

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



WATER RESOURCES
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MAY 17 2021
2:10 PM

900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

File Number 50586
This item to be completed by the Division of Water Resources.

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

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,
1320 Research Park Drive, Manhattan, Kansas 66502:

1. Name of Applicant (Please Print): WABAUNSEE COUNTY RURAL WATER DISTRICT NO 2
Address: 38521 ANTELOPE CREEK RD
City: WAMEGO State KS Zip Code 66547-9708
Telephone Number: (785) 456-9883

2. The source of water is: surface water in _____ (stream)
OR groundwater in Kansas River Valley (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 330.46 acre-feet OR ** — gallons per calendar year, to be diverted at a maximum rate of *800 gallons per minute OR — cubic feet per second.

* Rate limited to 800 gpm when combined with File Nos. 39,807; 39,808; & 46,641.

** Quantity limited to — million gallons per year when combined with File Nos. 39,807; 39,808; & 46,641.

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 RE3 Meets K.A.R. 5-3-1 (YES/NO) Use MUN Source G/S County WB By BMM Date 5/17/21
Code RE3 Fee \$ 320 TR # _____ Receipt Date 5/17/21 Check # 13565

MAY 17 2021

File No. _____

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.

BATT 1 OF 2 WELLS; NORTH WELL

(A) One in the SW quarter of the SE quarter of the NW quarter of Section 20, more particularly described as being near a point 3296 feet North and 3731 feet West of the Southeast corner of said section, in Township 10 South, Range 10 East, Wabaunsee County, Kansas.

BATT 1 OF 2 WELLS; SOUTH WELL

(B) One in the SW quarter of the SE quarter of the NW quarter of Section 20, more particularly described as being near a point 3136 feet North and 3763 feet West of the Southeast corner of said section, in Township 10 South, Range 10 East, Wabaunsee County, Kansas.

GEOCENTER

(C) One in the SW quarter of the SE quarter of the NW quarter of Section 20, more particularly described as being near a point 3216 feet North and 3747 feet West of the Southeast corner of said section, in Township 10 South, Range 10 East, Wabaunsee 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):

APPLICANT Same
(name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

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

Executed on May 5, 2021. Chris R. [Signature]
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 battery of two wells
(number of wells, pumps or dams, etc.)
and was completed in 1992
(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 upon approval
(Mo/Day/Year)



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9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?

Yes No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources? Yes No

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required _____

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.

Overlapping Place of Use & Point of Diversion - File Nos. 39,807; 39,808; & 46,641

Pending Place of Use Change Application -File Nos. 39,807; 39,808; & 46,641

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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) North Well	(B) South Well	(C)	(D)
Date Drilled	10/25/91	10/31/91	_____	_____
Total depth of well	97'	97'	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	28'	21'	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

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

OWNER
(owner, tenant, agent or otherwise)

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

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 Wamego, Kansas, this 5th day of May, 2021.
(month) (year)

Chris R...

(Applicant Signature)

By *G. Dekat P.E.*
(Agent or Officer Signature)

Gregory F. Dekat P.E.
(Agent or Officer - Please Print)

Assisted by Lloyd Hemphill ESII/TFO Date: 7/1/2020
(office/title)

Handwritten signature or initials in the upper left quadrant.

Faint, illegible text or markings in the bottom right corner.

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FEE SCHEDULE

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

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.
330.46	\$ 320.00

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

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

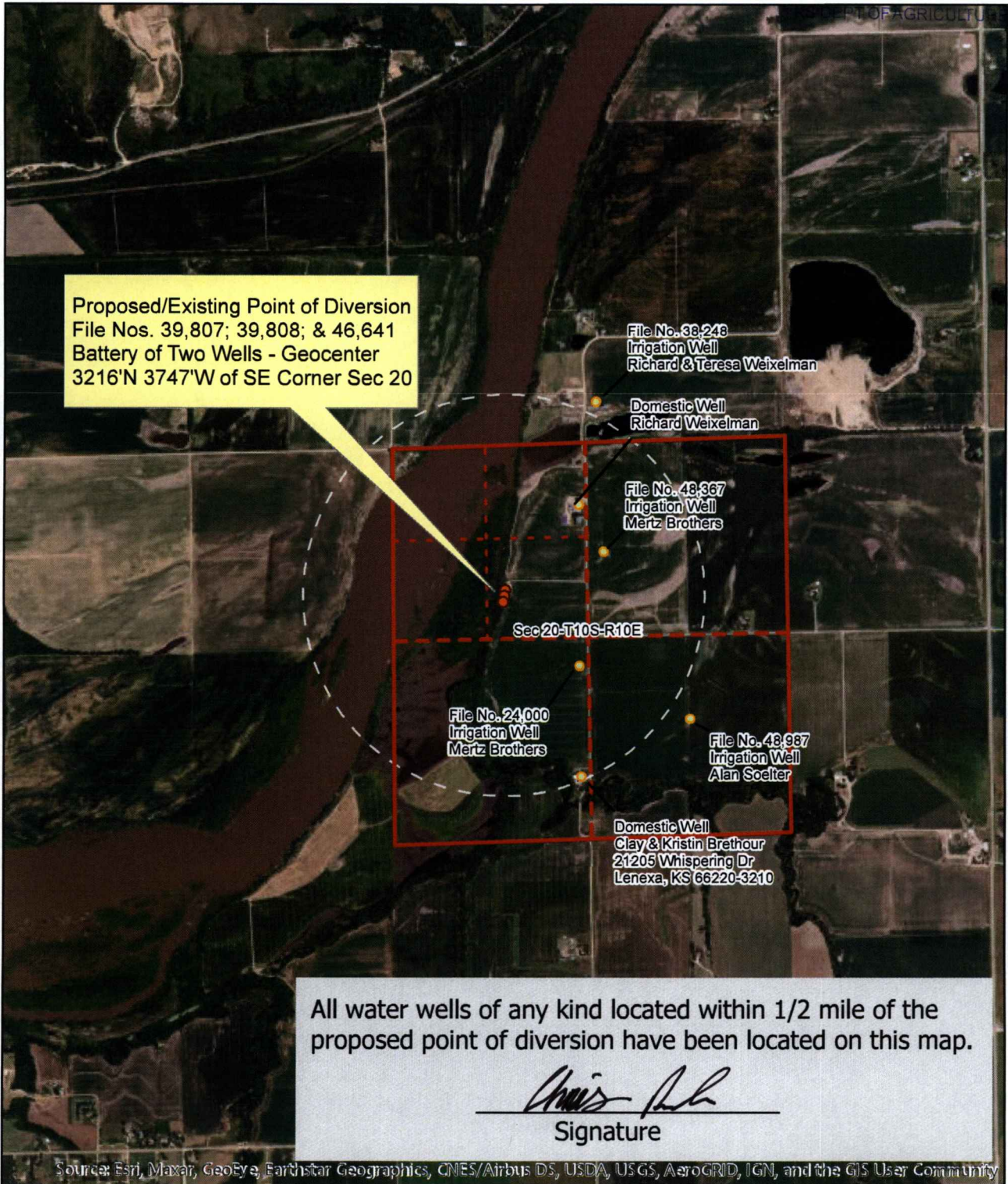
1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

NEW APPLICATION RWD NO 2 WABAUNSEE CO

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Map prepared by: LHH/TFO 7-2-2020



Scale: 1:24,000

0 0.25 0.5 1 Mile

Applicant's Name WB RWD 2
(Please Print)

MUNICIPAL (PUBLIC WATER SUPPLY) APPLICATION SUPPLEMENTAL INFORMATION SHEET

Application File Number

(assigned by DWR)

**SECTION 1: PRESENT WATER USE SUMMARY (IF NO PREVIOUS MUNICIPAL WATER USE HAS BEEN UTILIZED, PROCEED TO SECTION 3)
NOTE: WORKSHEET FOR WATER PUMPED, PURCHASED, AND SOLD BY YOUR WATER DISTRIBUTION SYSTEM.**

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	
Raw Water Diverted Under Your Rights	Water Purchased From All Sources	Water Sold to Other Public Water Suppliers	Water Sold to Your Industrial, Stock, and Bulk Customers	Water Sold to Your Residential and Commercial Customers	Other Metered Water	Remaining Water Used (See Below Explanation)	
65,185,000	0	0	1,163,000	43,360,000	13,628,000	7,034,000	
TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6				UNACCOUNTED FOR WATER	

UNACCOUNTED FOR WATER = TOTAL WATER - ACCOUNTED FOR WATER

- Column 1: The amount of raw water diverted from all of your points of diversion.
- Column 2: The amount of water purchased wholesale from all other public water supply systems or the Kansas Water Office.
- Column 3: The amount of water sold wholesale to all other public water supply systems.
- Column 4: The amount of water sold retail to all industrial, pasture, stockwater, feedlot, and bulk water service connections. Include the amount of water sold to all farmsteads using at least 200,000 gallons of water per year.
- Column 5: The amount of water sold retail to your residential and commercial customers and to industries and farmsteads using less than 200,000 gallons of water per year.
- Column 6: The amount of water used that is metered at individual service connections and supplied free, such as for public service, treatment processes, and connections receiving free water.
- Column 7: The amount of remaining water used. The gallons reported in this column are found by adding the numbers in Columns 1 and 2 and subtracting the numbers in Columns 3, 4, 5, and 6.

UNACCOUNTED FOR WATER

Use the following to calculate your distribution system's Unaccounted For Water:

Start with the amount in Column 1 and add the amount in Column 2, then subtract the amounts in Columns 3, 4, 5, and 6 leaving an amount of water representing your unaccounted for water to enter in Column 7.

Use the following to calculate the percent Unaccounted For Water versus the Total Water of your system:

$$\text{Percent Unaccounted For Water} = \frac{\text{Unaccounted For Water}}{\text{Total Water (Columns 1,2)}} \times 100$$

If this number exceeds 20%, please explain the large amount of unaccounted for water and describe any steps being taken to reduce it.

SECTION 2: PAST WATER USE

COMPLETE THE FOLLOWING TABLE FROM YOUR PAST WATER USE RECORDS.

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
	Raw Water Diverted Under Your Rights	Water Purchased From All Sources	Water Sold to Other Public Water Suppliers	Water Sold to Your Industrial, Stock, and Bulk Customers	Water Sold to Your Residential and Commercial Customers	Other Metered Water	Remaining Water Used (See Above Explanation)
20 years ago	39,057,000	0	0	6,446,000	29,011,000	0	3,600,000
15 years ago	54,405,000	0	0	8,474,000	28,989,000	11,501,000	5,441,000
10 years ago	50,913,000	0	0	6,280,000	28,596,000	10,707,000	5,330,000
5 years ago	57,245,000	0	0	9,675,000	30,842,000	11,761,000	4,967,000
	TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6				UNACCOUNTED FOR WATER

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SECTION 3: PROJECTED FUTURE WATER NEEDS

PLEASE COMPLETE THE FOLLOWING TABLE SHOWING YOUR FUTURE WATER REQUIREMENTS FOR THE NEXT 20 YEARS:

	Column 1 Raw Water Diverted Under Your Rights	Column 2 Water Purchased From All Sources	Column 3 Water Sold to Other Public Water Suppliers	Column 4 Water Sold to Your Industrial, Stock, and Bulk Customers	Column 5 Water Sold to Your Residential and Commercial Customers	Column 6 Other Metered Water	Column 7 Remaining Water Used (See Explanation on other side)
Year 5							
Year 10							
Year 15							
Year 20							
TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6				UNACCOUNTED FOR WATER	

SECTION 4: POPULATION AND SERVICE CONNECTIONS

ESTIMATE THE NUMBER OF PERSONS DIRECTLY SERVED BY YOUR WATER DISTRIBUTION SYSTEM

PAST POPULATION - PROVIDE INFORMATION BELOW:
(CENSUS BUREAU INFORMATION)

LAST 20 YEARS	POPULATION
20 years ago	1,127
15 years ago	1,328
10 years ago	1,440
5 years ago	1,603
Last Year	1,862

PROJECTED FUTURE POPULATION

ESTIMATE FUTURE POPULATION AND SUBSTANTIATE NUMBERS ON SEPARATE ATTACHMENTS

NEXT 20 YEARS	POPULATION
Year 5	
Year 10	
Year 15	
Year 20	

Provide number of current active service connections:

_____ Residential 1 Industrial 53 Other (specify) _____
 _____ 22 Commercial 22 Pasture/ Stockwater/ Feedlot 749 Total

SECTION 5: PRESENT GALLONS PER PERSON PER DAY

CALCULATE YOUR GALLONS PER PERSON PER DAY

Water in Columns 5, 6, and 7 ÷ Population ÷ 365 Days/Year = Gallons per Person per Day

64,022,000 ÷ 1,862 ÷ 365 Days/Year = 94 GALLONS PER PERSON PER DAY.
Amount of water in Columns 5, 6, and 7 of Section 1 Population from Last Year of Section 4

SECTION 6: AREA TO BE SERVED

Describe the area to be served or provide the legal description of the location where the water is to be used including any other city of water supply system (i.e. Rural Water District): _____
 WITHIN THE BOUNDARIES OF WABAUNSEE RWD 02 AND IMMEDIATE VICINITY
 WITHIN THE BOUNDARIES OF THE CITY OF PAXICO AND IMMEDIATE VICINITY (PENDING CHANGE APPLICATION)

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

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CITY OF PAXICO MUNICIPAL SUPPLEMENTAL INFORMATION								
File Nos. 7,862; 35,961; 35062; & 42,640								
	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Population
	Raw Water Diverted Under Your Rights	Water Purchased From All Sources	Water Sold to Other Public Water Suppliers	Water Sold to Your Industrial, Stock, and Bulk Customers	Water Sold to Your Residential and Commercial Customers	Other Metered Water	Remaining Water Used	
20 years ago (2000)	9,721,000	0	2,130,000	0	6,769,000	112,000	710,000	211
15 years ago (2005)	9,913,000	0	1,624,000	0	7,656,000	207,000	426,000	235
10 years ago (2010)	7,961,000	0	1,810,000	2,000	6,064,000	60,000	25,000	240
5 years ago (2015)	5,691,000	0	0	15,000	5,439,000	125,000	112,000	238
Present (2019)	5,302,000	0	0	0	4,994,000	149,000	159,000	230
Projected - year 5								
Projected - year 10								
Projected - year 15								
Projected - year 20								

Number of Current active service connections	Type of Connection
83	residential
19	commercial
0	industrial
0	pasture/ stockwater/ feedlot
1	other(specify)
103	Total

Present Gallons Per Person Per Day		
Columns 5, 6, and 7	Population Last Year	GPCPD
5,302,000	230	63

gallons

COMBINED SUPPLEMENTAL INFORMATION WABAUNSEE CO RWD 2 AND CITY OF PAXICO

	Raw Water Diverted Under Your Rights	Population
20 years ago (2000)	48,778,000	1,338
15 years ago (2005)	64,318,000	1,563
10 years ago (2010)	58,874,000	1,680
5 years ago (2015)	62,936,000	1,841
Present (2019)	70,487,000	2,092
Projected - year 5		
Projected - year 10		
Projected - year 15		
Projected - year 20		

Number of Current Active Service Connections	Type of Connection
734	residential
41	commercial
1	industrial
22	pasture/ stockwater/ feedlot
54	other(specify)
852	Total

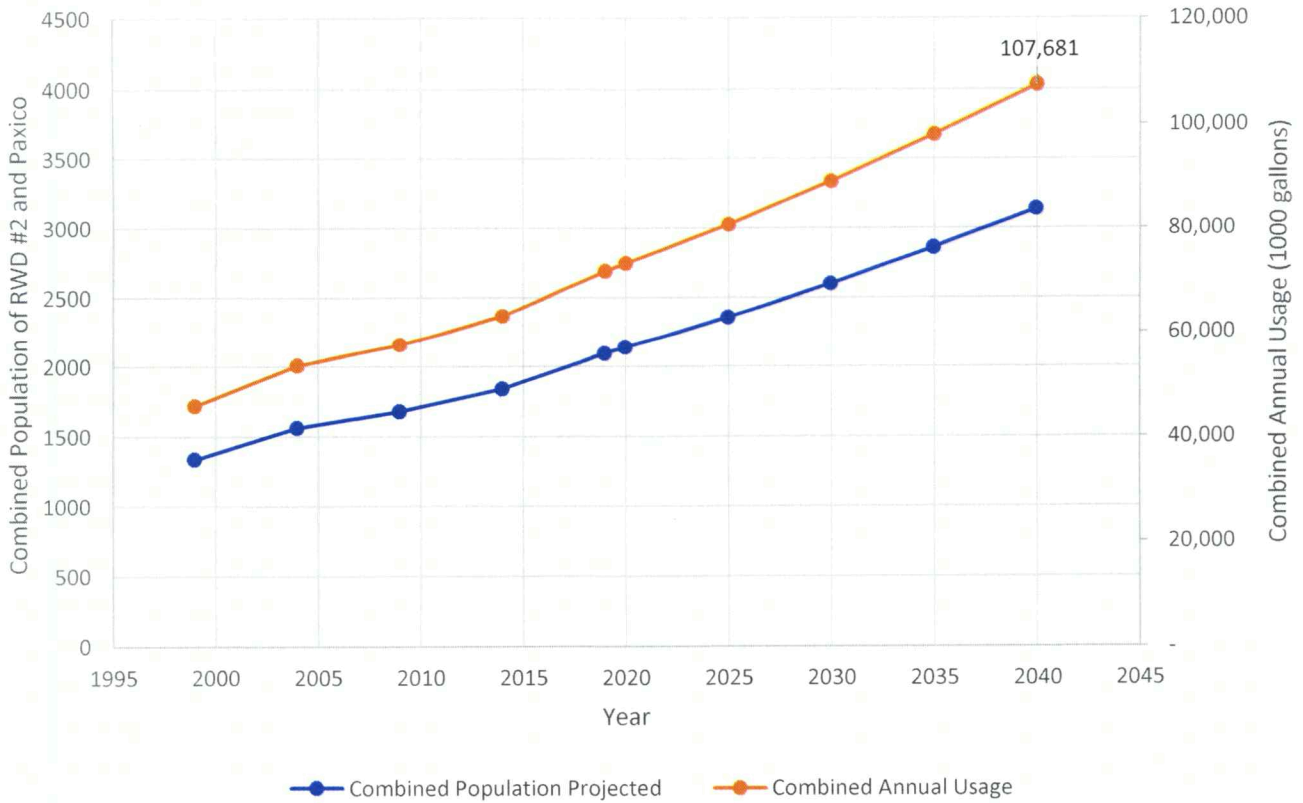
GPCPD
91

gallons

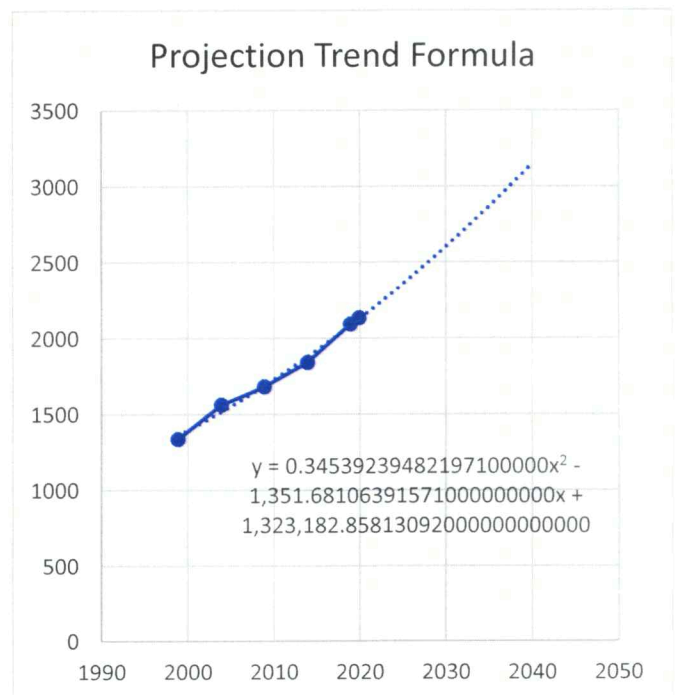
Note: All quantities in gallons. The past information was obtained from annual Water Use Reports submitted by the City of Paxico and Rural Water District No. 2, Wabaunsee County.

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**RWD #2 Wabaunsee County and Paxico
Population and Water Use Projection
at 94 gallons per capita per day (gpcd)**



Year	RWD #2 Population	Paxico Population	Combined Population	Combined Usage kGal.
				94.00 gpcd
1999	1127	211	1338	45,907
2004	1328	235	1563	53,627
2009	1440	240	1680	57,641
2014	1603	238	1841	63,165
2019	1862	230	2092	71,777
2020	1900	235	2135	73,252
2025	Projected		2353	80,745
2030	Projected		2598	89,131
2035	Projected		2860	98,110
2040	Projected		3138	107,681





RWD#2 Wabaunsee County
38521 Antelope Creek Rd
Wamego, KS 66547

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May 13, 2021

Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502

RE: Water Appropriation and Place of Use Changes

Dear Sir or Madam,

Enclosed please find:

- Three (3) Place of Use form and accompanying checks for \$200 each
- One (1) Water Appropriation form and accompanying check for \$320
- One (1) Kansas River Assurance District letter

In summary, we have completed an agreement to provide wholesale water to the City of Paxico and wish to update our "Place of Use" and water use appropriation projections for our own retail uses as well as the City of Paxico wholesale use. The City is has secured funding and is currently in the design process for construction of a connection facility.

Please contact me with any questions that you may have.

Sincerely,

A handwritten signature in black ink that reads "Greg Dekat P.E." with a stylized flourish.

Greg Dekat P.E.
RWD #2, Wabaunsee County, Kansas
785-617-1111 (mbl)
785-456-9883 (office) 8am -Noon

SCANNED
SCANNED

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MAY 17 2021

May 5, 2021
(Date)

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

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Re: Application
File No. _____

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 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.

Chris Rabe

Signature of Applicant

Chris Rabe

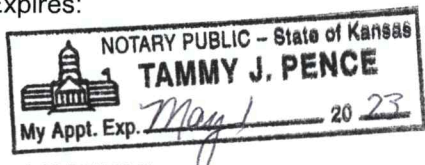
Print Applicant Name

State of Kansas)
County of Wabaunsee) SS

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 5th day of May, 2021.

Tammy J. Pence
Notary Public

My Commission Expires:



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

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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 Marias des Cygnes River Neosho River

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

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

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