

**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 26<sup>th</sup>, 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 29<sup>th</sup>, 2015**. Thus, the June 29<sup>th</sup> date is the correct date and time received by the **Division of Water Resources**.

David. W. Barfield, P.E.

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**

JUN 26 2015

4:07

Chief Engineer  
Division of Water Resources  
Kansas Dept. of Agriculture



State of Kansas

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

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

1. Application is hereby made for approval of the Chief Engineer to change the

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

David. W. Barfield, P.E.  
JUN 28 2015  
4:07  
Chief Engineer  
Division of Water Resources  
Kansas Dept. of Agriculture

WATER RESOURCES  
RECEIVED  
JUN 29 2015  
8:30  
KS DEPT OF AGRICULTURE

File No. 21,842 Circle 11A.

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	<input checked="" type="checkbox"/> YES / <input type="checkbox"/> NO	Use <u>IRR</u>	Source <input checked="" type="checkbox"/> S	County <u>ED</u>	By <u>KAB</u> Date <u>6/29/15</u>
Code <u>C-3</u>	Fee \$ <u>700</u>	TR #	Receipt Date <u>6/22/15</u>	Check # <u>058328</u>			

of 21000- 15053312

SCANNED

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	
4-T26S	R19W										40	40	40	40					160

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

Owner of Land — NAME: City of Russell, Kansas

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

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

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

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

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

Owner of Land — NAME: City of Hays, Kansas

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

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

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

Owner of Land — NAME: City of Russell, Kansas

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

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

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

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

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 SW Quarter  
 of Section 4, Township 26 South, Range 19 (X/W),  
 in Edwards County, Kansas, 1,301 feet North 3,910 feet West of Southeast corner of section.  
 Authorized Rate 900 gpm Authorized Quantity 195 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 NW Quarter of the SE Quarter of the SE Quarter  
 of Section 5, Township 26 South, Range 19 (X/W),  
 in Edwards County, Kansas, 1,577 feet North 901 feet West of Southeast corner of section.  
 Proposed Rate 900 gpm Proposed Quantity 195 a/f  
 This point is:  Additional Well  Geo Center List other water rights that will use this point 29,816 & 21,734

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

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

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

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

RECEIVED  
WATER RESOURCES

- 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](http://www.usgs.gov)). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.
  - a. If a change in the location of the point(s) of diversion is proposed, show:
    - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
    - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 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 RECEIVED

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, 20 15.

[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, 20 15.

Malinda Morse  
Notary Public

My Commission Expires 6/15/18

**FEE SCHEDULE**

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

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

Make check payable to Kansas Department of Agriculture.

WATER RESOURCES  
RECEIVED

JUN 29 2015

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, 20 15.

\_\_\_\_\_  
(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, 20 15.

Malinda Morse  
Notary Public

My Commission Expires 6/15/18

**FEE SCHEDULE**

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

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

Make check payable to Kansas Department of Agriculture.

**WATER RESOURCES  
RECEIVED**

**JUN 29 2015**

### Proposed Rate and Quantity

The Cities are requesting a total of 195 acre-feet and 900 gpm from the well associated with this water right, which will be diverted from new point of diversion E, as shown on Exhibit H. When combined with existing wells from other water rights, new point of diversion E will have a cumulative total of 518.92 acre-feet and 2,561 gpm.

#### 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 140.40 acre-feet for municipal use.<sup>1</sup> As discussed below, 130 approved acres were irrigated during the perfection period; 130 acres multiplied by the Edwards County NIR for corn of 1.08 acre-feet per acre equals 140.40 acre-feet.<sup>2</sup>

That same regulation goes on to allow the City to request that the change be based on the net consumptive use actually made during the perfection period.<sup>3</sup>

#### *Quantity authorized and perfected*

The permit was issued on May 29, 1975, granting the applicant the right to divert up to 240 acre-feet annually at a rate not to exceed 1,000 gallons per minute for irrigation use<sup>4</sup>, on 160 acres in Section 2-T26S-R19W, or 1.5 acre-feet per acre.<sup>5</sup> The certificate limited the quantity to 900 gallons per minute.

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

The Field Inspection Report indicates that 269 acre-feet were applied to 130 acres during the year of record.<sup>7</sup> The permit authorized the perfection of 240 acre-feet on 160 acres, or 1.5 acre-feet per acre, but only 130 of the authorized acres were irrigated during the perfection period, resulting in perfection of 195 acre-feet.

<sup>1</sup> K.A.R. 5-5-9(a) and (a)(1).

<sup>2</sup> K.A.R. 5-5-12, NIR Requirements.

<sup>3</sup> K.A.R. 5-5-9(b).

<sup>4</sup> Permit, HAYS002099, Ex. A.

<sup>5</sup> Application, HAYS002095, Ex. B.

<sup>6</sup> May 29, 1975, letter (emphasis added), HAYS002101, Ex. C.

<sup>7</sup> FIR, HAYS002087, Ex. D, and *American Ag Industries v. Slentz McAlister* Trial Exhibits, HAYS004448-4453, Ex. E.



*NIR for Alfalfa*

Alfalfa was grown on this circle during the perfection period.<sup>8</sup> 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 in at least one year during the perfection period, it is reasonable to use the NIR for alfalfa, which yields a total quantity of 226.42 acre-feet. This quantity is greater than the authorized quantity of 1.5 acre-feet per acre.<sup>9</sup>

The alternative approach discussed in other applications yields the same quantity as the default approach, or 140.40 acre-feet.

The City requests that DWR approve a total of 195 acre-feet for municipal use.

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<sup>8</sup> FIR, HAYS002090, Ex. D.

<sup>9</sup> See K.A.R. 5-5-9(a)(4).

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. 21,842 of the applicant

Mr. Clarence A. Wilson  
2610 North Van Buren  
Hutchinson, Kansas 67501

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 22, 1974.
2. That the water sought to be appropriated shall be used for irrigation on the land described in the application.
3. That the source from which the appropriation is made shall be from ground water in the drainage basin of the Arkansas River to be withdrawn by means of one (1) well near the center of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 4, Township 26 South, Range 19 West, in Edwards County, Kansas, located substantially as shown on the aerial photograph accompanying the application.
4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of  
1000 gallons per minute (2.23 c.f.s.)  
and to a quantity of not to exceed 240 acre-feet for any calendar year.

(OVER)

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WATER RESOURCES  
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JUN 8 1975 MED  
HAYS002099 JUN 29 2015

5. That installation of works for diversion of water shall be completed on or before December 31, 1976. 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, 1980.

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.

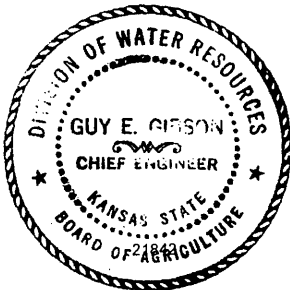
9. That the use of water herein authorized shall not impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

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 29<sup>th</sup> day of May 19 75.



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

WATER RESOURCES RECEIVED

JUN 29 2015

HAYS002100

KS DEPT OF AGRICULTURE



THE STATE OF KANSAS



STATE BOARD OF AGRICULTURE

Roy Freeland, Secretary

DIVISION OF WATER RESOURCES

Guy E. Gibson, Chief Engineer

*Boyle* 1-22-74  
200

NUMBER 21842

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

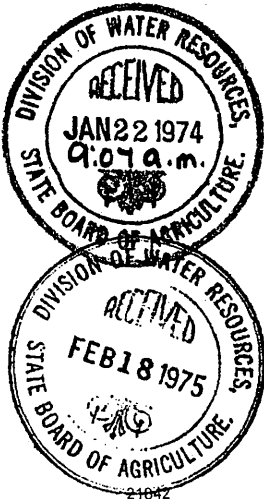
(The Statutory Filing Fee of \$50.00 Must Accompany the Application)

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

(Mr.)  
~~(Mrs.)~~  
Comes now the applicant ~~(Mrs.)~~ CLARENCE A. WILSON whose post office address is 2610 N. VanBuren Hutchinson, Kansas 67501

and makes application to the Chief Engineer of the Division of Water Resources, Kansas State Board of Agriculture, for a permit to appropriate for beneficial use such unappropriated groundwater (surface water or groundwater) as may be available in Arkansas River Valley 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:

- The quantity of water desired is in the amount of 240 acre-feet per year, to be diverted at a maximum rate of 1,000 gallons per minute (acre feet or million gallons) (gallons per minute or cubic feet per second)
- The location of the proposed wells or other works for diversion of water is in the near the center quarter of the quarter of the SW 1/4 quarter of section 4, township 26s, range 19w, in Edwards County, Kansas.
- The water is intended to be appropriated for:



	Amount
(a) Domestic use ( )	_____
(b) Municipal use ( )	_____
(c) Irrigation use (x)	240 acre feet
(d) Industrial use ( )	_____
(e) Recreational use ( )	_____
(f) Water Power use ( )	_____

(check intended use or uses and show intended quantity for each use)

MICROFILMED WATER RESOURCES RECEIVED

RECEIVED JUN 29 2015

JUN 9 1975 HAYS002094S 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:

Owner of Land—NAME: FULL SERVICE INSURANCE, INC.  
 ADDRESS: Box J LaCrosse, Kansas 67548

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 $\frac{1}{4}$	
4-26s-19w									40	40	40	40					160

Owner of Land—NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_

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

Owner of Land—NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_

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

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JUN 29 2015

KS DEPT OF AGRICULTURE

HAYS002095

7. The works for diversion of water will consist of a well, pump, sprinkler system, motor, and center-pivot sprinkler system.  
(wells, pumps, etc.)  
and will be completed by July 1, 1974  
(Date)

8. The first actual application of water for the beneficial use proposed was or is estimated to be June 1, 1974  
(Date)

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

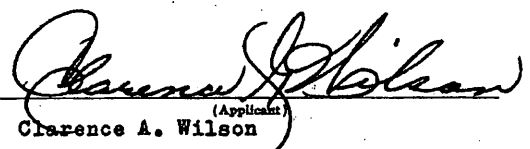
The plat or aerial photograph should show

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

10. List and describe other applications filed or vested rights held by applicant:  
none  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Dated at LaCrosse, Kansas, Kansas, this 18th day of January, 19 74

  
(Applicant)  
Clarence A. Wilson

By \_\_\_\_\_  
(Agent or Officer)

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



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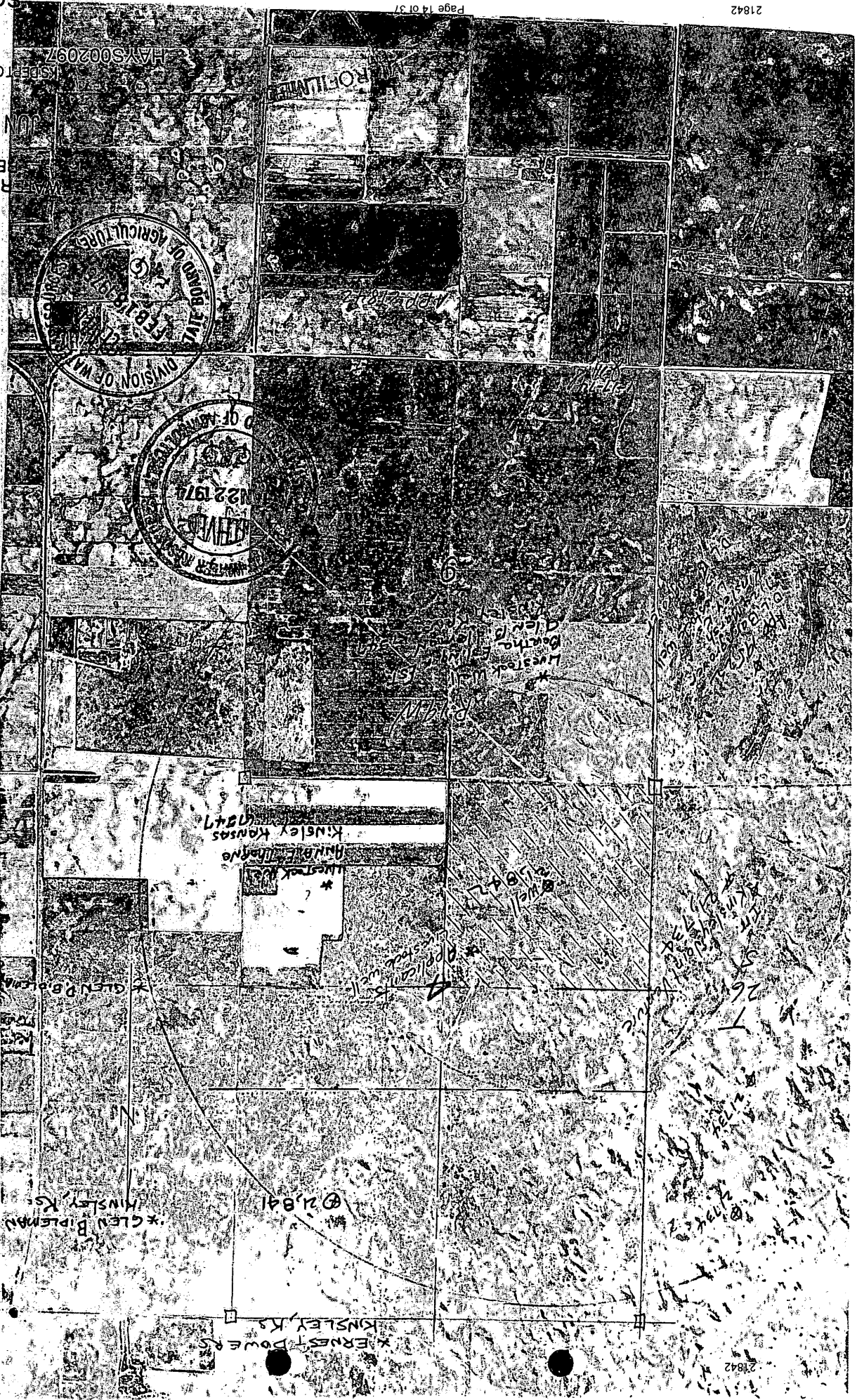
JUN 9 1974 HAYS002096

DEPT OF AGRICULTURE

HAYS002097

JUN 29 2015

RESOURCES RECEIVED



*Handwritten initials and scribbles*

May 29, 1975

Mr. Clarence A. Wilson  
2610 North Van Buren  
Hutchinson, Kansas 67501

Re: Appropriation of Water  
Application No. 21,842  
*ED*

Dear Mr. Wilson:

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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HAYS002101

JUN 9 1975

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FIELD OFFICE  
DIVISION OF WATER RESOURCES  
STATE OF KANSAS

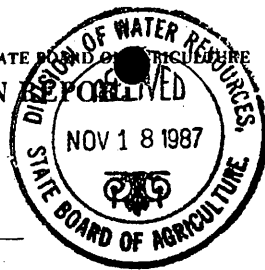
SCANNED

RMD:ee1  
Encs.  
cc: Full Service Insurance, Inc.



**EXHIBIT**  
21842  
**D**

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



- Partial
- Full
- Re-Test

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

Test 1 of 1 Diversion points County Edwards

Application No. 21,842 Inspection Date 7/28/87 Firm/Field Office Pumping Plant Testing, Inc  
Ebert/Stegmaier

Current Landowner Connecticut General Life Ins. Phone No. (308) 534-9240  
% Agrl Associates

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

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

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

Authorized Point of Diversion: NC SW 1/4 Sec. 4, T. 26 R. 19, ID No. 02  
Approximately — ft. North and — ft. West of SE corner of Sec. —

Actual Point of Diversion: NC SW 1/4 Sec. 4, T. 26, R. 19  
Approximately 1301 ft. North and 3910 ft. West of SE corner of Sec. 4  
How were distances determined? Scaled from ASCS aerial photo.

"Approved" Quantity 240 AF "Approved" Diversion Rate 1000 g.p.m. (2.23 c.f.s.)

Priority Date Jan 22, 1974 Approval Date May 29, 1975 Perfection Date Dec 31, 1980

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		
4	26	19										40	40	40	40					160

**LAND IRRIGATED—YEAR OF RECORD** 1984

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		
4	26	19										32.5	32.5	32.5	32.5					130

**TESTED DIVERSION RATES**

Maximum G.P.M. \_\_\_\_\_ (c.f.s. \_\_\_\_\_) Normal G.P.M. 896 (c.f.s. 1.996)

**FOR D.W.R. USE ONLY**

Year of Record 1984 Extension of time needed: Yes (  ) No ( ) Attached? yes ( ) no (  )

Ac. Ft. Applied =  $\frac{1628 \text{ hrs.} \times 896 \text{ g.p.m.} \times 4.419}{24 \times 1000} = 269 \text{ AF}$

"Approved" Land irrigated 130 acres, with 269 AF = 2.07 AF/acre

Total AF (including overlapping Files) RECEIVED 269 ( 2.07 AF/acre)

130 acres irrigated @ 1.5 A.F. per acre  
= 195 A.F. MAY 20 1988

**WATER RESOURCES RECEIVED**

**JUN 29 2015**

**KS DEPT OF AGRICULTURE**

Perfected Rate 900 g.p.m. (2.01 c.f.s.) Perfected Quantity 1713 AF  
Completed by Douglas E. Bush 3-4-88  
DWR-107-1842 Page 16 of 37 **RECEIVED** **MAY 20 1988** **AF** **MICROFILMED**  
Revised January 1987

**SCANNED**

21842  
GENERAL INFORMATION ON IRRIGATION SYSTEM:

Center Pivot

Manufacturer Valley Model 4071 Serial No. 13274

Drive:  Water  Electric Length of Pivot Arm 10 tower acres irr. 130

Design Pressure-Pivot \_\_\_\_\_ p.s.i. Operating Pressure-Pivot \_\_\_\_\_ p.s.i.

Is there an End Gun? (x) yes ( ) no Is end gun operating during Test (x) yes ( ) no

End Gun Model Toro Rating \_\_\_\_\_ g.p.m. Orifice size \_\_\_\_\_

Gravity Irrigation

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

Description \_\_\_\_\_

Other Type \_\_\_\_\_

Manufacturer \_\_\_\_\_ Model \_\_\_\_\_ Serial No. \_\_\_\_\_

unusual condition/other information

POWER UNIT INFORMATION:

Manufacturer Ford Model No. 460 HP -

Serial No. NA Fuel Natural Gas Rated RPM -

PUMP INFORMATION:

Manufacturer Western Land Roller Model No. 12C M Rated RPM \_\_\_\_\_

Serial No. E74379 Type Vertical Turbine No. stages 5

GEAR HEAD INFORMATION:

Manufacturer Amacillo Model No. S100

Serial No. 94267 Drive Right Angle Ratio 1:1

WELL INFORMATION:

Date Drilled May 1974 Original Depth 130 ft. Static Water Level When Drilled \_\_\_\_\_ ft.

Length of time well has (x) operated ( ) rested-prior to measurement 4 (x) days ( ) hrs

Is measurement tube required? ( ) yes (x) no Is measurement tube present ( ) yes (x) no

Depth to water 52 ft. below LSD.

ADDITIONAL REQUIREMENTS:

Is a meter required? ( ) yes (x) no Make of Meter \_\_\_\_\_

Meter Model No. \_\_\_\_\_ Serial No. \_\_\_\_\_ Size \_\_\_\_\_

Is the meter installed properly? ( ) yes ( ) no Check Valve Present? (x) yes ( ) no

Injection port present? ( ) yes (x) no Operating an injection system? ( ) yes (x) no

Low Pressure Drain? (x) yes ( ) no Vacuum Breaker? (x) yes ( ) no

Plant Health Chemigation Report completed? (x) yes ( ) no

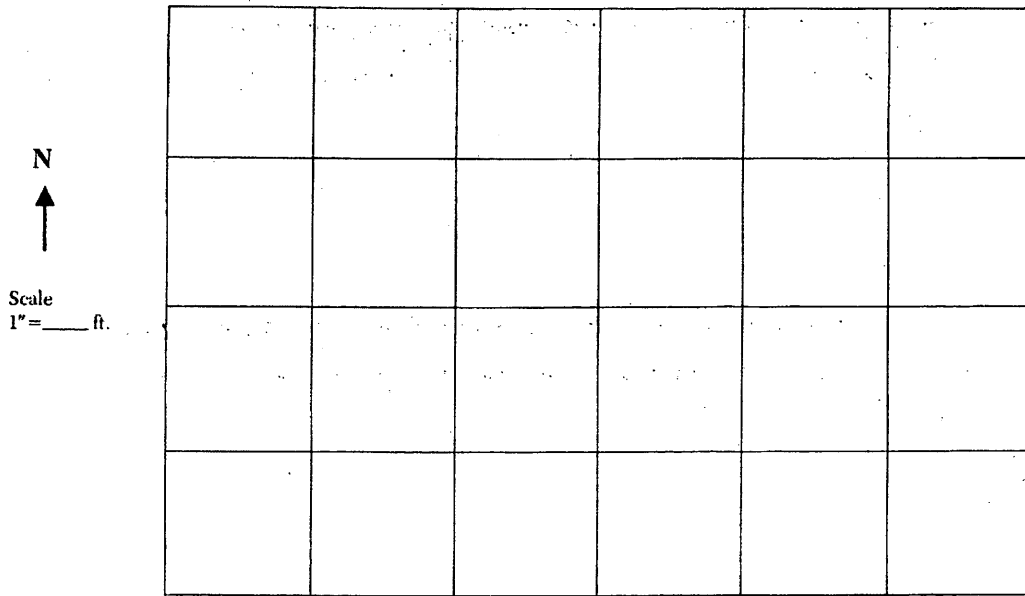
WATER RESOURCES RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE

HAYS002088

21842  
**SKETCH OF ACTUAL PLACE COURSE, LOCATION OF DIVERSION WORK, AND DISTRIBUTION SYSTEM.**  
 (Indicate distribution system layout at time of field test).



**TEST OF DIVERSION RATE:**

Location of test Vertical at center of pivot  
 Pipe Diameter (I.D.) 7 3/4 inches

**Test No. 1—Normal Conditions**

R.P.M. POWER UNIT 2264  
 R.P.M. PUMP UNIT 1887  
 Pressure at Pump 36 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  $K = 2.45 \times I.D.^2 =$  \_\_\_\_\_  $Q \text{ (gpm)} = VK$

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. \_\_\_\_\_

**WATER RESOURCES  
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Meter Diameter \_\_\_\_\_ inches

Ending \_\_\_\_\_ gal.  
 Beginning \_\_\_\_\_ gal.  
 Difference \_\_\_\_\_ gal.  
 Time \_\_\_\_\_ min.  
 Rate \_\_\_\_\_ gpm

Ending \_\_\_\_\_ gal.  
 Beginning \_\_\_\_\_ gal.  
 Difference \_\_\_\_\_ gal.  
 Time \_\_\_\_\_ min.  
 Rate \_\_\_\_\_ gpm

**JUN 29 2015**

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**Other Flow Meter**

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

HAYS002089

TABULATION OF WATER USE:

Year	Hours Pumped ( hr )	Reported Pumping Rate ( gpm )	Water Used ( AF )	Acres Irrigated
1975	1560	900		130
1976				
1977				
1978	950			130
1979				
1980				
1981				
1982				
1983				
* 1984	1628	896**		130
1985	1143	750		130
1986	1085	750		130
1987		896**		
		** obtained from test on 7/28/87		

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

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

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

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

Other Fuels Type \_\_\_\_\_ Supplier \_\_\_\_\_

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

How was the test volume determined? \_\_\_\_\_

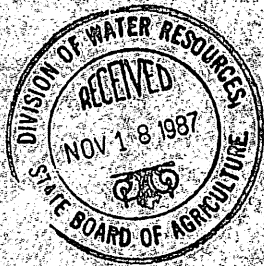
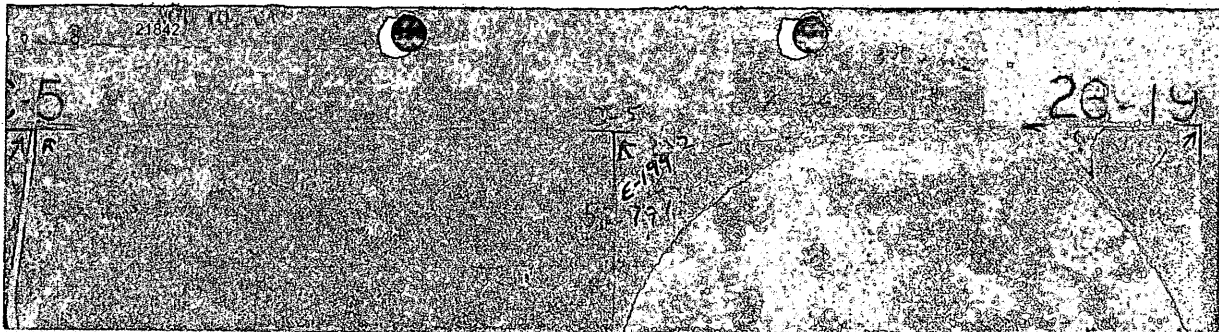
REMARKS: Landowner obtained from Reg of Deeds. See attached sheet for notes on selection of a year of record.

WATER RESOURCES RECEIVED

JUN 29 2015

Person present at test Ray Williams Employee KS DEPT OF AGRICULTURE  
 Water Use Correspondent Jerry Weaver Assoc. Affiliates Box 1162 North Platte NE 69103 308-538-9241  
 Conducted by Le Roy Stegman Date 8/12/87 HAYS002090  
 Approved by Wild J. Winst P.E. Date 11/16/87  
 21842 (signature) Page 1 of 37

SCANNED



Application 21,842

Legend

- o well location
- +++ center pivot
- /// Land on application
- /// Land covered at present

*J. J. Adams*  
7/15/87

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KS DEPT OF AGRICULTURE  
HAYS002091

APPLICATION NO: 21842

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 effort. 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.

PUMPING PLANT TESTING, INC.

Reviewed by: *W. J. M.*

Professional Engineer



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KS DEPT OF AGRICULTURE

HAYS002092

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MAY 20 1988

FIELD OFFICE DIVISION OF WATER RESOURCES Page 21 of 37

MICROFILMED

SCANNED

APPLICATION NO: 21,842 NAME: Cross Alfalfa

COLLINS METER TEST

Collins Meter No. 1-84 Meter Calibration Factor .9635  
 Pipe Inside Diameter (inches) 7 3/4 Flow Rate Factor 145.4  
 Test Pressure (psi) 36 Test RPM, Pump 1887  
 Description of Test Location Vertical at center  
of pivot

TEST DATA:  Check, Initial 6.40 Reversed 6.42  
 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)

Meter Setting	Left Side Velocity	Right Side Velocity
<u>1 9/16</u>	<u>6.98</u>	<u>6.12</u>
<u>2 3/4</u>	<u>7.22</u>	<u>5.72</u>
<u>3 9/16</u>	<u>7.60</u>	<u>5.46</u>

Average Velocity of Water = Sum of Vel. ÷ 12 = 76.72/12 = 6.39

Corrected Ave. Vel. = (Ave. Vel.) x (Calibration Factor) =  
6.39 x .9635 = 6.16

Flow Rate = (Corrected Ave. Vel.) x (Flow Rate Factor) =  
6.16 x 145.4 = 896 GPM



WATER RESOURCES RECEIVED

PUMPING PLANT TESTING, INC. JUN 29 2015

Reviewed By:

*Mild J. West*  
 Professional Engineer

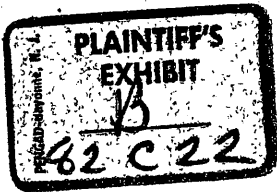
KS DEPT OF AGRICULTURE

HAYS002093

MAY 20 1988

MICROFILMED

-21842

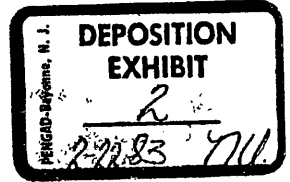


AMERICAN AGRICULTURAL INDUSTRIES, INC.

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

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

HAYS004448



21842

SCANNED



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

WATER RESOURCES  
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JUN 29 2015

KS DEPT OF AGRICULTURE

HAYS004449

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21842

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

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

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

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

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

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

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

#18		
1st	23	28

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

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

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

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

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

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

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

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

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

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

#18		
1st	6	

#19		
1st	12	
2nd	11	
3rd	13	

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

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

WATER RESOURCES RECEIVED

JUN 29 2015

KS DEPT. OF AGRICULTURE

HAYS004450

SCANNED

21842

#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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HAYS004451

21842  
 SLENZ-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

21842

WATER RESOURCES  
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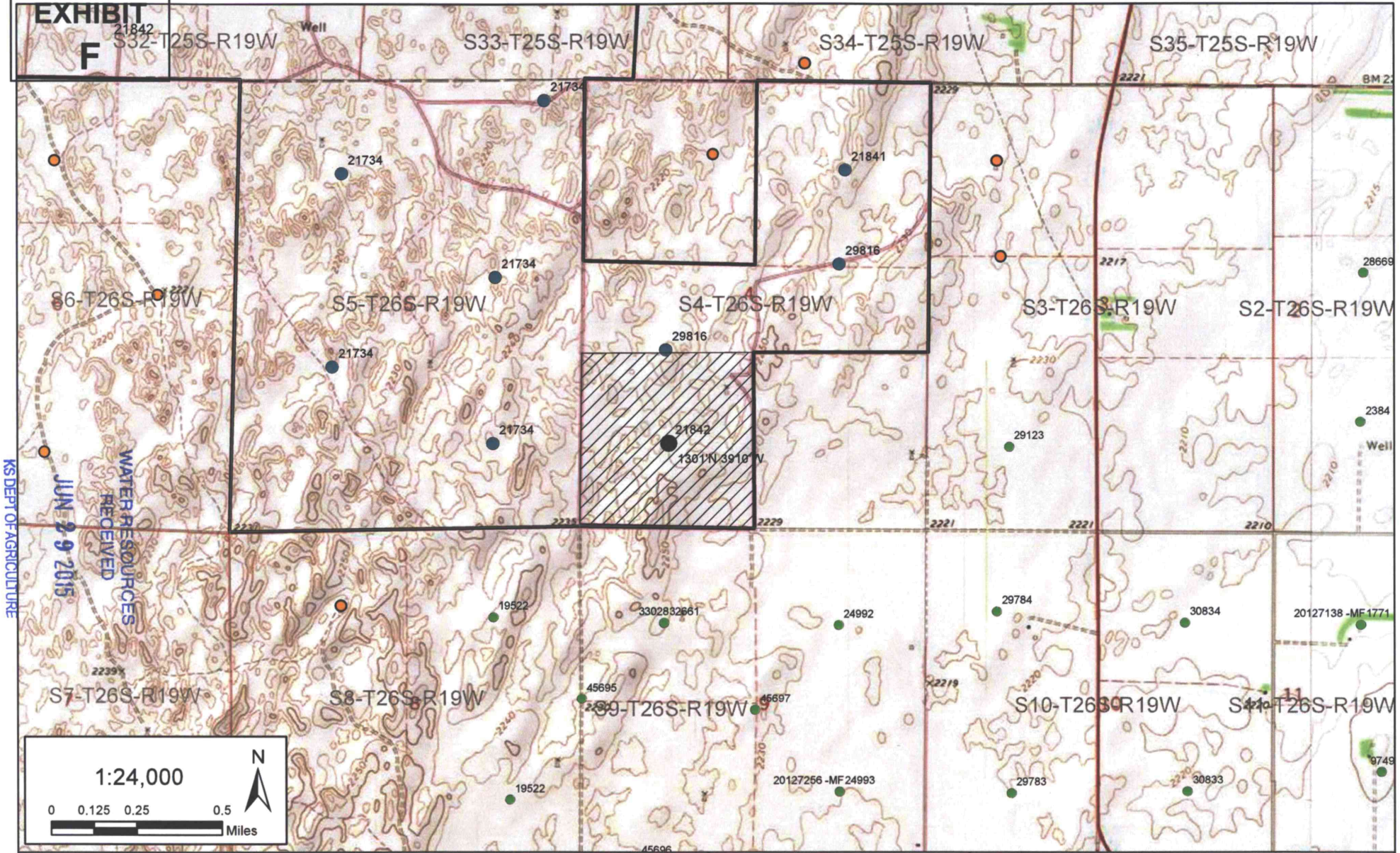
HAYS004452

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**EXHIBIT F**



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**Legend**

- 21842 Existing Point(s) of Diversion
- 21842 Existing Place of Use
- ▭ R9 Ranch Property Boundary
- PLSS Sections 21842
- Irrigation Wells (File No.)
- Stockwater Wells (File No.)
- Domestic Well (Non-Permitted)
- Stock Well (Non-Permitted)
- Existing R9 Ranch Irrigation Wells



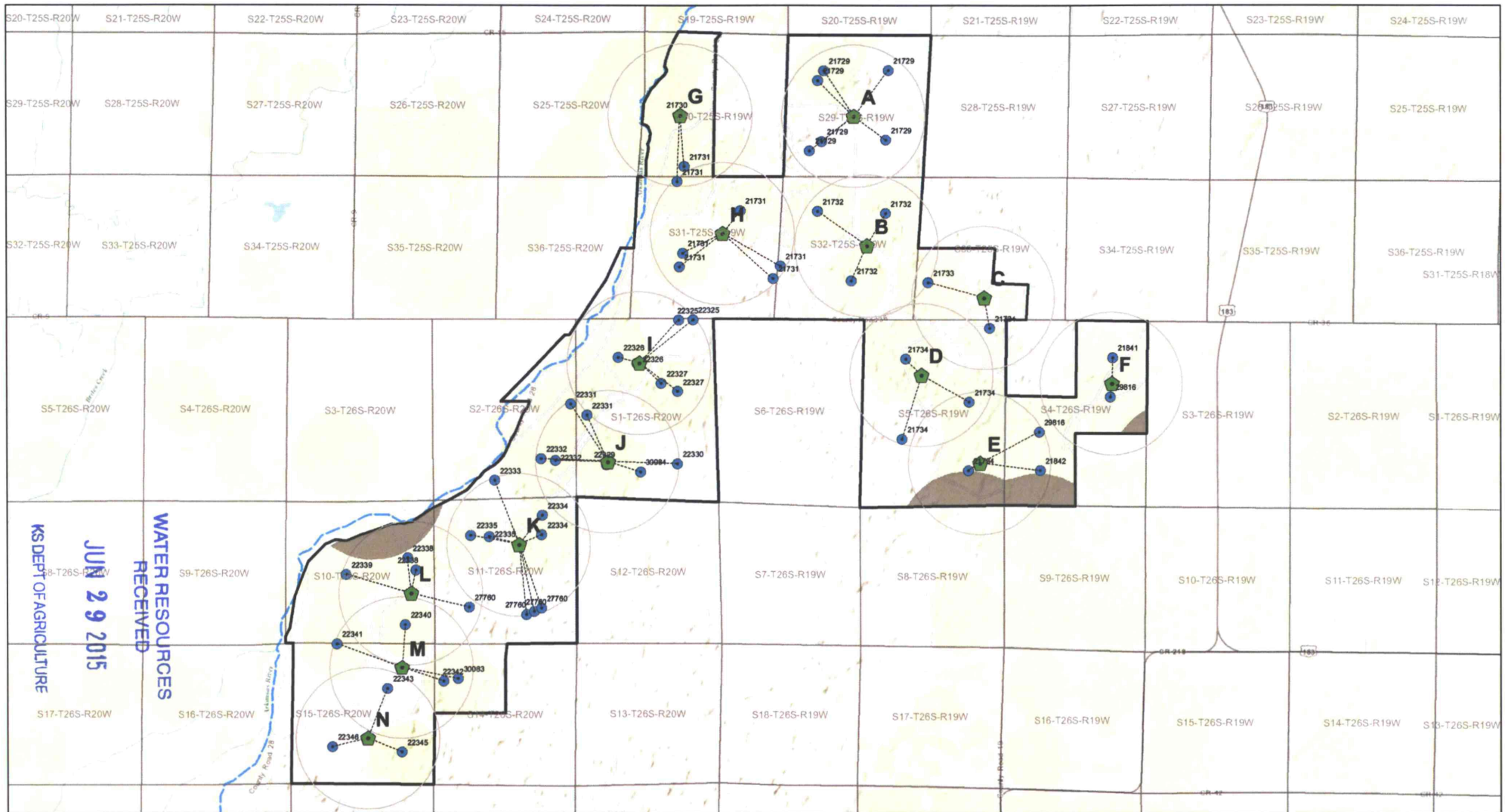
**CHANGE APPLICATION 21842  
APPLICATION MAP  
AUTHORIZED PLACE OF USE &  
POINTS OF DIVERSION**

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# EXHIBIT

# G 21842



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### 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

1:40,000

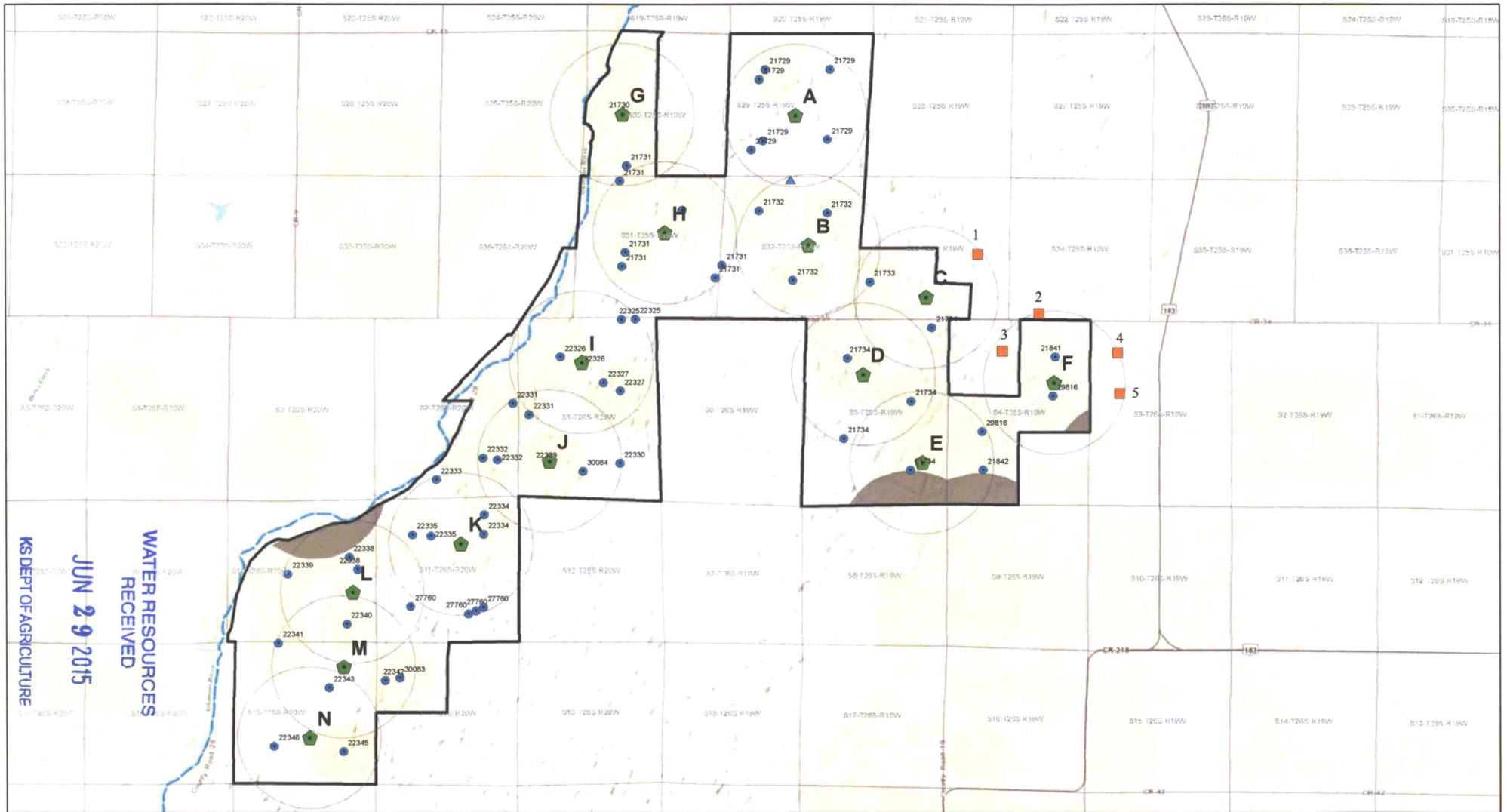


0 0.25 0.5 1 Miles



BURNS  
MCDONNELL

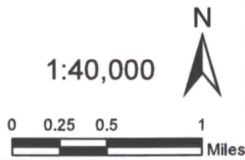
# EXHIBIT H 21842



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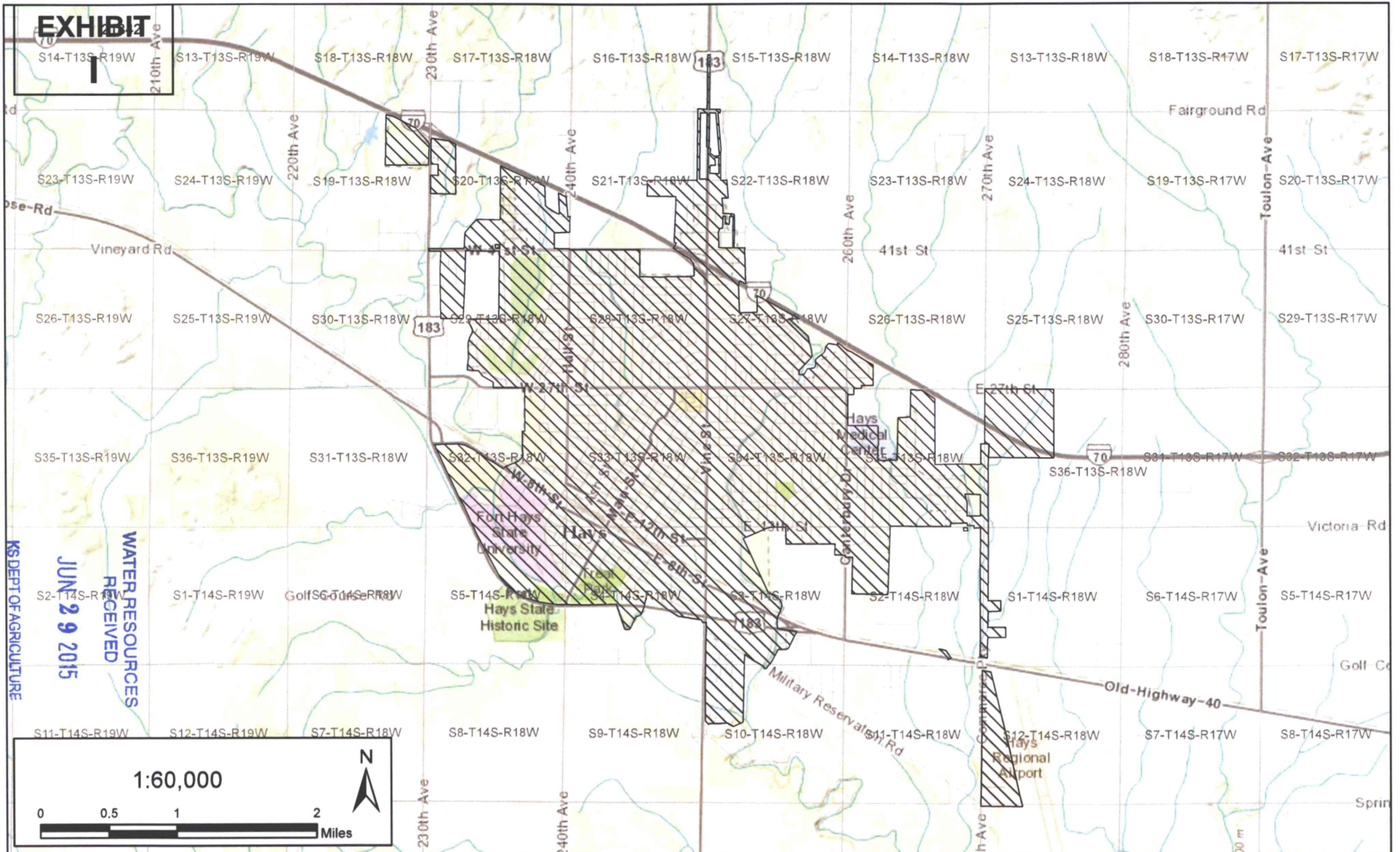
### Legend

- ◆ 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)





**EXHIBIT**



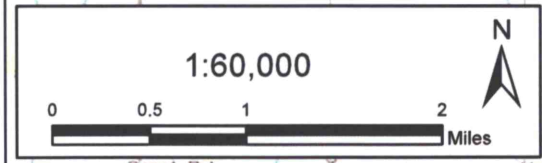
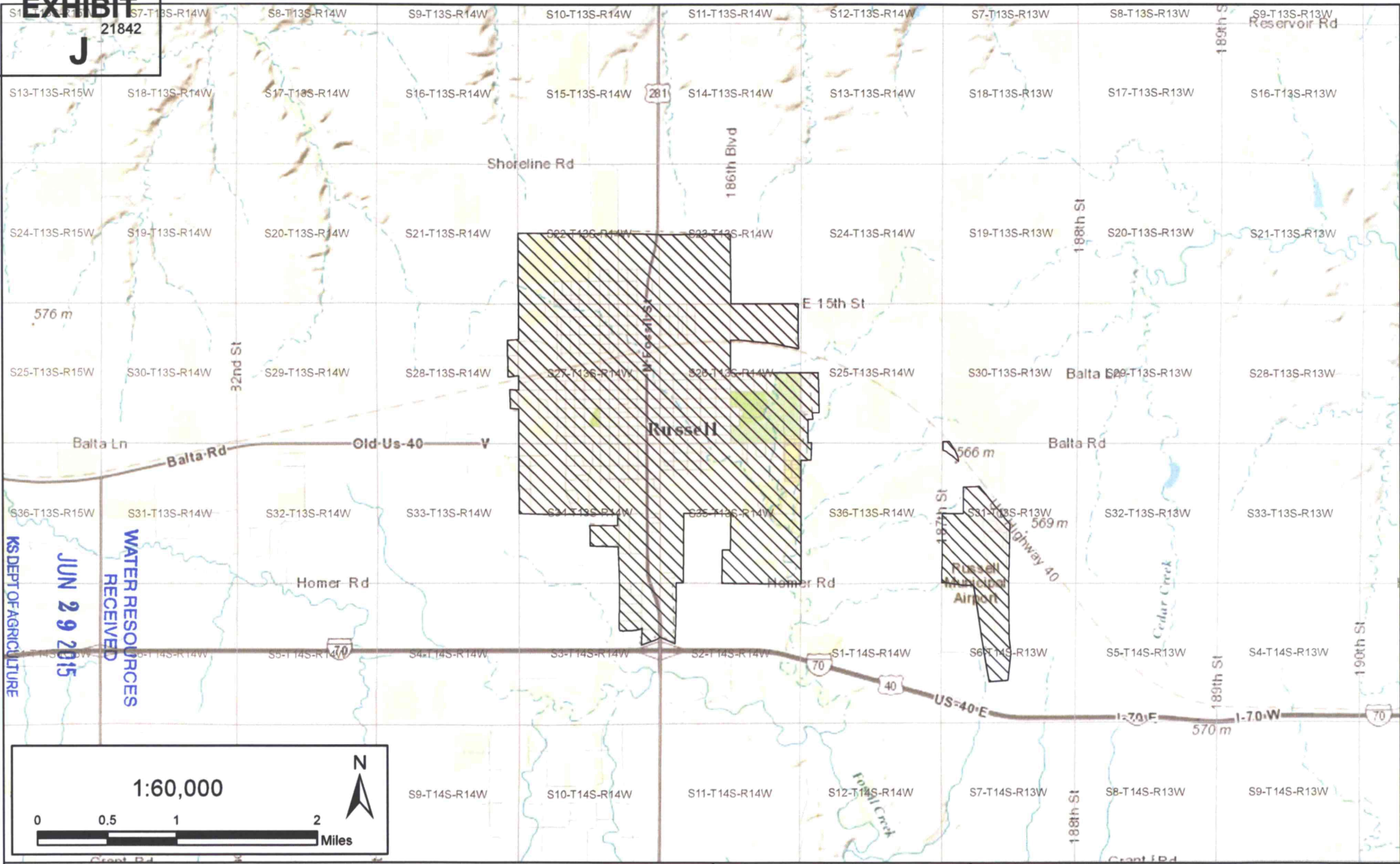
Proposed Place of Use City of Hays





PLSS Sections



**EXHIBIT**  
**21842**  
**J**



-  Proposed Place of Use - City of Russell
-  PLSS Sections



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

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

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
<b>TOTAL WATER = Columns 1 + 2</b>		<b>ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6</b>				<b>UNACCOUNTED FOR WATER</b>

**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  
K**

**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
	<b>TOTAL WATER = Columns 1 + 2</b>		<b>ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6</b>				<b>UNACCOUNTED FOR WATER</b>

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21842  
**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	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	23,804,361	91,026,025
	<b>TOTAL WATER = Columns 1 + 2</b>		<b>ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6</b>				<b>UNACCOUNTED FOR WATER</b>

**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.

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21842  
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	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
	<b>TOTAL WATER = Columns 1 + 2</b>		<b>ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6</b>				<b>UNACCOUNTED FOR WATER</b>

SECTION 4: POPULATION AND SERVICE CONNECTIONS

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

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

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

PROJECTED FUTURE POPULATION

ESTIMATE FUTURE POPULATION AND SUBSTANTIATE NUMBERS ON SEPARATE ATTACHMENTS

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

Provide number of current active service connections:

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

SECTION 5: PRESENT GALLONS PER PERSON PER DAY

CALCULATE YOUR GALLONS PER PERSON PER DAY

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

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

SECTION 6: AREA TO BE SERVED

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

You may attach additional information you believe will assist in informing the Division of the Page 87 of 90 request.

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