



File No. **49,861**      15. Formation Code: **113**      Drainage Basin: **SF Solomon River**      County: **RO**      Special Use:      Stream:

16. Points of Diversion

MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
<b>MOD</b>			<b>85876</b>	<b>SW SE SW</b>	<b>13</b>	<b>7S</b>	<b>18W</b>	<b>4</b>	<b>462</b>	<b>3488</b>

17. Rate and Quantity

Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
<b>95</b>	<b>5.0</b>	<b>95</b>	<b>5.0</b>	<b>49,094*</b>

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

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

20. Meter Required?  Yes     No      To be installed by **12/31/2018**      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use

MOD	DEL	ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files	
								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>66001</b>	<b>13</b>	<b>7S</b>	<b>18W</b>	<b>5</b>																	<b>1.7</b>		<b>7a</b>	<b>NO</b>	<b>49,094*</b>

Comments: **PUse comment - Football Field;**  
**5 ac-ft exemption pursuant to KAR 5-3-16a** *special condition*  
**\*FILE NO. 49,094 TO BE VOLUNTARILY DISMISSED UPON APPROVAL OF 49,861.**

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**  
**M E M O R A N D U M**

**TO:** Files

**DATE:** August 8, 2017

**FROM:** Doug Schemm

**RE:** Application, File No. 49,861; and  
Appropriation of Water, File No. 49,094

Stockton USD (Unified School District) 271 has filed the referenced application (File No. 49,861) requesting to appropriate 5 acre-feet of groundwater at a diversion rate of 95 gallons per minute to irrigate 1.7 acres (football field). The point of diversion is an existing well currently authorized under Appropriation of Water, File No. 49,094, and is located in the Southwest Quarter of Section 13, Township 7 South, Range 18 West, Rooks County, Kansas. The proposed appropriation is located within the South Fork Solomon River Basin. The place of use and point of diversion are both owned by the applicant, and a representative has signed the application form affirming legal access to the point of diversion.

Appropriation of Water, File No. 49,094 overlaps in both point of diversion and place of use. However, this file will be voluntarily dismissed in conjunction with the approval of this pending application. The existing file exceeded its authorized quantity of water of 1.82 acre-feet in 2016, pumping 4.5 acre-feet. Approval of this new application will address this overpumping issue.

The source of supply for the well is the South Fork Solomon River alluvium, which has been determined by the chief engineer to be fully appropriated and shall be closed to further new regular groundwater appropriations. However, K.A.R. 5-3-16a provides an exemption for up to 5 acre-feet of groundwater, provided that certain criteria are met.

1. *The sum quantity of groundwater appropriated because of an exemption pursuant to this regulation cannot exceed a total of 5 acre-feet within a 2-mile radius of the point of diversion.* The applicant's senior file No. 49,094 was approved under this small use exemption, however as noted above, it will be voluntarily dismissed. There are no other exemptions issued pursuant to this regulation within 2 miles of the point of diversion, so the entire 5 acre-feet is available.
2. *The quantity of water requested must be reasonable.* The requested quantity of 5.0 acre-feet applied to 1.7 acres will provide 2.94 acre-feet per acre, which exceeds the maximum allowable quantity for irrigation use in Rooks County of 1.4 acre-feet per acre, per K.A.R. 5-3-24. However, similar irrigation projects for athletic fields have shown that this additional water is necessary based on the type of turf grass (tall fescue) and anticipated water needs according to the Kansas State University Extension Service ("Managing Fescue Football Fields"). The additional water is necessary for proper turf management, both to get any new grass established and to prevent the existing grass from being damaged during the high traffic playing season. Other turf grass projects have been approved for additional water based on similar supporting documentation including information from the Turf Grass Sod organization indicating that tall fescue requires up to 4 AF/acre. Therefore, the requested quantity of water appears to be reasonable for the intended use per K.A.R. 5-3-20, is not wasteful, and will not otherwise prejudicially and unreasonably affect the public interest. As noted above, the applicant applied 4.5 acre-feet of water in 2016.
3. *Well spacing must be sufficient to prevent impairment.* No domestic wells were identified by the applicant within one-half mile of the point of diversion. Seven municipal wells are located within 1,320 feet of the point of diversion, with the closest one located only 342 feet away. K.A.R. 5-4-4 provides that the spacing guidelines are not applicable if the required minimum well spacing criteria are not necessary to prevent direct impairment. In this situation, the low rate of diversion and quantity of water requested is unlikely to create any significant drawdown. Additionally, the point of diversion has been in place since the early 1990's and has been operated without any known impact to the nearby wells. Therefore, per K.A.R. 5-4-4, the proposed well spacing is sufficient to prevent direct impairment and to protect the public interest.

4. *The combined quantity of water authorized from the point of diversion can't exceed 5 acre-feet.* Upon the dismissal of File No. 49,094, there will be no other regular appropriations covering this point of diversion.
5. *The appropriation must benefit the public interest and help maximize economic development.* The purpose of this appropriation is to improve and maintain the athletic fields for the local school district. Thus, it is reasonable to presume the appropriation will benefit the public interest and may help maximize economic development.

Seven municipal wells and one irrigation well were identified by the applicant within one-half mile of the point of diversion. These well owners were notified during the processing of the senior file just a couple of years ago, and no written responses were received. However, a telephone call was received from Jon Voss, Water Superintendent for the City of Stockton, expressing some concern about the location of the point of diversion with respect to the City's municipal wells. The City may need to utilize these municipal wells more in the future. He was not opposed to the school district's proposed appropriation. City Well #7, the closest well to the point of diversion, has flooded several times in the past and is currently capped. Alan Maddy, owner of the closest irrigation well, also telephoned; however, he had no concerns regarding the application. Since the nearby well owners were previously notified during processing of the senior file, they are obviously aware of the irrigation use, and no impairment of senior water rights will occur with approval of this application, no further notifications are necessary.

As allowed by K.S.A. 82a-706(c) an approved water flow meter shall be installed on the diversion works for this file. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. A water level measurement tube is not required because this is an existing well that will not exceed 100 gpm.

Kelly Stewart, Water Commissioner for the Stockton Field Office, recommended approval of the referenced application in an August 3, 2017 e-mail.

The application meets the criteria for exemption to a closed area under K.A.R. 5-3-16a, the approval will address an overpumping issue, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest. Based on the above discussion, it is recommended that the referenced application be approved, in conjunction with the voluntary dismissal of Appropriation of Water, File No. 49,094.

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 29, 2017

USD 271  
% SHELLY SWAYNE SUPERINTENDENT  
201 N. CYPRESS  
STOCKTON KS 67669

**FILE COPY**

Re: Appropriation of Water, File Nos. 49,861 and 49,094

Dear Ms. Swayne:

There is enclosed a permit to appropriate water (File No. 49,861) authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approval documents. A water meter is required on the proposed diversion works and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00. There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right.

(over)

USD 271

File Nos. 49,861 and 49,094

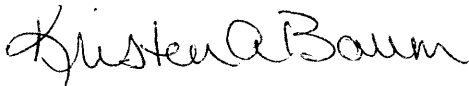
Page 2

In addition, we received your "Voluntary Dismissal of an Application for Permit to Appropriate Water" form on June 19, 2017. Enclosed is the findings and order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 49,094, as you requested.

This order shall become final agency action without further notice to the parties, if a request for hearing or a petition for administrative review is not filed in a manner set forth in the enclosed order.

If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum  
New Application Unit Supervisor  
Water Appropriation Program

KAB:dws  
Enclosures

pc: Stockton Field Office

**KANSAS DEPARTMENT OF AGRICULTURE**  
 Jackie McClaskey, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**  
 David W. Barfield, 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. 49,861** of the applicant

**USD 271**  
**201 N. CYPRESS**  
**STOCKTON KS 67669**

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 **June 19, 2017**.
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	
13	7S	18W																	1.7

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW¼ SE¼ SW¼) of Section 13, more particularly described as being near a point 462 feet North and 3,488 feet West of the Southeast corner of said section, in Township 7 South, Range 18 West, Rooks 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 **95 gallons per minute (0.21 c.f.s.)** and to a quantity not to exceed **5.0 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2018** 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.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2022** 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.

7. 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.

8. 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.

9. 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.

10. 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.

11. 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.

12. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This 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).

13. 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.

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

15. That failure without cause to comply with provisions of the 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.

16. 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.



**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:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) 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 Section, 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 hearing 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.

Ordered this 28<sup>th</sup> day of August, 2017, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

Lane P. Letourneau, P.G.  
Program Manager  
Water Appropriation Program  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas                    )  
  ) SS  
County of Riley                    )

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of August, 2017, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

Notary Public

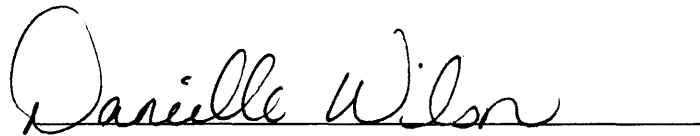
### CERTIFICATE OF SERVICE

On this 28<sup>th</sup> day of August, 2017, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,861, dated August 28, 2017 was mailed postage prepaid, first class, US mail to the following:

USD 271  
201 N. CYPRESS  
STOCKTON KS 67669

With photocopies to:

Stockton Field Office

A handwritten signature in cursive script that reads "Danielle Wilson". The signature is written in black ink and is positioned above a solid horizontal line.

Division of Water Resources

6/19/2017

Reviewer DWS

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 49,861

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

WATER RESOURCES  
RECEIVED

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.)

JUN 19 2017  
10:39 am  
KS DEPT OF AGRICULTURE

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,  
109 SW 9<sup>th</sup> Street, Second Floor, Topeka, KS 66612-1283:

1. Name of Applicant (Please Print): U.S.D. 271  
Address: 201 N. Cypress  
City: Stockton State KS Zip Code 67669  
Telephone Number: (785) 425-6039

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in S.F. Solomon 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 5.00 acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of 95 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. 3 GMD 2 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G/S County RO By AW Date 6/19/17  
Code REG Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 6/19/17 Check # 41169

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 SW quarter of the SE quarter of the SW quarter of Section 13, more particularly described as being near a point ~~444~~<sup>462</sup> feet North and ~~3,479~~<sup>3488</sup> feet West of the Southeast corner of said section, in Township 7 South, Range 18 West, Rooks 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):

Same as applicant  
\_\_\_\_\_  
(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 June 15, 2017. Shelby Grayne  
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 1 well  
(number of wells, pumps or dams, etc.)  
and was completed (by) 2017  
(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 02/2017  
(Mo/Day/Year)

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 NA
- If no, explain here why a Water Structures permit is not required NA

\_\_\_\_\_

\_\_\_\_\_

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.

This application is intended to replace File No. 49094 if approved.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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	<u>02/17</u>	_____	_____	_____
Total depth of well	<u>44</u>	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	<u>30</u>	_____	_____	_____
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

Agent  
(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):

Same as applicant  
(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 \_\_\_\_\_, Kansas, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
(month) (year)

\* *Eudley Enayne*  
(Applicant Signature)

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

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

Assisted by Steven Walters STKFO Date: 06/13/17  
(office/title)

## IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49,861

Name of Applicant (Please Print): USD 271

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: U.S.D. 271  
 ADDRESS: 201 N. Cypress Stockton, Ks. 67669

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	7	18w												1.7					1.7

**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	

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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

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

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

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:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: \_\_\_\_\_ psi

(2) What is the sprinkler package design rate? \_\_\_\_\_ 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? \_\_\_\_\_ 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: The proposed place of use is a football field planted to fescue which is why we are requesting a quantity greater than 1.4 FT/AC. Fescue grass requires a higher amount of water thus we are requesting a quantity of 3 FT/AC.

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).



## Schemm, Doug

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**Subject:** Stockton USD 271 49,861

**From:** Stewart, Kelly  
**Sent:** Thursday, August 3, 2017 2:56 PM  
**To:** Schemm, Doug <Doug.Schemm@ks.gov>  
**Cc:** Billinger, Mark <Mark.Billinger@ks.gov>; Hageman, Rebecca <Rebecca.Hageman@ks.gov>  
**Subject:** RE: Stockton USD 271 49,861

Doug,

I have no objection to the approval of this application.

Kelly

**From:** Schemm, Doug  
**Sent:** Thursday, August 3, 2017 10:28 AM  
**To:** Stewart, Kelly <Kelly.Stewart@ks.gov>  
**Cc:** Billinger, Mark <Mark.Billinger@ks.gov>  
**Subject:** Stockton USD 271 49,861

Hello Stockton,  
This is a replacement file. The senior file overpumped and is being voluntarily dismissed.  
Please review,  
Thanks, Doug

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49861 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49861 00 IRR

Water Right and Points of Diversion Within 2.00 miles of point defined as:

443 Feet North and 3488 Feet West of the Southeast Corner of Section 13 T 7S R 18W

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist	(ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 1154 00	MUN	NK	G		357	--	SW	SE	SW	142	3680	13	7	18W	2		625.01	410.00	AF
Same					967	--	NE	NE	NW	4880	3000	24	7	18W	1				
Same					511	--	NW	NE	NW	5230	3330	24	7	18W	2				
Same					778	--	NW	NE	NW	5080	3930	24	7	18W	3				
Same					937	--	NW	NE	NW	4790	3350	24	7	18W	4				
Same					1227	--	SE	NE	NW	4600	3000	24	7	18W	5				
Same					1299	--	SE	NE	NW	4440	3250	24	7	18W	6				
A__ 2368 00	IRR	NK	G		4908	--	SE	NE	NW	-----	-----	23	7	18W	1		18.00	18.00	AF
A__ 6592 00	IRR	NK	G		6378	--	CE	NE	NW	4566	2794	25	7	18W	4		66.00	66.00	AF
A__ 9198 00	IRR	NK	G		1517	--	NW	SW	SW	-----	-----	13	7	18W	1		87.00	87.00	AF
A__ 9761 00	IRR	NK	G		4258	--	SW	SW	SE	240	2520	14	7	18W	1		55.00	55.00	AF
A__ 10770 00	MUN	NK	G		8943	--	SE	SE	SE	247	113	22	7	18W	11		156.69	.00	AF
Same					5010	--	NE	SE	NW	3600	2750	23	7	18W	2		61.37	.00	AF
Same					8156	--	NW	SW	SW	1100	4950	23	7	18W	4		116.81	.00	AF
Same					6011	--	CN	NE	SW	2500	3300	23	7	18W	5		99.05	.00	AF
Same					7136	--	SE	NW	SW	1590	4050	23	7	18W	7		247.92	.00	AF
A__ 17585 00	IRR	NK	G		10428	--	NE	SE	NW	3340	3110	22	7	18W	7		36.00	36.00	AF
Same					10124	--	SE	SE	NW	3195	2765	22	7	18W	9		54.00	54.00	AF
A__ 33583 00	IRR	NK	G		7558	--	--	NC	NE	4062	1282	19	7	17W	4		7.00	7.00	AF
A__ 33687 00	MUN	NK	G		9756	NC	N2	NE	NE	4980	675	27	7	18W	6		133.13	.00	AF
A__ 34085 00	IRR	NK	G		2771	--	NW	SE	SE	850	1000	14	7	18W	3		44.00	44.00	AF
A__ 44921 00	IND	LR	G		8170	--	NW	SW	SW	1150	5000	23	7	18W	8		115.39	115.39	AF
A__ 49094 00	IRR	LO	G		0	--	SW	SE	SW	443	3488	13	7	18W	4*		1.82	1.82	AF
A__ 49861 00	IRR	AY	G		0	--	SW	SE	SW	443	3488	13	7	18W	4		5.00	5.00	AF
T__ 20129475 00	IND	GY	G		6378	--	CE	NE	NW	4566	2794	25	7	18W	4		24.55	24.55	AF
VRO 2 00	MUN	AA	G		357	--	SW	SE	SW	142	3680	13	7	18W	2		214.82	214.82	AF
Same					967	--	NE	NE	NW	4880	3000	24	7	18W	1				
Same					511	--	NW	NE	NW	5230	3330	24	7	18W	2				
Same					778	--	NW	NE	NW	5080	3930	24	7	18W	3				
Same					937	--	NW	NE	NW	4790	3350	24	7	18W	4				
Same					1227	--	SE	NE	NW	4600	3000	24	7	18W	5				
Same					1299	--	SE	NE	NW	4440	3250	24	7	18W	6				

← To be dismissed

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	5.00	.00
Total Permitted Amount (AF) =	24.55	.00
Total Inspected Amount (AF) =	117.21	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	777.00	.00
Total Vested Amount (AF) =	214.82	.00
TOTAL AMOUNT (AF) =	1138.59	.00

An \* after the source of supply indicates a pending application for change under the file number.  
 An \* after the ID indicates a 15 AF exemption was granted under the file number.  
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

443 Feet North and 3488 Feet West of the Southeast Corner of Section 13 T 7S R 18W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

=====

File Number Use ST SR

A\_\_ 1154 00 MUN NK G

- > CITY OF STOCKTON
- > 115 S WALNUT
- > PO BOX 512
- > STOCKTON KS 67669

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A\_\_ 2368 00 IRR NK G

- > DONALD LUCKY
- >
- > 1730 US HIGHWAY 24
- > STOCKTON KS 67669

-----

A\_\_ 6592 00 IRR NK G

- > LEE H & THERESA L NIBLOCK
- >
- > 5 SUNSET ST
- > STOCKTON KS 67669

-----

A\_\_ 9198 00 IRR NK G

- > ALAN L & LUANN S MADDY
- >
- > 2621 ANTIETAM LN
- > COLORADO SPRINGS CO 80920

-----

A\_\_ 9761 00 IRR NK G

- > ALAN L & LUANN S MADDY
- >
- > 2621 ANTIETAM LN
- > COLORADO SPRINGS CO 80920

-----

A\_\_ 10770 00 MUN NK G

- > CITY OF STOCKTON
- > 115 S WALNUT
- > PO BOX 512
- > STOCKTON KS 67669

-----

A\_\_ 17585 00 IRR NK G

- > DWIGHT T & SUSAN L SCHNEIDER
- > SCHNEIDER RANCH
- > 1150 13 RD
- > STOCKTON KS 67669

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A\_\_ 33583 00 IRR NK G

- > ROSEMARIE KARR

49,094

DIVISION OF WATER RESOURCES-KANSAS DEPARTMENT OF AGRICULTURE  
COMPLIANCE INVESTIGATION

Field Office No. 3 G.M.D. No. - County RO

File No. 49094 Overlap (P/D) or (P/U) File No(s). 49,861

Agency DWR Inspector Blumberg

In Compliance/ Date	
<input checked="" type="checkbox"/> Yes	<u>7-18-17</u>
<input type="checkbox"/> No, see comments	_____
<input type="checkbox"/> Re-investigation	_____

Reason:  New Application  Regular P/D Change  P/U Change  
 Meter Installed  Short Move P/D Change  Other \_\_\_\_\_

Date of Order 1-20-17 Date of N of C Ack \_\_\_\_\_ Chg No. C 1 Date completed \_\_\_\_\_ If PD chg, old PD ID 3

Current Landowner USD 271 STOCKTON Phone No. \_\_\_\_\_

Address 201 W. CYPRESS STOCKTON KS 67669  
Additional landowners and addresses identified in remarks section.

Water Use Correspondent SAME Phone No. \_\_\_\_\_

Authorized Water Use Classification	<input type="checkbox"/> Domestic	<input type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Irrigation	<input type="checkbox"/> Municipal	<input type="checkbox"/> Hydraulic Dredging
	<input type="checkbox"/> Recreation	<input type="checkbox"/> Stockwatering	<input type="checkbox"/> Water Power	<input type="checkbox"/> Artificial Recharge	<input type="checkbox"/> Contamination Remediation
	<input type="checkbox"/> Dewatering	<input type="checkbox"/> Fire Protection	<input type="checkbox"/> Thermal Exchange	<input type="checkbox"/> Sediment Control	<input type="checkbox"/> Other _____

Water currently being used for IRR

Source:  Groundwater  Surface Water Basin/Stream SF SOLOMON

Authorized Point of Diversion: SW SE SW Sec. 13, T. 7 S, R. 18 W ID No. 4

Approximately 443 ft. North and 3486 ft. West of SE corner of Sec 13. PDU-85876

Actual Point of Diversion: SW SE SW Sec. 13, T. 7 S, R. 18 W

Approximately 462 ft. North and 3488 ft. West of SE corner of Sec 13.

How were distances determined? GPS/L60 Latitude 39.43790 Longitude -99.28008

Distance from old pd \_\_\_\_\_ ft (N / S) and \_\_\_\_\_ ft (E / W) Old well: plugged  capped  equipped  other: \_\_\_\_\_?

Location (site) map attached? Y / N  Sketch or Map below

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

Stockton Field Office

MEMORANDUM

TO: Files

DATE: 6/5/17

FROM: Jessica Collins

RE: Water Right,  
File No. 49094

The file referenced is certified 1.82 AF/year at 50 gpm for irrigation of the athletic fields for USD 271.

The 2016 WUR shows:

Beginning meter: 2240.3

Ending meter: 3718.9

Metered quantity: 1478.6

They are reporting in acre inches. However an inspection was done 6/17/16 and the report shows gallons.

The meter should read:

Beginning meter: 2240300

Ending meter: 3718900

Metered quantity: 1478600 (4.5 AF)

Based on these calculations, overpumping has occurred.

No previous NoNCs has been issued for overpumping.

7-6-17- NEW APPLICATION FILED FOR ADDITIONAL QTY.  
THIS FILE TO BE DISMISSED.



1320 Research Park Drive  
Manhattan, Kansas 66502  
Jackie McClaskey, Secretary

Phone: (785) 564-6700  
Fax: (785) 564-6777  
Email: ksag@kda.ks.gov  
www.agriculture.ks.gov  
Sam Brownback, Governor

**FILE COPY**

June 20, 2017

USD 271  
201 N CYPRESS  
STOCKON KS 67669

RE: Application  
File No. 49861

Dear Sir or Madam:

Your application for permit to appropriate water in 13-7S-18W in Rooks County, was received and has been assigned the file number noted above.

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

**Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.**

**(b) (1) The violation of any provision of this section by any person is a class C misdemeanor . . .**

**A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.**

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Kristen A. Baum". The signature is written in a cursive, flowing style.

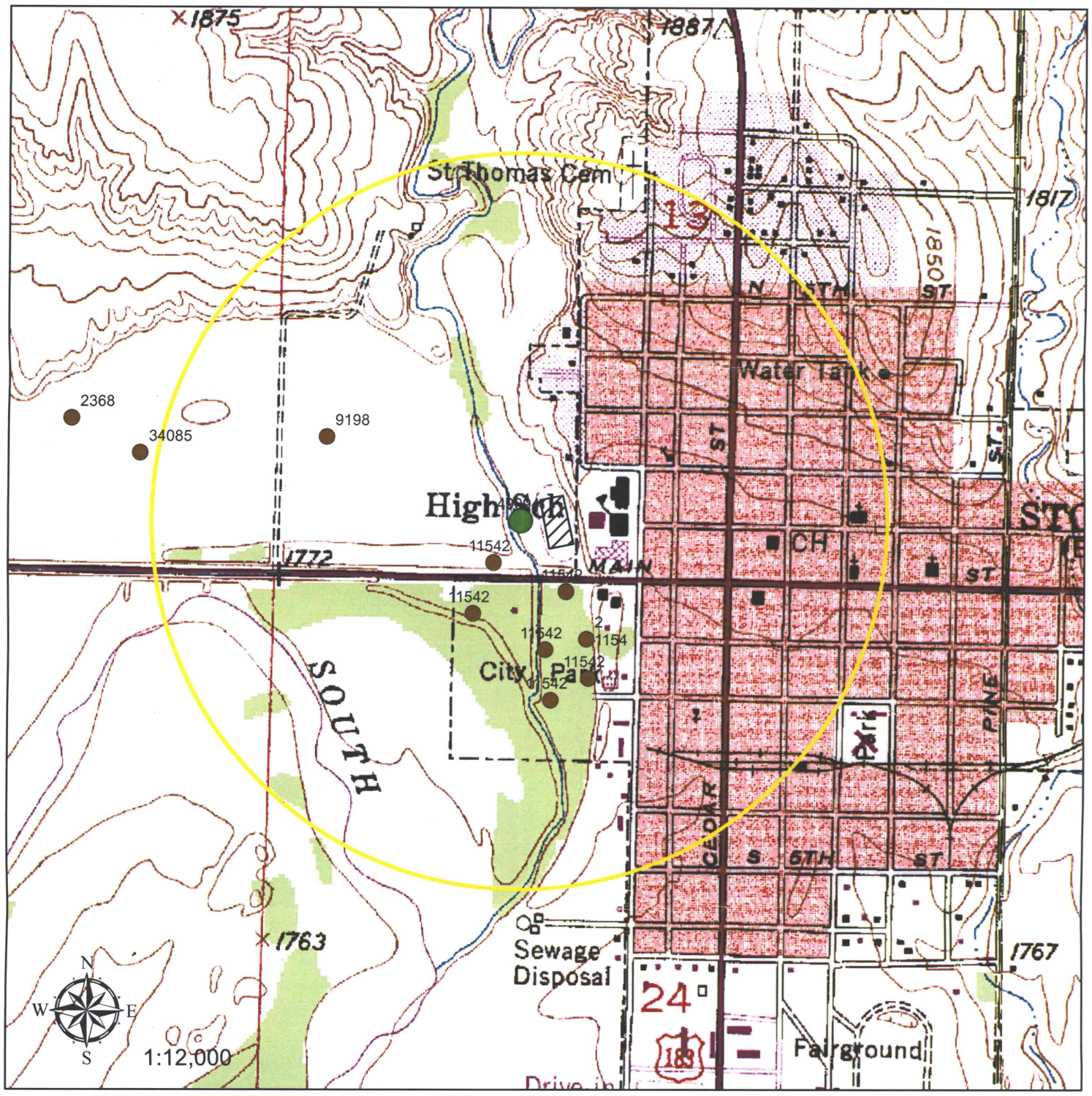
Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program

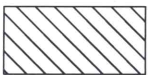


BAT: dlw  
pc: STOCKTON Field Office  
GMD



SCANNED



New Application - Groundwater  
Assisted by Division of Water Resources  
Stockton Field Office



-  Proposed Place of Use
-  Proposed Point of Diversion
-  1/2 mile radius

-  Surface Water Point of Diversion
-  Groundwater Point of Diversion

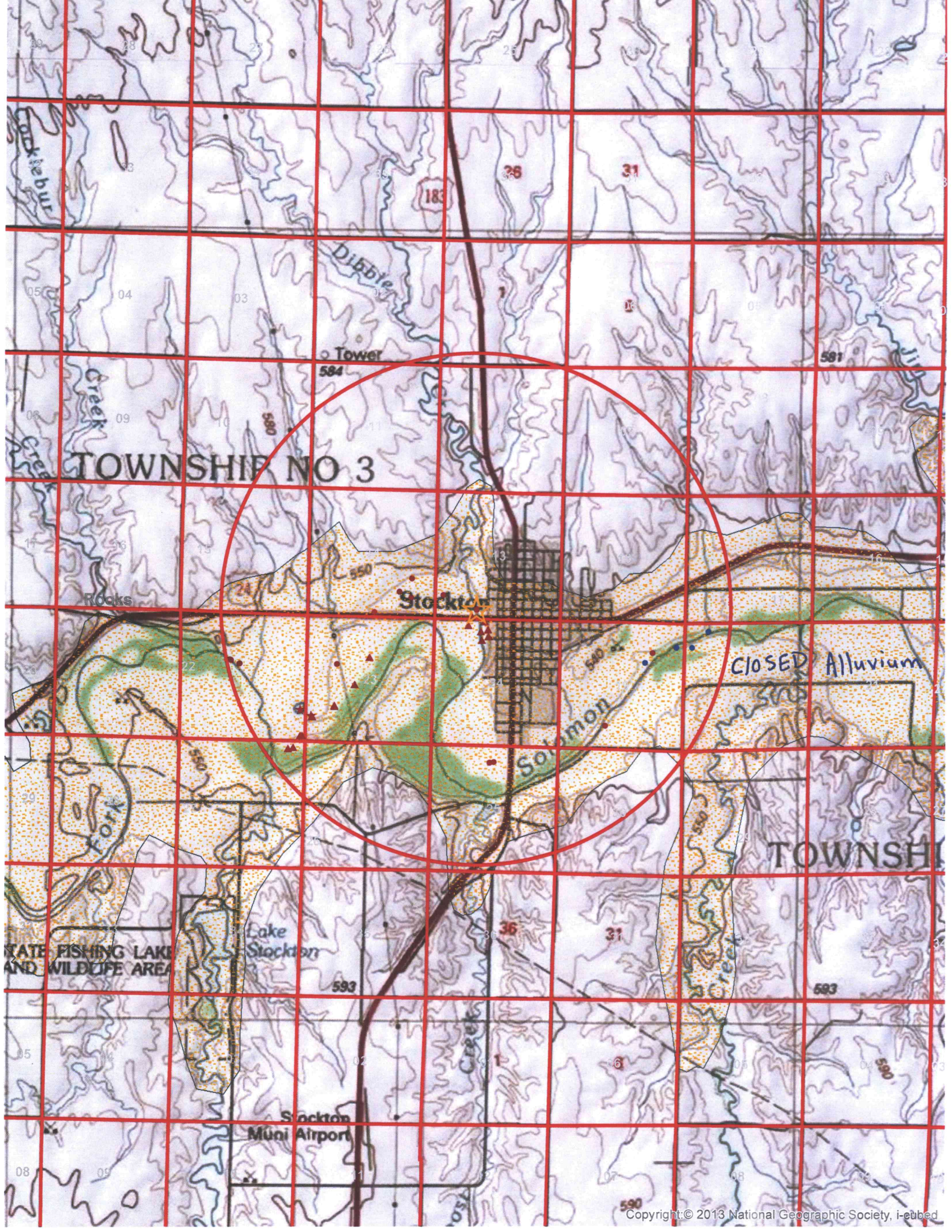
Signature Required

*Shelby Enayre*

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By signing this I am stating that to the best of my knowledge that all wells within 1/2 mile of proposed well location are identified on this map.





TOWNSHIP NO 3

CLOSED Alluvium

TOWNSHIP

STATE FISHING LAKE AND WILDLIFE AREA