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.
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
   ☑ Place of Use
   ☐ Point of Diversion
   ☐ Use Made of Water
   (Check one or more)

File No. 29,816 Circles 9A and 10A.

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. 2 GMD 5 Meets K.A.R. 5-5-1 (YES/NO) Use 1RR Source G) S County ED By KAB Date 11/29/15
Code (-3) Fee $100 TR # Receipt Date 11/28/15 Check # 052322

1505 330S 21000

DWR 1-120 (Revised 06/16/2014) 29816

Page 1 of 37

Assisted by:

(1)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

<table>
<thead>
<tr>
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<th>Twp.</th>
<th>Range</th>
<th>NE¼</th>
<th>NW¼</th>
<th>SW¼</th>
<th>SE¼</th>
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<td>5</td>
<td>Lot 2</td>
<td>5</td>
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<td>40</td>
<td>40</td>
<td>40</td>
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<td>2.5</td>
<td>175</td>
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</table>

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

<table>
<thead>
<tr>
<th>Sec.</th>
<th>Twp.</th>
<th>Range</th>
<th>NE¼</th>
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<td></td>
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<td></td>
<td>Same as above</td>
</tr>
</tbody>
</table>

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

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

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

29816 Page 2 of 37 SCANNED JUN 29 2015

KS DEPT OF AGRICULTURE
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 ___________ Quarter of the ___________ Quarter of the ___________ Quarter
   of Section ___________, Township ___________, South, Range ___________ (W/E),
   in ___________ County, Kansas, ___________ feet North ___________ feet West of Southeast corner of section.

   Authorized Rate ___________ gpm  Authorized Quantity ___________ 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 ___________ Quarter of the ___________ Quarter of the ___________ Quarter
   of Section ___________, Township ___________, South, Range ___________ (W/E),
   in ___________ County, Kansas, ___________ feet North ___________ feet West of Southeast corner of section.

   Proposed Rate ___________ gpm  Proposed Quantity ___________ a/f

This point is: ☐ Additional Well  ☐ Geo Center  List other water rights that will use this point ___________.

9. Presently authorized point of diversion:

   One in the ___________ Quarter of the ___________ Quarter of the ___________ Quarter
   of Section ___________, Township ___________, South, Range ___________ (W/E),
   in ___________ County, Kansas, ___________ feet North ___________ feet West of Southeast corner of section.

   Authorized Rate ___________ gpm  Authorized Quantity ___________ 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 ___________ Quarter of the ___________ Quarter of the ___________ Quarter
   of Section ___________, Township ___________, South, Range ___________ (W/E),
   in ___________ County, Kansas, ___________ feet North ___________ feet West of Southeast corner of section.

   Proposed Rate ___________ gpm  Proposed Quantity ___________ a/f

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 ___________ (W/E),
    in ___________ County, Kansas, ___________ feet North ___________ feet West of Southeast corner of section.

    Authorized Rate ___________ gpm  Authorized Quantity ___________ 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 ___________ 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 ___________ gpm  Proposed Quantity ___________ a/f

    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.
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.

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](http://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 ½ 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 ½ 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) ½ mile downstream and ½ 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.
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 ________________, Kansas, this 23rd day of June 2015.

City of Hays, Kansas, by Toby Dougherty, City Manager

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Spouse)

(Please Print)

(Spouse)

(Please Print)

State of Kansas

County of ________________

SS

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

My Commission Expires 6/15/18

MALINDA MORSE

Notary Public

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 ......................................................................................... $300
(4) Application to change the use made of the water ................................................................. $300

Make check payable to Kansas Department 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.

City of Russell, Kansas, by Jon Quinday, City Manager

(Owner)

(Please Print)

(Spouse)

(Please Print)

(Spouse)

(Please Print)

(Please Print)

(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.

My Commission Expires 6/15/18

Malinda Morse

Notary Public

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 .............................................................
(4) Application to change the use made of the water .................................................. $300

Make check payable to Kansas Department of Agriculture.
Proposed Rate and Quantity

The Cities are requesting a total of 187.5 acre-feet and 1,550 gpm from the wells associated with this water right. Of those amounts, 97.5 acre-feet and 800 gpm will be diverted from new point of diversion E, and 90 acre-feet and 750 gpm will be diverted to new point of diversion F, as shown on Exhibit HI.

When combined with existing wells from other water rights, new point of diversion E will have a cumulative total of 518.92 acre-feet and 2,561 gpm, and new point of diversion F will have 285 acre-feet and 1,640 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.\textsuperscript{1} 125 approved acres irrigated during the perfection multiplied by the Edwards County NDR for corn of 1.08 acre-feet per acre equals 135.00 acre-feet.\textsuperscript{2}

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

Quantity authorized and perfected

The permit was issued on February 22, 1978, granting the applicant the right to divert up to 240 acre-feet annually at a rate not to exceed 1,600 gallons per minute for irrigation use on 160 acres in Section 4-T26S-R19W.\textsuperscript{4}

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.”\textsuperscript{5}

The Field Inspection Reports indicate that 187.5 of the 240 acre-feet authorized by the permit were lawfully perfected.

- 131 acre-feet were applied to 65 approved acres in the NW/4 of Section 4-T26S-R19W.\textsuperscript{6}

- 123 acre-feet were applied to 60 approved acres in the NE/4 of Section 4-T26S-R19W.\textsuperscript{7}

\textsuperscript{1} K.A.R. 5-5-9(a) and (a)(1).

\textsuperscript{2} K.A.R. 5-5-12, NIR Requirements.

\textsuperscript{3} K.A.R. 5-5-9(b).

\textsuperscript{4} Permit, HAYS004213, Ex. A.

\textsuperscript{5} February 22, 1978, letter (emphasis added), HAYS004212, Ex. B.

\textsuperscript{6} FIR, HAYS004194, Ex. C.
• The permit authorized the perfection of 240 acre-feet per acre on 160 acres or 1.5 acre-feet per acre, but only 125 authorized acres were irrigated during the perfection period, resulting in the perfection of 187.5 acre-feet.\textsuperscript{8}

Since the perfection period has expired, the “authorized quantity” for this water right is the 187.5 acre-feet actually perfected. The certificate rounded this number up to 188 acre-feet.

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

\textit{NIR for Alfalfa}

Alfalfa was grown on this circle during the perfection period.\textsuperscript{9} According to the Kansas Irrigation Guide, the NIR for the 50% chance rainfall of 3 inches (1.083333 feet) for corn and 20.9 (1.741666 feet) inches for alfalfa.

Since alfalfa was grown on the authorized plot of 188.5 one year during the perfection period, it is reasonable to use the NIR for 217.71 acre-feet consumed. This quantity is greater and greater than the quantity actually perfected. Because the maximum annual quantity authorized by the water right,\textsuperscript{10} the quantity is limited to 50 acre-feet.

\textit{An alternative approach}

DWR’s use of the NIR of 1.08 feet of water to define its maximum gross irrigation requirement of 1.5 acre-feet per acre.\textsuperscript{11} 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 187.50 acre-feet legally applied during the perfection period percolates back to the aquifer, then 72%, or 135.00 acre-feet, should be available for conversion to municipal use. This is less than the 187.50 acre-feet authorized so the limitation in K.A.R. 5-5-9(a)(4) is not implicated.

Because this exceeds the maximum authorized quantity, the request is limited to 187.50 acre-feet.

\textsuperscript{7} FIR, HAYS004200, Ex. D.
\textsuperscript{8} FIRs, HAYS004194, Ex. C, and HAYS004200, Ex. D.
\textsuperscript{9} American Agricultural Industries, Inc. v. Sientz McAllister Trial Exhibits, HAYS004448-4453, Ex. E.
\textsuperscript{10} See K.A.R. 5-5-9(a)(4).
\textsuperscript{11} Administrative Policy No. 86-8, dated Nov. 5, 1986, Ex. F, 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.
The State of Kansas

State Board of Agriculture
W. W. Dufurmand, 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. 29,816 of the applicant,

Mid America Land Co.
5105 E. 21st St.
Wichita, Kansas 67208

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 6, 1977.

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

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<th>NW1</th>
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<tbody>
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<td>40</td>
<td>40</td>
<td>40</td>
<td>40</td>
<td>160</td>
</tr>
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</table>

3. That the source from which the appropriation is made shall be from groundwater in the drainage basin of the Arkansas River to be withdrawn by means of two (2) wells: one well near the center of the North side of the South Half of the Northeast Quarter (SE1) and one well near the center of the South side of the Northeast Quarter (NW1) of Section 4, Township 26 South, Range 19 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 1600 gallons per minute (3.57 c.f.s.) and to a quantity of not to exceed 240 acre-feet.

Water Resources Received
Jun 29 2015

Received
Jun 29 2015

Scanned
Field: Hayes004213

Microfilmed
5. That installation of works for diversion of water shall be completed on or before December 31, 1979. 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, 1983.

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 22nd day of February 1978.

Guy E. Gibson, Chief Engineer
Division of Water Resources
Kansas State Board of Agriculture
February 22, 1978

Mid America Land Co.
5105 E. 21st St.
Wichita, Kansas 67208

Re: Appropriation of Water
Application No. 29,816

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,

Riley M. Dixon
Hydrologist

RMD/jmr/srw
Encs.
cc: Groundwater Management District #5

MAR 06 1978
FIELD OFFICE
DIVISION OF WATER RESOURCES
STAFFORD

WATER RESOURCES RECEIVED
JUN 29 2015
KS DEPT OF AGRICULTURE
HAN 004212
SCANNED
EXHIBIT

FIELD INSPECTION REPORT

Test 2 of 4
County: Edwards

Application No.: 29816 Date: 7/28/87 Firm/Field Office: Pumping Plant Testing, Inc

Current Landowner: Connecticut General Life Ins. Phone No.: (308) 534-9210

Address: Box 1162 North Platte, Nebraska 69103

Water Use Classification: ( ) Domestic ( ) Industrial (x) Irrigation ( ) Municipal
( ) Recreation ( ) Stockwatering ( ) Water Power

Source: (x) Groundwater ( ) Surface Water Basin/Stream: Rattlesnake Creek

Authorized Point of Diversion: NE a Southside of NW1/4 Sec. 4 T. 26 R. 19 N. ID No: 03
Approximately 2731 ft. North and 3860 ft. West of SE corner of Sec.

Actual Point of Diversion: NE a Southside of NW1/4 Sec. 4 T. 26 R. 19
Approximately 2731 ft. North and 3860 ft. West of SE corner of Sec.

Prior to delimitation:
Sealed at arrival: photo

"Approved" Quantity: 240 AF "Approved" Diversion Rate: 1400 g.p.m. (2.57 c.f.s.)

Priority Date: May 6, 1977 Approval Date: Feb. 22, 1978 Perfection Date: Dec. 31, 1983

Other applications covering land and/or point of diversion: None

LAND TO BE INCLUDED ON CERTIFICATE:

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LAND IRRIGATED—YEAR OF RECORD: 1985 (See Attached Sheet)

<table>
<thead>
<tr>
<th>4</th>
<th>26</th>
<th>19</th>
</tr>
</thead>
<tbody>
<tr>
<td>NE</td>
<td>NW</td>
<td>SW</td>
</tr>
<tr>
<td>35</td>
<td>35</td>
<td>35</td>
</tr>
</tbody>
</table>

TESTED DIVERSION RATES

Maximum G.P.M. (c.f.s.): Normal G.P.M. 798 (c.f.s. 1.78)

FOR D.W.R. USE ONLY

Year of Record: 1985

Extension of time needed: Yes (x) No ( )

Ac. Ft. Applied = 289 hrs. x 398 g.p.m. x 4.419 24 x 1000 = 131 AF

"Approved" Land irrigated: 65 acres, with 122 AF = 1.88 AF/acre

Total AF (including overlapping File) = 122 (1.88 AF/acre)

65 approved

Receiving 94 AF

May 20, 1988

PERFECTED RATE: 800 c.f.s. 

PERFECTED QUANTITY: 94

FILMED 2-20-1988

KS DEPT. OF AGRICULTURE

JUN 29, 2015

Page 12 of 37

SCANNED
GENERAL INFORMATION ON IRRIGATION SYSTEM:

Center Pivot

Manufacturer: Zimmatic  Model: 410  Serial No: A10720

Drive:  Water  Electric  Length of Pivot Arm  acres irrigated

Design Pressure-Pivot:  p.s.i.  Operating Pressure-Pivot:  p.s.i.

Is there an End Gun?  Yes  No  Is end gun operating during Test?  Yes  No

End Gun Model:  Terra  Rating:  g.p.m.  Orifice size:

Gravity Irrigation

Items to be shown on sketch of system: 1) Layout of pipe, 2) sizes of pipe, 3) type of pipe, 4) set which was tested, 5) test location and 6) hydrant location.

Description:

Other Type:

Manufacturer:  Model:  Serial No:

Low pressure spray nozzles on center pivot.

unusual conditions/other information

POWER UNIT INFORMATION:

Manufacturer:  Model No:  F5L 912  HP:

Serial No:  9636197  Fuel: Diesel  Rated RPM:

PUMP INFORMATION:

Manufacturer:  Western Land Rollers  Model No:  12CM  Rated RPM:

Serial No:  E77315  Type: Vertical Turbine  No. stages: 4

GEAR HEAD INFORMATION:

Manufacturer:  Randolph  Model No:  F80  Serial No:  92426  Drive: Right Angle  Ratio: 6:1

WELL INFORMATION:

Date Drilled: April 1972  Original Depth: 120 ft.  Static Water Level When Drilled: 40 ft.

Length of time well has been operated: 5 days (hrs)

Is measurement tube required?  Yes  No  Is measurement tube present?  Yes  No

Depth to water:  ft. below LSD.

ADDITIONAL REQUIREMENTS:

Is a meter required?  Yes  No  Make of Meter:

Meter Model No:  Serial No:  Size:

Is the meter installed properly?  Yes  No

Check Valve Present?  Yes  No

Injection port present?  Yes  No

Operating an injection system?  Yes  No

Low Pressure Drain?  Yes  No

Vacuum Breaker?  Yes  No

Plant Health Chemigation Report completed?  Yes  No
**SKETCH OF ACTUAL PLACI SE. LOCATION OF DIVERSION W. AND DISTRIBUTION SYSTEM.**

(Indicate distribution system layout at time of field test).

![Diagram of field test setup]

**TEST OF DIVERSION RATE:**

Location of test: Horizontal pipe between pump and pivot.

Pipe Diameter (I.D.): 2 1/4 inches

<table>
<thead>
<tr>
<th>Test No. 1—Normal Conditions</th>
<th>Test No. 2—Maximum Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>R.P.M. POWER UNIT: 2119</td>
<td>R.P.M. POWER UNIT:</td>
</tr>
<tr>
<td>R.P.M. PUMP UNIT: 1766 psi</td>
<td>R.P.M. PUMP UNIT:</td>
</tr>
<tr>
<td>Pressure at Pump: 36 psi</td>
<td>Pressure at Pump:</td>
</tr>
</tbody>
</table>

**Jacuzzi Meter Test**

Area Constant $K = 2.45 \times \text{I.D.}^2$ = ______________________

<table>
<thead>
<tr>
<th>Velocity (fps)</th>
<th>Velocity (fps)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>1.</td>
</tr>
<tr>
<td>2.</td>
<td>2.</td>
</tr>
<tr>
<td>3.</td>
<td>3.</td>
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<td>4.</td>
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<td>7.</td>
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<td>8.</td>
<td>8.</td>
</tr>
<tr>
<td>9.</td>
<td>9.</td>
</tr>
<tr>
<td>10.</td>
<td>10.</td>
</tr>
</tbody>
</table>

Total ______________________ Avg. ______________________

G.P.M. ______________________

**Propeller Meter Test**

Manufacturer: ______________________ Model: ______________________ Serial No. ______________________

Meter Diameter: ______________________ inches

Ending: ______________________ gal.
Beginning: ______________________ gal.
Difference: ______________________ gal.

Time: ______________________ min.
Rate: ______________________ gpm

**RECEIVED**

MAY 20 1968

**SCANNED**

WATER RESOURCES RECEIVED

MAY 04196

JUN 29 2015

KS DEPT OF AGRICULTURE

[Note: The text contains measurements and calculations related to the flow test, including velocities, areas, and volumes, with specific units and calculations provided for each step.]
### Tabulation of Water Use

<table>
<thead>
<tr>
<th>Year</th>
<th>Hours Pumped ( hr )</th>
<th>Reported Pumping Rate ( gpm )</th>
<th>Water Used ( AF )</th>
<th>Acres Irrigated</th>
</tr>
</thead>
<tbody>
<tr>
<td>1978</td>
<td>376</td>
<td></td>
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<td>70</td>
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<td>1979</td>
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<td>1983</td>
<td></td>
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<td>1984</td>
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<td>70</td>
</tr>
<tr>
<td>1985</td>
<td></td>
<td>7.98**</td>
<td></td>
<td>70</td>
</tr>
<tr>
<td>1986</td>
<td>732</td>
<td>7.50</td>
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<tr>
<td>1987</td>
<td></td>
<td>798**</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**# obtained from test data**

Indicate Year of Record with (*)

Source of Information: Stafford File's

Crops Irrigated: this year, Year of record: *wheat*

### Fuel Records

(Complete only if water use information is not available)

- **Electricity**
  - Supplier
  - Meter Manufacturer
  - Type
  - Serial No.
  - K. watt/rev
  - r. revolutions
  - t. seconds

  \[
  \text{Rate} = \frac{K \times 3.6}{t} = \text{kw/hr} \quad \text{Hours} = \frac{\text{kw-hr}}{\text{rate}}
  \]

- **Other Fuels**
  - Type
  - Supplier

  \[
  \text{Rate} = \frac{\text{Volume (test)}}{\text{time}}
  \]

How was the test volume determined?

### Remarks

Landscape obtained from Reg. of Deeds. See attached sheet for notes on selecting a year of record.

Person present at test: Roy Williams

Water Use Correspondent: Lill J. Needham

Conducted by: Roy Williams

Approved by: Lill J. Needham

WATER RESOURCES RECEIVED

JUN 29 2015
EXHIBIT D

FIELD INSPECTION REPORT

Field Office No. 2
C.M.D. No. 5

Test 2 of 2 Diversion points County Edwards

Inspection Application No. 29816 Date 7/20/92 Firm/Field Office Pumping Plant Testing, Inc

Current Landowner Connecticut General Life Inc. Phone No. (308) 524-7240

Address Box 1162, North Platte, Nebraska 69102

Water Use Classification: ( ) Domestic ( ) Industrial (X) Irrigation ( ) Municipal
( ) Recreation ( ) Stockwatering ( ) Water Power

Source: (X) Groundwater ( ) Surface Water Basin/Stream Rattlesnake Creek

Authorized Point of Diversion: Sec. 4 T. 26 R. 19, ID No. 04
Approximately 405 ft. North and 1320 ft. West of SE corner of Sec. 4

Actual Point of Diversion: Sec. 4 T. 26 R. 19
Approximately 405 ft. North and 1320 ft. West of SE corner of Sec. 4

How were distances determined? (X) Scaled off of aerial photo

"Approved" Quantity 340 AF "Approved" Diversion Rate 1600 g.p.m. (3.57 c.f.s.)

Priority Date May 2, 1977 Approval Date Feb 22, 1978 Perfection Date Dec. 31, 1983

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

LAND TO BE INCLUDED ON CERTIFICATE:

<table>
<thead>
<tr>
<th>S</th>
<th>T</th>
<th>R</th>
<th>NW%</th>
<th>NE%</th>
<th>SW%</th>
<th>SE%</th>
<th>TOTAL ACRES</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>26</td>
<td>19</td>
<td>40</td>
<td>40</td>
<td>40</td>
<td>40</td>
<td>160</td>
</tr>
</tbody>
</table>

LAND IRRIGATED—YEAR OF RECORD 1985 (See attached sheet)

<table>
<thead>
<tr>
<th>S</th>
<th>T</th>
<th>R</th>
<th>NW%</th>
<th>NE%</th>
<th>SW%</th>
<th>SE%</th>
<th>TOTAL ACRES</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>26</td>
<td>19</td>
<td>5</td>
<td>5</td>
<td>30</td>
<td>30</td>
<td>70</td>
</tr>
</tbody>
</table>

TESTED DIVERSION RATES

Maximum C.P.M. (c.f.s.) Normal C.P.M. 747 (c.f.s. 166)

FOR D.W.R. USE ONLY

Year of Record 1985 Extension of time needed: Yes ( ) No ( ) Attached? Yes ( ) No ( )

Ac. Ft. Applied 4035 hrs. x 747 g.p.m. x 4.419 AF

"Approved" Land irrigated 60 acres, with 123 AF = 205 AF/acre

Total AF (including overlapping Files) 60 (approved acres irrigated) x 1.5 (AF/acre)

= 90 A.F. MAY 20 1988

Division of Water Resources

FRIDAY, JUNE 29, 2015

KS DEPT. OF AGRICULTURE
GENERAL INFORMATION ON IRRIGATION SYSTEM:

☐ Center Pivot

Manufacturer: **Zimmatic**  Model: **410**  Serial No.: **LO7074**

Drive: ☐ Water  ☑ Electric  Length of Pivot Arm: _______ acres irrig.: **80**

Design Pressure-Pivot: _______ p.s.i.  Operating Pressure-Pivot: _______ p.s.i.

Is there an End Gun? ☑ yes  ☐ no  Is end gun operating during Test? ☑ yes  ☐ no

End Gun Model: **Jato**  Rating: _______ g.p.m.  Orifice size: _______

☐ Gravity Irrigation

Items to be shown on sketch of system: 1) Layout of pipe, 2) sizes of pipe, 3) type of pipe, 4) set which was tested, 5) test location and 6) hydrant location.

Description: __________________________________________________________

☐ Other

Type: ____________________________  Manufacturer: _______________________  Model: ___________________  Serial No.: __________

UNUSUAL CONDITIONS/OTHER INFORMATION:

______________________________________________________________

POWER UNIT INFORMATION:

Manufacturer: **Deutz**  Model No.: **F5L912**  HP: _______

Serial No.: **9029365**  Fuel: **Diesel**  Rated RPM: _______

PUMP INFORMATION:

Manufacturer: **Western Land Roller**  Model No.: **12CM**  Rated RPM: _______

Serial No.: **F77316**  Type: **Vertical Turbine**  No. stages: **4**

GEAR HEAD INFORMATION:

Manufacturer: **Randolph**  Model No.: **660A**

Serial No.: **4405025**  Drive: **Right Angle**  Ratio: **6:5**

WELL INFORMATION:

Date Drilled: **April 1977**  Original Depth: **140 ft.**  Static Water Level When Drilled: **40 ft.**

Length of time well was operated or rested prior to measurement: **7** days  **( )** hrs.

Is measurement tube required? ☑ yes  ☐ no  Is measurement tube present? ☑ yes  ☐ no

Depth to water: **45** ft. below LSD.

ADDITIONAL REQUIREMENTS:

Is a meter required? ☑ yes  ☐ no  Make of Meter: __________________________

Meter Model No.: _______  Serial No.: _______  Size: _______

Is the meter installed properly? ☑ yes  ☐ no  Check Valve Present? ☑ yes  ☐ no

Injection port present? ☑ yes  ☐ no  Operating an injection system? ☑ yes  ☐ no

Low Pressure Drain? ☑ yes  ☐ no  Vacuum Breaker? ☑ yes  ☐ no

Plant Health Chemigation Report completed? ☑ yes  ☐ no

SCANNED

WATER RESOURCES RECEIVED

HAYS004201  JUN 29 2015

KS DEPT OF AGRICULTURE
**SKETCH OF ACTUAL PLACE**: SE, LOCATION OF DIVERSION WOIt AND DISTRIBUTION SYSTEM. (Indicate distribution system layout at time of field test.)

![Diagram of sketch](image)

**TEST OF DIVERSION RATE:**

<table>
<thead>
<tr>
<th>Location of test</th>
<th>Horizontal pipe between pump and pivot</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pipe Diameter (I.D.)</td>
<td>8/54 inches</td>
</tr>
</tbody>
</table>

**Test No. 1—Normal Conditions**

- R.P.M. POWER UNIT: 2190
- R.P.M. PUMP UNIT: 1225 psi

**Pressure at Pump**: 40 psi

**Test No. 2—Maximum Conditions**

- R.P.M. POWER UNIT: ______
- R.P.M. PUMP UNIT: ______ psi

**Jacuzzi Meter Test**

Area Constant $K = 2.45 \times \text{I.D.}^4 = $ ______

Q (gpm) = VK

<table>
<thead>
<tr>
<th>Velocity (fps)</th>
<th>1.</th>
<th>2.</th>
<th>3.</th>
<th>4.</th>
<th>5.</th>
<th>6.</th>
<th>7.</th>
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<th>10.</th>
<th>Total</th>
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</thead>
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<td>Avg.</td>
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<td></td>
<td></td>
<td>G.P.M.</td>
</tr>
</tbody>
</table>

**Propeller Meter Test**

Manufacturer: ______

Model: ______

Serial No.: ______

<table>
<thead>
<tr>
<th>Meter Diameter: ______ inches</th>
</tr>
</thead>
<tbody>
<tr>
<td>Time min.</td>
</tr>
</tbody>
</table>

**Other Flow Meter**

Use Supplemental Sheet (include meter identification, data and calculations).
**TABULATION OF WATER USE:**

<table>
<thead>
<tr>
<th>Year</th>
<th>Hours Pumped (hr)</th>
<th>Reported Pumping Rate (gpm)</th>
<th>Water Used (AF)</th>
<th>Acres Irrigated</th>
</tr>
</thead>
<tbody>
<tr>
<td>1978</td>
<td>432</td>
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<td>7.0</td>
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<tr>
<td>1979</td>
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<td>1980</td>
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<td>1981</td>
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<td>1982</td>
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<td>1983</td>
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<tr>
<td>1984</td>
<td>788</td>
<td>7.00</td>
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<td>7.0</td>
</tr>
<tr>
<td>1985</td>
<td>1035</td>
<td>747**</td>
<td></td>
<td>7.0</td>
</tr>
<tr>
<td>1986</td>
<td>581</td>
<td>7.00</td>
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</tr>
<tr>
<td>1987</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Note: obtained from test data*

Indicate Year of Record with (*)

Source of Information: Stafford Files

Crops Irrigated: this year - A/Canola

Year of record - Wheat - Miles

**FUEL RECORDS:** (Complete only if water use information is not available)

☐ Electricity

Supplier

Meter Manufacturer: Type: Serial No.

K. ______ watt/rev. r _____ revolutions t _____ seconds

Rate = \( \frac{K \times 3.6}{t} \) = _______ kw/hr Hours = _______ kw-hr = _______

☐ Other Fuels

Type: Supplier

Rate = Volume (test) = ___________ time

How was the test volume determined?

**REMARKS:** Measurements obtained from Reg 80 Donda. See attached sheet for notes on choosing a year of record.

SCANNED

Person present at test: Roy Williams, Employee of Tenant

Water Use Correspondent: Heritage Agri Affiliates, Box 168, North Platte NE 69103 308-534-9240

Conducted by: Heritage Agri Affiliates, Date: 8/4/87

Approved by: R. E., P.E., Date: 11/20/87

WATER RESOURCES RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE
March 25, 1982

Slentz-McAllaster Inc.
P O Box 38
Lewis, Kansas  67552

Dear Don,

This letter is in reference to our conversation concerning the alfalfa insurance on the alfalfa located at the Lucerne Farms in Kinsley, Kansas.

As of today, we will no longer be responsible for the insurance on the alfalfa that you have paid us for but have not removed from the farm.

Our records show that you have paid us $416,000.00 (this includes the March payment of $52,000.00) for alfalfa. At $65.00 per ton this figures that you have paid for 6,400 ton of hay. We show that you have removed 2278 bales at 1800 lbs average weight. That is 2050.2 Tons removed. So there is 4,349.80 tons of alfalfa on this farm that you have paid for but you have not removed.

If you have any question on how I have arrived at these figures please contact me.

Best Regards,

Pamela Meadows
Secretary

*Note: This figure of 2278 removed doesn't include the 54 bales taken this week.
<table>
<thead>
<tr>
<th></th>
<th>TOTAL BALES</th>
<th></th>
<th></th>
<th>ANIBYPRO 1/5</th>
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<tr>
<td>1st</td>
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WATER RESOURCES RECEIVED

SCANNED

JUN 29 2015

KS DEPT OF AGRICULTURE
#39
1st 16  
2nd 26  
3rd 31  

#39
20  
33  
39  

Total Bales 10776

McAllasters 4/5's 8621
Anibypros 1/5's 2155

*Note In order to come up to 8,000 Tons it will take 8,889 bales of 1800lbs. This will leave Anibypro 1887 bales
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(These does not include hay taken this week) 3/25/15

Totals: 2275 2,035.58
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:

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<th>Area, Place of use</th>
<th>Max. Allowable Rate</th>
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<td>up to 10 acres</td>
<td>450 g.p.m.</td>
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<td>10 - 40 acres</td>
<td>(+) 450 g.p.m.</td>
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<td>40 - 120 acres</td>
<td>(+) 8 g.p.m./acre</td>
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<tr>
<td>more than 120 acres</td>
<td>(+) 7 g.p.m./acre</td>
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EXAMPLES:

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

B. 83 acres requested;

\[
\text{10 acres} = 450 \text{ g.p.m.}
\]
\[
\text{(+ 40 acres (10 + 30) = 450 g.p.m.)}
\]
\[
\text{(+ 43 acres @ 8 g.p.m./acre} = 344 \text{ g.p.m.}
\]
\[
1,244 \text{ (allow 1,245 g.p.m.)}
\]

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

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.

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<th>Column 3</th>
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<td>Water Purchased From All Sources</td>
<td>Water Sold to Other Public Water Suppliers</td>
<td>Water Sold to Your Industrial, Stock, and Bulk Customers</td>
<td>Water Sold to Your Residential and Commercial Customers</td>
<td>Other Metered Water</td>
<td>Remaining Water Used (See Below Explanation)</td>
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<tr>
<td>684,559,000</td>
<td>10,806,000</td>
<td>595,254,000</td>
<td>16,327,000</td>
<td>62,172,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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, feddiot, and bulk water service connections. Include the amount of water sold to all farms 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 farms 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 = Unaccounted For Water x 100
Total Water (Columns 1.2)

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

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

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
<th>Column 5</th>
<th>Column 6</th>
<th>Column 7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raw Water Diverted Under Your Rights</td>
<td>Water Purchased From All Sources</td>
<td>Water Sold to Other Public Water Suppliers</td>
<td>Water Sold to Your Industrial, Stock, and Bulk Customers</td>
<td>Water Sold to Your Residential and Commercial Customers</td>
<td>Other Metered Water</td>
<td>Remaining Water Used (See Above Explanation)</td>
</tr>
<tr>
<td>20 years ago</td>
<td>592,323,000</td>
<td>5,029,000</td>
<td>469,314,000</td>
<td>5,155,000</td>
<td>112,825,000</td>
<td></td>
</tr>
<tr>
<td>15 years ago</td>
<td>780,577,000</td>
<td>10,619,000</td>
<td>587,956,000</td>
<td>10,470,000</td>
<td>171,473,000</td>
<td></td>
</tr>
<tr>
<td>10 years ago</td>
<td>708,928,000</td>
<td>7,103,000</td>
<td>639,222,000</td>
<td>20,861,000</td>
<td>39,740,000</td>
<td></td>
</tr>
<tr>
<td>5 years ago</td>
<td>693,866,000</td>
<td>13,537,000</td>
<td>581,900,000</td>
<td>19,362,000</td>
<td>114,383,000</td>
<td></td>
</tr>
</tbody>
</table>

TOTAL WATER = Columns 1 + 2
ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6
UNACCOUNTED FOR WATER
SECTION 3: PROJECTED FUTURE WATER NEEDS

Please complete the following table showing your future water requirements for the next 20 years:

<table>
<thead>
<tr>
<th>Year</th>
<th>Column 1 Raw Water Diverted Under Your Rights</th>
<th>Column 2 Water Purchased From All Sources</th>
<th>Column 3 Water Sold to Other Public Water Suppliers</th>
<th>Column 4 Water Sold to Your Industrial, Stock, and Bulk Customers</th>
<th>Column 5 Water Sold to Your Residential and Commercial Customers</th>
<th>Column 6 Other Metered Water</th>
<th>Column 7 Remaining Water Used (See Explanation on other side)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 5</td>
<td>753,014,000</td>
<td></td>
<td>11,886,600</td>
<td>654,779,400</td>
<td>17,895,700</td>
<td>66,389,200</td>
<td></td>
</tr>
<tr>
<td>Year 10</td>
<td>828,316,390</td>
<td></td>
<td>13,075,260</td>
<td>720,287,340</td>
<td>19,755,670</td>
<td>76,228,120</td>
<td></td>
</tr>
<tr>
<td>Year 15</td>
<td>911,148,029</td>
<td></td>
<td>14,382,786</td>
<td>792,283,074</td>
<td>21,731,237</td>
<td>82,750,932</td>
<td></td>
</tr>
<tr>
<td>Year 20</td>
<td>1,002,262,832</td>
<td></td>
<td>15,821,065</td>
<td>871,511,381</td>
<td>23,804,361</td>
<td>91,026,025</td>
<td></td>
</tr>
</tbody>
</table>

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)

<table>
<thead>
<tr>
<th>Last 20 Years</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>20 years ago</td>
<td>17,836</td>
</tr>
<tr>
<td>15 years ago</td>
<td>18,750</td>
</tr>
<tr>
<td>10 years ago</td>
<td>20,013</td>
</tr>
<tr>
<td>5 years ago</td>
<td>20,106</td>
</tr>
<tr>
<td>Last Year</td>
<td>21,038</td>
</tr>
</tbody>
</table>

Projected future population
Estimate future population and substantiate numbers on separate attachments

<table>
<thead>
<tr>
<th>Next 20 Years</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 5</td>
<td>23,142</td>
</tr>
<tr>
<td>Year 10</td>
<td>25,456</td>
</tr>
<tr>
<td>Year 15</td>
<td>28,002</td>
</tr>
<tr>
<td>Year 20</td>
<td>30,802</td>
</tr>
</tbody>
</table>

Provide number of current active service connections:

- 6,624 Residential
- 1,256 Commercial
- 2 Industrial
- 8,082 Other (specify)
- 8,082 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

\[ \frac{273,753,000}{10,000} + \frac{21,038}{100} + \frac{365}{1} = 88 \]

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 Hays, KS Municipal Water Supply

2013 is year one and 2033 will be year twenty. 2 percent growth is used for estimate. Hays had a reasonable 9.1 percent unaccounted water in 2013.

You may attach additional information you believe will assist in informing the Division of the need for your request.
## MUNICIPAL (PUBLIC WATER SUPPLY) APPLICATION
### SUPPLEMENTAL INFORMATION SHEET

**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.**

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
<th>Column 5</th>
<th>Column 6</th>
<th>Column 7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raw Water Diverted Under Your Rights</td>
<td>Water Purchased From All Sources</td>
<td>Water Sold to Other Public Water Suppliers</td>
<td>Water Sold to Your Industrial, Stock, and Bulk Customers</td>
<td>Water Sold to Your Residential and Commercial Customers</td>
<td>Other Metered Water</td>
<td>Remaining Water Used (See Below Explanation)</td>
</tr>
<tr>
<td>327,288,100</td>
<td>0</td>
<td>0</td>
<td>105,295,000</td>
<td>108,743,000</td>
<td>19,944,000</td>
<td>93,308,100</td>
</tr>
</tbody>
</table>

**TOTAL WATER = Columns 1 + 2**

**ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6**

**UNACCOUNTED 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:

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

\[ \text{Percent Unaccounted} = \left( \frac{\text{Unaccounted For Water}}{\text{Total Water (Columns 1,2)}} \right) \times 100 \]

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

**SECTION 2: PAST WATER USE**

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

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
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<td>Raw Water Diverted Under Your Rights</td>
<td>Water Purchased From All Sources</td>
<td>Water Sold to Other Public Water Suppliers</td>
<td>Water Sold to Your Industrial, Stock, and Bulk Customers</td>
<td>Water Sold to Your Residential and Commercial Customers</td>
<td>Other Metered Water</td>
<td>Remaining Water Used (See Above Explanation)</td>
</tr>
<tr>
<td>20 years ago</td>
<td>373,757,000</td>
<td>0</td>
<td>171,928,220</td>
<td>115,864,870</td>
<td>18,687,850</td>
<td>87,276,260</td>
</tr>
<tr>
<td>15 years ago</td>
<td>477,486,000</td>
<td>0</td>
<td>222,781,000</td>
<td>147,340,000</td>
<td>19,483,000</td>
<td>87,882,000</td>
</tr>
<tr>
<td>10 years ago</td>
<td>375,790,000</td>
<td>0</td>
<td>144,277,000</td>
<td>123,343,000</td>
<td>18,907,000</td>
<td>89,283,000</td>
</tr>
</tbody>
</table>

**TOTAL WATER = Columns 1 + 2**

**ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6**

**UNACCOUNTED FOR WATER**
### SECTION 3: PROJECTED FUTURE WATER NEEDS

Please complete the following table showing your future water requirements for the next 20 years:

<table>
<thead>
<tr>
<th>Year</th>
<th>Column 1: Raw Water Diverted Under Your Rights</th>
<th>Column 2: Water Purchased From All Sources</th>
<th>Column 3: Water Sold to Other Public Water Suppliers</th>
<th>Column 4: Water Sold to Your Industrial, Stock, and Bulk Customers</th>
<th>Column 5: Water Sold to Your Residential and Commercial Customers</th>
<th>Column 6: Other Metered Water</th>
<th>Column 7: Remaining Water Used (See Explanation on Other Side)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 5</td>
<td>386,346,512</td>
<td>0</td>
<td>0</td>
<td>177,719,366</td>
<td>119,767,419</td>
<td>15,453,661</td>
<td>73,405,836</td>
</tr>
<tr>
<td>Year 10</td>
<td>405,513,682</td>
<td>0</td>
<td>0</td>
<td>186,536,377</td>
<td>125,709,241</td>
<td>16,220,547</td>
<td>77,047,517</td>
</tr>
<tr>
<td>Year 15</td>
<td>426,310,852</td>
<td>0</td>
<td>0</td>
<td>196,102,992</td>
<td>132,156,364</td>
<td>17,052,434</td>
<td>80,999,062</td>
</tr>
<tr>
<td>Year 20</td>
<td>443,848,022</td>
<td>0</td>
<td>0</td>
<td>204,170,000</td>
<td>137,592,887</td>
<td>17,753,921</td>
<td>84,331,124</td>
</tr>
</tbody>
</table>

**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)

<table>
<thead>
<tr>
<th>LAST 20 YEARS</th>
<th>POPULATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>20 years ago</td>
<td>4,710</td>
</tr>
<tr>
<td>15 years ago</td>
<td>4,696</td>
</tr>
<tr>
<td>10 years ago</td>
<td>4,506</td>
</tr>
<tr>
<td>5 years ago</td>
<td>4,475</td>
</tr>
<tr>
<td>Last Year</td>
<td>4,475</td>
</tr>
</tbody>
</table>

Provide number of current active service connections:

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

**Total:** 2,448

### 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

\[
\frac{21,991,000}{\text{Amount of water in Columns 5, 6, and 7 of Section 1}} + \frac{4,475}{\text{Population from Last Year of Section 4}} = 135.9 \quad \text{GALLONS PER PERSON PER DAY.}
\]

### 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 Pfiefer 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 submit additional information you believe will assist in informing the Division of the request.