

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

1. File Number: <p style="text-align: center;"><b>49,681</b></p>	2. Status Change Date: <p style="text-align: center;"><b>11/1/2016</b></p>	3. Field Office: <p style="text-align: center;"><b>01</b></p>	4. GMD: <p style="text-align: center;"><b>0</b></p>
---	---	--	--

5. Status:     Approved                       Denied by DWR/GMD                       Dismiss by Request/Failure to Return

6. Enclosures:     Check Valve         N of C Form             Water Tube             Driller Copy             Meter

<p>7a. Applicant(s)                      Person ID <b>21090</b> New to system <input type="checkbox"/>                      Add Seq# _____</p> <p><b>JACKSON RWD 03</b> <b>PO BOX 350</b> <b>HOLTON KS 66436-0350</b></p>	<p>7c. Landowner(s)                      Person ID _____ New to system <input type="checkbox"/>                      Add Seq# _____</p>
<p>7b. Landowner(s)                      Person ID _____ New to system <input type="checkbox"/>                      Add Seq# _____</p> <p><b>7a.</b></p>	<p>7d. Misc.                                      Person ID _____ New to system <input type="checkbox"/>                      Add Seq# _____</p> <p><b>GROUND WATER ASSOCIATES INC</b> <b>% BRAD VINCENT</b> <b>1999 N AMIDON STE 218</b> <b>WICHITA KS 67203</b></p>

<p>8. WUR Correspondent                      Person ID _____ New to system <input type="checkbox"/>                      Add Seq# _____ Overlap File (s) WUC                      Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>7a.</b></p>	<p>9. Use of Water:    Changing?    <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> Groundwater                      <input type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR                      <input type="checkbox"/> REC                      <input type="checkbox"/> DEW                      <input checked="" 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: **12/31/2017**                      11. Perfection Date: **12/31/2036**                      12. Exp Date: \_\_\_\_\_

13. Conservation Plan Required?  Yes  No Date Required: \_\_\_\_\_ Date Approved: \_\_\_\_\_ Date to Comply: \_\_\_\_\_

14. Water Level Measuring Device?  Yes  No Date to Comply: \_\_\_\_\_ Date WLMD Installed: \_\_\_\_\_

Date Prepared: **10/24/2016** By: **DWS**  
Date Entered: **11/2/2016** By: **UM**

File No. <b>49,681</b>	15. Formation Code: <b>100</b>	Drainage Basin: <b>DELAWARE RIVER</b>	County: <b>JA</b>	Special Use:	Stream:				
16. Points of Diversion T MOD DEL ENT				17. Rate and Quantity Authorized Additional Rate gpm      Quantity mgy      Rate gpm      Quantity mgy      Overlap PD Files					
PDIV      Qualifier      S      T      R      ID      'N      'W									
✓ <b>85503</b> <b>SE SE SE</b> <b>17</b> <b>6</b> <b>16E</b> <b>2</b> <b>125</b> <b>125</b>				<b>300</b> <b>52.136</b> <b>300</b> <b>52.136</b> <b>NONE</b>					
18. Storage: Rate _____ NF      Quantity _____ ac/ft      Additional Rate _____ NF      Additional Quantity _____ ac/ft									
19. Limitation: _____ mg/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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No      To be installed by <b>12/31/2017</b> Date Acceptable Meter Installed _____									
21. Place of Use T MOD DEL ENT		NE¼      NW¼      SW¼      SE¼      NE¼      NW¼      SW¼      SE¼      NE¼      NW¼      SW¼      SE¼      NE¼      NW¼      SW¼      SE¼				Total	Owner	Chg? NO	Overlap Files
PUSE      S      T      R      ID									
✓ <b>36667</b> <b>27</b> <b>6</b> <b>15E</b> <b>1</b>		<b>WITHIN BOUNDARIES OF JACKSON RWD 03 &amp; IMMEDIATE VICINITY</b>					<b>7a.</b>	<b>No</b>	<b>see below</b>
✓ <b>61873</b> <b>27</b> <b>6</b> <b>15E</b> <b>2</b>		<b>City of Circleville &amp; immediate vicinity</b>					<b>7a.</b>	<b>No</b>	<b>see below</b>
✓ <b>61874</b> <b>27</b> <b>6</b> <b>15E</b> <b>3</b>		<b>CITY OF DENISON &amp; IMMEDIATE VICINITY</b>					<b>7a.</b>	<b>No</b>	<b>see below</b>
✓ <b>61875</b> <b>27</b> <b>6</b> <b>15E</b> <b>4</b>		<b>CITY OF MAYETTA &amp; IMMEDIATE VICINITY</b>					<b>7a.</b>	<b>No</b>	<b>see below</b>
✓ <b>61876</b> <b>27</b> <b>6</b> <b>15E</b> <b>5</b>		<b>CITY OF NETAWAKA &amp; IMMEDIATE VICINITY</b>					<b>7a.</b>	<b>No</b>	<b>see below</b>
✓ <b>61877</b> <b>27</b> <b>6</b> <b>15E</b> <b>6</b>		<b>CITY OF SOLDIER &amp; IMMEDIATE VICINITY</b>					<b>7a.</b>	<b>No</b>	<b>see below</b>
✓ <b>61878</b> <b>27</b> <b>6</b> <b>15E</b> <b>7</b>		<b>CITY OF WHITING &amp; IMMEDIATE VICINITY</b>					<b>7a.</b>	<b>No</b>	<b>see below</b>
✓ <b>61879</b> <b>27</b> <b>6</b> <b>15E</b> <b>8</b>		<b>WITHIN AREA OUTSIDE BOUNDARIES OF JACKSON RWD 03 - SEE IMAGE</b>					<b>7a.</b>	<b>No</b>	<b>see below</b>
Comments: <b>PU OVERLAP WITH 18,210; 28,884; 40,504; 44,249; 49,559; AND 49,681</b>									

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**  
**M E M O R A N D U M**

**TO:** Files

**DATE:** October 24, 2016

**FROM:** Doug Schemm

**RE:** Applications, File Nos. 49,559 and 49,681

Jackson County Rural Water District No. 3 (RWD #3) has filed the referenced applications to appropriate groundwater for municipal use. File No. 49,559 is requesting 39.102 million gallons (120 acre-feet) of groundwater from one well at a rate of diversion of 200 gallons per minute, and File No. 49,681 is requesting 52.136 million gallons (160 acre-feet) of groundwater from one well at a rate of diversion of 300 gallons per minute. Both wells are located in the Southeast Quarter of Section 17, Township 6 South, Range 16 East, Jackson County. The wells are located on property owned by Gene Dickinson, and the RWD #3 Manager has signed the application forms stating they have access to the point of diversion. The applicant was assisted by the consulting firm of Ground Water Associates, Inc. (Brad Vincent).

There are no other files overlapping either of the points of diversion, however RWD #3 currently has several senior water rights, File Nos. 18,210; 28,884; 40,504; and 44,249, which overlap in place of use. Water Right, File No. 18,210 is authorized 60.673 million gallons; Water Right, File No. 28,884 is authorized 64.979 million gallons (limited to 105.12 million gallons); Water Right, File No. 40,504 is authorized 38.755 million gallons (limited to 143.875 million gallons); and Appropriation of Water, File No. 44,249 is authorized 58.653 million gallons (limited to 202.127 million gallons). Therefore, the senior rights authorized total quantity of water is 202.127 million gallons.

A review of water needs and projections by the Kansas Water Office (KWO) has projected significant population growth and water demand for the applicant, with water demand of 274 million gallons, and a population of 6,347 by the year 2040. The applicant provided a population estimate for the immediate RWD area of 2,800. RWD #3 also provides water to Circleville, Denison, Mayetta, Netawaka, Soldier, Whiting, which have a combined projected population of 1,318, and other areas. In addition the applicant is selling large quantities of water to industrial, bulk, and stock customers. The applicant provided a calculated value of 195 gpcd on their supplemental sheet, however, this value did not account for the additional population in cities, and others within their service area, which would reduce this value significantly. The Kansas Municipal Water Use (2008) indicates an average of 100 gpcd. Therefore, an estimated quantity of water (20 year projection) can be determined as follows:

6,347 population (KWO estimate) x 100 gpcd x 365 days/year =	232 million gallons
Water sold to industry, stock, and bulk customers =	60 million gallons
Total =	292 million gallons

As noted above, the applicant's current water rights have a total authorized quantity of 202.127 million gallons. The KWO projects a demand of 274 million gallons, and the applicant is projecting a demand of 293 million gallons. The combined quantity requested under the two pending applications is 91.238 million gallons. Combining the authorized quantity of water under the senior files with the requested quantity under the new applications provides 293.365 million gallons. This is certainly justified by the projections discussed above, and therefore all the water under the new applications will be additional water. These proposed wells will also provide the applicant with greater flexibility in their water supply and assist in addressing potential water quality issues.

Based on the geographical location of the wells, and test hole lithology, it appears that the source of supply is groundwater from glacial drift deposits. This is also consistent with the source of water for other area wells. The test holes show similar lithology, with clay extending from ground surface to a depth of 66 feet, underlain by very fine to fine sands, and gravel encountered a few feet above shale bedrock. Bedrock (shale) was encountered at 147 feet below ground surface and static water level was at 85.5 feet in File No. 49,559 test hole. Bedrock (shale) was encountered at 166 feet below ground surface and static water level was at 99.5 feet in File No. 49,681 test hole.

These would indicate saturated thicknesses of approximately 62 feet and 67 feet, respectively. As noted in the applicant's substantial supporting data, this local aquifer is part of an extensive buried glacial valley that generally trends northwest to southeast through this region. As noted above, the applicant has provided a great deal of additional information including cross-sections, bedrock elevation maps, and pump test results. This supportive information, along with a review of area wells and geologic maps, allows for an accurate determine of the extent of the local aquifer, which is a critical component of safe yield assessment in glacial aquifers.

Both the domestic well logs and geologic maps indicate that the glacial deposits do not extend into the Northeast and South portions of the two-mile circle. Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer (glacial deposits), within a two-mile circle radius of the point of diversion, which establishes the area of consideration. To maintain consistency with previous applications in this area of the state, sourcing glacial deposits, the area of consideration was determined by excluding any area in the two-mile circle where sand and gravel deposits were less than 10 feet in thickness (south portion of circle). For File No. 49,559 this evaluation provided an area of consideration of 6,563 acres, a potential recharge of 5.0 inches, and 100% of recharge available for appropriation, resulting in a safe yield of 2,734.6 acre-feet. Existing water rights have appropriated 741.94 acre-feet, providing a difference of 1,992.7 acre-feet available for appropriation, and the application requesting 120 acre-feet complies with safe yield.

For File No. 49,681, located approximately 2,400 feet due east of File No. 49,559, the same safe yield evaluation was conducted and provided an area of consideration of 6,108 acres, a potential recharge of 5.0 inches, and 100% of recharge available for appropriation, resulting in a safe yield of 2,545 acre-feet. Existing water rights have appropriated 681.94 acre-feet (including the senior pending application), providing a difference of 1,863.1 acre-feet available for appropriation, and the application requesting 160 acre-feet complies with safe yield.

The applicant listed the same three domestic wells within one-half mile of the proposed wells for both applications and nearby well owner letters were mailed out on October 5, 2016. One domestic well owner (Mark Bowser) called in on October 24, 2016 expressing concerns that the proposed wells could impact his domestic well and his stockwatering pond (located in Northeast Quarter of Section 20). He also stated that the neighboring well owner (Maxwell) had similar concerns regarding their domestic well. Mr. Bowser wanted it documented that he contacted our office with concerns. The WRIS database shows the nearest domestic well to be over 800 feet away, while the nearest permitted well is over 7,000 feet away for both files. The proposed points of diversion meet minimum well spacing requirements to all other wells, and to each other for the source of supply.

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 these permits, check valves will also need to be installed.

Katie Tietsort, Water Commissioner of the Topeka Field Office, recommended approval of the referenced applications in a discussion on October 24, 2016. Based on the above discussion, the area is open to new appropriations, the applications meet safe yield and well spacing criteria, approval will provide the applicant with additional water and flexibility in water sources, and approval of the applications will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced applications be approved.

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

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

November 4, 2016

JACKSON COUNTY RWD 03  
% BRENDA L ADKINS MANAGER  
PO BOX 350  
HOLTON KS 66436-0350

RE: Appropriation of Water, File Nos. 49,559 and 49,681

**FILE COPY**

Dear Ms. Adkins:

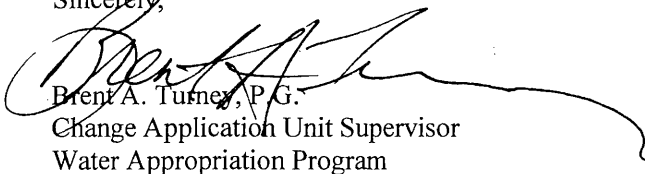
There are enclosed permits to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the sources and at the locations specified in these permits, and to use it for the purpose and at the location described in these permits.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these permits. Water meters are required and you must install them prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meters should be used to provide the information required on the annual water use reports.

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 these permits. Enclosed are forms which may be used to notify the Chief Engineer that the proposed diversion works have been completed for each file.

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 these permits 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 these permits. Failure to comply with this regulation will result in the dismissal of your permits or your water rights. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00 per file number. There is also enclosed an information sheet setting forth the procedure to obtain Certificates of Appropriation which will establish the extent of your water rights. 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, P.G.  
Change Application Unit Supervisor  
Water Appropriation Program

BAT:dws  
Enclosures

pc: Topeka Field Office  
Brad Vincent – Ground Water Associates Inc.



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)

**FILE COPY**

This is to certify that I have examined Application, **File No. 49,681** of the applicant

**JACKSON COUNTY RWD 03  
PO BOX 350  
HOLTON KS 66436-0350**

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 **August 1, 2016**.
2. That the water sought to be appropriated shall be used for municipal use within the boundaries of Rural Water District No. 3, Jackson County, Kansas and immediate vicinity; the City of Circleville, Kansas and immediate vicinity; the City of Denison, Kansas and immediate vicinity; the City of Mayetta, Kansas and immediate vicinity; the City of Netawaka, Kansas and immediate vicinity; the City of Soldier, Kansas and immediate vicinity; the City of Whiting, Kansas and immediate vicinity; and within an area outside the boundaries of Rural Water District No. 3, Jackson County, Kansas, in Atchison County, Kansas, Brown County, Kansas, Jackson County, Kansas and Jefferson County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 17, more particularly described as being near a point 125 feet North and 125 feet West of the Southeast corner of said section, in Township 6 South, Range 16 East, Jackson County, Kansas, located substantially as shown on the topographic map accompanying the application.
4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **300 gallons per minute (0.67 c.f.s.)** and to a quantity not to exceed **52.136 million gallons** (160 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, 2036** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

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

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

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

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

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

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

17. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.





### CERTIFICATE OF SERVICE

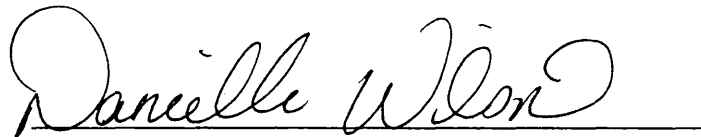
On this 4<sup>th</sup> day of November, 2016, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,681, dated November 1, 2016 was mailed postage prepaid, first class, US mail to the following:

JACKSON COUNTY RWD 03  
PO BOX 350  
HOLTON KS 66436-0350

With photocopies to:

GROUND WATER ASSOCIATES INC  
% BRAD VINCENT  
1999 N AMIDON STE 218  
WICHITA KS 67203

Topeka Field Office



Division of Water Resources

10/24/2016

Reviewed DWS

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49,681

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

WATER RESOURCES RECEIVED

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

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

AUG 01 2016 2:15

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): JACKSON COUNTY RURAL WATER DISTRICT #3
Address: 411 NEW YORK AVE., P.O. BOX 350
City: HOLTON State KS Zip Code 66436
Telephone Number: (785) 364-3056

2. The source of water is: [ ] surface water in (stream)
OR [X] groundwater in DELAWARE RIVER (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 160 acre-feet OR 52.136 million gallons per calendar year, to be diverted at a maximum rate of 300 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) [X] 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. [ ] GMD [ ] Meets K.A.R. 5-3-1 (YES) NO) Use MUN Source GYS County JA By AJW Date 8/1/16
Code REL Fee \$ 300 TR # Receipt Date 8/1/14 Check # 13715

SCANNED

8/2/2016 LCM

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 SE quarter of the SE quarter of the SE quarter of Section 17, more particularly described as being near a point 125 feet North and 125 feet West of the Southeast corner of said section, in Township 6 South, Range 16 East West (circle one), JACKSON 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):

GENE DICKINSON, 21522 Q ROAD, HOLTON, KS 66436 (785-364-3613)  
(name, address and telephone number)

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

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

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

Executed on July 29, 2016 Brenda L Adkins  
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  
(number of wells, pumps or dams, etc.)  
and (was) (will be) completed (by) 12/31/2017  
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be 12/31/2017  
(Mo/Day/Year)

WATER RESOURCES  
RECEIVED

AUG 01 2016

SCANNED

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.

18210, 28889 40504 44249 40737

APPLICATION 49559

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

WATER RESOURCES RECEIVED

AUG 01 2016

SCANNED

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

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

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	<u>24 FEB 2016</u>			
Total depth of well	<u>166'</u>			
Depth to water bearing formation	<u>66'</u>			
Depth to static water level	<u>99.45'</u>			
Depth to bottom of pump intake pipe	<u>164'</u>			

14. The relationship of the applicant to the proposed place where the water will be used is that of

AGENT  
(owner, tenant, agent or otherwise)

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

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

\_\_\_\_\_  
APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By Brenda L Adkins  
(Agent or Officer Signature)

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

Brenda L Adkins, General Manager Rural Water District  
(Agent or Officer - Please Print) #3

Assisted by BRAD VINCENT GROUND WATER ASSOCIATES Date: 22 July 2016  
(office/title)

WATER RESOURCES RECEIVED

AUG 01 2016

SCANNED

49681



24 Feb 2016

### Jackson Co. RWD #3

TH 3-16      125' N & 125' W of the SE cor. Sec 17, T6S, R16E      Elev. 1062'  
GPS N 39° 31.259' W 95° 38.680'

SWL 99.45' @GL (Jun 13, 2016)

- 0 - 1'      Top soil
- 1 - 7      Clay br
- 7 - 10      Clay, yel
- 10 - 47      Clay br + yel
- 47 - 48      Clay br silty
- 48 - 51      Clay br
- 51 - 52      Sand tan, f
- 52 - 58      Clay gy & tan
- 58 - 66      Clay gn & yel & tan
- 66 - 82      Sand br, vf, silty
- 82 - 99      Sand br, vf
- 99 - 130      Sand tan, vf
- 130 - 135      Sand tan, vf, silty
- 135 - 152      Sand tan, f, loose
- 152 - 157      Sand br, f-m, boulder
- 157 - 164      Gravel f-c, pebbles, arkosic
- 164 - 166      Gravel c, pebbles tan, sand gy, boulders
- 166 - 167      Shale gn
- 167 - 174      LS gn/gy, v. hard

Set 2" screen 146' - 166'

Logged by Brad Vincent, Ground Water Associates  
Datum: 1927North American

WATER RESOURCES  
RECEIVED

AUG 01 2016

SCANNED

KS DEPT OF AGRICULTURE

\_\_\_\_\_  
(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. 49681

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.

Brenda L Adkins  
Signature of Applicant

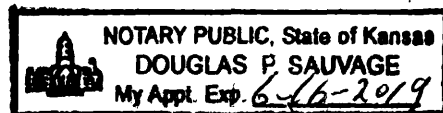
State of Kansas )  
County of Jackson ) ss

Brenda L Adkins  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 29 day of July, 2016.

Douglas P. Sauvage  
Notary Public

My Commission Expires:  
6-16-2019



**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



File No. 44,249

PU change

5. It is proposed that the place of use be changed to:

Owner of Water Right: Rural Water District No. 3, Jackson County  
P.O. Box 350  
Holton, Kansas 66436-0350

Municipal use,

within the boundaries of Rural Water District No. 3, Jackson County and immediate vicinity;

- \* ~~within the boundaries of~~ the City of Circleville and its immediate vicinity;
- \* ~~within the boundaries of~~ the City of Denison its immediate vicinity;
- \* ~~within the boundaries of~~ the City of Mayetta and its immediate vicinity;
- \* ~~within the boundaries of~~ the City of Netawaka and its immediate vicinity;
- \* ~~within the boundaries of~~ the City of Soldier and its immediate vicinity;
- \* ~~within the boundaries of~~ the City of Whiting and its immediate vicinity; and
- \* *within an area outside the boundaries of RWD #3 Jackson Co. KS described as follows:*  
within the following sections or fractions of sections:

\* par 10-  
4/20/11

Brown County  
 SE $\frac{1}{4}$  35-4-15E  
 S $\frac{1}{2}$  36-4-15E  
 S $\frac{1}{2}$  31-4-16E  
 S $\frac{1}{2}$  32-4-16E  
 S $\frac{1}{2}$  33-4-16E  
 S $\frac{1}{2}$  34-4-16E  
 S $\frac{1}{2}$  35-4-16E  
 S $\frac{1}{2}$  36-4-16E

Atchison County  
 W $\frac{1}{2}$  5-6-17E  
 6-6-17E  
 7-6-17E  
 W $\frac{1}{2}$  8-6-17E  
 W $\frac{1}{2}$  17-6-17E  
 18-6-17E  
 19-6-17E  
 NW $\frac{1}{4}$  20-6-17E  
 30-6-17E

Jefferson County  
 W $\frac{1}{2}$  25-7-16E  
 NW $\frac{1}{4}$  36-7-16E

Jackson County

1-5-16E	N $\frac{1}{2}$ 15-5-16E	E $\frac{1}{2}$ 34-6-16E	SW $\frac{1}{4}$ 12-7-16E
2-5-16E	N $\frac{1}{2}$ 16-5-16E	35-6-16E	W $\frac{1}{2}$ 13-7-16E
3-5-16E	NE $\frac{1}{4}$ 17-5-16E	W $\frac{1}{2}$ 36-6-16E	14-7-16E
4-5-16E	S $\frac{1}{2}$ 13-6-16E	NW $\frac{1}{4}$ 1-7-16E	E $\frac{1}{2}$ 15-7-16E
E $\frac{1}{2}$ 5-5-16E	S $\frac{1}{2}$ 14-6-16E	2-7-16E	E $\frac{1}{2}$ 22-7-16E
E $\frac{1}{2}$ 8-5-16E	SE $\frac{1}{4}$ 22-6-16E	3-7-16E	23-7-16E
9-5-16E	23-6-16E	E $\frac{1}{2}$ 4-7-16E	W $\frac{1}{2}$ 24-7-16E
10-5-16E	N $\frac{1}{2}$ & SW $\frac{1}{4}$ 24-6-16E	NE $\frac{1}{4}$ 9-7-16E	26-7-16E
N $\frac{1}{2}$ & SW $\frac{1}{4}$ 11-5-16E	W $\frac{1}{2}$ 25-6-16E	N $\frac{1}{2}$ & SE $\frac{1}{4}$ 10-7-16E	NE $\frac{1}{4}$ 27-7-16E
N $\frac{1}{2}$ 12-5-16E	26-6-16E	11-7-16E	N $\frac{1}{2}$ 35-7-16E
NW $\frac{1}{4}$ 14-5-16E	E $\frac{1}{2}$ 27-6-16E		

WATER RESOURCES  
 RECEIVED  
 SCANNED  
 DEC 15 2010  
 KS DEPT OF AGRICULTURE

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

# 49,681

125 ft N and 125 ft W of the SE Corner of Section 17, T 6S, R 16E

Located at: 95.644654 West Longitude and 39.521049 North Latitude

GROUNDWATER ONLY

```

=====
File Number   Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan Unit
A__ 35489 00 MUN NK G      8772 -- SE SW SE   360 1500  7  6 16E  1      288.36  288.36 AF
A__ 35490 00 MUN NK G      9899 -- NW SW SE   745 2630  7  6 16E  2      293.59  273.58 AF
A__ 49559 00 MUN AY G      1690 -- -- -- SE 1320 1320 17  6 16E  1      120.00  120.00 AF
A__ 49681 00 MUN AY G         0 -- SE SE SE   125  125 17  6 16E  2      160.00  160.00 AF
=====

```

```

=====
Total Net Quantities Authorized:   Direct           Storage
Total Requested Amount (AF) =      280.00           .00
Total Permitted Amount (AF) =           .00           .00
Total Inspected Amount (AF) =           .00           .00
Total Pro_Cert Amount (AF) =           .00           .00
Total Certified Amount (AF) =      561.94           .00
Total Vested Amount (AF) =           .00           .00
TOTAL AMOUNT (AF) =      841.94           .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:

95.644654 West Longitude and 39.521049 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

```

=====
File Number   Use ST SR
A__ 35489 00 MUN NK G
> CITY OF HOLTON
>
> 430 PENNSYLVANIA
> HOLTON KS 66436
>-----
A__ 35490 00 MUN NK G
> CITY OF HOLTON
>
> 430 PENNSYLVANIA
> HOLTON KS 66436
>-----
A__ 49559 00 MUN AY G
> JACKSON RWD 03
>
> PO BOX 350
> HOLTON KS 66436
>-----
A__ 49681 00 MUN AY G
> JACKSON RWD 03
>
> PO BOX 350

```

> HOLTON KS 66436

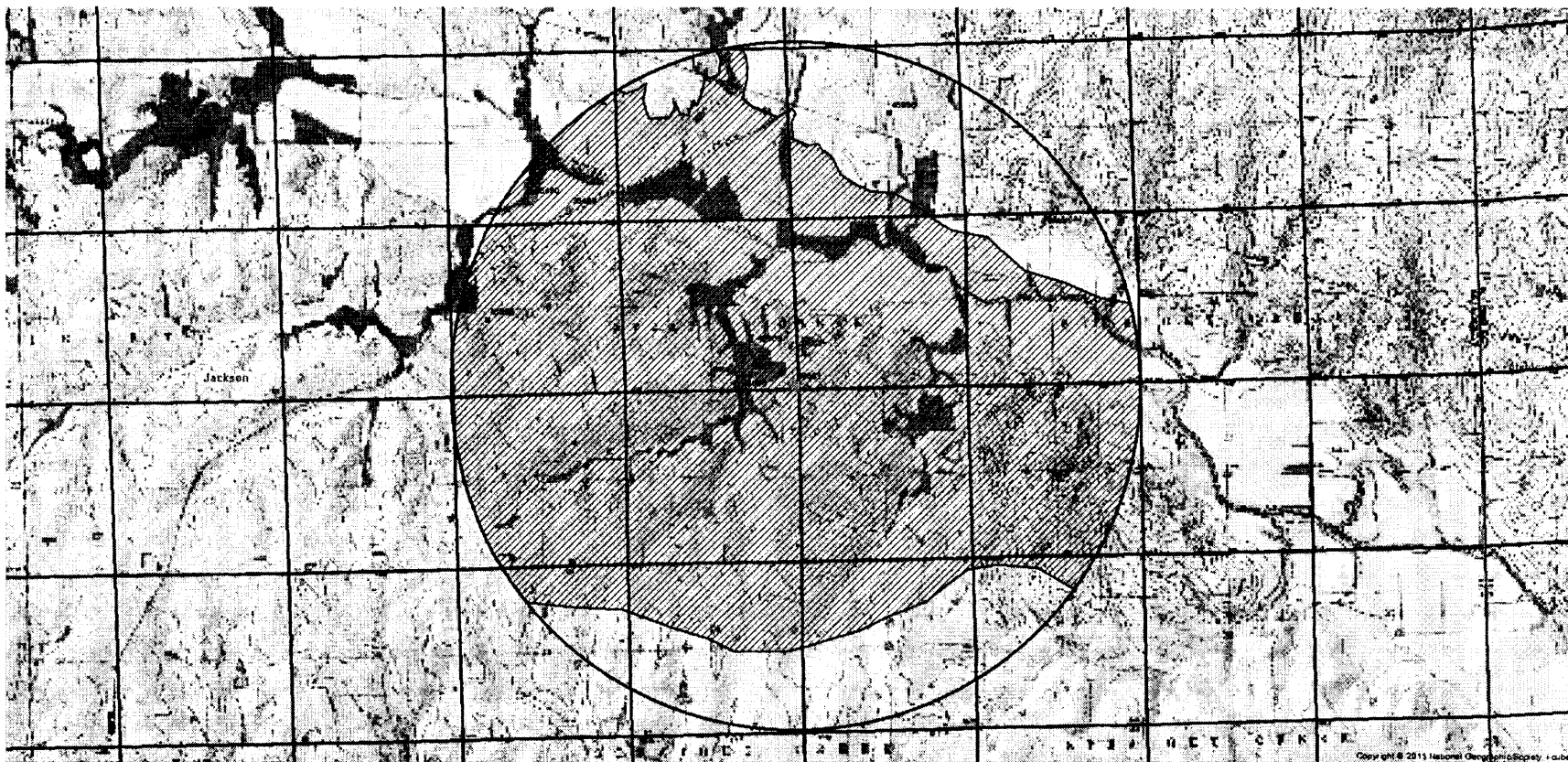
>-----

=====

Safe Yield Report Sheet  
Proposed Water Right Application  
Point of Diversion in SESESESE 17-06S-16E  
FILE NO. 49,681 (125'N & 125'W)

---

---



File #49,681  
 Meets safe  
 yield

**Analysis Results**

The selected PD is in an area to new appropriations.  
 The safe yield, based on the variables listed below is 2,545.00 AF.  
 Total prior appropriation in the circle is 841.94 AF.  $- 160 = 681.94$   
 Total quantity of water available for appropriation is 1,703.06 AF.

1863.06

**Safe Yield Variables**

The area used for the analysis is set at 6108 acres.  
 Potential annual recharge of the area is estimated to be 5.0 inches.  
 The percent of recharge available for appropriation is 100%.

Authorized Quantity values are as of 13-OCT-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 4 water right(s) and 4 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	35489	00	MUN	NK	G		SE SW SE	360	1500	07	06	16E	1	WR	288.36	288.36		
A	35490	00	MUN	NK	G		NW SW SE	745	2630	07	06	16E	2	WR	293.59	273.58		
A	49559	00	MUN	AY	G		SE	1320	1320	17	06	16E	1	WR	120.00	120.00		- senior pending
A	49681	00	MUN	AY	G		SE SE SE	125	125	17	06	16E	2	WR	<del>160.00</del>	<del>160.00</del>		



Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733  
Fax: (785) 862-2460  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

October 24, 2016

MARK BOWSER  
25975 V ROAD  
WHITING KS 66552

Re: Pending Applications, File Nos. 49,559 and 49,681

Dear Mr. Bowser:

This will acknowledge our telephone discussion on October 24, 2016, in which you expressed concerns regarding the appropriation of ground water for municipal use by Jackson County Rural Water District No. 3 under the above referenced applications. Your concerns were related to both your domestic well, and the watershed district reservoir utilized for cattle watering. In addition, you noted that the neighboring domestic well owners (Greg and Linda Maxwell) had similar concerns regarding their domestic well. We are in the process of thoroughly reviewing Application, File Nos. 49,559 and 49,681 to ensure that they comply with the Kansas Water Appropriations Act and applicable rules and regulations. The Chief Engineer is required to approve applications for water appropriations unless the proposed appropriation will impair existing water rights or prejudicially and unreasonably affect the public interest per K.S.A. 82a-711.

The applicable rules and regulations (K.A.R. 5-4-4) require that new non-domestic wells must meet specific spacing guidelines based on the source of water supply in order to minimize the potential that existing water wells of any kind would be impaired. The source of water for the pending applications would be glacial deposits, based on the test hole logs that were submitted. This aquifer requires a minimum well spacing of 1,320 feet from any existing non-domestic well, and 660 feet from any existing domestic well in the same source of supply. Our review indicates that the proposed well locations comply with minimum well spacing criteria from all wells.

Your comments will be considered, and approval of the applications if granted, will authorize diversion of water only when it does not impair existing rights. Additionally, the rules and regulations (K.A.R. 5-4-1) require the Chief Engineer to investigate any complaint that a prior right to the use of water is being impaired. If such impairment is found, the Chief Engineer must secure water to satisfy prior water rights. Therefore, if these permit applications are approved by the Chief Engineer and you believe the diversion of water is impairing your existing water right, you should notify Katie Tietsort, Water Commissioner, Topeka Field Office, as follows, so that an investigation can be made.

Division of Water Resources  
Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, KS 66619  
Telephone: (785) 296-5733

If an applicant without cause fails to comply with the provisions of the permit and its terms, conditions and limitations, it could result in the forfeiture of the priority date, revocation of the permit and dismissal of the application. If you have any further questions, please contact me at 785-296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Doug Schemm".

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

pc: Greg & Linda Maxwell



Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietz, Water Commissioner

Phone: (785) 296-5733  
Fax: (785) 862-2460  
www.agriculture.ks.gov  
Sam Brownback, Governor

October 5, 2016

GREG & LINDA MAXWELL  
26074 V ROAD  
WHITING KS 66552

Re: Pending Applications, File Nos. 49,559 and 49,681

Dear Sir or Madam:

This is to advise you that Jackson County Rural Water District No. 3 has filed the applications referred to above for permits to appropriate groundwater for municipal use. Application, File No. 49,559 is requesting to appropriate 39.102 million gallons (120 acre-feet) of groundwater per calendar year to be diverted at a maximum rate of 200 gallons per minute from one (1) well located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 17; and Application, File No. 49,681 is requesting to appropriate 52.136 million gallons (160 acre-feet) of groundwater per calendar year to be diverted at a maximum rate of 300 gallons per minute from one (1) well located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 17, both in Township 6 South, Range 16 East, in Jackson County, Kansas.

A map is enclosed indicating the locations of the proposed wells. Records in this office indicate that you may have a well or wells in this vicinity and you are being notified of receipt of these applications in order that you may be fully informed of the proposed locations of the applicant's points 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. You may also contact me at (785) 296-3495 with any questions or comments.

Sincerely,

A handwritten signature in cursive script that reads "Doug Schemm".

Doug Schemm  
Environmental Scientist  
Topeka Field Office

Enclosure

pc: Jackson County RWD No. 3  
Brad Vincent – Ground Water Associates, Inc.



Department of Agriculture  
Division of Water Resources

Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietz, Water Commissioner

Phone: (785) 296-5733  
Fax: (785) 862-2460  
www.agriculture.ks.gov

Sam Brownback, Governor

October 5, 2016

MARK & DENISE BOWSER  
25975 V ROAD  
WHITING KS 66552

Re: Pending Applications, File Nos. 49,559 and 49,681

Dear Sir or Madam:

This is to advise you that Jackson County Rural Water District No. 3 has filed the applications referred to above for permits to appropriate groundwater for municipal use. Application, File No. 49,559 is requesting to appropriate 39.102 million gallons (120 acre-feet) of groundwater per calendar year to be diverted at a maximum rate of 200 gallons per minute from one (1) well located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 17; and Application, File No. 49,681 is requesting to appropriate 52.136 million gallons (160 acre-feet) of groundwater per calendar year to be diverted at a maximum rate of 300 gallons per minute from one (1) well located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 17, both in Township 6 South, Range 16 East, in Jackson County, Kansas.

A map is enclosed indicating the locations of the proposed wells. Records in this office indicate that you may have a well or wells in this vicinity and you are being notified of receipt of these applications in order that you may be fully informed of the proposed locations of the applicant's points 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. You may also contact me at (785) 296-3495 with any questions or comments.

Sincerely,

Doug Schemm  
Environmental Scientist  
Topeka Field Office

Enclosure

pc: Jackson County RWD No. 3  
Brad Vincent – Ground Water Associates, Inc.





Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietz, Water Commissioner

Phone: (785) 296-5733  
Fax: (785) 862-2460  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

October 5, 2016

JERRY DICKINSON  
21522 Q ROAD  
HOLTON KS 66436

Re: Pending Applications, File Nos. 49,559 and 49,681

Dear Sir or Madam:

This is to advise you that Jackson County Rural Water District No. 3 has filed the applications referred to above for permits to appropriate groundwater for municipal use. Application, File No. 49,559 is requesting to appropriate 39.102 million gallons (120 acre-feet) of groundwater per calendar year to be diverted at a maximum rate of 200 gallons per minute from one (1) well located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 17; and Application, File No. 49,681 is requesting to appropriate 52.136 million gallons (160 acre-feet) of groundwater per calendar year to be diverted at a maximum rate of 300 gallons per minute from one (1) well located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 17, both in Township 6 South, Range 16 East, in Jackson County, Kansas.

A map is enclosed indicating the locations of the proposed wells. Records in this office indicate that you may have a well or wells in this vicinity and you are being notified of receipt of these applications in order that you may be fully informed of the proposed locations of the applicant's points 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. You may also contact me at (785) 296-3495 with any questions or comments.

Sincerely,

A handwritten signature in black ink that reads "Doug Schemm". The signature is written in a cursive, flowing style.

Doug Schemm  
Environmental Scientist  
Topeka Field Office

Enclosure

pc: Jackson County RWD No. 3  
Brad Vincent – Ground Water Associates, Inc.



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

August 2, 2016

JACKSON COUNTY RURAL WATER DISTRICT 3  
411 NEW YORK AVE PO BOX 350  
HOLTON KS 66436

RE: Application  
File No. 49681

Dear Sir or Madam:

Your application for permit to appropriate water in 17-6S-16E in Jackson 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,

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

BAT: ALH  
pc: TOPEKA Field Office  
GMD

SCANNED

49,559 & 49,681

\* File No. 44,249  
\* RAK/own Utah  
PU change

R15 E Jackson RWD #03 | R17 E

REQUESTED  
PLACE OF USE  
IN ADDITION  
TO CURRENT  
AUTHORIZED  
AREA



T45

T55

T65

T75

T85

T95

T05

T15

T25

T35

T45

T55

T65

T75

T85

T95

T05

T15

T25

T35

T45

T55

T65

T75

T85

T95

T05

T15

T25

T35

T45

T55

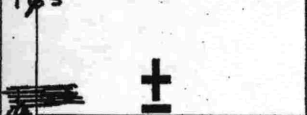
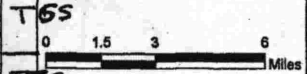
T65

T75

T85

T95

- Legend**
- Interconnects
  - ⊕ Pump
  - Storage Tank
  - Surface Intake
  - ⊖ Treatment Facility
  - ⊞ Well
- Mainline Diameter**
- Pipelines Outside of Study Area
  - Less than 4 Inch
  - 4 to 6 Inch
  - Greater than 6 Inch
  - Roads
  - Streams
  - PLSS
  - County Boundary
  - City Boundary
  - Lakes



T85

T85

Locator Map: Study Area

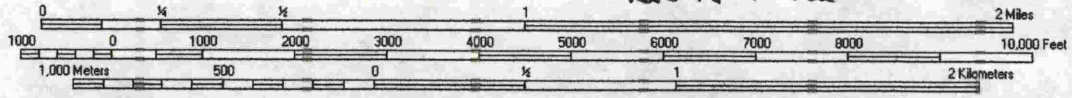
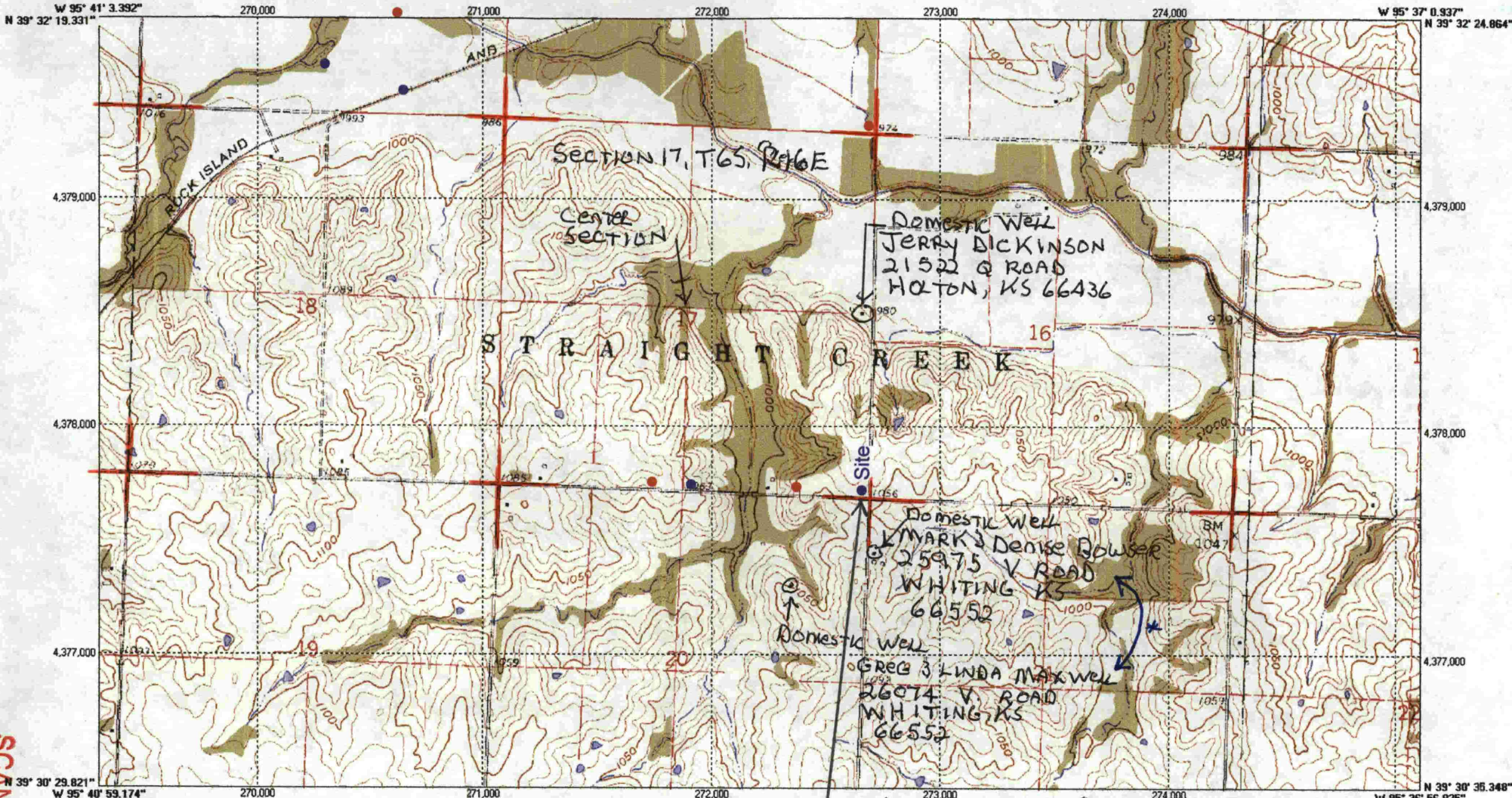


Jackson RWD #03  
November 2005

FILE NO. 44,249

R16 E | R17 E

URCES  
URE



Jackson Co. RWD #3

SCANNED

KS DEPT OF AGRICULTURE

AUG 01 2016

WATER RESOURCES RECEIVED

927 North American Datum; 1,000-meter UTM grid zone 15  
Generated by BigTopo (www.bigtopo.com)  
Map compiled from USGS Quads: Netawaka: KS Whiting: KS

ALL WELLS WITHIN 1/2 MILE ARE LOCATED ON MAP.  
Bred Vines

\* According to Mr. Bowser, these owners should be switched. DWS/DWR 10/24/16

49681