

KANSAS DEPARTMENT OF AGRICULTURE

DIVISION OF WATER RESOURCES

MEMORANDUM

TO: File
DATE: May 1, 2018
FROM: Amber Herring
SUBJECT: Date Stamping Mail

On Friday, June 26th, 2015, The Administrative Assistant for Kansas Department of Agriculture, on the first floor signed for the certified mail containing the following Applications. I, Amber Herring, did not receive the documents until Monday, **June 29th, 2015**. Thus, the June 29th date is the correct date and time received by the **Division of Water Resources**.

David. W. Barfield, P.E.

JUN 26 2015
4:21
Chief Engineer
Division of Water Resources
Kansas Dept. of Agriculture



State of Kansas

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO
CHANGE THE PLACE OF USE, THE
POINT OF DIVERSION OR THE USE
MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT**

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the
- (Check one or more)
- Place of Use
 - Point of Diversion
 - Use Made of Water

David. W. Barfield, P.E.
JUN 28 2015
4:21
Chief Engineer
Division of Water Resources
Kansas Dept. of Agriculture

WATER RESOURCES
RECEIVED
JUN 29 2015
8:17
KS DEPT OF AGRICULTURE

File No. 22,341 Circle 30.

2. Name of applicant: City of Hays, Kansas and City of Russell, Kansas (See paragraph 2 of the cover letter.)

Address: c/o Foulston Siefkin LLP, 1551 N. Waterfront Parkway, Suite 100

City, State and Zip: Wichita, Kansas 67206

Phone Number: (316) 291-9725 E-mail address: dtraster@foulston.com

What is your relationship to the water right; owner tenant agent other? If other, please explain. Hays and Russell are co-owners of the authorized place of use on the R9 Ranch in Edwards County.

Name of water use correspondent: City of Hays, Kansas

Address: P. O. Box 490, 1507 Main Street

City, State and Zip: Hays, Kansas 67601

Phone Number: (785) 628-7320 E-mail address: tdougherty@haysusa.com

3. The change(s) proposed herein are desired for the following reasons (please be specific):
See Paragraph 3 of the cover letter filed concurrently with this application. The cover letter is incorporated herein by reference.

The change(s) ~~(was)~~ (will be) completed by See Paragraph 3 of the cover letter
(Date)

For Office Use Only:							
F.O.	<u>2</u>	GMD	<u>5</u>	Meets K.A.R. 5-5-1 (YES/NO)	Use	<u>IRR</u>	Source
Code	<u>C-3</u>	Fee \$	<u>700</u>	TR #	Receipt Date	<u>6/22/15</u>	Check #
							<u>052328</u>

of 21000- 15053305

SCANNED

6/30/2015 UM

4. The presently authorized place of use is:

Owner of Land — NAME: City of Hays, Kansas

ADDRESS: P.O. Box 490, 1507 Main Street, Hays, Kansas 67601

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10-T26S-R20W												Lot 4 14	34			6		54	
15-T26S-R20W				6			40	Lot 1 23	1	6								76	

List any other water rights that cover this place of use: None

Owner of Land — NAME: City of Russell, Kansas

ADDRESS: 133 W. 8th Street, Russell, Kansas 67665

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
Same as above																			

List any other water rights that cover this place of use: None

(If there are more than two landowners, attach additional sheets as necessary.)

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

Owner of Land — NAME: City of Hays, Kansas

ADDRESS: P.O. Box 490, 1507 Main Street, Hays, Kansas 67601

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
The City of Hays, Kansas and its immediate vicinity and other locations as more fully described in paragraph 5 of the cover letter.																			

List any other water rights that cover this place of use: See paragraph 5 of the cover letter.

Owner of Land — NAME: City of Russell, Kansas

ADDRESS: 133 W. 8th Street, Russell, Kansas 67665

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
The City of Russell, Kansas and its immediate vicinity and other locations as more fully described in paragraph 5 of the cover letter.																			

List any other water rights that cover this place of use: See paragraph 5 of the cover letter.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

WATER RESOURCES RECEIVED

- 6. The presently authorized point(s) of diversion (is) (are) irrigation well(s) described in paragraph 8, infra.
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) one or more municipal wells; see paragraph 7 of the cover letter.
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the NW Quarter of the NE Quarter of the NW Quarter of Section 15, Township 26 South, Range 20 (~~E/W~~), in Edwards County, Kansas, 5,240 feet North 3,600 feet West of Southeast corner of section. Authorized Rate 920 gpm Authorized Quantity 188 a/f
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the SW Quarter of the NE Quarter of the NE Quarter of Section 15, Township 26 South, Range 20 (~~E/W~~), in Edwards County, Kansas, 4,367 feet North 1,228 feet West of Southeast corner of section. Proposed Rate 920 gpm Proposed Quantity 190.38 a/f
 This point is: Additional Well Geo Center List other water rights that will use this point 22,340-42; 30,083

9. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (~~E/W~~), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

10. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (~~E/W~~), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

- 11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____
 See paragraph 11 of the cover letter.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

WATER RESOURCES RECEIVED

JUN 29 2015

SCANNED

12. The presently authorized use of water is for irrigation purposes.
It is proposed that the use be changed to municipal purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
See the attached discussion regarding the quantity of water to be changed to municipal use and paragraph 13 of the cover letter.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to not applicable (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to not applicable gallons per minute (____ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
 - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

See paragraph 17 of the cover letter.

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

See paragraph 7 of the cover letter.

**WATER RESOURCES
RECEIVED**

JUN 29 2015

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY DEPT OF AGRICULTURE

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Russell, Russell County, Kansas, this 23rd day of June, 2015.

[Signature]
(Owner)

(Spouse)

City of Hays, Kansas, by Toby Dougherty, City Manager
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Russell } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 23rd day of June, 2015.

Malinda Morse
Notary Public

My Commission Expires 6/15/18

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

**WATER RESOURCES
RECEIVED**

JUN 29 2015

SCANNED

KS DEPT OF AGRICULTURE

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Russell, Russell County, Kansas, this 23rd day of June, 2015.

(Owner) (Spouse)

City of Russell, Kansas, by Jon Quinday, City Manager
(Please Print) (Please Print)

(Owner) (Spouse)

(Please Print) (Please Print)

(Owner) (Spouse)

(Please Print) (Please Print)

State of Kansas }
County of Russell } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 23rd day of June, 2015.

Malinda Morse
Notary Public

My Commission Expires 6/15/18

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

**WATER RESOURCES
RECEIVED**

JUN 29 2015

Proposed Rate and Quantity

The Cities are requesting a total of 190.38 acre-feet and 920 gpm from the well associated with this water right, all of which will be diverted from new point of diversion M, as shown on Exhibit M. When combined with existing wells from other water rights, new point of diversion M will have a cumulative total of 475.5 acre-feet and 3,500 gpm.

13. If changing the place of use and the use made of water, describe how the consumptive use will not be increased:

The following discussion is subject to paragraph 13 of the cover letter regarding consumptive use.

DWR Regulation, K.A.R. 5-5-9(a), provides that the default calculation used to address the consumptive use issue allows the conversion of 135.00 acre-feet to municipal use.¹ As discussed below, 125 approved acres irrigated during the perfection multiplied by the Edwards County NIR for corn of 1.08 acre-feet per acre equals 135.00 acre-feet.²

That same regulation goes on to allow the change to be based on the net consumptive use actually made during the perfection period.³

Quantity authorized and perfected

The permit was issued on March 19, 1976, granting the applicant the right to divert up to 198 acre-feet annually at a rate not to exceed 1,000 gallons per minute for irrigation use⁴ on 130 acres in Sections 10 and 15-T26S-R20W.⁵ The certificate further limited the rate to 920 gallons per minute.

In the cover letter transmitting the permit, DWR made findings of fact stating that “the proposed use is for a beneficial purpose and is *within reasonable limitations*. If priorities are observed and respected, the proposed use will neither impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.”⁶

The Field Inspection Reports indicate that 190.38 of the 198.00 acre-feet authorized by the permit were lawfully perfected.

- 295 acre-feet were applied to 125 approved acres in Sections 10 and 15-T26S-R20W.⁷
- The permit authorized the perfection of 198 acre-feet per acre on 130 acres or 1.52 acre-feet per acre, but only 125 authorized acres were irrigated during the perfection period resulting in the perfection of 190.38 acre-feet.⁸

¹ K.A.R. 5-5-9(a) and (a)(1).

² K.A.R. 5-5-12, NIR Requirements.

³ K.A.R. 5-5-9(b).

⁴ Permit, HAYS003513, Ex. A.

⁵ Application, HAYS003506, Ex. B.

⁶ March 19, 1976, letter (emphasis added), HAYS003512, Ex. C.

⁷ FIR, HAYS003497, Ex. D.

WATER RESOURCES
RECEIVED

JUN 29 2015

SCANNED

While the certificate limits the total quantity to 188 acre-feet based on DWR's after-the-fact determination that 1.5 acre-feet per acre was a reasonable quantity for irrigation use, DWR did not have jurisdiction to make this reduction.⁹

Since the perfection period has expired, the "authorized quantity" for this water right is the 190.38 acre-feet actually perfected even though it exceeds the certified quantity.

There are at least two alternative approaches to calculating consumptive use.

NIR for Alfalfa

The FIR states that alfalfa was grown on this circle during the year of record.¹⁰ According to the Kansas Irrigation Guide, the NIR for the 50% chance rainfall in Edwards County is 13 inches (1.083333 feet) for corn and 20.9 (1.741666 feet) inches for alfalfa. It is reasonable to use the NIR for alfalfa, which yields a total quantity of 217.71 acre-feet consumed. Because this quantity is greater than the authorized quantity of 190.38 acre-feet the request is limited to that amount.¹¹

An alternative approach

DWR's use of the NIR of 1.08 feet of water for corn is based on its maximum gross irrigation requirement of 1.5 acre-feet per acre.¹² The regulation allows the conversion of 72% of the maximum quantity to a new use; in other words, it assumes that 28% of the quantity diverted returns to the aquifer.

If 28% of the 190.38 acre-feet legally applied during the perfection period percolates back to the aquifer, then 72%, or 137.08 acre-feet, should be available for conversion to municipal use. This is less than the 190.38 acre-feet authorized so the limitation in K.A.R. 5-5-9(a)(4) is not implicated.

The Applicants request that DWR approve a total of 190.38 acre-feet for municipal use.

⁸ FIRs, HAYS003497, Ex. D.

⁹ Certificate, HAYS003521, Ex. E; Larry Sheets Memo dated March 25, 1987, HAYS003516, Ex. F; and *Clawson v. Kansas Dept. of Agriculture, Div. of Water Resources*, 49 Kan. App. 2d 789, 315 P.3d 896 (2013).

¹⁰ HAYS003500, Ex. G. See also HAYS000600, Ex. H, HAYS000604, Ex. I, and *American Agricultural Industries, Inc. v. Slentz McAlister*, Trial Exhibits, HAYS004943, Ex. J.

¹¹ See K.A.R. 5-5-9(a)(4).

¹² Administrative Policy No. 86-8, dated Nov. 5, 1986, Ex. K, stating that: "In that area of Kansas located between the Range 5 East/Range 6 East Line and the Range 20 West/Range 21 West line, the maximum allowable quantity shall not exceed an average of 1.50 acre-feet per acre irrigated." See also, K.A.R. 5-3-24 and Larry Sheets Memo dated March 25, 1987, HAYS003516, Ex. F.

WATER RESOURCES
RECEIVED

JUN 29 2015

THE STATE



OF KANSAS

STATE BOARD OF AGRICULTURE
Roy Freeland, Secretary

DIVISION OF WATER RESOURCES
Guy E. Gibson, 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 No. **22,341** of the applicant

**Midwest Land and Cattle Co.
Box 208
Kinsley, Kansas 67547**

for a permit to appropriate water to 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 and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **May 2, 1974.**
2. That the water sought to be appropriated shall be used for **irrigation on the land described in the application.**
3. That the source from which the appropriation is made shall be from **ground water in the drainage basin of the Arkansas River to be withdrawn by means of one (1) well in the Northwest Quarter of the Northeast Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 15, Township 26 South, Range 20 West, in Edwards County, Kansas, located substantially as shown on the aerial photograph accompanying the application.**

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **1000 gallons per minute (2.23 c.f.s.)** and to a quantity of not to exceed **198 acre-feet** for any calendar year. **KS DEPT OF AGRICULTURE**

WATER RESOURCES
RECEIVED

JUN 29 2015

(OVER)

RECEIVED

SCANNED

MAR 29 1976

MICHAELSON 003513

5. That installation of works for diversion of water shall be completed on or before December 31, 19 77. The applicant shall notify the Chief Engineer of the Division of Water Resources when construction of the works has been completed.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before December 31, 19 81 .

7. That the applicant shall maintain records from which the quantity of water actually diverted during each calendar year may be readily determined. Such records shall be furnished to the Chief Engineer as soon as practicable after the close of each calendar year.

8. 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 or any authorized extension thereof.

9. That the use of water herein authorized shall not impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

10. 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.

11. That this permit does not constitute authority under K. S. A. 82a-301 to 305 to construct any dam or other obstruction; it does not give any right-of-way, or authorize any injury to, or trespass upon, public or private property; it does not obviate the necessity of obtaining assent from Federal or Local Governmental authorities when necessary.

12. 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.

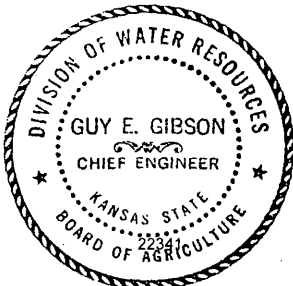
Dated this 19th day of March

1976

WATER RESOURCES RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE



Guy E. Gibson
Guy E. Gibson, Chief Engineer
Division of Water Resources
Kansas State Board of Agriculture

SCANNED

HAYS003514

THE STATE OF KANSAS



STATE BOARD OF AGRICULTURE

Roy Freeland, Secretary

*Rec'd check \$50⁰⁰ 5-2-74.
ra*

DIVISION OF WATER RESOURCES

Guy E. Gibson, Chief Engineer

22,341

NUMBER 22

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

(The Statutory Filing Fee of \$50.00 Must Accompany the Application)

To the Chief Engineer of the Division of Water Resources, Kansas State Board of Agriculture:

(Mr.)
(Mrs.)
Comes now the applicant (Miss) Midwest Land and Cattle Co. whose post office address is Box 208 Kinsley, Kansas 67547

and makes application to the Chief Engineer of the Division of Water Resources, Kansas State Board of Agriculture, for a permit to appropriate for beneficial use such unappropriated groundwater (surface water or groundwater) as may be available in the Arkansas River basin in the county of Edwards (name of stream or drainage basin) state of Kansas, to the extent and in accordance with the particulars hereinafter described:

1. The quantity of water desired is in the amount of XXXXXXXXXXXX 198 acre feet per year, to be diverted at a maximum rate of 1000 gallons per minute (acre feet or million gallons) (gallons per minute or cubic feet per second)

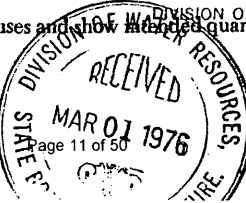
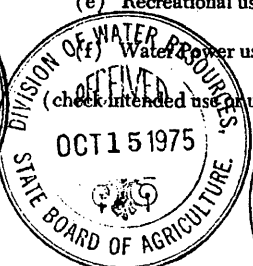
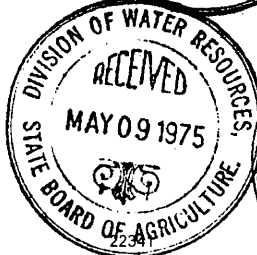
2. The location of the proposed wells or other works for diversion of water is in the NW quarter of the NE quarter of the SW quarter of section 15, township South Brown 26, range 20W, in Edwards County, Kansas.

~~Location of second well can not be determined until test well is drilled~~
3. The water is intended to be appropriated for:

	Amount	
(a) Domestic use	()	_____
(b) Municipal use	()	_____
(c) Irrigation use	(X) ¹⁹⁸	<u>228</u> X acre ft./yr. - 1000 gals./min.
(d) Industrial use	()	_____
(e) Recreational use	()	_____
(f) Water power use	()	_____

(check intended use purposes and show intended quantity for each use)

RECEIVED
MAR 25 1976
FIELD OFFICE
DIVISION OF WATER RESOURCES
STAFFORD



MICROFILMED

WATER RESOURCES RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE

MAY 05 1976 HAYS003505

DIVISION OF WATER RESOURCES STAFFORD

SCANNED

4. If for municipal use, attach tables or curves showing past, present and estimated future population and water requirements of the city.
5. If for industrial use, attach tables or curves showing past, present and estimated future water requirements.
6. If for irrigation use list below or attach name and address of each landowner and the legal description of the lands to be irrigated by designating the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Owner of Land—NAME: Midwest Land & Cattle Co.

ADDRESS: P.O. Box 208 Kinsley, Kansas 67547

Sec. Twp. Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
10 26 20									40	40	40	40			86		50 160
15 26 20		6			40	23											60 170

54
76
130
* *[Signature]*

Owner of Land—NAME: _____

ADDRESS: _____

Sec. Twp. Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Owner of Land—NAME: _____

ADDRESS: _____

Sec. Twp. Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

WATER RESOURCES RECEIVED

JUN 29 2015

KANSAS DEPT OF AGRICULTURE

HAYS003506 SCANNED

* Larry Kennedy is authorized by Mr. Lloyd Hansen to make corrections

two wells with two pumps

7. The works for diversion of water will consist of ~~XXXXXX~~ for one circle sprinkle irrigation system (Two Motors)

and will be completed by July of 1974 (wells, pumps, etc.) (Date)

8. The first actual application of water for the beneficial use proposed was or is estimated to be July of 1974 (Date)

9. The application must be accompanied either by a detailed plat prepared from an actual survey or by an aerial photograph of the area.

The plat or aerial photograph should show

- (a) Location of the proposed point or points of diversion
(b) Location of the pipe lines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use
(c) If for irrigation, show the location of the land proposed to be irrigated
(d) If for industrial or other use, show the location of the land where water will be used.

10. List and describe other applications filed or vested rights held by applicant:

Irrigation wells and land is in the process of being bought from a company known as the Kinsley Joint Venture (Wheatheart Land Co.) Applications for water rights have been filed

11. The relation of the subscriber to this application is that of agent (Owner, agent or otherwise)

and he is authorized to make this application in behalf of the interest affected.

Dated at Kinsley, Kansas, this 22 day of April, 1974

Midwest Land & Cattle Co.

By Johnny Carson MGR (Agent or Officer)

Note:

- 1 cubic foot per second = 448.8 gallons per minute = 646,317 gallons per day = 1.98 acre feet per day.
1 million gallons per day = 1.547 cubic feet per second = 3.07 acre feet per day.
1 acre foot = 43,560 cubic feet = 325,851 gallons.



MICROFILMED

WATER RESOURCES RECEIVED

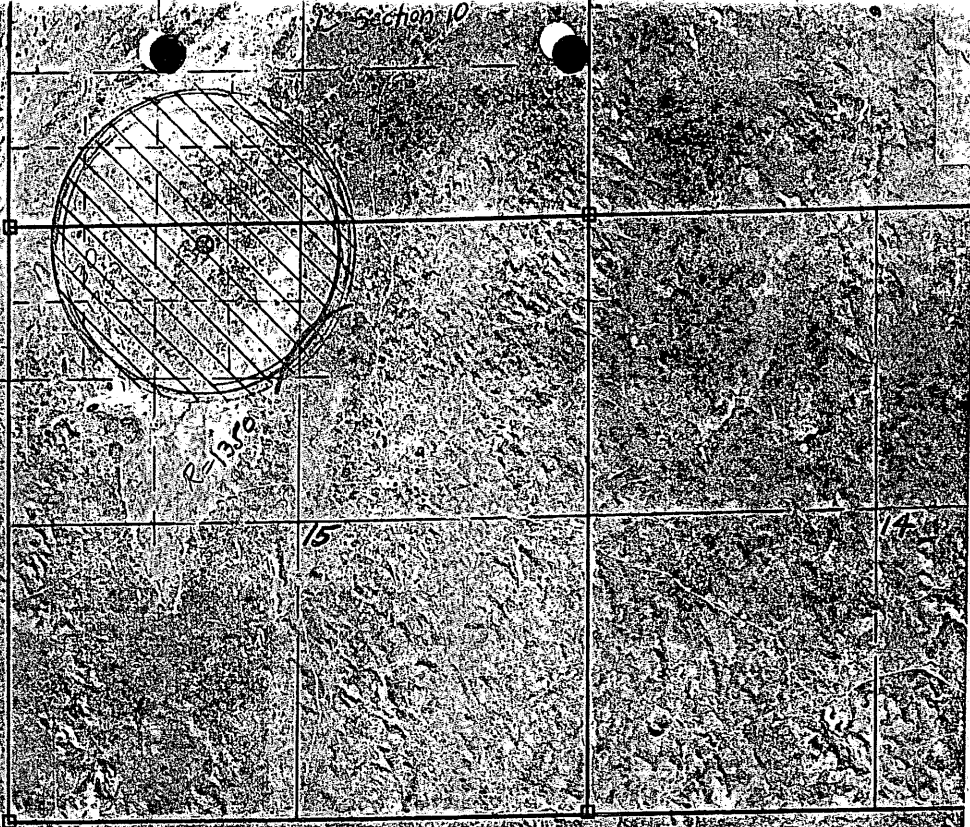
JUN 29 2015

KS DEPT OF AGRICULTURE

RECEIVED

MAR 29 1976

HAYS003507



Application 22341
 No 30
 All wells within 1/2 mile
 belong to applicant
 R 20 W



WATER RESOURCES
 RECEIVED

JUN 29 2015

DEPT OF AGRICULTURE

HAYS003508

SCANNED

EXHIBIT

22341

C

EN 2

March 19, 1976

Midwest Land and Cattle Co.
Box 208
Kinsley, Kansas 67547

ATTENTION: Mr. Johnny Carson, Manager

Re: Appropriation of Water
Application No. 22,341

Gentlemen:

Your application has been examined and is found to be in proper form. Further, we find that the proposed use is for a beneficial purpose and is within reasonable limitations. If priorities are observed and respected, the proposed use will neither impair any use under existing water rights nor prejudicially and unreasonably affect the public interest. It is presumed that the application is made in good faith, and that you are ready to proceed with the proposed diversion works and the application of water to the proposed use. The application has, therefore, been approved.

There is enclosed the approval of the application authorizing you to proceed with construction of the proposed diversion works, to divert such unappropriated water as may be available from the source and at the location specified in the approval of application, and to use it for the purpose and at the location described in the application.

There is also enclosed a memorandum setting forth the procedure to obtain a certificate of appropriation which will establish the extent of your water rights.

Should you have any questions or if we can be of any assistance to you, please feel free to write or call us.

Very truly yours,

WATER RESOURCES
RECEIVED

JUN 29 2015

Riley M. Dixon
Hydrologist

SCANNED

KS DEPT OF AGRICULTURE

RMD:GEE:ee1

Encs.

RECEIVED MICROFILMED

MAR 29 1976

HAYS003512

DIVISION OF WATER RESOURCES—KANSAS STATE BOARD OF AGRICULTURE
FIELD INSPECTION REPORT

- Partial
- Full
- Re-Test

Test 1 of 1 Diversion points
 Application No. 22341 Date 10-3-86 Firm/Field Office Pumping Plant Testing, Inc.
 Inspector Ebert/Klassen
 Field Area No. 2 C.M.D. No. 5 County Edwards
 Current Landowner Connecticut General Life Insurance Co Agri. Associates Inc.
 Address Box 1162 North Platte, Nebraska 69103 Attn. Jessy Weaver
 Additional landowners and addressees identified in remarks section.
 Water Use Classification: 1. Domestic () 2. Industrial () 3. Irrigation (X)
 4. Municipal () 5. Recreation () 6. Stockwatering () 7. Water Power ()
 Groundwater (X) Drainage Basin Arkansas River
 Surface Water () Stream _____
 Authorized Point of Diversion: 1 well NW 1/4, NE 1/4, NW 1/4 Sec. 15, T. 26, R. 20
 Approximately _____ ft. North and _____ ft. West of SE corner of Sec. _____
 Actual Point of Diversion: 1 well NW 1/4, NE 1/4, NW 1/4 Sec. 15, T. 26, R. 20
 Approximately 5240 ft. North and 3600 ft. West of SE corner of Sec. 15
 How were distances determined? By scaling off of aerial photo
 "Approved" Quantity 198 AF "Approved" Diversion Rate 1000 g.p.m. (2.23 c.f.s.)
 Priority Date May 2, 1974 Approval of Application Date March 19, 1976
 Perfection Date Dec, 31, 1981

Other applications covering land and/or point of diversion None
 (include discussion of overlapping files in remarks section)

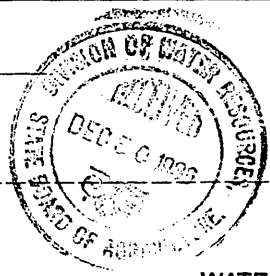
LAND TO BE INCLUDED ON CERTIFICATE:

S	T	R	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL ACRES		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
10	26	20															14	34		6	54
15	26	20		6				40	23	1	6										76 /130

LAND IRRIGATED—YEAR OF RECORD 1983 (See Attached Sheet)

S	T	R	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL ACRES		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
10	26	20															16	36		7	59
15	26	20		7				39	19	0	1										66 125

APPLICATION OF WATER: SEE ATTACHED SHEET
 Year of Record 1983 Hours Pumped 2200 or Quantity 371
 Normal Operating G.P.M. 977 JUN 01 1987 Equiv. c.f.s. 2.04
 Maximum Operating G.P.M. _____ Equiv. c.f.s. _____



FOR D.W.R. USE ONLY
 Year of Record 1984 Extension of time requested: Yes No _____

Total No. of Hours on land covered by this application 1750
 Ac. Ft. Applied = $1750 \text{ hrs.} \times 917 \text{ g.p.m.} \times \frac{4.419}{24 \times 1000} = 295 \text{ AF}$
 Acres of "Approved" Land irrigated 125

WATER RESOURCES RECEIVED
JUN 29 2015
KS DEPT OF AGRICULTURE

Ac. Ft. on "Approved" Land $295 \div 125 = 2.36$ Ac. Ft./Ac.)
 Ac. Ft. Used on "Approved" Land at "Approved" Rate or Less _____

Proration Calculations $125 \times 1.5 = 187.5$ or 188 HAYS003497

Perfected Rate 920 g.p.m. Perfected Quantity 188 AF
 Completed by Larry M. Sheets 3-25-87

GENERAL INFORMATION ON IRRIGATION SYSTEM:

Center Pivot High Pressure Low Pressure
 Manufacturer Valley Model 4071 Serial No. 13377
 Drive Electric Length of Pivot Arm _____
 Design Pressure-Pivot _____ p.s.i. Operating Pressure-Pivot _____ p.s.i.
 End Gun? yes End Gun Rating _____ g.p.m. 1 Rain Bird 85
 Is end gun operating during test? yes
 Gravity Irrigation (show test set on sketch)
 Number of gates open _____ Normal Pipe Size _____
 Pressure at pump _____ p.s.i.
 Other Type _____
 Manufacturer _____ Model _____ Serial No. _____
 Unusual Conditions/Other Info. _____

POWER UNIT INFORMATION:

Manufacturer Ford Model No. 300 HP _____
 Serial No. 08981 E-23-TL Fuel Propane Rated RPM _____

PUMP INFORMATION:

Manufacturer Jacuzzi Model No. 12LC24/T-522 Rated RPM _____
 Serial No. 467-22146 Type Vert. Turb. No. stages 4

GEAR HEAD INFORMATION:

Manufacturer Randolph Model No. F 80
 Serial No. 82427 Drive Right Angle Ratio 6:5

WELL INFORMATION:

Date Drilled 2-12-75 Original Depth 91.5 ft. Static Water Level When Drilled 6 ft.
 Tape Down Possible? yes Water Level Measurement Tube? no
 Measuring Point _____ ft. above or below L.S.D.

ADDITIONAL REQUIREMENTS:

Meter Required? no Make of Meter _____
 Meter Model No. _____ Serial No. _____ Size _____
 Is Meter Installed Properly? _____
 Chemical Injection System? yes Check Valve? no Low Pressure Drain? no
 Vacuum Breaker? no Are these anti-pollution devices installed properly? _____

If chemicals are injected into system, please attach a diagram of the system.

SCANNED

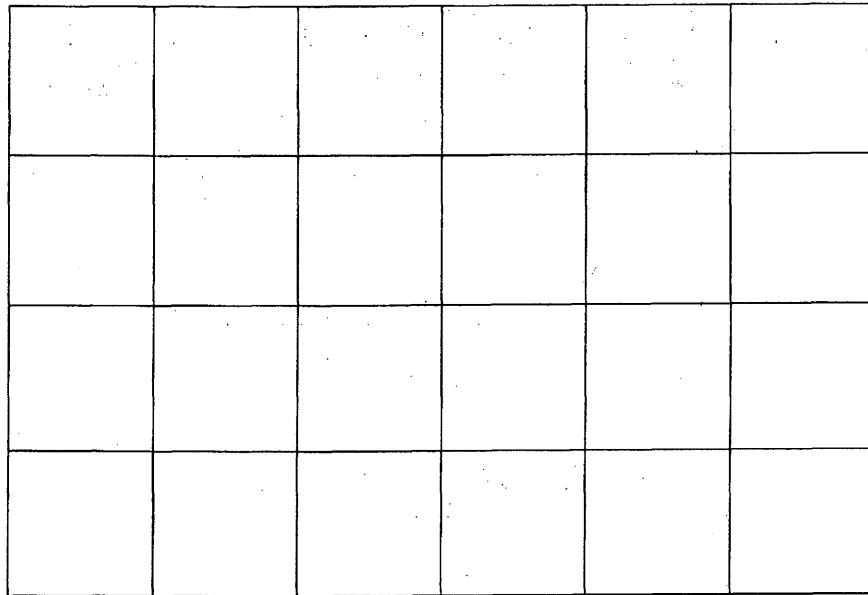
WATER RESOURCES
RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE

HAYS003498

SKETCH OF ACTUAL PLACE OF USE, LOCATION OF DIVERSION WORKS, AND DISTRIBUTION SYSTEM.
(Indicate distribution system layout at time of field test).



N



Scale
1" = ___ ft.

TEST OF DIVERSION RATE:

Length of time well has been operating prior to test 0
Location of test In vertical pipe inside pivot stand
Pipe Diameter (I.D.) 7 3/4 inches

Test No. 1—Normal Conditions

R.P.M. POWER UNIT 2052
R.P.M. PUMP UNIT 1710
Pressure at Pump 59 psi

Test No. 2—Maximum Conditions

R.P.M. POWER UNIT _____
R.P.M. PUMP UNIT _____
Pressure at Pump _____ psi

Jacuzzi Meter Test

Meter Identification No. _____

Area Constant $K = 2.45 \times I.D.^2 =$ _____ $Q (gpm) = VK$

Velocity (fps)

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____

Total _____
Avg. _____
G.P.M. _____

Velocity (fps)

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____

Total _____
Avg. _____
G.P.M. _____

WATER RESOURCES
RECEIVED

JUN 29 2015

Propeller Meter Test

Manufacturer _____ Model _____ Serial No. _____

Meter Diameter _____ inches

Ending _____ gal.
Beginning _____ gal.
Difference _____ gal.
Time _____ min.
Rate _____ gpm

Ending _____ gal.
Beginning _____ gal.
Difference _____ gal.
Time _____ min.
Rate _____ gpm

KS DEPT OF AGRICULTURE

MICROFILMED

HAYS003499

Other Flow Meter

Use Supplemental Sheet (include meter identification, data and calculations).

FUEL RECORDS:

Electricity Supplier _____
 Meter Manufacturer _____ Type _____ Serial No. _____
 K _____ watt/rev r _____ revolutions t _____ seconds
 Rate = $\frac{Kr \times 3.6}{t}$ = _____ kw/hr Hours = $\frac{\text{kw-hr}}{\text{rate}}$ = _____

Other Fuels Type propane Supplier Mid-Continent
 Rate = $\frac{\text{Volume (test)}}{\text{time}}$ = _____
 How was the test volume determined? Not determined

TABULATION OF WATER USE:

Year	Hours Pumped (hr)	Tested Pumping Rate (gpm)	Water Used (AF)	Acres Irrigated
1975	912	1000		125
1976				
1977	898	1000		130
1978				
1979	336	785		125
1980	720	785		125
1981	1080	785		125
1982				
*1983	2200**	917*	371*	125
1984	1750**	900**		125**
1985	1900**	900**		125**
1986		917*		125 (From operator)

AC 24928
 5240'K 3600'W
 5 26 20w
 02

Not valid Jerry Weaver did not operate in 1983

* From Test
 ** Obtained From Water Use Reports sent to us by Jerry Weaver

Indicate Year of Record with (*) Source of Information Stafford Files
 Crops Irrigated: this year Alfalfa Year of record Alfalfa

REMARKS: _____

WATER RESOURCES RECEIVED
 JUN 29 2015
 KS DEPT OF AGRICULTURE

Person present at test Kent Naber Employee
 Water Use Correspondent Lyle Kolbeck Spearville, KS 67876 (316) 385-2803
 Conducted by Greg Ebert Date 10/5/86
 Approved by Kid J. W. [Signature] P.E. Date 12/26/86 HAYS003500

APPLICATION NO: 22341 NAME: Connecticut General Life Ins.

COLLINS METER TEST

Collins Meter No. 1-85 Meter Calibration Factor .9826
 Pipe Inside Diameter (inches) 7 3/4 Flow Rate Factor 145.4
 Test Pressure (psi) 59 Test RPM, Pump 1710
 Description of Test Location In vertical pipe inside pivot stand

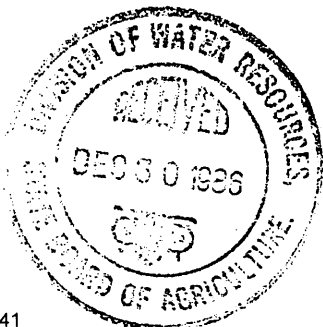
TEST DATA: Check, Initial 6.42 Reversed 6.40
 Velocity Velocity
 Meter Setting From Left Side of Pipe Right Side of Pipe
 Center of Pipe (or Front Side if (or Back Side if
 Vertical Test) Vertical Test)

Meter Setting From Center of Pipe	Left Side of Pipe (or Front Side if Vertical Test)	Right Side of Pipe (or Back Side if Vertical Test)
<u>1 9/16</u>	<u>5.98</u>	<u>7.03</u>
<u>2 3/4</u>	<u>5.78</u>	<u>7.29</u>
<u>3 9/16</u>	<u>5.41</u>	<u>6.95</u>

Average Velocity of Water = Sum of Vel. ÷ 12 = 6.416

Corrected Ave. Vel. = (Ave. Vel.) x (Calibration Factor) =
6.416 x .9826 = 6.304

Flow Rate = (Corrected Ave. Vel.) x (Flow Rate Factor) =
6.304 x 145.4 = 917 GPM



RECEIVED PUMPING PLANT TESTING, INC.

Reviewed By: [Signature]
 JUN 01 1987 Professional Engineer

WATER RESOURCES RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE

HAYS003501

FIELD OFFICE
 DIVISION OF WATER RESOURCES
 STAFFORD
 Page 20 of 50

SCANNED

MICROFILMED

APPLICATION NO: 22,341

NAME: CONNECTICUT GENERAL LIFE
INSURANCE CO, INC.

NOTES ON CHOOSING A YEAR OF RECORD

THIS DEVELOPMENT HAS HAD SEVERAL OWNERS SINCE ITS INCEPTION IN 1975, WITH OWNERS FROM EUROPE & AROUND THE U.S. AT VARIOUS TIMES, A STATE OF CONFUSION HAS EXISTED IN THE CROP PRODUCTION REPORT. ALL OF THE WATER USE AND EQUIPMENT RECORDS HAVE BEEN EITHER DESTROYED OR LOST, AND THE SYSTEMS AND PUMPING PLANT COMPONENTS HAVE BEEN INTERCHANGED OVER THE YEARS.

SINCE LATE 1983, CONNECTICUT GENERAL HAS MADE A DILIGENT EFFORT TO KEEP GOOD RECORDS. THEREFORE, IT WOULD SEEM REASONABLE TO USE THE YEARS SINCE 1983 IN CHOOSING A YEAR OF RECORD.

RECEIVED

JUN 01 1987

FIELD OFFICE
DIVISION OF WATER RESOURCES
STAFFORD

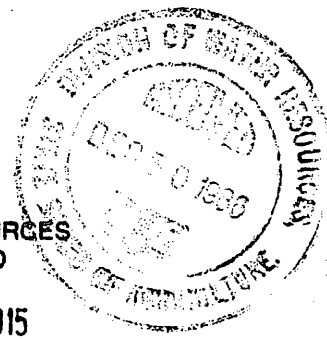
Reviewed by:

WATER RESOURCES
RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE
PUMPING PLANT TESTING, INC.

W. J. W. HAYS003502
Professional Engineer



APPLICATION 22341

1259

LEGEND

- ⊗ Well
- ++ Pivot System

35

/// Land on Application

/// Land irrigated presently and always (year of record, etc)

35

31

108.6

1052

38

5295

SECTION CORNER

SECTION CORNER

SCANNED

WATER RESOURCES RECEIVED

JUN 29 2015

HAYS003503

THE STATE



OF KANSAS

STATE BOARD OF AGRICULTURE
Sam Brownback, Secretary

DIVISION OF WATER RESOURCES
David L. Pope, Chief Engineer

**CERTIFICATE OF APPROPRIATION
FOR BENEFICIAL USE OF WATER**

WATER RIGHT, File No. 22,341
PRIORITY DATE May 2, 1974

WHEREAS, It has been determined by the undersigned that construction of the appropriation diversion works has been completed, that water has been used for beneficial purposes and that the appropriation right has been perfected, all in conformity with the conditions of approval of the application pursuant to the water right referred to above and in conformity with the laws of the State of Kansas,

NOW, THEREFORE, Be It Known that DAVID L. POPE, the duly appointed, qualified and acting Chief Engineer of the Division of Water Resources of the Kansas State Board of Agriculture, by authority of the laws of the State of Kansas, and particularly K.S.A. 82a-714, does hereby certify that, subject to vested rights and prior appropriation rights, the appropriator is entitled to make use of groundwater in the drainage basin of the Arkansas River to be withdrawn by means of a well located in the Northwest Quarter of the Northeast Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 15, more particularly described as being near a point 5,240 feet North and 3,600 feet West of the Southeast corner of said section, in Township 26 South, Range 20 West, Edwards County, Kansas, at a diversion rate not in excess of 920 gallons per minute (2.05 c.f.s.) and in a quantity not to exceed 188 acre-feet per calendar year for irrigation use on the following described property:

- 14 acres in Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$),
- 34 acres in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$),
- 6 acres in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$),
- a total of 54 acres in Section 10,
- 6 acres in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$),
- 40 acres in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$),
- 23 acres in Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$),
- 1 acre in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$),
- 6 acres in the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$),
- a total of 76 acres in Section 15,

all in Township 26 South, Range 20 West
Edwards County, Kansas.

WATER RESOURCES
RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE

MICROFILMED

SCANNED

HAYS003521

The appropriator shall maintain in an operating condition, satisfactory to the Chief Engineer, all check valves installed for preventing chemical or other foreign substance pollution of the water supply.

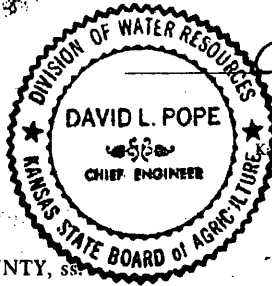
The appropriator shall maintain records from which the quantity of water actually diverted during each calendar year may be readily determined. Such records shall be furnished to the Chief Engineer within 30 days of receipt of the annual water use report form.

The appropriation right as perfected is appurtenant to and severable from the land herein described.

The appropriation right shall be deemed abandoned and shall terminate when without due and sufficient cause no lawful beneficial use is made of water under this appropriation for three (3) successive years.

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 stream flow at the appropriator's point of diversion.

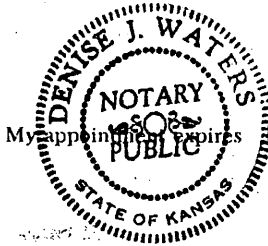
IN WITNESS WHEREOF, I have hereunto set my hand at my office at Topeka, Kansas, this 21st day of May, 1987.



David L. Pope
David L. Pope, P.E.
Chief Engineer
Division of Water Resources
Kansas State Board of Agriculture

STATE OF KANSAS, Shawnee COUNTY, ss.

The foregoing instrument was acknowledged before me this 21st day of May, 1987, by David L. Pope, P.E., Chief Engineer, Division of Water Resources, Kansas State Board of Agriculture.



Signature: *Denise J. Waters*
Denise J. Waters, Notary Public

(Record in the Office of Register of Deeds in the county or counties wherein the point of diversion is located)

**WATER APPROPRIATION
CERTIFICATE**

No. 15,946
STATE OF KANSAS

Water Right, File No. 22,341

STATE OF KANSAS,
COUNTY, ss. _____
Filed for record this _____ day of _____, 19____
at _____ o'clock _____ m. and _____
recorded in Book _____ Page _____

Fee \$ _____

Register of Deeds.

HAYS003522

**WATER RESOURCES
RECEIVED
JUN 29 2015
KS DEPT OF AGRICULTURE**

SCANNED

KANSAS STATE BOARD OF AGRICULTURE
Division of Water Resources

MEMORANDUM

TO: Files

DATE: March 25, 1987

FROM: Larry M. Sheets

RE: Appropriation of Water
File No. 22,341

The Field Inspection Report for the above referenced file, conducted under contract by Pumping Plant Testing, has been reviewed. It meets the requirements specified in the scope of work. Based on the 1984 Water Use Report, 1,750 hours of pumping the well in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 15, T 26 S, R 20 W, Edwards County, Kansas, provided 295 acre-feet of water for irrigating 125 acres or 2.36 acre-feet per acre. The Certificate of Appropriation has been drafted for the tested pumping rate rounded up to 920 g.p.m. and a reasonable quantity for the acres irrigated (125 x 1.5 = 188).

Because the land irrigated is along the Arkansas River, a portion has been described by lots.



Larry M. Sheets
Hydrologist

LMS:rk

WATER RESOURCES
RECEIVED

SCANNED

JUN 29 2015

KS DEPT OF AGRICULTURE

RECEIVED

JUN 01 1987

MICROFILMED S003516

FUEL RECORDS:

Electricity Supplier _____
 Meter Manufacturer _____ Type _____ Serial No. _____
 K _____ watt/rev r _____ revolutions t _____ seconds
 Rate = $\frac{Kr \times 3.6}{t}$ = _____ kw/hr Hours = $\frac{\text{kw-hr}}{\text{rate}}$ = _____

Other Fuels Type propane Supplier Mid-Continent
 Rate = $\frac{\text{Volume (test)}}{\text{time}}$ = _____
 How was the test volume determined? Not determined

TABULATION OF WATER USE:

Year	Hours Pumped (hr)	Tested Pumping Rate (gpm)	Water Used (AF)	Acres Irrigated
1975	912	1000		125
1976				
1977	898	1000		130
1978				
1979	336	785		125
1980	720	785		125
1981	1080	785		125
1982				
*1983	2200**	917*	371*	125
1984	1750**	900**		125**
1985	1900**	900**		125**
1986		917*		125 (From operator)

AC 24928
 5240' x 3600' w
 5 26 20w
 02

Not valid Jerry Weaver did not operate in 1983

* From Test
 ** Obtained From Water Use Reports Sent To us By Jerry Weaver

Indicate Year of Record with (*) Source of Information Stafford Files
 Crops Irrigated: this year Alfalfa Year of record Alfalfa

REMARKS: _____

WATER RESOURCES RECEIVED
 JUN 29 2015

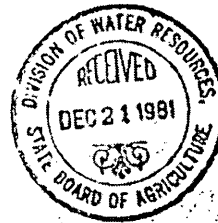
Person present at test Kent Naber (name) Employee (relationship)
 Water Use Correspondent Lyle Kolbeck (name) Spearville, KS 67876 (address) (316) 385-2803 (phone number)
 Conducted by Greg Ebert (signature) Date 10/5/86
 Approved by [Signature] (signature) P.E. (title) Date 12/26/86 HAYS003500

AMERICAN AGRICULTURE INDUSTRIES INC.

1979 WATER USE REPORT

CIRCLE	LEGALS	HOURS	GPM	ACRE-FEET	ACRES WATERED	APPLICATION #
212 #38	SW 15-26-30	336	836	51	103.2	22,345
#39	SW 2-26-20	336	430	27	33.3	22,333

Circles #20 through #39 were purchased in August 31, 1979 and Alfalfa was planted in September.



RECEIVED

DEC 18 1990

DIVISION OF WATER RESOURCES

THIS DOCUMENT WAS FOUND IN DWR FILE NO. 21,730. IT WAS NOT ORIGINALLY INCLUDED IN THIS FILE. THIS COPY IS FOR CONVENIENT REFERENCE ONLY.

WATER RESOURCES RECEIVED

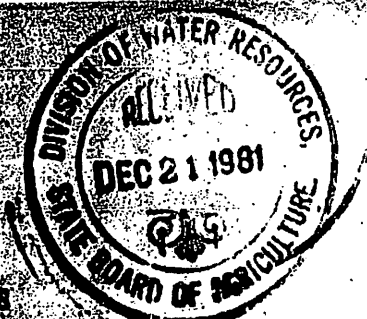
JUN 29 2001

KS DEPT OF AGRICULTURE

000600

AMERICAN AGRICULTURAL INDUSTRIES INC.

1981 WATER USE REPORT



CIRCLE	LEGALS	HOURS	GPM	ACRE-FEET	ACRES WATERED	APPLICATION #
# 0	NE $\frac{1}{4}$ 30-25-19	1152	550	116	54.2	21,730
# 1	SW $\frac{1}{4}$ 30-25-19	1152	650	137	118.8	
# 2	SW $\frac{1}{4}$ 31-25-19	1152	650	137	127.7	21,731
# 3	NW $\frac{1}{4}$ 31-25-19	1152	750	159	267.	
# 4	SE $\frac{1}{4}$ 31-25-19	1152	400	84	121.1	
# 5	NE $\frac{1}{4}$ 31-25-19	1152	550	117	106.3	
# 6	NW $\frac{1}{4}$ 32-25-19	1152	650	137	112.5	21,732
# 11	NE $\frac{1}{4}$ 32-25-19	1152	650	137	108.	
# 12	SW $\frac{1}{4}$ 32-25-19	1152	900	191	157.2	
# 7	SW $\frac{1}{4}$ 29-25-19	1152	650	137	126.9	21,729
# 8	NW $\frac{1}{4}$ 29-25-19	1152	743	157	125.9	
# 9	NE $\frac{1}{4}$ 29-25-19	1152	600	127	124.6	
# 10	SE $\frac{1}{4}$ 29-25-19	1152	780	65	123.	
# 13	SE $\frac{1}{4}$ 32					
	SW $\frac{1}{4}$ 33-25-19	1152	650	137	120.5	21,733
# 16	SE $\frac{1}{4}$ 5-26-19	1152	700	148	115.6	21,734
# 17	NE $\frac{1}{4}$ 5-26-19	1152	750	159	120.6	
# 19	NE $\frac{1}{4}$ 1-26-20	1080	850	169	74.9	22,325
# 20	NW $\frac{1}{4}$ 1-26-20	480	800	70	121.2	22,326 sudan grass
# 21	NE $\frac{1}{4}$ & SE $\frac{1}{4}$ 1-26-20	840	900	139	127.5	22,327 milo
# 22	NE $\frac{1}{4}$ & SE $\frac{1}{4}$ 2-26-20	840	850	131	118.7	22,331 milo
# 23	SE $\frac{1}{4}$ 2-26-20	840	800	123	122.2	22,332 milo
# 26	NW $\frac{1}{4}$ 11-26-20	840	900	139	132.1	22,335 milo
# 27	NE $\frac{1}{4}$ 11-26-20	840	900	139	124.8	22,334 milo
# 28	NE $\frac{1}{4}$ 10-26-20	840	850	131	106.5	22,338 milo
# 29	NW $\frac{1}{4}$ 10-26-20	840	800	123	104.	22,329 milo
# 30	SW $\frac{1}{4}$ & SE $\frac{1}{4}$ 10-26-20					
	NW $\frac{1}{4}$ 15-26-20	1080	785	156	125.3	22,341 alfalfa
# 31	SE $\frac{1}{4}$ 10-26-20	840	800	123	111.2	22,340 milo

SCANNED
RECEIVED
22,341 alfalfa

DEC 22 8 1980
HAYS000604

WATER RESOURCES
RECEIVED

DIVISION OF WATER RESOURCES

Page 28 of 30 JUN 29 2015

300420

This document was not found in DWR's records in Stafford. It was referred to in a letter from Pam Meadows dated November 3, 1981 found in File No. 21,730. It was subsequently obtained from DWR in Topeka using an open record request.

EXHIBIT

ASCS-578
(6-7-78) 22341

REPORT OF ACREAGE

USDA - ASCS

NOTE: Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

Form Approved - OMB No. 0560-0004

PAGE

OF

16

KEY	OPERATOR	FARM NO.	NAME AND ADDRESS	FARM- LAND	CROP- LAND	OPERATOR	OTHER INTERESTED PRODUCERS			ASSIGNMENT	
							KEY	NAME AND ADDRESS	OTHER FARMS	CROP	JOB
KEY 1	E LBP	440	CECIL OFFERLE OFFERLE KS 67563	1302	1302 1430	OWNER	3				
						PROGRAM YEAR	4				
KEY 2	OWNER					OTHER	5				
						PROGRAM YEAR	6				
							7				

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

TRACT NO.	FIELD NO.	CROP OR LAND USE	CROP OR LAND USE SUMMARY							KEY	SHARE	DISPOSITION	METHOD	GROSS ACRES	DEDUCTIONS		NET ACRES	INITIAL & DATE
			WHEAT	WHEAT	BARLEY	CORN	MILK	MILK	OTHER						IDENT./MEAS.	ACRES		
✓ 11	# 26	Grn. Wht	132.1															
✓ 26-20	# 26	Dist Wht PIK-milo	33.1								conducted 6-15-83 BY [signature]							
✓	# 26	Wht Harvest	99.0															
✓ 2	# 23	Grn. Wht	122.2															
✓ 26-20	# 23	PIK-milo Dist Wht	77.0								conducted 6-15-83 BY [signature]							
✓	# 23	Wht for Harvest	44.2															
✓ 110	# 29	Grn. Wht	104.0															
✓ 26-20	# 29	Dist Wht																
✓	# 29	No Barley, oats or rye																
TOTAL OPERATOR REPORT			1057.3															
TOTAL REPORTER'S REPORT			247.2	0														

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature constitutes authority for ASCS personnel to enter my farm for making any program determinations.

Page 28 of 30 SIGNATURE

DATE

OPERATOR'S SIGNATURE

[Signature]

6-8-83

HAYS004921

KS DEPT OF AGRICULTURE

SCANNED

SECTION I - FARM FIELD REPORT (Continued) (Gray Area to be Filled in by Reporter ONLY.)

TRACT NO.	FIELD NO.	CROP OR LAND USE	CROP OR LAND USE SUMMARY				KEY	SHARE	DISPOSITION	METHOD	GROSS ACRES	DEDUCTIONS		NET ACRES	INITIAL & DATE
												IDENTITY & MEAS.	ACRES		
1	2	3	4			5	6	7	8	9	10	11	12	13	
		no milo, no corn Total of all other n.c. crops = 0													
	4-15-83														
✓ 1	#21	PIK-milo								127.5					
										127.5					
1	#20	PIK-milo								121.2					
										121.2					
15	#35	PIK-milo								125.9					
2620										125.9					
	#37	PIK-milo								108.6					
										108.6					
	#38	alfalfa								105.2					
										105.2					

SKETCHES OR REMARKS

★ U.S. Government Printing Office: 1982-509-533/1020 2-1

WATER RESOURCES
 RECEIVED
 JUN 29 2015
 KS DEPT OF AGRICULTURE
 SCANNED

22341

HAYS004942

REPORT OF ACREAGE

USDA - ASCS

NOTE: Sect. 1374a, 7U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

KEY	OPERATOR	FARM NO.	NAME AND ADDRESS	FARM LAND	CROP LAND	OPERATOR	OTHER INTERESTED PRODUCERS			
							KEY	NAME AND ADDRESS	OTHER FARMS	ASSIGNMENT
1	OPERATOR						3			
							4			
							5			
2	OWNER						6			
							7			

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

TRACT NO.	FIELD NO.	CROP OR LAND USE	CROP OR LAND USE SUMMARY				KEY	SHARE	DISPOSITION	METHOD	GROSS ACRES	DEDUCTIONS		NET ACRES	INITIAL & DATE
			4	5	6	7						8	9		
✓ 11	#27	PIK-milo				124.8									
✓ 10	#28	PIK-milo				106.5									
✓	#30	alfalfa				125.3									
✓	#31	PIK-milo				111.2									
✓ 14 26-20	#36	PIK-milo				126.5									
✓ 2 26-20	#22	CUA				118.7									
		Total of all other acres - 0													
		83													
		KS DEPT OF AGRICULTURE													
		JUN 29 2015													
		WATER RESOURCES RECEIVED													
		TOTAL OPERATOR REPORT													
		TOTAL REPORTER'S REPORT													

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature constitutes authority for ASCS personnel to enter my farm for making any program determinations.

OPERATOR'S SIGNATURE

DATE

OPERATOR'S SIGNATURE

HAYS004943

SCANNED

2.6
 132.1
 Dest 33.0
 Amount 99.0

12.78
 12.78

25.3

~~127.2~~
 127.2

WATER RESOURCES RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE

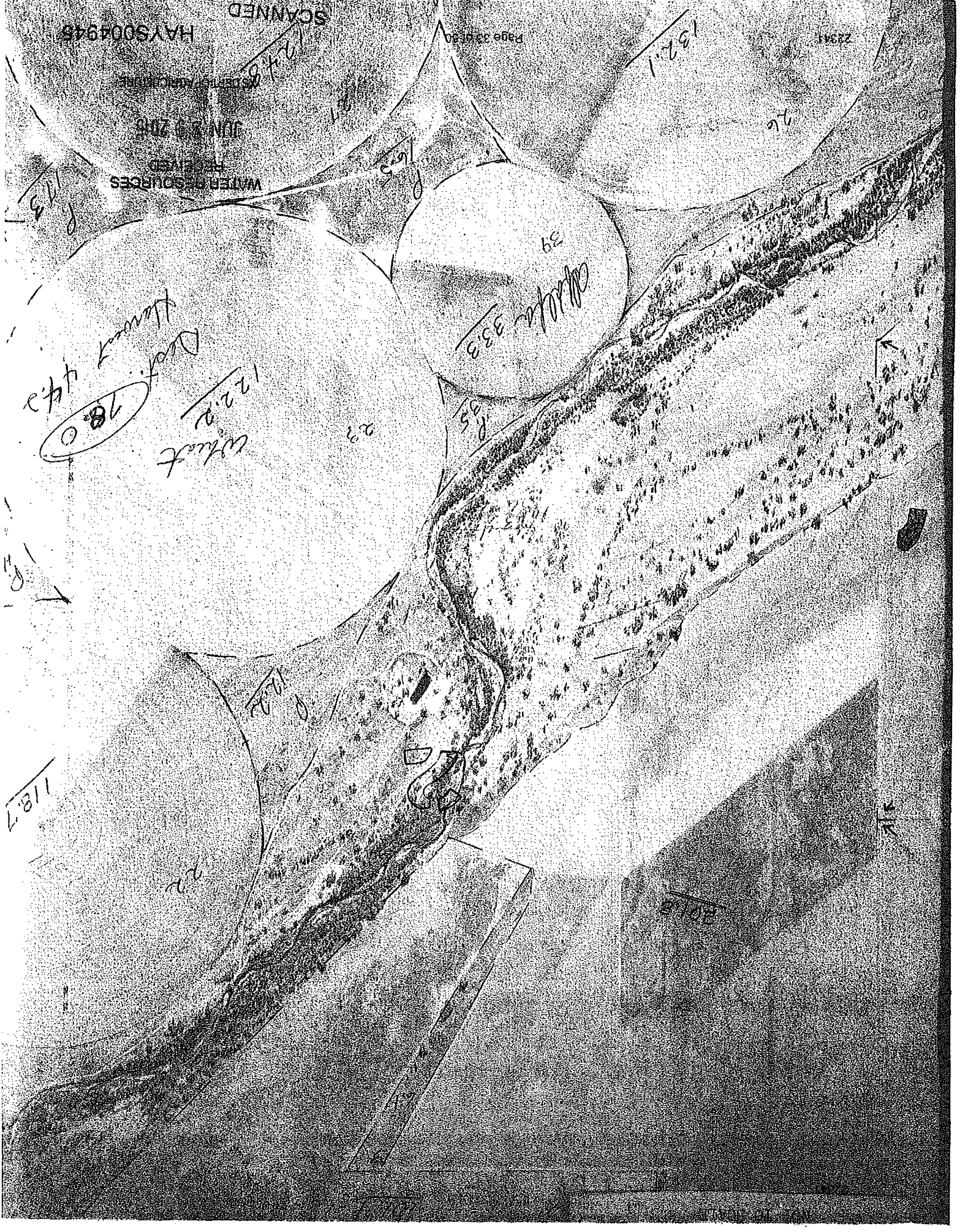
3 farms
 11-26-20

26-20

US DEPARTMENT OF THE INTERIOR

JUN 3 2016

WATER RESOURCES
DIVISION



122.2
 18.0
 14.4
 4.4

333
 333
 333

118.7

2018

104.0
 wheat
 100

28
 PPK-milo
 106.5

30
 PPK
 125.3
 Alfalfa
 2 farms
 10-26-20
 C-3

PPK-milo
 111.2

WATER RESOURCES
 RECEIVED

JUN 29 2015

HAYS004946

NOT TO SCALE

2 farm

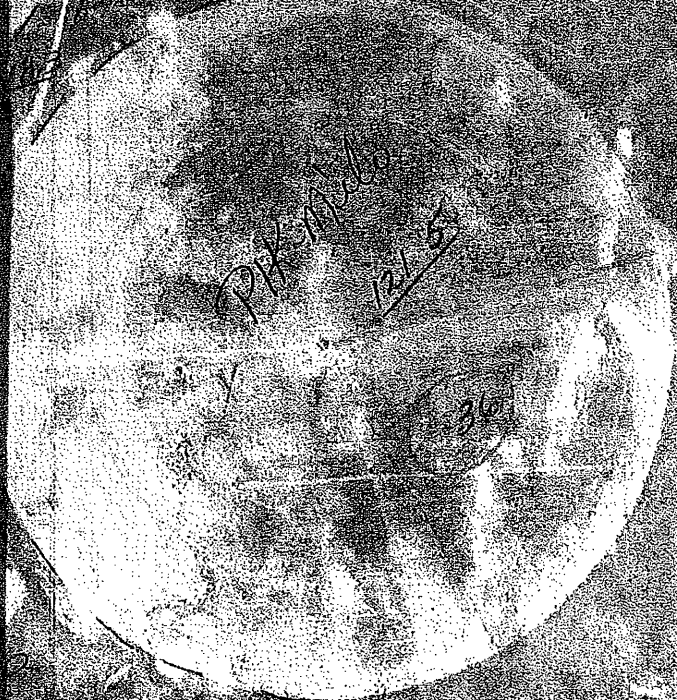
14-26-20

26-20

B-3

B-3

14



744
481.7

6-25

WATER RESOURCES
RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE

HAYS004947

SCANNED

HAYS004948

KS DEPT OF AGRICULTURE

Page 00 of 01

22341

SCANNED

JUN 29 2015

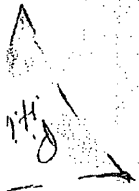
WATER RESOURCES RECEIVED

22.2

23

53.5

0.5



118.7
GUA
222
GUA

118.2

201.8

101.4

87.8

26-20

2-26-20

NOT TO SCALE

26

Starns
1-26-20

20

AK, Milo

121.2

124.9

P
15

P
8.2

21

127.5

22

118.7

1

P
90.8

P
16.7

24

110.4

25

124.9

WATER RESOURCES
RECEIVED

SCANNED

JUN 29 2015

KS DEPT OF AGRICULTURE

HAYS004949

NOT TO SCALE

6-20

15-26-20

2 farms

B-3

125.9 - PK-milo

35

15

37

PK-milo

108.6

alfalfa

105.2

38

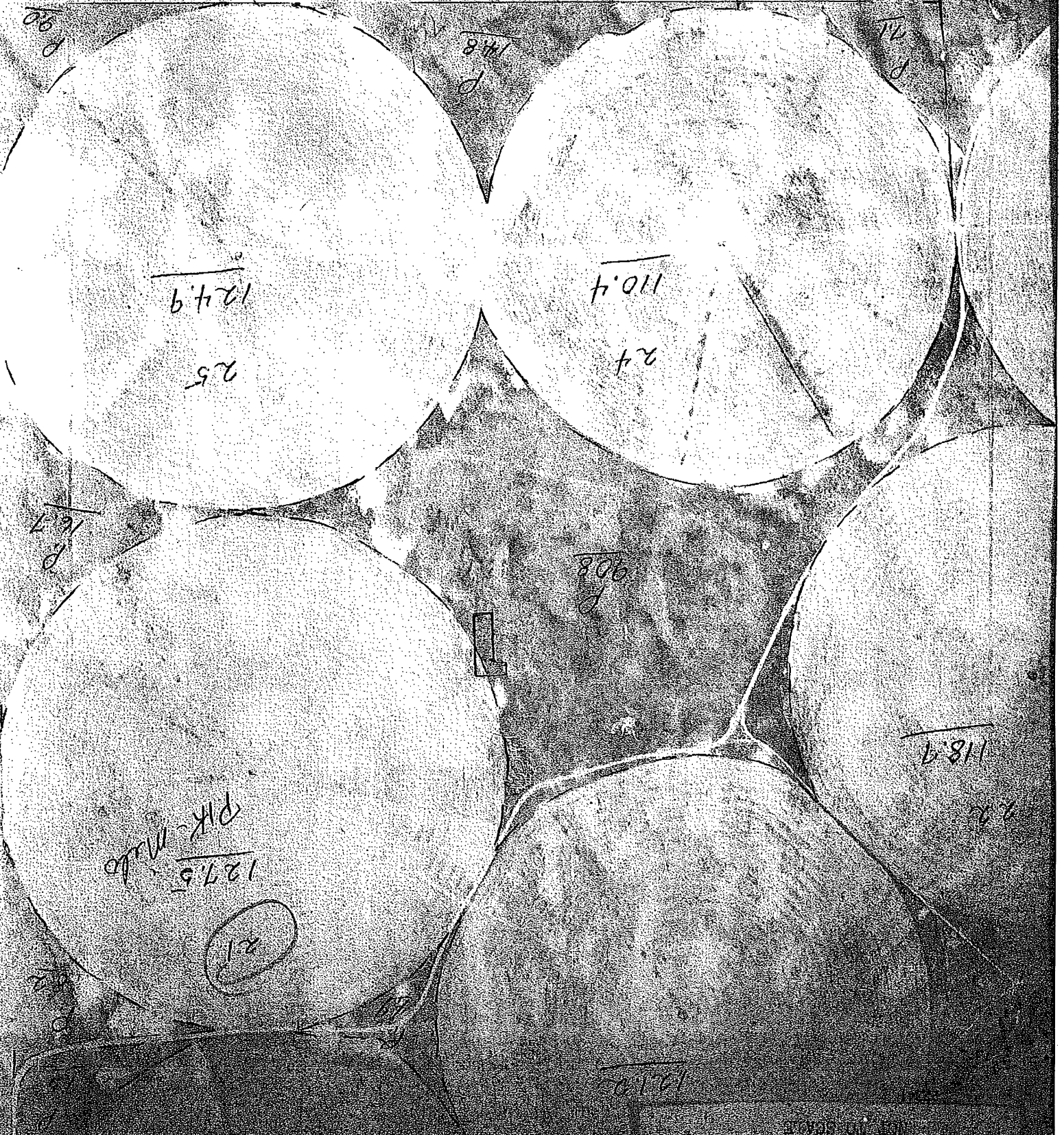
WATER RESOURCES RECEIVED

JUN 29 2015

KS DEPT. OF AGRICULTURE

SCANNED

HAZS004991



Kansas State Board of Agriculture
Division of Water Resources

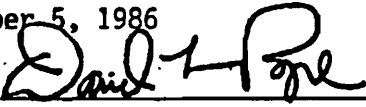
ADMINISTRATIVE POLICY
No. 86-8

Subject: Allowable Rates of Diversion and Maximum Annual Quantities for Irrigation Use - Permits and Approvals

Reference: K.S.A. 82a-708a and K.A.R. 5-3-1

Date: November 5, 1986

History: Effective November 5, 1986

Approved by: David L. Pope 
Chief Engineer

During the review of an APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE for irrigation purposes the following guidelines shall be considered in determining the maximum reasonable rate of diversion to be allowed under any APPROVAL OF APPLICATION AND PERMIT TO PROCEED:

<u>Area, Place of use</u>	<u>Max. Allowable Rate</u>	
up to 10 acres	450 g.p.m.	450
10 - 40 acres	(+) 450 g.p.m.	900
40 - 120 acres	(+) 8 g.p.m./acre	580 + 8X
more than 120 acres	(+) 7 g.p.m./acre	700 + 7X

EXAMPLES:

A. 37 acres requested; since this area is less than 40 acres, a rate of up to 900

B. 83 acres requested;

10 acres	= 450 g.p.m.	} 900 g.p.m.
(+) 40 acres (10 + 30)	= 450 g.p.m.	
(+) 43 acres @ 8 g.p.m./acre	= 344 g.p.m.	
	<u>1,244</u> (allow 1,245 g.p.m.)	

A further limiting factor of this procedure is the availability of water from the proposed source of supply. In those instances whereby the source of supply is incapable of yielding a reasonably, sustainable (computed) rate, then the source becomes a further limiting factor.

A further limiting factor is well design and equipment, which shall be reasonable to divert the requested rate.

WATER RESOURCES
RECEIVED

JUN 29 2015

Administrative Policy No.86-8
Page 2

Further, the rate authorized should not impair senior water rights in the area, including domestic rights.

In reviewing an APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE for irrigation purposes, the following guidelines shall be considered when determining a maximum allowable annual quantity of water request:

In that area of Kansas located between the Kansas/Missouri border and the Range 5 East/Range 6 East line, the maximum allowable quantity shall not exceed an average of 1.00 acre-foot per acre to be irrigated.

In that area of Kansas located between the Range 5 East/Range 6 East Line and the Range 20 West/Range 21 West line, the maximum allowable quantity shall not exceed an average of 1.50 acre-feet per acre irrigated.

In that area of Kansas located between the Range 20 West/Range 21 West line and the Kansas/Colorado border, the maximum allowable quantity shall not exceed an average of 2.00 acre-feet per acre irrigated.

A further limiting factor to maximum allowable quantity is the availability of water from the proposed source of supply. If the source of supply is incapable of yielding a reasonably, sustainable (computed) quantity during the irrigation season in that area of the state, then the source becomes a further limiting factor.

That if an applicant can show that his or her system design is reasonable for the use intended and approval of the proposed rate and/or maximum annual quantity will not impair any senior water right or prejudicially and unreasonably affect the public interest, the Chief Engineer may waive the above guidelines. Documentation shall be placed in the file clearly demonstrating any exceptions to the above policy.

WATER RESOURCES
RECEIVED

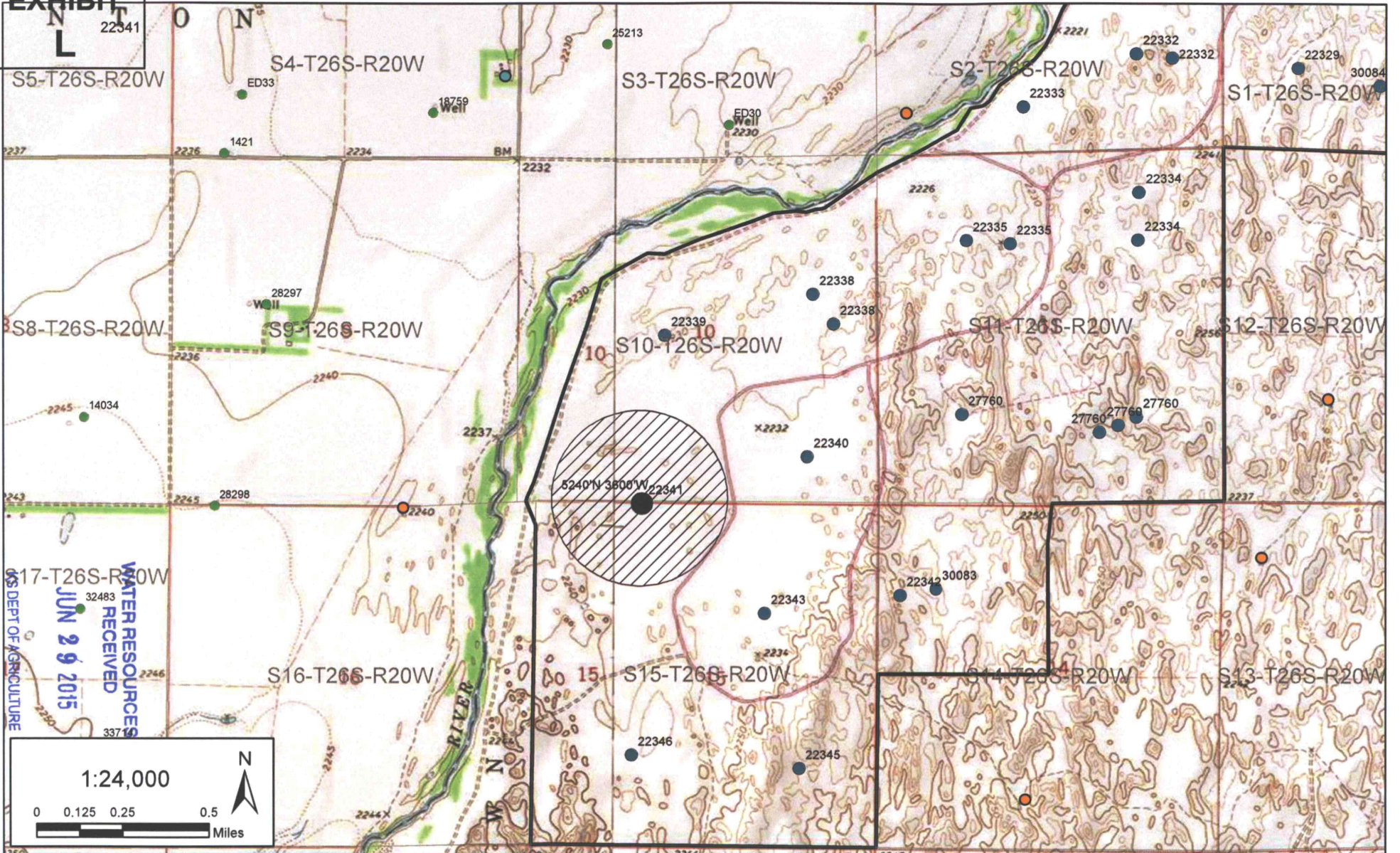
JUN 29 2015

SCANNED

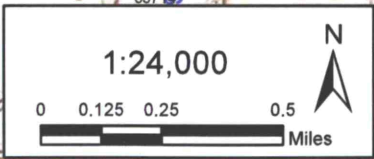
KS DEPT OF AGRICULTURE

EXHIBIT

N
L
22341



US DEPT OF AGRICULTURE
WATER RESOURCES
JUN 29 2015
32483
3371



Legend

- 22341 Existing Point(s) of Diversion
- ▨ 22341 Existing Place of Use
- ▭ R9 Ranch Property Boundary
- PLSS Sections 22341
- Irrigation Wells (File No.)
- Stockwater Wells (File No.)
- Domestic Well (Non-Permitted)
- Stock Well (Non-Permitted)
- Existing R9 Ranch Irrigation Wells

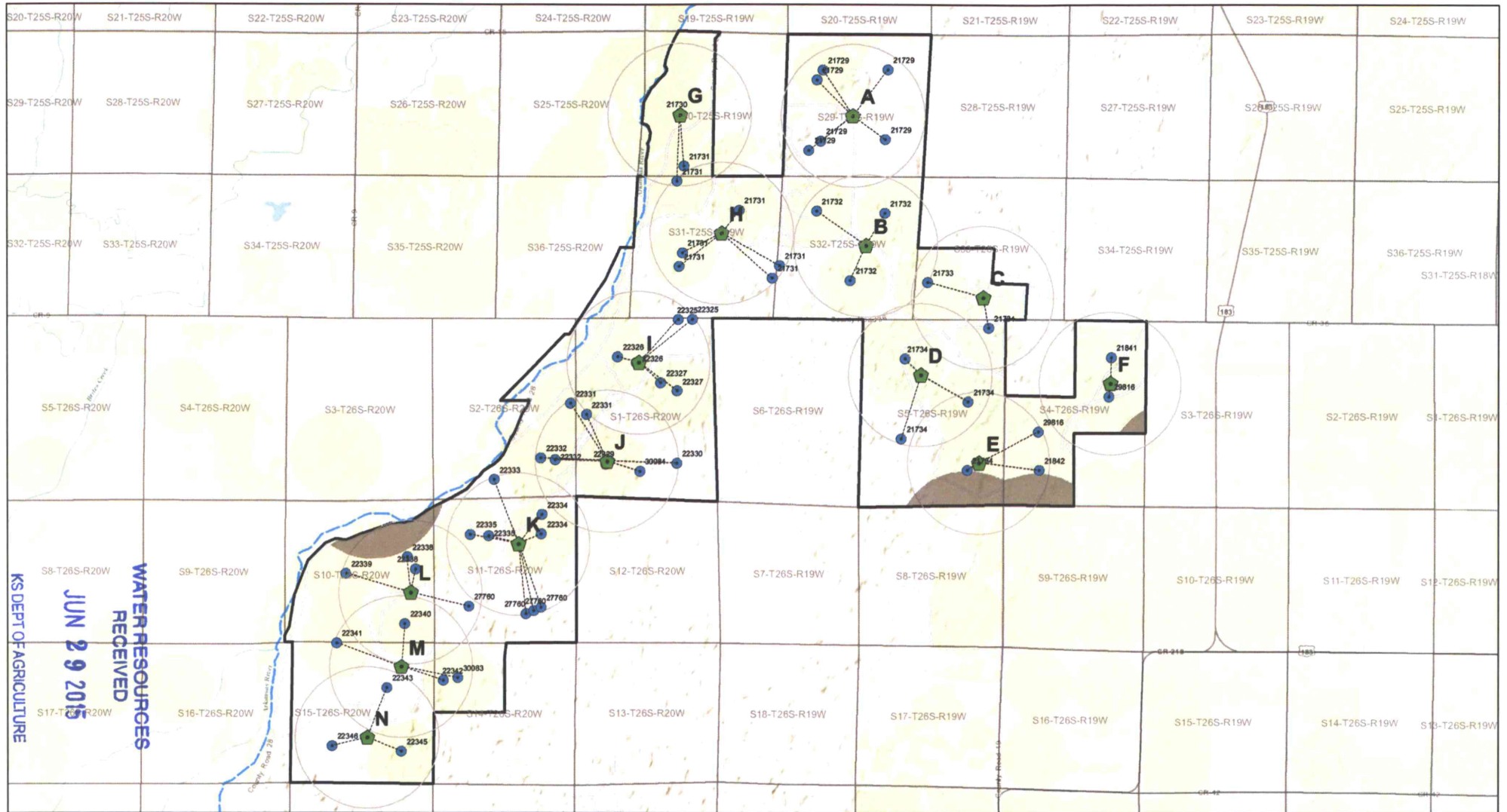


**CHANGE APPLICATION 22341
APPLICATION MAP
AUTHORIZED PLACE OF USE &
POINTS OF DIVERSION**

SCANNED

EXHIBIT
M

22341



KS DEPT OF AGRICULTURE
 WATER RESOURCES RECEIVED
 JUN 29 2015

Legend

- Proposed Municipal Wells (A-N)
- Existing R9 Ranch Points of Diversion
- 1/2 Mile Buffer Around Proposed Wells
- Water Rights Consolidation Lines
- Area Excluded From Proposed Wells
- River Centerline
- R9 Ranch Property Boundary
- PLSS Sections

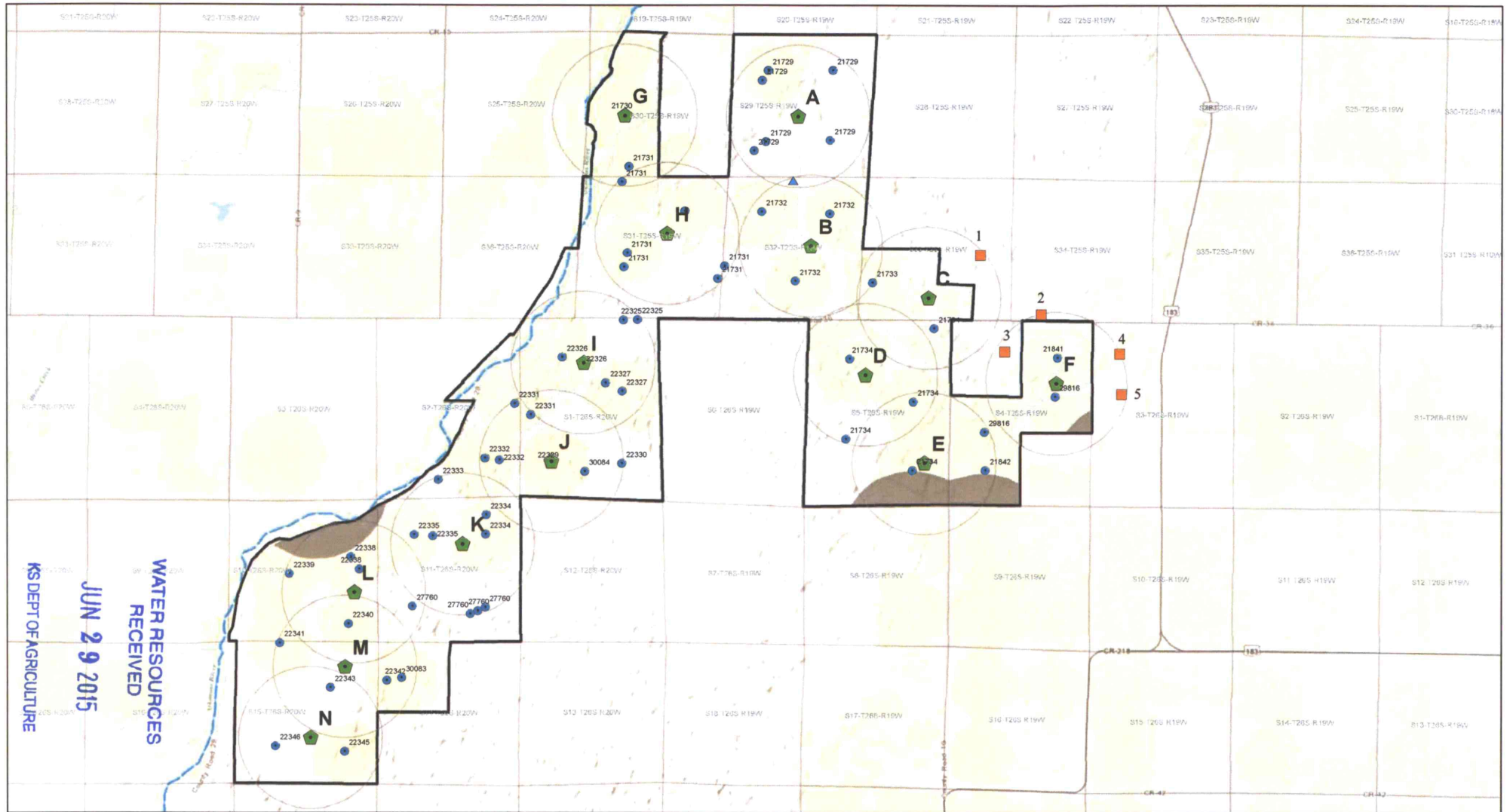


SCANNED

EXHIBIT

22341

N



KS DEPT OF AGRICULTURE
JUN 29 2015
WATER RESOURCES RECEIVED

Legend

- Proposed Municipal Wells (A-N)
- Existing R9 Ranch Points of Diversion
- 1/2 Mile Buffer Around Proposed Wells
- PLSS Sections
- Area Excluded From Proposed Wells
- R9 Ranch Property Boundary
- Domestic Well (Non-Permitted)
- Stock Well (Non-Permitted)

1:40,000



0 0.25 0.5 1 Miles

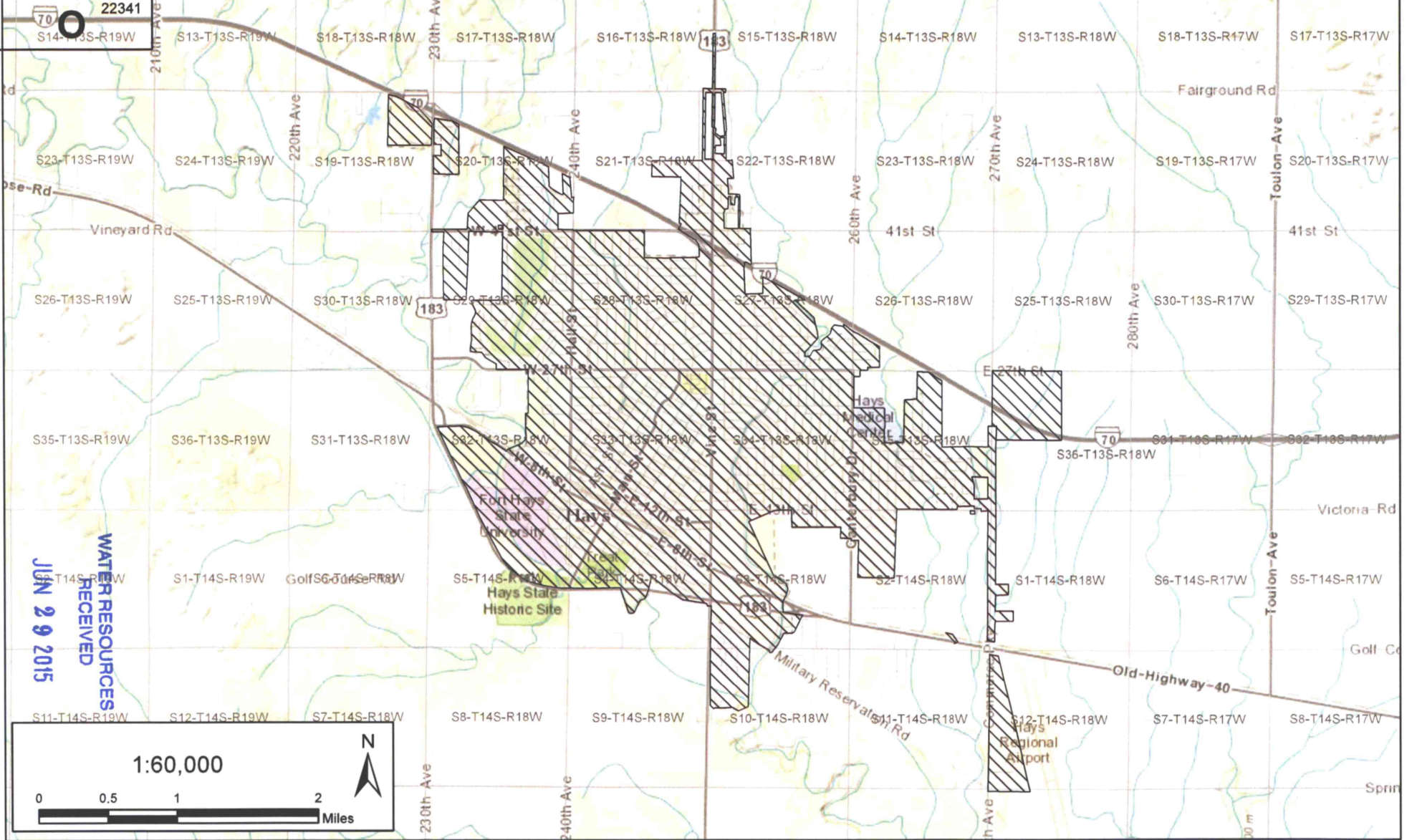


BURNS
MEDONNELL

SCANNED

EXHIBIT

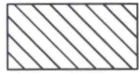
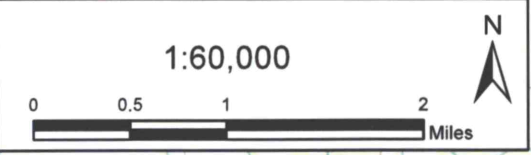
22341



KS DEPT OF AGRICULTURE

JUN 29 2015

WATER RESOURCES RECEIVED



Proposed Place of Use City of Hays



PLSS Sections

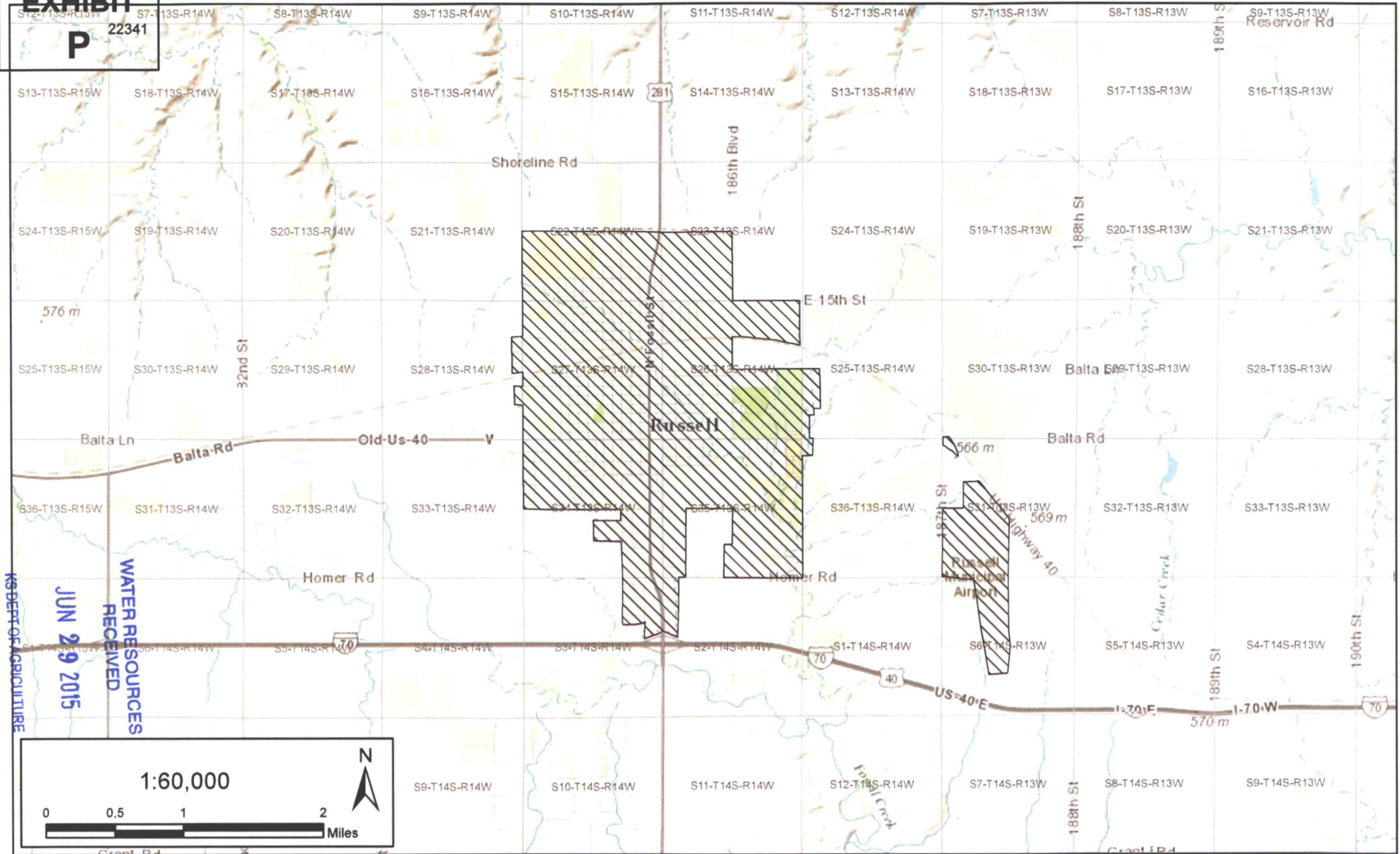


SCANNED

EXHIBIT

P

22341



Proposed Place of Use - City of Russell



PLSS Sections



SCANNED

22341
 Applicant's Name City Of Hays KS
 (Please Print)

**MUNICIPAL (PUBLIC WATER SUPPLY) APPLICATION
 SUPPLEMENTAL INFORMATION SHEET**

Application File Number

 (assigned by DWR)

**SECTION 1: PRESENT WATER USE SUMMARY (IF NO PREVIOUS MUNICIPAL WATER USE HAS BEEN UTILIZED, PROCEED TO SECTION 3)
 NOTE: WORKSHEET FOR WATER PUMPED, PURCHASED, AND SOLD BY YOUR WATER DISTRIBUTION SYSTEM.**

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Raw Water Diverted Under Your Rights	Water Purchased From All Sources	Water Sold to Other Public Water Suppliers	Water Sold to Your Industrial, Stock, and Bulk Customers	Water Sold to Your Residential and Commercial Customers	Other Metered Water	Remaining Water Used (See Below Explanation)
684,559,000			10,806,000	595,254,000	16,327,000	62,172,000
TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6				UNACCOUNTED FOR WATER

UNACCOUNTED FOR WATER = TOTAL WATER - ACCOUNTED FOR WATER

- Column 1: The amount of raw water diverted from all of your points of diversion.
- Column 2: The amount of water purchased wholesale from all other public water supply systems or the Kansas Water Office.
- Column 3: The amount of water sold wholesale to all other public water supply systems.
- Column 4: The amount of water sold retail to all industrial, pasture, stockwater, feedlot, and bulk water service connections. Include the amount of water sold to all farmsteads using at least 200,000 gallons of water per year.
- Column 5: The amount of water sold retail to your residential and commercial customers and to industries and farmsteads using less than 200,000 gallons of water per year.
- Column 6: The amount of water used that is metered at individual service connections and supplied free, such as for public service, treatment processes, and connections receiving free water.
- Column 7: The amount of remaining water used. The gallons reported in this column are found by adding the numbers in Columns 1 and 2 and subtracting the numbers in Columns 3, 4, 5, and 6.

UNACCOUNTED FOR WATER

Use the following to calculate your distribution system's Unaccounted For Water:
 Start with the amount in Column 1 and add the amount in Column 2, then subtract the amounts in Columns 3, 4, 5, and 6 leaving an amount of water representing your unaccounted for water to enter in Column 7.

Use the following to calculate the percent Unaccounted For Water versus the Total Water of your system:

$$\text{Percent Unaccounted For Water} = \frac{\text{Unaccounted For Water}}{\text{Total Water (Columns 1,2)}} \times 100$$

 If this number exceeds 20%, please explain the large amount of unaccounted for water and describe any steps being taken to reduce it.

**EXHIBIT
 Q**

**SECTION 2: PAST WATER USE
 COMPLETE THE FOLLOWING TABLE FROM YOUR PAST WATER USE RECORDS.**

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
	Raw Water Diverted Under Your Rights	Water Purchased From All Sources	Water Sold to Other Public Water Suppliers	Water Sold to Your Industrial, Stock, and Bulk Customers	Water Sold to Your Residential and Commercial Customers	Other Metered Water	Remaining Water Used (See Above Explanation)
20 years ago	592,323,000			5,029,000	469,314,000	5,155,000	112,825,000
15 years ago	780,527,000			10,619,000	587,965,000	10,470,000	171,473,000
10 years ago	706,926,000			7,103,000	639,222,000	20,861,000	39,740,000
5 years ago	693,966,000			13,537,000	581,900,000	19,362,000	114,383,000
	TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6				UNACCOUNTED FOR WATER

KS DEPT OF AGRICULTURE
 JUN 29 2015
 WATER RESOURCE RECEIVED
 SCANNED

Applicant's Name City of Russell
(Please Print)

MUNICIPAL (PUBLIC WATER SUPPLY) APPLICATION SUPPLEMENTAL INFORMATION SHEET

Application File Number

(assigned by DWR)

**SECTION 1: PRESENT WATER USE SUMMARY (IF NO PREVIOUS MUNICIPAL WATER USE HAS BEEN UTILIZED, PROCEED TO SECTION 3)
NOTE: WORKSHEET FOR WATER PUMPED, PURCHASED, AND SOLD BY YOUR WATER DISTRIBUTION SYSTEM.**

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Raw Water Diverted Under Your Rights	Water Purchased From All Sources	Water Sold to Other Public Water Suppliers	Water Sold to Your Industrial, Stock, and Bulk Customers	Water Sold to Your Residential and Commercial Customers	Other Metered Water	Remaining Water Used (See Below Explanation)
327,288,100	0	0	105,295,000	108,743,000	19,944,000	93,306,100
TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6			UNACCOUNTED FOR WATER	

UNACCOUNTED FOR WATER = TOTAL WATER - ACCOUNTED FOR WATER

- Column 1: The amount of raw water diverted from all of your points of diversion.
- Column 2: The amount of water purchased wholesale from all other public water supply systems or the Kansas Water Office.
- Column 3: The amount of water sold wholesale to all other public water supply systems.
- Column 4: The amount of water sold retail to all industrial, pasture, stockwater, feedlot, and bulk water service connections. Include the amount of water sold to all farmsteads using at least 200,000 gallons of water per year.
- Column 5: The amount of water sold retail to your residential and commercial customers and to industries and farmsteads using less than 200,000 gallons of water per year.
- Column 6: The amount of water used that is metered at individual service connections and supplied free, such as for public service, treatment processes, and connections receiving free water.
- Column 7: The amount of remaining water used. The gallons reported in this column are found by adding the numbers in Columns 1 and 2 and subtracting the numbers in Columns 3, 4, 5, and 6.

UNACCOUNTED FOR WATER

Use the following to calculate your distribution system's Unaccounted For Water:
Start with the amount in Column 1 and add the amount in Column 2, then subtract the amounts in Columns 3, 4, 5, and 6 leaving an amount of water representing your unaccounted for water to enter in Column 7.

Use the following to calculate the percent Unaccounted For Water versus the Total Water of your system:
Percent Unaccounted For Water = $\frac{\text{Unaccounted For Water}}{\text{Total Water (Columns 1,2)}} \times 100$
If this number exceeds 20%, please explain the large amount of unaccounted for water and describe any steps being taken to reduce it.

**EXHIBIT
R**

**SECTION 2: PAST WATER USE
COMPLETE THE FOLLOWING TABLE FROM YOUR PAST WATER USE RECORDS.**

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
	Raw Water Diverted Under Your Rights	Water Purchased From All Sources	Water Sold to Other Public Water Suppliers	Water Sold to Your Industrial, Stock, and Bulk Customers	Water Sold to Your Residential and Commercial Customers	Other Metered Water	Remaining Water Used (See Above Explanation)
20 years ago							
15 years ago	373,757,000	0	0	171,928,220	115,864,670	18,687,850	67,276,260
10 years ago	477,486,000	0	0	222,781,000	147,340,000	19,483,000	87,882,000
5 years ago	375,790,000	0	0	144,277,000	123,343,000	18,907,000	89,263,000
	TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6			UNACCOUNTED FOR WATER	

KS DEPT OF AGRICULTURE

JUN 29 2015
WATER RESOURCES RECEIVED

SCANNED

22341
SECTION 3: PROJECTED FUTURE WATER NEEDS

PLEASE COMPLETE THE FOLLOWING TABLE SHOWING YOUR FUTURE WATER REQUIREMENTS FOR THE NEXT 20 YEARS:

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	
	Raw Water Diverted Under Your Rights	Water Purchased From All Sources	Water Sold to Other Public Water Suppliers	Water Sold to Your Industrial, Stock, and Bulk Customers	Water Sold to Your Residential and Commercial Customers	Other Metered Water	Remaining Water Used (See Explanation on other side)	
Year 5	386,346,512	0	0	177,719,396	119,767,419	15,453,861	73,405,836	
Year 10	405,513,682	0	0	186,536,377	125,709,241	16,220,547	77,047,517	
Year 15	426,310,852	0	0	196,102,992	132,156,364	17,052,434	80,999,062	
Year 20	443,848,022	0	0	204,170,090	137,592,887	17,753,921	84,331,124	
	TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6				UNACCOUNTED FOR WATER	

SECTION 4: POPULATION AND SERVICE CONNECTIONS

ESTIMATE THE NUMBER OF PERSONS DIRECTLY SERVED BY YOUR WATER DISTRIBUTION SYSTEM

PAST POPULATION - PROVIDE INFORMATION BELOW:
(CENSUS BUREAU INFORMATION)

LAST 20 YEARS	POPULATION
20 years ago	
15 years ago	4,710
10 years ago	4,696
5 years ago	4,506
Last Year	4,475

PROJECTED FUTURE POPULATION

ESTIMATE FUTURE POPULATION AND SUBSTANTIATE NUMBERS ON SEPARATE ATTACHMENTS

NEXT 20 YEARS	POPULATION
Year 5	4,596
Year 10	4,605
Year 15	4,651
Year 20	4,698

Provide number of current active service connections:

2,049 Residential 9 Industrial 30 Other (specify) Free Service
 360 Commercial 0 Pasture/ Stockwater/ Feedlot 2448 Total

SECTION 5: PRESENT GALLONS PER PERSON PER DAY
CALCULATE YOUR GALLONS PER PERSON PER DAY

Water in Columns 5, 6, and 7 + Population + 365 Days/Year = Gallons per Person per Day

$$\frac{221,991,000}{\text{Amount of water in Columns 5, 6, and 7 of Section 1}} \div \frac{4,475}{\text{Population from Last Year of Section 4}} \div 365 \text{ Days/Year} = 135.9 \text{ GALLONS PER PERSON PER DAY.}$$

SECTION 6: AREA TO BE SERVED

Describe the area to be served or provide the legal description of the location where the water is to be used including any other city of water supply system (i.e. Rural Water District): City of Russell
 Note that the actual quantity of "Unaccounted for Water" is lower than shown here. Large quantities diverted from the Pfeifer Wells are returned to the aquifer in the "Collector Well." See detailed explanation in the cover letter accompanying this application. Projected future water needs include losses in the collector well but when repaired or replaced, total raw water diversion will be reduced.

You may attach additional information you believe will assist in informing the Division of the Page 50 of 50 of your request.

WATER RESOURCES RECEIVED JUN 29 2015 KS DEPT OF AGRICULTURE

SCANNED