



THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

02/10/2025

12:06

Water Resources
Received

KS Dept Of Agriculture

51421

File Number
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:

PID 69959

1. Name of Applicant (Please Print): Brandon Butts
Address: 2411 E 111 Street South
City: Mulvane State KS Zip Code 67110-9286
Telephone Number: (316) 796-2321

2. The source of water is: [ ] surface water in (stream)
OR [x] groundwater in Cottonwood 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. \*Quantity to be limited to 104.4AF when combined with File No. 50514

3. The maximum quantity of water desired is 104.4\* acre-feet OR 34018844.4 gallons per calendar year, to be diverted at a maximum rate of 800 gallons per minute OR 1.78 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) [x] 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

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Division of Water Resources

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

2/20/2025
LMoody

For Office Use Only:
F.O. 1 GMD - Meets K.A.R. 5-3-1 (YES / NO) Use IRR Source G/S County MN By BS Date 2-10-25
Code REA Fee \$ 300 TR # Receipt Date 2-10-25 Check # 3018

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.

(A) One in the NE quarter of the SW quarter of the SW quarter of Section 20, more particularly described as being near a point 682 feet North and 4101 feet West of the Southeast corner of said section, in Township 20 South, Range 3E, Marion County, Kansas.

P/D 91553

(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):

Jaren Kay Butts 2411 East 111st South (316) 371-0210  
(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 Feb 7, 2025.

Jaren Kay Butts ADM  
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 (1) well  
(number of wells, pumps or dams, etc.)

and was completed (by) 04/10/2023  
(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 of application 2/10/2025  
(Mo/Day/Year)

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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	04/10/2023	_____	_____	_____
Total depth of well	51'	_____	_____	_____
Depth to water bearing formation	41'	_____	_____	_____
Depth to static water level	9'	_____	_____	_____
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):  
Jaren Kay Butts 2411 East 111st South 67110 Mulvane Ks  
(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 7 day of February 2025  
(month) (year)

Jaren Kay Butts ADM  
(Applicant Signature)

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

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

02/10/2025

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KS Dept Of Agriculture

Assisted by BGL \_\_\_\_\_ TFO \_\_\_\_\_ Date: 12/31/2024  
(office/title)

2/10/2025

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Topeka Field Office  
Division of Water Resources

- 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 ½ 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 ½ mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ 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.

Place of Use (Complete Overlap) - File No. 50514

The applicant owns the well authorized under File No. 50514. The new proposed well will not meet spacing requirements to this well. Applicant requests a spacing wavier to their own well authorized under File No. 50514.

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### IRRIGATION USE SUPPLEMENTAL SHEET

Water Resources  
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KS Dept Of Agriculture

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

Name of Applicant (Please Print): Brandon Butts **PID 69959**

- 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: Brandon Butts *Jaren Kay Butts* **PID 2385**

ADDRESS: 2411 E 111 Street South, Mulvane, KS 67110-9286

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	20S	3E															17		40	30		87

**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				

2/10/2025

P/U 70257

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
Clay Loam	100%		
Total:	100 %		

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

Estimate the maximum land slope in the field(s): 2 %

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: None anticipated with center pivot

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: 35 psi

(2) What is the sprinkler package design rate? 800 gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? 68 feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations: Corn/Bean Rotation

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). Plant Stress and Soil Moisture Conditions

The use of a penetrometer and plant stress.

# New Application - Brandon Butts



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All wells of any kind within 1/2 mile of the requested point of diversion have been plotted.

*Jaun Kay Butts* ADM - Feb. 3-25  
Signature Date

2/10/2025

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Scale: 1:12,000

Topeka Field Office  
Division of Water Resources

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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.

- 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

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Division of Water Resources



**WATER WELL RECORD (WWC-5)**

Constructed

KOLAR DOC ID 1713672 WELL ID \_\_\_\_\_

Original Record  Correction  Change in Well Use

**LOCATION OF WATER WELL**

Latitude	38.291914	Longitude	-97.128157	Section	20	Township	20	Range	3	<input checked="" type="checkbox"/> E <input type="checkbox"/> W	Fraction	NE ¼ SW ¼ SW ¼
Datum	NAD83	Elevation	1368	County	Marion							

**WATER WELL OWNER**

Name	Steve Butts
Business	
Address	2411 E 111th St S Mulvane KS 67110
Well location	~675ft N & 1225ft E of Mustand Rd & 150th St Marion, KS
<input type="checkbox"/> at owner's address	

**WELL WATER USE**

Irrigation

**COMPLETION**

Depth of completed well: 51 ft.  
 Depth(s) groundwater encountered:  
 (1) 41 ft.; (2) \_\_\_\_\_ ft.;  
 (3) \_\_\_\_\_ ft.; (4)  dry well

Static water level in well: 9 ft.  
 measured below land surface on (mm/dd/yy): 04/10/2023  
 measured above land surface on (mm/dd/yy): \_\_\_\_\_

Estimated yield: 220 gpm  
 Water level was: \_\_\_\_\_ ft. after \_\_\_\_\_ hours  
 pumping \_\_\_\_\_ gpm

Pump installed?  Yes  No

Water well disinfected?  Yes  No  
 Date disinfected (mm/dd/yy): 04/10/2023

Aquifer, if known: \_\_\_\_\_

**NEAREST SOURCE OF POTENTIAL CONTAMINATION**

Source: \_\_\_\_\_  
 Distance from well: \_\_\_\_\_ Direction from well: \_\_\_\_\_  
 Source description: \_\_\_\_\_

Source: \_\_\_\_\_  
 Distance from well: \_\_\_\_\_ Direction from well: \_\_\_\_\_  
 Source description: \_\_\_\_\_

No potential source of contamination within 100 feet.

**CONSTRUCTION**

Borehole interval: from 0 to 51 ft. Borehole diameter: 10 in.  
 from \_\_\_\_\_ to \_\_\_\_\_ ft. \_\_\_\_\_ in.

Casing height above land surface: 12 in.  
 If casing height is less than 12 in. has a variance been approved?\*  Yes  No  
 \*variance not required for monitoring or environmental remediation wells

Casing type: ThermalPlastic

Blank casing interval: 0 ft. to 31 ft.  
 Blank casing diameter: 6 in.  
 Casing joints: Glued  
 Weight: \_\_\_\_\_ lbs/ft.  
 Wall thickness or gauge no.: .255

Blank casing interval: \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 Blank casing diameter: \_\_\_\_\_ in.  
 Casing joints: \_\_\_\_\_  
 Weight: \_\_\_\_\_ lbs/ft.  
 Wall thickness or gauge no.: \_\_\_\_\_

Grout interval: .0 ft. to 21 ft.  
 Grout material: Bentonite

Grout interval: \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 Grout material: \_\_\_\_\_

Screen / perforation material: Stainless steel  
 Screen / perforation openings: Mill slot

Screen / perforation intervals:  
 From 31 ft. to 51 ft.  
 Slot size .5 unit inches  
 From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 Slot size \_\_\_\_\_ unit \_\_\_\_\_

Gravel pack intervals:  
 Gravel pack not used:  Gravel size \_\_\_\_\_ in  
 From 21 ft. to 51 ft.  
 Gravel pack not used:  Gravel size \_\_\_\_\_ in  
 From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

**PERMIT & ID NUMBERS (AS REQUIRED)**

DWR Application No.: 50514  
 KDHE / EPA Project Code: \_\_\_\_\_  
 Site Name: \_\_\_\_\_  
 KDHE UIC Class V Form Completed:  Yes  No  
 County Permit:  Yes  No Permit ID: \_\_\_\_\_  
 Lease Name & Well #: \_\_\_\_\_  
 # of boreholes: \_\_\_\_\_ # of dewatering wells: \_\_\_\_\_

**LITHOLOGIC LOG**

FROM	TO	LITHOLOGY INTERVALS	
0	3	topsoil	02/10/2025
3	20	clay	Water Resources Received
20	41	shale,unweathered	KS Dept Of Agriculture
41	42	shale,fractured	
42	51	shale,unweathered	2/10/2025
			Received

**COMMENTS**

**Topeka Field Office  
Division of Water Resources**

**CONTRACTOR'S OR LANDOWNERS CERTIFICATION**

This water well was constructed  reconstructed  pursuant to the stated water well contractor's license and was completed on 04/10/2023. I certify that this record is true to the best of my knowledge and belief. This water well record was completed on 05/26/2023 under the business name of Peterson McNett Drilling, Inc.  
 Kansas Water Well Contractor's License No. 897 under the authority of the designated person as defined in K.A.R. 28-30-2(j) and signed and certified by the electronic signature of the designated person at its submittal: Logan McNett.

Send one copy to WATER WELL OWNER and retain one for your records. Fee of \$5.00 for each constructed well.

Water Resources  
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KS Dept Of Agriculture

Feb 7 2025  
(Date)

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

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

Minimum Desirable Streamflow

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

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

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

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

Jaren Kay Butts ADM  
Signature of Applicant

State of Kansas )  
County of Marion ) ss

Jaren Kay Butts  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this \_\_\_\_\_ day of Feb 7, 2025.

\_\_\_\_\_  
Notary Public

My Commission Expires:

2/10/2025

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Topeka Field Office  
Division of Water Resources

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

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

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

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

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



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

Mike Beam, Secretary

Laura Kelly, Governor

February 14, 2025

BRANDON BUTTS/JAREN KAY BUTTS  
2411 E 111 STREET SOUTH  
MULVANE KS 67110-9286

RE: Application, File No(s). **51421**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) for a permit to appropriate water for beneficial use. Your application(s) has been assigned the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any other questions, please contact our office at 785-564-6640 or your local Topeka Field Office at 785-296-5733. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kris Neuhauser  
New Applications Lead  
Water Appropriation Program