21729-D2

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 ma	_	chief Engineer to change the	WATER RESOURCES RECEIVED				
		☑ Place of Use						
	(Check one or more)	Point of Diversion		APR 2 7 2018				
		☑ Use Made of Wate	er	1.54				
			. 01 700 D0	KS DEPT OF AGRICULTURE				
			No. <u>21,729-D2</u>					
2.	Name of applicant: Cit	ry of Hays, Kansas an	d City of Russell, Kansas					
	Address: c/o Foulston	n Siefkin LLP, 1551 N	I. Waterfront Parkway, Sui	te 100				
	City, State and Zip: \underline{Wi}	ichita, KS 67206						
	Phone Number: (316)		E-mail address: dtraste	er@foulston.com				
		·	wner tenant agent lace of use on the R9 Ranc	other? If other, please explain. Hays and h in Edwards County.				
	Name of water use correspondent: City of Hays, Kansas							
	Address: P.O. Box 490	0, 1507 Main Street						
	City, State and Zip: Ha	ays, Kansas 67601		·				
	Phone Number: (_785_))628-7320	_ E-mail address: <u>tdough</u>	nerty@haysusa.com				
3.	The change(s) proposed	d herein are desired for t	the following reasons (please b	pe specific):				
			= · · · · · · · · · · · · · · · · · · ·	inal Change Applications. The cover				
	~ -	ed herein by reference						
	The change(s) (was) (wi	ill be) completed by <u>Se</u>	e Paragraph 3 of the cover	letter.				
				(Date)				
Fo F.	or Office Use Only: O. 2 GMD S Meets	s K.A.R. 5-5-1(YES / NO Fee \$) Use [22 Source	County ED By AJW Date 4/27/16 of Date 4/27/18 Check # 6/685				
								
	WD 4 400 / D 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			Assistant by:				
DΝ	VR 1-120 (Revised 06/16/2	U14)		Assisted by:				
				SCANNED				

Page 1 of 60

21,729-D2 File No. The presently authorized place of use is: City of Hays, Kansas Owner of Land — NAME: ADDRESS: P.O. Box 490, 1507 Main St., Hays, KS 67601 TOTAL ACRES NW1/4 Sec. Twp. Range NW1/4 SW1/4 NE1/4 SW1/4 SE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 500 29-T25S-R19W 31.25 31.25 31.25 31.25 31.25 31.25 31.25 31.25 31.25 31.25 31.25 31.25 31.25 31.25 31.25 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, KS 67665 NW1/4 TOTAL **ACRES** NW1/4 SW1/4 SE1/4 NE¼ NW¼ SW1/4 NW14 SW14 SE1/4 SW1/4 NE% Sec. Twp. Range Same as above List any other water rights that cover this place of use. (If there are more than two landowners, attach additional sheets as necessary.) It is proposed that the place of use be changed to: Owner of Land — NAME: City of Hays, Kansas P.O. Box 490, 1507 Main Street, Hays, KS 67601 ADDRESS: TOTAL ACRES NE' NW' SW' SE' NE' NW' SW' SE' NE' NW' SW' SE' NE' NW' SW' SE' 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 133 W. 8th Street, Russell, Kansas 67665 ADDRESS: TOTAL **ACRES** NE' NW' SW' SE' NE' NW' SW' SE' NE' NW' SW' SE' NE¼ NW¼ SW¼ Twp. Range 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 June 25, 2015 cover letter.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY



File No. 21,729-D2

6.	The presently authorized point(s) of diversion (is) (are) <u>irrigation w</u>	rell(s) described in paragrap	h 8, infra.
	The proposed point(s) of diversion (is) (are) <u>one or more municip</u>		the cover letter.
	List all presently authorized point(s) of diversion:		
8.	Presently authorized point of diversion:		
	One in the NC Quarter of the SE of Section 29 , Township 25 in Edwards County, Kansas, 1,377 feet North	Quarter of the	Quarter
	of Section 29 , Township 25	South, Range19	(E(W),
	in Edwards County, Kansas, 1,377 feet North	1,415 feet West of Southe	east corner of section.
ı	Authorized Rate 720 Authorized Quantity 188		
ı	(DWR use only: Computer ID No GPS		feet West)
	☐ This point will not be changed ☐ ☐ This point will be changed		•
	Proposed point of diversion: (Complete only if change is requested	ed)	
	One in the NE Quarter of the NE of Section 29 , Township 25	Quarter of the SW	Quarter
	of Section 29 , Township 25	South, Range <u>19</u>	(E (W))
	in Edwards County, Kansas, 2,259 feet North 2	2,705 feet West of Southe	east corner of section.
	Proposed Rate 945 gpm Proposed Quantity 435,42 af		
	This point is: Additional Well Geo Center List other water rig	hts that will use this point	·
1			
9.	Presently authorized point of diversion:	0 1 60	0.4
	One in the NC Quarter of the SW of Section 29 , Township 25	Quarter of the	Quarter
ı	of Section 29 , Township 25	South, Range 19	(E ₁ (V),)
	in <u>Edwards</u> County, Kansas, <u>1,416</u> feet North _		east corner of section.
	Authorized Rate 360 Authorized Quantity 74		
	(DWR use only: Computer ID No GPS	feet North	_ feet West)
	☐ This point will not be changed ☐ This point will be changed		
	Proposed point of diversion: (Complete only if change is requested		
	One in the <u>NE</u> Quarter of the <u>NE</u>	Quarter of the <u>SW</u>	Quarter
	of Section 29 , Township 25	South, Range <u>19</u>	(E(W))
	in Edwards County, Kansas, 2,259 feet North		east corner of section.
	Proposed Rate 945 gpm Proposed Quantity 435.42 af		
	This point is: Additional Well Geo Center List other water rig	hts that will use this point	
1			
10.	Presently authorized point of diversion:	C I CH STAT	0
i	One in the NE Quarter of the SW	Quarter of the 3VV	Quarter
	of Section 29 , Township 25	South, Range 19	(E(W),
	in Edwards County, Kansas, 1,043 feet North		east corner of section.
	Authorized Rate 635 Authorized Quantity 114		
	(DWR use only: Computer ID No GPS		_ 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	ed)	
	One in the <u>NE</u> Quarter of the <u>NE</u>	Quarter of the <u>SW</u>	Quarter
	of Section 29 , Township 25	South, Range <u>19</u>	(E ((V)))
	in <u>Edwards</u> County, Kansas, <u>2,259</u> feet North _	2,705 feet West of Southe	east corner of section.
	Proposed Rate 945 gpm Proposed Quantity 435,42 af		
	This point is: Additional Well Geo Center List other water rig	hts that will use this point	
11	Describe the current condition of and future plans for any point(s) of di	iversion which will no longer be	used.
	See paragraph 11 of the June 25, 2015 cover letter.	34	
	IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL ACTION OF THE PART OF T	ONAL CUESTOWATER DES	SOURCES
	IF MORE SPACE IS NEEDED, A I IACH ADDITION	JNAL SHEE I S AS MECE	SOART

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	The	pre	sently authorized use of water is for <u>irrigation</u> purposes.	
			osed that the use be changed to <u>municipal</u>	purposes.
13.	Sec	e th	ng the place of use and/or use made of water, describe how the consumptive use will attached dicussion regarding the quantity of water to be changed to munic ne June 25, 2015 cover letter.	
	(Ple	ase s	now any calculations here.)	
14.	It is	req	ested that the maximum annual quantity of water be reduced to <u>not applicable</u>	_ (acre-feet or million gallons)
15.	It is	req	ested that the maximum rate of diversion of water be reduced to <u>not applicable</u> gal	lons per minute (c.f.s.)
	1:24 Kar Dist sho	4,00 nsas tanc uld a	lication must include either a topographic map or detailed plat. A U.S. Geological Survey, is available through the Kansas Geological Survey, 1930 Constant Avenue, Univ 66047-3726 (www.usgs.gov). The map should show the location of the presently aus North and West of the Southeast corner of the section must be shown. The presently aus be shown. Identify the center of the section, the section lines and the section corn township, and range numbers on the map. In addition the following information must a	versity of Kansas, Lawrence athorized point(s) of diversion ently authorized place of use ners and show the appropriate
	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 S must be shown. Please be certain that the information shown on the map agrees value Paragraph Nos. 9, 10 and 11 of the application.	
		2)	If the source of supply is groundwater, please show the location of existing water domestic wells, within $\frac{1}{2}$ mile of the proposed well or wells. Identify each well as to mailing address of the property owner or owners. If there are no wells within $\frac{1}{2}$ mile, p	its use and furnish name and
		3)	If the source of supply is surface water, the names and mailing addresses of all land and $lambda$ mile upstream from your property lines must be shown.	lowner(s) ½ mile downstream
	b.		change in the place of use is desired, show the proposed place of use by crosshato ain that the information shown on the map agrees with the information shown in Parag	
	loca wel	al so	ocumentation to show the change(s) proposed herein will not impair existing water r irce of supply as to which the water right relates. This information may include state , test hole logs, and other information as necessary information to show the above.	ments, plats, geology reports,
			agraph 17 of the June 25, 2015 cover letter.	
			·	
	ider requ will	ntify uest not	sposed change(s) does not meet all applicable rules and regulations of the Kansas Whe rules and regulations for which you request a waiver. State the reason why a wighould be granted. Attach documentation showing that granting the request will not in rejudicially and unreasonably affect the public interest.	vaiver is needed and why the

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Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> 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 a authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, at 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 Hays, Ellis County, Kansas, this	s 25 day of 471, 20 18								
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 Ellis I hereby certify that the foregoing application was signed in my	presence and sworn to before me this 2546 day of								
My Commission Expires 10-12-19 ANDREA WIND Notary Public - State of My Appt. Expires /()-(2-	OHOLZ OF Kansas								
FEE SCHEI	DULE								
Each application to change the place of use, the point of diversion or the usapplication fee set forth in the schedule below:	se made of the water under this section shall be accompanied by the								
 (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use (4) Application to change the use made of the water 	\$200								
Make check payable to Kanege Department of Agriculture									

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KS DEPT OF AGRICULTURE

File No.	21,729-D2
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Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> 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 authorized to make this application on their behalf, and complete. By filing this application I authorize the chief as specified in sections 14 and 15 of this application.	d declare furth	er that the statemer	nts contained herein are	e true, correct, and
	Kansas this	257H day of _	APRIL	, 20_ 18
	_, Nansas, uns.	day or _		
(winer)			(Spouse)	
City of Russell, Kansas, by Jon Quinday, City Mana	ger			
(Please Print)			(Please Print)	
(Owner)			(Spouse)	
(Please Print)			(Please Print)	
(Owner)			(Spouse)	
(Please Print)			(Please Print)	
State of Kansas County of Russell	ADRIE My Appt	PUBLIC - State of Kansa ENNE SCHREMMER Expires 2 4 2 2		a eth
I hereby certify that the foregoing application was si	gned in my p	resence and sworn	to before me this	day of
		adus	Whin	<u> </u>
My Commission Expires 2 10 27			Notary Public	
	FEE SCHEDU	<u>JLE</u>		
Each application to change the place of use, the point of divergence application fee set forth in the schedule below:	rsion or the use	made of the water un	der this section shall be a	ccompanied by the
 (1) Application to change a point of diversion 300 fer (2) Application to change a point of diversion more the change the place of use	han 300 feet			\$200 \$200

Water Resources Received

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KS Dept Of Agriculture

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Make check payable to Kansas Department of Agriculture.

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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 authorized to make this application on their behalf, an complete. By filing this application I authorize the chief as specified in sections 14 and 15 of this application.	d declare further th	at the statements contained	ed herein are true, correct, and
Dated at Russell, Russell County	, Kansas, this	day of	, 20
		•	
(Owner)		(Spor	rse)
City of Russell, Kansas, by Jon Quinday, City Mana	ager	•	
(Please Print)		(Please	Print)
(Owner)		(Spou	se)
(Please Print)		(Please	Print)
(Owner)		(Spot	ise)
(Please Print)		(Please	Print)
State of Kansas) County of Russell)			
I hereby certify that the foregoing application was s	signed in my presei	nce and sworn to before	me this day of
My Commission Expires		Notary I	Public
	FEE SCHEDULE		
Each application to change the place of use, the point of diverging application fee set forth in the schedule below:	ersion or the use mad	e of the water under this sect	ion shall be accompanied by the
 (1) Application to change a point of diversion 300 fe (2) Application to change a point of diversion more (3) Application to change the place of use (4) Application to change the use made of the water 	than 300 feet		
Make check payable to Kansas Department of Agriculture		WATER RES	SOURCES VED

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This Change Application addresses changes to File 21,729, which was divided into File 21,729-D1 and File 21,729-D2 in an Order dated January 17, 2018, and attached as Ex. A.

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

The City of Hays, Kansas and its immediate vicinity as well as related areas in the Northeast Quarter (NE/4) of Section 19 and the Northwest Quarter (NW/4) of Section 36, T13S-R18W, Ellis County, Kansas and

The City of Russell, Kansas and its immediate vicinity.

Upon the execution of a contract to purchase water from the Project, the authorized place of use should include industrial facilities or the corporate limits of the municipality, rural water district, or other entity entering into such contract for purchase and in the case of a municipality, its immediate vicinity.

7., 8., 9., and 10. Proposed Rate, Quantity, and Well Location

The Cities request a total of 435.42 acre-feet at 945 gallons per minute to be diverted from new point of diversion "A," as shown on Exhibits K and L.

Attached as Exhibits M and N are additional maps that show the location of the currently authorized points of diversion, a one-half mile buffer around each irrigation well, the proposed location of municipal well "A," a 1,000-foot radius around that location, and the proposed areal limits within which the new municipal wells can be located.

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

Quantity authorized and perfected

The Permit was issued on February 27, 1976, granting the applicant the right to divert up to 1,000 acre-feet annually at a rate of up to 2,900 gallons per minute for irrigation use¹ on 500 acres in Section 29, T25S-R19W,² or 2.0 acre-feet per acre. The rate for the point of diversion near the center of the southwest quarter of Section 29 was limited by the Certificate to 700 gpm when combined with the well in the northeast quarter of the southwest quarter of the southwest quarter of that Section.³ There is also an overall rate limitation of 2,900 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."

The Field Inspection Reports indicate that 897 of the 1,000 acre-feet authorized by the Permit were lawfully perfected, including:

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¹ Permit, HAYS000671, Ex. B.

² Application, HAYS000664, Ex. C.

³ Certificate, HAYS000685, Ex. D.

⁴ February 27, 1976, letter (emphasis added), HAYS000670, Ex. E.

- 145 acre-feet⁵ and 94 acre-feet⁶ (239 acre-feet) applied to 125 approved acres.
- 245 acre-feet applied to 125 approved acres.⁷

While the Certificate limits the total quantity to 376 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.⁸

Since the perfection period has expired, the "authorized quantity" for this water right is the 484 acre-feet actually perfected even though it exceeds the certified quantity.

NIR for Alfalfa

The FIRs state that alfalfa was grown on each of these circles during the perfection period. According to the Kansas Irrigation Guide, the NIR for the 50% chance rainfall in Edwards County for alfalfa is 20.9 inches (1.74 feet).

Since alfalfa was grown on the authorized place of use during the perfection period it is reasonable to use the NIR for alfalfa, which yields a total quantity of 435.42 acre-feet consumed. While this quantity is greater than the quantity set out in the Certificate, it is less than the 484 perfected acre-feet, the "maximum annual quantity authorized by the water right." ¹⁰

WATER RESOURCES RECEIVED

⁵ FIR, HAYS000618, Ex. F.

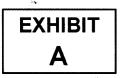
⁶ FIR, HAYS000626, Ex. G.

⁷ FIR, HAYS000634, Ex. H.

⁸ Certificate, HAYS000685-687, Ex. D; Doug Bush Memo dated March 17, 1987, HAYS000679-680, Ex. I; Ex. J; and *Clawson v. Kansas Dept. of Agriculture, Div. of Water Resources*, 49 Kan. App. 2d 789, 315 P.3d 896 (2013).

⁹ FIRs, HAYS000621 (Ex. F), 629 (Ex.G), 637 and (Ex. H).

¹⁰ See K.A.R. 5-5-9(a)(4).



KANSAS DEPARTMENT OF AGRICULTURE Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES David W. Barfield, Chief Engineer

FINDINGS AND ORDER IN THE MATTER OF THE DIVISION OF WATER RIGHT, FILE NO. 21,729

After Due consideration, the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (hereinafter referred to as the "Chief Engineer"), makes the following findings and order:

FINDINGS

That on June 5, 1987, the Chief Engineer, in accordance with K.S.A. 82a-714, issued a Certificate of Appropriation pursuant to File No. 21,729, for beneficial use, subject to vested rights and prior appropriation rights; to make use of groundwater in the drainage basin of the Arkansas River to be withdrawn by means of six (6) wells:

one (1) well (a.k.a Well #9) located near the center of the Northeast Quarter (NE%) of Section 29, more particularly described as being near a point 3,968 feet North and 1,312 feet West of the Southeast corner of said section, at a diversion rate not in excess of 615 gallons per minute (1.37 c.f.s.) and a quantity not to exceed 188 acre-feet of water per calendar year.

one (1) well (a.k.a. Well #8A) located near the center of the Northwest Quarter (NW%) of Section 29, more particularly described as being near a point 3,982 feet North and 3,603 feet West of the Southeast corner of said section, at a diversion rate not in excess of 275 gallons per minute (0.61 c.f.s.) and a quantity not to exceed 86 acre-feet of water per calendar year;

one (1) well (a.k.a. Well #8B) located in the Northeast Quarter of the Southwest Quarter of the Northwest Quarter (NE½ SW½ NW½) of Section 29, more particularly described as being near a point 3,607 feet North and 4,167 feet West of the Southeast corner of said section, at a diversion rate not in excess of 325 gallons per minute (0.72 c.f.s.) and a quantity not to exceed 102 acre-feet of water per calendar year:

one (1) well (a.k.a. Well #7A) located near the center of the Southwest Quarter (SW%) of Section 29, more particularly described as being near a point 1,416 feet North and 4,000 feet West of the Southeast corner of said section, at a diversion rate not in excess of 360 gallons per minute (0.80 c.f.s.) and a quantity not to exceed 74 acre-feet of water per calendar year;

one (1) well (a.k.a. Well #7B) located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE¼ SW¼ SW¼) of Section 29, more particularly described as being near a point 1,043 feet North and 4,370 feet West of the Southeast corner of said section, at a diversion rate not in excess of 635 gallons per minute (1.60 c.f.s.) and a quantity not to exceed 114 acre-feet of water per calendar year, and,

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(over)



one (1) well (a.k.a. Well #10) located near the center of the Southeast Quarter (SE½) of Section 29, more particularly described as being near a point 1,377 feet North and 1,415 feet West of the Southeast corner of said section, at a diversion rate not in excess of 720 gallons per minute (1.60 c.f.s.) and a quantity not to exceed 188 acre-feet of water per calendar year.

all in Township 25 South, Range 19 West, Edwards County, Kansas, for irrigation use on the following described property:

	NE%	NW%	SW%	SE%	
				NEW NWW SWW SEW TO	
29 25S 19W	31.25 31.25 31.25 31.25	31.25 31.25 31.25 31.25	31.25 31.25 31.25 31.25	31.25 31.25 31.25 31.25 500	0.00

a total of 500.00 acres in Section 29, Township 25 South, Range 19 West, Edwards County, Kansas.

That the rate of diversion by means of the well (a.k.a. Well.#7Å) located near the center of the Southwest Quarter (SW½) of Section 29, more particularly described as being near a point 1,416 feet North and 4,000 feet West of the Southeast corner of said section, in Township 25 South, Range 19 West, Edwards County, Kansas, is further limited to that which when combined with the well (a.k.a. Well #7B) located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE½ SW½) of Section 29, more particularly described as being near a point 1,043 feet North and 4,370 feet West of the Southeast corner of said section, in Township 25 South, Range 19 West, Edwards County, Kansas, will provide a diversion rate not in excess of 700 gallons per minute (1.56 c.f.s.) when the wells are run simultaneously.

That this appropriation is further limited to a diversion rate which when all wells operate simultaneously will provide a diversion rate not in excess of 2,900 gallons per minute (6.46 c.f.s.) for irrigation use on the property described herein.

That on December 7, 2017, the office of the Chief Engineer received a signed and notarized Application to Divide a Water Right, from Toby Dougherty, on behalf of the City of Hays, P.O. Box 490, Hays, KS 67601; and Jon Quinday, on behalf of the City of Russell, 133 West 8th St., Russell, KS 67665, requesting as representatives, that Water Right, File No. 21,729, be divided into two (2) portions with the following assignments:

Water Right, File No. 21,729-D1, to be owned by the City of Hays, Kansas, and the City of Russell, Kansas, to have a priority date of January 2, 1974, and to be comprised of

one (1) well (a.k.a. Well #9) located near the center of the Northeast Quarter (NE½) of Section 29, more particularly described as being near a point 3,968 feet North and 1,312 feet West of the Southeast corner of said section, at a diversion rate not in excess of 615 gallons per minute (1.37 c.f.s.) and a quantity not to exceed 188 acre-feet of water per calendar year;

one (1) well (a,k,a, Well #8A) located near the center of the Northwest Quarter (NW%) of Section 29, more particularly described as being near a point 3,982 feet North and 3,603 feet West of the Southeast corner of said section, at a diversion rate not in excess of 275 gallons per minute (0.61 c.f.s.) and a quantity mot/to exceed 86 acre-feet of water per calendar year; and

one (1) well (a.k.a. Well #8B) located in the Northeast Quarter of the Southwest. Quarter of the Northwest Quarter (NE% SW% NW%) of Section 29, more particularly described as being near a point 3,607 feet North and 4,167 feet West of the Southeast corner of said section, at a diversion rate not in excess of 325 gallons per minute (0.72 c.f.s.) and a quantity not to exceed 102 acre-feet of water per calendar year.

all in Township 25 South, Range 19 West, Edwards County, Kansas, for irrigation use on the following described property:

			NĖ%			NW%			SŴ%			SE%							
		Range																	
ું 2	9 25	\$ 19W	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	500.00

a total of 500.00 acres in Section 29, Township 25 South, Range 19 West, Edwards County, Kansas

Water Right, File No. 21,729-D1, shall have 250.00 base acres as defined in K.A.R. 5-5-11, and 250.00 maximum acres irrigated during the perfection period as defined by K.A.R. 5-5-9.

Water Right, File No. 21,729-D2, to be owned by the City of Hays, Kansas; and the City of Russell, Kansas, to have a priority date of January 2, 1974, and to be comprised of

one (1) well (a.k.a. Well #7A) located near the center of the Southwest Quarter (SW14) of Section 29, more particularly described as being near a point 1,416 feet North and 4,000 feet West of the Southeast corner of said section, at a diversion rate not in excess of 360 gallons per minute (0.80 c.f.s.) and a quantity not to exceed 74 acre-feet of water per calendar year;

one (1) well (a.k.a. Well #7B) located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE% SW% SW%) of Section 29, more particularly described as being near a point 1,043 feet North and 4,370 feet West of the Southeast corner of said section, at a diversion rate not in excess of 635 gallons per minute (1.60 c.f.s.) and a quantity not to exceed 114 acre-feet of water per calendar year; and,

one (1) well (a.k.a. Well #10) located near the center of the Southeast Quarter (SE½) of Section 29, more particularly described as being near a point 1,377 feet North and 1,415 feet West of the Southeast corner of said section, at a diversion rate not in excess of 720 gallons per minute (1.60 c.f.s.) and a quantity not to exceed 188 acre-feet of water per calendar year,

all in Township 25 South, Range 19 West, Edwards County, Kansas, for irrigation use on the following described property:

A	NE'A	NW4_	SW1/4	SE%_
Sec. Twp. Range	NEW NWW SWW SEW	NE% NW% SW% SE%	NE% NW% SW% SE%	NE% NW% SW% SE% TOTAL
29 25S 19W	31.25 31.25 31.25 31.25	31.25 31.25 31.25 31.25	31.25 31.25 31.25 31.25	31.25 31.25 31.25 31.25 500.00

a total of 500:00 acres in Section 29, Township 25 South, Range 19 West Edwards County, Kansas. APR 2 7 2018

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Water Right, File No. 21,729

Water Right, File No. 21,729-D2, shall have 250.00 base acres as defined in K.A.R. 5-5-11, and 250.00 maximum acres irrigated during the perfection period as defined by K.A.R. 5-5-9.

This appropriation right is further limited to a diversion rate which when the well (a.k.a. Well #7A) located near the center of the Southwest Quarter (SW½) of Section 29, more particularly described as being near a point 1,416 feet North and 4,000 feet West of the Southeast corner of said section, is further limited to that which when combined with the well (a.k.a. Well #7B) located in the Northeast Quarter of the Southwest Quarter (NE½ SW½ SW½) of Section 29, more particularly described as being near a point 1,043 feet North and 4,370 feet West of the Southeast corner of said section, both in Township 25 South, Range 19 West, Edwards County, Kansas, will provide a diversion rate not in excess of 700 gallons per minute (1.56 c.f.s.) when the wells operate simultaneously.

That this appropriation is further limited to a diversion rate which when all wells operate simultaneously will provide a diversion rate not in excess of 1,685 gallons per minute (3.75 c.f.s.) for irrigation use on the property described herein.

- That the Water Right, File No. 21,729-D1 shall be senior in priority to Water Right, File No. 21,729-D2, within the overall priority established under Water Right, File No. 21,729.
- 4. That the agreement is binding on heirs and successors in interest.

ORDER

NOW, THEREFORE, it is the conclusion of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, that Water Right, File No. 21,729, should be divided as such separation will be entered into the records for administrative purposes as set forth below.

"Water Right, File No. 21,729-D1, to be owned by the City of Hays, Kansas; and the City of Russell, Kansas, to have a priority date of January 2, 1974, and to be comprised of

one (1) well (a.k.a. Well #9) located near the center of the Northeast Quarter (NE½) of Section 29, more particularly described as being near a point 3,968 feet North and 1,312 feet West of the Southeast corner of said section, at a diversion rate not in excess of 615 gallons per minute (1.37 c.f.s.) and a quantity not to exceed 188 acre-feet of water per calendar year;

one (1) well (a.k.a. Well #8A) located near the center of the Northwest Quarter (NW%) of Section 29, more particularly described as being near a point 3,982 feet North and 3,603 feet West of the Southeast corner of said section, at a diversion rate not in excess of 275 gallons per minute (0.61 c.f.s.) and a quantity not to exceed 86 acre-feet of water per calendar year; and,

one (1) well (a.k.a. Well #8B) located in the Northeast Quarter of the Southwest Quarter of the Northwest Quarter (NE½ SW½ NW½) of Section 29, more particularly described as being near a point 3,607 feet North and 4,167 feet West of the Southeast corner of said section, at a diversion rate not in excess of 325 gallons per minute (0.72 c.f.s.) and a quantity not to exceed 192 agree feet of water per calendar year.

Water Right, File No. 21,729

all in Township 25 South, Range 19 West, Edwards County, Kansas, for irrigation use on the following described property:

					. 4-					April 100 100 comments	greater, and makes the annual to	en terrere									
Ī		NEW					NW%					SW1/4			-	SE	4	- 1			
	Sec.	Tw	p. Ran	gé	NE%	NW%	SW%	SE%	NE%	NW%	SW/4	SE%	NE%	ŃW/	SW%	SE%	NE%	NW%	sw/4	SE%	TOTAL
	29	25	S 19V	٧	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31,25	31.25	31.25	31.25	31.25	31.25	1,25	31,25	500.00

a total of 500.00 acres in Section 29, Township 25 South, Range 19 West, Edwards County, Kansas.

Water Right, File No. 21,729-D1, shall have 250.00 base acres as defined in K.A.R. 5-5-11, and 250.00 maximum acres irrigated during the perfection period as defined by K.A.R. 5-5-9.

Water Right, File No. 21,729-D2, to be owned by the City of Hays, Kansas, and the City of Russell, Kansas, to have a priority date of January 2, 1974, and to be comprised of

one (1) well (a.k.a. Well #7A) located near the center of the Southwest Quarter (SW%) of Section 29, more particularly described as being near a point 1,416 feet North and 4,000 feet West of the Southeast corner of said section, at a diversion rate not in excess of 360 gallons per minute (0.80 c.f.s.) and a quantity not to exceed 74 acre-feet of water per calendar year.

one (1) well (a.k.a. Well #7B) located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE% SW% SW%) of Section 29, more particularly described as being near a point 1,043 feet North and 4,370 feet West of the Southeast corner of said section, at a diversion rate not in excess of 635 gallons per minute (1.60 c.f.s.) and a quantity not to exceed 114 acre-feet of water per calendar year, and

one (1) well (a.k.a. Well #10) located near the center of the Southeast Quarter (SE½) of Section 29, more particularly described as being near a point 1,377 feet North and 1,415 feet West of the Southeast corner of said section, at a diversion rate not in excess of 720 gallons per minute (1.60 c.f.s.) and a quantity not to exceed 188 acre-feet of water per calendar year.

all in Township 25 South, Range 19 West, Edwards County, Kansas, for irrigation use on the following described property:

	NE%					NW%								SE¼				
Sec. Twp. Range	NE% N	W% S	SW¼	SE1/4	NE%	NW%	SW/4	SE1/4	NE%	NW%	ŠW%	SE%	NE%	NW%	SW%	SE%	TOTAL	
29 25S 19W	31.25 3	1.25 3	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31:25	31,25	500,00	

a total of 500.00 acres in Section 29, Township 25 South, Range 19 West, Edwards County, Kansas.

Water Right, File No. 21,729-D2, shall have 250,00 base acres as defined in K.A.R. 5-5-11, and 250,00 maximum acres irrigated during the perfection period as defined by K.A.R. 5-5-9.

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This appropriation right is further limited to a diversion rate which when the well (a.k.a. Well #7A) located near the center of the Southwest Quarter (SW½) of Section 29; more particularly described as being near a point 1,416 feet North and 4,000 feet West of the Southeast corner of said section, is further limited to that which when combined with the well (a.k.a. Well #7B) located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE½ SW½ SW½) of Section 29, more particularly described as being near a point 1,043 feet North and 4,370 feet West of the Southeast corner of said section, both in Township 25 South, Range 19 West, Edwards County, Kansas, will provide a diversion rate not in excess of 700 gallons per minute (1.56 c.f.s.) when the wells operate simultaneously.

That this appropriation is further limited to a diversion rate which when all wells operate simultaneously will provide a diversion rate not in excess of 1,685 gallons per minute (3.75 c.f.s.) for irrigation use on the property described herein.

That the Water Right, File No. 21,729-D1 shall be senior in priority to Water Right, File No. 21,729-D2, within the overall priority established under Water Right, File No. 21,729.

That the agreement is binding on heirs and successors in interest.

In all other respects, the Certificate of Appropriation for Beneficial Use of Water, issued pursuant to Water Right, File No. 21,729, dated June 5, 1987, remains as authorized.

This is a final agency action. If you choose to appeal this decision or any finding or part thereof, you must do so by filing a petition for review in the manner prescribed by the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions (KJRA K.S.A. 77-601 et seq.) within 30 days of service of this order. Your appeal must be made with the appropriate district court for the district of Kansas. The Chief Legal Counsel for the Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, is the agency officer who will receive service of a petition for judicial review on behalf of the Kansas Department of Agriculture, Division of Water Resources. If you have questions or would like clarification concerning this order, you may contact the Chief Engineer.

Ordered this	174	day of lanuary	, 2018, Topeka, Shawnee
County, Kansas		Ď	n À
		- fan	el felourneau
		Lan	e P. Letourneau, P.G.
			opriation Program Manager
			on of Water Resources
* * * * * * * * * * * * * * * * * * * *	,	Kansas	Department of Agriculture
State of Kansas)		
) SS	•	
County of Riley)		
- F			. • •
The foregoin	a instrument wa	s acknowledged before me this	17th day of January
2018 by Lane P Le	ourneau P.G. V	Vater Appropriation Program Mana	ner Division of Water Resources
Kansas Department	of Agriculture	· · · · · · · · · · · · · · · · · · ·	igory priviology of traces (see an east
			^ ^
ine o	DANIELLE WILSON		

August 23, 2020

Notary Public

CERTIFICATE OF SERVICE

2018 hereby certify that the attached Findings and Order, File No. 21,729, dated Drugn , 2018; was mailed postage prepaid, first class, U.S. mail to the following:

TOBY DOUGHERTY CITY OF HAYS 1507 MAIN STREET HAYS KS 67601

JON QUINDAY CITY OF RUSSELL 133 W. 8TH STEET RUSSELL KS 67665

DAVID TRASTER FOULSTON SIEFKIN LLP 1551 N WATER FRONT PARKWAY SUITE 100 WICHITA KS 67206

With photocopies to:

Stafford Field Office Stockton Field Office

Big Bend Groundwater Management District No. 5

STÂTE OF KANSAS, EDWARDS COUNTY, SS CHERYL PROFFITT, Régister Of Dece

Book: \$171 Page: 150

Receipt *: 29674 Pages Recorded: 7

Date Recorded: 2/1/2018 9:45:00 AM



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OF KANSAS

STATE BOARD OF ACRICULTURE Roy Freeland, Secretary

DIVISION OF WATER RESOURCES Cuy E. Cibson, 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. (21,729

Midwest Land and Cattle Company c/o John Carson, Manager 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 apple cation 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 January 2, 1974.
- 2. That the water accept to be appropriated shall be used for firrigation on the Jand 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 six (6) wells: one well near the center of the Northeast Quarter (NE4), one well near the center of the Northwest Quarter (NE4), one well in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (NE4 SW4 NW4), one well near the center of the Southwest Quarter (SW₃)], one well in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE₃ SW₃) and one well near the center of the Southeast Quarter (SE₃) of Section 29, Township 25 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

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2900 gallons per minute (6.46 c.f.s.)

and to a quantity of not to exceed

1000 acre-feet

for any colones PRon 7 2018

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- 5. That installation of works for persion of water shall be completed on or before comber 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 ar before December 31, 19 87
- 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 harely not in excess of the amount found by the Chief, Engineer to have been actually used for the approved purpose during one calcular 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 not disjudicially 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 statio 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. 823-301 to 305 to construct any dam or other obstruction;

 It does not give any right-of-way, or authorize any latury to, or trespass upon, public or private property; it does not obviate the necessity of obtaining assent from Federal or Local Covernmental 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 farifature of the priority date, revocation of the permit and dismissal of the application.

Dated this 27th day of February

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EXHIBIT C

THE STATE



OF KANSAS

STATE BOARD OF AGRICULTURE Roy Freeland, Secretary of chicket 500 1-2-74 from: Wilson Y Flame,

DIVISION OF WATER RESOURCES Guy E. Clason, Chief Engineer

KS DEPT OF AGRICULTURE

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 L	ivision of Water Resources, I	Kansas State Board of Agriculture	us SEÉ LÉTTER
	(Mr.) Ch Toun	LAND & CATTLE COMPANY CARSON, MANAGER	TATED 8-8-75
Comes now the applican	(MIST)	THE VENTURE	GEE Livilièse post office
المستعدد والمراجع المراجع	Box 208 1 1	NSIEY, KANSAS 67547	
address is GFO Indvar	- room allorwy s	t haw, P.O. Box 588, Hos	oward. Okladoma 27801
and makes application to the C	hief Engineer of the Divisio	n of Water Resources, Kansas St	ite Board of Agri-
culture, for a permit to approp	riate for beneficial use such	unappropriated ground wa	or groundwater)
as may be available in Arkei	sas River Basin	그 그 그 그 그 그 그 그 그 그 그 그 그 그 그 그 그 그 그	dvards
	· · · · · · · · · · · · · · · · · · ·	particulars héreinafter described:	
			to well the state
	estred is in the amount of	(ucro feet or million gollons)	per year, to be
diverted at a maximum rate of	2900 gals per minu (gallons per minute ar joul	te	
2. The location of the pro	posed wells or other works for	each quarter section or diversion of water is in the A	quarter of the
quarter of the	quarter of section2	A	re 19 in
	#F	Plus one well in Swith of	3w /4
Edwards	of said s	ection & one well in	the NEY4 of
1 Company	to be appropriated for:	e swift of the NW/4 o	R
WASH IN	<1 ≢ 1	Amount'	OF WATER RES
(a) (b)	Domestic use ()	SO WEINT ES
DEC0 2/1974 (b)	Municipal use (1	S HILLIVED S
1 0 . An mu	Irrigation use (x	1000 acre ft.	OCT 1 5 1975 E
			The sale will
(d)	Industrial use (TO OF ACRICULT
	Recreational use (1	MA ED
Date stamperson OF WALLE	Water Power use)	Harry Servente
9:05 a.m	mtendeduse or uses and show	inented quantily for each use)	SECEIVED
مر من الله	121		MAR 8 VIER RESOURCES
JUL 2415	1/3 w	JUL 15 1974	HAYS000664ECEIVED
		FIELD OFFICE DIVISI	ON OF WATER RESOURCED 7 2018
SO AND OF NO	DIVISIO	Signal	9-9-25-600 AFR 7 / ZUIO
2	Page 18 o	f 60.	KS DEPT OF AGRICULTUR

- 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 of 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: King/Joint Venture is a partmorship

MIDWEST LAND CATTLE ! A. Mequiddy, 1210 S. Eordham, Perryton, Texas 79010C/ JOHN CARSON Indiana, Perryton, Texas BOX 208

P. 0. Box 610; Perryton, Texas

DATED 8-8-75

KINSLEY, KANSAS

Kingley Joint Venture Owner of Land-NAME:

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8ec. 29		Range	NE)	иw	swi	SE	ŇĒĮ	NW:	sw ₁	ŠE1	NE	NWI	8ŵ1	SE)	NEI	ΝW	sw:	SE}	Total
29	25	19	311/4	31%	%- 31%	31%	31 j	-311	311	313	31%	31)	3114	317	31%	311	-313	314	500
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"# a Owner of Land-NAME:

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Owner of Land-NAME:

ADDRESS:

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EPORUOSAN NATAW TO NOIRINIO EIELD OFFICE

DIVISION TO MATER RESOURCES HAYS 600666

RECEIVED 1. million, gallons, per day = 1.547 cubic feet, per second = 2.07 agre feet per day. 1. agre foot = 43,560 cubic feet = 325,851 gallons. L'enbic loot per second = 448.8 gallons per minute = 646,317 gallons per day = 1.88 acre feet per day. :aroN (Agent or Officer) By D. Allen Framewollorney 100.020 KINZFEK TOINT AENTAKE Kanzas, this 15 E 7.91 Kineley balopila izerani odi 10 iligdəd m nobsoliqqs zidi əksm ol bəzirodina zi əli bna The relation of the subscribes of the application is that to mouse all. II. 10. List and describe office applications filed or vested rights held by applicant: (b) If tor industrial or other use, show the location of the lind where water will be used. baleghti ad of bezogoig bad od the notherol ad work mottaging in 11. (2) point of diversion to the place of use (b) Location of the pipe lines, canals, reservoirs or other facilities for conveying water from the (a) Location of the proposed point or points of diversion The plat or aerial photograph should show an serial photograph of the area. 9. The application must be accompanied either by a detailed plat prepared from an actual survey or by already used - used begun with 1973 growing season ed of baskandes at to rew, becogoig seu leichened edt tol region of return grant beite beite bette bette bette

7. The works for diversion of water will consist of 20 to taxed that house the prints wells will be with though the prints and pumps spirit at the prints and the prints are the prints and the prints are the prints and the prints are the prints ar

Joylo ed LLLW dolin molloe, retreup, One well and pump in the center of each

and will be completed by already completed

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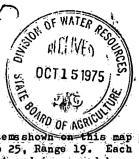
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The four circle systems shown on this map are all within Section 29, Township 25, Range 19. Each circle system has a radius of 1320 feet and is served by pump and well at the pivot. In addition, the circle system in the SW/4 has one well and one pump at point X (at the pivot) and one well and pump at point Y which is 1/8th, of a mile southwest of point X. Point X and point Y are joined by a pipe line. Each of these circle systems cover 125 acres.

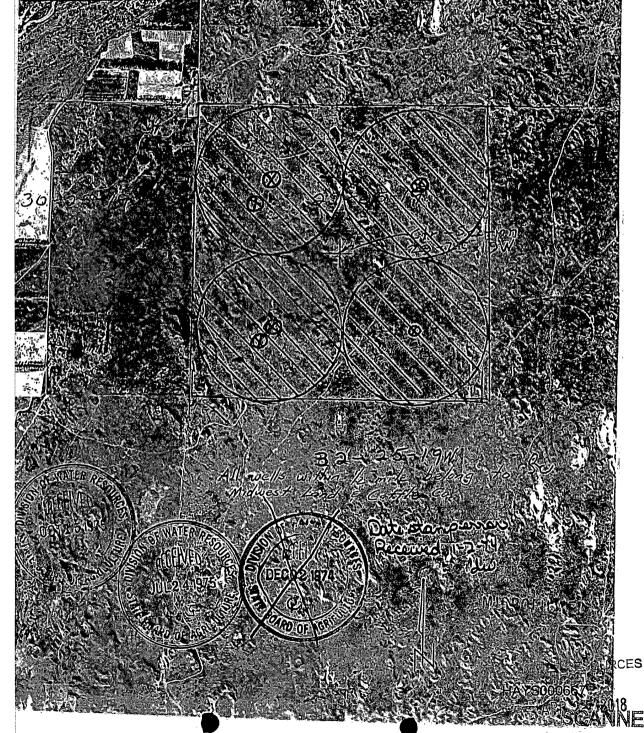


EXHIBIT D

THE STATE



OF KANSAS

STATE BOARD OF ACRICULTURE

DIVISION OF WATER RESOURCES

David L. Pope, Chief Engineer-Director

Sam Brownback. Secretary CERTIFICATE OF APPROPRIATION

FOR SENEFICIAL USE OF WATER WATER RIGHT, FITE No. 21,729 PRIORITY DATE January 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 six (6) wells: one (1) well located near the center of the Northeast Quarter (NEW) of Section 29, more particularly described as being hear a point 3,968 feet North and 1,312 feet West of the Southeast corner of said section, at a diversion rate not in excess of 615 gallons per minute (1.37 c.f.s.) and in a quantity not to exceed 188 acre-feet per calendar year; one (1) well Tocated near the center of the Northwest Quarter (NWK) of Section 29, more particularly described as being near a point 3,982 feet North and 3,603 feet West of the Southeast corner of said section, at a diversion rate not in excess of 275 gallons per minute (0.61 c.f.s.) and in a quantity not to exceed 86 acrefeet per calendar year; one (1) well located in the Northeast Quarter of the Southwest Quarter of the Northwesty Quarter SITE'S SUL NULL OF Section TOR MERCOURCES

DIVISION OF WATER RESOURCES

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Re: File No. 21,729

particularly described as being near a point 3:607 feet North and 4:167 feet West of the Southeast corner of said section, at a diversion rate not in excess of 325 gallons per minute (0.72 c.f.s.) and in a quantity not to exceed 102 acre-feet per calendar year; one (1) well located near the center of the Southwest Quarter (SWa) of Section 29, more particularly described as being near a point 1,416 feet North and 4:000 feet West of the Southeast corner of said section, at a diversion rate not in excess of 360 gallons per minute (0.80 c.f.s.) and in a quantity not to exceed 74 acre-feet per calendar year; one (1) well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NEW SWA) of Section 29, more particularly described as being near a point 1,043 feet North and 4,370 feet West of the Southeast corner of said section, at a diversión mate not in excess of 635 gallons per minute (1.41 C.f.s.) and in a quantity not to exceed 114 acre-feet per calendar year; and one (1) we'll located hear the center of the Southeast Quarter (SEA) of Section 29. more particularly described as being near a point 1,377 feet North and 1,415 feet West of the Southeast corner of said section, at a diversion rate not in excess of 720 gallons per minute (1.60 c.f.s.) and in a quantity not to exceed 188 acre-feet per calendar year, all in Township 25 South, Range 19 West. Edwards County, Kansas, for trrigation use on the following described property:

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31.25 acres in the Northeast Quarter of the Northeast Quarter (NES NEW), 31.25 acres in the Southwest Quarter of the Northeast Quarter (SWE NEW), 31.25 acres in the Southwest Quarter of the Northeast Quarter (SWE NEW), 31.25 acres in the Northeast Quarter of the Northeast Quarter (SEW NEW), 31.25 acres in the Northeast Quarter of the Northwest Quarter (NEW NWW), 31.25 acres in the Northwest Quarter of the Northwest Quarter (SWE NWW), 31.25 acres in the Southwest Quarter of the Northwest Quarter (SWE NWW), 31.25 acres in the Southwest Quarter of the Northwest Quarter (SEW NWW), 31.25 acres in the Northwest Quarter of the Southwest Quarter (NEW SWW), 31.25 acres in the Northwest Quarter of the Southwest Quarter (NEW SWW), 31.25 acres in the Southwest Quarter of the Southwest Quarter (SWE SWW), 31.25 acres in the Southwest Quarter of the Southwest Quarter (SEW SWW), 31.25 acres in the Northwest Quarter of the Southwest Quarter (NEW SEW), 31.25 acres in the Northwest Quarter of the Southwest Quarter (NEW SEW), 31.25 acres in the Northwest Quarter of the Southwest Quarter (NEW SEW), 31.25 acres in the Northwest Quarter of the Southwest Quarter (NEW SEW), 31.25 acres in the Southwest Quarter of the Southeast Quarter (NEW SEW), 31.25 acres in the Southwest Quarter of the Southeast Quarter (NEW SEW), 31.25 acres in the Southwest Quarter of the Southeast Quarter (NEW SEW), 31.25 acres in the Southwest Quarter of the Southeast Quarter (NEW SEW), 31.25 acres in the Southwest Quarter of the Southeast Quarter (NEW SEW), 31.25 acres in the Southwest Quarter of the Southeast Quarter (NEW SEW), 31.25 acres in the Southwest Quarter of the Southeast Quarter (NEW SEW), 31.25 acres in the Southwest Quarter of the Southeast Quarter (NEW SEW), 31.25 acres in the Southwest Quarter of the Southeast Quarter (NEW SEW), 31.25 acres in the Southwest Quarter of the Southeast Quarter (NEW SEW), 31.25 acres in the Southwest Quarter of the Southeast Quarter (NEW SEW), 31.25 acres in the Southwest Quarter of the Southwest Quarter (NEW SEW), 31
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a total of 500.00 acres in Section 29, Township 25 South, Range 19 West, Edward County, Kansas.

The rate of diversion by means of the well located near the center of the Southwest Quarter (SWs) of Section 29, more particularly described as being near a point 1,416 feet North and 4,000 feet West of the Southeast corner of said section, in Township 25 South, Range 19 West, Edwards County, Kansas, is further limited to that which when combined with the well located in the Northeast Quarter of the Southwest Quarter (NEW SWW SWW) of Section 29, more particularly described as being near a point 1,043 feet North and 4,370 feet West of the Southeast corner of Said section, in Township 25 South, Range 19 West, Edwards County, Kansas, will provide a diversion rate not TER RESOURCES in excess of 700 gallons per minute (1.56 c.f.s.) when the wells are run RECEIVED simultaneously.

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Page 23 of 60

This appropriation is further limited to a diversion rate which when all wells operate simultaneously will provide a diversion rate not in excess of 2,900 gallons per minute (6.46 c.f.s.) for irrigation use on the property described herein:

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 by March 1 of each year following.

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

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.

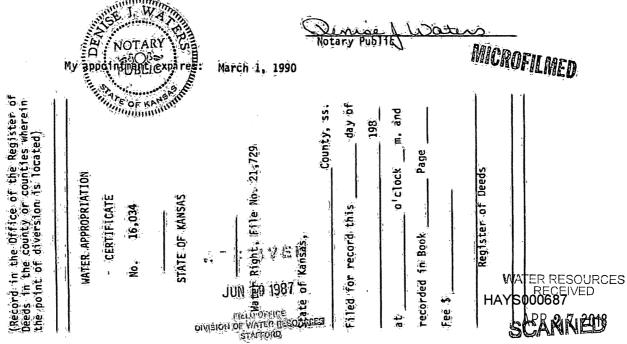
The right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or llowering of the static water level and for the reasonable increase or decrease of the stream flow at the appropriator's point of diversion.

IN WITNESS WHEREOF, I have hereunto set my hand at my office at Topeka, Kansas, this 5th day of June . 1987.

DAVID L. POPE David L. Pope, P.E. Chief Engineer CH

State of Kansas County of Shawnee

The foregoing instrument was acknowledged before me this 5th day of June , 1987, by David L. Pope, P.E., Chief Engineer, Division of Water Resources, Kansas State Board of Agriculture.



EXHIBIT

February 27, 1976

Midwest Land and Cattle Company . c/o John Carson, Manager Box 208 Kinsley, Kansas 67547

> Re: Appropriation of Water Application No. 21,729

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

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FIELD OFFICE DIVISION OF WATER RESOURCES STAFFORD

Page 25 of 60

21729-D2

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21729-D2	EXHIBIT	
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SKETCH OF ACTUAL PLACE OF USE, LOCATION OF DIVERSION WORKS, AND DISTRIBUTION SYSTEM. (Indicate distribution system layout at time of field test).

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Use Supplemental Sheet (include meter identification, data and calculation AYS000620 APR 2 7 2018

SCANNED KS DEPT OF AGRICULTURE

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PUMPING PLANT TESTING, INC.

Reviewed By:

MJ. WELLO

Professional Engineer WATERAYS000622

DIVISION OF WALLER I

APPLICATION NO: 21729 NAME: Connecticat General lise Ins.

Flow from well in NF4,5W4,5W4, sw4, under normal conditions

COLLINS METER TEST

Collins Meter No. 1-85 Meter Calibration Factor 9826

Pipe Inside Diameter (inches) 726 Flow Rate Factor 1478

Test Pressure (psi) 110 Test RPM, Pump 1660

Description of Test Location Horizontal pipe before pivet stand

TEST DATA: Q Check, Initial 2.92 Reversed Velocity Meter Setting From Left Side of Pipe Right Side of Pipe Center of Pipe for Front Side if (or Back Side if Vertical Test) Vertical Test) 2.99 2.95 2.95 2.40 2.92 2.92 2.82 Corrected Ave. Vel. = (Ave. Vel.) x (Calibration Factor) = Flow Rate = (Corrected Ave. Vel.) x (Flow Rate Factor)



Reviewed By:

PUMPING PLANT TESTING, INC.

WIJ. WID

Professional Engineer

JUN 19 1927 WANK

Drusion of Watch () Stafford

Page 31 of 60

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KS DEPT OF AGRICULTURE

APPLICATION NO. 21,729

NAME: COUNTESTICUT GENERAL LIKE

NOTES ON CONSING A HEAR OF RECOND

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TE PUMPING PLANT TESTING, INC.

Reviewed by:

WATER RESHAYSO

Page 32 of 60FP.

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KS DEPT OF AGRICULTURE

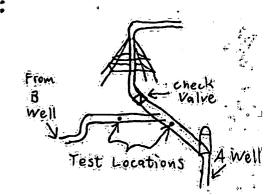
APPLICATION NO: 21729

NAME: Connecticut General Life Ins

Flow test on wells pumping independently:

Since there was only one checkvalve for both wells (located downstream of the pipe junction), each of these wells were tested upstream of the pipe junction.

(See diagram) The pressure is low on the individual test because the water is going down the well on the pump that isn't running.



Flow test under normal conditions:

Normal conditions are when both wells are pumping together into the center pivot. We tested the flow from each individually while both were pumping. The total flow into the system would be the combined flow of each well pumping under "normal" conditions, (274 gpm +425 gpm = 699 gpm)



PUMPING PLANT TESTING, INC.

REREVIEWED BY:

Professional

WATER RESCHAYSOOG25
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JUN 19 1987

FIELD DESIGE CIVISION OF VICTOR RESOURCES STEED Page 33 of 60

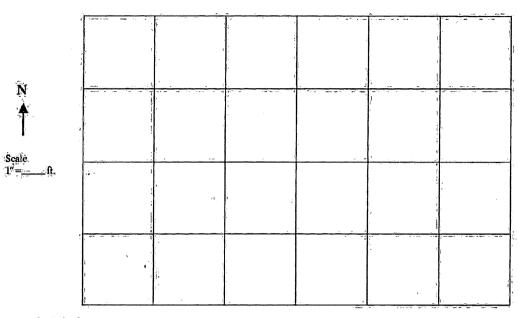
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DIVISION OF THE RESOURCES—KANSAS STATE BOARD OF THEULTURE PRECITION REPORT

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Total	No. c	f Họi	ırş on	land	cover	ed by	this a	pplier	tion_	<u>/, t</u>	<u> </u>) ido:	1000	". J. ia				143160-
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Center Pivot	(X) Low Pressure
Manufacturer - OF50A	Modelno tasSerial No
Drive Electric	Length of Pivat Arm
Design Pressure-Pivot	p.s.i. Operating Pressure-Pivotp.s.i.
End Gun? Yes End Gun Rating	g.p.m. / Rain Birol 85
Is end gun operating during test? Ye's	
Gravity Irrigation (show test set on sketch)	
Number of gates open	Normal Pipe Size
Pressuré at pumpp:s:i.	
Other Type	_
	Model
79 M 18 10 10 10 10 10 10 10 10 10 10 10 10 10	
_	
	Natural Gas Rated RPM
PUMP INFORMATION:	
CUMP INFORMATION: Manufacturer Westesh Lewis Roller Model N	No. notas Rated RPM
EUMP INFORMATION: Manufacturer Westein Lovel Rollet Model N	
PUMP INFORMATION: Manufacturer West sin Leviel Rolle C Model No. Type	No. notas Rated RPM Vertical Turbine No. stages
Manufacturer West sin Land Rollet Model No Serial No. Type EAR HEAD INFORMATION: Manufacturer Amarillo Model No Serial No. OL 36605 Drive Right.	No Rated RPM Vertical Turbine No. stages No Angle Ratio
Manufacturer Western Land Roller Model No. Type Serial No. Type SEAR HEAD INFORMATION: Manufacturer Amarillo Model No. OL 36605 Drive Right. VELL INFORMATION: No records available	No
Manufacturer Westein Lond Rollet Model No. Type Serial No. Type SEAR HEAD INFORMATION: Manufacturer Amarillo Model No. OL 36605 Drive Right VELL INFORMATION: No records available Date Drilled prior to Zan. 1974 Original Depth.	No. notac Rated RPM Vertical Tarbine No. stages No. stages No. stages Angle Ratio 1:1 c from runer's rapresente tive. It. Static Water Level When Drillad — It.
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Manufacturer Western Land Roller Model of Serial No. Type CEAR HEAD INFORMATION: Manufacturer Amarillo Model of Serial No. OL 36605 Drive Right VELL INFORMATION: No records available Date Drilled prior to Zan. 1974 Original Depth: Tape Down Possible? Yes 25 Measuring Point If above or below L.S.D.	No. notac Rated RPM Vertical Tarbine No. stages No. stages No. stages Angle Ratio 1:1 c from runer's rapresente tive. It. Static Water Level When Drillad — It.
Manufacturer Western Land Roller Model of Serial No. Type JEAR HEAD INFORMATION: Manufacturer Amarillo Model of Serial No. OL 36605 Drive Right. VELL INFORMATION: No records available Date Drilled prior to Zan. 1974 Original Depth. Tape Down Possible? 125 25 Measuring Point If, above or below L.S. D. DDITIONAL REQUIREMENTS:	No
Manufacturer West sin Lond Roller Model No Serial No. Type Serial No. Type SEAR HEAD INFORMATION: Manufacturer Amarillo Model No Serial No. OL 36605 Drive Right VELL INFORMATION: No records available Date Drilled prior to Jan. 1974 Original Depth Tape Down Possible? 1985 25 Measuring Point If, above or below Lis. D. LDDITIONAL REQUIREMENTS: Meter Required? NO Make of Meter	No
Manufacturer West sin Tanel Roller Model No Serial No. Type SEAR HEAD INFORMATION: Manufacturer Amarillo Model No Serial No. OL 36605 Drive Right WELL INFORMATION: No records available Date Drilled prior to Jan. 1974 Original Depth. Tape Down Possible? 1985 25' Measuring Point If, above of below L.S. D. DDITIONAL REQUIREMENTS: Meter Required? No Make of Meter. Model No Serial	No
Manufacturer Western Leviel Roller Model No Serial No. Type SEAR HEAD INFORMATION: Manufacturer Amarillo Model No Serial No. OL 36605 Drive Right WELL INFORMATION: No records available Date Drilled prior to Zan. 1974 Original Depth. Tape Down Possible? - Yes 25 Measuring Point of It, above or below L.S. D. ADDITIONAL REQUIREMENTS: Meter Required? O Make of Meter Model No. Serial No. — Is Meter Installed Properly?	No
Manufacturer West sin Tanel Roller Model No. Serial No. Type SEAR HEAD INFORMATION: Manufacturer Amarillo Model No. Serial No. OL 36605 Drive Right WELL INFORMATION: No records available Date Drilled prior to Zan. 1974 Original Depth. Tape Down Possible? 1985 25 Measuring Point If, above of below L.S.D. ADDITIONAL REQUIREMENTS: Meter Required? No. Is Meter Installed Properly? Chemical Injection System? 40 Cliect	No

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



TEST OF DIVERSION	

Length of time well has been operating prior to	test O
Location of test Horizontal pipe at Pipe Diameter (I.D.) 7.116 Inches	if to
The state of the s	eladisheell Flow can with his suit prone
Test No. 1-Normal Conditions - See call	Led theeth Flow carn with NC SUNA BLOVE Test No. 2 Maximum Conditions
R.P.M. POWER UNIT 1740 R.P.M. PUMP UNIT 1740 Pressure at Pump 110 psi	R.P.M. POWER UNIT 177/ R.P.M. PUMP UNIT 1771 Pressure at Pump b psi
🗍 Jacuzzi Meter Test Mel	er Identification No.
Area Constant $K = 2.45 \times 1.0$, $A = 1.0$	Q (gpm) = VK
Velocity (fps)	Velocity (fps)
2	2.
3	3
<u> 4</u>	<u>4</u>
5	5,
7.	7.
8.	8
9.	9.
10	.10
Total	Total
Avg.	Avg
A STATE OF THE PARTY OF THE PAR	

Propeller Meter Test	Manufacturer-	Modél	Serial No
Meter Diameter	incheş		
Ending	gal. Endir	iggal:	
Beginning	gal. Begin		
Difference	gal. Differ	encegal.	
Time	min. Time	min.	
Rate	gpm Rate_	gpm	
1. 1.4	, , , , , , , , , , , , , , , , , , , ,		WATER RE

X Other Flow Meter

WATER RESOURCES
Use Supplemental Sheet (include meter identification, data and calculation HAYS090628-D

FUEL RECORDS:			,		
[Electricity	Supplier	-			
Meter Manufa	churer	Тур	 	Şerial No	
<u> </u>	itt/rev r	revolutions	t	conds.	
Rate Kr X	3.6 =*	_kw/hṛ iH	lours =	kw-hr_ =	
Other Fuels	Type Natura	l Gas Sup	ôlier <u>Kansas –</u>	Nebraska	
Rate - Volui	nė (test) –				
	ing est volume determined	a Not Deverm	and Envise	not on individu	al meter
ÍABULÁTION ÓF WAT		Tested			
Ŷcar-	Hours Pumped (hr:)	Fumpling Rate (gpm)	Water Used (AF)	Acres Irrigated	
1975	1764			125	 :
1976					``
1997	936	1000		130	-
1978	-	4			-
	13.24	650		<u> </u>	<u>-</u> .
1980	1416	650°		126	_
1981.	1152	650_		126	_
1983	-				-
1983	2.200	_700 [‡]		127#	-
1984	_1750 F	450#		130 F	
*_1985_	1850.	27.4.		130	-
. 1986		274		***********	
., 	. 				- .
9	+ From WUA	sent to us	From Jerry L	Veguer of Agr.	Affiliates
V	K From tes	t_01.11/5/86	<u></u>		.
Indicate Year of Record w	rith (*)	Source of Informa	ilon <u>Staf</u>	ford Files	-
Crops Irrigated: this year	A) fal fa	· ·	Year of reco	d Alfalfa	
IEMARKS: See	attached sho	eet for 1	logic in c	hoosing a ye	<u>ar</u>
of record	<u> </u>				
	and the second s				
					-
Person present at test	Kent Naber	<u> </u>		Illigation M	anager.
Water Use Corresponden	4 1 4 4 4	Si Si i	atuille, Ks 678	16 316	-385-2803 number
Conducted by	ey Ebest (higheters)	and the second s	Date	11/11/86 _{VATE}	RESOURCE
Approved by PCO	MEZ ,	P. E.	Date	1/15/87HA	Y\$000629°
(ugnatu)	p v	Imm		AP	RSCAMI

COLLINS METER TEST Flow from well Noswill pumping alone
Collins Meter No. 1-89 Meter Calibration Factor 9835
Pipe Inside Diameter (inches) 7/36 Flow Rate Factor 147.8
Test Pressure (psi) 6 Test RPM, Pump 1771

Description of Test Location Holizard proc. before pivot stand

TEST DATA: Q Check, Initial 2.72 Reversed 2.75

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)

Flow Rate = (Corrected Ave. Vel.) × (Flow Rate Factor) = 2.419 × 147.8 = 358 GPM

JAN Reviewed By:

PUMPING PLANT TESTING, INC.

pl With

Professional Engineer JUN 19 1987

WATER RESOURCES

69-10

DIVISION OF WATER RESOURCES APR 2 7 2018

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INS METER TEST FA	ow from well NE	Why under	normal cond	lions
Collins Meter No				
Pipe Inside Diam	and the second of the second o	The second second	-	12. 4 * 1 * 1 * 1 * 1 * 1 * 1 * 1 * 1 * 1 *
Test Pressure (p	1	Test RPM, P		
Description of T	19 Thomas or Landon Harring an		er imagniti	
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T DATA: (<u>d</u> Check	Veläc	itv	Velo	city
Meter Setting Fro	Velge om Left Side	ity of Pipe	Vela Right Sid	city e of Pipe
	Velge om Left Side	ity of Pipe Side if	Velo Right Sid (or Back	city e of Pipe
Meter Setting Fro	Velde om Left Side (or Front	ity of Pipe Side if	Velo Right Sid (or Back	city e of Pipe Side if
Meter Setting Fro	Velde om Left Side (or Front Vertica	ity of Pipe Side if	Velo Right Sid Kor Back Vertic	city e of Pipe Side if
Meter Setting Fro Center of Pipe	Velde om Left Side (or Front Vertica	ity of Pipe Side if 1 Test)	Velo Right Sid (or Back Vertic	city e of Pipe Side if al Test)
Meter Setting Fro Center of Pipe	Veloc om Left Side (or Front Vertica 199	ity of Pipe Side if I Test)	Velo Right Sid (or Back Vertic	city e of Pipe Side if al Test) 2.01
Meter Setting Fro Center of Pipe	Veloc Vertica Vertica 199 1,87	ity of Pipe Side if l Test) 2.00 1.92	Velo Right Sid Vor Back Vertic 2.04 2.00 1.95	e of Pipe Side if al Test) 2.01 1.99
Meter Setting Fro Center of Pipe	Veloc Vertica Vertica 199 1.87 1.81 y of Water = Su	of Pipe Side if I Test) 200 1.92 1.76 m of Vel	Velo Right Sid (or Back Vertic 2.04 2.00 1.95 ∴ 12 =	e of Pipe Side if al Test) 201 199 178



PUMPING PLANT TESTING, INC.

Professional Engineer
WATER R

dinters:

WATER RESULATED WATER RECEIVED

APR 27 200 FILMED

Page 39 of 60

DIVISION OF WALL

APPLICATION NO: 21, 729

NAME: CONNECTICUT GENERAL LIKE

NOTES ON CHOOSING A YEAR OF RECORD

THIS DEVELOPMENT IFTS IFFTO SEVERAL CHURCH SINCE 175.

IN CEPTION IN 1975, WITH CHURCH FROM EUROPE & PREVIOUS TIMES, A STOTE OF CONFUSION HTM FOUSTED

IN THE CROP PROJECTION REFORT. THE OF THE WATCH USE,

TOND EQUIPMENT RECTIONS IFFOR BREN MITTHER DESTROYED

OR LOST, POTO THE SYSTEMS AND PUMPING PLANT COMPONENTS

IFFUR BREN INTERCHONGED OVER THE YEARS:

SINCE LATE 1983, CONNECTICUT GENERAL HAS MADE A DILICENT PERFORM TO KEEP GOOD RECEIDS. THERE EARLY WOULD SEEM LEASING THE TO USE THE YEARS SINCE 1983 IN CIROSING A YEAR OF RECIRO.



PEREIVED.

PUMPING PLANT TESTING, INC.

Reviewed by:

M. J. WATER RESHAYS000632

Professional Engineer

APR SCANNED

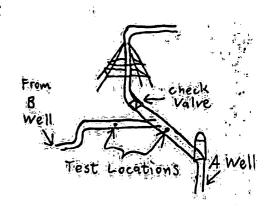
APPLICATION NO. 21729

NAME: Connecticut General Life Inc

Flow test on wells pumping independently:

Since there was only one checkvalve for both wells (located downstream of the pipe junction), each of these wells were tested apstream of the pipe junction.

(See diagram) The pressure is low on the individual test because the water is going down the well on the pump that isn't running.



Flow test under "normal" conditions:

"Normal" conditions are when both wells are pumping together into the center pivot. We tested the flow from each individually while both were pumping. The total flow into the system would be the combined flow of each well pumping under normal conditions, (274 spm +425 spm = 649 spm)



RECENTED

Reviewed by: 1987

DIVISION OF WATER ASSUURCES

PUMPING PLANT TESTING, INC.

Professional Engineer

WATER RESOURLAY S000633

APR 2 7 2018 CANNE

KS DEPT OF AGRICULTURE

VIER RESOURCES—KANSAS STATE BOARD OF TRICULTURE FIELD INSPECTION REPO

Partial

Test 4 of 6 Diversion points			العدا			Re	**
Application No. 2.1.72.9 Date 9/30/86	Firm/F	ield Office	· Par	Pios	Plant	Testin	s, Inc.
Field Area No. 2 G.M.D. 1	No.	<u> </u>	≈ 	(Č	ountv: ~	Edw	- rids
Current Landowner Connectiont General Li	fe Ins	ulance	7.	Agri	AFC.)	ates	- , -
Address Box 1/62 North Platte NE 691							· .
Water Use Classification: 1. Domestic () 2. Indust 4. Municipal () 5. Recreation () 6. Stoc	irial ()	3. Irrigati	ion 🔀	ý			-
Groundwater (S) Drainage Basin Arkansas K	liver						
Surface Water () Stream							
Authorized Point of Diversion: /well NC SE							
Actual Point of Diversion:	//y 1415 m AS	_ft. West	Sec.2 of SE cto	Ž., Ť.	25 R. of Sec	19 29	
""Approved" Quantity 1000 AF "Ap	proved" D	iversion Ra	te	1900	<u>) ģ</u> ņ	,m: (<u></u>	6.46 c.f.s.)
Priority Date Jan 2, 1974 Approval	of Applica	tion Date_	Fe	۾ ٺ	7,1976	-	·
Perfection Date Dec. 31, 1981							
Other applications covering land and/or point of diversional discussion of overlapping files in remarks section	on <u>N</u> oc on)	<u>e</u>			AMERICAN STREET, STREE		
LAND TO BE INCLUDED ON CERTIFICATE:	i.	ŠWW		į.	SEV	·	
S T N NE NW SW SE NE NW SW		NW SW			NW SW		TOTAL ACRES
29 25 19 31 1/4 3/14 31 14 31 14 31 14 31 14 31 14	31/4 31/4	3) 1/4 31 1/4	31/4	31/4	31 /4 31 /	31/4	500
		3					2
LAND IRRIGATED—YEAR OF RECORD 1985			•••••••••••••••••••••••••••••••••••••••	-		· , · · · · · · · · · · · · · · · · · ·	
S T A NEW NWW.		SW¼	,		SEV		TOTAL
29 25 19 NW SW SE NE NW SW		NW SW		NE 3.J	34 34		125
	K 19				_1_		
	h.	ir Quantity	_ 2.4	14.6	AF	م الأراز المناسطين	
Normal Operating G.P.M. 7/8 JUN 19 19		r.ş /1.6	0		J'e		
Maximum Operating G.P.M. pwiston of Wareless	Equiv. c.	f.s:			Sin	UAN	9.246
Year of Record 1985 Extension of time requ	W.R. USE ested: Yes		2	_			
Total No. of Hours on land covered by this application _	1,85	0			.X	1. KO	energy.
Ac. Ft. Applied = $\frac{1850}{9}$ hirs. $\times 218$ g.p.	m. × 34	1.419 × 1000	24	15	AF	•	-
Acres of "Approved" Land irrigated 12.5		, 1000. -				10)
Ac. Ft. on "Approved" Land 275 (0.5	19.	∖ċ, Ft.	/Aa.)		MICH	OFICMED
Ac. Fr. Used on "Approved" Land at "Approved" Rate of	. 1	- 1 3	1 <	- - A	F.	W.	ATER-RESONATES
Perfected Rate 72 / g.p.m. Perfected Qua		89	. / ; . 	/e	3-10	HA\	YS000634 APR 2 7 2018
own to completed by Doug	1.45	E. B	451	1	\$ \ \tag{W}	SC	ANNED

☑ Center Pivot: ☐ High Pressure:	☑ Low Pressure
Manufacturer Olsan	Model 103 PL Serial No. 3999
Drive Electric	Length of Pivot Arm =
Design Pressure-Pivot	p.s.i. Operating Pressure-Pivotp.s.i.
End Cun Rating	g p.m. Toro
Is end you operating during test?: 'ye's	
Cravity Irrigation (show test set on sketch)	
Number of gates open	Normal Pipe Size
Pressure at pumpp.s. il	•
Other Type	The principle
Manufacturer =	- Šernal No
Unusual Conditions/Other Info.	
and the second	
UMP INFORMATION: Manufacturer To has too Model	No. Rated RPM
Serial No. CF2/229. Type	Vertical Turbine No stages
્રી કહેં.	
cear head information:	
Manufacturer. Amarillo Model	No. 80
Serial No. 87993 - Drive Right	t Angle Ratio 514
VELL INFORMATION:	
VELL INFORMATION: Date Drilled prior to San 1574 Original Depth	33 ft. Static Water Lovel When Drilled 4 ft.
Date Drilledation to San 1974 Original Depth	33 ft. Static Water Level When Drilled 9 ft. Water Level Measurement Tube?no
Date Drilledation to San 1974 Original Depth	
Date Drilledgrier to San 1974 Original Depth Tape Down Possible? Wo Measuring Point	
Date Drilled prior to San 1979 Original Depth Tape Down Possible? Wo Measuring Point It. above or below L.S.D. DDITIONAL REQUIREMENTS: Meter Required? 10 Make of Meter	Water Level Measurement Tube? n O
Date Drilledarier to San 1579 Original Depth Tape Down Possible? Wo Measuring Point	Water Level Measurement Tulie? n O
Tape Down Possible? No Measuring Point 1. above or below L.S.D. ADDITIONAL REQUIREMENTS: Meter Required? 10 Make of Meter Meter Model No. Serial No. Is Meter Installed Properly?	
Date Drilledarior to San 1974 Original Depth Tape Down Possible? Wo Measuring Point ft. above or below L.S.D. ADDITIONAL REQUIREMENTS: Meter Required? 10 Make of Meter Meter Model No. Serial No. Is Meter Installed Properly? Chemical Injection System? Yes Chemical Injection System?	
Date Drilledarior to San 1974 Original Depth Tape Down Possible? Wo Measuring Point ft. above or below L.S.D. ADDITIONAL REQUIREMENTS: Meter Required? 10 Make of Meter Meter Model No. Serial No. Is Meter Installed Properly? Chemical Injection System? Yes Chemical Injection System?	Water Level Measurement Tube? n O

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

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: * .	,					\$
Scale, "=N.		***************************************)			
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		1			1	, , ,

LEST OF DIVERSION MATER		
Length of time well has been open	erating prior to test. O	
Pipe Diameter (I.D.) 73/4	Tal pipe bothern fump and	Pirat
and a second and the second		
Test No. 1-Normal Conditions	Test No. 2—Maximu	im Conditions
R.P.M. POWER UNIT		IF
r P.M. PUMP UNIT 176	R.P.M. PUMP UNIT	
Pressure at Pump 5	Pressure at Pump	psi
☐ Jacuzzi Meter Test	Meter Identification No	
Area Constant K = 2.45 × T.D.		Q (gpm) = VK
Velocity (fps)	Velocity (fps)	
1,	1	
3	2 3	
4:	4	
5	5:	
6.	6	·
7.	Ţ.,	
'8; <u>*</u>	8,	
10	9 10	- A CONTRACTOR OF THE CONTRACT
Total	Total	
Avg.	Avg.	
G.P.M	G.P.M	
عرابان والمرابعة والمرابعة	and the second	Sec. 1. A sec
Propeller Meter Test Manuf	acturerModel	Serial No
.Meter Diameterinche	Š	
Endinggal.	Ending gal.	
Beginning gal.	Beginning gal.	MICROFILMED
Difference gal. Time mln.	Difference gal. Time min.	
Rate gpm	Rate gpm.	W ATER RESOURCES RECEIVED
OF.		NEOLIVED

Use Supplemental Sheet (include meter identification, data and calculation APR 27 2018

Other Flow Meter

FUEL RECORDS:					
Electricity.	Supplier	**************************************		~	
Meter Manufactu	iřeř <u> </u>	Tỳp	e *	Serial No.	
•Kwitt	riev r	rēvolutions	^{ <u></u>	eçonds	÷
and on the State State State	~	an rain		المراقع	
$Rate = \underbrace{Kr \times o.}_{t}$	Ĝ' <u>=</u> .	_lcw/lur _ I	lours: =	kw-hr	
Other Fuels	Type Nathica	Gas Sup	plier Kansas –	Nebraska	
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APPLICATION NO: 21729 NAME: Connecticut General Life Insurance

COLLINS METER TEST

Collins Meter No	Meter Calibration Factor 3559
Pipe Inside Diameter (inches)	73/4 Flow Rate Factor 145.4
Test Pressure (psi) <u>53</u>	Test RPM, Pump 1768
Description of Test Location_	To horizontal pipe between pump and pivot
	pump and pivot

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-1/16	5,44		5,67	
274	5,37	5,30	5.42	5,50
39/6	4,55	4.59	4.60	4,47

PUMPING PLANT TESTING, INC.

Reviewed By: With With

Professional Engineered

JUN 19 1987

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KANSAS STATE BOARD OF AGRICULTURE Division of Water Resources

MEMORANDUM

'To: Files

Date: March 17, 1987

From: Douglas E. Bush

Re: Appropriation of Water File No. 21,729

The Field Inspection Report for the above referenced file, conducted undercontract by Pumping Plant Testing. Inc. has been reviewed. It meets the requirement specified in the scope of work.

The quantity perfected under the above referenced File No. was fully perfected in accordance to the acres irrigated. That is 500 acres irrigated x 1.5 acreseet per acre = 750 acreseet or 752 acreseet because of the rounding of quantity.

The combined tested rates for the two wells located in the Northwest Quarter (NW4) of Section 29, Township 25 South, Range 19 West, Edwards County, Kansas, did not equal the rate when the wells were tested pumping by themselves and then added together. Pumping Plant Testing was contacted on March 17, 1987. It was learned that because of air being in the system, the rates were lower when tested by themselves. Therefore the rates for the two wells were prorated up to the combined rate as such: 263 gallons per minute + 313 gallons per minute = 576 gallons per minute = 0.46 x 599 (combined rate) = 273 gallons per minute [near the center of the Northwest Quarter (NW4)]. 313 gallons per minute divided by 576 gallons per minute = 0.54 x 599 gallons per minute (combined rate) = 325 gallons per minute [in the Northwest Quarter of the Southwest Quarter of the Northwest Quarter (NE4 SW4 NW4)].

The quantities for the wells located near the center of the Northwest Quarter (NW $\frac{1}{4}$) and in the Northeast Quarter of the Southwest Quarter of the Northwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) were prorated by rate so the total quantity did not exceed a reasonable quantity for the land irrigated. The quantities were prorated as such: 263 gallons per minute + 313 gallons per minute = 576 gallons per minute. 263 gallons per minute divided by 576 gallons per minute = 0.46 x 188 acre-feet (maximum allowed for irrigating 125 acres at 1.5 acre-feet per acre) = 86 acre-feet [near the center of the Northwest Quarter (NW $\frac{1}{4}$)], 313 gallons per minute divided by 576 gallons per minute = 0.54 x 188 acre-feet (maximum allowed for irrigating 125 acres at 1.5 acre-feet per acre) = 102 acre-feet [Northeast Quarter of the Southwest Quarter of the Northwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$)].

The quantities for the wells located near the center of the Southwest Quarter (SW%) and in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE% SW% SW%) were provided by rate so the total quantity did not exceed a reasonable quantity for the land irrigated. The quantities were provided as such: 274 gallons per minute + 425 gallons per minute = 699 gallons per minute. 274 gallons per minute divided by 699 gallons per minute = 0.39 x 188 acre-feet (maximum allowed for irrigating 125 acrescat/ 155 acre-feet per HAYSO00679

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MICROFILMED

Memo page two File No. 21,729 March 17, 1987

gallons per minute divided by 699 gallons per minute = 0.61 x 188 acre-feet. (maximum allowed for irrigating 125 acres at 1.5 acre-feet per acre) = 114 acre-feet.

The acres shown to be irrigated by some pivots were over the 125 approved acres. The actual acres irrigated under all pivot irrigation systems is probably close to 125 acres as shown by the ASCS aerial photograph. Therefore, no propating of quantity was done for irrigating unapproved land.

The WUC shown on the Field Inspection Report was changed to show Agri Affiliates as correspondent. This information was obtained in a March 25, 1987 phone call from Larry Sheets, Division of Water Resources, to Jerry Weaver of Agri Affiliates.

A limitation was needed on the combined rate, for the well located in the Southwest Quarter (SWa) of said section and the well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE% SWa) of said section. This limitation limits the combined rate of these two wells to 700 gallons per minute when the wells are run simultaneously.

A limitation was needed on the total rate when all wells are being run simultaneously. The limitation limits the rate to 2,900 gallons per minute, the maximum appproved rate.

Douglas E. Bush Hydrologist

Journal E. Bush

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RECEIPTS

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STATE OF KANSAS

DEPARTMENT OF AGRICULTURE 1320 RESEARCH PARK DRIVE MANHATTAN, KS 66502 PHONE: (785) 564-6700 FAX: (785) 564-6777



900 SW Jackson, Room 456 Topeka, KS 66612 Phone: (785) 296-3556 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D. JACKIE McClaskey, Secretary of Agriculture

CITY OF HAYS, KANSAS & CITY OF RUSSELL, KANSAS 1551 N WATERFRONT PARKWAY, SUITE 100 WICHITA, KS 67206 April 27, 2018

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

☐ place of use PU/PD/UMW ☐ point of diversion ☐ use made of water

RE: File No 21729-D2

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent Tourney, L.G.

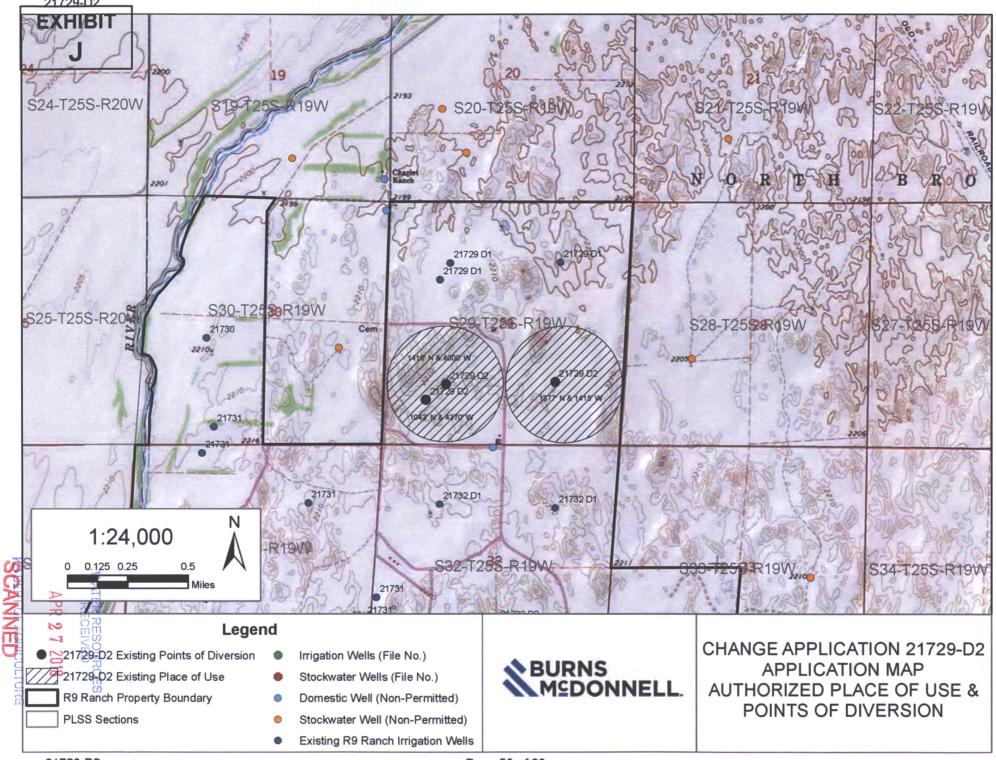
Change Applications Unit Supervisor

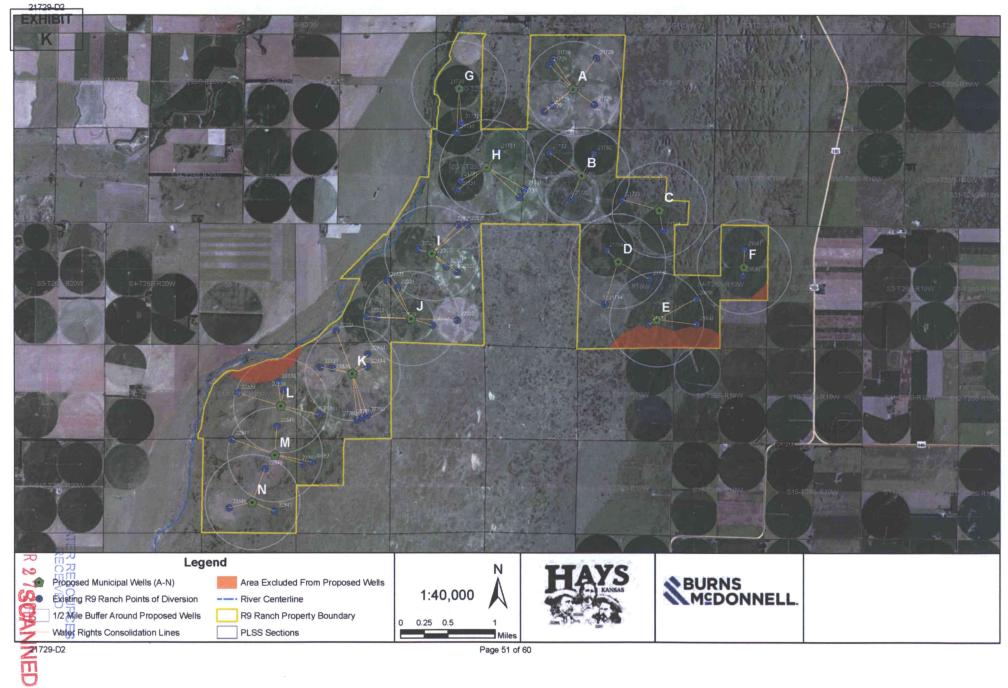
Water Appropriation Program

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BAT: DLW

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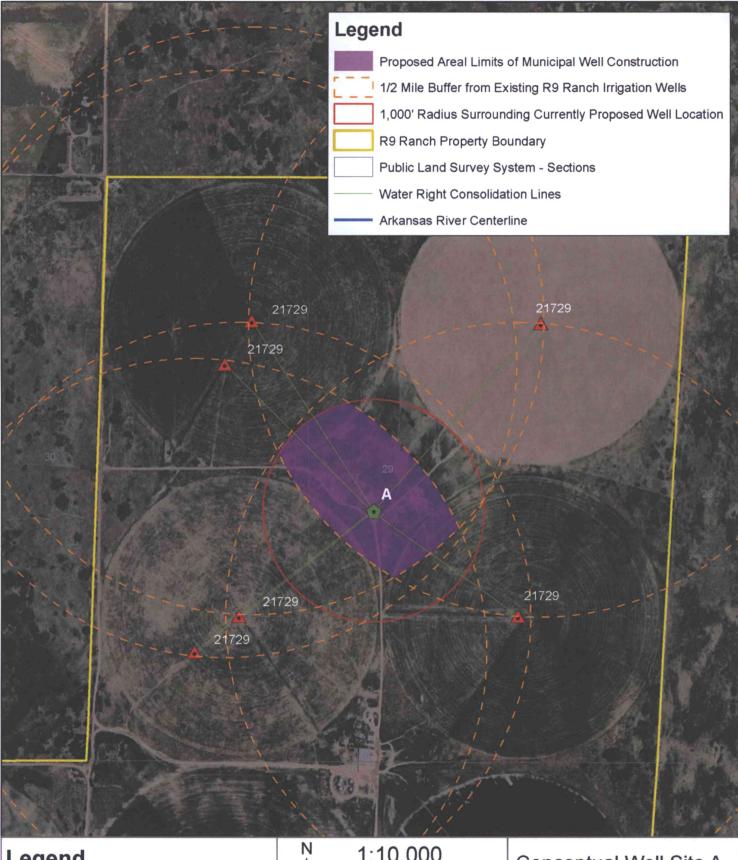


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Page 52 of 60



Legend

R9 Irrigation Wells

Currently Proposed Well Site



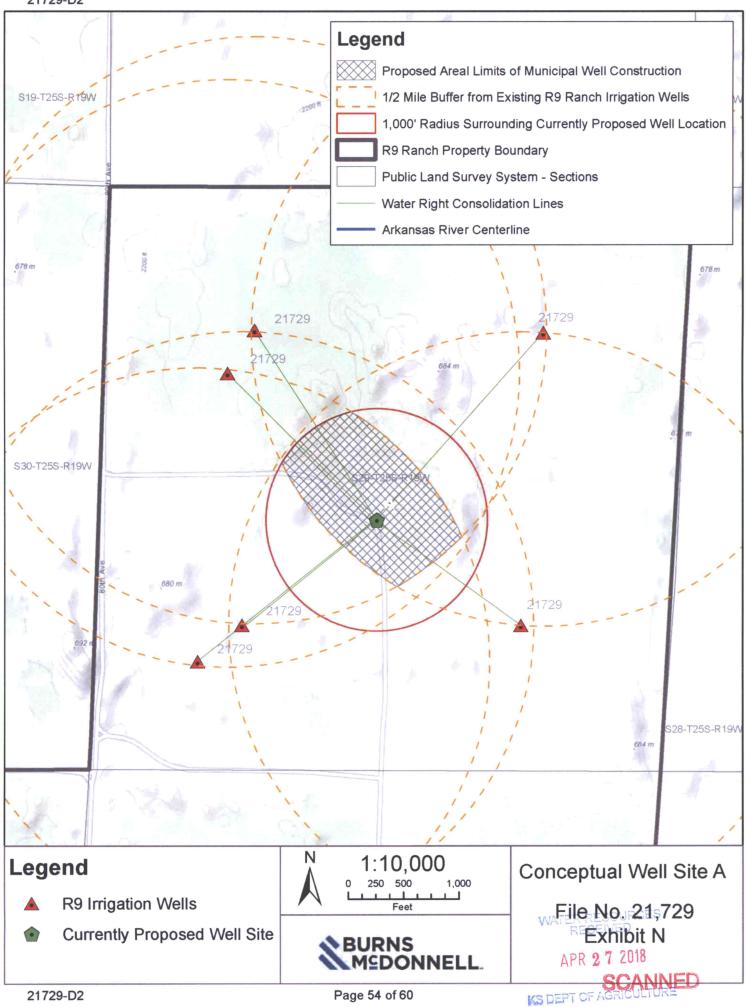


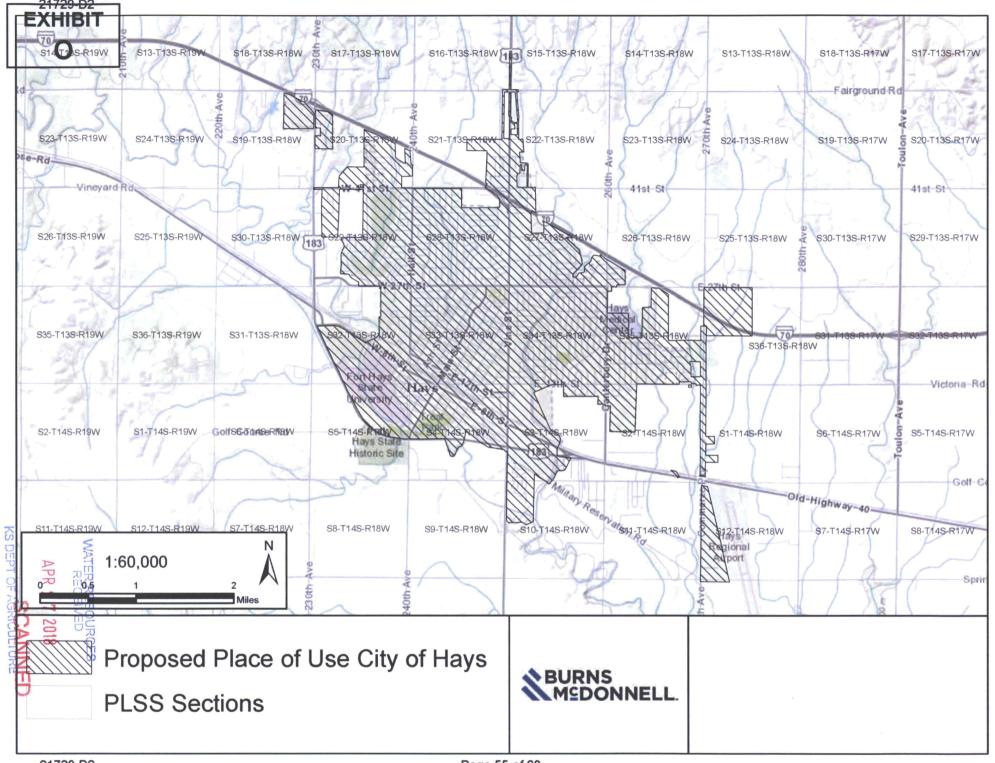
Conceptual Well Site A

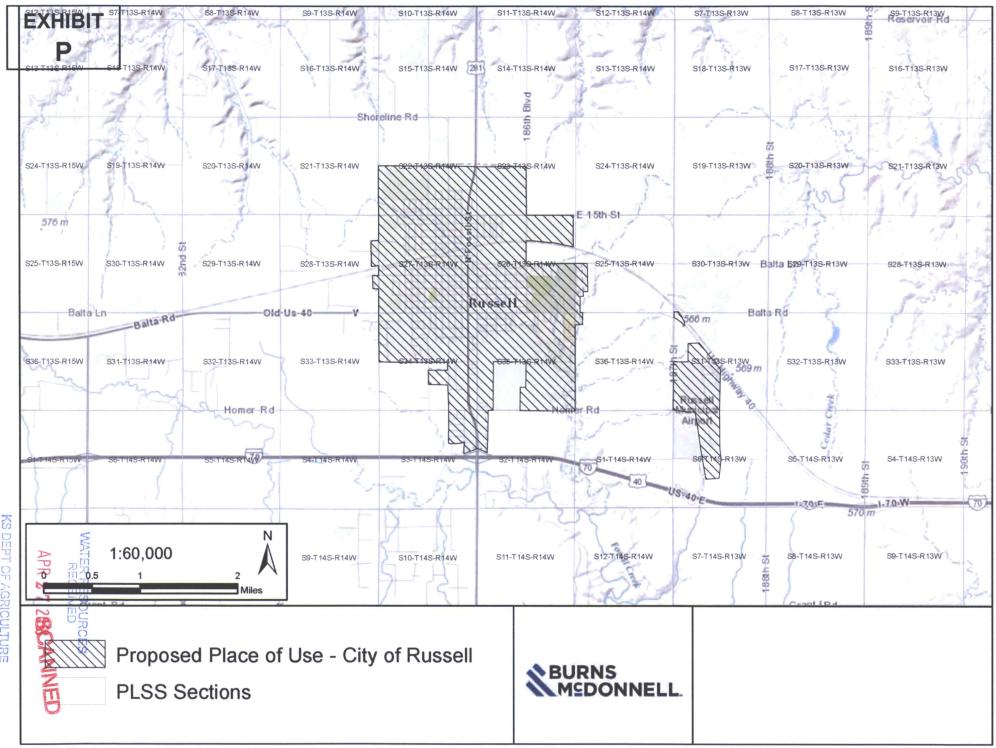
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Applicant's Name	City of Russell
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MUNICIPAL (PUBLIC WATER SUPPLY) APPLICATION SUPPLEMENTAL INFORMATION SHEET

Application	File	Number
foonland	I best I	DIAMO

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.

TOTAL WATER = Columns 1 + 2		14 17	ACCOUNTED FOR WATER	= Columns 3+4+5+6		UNACCOUNTED FOR WATER
327,288,100	0	0	105,295,000	108,743,000	19,944,000	93,306,100
Raw Water Diverted Under Your Rights	Waler 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)
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7

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 tess 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 Column 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 = <u>Unaccounted For Water</u> x 100

For Water Total Water (Columns 1,2)

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

EXHIBIT

SECTION 2: PAST WATER USE

COMPLETE THE FOLLOWING TABLE FROM YOUR PAST WATER USE RECORDS.

TOTAL WATER = Columns 1 + 2			CCOUNTED FOR WATER			UNACCOUNTED FOR WATER	
5 years ago	375,790,000	0	0	144,277,000	123,343,000	18,907,000	89,263,000
10 years ago	477,486,000	0	0	222,781,000	147,340,000	19.483,000	87,882,000
15 years ago	373,757,000	0	0	171,928,220	115,864,670	18,687,850	67,276,260
20 years ago			4			7 - 1	
RESOUR	Column 1 Raw Water Diverted Under Your Rights	Column 2 Water Purchased From All Sources	Column 3 Water Sold to Other Public Water Suppliers	Column 4 Water Sold to Your Industrial, Stock, and Bulk Customers	Column 5 Water Sold to Your Residential and Commercial Customers	Other Metered Water	Column 7 Remaining Water Used (See Above Explanation)

DWR 1-100.24 (Revised 08/15/2002)

SECTION 3: PROJECTED FUTURE WATER NEEDS

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

	TOTAL WATER = Columns 1 + 2		TOTAL WATER = Columns 1 + 2 ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6				UNACCOUNTED FOR WATER
Year 20	443,848,022	0	0	204,170,090	137,592,887	17,753,921	84,331,124
Year 15	426,310,852	0	0	196,102,992	132,156,364	17,052,434	80,999,062
Year 10	405,513,682	0	0	186,536,377	125,709,241	16,220,547	77,047,517
Year 5	386,346,512	0	0	177,719,396	119,767,419	15,453,861	73,405,836
	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)
	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7

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

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 need for your request.

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Applicant's Name	City Of Hays KS
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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.

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

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, feedfot, and bulk water service connections. Include the amount of water sold to all farmsteads using at least 200,000 pallons 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.
- 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 Column 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)

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.

D	= =	COMPLETE THE FOLLO	ING TABLE FROM YOUR PAST WATER USE RECORDS.						
PR 2 7	SA RA	Column 1 Raw Water Diverted Under Your Rights	Column 2 Water Purchased From All Sources	Column 3 Water Sold to Other Public Water Suppliers	Column 4 Water Sold to Your Industrial, Stock, and Bulk Customers	Column 5 Water Sold to Your Residential and Commercial Customers	Column 6 Other Metered Water	Column 7 Remaining Water Used (See Above Explanation)	
5 =	20 years ago	592,323,000			5,029,000	469,314,000	5,155,000	112,825,000	
000	15 years ago	780,527,000	1		10,619,000	587,965,000	10,470.000	171,473,000	
	10 years ago	706,926,000		A CONTRACTOR OF THE PARTY OF TH	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	
	1.7 =	TOTAL WATER	= Columns 1 + 2		ACCOUNTED FOR WATER		UNACCOUNTED FOR WATER		

DWR 1-100.24 (Revised 08/15/2002)

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SECTION 3: PROJECTED FUTURE WATER NEEDS

	PLEASE COMPLETE THE	FOLLOWING TABLE	SHOWING YOUR FUTUR		TS FOR THE NEXT 20 YEA	The second secon	
	Raw Water Diverted Under Your Rights	Column 2 Water Purchased From All Sources	Column 3 Water Sold to Other Public Water Suppliers	Column 4 Water Sold to Your Industrial, Stock, and Bulk Customers	Column 5 Water Sold to Your Residential and Commercial Customers	Column 6 Other Metered Water	Column 7 Remaining Water Used (See Explanation on other side)
Year 5	753,014,900			11,886,600	654,779,400	17,959,700	68,389,200
Year 10	828,316,390	- L	1	13,075,260	720,257,340	19,755,670	75,228,120
Year 15	911,148,029	1 7		14,382,786	792,283,074	21,731,237	82,750,932
Year 20	1,002,262,832	1		15,821,065	871,511,381	23,904,361	91,026,025
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	17,636		
15 years ago	18,750		
10 years ago	20,013		
5 years ago	20,106		
Last Year	21,038		

PROJECTED FUTURE POPULATION ESTIMATE FUTURE POPULATION AND SUBSTANTIATE NUMBERS ON SEPARATE ATTACHMENTS

NEXT 20 YEARS	POPULATION
Year 5	23,142
Year 10	25,456
Year 15	28,002
Year 20	30,802

Provide number of current active service connections:

6,824	Residential	2	Industrial		Other (specify)
1,256	Commercial		Pasture/ Stockwater/	8,082	Total
			Feedlol		

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

673,753,000 ÷ 21,038 ÷ 365 Days/Year = 88 GALLONS PER PERSON PER DAY.

Amount of water in Population from Last Year of Section 4

SECTION 6: AREA TO BE SERVED

of Section 1

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.