

# 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.



THE STATE OF KANSAS

Water Resources Received

KS Dept Of Agriculture

KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

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

File Number 51157
This item to be completed by the Division of Water Resources.

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

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): Mason Miles Family Trust c/o Rob Mason
Address: 2520 W COUNTRY RD
City: NEW RIVER, State AZ Zip Code 85087
Telephone Number: (502) 906-4150

2. The source of water is: [ ] surface water in (stream)
OR [x] groundwater in Cowskin Creek tributary to 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 163 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) [x] 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 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G S County SU By ALB Date 12/18/23
Code RE2 Fee \$ 300 TR # Receipt Date 12/15/2023 Check # 1202

5. The location of the proposed wells, pump sites or other works for diversion of water is: KS Dept Of Agriculture

**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 SW quarter of the SW quarter of Section 13, more particularly described as being near a point 1328 feet North and 4070 feet West of the Southeast corner of said section, in Township 30 South, Range 1 East, Sumner County, Kansas.

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

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

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

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print):

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

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

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 12, 2023. Robert H. M... TEE  
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 a battery of up to 4 wells  
(number of wells, pumps or dams, etc.)

and will be completed (by) within 1 year of the issuance of a permit  
(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 The next growing  
(Mo/Day/Year) season

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 No structure identified as a dam or reservoir will be built

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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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	12 May '76	See attached KGS WWC5A Log for well #5 shown on the map		
Total depth of well	37 ft			
Depth to water bearing formation	10			
Depth to static water level	15			
Depth to bottom of pump intake pipe	37			

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):

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

\_\_\_\_\_  
(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 New River, Arizona, ~~Kansas~~, this 12th day of December, 2023.  
(month) (year)

Ruth H. M. TTEE  
(Applicant Signature)

12/15/2023

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

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

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

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## FEE SCHEDULE

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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

**IRRIGATION USE  
SUPPLEMENTAL SHEET**

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

Name of Applicant (Please Print): Mason Miles Family Trust

KS Dept Of Agriculture

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: Mason Miles Family Trust

ADDRESS: 2520 W COUNTRY RD. NEW RIVER, AZ 85087

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
13	30S	1E										33	30	28	34					125

**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		

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

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

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
<u>Lesho clay loam</u>	<u>13.9</u>	* <u>55.8333 (7.8)</u>	<u>3</u>
<u>Brewer clay loam</u>	<u>2.7</u>	* <u>2.0101 (.283)</u>	<u>1</u>
<u>Canadian sandy loam</u>	<u>32.2</u>	* <u>44.4624 (6.3)</u>	
<u>Elandco silty clay loam</u>	<u>51.2</u>	* <u>9.0000 (1.28)</u>	<u>2</u>
<u>Total:</u>	<u>100 %</u>	* <u>micrometers/s</u>	

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

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:

i. Describe how you will control tailwater: By application rate designed to limit runoff and ground shaping to retain water and no-till procedures.

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: 35 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? 200 feet

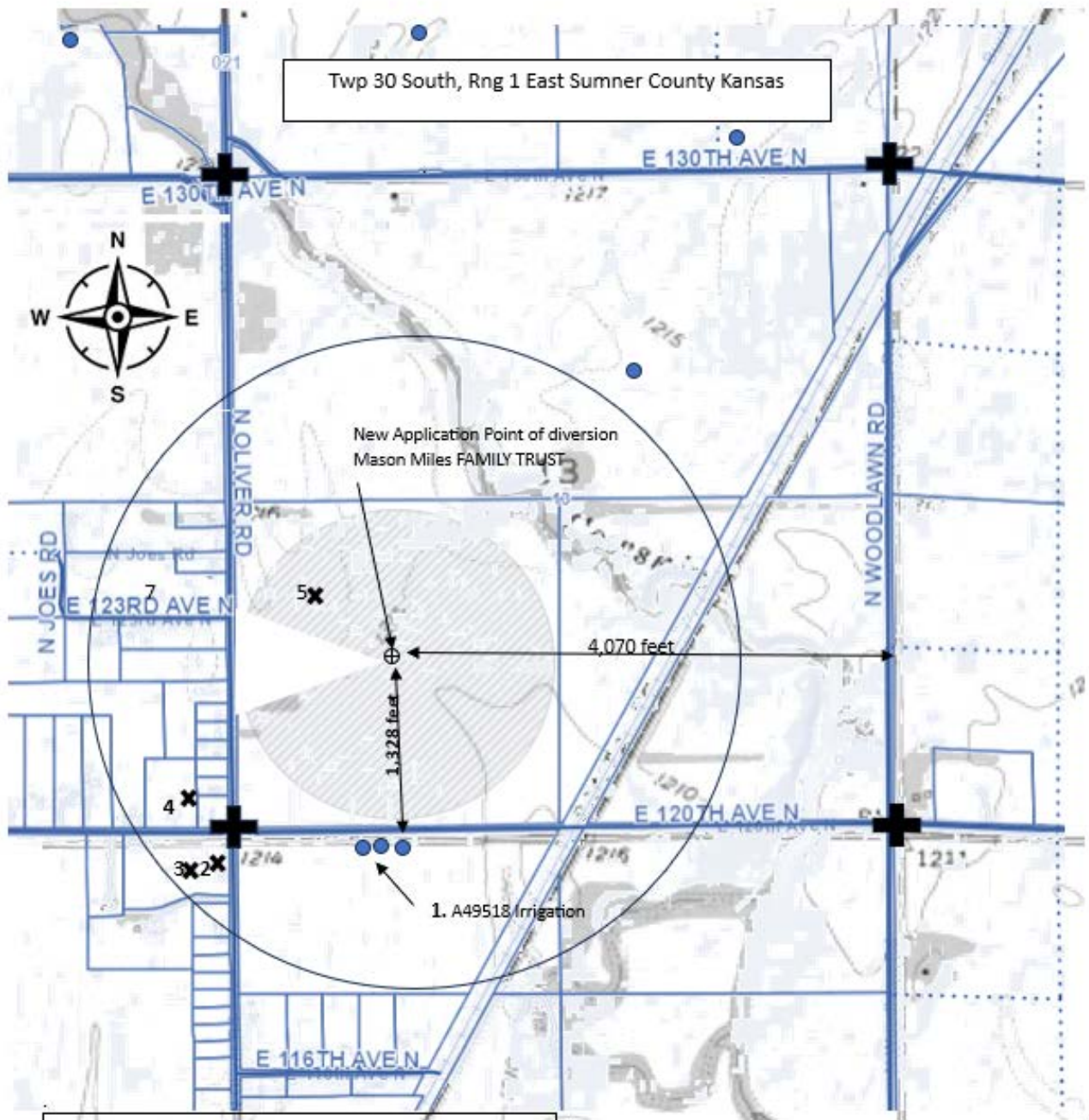
(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations: Corn, soybeans, wheat and milo are intended crops. Rotation is planned dependent on the soil conditions and anticipated climate conditions.

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). Irrigation will be based on crop stress and soil moisture. Rate and duration of irrigation is dependent on weather-based factors such as humidity, temperature, solar intensity, and crop stage. It is anticipated that during each growing season, the maximum rate of application will be needed.

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





Twp 30 South, Rng 1 East Sumner County Kansas



New Application Point of diversion  
Mason Miles FAMILY TRUST

4,070 feet

1,328 feet

1. A49518 Irrigation

**Legend**

Proposed Place of Use   
  Proposed Well   
  Irrigation Well   
  Domestic Well   
  Section Corner

All wells of any kind within 1/2 mile of the requested point of diversion have been plotted. These wells were found using WIMAS & WWC5A databases.

Signed, \_\_\_\_\_

Date, \_\_\_\_\_

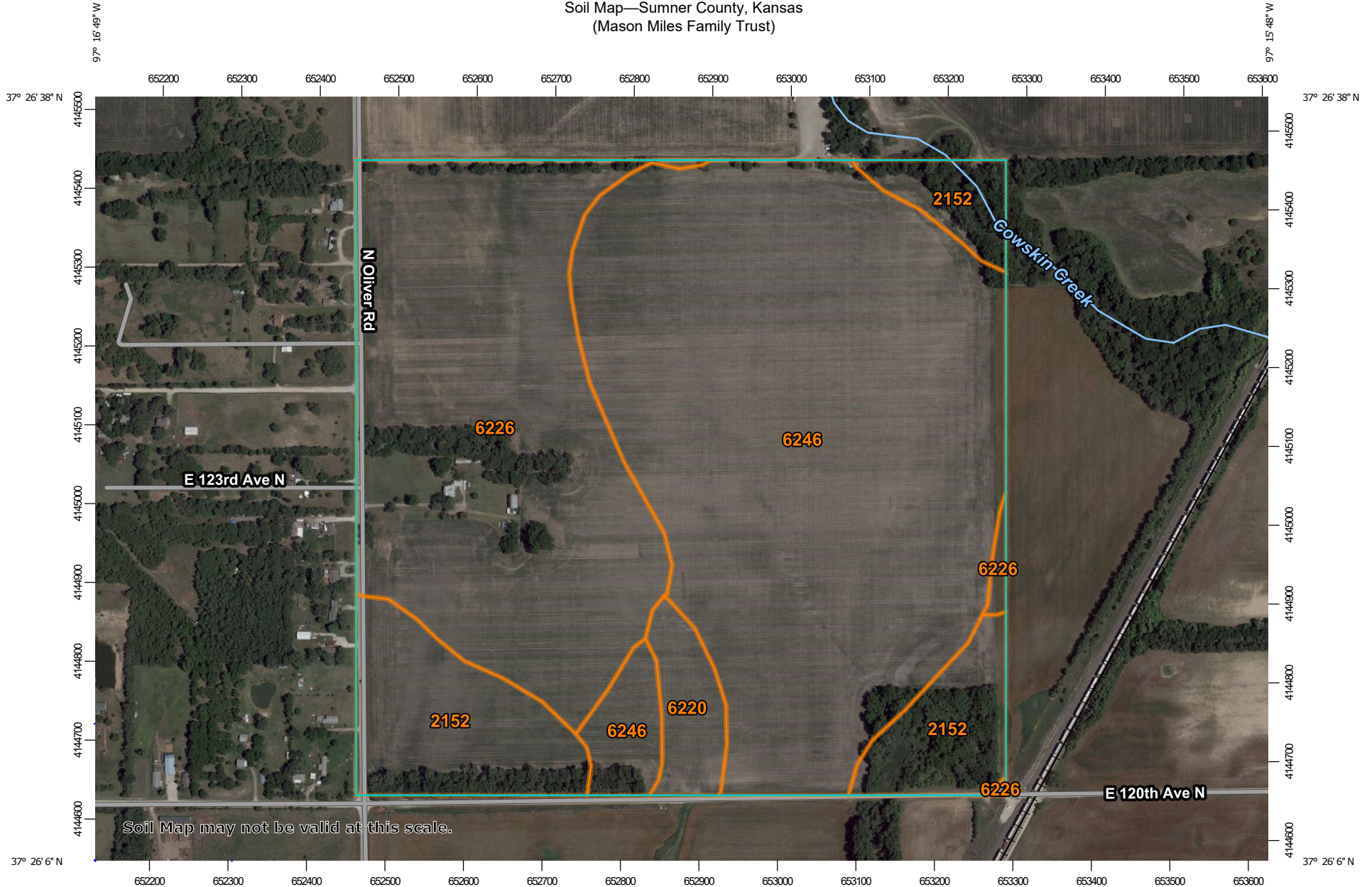
**Landowners Irrigation & Domestic**

1. Irrigation: Alan D. Hervey 830 N WEBB RD BELLE PLAINE, KS 67013
2. Domestic: Rachele Whitnie Holland 1183 E 120<sup>th</sup> Ave, Belle Plaine, KS 67013
3. Domestic: See 2 above
4. Domestic: Jeffery E Dick 1188 E 120TH AVE N BELLE PLAINE, KS 67013
5. Domestic: Applicant Mason Miles FAM TR 2520 W COUNTRY RD NEW RIVER, AZ 85087

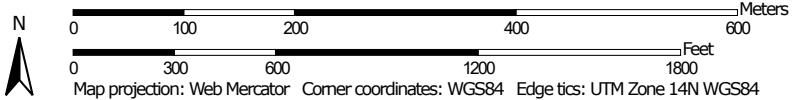
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Soil Map—Sumner County, Kansas  
(Mason Miles Family Trust)



Map Scale: 1:6,830 if printed on A landscape (11" x 8.5") sheet.



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### MAP LEGEND


**Area of Interest (AOI)**

 Area of Interest (AOI)




















**Soils**







 Soil Map Unit Polygons

 Soil Map Unit Lines


 Soil Map Unit Points

**Special Point Features**






-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features

**Water Features**

 Streams and Canals

**Transportation**

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

**Background**

 Aerial Photography

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

**Warning:** Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sumner County, Kansas  
Survey Area Data: Version 20, Sep 12, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 4, 2020—Jun 5, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

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## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
2152	Lesho clay loam, occasionally flooded	23.1	13.9%
6220	Brewer silty clay loam, rarely flooded	4.4	2.7%
6226	Canadian sandy loam, rarely flooded	53.3	32.2%
6246	Elandco silty clay loam, rarely flooded	84.8	51.2%
<b>Totals for Area of Interest</b>		<b>165.6</b>	<b>100.0%</b>

## Well T30S, R1E, Sec. 13, NW SW, Action: Constructed

Location Info		
<b>Owner:</b> Levin, Vant		<b>Status:</b> Constructed
<b>Location:</b> T30S, R1E, Sec. 13, NW SW		<b>County:</b> Sumner
<b>Directions:</b> from Sedgwick County line: 2.5 mi S on Belle Plaine Rd		
<b>Latitude:</b> 37.4414144	<b>Longitude:</b> -97.2740429	Datum NAD 27
<b>Latitude:</b> 37.4414345	<b>Longitude:</b> -97.2743648	Datum NAD 83
Longitude and latitude calculated by Survey from township-range-section-quarter calls. Only good to within the quarter call accuracy.		
<b>View well on interactive map</b> This link will create a new window and display an interactive map of this well and its neighbors.		
General Info		
<b>Well Depth:</b> 37 ft.	<b>Elevation:</b> ft.	
<b>Static Water Level:</b> 15 ft.	<b>Est. Yield:</b> gpm.	
<b>Comp. Date:</b> 12-May-1976	<b>Well Use:</b> Domestic, Lawn and Garden	
<b>DWR Applic. #:</b>	<b>Other ID:</b>	
Driller Info		
<b>Driller:</b> Harp Well & Pump Service, Inc.		<b>License #:</b> 236
Scanned Form		
<a href="#">View scan of this form in PDF format.</a>		
You will need the <a href="#">Acrobat PDF Reader</a> , available free from Adobe, to read this file.		
<b>Chemical Sample Submitted?:</b> No		
<b>Water Well disinfected?:</b>		
<b>Ground water encountered:</b> 0 ft. , 0 ft. , 0 ft.		
Pump test data: Well water was 0 ft after 0 hours pumping 0 gpm		
Casing Info		
<b>Casing Type:</b>	<b>Diam:</b> 0 in. to 0 ft	
<b>Casing Joints:</b>	<b>Diam:</b> 0 in. to 0 ft	
	<b>Diam:</b> 0 in. to 0 ft	
<b>Casing height above land surface:</b> in		
<b>Casing Weight:</b> lbs/ft		
<b>Wall thickness or gauge no.:</b>		
Screen and Perforation Info		
<b>Screen Type:</b>	<b>Screen Openings:</b>	
<b>Screen-perforated intervals</b>	<b>From:</b> 17 ft to 37 ft	
	<b>From:</b> 0 ft to 0 ft	
	<b>From:</b> 0 ft to 0 ft	

	<b>Gravel pack intervals</b>	<b>From:</b> ft to ft
<b>Grout Info</b>		
	<b>Grout used:</b>	<b>From:</b> 0 to 0 ft <b>From:</b> 0 to 0 ft <b>From:</b> 0 to 0 ft
<b>Source of Possible Contamination</b>		
	<b>Source:</b>	
	<b>Direction from well:</b>	<b>Distance:</b> 0 ft
<b>Lithologic Log</b> (Log data entered by KGS.)		
	<b>From:</b> 0 ft. to 3 ft.	sandy top soil
	<b>From:</b> 3 ft. to 10 ft.	clay
	<b>From:</b> 10 ft. to 15 ft.	fine sand
	<b>From:</b> 15 ft. to 34 ft.	medium sand
	<b>From:</b> 34 ft. to 37 ft.	shale

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Kansas Geological Survey  
Comments to [webadmin@kgs.ku.edu](mailto:webadmin@kgs.ku.edu)  
URL=<http://www.kgs.ku.edu/Magellan/WaterWell/index.html>  
Display Programs Updated July 2, 2014  
Data added continuously.

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

December 22, 2023

MASON MILES FAMILY TRUST  
2520 W COUNTY RD  
NEW RIVER AZ 85087

RE: Application, File No(s). **51157**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) for a permit to appropriate water for beneficial use. Your application(s) has been assigned the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any other questions, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kris Neuhauser  
New Applications Lead  
Water Appropriation Program