

Kansas Department of Agriculture  
Division of Water Resources  
**PERMIT OF NEW APPLICATION WORKSHEET**

1. File Number: <p style="text-align: center;"><b>49,635</b></p>	2. Status Change Date: <p style="text-align: center;"><i>12/6/2016</i></p>	3. Field Office: <p style="text-align: center;"><b>02</b></p>	4. GMD:
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
<p>7a. Applicant(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID <b>63147</b> Add Seq# _____</p> <p><b>RICK TOTTEN</b> <b>1724 E 20TH ST S</b> <b>OXFORD KS 67119</b></p>	<p>7c. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p>		
<p>7b. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID <b>63148</b> Add Seq# _____</p> <p><b>GLENDA TOTTEN</b> <b>716 TWEED APT 1</b> <b>WINFIELD KS 67156</b></p>	<p>7d. Landowner New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p>		
<p>8. WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No <b>7a</b></p> <p style="text-align: right;">Person ID _____ Add Seq# _____ Notarized WUC Form <input type="checkbox"/></p>	<p>9. Use of Water:    Changing?    <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p> <p style="text-align: center;"><input checked="" type="checkbox"/> Groundwater            <input type="checkbox"/> Surface Water</p> <p><input checked="" type="checkbox"/> IRR            <input type="checkbox"/> REC            <input type="checkbox"/> DEW            <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK            <input type="checkbox"/> SED            <input type="checkbox"/> DOM            <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG    <input type="checkbox"/> WTR PWR            <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____    <input type="checkbox"/> OTHER: _____</p>		
10. Completion Date: <u><b>12/31/2017</b></u> 11. Perfection Date: <u><b>12/31/2021</b></u> 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date to Comply: <u><b>12/31/2017</b></u> Date WLMD Installed: _____			
Date Prepared: <b>10/27/16</b> By: <b>MJM</b> Date Entered: <i>12/7/2016</i> By: <i>UM</i>			

File No. **49,635**      15. Formation Code: **100 & 533**      Drainage Basin: **Arkansas River**      County: **SU**      Special Use:      Stream:

16. Points of Diversion											
T	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
√					<b>81658 NWSESW</b>	<b>10</b>	<b>33S</b>	<b>2E</b>	<b>1</b>	<b>753</b>	<b>3418 Geo-Cent</b>
√					<b>83675 SWSESW</b>	<b>10</b>	<b>33S</b>	<b>2E</b>	<b>2</b>	<b>553</b>	<b>3418 Bat 1 of 4</b>
√					<b>83676 NWSESW</b>	<b>10</b>	<b>33S</b>	<b>2E</b>	<b>3</b>	<b>953</b>	<b>3418 Bat 2 of 4</b>
√					<b>83677 NESESW</b>	<b>10</b>	<b>33S</b>	<b>2E</b>	<b>4</b>	<b>753</b>	<b>3218 Bat 3 of 4</b>
√					<b>83678 SWSESW</b>	<b>10</b>	<b>33S</b>	<b>2E</b>	<b>5</b>	<b>753</b>	<b>3618 Bat 4 of 4</b>

17. Rate and Quantity				
Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
<b>800</b>	<b>208</b>	<b>800</b>	<b>208</b>	<b>None</b>

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

19. Limitation: \_\_\_\_\_ - af/yr at \_\_\_\_\_ - \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_  
 Limitation: \_\_\_\_\_ - af/yr at \_\_\_\_\_ - \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_

20. Meter Required?  Yes  No      To be installed by **12/31/2017**      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use						NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
T	MOD	DEL	ENT	PUSE	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
√					<b>64760 10 33S 2E 1</b>									<b>40</b>	<b>40</b>	<b>40</b>	<b>40</b>					<b>160</b>	<b>7b.</b>	<b>None</b>	

Comments:

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

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

**TO:** Files

**DATE:** October 27, 2016

**FROM:** Matt Meier

**RE:** Application, File No. 49,635

Rick Totten has filed the referenced application to appropriate groundwater for irrigation use, requesting a battery of four (4) wells, a quantity of 208 acre-feet, and a diversion rate of 800 gallons per minute. The proposed geo-center of the battery of wells is to be located in the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 10, more particularly described as being near a point 753 feet North and 3,418 feet West of the Southeast corner of said section, Township 33 South, Range 2 East, Sumner County, within the drainage basin of the Arkansas River. There are no other water rights overlapping the point of diversion or place of use. The proposed place of use is owned by Glenda Totten. The applicant has signed the application form stating that he has legal access to the point of diversion. This application is replacing File No. 48,650 which was dismissed for failure to complete and pay the field inspection fee.

The applicant identified two domestic (1 of which is owned by applicant) and zero non-domestic wells within one-half mile of the proposed well. Nearby well owner letters were sent out on September 20, 2016. No contact of any kind was received. According to the WRIS database, there are no water rights within 2 miles of the proposed point of diversion. The site map indicates that the nearest domestic well is approximately 700 feet away (which the applicant owns). The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be one-quarter mile to all other non-domestic wells and 660 feet to domestic wells.

Well logs were obtained from KGS website for completed wells, 1 of which shows top soil from 0 to 3 feet, brown clay from 3 to 9 feet, small-med sand & gravel from 9 to 22 feet, brown clay from 22 to 26 feet, small-med sand & gravel from 26 to 35 feet, and small-med sand & gravel with rock from 35 to 40 feet below ground. The static water level was 15 feet below ground surface which provides a saturated thickness of 25 feet.

Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile circle radius of the point of diversion, which establishes the area of consideration. Evaluation of the area of consideration included the extent of the unconfined aquifer, which provided an area of consideration of 8,042 acres. With a potential annual recharge of 3.27 inches, and 100% of recharge available for appropriation, safe yield was determined to be 2,191.45 acre-feet. Existing water rights have appropriated 0 acre-feet, providing a difference of 2,191.45 acre-feet available for appropriation, and the application requesting 208 acre-feet complies with safe yield.

The requested quantity of water, 208 acre-feet, is reasonable to irrigate the proposed 160 acres identified in the application. This is the maximum allowable of 1.3 acre-feet per acre for Sumner County, Kansas. There are multiple pending applications in this general area of the state, and they are being worked in priority order to ensure that senior applications are provided the available water.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. A water level measurement tube is required because this is a proposed new well exceeding 100 gpm.

Rick Totten  
Application, File No. 49,635  
Page 2

The proposed application is subject to minimum desirable streamflow requirements. The applicant signed, notarized, and returned the required form to our office.

Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the referenced application on October 27, 2016. Based on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

Matt Meier  
Environmental Scientist  
Permits Unit



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

RICK TOTTEN  
1724 E 20TH ST S  
OXFORD KS 67119

December 7, 2016

**FILE COPY**

RE: Application, File No. 49,635

Dear Mr. Totten:

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 this permit. A water meter is required and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

Enclosures

pc: Stafford Field Office  
GLENDA TOTTEN



**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. 49,635** of the applicant

**RICK TOTTEN  
1724 E 20TH ST S  
OXFORD KS 67119**

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 **May 11, 2016**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10	33S	2E																	160

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, the geo-center of which is to located in the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW¼ SE¼ SW¼) of Section 10, more particularly described as being near a point 753 feet North and 3,418 feet West of the Southeast corner of said section, in Township 33 South, Range 2 East, Sumner County, 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 (1.783 c.f.s.)** and to a quantity not to exceed **208 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 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).
13. 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.
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.





### CERTIFICATE OF SERVICE

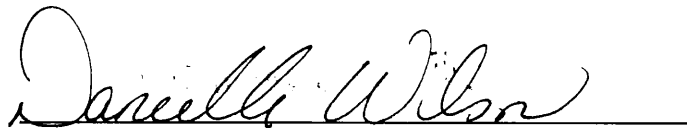
On this 7<sup>th</sup> day of December, 2016, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,635, dated December 6, 2016 was mailed postage prepaid, first class, US mail to the following:

RICK TOTTEN  
1724 E 20TH ST S  
OXFORD KS 67119

With photocopies to:

GLEND A TOTTEN  
716 TWEED APT 1  
WINFIELD KS 67156

Stafford Field Office



Division of Water Resources

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 49,635  
This item to be completed by the Division of Water Resources.

WATER RESOURCES  
RECEIVED

APPLICATION COMPLETE  
5/11/16  
Reviewer WJM/EPD

**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.)

MAY 11 2016  
11:07  
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): Rick Totten  
Address: 1724 E 20<sup>th</sup> St South  
City: Oxford State KS Zip Code 67119  
Telephone Number: (316) 648-3316

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Arkansas River (Lower Ark) (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 208 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 ABOVE.

For Office Use Only:  
F.O. 2 GMD 0 Meets K.A.R. 5-3-1  YES / NO Use FRP Source G/S County SU By ASW Date 5/11/16  
Code 142 Fee \$ 300 TR # \_\_\_\_\_ Receipt Date 5/11/16 Check # 4815

Geo-Cmt. NWSESW 753'N & 3418'W

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

5. The location of the proposed wells, pump sites or other works for diversion of water is:

**Note:** For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

- (A) One in the NW quarter of the SE quarter of the SW quarter of Section 10, more particularly described as being near a point 753 feet North and 3,618 feet West of the Southeast corner of said section, in Township 33 South, Range 2 East, Sumner County, Kansas.
- (B) One in the SW quarter of the SE quarter of the SW quarter of Section 10, more particularly described as being near a point 553 feet North and 3,418 feet West of the Southeast corner of said section, in Township 33 South, Range 2 East, Sumner County, Kansas.
- (C) One in the NW quarter of the SE quarter of the SW quarter of Section 10, more particularly described as being near a point 953 feet North and 3,418 feet West of the Southeast corner of said section, in Township 33 South, Range 2 East, Sumner County, Kansas.
- (D) One in the NE quarter of the SE quarter of the SW quarter of Section 10, more particularly described as being near a point 753 feet North and 3,218 feet West of the Southeast corner of said section, in Township 33 South, Range 2 East, Sumner 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:

Glenda Totten 716 Tweed Apt 1

753 N

3418 W Geo

You must provide evidence of landowner's authorized representative with this application. In lieu thereof:

NWSESW

(please print):

\_\_\_\_\_ (number)

\_\_\_\_\_ (number)

\_\_\_\_\_ a point of diversion from the landowner or the recorded deed, lease, easement or other document sworn statement:

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

Executed on May 9, 2016.

Ricky Lott  
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 4 Wells \_\_\_\_\_ (number of wells, pumps or dams, etc.)

and (was) completed (by) Fall 2015 \_\_\_\_\_ (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 \_\_\_\_\_ (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 Not planning on impounding water
- \_\_\_\_\_
- \_\_\_\_\_

11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within ½ mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within ½ mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

Replacing file no. 48,650 which was dismissed for failure to complete and pay the field inspection fee.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from:     Test holes     Well as completed     Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	<u>3/18/13</u>	_____	_____	_____
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 Tenant  
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):  
Glenda Totten 716 Twee Apt 101, Winfield, KS 67156  
(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 \_\_\_\_\_, Kansas, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
(month) (year)

  
(Applicant Signature)

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

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

Assisted by AJW \_\_\_\_\_ DWR \_\_\_\_\_ Date: 5/4/2016  
(office/title)

WATER RESOURCES  
RECEIVED

MAY 11 2016

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  
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MAY 11 2016

**KS DEPT OF AGRICULTURE**

SCANNED

## IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49,635

Name of Applicant (Please Print): Rick Totten

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: Glenda Totten  
ADDRESS: 716 Tweed Apt 101, Winfield, KS 67516

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
10	33S	2E											40	40	40	40					160	

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

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

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

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

**WATER RESOURCES  
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2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
Milan loam	35	0.6-2	
Milan loam	30	0.6-2	
Vanoss Silt / loam	30	0.6-2	
Brewer Complex	5	0.2-0.6	
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.



\_\_\_\_\_  
(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. 49,635

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.

Ricky Totten  
Signature of Applicant

State of Kansas )  
County of Sumner ) ss

RICKY TOTTEW  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 9<sup>th</sup> day of May, 2016.

Anna Marie Martin  
Notary Public  
Anna Marie Martin

My Commission Expires:



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

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 WELL RECORD Form WWC-5**

Original Record  Correction  Change in Well Use

# 4

Division of Water Resources App. No.

Well ID

Well ID

**1 LOCATION OF WATER WELL:** County: \_\_\_\_\_ Fraction  $\frac{1}{4}$   $\frac{1}{4}$   $\frac{1}{4}$   $\frac{1}{4}$  Section Number \_\_\_\_\_ Township Number T S Range Number R E W

**2 WELL OWNER:** Last Name: Cotton First: Derek Street or Rural Address where well is located (if unknown, distance and direction from nearest town or intersection): If at owner's address, check here:   
 Business: \_\_\_\_\_ Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
GMA'S HOMEPLACE

**3 LOCATE WELL WITH "X" IN SECTION BOX:**  
 N  

---	NW	---	NE	---
W				E
---	SW	---	SE	---
	S			

 1 mile

**4 DEPTH OF COMPLETED WELL:** 80 ft.  
 Depth(s) Groundwater Encountered: 1) \_\_\_\_\_ ft.  
 2) \_\_\_\_\_ ft. 3) \_\_\_\_\_ ft., or 4)  Dry Well  
 WELL'S STATIC WATER LEVEL: 20 ft.  
 below land surface, measured on (mo-day-yr) 3-18-13  
 above land surface, measured on (mo-day-yr) \_\_\_\_\_  
 Pump test data: Well water was \_\_\_\_\_ ft. after \_\_\_\_\_ hours pumping \_\_\_\_\_ gpm  
 Well water was \_\_\_\_\_ ft. after \_\_\_\_\_ hours pumping \_\_\_\_\_ gpm  
 Estimated Yield: \_\_\_\_\_ gpm  
 Bore Hole Diameter: \_\_\_\_\_ in. to \_\_\_\_\_ ft. and \_\_\_\_\_ in. to \_\_\_\_\_ ft.

**5 Latitude:** \_\_\_\_\_ (decimal degrees)  
**Longitude:** \_\_\_\_\_ (decimal degrees)  
 Datum:  WGS 84  NAD 83  NAD 27  
 Source for Latitude/Longitude:  
 GPS (unit make/model: \_\_\_\_\_) (WAAS enabled?  Yes  No)  
 Land Survey  Topographic Map  
 Online Mapper: \_\_\_\_\_  
**6 Elevation:** \_\_\_\_\_ ft.  Ground Level  TOC  
 Source:  Land Survey  GPS  Topographic Map  
 Other \_\_\_\_\_

**7 WELL WATER TO BE USED AS:**  
 1.  Domestic:  Household  Lawn & Garden  Livestock  
 2.  Irrigation  
 3.  Feedlot  
 4.  Industrial  
 5.  Public Water Supply: well ID \_\_\_\_\_  
 6.  Dewatering: how many wells? \_\_\_\_\_  
 7.  Aquifer Recharge: well ID \_\_\_\_\_  
 8.  Monitoring: well ID \_\_\_\_\_  
 9. Environmental Remediation: well ID \_\_\_\_\_  
 Air Sparge  Soil Vapor Extraction  Recovery  Injection  
 10.  Oil Field Water Supply: lease \_\_\_\_\_  
 11. Test Hole: well ID \_\_\_\_\_  
 Cased  Uncased  Geotechnical  
 12. Geothermal: how many bores? \_\_\_\_\_  
 a) Closed Loop  Horizontal  Vertical  
 b) Open Loop  Surface Discharge  Inj. of Water  
 13.  Other (specify): \_\_\_\_\_

Was a chemical/bacteriological sample submitted to KDHE?  Yes  No If yes, date sample was submitted: \_\_\_\_\_  
 Water well disinfected?  Yes  No

**8 TYPE OF CASING USED:**  Steel  PVC  Other \_\_\_\_\_ CASING JOINTS:  Glued  Clamped  Welded  Threaded  
 Casing diameter 5 in. to 20 ft., Diameter \_\_\_\_\_ in. to \_\_\_\_\_ ft., Diameter \_\_\_\_\_ in. to \_\_\_\_\_ ft.  
 Casing height above land surface 12 in. Weight 2.4 lbs./ft. Wall thickness or gauge No. 16 gpsi  
 TYPE OF SCREEN OR PERFORATION MATERIAL:  
 Steel  Stainless Steel  Fiberglass  PVC  Other (Specify) \_\_\_\_\_  
 Brass  Galvanized Steel  Concrete tile  None used (open hole)  
 SCREEN OR PERFORATION OPENINGS ARE:  
 Continuous Slot  Mill Slot  Gauze Wrapped  Torch Cut  Drilled Holes  Other (Specify) \_\_\_\_\_  
 Louvered Shutter  Key Punched  Wire Wrapped  Saw Cut  None (Open Hole)  
 SCREEN-PERFORATED INTERVALS: From 20 ft. to 70 ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 GRAVEL PACK INTERVALS: From 20 ft. to 70 ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

**9 GROUT MATERIAL:**  Neat cement  Cement grout  Bentonite  Other \_\_\_\_\_  
 Grout Intervals: From 3 ft. to 20 ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft., From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 Nearest source of possible contamination:  
 Septic Tank  Lateral Lines  Pit Privy  Livestock Pens  Insecticide Storage  
 Sewer Lines  Cess Pool  Sewage Lagoon  Fuel Storage  Abandoned Water Well  
 Watertight Sewer Lines  Seepage Pit  Feedyard  Fertilizer Storage  Oil Well/Gas Well  
 Other (Specify) Open Field  
 Direction from well? \_\_\_\_\_ Distance from well? \_\_\_\_\_ ft.

10 FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	1	Top Soil			
1	8	clay			
8	12	med sand			
12	25	clay			
25	30	fine sand			
30	34	med gravel			
34	52	Fine sand/shale mix			
52	70	shale			
70	80	qup rock			

Notes: KS DEPT OF AGRICULTURE  
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 MAY 28 2017  
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**11 CONTRACTOR'S OR WELL OWNER'S CERTIFICATION:** This water well was  constructed,  reconstructed, or  plugged under my jurisdiction and was completed on (mo-day-year) 3-18-13 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 740 This Water Well Record was completed on (mo-day-year) 3-20-13 under the business name of Weninger Drilling Inc

**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  
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KS DEPT OF AGRICULTURE

# Channel

SeedsmanShip At Work



Kirk Woods

683 S. Greenwich Rd  
Oxford, KS

P.O. Box 149

Winfield, KS 67156-0149

~~#2 Carl Dennett~~

~~P.O. Box 273~~

~~Oxford, KS~~

~~67119-0273~~

SCANNED

## IRRIGATION USE SUPPLEMENTAL SHEET

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

Name of Applicant (Please Print): Rick Totten

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: Glenda Totten  
 ADDRESS: 716 Tweed Apt. 101 Winfield, KS 6756-1595

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
10	33S	2E										40	40	40	40					160	

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

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

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

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

WATER RESOURCES RECEIVED

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
Milan loam	<del>30</del> 35	.6-2	
Milan loam	30	.6-2	
Vanoss Silt/loam	30	.6-2	
Brewer complex	5	.2- <del>6-2</del>	
Total:	100 %		

b. Estimate the average land slope in the field(s): 1.5 %  
 Estimate the maximum land slope in the field(s): 2.5 %

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:

CORN Cotton Milo  
 Soybeans wheat

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).

Crop consultant to help schedule full irrigation

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



APPLICATION COMPLETE  
5/28/13  
Reviewer PAR

KANSAS DEPARTMENT OF AGRICULTURE  
Dale A. Rodman, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 48650  
This item to be completed by the Division of Water Resources.

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

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

WATER RESOURCES  
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MAY 28 2013  
8:32 AM  
KS DEPT OF AGRICULTURE

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

1. Name of Applicant (Please Print): Rick Totten  
Address: 1724 E 20<sup>th</sup> St So  
City: Oxford State KS Zip Code 67119  
Telephone Number: (620) 455-3317

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Arkansas River (Lower Ark) (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 208 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 ABOVE.

SCANNED

For Office Use Only:  
F.O. 2 GMD 0 Meets K.A.R. 5-3-1 (YES/NO) Use IR Source G/S County SU By PAR Date 5-28-13  
Code RF3 Fee \$ 300 TR # 13053311 Receipt Date 6-28-13 Check # 221

WATER RESOURCES  
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10413  
ESD



\* NW SE SW

Sec 10 T33S R2E

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

753' North 3618' West

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.

Geo center

(A) One in the NW quarter of the SE quarter of the SW quarter of Section 10, more particularly described as being near a point 753 feet North and 3,418 feet West of the Southeast corner of said section, in Township 33 South, Range 2 East, Sumner County, Kansas.

(B) One in the SW quarter of the SE quarter of the SW quarter of Section 10, more particularly described as being near a point 553 feet North and 3418 feet West of the Southeast corner of said section, in Township 33 South, Range 2 East West (circle one), \_\_\_\_\_ County, Kansas.

(C) One in the NW quarter of the SE quarter of the SW quarter of Section 10, more particularly described as being near a point 953 feet North and 3418 feet West of the Southeast corner of said section, in Township 33 South, Range 2 East West (circle one), \_\_\_\_\_ County, Kansas.

(D) One in the NE quarter of the SE quarter of the SW quarter of Section 10, more particularly described as being near a point 753 feet North and 3218 feet West of the Southeast corner of said section, in Township 33 South, Range 2 East West (circle one), \_\_\_\_\_ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print):

Glenda Totten 716 Tweed Apt #101 Winfield KS 67156-1595  
(name, address and telephone number)  
620-222-  
(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 5-23-13, 2013. Ricky Totten  
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 4 wells  
(number of wells, pumps or dams, etc.)  
and (was) (will be) completed (by) 10-1-14 or ASAP  
(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 5-20-15 ASAP  
(Mo/Day/Year)

\* BAR DWR 10-28-14 per applicant

- 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 Because not planning or impounding water

- 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.

N.A.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WATER RESOURCES  
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MAY 28 2013

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13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from:  Test holes  Well as completed  Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	3-18-13			
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 tenant  
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):  
Glenda Totten 716 Tweed Apt #101 Winfield, KS 67156-1598  
(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 Stafford, Kansas, this 23 day of May, 2013  
(month) (year)

Ricky Totten  
(Applicant Signature)

515 54 0027  
APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

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

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

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

Assisted by MSM

DWR  
(office/title)

Date: 5/23/13

WATER RESOURCES RECEIVED

MAY 11 2016

WATER WELL RECORD

Form WWC-5

Division of Water Resources App. No.

<b>1 LOCATION OF WATER WELL:</b> County: Sumner	Fraction NW ¼ SE ¼ SE ¼ SW ¼	Section Number 10	Township No. T 33 S	Range Number R 2 <input checked="" type="checkbox"/> E <input type="checkbox"/> W
--	---------------------------------	----------------------	------------------------	--

Street/Rural Address of Well Location; if unknown, distance & direction from nearest town or intersection: If at owner's address, check here   
From Belle Plain 4E 1S 3/4 E SSR

**Global Positioning System (GPS) information:**  
Latitude: .37.18953..... (in decimal degrees)  
Longitude: 097.19627..... (in decimal degrees)  
Elevation: 1124.....  
Datum:  WGS 84,  NAD 83,  NAD 27  
Collection Method:  
 GPS unit (Make/Model: Garmin 62S.....)  
 Digital Map/Photo,  Topographic Map,  Land Survey  
Est. Accuracy:  <3 m,  3-5 m,  5-15 m,  >15 m

**2 WATER WELL OWNER:** Rick Totten  
RR#, Street Address, Box #: 1724 E. 20th Str. S.  
City, State, ZIP Code : Oxford, Kansas 67119

**3 LOCATE WELL WITH AN "X" IN SECTION BOX:**

N

W	---NW---	---NE---	E
	---SW---	---SE---	
	S		

-----1 mile-----

**4 DEPTH OF COMPLETED WELL 44**..... ft.

Depth(s) Groundwater Encountered (1)..... ft. (2)..... ft. (3)..... ft.  
WELL'S STATIC WATER LEVEL 15..... ft. below land surface measured on mo/day/yr. 2/3/2015.....  
Pump test data: Well water was.....ft. after..... hours pumping..... gpm  
EST. YIELD.....gpm. Well water was.....ft. after..... hours pumping..... gpm  
Bore Hole Diameter 20.....in. to 44.....ft., and.....in. to.....ft.  
WELL WATER TO BE USED AS:  Public water supply  Geothermal  Injection well  
 Domestic  Feedlot  Oil field water supply  Dewatering  Other (Specify below)  
 Irrigation  Industrial  Domestic-lawn & garden  Monitoring well .....  
Was a chemical/bacteriological sample submitted to Department?  Yes  No  
If yes, mo/day/yr sample was submitted.....  
Water well disinfected?  Yes  No

**5 TYPE OF CASING USED:**  Steel  PVC  Other .....

CASING JOINTS:  Glued  Clamped  Welded  Threaded  
Casing diameter .10..... in. to .29..... ft., Diameter..... in. to..... ft., Diameter..... in. to..... ft.  
Casing height above land surface .24..... in., Weight 160.....lbs./ft., Wall thickness or gauge No. .413.....  
TYPE OF SCREEN OR PERFORATION MATERIAL:  
 Steel  Stainless Steel  PVC  Other (Specify) .....  
 Brass  Galvanized Steel  None used (open hole)  
SCREEN OR PERFORATION OPENINGS ARE:  
 Continuous slot  Mill slot  Gauze wrapped  Torch cut  Drilled holes  None (open hole)  
 Louvered shutter  Key punched  Wire wrapped  Saw cut  Other (specify) .....  
SCREEN-PERFORATED INTERVALS: From .29..... ft. to .44..... ft., From..... ft. to..... ft.  
From..... ft. to..... ft., From..... ft. to..... ft.  
GRAVEL PACK INTERVALS: From .44..... ft. to .15..... ft., From..... ft. to..... ft.  
From..... ft. to..... ft., From..... ft. to..... ft.

**6 GROUT MATERIAL:**  Neat cement  Cement grout  Bentonite  Other .....

Grout Intervals: From 15..... ft. to 0..... ft., From..... ft. to..... ft., From..... ft. to..... ft.  
What is the nearest source of possible contamination:  
 Septic tank  Lateral lines  Pit privy  Livestock pens  Insecticide storage  Other (specify below)  
 Sewer lines  Cesspool  Sewage lagoon  Fuel storage  Abandoned water well  
 Watertight sewer lines  Seepage pit  Feedyard  Fertilizer storage  Oil well/gas well n/a.....  
Direction from well ..... Distance from well .....

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	3	Top soil			
3	9	Brown clay			
9	22	Small-med. sand & gravel			
22	26	Brown clay			
26	35	Small-med. S & G			
35	40	Small-med. S & G w/rock mix			

**7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION:** This water well was  constructed,  reconstructed, or  plugged under my jurisdiction and was completed on (mo/day/year) 2/3/2015..... and this record is true to the best of my knowledge and belief.  
Kansas Water Well Contractor's License No. 134..... This Water Well Record was completed on (mo/day/year) 2/10/2015.....  
under the business name of Rosencrantz-Bemis Ent..... by (signature) *[Signature]*

**INSTRUCTIONS:** Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks and check the correct answers. Send three copies (white, blue, pink) to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5524. Send one copy to WATER WELL OWNER and retain one for your records. I include fee of \$5.00 for each constructed well. Visit us at <http://www.kdheks.gov/waterwell/index.html>.

WATER WELL RECORD

Form WWC-5

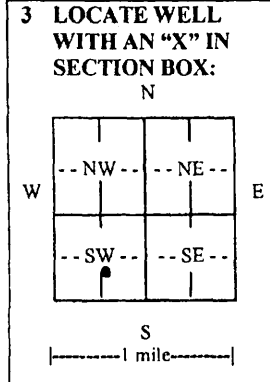
Division of Water Resources App. No.

<b>1 LOCATION OF WATER WELL:</b> County: Sumner	Fraction SW ¼ NW ¼ SE ¼ SW ¼	Section Number 10	Township No. T 33 S	Range Number R 2 <input checked="" type="checkbox"/> E <input type="checkbox"/> W
--	---------------------------------	----------------------	------------------------	--

Street/Rural Address of Well Location; if unknown, distance & direction from nearest town or intersection: If at owner's address, check here .  
From Belle Plain 4E 1S 3/4 E SSR

**Global Positioning System (GPS) information:**  
Latitude: .37.19062..... (in decimal degrees)  
Longitude: 097.19764..... (in decimal degrees)  
Elevation: 1125.....  
Datum:  WGS 84,  NAD 83,  NAD 27  
Collection Method:  
 GPS unit (Make/Model: Garmin 62S.....)  
 Digital Map/Photo,  Topographic Map,  Land Survey  
Est. Accuracy:  <3 m,  3-5 m,  5-15 m,  >15 m

**2 WATER WELL OWNER:** Rick Totten  
RR#, Street Address, Box #: 1724 E. 20th Str. S.  
City, State, ZIP Code : Oxford, Kansas 67119



**4 DEPTH OF COMPLETED WELL** 41..... ft.

Depth(s) Groundwater Encountered (1)..... ft. (2)..... ft. (3)..... ft.

WELL'S STATIC WATER LEVEL...15..... ft. below land surface measured on mo/day/yr. 2/3/2015.....

Pump test data: Well water was.....ft. after..... hours pumping..... gpm

EST. YIELD.....gpm. Well water was.....ft. after..... hours pumping..... gpm

Bore Hole Diameter 20.....in. to 41.....ft., and.....in. to.....ft.

WELL WATER TO BE USED AS:  Public water supply  Geothermal  Injection well  
 Domestic  Feedlot  Oil field water supply  Dewatering  Other (Specify below)  
 Irrigation  Industrial  Domestic-lawn & garden  Monitoring well .....

Was a chemical/bacteriological sample submitted to Department?  Yes  No

If yes, mo/day/yr sample was submitted.....

Water well disinfected?  Yes  No

**5 TYPE OF CASING USED:**  Steel  PVC  Other .....

CASING JOINTS:  Glued  Clamped  Welded  Threaded

Casing diameter .10..... in. to .26..... ft., Diameter..... in. to..... ft., Diameter..... in. to..... ft.

Casing height above land surface .24..... in., Weight .160..... lbs./ft., Wall thickness or gauge No. .413.....

TYPE OF SCREEN OR PERFORATION MATERIAL:  
 Steel  Stainless Steel  PVC  Other (Specify) .....

Brass  Galvanized Steel  None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:  
 Continuous slot  Mill slot  Gauze wrapped  Torch cut  Drilled holes  None (open hole)  
 Louvered shutter  Key punched  Wire wrapped  Saw cut  Other (specify) .....

SCREEN-PERFORATED INTERVALS: From .26..... ft. to .41..... ft., From..... ft. to..... ft.  
From..... ft. to..... ft., From..... ft. to..... ft.

GRAVEL PACK INTERVALS: From .41..... ft. to .15..... ft., From..... ft. to..... ft.  
From..... ft. to..... ft., From..... ft. to..... ft.

**6 GROUT MATERIAL:**  Neat cement  Cement grout  Bentonite  Other .....

Grout Intervals: From .15..... ft. to 0..... ft., From..... ft. to..... ft., From..... ft. to..... ft.

What is the nearest source of possible contamination:  
 Septic tank  Lateral lines  Pit privy  Livestock pens  Insecticide storage  Other (specify below)  
 Sewer lines  Cesspool  Sewage lagoon  Fuel storage  Abandoned water well  
 Watertight sewer lines  Seepage pit  Feedyard  Fertilizer storage  Oil well/gas well n/a.....

Direction from well ..... Distance from well .....

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	3	Top soil			
3	8	Brown clay			
8	14	Small sand & gravel			
14	26	Brown clay			
26	37	Med.-small S & G w/rock mix			
37	41	Shale			

**7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION:** This water well was  constructed,  reconstructed, or  plugged under my jurisdiction and was completed on (mo/day/year) 2/3/2015..... and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 134..... This Water Well Record was completed on (mo/day/year) 2/10/2015..... under the business name of Rosencrantz-Bemis Ent...... by (signature) [Signature].....

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks and check the correct answers. Send three copies (white, blue, pink) to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 666 12-1367. Telephone 785-296-5524. Send one copy to WATER WELL OWNER and retain one for your records. Include fee of \$5.00 for each constructed well. Visit us at <http://www.kdheks.gov/waterwell/index.html>.

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

753 ft N and 3418 ft W of the SE Corner of Section 10, T 33S, R 2E

Located at: 97.196960 West Longitude and 37.189843 North Latitude

GROUNDWATER ONLY

#49,635  
meets  
spacing

```

=====
File Number  Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp  Rng  ID Batt Auth_Quan  Add_Quan Unit
A__ 49635 00 IRR AY G          0 -- NW SE SW  753 3418 10 33  2E  1 G 4    208.00   208.00 AF
Same                200 -- SW SE SW  553 3418 10 33  2E  2 B 4
Same                200 -- NW SE SW  953 3418 10 33  2E  3 B 4
Same                200 -- NE SE SW  753 3218 10 33  2E  4 B 4
Same                200 -- SW SE SW  753 3618 10 33  2E  5 B 4
=====

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```

=====
Total Net Quantities Authorized:  Direct      Storage
Total Requested Amount (AF) =      208.00         .00
Total Permitted Amount (AF) =           .00         .00
Total Inspected Amount (AF) =           .00         .00
Total Pro_Cert Amount (AF) =           .00         .00
Total Certified Amount (AF) =           .00         .00
Total Vested Amount (AF) =           .00         .00
TOTAL AMOUNT (AF) =      208.00         .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:

97.196960 West Longitude and 37.189843 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

```

=====
File Number  Use ST SR
A__ 49635 00 IRR AY G
> RICK TOTTON
>
> 1724 E 20TH ST S
> OXFORD KS 67119
>-----
=====

```

# Kansas

Department of Agriculture  
Division of Water Resources

Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311  
Fax: (620) 234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Sam Brownback, Governor

September 20, 2016

Kirk Woods  
683 S. Greenwich Rd  
Oxford, KS 67119

Re: Pending Application, File No. 49,635

Dear Mr. Woods:

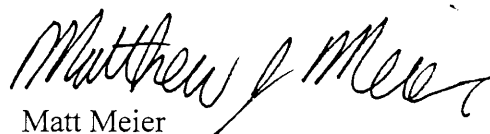
This is to advise you that Rick Totten has filed the application referred to above for a permit to appropriate 208 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,635 is a battery of four (4) existing wells located as follows:

In the Northwest Quarter of the Southeast Quarter of the Southwest Quarter of Section 36, Township 33 South, Range 2 East, Sumner County, Kansas.

A map is enclosed indicating the location of the existing wells. 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 of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

If you have any questions or comments, you may also contact me at (620) 234-5311. If you call, please reference the file number so I can help you more efficiently. Mailed comments can be sent to the Stafford Field Office at 300 S. Main St. Stafford, KS 67578-1521.

Sincerely,



Matt Meier  
Environmental Scientist  
Water Appropriations Program

Enclosure

pc:

SCANNED

# Kansas

Department of Agriculture  
Division of Water Resources

Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
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Phone: (620) 234-5311

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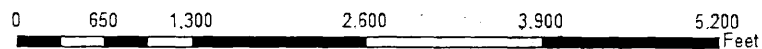
Sam Brownback, Governor



**Legend**

- + Section Corners
- ▭ Section Lines

MJM-DWR 9/20/16



Proposed Water Appropriation, File No. 49,635  
36-33S-2E  
Sumner County





Draft

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

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

**TO:** Files

**DATE:** October 27, 2016

**FROM:** Matt Meier

**RE:** Application, File No. 49,635

Rick Totten has filed the referenced application to appropriate groundwater for irrigation use, requesting a battery of four (4) wells, a quantity of 208 acre-feet, and a diversion rate of 800 gallons per minute. The proposed geo-center of the battery of wells is to be located in the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 10, more particularly described as being near a point 753 feet North and 3,418 feet West of the Southeast corner of said section, Township 33 South, Range 2 East, Sumner County, within the drainage basin of the Arkansas River. There are no other water rights overlapping the point of diversion or place of use. The proposed place of use is owned by Glenda Totten. The applicant has signed the application form stating that he has legal access to the point of diversion. This application is replacing File No. 48,650 which was dismissed for failure to complete and pay the field inspection fee.

The applicant identified two domestic (1 of which is owned by applicant) and zero non-domestic wells within one-half mile of the proposed well. Nearby well owner letters were sent out on September 20, 2016. No contact of any kind was received. According to the WRIS database, there are no water rights within 2 miles of the proposed point of diversion. The site map indicates that the nearest domestic well is approximately 700 feet away (which the applicant owns). The proposed point of diversion meets minimum well spacing to all existing wells. Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be one-quarter mile to all other non-domestic wells and 660 feet to domestic wells.

Well logs were obtained from KGS website for completed wells, 1 of which shows top soil from 0 to 3 feet, brown clay from 3 to 9 feet, small-med sand & gravel from 9 to 22 feet, brown clay from 22 to 26 feet, small-med sand & gravel from 26 to 35 feet, and small-med sand & gravel with rock from 35 to 40 feet below ground. The static water level was 15 feet below ground surface which provides a saturated thickness of 25 feet.

Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile circle radius of the point of diversion, which establishes the area of consideration. Evaluation of the area of consideration included the extent of the unconfined aquifer, which provided an area of consideration of 8,042 acres. With a potential annual recharge of 3.27 inches, and 100% of recharge available for appropriation, safe yield was determined to be 2,191.45 acre-feet. Existing water rights have appropriated 0 acre-feet, providing a difference of 2,191.45 acre-feet available for appropriation, and the application requesting 208 acre-feet complies with safe yield.

The requested quantity of water, 208 acre-feet, is reasonable to irrigate the proposed 160 acres identified in the application. This is the maximum allowable of 1.3 acre-feet per acre for Sumner County, Kansas. There are multiple pending applications in this general area of the state, and they are being worked in priority order to ensure that senior applications are provided the available water.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. A water level measurement tube is required because this is a proposed new well exceeding 100 gpm.

Rick Totten  
Application, File No. 49,635  
Page 2

The proposed application is subject to minimum desirable streamflow requirements. The applicant signed, notarized, and returned the required form to our office.

Based on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

Matt Meier  
Environmental Scientist  
Permits Unit

10/27/16

Concur w/ recommendation  
Approve it  
JM w/c

# Kansas

Department of Agriculture  
Division of Water Resources

109 SW 9th Street, 2nd Floor  
Topeka, Kansas 66612-1283

phone: (785) 296-3717  
fax: (785) 296-1176  
www.ksda.gov/dwr

Dale A. Rodman, Secretary  
David W. Barfield, Chief Engineer

Sam Brownback, Governor

May 28, 2013

RICK TOTTEN  
1724 E 20TH ST SO  
OXFORD KS 67119

RE: Application  
File No. 48,650

Dear Sir or Madam:

Your application for permit to appropriate water in 10-33S-2E, in Sumner 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.

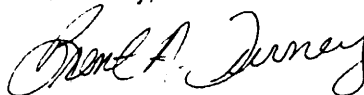
Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate 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 our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,



Brent A Turney, L.G.  
Change Applications Unit Supervisor  
Water Appropriation Program

BAT:cd  
pc: Stafford Field Office

SCANNED

WATER RESOURCES  
RECEIVED

MAY 11 2016

KS DEPT OF AGRICULTURE

49,635

# Kansas

Department of Agriculture  
agriculture.ks.gov

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

May 5, 2016

RICK TOTTEN  
1724 E 20<sup>TH</sup> ST SOUTH  
OXFORD KS 67119

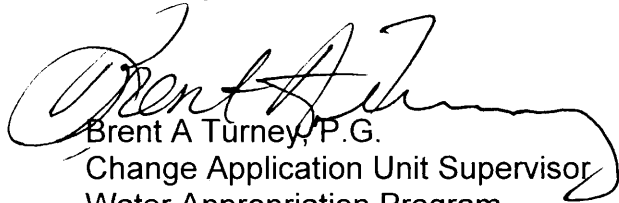
Re: File Nos. 48,649 and 48,650

Dear Mr. Totten:

As per our phone conversation on May 4, 2016, enclosed is a voided check and a partially completed Application for Permit to Appropriate Water for Beneficial Use to replace file no. 48,650. Please review the enclosed application, sign where indicated and return the application with the filing fee of \$300. I have also enclosed a copy of your previous application for permit under File No. 48,650 for reference.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



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

enclosures  
pc: Stafford Field Office

WATER RESOURCES  
RECEIVED

MAY 11 2016

SCANNED

KS DEPT OF AGRICULTURE

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

May 12, 2016

RICK TOTTEN  
1724 E 20TH ST SOUTH  
OXFORD KS 67119

RE: Application  
File No. 49635

Dear Sir or Madam:

Your application for permit to appropriate water in 10-33S-2E in Sumner County, was received and has been assigned the file number noted above.

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

**Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.**

**(b) (1) The violation of any provision of this section by any person is a class C misdemeanor . . .**

**A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.**

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

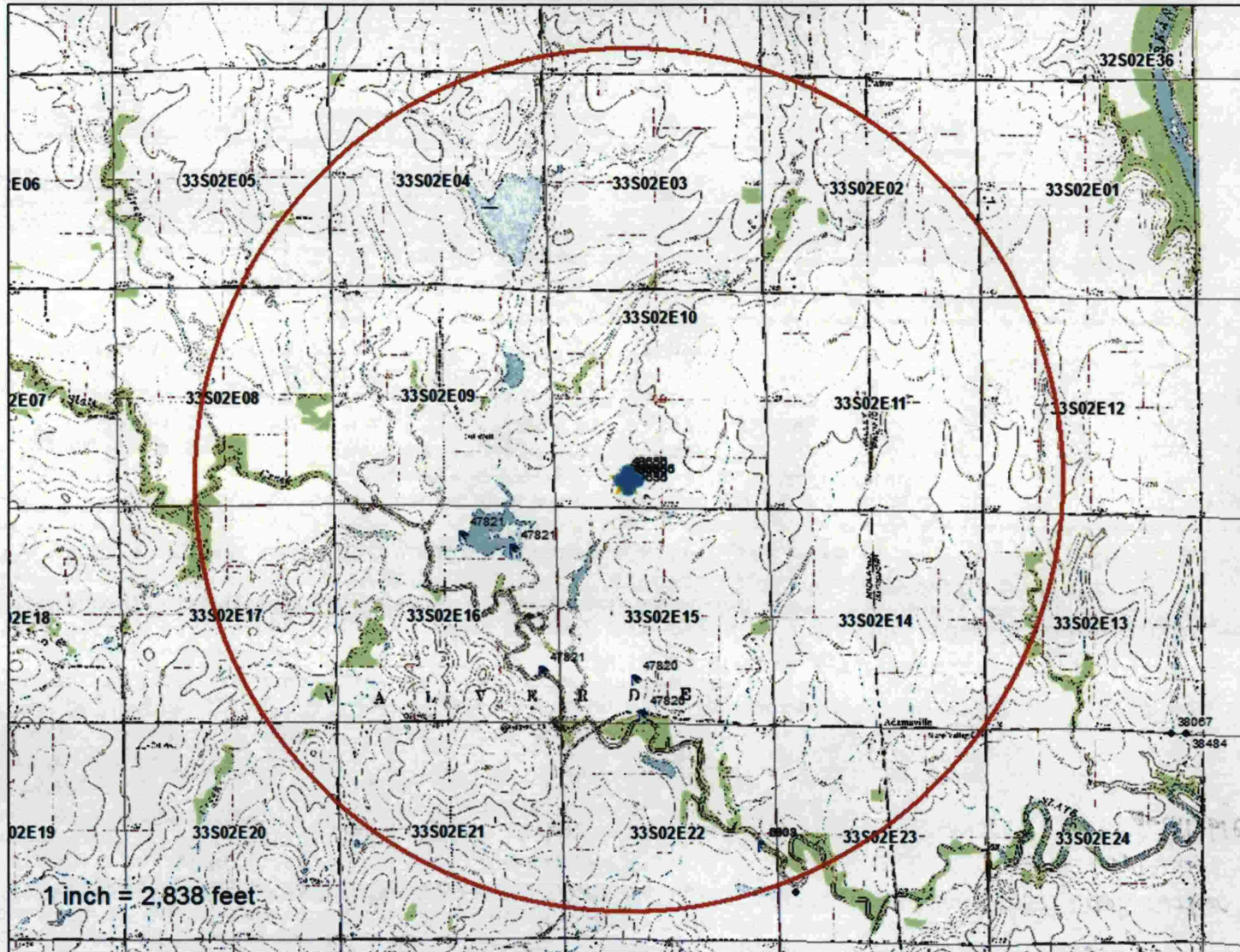
A handwritten signature in black ink that reads "Brent A. Turney". The signature is written in a cursive style.

Brent A Turney, L.G.  
New Application Unit Supervisor  
Water Appropriation Program

KAK: DLW  
pc: STAFFORDField Office  
GMD

SCANNED

Safe Yield Report Sheet  
Proposed Water Right Application  
Point of Diversion in SENWSESW 10-33S-02E



#49,635

meets S.Y.

No other appropriation  
by area so full quantity  
available.

**Analysis Results**

The selected PD is in an area to new appropriations.  
The safe yield, based on the variables listed below is 2,191.45 AF.  
Total prior appropriation in the circle is 208.00 AF.  
Total quantity of water available for appropriation is 1,983.45 AF.

**Safe Yield Variables**

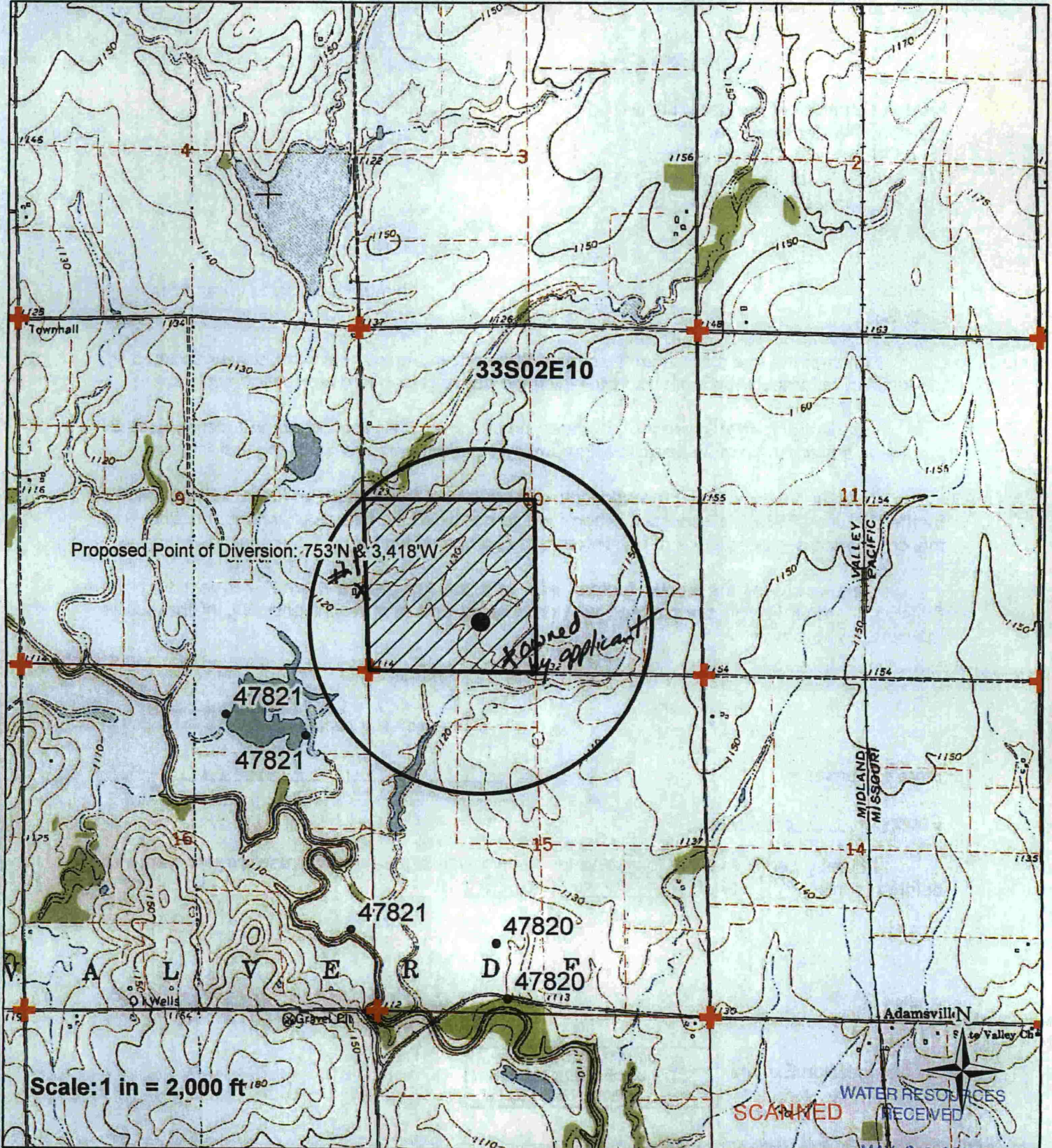
The area used for the analysis is set at 8,042 acres.  
Potential annual recharge of the area is estimated to be 3.27 inches.  
The percent of recharge available for appropriation is 100%.

Authorized Quantity values are as of 20-SEP-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 1 water right(s) and 5 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 49635 00	IRR	AY	G		NW	SE	SW	753	3418	10	33	02E	1	WR	208.00	208.00	160.00	160.00
Same	IRR	AY	G		SW	SE	SW	553	3418	10	33	02E	2	WR				
Same	IRR	AY	G		NW	SE	SW	953	3418	10	33	02E	3	WR				
Same	IRR	AY	G		NE	SE	SW	753	3218	10	33	02E	4	WR				
Same	IRR	AY	G		SW	SE	SW	753	3618	10	33	02E	5	WR				

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



SCANNED  
 WATER RESOURCES RECEIVED  
 MAY 28 2013

I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

● Proposed Point of Diversion  
 ▲ Water Rights  
 ★ Domestic Wells  
 ▨ Proposed Place of Use  
 + Section Corner

Signature \_\_\_\_\_ Date \_\_\_\_\_  
 MAY 11 2016  
 KS DEPT OF AGRICULTURE

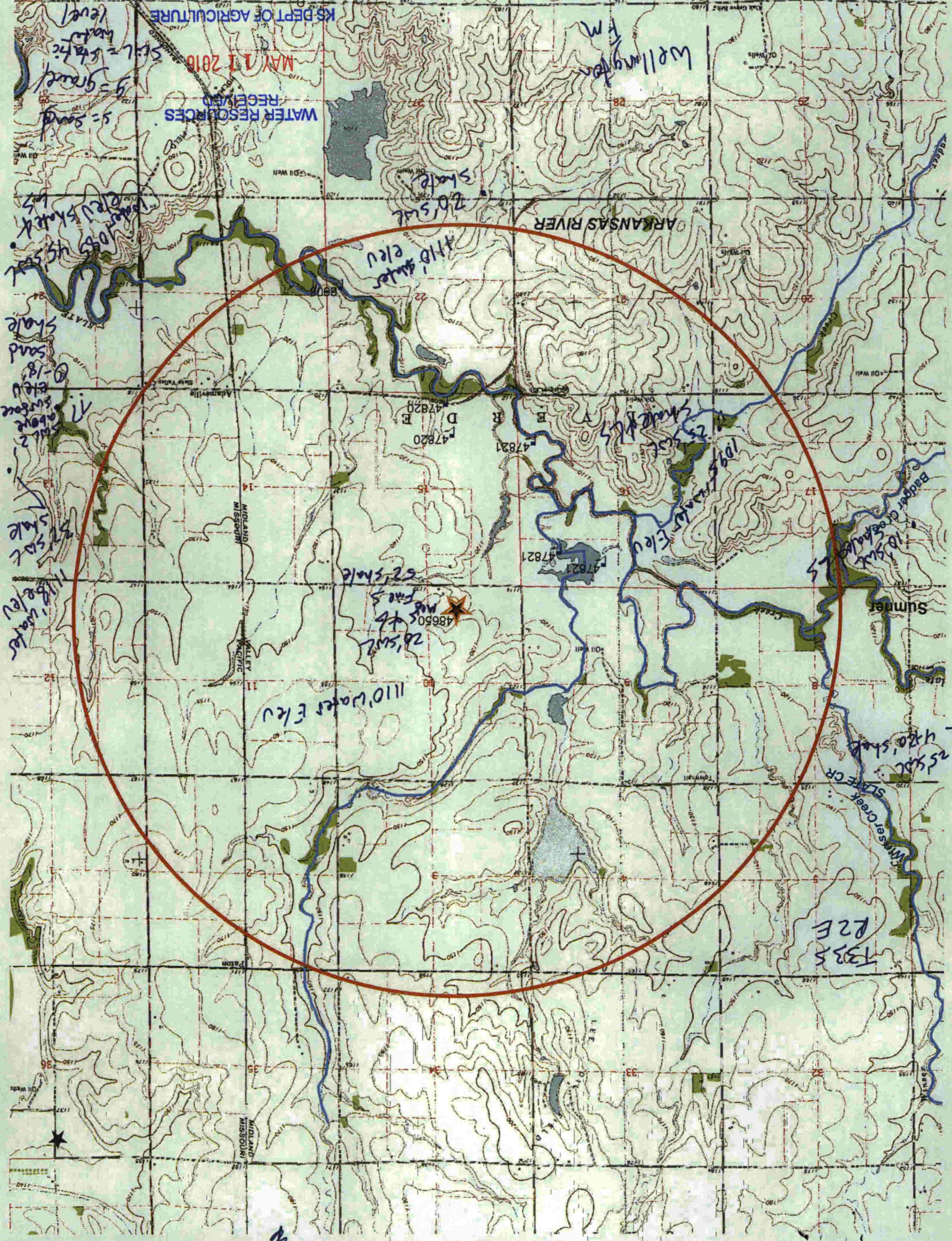
Created By: Matt Meier  
 F.O. 2  
 Date: 5/23/13

0 1,550 3,100 6,200 Feet  
 KS DEPT OF AGRICULTURE



KS DEPT OF AGRICULTURE  
 WATER RESOURCES  
 RECEIVED  
 MAY 11 2018

Willingden  
 FM



level  
 shale  
 sand  
 shale  
 110' water  
 shale  
 110' water  
 shale  
 110' water  
 shale

410' water  
 Elevation  
 20' shale

48650  
 star  
 20' shale  
 110' water  
 Elevation

25' shale  
 109' water  
 Elevation

25' shale  
 7480' shale  
 Slater Creek

T335  
 P22E