

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

1. File Number: <p style="text-align: center; font-size: 1.2em;"><b>50,624</b></p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em; color: purple;"><b>9/27/2022</b></p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;"><b>01</b></p>	4. GMD: <p style="text-align: center; font-size: 1.2em;"><b>0</b></p>
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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>63678</b> New to system <input type="checkbox"/>                      Add Seq# _____</p> <p><b>UNIFIED SCHOOL DISTRICT #378</b> P O BOX 326 204 W KANSAS RILEY KS 66531</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>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 checked="" type="checkbox"/> IRR                      <input type="checkbox"/> REC                      <input type="checkbox"/> DEW                      <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK                      <input type="checkbox"/> SED                      <input type="checkbox"/> DOM                      <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG    <input type="checkbox"/> WTR PWR                      <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND    SIC: _____                      <input type="checkbox"/> OTHER: _____</p>
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10. Completion Date: 12/31/2023                      11. Perfection Date: 12/31/2027                      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: \_\_\_\_\_

<p style="color: red; font-weight: bold; font-size: 1.1em;">9/15/2022 JDK</p>	<p>Date Prepared: <b>7/20/2022</b>    By: <b>LHH</b></p> <p>Date Entered: <span style="border: 1px solid blue; padding: 2px;">10/3/2022</span>    By: _____</p> <p style="text-align: center; color: blue; font-weight: bold; font-size: 1.1em;">LMoody</p>	
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File No. **50,624**      15. Formation Code: **500**      Drainage Basin: **BIG BLUE RIVER**      County: **RL**      Special Use:      Stream:

16. Points of Diversion										
T	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W
<b>ENT</b>	<b>82792</b>	<b>SE</b>	<b>SW</b>	<b>SW</b>	<b>10</b>	<b>8S</b>	<b>5E</b>	<b>7</b>	<b>325</b>	<b>4105</b>
<b>DEL</b>	<b>88994</b>									

17. Rate and Quantity				
Authorized			Additional	
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
<b>99</b>	<b>16</b>	<b>99</b>	<b>16</b>	<b>NONE</b>

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

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

20. Meter Required?  Yes  No      To be installed by **12/31/2023**      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use							NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? <b>NO</b>	Overlap Files
T	MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼						
√	<b>65651</b>	<b>10</b>	<b>8S</b>	<b>5E</b>	<b>1</b>										<b>5</b>									<b>7a</b>	<b>No</b>	<b>NONE</b>

Comments:

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

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

**TO:** Files

**DATE:** July 20, 2022

**FROM:** Lloyd Hemphill

**RE:** Application, File No. 50,624

Unified School District #378 has filed the above referenced application proposing to appropriate 16 acre-feet of groundwater at a diversion rate of 99 gallons per minute, from one well located in the Southeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 10, in Township 8 South, Range 5 East, in Riley County. The proposed appropriation is located in the drainage basin of the Big Blue River. There are no other water rights overlapping the point of diversion or place of use, although this application essentially replaces Appropriation of Water, File No. 48,984, which was dismissed for failure to perfect. The application was signed by a representative of the District, stating they have access to the point of diversion.

The applicant identified multiple domestic wells, and one municipal well (City of Leonardville) within one-half mile of the proposed point of diversion, and nearby notification letters were sent out on April 8, 2022. One telephone call was received from Ladonna Hoffman, a domestic well owner, on April 19, 2022 with general questions about the application. After discussing domestic rights, the priority system, and impairment she did not have any specific concerns. WRIS database information shows two water rights within a two-mile radius, both municipal wells owned by the City. The proposed point of diversion meets minimum well spacing to all existing non-domestic wells, with the nearest non-domestic well over 2,500 feet away. The nearest domestic well, owned by Dennis Hagmaier, is located approximately 645 feet from the proposed well (per September 18, 2014 memo for File No. 48,984). Per the requirements in K.A.R. 5-4-4 for all other aquifers, the minimum well spacing should be 660 feet to domestic wells. However, the applicant provided with the application for the previous file, a signed and notarized "Domestic Well Spacing Consent Form" signed by Mr. Hagmaier giving them permission to install their well with this reduced spacing, and this complies with K.A.R. 5-4-4(c)(2). Mr. Hagmaier was also sent a nearby well owner letter as part of the review for the current application and he did not provide any comment.

A well log submitted with the previous application shows the only lithologic units encountered were interbedded shale and limestone units. It appears that the primary aquifers are limestone units from 87 feet to 97 feet below ground surface, and 137 feet to 151 feet below ground surface. Based on the well log and information in "The Geology of Riley and Geary Counties, Kansas" Bulletin No. 39, it would appear that the source of water is Permian Age Sumner or Chase Group. The primary limestone formations within the Chase Group are the Nolans; Winfield; and Barneston Limestones, which in the Clay County bulletin are all listed as yielding small to moderate quantities of water. The driller estimated a production rate of 20 gallons per minute.

Static water level was given as 70 feet below ground surface. With a top of aquifer at 87 feet below ground surface, this indicates that the aquifer is confined. Logs for other area wells (although not going as deep as these test holes) indicate that static water levels are above the depth where water was first encountered indicating the aquifer is confined. If the aquifer is confined, per K.A.R. 5-3-14 safe yield for a confined aquifer is processed on a case-by-case basis using the best available information. Because the upper limestone aquifers are relatively shallow, and no specific criteria have been developed for safe yield evaluation of this confined aquifer, it appears that the pending application can be reviewed using the safe yield criteria in K.A.R. 5-3-11, which is consistent with other applications in similar bedrock sources of supply.

The area of consideration is the extent of the bedrock aquifer in the two-mile circle, which was determined to be the entire 8,042 acres. Based on a potential recharge of 2.5 inches, with 100% available for appropriation, safe yield was determined to be 1,675 acre-feet. The existing water rights have appropriated 55.24 acre-feet, leaving 1,620 acre-feet of water available, and the application meets safe yield criteria.

Please note, that this safe yield value per K.A.R. 5-3-11 provides the **maximum allowable recharge** (2.5 inches) for the area of consideration, since a deeper confined aquifer would receive only a portion of the recharge that a shallow, unconfined aquifer would receive. If there is a significant quantity of water still remaining as determined by K.A.R. 5-3-11, then even with a considerable reduction in the amount of recharge reaching the confined aquifer there would still be sufficient water available. For this application the maximum recharge could be reduced to 0.1 inches of recharge (less than 5% of the maximum) and there would still be sufficient water available. As noted above, there are only two other appropriations within this aquifer system within this area of consideration.

The application is requesting 16 acre-feet for the irrigation of 5 acres, or 3.2 acre-feet per acre. The requested quantity exceeds the maximum quantity of 1.1 acre-feet per acre for "normal" irrigation purposes in Riley County per K.A.R. 5-3-19 and K.A.R. 5-3-24. However, the applicant previously provided additional information (per K.A.R. 5-3-20(c)(1)) indicating that the additional water is necessary based on turf grass requirements of 1 inches or more per week during the eight month growing season. Additional water requirements for turf grass have also been established by the Kansas State University Extension Service ("Managing Fescue Football Fields"). The additional water is necessary for proper turf management, both to get any new grass established and to prevent the existing grass from being damaged during the high traffic playing season. The applicant has provided information on the quantity of water and anticipated watering schedule. In addition, other turf grass projects in this area of the state have also been approved for additional water based on similar supporting documentation including information from the Turf Grass Sod organization indicating that tall fescue requires up to 4 AF/acre. Therefore, the requested quantity of water appears to be reasonable for the intended use.

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 chemicals will be injected into the water pumped under this permit, a check valve will also be required. A diversion rate of less than 100 gallons per minute has been proposed so a water level measurement device is not required on this well.

Katie Tietsort, Water Commissioner of the Topeka Field Office, recommended approval of the referenced application in a July 18, 2022 e-mail.

Based on the above discussion, the area is open to new appropriations, the point of diversion meets minimum well spacing criteria, or consent to reduce spacing has been given, the application complies with safe yield criteria, and approval will not impair senior water rights, it is recommended that the referenced application be approved.

Lloyd Hemphill  
Environmental Scientist  
Topeka Field Office

## Hemphill, Lloyd [KDA]

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**From:** Tietsort, Katie [KDA]  
**Sent:** Monday, July 18, 2022 3:34 PM  
**To:** Hemphill, Lloyd [KDA]  
**Subject:** RE: Pending Applications, File Nos. 50623 & 50624: For Your Recommendation

Hello Lloyd,

Both these files appear to meet all applicable rules and regulations of the KWAA. I agree with your recommendation for approval. Please proceed.

Thanks for your work, Katie

*Katie Tietsort*

Water Commissioner

[Katie.Tietsort@ks.gov](mailto:Katie.Tietsort@ks.gov)

Ph. 785-296-5733 Cell 785-213-9188

Kansas Department of Agriculture

Topeka Field Office

1131 SW Winding Rd, Suite 400

Topeka, KS 66615

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**From:** Hemphill, Lloyd [KDA] <Lloyd.Hemphill@ks.gov>  
**Sent:** Monday, July 18, 2022 2:11 PM  
**To:** Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>  
**Subject:** Pending Applications, File Nos. 50623 & 50624: For Your Recommendation

Katie,

Will you provide your recommendation on these two pending applications for USD #378 near Leonardville?

These applications propose to use groundwater from a bedrock aquifer to irrigate athletic fields at two separate school campuses.

Thanks,  
Lloyd

Lloyd Hemphill, Environmental Scientist  
Kansas Department of Agriculture  
Division of Water Resources, Topeka Field Office  
1131 SW Winding Rd, Suite 400  
Topeka, KS 66615  
(785) 296-5733

**NOTE NEW ADDRESS**

## WELLS WITHIN ½ MILE

- #1 DENNIS HAGEMAIER (THE WOODBUTCHER INC) DOM.  
PO BOX 7 LEONARDVILLE KS 66449-0007
- #2 JIM GEISLER (DOM)  
11201 ERPELDING RD  
LEONARDVILLE KS 66449-9748
- #3) FAYE & DONNA HOFFMAN (DOM.)  
11070 ALEMBIC RD  
LEONARDVILLE KS 66449
- #4 ARLAN D TRUMPP (DOM.)  
PO BOX 128  
RILEY KS 66531-0128
- #5 LARRY & SANDY GLESSNER (DOM.)  
14221 BARTON RD  
LEONARDVILLE KS 66449-9676
- #6 ROY & DEBORAH LARSON (DOM.)  
10551 ALEMBIC RD  
LEONARDVILLE KS 66449-9680
- #7 JOSH HOFFMAN (DOM.)  
11180 ALEMBIC RD  
LEONARDVILLE KS 66449-9663
- #8 ADAM & CALLEY BERRY (DOM.)  
14180 CROOKED CREEK RD  
LEONARDVILLE KS 66449
- #9 FILE NO. 43237 (MUN.)  
CITY OF LEONARDVILLE  
PO BOX 189  
LEONARDVILLE KS 66449

# WATER WELL RECORD Form WWC-5

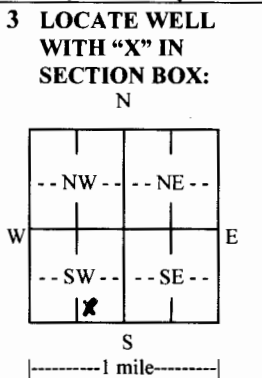
Original Record  Correction  Change in Well Use

Division of Water Resources App. No.

Well ID

**1 LOCATION OF WATER WELL:** County: RILEY Fraction: 1/4 SW 1/4 SE 1/4 SW 1/4 Section Number: 10 Township Number: T 8 S Range Number: R 5 E  W

**2 WELL OWNER:** Last Name: RILEY First: COUNTY Street or Rural Address where well is located (if unknown, distance and direction from nearest town or intersection): If at owner's address, check here:   
 Business: RILEY COUNTY USD 378 Address: 204 W KANSAS BALL FIELD WEST EDGE OF  
 Address: RILEY City: RILEY State: KS ZIP: 66531 LEONARDVILLE, KS



**4 DEPTH OF COMPLETED WELL:** 160 ft.  
 Depth(s) Groundwater Encountered: 1) ..... ft.  
 2) ..... ft. 3) ..... ft., or 4)  Dry Well  
 WELL'S STATIC WATER LEVEL: 70 ft.  
 below land surface, measured on (mo-day-yr) .....  
 above land surface, measured on (mo-day-yr) .....  
 Pump test data: Well water was ..... ft.  
 after ..... hours pumping ..... gpm  
 Well water was ..... ft.  
 after ..... hours pumping ..... gpm  
 Estimated Yield: 20 gpm  
 Bore Hole Diameter: 8 in. to 160 ft. and  
 ..... in. to ..... ft.

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

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

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

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

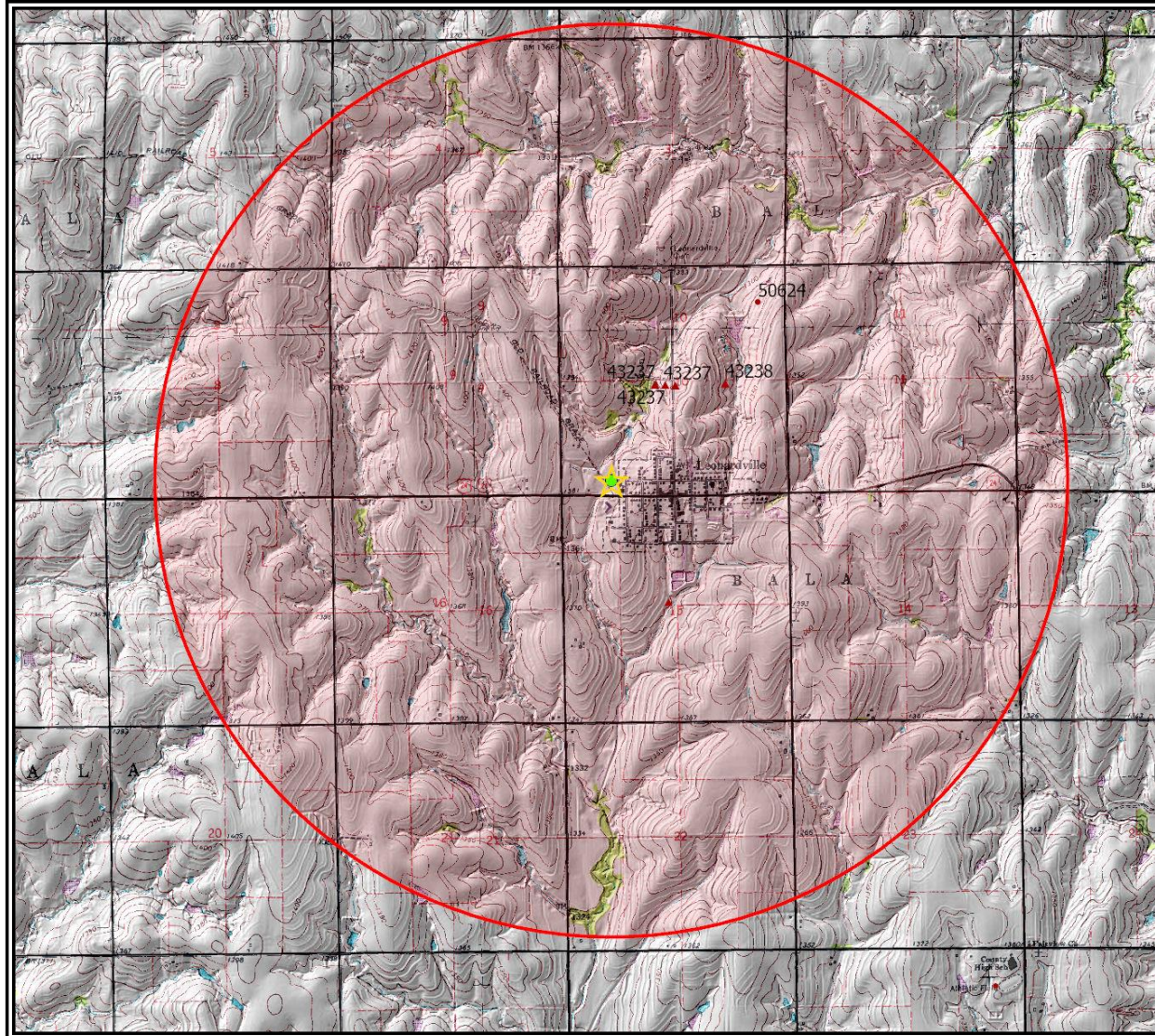
**8 TYPE OF CASING USED:**  Steel  PVC  Other ..... CASING JOINTS:  Glued  Clamped  Welded  Threaded  
 Casing diameter 8.5 in. to 80 ft., Diameter ..... in. to ..... ft., Diameter ..... in. to ..... ft.  
 Casing height above land surface 18 in. Weight 2.8 lbs./ft. Wall thickness or gauge No. 265  
 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 80 ft. to 100 ft., From 140 ft. to 160 ft., From ..... ft. to ..... ft.  
 GRAVEL PACK INTERVALS: From 40 ft. to 160 ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.

**9 GROUT MATERIAL:**  Neat cement  Cement grout  Bentonite  Other .....  
 Grout Intervals: From 5 ft. to 40 ft., From ..... ft. to ..... ft., From ..... ft. to ..... ft.  
 Nearest source of possible contamination:  
 Septic Tank  Lateral Lines  Pit Privy  Livestock Pens  Insecticide Storage  
 Sewer Lines  Cess Pool  Sewage Lagoon  Fuel Storage  Abandoned Water Well  
 Watertight Sewer Lines  Seepage Pit  Feedyard  Fertilizer Storage  Oil Well/Gas Well  
 Other (Specify) NONE PRESENT  
 Direction from well? ..... Distance from well? ..... ft.

10 FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	5	BROWN CLAY	87	97	LIME STONE
5	12	TAN CLAY	97	108	GRAY SHALE
12	37	YELLOW SHALE	108	113	LIME STONE
37	55	LIGHT TAN SHALE	113	116	GRAY SHALE
55	65	LIME STONE	116	137	RED SHALE
65	71	LIGHT GRAY SHALE	137	151	LIME STONE
71	73	RED SHALE	Notes: 151 156 GRAY SHALE 156 158 LIME STONE 158 160 GRAY SHALE		
73	85	TAN SHALE			
85	87	LIGHT GRAY SHALE			

**11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION:** This water well was  constructed,  reconstructed, or  plugged under my jurisdiction and was completed on (mo-day-yr) 1/16/14 and this record is true to the best of my knowledge and belief.  
 Kansas Water Well Contractor's License No. 518 This Water Well Record was completed on (mo-day-yr) 1/16/2014  
 under the business name of BLUE VALLEY DRILLING INC

**Safe Yield Report Sheet**  
**Water Right- Proposed Point of Diversion**  
**Point of Diversion in 10-08S-05E**  
**Footages from SE corner- 325 feet North 4,105 feet West**





## Analysis Results

The selected PD is in an area OPEN to new appropriations.

The safe yield based on the variables listed below is 1,675.52 AF.

Total prior appropriations in the circle is 87.05 AF – 16 AF – 15.81 AF = 55.24 AF

Total quantity of water available for appropriation is 1,588.47 AF + 16 AF + 15.81 AF = 1620.28 AF

## Safe Yield Variables

The area used for the analysis is set at 8,042 acres.

The potential annual recharge at the circle center is estimated to be 2.5 inches.

The percent of recharge available for appropriation is 100%.

Authorized Quantity values are as of 27-MAY-2022 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 3 water rights and 5 points 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	Tot Acres	Net Acres
A 43237 00	MUN	NK	G		NE	NE	SW	2522	2818	10	08	05E	1	WR	55.24	55.24		
Same	MUN	NK	G		NE	NE	SW	2538	3053	10	08	05E	2	WR				
Same	MUN	NK	G		NW	NW	SE	2506	2583	10	08	05E	3	WR				
A 43238 00	MUN	NK	G		NE	NW	SE	2535	1424	10	08	05E	5	WR	15.90	0 <del>15.81</del>		
A 50624 00	IRR	AY	G		<del>SE</del>	<del>NE</del>	<del>NE</del>	4430	635	10	08	05E	8	WR	16.00	16.00	5.00	0.00

## Limitations

File Number	Seq Num	Limitations
A 43238 00	1	15.716 MGY COM/W #43,237 *15.716 MGY – 18 MGY = 0 MGY

Water Rights and Points of Diversion Within 2 miles of point defined as:
325 Feet N and 4105 Feet W of the Southeast Corner of Section 10 Twp 8S Rng 5E
Located at: 96.864022 West Longitude and 39.365360 North Latitude
GROUNDWATER ONLY

Table with columns: File Number, Use, ST, SR, Dist (ft), Q4, Q3, Q2, Q1, FeetN, FeetW, Sec, Twp, Rng, ID, Batt, Auth\_Quan, Add\_Quan. Includes handwritten annotations like '2450', '2546', '2660', '325', '4105'.

Summary table with columns: Total Net Quantities Authorized, Direct, Storage. Rows include Total Requested Amount (AF), Total Permitted Amount (AF), Total Inspected Amount (AF), Total Pro\_Cert Amount (AF), Total Certified Amount (AF), Total Vested Amount (AF), and TOTAL AMOUNT (AF).

An \* after the source of supply indicates a pending application for change under the file number.
An \* after the ID indicates a 15 AF exemption was granted under 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 miles of point defined as:
325 Feet North and 4105 Feet West of the Southeast Corner of Section 10 Twp 8S Rng 5E
Located at: 96.864022 West Longitude and 39.365360 North Latitude
GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

- List of water use correspondents including: CITY OF LEONARDVILLE, PO BOX 189, LEONARDVILLE KS 66449, UNIFIED SCHOOL DISTRICT #378, P O BOX 326 204 W KANSAS, RILEY KS 66531.


**THE STATE OF KANSAS**

**KANSAS DEPARTMENT OF AGRICULTURE**  
Mike Beam, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**  
Earl D. Lewis Jr., Chief Engineer

**APPROVAL OF APPLICATION**  
**and**  
**PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 50,624** of the applicant

**UNIFIED SCHOOL DISTRICT #378**  
**PO BOX 326**  
**204 W KANSAS**  
**RILEY, KS 66531**

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 3, 2021**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application as follows:

Sec. Twp. Range	NE <sup>1</sup> / <sub>4</sub>				NW <sup>1</sup> / <sub>4</sub>				SW <sup>1</sup> / <sub>4</sub>				SE <sup>1</sup> / <sub>4</sub>				TOTAL
	NE <sup>1</sup> / <sub>4</sub>	NW <sup>1</sup> / <sub>4</sub>	SW <sup>1</sup> / <sub>4</sub>	SE <sup>1</sup> / <sub>4</sub>	NE <sup>1</sup> / <sub>4</sub>	NW <sup>1</sup> / <sub>4</sub>	SW <sup>1</sup> / <sub>4</sub>	SE <sup>1</sup> / <sub>4</sub>	NE <sup>1</sup> / <sub>4</sub>	NW <sup>1</sup> / <sub>4</sub>	SW <sup>1</sup> / <sub>4</sub>	SE <sup>1</sup> / <sub>4</sub>	NE <sup>1</sup> / <sub>4</sub>	NW <sup>1</sup> / <sub>4</sub>	SW <sup>1</sup> / <sub>4</sub>	SE <sup>1</sup> / <sub>4</sub>	
10 8S 5E												5					5

3. That the authorized source from which the appropriation shall be made is groundwater in the Big Blue River basin, to be withdrawn by means of one well located in the Southeast Quarter of the Southwest Quarter of the Southwest Quarter (SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>) of Section 10, more particularly described as being near a point 325 feet North and 4105 feet West of the Southeast corner of said section, in Township 8 South, Range 5 East, Riley County, Kansas, located substantially as shown on the map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **99 gallons per minute** (0.22 c.f.s.) and to a quantity not to exceed **16 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, 2023** 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, 2027** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

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

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

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

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

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

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

13. That 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.

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

15. 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.

16. 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.



1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6700  
www. agriculture.ks.gov



900 SW Jackson, Room 456  
Topeka, KS 66612  
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

October 5, 2022

UNIFIED SCHOOL DISTRICT #378  
P O BOX 326  
RILEY, KS 66531

RE: Appropriation of Water, File No. 50,624

Dear Sir or Madam:

Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works, if applicable, and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit.

Notice must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

An acceptable water flowmeter must be installed on the diversion works authorized by this permit prior to using water. An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at [www.kswaterusereport.org](http://www.kswaterusereport.org).

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Enclosed is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640 or your local Topeka Field Office at 785-296-5733. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum  
New Application Unit Supervisor  
Water Appropriation Program

KAB:lh  
Enclosures

pc: Topeka Field Office

### CERTIFICATE OF SERVICE

On this 5 day of October, 2022, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,624, dated 27 September was mailed postage prepaid, first class, US mail to the following: 2022

UNIFIED SCHOOL DISTRICT #378  
P O BOX 326  
204 W KANSAS  
RILEY, KS 66531

With photocopies to:

Topeka Field Office



Division of Water Resources