

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, PE

JUN 26 2015
4:28
Chief Engineer
Division of Water Resources
Kansas Dept. of Agriculture



State of Kansas

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

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

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

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

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

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

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

**WATER RESOURCES
RECEIVED**
JUN 29 2015
8:13
KS DEPT OF AGRICULTURE

File No. 30,083 Circle 36.

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

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

City, State and Zip: Wichita, Kansas 67206

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

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

Name of water use correspondent: City of Hays, Kansas

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

City, State and Zip: Hays, Kansas 67601

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

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

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

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

of 21000-

15053305

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	
14-T26S-R20W							21.5	38.5	38.5	21									119.5
15-T26S-R20W			7.5			7.0													14.5

List any other water rights that cover this place of use: File No. 22,342

Owner of Land — NAME: City of Russell, Kansas

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

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

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

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

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

Owner of Land — NAME: City of Hays, Kansas

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

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

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

Owner of Land — NAME: City of Russell, Kansas

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

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

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

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

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

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the near the center of Quarter of the E/2 of the W/2 Quarter of the NW Quarter of Section 14, Township 26 South, Range 20 (E/W), in Edwards County, Kansas, 3,994 feet North 4,328 feet West of Southeast corner of section. Authorized Rate 1,000 gpm* Authorized Quantity 126 a/f
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the SW Quarter of the NE Quarter of the NE Quarter of Section 15, Township 26 South, Range 20 (E/W), in Edwards County, Kansas, 4,367 feet North 1,228 feet West of Southeast corner of section. Proposed Rate 1,000 gpm Proposed Quantity 43.92 a/f
 This point is: Additional Well Geo Center List other water rights that will use this point 22,340-42

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

*The rate is further limited to 1,085 gpm when combined with File No. 22,342.

- 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 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.

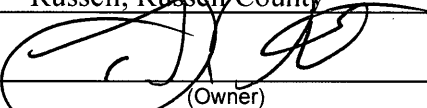
The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

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.



(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

KS DEPT OF AGRICULTURE

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

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

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

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

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

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

(Owner) _____ (Spouse)

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

(Owner) _____ (Spouse)

(Please Print) _____ (Please Print)

(Owner) _____ (Spouse)

(Please Print) _____ (Please Print)

State of Kansas }
County of Russell } SS



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

Malinda Morse
Notary Public

My Commission Expires 6/15/18

FEE SCHEDULE

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

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

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

WATER RESOURCES RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE

Proposed Rate and Quantity

The Cities are requesting a total of 43.92 acre-feet and 1,000 gpm from the well associated with this water right, all of which will be diverted from new point of diversion M, as shown on Exhibit G. When combined with existing wells from other water rights, new point of diversion M will have a cumulative total of 475.5 acre-feet and 3,500 gpm.

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

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

This file overlaps with File No. 22,342.

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 61 acre-feet to municipal use.¹ 134 approved acres irrigated during the perfection period multiplied by the Edwards County NIR for corn of 1.08 acre-feet per acre equals 144.72 acre-feet.² However, as discussed below, only an additional 61 acre-feet were perfected.

Moreover, 140 acre-feet should be approved for municipal use under File No. 22,342, and since there is a complete overlap in the place of use, only an additional 4.72 acre-feet is available for municipal use from this file.

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 7, 1978, 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 on 160 acres in Section 14-T26S-R20W.⁴ The certificate further limited the diversion rate to 1,085 gallons per minute when combined with water right number 22,342.⁵

The Field Inspection Reports indicate that 61 of the 240 acre-feet authorized by the permit were lawfully perfected.

- 234 acre-feet were applied to 134 approved acres in the NW/4 of Section 14-T26S-R20W, or 1.75 acre-feet per acre.⁶
- The permit authorized the perfection of 240 acre-feet per acre on 160 acres, or 1.5 acre-feet per acre, resulting in the perfection of 201 acre-feet.⁷

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, HAYS004329, Ex. A.

⁵ Certificate, HAYS004345, Ex. B.

⁶ FIR, HAYS004308, Ex. C.

⁷ Permit, HAYS004329, Ex. A.

- 140 acre-feet were perfected on this circle under File 22,342. Thus only an additional 61 acre-feet were perfected.

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.⁸ 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 61 acre-feet legally applied during the perfection period percolates back to the aquifer, then 72%, or 43.92 acre-feet, should be available for conversion to municipal use. This is less than the 61 acre-feet authorized so the limitation in K.A.R. 5-5-9(a)(4) is not implicated.

The Applicants request that DWR approve a total of 43.92 acre-feet for municipal use.

⁸ Administrative Policy No. 86-8, dated Nov. 5, 1986, Ex. D, 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.



STATE BOARD OF AGRICULTURE
W. W. Duitsman, 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. 30,083 of the applicant

First National Investors Corp., Inc. & Paul Mann
d/b/a/ Kinsley Farms
453 South Webb Road, P. O. Box 18383
Wichita, Kansas 67218

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 **July 1, 1977.**
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

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 $\frac{1}{4}$	
14	26S	20W					40	40	40	40									160

3. That the source from which the appropriation is made shall be from groundwater in the drainage basin of the Arkansas River to be withdrawn by means of one (1) well near the center of the Northwest Quarter (NW $\frac{1}{4}$) of Section 14, Township 26 South, Range 20 West, in Edwards County, Kansas, located substantially as shown on the topographic map 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

per calendar year.

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FEB 20 1978

WATER RESOURCES RECEIVED

FIELD OFFICE
DIVISION OF WATER RESOURCES
STAFFORD

HAYS004329 JUN 29 2015

5. That installation of works for diversion of water shall be completed on or before December 31, 1979. The applicant shall notify the Chief Engineer of the Division of Water Resources when construction of the works has been completed.
6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before December 31, 19 83.
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.
13. That the quantity of water and rate of diversion approved under this application is further limited to the quantity and rate which combined with Application No. 22,342 will provide a total of not more than 278 acre-feet of water per calendar year to be diverted at a maximum rate of 1820 gallons per minute (4.05 c.f.s.) for irrigation on the land described in the application.

Dated this 7th day of February 1978.



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

WATER RESOURCES RECEIVED

HAYS004330 JUN 29 2015

SCANNED

KS DEPT OF AGRICULTURE

THE STATE



OF KANSAS

STATE BOARD OF AGRICULTURE

Gary Hall, Acting Secretary

DIVISION OF WATER RESOURCES

David L. Pope, Chief Engineer

CERTIFICATE OF APPROPRIATION

FOR BENEFICIAL USE OF WATER

WATER RIGHT, File No. 30,083

PRIORITY DATE July 1, 1977

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

NOW, THEREFORE, Be It Known that DAVID L. POPE, the duly appointed, qualified and acting Chief Engineer of the Division of Water Resources of the Kansas State Board of Agriculture, by authority of the laws of the State of Kansas, and particularly K.S.A. 82a-714, does hereby certify that, subject to vested rights and prior appropriation rights, the appropriator is entitled to make use of groundwater in the drainage basin of the Arkansas River to be withdrawn by means of a well located near the center of the East Half of the West Half of the Northwest Quarter (E½ W½ NW¼) of Section 14, more particularly described as being near a point 3,994 feet North and 4,328 feet West of the Southeast corner of said section, in Township 16 South, Range 20 West, Edwards County, Kansas, at a diversion rate not in excess of 1,000 gallons per minute (2.23 c.f.s.) and in a quantity not to exceed 126 acre-feet per calendar year for irrigation use on the following described property:

- 21.5 acres in the Northeast Quarter of the Northwest Quarter (NE¼ NW¼),
- 38.5 acres in the Northwest Quarter of the Northwest Quarter (NW¼ NW¼),
- 38.5 acres in the Southwest Quarter of the Northwest Quarter (SW¼ NW¼),
- 21.0 acres in the Southeast Quarter of the Northwest Quarter (SE¼ NW¼),

a total of 119.5 acres in Section 14,

- 7.5 acres in the Northeast Quarter of the Northeast Quarter (NE¼ NE¼),
- 7.0 acres in the Southeast Quarter of the Northeast Quarter (SE¼ NE¼),

a total of 14.5 acres in Section 15,

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

WATER RESOURCES RECEIVED

JUN 29 2015

KS DEPT OF AGRICULTURE

This appropriation right is further limited to a diversion rate which when combined with the water right set forth in the Certificate of Appropriation issued pursuant to File No. 22,342, will provide a diversion rate not in excess of 1,085 gallons per minute (2.42 c.f.s.) for irrigation use on the land described herein.

RECEIVED

SCANNED

MAY 06 1992

HAYS004345

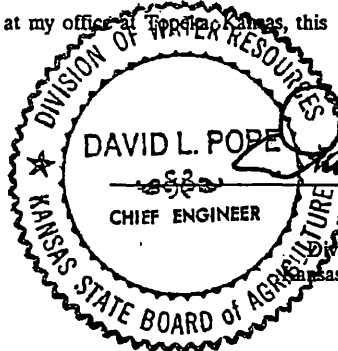
The appropriator shall maintain in an operating condition, satisfactory to the Chief Engineer, all check valves installed for preventing chemical or other foreign substance pollution of the water supply.

The appropriator shall maintain records from which the quantity of water actually diverted during each calendar year may be readily determined. Such records shall be furnished to the Chief Engineer by March 1 following the end of the previous calendar year.

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

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

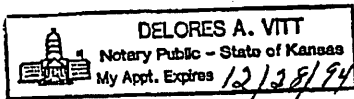
IN WITNESS WHEREOF, I have hereunto set my hand at my office at Topeka, Kansas, this 27th day of April, 19 92



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

STATE OF KANSAS, Shawnee COUNTY, ss.

The foregoing instrument was acknowledged before me this 27th day of April, 19 92, by David L. Pope, P.E., Chief Engineer, Division of Water Resources, Kansas State Board of Agriculture.



Signature: *Delores A. Vitt*
Notary Public

My appointment expires: 12/28/94

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

WATER APPROPRIATION
CERTIFICATE

30083

No. 20,045

STATE OF KANSAS

Water Right, File No. 30,083

STATE OF KANSAS,

COUNTY, ss.

Page 1 of 28

Filed for record this _____ day of _____, 19 _____

at _____ o'clock _____ m. and _____

recorded in Book _____ Page _____

Fee \$ _____

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KS DEPT OF AGRICULTURE

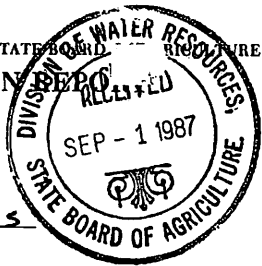
Register of Deeds.

HAYS004346

SCANNED

EXHIBIT
30083
C

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



- Partial
- Full
- Re-Test

Field Office No. 25 D.E.B. 10-26-87
G.M.D. No. 25

Test 1 of 1 Diversion points County Edwards

Application No. 30083 Inspection Date 8/10/87 Firm/Field Office Pumping Plant Testing, Inc. Ebert/Stogman

Current Landowner Connecticut General Life Ins. Co. Agri. Affiliates Phone No. (308) 534-9240

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

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

Source:
(Groundwater () Surface Water Basin/Stream Arkansas River

Authorized Point of Diversion: NC NW 1/4 Sec. 14, T. 26, R. 20, ID No. 02
Approximately _____ ft. North and _____ ft. West of SE corner of Sec. _____

Actual Point of Diversion: NC E 1/2, W 1/4, NW 1/4 Sec. 14, T. 26, R. 20
Approximately 374 ft. North and 4328 ft. West of SE corner of Sec. 14
How were distances determined? Scaled off aerial photo and original survey plats

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

Priority Date JULY 1, 1977 Approval Date Feb. 7, 1978 Perfection Date Dec. 31, 1983

Other applications covering land and/or point of diversion 22342
(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	
<u>14</u>	<u>26</u>	<u>20</u>					<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>									<u>160</u>

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	
<u>14</u>	<u>26</u>	<u>20</u>					<u>21.5</u>	<u>38.5</u>	<u>38.5</u>	<u>21</u>									<u>119.5</u>
<u>15</u>	<u>26</u>	<u>20</u>	<u>7.5</u>			<u>7</u>													<u>14.5</u>
																			<u>134</u>

TESTED DIVERSION RATES

well pumping alone
Maximum G.P.M. 1048 (c.f.s. 2.36)
Both wells pumping together
Normal G.P.M. 1085 (c.f.s. 2.42)

MAY 06 1992 FOR D.W.R. USE ONLY

Year of Record 1990 FIELD OF Extension of time needed: Yes () No () Attached? yes () no ()
Ac. Ft. Applied = 1211 h. STAFFORD 10 g.p.m. x $\frac{4.419}{24 \times 1000}$ = 234 AF

"Approved" Land irrigated 134 acres, with 234 AF = 1.75 AF/acre

Total AF (including overlapping Files) 140 + 234 = 374 (2.79 AF/acre)

Prorate by rate = $629 \text{ g.p.m. (well, File No. 22342)} + 1048 \text{ g.p.m. (well, File No 30083)} = 1677 \text{ g.p.m.}$
 $1048 \text{ g.p.m.} \div 1677 \text{ g.p.m.} = 0.625$
 $0.625 \times 201 \text{ A.F. (maximum allowable)} = 126 \text{ A.F.}$

Perfected Rate 1000 g.p.m. (2.23 c.f.s.) Perfected Quantity 126 AF
completed by Douglas E. Bush 1-15-92

DWR-101 30083 Douglas E. Bush 10-26-87 page 13 of 28

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GENERAL INFORMATION ON IRRIGATION SYSTEM:

Center Pivot

Manufacturer Valley Model 4071 Serial No. 13380

Drive: Water Electric Length of Pivot Arm _____ acres irr. 134

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

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

End Gun Model Nelson 100 Rating _____ g.p.m. Orifice size _____

Gravity Irrigation

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

Description _____

Other Type _____

Manufacturer _____ Model _____ Serial No. _____

LOW ANGLE SPINNING SPRINKLERS ON CENTRAL PIVOT.
unusual condition/other information

POWER UNIT INFORMATION:

Manufacturer Ford Model No. 460 HP _____

Serial No. _____ Fuel propane Rated RPM _____

PUMP INFORMATION:

Manufacturer Fairbanks Morse Model No. 12MA Rated RPM _____

Serial No. N2W24263X Type Vertical Turbine No. stages 3

GEAR HEAD INFORMATION:

Manufacturer Amasillo Model No. 580

Serial No. 94817 Drive Right Angle Ratio 6:5

WELL INFORMATION:

Date Drilled July 1977 Original Depth * ft. Static Water Level When Drilled * ft.

Length of time well has () operated * UNKNOWN rested prior to measurement 36 () days hrs

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

Depth to water 24 ft. below LSD.

ADDITIONAL REQUIREMENTS:

Is a meter required? () yes no Make of Meter _____

Meter Model No. _____ Serial No. _____ Size _____

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

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

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

Plant Health Chemigation Report completed? yes () no

WATER RESOURCES RECEIVED

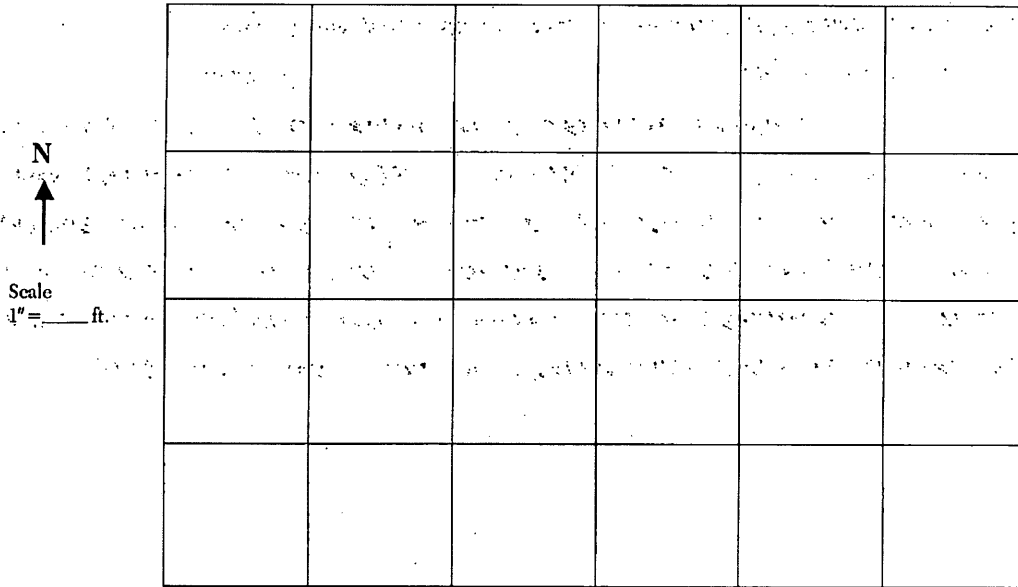
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HAYS004309

30083
 SKETCH OF ACTUAL PLACE (SE, LOCATION OF DIVERSION WORK AND DISTRIBUTION SYSTEM.
 (Indicate distribution system layout at time of field test).



TEST OF DIVERSION RATE:

Location of test Horizontal pipe at pivot after two wells hooked together
 Pipe Diameter (I.D.) 7 1/2 inches

Test No. 1 ~~Normal Conditions~~
Both wells pumping together
 R.P.M. POWER UNIT 2108
 R.P.M. PUMP UNIT 1757
 Pressure at Pump 76 psi

Test No. 2 ~~Maximum Conditions~~
30,083 well pumping alone
 R.P.M. POWER UNIT 2127
 R.P.M. PUMP UNIT 1773
 Pressure at Pump 61 psi

Jacuzzi Meter Test

Meter Identification No. _____

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

Velocity (fps)	Velocity (fps)
1. _____	1. _____
2. _____	2. _____
3. _____	3. _____
4. _____	4. _____
5. _____	5. _____
6. _____	6. _____
7. _____	7. _____
8. _____	8. _____
9. _____	9. _____
10. _____	10. _____
Total _____	Total _____
Avg. _____	Avg. _____
C.P.M. _____	C.P.M. _____

Propeller Meter Test

Manufacturer _____ Model _____ Serial No. _____

Meter Diameter _____ inches

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

Other Flow Meter

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

HAYS004310

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TABULATION OF WATER USE:

Year	Hours Pumped (hr)	Reported Pumping Rate (gpm)	Water Used (AF)	Acres Irrigated
1975				
1976				
1977	781	500		130
1978				
1979				
1980				
1981				
1982				
1983	PIK			
1984	1750	800		134
* 1985	2100	1048 **		134
1986				
1987		1048 **		
** obtained from test data				

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

Crops Irrigated: this year corn Year of record corn

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 = $\frac{\text{kw-hr}}{\text{rate}}$ = _____

Other Fuels Type _____ Supplier _____

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

How was the test volume determined? _____

REMARKS: THIS APPLICATION HAS AN OVERLAP WITH THE LAND COVERED UNDER APPLICATION 22,342. APPLN. 22342 HAS A SEPARATE WELL THAT IS PUMPED IN CONJUNCTION WITH THE WELL IN THIS APPLICATION. A "CHANGE OF PLACE OF USE" NEEDS TO BE FILED TO COVER THE 14.5 ACRES IRRIGATED IN THE E 1/2 OF SEC. 15, 26-20. BOTH WELLS ARE PUMPED INTO THE CENTRAL PIVOT OF SAID WELLIN.

Person present at test Kent Naber employee of tenant
(name) (relationship)

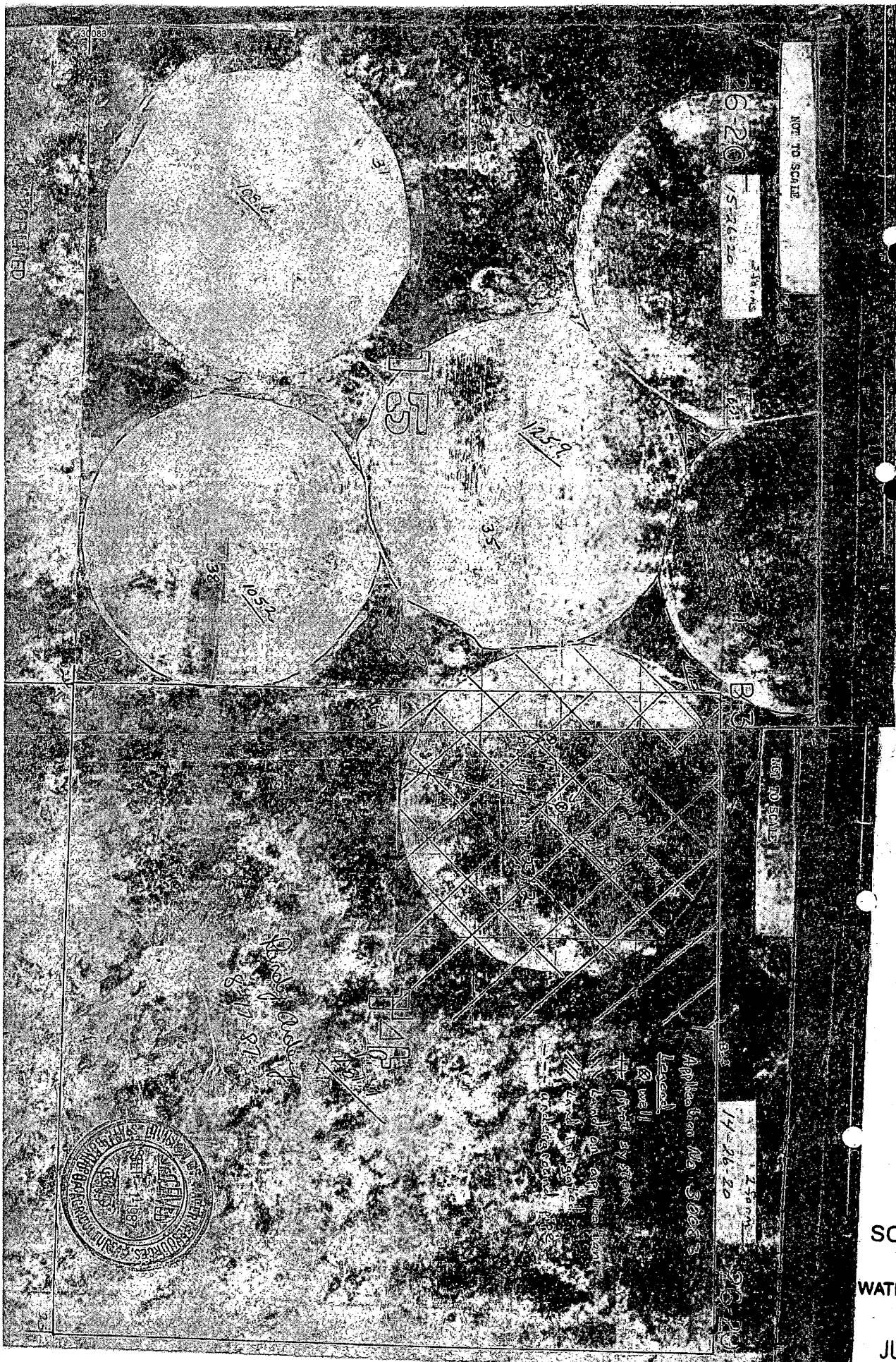
Water Use Correspondent Jerry Weaver (Agri Affiliates) Box 162 North Platte, NE 69103 308-534-9240
(name) (address) (phone number)

Conducted by Greg Ebert Date 8/11/87

Approved by Bill J. Wentz, P.E. Date 8/25/87
(signature) (title)

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HAYS004311



NOT TO SCALE

6-20
15-26-20

NOT TO SCALE

14-26-20



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HAYS004312

KS DEPT OF AGRICULTURE

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 *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.

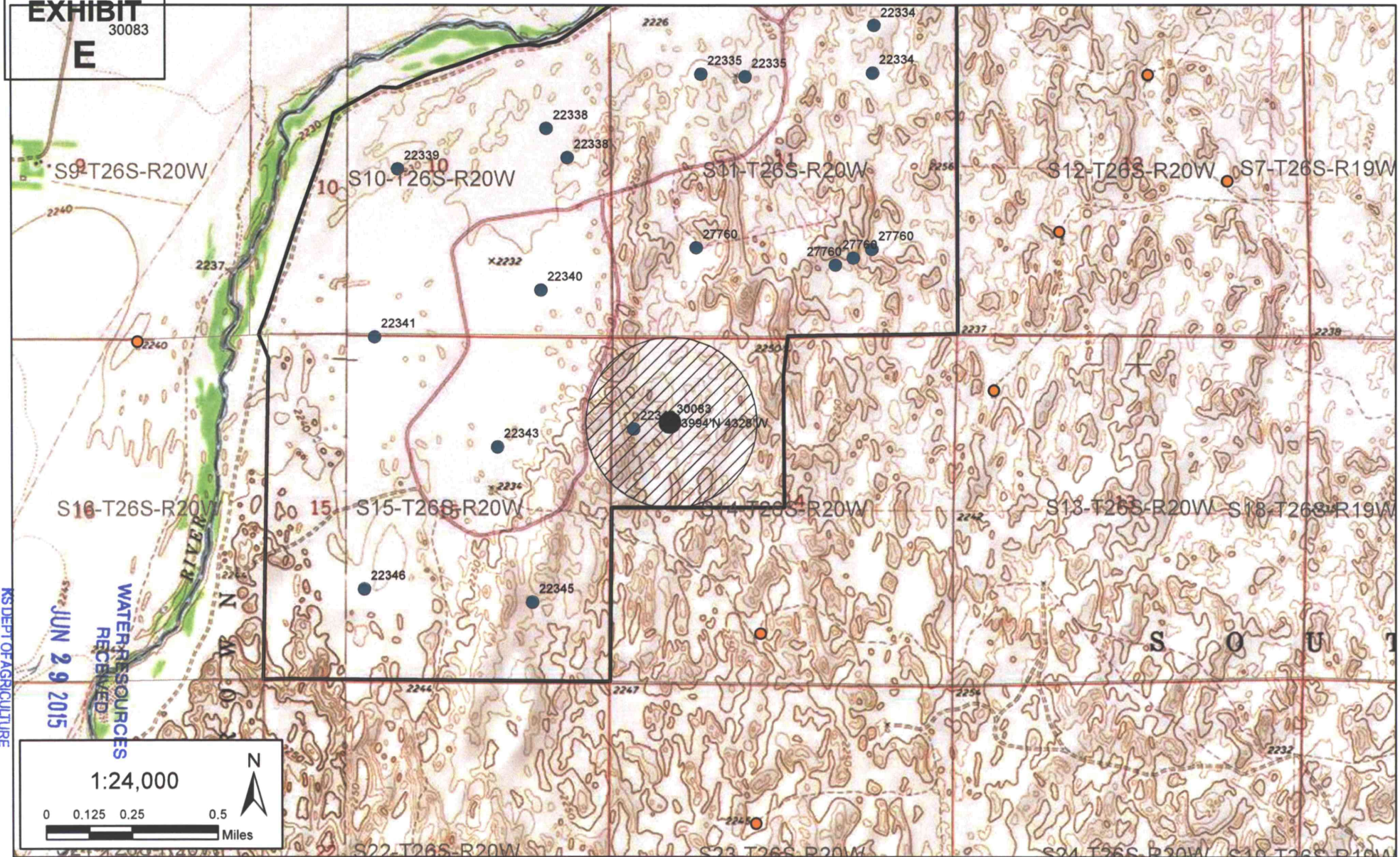
That if an applicant can show that his or her system design is reasonable for the use intended and approval of the proposed rate and/or maximum annual quantity will not impair any senior water right or prejudicially and unreasonably affect the public interest, the Chief Engineer may waive the above guidelines.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

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30083
E



Legend

- 30083 Existing Point(s) of Diversion
- 30083 Existing Place of Use
- ▭ R9 Ranch Property Boundary
- PLSS Sections 30083
- Irrigation Wells (File No.)
- Stockwater Wells (File No.)
- Domestic Well (Non-Permitted)
- Stock Well (Non-Permitted)
- Existing R9 Ranch Irrigation Wells

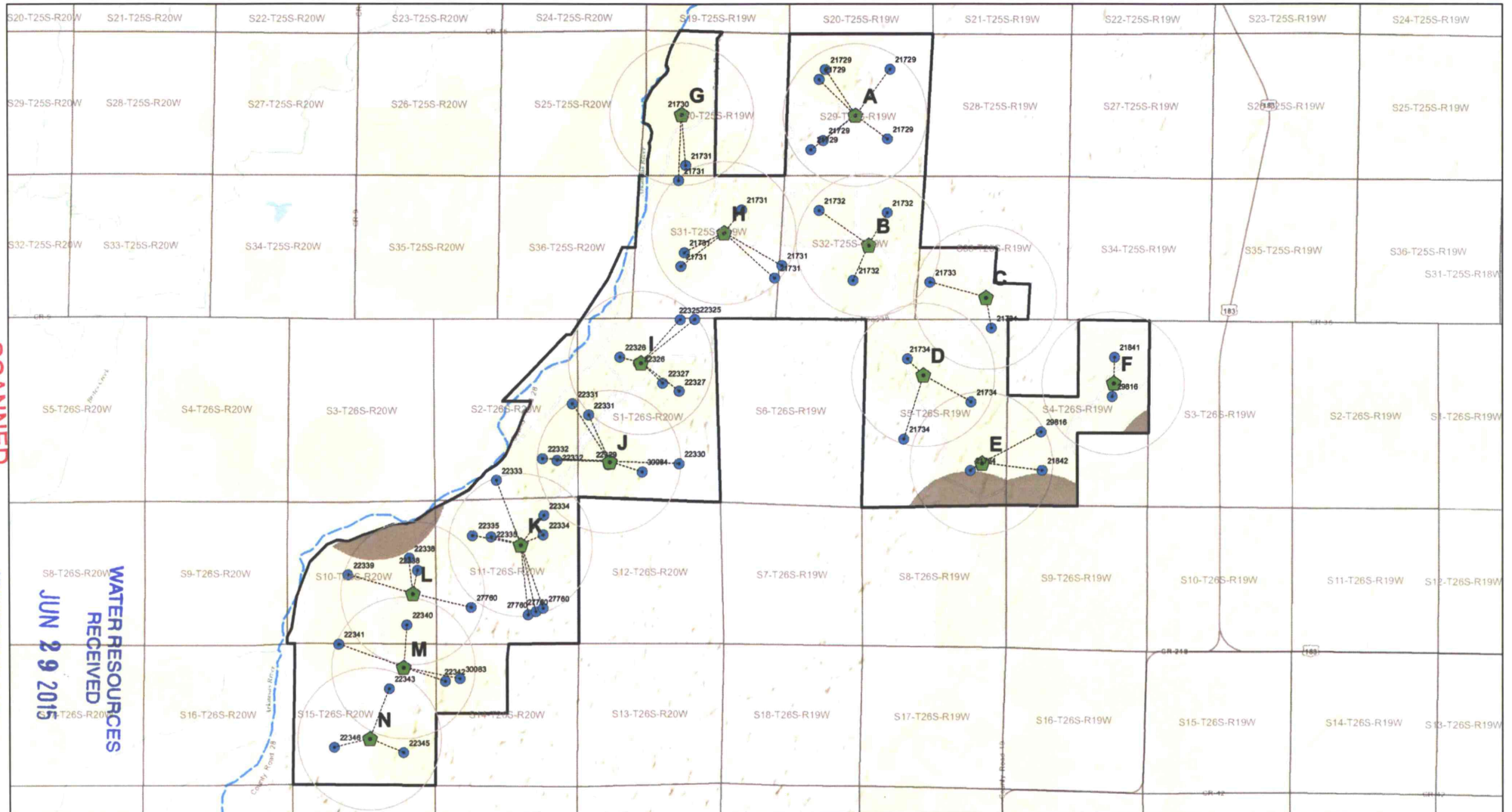


**CHANGE APPLICATION 30083
APPLICATION MAP
AUTHORIZED PLACE OF USE &
POINTS OF DIVERSION**

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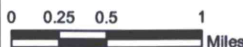
EXHIBIT
30083
F



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

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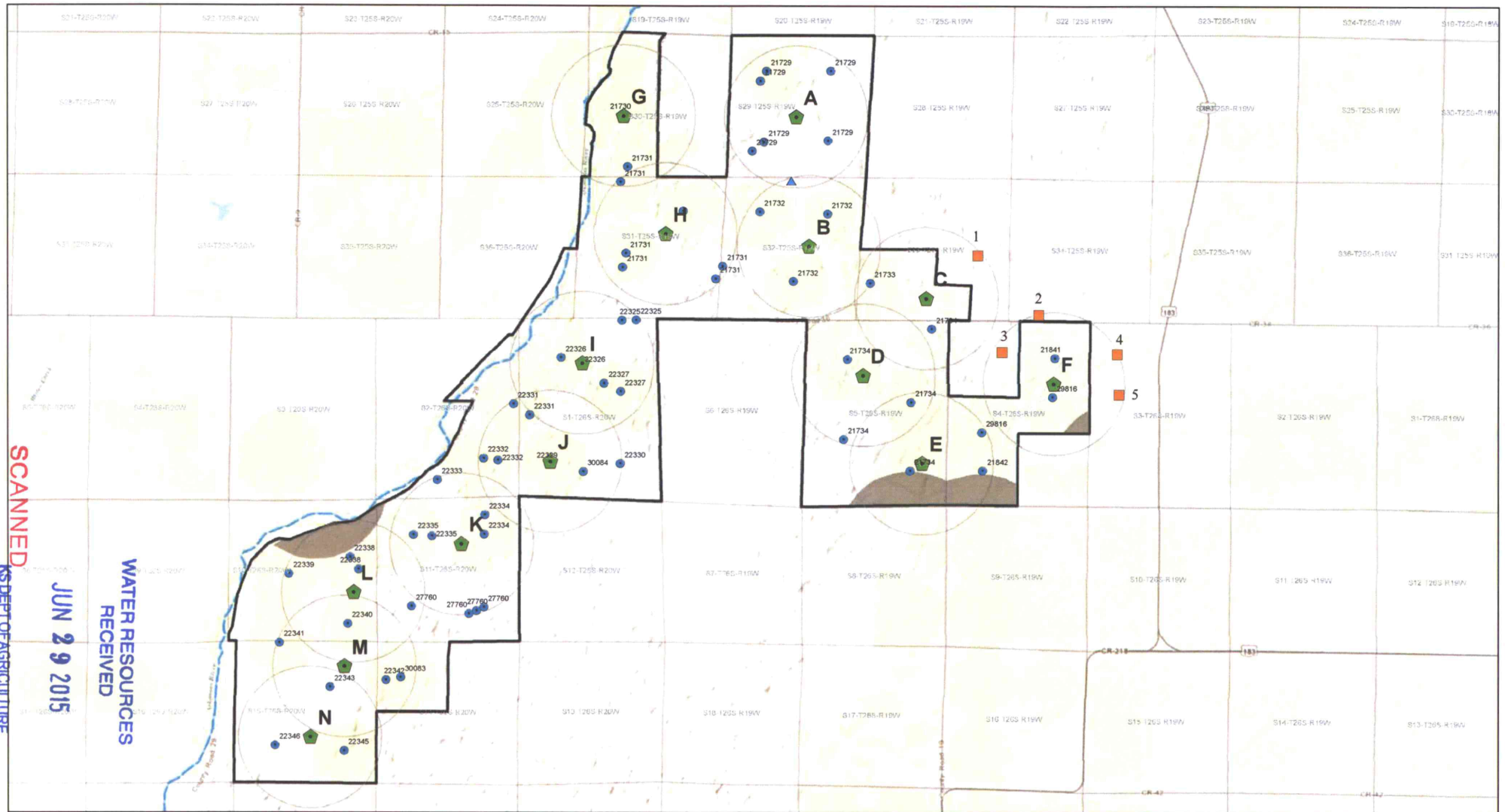


BURNS
MCDONNELL

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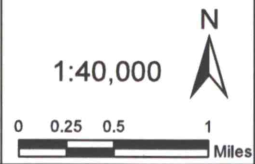
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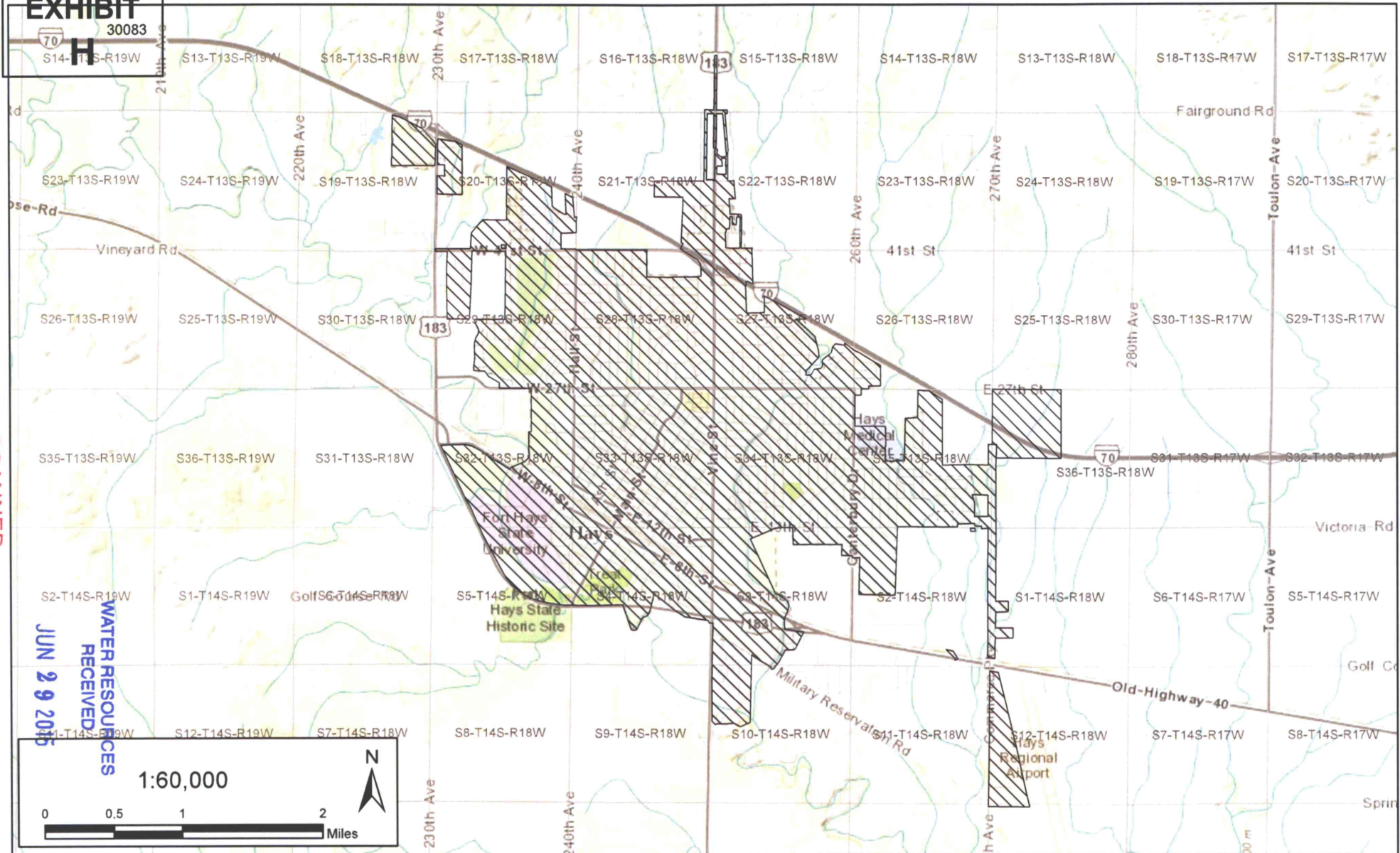
Legend

- 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

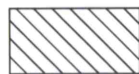
30083



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Proposed Place of Use City of Hays



PLSS Sections



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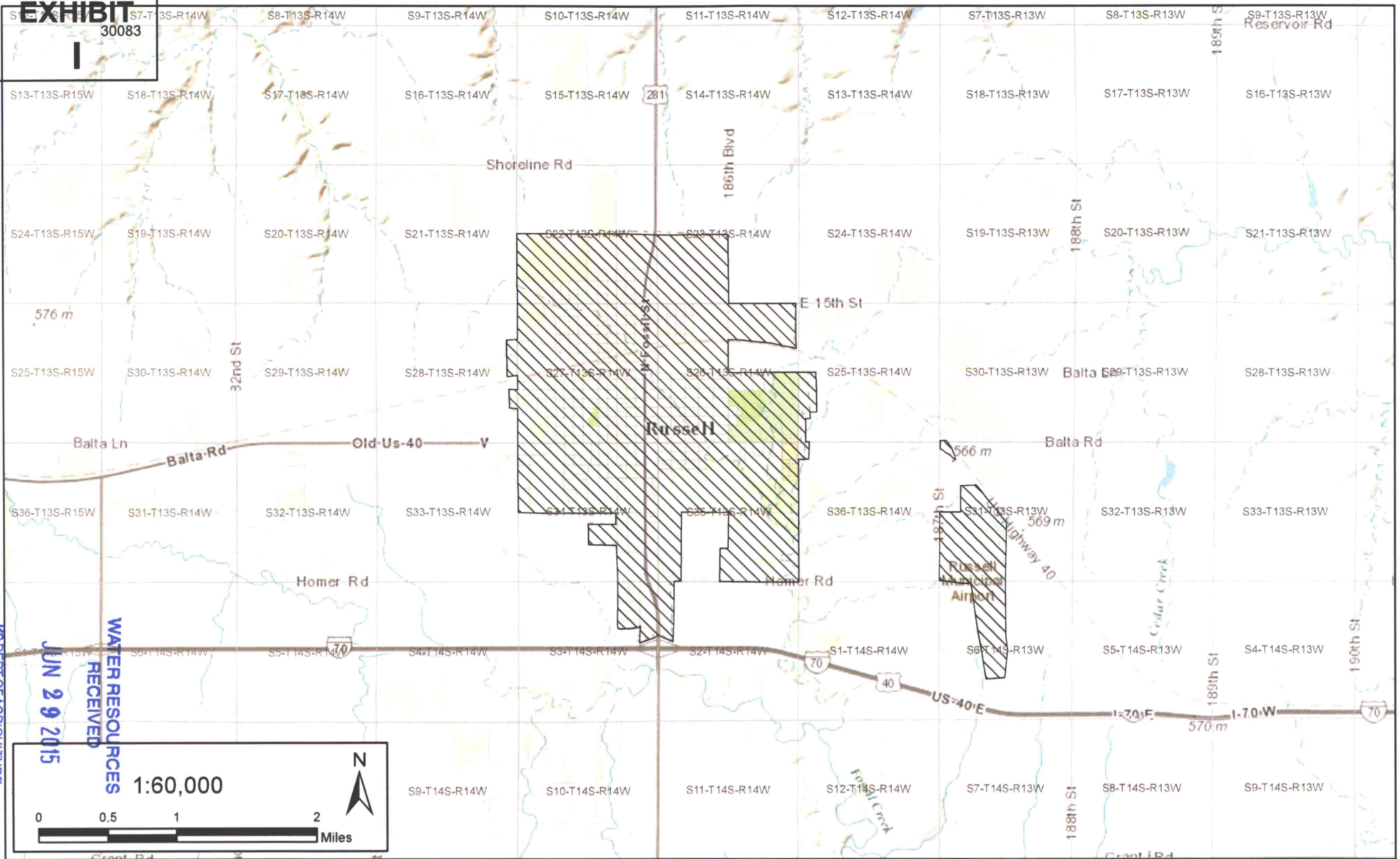


Proposed Place of Use - City of Russell



PLSS Sections

30083



**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
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
 J**

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

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

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JUN 29 2015

WATER RESOURCES DIVISION RECEIVED

Applicant's Name City of Russell
(Please Print)

MUNICIPAL (PUBLIC WATER SUPPLY) APPLICATION SUPPLEMENTAL INFORMATION SHEET

Application File Number _____
(assigned by DWR)

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

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

UNACCOUNTED FOR WATER = TOTAL WATER - ACCOUNTED FOR WATER

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

UNACCOUNTED FOR WATER

Use the following to calculate your distribution system's Unaccounted For Water:

Start with the amount in Column 1 and add the amount in Column 2, then subtract the amounts in Columns 3, 4, 5, and 6 leaving an amount of water representing your unaccounted for water to enter in Column 7.

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

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

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							
15 years ago	373,757,000	0	0	171,928,220	115,864,670	18,887,850	67,276,260
10 years ago	477,486,000	0	0	222,781,000	147,340,000	19,483,000	87,882,000
5 years ago	375,790,000	0	0	144,277,000	123,343,000	18,907,000	89,263,000
	TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6			UNACCOUNTED FOR WATER	

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WATER RESOURCES RECEIVED

30083
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
TOTAL WATER = Columns 1 + 2			ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6				UNACCOUNTED FOR WATER

SECTION 4: POPULATION AND SERVICE CONNECTIONS

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

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

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

PROJECTED FUTURE POPULATION

ESTIMATE FUTURE POPULATION AND SUBSTANTIATE NUMBERS ON SEPARATE ATTACHMENTS

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

Provide number of current active service connections:

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

SECTION 5: PRESENT GALLONS PER PERSON PER DAY

CALCULATE YOUR GALLONS PER PERSON PER DAY

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

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

SECTION 6: AREA TO BE SERVED

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

You may attach additional information you believe will assist in informing the Division of the ~~Page 27 of 28~~ Page 28 of 28 of your request.

SCANNED

JUN 29 2015

WATER RESOURCES RECEIVED

KS DEPT OF AGRICULTURE