

Submit To:  
CHIEF ENGINEER  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, KS 66502-5000  
http://agriculture.ks.gov/dwr

**APPLICATION FOR PERMIT TO**  
**APPROPRIATE WATER FOR**  
**BENEFICIAL USE**

Water Resources  
Received

KS Dept Of Agriculture



State of Kansas

**STATUTORY FILING FEE MUST ACCOMPANY THIS APPLICATION**  
**Please refer to the Fee Schedule attached to this application form.**

File Number: **51312**

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

1. Name of Applicant: Unified School District #259  
Address: 3850 N Hydraulic St  
City: Wichita State: Kansas Zip Code: 67219-3399  
Phone: 316-973-2013 Email: \_\_\_\_\_

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

3. The maximum annual quantity of water desired is 15  acre-feet  gallons  
to be diverted at a maximum rate of 50  gpm  c.f.s.  natural flows  natural evaporation  
 This project involves surface water storage and redirection. The maximum annual quantity of water desired to be  
rediverted is \_\_\_\_\_  acre-feet  gallons, at a rate of \_\_\_\_\_  gpm  c.f.s.

**Conversion Factors**

1 acre-foot (AF) = 325,851 gallons  
1 million gallons (mg) = 3.07 acre-feet (AF)  
1 cubic foot per second (c.f.s.) = 448.8 gallons per minute (gpm)

**IMPORTANT:** Once your application has been assigned a priority date and file number, the requested maximum rate of diversion and maximum requested annual quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum annual quantity of water are appropriate and reasonable for your proposed project.

4. The water is intended to be appropriated for the following use(s):  
 Artificial Recharge\*  Irrigation\*  Recreational\*  Water Power\*  
 Industrial\*  Municipal\*  Stockwatering\*  Sediment Control  
 Domestic  Dewatering  Hydraulic Dredging  Fire Protection  
 Thermal Exchange  Contamination Remediation

**\*IMPORTANT:** You **must** submit a supplemental form providing information to substantiate your request for the quantity of water listed in Item No. 3 for the intended use(s) referenced above.

**FOR OFFICE USE ONLY**

FO 2 GMD - DUA - Use IRR Source GW County SG By KJN Date 9/17/24  
Code REG Fee \$ 200 TR # PY2409T594L Receipt Date 09/13/2024 Check # \_\_\_\_\_

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- 5. The location(s) of the proposed diversion work(s) (well, pumpsite, etc.) are described below. Note that for the application to be accepted, the point of diversion location(s) **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. You can specify a nickname for the point of diversion via the A.K.A. line to help you identify it.

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 800gpm and which supply water to a common distribution system.

- (A) One in the SW quarter of the SE quarter of the NW quarter of Section 29, more particularly described as being near a point 2,769 feet North and 3,533 feet West of the Southeast corner of said section, in Township 27 South, Range 1 E W, Sedgwick County, KS. A.K.A: West High
- (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 \_\_\_\_\_ E W, \_\_\_\_\_ County, KS. A.K.A: \_\_\_\_\_
- (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 \_\_\_\_\_ E W, \_\_\_\_\_ County, KS. A.K.A: \_\_\_\_\_
- (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 \_\_\_\_\_ E W, \_\_\_\_\_ County, KS. A.K.A: \_\_\_\_\_
- (E) 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 \_\_\_\_\_ E W, \_\_\_\_\_ County, KS. A.K.A: \_\_\_\_\_

- 6. The proposed project for diversion of water will consist of one well  
(number of wells, pumps, dams, etc.)  
and was/will be completed on or by the following date: approval of app  
(date each was or will be completed)

- 7. The first actual application of water for the proposed beneficial use was or is estimated to be spring 2025  
(Date)

- 8. List any application, appropriation of water, water right, or vested right file number that covers the same point(s) of diversion 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.

This application will replace Water Appropriation, File No. 49008.

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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 DWR prior to submitting this application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you made an application for a permit for construction of this dam and reservoir with DWR?  Yes  No

If yes, write the Water Structures permit number here: \_\_\_\_\_

11. Furnish a detailed topographic or aerial map that depicts the following information:

The application **must** be supplemented by a topographic map, aerial photograph or a detailed plat showing the information described in A-D below.

(A) The center of the section, the section lines or the section corners, and labels showing the appropriate section, township and range numbers, as well as a north arrow and scale,

(B) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) described in Item No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section,

(C) The location of the proposed place of use identified by crosshatching,

(D) **For Groundwater Use**, the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells and indicate for each well its type of use and the name and mailing address of the property owner or owners, (If there are no wells within 1/2 mile, please indicate that on the map.)

**For Surface Water Use**, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines, and

(E) The locations of proposed or existing dams, dikes, reservoirs, canals, pipelines, power houses, and any other structures for the purpose of storing, conveying, or using water.

12. For groundwater use, furnish copies of the driller's logs for all test holes or completed wells. Please ensure that the driller's logs provide depth to the static water level. If driller's logs cannot be obtained for an existing well, provide the following information:

Well location as shown in Item No. 5	(A)	(B)	(C)	(D)	(E)
Date drilled	6/25/16	_____	_____	_____	_____
Total depth of well	40	_____	_____	_____	_____
Depth to static water level	18	_____	_____	_____	_____

13. The owner(s) of the point of diversion, if other than the applicant is:

Applicant

\_\_\_\_\_  
(name, address, and phone)

\_\_\_\_\_  
(name, address, and phone)

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14. The owner(s) of the property where the water is used, if other than the applicant, is:

Applicant

\_\_\_\_\_  
(name, address, and phone)

\_\_\_\_\_  
(name, address, and phone)

15. The relationship of the applicant to the proposed place where the water will be used is that of:

Owner     Agent     Tenant     Other: \_\_\_\_\_

16. A water use correspondent (WUC) must be designated. The WUC will be mailed the annual water use report, which must be filed with the Division by March 1 of each year. Failure to timely file an accurate water use report will subject the owner(s) to a civil fine of up to \$1,000 and potential suspension of the water appropriation or right. By signing this application, I verify that the owner(s) of the water right or permit have confirmed that the following person or agent should be designated as the WUC:


Unified School District #259, Division Dir of Facilities, 3850 N Hydraulic St, Wichita KS 67219-3399

\_\_\_\_\_  
(name, address, and phone)

17. I 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. This could affect the economics of my decision to appropriate water. Situations where this might occur may include times when minimum desirable streamflow (MDS) requirements are not met, when Assurance District or Water Marketing releases are made from storage in federal reservoirs, when a Water Reservation Right upstream of a federal reservoir is administered, or when water rights administration becomes necessary to prevent impairment.

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

By signing below, I verify that the information set forth above is true to the best of my knowledge, I agree with all statements made above, and that this application is submitted in good faith.

  
\_\_\_\_\_  
(Applicant Signature)

9/12/24  
\_\_\_\_\_  
(Date)

Justin Waters  
\_\_\_\_\_  
(Applicant Name – please print)

Energy Manager  
\_\_\_\_\_  
(Applicant Title, if applicable – please print)

Assisted by EKF

SFFO/ESII  
\_\_\_\_\_  
(office/title)

Date: 9/11/24

## Water Resources Received

### FEE SCHEDULE KS Dept Of Agriculture

*Make checks payable to the Kansas Department of Agriculture.*

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic, waterpower, dewatering, or sediment control use, shall be (see No. 2 below if requesting storage):

Million Gallons (mg)	Acre-Feet (AF)	Fee
≤ 32.585	≤ 100	\$200.00
32.586 - 104.272	100.1 – 320.0	\$300.00
> 104.272	> 320	\$300.00 plus \$20 for each additional 100AF (32.586mg) or any part thereof

2. The fee for an application in which **storage** of water is requested, except for domestic use, shall be:

Million Gallons (mg)	Acre-Feet (AF)	Fee
≤ 81.462	≤ 249.9	\$200.00
≥ 81.463	≥ 250	\$200.00 plus \$20 for each additional 100AF (32.586mg) 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 **waterpower** or **dewatering** use shall be \$100.00 plus \$200.00 for each 44,880 gallons per minute (100 c.f.s.), or part thereof, of the diversion rate requested.

### IMPORTANT NOTICE

If this application is approved, the applicant shall notify the Chief Engineer when the diversion works (well, pump, reservoir, pit, etc.) has/have been completed via the *Notice of Completion of Diversion Works* form (DWR 1-203.11) and along with the statutorily required field inspection fee of:

- \$200.00 for sediment control use or groundwater pits for industrial use, or
- \$400.00 for all other uses made of water

Failure to complete the diversion works by the deadline specified in the *Approval of Application and Permit to Proceed* (or any subsequent extension of time of said deadline) and/or failure to submit the proper notice and field inspection fee will result in the dismissal of the appropriation and forfeiture of any priority associated with it.

**For assistance with this application, please contact the Division of Water Resources (DWR).**

**Manhattan HQ**  
1320 Research Park Dr.  
Manhattan, KS 66502  
785-564-6638

**Topeka Field Office**  
1131 SW Winding Rd, Ste 400  
Topeka, KS 66615  
785-296-5733

**Stafford Field Office**  
300 S. Main St  
Stafford, KS 67578  
620-234-5311

**Stockton Field Office**  
820 S. Walnut  
Stockton, KS 67669  
785-425-6787

**Garden City Field Office**  
4532 W. Jones Ave, Ste B  
Garden City, KS 67846  
620-276-2901

### Helpful Sources of Information

DWR Water Appropriation Program  
DWR Water Appropriation Forms  
KGS Water Well Completion Records  
DWR Structures Program

<https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation>  
<https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-appropriation-forms>  
<https://www.kgs.ku.edu/Magellan/WaterWell/index.html>  
<https://agriculture.ks.gov/divisions-programs/dwr/dam-safety/permit-requirements>



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IRRIGATION USE <sup>KS Dept Of Agriculture</sup>  
SUPPLEMENTAL SHEET

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

Name of Applicant (Please Print): Unified School District #259

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: Unified School District #259

ADDRESS: 3850 N Hydraulic St, Wichita KS 67219-3399

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
29	27S	1E							6	9								15	

**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>Sandy Loam</u>	<u>100</u>	<u>                    </u>	<u>                    </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<b>Total:</b>	<b>100 %</b>		

b. Estimate the average land slope in the field(s): 1-3 %

Estimate the maximum land slope in the field(s): 15 %

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: Commercial grade turf sprinkler system

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

- (1) Estimate the operating pressure at the distribution system: 50-80 psi
- (2) What is the sprinkler package design rate? <80 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? 60 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: turf grass

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 controlled by a Controller or "Clock" that can be adjusted to water as needed dependent on site and precipitation conditions. System will also be installed with a rain shut-off sensor.

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



**Legend**

- Water Appropriation
- ⊗ Proposed Point of Diversion
- ⊕ Section Corner
- Section Line
- ▨ Proposed Place of Use

**New Application, File No. \_\_\_\_\_**

**Permit to Proceed Application Map  
29-27S-1E // Sedgwick County**

Assistance with a public notice is requested due to the potential for a large number of groundwater wells within one-half mile of the proposed point of diversion.



Signature / Date

9/11/2024 EKF/SFFO 1:12,000 scale



Fitch, Elizabeth [KDA]

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**From:** Justin Waters <jwaters@usd259.net>  
**Sent:** Thursday, September 12, 2024 1:10 PM  
**To:** Fitch, Elizabeth [KDA]; Cody Benbrook  
**Subject:** Re: West High Water Right Follow-up  
**Attachments:** 3761\_001.pdf; 3760\_001.pdf

**EXTERNAL:** This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Here are the documents. I noticed on page 2 of the supplemental sheet it has our sprinkler design at <80gpm. I am petty sure when Matt came out to measure it the flow was just about 80 on the dot.

Give me a call at 316-461-8591 for credit card info to pay our bill.

Thanks,  
**Justin Waters**

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**From:** Fitch, Elizabeth [KDA] <Elizabeth.Fitch@ks.gov>  
**Sent:** Wednesday, September 11, 2024 11:11 AM  
**To:** Justin Waters <jwaters@usd259.net>  
**Subject:** West High Water Right Follow-up

**[This message came from outside of Wichita Public Schools]** Do not reply, open attachments, or click any links in this email unless you recognize the email address and know the content is safe.

Justin,

Attached is a cover letter outlining an issue with the irrigation permit at the West High School ball fields. Let me know if you have any questions or additional information.

Elizabeth K Fitch, Environmental Scientist  
Kansas Department of Agriculture  
Division of Water Resources  
Stafford Field Office  
(620) 234-5311 Main Office Line  
(620) 268-6033 Direct Line  
[elizabeth.fitch@ks.gov](mailto:elizabeth.fitch@ks.gov)  
[agriculture.ks.gov](http://agriculture.ks.gov)