



THE STATE OF KANSAS

WATER RESOURCES RECEIVED

MAR 14 2024

12:14 KS Dept. of Agriculture

KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

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

51203

File Number 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): Rural Water District No. 6 Cowley County
Address: 7828 242nd Rd
City: Arkansas City State KS Zip Code 67005
Telephone Number: (620) 660-2623

2. The source of water is: surface water in (stream) OR groundwater in Arkansas River 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 100 acre-feet OR gallons per calendar year, to be diverted at a maximum rate of 300 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.

4/2/2024 KAnderson

For Office Use Only: F.O. 2 GMD Meets K.A.R. 5-3-1 (YES / NO) Use MUN Source G/S County CL ALB By Date 3/21/24 Code REC Fee \$ 200 TR # Receipt Date 3-14-24 Check # 5857

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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 NE quarter of the SE quarter of Section 32, more particularly described as being near a point 2570 feet North and 150 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):

Beverly K Grant, 3216 242<sup>nd</sup> Rd, Arkansas City, KS, 67005,620-441-8551  
(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 01-24, 2024. Kanell & Rich  
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 Well \_\_\_\_\_  
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) March 1, 2024 \_\_\_\_\_  
(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 As soon as completed \_\_\_\_\_  
(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 \_\_\_\_\_
- If no, explain here why a Water Structures permit is not required N/A  
\_\_\_\_\_  
\_\_\_\_\_

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 overlaps with File Nos. 19652 and 38848  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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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	_____	_____	_____	_____
Total depth of well	_____	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

- 14. The relationship of the applicant to the proposed place where the water will be used is that of Board Member (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 Cowley County, Kansas, this 4 day of January, 2024.  
(month) (year)

Kenneth E. Rich  
(Applicant Signature)

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

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

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

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

Date: \_\_\_\_\_

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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

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MYFA Term Permit, File No. \_\_\_\_\_

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**Attachment B**

This attachment must be signed if you intend to reduce the total amount of water available in the proposed Multi-Year Flex Account due to an overpumping penalty order that requires a reduction or suspension of the authorized quantity for any of the base water rights included in this application.

**CONSENT AGREEMENT REGARDING PENALTY ORDER AND MULTI-YEAR FLEX ACCOUNT**

Pursuant to K.S.A. 82a-736(c)(1)(C), to qualify for a Multi-Year Flex Account the base water right must be “in compliance with the terms and conditions of its certificate of appropriation, all applicable provisions of law and orders of the chief engineer.”

The applicant/owner/operator acknowledges that one or more of the base water rights listed in this application for a Multi-Year Flex Account are subject, because of an overpumping penalty order(s) issued by the Chief Engineer, to reductions in or suspensions of the authorized quantity of water that may be withdrawn for one or more of the years in which the Multi-Year Flex Account would be in effect.

In order that the base water right(s) listed in this application may qualify for a Multi-Year Flex Account and be considered in compliance with the terms and conditions, law, and other orders of the Chief Engineer, as required by K.S.A. 82a-736(c)(1)(C), the applicant/owner/operator agrees to the following terms and conditions, except that nothing in this application shall be deemed to modify the penalties imposed by the issued overpumping penalty order, any resulting consent agreement and final order, or any prior consent agreement and final order related to the subject water right:

1. Pursuant to K.A.R. 5-14-12, the penalty order was for a first or second overpumping offense for penalty assessment purposes or involved an overpump of less than 24 hours of pumping. Only the following penalty classifications, pursuant to K.A.R. 5-14-12, shall be eligible for a reduced-allocation MYFA: A1, A2, A3, B1, and C1.
2. For purposes of K.A.R. 5-14-12 and any future overpumping of the base water right(s) subject to a new penalty order, the current penalty order on which the reduction from this Multi-Year Flex Account is based shall remain on the record as a prior offense during the term of the Multi-Year Flex Account and for five additional years from the January 1 following the completion of the full term of the reduced-allocation Multi-Year Flex Account.

I have read and clearly understand the Consent Agreement, and on behalf of the applicant/owner/operator, I agree to all of the terms and conditions of this Consent Agreement. By my signature hereto, I represent and warrant that I have full power and authority to execute this Consent Agreement on behalf of all owners and other parties with a legal interest in the water right(s) and to bind them thereto.

Date: 1-5-2024

By: Kendall E Rich  
(signature)

KENDALL E RICH  
(printed name)

Applicant's Name CL Co. RWD No. 6  
(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	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 Below Explanation)
31840000			6560000	18552000	38000	6690000
<b>TOTAL WATER = Columns 1 + 2</b>		<b>ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6</b>				<b>UNACCOUNTED FOR WATER</b>

**UNACCOUNTED FOR WATER = TOTAL WATER - ACCOUNTED FOR WATER**

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- 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.

**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	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 Above Explanation)
20 years ago	29859000						
15 years ago	27943000						
10 years ago	32848000						
5 years ago	26422000			7481000	16028000	53000	2860000
	<b>TOTAL WATER = Columns 1 + 2</b>		<b>ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6</b>			<b>UNACCOUNTED FOR WATER</b>	



**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	32074693			6608354	18688747	38230	6739312
Year 10	32661425			6729238	18030614	38980	6862592
Year 15	33248157			6850123	19372482	39681	6985872
Year 20	33834889			6971007	19714349	40381	7109152
<b>TOTAL WATER = Columns 1 + 2</b>			<b>ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6</b>				<b>UNACCOUNTED FOR WATER</b>

**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	705
15 years ago	737
10 years ago	764
5 years ago	806
Last Year	814

PROJECTED FUTURE POPULATION

ESTIMATE FUTURE POPULATION AND SUBSTANTIATE NUMBERS ON SEPARATE ATTACHMENTS

NEXT 20 YEARS	POPULATION
Year 5	820
Year 10	835
Year 15	850
Year 20	865

Provide number of current active service connections:

\_\_\_\_\_ 268 Residential      \_\_\_\_\_ 0 Industrial      \_\_\_\_\_ 5/10 Other (specify) \_\_\_\_\_ Apartments/Inactive Meters  
 \_\_\_\_\_ 11 Commercial      \_\_\_\_\_ 14 Pasture/ Stockwater/ Feedlot      \_\_\_\_\_ 307 **Total**

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**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

\_\_\_\_\_ 25280000 ÷ \_\_\_\_\_ 814 ÷ 365 Days/Year = \_\_\_\_\_ 85 GALLONS PER PERSON PER DAY.  
 Amount of water in Columns 5, 6, and 7 of Section 1      Population from Last Year of Section 4

**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 Cowley County RWD#6 and immediate vicinity \_\_\_\_\_

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