

THE STATE OF KANSAS



WATER RESOURCES RECEIVED  
MAY 08 2024 15:03  
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 51236  
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): Cole Miller  
Address: 39601 W 31<sup>st</sup> St S  
City: Cheney State KS Zip Code 67025  
Telephone Number: (316) 215-5074

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in NINNESCAH 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. 433

3. The maximum quantity of water desired is 448 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.

For Office Use Only:  
F.O. 2 GMD - Meets K.A.R. 5-3-1  YES / NO Use IRR Source  G / S County KM By KJN Date 5/9/24  
Code KE3 Fee \$ 340 TR # \_\_\_\_\_ Receipt Date 5-8-24 Check # 489

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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.

- 1 (A) One in the SW quarter of the SW quarter of the NW quarter of Section 23, more particularly described as being near a point 2700 feet North and 5260 feet West of the Southeast corner of said section, in Township 29 South, Range 5 East/West(circle one), Kingman County, Kansas.
- 2 (B) One in the SW quarter of the SW quarter of the NW quarter of Section 23, more particularly described as being near a point 3065 feet North and 5260 feet West of the Southeast corner of said section, in Township 29 South, Range 5 East/West(circle one), Kingman County, Kansas.
- 3 (C) One in the SW quarter of the SW quarter of the NW quarter of Section 23, more particularly described as being near a point 3065 feet North and 4865 feet West of the Southeast corner of said section, in Township 29 South, Range 5 East/West(circle one), Kingman County, Kansas.
- 4 (D) One in the SW quarter of the SW quarter of the NW quarter of Section 23, more particularly described as being near a point 2700 feet North and 4865 feet West of the Southeast corner of said section, in Township 29 South, Range 5 East/West(circle one), Kingman 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 May 7<sup>th</sup>, 2024. Cole Miller  
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 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 ASAP  
(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. *not planning* 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.

\_\_\_\_\_ *none* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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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	5/3/24			
Total depth of well	56'			
Depth to water bearing formation				
Depth to static water level	18'			
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 owner  
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):  
N/A  
(name, address and telephone number)  
N/A  
(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at AA Cheney, Kansas, this 7<sup>th</sup> day of May, 2024.  
(month) (year)

Cole Miller

(Applicant Signature)

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

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

Assisted by Mark Lawless \_\_\_\_\_ Date: 5-7-24  
(office/title)

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IRRIGATION USE  
SUPPLEMENTAL SHEET

KS Dept. of Agriculture

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

Name of Applicant (Please Print): Cole Miller

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: Cole Miller  
ADDRESS: 39601 W 31<sup>st</sup> St S Cheney KS 67025

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23	29s	5w	40	40	40	40	<del>32</del> 32	<del>37</del> 37	40	40									309
							↑	↑											
							32	37			excluding B. Andy Winnegar Residence								

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
Nalim loam	<del>20.0%</del> 85.80%	1	
Blanket Silt loam	9.0%	1	
Shellabarger-Nalim Complex	4.9	1	
Shellabarger Sandy loam	1.2%	1	
Total:	100%		

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

Estimate the maximum land slope in the field(s): 1.5 %

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:

no

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? 68 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 milo alfalfa soybeans wheat cotton

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).

we plan to irrigate for crop needs based on agronomic needs and utilize the water in the best conservative possible methodology

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

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SW corner  
of NW 1/4

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IRRIGATION TEST WELL

Driller & Assistant: Logan, chip and tom

Date: 5/3/2024

CUSTOMER: Cole Miller

PHONE #:

MAIL ADDRESS:

DRILL LOCATION:

- |  |                                       |  |   |
|--|---------------------------------------|--|---|
| <input type="checkbox"/> Screen 2-1/2"     | <input type="checkbox"/> Holeplug     | <input type="checkbox"/> Gas & Oil - W.T.  | <input type="checkbox"/> 6" or 5" Liner if needed |
| <input type="checkbox"/> Casing 2-1/2"     | <input type="checkbox"/> Quarters     | <input type="checkbox"/> 3/4" Polyethylene | <input type="checkbox"/> Solvent & Glue           |
| <input type="checkbox"/> Couplings, 2-1/2" | <input type="checkbox"/> Water        | <input type="checkbox"/> 2-1/2" PVC Tee    | <input type="checkbox"/> Water Sample Bottle      |
| <input type="checkbox"/> End Caps, 2-1/2"  | <input type="checkbox"/> Lime         | <input type="checkbox"/> 5" & 6" Bits      | <input type="checkbox"/> Inspection Sheet         |
| <input type="checkbox"/> Gravel Pack       | <input type="checkbox"/> Drilling Mud | <input type="checkbox"/> Packing           |   |

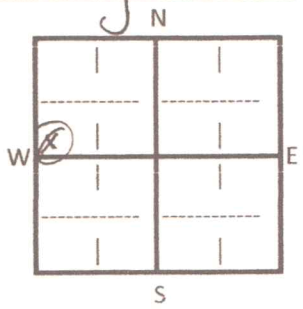
Depth:	Formation:	Well Information:
0-3'	top soil	Static Water Level: 18'
3'-7'	clay tan	Groundwater depth: _____
7'-15'	sand clay mix	Est. Production: 200-400 gpm
15'-52'	sand fine to medium	Casing Size/Depth: 0-56' 1" pvc
52'-56'	shale grey	Screen Size/Depth: _____
		Slot Size: _____
		Grouting Depth: 0-56'
		Number of Bags: 2
		Sucker Rods: _____
		1" Casing: _____
		Nearest Contamination: _____
		Notes:

Latitude: 37.510891 N decimal degrees (ex. 38.881796)  
Longitude -97.843943 W decimal degrees (ex. 95.373889)

Datum:  NAD27  NAD83  WGS84

Elevation: 1456 ft.

— 1/4	SW 1/4	SW 1/4	NW 1/4
Sec. 23	T 29	R 5	SW
County Kingman			



Permit #: \_\_\_\_\_  
WWC5 #: \_\_\_\_\_

- \$ \_\_\_\_\_ /ft. Well
- \$ \_\_\_\_\_ /Grout
- \$ \_\_\_\_\_ /Permit Charge
- \$ \_\_\_\_\_ /Submersible Pump
- \$ \_\_\_\_\_ /Dirt & Debris Removal
- \$ \_\_\_\_\_ /Water Sample / Test Pumping
- \$ \_\_\_\_\_ /Mobilization/Travel
- \$ \_\_\_\_\_ /Discount

Contract Received: \_\_\_\_\_

Invoice #: \_\_\_\_\_

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

Well Data: \_\_\_\_\_ Access: \_\_\_\_\_ Scan: \_\_\_\_\_

Materials: \_\_\_\_\_ Incent: \_\_\_\_\_



Brent A. Wineinger  
15307 SE 90 St  
Norwich KS 67118

Domestic well

# Aerial Map

## LEGEND

- X domestic well
- ⊕ proposed well
- center of quarter for pivots
- ▨ place of use



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Map Center: 37.510794, -97.835281

0ft 1132ft 2263ft

Rahney D Dixon  
14994 SE 100 St  
Norwich KS ~~67025~~ 67118

Maps Provided By:  
 **surety**  
CUSTOMIZED ONLINE MAPPING  
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23-29S-5W  
Kingman County  
Kansas  
Justin Gosch  
15276A SE 100 St  
Norwich KS 67118

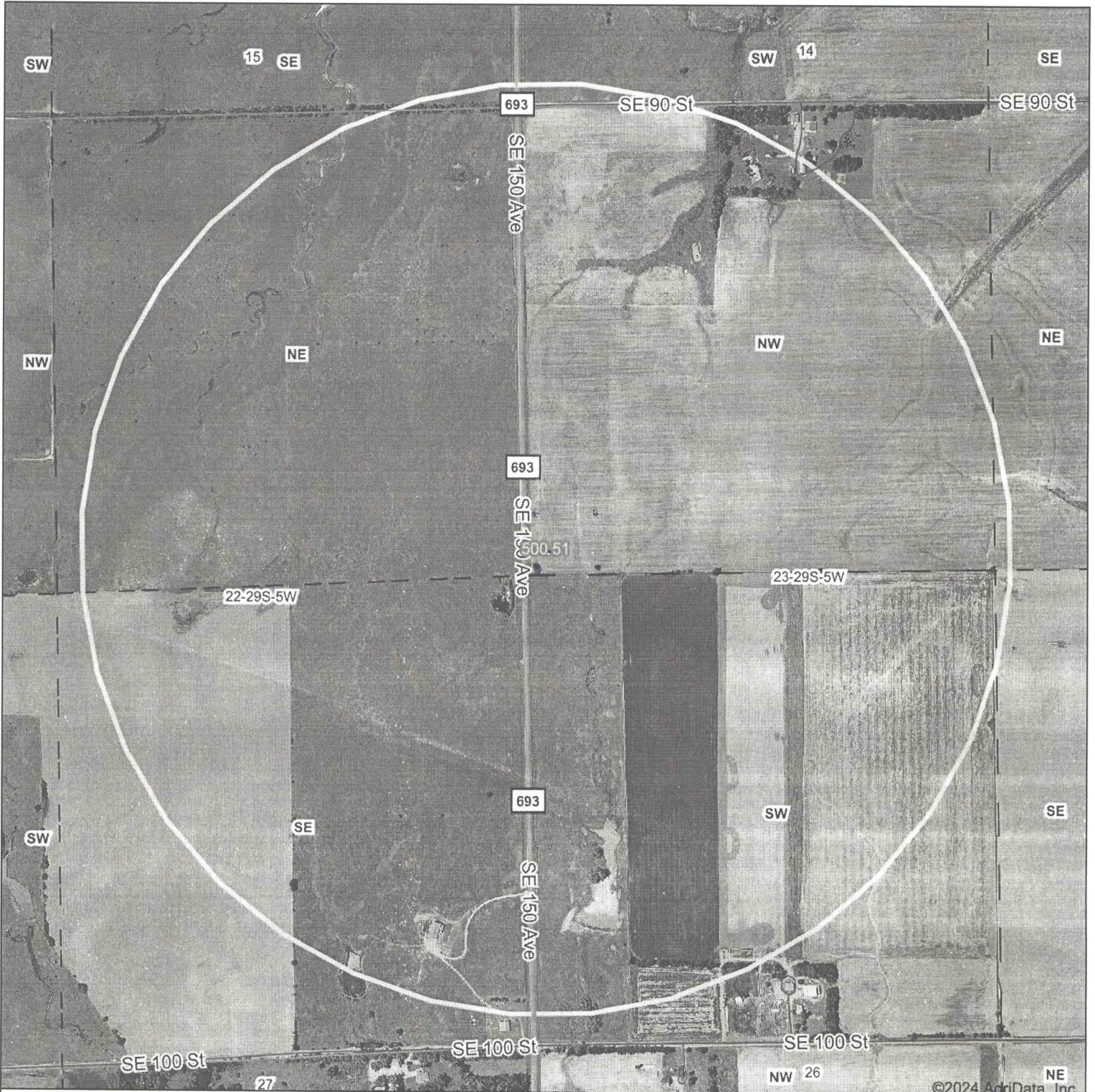
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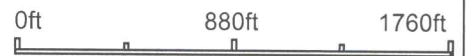


1/2 mile radius of proposed well location  
Aerial Map



 **AMERICAN AGCREDIT**  
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Boundary Center: 37.511183, -97.843750



Maps Provided By:  
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**23-29S-5W**  
**Kingman County**  
**Kansas**

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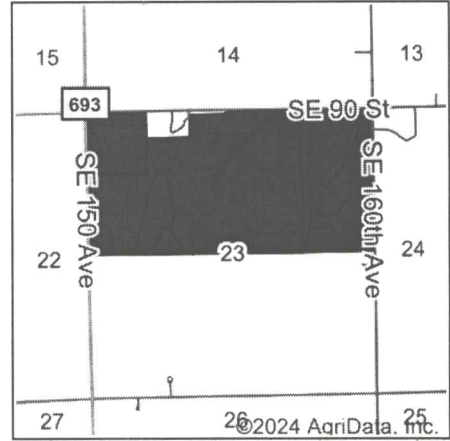
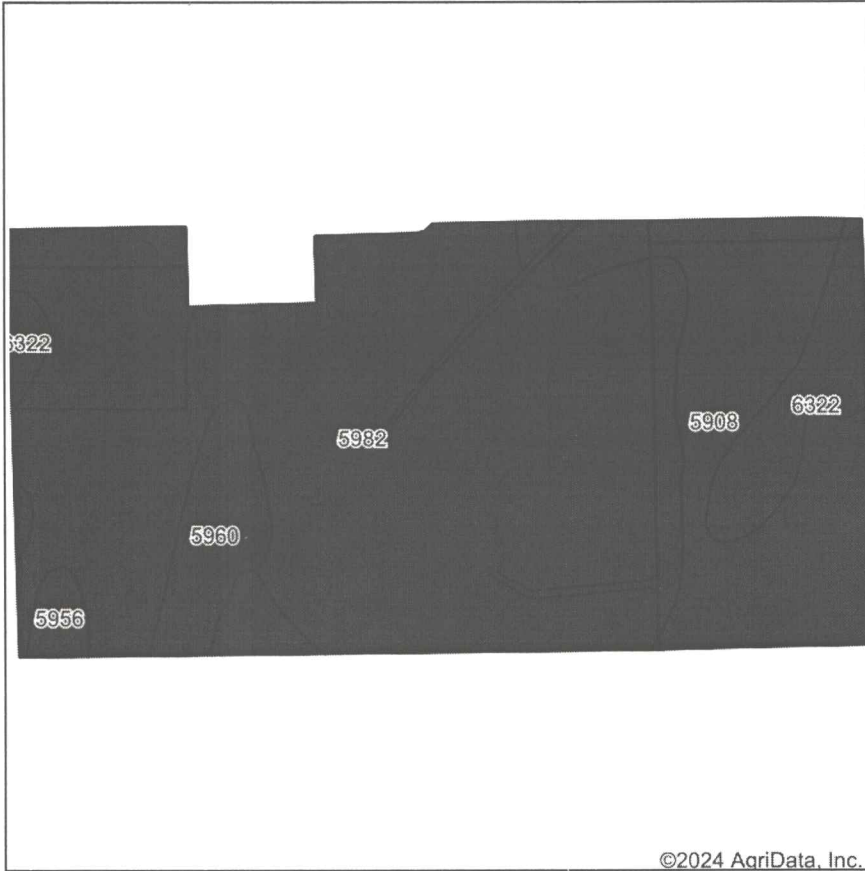


**MAY 08 2024**

5/7/2024



# Soils Map



State: **Kansas**  
 County: **Kingman**  
 Location: **23-29S-5W**  
 Township: **Allen**  
 Acres: **309.85**  
 Date: **5/7/2024**



Soils data provided by USDA and NRCS.

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Area Symbol: KS095, Soil Area Version: 19							
Code	Soil Description	Acres	Percent of field	Non-Irr Class Legend	Non-Irr Class *c	Irr Class *c	*n NCCPI Soybeans
5982	Nalim loam, 1 to 3 percent slopes	204.91	66.1%	■	Ile	Ile	68
5908	Nalim loam, 0 to 1 percent slopes	61.17	19.7%	■	Ilc	I	68
6322	Blanket silt loam, 0 to 1 percent slopes	24.92	8.0%	■	Ilc	Is	63
5960	Shellabarger-Nalim complex, 1 to 3 percent slopes	15.12	4.9%	■	Ile	Ile	57
5956	Shellabarger sandy loam, 1 to 3 percent slopes	3.73	1.2%	■	Ile	Ile	51
<b>Weighted Average</b>					<b>2.00</b>	<b>1.72</b>	<b>*n 66.9</b>

\*n: The aggregation method is "Weighted Average using all components"

\*c: Using Capabilities Class Dominant Condition Aggregation Method

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

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

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

Minimum Desirable Streamflow

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

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

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

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

*Cole Miller*

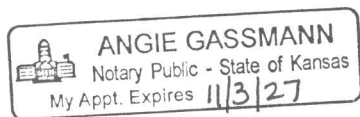
\_\_\_\_\_  
Signature of Applicant

*Cole Miller*

\_\_\_\_\_  
(Print Applicant's Name)

State of Kansas )  
County of Sedgwick ) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 7 day of May, 2024.



*Angie Gassmann*  
\_\_\_\_\_  
Notary Public

My Commission Expires: 11/3/27

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**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN  
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT  
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River  
Big Blue River  
Chapman Creek  
Chikaskia River  
Cottonwood River  
Delaware River  
Little Arkansas River  
Little Blue River  
Marais des Cygnes River  
Medicine Lodge River  
Mill Creek (Wabaunsee Co. area)  
Neosho River

Ninnescah River  
North Fork Ninnescah River  
Rattlesnake Creek  
Republican River  
Saline River  
Smoky Hill River  
Solomon River  
South Fork Ninnescah  
Spring River  
Walnut River  
Whitewater River