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 and check daily Et rates with weather forecast to determine crop needs.

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

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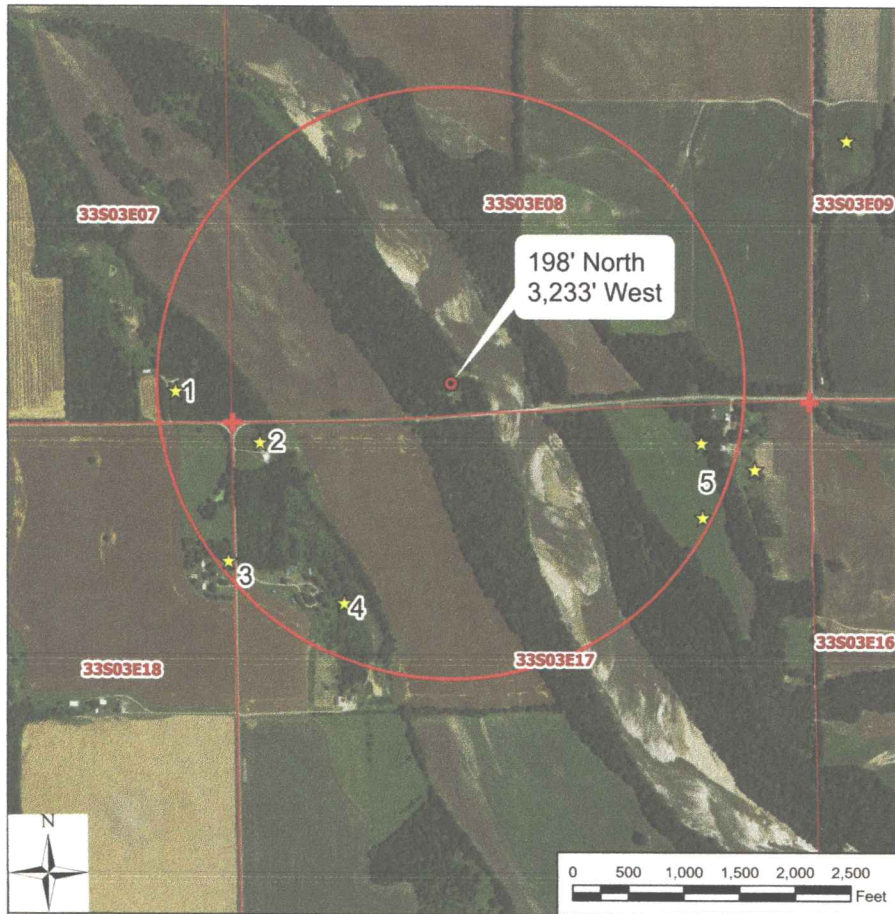
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**Legend**

- Proposed Point of Diversion
- ⊕ Section Corner
- Section Line
- ▭ Half-Mile
- ☒ Proposed Place of Use

**Application, File No.** \_\_\_\_\_  
08-33-03E // Cowley County

To the best of my knowledge, all points of diversion within one-half mile of the proposed point of diversion have been shown.

Signature / Date 04/29/2023 JNE/SFFO 1:12,000



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1. LARRY R BARNES REV TR  
C/O BARNES CO, INC  
PO BOX 698  
ARKANSAS CITY KS 67005
2. RANDY R & DIXIE L SIMPSON  
21078 11<sup>TH</sup> RD  
OXFORD KS 67119
3. STEVEN CECIL & DEBORAH k COLLINGSWORTH  
21305 11<sup>TH</sup> RD  
OXFORD KS 67119
4. SCOTT H MCNOWN AND RACHEL R MCNOWN  
21500 11<sup>TH</sup> RD  
OXFORD KS 67119
5. VICTOR L MCCLUNG REV TR1/3  
3440 202<sup>ND</sup> RD  
WINFIELD KS 67156

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- Legend**
- Proposed Point of Diversion
  - ☆ Domestic Well
  - ✚ Section Corner
  - ▭ Section Line
  - ▭ Half-Mile
  - ▭ Proposed Place of Use

**Application, File No.** \_\_\_\_\_  
08-33-03E // Cowley County

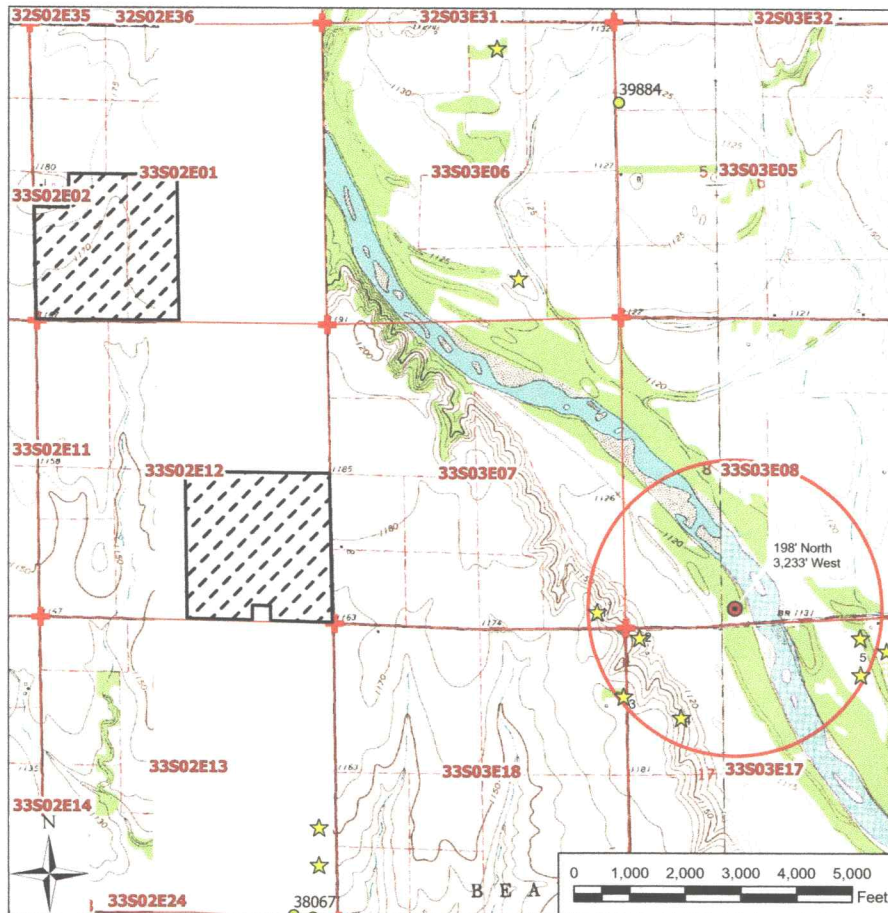
To the best of my knowledge, all points of diversion within one-half mile of the proposed point of diversion have been shown.

Signature / Date                      04/29/2023    JNE/SFFO    1:12,000

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**Legend**

- Proposed Point of Diversion
- ★ Domestic Well
- ⊕ Section Corner
- Section Line
- ▭ Half-Mile
- ▨ Proposed Place of Use

**Application, File No.** \_\_\_\_\_  
08-33-03E // Cowley County

To the best of my knowledge, all points of diversion within one-half mile of the proposed point of diversion have been shown.

Signature / Date                      04/29/2023    JNE/SFFO    1:24,000



# Aerial Map



©2023 AgriData, Inc.

Map Center: 37° 12' 5.21, -97° 9' 0.89



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

**12-33S-2E**  
**Sumner County**  
**Kansas**



3/22/2023

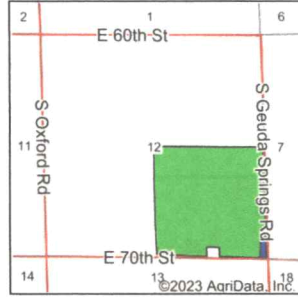
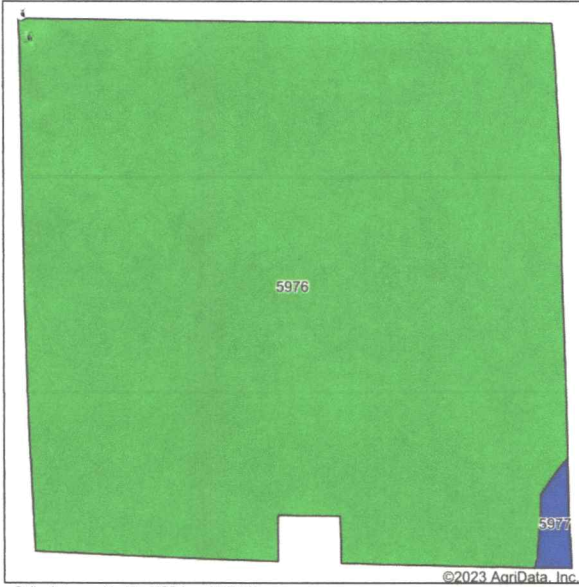
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Geo Center  
37.18749 N  
97.12450 W

# Soils Map



State: **Kansas**  
 County: **Sumner**  
 Location: **12-33S-2E**  
 Township: **Valverde**  
 Acres: **157.35**  
 Date: **3/22/2023**

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Soils data provided by USDA and NRCS.

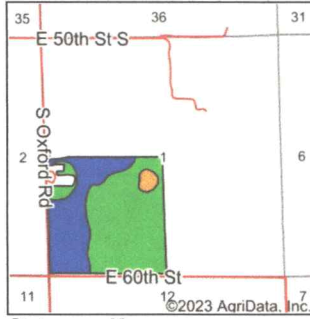
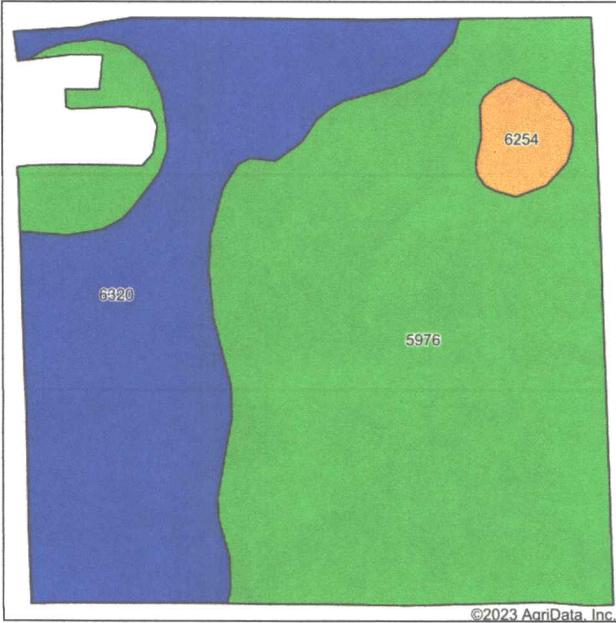
Area Symbol: KS191, Soil Area Version: 19																					
Code	Soil Description	Acres	Percent of field	Non-Irr Class Legend	Non-Irr Class *c	Irr Class *c	Alfalfa hay Tons	Cantaloupe AUM	Caucasian bluestem AUM	Cotton lint Lbs	Grain sorghum Bu	Improved bermudagrass AUM	Introduced bluestem AUM	Oats Bu	Peanuts Lbs	Small grains grazeout AUM	Sorghum hay Tons	Weeping lovegrass AUM	Wheat Bu	Wheat grazeout AUM	*n NCCPI Soybeans
5976	Vanoss silt loam, 0 to 1 percent slopes	155.81	99.0%		le	le	4	9	1	424	54	6	1	1530	1			5	35		69
5977	Vanoss silt loam, 1 to 3 percent slopes	1.54	1.0%		lle			9	1	39	42	5	6	43	85		6		39	4	70
<b>Weighted Average</b>					<b>1.01</b>	<b>*-</b>	<b>4</b>	<b>9</b>	<b>1</b>	<b>420.2</b>	<b>53.9</b>	<b>6</b>	<b>1</b>	<b>0.4</b>	<b>1515.9</b>	<b>1</b>	<b>0.1</b>	<b>5</b>	<b>35</b>	<b>*-</b>	<b>*n 69</b>

\*n: The aggregation method is "Weighted Average using all components"  
 \*c: Using Capabilities Class Dominant Condition Aggregation Method  
 \*- Irr Class weighted average cannot be calculated on the current soils data due to missing data.

Soils data provided by USDA and NRCS.



# Soils Map



State: **Kansas**  
 County: **Sumner**  
 Location: **1-33S-2E**  
 Township: **Valverde**  
 Acres: **149.31**  
 Date: **3/22/2023**

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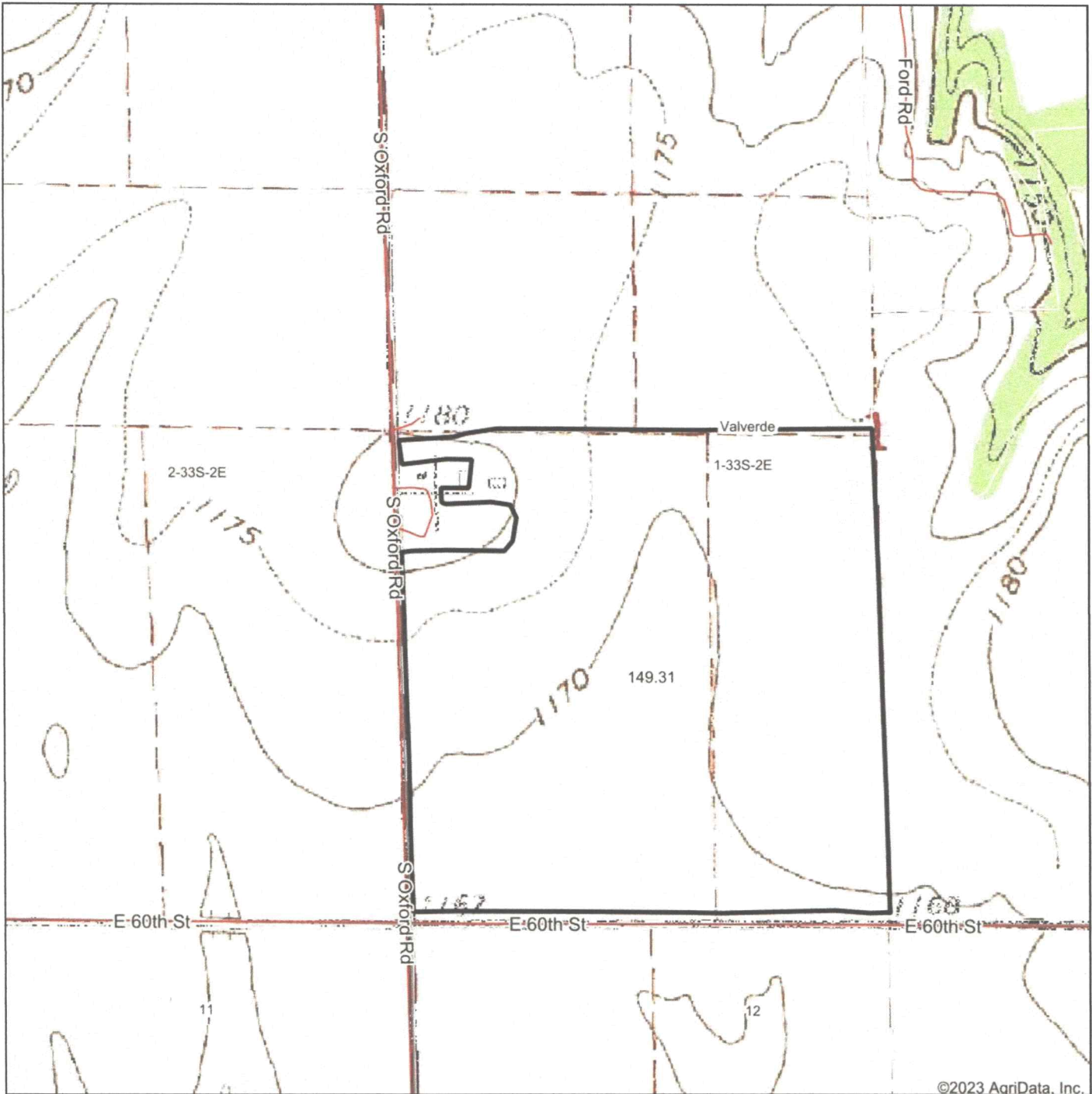


Area Symbol: KS191, Soil Area Version: 19																				
Code	Soil Description	Acres	Percent of field	Non-Irr Class Legend	Non-Irr Class *c	Irr Class *c	Alfalfa hay Tons	Barley Bu	Cantaloupe AUM	Caucasian bluestem AUM	Cotton lint Lbs	Grain sorghum Bu	Improved bermudagrass AUM	Introduced bluestem AUM	Oats Bu	Peanuts Lbs	Small grains grazeout AUM	Weeping lovegrass AUM	Wheat Bu	*n NCCPI Soybeans
5976	Vanoss silt loam, 0 to 1 percent slopes	93.94	62.9%		le	le	4		9	1	424	54	6	1	1530		1	5	35	69
6320	Bethany silt loam, 0 to 1 percent slopes	51.39	34.4%		lls	lle		2			276	44	5	5	2				31	58
6254	Waurika silt loam, 0 to 1 percent slopes, occasionally ponded	3.98	2.7%		lllw			1			330	41	5		37	34			26	57
<b>Weighted Average</b>					<b>1.40</b>	<b>*-</b>	<b>2.5</b>	<b>0.7</b>	<b>5.7</b>	<b>0.6</b>	<b>370.6</b>	<b>50.2</b>	<b>5.6</b>	<b>2.4</b>	<b>1.7</b>	<b>963.5</b>	<b>0.6</b>	<b>3.1</b>	<b>33.4</b>	<b>*n 64.9</b>

\*n: The aggregation method is "Weighted Average using all components"  
 \*c: Using Capabilities Class Dominant Condition Aggregation Method  
 \*- Irr Class weighted average cannot be calculated on the current soils data due to missing data.



# Topography Map



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map center: 37° 12' 27.11, -97° 9' 53.77



**1-33S-2E**  
**Sumner County**  
**Kansas**

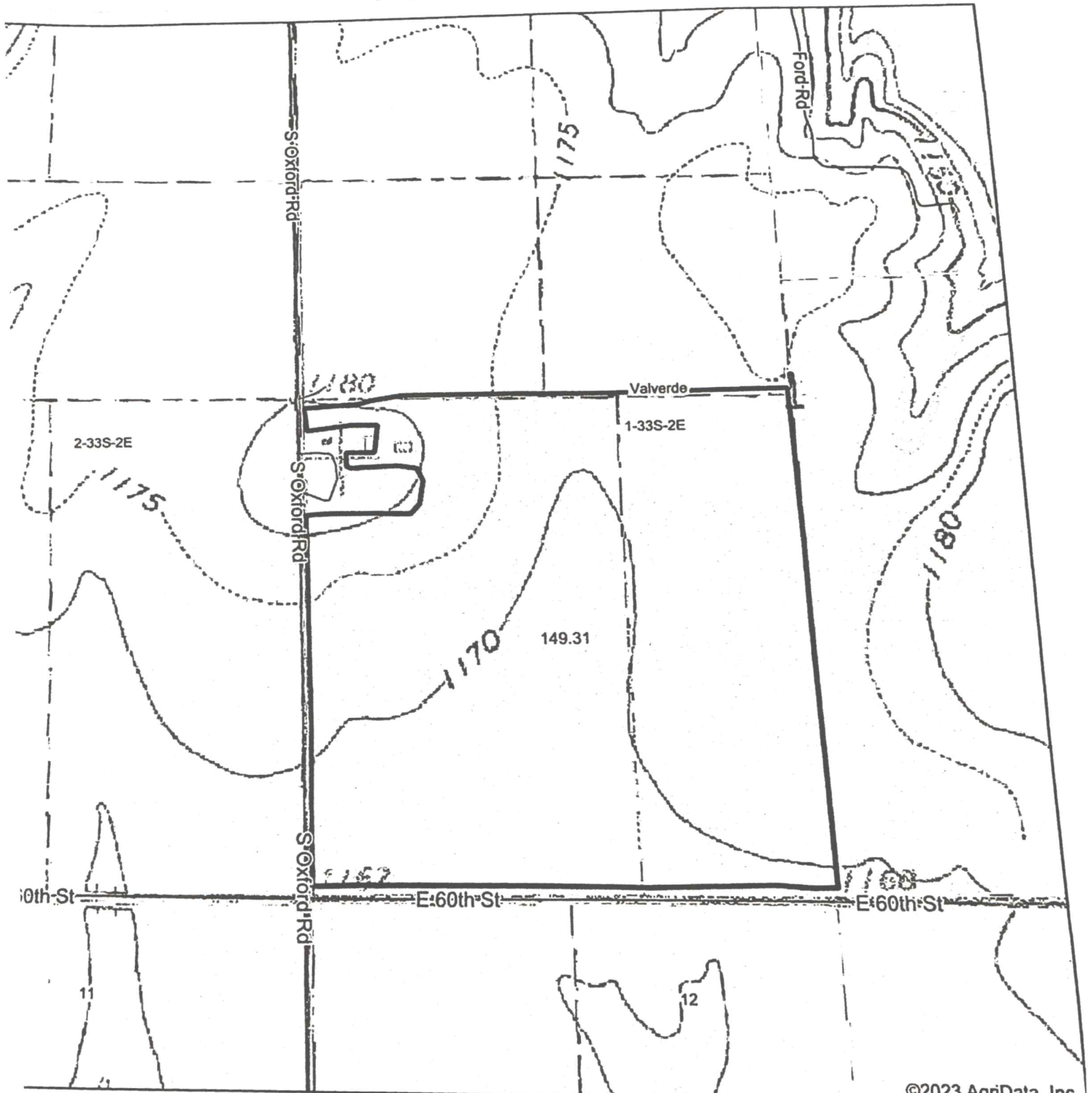


Field borders provided by Farm Service Agency as of 5/21/2008.

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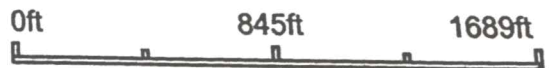
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map center: 37° 12' 27.11, -97° 9' 53.77



**1-33S-2E**  
**Sumner County**  
**Kansas**

WATER RESOURCES RECEIVED

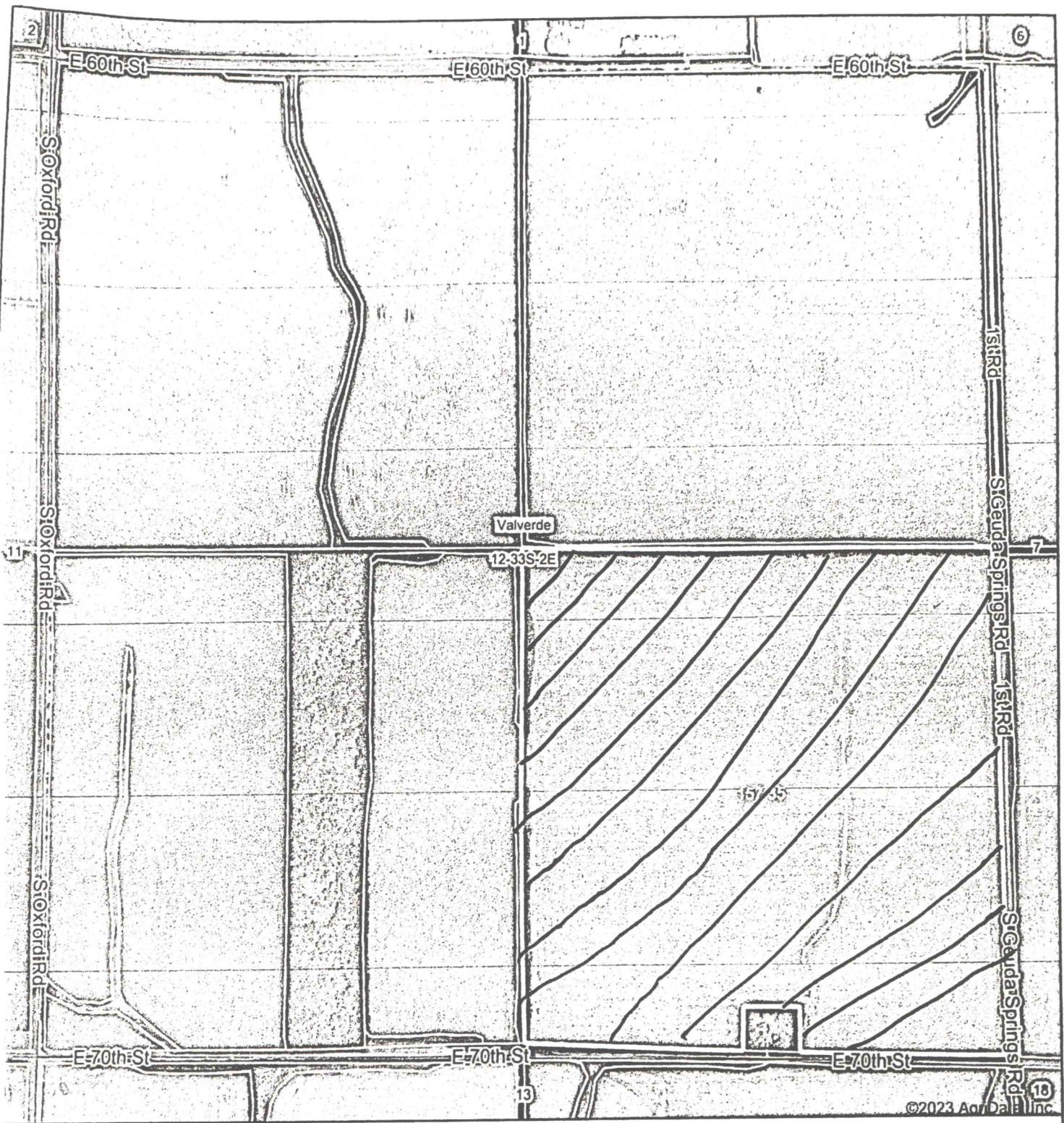
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**irety**  
ONLINE MAPPING  
 www.AgriDataInc.com





Map Center: 37° 11' 40.14, -97° 9' 30.67



**12-33S-2E**  
**Sumner County**  
**Kansas**

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3/22/2023

Provided By:

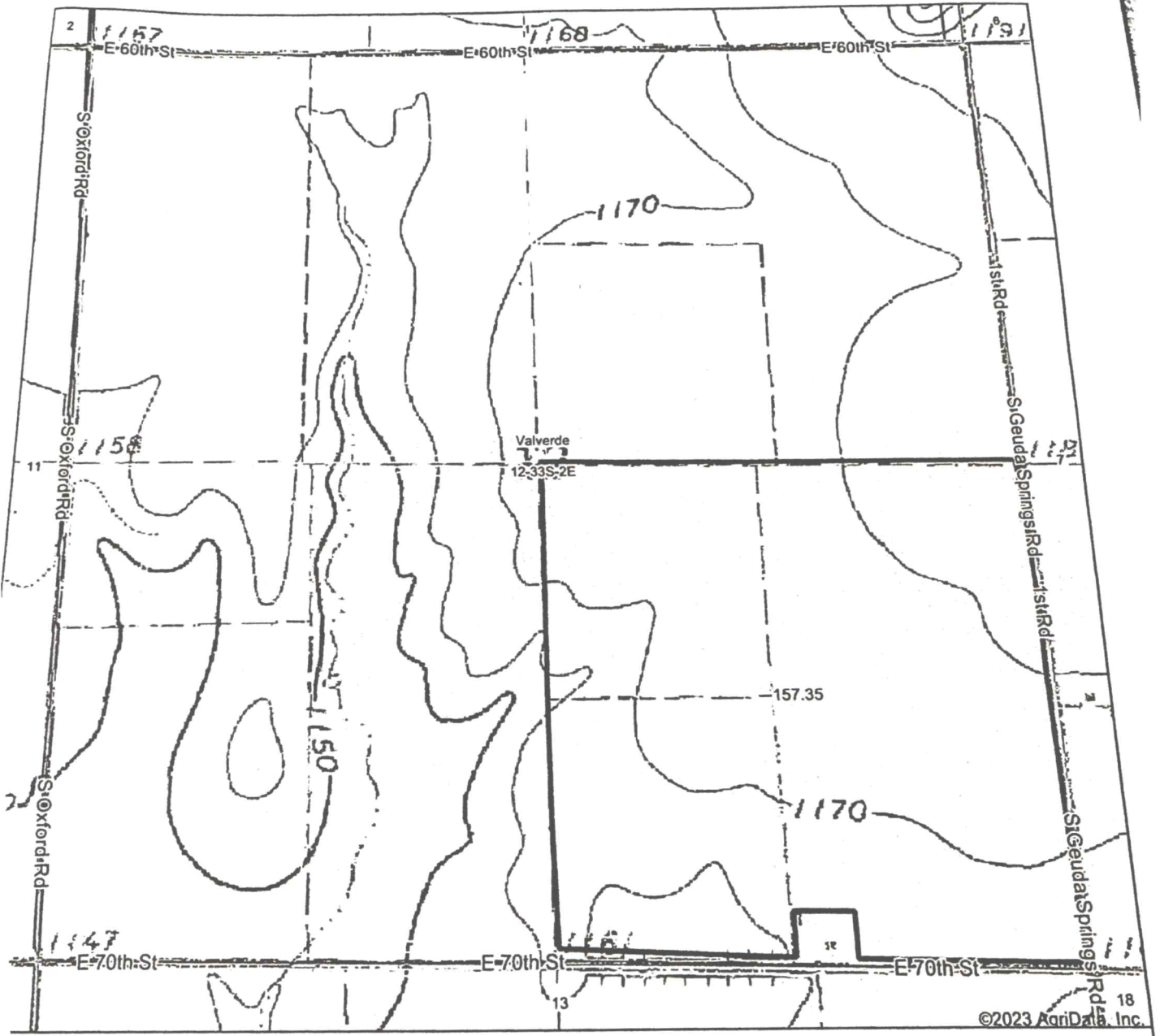


AgriData, Inc. 2023

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

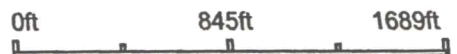


Topography Map



©2023 AgriData, Inc.

map center: 37° 11' 40.14, -97° 9' 30.67



**12-33S-2E**  
**Sumner County**  
**Kansas**

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3/22/2023

Provided By:  
**surety**  
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 Data, Inc. 2023 www.AgriDataInc.com

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

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

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

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

Minimum Desirable Streamflow

Dear Sir:

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

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

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

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

*John Wilk*  
Signature of Applicant

State of Kansas )  
County of Sumner ) ss \_\_\_\_\_  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 15 day of May, 2023.

*Andrea Kreifels*  
Notary Public

My Commission Expires:







To who it concerns. I am aware of the thickness saturation requirement so I have already spoke with Jessica at the Stafford office and she has help me set up what is required for the 24-hour test pump to prove that this location is a sustainable water source. I have reached out to a state certified water consultant and planning on running the 24 hour test pumping here within the next couple months. Once we have received his data and his input, I will make sure to pass his paperwork along to you guys.

Thank you for your time and if there is anything I have missed or not thinking of please give me a call.

Kevin White

620-440-0024

WATER RESOURCES  
RECEIVED

DEC 19 2023

KS DEPT OF AGRICULTURE