

# NOTICE

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

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 49900  
This item to be completed by the Division of Water Resources.

WATER RESOURCES  
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JAN 02 2018  
12:12  
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, KS 66502:

1. Name of Applicant (Please Print): Clint Tyler  
Address: 8861 NW Falcon  
City: Sawyer State KS Zip Code 67137 Telephone  
Number: (620) 594-2555

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Medicine Lodge River (S.C. KS DUA: MED21) (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.

\* CT  
12-28-17  
3. The maximum quantity of water desired is 51.8 acre-feet OR — gallons per calendar year,  
to be diverted at a maximum rate of \*400 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 FR Source (G) S County BA By ASW Date 12/18  
Code REG Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 1/2/18 Check # 2403

1/8/2018 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 the NW quarter of the NW quarter of the NW quarter of Section 10, more particularly described as being near a point 4696 feet North and 4664 feet West of the Southeast corner of said section, in Township 30 South, Range 13 West, Barber County, Kansas.
- (B) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.
- (C) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.
- (D) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (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):

- Same -  
 \_\_\_\_\_  
 (name, address and telephone number)

- Same -  
 \_\_\_\_\_  
 (name, address and telephone number)

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

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

Executed on 12-28, 2017. CTG  
 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 1 Well & Pump  
 (number of wells, pumps or dams, etc.)  
 and will be completed (by) 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 ASAP  
 (Mo/Day/Year)

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## IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49960

Name of Applicant (Please Print): Clint Tyler

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: Charles Swonger

ADDRESS: 8747 NW Falcon, Sawyer KS 67134

| 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 | 30S | 13W |     |    |    |    |     | 2  | 28 |    |     |    |    |    |     |    |    |    | 30    |
|    |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |       |
|    |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |       |

**Landowner of Record** NAME: Clint Tyler

ADDRESS: 8861 NW Falcon, Sawyer KS 67134

| 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 | 30S | 13W |     |    |    |    | 8   |    |    |    |     |    |    |    |     |    |    |    | 8     |
|    |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |       |
|    |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |       |

**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 |       |
|   |   |   |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |       |
|   |   |   |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |       |

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 \_\_\_\_\_

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  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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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    See                      \_\_\_\_\_                      \_\_\_\_\_

Total depth of well                                      Attached                      \_\_\_\_\_                      \_\_\_\_\_

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  
(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):

Clint Tyler 8861 NW Falcon Sawyer KS 620-594-2535  
(name, address and telephone number)

Charles Sawyer 8747 NW Falcon Sawyer KS 620-594-2526  
(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 28 day of December, 2017.  
(month) (year)

  
\_\_\_\_\_  
(Applicant Signature)

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

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

Assisted by MJM/SFFO                      ESII                      Date: 12/27/2017  
(office/title)

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### 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

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49960

**Nearby Well Owner List**  
(see application map for locations)

- #1: Domestic Well  
James A Nixon  
8691 NW Falcon RD  
Sawyer, KS 67134
  
- #2: Domestic Well  
Neil L & Vivian M Fisher & Sharon G Dickson  
PO Box 182  
Johnson, KS 67855
  
- #3: Domestic Well  
Martin & Twyla Dubois Trust ETAL  
1112 N 1712 RD  
Lawrence, KS 66049
  
- #4: Domestic Well  
Chuck Swonger-applicant
  
- #5: Domestic Well  
Clint Tyler-applicant

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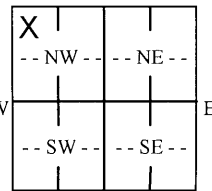
**WATER WELL RECORD Form WWC-5**

Division of Water Resources App. No.  Well ID

Original Record  Correction  Change in Well Use

|   |   |                      |                           |   |
|---|---|----------------------|---------------------------|---|
| <b>1 LOCATION OF WATER WELL:</b><br>County: <b>Barber</b> | Fraction<br>SE 1/4 NW 1/4 NW 1/4 NW 1/4 | Section Number<br>10 | Township Number<br>T 30 S | Range Number<br>R 13 <input type="checkbox"/> E <input checked="" type="checkbox"/> W |
|---|---|----------------------|---------------------------|---|

|   |  |
|---|--|
| <b>2 WELL OWNER:</b> Last Name: <b>Tyler</b> First: <b>Clint</b><br>Business:<br>Address: <b>8861 NW Falcon</b><br>Address:<br>City: <b>Sawyer</b> State: <b>Kansas</b> ZIP: <b>67134</b> | 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: <input checked="" type="checkbox"/> |
|---|--|

|  |  |  |
|--|--|--|
| <b>3 LOCATE WELL WITH "X" IN SECTION BOX:</b><br>N<br><br>W<br>E<br>S<br>-----1 mile----- | <b>4 DEPTH OF COMPLETED WELL:</b> ..... <b>95</b> ..... ft.<br>Depth(s) Groundwater Encountered: 1) ..... <b>17</b> ..... ft.<br>2) ..... ft. 3) ..... ft., or 4) <input type="checkbox"/> Dry Well<br>WELL'S STATIC WATER LEVEL: ..... <b>17</b> ..... ft.<br><input checked="" type="checkbox"/> below land surface, measured on (mo-day-yr) <b>12/20/2017</b><br><input type="checkbox"/> above land surface, measured on (mo-day-yr) .....<br>Pump test data: Well water was ..... <b>36</b> ..... ft.<br>after ..... <b>2</b> ..... hours pumping <b>100</b> ..... gpm<br>Well water was ..... ft.<br>after ..... hours pumping ..... gpm<br>Estimated Yield: ..... <b>500</b> ..... gpm<br>Bore Hole Diameter: ..... <b>15</b> ..... in. to ..... <b>100</b> ..... ft. and<br>..... in. to ..... ft. | <b>5 Latitude:</b> ..... <b>37.454965</b> ..... (decimal degrees)<br><b>Longitude:</b> ..... <b>98.736378</b> ..... (decimal degrees)<br>Datum: <input checked="" type="checkbox"/> WGS 84 <input type="checkbox"/> NAD 83 <input type="checkbox"/> NAD 27<br>Source for Latitude/Longitude:<br><input checked="" type="checkbox"/> GPS (unit make/model: <b>Samsung 7</b> )<br>(WAAS enabled? <input type="checkbox"/> Yes <input type="checkbox"/> No)<br><input type="checkbox"/> Land Survey <input type="checkbox"/> Topographic Map<br><input type="checkbox"/> Online Mapper: ..... |
|  |  | <b>6 Elevation:</b> ..... <b>1826</b> ..... ft. <input checked="" type="checkbox"/> Ground Level <input type="checkbox"/> TOC<br>Source: <input type="checkbox"/> Land Survey <input type="checkbox"/> GPS <input type="checkbox"/> Topographic Map<br><input checked="" type="checkbox"/> Other <b>KOLAR</b>  |

**7 WELL WATER TO BE USED AS:**

|   |  |   |
|---|--|---|
| 1. Domestic:<br><input type="checkbox"/> Household<br><input checked="" type="checkbox"/> Lawn & Garden<br><input type="checkbox"/> Livestock | 5. <input type="checkbox"/> Public Water Supply: well ID .....                     | 10. <input type="checkbox"/> Oil Field Water Supply: lease .....                                      |
| 2. <input type="checkbox"/> Irrigation  | 6. <input type="checkbox"/> Dewatering: how many wells? .....                      | 11. Test Hole: well ID .....  |
| 3. <input type="checkbox"/> Feedlot   | 7. <input type="checkbox"/> Aquifer Recharge: well ID .....                        | <input type="checkbox"/> Cased <input type="checkbox"/> Uncased <input type="checkbox"/> Geotechnical |
| 4. <input type="checkbox"/> Industrial  | 8. <input type="checkbox"/> Monitoring: well ID .....                              | 12. Geothermal: how many bores? .....   |
|   | 9. Environmental Remediation: well ID .....  | a) Closed Loop <input type="checkbox"/> Horizontal <input type="checkbox"/> Vertical                  |
|   | <input type="checkbox"/> Air Sparge <input type="checkbox"/> Soil Vapor Extraction | b) Open Loop <input type="checkbox"/> Surface Discharge <input type="checkbox"/> Inj. of Water        |
|   | <input type="checkbox"/> Recovery <input type="checkbox"/> Injection               | 13. <input type="checkbox"/> 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 ..... **8** ..... in. to ..... **95** ..... ft., Diameter ..... in. to ..... ft., Diameter ..... in. to ..... ft.

Casing height above land surface ..... **30** ..... in. Weight ..... **SDR 17** ..... lbs./ft. Wall thickness or gauge No. **SDR 17** .....

**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 ..... **75** ..... ft. to ..... **95** ..... ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.

**GRAVEL PACK INTERVALS:** From ..... **29** ..... ft. to ..... **95** ..... ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.

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

Grout Intervals: From ..... **4** ..... ft. to ..... **29** ..... ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.

**Nearest source of possible contamination:**

|   |   |  |   |   |
|---|---|--|---|---|
| <input type="checkbox"/> Septic Tank            | <input checked="" type="checkbox"/> Lateral Lines | <input type="checkbox"/> Pit Privy     | <input type="checkbox"/> Livestock Pens     | <input type="checkbox"/> Insecticide Storage  |
| <input type="checkbox"/> Sewer Lines            | <input type="checkbox"/> Cess Pool                | <input type="checkbox"/> Sewage Lagoon | <input type="checkbox"/> Fuel Storage       | <input type="checkbox"/> Abandoned Water Well |
| <input type="checkbox"/> Watertight Sewer Lines | <input type="checkbox"/> Seepage Pit              | <input type="checkbox"/> Feedyard      | <input type="checkbox"/> Fertilizer Storage | <input type="checkbox"/> Oil Well/Gas Well    |
| <input type="checkbox"/> Other (Specify) .....  |   |  |   |   |

Direction from well? **East** ..... Distance from well? **600** ..... ft.

| 10 FROM       | TO  | LITHOLOGIC LOG        | FROM | TO | LITHO. LOG (cont.) or PLUGGING INTERVALS |
|---------------|-----|-----------------------|------|----|--|
| 0             | 5   | Topsoil & Sandy Clay  |      |    |  |
| 5             | 35  | Sand Medium           |      |    |  |
| 35            | 84  | Sand Medium to Coarse |      |    |  |
| 84            | 90  | Sand and Gravel       |      |    |  |
| 90            | 92  | Clay                  |      |    |  |
| 92            | 95  | Sand                  |      |    |  |
| 95            | 100 | Shale                 |      |    |  |
| <b>Notes:</b> |     |                       |      |    |  |

**11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION:** This water well was  constructed,  reconstructed, or  plugged under my jurisdiction and was completed on (mo-day-year) **11/01/2017** ..... and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. **473** ..... This Water Well Record was completed on (mo-day-year) **12/26/2017** ..... under the business name of **Tyler Water Well, Inc.** .....

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

KS Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66604-1507 Telephone 785-296-3565. Visit us at <http://www.kdheks.gov/waterwell/index.html> KSA 82a-1212

JAN 02 2018

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 |
|------------|----------------------|---------------------|-------------------------|
| Sandy Loam | 20                   |                     |                         |
| Clay Loam  | 80                   |                     |                         |
| 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: 15 psi

(2) What is the sprinkler package design rate? 400 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:

Potatoes and sweet potatoes

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.

December 28, 2017  
(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. 49960

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.

[Signature]  
Signature of Applicant

State of Kansas )  
County of Stafford ) ss

Clint Tyler  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 28<sup>th</sup> day of December, 2017.



[Signature]  
Notary Public

My Commission Expires:

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JAN 02 2018

49960

**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

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KANSAS DEPT. OF AGRICULTURE

49960

To: Kansas Department of Agriculture  
Division of Water Resources  
109 SW 9<sup>th</sup> Street, 2nd Floor  
Topeka, KS 66612-1283  
Telephone: (785) 296-3717

Re: Domestic Well Spacing  
Consent Form

I, Clint Tyler, own a well in the SE  
Quarter of the NW Quarter of the NW Quarter of Section 10,  
Township 30 South, Range 13 W West/East, Barber County, Kansas.  
Water from this well is used only for domestic purposes as follows:

- \* household use;
- \* watering of livestock, poultry, farm and domestic animals used in operating a farm; and/or
- \* irrigation of lands not exceeding a total of two (2) acres in area for the growing of gardens, orchards and lawns.

I understand that an application for a permit to appropriate water, Application, File No. \_\_\_\_\_, has been filed with the Division of Water Resources and that the applicant seeks to use water from Water well located closer to my domestic well than allowed by the rules and regulations of the Chief Engineer, in particular K.A.R. \_\_\_\_\_. I hereby give my permission to the applicant to install Water well at a location approximately 500 feet from my domestic well if the same is allowed and permitted by the Chief Engineer.

By giving my permission, I do not waive any right I may have to file a complaint with the Chief Engineer or to make a written request to secure water, pursuant to K.A.R. 5-4-1, if the use of my well becomes impaired such that I am unable to exercise my domestic water right, nor do I waive any other rights I may have under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer.

WATER RESOURCES  
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49960

I acknowledge that my permission has been given freely and voluntarily. I further acknowledge that I have not entered any agreement either oral or in writing with any person(s) including the Applicant, land owner, or any representative or agent of the applicant or land owner that condition my permission on giving up any of my rights under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer or that condition my permission on reliance on any person or entity other than the Chief Engineer to investigate any claims of impairment I may make with respect to my domestic well or to secure water to satisfy my domestic water right.

[Signature]  
Signature

8861 NW Falcon  
Address (please print)

Sawyer, Kansas  
City/Town, State (please print)

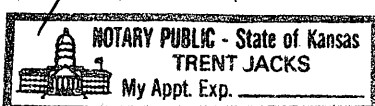
( 620 ) 594-2526  
Phone

State of KANSAS

County of KIOWA

Signed or attested before me on December 28<sup>th</sup> by CLINT TYLER  
(Please print name of signatory)

[Signature]



[Signature]  
Notary Public

[My appointment expires: 8-30-21]

WATER RESOURCES RECEIVED

JAN 02 2018

K3 DEPT OF AGRICULTURE

499100

To: Kansas Department of Agriculture  
Division of Water Resources  
109 SW 9<sup>th</sup> Street, 2nd Floor  
Topeka, KS 66612-1283  
Telephone: (785) 296-3717

Re: Domestic Well Spacing  
Consent Form

I, Charles Swonger, own a well in the NE  
Quarter of the NW Quarter of the NW Quarter of Section 10,  
Township 30 South, Range 13 W West/East, Barber County, Kansas.  
Water from this well is used only for domestic purposes as follows:

- \* household use;
- \* watering of livestock, poultry, farm and domestic animals used in operating a farm; and/or
- \* irrigation of lands not exceeding a total of two (2) acres in area for the growing of gardens, orchards and lawns.

I understand that an application for a permit to appropriate water, Application, File No. \_\_\_\_\_, has been filed with the Division of Water Resources and that the applicant seeks to use water from Water well located closer to my domestic well than allowed by the rules and regulations of the Chief Engineer, in particular K.A.R. \_\_\_\_\_ I hereby give my permission to the applicant to install Water well at a location approximately 600 feet from my domestic well if the same is allowed and permitted by the Chief Engineer.

By giving my permission, I do not waive any right I may have to file a complaint with the Chief Engineer or to make a written request to secure water, pursuant to K.A.R. 5-4-1, if the use of my well becomes impaired such that I am unable to exercise my domestic water right, nor do I waive any other rights I may have under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer.

WATER RESOURCES  
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JAN 02 2018  
KS DEPT OF AGRICULTURE

49960

I acknowledge that my permission has been given freely and voluntarily. I further acknowledge that I have not entered any agreement either oral or in writing with any person(s) including the Applicant, land owner, or any representative or agent of the applicant or land owner that condition my permission on giving up any of my rights under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer or that condition my permission on reliance on any person or entity other than the Chief Engineer to investigate any claims of impairment I may make with respect to my domestic well or to secure water to satisfy my domestic water right.

Charles Swonger  
Signature

8747 NW Falcon  
Address (please print)  
Sawyer, Kansas  
City/Town, State (please print)

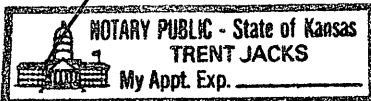
( 620 ) 594-2526  
Phone

State of KANSAS

County of KLAWA

Signed or attested before me on December 28th by Charles Swonger  
(Please print name of signatory)

[Signature]



Notary Public 8-30-21

[My appointment expires: \_\_\_\_\_]

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JAN 02 2018



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

January 4, 2018

CLINT TYLER  
8861 NW FALCON  
SAWYER KS 67137

**FILE COPY**

RE: Application  
File No. 49960

Dear Sir or Madam:

Your application for permit to appropriate water in 10-30S-13W in Barber 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) 564-6637. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

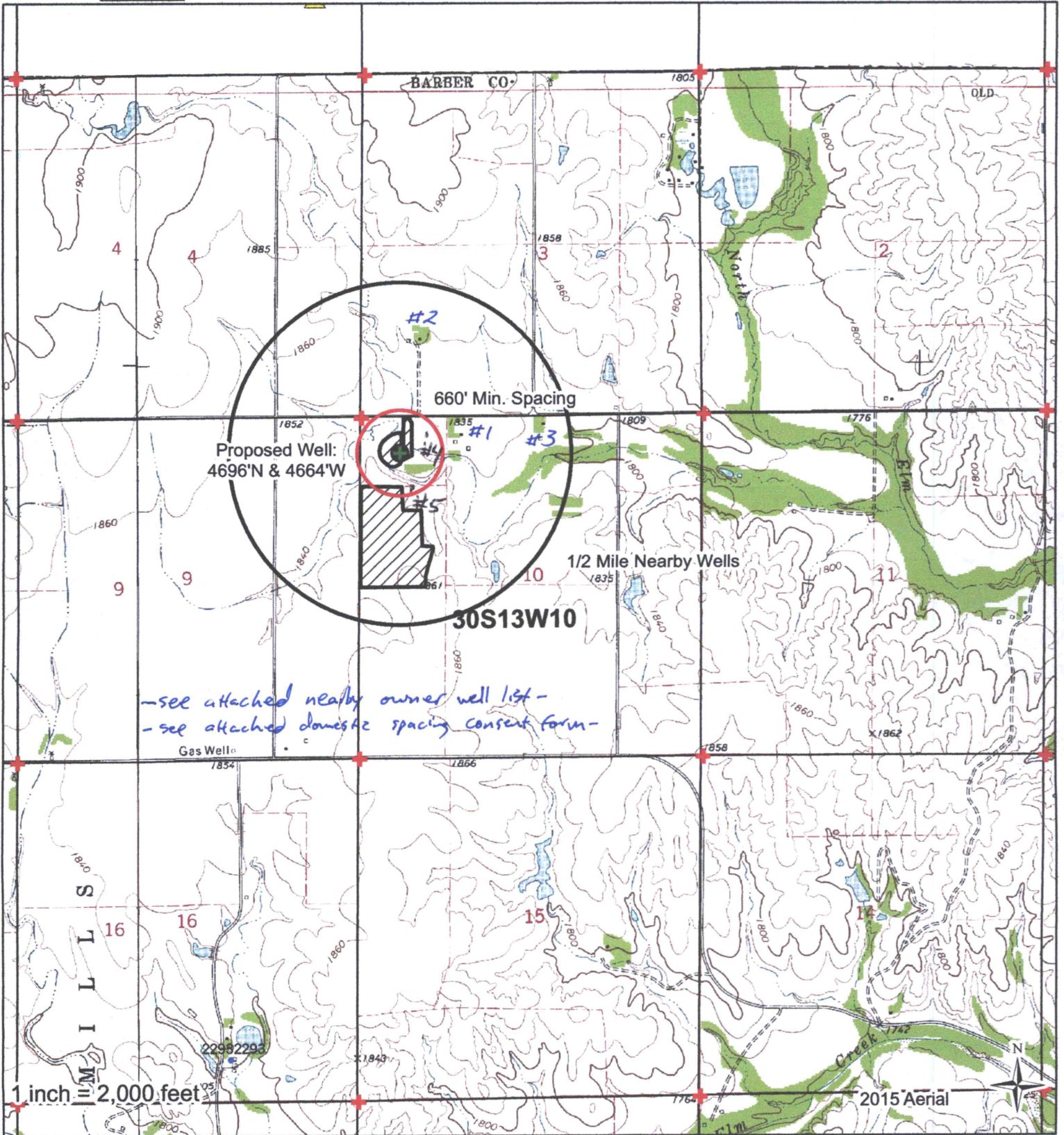
A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: STAFFORD Field Office  
GMD

49960

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



- see attached nearby owner well list -  
 - see attached domestic spacing consent form -

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 PD
- Proposed Place of Use
- Domestic Wells
- Water Rights
- SFFOsec\_corners

WATER RESOURCES RECEIVED

Signature

Date JAN 02 2018

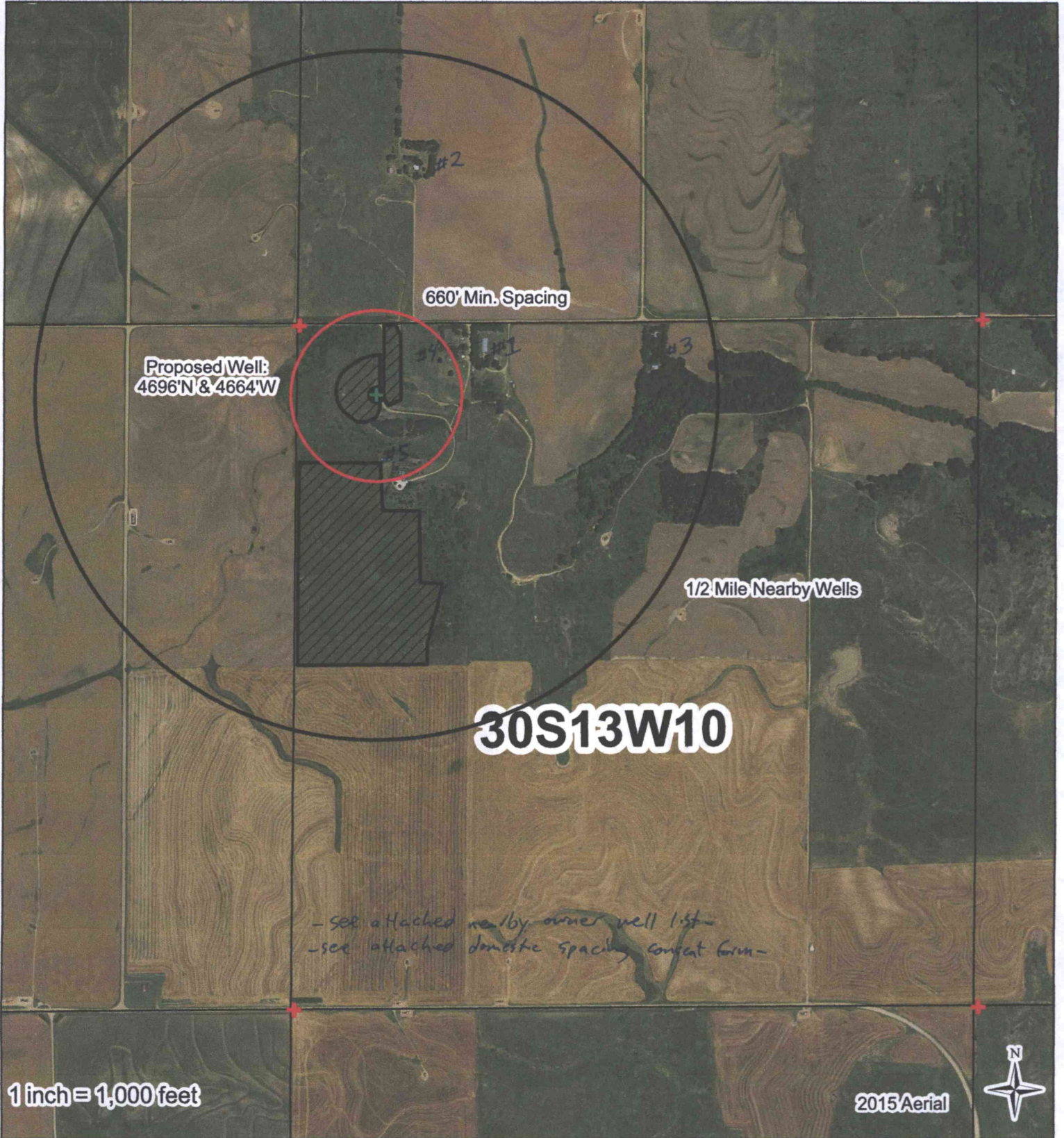
Created By: Matt Meier  
 No. 2  
 Date: 12/27/2017



DEPT OF AGRICULTURE

49960

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



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 PD
- Proposed Place of Use
- Domestic Wells
- Water Rights
- SFFOsec\_corners

\_\_\_\_\_  
Signature

Date

0 400 800 1,600 2,400 3,200 Feet

WATER RESOURCES  
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Created By: Matt Meier  
F.O. 2  
Date: 12/27/2017

JAN 02 2018

KS DEPT OF AGRICULTURE