DWR EXHIBIT X

Amended Application, File No. 45,569

EXHIBIT
DWR "X"
PENGAD 800-631-6989

F.O. 2
GMD 2
MEETS
K.A.R.5 -3 -1
USE ART
GRS 5
Co. HV
By SP
Date 7/3/03

THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jamie Clover Adams, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David L. Pope, Chief Engineer

File Number 45569
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.)

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ASR Project DW-2

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

1. Name of Applicant (Please Print): City of Wichita, Water & Sewer Dept.

   Address: 455 N. Main

   City: Wichita State KS Zip Code 67202

   Telephone Number: (316) 268-4504

2. The source of water is: ✓ surface water in Little Arkansas River (stream)

   OR G groundwater in _____ (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 1,500 acre-feet OR _____ gallons per calendar year,

   to be diverted at a maximum rate of 1,500 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 (c) G Irrigation Use (e) G Recreational Use (g) G Water Power use

   (b) G Industrial Use (d) G Municipal Use (f) G Stockwatering Use

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: Code REC Fee $ 500 TR # _____ Receipt Date _____ Check # _____

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12:56 PM

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DWR 1-100 (Revised 6/24/03)

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File No. 45569

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 60 days in which to locate the site within a quarter section tract. Any request for an extension of time in which to locate the point of diversion shall include a contract with a well driller or a contractor for the necessary test holes.

(A) One in the ~~SW~~ NW * quarter of the SW quarter of the ~~SE~~ NW * quarter of Section 8, more particularly described as being near a point ~~512~~ 3,665 * feet North and ~~2405~~ 5195 * feet West of the Southeast corner of said section, in Township 23 South, Range 2 East/West (circle one), Harvey 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 (¼) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well and which are operated by means of submersible pumps.

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 proposed project for diversion of water will consist of one bank storage well
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) March 1, 2004
(Month/Day/Year - each was or will be completed)

7. The first actual application of water for the proposed beneficial use was or is estimated to be 03/01/04
(Mo/Day/Year)

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

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

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

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* WRIS/DWR 11-18-2004
Change per motion of the City of Newton for modification of permit application

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 File No. 45569

9. 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? G Yes ☑ No

! If yes, show the Water Structures permit number here _____

! If no, explain here why a Water Structures permit is not required Will use bank storage well to induce river infiltration

10. 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.

11. 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.

Part of City of Wichita's ASR project. Well will operate only during above base flow events when river flow exceeds 42 cfs April-Sept. and 20 cfs Oct-March as measured at USGS gage at Highway 50.

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File No. 45569

12. 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 G ✓ Well as completed G Drillers log attached G ✓

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	08/26/02			
Total depth of well	148'			
Depth to water bearing formation	9'			
Depth to static water level	4.7'			
Depth to bottom of pump intake pipe	NA			

13. The relationship of the applicant to the proposed place where the water will be used is that of agent.
(owner, tenant, agent or otherwise)

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

(name, address and telephone number)

(name, address and telephone number)

15. 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 Wichita, Kansas, this 2nd day of July (month), 2003 (year).

(Applicant Signature)

APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By Gerald T. Blain
(Agent or Officer Signature)

48-6000653
and/or
APPLICANT(S) TAXPAYER I.D. NO.(S)

Gerald T. Blain
(Agent or Officer - Please Print)

Assisted by _____ (office/title) Date: _____

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Diversion Well No. 2
512 ft. N. and 2405 ft. W. of SE Corner of Sec. 8, T 23 S, R 2 W.

Diversions within 1/2 mile:

Irrigation Wells – none

Domestic Wells

D1- Renee R. Martin
14800 NW 12th St.
Burrton, KS 67020

D2 - Steve Bayless
14903 NW. 12th St.
Burrton, KS 67020

D3 - Larry Spragg
14515 NW 12th St.
Burrton, KS 67020

Properties within ½ mile upstream and downstream

Douglas R. Unruh
1715 N. Old Settlers Rd.
Halstead, KS 67056

Wilbert H. Penner
14935 NW 24th St.
Burrton, KS 67020

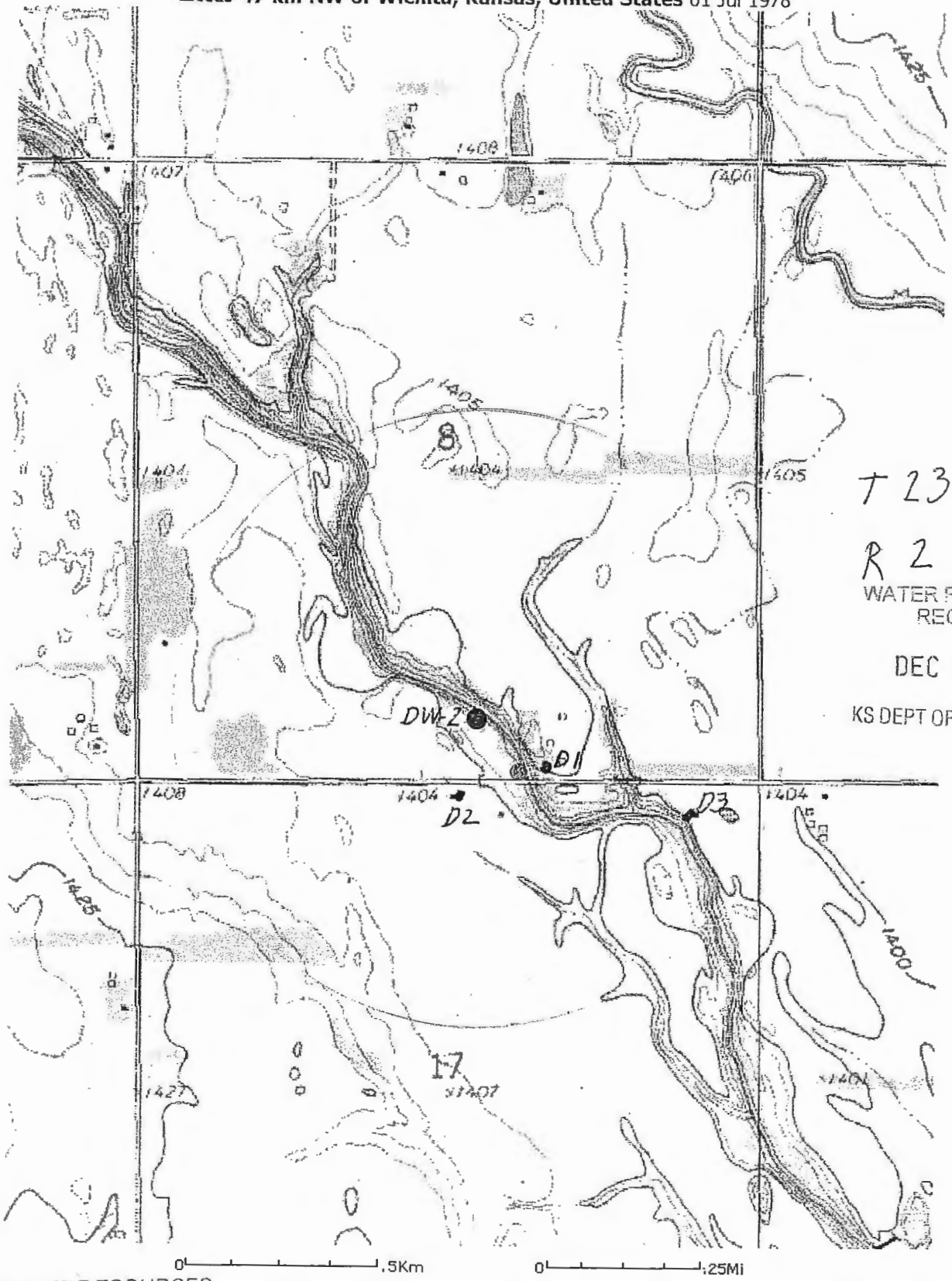
Ivan J. Schirer
14430 W 1st St.
Halstead, KS 67056

Renee R. Martin
14800 NW 12th St.
Burrton, KS 67020

Robert F. Ross
14301 NW 12th St.
Burrton, KS 67020

Send To Printer Back To TerraServer Change to 11x17 Print Size Show Grid Lines Change to Landscape

USGS **47 km NW of Wichita, Kansas, United States** 01 Jul 1978



T 23 S
R 2 W

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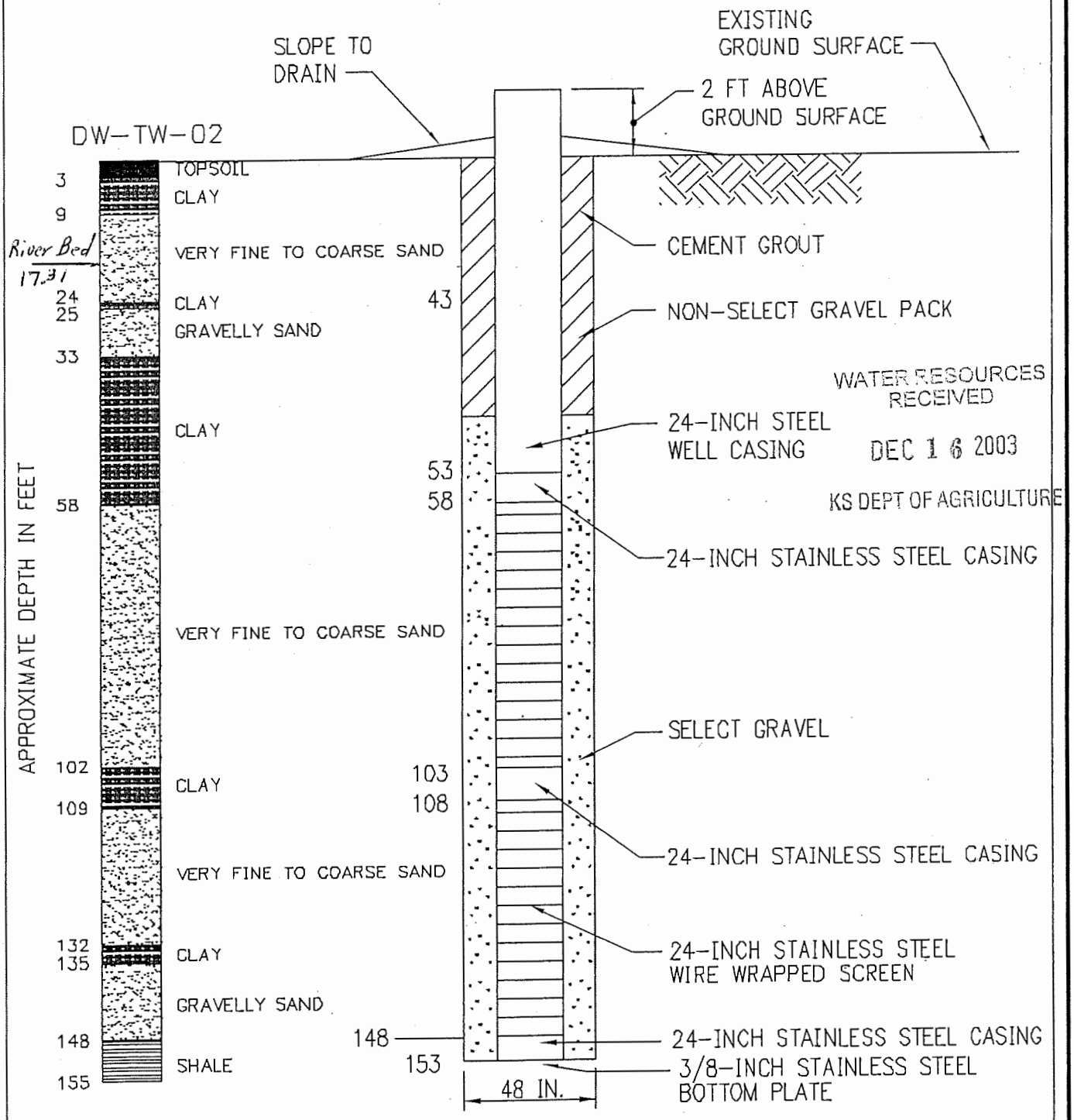

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NOTE: FINAL DESIGN TO BE BASED ON PILOT HOLE FOR DIVERSION WELL.

Burns & McDonnell

CITY OF WICHITA
PRELIMINARY DESIGN
DIVERSION WELL
DW-02

1321

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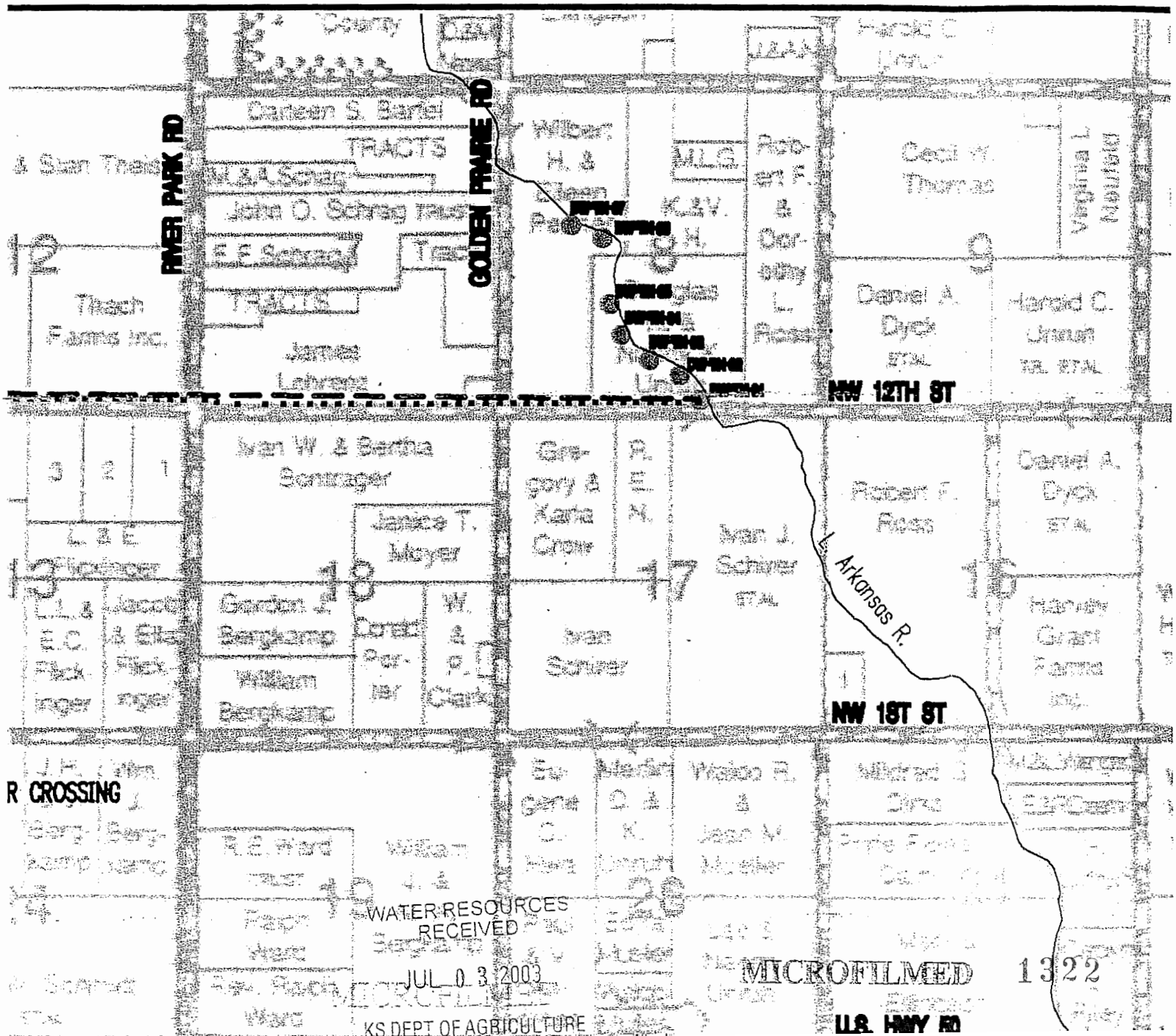


MUNICIPAL (PUBLIC WATER SUPPLY) APPLICATION
SUPPLEMENTAL INFORMATION SHEET

NAME _____
(Please Print)

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 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 Below Explanation)
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 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 Above Explanation)
20 years ago							
15 years ago							
10 years ago							
5 years ago							
	TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6				UNACCOUNTED FOR WATER

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	
15 years ago	
10 years ago	
5 years ago	
Last Year	

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 _____ Industrial _____ Other (specify) _____

_____ Commercial _____ Pasture/ Stockwater/ Feedlot _____ 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

_____ ÷ _____ ÷ 365 Days/Year = _____ GALLONS PER PERSON PER DAY.

Amount of water in Columns 5,6, and 7 of Section 1

Population from Last Year of Section 4

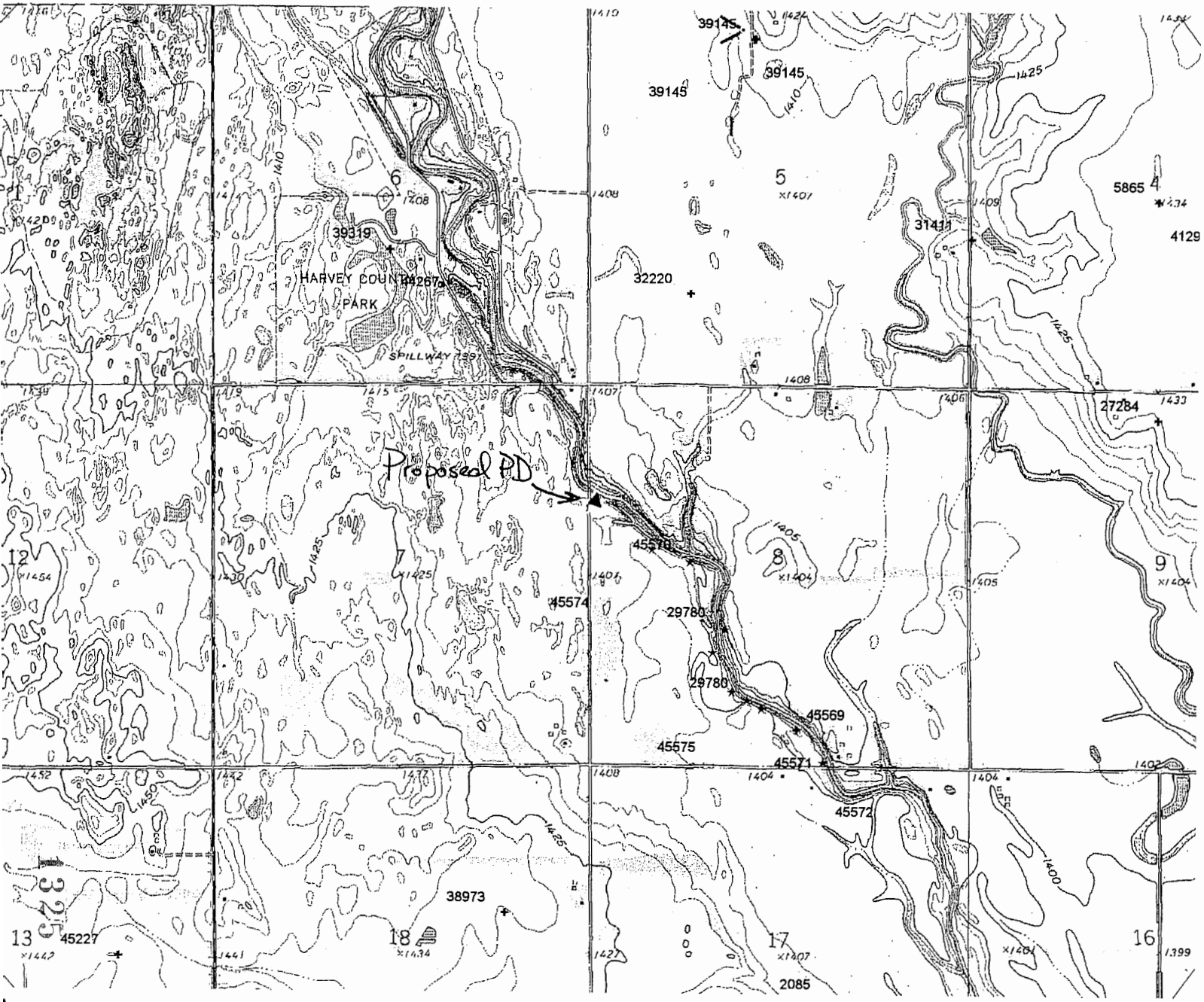
SECTION 6: AREA TO BE SERVED

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 the City of Wichita * DWR/JP 7/3/03

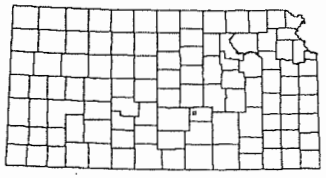
You may attach additional information you believe will assist in informing the Division of the need for your request.

File No. 45,569 08-23s-02w (3665n,5195w)



PD
- Ground Water
- Surface Water
- Hydrology

Index Map



This map was created by WIMAS on Nov 22, 2004 and represents water right conditions as of Nov 19, 2004.

KAK