

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

1. File Number: <p style="text-align: center; font-size: 1.2em;"><b>50,903</b></p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;"><b>8/1/2024</b></p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;"><b>03</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 **59116**  
 New to system                       Add Seq# \_\_\_\_\_

**JOHN WINKEL**  
**1937 D RD**  
**GLEN ELDER KS 67446**

7b. Landowner(s)                      Person ID **59116**  
 New to system                       Add Seq# \_\_\_\_\_

**7A**

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

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

8. WUR Correspondent                      Person ID **59116**  
 New to system                       Add Seq# \_\_\_\_\_  
 Overlap File (s) WUC                      Notarized WUC Form   
 Agree  Yes  No

**7A**

9. Use of Water:    Changing?     Yes     No

Groundwater                       Surface Water

IRR                       REC                       DEW                       MUN

STK                       SED                       DOM                       CON

HYD DRG     WTR PWR             ART RECHRG

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

10. Completion Date: **12/31/2025**            11. Perfection Date: **12/31/2029**            12. Exp Date: \_\_\_\_\_

13. Conservation Plan Required?  Yes  No    Date Required: \_\_\_\_\_    Date Approved: \_\_\_\_\_    Date to Comply: \_\_\_\_\_

14. Water Level Measuring Device?  Yes  No    Date to Comply: \_\_\_\_\_    Date WLMD Installed: \_\_\_\_\_

Date Prepared: 6/15/24                      By: DLM  
 Date Reviewed: 7/23/2024                      By: KAK  
 Date Entered: **8/2/2024**                      By:  
**KAnderson**

File No. **50,903**      15. Formation Code: **113**      Drainage Basin: **23**      County: **MC**      Special Use: **N/A**      Stream: **N/A**

16. Points of Diversion										17. Rate and Quantity				
T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W		Authorized Rate gpm	Quantity af	Additional Rate gpm	Quantity af	Overlap PD Files
<b>MOD</b>	<b>89877</b>	<b>NW SE SW</b>	<b>15</b>	<b>6S</b>	<b>9W</b>	<b>2</b>	<b>689</b>	<b>3807</b>		<b>800</b>	<b>42</b>	<b>800</b>	<b>0</b>	<b>NONE</b>
<b>GEO-CENTER BATT OF 4 WELLS</b>														
<b>ENT</b>	<b>91144</b>	<b>NW SE SW</b>	<b>15</b>	<b>6S</b>	<b>9W</b>		<b>989</b>	<b>3807</b>						
<b>BATT 1 OF 4 WELLS</b>														
<b>ENT</b>	<b>91145</b>	<b>NW SE SW</b>	<b>15</b>	<b>6S</b>	<b>9W</b>		<b>839</b>	<b>3807</b>						
<b>BATT 1 OF 4 WELLS</b>														
<b>ENT</b>	<b>91146</b>	<b>SW SE SW</b>	<b>15</b>	<b>6S</b>	<b>9W</b>		<b>389</b>	<b>3807</b>						
<b>BATT 1 OF 4 WELLS</b>														
<b>ENT</b>	<b>91147</b>	<b>SW SE SW</b>	<b>15</b>	<b>6S</b>	<b>9W</b>		<b>539</b>	<b>3807</b>						
<b>BATT 1 OF 4 WELLS</b>														
<b>BATT ID 2411</b>														

18. Storage: Rate \_\_\_\_\_ NF      Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF      Additional Quantity \_\_\_\_\_ ac/ft

19. Limitation: **54** af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) **11116**  
 Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_

20. Meter Required?  Yes  No      To be installed by **12/31/2025**      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
T MOD DEL ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼								
<b>CHK</b>	<b>20824</b>	<b>15</b>	<b>6S</b>	<b>9W</b>	<b>1</b>												<b>32</b>					<b>32</b>	<b>7A</b>	<b>N</b>	<b>11116, 50932</b>				

Comments:



**From:** Stewart, Kelly  
**Sent:** Tue 7/16/2024 11:01 AM  
**To:** Means, David [KDA]  
**Cc:** Hageman, Nancy [KDA]  
**Subject:** RE: New App Recommendation

David,

I recommend approval of this application.

Kelly

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**From:** Means, David [KDA] <David.Means@ks.gov>  
**Sent:** Tuesday, July 16, 2024 10:38 AM  
**To:** Stewart, Kelly <Kelly.Stewart@ks.gov>  
**Subject:** New App Recommendation

Kelly,  
Attached is the memo for 50,903. Please provide your recommendation and/or comments.

Thanks,

David

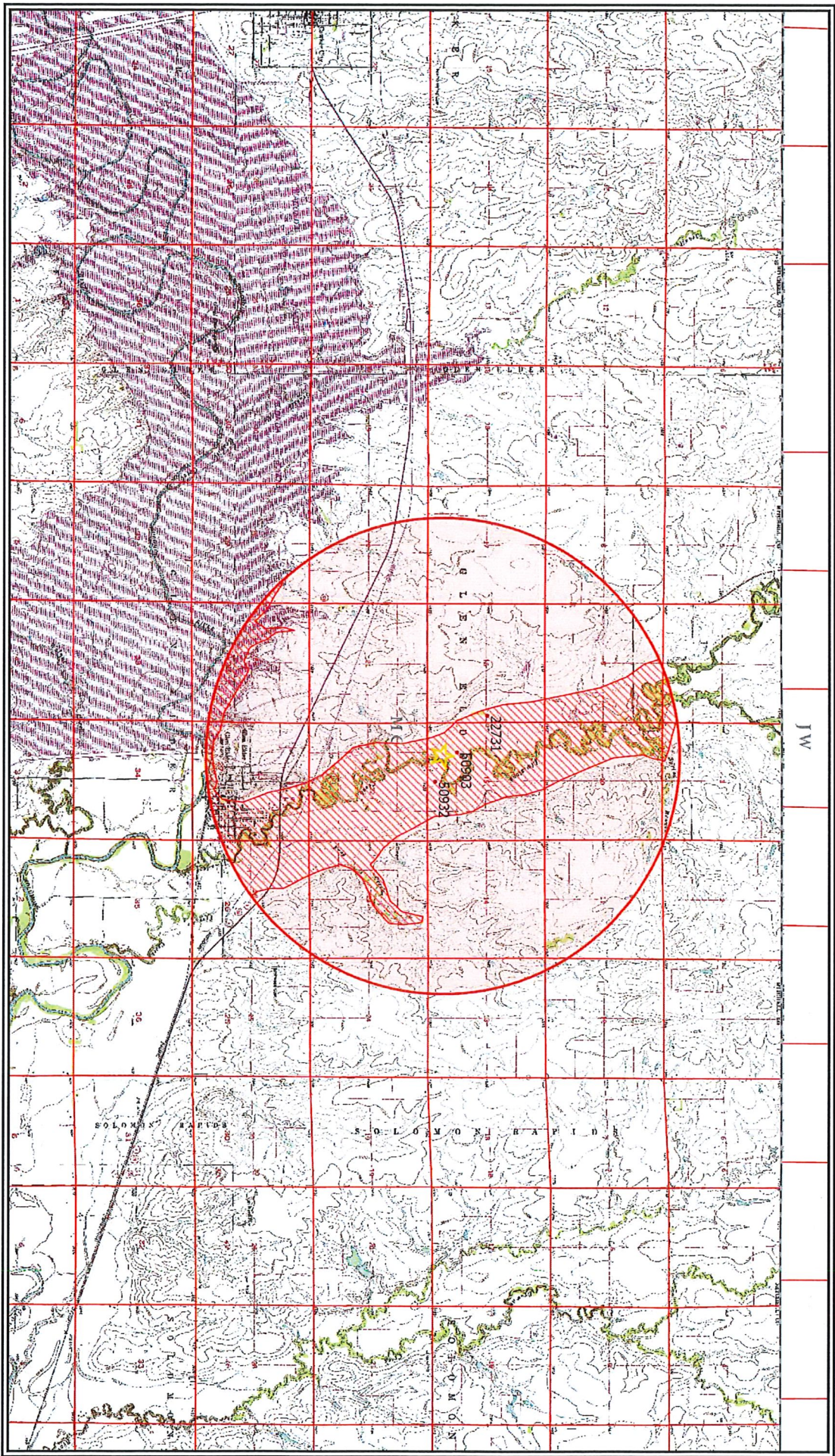


**Safe Yield Report Sheet**

**Water Right- Proposed Point of Diversion**

**Point of Diversion in 15-06S-09W**

**Footages from SE corner- 689 feet North 3,807 feet West**





# Analysis Results

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

The safe yield based on the variables listed below is 273.36 AF.

Total prior appropriations in the circle is ~~117.00 AF~~ **33 AF**

Total quantity of water available for appropriation is ~~156.36 AF~~ **240.36 AF**

## Safe Yield Variables

The area used for the analysis is set at 2,083 acres.

The potential annual recharge at the circle center is estimated to be 2.1 inches.

The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 18-JUN-2024 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 3 water rights and 3 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 22731 00	IRR	NK	G		SE	SE	NE	2685	350	16	06	09W	1	WR	33.00	33.00	75.00	75.00
A 50903 00	IRR	AY	G		SE	SW		1320	3960	15	06	09W	2	WR	42.00	42.00	32.00	0.00
A 50932 00	IRR	AY	G		SE	SE	SW	328	2654	15	06	09W	3	WR	42.00	42.00	32.00	0.00

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
Earl D. Lewis Jr., 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. 50,903** of the applicant

**JOHN WINKEL  
1937 D RD  
GLEN ELDER, KS 67446**

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 **October 31, 2022**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15 - 6S - 9W												32					32

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, with a geographical center located in the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW¼ SE¼ SW¼) of Section 15, more particularly described as being near a point 689 feet North and 3,807 feet West of the Southeast corner of said section, in Township 6 South, Range 9 West, Mitchell County, Kansas, located substantially as shown on the topographic map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **42 acre-feet** of water for any calendar year.

5. That the quantity of water approved under this permit is further limited to the quantity which combined with Water Right, File No. 11,116, will provide a total not to exceed **54 acre-feet** of water per calendar year for irrigation use on the land described herein.



6. That installation of works for diversion of water shall be completed on or before **December 31, 2025**, 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.

7. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2029**, 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.

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

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 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. The required 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).

15. 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.



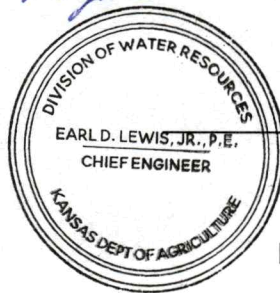
16. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

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, shall be limited to a total maximum combined diversion rate not in excess of **800 gallons per minute (1.78 c.f.s.)** and shall supply water to a common distribution system.

19. That failure without cause to comply with the provisions of this 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.

Ordered this 1st day of August, 2024, in Manhattan, Riley County, Kansas.

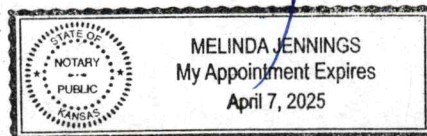


Earl D. Lewis Jr.  
Earl D. Lewis Jr., P.E.  
Chief Engineer  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas )  
                          ) SS  
County of Riley )

The foregoing instrument was acknowledged before me this 1st day of August, 2024, by Earl D. Lewis Jr., P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

Melinda Jennings  
Notary Public



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, Secretary

Laura Kelly, Governor

August 2, 2024

JOHN WINKEL  
1937 D RD  
GLEN ELDER KS 67446

RE: Appropriation of Water  
File Nos. 50,903 and 50,932

Dear Mr. Winkel:

Enclosed are permits authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in each permit.

Notices must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of the permits. If you need an extension of time, you must request it before the deadline for completion set forth in the permits. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00, per file number.

An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at [www.kswaterusereport.org](http://www.kswaterusereport.org).

The approval of your applications constitutes permits to appropriate water. They do not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. They do not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Enclosed is an informational sheet that sets forth the procedure to obtain the Certificates of Appropriation which will establish the extent of your perfected water rights. Additional information and applicable forms may be found on our website at [agriculture.ks.gov/dwr](http://agriculture.ks.gov/dwr). If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640, or your local Stockton Field Office at 785-425-6787. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum  
New Applications and Changes Supervisor  
Division of Water Resources

KAB:kak:dml  
Enclosure(s)  
pc: Stockton Field Office



## 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 request an evidentiary hearing before the Chief Engineer, or 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 Division, 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 review 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.

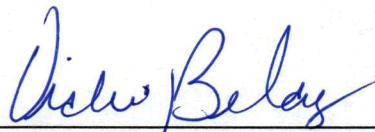
## CERTIFICATE OF SERVICE

On this 2 day of August, 2024, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,903, dated August 1, 2024, was mailed postage prepaid, first class, US mail to the following:

JOHN WINKEL  
1937 D RD  
GLEN ELDER KS 67446

With photocopies to:

KDA-DWR Stockton Field Office



Division of Water Resources