

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**M E M O R A N D U M**

**TO:** Files

**DATE:** June 20, 2016

**FROM:** Alex Whitesell

**RE:** Application, File No. 49,524

Bruce H Wyatt has filed the above referenced application for a permit to appropriate water for beneficial use, proposing the appropriation of 198 acre-feet of groundwater from a battery of four (4) wells, for irrigation use in Saline County.

Based on K.A.R. 5-3-24, the requested quantity of 198 acre-feet appears reasonable for irrigation of the proposed 153 acres (1.3 acre-feet per acre in Saline County).

The source of water for the pending application was determined to be Alluvium, based on area wells logs and Kansas Geological Survey geology map of Saline County.

The area of the proposed point of diversion is open to new appropriations, subject to safe yield. The specific method for calculating safe yield for unconfined groundwater aquifers is described in K.A.R. 5-3-11. The safe yield area of consideration is a portion of the two-mile circle totaling 6,557 acres due to Ninnescah Shale being in the area. It was calculated using 2.9 inches of potential annual recharge and 75% recharge available for appropriation. The safe yield was calculated to be 1,188.46 acre-feet with total prior appropriation of 946.84 acre-feet leaving 241.63 acre-feet available for appropriation. Therefore, the application meets safe yield.

The application is subject to well spacing, as required by K.A.R. 5-4-4. There are no other appropriated wells within 1,320 feet, nor domestic wells reported within 660 feet of the proposed geographic center of the battery of wells. Therefore, the application complies with well spacing requirements.

All well owners within one-half (½) mile of the proposed point of diversion were notified of the application, by letter dated April 14, 2016, and provided 15 days to submit any comments or concerns related to the proposed appropriation. No comments have been received.

In an email message dated June 14, 2016, Kelly Stewart, Water Commissioner of the Stockton Field Office recommended approval of the application.

Based on the above discussion and the available information, it is recommended that the referenced application be approved.



Alex Whitesell  
Environmental Scientist  
Division of Water Resources

## Whitesell, Alex

---

**From:** Stewart, Kelly  
**Sent:** Tuesday, June 14, 2016 1:12 PM  
**To:** Whitesell, Alex; Billinger, Mark  
**Cc:** Hageman, Rebecca  
**Subject:** RE: Recomendation on 49,524

Alex,

I have no objection to the approval of this application.

Kelly

---

**From:** Whitesell, Alex  
**Sent:** Tuesday, June 14, 2016 12:33 PM  
**To:** Stewart, Kelly <[Kelly.Stewart@KDA.KS.GOV](mailto:Kelly.Stewart@KDA.KS.GOV)>; Billinger, Mark <[Mark.Billinger@KDA.KS.GOV](mailto:Mark.Billinger@KDA.KS.GOV)>  
**Subject:** Recomendation on 49,524

Good afternoon,

I believe this is the first New App that I have worked in the Stockton Field Office.

Could you please send your recommendation for file no. 49,524?

Thank you,

Alex Whitesell  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, KS  
(785) 564 - 6631

KANSAS DEPARTMENT OF AGRICULTURE  
Division of Water Resources

INITIAL REVIEW

TO: FILES DATE: 3.9.16

FROM: Alex Whitesell, ENVIR. SCIENTIST RE: FILE NO. 49,524

APPLICANT Bruce H Wyatt WUC \_\_\_\_\_

USE Irrigation COUNTY SA FO 3 GMD —

SURFACE WATER/GROUNDWATER TEST LOG -  YES NO M.D.S. BASIN -  YES NO

STREAM/DRAINAGE BASIN Saline River Basin SOURCE OF SUPPLY Alluvium

REASONABLE R&Q 198 AF per 153 acres YES

PLACE OF USE 153 acres in the NW 1/4 & SW 1/2 of 12-14S-4W

POINT OF DIVERSION Bottom of 4 w/ Geo center in NE SW SE 12-14S-4W

OVERLAPS \_\_\_\_\_

STUDY AREA \_\_\_\_\_ CLOSED AREA YES  NO

CONSERVATION PLAN \_\_\_\_\_ APP. & MAP AGREE \_\_\_\_\_ PROPER FORM \_\_\_\_\_ CHEMIGATION NO

LETTERS SENT Nearby Well owners 4.14

TRANSMISSIVITY: \_\_\_\_\_ COMPUTER REPORTS AND WELL MAPS CHECKED? YES NO

SAFE YIELD 2416.63 available

COMMENTS \_\_\_\_\_

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

BRUCE H WYATT  
4401 W STATE ST  
SALINA KS 67401

RE: Appropriation of Water  
File No. 49,524

Dear Mr. Wyatt:

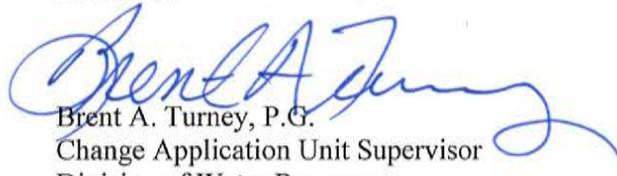
There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location 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.

Enclosed is a form which must be used to notify the Chief Engineer that the proposed diversion works have been completed. 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. 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 enclosed permit. 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.C.  
Change Application Unit Supervisor  
Division of Water Resources

BAT:ajw  
Enclosures  
pc: Stockton Field Office

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. 49,524** of the applicant

**BRUCE H WYATT  
4401 W STATE ST  
SALINA KS 67401**

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 10, 2015**.
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	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12 14S 4W							19	4	15.5	40	40	34.5					153

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of four (4) wells with a geographic center located in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 12, more particularly described as being near a point 1,771 feet North and 3,465 feet West of the Southeast corner of said section, in Township 14 South, Range 4 West, Saline 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 **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **198 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, 2017** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2021** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

12. That 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 with 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.

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 this permit is further limited such that all wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply and shall be limited to a total maximum diversion rate not in excess of eight hundred (800) gallons per minute (1.78 c.f.s.).

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 1<sup>st</sup> day of July, 2016, in Topeka, Shawnee County, Kansas.

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

State of Kansas )  
                          ) SS  
County of Riley )

The foregoing instrument was acknowledged before me this 1<sup>st</sup> day of July, 2016, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.



*Karen Hunter*  
Notary Public

### CERTIFICATE OF SERVICE

On this 1<sup>st</sup> day of July, 2016, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,524, dated July 1, 2016, was mailed postage prepaid, first class, US mail to the following:

BRUCE H WYATT  
4401 W STATE ST  
SALINA KS 67401

With photocopies to:

Division of Water Resources Stockton Field Office

  
\_\_\_\_\_  
Division of Water Resources

*[Faint handwritten text]*







THE STATE OF KANSAS



WATER RESOURCES RECEIVED

MAR 07 2016

KS DEPT OF AGRICULTURE

KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 49,524  
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

DEC 10 2015

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, Kansas 66502:

- Name of Applicant (Please Print): Bruce H. Wyatt  
Address: 4401 W. State St.  
City: Salina State Kansas Zip Code 67401  
Telephone Number: ( 785 ) 823-2806
- The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Saline 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.

- The maximum quantity of water desired is 198 acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of 800 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.

- 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

For Office Use Only:														
F.O.	<u>3</u>	GMD	<u>0</u>	Meets K.A.R. 5-3-1 (YES / NO)	Use	<u>IRR</u>	Source	<u>G/S</u>	County	<u>SA</u>	By	<u>AJW</u>	Date	<u>12.10.15</u>
Code	<u>RF2</u>	Fee \$	<u>300</u>	TR #	<u>160190446</u>	Receipt Date	<u>12-10-15</u>	Check #	<u>2808</u>					

DWR 1-100 (Revised 06/16/2014)  
**APPLICATION COMPLETE**  
09/20/2016  
Reviewer \_\_\_\_\_

SCANNED  
12/31/2015 LM

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.

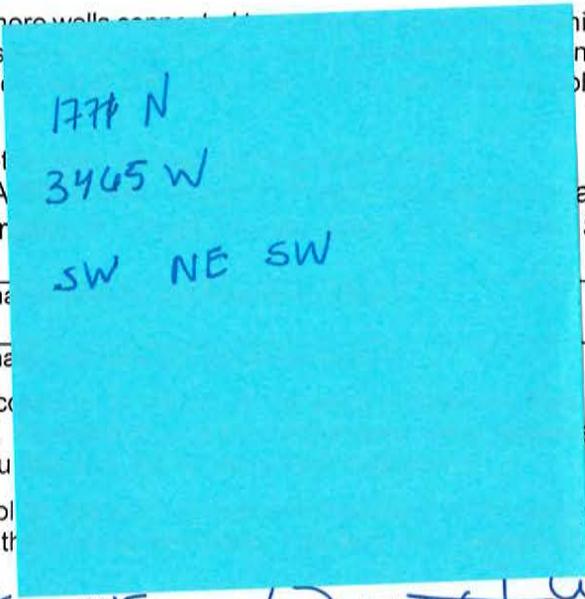
- (A) <sup>SW of the</sup> Well # 1 in northeast quarter of the southwest quarter in 12-14S-4W Saline County, Kansas, west of the Mulberry Creek, specifically 3,671 ft west and 1,742 ft north of the Southeast corner of the Section.
- (B) <sup>SW of the</sup> Well # 2 in northeast quarter of the southwest quarter in 12-14S-4W Saline County, Kansas, west of the Mulberry Creek, specifically 3,580 ft west and 2,044 ft north of the Southeast corner of the Section.
- (C) <sup>SW of the</sup> Well # 3 in northeast quarter of the southwest quarter in 12-14S-4W Saline County, Kansas, west of the Mulberry Creek, specifically 3,174 ft west and 1,579 ft north of the Southeast corner of the Section.
- (D) <sup>\* SW 1/4 of the</sup> Well # 5 in northeast quarter of the southwest quarter in 12-14S-4W Saline County, Kansas, west of the Mulberry Creek, specifically 3,433 ft west and 1,717 ft north of the Southeast corner of the Section

The GeoCenter is proposed at the same location as Well # 5 in Paragraph 5(D).

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 manifold; or not more than four wells in the same local source of supply being operated by pumps not to exceed a total maximum diversion rate of 20 gallons per minute per well to a common distribution system.

6. The owner of the point of diversion, if other than the applicant, is Bruce H. Wyatt Trust U/A Trust U/A 8/06/1986, Margaret P. Wyatt Salina, KS 67401, 785-823-2806



You must provide evidence of legal access to the landowner or the landowner's authorized representative. If you are the landowner or the landowner's authorized representative, you must provide a copy of the deed or other document with this application. In lieu thereof, you must provide a copy of the deed or other document with this application.

I have legal access to, or control over the point of diversion from the landowner or the landowner's authorized representative. I am not perjuring that the foregoing is true and correct.

Executed on December 8, 2015. [Signature]  
Updated March 4, 2016 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 up to a battery of 4 wells (number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) May 2017 (Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be May 2017 (Mo/Day/Year)

\* AJW / Based on the provided feet distances  
DWR

WATER RESOURCES RECEIVED

MAR 07 2016

SCANNED

Updated

- 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 southeast quarter of the southwest quarter of Section 12 west of Mulberry Creek in Township 14 South, Range 4 West, Saline County, Kansas.
  - (B) One in the northeast quarter of the southwest quarter of Section 12 west of Mulberry Creek in Township 14 South, Range 4 West, Saline County, Kansas.
  - (C) One in the southwest quarter of the northwest quarter of Section 12 south of the Mulberry Creek in Township 14 South, Range 4 West, Saline County, Kansas.
  - (D) One in the southeast quarter of the northwest quarter of Section 12 south and west of Mulberry Creek in Township 14 South, Range 14 West, Saline 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):
 

Bruce H. Wyatt Trust U/A 8/06/1986, Bruce H Wyatt Trustee and Margaret P. Wyatt Trust U/A 8/06/1986, Margaret P. Wyatt Trustee, 4401 W. State St. Salina, KS 67401, 785-823-2806

---

(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 December 8, 2015. Bruce H Wyatt  
 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 up to a battery of 4 wells  
(number of wells, pumps or dams, etc.)  
 and (was)(will be) completed (by) May 2017  
(Month/Day/Year - each was or will be completed)
- 8. The first actual application of water for the proposed beneficial use was or is estimated to be May 2017  
(Mo/Day/Year)

WATER RESOURCES  
RECEIVED  
  
MAR 07 2016  
  
KS DEPT OF AGRICULTURE

WATER RESOURCES  
RECEIVED  
  
DEC 10 2015  
SCANNED  
  
KS DEPT OF AGRICULTURE

- 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 No reservoir involved

- 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.

None

Note: Applicant requests 60 days to drill test holes in the southeast and northeast quarters of the southwest quarter and the southwest and southeast quarters of the northwest quarter of Section 12, Township 14 South, Range 4 West, Saline County, Kansas as more particularly described in paragraph 5 above.

WATER RESOURCES RECEIVED

WATER RESOURCES RECEIVED

MAR 07 2016

DEC 10 2015 SCANNED

KS DEPT OF AGRICULTURE



### FEE SCHEDULE

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

WATER RESOURCES RECEIVED

MAR 07 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

DEC 10 2015

SCANNED

KS DEPT OF AGRICULTURE

**IRRIGATION USE  
SUPPLEMENTAL SHEET**

File No. 49,524

Name of Applicant (Please Print): Bruce H Wyatt

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: Bruce H Wyatt Trust + Margaret P Wyatt Trust  
 ADDRESS: 4401 W State St Salina Kansas 67401

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12	14 <sup>s</sup>	4W						19	4	15½	40	40	34½					153	

**Landowner of Record** NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE													

**Landowner of Record** NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			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 RESOURCES RECEIVED

MAR 07 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

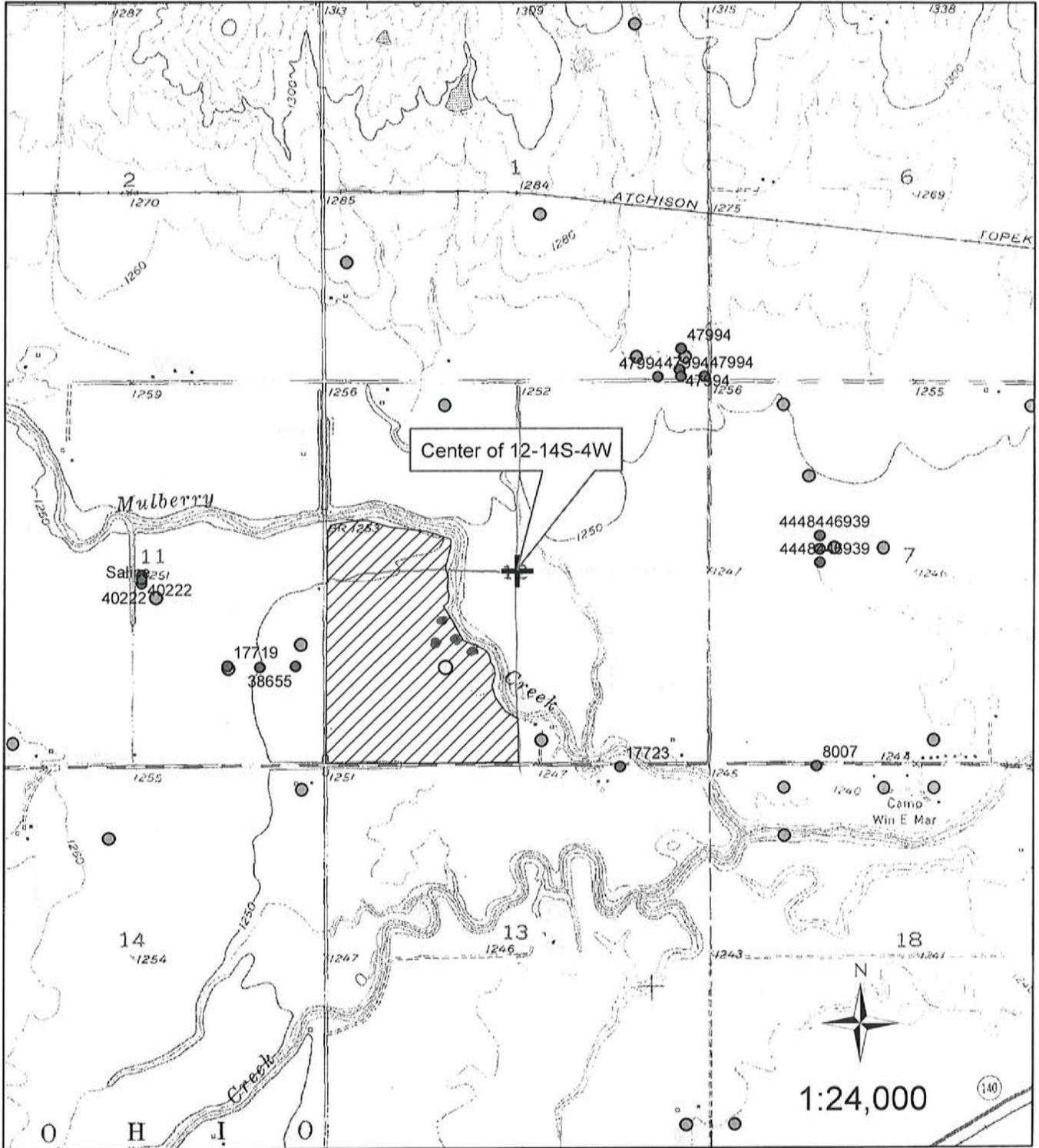
DEC 10 2015

KS DEPT OF AGRICULTURE

SCANNED

# Application to Appropriate Water for Beneficial Use

File No. 49,524



○ Proposed Point of Diversion (Requesting 60 days to locate) ● Domestic Wells

 Proposed Place of Use

The names and addresses of the landowners of all wells of any kind within 1/2 mile of the proposed point of diversion are shown.

*Brian Hyatt*  
Signature

*Dec. 8, 2015*  
Date

WATER RESOURCES RECEIVED  
MAR 07 2016

WATER RESOURCES RECEIVED  
DEC 10 2015  
KS DEPT OF AGRICULTURE

KS DEPT OF AGRICULTURE

December 8, 2015  
(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. 49,524

Minimum Desirable Streamflow

Dear Sir:

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.

Bruce H Wyatt

Signature of Applicant

Bruce H Wyatt

(Print Applicant's Name)

State of Kansas )  
County of Saline ) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 8 day of December, 2015.

Linda F Gilpin  
Notary Public

My Commission Expires:  
Sept 18, 2018

LINDA F. GILPIN  
Notary Public - State of Kansas  
My Appt. Expires 9-18-18

WATER RESOURCES RECEIVED

MAR 07 2016

WATER RESOURCES RECEIVED

SCANNED DEC 10 2015

**MINIMUM DESIRABLE STREAMFLOW 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  
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

WATER RESOURCES  
RECEIVED

MAR 07 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES  
RECEIVED

DEC 10 2015

SCANNED

KS DEPT OF AGRICULTURE

IRRIGATION TEST WELL

# 1

Driller & Assistant: Logan and Tucker Date: 2/29/16

CUSTOMER: Bruce Wyatt 4401 W. State St. Salina, KS 67401

LOCATION: 12-14-4W

- Screen 2-1/2"                       Holeplug                       Gas & Oil - W.T.                       6" or 5" Liner if needed
- Casing 2-1/2"                       Quarters                       3/4" Polyethylene                       Solvent & Glue
- Couplings, 2-1/2"                       Water                       2-1/2" PVC Tee                       Water Sample Bottle
- End Caps, 2-1/2"                       Lime                       5" & 6" Bits                       Inspection Sheet
- Gravel Pack                       Drilling Mud                       Packing

Depth:	Formation:	Well Information:
0-3'	top soil	Static Water Level: <u>20' approx</u>
3-27'	clay <del>with gravel</del>	Est. production: <u>250-350 gpm</u>
27-36'	sandy clay	Casing depth: <u>0-67' 2 1/2"</u>
36-50'	creek Gravel Red	Screen depth: <u>67-87' 2 1/2"</u>
50-68'	clay tan.	Slot size: <u>—</u>
68-73'	creek Gravel red	Grouting depth: <u>0-20</u>
73-87'	gravel and clay <u>70/30</u>	Number of bags: <u>2</u>
87-94'	Shale Red	Nearest Contamination: <u>none</u>
		<u>within 1/4 mile</u>
		Maintenance & Safety:
		Notes:

Directions:

Latitude: 38.846599 N decimal degrees (ex. 38.881796)

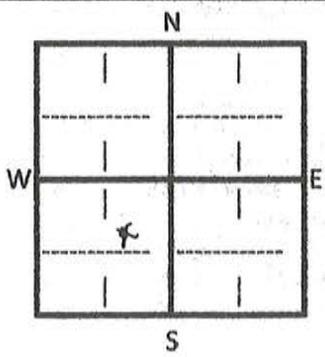
Longitude: -97.718951 W decimal degrees (ex. 95.373889)

Datum:  NAD27  NAD83  WGS84

1254

NW 1/4	SW 1/4	NE 1/4	SW 1/4
Sec. <u>12</u>	T <u>14</u>	R <u>4</u>	<u>(NW)</u>
County <u>Saline</u>			

- \$ 8<sup>00</sup> x 94' /ft. Well
- \$ 50<sup>00</sup> /Grout
- \$ N/A /Test Pumping
- \$ NONE /Water Sample
- \$ NONE /Mobilization/Travel
- Contract Received: N/A



Invoice #: 1301

Date Mailed: \_\_\_\_\_

Well Data: \_\_\_\_\_ Access: \_\_\_\_\_

Materials: \_\_\_\_\_ Incent: \_\_\_\_\_

SCANNED

WATER RESOURCES RECEIVED

MAR 07 2016

KS DEPT OF AGRICULTURE

IRRIGATION TEST WELL

#2

Driller & Assistant: Logan and Tucker Date: 2/24/16

CUSTOMER: Bruce Wyatt 4401 W. State St. Salina, KS 67401

LOCATION: 12-14-4W

- Screen 2-1/2"                       Holeplug                               Gas & Oil - W.T.                       6" or 5" Liner if needed
- Casing 2-1/2"                       Quarters                               3/4" Polyethylene                       Solvent & Glue
- Couplings, 2-1/2"                       Water                               2-1/2" PVC Tee                       Water Sample Bottle
- End Caps, 2-1/2"                       Lime                               5" & 6" Bits                       Inspection Sheet
- Gravel Pack                       Drilling Mud                               Packing

Depth:	Formation:	Well Information:
0-3'	top soil	Static Water Level: <u>17' approx</u>
3-42'	clay tan	Est. production: <u>200-300 gpm</u>
42-58'	gravel creek bed	Casing depth: <u>—</u>
58-62'	clay	Screen depth: <u>—</u>
62-72'	gravel creek clearance (NOT AS REQ)	Slot size: <u>—</u>
72-85'	shale red	Grouting depth: <u>0-80'</u>
		Number of bags: <u>3</u>
		Nearest Contamination:
		Maintenance & Safety:
		Notes:

Directions:

Latitude: 38.84738735 N decimal degrees (ex. 38.881796)

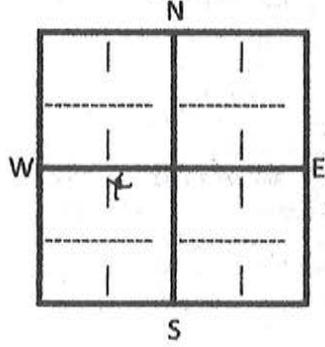
Longitude: -97.71837653 W decimal degrees (ex. 95.373889)

Datum:  NAD27  NAD83  WGS84

1249

SE 1/4	NW 1/4	NE 1/4	SW 1/4
Sec. <u>12</u>	T <u>14</u>	R <u>4</u>	<u>(W)</u>
County <u>Salina</u>			

- \$ 8<sup>00</sup> x 80' /ft. Well
- \$ 50<sup>00</sup> /Grout
- \$ N/A /Test Pumping
- \$ N/A /Water Sample
- \$ N/A /Mobilization/Travel
- Contract Received: N/A



Invoice #: 1301

Date Mailed: \_\_\_\_\_

Well Data: \_\_\_\_\_ Access: \_\_\_\_\_

Materials: \_\_\_\_\_ Incent: \_\_\_\_\_

SCANNED

WATER RESOURCES RECEIVED

MAR 07 2016

IRRIGATION TEST WELL

# 3

Driller & Assistant: Logan and Tucker Date: 2/24/16

CUSTOMER: Bruce Wyatt 4401 W. State St. Salina, KS 67401

LOCATION: 12-14-4W

- Screen 2-1/2"       Holeplug       Gas & Oil - W.T.       6" or 5" Liner if needed
- Casing 2-1/2"       Quarters       3/4" Polyethylene       Solvent & Glue
- Couplings, 2-1/2"       Water       2-1/2" PVC Tee       Water Sample Bottle
- End Caps, 2-1/2"       Lime       5" & 6" Bits       Inspection Sheet
- Gravel Pack       Drilling Mud       Packing

Depth:	Formation:	Well Information:
0-3'	top soil	Static Water Level: <u>17' Approx</u>
3-37'	clay tan	Est. production: <u>300-400 gpm</u>
37-40'	sandy clay	Casing depth: <u><del>75' 2 1/2"</del></u>
40-57'	gravel creek Red	Screen depth: <u><del>70' 9" 1 1/2"</del></u>
57-66'	sandy clay	Slot size: <u>saw cut</u>
66-83'	gravel creek clean Red	Grouting depth: <u>0-20'</u>
83-90'	Shale Grey	Number of bags: <u>3</u>
		Nearest Contamination: <u>None</u>
		<u>within 1/4 mile</u>
		Maintenance & Safety:
	<u>38.846/06</u>	
	<u>-97.71692157</u>	
	<del>38.84688053</del>	
	<del>-97.71758837</del>	
		Notes:

Directions:

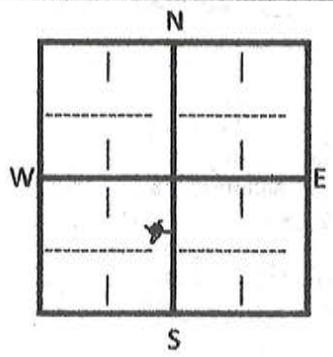
Latitude: ~~38.84607748~~ N decimal degrees (ex. 38.881796)

Longitude: ~~-97.71674829~~ W decimal degrees (ex. 95.373889)

Datum:  NAD27  NAD83  WGS84

1249

SW 1/4	SE 1/4	NE 1/4	SW 1/4
Sec. <u>12</u>	T <u>14</u>	R <u>4</u>	<del>(W)</del>
County <u>Saline</u>			



- \$ 8<sup>00</sup> x 90' /ft. Well
- \$ 50<sup>00</sup> /Grout
- \$ N/A /Test Pumping
- \$ NONE /Water Sample
- \$ NONE /Mobilization/Travel
- Contract Received: N/A

Invoice #: 1301

Date Mailed: \_\_\_\_\_

Well Data: \_\_\_\_\_ Access: \_\_\_\_\_

Materials: \_\_\_\_\_ Incent: \_\_\_\_\_

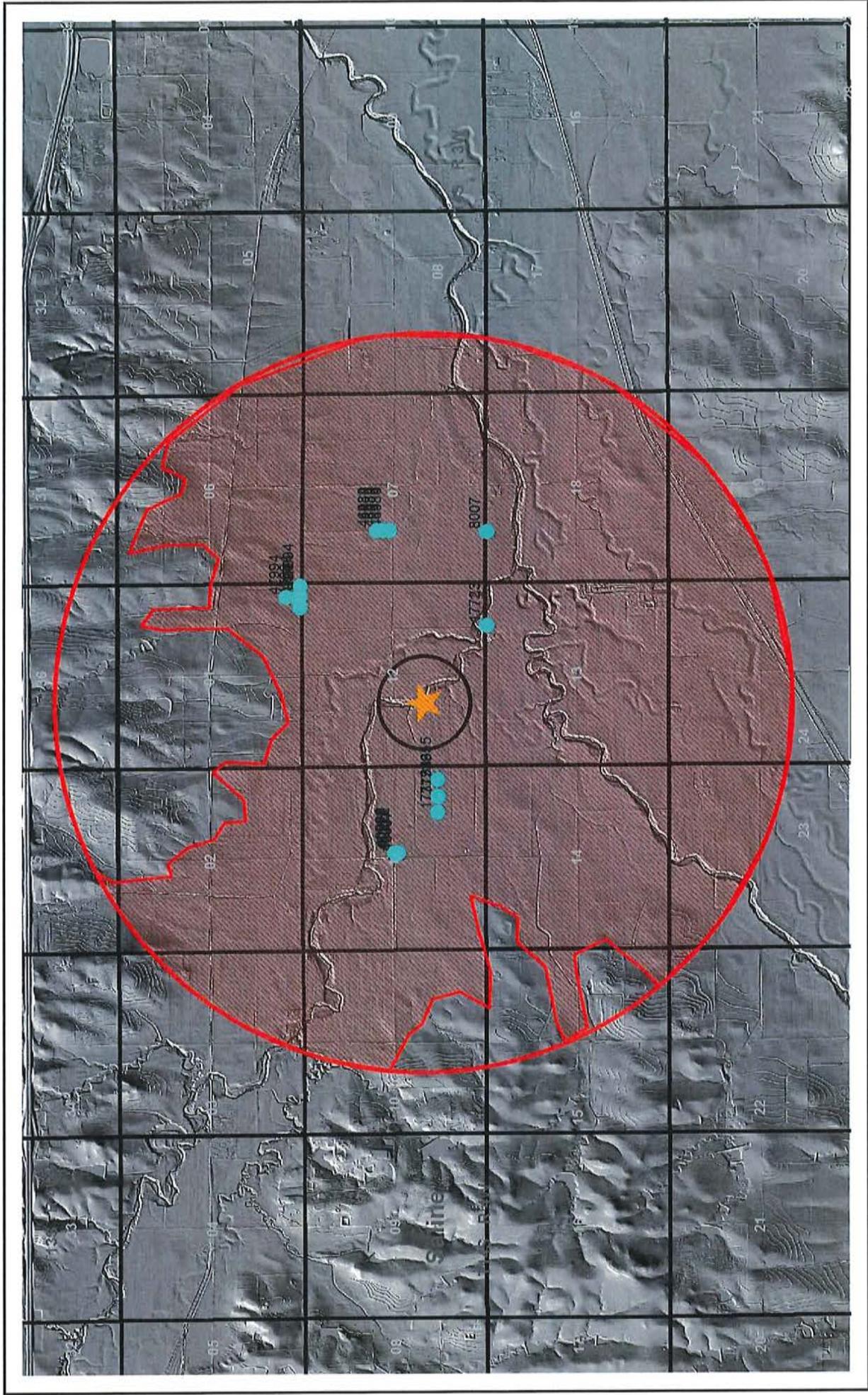
**SCANNED**  
**WATER RESOURCES**  
**RECEIVED**

**MAR 07 2016**

KS DEPT OF AGRICULTURE



# Safe Yield File No. 49,524



AJWDWR  
Date: 3/8/2016

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

1717 ft N and 3433 ft W of the SE Corner of Section 12, T 14S, R 4W

Located at: 97.717558 West Longitude and 38.846435 North Latitude

GROUNDWATER ONLY

```

=====
File Number  Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan Unit
A__  8007 00 IRR NK G      4910 -- NE NW NW ----- 18 14 3W 1      60.00 60.00 AF
A__  17719 00 IRR NK G      3187 -- -- NC SE 1330 1335 11 14 4W 7      106.00 106.00 AF
A__  17723 00 IRR NK G      2840 -- NW NE NE 5180 1255 13 14 4W 1      45.00 45.00 AF
A__  37739 00 IRR NK G      2846 -- NW SE SE 1315  990 11 14 4W 2      50.00 50.00 AF
A__  38655 00 IRR NK G      2252 -- SE NE SE 1350  395 11 14 4W 3      42.00 42.00 AF
A__  40222 00 REC NK G      4431 -- NW NW SE 2575 2512 11 14 4W 9 G 2      20.00 20.00 AF
Same                4442 -- NW NW SE 2631 2512 11 14 4W 5 B 2
Same                4420 -- NW NW SE 2518 2512 11 14 4W 8 B 2
A__  44484 00 MUN LO G      5100 -- SW SE NW 2993 3963  7 14 3W 1 G 2      138.10  .00 AF
Same                5057 -- SW SE NW 2807 3964  7 14 3W 2 B 2
Same                5148 -- SW SE NW 3179 3963  7 14 3W 3 B 2
A__  45007 00 IRR LR G      4431 -- NW NW SE 2575 2512 11 14 4W 9 G 2      233.00 233.00 AF
Same                4442 -- NW NW SE 2631 2512 11 14 4W 5 B 2
Same                4420 -- NW NW SE 2518 2512 11 14 4W 8 B 2
A__  46939 00 MUN KE G      5100 -- SW SE NW 2993 3963  7 14 3W 1 G 2      57.73  9.21 AF
Same                5057 -- SW SE NW 2807 3964  7 14 3W 2 B 2
Same                5148 -- SW SE NW 3179 3963  7 14 3W 3 B 2
A__  47994 00 IRR LO G      4896 -- SE SE SE  200  344  1 14 4W 2 G 4      195.00 195.00 AF
Same                4944 -- SE SE SE  443  582  1 14 4W 3 B 4
Same                5002 -- SE SE SE   64  29  1 14 4W 4 B 4
Same                4736 -- SE SE SE   53  417  1 14 4W 5 B 4
Same                4925 -- SE SE SE  241  348  1 14 4W 6 B 4
A__  49524 00 IRR AY G       103 -- -- -- SW 1815 3465 12 14 4W 2      198.00 198.00 AF
=====

```

```

Total Net Quantities Authorized:  Direct      Storage
Total Requested Amount (AF) =    198.00      .00
Total Permitted Amount (AF) =     9.21      .00
Total Inspected Amount (AF) =   428.00      .00
Total Pro_Cert Amount (AF) =     .00      .00
Total Certified Amount (AF) =   323.00      .00
Total Vested Amount (AF) =     .00      .00
TOTAL AMOUNT (AF) =    958.21      .00

```

An \* after the source of supply indicates a pending application for change for the file number.  
 An \* after the ID indicates a 15 AF exemption was granted for 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:

97.717558 West Longitude and 38.846435 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

```

=====
File Number  Use ST SR
A__  8007 00 IRR NK G
> MARGARET P & BRUCE H WYATT TRUSTS
>

```

> 4401 W STATE ST  
> SALINA KS 67401

-----  
A\_\_ 17719 00 IRR NK G  
> CHARLES W & CAROLYN L WALKER  
>  
> 901 S HEDVILLE RD  
> SALINA KS 67401

-----  
A\_\_ 17723 00 IRR NK G  
> MARGARET P & BRUCE H WYATT TRUSTS  
>  
> 4401 W STATE ST  
> SALINA KS 67401

-----  
A\_\_ 37739 00 IRR NK G  
> CHARLES W & CAROLYN L WALKER  
>  
> 901 S HEDVILLE RD  
> SALINA KS 67401

-----  
A\_\_ 38655 00 IRR NK G  
> CHARLES W & CAROLYN L WALKER  
>  
> 901 S HEDVILLE RD  
> SALINA KS 67401

-----  
A\_\_ 40222 00 REC NK G  
> ROLLING HILLS RANCH LP  
>  
> PO BOX 856  
> SALINA KS 67402

-----  
A\_\_ 44484 00 MUN LO G  
> SALINE RWD 04  
> DARRELL GRIFFIN  
> 4744 W PLEASANT HILL RD  
> SALINA KS 67401

-----  
A\_\_ 45007 00 IRR LR G  
> ROLLING HILLS REFUGE WILDLIFE CONSERVATION CENTER  
>  
> 625 N HEDVILLE RD  
> SALINA KS 67401

-----  
A\_\_ 46939 00 MUN KE G  
> SALINE RWD 04  
> DARRELL GRIFFIN  
> 4744 W PLEASANT HILL RD  
> SALINA KS 67401

-----  
A\_\_ 47994 00 IRR LO G

> MARGARET P & BRUCE H WYATT TRUSTS  
>  
> 4401 W STATE ST  
> SALINA KS 67401

>-----

A\_\_ 49524 00 IRR AY G

> MARGARET P & BRUCE H WYATT TRUSTS  
>  
> 4401 W STATE ST  
> SALINA KS 67401

>-----

=====

**Analysis Results**

The selected PD is in an area to new appropriations.  
 The safe yield, based on the variables listed below is 1,188.46 AF.  
 Total prior appropriation in the circle is 760.21 AF.  
 Total quantity of water available for appropriation is 428.25 AF.

946.83 total appropriations (includes additional sty)  
 241.63 available

**Safe Yield Variables**

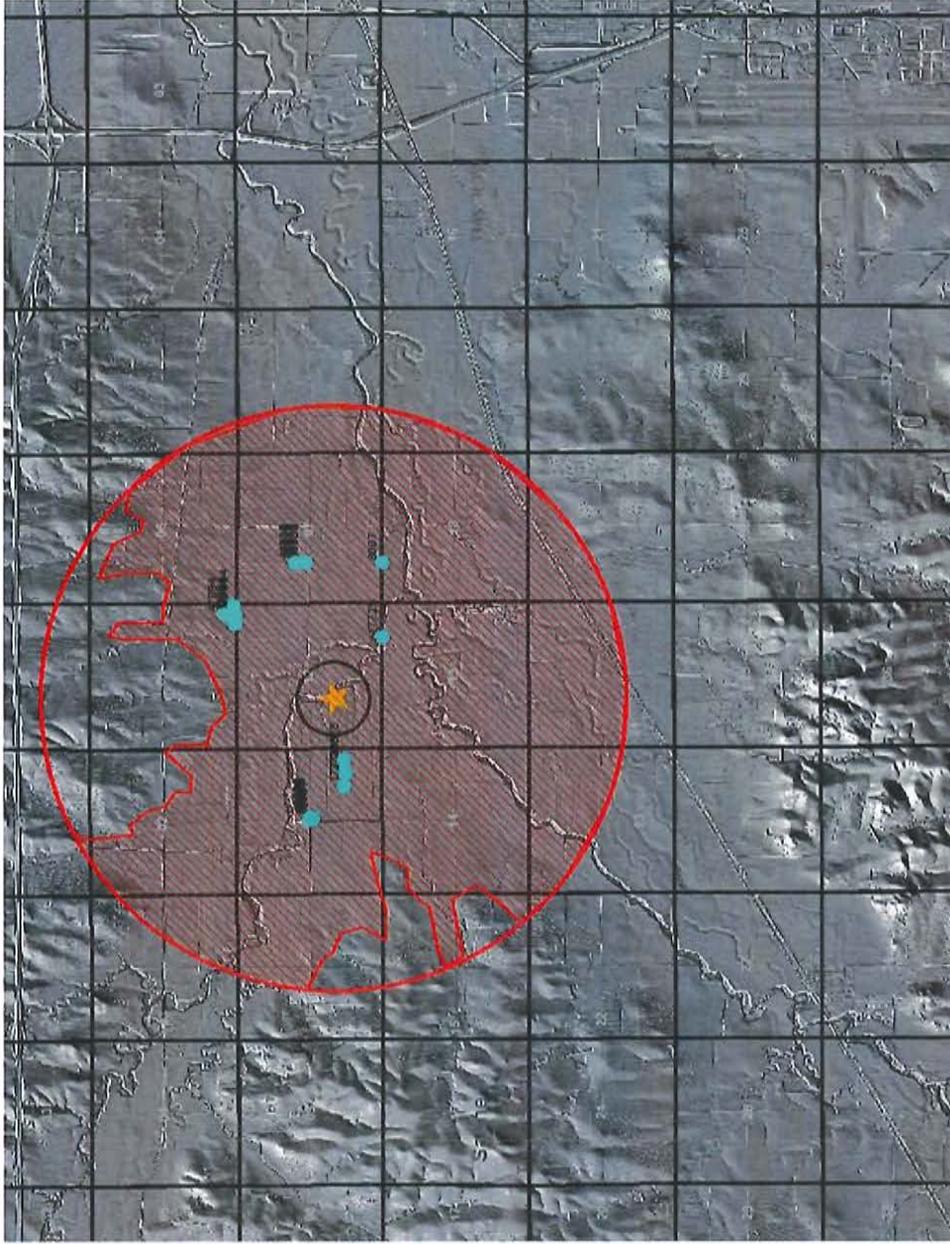
The area used for the analysis is set at 6557 acres.  
 Potential annual recharge of the area is estimated to be 2.9 inches.  
 The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 08-MAR-2016 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 10 water right(s) and 16 point(s) of diversion within the circle.

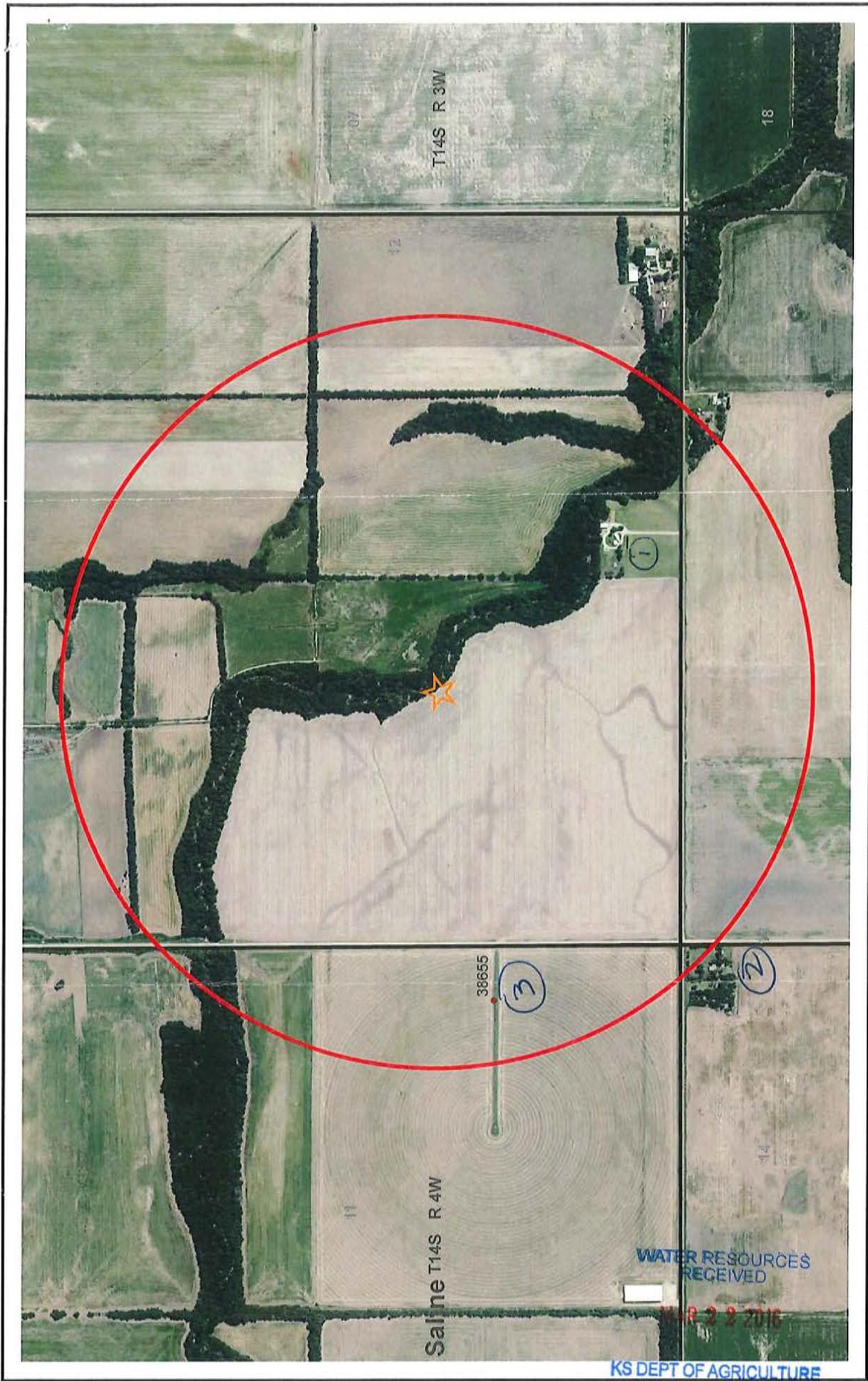
File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth	Quant	Add	Quant	Tacres	Nacres
A 8007	00	IRR	NK	G	NE	NW	NW	0	18	14	03W	1	WR	60.00	60.00	40.00	40.00	40.00	40.00	
A 17719	00	IRR	NK	G	NC	SE	SE	1330	1335	11	14	04W	7	WR	106.00	106.00	132.00	132.00	132.00	
A 17723	00	IRR	NK	G	NW	NE	NE	5180	1255	13	14	04W	1	WR	45.00	45.00	33.00	33.00	33.00	
A 37739	00	IRR	NK	G	NW	SE	SE	1315	990	11	14	04W	2	WR	50.00	50.00	132.00	132.00	0.00	
A 38655	00	IRR	NK	G	SE	NE	SE	1350	395	11	14	04W	3	WR	42.00	42.00	132.00	132.00	0.00	
A 40222	00	REC	NK	G	NW	NW	SE	2631	2512	11	14	04W	5	WR	20.00	20.00				
Same		REC	NK	G	NW	NW	SE	2518	2512	11	14	04W	8	WR						
Same		REC	NK	G	NW	NW	SE	2575	2512	11	14	04W	9	WR						
A 44484	00	MUN	LO	G	SW	SE	NW	2993	3963	07	14	03W	1	WR	138.10	0.00				
Same		MUN	LO	G	SW	SE	NW	2807	3964	07	14	03W	2	WR						
Same		MUN	LO	G	SW	SE	NW	3179	3963	07	14	03W	3	WR						
A 45007	00	IRR	LR	G	NW	NW	SE	2631	2512	11	14	04W	5	WR	233.00	233.00	147.00	147.00	147.00	
Same		IRR	LR	G	NW	NW	SE	2518	2512	11	14	04W	8	WR						
Same		IRR	LR	G	NW	NW	SE	2575	2512	11	14	04W	9	WR						
A 46939	00	MUN	KE	G	SW	SE	NW	2993	3963	07	14	03W	1	WR	57.73	9.21				
Same		MUN	KE	G	SW	SE	NW	2807	3964	07	14	03W	2	WR						
Same		MUN	KE	G	SW	SE	NW	3179	3963	07	14	03W	3	WR						
A 47994	00	IRR	LO	G	SE	SE	SE	200	344	01	14	04W	2	WR	195.00	195.00	150.00	150.00	150.00	
Same		IRR	LO	G	SE	SE	SE	443	582	01	14	04W	3	WR						
Same		IRR	LO	G	SE	SE	SE	64	29	01	14	04W	4	WR						
Same		IRR	LO	G	SE	SE	SE	53	417	01	14	04W	5	WR						
Same		IRR	LO	G	SE	SE	SE	241	348	01	14	04W	6	WR						

Safe Yield Report Sheet  
Proposed Water Right Application  
Point of Diversion in NESWNE12-14S-04W



Point of Diversion in NESWNE12-14S-04W

# One Half (1/2) Mile Circle File No. 49,524



I declare that the names and addresses of the landowners of all wells of any kind within 1/2 mile of the proposed point of diversion are shown.

Signature: *[Handwritten Signature]*

N  
AJW/DWR  
Date: 3/9/2016

SCANNED



BRUCE H. WYATT  
ATTORNEY AT LAW

By FedEx

March 4, 2016

Kristen A. Baum, Environmental Scientist  
Water Appropriation Program  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, Kansas 66502

Re: Pending Application, File No. 49,524

Dear Ms. Baum,

In response to your letter of January 7, 2016, indicating that the enclosed information should be returned prior to February 10, 2016, as extended to April 11, 2016 by Alex Whitesell's letter of January 13, 2016, I am enclosing the completed Application for Permit to Appropriate Water for Beneficial Use under the above referenced File No. 49, 524.

I have attached logs for four test holes prepared by Peterson McNett Drilling, Inc. of Lindsborg, Kansas, as requested in your letter. If you have any questions regarding the test log, please contact either Mike Peterson or Logan McNett directly at 785-227-8386.

I understand that you will contact me if you need further information or have any questions, and I would appreciate confirmation if you do not need anything more.

Thank you for your attention to this matter.

Encl.

Sincerely yours,



Cc: David Means, Stockton w/Logs  
Map and Location in Feet  
Mike Peterson

WATER RESOURCES  
RECEIVED

MAR 07 2016

KS DEPT OF AGRICULTURE

SCANNED

49,524

BRUCE H. WYATT  
ATTORNEY AT LAW

Hand Delivered

December 10, 2015

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

WATER RESOURCES  
RECEIVED

DEC 10 2015

KS DEPT OF AGRICULTURE

Re: 12-14S-4W

Dear Sir,

Please find the following enclosed documents for filing in your office:

Application for Permit to Appropriate Water for Beneficial Use

Map indicating proposed place of use

Irrigation Use Supplemental Sheet

Minimum Desirable Streamflow

Check payable to the Kansas Department of Agriculture in the amount of  
\$300.00 in payment of the required filing fee

I understand you will forward to me an acknowledgment indicating the date of  
receipt.

Thank you for your attention to this matter.

Encls.

Sincerely yours,

WATER RESOURCES  
RECEIVED

MAR 07 2016

KS DEPT OF AGRICULTURE

SCANNED

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

April 14, 2016

DALLAS RICHARDSON  
5645 W STATE ST  
SALINA KS 67401

Re: Application  
File No. 49,524

Dear Sir or Madam:

This is to advise you that Bruce H. Wyatt has filed the application referred to above for permit to appropriate 198 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

a battery of four (4) wells with a geographic center located in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 12, more particularly described as being near a point 1,717 feet North and 3,433 feet West of the Southeast corner of said section, in Township 14 South, Range 4 West, Saline County, Kansas.

A copy of an aerial photograph depicting the location of the proposed point of diversion is also enclosed. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location(s) of the applicant's point(s) 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.

If you have any questions, please contact me at (785) 564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

Enclosure(s)  
pc: Stockton Field Office

SCANNED

# Bruce Wyatt Half Mile Circle File No. 49,524



0 0.25 0.5 0.75 1 Miles

AJWDWR  
Date: 4/14/2016





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

April 14, 2016

ROLLING HILLS RANCH LLC  
500 GRAVES BLVD  
SALINA KS 67401

Re: Application  
File No. 49,524

Dear Sir or Madam:

This is to advise you that Bruce H. Wyatt has filed the application referred to above for permit to appropriate 198 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

a battery of four (4) wells with a geographic center located in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 12, more particularly described as being near a point 1,717 feet North and 3,433 feet West of the Southeast corner of said section, in Township 14 South, Range 4 West, Saline County, Kansas.

A copy of an aerial photograph depicting the location of the proposed point of diversion is also enclosed. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location(s) of the applicant's point(s) 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.

If you have any questions, please contact me at (785) 564-6631. If you call, please reference the file number so we can help you more efficiently.

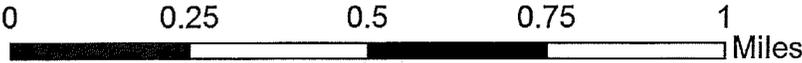
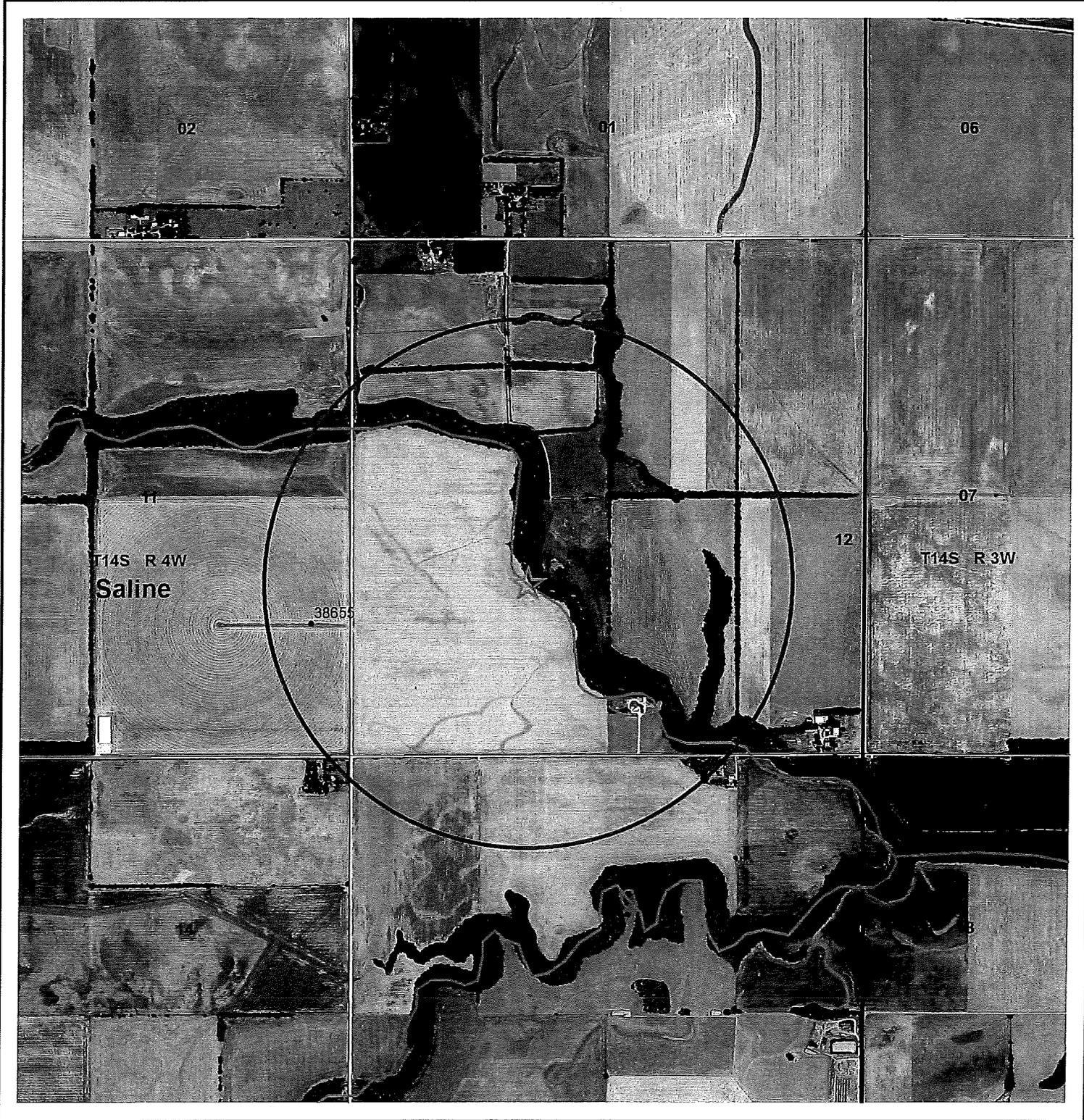
Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

Enclosure(s)  
pc: Stockton Field Office

SCANNED

# Bruce Wyatt Half Mile Circle File No. 49,524



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

April 14, 2016

ER HOLMAN  
5152 W STATE ST  
SALINA KS 67401

Re: Application  
File No. 49,524

Dear Sir or Madam:

This is to advise you that Bruce H. Wyatt has filed the application referred to above for permit to appropriate 198 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from a well or wells located as follows:

a battery of four (4) wells with a geographic center located in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 12, more particularly described as being near a point 1,717 feet North and 3,433 feet West of the Southeast corner of said section, in Township 14 South, Range 4 West, Saline County, Kansas.

A copy of an aerial photograph depicting the location of the proposed point of diversion is also enclosed. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location(s) of the applicant's point(s) 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.

If you have any questions, please contact me at (785) 564-6631. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

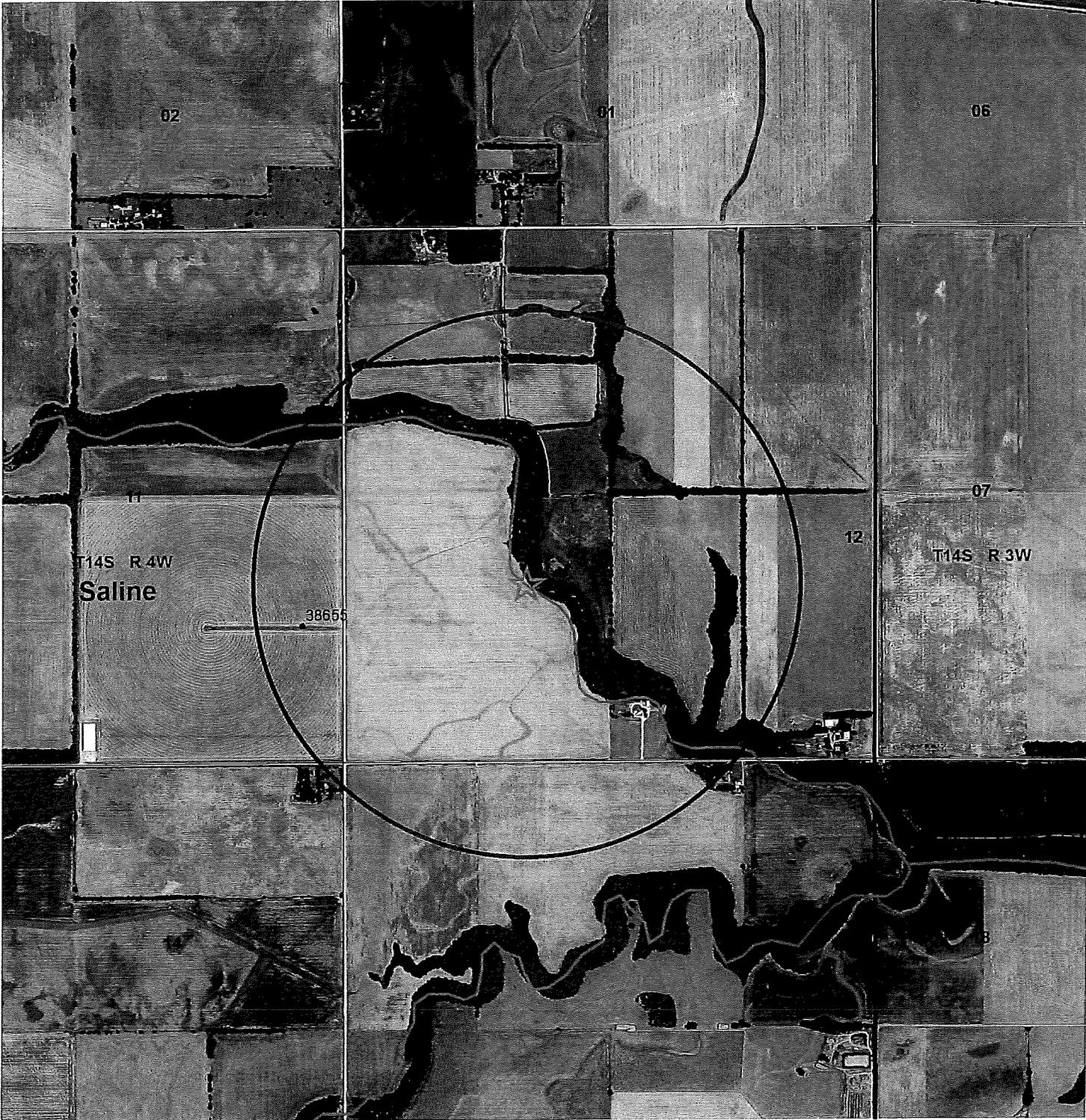
A handwritten signature in black ink, appearing to read "Alex Whitesell".

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

Enclosure(s)  
pc: Stockton Field Office

SCANNED

# Bruce Wyatt Half Mile Circle File No. 49,524



0 0.25 0.5 0.75 1 Miles

AJW/DWR  
Date: 4/14/2016



BRUCE H. WYATT  
ATTORNEY AT LAW

WATER RESOURCES  
RECEIVED

MAR 22 2016

KS DEPT OF AGRICULTURE

By FedEx

March 21, 2016

Alex Whitesell, Environmental Scientist  
Water Appropriation Program  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, Kansas 66502

Re: Pending Application, File No. 49,524

Dear Mr. Whitesell,

In response to your letter of March 10, 2016, indicating that the enclosed information should be returned prior to March 25, 2016, set forth below are the names and mailing addresses of the well owners within one-half mile of the point of diversion. I have signed the map enclosed with your letter of March 10 and have also signed another copy of the map enclosed with my Application filed December 10, 2015, both of which maps are enclosed, showing the well locations numbered to correspond to the following information. My apologies for not including this information with my letter of March 4, which identified the location of the four test holes. I simply overlooked adding this information.

Domestic Wells

1. E. R. Holman, 5152 W. State St., Salina, Kansas, 67401. I understand that Mr. Holman recently passed away in December, 2015.
2. Dallas Richardson, 5645 W. State St., Salina, Kansas 67401. I am not sure if the domestic well located on this property is within the ½ mile radius but have included it for your consideration.

Irrigation Well

3. Rolling Hills Ranch LLC, 500 Graves Blvd., Salina, Kansas 67401. This covers Water Permit 38655. On one of the maps, a domestic well is indicated on this property, Section 11-14S-R4W, but there is no farm, house or other building located at that location on Section 11.

I understand that you will contact me if you need further information or have any questions.

SCANNED

Thank you for your attention to this matter.

Encls.

Sincerely yours,

Cc: David Means, Stockton  
Mike Peterson

A handwritten signature in blue ink, appearing to read "Bruce Wyatt", is written over the typed name "Sincerely yours,".

WATER RESOURCES  
RECEIVED

MAR 22 2016

KS DEPT OF AGRICULTURE

SCANNED

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 10, 2016

BRUCE H WYATT  
4401 W STATE ST  
SALINA KS 67401

Re: Pending Application,  
File No. 49,524

Dear Mr. Wyatt:

After a review of your above referenced application for permit to appropriate water received in this office on December 10, 2015, it was noted that more information is needed to process your application.

Included with your application was a signed map indicating that all wells within one-half (1/2) mile had been provided. Our records show that there are potential wells near your proposed point of diversion. The locations of all other water wells of every kind within one-half mile (1/2) of the point of diversion must be plotted on the topographical map as well. Each well should be identified as to its use (e.g. domestic, irrigation, industrial, etc.) and must **include the name and mailing address of the well owner**. A signed statement should be included on the map declaring that all wells within one-half mile (1/2) of the point of diversion have been plotted, or it should declare that none exist.

In order to retain its priority of filing, the attachments must be returned to this office with the requested information on or before **March 25, 2016**, or within any authorized extension of time thereof. According to law, default in re-filing of the completed attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

Upon return of the acceptable application with required original signatures and information, it will be assigned a priority based upon the date and time it is received in the office of the Chief Engineer. If you have any questions, please contact me at (785) 564-6631 or [alexander.whitesell@kda.ks.gov](mailto:alexander.whitesell@kda.ks.gov).

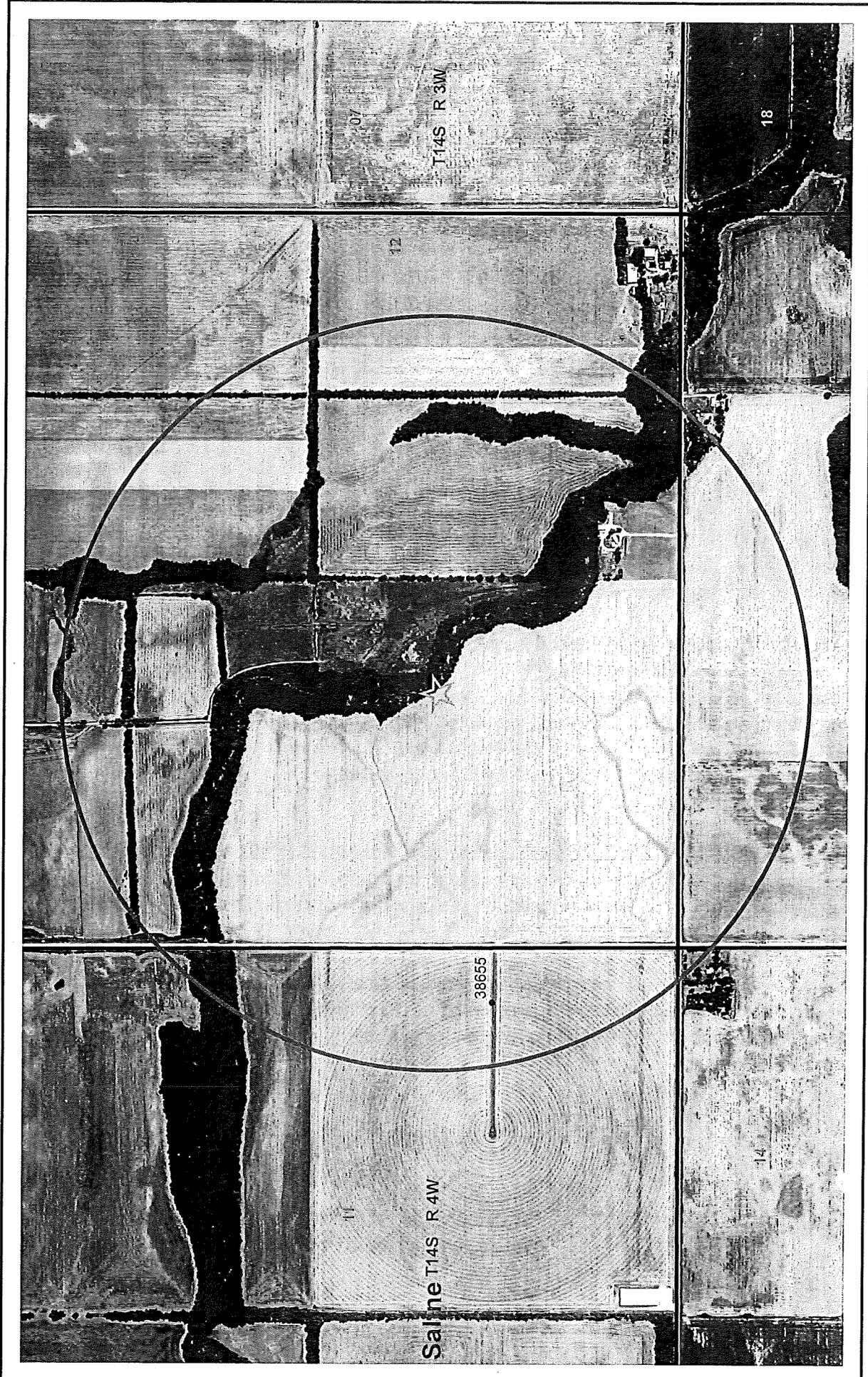
Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

Enclosures

Pc: Stockton Field Office

# One Half (1/2) Mile Circle File No. 49,524



I declare that the names and addresses of the landowners of all wells of any kind with 1/2 mile of the proposed point of diversion are shown.

Signature: \_\_\_\_\_





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

January 13, 2016

BRUCE H WYATT  
4401 W STATE ST  
SALINA KS 67401

FILE COPY

Re: Pending Application,  
File No. 49,524

Dear Mr. Wyatt:

In response to your written request by electronic mail received in this office on January 11, 2016, the Chief Engineer is allowing an extension of time for sixty (60) days, in which to supply further information concerning the above referenced file. The original application was returned to you on January 7, 2016, and with this extension of time, the revised deadline will be **April 11, 2016**.

Extension requests are evaluated on a case by case basis. Since it appears that no pending application would be adversely affected by granting this extension, you are being allowed an additional 60 days. If you determine that additional time will be needed, you may submit another request for an extension prior to the deadline given above. Please note that since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

In order to retain its priority of filing, the original application and attachments must be returned to this office with the requested information on or before **April 11, 2016**, or within any authorized extension of time thereof. According to law, default in refiling of the completed application and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 564-6627 or by email at [kristen.baum@kda.ks.gov](mailto:kristen.baum@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Alex Whitesell  
Environmental Scientist  
Water Appropriation Program

pc: Stockton Field Office

SCANNED

## Whitesell, Alex

---

**From:** Baum, Kristen  
**Sent:** Monday, January 11, 2016 2:09 PM  
**To:** Whitesell, Alex  
**Subject:** FW: Extension Request

**From:** [wyattsalina@aol.com](mailto:wyattsalina@aol.com) [<mailto:wyattsalina@aol.com>]  
**Sent:** Monday, January 11, 2016 1:45 PM  
**To:** Baum, Kristen  
**Cc:** Means, David; [peteronirrigation@yahoo.com](mailto:peteronirrigation@yahoo.com)  
**Subject:** Extension Request

Dear Kristen,

Following our telephone conversation this morning, I would respectfully request a 60 day extension of time from February 10, 2016, in which to determine the site of the battery of wells with relation to Pending Application File No. 49,524. The extension would give us until April 10, 2016 in which to get the driller on site, drill and locate the wells, make the necessary findings and provide the information to you.

As I explained in our telephone conversation, I had assumed that the 60 days would start upon my receipt of your letter dated January 7, 2016, as has been the case in the past. You explained that the new policy is that the 60 day period starts running from the date of the original filing, in this case December 10, 2015. This was my misunderstanding and I appreciate your consideration.

I understand your response will be by letter. Thank you.

Bruce Wyatt

This email, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and /or confidential information. If you are not the intended recipient of this email, you are hereby notified that any dissemination, distribution or copying of this email, and any attachments thereto, is strictly prohibited. If you have received this email in error, please immediately notify me at (785) 825-2366 and permanently delete the original and any copy thereof.

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

January 7, 2016

BRUCE H WYATT  
4401 W STATE ST  
SALINA KS 67401

Re: Pending Application,  
File No. 49,524

Dear Mr. Wyatt:

After a preliminary review of your above referenced application for permit to appropriate water received in this office on December 10, 2015, it is being returned to you for additional information. In your original application, you requested a 60-day period of time in which to determine the precise location for your point of diversion within a specified quarter section tract of land described as the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 12, in Township 14 South, Range 4 West, Saline County, Kansas.

Once you've determined the precise location for your point of diversion, complete the rest of Paragraph No. 5 of your application by providing the description for the 10-acre tract location of the point of diversion as well as the feet distances North and West of the Southeast corner of the Section. The location of the point of diversion must also be plotted on the topographical map included. In the case of a battery of wells, please provide the description of the location of the proposed geographic center of the well battery, as well as **the location for each of the individual wells comprising the battery of wells**.

Paragraph No. 13 of the application requests well information so the source of supply of the proposed well may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of a well or test hole within 300 feet of the proposed point of diversion. Please supply the indicated information and a test hole log or a driller's log with the returned application.

In order to retain its priority of filing, the original application and attachments must be returned to this office with the requested information on or before **February 10, 2016**, or within any authorized extension of time thereof. According to law, default in refiling of the completed application and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 564-6627 or by email at [kristen.baum@kda.ks.gov](mailto:kristen.baum@kda.ks.gov). If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Kristen A. Baum  
Environmental Scientist  
Water Appropriation Program

enclosures  
pc: Stockton Field Office

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 49524  
This item to be completed by the Division of Water Resources.

WATER RESOURCES  
RECEIVED

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

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

DEC 10 2015

1:11  
KS DEPT OF AGRICULTURE

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): Bruce H. Wyatt  
Address: 4401 W. State St.  
City: Salina State Kansas Zip Code 67401  
Telephone Number: ( 785 ) 823-2806

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Saline 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 198 acre-feet OR \_\_\_\_\_ gallons per calendar year,  
to be diverted at a maximum rate of 800 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

For Office Use Only:					
F.O. <u>3</u>	GMD <input type="checkbox"/>	Meets K.A.R. 5-3-1 (YES/NO)	Use <u>IRR</u>	Source <u>G/S</u>	County <u>SA</u>
Code <u>REZ</u>	Fee \$ <u>300</u>	TR # <u>16019044</u>	Receipt Date <u>12-10-15</u>	Check # <u>2808</u>	By <u>AJW</u> Date <u>12/10/15</u>

SCANNED

12/31/2015 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 southeast quarter of the southwest quarter of Section 12 west of Mulberry Creek in Township 14 South, Range 4 West, Saline County, Kansas.
- (B) One in the northeast quarter of the southwest quarter of Section 12 west of Mulberry Creek in Township 14 South, Range 4 West, Saline County, Kansas.
- (C) One in the southwest quarter of the northwest quarter of Section 12 south of the Mulberry Creek in Township 14 South, Range 4 West, Saline County, Kansas.

(D) One in the southeast quarter of the northwest quarter of Section 12 west of Mulberry Creek in Township 14 South, Range 14 West, Saline County, Kansas. *60 Days to locate*

If the source of supply is groundwater, a separate well or battery of wells, except that a single application may include the same local source of supply which do not exceed a total maximum diversion rate of 100 gpm per well or battery of wells. A battery of wells is defined as two or more wells in the same local source of supply which do not exceed a total maximum diversion rate of 100 gpm per well or battery of wells. A well or battery of wells shall not be located within a 1/4 mile radius of any other well or battery of wells. A well or battery of wells shall not be located within a 1/4 mile radius of any other well or battery of wells. A well or battery of wells shall not be located within a 1/4 mile radius of any other well or battery of wells.

*SW 1/4*  
*1815 N*  
*3465 W*

6. The owner of the point of diversion, if other than the landowner, is Bruce H. Wyatt Trust U/A 8/06/1986, Margaret L. Wyatt Trust U/A 8/06/1986, Margaret L. Wyatt Trust U/A 8/06/1986, Margaret L. Wyatt Trust U/A 8/06/1986 (name, address, and telephone number)

785-823-2806 (name, address, and telephone number)

*60 Days to locate*

*SW 1/4*

*1815 N*

*3465 W*

P. Wyatt  
Saline, KS 67401,

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 December 8, 2015. Bruce H. Wyatt  
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 up to a battery of 4 wells (number of wells, pumps or dams, etc.) and (was)(will be) completed (by) May 2017 (Month/Day/Year - each was or will be completed)
- 8. The first actual application of water for the proposed beneficial use was or is estimated to be May 2017 (Mo/Day/Year)

9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?  
 Yes  No If "yes", a check valve shall be required.

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

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

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

- If yes, show the Water Structures permit number here \_\_\_\_\_
- If no, explain here why a Water Structures permit is not required No reservoir involved

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.

None

Note: Applicant requests 60 days to drill test holes in the southeast and northeast quarters of the southwest quarter and the southwest and southeast quarters of the northwest quarter of Section 12, Township 14 South, Range 4 West, Saline County, Kansas as more particularly described in paragraph 5 above.

WATER RESOURCES RECEIVED

DEC 10 2015 SCANNED

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    \_\_\_\_\_

Total depth of well    \_\_\_\_\_

Depth to water bearing formation    \_\_\_\_\_

Depth to static water level    \_\_\_\_\_

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/agent.  
(owner, tenant, agent or otherwise)

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

Bruce H. Wyatt Trust U/A 8/06/1986 and Margaret P. Wyatt Trust U/A 8/06/1986, 4401 W. State St., Salina, KS 67401 785-823-2806  
(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 Salina, Kansas, this 8<sup>th</sup> day of December, 2015.  
(month) (year)

  
(Applicant Signature)  
Bruce H Wyatt

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

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

Assisted by Kelly C. Stewart and David Means    STFKO  
(office/title)

Date: December 7, 2015

WATER RESOURCES  
RECEIVED

DEC 10 2015  
SCANNED

### FEE SCHEDULE

- 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

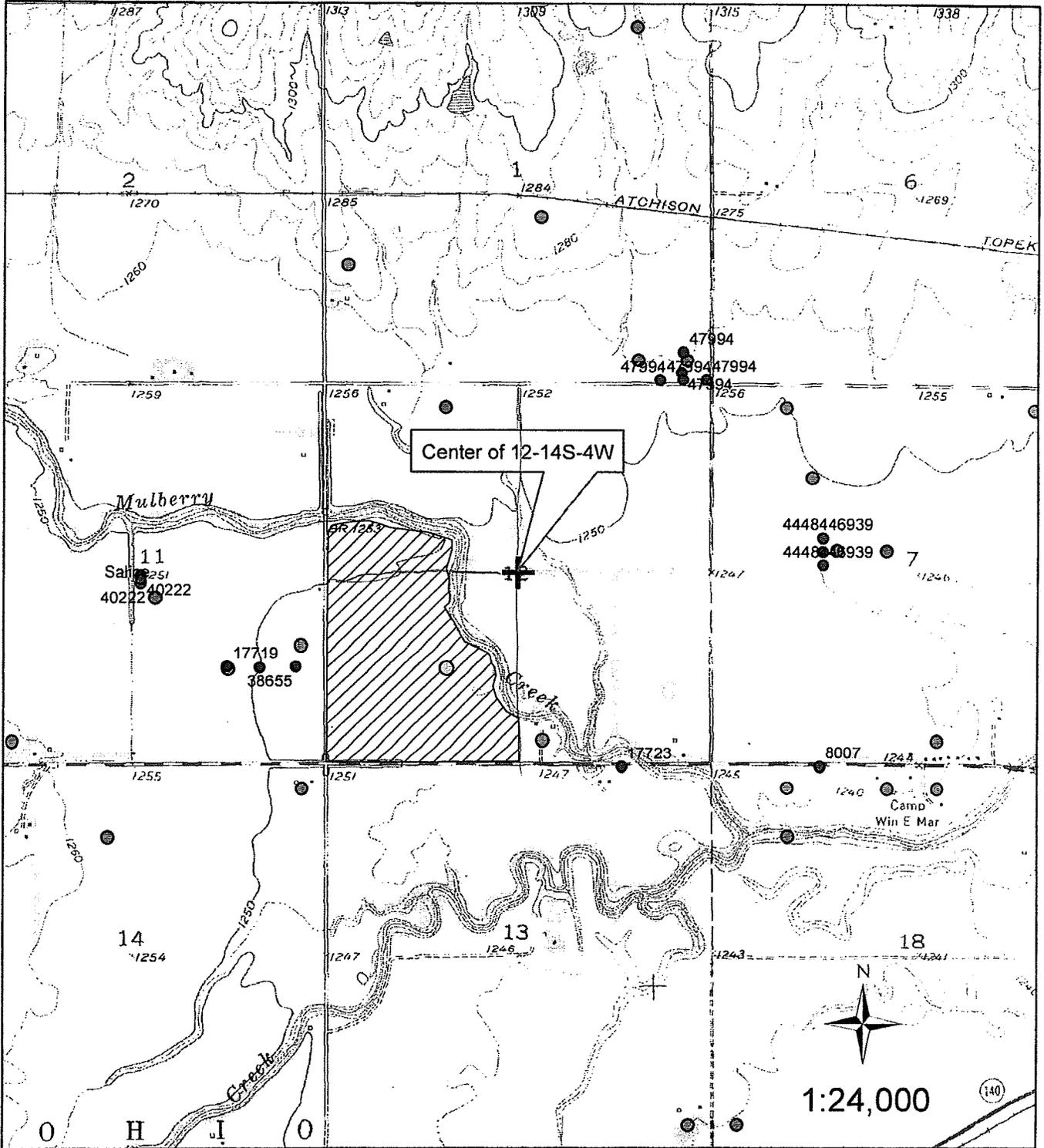
WATER RESOURCES  
RECEIVED

DEC 10 2015  
SCANNED

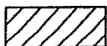
KS DEPT OF AGRICULTURE

# Application to Appropriate Water for Beneficial Use

File No. 49,524



○ Proposed Point of Diversion (Requesting 60 days to locate) ● Domestic Wells



Proposed Place of Use

The names and addresses of the landowners of all wells of any kind within 1/2 mile of the proposed point of diversion are shown.

WATER RESOURCES RECEIVED

*Bruce Hyatt*  
Signature

*Dec. 8, 2015*  
Date

SCANNED DEC 10 2015

KS DEPT OF AGRICULTURE

**IRRIGATION USE  
SUPPLEMENTAL SHEET**

File No. 49,524

Name of Applicant (Please Print): Bruce H Wyatt

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: Bruce H Wyatt Trust + Margaret P Wyatt Trust  
 ADDRESS: 4401 W State St Salina Kansas 67401

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12	14 <sup>s</sup>	4W						19	4	15½	40	40	34½					153	

**Landowner of Record** NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE													

**Landowner of Record** NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			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 RESOURCES RECEIVED

DEC 10 2015

SCANNED

December 8, 2015  
(Date)

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

Re: Application 49,524  
File No. \_\_\_\_\_

Minimum Desirable Streamflow

Dear Sir:

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.

Bruce H Wyatt

Signature of Applicant

Bruce H Wyatt

(Print Applicant's Name)

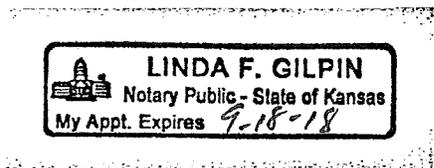
State of Kansas )  
County of Saline ) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 8 day of December, 2015.

Linda F Gilpin  
Notary Public

My Commission Expires:

Sept 18, 2018



WATER RESOURCES  
RECEIVED

**MINIMUM DESIRABLE STREAMFLOW 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  
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

WATER RESOURCES  
RECEIVED

DEC 10 2015  
SCANNED  
KS DEPT OF AGRICULTURE

49,524

BRUCE H. WYATT  
ATTORNEY AT LAW

Hand Delivered

December 10, 2015

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

WATER RESOURCES  
RECEIVED

DEC 10 2015

KS DEPT OF AGRICULTURE

Dear Sir,

Re: 12-14S-4W

Please find the following enclosed documents for filing in your office:

Application for Permit to Appropriate Water for Beneficial Use

Map indicating proposed place of use

Irrigation Use Supplemental Sheet

Minimum Desirable Streamflow

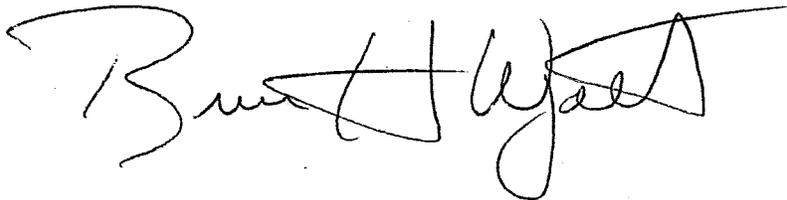
Check payable to the Kansas Department of Agriculture in the amount of  
\$300.00 in payment of the required filing fee

I understand you will forward to me an acknowledgment indicating the date of  
receipt.

Thank you for your attention to this matter.

Encls.

Sincerely yours,



SCANNED



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 29, 2015

BRUCE H WYATT  
4401 W STATE ST  
SALINA KS 67401

RE: Application  
File No. 49524

Dear Sir or Madam:

Your application for permit to appropriate water in 12-14S-4W in Saline 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) 564-6634. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kenneth A. Kopp, P.G.  
New Application Unit Supervisor  
Water Appropriation Program

KAK: DLW  
pc: STOCKTONField Office  
GMD 0

**DATA ENTRY SYSTEM ID NUMBER SHEET**

FILE NUMBER 49524 5

APPLICANT		PDIV ID	BATTERY ID
PERSON ID & SEQ #		<u>84906</u>	<u>                    </u>
<u>50411</u> <u>1</u>		<u>                    </u>	<u>                    </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>

LANDOWNER		PUSE ID	
PERSON ID & SEQ #		<u>67545</u>	<u>                    </u>
<u>50411</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>

WATER USE CORRESPONDENT

PERSON ID & SEQ #	
<u>50411</u> <u>1</u>	
<u>                    </u>	<u>                    </u>
<u>                    </u>	<u>                    </u>
<u>                    </u>	<u>                    </u>