



File No. **49,751**      15. Formation Code: 113      Drainage Basin: KANSAS River      County: JF      Special Use:      Stream:

16. Points of Diversion										17. Rate and Quantity MOD ADDL RATE AND QTY					
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		
											Rate gpm	Quantity AF	Rate gpm	Quantity AF	Overlap PD Files
<b>MOD 42777</b>				<b>LOT 2</b>	<b>20</b>	<b>11</b>	<b>17E</b>	<b>5</b>	<b>4270</b>	<b>1960</b>	<b>1000</b>	<b>64</b>	<b>520</b>	<b>19</b>	<b>37,928</b>

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

19. Limitation: **64** af/yr at **1000** gpm ( \_\_\_\_\_ cfs) when combined with file number(s) **37,928**  
 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		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files			
MOD	DEL	ENT	PUSE	S	T	R	ID	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>MOD 24506</b>				<b>20</b>	<b>11</b>	<b>17E</b>	<b>5</b>	Lot 1 4	Lot 2 28	Lot 2 28	Lot 1 4									<b>64</b>	<b>7b.</b> <b>7a</b>	<del>NO</del> <b>YES</b>	<b>37,928*</b>	

Comments: **\*PENDING CHANGE IN PU WILL CREATE COMPLETE OVERLAP.**

Kansas Department of Agriculture  
 Division of Water Resources  
**WAIVER REQUEST & WAIVER RULE WORKSHEET**

File Number: 49,751

FO: 1 GMD: 0

**WAIVER REQUEST:**

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
IRR	3/20/2017	52	Statewide	Safe Yield	Yield of The Source Area Exceeded
Rule Number	Date Granted	Date Denied	Justification:	Proposed quantity fails to meet safe yield requirements within area of consideration. Approval was based on calculations removing non-consumptive quantity from the appropriated total, consistent with previous files in this immediate area.	
K.A.R. 5-3-10	3/23/2017				

**WAIVER RULE:**

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive

Date Prepared 3/20/2017 By DWS

Date Entered 3/27/2017 By LLM



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

**WAIVER OF REGULATION  
K.A.R. 5-3-10 - Safe Yield**

Date: 3/23, 2017

Re: Application, File No. 49,751

1. That K.A.R. 5-3-10 states in part, that the approval of any new application to appropriate groundwater for beneficial use, shall not cause the safe yield of the source of water supply to be exceeded. Based on the safe yield evaluation in K.A.R. 5-3-11, the area of consideration is fully appropriated and no additional water is available for this application.
2. That included within this area of consideration are two industrial water rights (File Nos. 7,113 and 32,635), which authorize a total quantity of 2,896.73 acre-feet of groundwater.
3. That an extensive review of Water Right, File Nos. 7,113 and 32,635, documented in memorandums to file (see File No. 45,898), dated January 12, 2005 and March 21, 2005 has determined that approximately 80% of the water diverted under these water rights is returned to the Kansas River. It was also determined that the water is discharged in the same local area where it is withdrawn from the aquifer.
4. That by considering 80% of the water usage under these water rights to be non-consumptive (i.e. returned to the source in the local area), the impact of these water rights on the local aquifer is significantly less than what the authorized quantity would indicate.
5. That a re-evaluation of safe yield for Application, File No. 49,751 by subtracting 80% of the 2,896.73 acre-feet ( $2,896.73 \text{ acre-feet} \times 0.8 = 2,317.38 \text{ acre-feet}$ ) authorized under Water Right, File Nos. 7,113 and 32,635, decreased the quantity of water already appropriated, resulting in an increased quantity of water available for appropriation within the area of consideration. The quantity of water available for appropriation increased from zero to 100.51 acre-feet.
6. That water would be available for pending Application, File No. 49,751, which is requesting 64.0 acre-feet of ground water (19.0 acre-feet additional water).
7. That this evaluation and calculation of safe yield is consistent with previously approved files in the immediate area.
8. That a waiver of safe yield will not prejudicially or unreasonably affect the public interest and will not impair any existing water rights because of the substantial quantity of water being returned to the local aquifer under Water Right, File Nos. 7,113 and 32,635.

Comments:

A handwritten signature in black ink that reads "David W. Barfield".

David W. Barfield, P.E.  
Chief Engineer  
Division of Water Resources

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

**TO:** Files

**DATE:** March 20, 2017

**FROM:** Doug Schemm

**RE:** Application, File No. 49,751

Rod Bigham has filed the referenced application to appropriate 64 acre-feet of groundwater from an existing well at the rate of 1,000 gallons per minute to irrigate 64 acres in Jefferson County. The proposed place of use is wholly owned by Jeanne L. Gantz, and the owner has signed the application form stating they have access to the point of diversion. The well is located in Lot 2, of Section 20, Township 11 South, Range 17 East. The point of diversion and a portion of the place of use are currently authorized under Water Right, File No. 37,928. An application to Change the Place of Use has been filed on this senior water right to create a complete overlap in place of use with the new application. Also the well will be better described in the change application as located in Lot 2.

Water Right, File No. 37,928 is authorized 45 acre-feet at a diversion rate of 480 gallons per minute. The requested quantity of water under the new application of 64 acre-feet for the irrigation of 64 acres of land, is equivalent to 1.0 acre-feet per acre. This is the maximum allowable quantity for irrigation in Jefferson County, per K.A.R. 5-3-19 and K.A.R. 5-3-24. Therefore, this junior file will be limited in quantity of water to the requested 64 acre-feet, and in rate of diversion to 1,000 gpm when combined with Water Right, File No. 37,928 (providing 19 AF additional quantity and 520 gpm additional rate).

The applicant identified multiple nearby well owners, and notification letters were sent out to all well owners on March 1, 2017. Note that the notification letter also referenced the pending Change Application for File No. 37,928. A telephone call was received from one nearby domestic well owner (David Stanwix), who expressed concern about the extensive development of irrigation in his local area. He did not provide any specific information indicating that this approval would impair his water right. This pending application is requesting additional quantity and rate of diversion from an existing well that has operated for many years. The proposed point of diversion meets spacing to all existing wells per K.A.R. 5-4-4. The nearest domestic well is located approximately 1,300 feet from the proposed point of diversion, while the nearest non-domestic well is located over 1,600 feet away. There is no indication that approval of this application will impair any senior water right.

The point of diversion consists of a single well completed in the Kansas River alluvium. K.A.R. 5-3-11 states that calculated recharge in the Kansas River alluvium shall be determined by taking 25% of the average annual rainfall in the area of consideration, which would be 8.63 inches of recharge. The extent of the alluvium for the area of consideration provides a total of 5,928 acres. Based on a potential recharge of 8.63 inches, with 75% available for appropriation, safe yield was determined to be 3,197.42 acre-feet. Based on this initial review of safe yield, existing water rights have appropriated 5,414.29 acre-feet within the area of consideration, indicating that no additional water is available.

However, a review of extensive documentation included in several nearby files, including File Nos. 49,363 and 49,558-A, just recently approved, indicates that two of the water rights within the area of consideration (Water Right, File Nos. 7,113 and 32,635 – Total authorized quantity = 2,896.73 AF), were previously investigated to determine how much of the water use under these rights could be determined to be non-consumptive (see November 15, 1993 memo from Bob Lytle). The investigation determined that 20% of the water diverted under these water rights is actually consumed, with the remainder being returned to the river. The safe yield for previous applications in this area was determined by subtracting the non-consumptive use percentage from the total authorized quantity under Water Right, File Nos. 7,113 and 32,635, (e.g. 2,896.73 AF x 80%) from the total prior appropriations. As noted above, previous files were evaluated using this approach and were approved with a waiver of safe yield regulation K.A.R. 5-3-10.

Therefore, pending Application, File No. 49,751 was evaluated using this same safe yield evaluation process in order to be consistent with previous files in the immediate area, as follows:

Prior Appropriations:		5,468.85 AF
Minus Percentage of Water Considered to be Non-consumptive under Water Right, File Nos. 7,113 and 32,635		<u>- 2,317.38 AF</u> (2,896.73 AF x 80%)
Adjusted Total Appropriations	=	3,096.91 AF

Quantity available for Appropriation = 3,197.42 AF – 3,096.91 AF = 100.51 acre-feet

Therefore based on the revised safe yield analysis, there is a sufficient quantity of water available for this appropriation that is requesting 64 acre-feet. Note that only 19 acre-feet is additional under this junior file. The application will be processed with a waiver of K.A.R. 5-3-10, which, as noted above, is consistent with previous files in this area.

The applicant has submitted a signed Kansas River Assurance District form, which has been properly notarized. By completing this statement, the applicant affirms his/her knowledge that there could be times when the diversion of water may not be allowed under this permit. Note that this existing well is located over one-quarter mile from the Kansas River; therefore per the Kansas River Water Assurance Program Operations Agreement, the KRWAD was not notified of this pending application.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

In a March 16, 2017 discussion, Katie Tietsort, Water Commissioner, Topeka Field Office, recommended approval of the referenced application. Based on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced new application be approved.

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

March 29, 2017

ROD BIGHAM  
5268 58TH ST  
MERIDEN KS 66512

**FILE COPY**

RE: Appropriation of Water, File No. 49,751

Dear Mr. Bigham:

There is enclosed a permit to appropriate water 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. If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent A. Turney, P.G.  
Change Application Unit Supervisor  
Water Appropriation Program

BAT:dws  
Enclosures

pc: Topeka Field Office  
Jeanne L Gantz

THE STATE OF KANSAS



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. 49,751** of the applicant

**ROD BIGHAM  
5268 58TH ST  
MERIDEN KS 66512**

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 **December 30, 2016**.
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	
20 11 17E	Lot 1 4	Lot 2 28	Lot 2 28	Lot 1 4													64

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 Lot 2, of Section 20, more particularly described as being near a point 4,270 feet North and 1,960 feet West of the Southeast corner of said section, in Township 11 South, Range 17 East, Jefferson 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 **1,000 gallons per minute** (2.23 c.f.s.) and to a quantity not to exceed **64.0 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, which is currently \$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 accompanied by the required statutory fee, which is currently \$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, which is currently \$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 all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance 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).

14. 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.

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

16. 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.

### CERTIFICATE OF SERVICE

On this <sup>29<sup>th</sup></sup> day of *March*, 2017, I hereby certify that the foregoing Approval of Application, File No. 49,751, dated *March 23<sup>rd</sup>*, 2017 was mailed postage prepaid, first class, US mail to the following:

ROD BIGHAM  
5268 58TH ST  
MERIDEN KS 66512

With photocopies to:

JEANNE L GANTZ  
4123 SOUTH ST  
GRANTVILLE KS 66429

Topeka Field Office



Division of Water Resources

17. 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.

18. That the quantity of water and rate of diversion approved under this permit is further limited to the quantity and rate which combined with Water Right, File No. 37,928, will provide a total not to exceed **64.0 acre-feet** of water per calendar year to be diverted at a maximum diversion rate not in excess of **1,000 gallons per minute** (2.23 c.f.s.) for irrigation use as described herein.

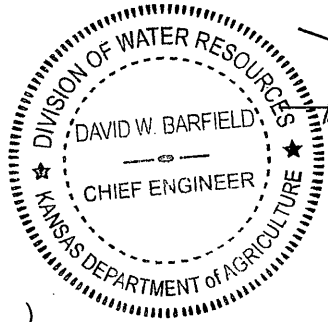
This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

**Request for Hearing.** According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer, or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

**Petition for Review.** The applicant, if aggrieved by this Order, may petition for administrative review, pursuant to K.S.A. 82a-711(c) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564-6777.

Ordered this 23<sup>rd</sup> day of March, 2017, in Topeka, Shawnee County, Kansas.



*David W. Barfield*

David W. Barfield, P.E.  
Chief Engineer  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas )  
                          ) SS  
County of Riley )

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of March, 2017, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



*Karen Hunter*  
Notary Public

#1

APPLICATION COMPLETE  
3/21/2017  
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 49751  
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED  
DEC 30 2016  
10:09  
KS DEPT OF AGRICULTURE

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, KS 66502:

1. Name of Applicant (Please Print): ROD BIGHAM  
Address: 5268 58<sup>TH</sup> ST  
City: MERIDEN State KS Zip Code 66512  
Telephone Number: (785) 221-8572

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in KANSAS 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 64\* acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of 1000\*\* 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. 1 GMD 2 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G/S County JF By KAB Date 12/30/16  
Code KEA Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 1/30/17 Check # 47105

DWR 1-100 (Revised 02/12/2014) \* QUANTITY Limited to 64 AF WHEN COMBINED WITH File No. 37929.  
\*\* RATE Limited to 1,000 gpm WHEN COMBINED WITH File No. 37929.  
SUMMARY 1/15/2017 ULM

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 LOT 2 quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section 20, more particularly described as being near a point 4270 feet North and 1960 feet West of the Southeast corner of said section, in Township 11 South, Range 17 EAST, JEFFERSON 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):

JEANNE L GANTZ 4123 SOUTH ST GRANTVILLE KS 66429

ROD BIGHAM 5268 58<sup>TH</sup> ST MERIDEN KS 66512

(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 DEC 27, 2016

Jeanne L. Gantz  
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) completed (by) LATE 1980'S  
(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 JULY 2016  
(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.

*FERTILIZER. A CHECK VALVE IS PRESENTLY IN PLACE. WE ARE PRESENTLY PUTTING IN A NEW ONE.*

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 NOT APPLICABLE

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.

P/D & P/U - 37928  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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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	<u>1988</u>	_____	_____	_____
Total depth of well	<u>67'</u>	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	<u>21'</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

TENANT  
(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):

SEE IRRIGATION USE SUPPLEMENTAL SHEET  
(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 December 27, Kansas, this 27 day of December, 2016  
(month) (year)

Jeanne L. Gant  
(Applicant Signature)

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

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

Assisted by BRETT BUNGER TFO/ ASST WATER COMM Date: 5-25-16  
(office/title)

STATE OF KANSAS  
DEPARTMENT OF REVENUE

RECEIVED  
MAY 25 2016

OFFICE OF THE ATTORNEY GENERAL

## IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49,751

Name of Applicant (Please Print): ROD BIGHAM

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: JEANNE L GANTZ  
 ADDRESS: 4123 SOUTH ST GRANTVILLE KS 66429

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20	11	17E	4 L-1	28 L-2	28 L-2	4 L-1													64

**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:

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).

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

WATER DIVISION

WATER DIVISION

WELLS WITHIN ONE-HALF MILE

- #1) File Nos. 7349 & 45989 (IRR)  
Robert Shirley  
3703 South St  
Grantville KS 66429
  
- #2) File No. 7350 (IRR)  
Owner = Same as #1
  
- #3) File No. 29351 (IRR)  
Owner = Same as #1
  
- #4) File Nos. 39927 & 43078 (IRR)  
Ralph E Rose  
4020 NW Huxman Rd  
Silver Lake KS 66539
  
- #5) File No. 48583 (IRR)  
H R H Inc.  
5616 SW 38<sup>th</sup> St  
Topeka KS 66610
  
- #6) Dennis Spreer (DOM.)  
4708 21<sup>st</sup> St  
Grantville KS 66429
  
- #7) David C Linqvist (DOM.)  
4612 21<sup>st</sup> St  
Grantville KS 66429
  
- #8) Diane Drummond (DOM.)  
4459 21<sup>st</sup> St  
Grantville KS 66429
  
- #9) David Stanwix (DOM.)  
4865 21<sup>st</sup> St  
Grantville KS 66429

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KS DEPT OF AGRICULTURE

SCANNED

DEC 27, 2016  
(Date)

Kansas Department of Agriculture  
Division of Water Resources  
David W. Barfield, Chief Engineer  
1320 Research Park Drive  
Manhattan, Kansas 66502

Re: Application  
File No. 49,751

Minimum Desirable Streamflow  
KANSAS River Assurance District  
Water Reservation Rights

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established, an Assurance District has been formed and established or a Water Reservation Right is held by the Kansas Water Office (**circle the appropriate item**) for the source of supply to which the above referenced application applies, namely the KANSAS RIVER

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, Assurance District or Water Marketing releases are being made from storage in Federal Reservoirs or when a Reservation Right upstream of a Federal Reservoir is being administered.

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.

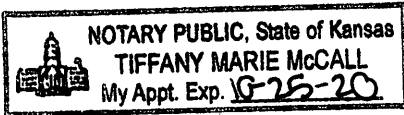
I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Jeanne L. Gantz  
Signature of Applicant

Jeanne L. Gantz  
Print Applicant Name

State of Kansas )  
County of JEFFERSON ) SS

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 27<sup>th</sup> day of December, 2016



Tiffany Marie McCall  
Notary Public

My Commission Expires: October 25, 2020

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**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                  | Ninnescah River            |
| Big Blue River                  | North Fork Ninnescah River |
| Chapman Creek                   | Rattlesnake Creek          |
| Chikaskia River                 | Republican River           |
| Cottonwood River                | Saline River               |
| Delaware River                  | Smoky Hill River           |
| Little Arkansas River           | Solomon River              |
| Little Blue River               | South Fork Ninnescah       |
| Marais des Cygnes River         | Spring River               |
| Medicine Lodge River            | Walnut River               |
| Mill Creek (Wabaunsee Co. area) | Whitewater River           |
| Neosho River                    |                            |

Assurance Districts have been formed on the following rivers:

- |              |                         |              |
|--------------|-------------------------|--------------|
| Kansas River | Marais des Cygnes River | Neosho River |
|--------------|-------------------------|--------------|

The Kansas Water Office has Water Reservation Rights for the following reservoirs:

- |               |              |
|---------------|--------------|
| Big Hill      | Marion       |
| Clinton       | Melvorn      |
| Council Grove | Milford      |
| Elk City      | Perry        |
| Hillsdale     | Pomona       |
| John Redmond  | Tuttle Creek |

**IRRIGATION USE  
SUPPLEMENTAL SHEET**

File No. 49,751

*Revised  
to  
64  
acres*

Name of Applicant (Please Print): **ROD BIGHAM**

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: **JEANNE L GANTZ**  
ADDRESS: **4123 SOUTH ST GRANTVILLE KS 66429**

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20	11	17E	4 L-1	27 L-2	28 L-2	4 L-1													63
				0½	0½														

**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	

WATER RESOURCES  
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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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
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:

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).

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

# 49,751

To maintain consistency with multiple senior files processed in this local area, 80% of the quantity under File Nos. 7,113 & 32,635 is deducted from prior appropriations  $(2,896.73 \times .8 = 2,317.38)$  \* DWS, DWR

**Analysis Results**

The selected PD is in an area to new appropriations.  
 The safe yield, based on the variables listed below is 3,197.42 AF.  
 Total prior appropriation in the circle is 5,414.29 AF. - 2317.38 AF\*  
 Total quantity of water available for appropriation is ~~0.00~~ AF.

100.51

3,096.91 AF

**Safe Yield Variables**

The area used for the analysis is set at 5928 acres.  
 Potential annual recharge of the area is estimated to be 8.63 inches.  
 The percent of recharge available for appropriation is 75%.

Requesting 19 AF Additional  
 File # 49,751 - meets safe yield  
 3/16/17

Authorized Quantity values are as of 16-MAR-2017 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

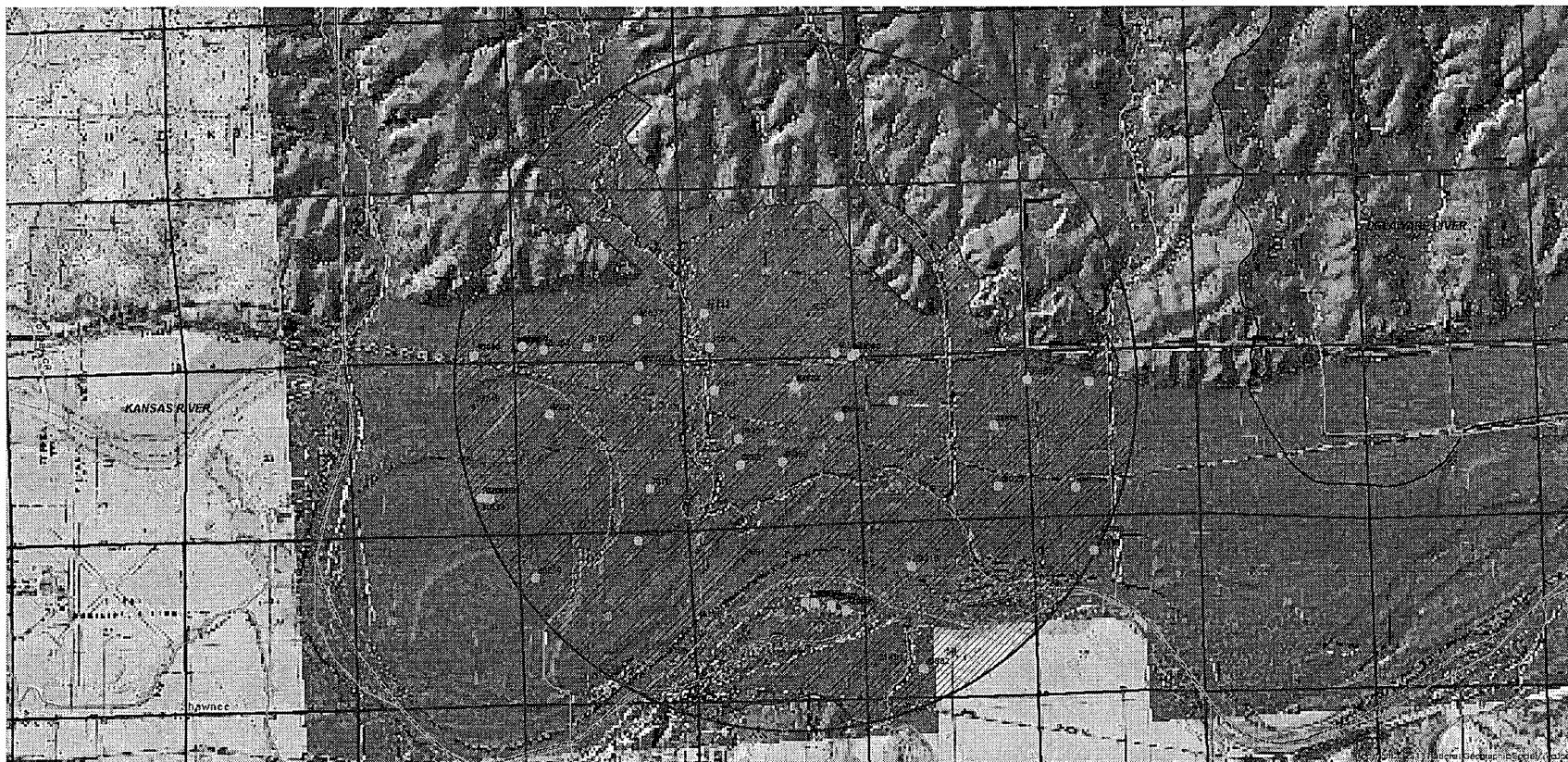
There are 39 water right(s) and 37 point(s) of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth_Quant	Add_Quant	Tacres	Nacres	
A 6536	00	MUN	NK	G	SW	SW	SW	531	4942	18	11	17E	2	WR	90.00	90.00			
A 6691	00	IRR	NK	G	SW	NE	SW	1888	3703	20	11	17E	4	WR	8.30	8.30	184.00	184.00	
A 7076	00	IRR	NK	G	SE	NW	SE	0	0	19	11	17E	1	WR	210.00	210.00	140.00	140.00	
A 7113	00	IND	NK	G				2975	1548	29	11	17E	5	WR	2,755.95	2,755.95			
Same		IND	NK	G	SW	SE	NE	2866	1036	29	11	17E	6	WR					
Same		IND	NK	G	SE	SE	NE	2699	562	29	11	17E	7	WR					
Same		IND	NK	G				2975	1833	29	11	17E	8	WR					
A 7349	00	IRR	NK	G	SW	NW	SE	1939	2397	20	11	17E	1	WR	53.00	53.00	184.00	0.00	
A 7350	00	IRR	NK	G	SE	NW	NW	0	0	20	11	17E	2	WR	115.00	115.00	71.50	71.50	
A 10215	00	IRR	NK	G				4350	3750	28	11	17E	1	WR	145.00	145.00	160.00	160.00	
A 12281	00	IRR	NK	G	SW	NE	SW	1888	3703	20	11	17E	4	WR	57.00	57.00	184.00	0.00	
A 12444	00	IRR	NK	G	SE	NW	SW	1562	4618	17	11	17E	6	WR	59.00	59.00	74.00	74.00	
A 12943	00	IRR	NK	G	NC	S2	NE	NW	0	0	22	11	17E	2	WR	76.00	76.00	68.00	68.00
A 13026	00	IRR	NK	G	SE	SW	SW	0	0	17	11	17E	2	WR	99.00	99.00	70.00	70.00	
A 29351	00	IRR	NK	G				2685	3718	20	11	17E	3	WR	34.00	34.00	184.00	0.00	
A 29352	00	IRR	NK	G	SE	SW	SW	360	4270	18	11	17E	3	WR	45.00	45.00	51.00	51.00	
A 29577	00	MUN	NK	G	SW	SW	SW	531	4942	18	11	17E	2	WR	208.68	118.77			
A 31602	00	MUN	NK	G	SE	SE	SW	460	2910	18	11	17E	4	WR	15.77	15.77			
A 31639	00	IRR	NK	G	NW	SE	SE	1159	894	24	11	16E	7	WR	90.00	90.00	99.00	99.00	
Same		IRR	NK	G	NW	SE	SE	1181	1180	24	11	16E	8	WR					

Safe Yield Report Sheet  
Water Right- A4975100  
Point of Diversion in NENWSE 20-11S-17E 5 (42777)

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Same		IRR NK G	NW SE SE	1170	1037	24	11	16E	9	WR				
A	32635	00 IND NK G		2975	1548	29	11	17E	5	WR	140.78	140.78		
Same		IND NK G	SW SE NE	2866	1036	29	11	17E	6	WR				
Same		IND NK G	SE SE NE	2699	562	29	11	17E	7	WR				
Same		IND NK G		2975	1833	29	11	17E	8	WR				
A	33469	00 IND NK G	SE NE NE	4230	35	21	11	17E	1	WR	6.38	6.38		
A	36770	00 MUN LR G	SW SW SW	531	4942	18	11	17E	2	WR	79.79	79.79		
A	37928	00 IRR NK G	SE NW NE	4270	1960	20	11	17E	5	WR	45.00	45.00	45.00	45.00
A	39927	00 IRR NK G		3272	606	20	11	17E	6	WR	53.00	53.00	59.40	59.40
A	40533	00 MUN LR G	SE SW SE	227	1227	13	11	16E	4	WR	214.82	0.00		
A	40898	00 IRR NK G		4500	3400	27	11	17E	5	WR	18.00	18.00	33.00	33.00
A	43078	00 IRR NK G		3272	606	20	11	17E	6	WR	53.00	0.00	59.40	0.00
A	44873	00 IRR NK G	NW SE SW	873	3829	22	11	17E	6	WR	30.00	30.00	57.00	57.00
A	45440	00 MUN LO G	SE SW SE	227	1227	13	11	16E	4	WR	99.74	7.05		
A	45827	00 IRR MM G	NE SW NW	3685	4250	19	11	17E	2	WR	116.00	116.00	116.00	116.00
A	45989	00 IRR MM G	SW NW SE	1939	2397	20	11	17E	1	WR	184.00	31.70	184.00	0.00
A	46657	00 IRR NK G	NE NW NE	5102	1365	19	11	17E	3	WR	48.00	48.00	48.50	48.50
A	46892	00 IRR MM G	NW SE SW	1000	3510	28	11	17E	4	WR	55.00	55.00	55.00	55.00
A	48022	00 IRR LO G	SW NE SE	1405	1035	21	11	17E	2	WR	94.00	94.00	94.00	94.00
A	48037	00 IRR LO G	NC SE	1320	1320	18	11	17E	7	WR	160.00	160.00	160.00	160.00
A	48250	00 IRR HK G	NW SW NW	3950	4970	30	11	17E	1	WR	121.00	121.00	121.00	121.00
A	48583	00 IRR KE G	SW SW SW	110	5240	16	11	17E	3	WR	113.00	113.00	113.00	113.00
Same		IRR KE G	SE SE SE	110	550	17	11	17E	4	WR				
Same		IRR KE G	SE SE SE	110	255	17	11	17E	5	WR				
A	48868	00 IRR LO G	SW SE NE	2840	1020	21	11	17E	3	WR	165.00	165.00	184.00	184.00
A	49252	00 IRR HK G	NE NW NE	4990	1720	30	11	17E	3	WR	70.00	70.00	70.00	70.00
A	49363	00 IRR GY G		3680	4200	21	11	17E	4	WR	64.00	64.00	64.00	64.00
A	49558	A IRR GY G	NE NW NE	5102	1365	19	11	17E	3	WR	72.80	24.80	48.50	0.00
A	49751	00 IRR AY G	SE NW NE	4270	1960	20	11	17E	5	WR	64.00	0.00	64.00	8.00

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49751 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49751 00 IRR

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

4270 Feet North and 1960 Feet West of the Southeast Corner of Section 20 T 11S R 17E

GROUNDWATER ONLY

*All > 1,320'  
meets spacing*

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A_ 6536	00	MUN	NK	G	8561	--	SW	SW	SW	531	4942	18	11	17E	2	90.00	90.00	AF
A_ 6691	00	IRR	NK	G	2942	--	SW	NE	SW	1888	3703	20	11	17E	4	8.30	8.30	AF
A_ 7076	00	IRR	NK	G	5761	--	SE	NW	SE	-----	-----	19	11	17E	1	210.00	210.00	AF
A_ 7113	00	IND	NK	G	6688	--	--	--	--	2975	1548	29	11	17E	5	2755.95	2755.95	AF
Same					6847	--	SW	SE	NE	2866	1036	29	11	17E	6			
Same					7090	--	SE	SE	NE	2699	562	29	11	17E	7			
Same					6677	--	--	--	--	2975	1833	29	11	17E	8			
A_ 7349	00	IRR	NK	G	2357	--	SW	NW	SE	1939	2397	20	11	17E	1	53.00	53.00	AF
A_ 7350	00	IRR	NK	G	2482	--	SE	NW	NW	-----	-----	20	11	17E	2	115.00	115.00	AF
A_ 10215	00	IRR	NK	G	6372	--	--	--	--	4350	3750	28	11	17E	1	145.00	145.00	AF
A_ 12281	00	IRR	NK	G	2942	--	SW	NE	SW	1888	3703	20	11	17E	4	57.00	57.00	AF
A_ 12444	00	IRR	NK	G	3684	--	SE	NW	SW	1562	4618	17	11	17E	6	59.00	59.00	AF
A_ 12943	00	IRR	NK	G	9146	NC	S2	NE	NW	-----	-----	22	11	17E	2	76.00	76.00	AF
A_ 13026	00	IRR	NK	G	2784	--	SE	SW	SW	-----	-----	17	11	17E	2	99.00	99.00	AF
A_ 29351	00	IRR	NK	G	2360	--	--	--	--	2685	3718	20	11	17E	3	34.00	34.00	AF
A_ 29352	00	IRR	NK	G	7862	--	SE	SW	SW	360	4270	18	11	17E	3	45.00	45.00	AF
A_ 29577	00	MUN	NK	G	8561	--	SW	SW	SW	531	4942	18	11	17E	2	208.68	118.77	AF
A_ 31602	00	MUN	NK	G	6547	--	SE	SE	SW	460	2910	18	11	17E	4	15.77	15.77	AF
A_ 31639	00	IRR	NK	G	10249	--	NW	SE	SE	1170	1037	24	11	16E	9 G 2	90.00	90.00	AF
Same					10116	--	NW	SE	SE	1159	894	24	11	16E	7 B 2			
Same					10382	--	NW	SE	SE	1181	1180	24	11	16E	8 B 2			
A_ 32635	00	IND	NK	G	6688	--	--	--	--	2975	1548	29	11	17E	5	140.78	140.78	AF
Same					6847	--	SW	SE	NE	2866	1036	29	11	17E	6			
Same					7090	--	SE	SE	NE	2699	562	29	11	17E	7			
Same					6677	--	--	--	--	2975	1833	29	11	17E	8			
A_ 33469	00	IND	NK	G	7204	--	SE	NE	NE	4230	35	21	11	17E	1	6.38	6.38	AF
A_ 36770	00	MUN	LR	G	8561	--	SW	SW	SW	531	4942	18	11	17E	2	79.79	79.79	AF
A_ 37928	00	IRR	NK	G*	0	--	SE	NW	NE	4270	1960	20	11	17E	5	45.00	45.00	AF
A_ 39927	00	IRR	NK	G	1668	--	--	--	--	3272	606	20	11	17E	6	53.00	53.00	AF
A_ 40533	00	MUN	LR	G	10025	--	SE	SW	SE	227	1227	13	11	16E	4	214.82	.00	AF
A_ 40898	00	IRR	NK	G	10396	--	--	--	--	4500	3400	27	11	17E	5	18.00	18.00	AF
A_ 43078	00	IRR	NK	G	1668	--	--	--	--	3272	606	20	11	17E	6	53.00	.00	AF
A_ 44873	00	IRR	NK	G	9251	--	NW	SE	SW	873	3829	22	11	17E	6	30.00	30.00	AF
A_ 45440	00	MUN	LO	G	10025	--	SE	SW	SE	227	1227	13	11	16E	4	99.74	7.05	AF
A_ 45827	00	IRR	MM	G	7707	--	NE	SW	NW	3685	4250	19	11	17E	2	116.00	116.00	AF
A_ 45989	00	IRR	MM	G	2357	--	SW	NW	SE	1939	2397	20	11	17E	1	184.00	31.70	AF
A_ 46657	00	IRR	NK	G	4854	--	NE	NW	NE	5102	1365	19	11	17E	3	48.00	48.00	AF
A_ 46892	00	IRR	MM	G	9443	--	NW	SE	SW	1000	3510	28	11	17E	4	55.00	55.00	AF
A_ 48022	00	IRR	LO	G	6814	--	SW	NE	SE	1405	1035	21	11	17E	2	94.00	94.00	AF
A_ 48037	00	IRR	LO	G	5310	--	--	NC	SE	1320	1320	18	11	17E	7	160.00	160.00	AF
A_ 48250	00	IRR	HK	G	9993	--	NW	SW	NW	3950	4970	30	11	17E	1	121.00	121.00	AF
A_ 48583	00	IRR	KE	G	1866	--	SE	SE	SE	110	255	17	11	17E	5 G 2	113.00	113.00	AF
Same					2124	--	SW	SW	SW	110	5240	16	11	17E	3 B 2			
ame					1622	--	SE	SE	SE	110	550	17	11	17E	4 B 2			

A__	48868 00 IRR LO G	6371 -- SW SE NE	2840	1020	21	11	17E	3	165.00	165.00	AF
A__	49252 00 IRR HK G	6798 -- NE NW NE	4990	1720	30	11	17E	3	70.00	70.00	AF
A__	49363 00 IRR GY G	3087 -- -- --	3680	4200	21	11	17E	4	64.00	64.00	AF
A__	49558 A IRR GY G	4854 -- NE NW NE	5102	1365	19	11	17E	3	72.80	24.80	AF
A__	49751 00 IRR AY G	0 --- SE NW NE	4270	1960	20	11	17E	5	64.00	.00	AF
T__	20139007 00 IND GY G	3060 -- SW NW SW	1410	5058	16	11	17E	2	15.34	15.34	AF

```

=====
Total Net Quantities Authorized:  Direct      Storage
Total Requested Amount (AF) =      .00          .00
Total Permitted Amount (AF) =    408.14         .00
Total Inspected Amount (AF) =    505.84         .00
Total Pro_Cert Amount (AF) =    202.70         .00
Total Certified Amount (AF) =   4312.95         .00
Total Vested Amount (AF) =        .00          .00
TOTAL AMOUNT (AF) =    5429.63          .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:  
 4270 Feet North and 1960 Feet West of the Southeast Corner of Section 20 T 11S R 17E  
 GROUNDWATER ONLY  
 WATER USE CORRESPONDENTS:

- ```

=====
File Number      Use ST SR
A__ 6536 00 MUN NK G
> JEFFERSON RWD 01
>
> PO BOX 266
> MERIDEN KS 66512
>-----
A__ 6691 00 IRR NK G
> ROBERT W & SALLY D SHIRLEY
>
> 3703 SOUTH ST
> GRANTVILLE KS 66429
>-----
A__ 7076 00 IRR NK G
> LEE I TUCKER
>
> 15950 CALEY RD
> LEONARDVILLE KS 66449
>-----
A__ 7113 00 IND NK G
> FUTAMURA USA INC
>
> 6000 SE 2ND ST
> TECUMSEH KS 66542
>-----
A__ 7349 00 IRR NK G
> ROBERT W & SALLY D SHIRLEY
    
```



Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733  
Fax: (785) 862-2460  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

March 1, 2017

ROBERT W & SALLY D SHIRLEY  
3703 SOUTH ST  
GRANTVILLE KS 66429

Re: Pending New Application, File No. 49,751; and Water Right, File No. 37,928

Dear Sir or Madam:

This is to advise you that Rod Bigham has filed the new application referred to above for a permit to appropriate 64 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 1,000 gallons per minute. In addition, an Application to Change the Place of Use has been filed for Water Right, File No. 37,928. Please note that the new application is requesting an additional quantity of water and rate of diversion from an existing well currently authorized under Water Right, File No. 37,928, which is located as follows:

In Lot 2 of Section 20, in Township 11 South, Range 17 East, Jefferson County, Kansas.

Records in this office indicate that you may have a well or wells in this vicinity and you are being notified of receipt of these applications in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

You can find both of the applications and site maps posted by the file numbers referenced above at:  
<http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Doug Schemm".

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

pc: Rod Bigham



Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

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David W. Barfield, Chief Engineer  
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Sam Brownback, Governor

March 1, 2017

RALPH E ROSE  
4020 NW HUXMAN RD  
SILVER LAKE KS 66539

Re: Pending New Application, File No. 49,751; and Water Right, File No. 37,928

Dear Sir or Madam:

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Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

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6531 SE Forbes Ave., Suite B  
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Sam Brownback, Governor

March 1, 2017

H R H INC  
5616 SW 38TH ST  
TOPEKA KS 66610

Re: Pending New Application, File No. 49,751; and Water Right, File No. 37,928

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Environmental Scientist  
Topeka Field Office

pc: Rod Bigham



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Sam Brownback, Governor

March 1, 2017

DENNIS SPREER  
4708 21<sup>ST</sup> ST  
GRANTVILLE KS 66429

Re: Pending New Application, File No. 49,751; and Water Right, File No. 37,928

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Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

pc: Rod Bigham

  
**Kansas**  
Department of Agriculture  
Division of Water Resources

Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
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Sam Brownback, Governor

March 1, 2017

DAVID C LINQUIST  
4612 21<sup>ST</sup> ST  
GRANTVILLE KS 66429

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Sincerely,



Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

pc: Rod Bigham





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6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

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Sam Brownback, Governor

March 1, 2017

DIANE DRUMMOND  
4459 21<sup>ST</sup> ST  
GRANTVILLE KS 66429

Re: Pending New Application, File No. 49,751; and Water Right, File No. 37,928

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A handwritten signature in black ink that reads "Doug Schemm".

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

pc: Rod Bigham



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Sam Brownback, Governor

March 1, 2017

DAVID STANWIX  
4865 21<sup>ST</sup> ST  
GRANTVILLE KS 66429

Re: Pending New Application, File No. 49,751; and Water Right, File No. 37,928

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Sincerely,

A handwritten signature in black ink that reads "Douglas W. Schemm".

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

pc: Rod Bigham



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

December 30, 2016

ROD BIGHAM  
5268 58TH ST  
MERIDEN KS 66512

**FILE COPY**

RE: Application  
File No. 49751

Dear Sir or Madam:

Your application for permit to appropriate water in 20-11S-17E in Jefferson 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.

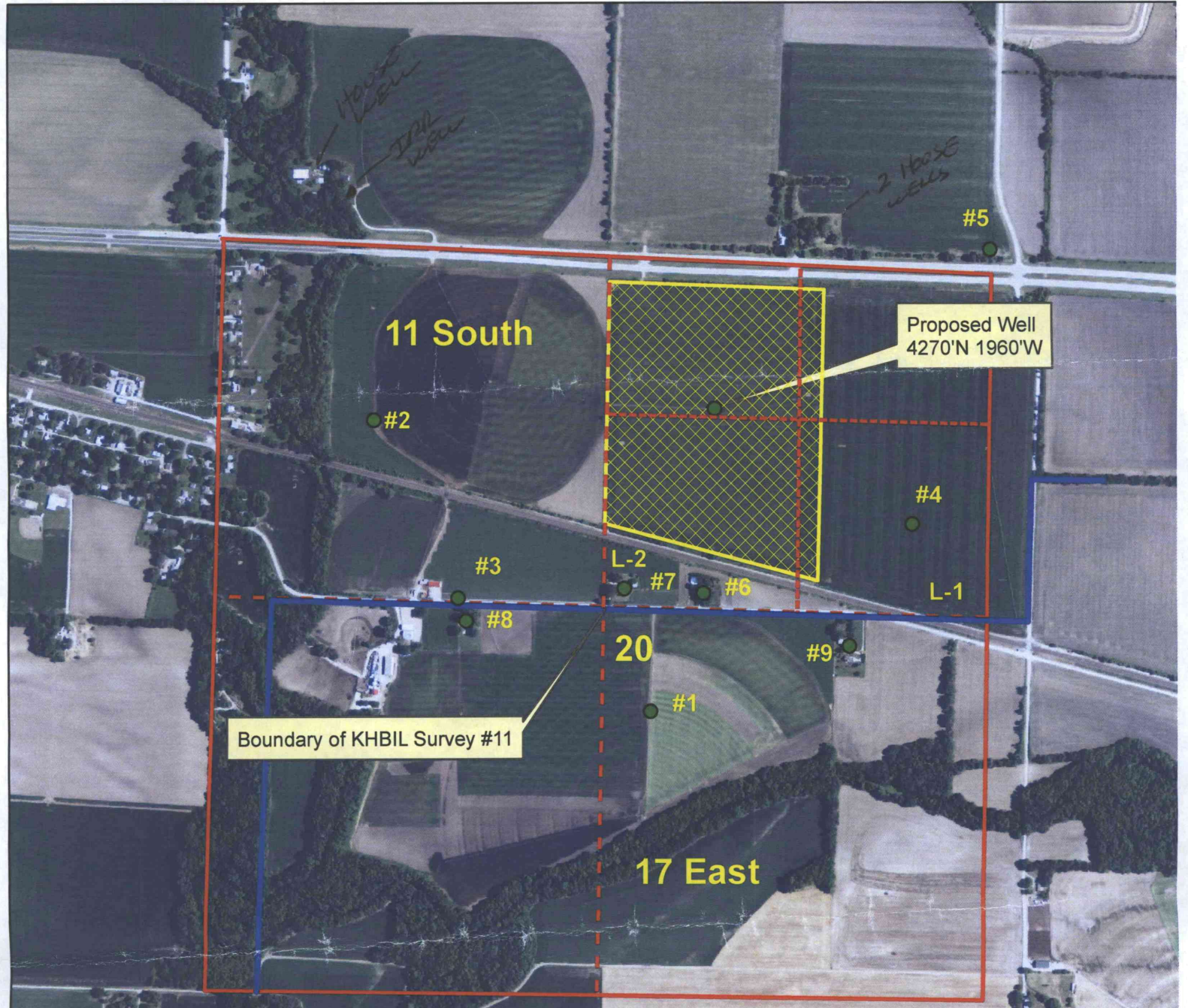
Sincerely,

Brent A Turney, P.G.  
Change Application Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: TOPEKA Field Office  
GMD 0

SCANNED





All wells of any kind located within one-half mile have been plotted

*Jeanne L. Gandy*  
 \_\_\_\_\_  
 Signature

*December 27, 2016*  
 \_\_\_\_\_  
 Date

WATER RESOURCES RECEIVED

DEC 30 2016