

KANSAS DEPARTMENT OF AGRICULTURE

DIVISION OF WATER RESOURCES

MEMORANDUM

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

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

David. W. Barfield, P.E.

JUN 26 2015

4:03



State of Kansas

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

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

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

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

1. Application is hereby made for approval of the Chief Engineer to change the APPROVED
David W. Barfield, P.E.

**WATER RESOURCES
RECEIVED**

- (Check one or more) Place of Use
- Point of Diversion
- Use Made of Water

JUN 28 2015
4:03
Chief Engineer
Division of Water Resources
Kansas Dept. of Agriculture

JUN 29 2015
8:38
KS DEPT OF AGRICULTURE

File No. 21,732 Circles 6, 11, & 12.

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

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

City, State and Zip: Wichita, Kansas 67206

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

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

Name of water use correspondent: City of Hays, Kansas

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

City, State and Zip: Hays, Kansas 67601

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

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

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

For Office Use Only:							
F.O.	<u>2</u>	GMD	<u>5</u>	Meets K.A.R. 5-5-1	(YES / NO)	Use	<u>IRR</u>
Code	<u>C-3</u>	Fee \$	<u>700</u>	TR #		Receipt Date	<u>6/22/15</u>
Source	<u>G/S</u>	County	<u>ED</u>	By	<u>KAB</u>	Date	<u>6/29/15</u>
						Check #	<u>058328</u>

of 21000- 15053312

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6/30/2015 UCM

4. The presently authorized place of use is:

Owner of Land — NAME: City of Hays, Kansas

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

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			31.25	31.25	38.25	31.25	31.25	31.25	37.25	38	2	1	33	4	39	35	2	417	

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

Owner of Land — NAME: City of Russell, Kansas

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

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

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

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

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

Owner of Land — NAME: City of Hays, Kansas

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

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

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

Owner of Land — NAME: City of Russell, Kansas

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

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

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

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY BASIC RESOURCES RECEIVED

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JUN 29 2015

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

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the near the center Quarter of the _____ Quarter of the NE Quarter
 of Section 32, Township 25 South, Range 19 (~~E~~/W),
 in Edwards County, Kansas, 4,019 feet North 1,358 feet West of Southeast corner of section.
 Authorized Rate 780 gpm Authorized Quantity 165 a/f
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the SE Quarter of the SW Quarter of the NE Quarter
 of Section 32, Township 25 South, Range 19 (~~E~~/W),
 in Edwards County, Kansas, 2,724 feet North 1,916 feet West of Southeast corner of section.
 Proposed Rate 2,380 gpm Proposed Quantity 687.96 a/f
 This point is: Additional Well Geo Center List other water rights that will use this point _____

9. **Presently authorized point of diversion:**
 One in the near the center Quarter of the _____ Quarter of the NW Quarter
 of Section 32, Township 25 South, Range 19 (~~E~~/W),
 in Edwards County, Kansas, 4,026 feet North 3,966 feet West of Southeast corner of section.
 Authorized Rate 715 gpm Authorized Quantity 188 a/f
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the SE Quarter of the SW Quarter of the NE Quarter
 of Section 32, Township 25 South, Range 19 (~~E~~/W),
 in Edwards County, Kansas, 2,724 feet North 1,916 feet West of Southeast corner of section.
 Proposed Rate 2,380 gpm Proposed Quantity 687.96 a/f
 This point is: Additional Well Geo Center List other water rights that will use this point _____

10. **Presently authorized point of diversion:**
 One in the near the center Quarter of the _____ Quarter of the S/2 Quarter
 of Section 32, Township 25 South, Range 19 (~~E~~/W),
 in Edwards County, Kansas, 1,441 feet North 2,632 feet West of Southeast corner of section.
 Authorized Rate 885 gpm Authorized Quantity 240 a/f
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the SE Quarter of the SW Quarter of the NE Quarter
 of Section 32, Township 25 South, Range 19 (~~E~~/W),
 in Edwards County, Kansas, 2,724 feet North 1,916 feet West of Southeast corner of section.
 Proposed Rate 2,380 gpm Proposed Quantity 687.96 a/f
 This point is: Additional Well Geo Center List other water rights that will use this point _____

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

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY WATER RESOURCES RECEIVED

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

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

(Please show any calculations here.)

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

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

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

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

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

See paragraph 17 of the cover letter.

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

See paragraph 7 of the cover letter.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

WATER RESOURCES

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

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

[Signature] (Owner) _____ (Spouse) _____

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

_____ (Owner) _____ (Spouse)

_____ (Please Print) _____ (Please Print)

_____ (Owner) _____ (Spouse)

_____ (Please Print) _____ (Please Print)

State of Kansas }
County of Russell } SS



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

Malinda Morse
Notary Public

My Commission Expires 6/15/18

FEE SCHEDULE

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

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

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

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JUN 29 2015
KS DEPT OF AGRICULTURE

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

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

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

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

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

(Owner) (Spouse)

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

(Owner) (Spouse)

(Please Print) (Please Print)

(Owner) (Spouse)

(Please Print) (Please Print)

State of Kansas }
County of Russell } SS



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

Malinda Morse
Notary Public

My Commission Expires 6/15/18

FEE SCHEDULE

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

Make check payable to Kansas Department of Agriculture.

**WATER RESOURCES
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JUN 29 2015

Proposed Rate and Quantity

The Cities are requesting a total of 687.96 acre-feet and 2,380 gallons per minute from the three wells associated with this water right, all of which will be diverted from new point of diversion B, as shown on Exhibit L. New point of diversion B will have a cumulative total of 687.96 acre-feet and 2,380 gallons per minute.

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

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

DWR Regulation, K.A.R. 5-5-9(a), provides that the default calculation used to address the consumptive use issue allows the conversion of 426.6 acre-feet for municipal use.¹ As discussed below, 395 approved acres were irrigated during the perfection period; 395 acres multiplied by the Edwards County NIR for corn of 1.08 acre-feet per acre equals 426.6 acre-feet.²

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

Quantity authorized and perfected

The permit was issued on February 27, 1976, granting the applicant the right to divert up to 834 acre-feet annually at a rate of up to 2,400 gallons per minute for irrigation use,⁴ on 417 acres in Section 32-T25S-R19W,⁵ or 2.0 acre-feet per acre. The certificate limited the rate to 2,380 gallons per minute.

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

DWR’s Field Inspection Reports indicate that 818 of the 834 acre-feet authorized by the permit were lawfully perfected.

- 265 acre-feet were applied to 110 approved acres in the NE/4 of Section 32 T25S-R19W.⁷
- 243 acre-feet were applied to 125 approved acres in the NW/4 of Section 32 T25S-R19W.⁸

¹ K.A.R. 5-5-9(a) and (a)(1).

² K.A.R. 5-5-12, NIR Requirements.

³ K.A.R. 5-5-9(b).

⁴ Permit, HAYS001328, Ex. A.

⁵ Application, HAYS001322, Ex. B.

⁶ February 27, 1976, letter (emphasis added), HAYS001327, Ex. C.

⁷ FIR, HAYS001300, Ex. D.

⁸ FIR, HAYS001308, Ex. E.

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- 310 acre-feet were applied to 160 approved acres in the S/2 of Section 32 T25S-R19W.⁹
- The permit authorized perfection of 834 acre-feet on 417 acres, or 2.0 acre-feet per acre, but only 395 authorized acres were irrigated during the perfection period resulting in perfection of 790 acre-feet.

While the certificate limits the total quantity to 593 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.¹⁰

Since the perfection period has expired, the "authorized quantity" for this water right is the 790.00 acre-feet actually perfected even though it exceeds the certified quantity.

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

NIR for Alfalfa

According to the Kansas Irrigation Guide, the NIR for the 50% chance rainfall in Edwards County is 13 inches (1.083333 feet) for corn and 20.9 (1.741666 feet) inches for alfalfa.

Since alfalfa was grown on the authorized place of use during the year of record,¹¹ it is reasonable to use the NIR for alfalfa, which yields a total quantity of 687.96 acre-feet consumed. While this quantity is greater than the quantity set out in the certificate, it is less than 790 perfected acre-feet, the "maximum annual quantity authorized by the water right."¹²

An alternative approach

DWR's use of the NIR of 1.08 feet of water for corn is based on its maximum gross irrigation requirement of 1.5 acre-feet per acre.¹³ The regulation allows the conversion of 72% of the maximum quantity to a new use; in other words, it assumes that 28% of the quantity diverted returns to the aquifer.

If 28% of the 790 acre-feet legally applied during the perfection period percolates back to the aquifer, then 72%, or 568.80 acre-feet, should be available for conversion to municipal use. While this quantity is greater than the quantity set out in the certificate, it is less than 790 perfected acre-feet, the "maximum annual quantity authorized by the water right."

The City requests that DWR approve a total of 687.96 acre-feet for municipal use.

⁹ FIR, HAYS0001314, Ex. F.

¹⁰ Certificate, HAYS001336, Ex. G; Doug Bush Memo dated March 19, 1987, HAYS001332, Ex. H; and *Clawson v. Kansas Dept. of Agriculture, Div. of Water Resources*, 49 Kan. App. 2d 789, 315 P.3d 896 (2013).

¹¹ HAYS001303 (Ex. D), HAYS001311 (Ex. E), HAYS001317 (Ex. F). See also HAYS004448-4453, Ex. I.

¹² See K.A.R. 5-5-9(a)(4).

¹³ Administrative Policy No. 86-8, dated Nov. 5, 1986, Ex. J, stating that: "In that area of Kansas located between the Range 5 East/Range 6 East Line and the Range 20 West/Range 21 West line, the maximum allowable quantity shall not exceed an average of 1.50 acre-feet per acre irrigated." See also, K.A.R. 5-3-24 and Doug Bush Memo dated March 19, 1987, HAYS001332, Ex. H.

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JUN 29 2015

THE STATE



OF KANSAS

STATE BOARD OF AGRICULTURE
Roy Freeland, Secretary

DIVISION OF WATER RESOURCES
Guy E. Gibson, Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application No. 21,732 of the applicant

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 application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is January 2, 1974.
2. That the water sought to be appropriated shall be used for irrigation on the land described in the application.

3. That the source from which the appropriation is made shall be from ground water in the drainage basin of the Arkansas River to be withdrawn by means of three (3) wells: one well near the center of the Northeast Quarter (NE $\frac{1}{4}$); one well near the center of the Northwest Quarter (NW $\frac{1}{4}$) and one well near the center of the South Half (S $\frac{1}{2}$) of Section 32, 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
2400 gallons per minute (5.35 c.f.s.)
and to a quantity of not to exceed 834 acre-feet

for any calendar year.

WATER RESOURCES
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JUN 29 2015

KS DEPT OF AGRICULTURE

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SCANNED MAR 8 1976
HAYS001328
MICROFILMED
FIELD OFFICE
DIVISION OF WATER RESOURCES
LIT. JRU

March 6, 11, 12

5. That installation of works for diversion of water shall be completed on or before December 31, 1977. The applicant shall notify the Chief Engineer of the Division of Water Resources when construction of the works has been completed.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before December 31, 1981.

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

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

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

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

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

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

Dated this 27th day of February 1976



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

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JUN 29 2015

KS DEPT OF AGRICULTURE

HAYS001329



EXHIBIT
21732
B

THE STATE OF KANSAS



STATE BOARD OF AGRICULTURE
Roy Freeland, Secretary

DIVISION OF WATER RESOURCES
Guy E. Gibson, Chief Engineer

*Rec'd check \$50 8-1-74
Ch from: Wilson & Grome
sa*

NUMBER 21732

APPLICATION FOR PERMIT TO
APPROPRIATE WATER FOR BENEFICIAL USE

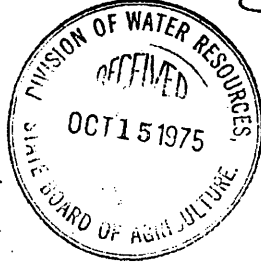
(The Statutory Filing Fee of \$50.00 Must Accompany the Application)

To the Chief Engineer of the Division of Water Resources, Kansas State Board of Agriculture: ** SEE LETTER DATE 8-8-75*
MIDWEST LAND & CATTLE COMPANY
C/O JOHN CARSON, MANAGER
Comes now the applicant (Miss) ~~Kinsley Joint Ventures~~ whose post office
address is ~~Box 208, Kinsley, Kansas 67577~~
~~to Andrew J. Moore, Attorney at Law, P.O. Box 588, Woodward, Oklahoma 73801~~

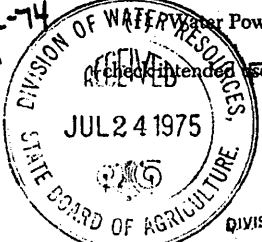
and makes application to the Chief Engineer of the Division of Water Resources, Kansas State Board of Agriculture, for a permit to appropriate for beneficial use such unappropriated ground water
(surface water or groundwater)
as may be available in Arkansas River Basin in the county of Edwards
(name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

- 1. The quantity of water desired is in the amount of ~~204~~ ⁸³⁴ acre feet per year, to be diverted at a maximum rate of 2400 gals per minute
(gallons per minute or cubic feet per second) (3 wells) NEAR center of the NE/4 and the center of the NW/4 ~~and in the SW/4 of the~~ ^{2. NEAR} quarter of the ~~SW/4~~ quarter of section 32, township 25, range 19, in Edwards County, Kansas.

- 3. The water is intended to be appropriated for:
(a) Domestic use () _____
(b) Municipal use () _____
(c) Irrigation use (x) 834 acre ft
~~2400 gals per minute~~
(d) Industrial use () _____
(e) Recreational use () _____
(f) Water Power use () _____



*Date stamp error
Received 1-2-74
9:08 a.m.
dw*



*MAR 8 1975 Guy Ellis
DIVISION OF WATER RESOURCES STAFFORD*

SCANNED
MICROFILMED WATER RESOURCES RECEIVED
JUN 29 2015
RECEIVED JUL 15 1974 HAYS001322 FIELD OFFICE DIVISION OF WATER RESOURCES STAFFORD
KS DEPT OF AGRICULTURE

4. If for municipal use, attach tables or curves showing past, present and estimated future population and water requirements of the city.

5. If for industrial use, attach tables or curves showing past, present and estimated future water requirements.

6. If for irrigation use list below or attach name and address of each landowner and the legal description of the lands to be irrigated by designating the actual number of acres to be irrigated in each forty acre tract or

fractional portion thereof: Kinsley Joint Venture is a partnership with the following owners

- ~~J. D. Hodges, 1921 Broadmoor, Woodward, Oklahoma~~
- ~~W. A. McQuiddy, 1210 S. Fordham, Perryton, Texas~~
- ~~Drew Ellis, 823 S. Indiana, Perryton, Texas~~
- ~~John O. Ellis Jr., P. O. Box 610, Perryton, Texas~~
- ~~H. C. Bralhart Jr., P. O. Box 576, Perryton, Texas~~
- ~~Word B. Sherrill, P. O. Box 399, Perryton, Texas~~

MIDWEST LAND & CATTLE CO
 c/o JOHN CARSON, MANAGER
 KINSLEY, KS. 67547
 * SEE LETTER
 DATED 8-8-75 CEE

Owner of Land—NAME: ~~Kinsley Joint Venture~~

ADDRESS: ~~c/o Andrew J. Moore, Attorney, P.O. Box 588, Woodward, Oklahoma 75801~~

Sec. Twp. Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
32 25 19					31$\frac{1}{4}$	31$\frac{1}{4}$	31$\frac{1}{4}$	31$\frac{1}{4}$									125
" " "	91 $\frac{1}{4}$	31 $\frac{1}{4}$	38 $\frac{1}{4}$	31 $\frac{1}{4}$	31 $\frac{1}{4}$	31 $\frac{1}{4}$	31 $\frac{1}{4}$	37 $\frac{1}{4}$	38	2	1	33	4	39	35	2	417 JR

~~This acreage is irrigated by pump well and system whose pivot is at the center of NW $\frac{1}{4}$ of said section~~

Owner of Land—NAME: Same as above

ADDRESS: same as above

Sec. Twp. Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
32 25 19	31$\frac{1}{4}$	31$\frac{1}{4}$	31$\frac{1}{4}$	31$\frac{1}{4}$													125

~~This acreage is irrigated by pump, well and system whose pivot is at the center of NE $\frac{1}{4}$ of said section~~

Owner of Land—NAME: same as above

ADDRESS: same as above

Sec. Twp. Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
32 25 19			8					6					31	38	36	6	167

~~This acreage is irrigated by pump, well and irrigation system whose pivot is in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said section.~~

This acreage is only that acreage irrigated by irrigation system whose pivots are in this section, other acreage in this section is irrigated by systems whose pivots are outside this section.

HAYS001323

* Guy Ellis

9 9-75

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7. The works for diversion of water will consist of three wells, three pumps, and
three irrigation systems.

(wells, pumps, etc.)

and will be completed by already completed

(Date)

8. The first actual application of water for the beneficial use proposed was or is estimated to be
already used - use begun with 1973 growing season

(Date)

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

The plat or aerial photograph should show

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

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

None

11. The relation of the subscriber to this application is that of ATTORNEY
(Owner, agent or otherwise)
and he is authorized to make this application in behalf of the interest affected.

Dated at Kinsley, Kansas, this 15 day of Dec., 1973

KINSLEY JOINT VENTURE

(Applicant)

By D. Allen Frame
(Agent or Officer)

D. Allen Frame, Attorney

NOTE:

- 1 cubic foot per second = 448.8 gallons per minute = 648,317 gallons per day = 1.98 acre feet per day.
- 1 million gallons per day = 1.547 cubic feet per second = 3.07 acre feet per day.
- 1 acre foot = 43,560 cubic feet = 325,851 gallons.

SI-550



5-72-10M 8878

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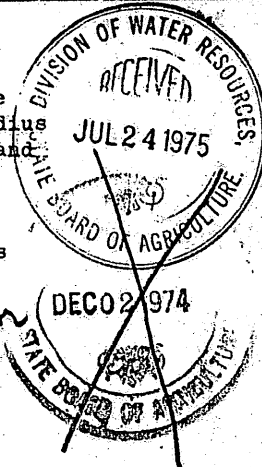
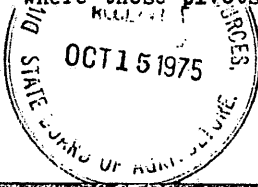
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MAR 8 1976

JUL 15 1974 HAYS001324

The system whose pivot is marked by point A covers 125 acres and has a radius of 1320 feet. The system whose pivot is marked by point B is the same. The system whose pivot is marked by point C covers 167 acres and has a radius of 1522 feet. All three systems are served by one well and pump at the pivot.

Also shown are some areas covered by irrigation systems whose pivots are outside this section. The pivots, wells and pumps are listed on those maps showing the sections where those pivots are located.



*Date stamp error
Received 1-2-74
dw*



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STATE DEPT OF AGRICULTURE

HA: S001325

EXHIBIT
21732
C

E-N²

February 27, 1976

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

Re: Appropriation of Water
Application No. 21,732

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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RMD:ee1

Encs.

EXHIBIT
D

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

- Partial
- Full
- Re-Test

Test 1 of 3 Diversion points
 Application No. 21732 Date 9/30/86 Firm/Field Office Pumping Plant Testing, Inc
 Inspector Ebert/Klassen

Field Area No. 2 G.M.D. No. 5 County Edwards

Current Landowner Connecticut General Life Insurance Co Agri. Affiliates

Address Box 1162 North Platte, NE 69103 Attn: Jerry Weaver
 Additional landowners and addresses identified in remarks section.

Water Use Classification: 1. Domestic () 2. Industrial () 3. Irrigation (X)
 4. Municipal () 5. Recreation () 6. Stockwatering () 7. Water Power ()

Groundwater (X) Drainage Basin Arkansas River

Surface Water () Stream _____

Authorized Point of Diversion: NC NE 1/4 Sec. 32, T. 25, R. 19
 Approximately _____ ft. North and _____ ft. West of SE corner of Sec. _____

Actual Point of Diversion: NC NE 1/4 Sec. 32, T. 25, R. 19
 Approximately 4019 ft. North and 1358 ft. West of SE corner of Sec. 32
 How were distances determined? Scaled from ASCS photo

"Approved" Quantity 834 AF "Approved" Diversion Rate 2400 g.p.m. (5.35 c.f.s.)

Priority Date Jan. 2, 1974 Approval of Application Date Feb. 27, 1976

Perfection Date Dec. 31, 1981

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

LAND TO BE INCLUDED ON CERTIFICATE:

S	T	R	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
32	25	19	31 1/4	31 1/4	38 1/4	31 1/4	31 1/4	31 1/4	31 1/4	37 1/4	38	2	1	33	4	39	35	2	417

LAND IRRIGATED—YEAR OF RECORD 1985 SEE ATTACHED SHEET

S	T	R	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL ACRES	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
32	25	19	29	32	27	22	(WELL NR NE 1/4 ONLY)													110

APPLICATION OF WATER: SEE ATTACHED SHEET

Year of Record 1985 Hours Pumped 1850 or Quantity 264 AF

Normal Operating G.P.M. 776 Equiv. c.f.s. 1.73

Maximum Operating G.P.M. _____ Equiv. c.f.s. _____

FOR D.W.R. USE ONLY

Year of Record 1985 Extension of time requested: Yes _____ No

Total No. of Hours on land covered by this application 1850

Ac. Ft. Applied = $\frac{1850 \text{ hrs.} \times 776 \text{ g.p.m.} \times 4.419}{24 \times 1000} = 265 \text{ AF}$

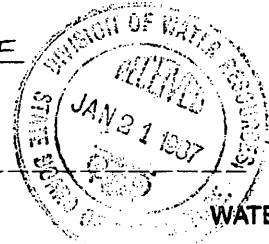
Acres of "Approved" Land irrigated 110

Ac. Ft. on "Approved" Land 265 (0.64 Ac. Ft./Ac.)

Ac. Ft. Used on "Approved" Land at "Approved" Rate or Less 265

Proration Calculations 110 acres irrigated x 1.5 AF per Acre = 165 AF

Perfected Rate 780 g.p.m. Perfected Quantity 165 AF



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GENERAL INFORMATION ON IRRIGATION SYSTEM:

Center Pivot High Pressure Low Pressure

Manufacturer Valley Model Notag Serial No. _____

Drive Electric Length of Pivot Arm _____

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

End Gun? yes End Gun Rating _____ g.p.m. 7000

Is end gun operating during test? yes

Gravity Irrigation (show test set on sketch)

Number of gates open _____ Normal Pipe Size _____

Pressure at pump _____ p.s.i.

Other Type _____

Manufacturer _____ Model _____ Serial No. _____

Unusual Conditions/Other Info. _____

POWER UNIT INFORMATION:

Manufacturer Ford Model No. 460 HP _____

Serial No. 11664 R-26-T0 Fuel Natural Gas Rated RPM _____

PUMP INFORMATION:

Manufacturer Western Land Roller Model No. no tag Rated RPM _____

Serial No. _____ Type _____ No. stages _____

GEAR HEAD INFORMATION:

Manufacturer Randolph Model No. G80

Serial No. 84559 Drive Right Angle Ratio 6:5

WELL INFORMATION:

Date Drilled prior to Jan. 1974 Original Depth 43 ft. Static Water Level When Drilled 10 ft.

Tape Down Possible? no Water Level Measurement Tube? no

Measuring Point _____ ft. above or below L.S.D.

ADDITIONAL REQUIREMENTS:

Meter Required? no Make of Meter _____

Meter Model No. _____ Serial No. _____ Size _____

Is Meter Installed Properly? _____

Chemical Injection System? yes Check Valve? yes Low Pressure Drain? no

Vacuum Breaker? yes Are these anti-pollution devices installed properly? yes

WATER RESOURCES RECEIVED

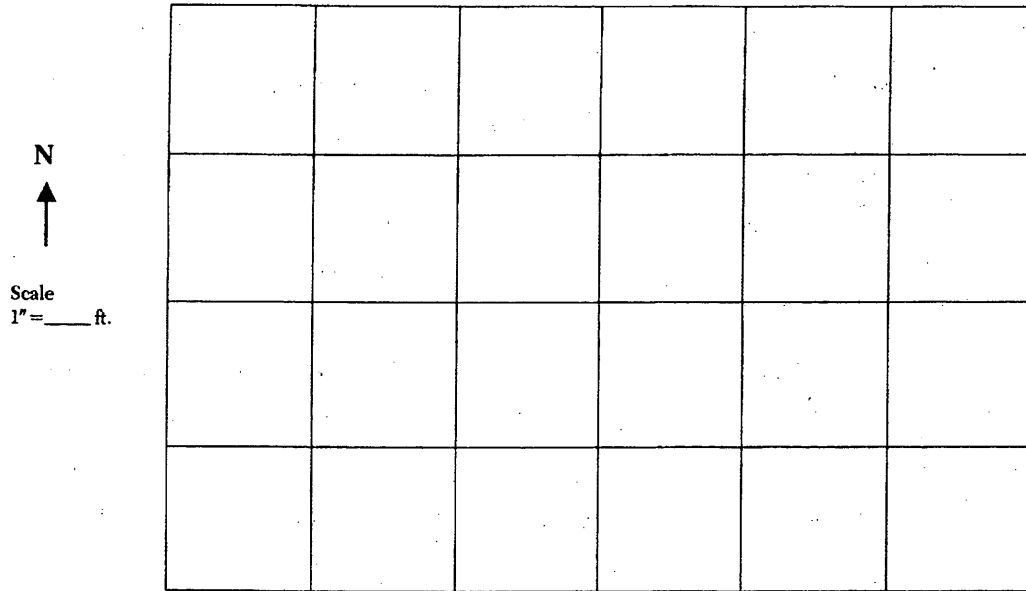
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HAYS001301

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



TEST OF DIVERSION RATE:

Length of time well has been operating prior to test 0
 Location of test In vertical pipe inside pivot stand
 Pipe Diameter (I.D.) 7 3/8 inches

Test No. 1—Normal Conditions

Test No. 2—Maximum Conditions

R.P.M. POWER UNIT 2117
 R.P.M. PUMP UNIT 1764
 Pressure at Pump 52 psi

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

Jacuzzi Meter Test

Meter Identification No. _____

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

Velocity (fps)

Velocity (fps)

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

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

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

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

Propeller Meter Test

Manufacturer _____ Model _____ Serial No. _____

Meter Diameter _____ inches

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

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

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HAYS001302

Other Flow Meter

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

FUEL RECORDS:

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

Other Fuels Type Natural Gas Supplier Kansas-Nebraska
 Rate = $\frac{Volume (test)}{time}$ = _____
 How was the test volume determined? Not Determined Engine not an individual meter.

TABULATION OF WATER USE:

Year	Hours Pumped (hr)	Tested Pumping Rate (gpm)	Water Used (AF)	Acres Irrigated
1974	1752	1000		
1975				
1976				
1977	786	1000		
1978				
1979	1224	650		108
1980	1416	650		108
1981	1152	900		108
1982				
1983	2200**	900**		108**
1984	1750**	850**		110**
* 1985	1850**	776*		110**
1986		776*		

* obtained from test on 9/30/86
 ** obtained from WUR sent to us from Jerry Weaver

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

REMARKS: See attached sheet for logic in choosing a year of record.

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 KS DEPT OF AGRICULTURE

Person present at test Kent Naber Irrigation Manager
(name) (relationship)
 Water Use Correspondent Lyle Kalbeck Spearsville, Ks 67876 316-385-2803
(name) (address) (phone number)
 Conducted by Greg Ebert Date 10/8/86
(signature)
 Approved by MJW, P.E. Date 1/15/87
(signature) (title)

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HAYS001303

APPLICATION NO: 21732 NAME: Connecticut General Life Insurance

COLLINS METER TEST NC NE 1/4

Collins Meter No. 1-85 Meter Calibration Factor .9826

Pipe Inside Diameter (inches) 7 13/16 Flow Rate Factor 147.8

Test Pressure (psi) 52 Test RPM, Pump 1764

Description of Test Location In vertical pipe inside pivot stand

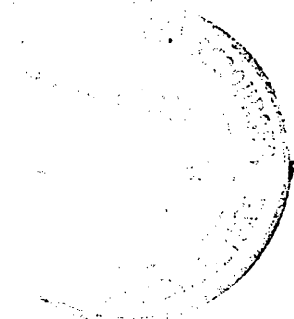
TEST DATA:	<input checked="" type="checkbox"/> Check, Initial <u>5.82</u>	Reversed <u>5.84</u>
	Velocity	Velocity
Meter Setting From	Left Side of Pipe	Right Side of Pipe
Center of Pipe	(or Front Side if	(or Back Side if
	Vertical Test)	Vertical Test)

<u>1 5/8</u>	<u>5.96</u>	<u>5.96</u>	<u>5.39</u>	<u>5.41</u>
<u>2 3/4</u>	<u>5.87</u>	<u>5.88</u>	<u>5.05</u>	<u>5.09</u>
<u>3 9/16</u>	<u>5.40</u>	<u>5.19</u>	<u>4.64</u>	<u>4.31</u>

Average Velocity of Water = Sum of Vel. ÷ 12 = 5.346

Corrected Ave. Vel. = (Ave. Vel.) x (Calibration Factor) =
5.346 x .9826 = 5.253

Flow Rate = (Corrected Ave. Vel.) x (Flow Rate Factor) =
5.253 x 147.8 = 776 GPM



WATER RESOURCES RECEIVED

PUMPING PLANT TESTING, INC. JUN 29 2015

Reviewed By: [Signature]

KS DEPT OF AGRICULTURE

Professional Engineer

JUN 19 1987

HAYS001304

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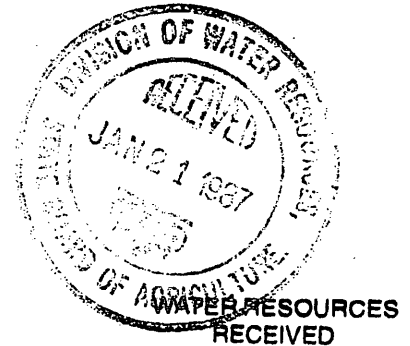
APPLICATION NO: 21,732

NAME: CONNECTICUT GENERAL LIFE INSURANCE CO, INC.

NOTES ON CHOOSING A YEAR OF RECORD

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

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



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PUMPING PLANT TESTING, INC.

KS DEPT OF AGRICULTURE

Reviewed by:

Neil J. W. [Signature]
Professional Engineer

HAYS001305

JUN 19 1987

APPLICATION NO: 21732

NAME: Connecticut General Life Ins.

POINTS OF DIVERSION AND SECTION CORNERS

The actual section corners of the land applied for and the land irrigated have never been clearly marked. (If it was marked at some time, we, nor the present owners and managers could find any marks or records) It appears the land described on the applications was based on visible marks, but we don't know for sure. It might have been surveyed and be more accurate than our method of identifying section corners. Our procedure of finding the section corners consisted of several steps. First, we used copies of the original survey plats to find the dimension of each section. Second, we laid out each section on the large small-scale photos in the ASCS office. For this, we used not only survey plot dimensions, but also by drawing lines across several miles from identifiable boundaries. However, sometimes these points made a section so "out-of-square" that we shifted the boundaries until they were reasonably tolerable. Because some of these marks were based on our judgement, we can not be sure they would be the same if the land was surveyed. These points were then transferred to the large-scale photos included.

The point of diversion location on the photo is correct. The photos were taken at a time when the diversion points were visible. The problem is in our ability to correctly describe the diversion points in relation to section corners.

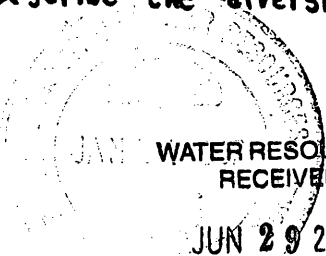
PUMPING PLANT TESTING, INC.

Reviewed by:

SCANNED

Professional Engineer

HAYS001306



APPLICATION NO: 21732

NAME: Connecticut General Life Ins. Co.

APPLICATION OF WATER

	NC NW	NC NE	NC S $\frac{1}{2}$	Total
Normal Operating Flow Rate (GPM)	712	776	885	2373
Hours of Operation on "Approved" Land	1850	1850	1900	
Ac-Ft Applied on "Approved" Land	242.5	264	309.6	816.1
Acres of "Approved" Land Irrigated	124.5	109.25	159.5	393.25
Ac-Ft per Acre Irrigated				2.075*
Ac-Ft Applied at "Approved" Rate or Less				816.1

* Subject to limitation of 1.5 ac-ft per ac of approved land irrigated.



PUMPING PLANT TESTING, INC.

Reviewed by:

M. J. M.

Professional Engineer

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JUN 19 1987

WATER RESOURCES RECEIVED

MICROFILM 1307

DIVISION OF WATER RESOURCES JUN 29 2015

**EXHIBIT
E**

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

- Partial
- Full
- Re-Test

Test 2 of 3 Diversion points
 Application No. 21732 Date 9-30-86 Firm/Field Office Pumping Plant Testing, Inc
 Inspector Ebert/Klassen
 Field Area No. 2 G.M.D. No. 5 County Edwards

Current Landowner Connecticut General Life Insurance % Agri. Affiliates
 Address Box 1162 North Platte, NE 69103 Attn. Jerry Weaver
 Additional landowners and addresses identified in remarks section.

Water Use Classification: 1. Domestic () 2. Industrial () 3. Irrigation
 4. Municipal () 5. Recreation () 6. Stockwatering () 7. Water Power ()

Groundwater Drainage Basin Arkansas River
 Surface Water () Stream _____

Authorized Point of Diversion: NC NW 1/4 Sec. 32, T. 25, R. 19
 Approximately _____ ft. North and _____ ft. West of SE corner of Sec. _____

Actual Point of Diversion: NC NW 1/4 Sec. 32, T. 25, R. 19
 Approximately 4026 ft. North and 3766 ft. West of SE corner of Sec. 32
 How were distances determined? Scaled from ASCS photo.

"Approved" Quantity 834 AF "Approved" Diversion Rate 2400 g.p.m. (5.35 c.f.s.)
 Priority Date Jan. 2, 1974 Approval of Application Date Feb. 27, 1976
 Perfection Date Dec. 31, 1981

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

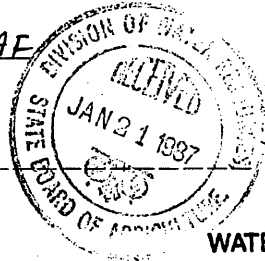
LAND TO BE INCLUDED ON CERTIFICATE:

S	T	R	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
32	25	19	31 1/4	31 1/4	38 1/4	31 1/4	31 1/4	31 1/4	31 1/4	37 1/4	38	2	1	33	4	39	35	2	417

LAND IRRIGATED—YEAR OF RECORD 1985 SEE ATTACHED SHEET

S	T	R	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
32	25	19					30.5	31.5	31.5	31.5	(Went to NW 1/4 only)								125

APPLICATION OF WATER: **SEE ATTACHED SHEET**
 Year of Record 1985 Hours Pumped 1850 or Quantity 2425 AF
 Normal Operating G.P.M. 712 Equiv. c.f.s. 159
 Maximum Operating G.P.M. _____ Equiv. c.f.s. _____



FOR D.W.R. USE ONLY

Year of Record 1985 Extension of time requested: Yes _____ No
 Total No. of Hours on land covered by this application 1850
 Ac. Ft. Applied = 1850 hrs. x 712 g.p.m. x $\frac{4.419}{24 \times 1000}$ = 243 AF
 Acres of "Approved" Land irrigated 125 **DIVIDED**
 Ac. Ft. on "Approved" Land 243 (0.58 Ac. Ft./Ac.)
 Ac. Ft. Used on "Approved" Land at "Approved" Rate or Less 243
 Proration Calculations 125 acres irrigated x 1.5 AF per acre = 187.5 AF
 Perfected Rate 215 g.p.m. Perfected Quantity 188 AF
 DWR-101 Completed by Doug E. Bush 3-19-87 Page 24 of 57E

WATER RESOURCES RECEIVED

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DISFORMED

HAYS001368

GENERAL INFORMATION ON IRRIGATION SYSTEM: NW 1/4 sec. 32, 25-19

Center Pivot High Pressure Low Pressure
Manufacturer Olson Model 103 PL Serial No. 3977
Drive Electric Length of Pivot Arm _____
Design Pressure-Pivot _____ p.s.i. Operating Pressure-Pivot _____ p.s.i.
End Gun? yes End Gun Rating _____ g.p.m. Toro
Is end gun operating during test? yes

Gravity Irrigation (show test set on sketch)
Number of gates open _____ Normal Pipe Size _____
Pressure at pump _____ p.s.i.
 Other Type _____
Manufacturer _____ Model _____ Serial No. _____
Unusual Conditions/Other Info. _____

POWER UNIT INFORMATION:

Manufacturer Ford Model No. 300 HP _____
Serial No. 11896-K-29-T0 Fuel Natural Gas Rated RPM _____

PUMP INFORMATION:

Manufacturer Jacuzzi Model No. LSC/T-622 Rated RPM _____
Serial No. 6C7 22160 Type Vertical Turbine No. stages _____

GEAR HEAD INFORMATION:

Manufacturer Randolph Model No. notag
Serial No. _____ Drive _____ Ratio _____

WELL INFORMATION: Records of well not available to owner's representative.

Date Drilled 1974 Original Depth _____ ft. Static Water Level When Drilled _____ ft.
Tape Down Possible? yes 18' Water Level Measurement Tube? _____
Measuring Point 1 ft. above or below L.S.D.

ADDITIONAL REQUIREMENTS:

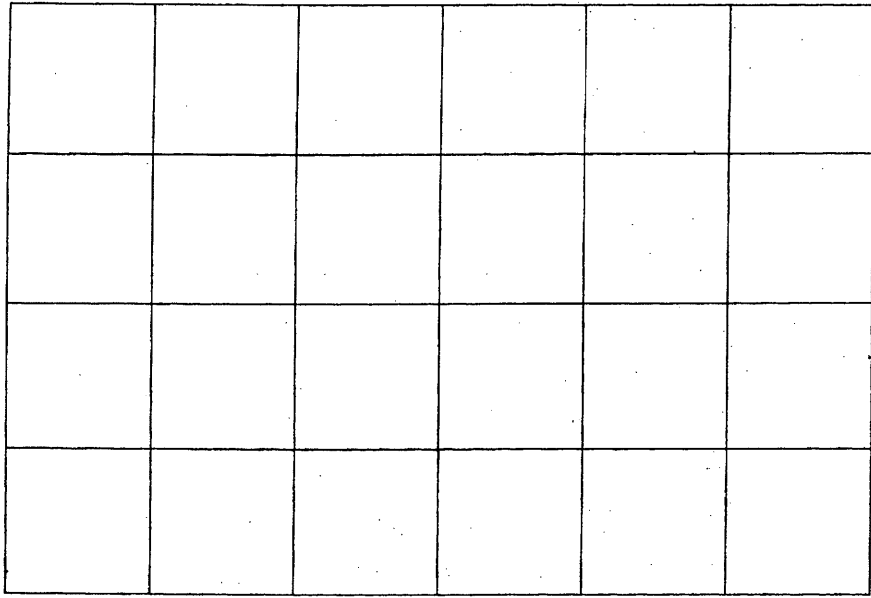
Meter Required? no Make of Meter _____
Meter Model No. _____ Serial No. _____ Size _____ KS DEPT OF AGRICULTURE
Is Meter Installed Properly? _____
Chemical Injection System? yes Check Valve? yes Low Pressure Drain? yes
Vacuum Breaker? yes Are these anti-pollution devices installed properly? yes HAYS001309

If chemicals are injected into system, please attach sketch of system.

WATER RESOURCES RECEIVED

SCANNED JUN 29 2015

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



N



Scale
1" = ____ ft.

TEST OF DIVERSION RATE:

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

Test No. 1—Normal Conditions

R.P.M. POWER UNIT _____
R.P.M. PUMP UNIT 1718
Pressure at Pump 53 psi

Test No. 2—Maximum Conditions

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

Jacuzzi Meter Test

Meter Identification No. _____

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

Velocity (fps)

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

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

Velocity (fps)

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

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

RECEIVED

Propeller Meter Test

Manufacturer _____ Model _____ Serial No. _____

Meter Diameter _____ inches

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

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

Other Flow Meter

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

WATER RESOURCES
RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE

HAYS001310

FUEL RECORDS:

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

Other Fuels Type Natural Gas Supplier Kansas-Nebraska

Rate = $\frac{\text{Volume (test)}}{\text{time}}$ = _____

How was the test volume determined? Not Determined Engine not on individual meter

TABULATION OF WATER USE:

Year	Hours Pumped (hr)	Tested Pumping Rate (gpm)	Water Used (AF)	Acres Irrigated
1974	1128	1000		
1975				
1976				
1977	386	1000		
1978				
1979	1224	650		122
1980	1416	650		122
1981	1152	650		108
1982				
1983	2200**	750**		123**
1984	1750**	800**		125**
* 1985	1850**	712**		125**
1986		712*		

* obtained from test on 9/30/86

** obtained from WUR sent to us from Jerry Weaver

Indicate Year of Record with (*) Source of Information Stafford Files

Crops Irrigated: this year wheat Year of record Al-Salka

REMARKS: See attached sheet for logic in determining year of record.

WATER RESOURCES RECEIVED

JUN 29 2015

Person present at test Kent Naber (name) Irrigation Manager (relationship) KS DEPT OF AGRICULTURE

Water Use Correspondent Lyle Kolbeck (name) Spearville, Ks 67876 (address) 316-385-2803 (phone number)

Conducted by Brag Ebert (signature) Date 10/8/86

Approved by [Signature] (signature), P.E. (title) Date 1/15/87 HAYS001311

APPLICATION NO: 21732 NAME: Connecticut General

COLLINS METER TEST NC NW 1/4

Collins Meter No. 1-83 Meter Calibration Factor 9559

Pipe Inside Diameter (inches) 7 3/4 Flow Rate Factor 145.4

Test Pressure (psi) 53 Test RPM, Pump 1718

Description of Test Location In vertical pipe inside pivot stand

TEST DATA: Check, Initial 5.59 Reversed 5.61
 Meter Setting From Center of Pipe
 Velocity Left Side of Pipe (or Front Side if Vertical Test) Velocity Right Side of Pipe (or Back Side if Vertical Test)

<u>1 9/16</u>	<u>4.88</u>	<u>4.86</u>	<u>6.07</u>	<u>6.04</u>
<u>2 3/4</u>	<u>4.63</u>	<u>4.70</u>	<u>6.09</u>	<u>6.06</u>
<u>3 9/16</u>	<u>2.95</u>	<u>3.82</u>	<u>5.58</u>	<u>5.78</u>

Average Velocity of Water = Sum of Vel. ÷ 12 = 5.12

Corrected Ave. Vel. = (Ave. Vel.) x (Calibration Factor) = 5.12 x 9559 = 4.896

Flow Rate = (Corrected Ave. Vel.) x (Flow Rate Factor) = 4.896 x 145.4 = 712 GPM



Reviewed By:

PUMPING PLANT TESTING, INC.

Hil J. White
Professional Engineer

WATER RESOURCES RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE

HAYS001312

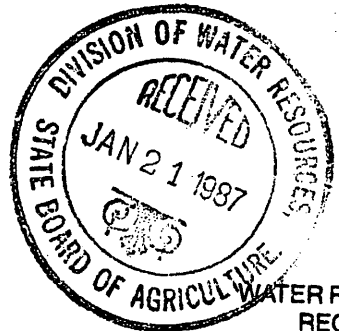
APPLICATION NO: 21,732

NAME: CONNECTICUT GENERAL LIFE
INSURANCE CO, INC.

NOTES ON CHOOSING A YEAR OF RECORD

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

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



WATER RESOURCES RECEIVED

JUN 29 2015

RECEIVED
PUMPING PLANT TESTING, INC.

KS DEPT OF AGRICULTURE

Reviewed JUN 19 1987 *J. W. Hays* HAYS001313

Professional Engineer MICROFILMED

GENERAL INFORMATION ON IRRIGATION SYSTEM:

Center Pivot High Pressure Low Pressure

Manufacturer Olson Model 103 Serial No. 3809

Drive Electric Length of Pivot Arm _____

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

End Gun? yes End Gun Rating _____ g.p.m. Toro

Is end gun operating during test? yes

Gravity Irrigation (show test set on sketch)

Number of gates open _____ Normal Pipe Size _____

Pressure at pump _____ p.s.i.

Other Type _____

Manufacturer _____ Model _____ Serial No. _____

Unusual Conditions/Other Info.

POWER UNIT INFORMATION:

Manufacturer Ford Model No. 460 HP _____

Serial No. _____ Fuel Natural Gas Rated RPM _____

PUMP INFORMATION:

Manufacturer Johnston Model No. _____ Rated RPM _____

Serial No. CF21233 Type Vertical Turbine No. stages _____

GEAR HEAD INFORMATION:

Manufacturer Amarillo Model No. S80

Serial No. 87937 Drive Right Angle Ratio 5:4

WELL INFORMATION: No records available from Owner's Representative

Date Drilled 1974 Original Depth _____ ft. Static Water Level When Drilled _____ ft.

Tape Down Possible? yes 23' Water Level Measurement Tube? no

Measuring Point 1 ft. above or below L.S.D.

ADDITIONAL REQUIREMENTS:

Meter Required? no Make of Meter _____

Meter Model No. _____ Serial No. _____ Size _____

Is Meter Installed Properly? _____

Chemical Injection System? yes Check Valve? yes Low Pressure Drain? yes

Vacuum Breaker? yes Are these anti-pollution devices installed properly? yes HAYS001315

If chemicals are injected into system, please attach sketch of system.

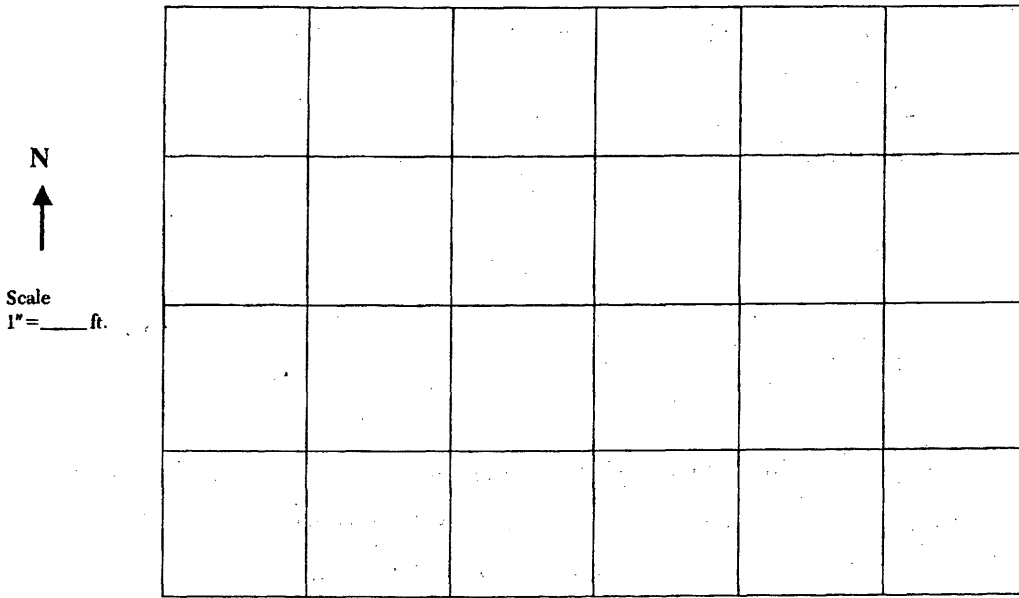
WATER RESOURCES RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE

SCANNED

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



TEST OF DIVERSION RATE:

Length of time well has been operating prior to test 0
 Location of test In horizontal pipe between pump and pivot
 Pipe Diameter (I.D.) 8 1/4 inches

Test No. 1—Normal Conditions

R.P.M. POWER UNIT 2190
 R.P.M. PUMP UNIT 1752
 Pressure at Pump 61 psi

Test No. 2—Maximum Conditions

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

Jacuzzi Meter Test

Meter Identification No. _____

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

Velocity (fps)

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- Total _____
- Avg. _____
- G.P.M. _____

Velocity (fps)

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- Total _____
- Avg. _____
- G.P.M. _____

Propeller Meter Test

Manufacturer _____ Model _____ Serial No. _____

Meter Diameter _____ inches

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

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

Other Flow Meter

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

WATER RESOURCES RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE

PHOTOCOPIED

HAYS001316

SCANNED

FUEL RECORDS:

Electricity Supplier _____
 Meter Manufacturer _____ Type _____ Serial No. _____

K _____ watt/rev r _____ revolutions t _____ seconds

Rate = $\frac{Kr \times 3.6}{t}$ = _____ kw/hr Hours = $\frac{\text{kw-hr}}{\text{rate}}$ = _____

Other Fuels Type Natural Gas Supplier Kansas-Nebraska

Rate = $\frac{\text{Volume (test)}}{\text{time}}$ = _____

How was the test volume determined? Not Determined Engine not on individual meter.

TABULATION OF WATER USE:

Year	Hours Pumped (hr)	Tested Pumping Rate (gpm)	Water Used (AF)	Acres Irrigated
<u>03</u> 1974	<u>2328</u>	<u>1000</u>		
1975				
1976				
1977	<u>651</u>	<u>1500</u>		
1978				
1979	<u>1224</u>	<u>900</u>		<u>157</u>
1980	<u>1416</u>	<u>900</u>		<u>157</u>
1981	<u>1152</u>	<u>900</u>		<u>157</u>
1982				
1983	<u>2200**</u>	<u>900**</u>		<u>158**</u>
1984	<u>1800**</u>	<u>950**</u>		<u>160**</u>
* 1985	<u>1900**</u>	<u>885*</u>		<u>160**</u>
1986		<u>885*</u>		

* obtained from test on 9/20/86

** obtained from WUR sent to us from Jerry Weaver

Indicate Year of Record with (*) Source of Information Stafford Files

Crops Irrigated: this year Soybeans Year of record Alfalfa

REMARKS: See attached sheet for logic in choosing a year of record.

WATER RESOURCES RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE

Person present at test Kent Naber Irrigation Manager
(name) (relationship)

Water Use Correspondent Lyle Kolbeck Spearville, Ks 67876 316-385-2803
(name) (address) (phone number)

Conducted by [Signature] Date 10/8/86

Approved by [Signature] P.E. Date 1/15/87 HAYS001317
(signature) (title)

APPLICATION NO: 21732 NAME: Connecticut General Life Insurance

COLLINS METER TEST NC 5 1/2

Collins Meter No. 1-85 Meter Calibration Factor .9826

Pipe Inside Diameter (inches) 8 1/4 Flow Rate Factor 165.3

Test Pressure (psi) 61 Test RPM, Pump 1752

Description of Test Location In horizontal pipe between pump and pivot

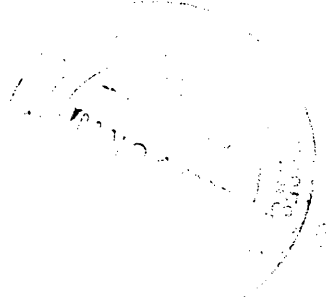
TEST DATA: Q Check, Initial 6.03 Reversed 6.02
 Velocity Velocity
 Meter Setting From Left Side of Pipe Right Side of Pipe
 Center of Pipe (or Front Side if (or Back Side if
 Vertical Test) Vertical Test)

Meter Setting From Center of Pipe	Left Side of Pipe (or Front Side if Vertical Test)	Right Side of Pipe (or Back Side if Vertical Test)
<u>1 1/16</u>	<u>5.95</u>	<u>5.87</u>
<u>2 15/16</u>	<u>5.52</u>	<u>5.45</u>
<u>3 3/4</u>	<u>5.12</u>	<u>4.92</u>

Average Velocity of Water = Sum of Vel. ÷ 12 = 5.45

Corrected Ave. Vel. = (Ave. Vel.) x (Calibration Factor) = 5.45 x .9826 = 5.355

Flow Rate = (Corrected Ave. Vel.) x (Flow Rate Factor) = 5.355 x 165.3 = 885 GPM



Reviewed By:

W. J. N. [Signature]

Professional Engineer

WATER RESOURCES RECEIVED

HAYS001318

JUN 10 2015

JUN 29 2015

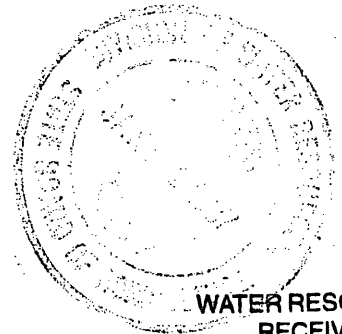
APPLICATION NO: 21,732

NAME: CONNECTICUT GENERAL LIFE INSURANCE CO, INC.

NOTES ON CHOOSING A YEAR OF RECORD

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

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



WATER RESOURCES RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE

PUMPING PLANT TESTING, INC.

Reviewed by:

Neil J. W. [Signature] HAYS001319

Professional Engineer [Stamp]

Application No. 21732

Legend

- /// Land covered on original application
- /// Land covered year of record and present
- wells
- center pivot

25-19

3 farms RECEIVED

D-51

SE corner .015th of E
 Edge of photo
 (Survey
 HAY 6001320
 year
 post)

WATER RESOURCES RECEIVED

JUN 29 2015

THE STATE



OF KANSAS

STATE BOARD OF AGRICULTURE

~~Marked C. Fiddle, Secretary~~
Sam Brownback, Secretary

DIVISION OF WATER RESOURCES

David L. Pope, Chief Engineer-Director

CERTIFICATE OF APPROPRIATION
FOR BENEFICIAL USE OF WATER
WATER RIGHT, File No. 21,732
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 three (3) wells: one (1) well located near the center of the Northeast Quarter (NE $\frac{1}{4}$) of Section 32, more particularly described as being near a point 4,019 feet North and 1,358 feet West of the Southeast corner of said section, at a diversion rate not in excess of 780 gallons per minute (1.74 c.f.s.) and in a quantity not to exceed 165 acre-feet per calendar year; one (1) well located near the center of the Northwest Quarter (NW $\frac{1}{4}$) of Section 32, more particularly described as being near a point 4,026 feet North and 3,966 feet West of the Southeast corner of said section, at a diversion rate not in excess of 715 gallons per minute (1.59 c.f.s.) and in a quantity not to exceed 188 acre-feet per calendar year; and one (1) well located near the center of the

WATER RESOURCES
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KS DEPT OF AGRICULTURE

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MICROFILMED 001336

Re: File No. 21,732

South Half ($S\frac{1}{2}$) of Section 32, more particularly described as being near a point 1,441 feet North and 2,632 feet West of the Southeast corner of said section, at a diversion rate not in excess of 885 gallons per minute (1.97 c.f.s.) and in a quantity not to exceed 240 acre-feet per calendar year, all in Township 25 South, Range 19 West, Edwards County, Kansas, for irrigation use on the following described property:

31.25 acres in the Northeast Quarter of the Northeast Quarter ($NE\frac{1}{4} NE\frac{1}{4}$),
 31.25 acres in the Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4} NE\frac{1}{4}$),
 38.25 acres in the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} NE\frac{1}{4}$),
 31.25 acres in the Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4} NE\frac{1}{4}$),
 31.25 acres in the Northeast Quarter of the Northwest Quarter ($NE\frac{1}{4} NW\frac{1}{4}$),
 31.25 acres in the Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4} NW\frac{1}{4}$),
 31.25 acres in the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4} NW\frac{1}{4}$),
 37.25 acres in the Southeast Quarter of the Northwest Quarter ($SE\frac{1}{4} NW\frac{1}{4}$),
 38.00 acres in the Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4} SW\frac{1}{4}$),
 2.00 acres in the Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4} SW\frac{1}{4}$),
 1.00 acre in the Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4} SW\frac{1}{4}$),
 33.00 acres in the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4} SW\frac{1}{4}$),
 4.00 acres in the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4} SE\frac{1}{4}$),
 39.00 acres in the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4} SE\frac{1}{4}$),
 35.00 acres in the Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4} SE\frac{1}{4}$),
 2.00 acres in the Southeast Quarter of the Southeast Quarter ($SE\frac{1}{4} SE\frac{1}{4}$),

a total of 417.00 acres in Section 32, Township 25 South, Range 19 West, Edwards County, Kansas.

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 lowering of the static

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KS DEPT OF AGRICULTURE

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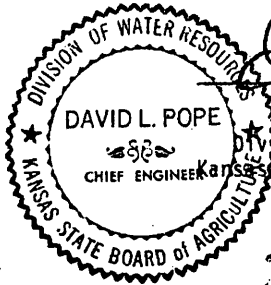
MICROFILMED

JUN 19 1987

HAYS001337

water level and for the reasonable increase or decrease of the stream flow at the appropriator's point of diversion.

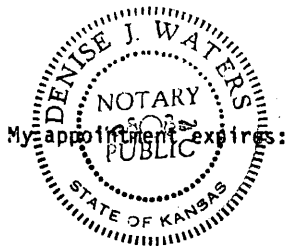
IN WITNESS WHEREOF, I have hereunto set my hand at my office at Topeka, Kansas, this 5th day of June, 1987.



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

State of Kansas }
County of Shawnee } SS

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.



Denise J. Waters
Notary Public

My appointment expires: March 1, 1990

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JUN 19 1987

DIVISION OF WATER RESOURCES
STATE OF KANSAS

MICROFILMED

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

WATER APPROPRIATION

CERTIFICATE

No. 16,035

STATE OF KANSAS

Water Right, File No. 21,732

Page 3 of 57

State of Kansas,

County, ss.

Filed for record this _____ day of _____

198

at _____ o'clock _____ m. and _____

recorded in Book _____ Page _____

Fee \$ _____

Register of Deeds

HAYS001338

WATER RESOURCES RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE

SCANNED

KANSAS STATE BOARD OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

To: Files

Date: March 19, 1987

From: Douglas E. Bush

Re: Appropriation of Water
File No. 21,732

No proposed certificate on file. The certificate is based on a field Inspection Report conducted under contract by Pumping Plant Testing, Inc.

The quantities for wells covered by the above referenced file were calculated as such:

Well near the center of the Northeast Quarter (NE $\frac{1}{4}$), 1,850 hours x 776 gallons per minute x 0.0001841 = 265 acre-feet. 110 acres irrigated x 1.5 acre-feet per acre = 165 acre-feet.

Well near the center of the Northwest Quarter (NW $\frac{1}{4}$), 1,850 hours x 712 gallons per minute x 0.0001841 = 243 acre-feet. 125 acres irrigated x 1.5 acre-feet per acre = 188 acre-feet.

Well near the center of the South Half (S $\frac{1}{2}$), 1,850 hours x 885 gallons per minute x 0.0001841 = 310 acre-feet. 160 acres irrigated x 1.5 acre-feet per acre = 240 acre-feet.

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.

Douglas E. Bush

Douglas E. Bush
Hydrologist

DEB:jt

WATER RESOURCES
RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE

RECEIVED

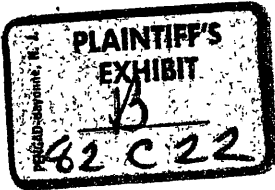
JUN 19 1987

MICROFILMED

HAYS001332

SCANNED

- 21732

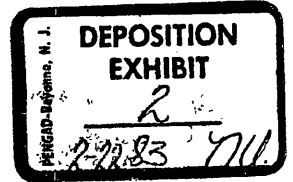


AMERICAN AGRICULTURAL INDUSTRIES, INC.

RURAL ROUTE *1

P O. BOX 187

KINSLEY, KANSAS 67547



TELEPHONES
AREA CODE 316
659-2668
659-2772
659-3711

TELEX NUMBER
910-740-6720

March 25, 1982

Slentz-McAllaster Inc.

P O Box 38

Lewis, Kansas 67552

Dear Don,

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

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

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

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

Best Regards,

Pamela Meadows

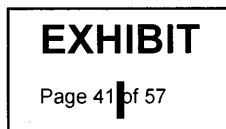
Pamela Meadows

Secretary

*Note: This figure of 2278 removed doesn't include the 54 bales taken this week.

FILED
83 NOV 16 PM 5 05
CLERK DISTRICT COURT
KANSAS

21732



WATER RESOURCES DIVISION
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AYS004448

JUN 29 2015

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KS DEPT OF AGRICULTURE

LUCERNE FARMS HAY
 PRODUCTION

McALLASTERS 4/5		TOTAL BALES	ANIBYPRO 1/5	
#0			#0	
1st	13	16	1st	4
2nd	52	65	2nd	13
3rd	83	104	3rd	21
4th	31	39	4th	8
#1			#1	
1st	73	91	1st	18
2nd	113	141	2nd	28
3rd	127	159	3rd	32
4th	46	58	4th	12
#2			#2	
1st	54	68	1st	14
2nd	106	133	2nd	27
3rd	144	180	3rd	36
4th	48	60	4th	12
#3			#3	
1st	153	191	1st	38
2nd	164	205	2nd	41
3rd	373	466	3rd	93
4th	121	152	4th	31
#4			#4	
1st	82	103	1st	21
2nd	85	106	2nd	21
3rd	170	212	3rd	42
4th	32	40	4th	8
#5			#5	
1st	44	55	1st	11
2nd	155	194	2nd	39
3rd	135	169	3rd	34
4th	38	47	4th	9
#6			#6	
1st	41	51	1st	10
2nd	82	103	2nd	21
3rd	164	205	3rd	41
4th	82	102	4th	20
#7			#7	
1st	141	176	1st	35
2nd	170	212	2nd	42
3rd	206	258	3rd	52
4th	96	120	4th	24
#8			#8	
1st	82	103	1st	21
2nd	122	153	2nd	31
3rd	177	221	3rd	44
4th	99	124	4th	25

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HAYS004449

#9		
1st	119	149
2nd	194	243
3rd	167	209
4th	82	102

#9	
1st	30
2nd	49
3rd	42
4th	20

#10		
1st	77	96
2nd	261	326
3rd	201	251
4th	118	148

#10	
1st	19
2nd	65
3rd	42
4th	30

#11		
1st	116	145
2nd	208	260
3rd	162	202
4th	42	52

#11	
1st	29
2nd	52
3rd	40
4th	10

#12		
1st	130	162
2nd	302	377
3rd	257	321
4th	110	137

#12	
1st	32
2nd	75
3rd	64
4th	27

#13		
1st	75	94
2nd	122	153
3rd	121	151
4th	13	16

#13	
1st	19
2nd	31
3rd	30
4th	4

#16		
1st	70	88
2nd	144	180
3rd	86	108
4th	15	19

#16	
1st	18
2nd	36
3rd	22
4th	4

#17		
1st	107	134
2nd	218	273
3rd	122	152
4th	42	53

#17	
1st	27
2nd	55
3rd	30
4th	11

#18		
1st	23	28

#18	
1st	6

#19		
1st	47	59
2nd	42	53
3rd	50	63

#19	
1st	12
2nd	11
3rd	13

WATER RESOURCES RECEIVED

JUN 29 2015

#30		
1st	126	158
2nd	157	196
3rd	90	113
4th	18	23

#30	
1st	32
2nd	39
3rd	23
4th	5

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#38 HAYS004450

#38		
1st	98	122
2nd	162	202
3rd	95	119
4th	52	65

#38	
1st	24
2nd	40
3rd	24
4th	13

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#39

1st 16
2nd 26
3rd 31

20
33
39

#39

1st 4
2nd 7
3rd 8

Total Bales 10776

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

*Note In order to come up to 8.000 Tons it will take 8.889 bales of 1800lbs.
This will leave Anibypro 1887 bales

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KS DEPT OF AGRICULTURE

HAYS004451

21732
 SLENTZ-MCALLESTER INC.

ALFALFA REMOVED FROM LUCERNE FARMS

	INITIALS	DATE	REFERENCE
PREPARED BY			
CHECKED BY			
APPROVED BY			

DATE	CIRCLE #	CUTTING	AMOUNT OF BALES TAKEN	TONS PER SCALE TICKETS
8-30	7	3rd	52	45.58
	10	3rd	50	43.2
9-7	7	3rd	108	94.34
	12	3rd	104	86.92
9-14	12	3rd	78	66.05
	5	3rd	113	93.85
	10	3rd	116	92.39
	11	2nd	30	18.38
	4	3rd	138	128.08
	12	3rd	30	26.24
9-21	30	3rd	69	57.46
	38	3rd	79	60.97
10-5	6	4th	21	21.97
10-12	8	4th	83	89.20
10-19	7	4th	52	55.89
10-26	9	4th	42	38.54
11-2	10	4th	78	68.8
	12	4th	56	58.83
11-9	9	4th	52	48.76
11-16	2	4th	22	22.82
	9	4th	3	3.00
	8	4th	41	42.36
	10	3rd	20	16.47
	6	4th	26	26.54
	7	4th	34	36.74
11-23	2	4th	22	22.73
	11	4th	26	24.55
	38	4th	52	52.02
12-7	30	4th	22	21.51
	38	4th	4	3.91
12-21	7	3rd	47	41.31
	9	4th	8	7.30
1-4	7	2nd	28	20.98
	7	3rd	11	9.14
	7	4th	15	12.17
1-17	3	4th	60	61.2
1-19	3	4th	28	26.39
	12	4th	56	43.63
1-29	12	3rd	28	18.78
1-30	12	3rd	2	1.75
	12	1st	78	70.52
2-2	5	4th	28	23.51
	12	1st	26	23.17
2-4	7	1st	7	5.44
	7	2nd	8	6.21
	7	3rd	7	5.44
2-11	7	1st	12	10.61
	7	2nd	14	12.38
2-22	30	2nd	52	44.21

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KS DEPT OF AGRICULTURE

HAYS004452

SCANNED

PREPARED BY	INITIALS	DATE	SCALE TICKET
CHECKED BY			
APPROVED BY			

Page 2 of removals
Slentz-McAllaster Inc,

DATE	CIRCLE #	CUTTING	AMOUNT OF BALES TAKEN	TONS PER SCALE TICKET
2-24	38	1st	26	23.75
3-9	7	2nd	30	21.64
3-10	10	3rd	5	3.95
	11	4th	25	23.60
3-15	7	1st	23	21.21
	7	2nd	5	4.61
3-17	8	1st	26	24.58
			TOTALS:	
(* This does not include hay taken this week) 3/25/82			2278'	2,035.58'

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KS DEPT OF AGRICULTURE

HAYS004453

Kansas State Board of Agriculture
Division of Water Resources

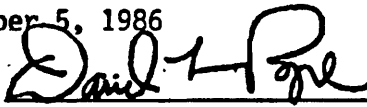
ADMINISTRATIVE POLICY
No. 86-8

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

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

Date: November 5, 1986

History: Effective November 5, 1986

Approved by: David L. Pope 
Chief Engineer

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

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

EXAMPLES:

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

B. 83 acres requested;

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

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

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

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Administrative Policy No.86-8
Page 2

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

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

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

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

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

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

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

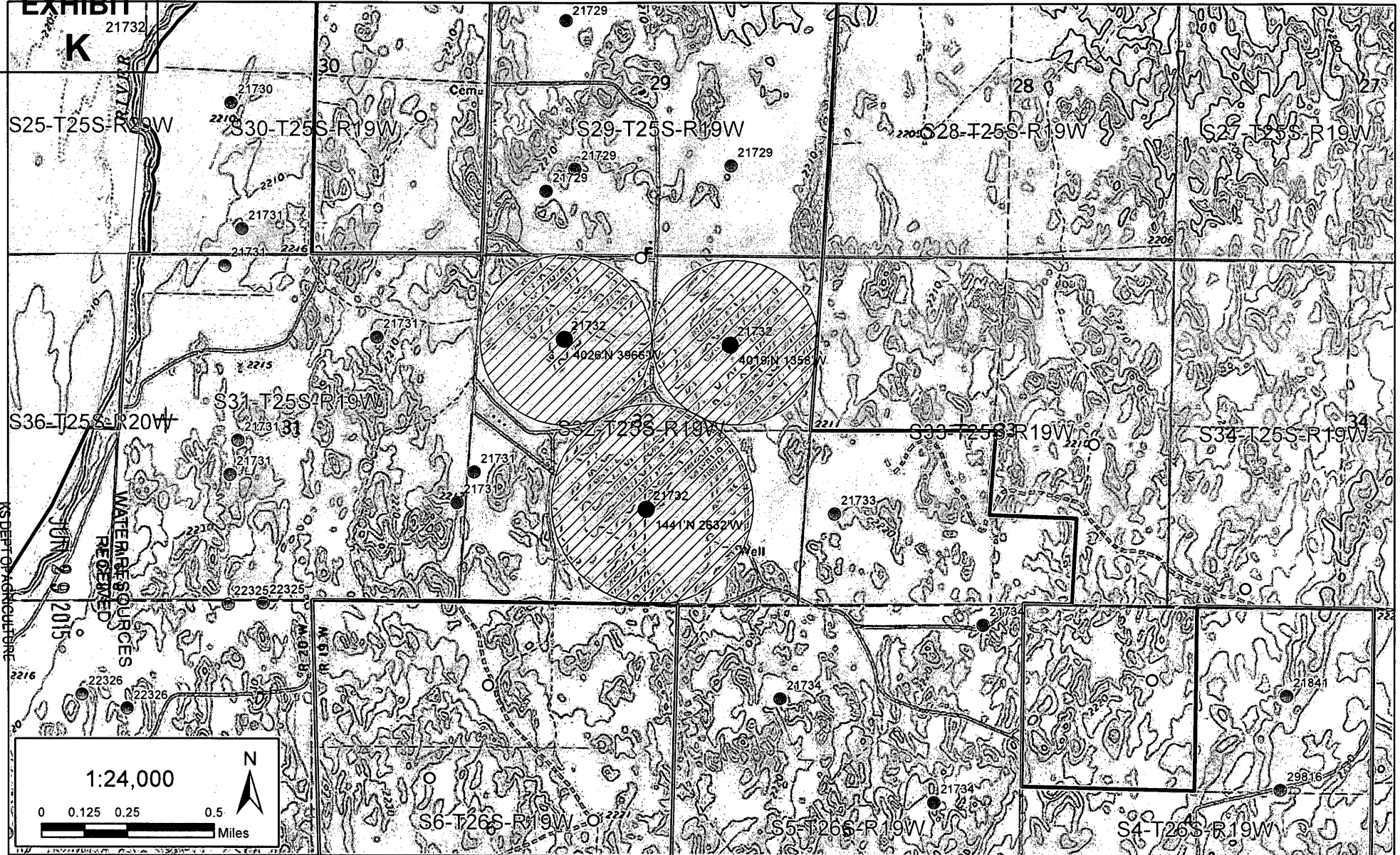
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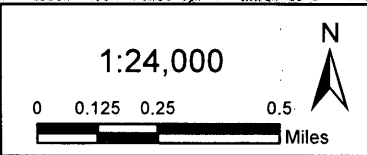
EXHIBIT

21732

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Legend

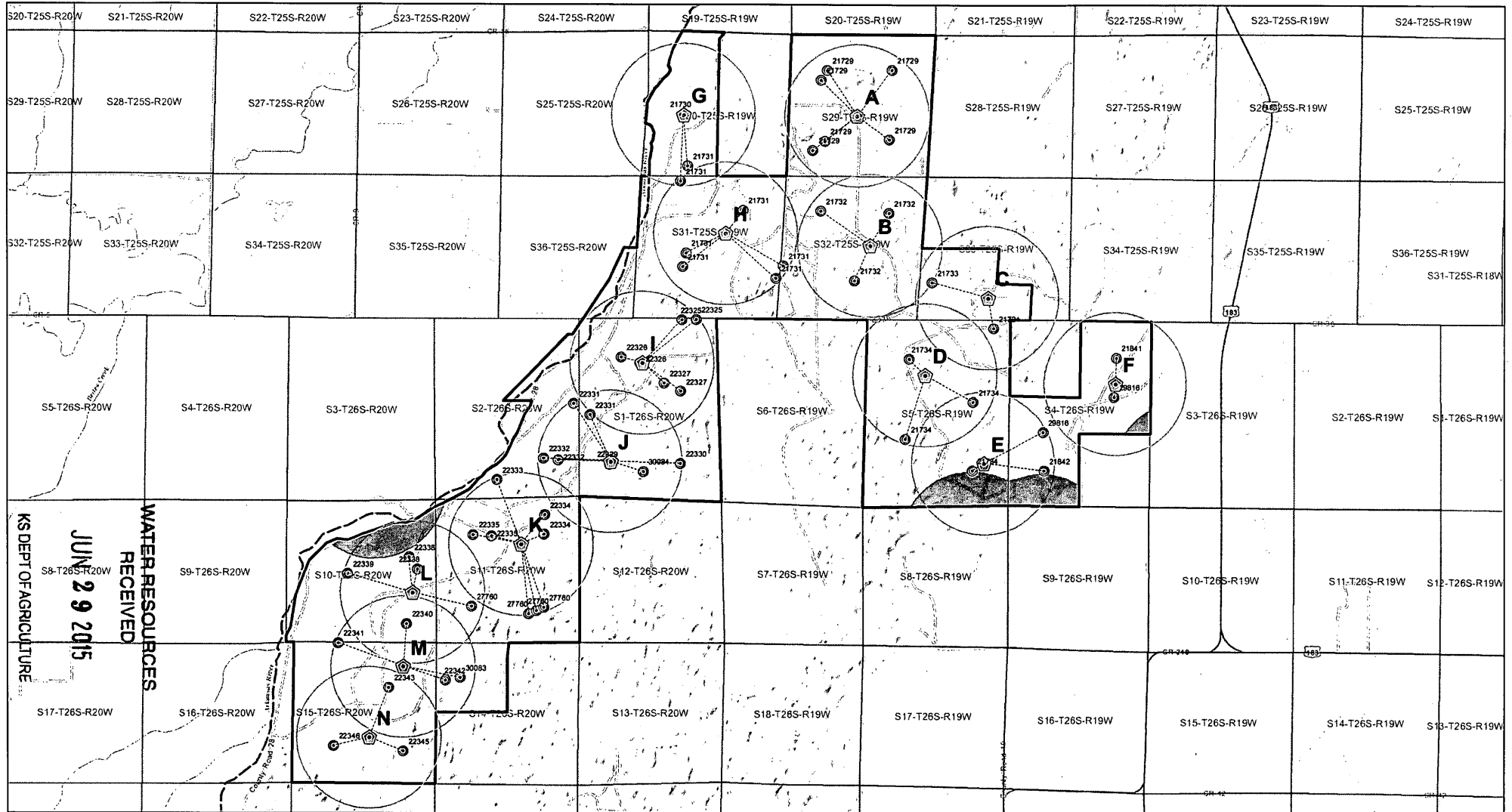
- 21732 Existing Point(s) of Diversion
- Irrigation Wells (File No.)
- ▨ 21732 Existing Place of Use
- Stockwater Wells (File No.)
- ▭ R9 Ranch Property Boundary
- Domestic Well (Non-Permitted)
- ▭ PLSS Sections 21732
- Stock Well (Non-Permitted)
- Existing R9 Ranch Irrigation Wells



**CHANGE APPLICATION 21732
 APPLICATION MAP
 AUTHORIZED PLACE OF USE &
 POINTS OF DIVERSION**

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EXHIBIT
21732
L



Legend

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

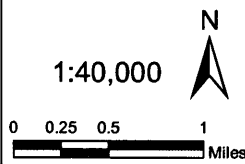
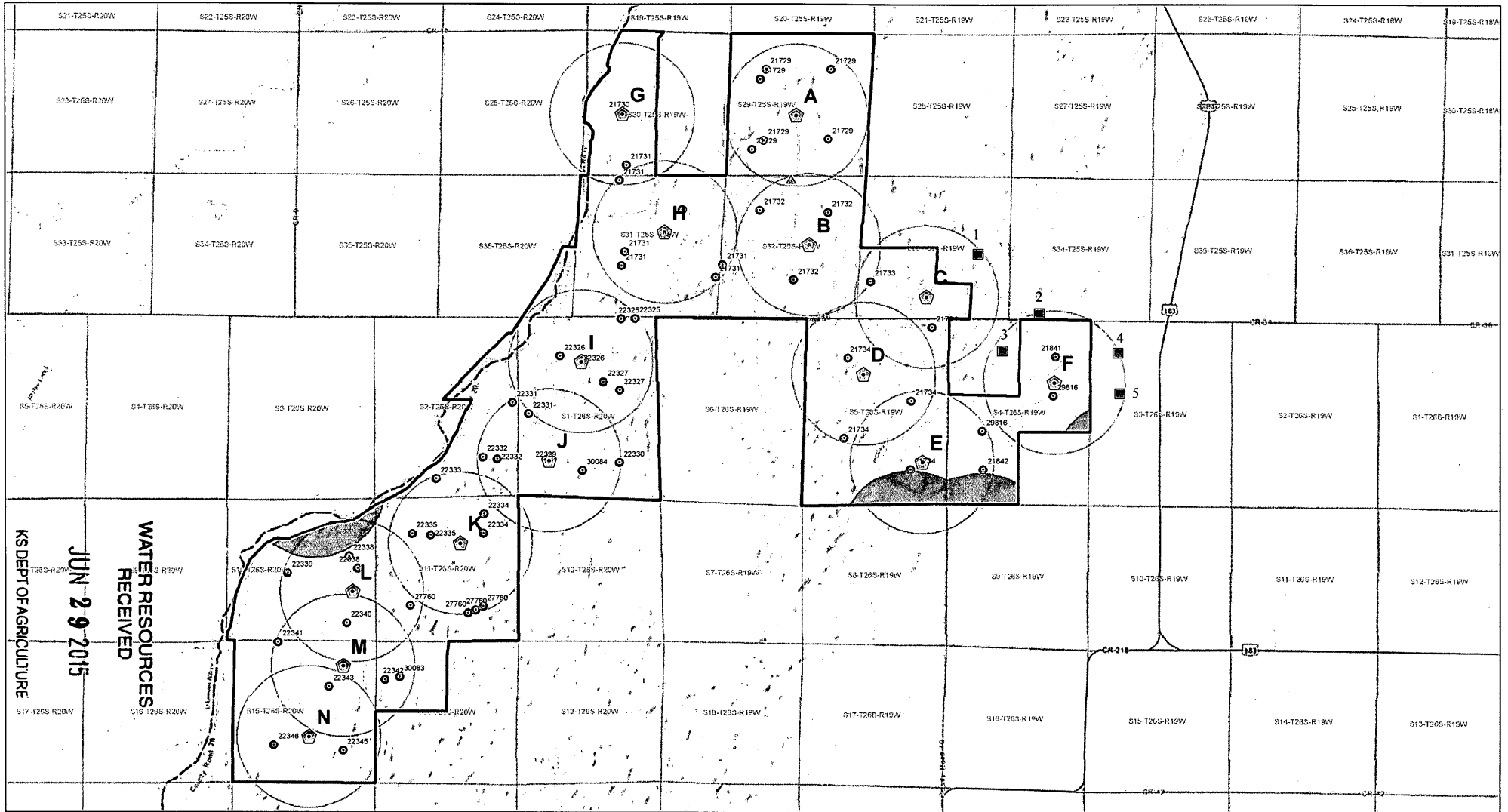


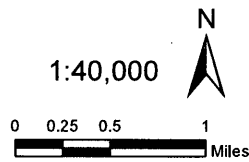
EXHIBIT
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Legend

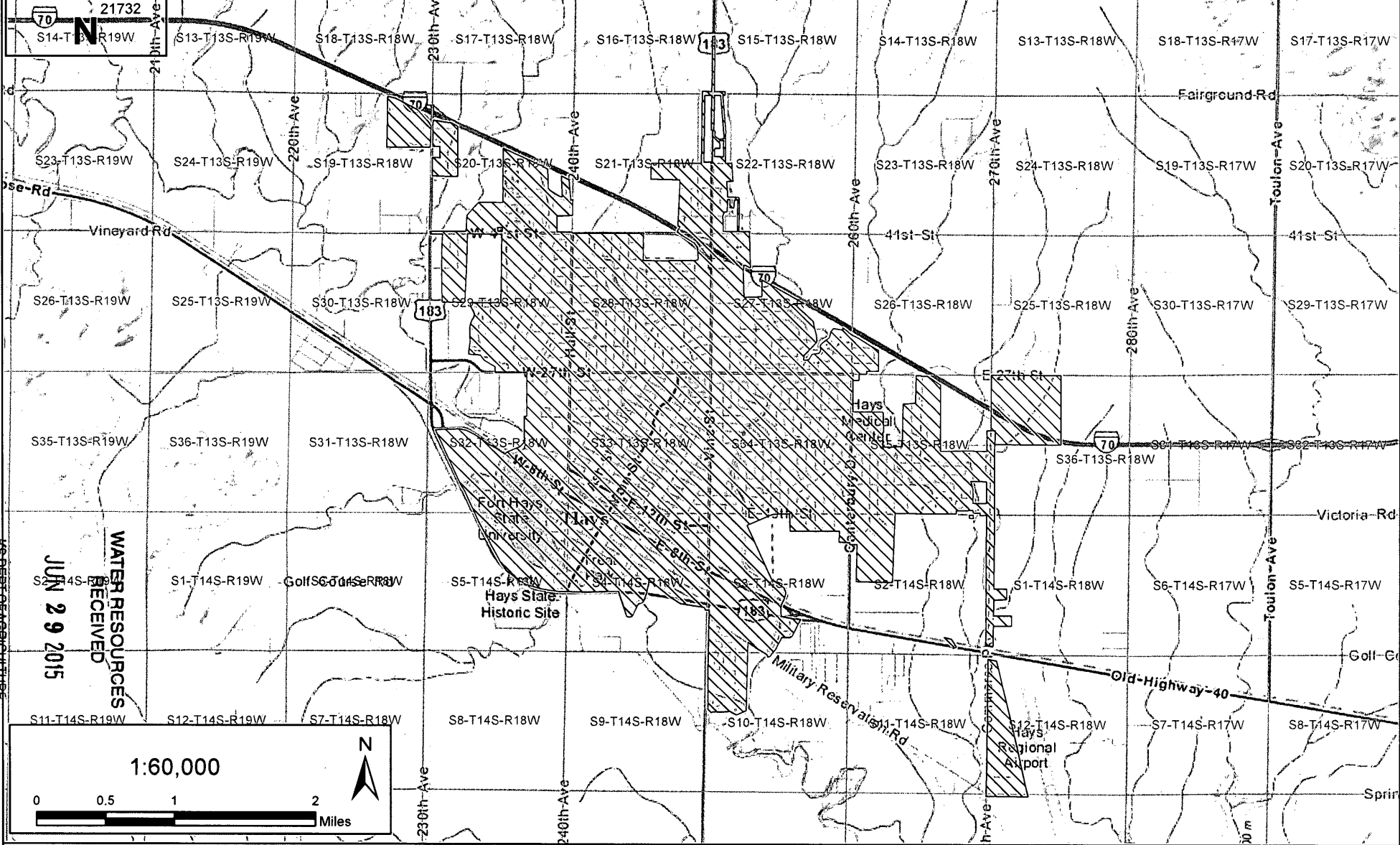
- Proposed Municipal Wells (A-N)
- Existing R9 Ranch Points of Diversion
- 1/2 Mile Buffer Around Proposed Wells
- PLSS Sections
- Area Excluded From Proposed Wells
- R9 Ranch Property Boundary
- Domestic Well (Non-Permitted)
- Stock Well (Non-Permitted)



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Proposed Place of Use City of Hays



PLSS Sections

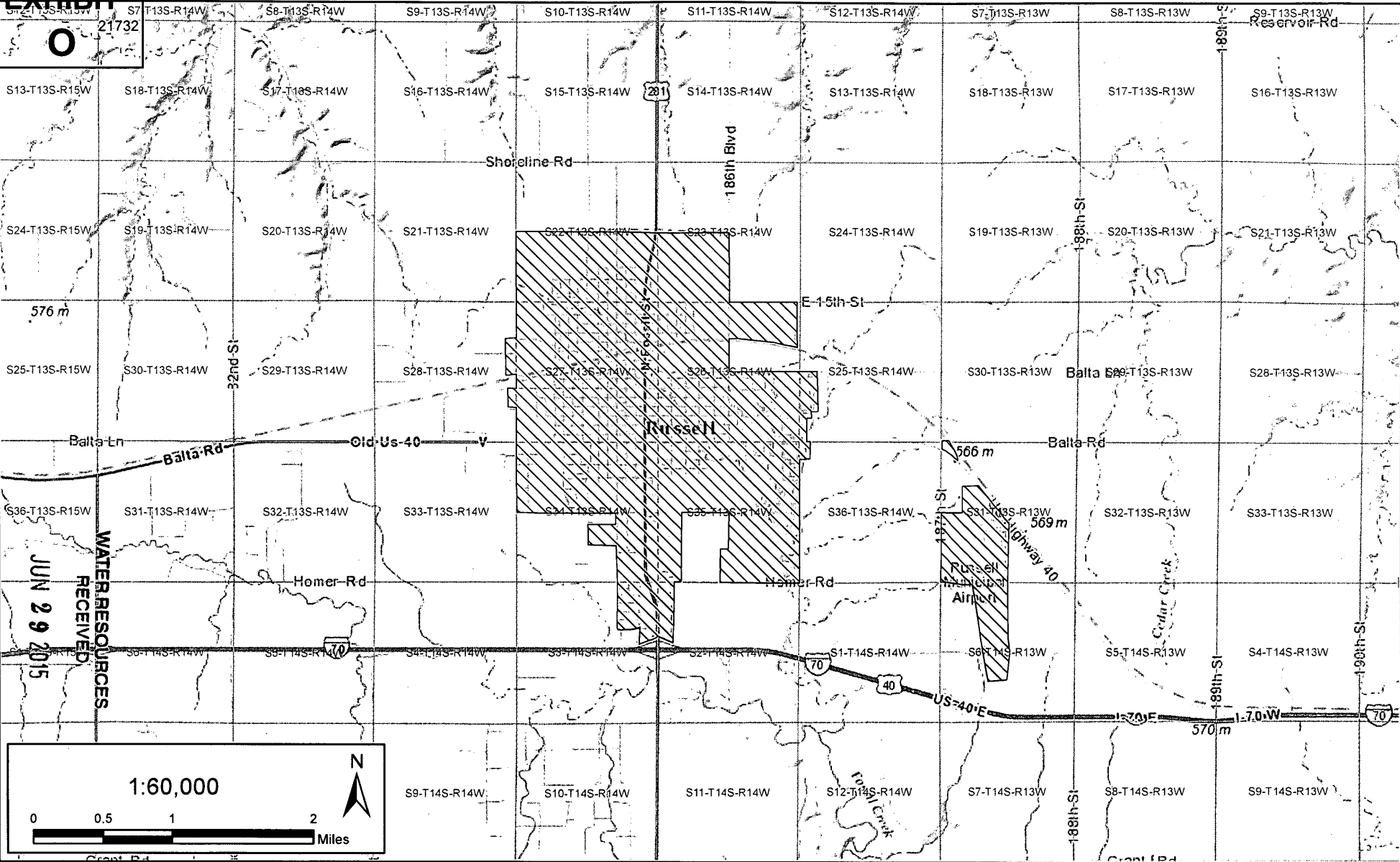


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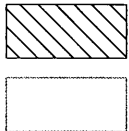
EXHIBIT

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Proposed Place of Use - City of Russell

PLSS Sections



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21732
 Applicant's Name City Of Hays KS
 (Please Print)

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

Application File Number

 (assigned by DWR)

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

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

UNACCOUNTED FOR WATER = TOTAL WATER - ACCOUNTED FOR WATER

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

UNACCOUNTED FOR WATER

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

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

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

**EXHIBIT
 P**

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

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
	Raw Water Diverted Under Your Rights	Water Purchased From All Sources	Water Sold to Other Public Water Suppliers	Water Sold to Your Industrial, Stock, and Bulk Customers	Water Sold to Your Residential and Commercial Customers	Other Metered Water	Remaining Water Used (See Above Explanation)
20 years ago	592,323,000			5,029,000	469,314,000	5,155,000	112,825,000
15 years ago	780,527,000			10,619,000	587,865,000	10,470,000	171,473,000
10 years ago	706,926,000			7,103,000	639,222,000	20,861,000	39,740,000
5 years ago	693,966,000			13,537,000	581,900,000	19,362,000	114,383,000
	TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6			UNACCOUNTED FOR WATER	

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21732
SECTION 3: PROJECTED FUTURE WATER NEEDS

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

	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 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			13,075,260	720,257,340	19,755,670	75,228,120
Year 15	911,148,029			14,382,786	792,283,074	21,731,237	82,750,932
Year 20	1,002,262,832			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/ Feedlot 8,082 Total

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

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

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

Amount of water in Columns 5, 6, and 7 of Section 1 Population from Last Year of Section 4

SECTION 6: AREA TO BE SERVED

Describe the area to be served or provide the legal description of the location where the water is to be used including any other city of water supply system (i.e. Rural Water District): _____

City of Hays, KS Municipal Water Supply

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

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

21732
SECTION 3: PROJECTED FUTURE WATER NEEDS

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

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

SECTION 4: POPULATION AND SERVICE CONNECTIONS

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

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

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

PROJECTED FUTURE POPULATION

ESTIMATE FUTURE POPULATION AND SUBSTANTIATE NUMBERS ON SEPARATE ATTACHMENTS

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

Provide number of current active service connections:

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

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

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

21,991,000 ÷ 4,475 ÷ 365 Days/Year = 135.9 GALLONS PER PERSON PER DAY.

Amount of water in Columns 5, 6, and 7 of Section 1 Population from Last Year of Section 4

SECTION 6: AREA TO BE SERVED

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

You may attach additional information you believe will assist in informing the Division of the Page 07 of 57 request.

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JUN 29 2015

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