

Kansas Department of Agriculture
Division of Water Resources
PERMIT OF NEW APPLICATION WORKSHEET

1. File Number: <p style="text-align: center; font-size: 1.2em;">50,045</p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;">8/31/2018</p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">4</p>	4. GMD: <p style="text-align: center; font-size: 1.2em;">3</p>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N of C Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
<p>7a. Applicant(s) Person ID <u>58674</u> New to system <input type="checkbox"/> Add Seq# <u>1</u></p> <p style="margin-left: 20px;">F J L VENTURES GROUP LLC PO BOX 10 GARDEN CITY KS 67846</p> <p>7b. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p> <p>7a..</p>	<p>7c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p> <p>7d. Misc. Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>		
<p>8. WUR Correspondent Person ID _____ New to system <input type="checkbox"/> Add Seq# _____ Overlap File (s) WUC Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7a.</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 40px;"><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input checked="" type="checkbox"/> IND SIC: 8744 <input type="checkbox"/> OTHER: _____</p> <p style="text-align: center; font-size: 1.2em;">0723</p>		
10. Completion Date: <u>12/31/2019</u>		11. Perfection Date: <u>12/31/2023</u>	
12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
<p>Date Prepared: 8/10/2018 By: AM</p> <p>Date Entered: 9/5/2018 By: LLM</p>			

File No. **50,045** 15. Formation Code: 211 Drainage Basin: Arkansas River County: FI Special Use: Stream:

16. Points of Diversion										17. Rate and Quantity				
T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W		Authorized Rate gpm	Quantity mgy	Additional Rate gpm	Quantity mgy	Overlap PD Files
MOD	72679	NW NW SE	2	25S	34W	5	2286	2645		50	3.26 (10 AF)	20	2.303 (7.06 AF)	46,464

18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

19. Limitation: 3.26 mg/yr at 50 gpm (.11 cfs) when combined with file number(s) 46,464
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

20. Meter Required? Yes No To be installed by 12/31/2019 Date Acceptable Meter Installed _____

21. Place of Use										NE¼								NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
T MOD DEL ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼								
CHK	57824	2	25S	34W	2																							POTATO PROCESSING FACILITY (25S NW SE)	7a	46,464			

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: August 23, 2018

FROM: Austin McColloch

RE: New Application, File No. 50,045

FLJ Ventures Group LLC has filed an application to appropriate groundwater for industrial use, requesting a quantity of 3.26 million gallons (10 acre-feet) of water per calendar year, and a diversion rate of 50 gallons per minute. The proposed point of diversion is located in the Southeast Quarter (SE¼) of Section 2, more particularly described as being near a point 2,286 feet North and 2,645 feet West of the Southeast corner of said section, in Township 25 South, Range 34 West, Finney County, Kansas, within the Arkansas River drainage basin.

The source of supply appears to be the Ogallala Aquifer per the completed well information and other well logs located in the area.

The application is overlapping the point of diversion and place of use with Water Right, File No. 46,464, owned by the applicant. The applicant has signed the application form stating that they have legal access to the point of diversion. The place of use is a potato washing depot located on their property which is classified as industrial use. The proposed quantity of 3.26 million gallons (10 acre-feet) per calendar year seems reasonable for the size of the operation.

Water Right, File No. 46,464 was certified 0.957 million gallons (2.94 acre-feet) at 30 gallons per minute. The above referenced application will be limited to 3.26 million gallons (10 acre-feet) and 50 gallons per minute when combined with Water Right, File No. 46,464.

The applicant identified one appropriated well within one-half mile of the proposed point of diversion. The nearby notification letter was sent out on June 29, 2018. No response was received. The proposed point of diversion meets minimum spacing distance from all non-domestic wells of 660 feet and minimum spacing to all other domestic wells of 660 feet.

The point of diversion is located within the boundaries of Southwest Kansas Groundwater Management District No. 3. K.A.R. 5-23-4 applies to exemptions for up to 15 acre-feet of groundwater in GMD 3. A letter was sent to GMD No. 3 for a recommendation on July 16, 2018. In a letter dated August 9, 2018, Jason Norquest, Assistant Manager, GMD No. 3, provided a recommendation for approval.

In an email dated August 10, 2018 e-mail, Mike Meyer, Water Commissioner, Garden City Field Office, recommended approval of the application.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

Based on the above discussion, the application complies with 15 acre-feet exemption and well spacing criteria, approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest. It is recommended that the referenced application be approved.

Austin McColloch
Environmental Scientist

STATE OF KANSAS

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



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

FILE COPY

F J L VENTURES GROUP LLC
PO BOX 10
GARDEN CITY KS 67846

September 6, 2018

RE: Appropriation of Water, File No. 50,045

Dear Sir or Madam:

There is enclosed a permit to appropriate water authorizing you to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit. A water meter is required and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed. All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time set forth in the permit to complete diversion works or to perfect an appropriation.

If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which establish the extent of your water right.

If you have any questions, please contact me at (785) 564-6627. If you wish to discuss a specific file, please have the file number ready to that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:am

Enclosure(s)

pc: Garden City Field Office
Groundwater Management District No. 3

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 50,045** of the applicant

**FJL VENTURES GROUP LLC
PO BOX 10
GARDEN CITY KS 67846**

for a permit to appropriate water for 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 (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), 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 **April 25, 2018**.
2. That the water sought to be appropriated shall be used for industrial use in the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 2, in Township 25 South, Range 34 West, Finney County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Northwest Quarter of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 2, more particularly described as being near a point 2,286 feet North and 2,645 feet West of the Southeast corner of said section, in Township 25 South, Range 34 West, Finney 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 **50 gallons per minute (0.11 c.f.s.)** and to a quantity not to exceed **3.26 million gallons (10 acre-feet)** of water for any calendar year.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2019** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.
6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2023** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. 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 for perfection or any authorized extension thereof.
8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.
9. 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.
10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.
11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.
12. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).
13. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.
14. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.
15. 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.
16. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.
17. That the quantity of water and rate of diversion approved under this permit is further limited to the quantity and rate which combined with Water Right, File No. 46,464, will provide a total not to exceed **3.26 million gallons (10 acre-feet)** of water per calendar year to be diverted at a maximum diversion rate not in excess of **50 gallons per minute (0.11 c.f.s.)** for irrigation use on the land described herein.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 – 6777.

Ordered this 31st day of August, 2018, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

Lane P. Letourneau, P.G.
Water Appropriation Program Manager
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 31st day of August, 2018, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.

Danielle Wilson

Notary Public



CERTIFICATE OF SERVICE

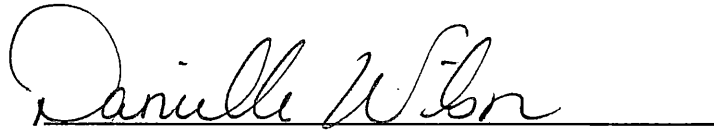
On this *6th* day of *September*, 2018, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,045, dated *August 3rd, 2018* was mailed postage prepaid, first class, US mail to the following:

FJL VENTURES GROUP LLC
PO BOX 10
GARDEN CITY KS 67846

With photocopies to:

Garden City Field Office

Groundwater Management District No. 3



Division of Water Resources

WATER RESOURCES RECEIVED

APR 24 2018

UNACCEPTABLE FOR PRIORITY
10:41
KS DEPT OF AGRICULTURE

APPLICATION COMPLETE

8/10/18

Reviewer AM

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50045
This item to be completed by the Division of Water Resources.

RECEIVED

APR 20 2018

Garden City Field Office
Division of Water Resources

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture
1320 Research Park Drive, Manhattan, Kansas 66502:

WATER RESOURCES RECEIVED

1. Name of Applicant (Please Print): FJL VENTURES GROUP LLC
Address: PO BOX 10
City: GARDEN CITY State KS Zip Code 67846
Telephone Number: () _____

APR 25 2018

11:09

KS DEPT OF AGRICULTURE

2. The source of water is: surface water in _____ (stream)
OR groundwater in ARKANSAS RIVER BASIN (drainage basin)

* Per phone call w/ Rod S. to reflect operations call on 6/29/18

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 75 10 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 50 gallons per minute OR _____ cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):
(a) Artificial Recharge (b) Irrigation (c) Recreational (d) Water Power
(e) Industrial (f) Municipal (g) Stockwatering (h) Sediment Control
(i) Domestic (j) Dewatering (k) Hydraulic Dredging (l) Fire Protection
(m) Thermal Exchange (n) Contamination Remediation

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:
F.O. 4 GMD 3 Meets K.A.R. 5-3-1 (YES / NO) Use IND Source G/S County FI By AW Date 4/25/18
Code 269 Fee \$ 200 TR # _____ Receipt Date 4/25/18 Check # 2163

4/25/18 DAW

5. The location of the proposed wells, pump sites or other works for diversion of water is:

Note: For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

*AM
Certified PD
Location of overland
File # 46464

(A) One in the ^{SE} ~~SE~~ quarter of the ^{NW} ~~NW~~ quarter of the ^{SE} ~~NW~~ quarter of Section 2, more particularly described as being near a point ²²⁶⁶ ~~2375~~ feet North and ²⁶⁴⁵ ~~2615~~ feet West of the Southeast corner of said section, in Township 25 South, Range 34 WEST, FINNEY County, Kansas.

(B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

(C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

(D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print):

(name, address and telephone number)

(name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 20____.

Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of ONE WELL AND ONE PUMP
(number of wells, pumps or dams, etc.)
and was completed (by) May 20, 2006
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be May 20, 06
(Mo/Day/Year)

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APR 25 2018

- 9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
 Yes No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

- 10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources? Yes No

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required _____

- 11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

- 12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

pd/pu overlap with 46464

Requesting a total of 15 AF @ 50 gpm in combination with 46464.

10 *AM sec ps.1

WATER RESOURCES RECEIVED WATER RESOURCES RECEIVED

UNACCEPTABLE FOR PRIORITY APR 25 2018 APR 25 2018

KS DEPT OF AGRICULTURE KS DEPT OF AGRICULTURE

13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from: Test holes Well as completed Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	_____	_____	_____	_____
Total depth of well	_____	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of owner
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

_____ (name, address and telephone number)

_____ (name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at Holcomb, Kansas, this 19 day of April, 2018
(month) (year)

(Applicant Signature)

By Mark Lynch
(Agent or Officer Signature)

Mark Lynch
(Agent or Officer - Please Print)

APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

84-1290230
and/or
APPLICANT(S) TAXPAYER I.D. NO.(S)

Assisted by _____ (office/title) Date: _____

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APR 25 2018
UNACCEPTABLE FOR PRIORITY
KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED
APR 24 2018
UNACCEPTABLE FOR PRIORITY
KS DEPT OF AGRICULTURE

**INDUSTRIAL USE
SUPPLEMENTAL SHEET**

File No. 50045

Name of Applicant (Please Print): FJL VENTURES GROUP LLC

1. Please describe type of industry or product produced: POTATOE DEPOT
 _____ Standard Industrial Classification Code Number: _____

2. Please complete the following table to show your past and present water requirements:

PAST PRODUCT PRODUCTION AND WATER DIVERTED, IF APPLICABLE

LAST 5 YEARS	AMOUNT OF PRODUCT	WATER DIVERTED (GALLONS)	GALLONS PER PRODUCT PER DAY
5 years ago			
Last year			
Present year			

3. Please complete the following table to show your future water requirements:

ESTIMATED FUTURE PRODUCT PRODUCTION AND WATER DIVERTED

NEXT 5 YEARS	AMOUNT OF PRODUCT	WATER TO BE DIVERTED (GALLONS)	GALLONS PER PRODUCT PER DAY
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			

Number of days of operation of the industry per year is _____ days.

Please attach any tables, curves or additional information showing past, present and estimated future water requirements to substantiate the amount of water requested.

4. Please designate the legal description of the location where the water is to be used. Show in the space provided below the Section (S), Township (T), and Range (R), and the number of acres in each forty acre tract or fractional portion thereof.

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2	25	34																	na

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

WATER RESOURCES RECEIVED
 UNACCEPTABLE FOR PRIORITY APR 25 2018
 KS DEPT OF AGRICULTURE
 KS DEPT OF AGRICULTURE

50045

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

SWORN STATEMENT
PURSUANT TO K.S.A. 82a-709

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on 4-24, 2018.

Mark Lynch
Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

WATER RESOURCES
RECEIVED

APR 25 2018

KS DEPT OF AGRICULTURE

McColloch, Austin

From: Meyer, Mike [KDA]
Sent: Friday, August 10, 2018 9:48 AM
To: McColloch, Austin
Subject: RE: Recommendation File No. 50045

Approve sir with the limitations proposeds

Mike

From: McColloch, Austin
Sent: Friday, August 10, 2018 9:40 AM
To: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>
Cc: Makens, Thom [KDA] <Thom.Makens@ks.gov>
Subject: Recommendation File No. 50045

Mike,

Attached is my draft memo for Application, File No. 50,045 submitted by FJL Ventures Group LLC. This is a 15 AF exemption application located in GMD3. Also attached is the GMD recommendation. The application has been amended to request only 10 AF when combined with overlapping Water Right, File No. 46,464 per talks with the applicant about the operation's needs. Let me know if you have any questions or need more information.

Thanks,

Austin McColloch
Environmental Scientist
Ph: (620) 276-2901

Total Pro_Cert Amount (AF) = .00 .00
 Total Certified Amount (AF) = 11112.24 .00
 Total Vested Amount (AF) = .00 .00
 TOTAL AMOUNT (AF) = 11127.24 .00

An * after the source of supply indicates a pending application for change under the file number.

An * after the ID indicates a 15 AF exemption was granted under the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

2286 Feet North and 2645 Feet West of the Southeast Corner of Section 2 T 25S R 34W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

=====

File Number Use ST SR

A__ 18907 00 IRR NK G

> F J L VENTURES GROUP LLC

> PO BOX 10

>

> GARDEN CITY KS 67846

A__ 20893 00 IRR NK G

> TRI-STATE GENERATION & TRANSMISSION

> SENIOR MANAGER FUEL & WATER RESOURCES

> 1100 W 116TH AVE

> WESTMINSTER CO 80234

A__ 20894 00 IRR NK G

> TRI-STATE GENERATION & TRANSMISSION

> SENIOR MANAGER FUEL & WATER RESOURCES

> 1100 W 116TH AVE

> WESTMINSTER CO 80234

A__ 20896 00 IRR NK G

> TYSON FRESH MEATS INC

> ATTN SHANNON MUDD

> PO BOX 149

> HOLCOMB KS 67851

A__ 20897 00 IRR NK G

> TRI-STATE GENERATION & TRANSMISSION

> SENIOR MANAGER FUEL & WATER RESOURCES

> 1100 W 116TH AVE

> WESTMINSTER CO 80234

A__ 20898 00 IRR NK G

> TRI-STATE GENERATION & TRANSMISSION

> SENIOR MANAGER FUEL & WATER RESOURCES

> 1100 W 116TH AVE

> WESTMINSTER CO 80234

A__ 20900 00 IRR NK G

> TYSON FRESH MEATS INC
> ATTN SHANNON MUDD
> PO BOX 149
> HOLCOMB KS 67851

A__ 20902 00 IRR NK G
> TRI-STATE GENERATION & TRANSMISSION
> SENIOR MANAGER FUEL & WATER RESOURCES
> 1100 W 116TH AVE
> WESTMINSTER CO 80234

A__ 22565 00 IRR NK G
> TRI-STATE GENERATION & TRANSMISSION
> SENIOR MANAGER FUEL & WATER RESOURCES
> 1100 W 116TH AVE
> WESTMINSTER CO 80234

A__ 22566 00 IRR NK G
> TRI-STATE GENERATION & TRANSMISSION
> SENIOR MANAGER FUEL & WATER RESOURCES
> 1100 W 116TH AVE
> WESTMINSTER CO 80234

A__ 23622 D1 IRR NK G
> F J L VENTURES GROUP LLC
> PO BOX 10
>
> GARDEN CITY KS 67846

A__ 26080 D1 IRR NK G
> HAROLD E BROWN TRUST
> GENE BROWN
> 2411 OLD CROW CANYON RD STE 137
> SAN RAMON CA 94583

A__ 26080 D2 IRR NK G
> NEWPORT FARMS LLC
>
> PO BOX 1027
> LAKIN KS 67860

A__ 28417 00 IND NK G
> SUNFLOWER ELECTRIC POWER CORP
> ENV COORDINATOR WATER - HOLCOMB
> PO BOX 430
> HOLCOMB KS 67851

A__ 28969 00 IRR NK G
> TYSON FRESH MEATS INC
> ATTN SHANNON MUDD
> PO BOX 149
> HOLCOMB KS 67851

>-----
A__ 30122 00 IND NK G
> SUNFLOWER ELECTRIC POWER CORP
> ENV COORDINATOR WATER - HOLCOMB
> PO BOX 430
> HOLCOMB KS 67851
>-----

A__ 46464 00 IND NK G
> F J L VENTURES GROUP LLC
> PO BOX 10
>
> GARDEN CITY KS 67846
>-----

Approved 2014 under Exemption

A__ 50045 00 IND AY G
> F J L VENTURES GROUP LLC
> PO BOX 10
>
> GARDEN CITY KS 67846
>-----

=====
#####

STATE OF KANSAS

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



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

FILE COPY

July 16, 2018

GROUNDWATER MANAGEMENT DISTRICT #3
2009 E SPRUCE ST
GARDEN CITY KANSAS 67846

RE: New Application, File No. 50,045

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Pioneer Hi-Bred Intl. and appears to be in proper form, for your review.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendation concerning this application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (785) 564-6643. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,

A handwritten signature in black ink, appearing to read "Austin McColloch".

Austin McColloch
Environmental Scientist
Division of Water Resources

Enclosure(s)
pc: Garden City Field Office

SCANNED

STATE OF KANSAS

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



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

FILE COPY

TRI-STATE GENERATION & TRANSMISSION
SENIOR MANAGER FUEL & WATER RESOURCES
1100 W 116TH AVE
WESTMINSTER CO 80234-2814

RE: Application
File No. 50,045

Dear Sir or Madam:

This is to advise you that FJL Ventures Group, LLC has filed the application referred to above for permit to appropriate 10 acre-feet of water per calendar year for industrial use to be diverted at a maximum rate of 50 gallons per minute from a well located as follows:

one (1) well located in the Northwest Quarter of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 2, more particularly described as being near a point 2,286 feet North and 2,645 feet West of the Southeast corner of said section, in Township 25 South, Range 34 West, Finney County, Kansas.

A copy of an aerial photograph depicting the location of the proposed point of diversion is also enclosed. Please note this is an existing well. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location(s) of the applicant's point(s) of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office within 15 days from the date of this letter.

If you have any questions, please contact our office at 785-564-6643. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Austin McColloch
Environmental Scientist
Division of Water Resources

Enclosure(s)
pc: Garden City Field Office
Southwest Kansas GMD No. 3

SCANNED

50045

The Professionals

MINTER-WILSON DRILLING CO.

Irrigation and Domestic Water Systems Complete Installation and Repairing

INCORPORATED

Phone 276-8269 • P.O. Box A • GARDEN CITY, KANSAS 67846

Premium Source Ag
Finney County
6-19-06

Location: SE $\frac{1}{4}$ 2-25-34 -- From second curve south of Sunflower --
 $\frac{1}{2}$ mile south & $\frac{1}{2}$ mile west

Static Water Level 180 ft.

Test #1

- 0' to 1' - Top soil
- 1' to 5' - Fine sand - loose
- 5' to 10' - Brown clay
- 10' to 25' - Gray clay
- 25' to 57' - Medium coarse gravel
- 57' to 78' - Brown sandy clay
- 78' to 130' - Fine to medium sand & gravel
- 130' to 147' - Blue clay
- 147' to 158' - Blue clay - small sand streak
- 158' to 198' - Blue clay
- 198' to 209' - Fine sand
- 209' to 215' - Blue clay
- 215' to 222' - Fine sand
- 222' to 251' - Blue clay - sand streak
- 251' to 264' - Blue clay
- 264' to 269' - Fine to medium sand & gravel
- 269' to 277' - Brown clay
- 277' to 286' - Fine to medium sand & gravel
- 286' to 308' - Fine to medium sand & gravel - small clay strips
- 308' to 316' - Brown clay
- 316' to 321' - Fine to medium sand & gravel
- 321' to 326' - Brown clay
- 326' to 334' - Brown clay - gravel strips
- 334' to 344' - Brown clay
- 344' to 365' - Fine to medium sand & gravel
- 365' to 391' - Brown clay
- 391' to 408' - Fine to medium sand & gravel-yellow rock mixed
- 408' to 423' - Brown sandy clay
- 423' to 425' - Brown rock
- 425' to 433' - Yellow clay
- 433' to 440' - Gray shale

RECEIVED

MAR 22 2007

WATER RESOURCES
Garden City Field Office
Division of Water Resources
RECEIVED

APR 25 2018

KS DEPT OF AGRICULTURE
WATER RESOURCES
RECEIVED

UNACCEPTABLE FOR PRIORITY

KS DEPT OF AGRICULTURE

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50045 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50045 00 IND

Water Right and Points of Diversion Within 2.00 miles of point defined as:

2286 Feet North and 2645 Feet West of the Southeast Corner of Section 2 T 25S R 34W

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist	(ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__	18907	00	IRR	NK	G	7857	--	--	NC	SE	1320	1320	36	24	34W	1	272.00	272.00	AF
A__	20893	00	IRR	NK	G	8697	--	NE	NE	NE	4680	233	9	25	34W	5	272.00	272.00	AF
A__	20894	00	IRR	NK	G	10294	--	NW	NW	NE	4668	2097	4	25	34W	6	272.00	272.00	AF
A__	20896	00	IRR	NK	G	10226	--	--	NC	SE	1320	1340	33	24	34W	4	272.00	272.00	AF
A__	20897	00	IRR	NK	G	7553	--	--	NC	NW	3960	3940	10	25	34W	2	272.00	272.00	AF
Same						7481	--	--	NC	SE	1295	1320	10	25	34W	4	272.00	272.00	AF
Same						7826	--	NE	NE	SW	2220	3000	10	25	34W	5	272.00	272.00	AF
Same						5675	--	SE	NW	NE	4231	1893	10	25	34W	6	272.00	272.00	AF
A__	20898	00	IRR	NK	G	4272	--	--	NC	NE	3980	1320	3	25	34W	1	272.00	272.00	AF
Same						4087	--	--	NC	SE	1340	1320	3	25	34W	4	272.00	272.00	AF
Same						7074	--	SE	NW	NW	4144	4207	3	25	34W	5	272.00	272.00	AF
Same						6845	--	NE	SW	SW	1105	4091	3	25	34W	6	272.00	272.00	AF
A__	20900	00	IRR	NK	G	9561	--	--	NC	NW	3980	3960	34	24	34W	2	272.00	272.00	AF
Same						7862	--	--	NC	SW	1340	3960	34	24	34W	3	272.00	272.00	AF
Same						5632	--	NW	SE	SE	1296	1079	34	24	34W	5	272.00	272.00	AF
Same						8169	--	SE	NW	NE	3993	1691	34	24	34W	6	272.00	272.00	AF
A__	20902	00	IRR	NK	G	2144	--	--	NC	NE	3980	1320	2	25	34W	1	272.00	272.00	AF
Same						2153	--	--	NC	NW	3980	3960	2	25	34W	2	272.00	272.00	AF
Same						1615	--	--	NC	SW	1340	3960	2	25	34W	3	272.00	272.00	AF
Same						1631	--	--	NC	SE	1340	1320	2	25	34W	4	272.00	272.00	AF
A__	22565	00	IRR	NK	G	3489	--	NE	NE	NE	5130	150	11	25	34W	1	272.00	272.00	AF
Same						3510	--	NW	NW	NW	5151	5109	11	25	34W	2	272.00	272.00	AF
Same						6675	--	NC	W2	SW	1220	4510	11	25	34W	3	272.00	272.00	AF
Same						7485	--	SE	SE	SE	550	150	11	25	34W	4	272.00	272.00	AF
A__	22566	00	IRR	NK	G	9331	--	NE	NW	SE	2381	1370	4	25	34W	7	272.00	272.00	AF
A__	23622	D1	IRR	NK	G	10354	--	--	NC	SW	1320	3980	25	24	34W	4	272.00	272.00	AF
Same						8008	--	SW	SW	NE	2850	2400	36	24	34W	3	272.00	272.00	AF
Same						5812	--	--	NC	SW	1320	3980	36	24	34W	4	272.00	272.00	AF
Same						7986	--	--	NC	NW	3982	3971	36	24	34W	5	267.00	267.00	AF
A__	26080	D1	IRR	NK	G	7047	--	--	NC	NE	3960	1320	35	24	34W	1	264.00	264.00	AF
Same						4488	--	--	NC	SE	1320	1320	35	24	34W	3	272.00	272.00	AF
A__	26080	D2	IRR	NK	G	7052	--	--	NC	NW	3960	3960	35	24	34W	2	272.00	272.00	AF
Same						4478	--	--	NC	SW	1320	3960	35	24	34W	4	272.00	272.00	AF
A__	28417	00	IND	NK	G	10167	--	--	NC	SW	1315	3852	31	24	33W	1	1100.00	1100.00	AF
A__	28969	00	IRR	NK	G	9604	--	--	NC	SW	1320	3960	26	24	34W	3	264.00	264.00	AF
Same						9533	--	NE	SW	SE	1300	1795	26	24	34W	5	264.00	264.00	AF
A__	30122	00	IND	NK	G	9458	--	--	NC	NW	4064	3750	6	25	33W	1	1045.00	518.30	AF
A__	46464	00	IND	NK	G	0	--	NW	NW	SE	2286	2645	2	25	34W	5*	2.94	2.94	AF
A__	50045	00	IND	AY	G	0	--	NW	NW	SE	2286	2645	2	25	34W	5	15.00	15.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	15.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00

Vested County: Water Right #: Qualifier: Water Right Type: Use Made of Water: Active Current Status:

Part A Detail

Year	Person Id	Corr Seq	Date Report Received	Section	Township	Dir	Range	Dir	Section	Code	Total AF	Metered Quantity	Meter Unit	Hours	Rate	Acres Irrigab
2017	58674	1	25-JAN-2018	2	25	S	34	W	5	M	3.0992	1009899	Q			
2016	58674	1	03-MAR-2017	2	25	S	34	W	5	M	2.9379	957310	Q			
2015	58674	1	07-MAR-2016	2	25	S	34	W	5	M	1.9259	627550	Q			
2014	38389	1	30-MAR-2015	2	25	S	34	W	5	M	1.5797	514740	Q			
2013	38389	1	10-MAR-2014	2	25	S	34	W	5	M	7.5555	2462290	Q			
2012	38389	1	18-MAR-2013	2	25	S	34	W	5	M	2.9380	957940	Q			
2011	38389	1	07-MAR-2012	2	25	S	34	W	5	M	1.4348	467540	Q			
2010	38389	1	02-MAR-2011	2	25	S	34	W	5	M	1.1667	380160	Q			
2009	38389	1	22-MAR-2010	2	25	S	34	W	5	M	1.6402	534460	Q			
2008	58612	1	18-JUN-2009	2	25	S	34	W	5	M	1.0816	355710	Q			
2007	59512	1	02-MAY-2008	2	25	S	34	W	5	V	0					

Report Codes

50045

Gina Gigot

From: Whitesell, Alex [KDA] <Alex.Whitecell@ks.gov>
Sent: Tuesday, April 24, 2018 3:54 PM
To: Gina Gigot
Cc: Baum, Kristen; McColloch, Austin [KDA]
Subject: Signature Page
Attachments: Sworn Statement Legal Access 2015.doc

Good afternoon,

The Division of Water Resources received a new application to appropriate water for beneficial use on April 24, 2018. The application is missing a signature on page 2, paragraph no. 6 and is not currently acceptable.

I've attached a form that can be signed and returned in place of signing paragraph number 6. Please sign the form and return it via email or by mail to the address below. Once the signature page is received your application will receive a file number and priority date.

Thank you and please let me know if you have any questions.

Alex Whitesell
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS
(785) 564 - 6631

My email has changed alex.whitesell@ks.gov

WATER RESOURCES
RECEIVED
APR 25 2018
KS DEPT OF AGRICULTURE

STATE OF KANSAS

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



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 25, 2018

FJL VENTURES GROUP, LLC
PO BOX 10
GARDEN CITY KS 67846

RE: Application
File No. 50045

Dear Sir or Madam:

Your application for permit to appropriate water in 2-25S-34W in Finney County, was received and has been assigned the file number noted above.

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

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

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

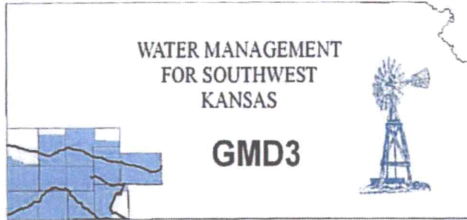
A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6637. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: GARDEN CITY Field Office
GMD 3



Southwest Kansas
Groundwater Management District No. 3
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone (620) 275-1431 fax
www.gmd3.org

August 9, 2018

Austin J. McColloch
Kansas Department of Ag
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

RE: New Application for Appropriation, File No. 50045

Dear Austin:

We have completed a review of the application for the above referenced appropriation. The application is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The applicant is proposing a 10AF exemption in a closed area in accordance with K.A.R. 5-23-5-4(b)(4). Spacing to neighboring wells is in accordance with K.A.R. 5-23-3. It is therefore recommended that the application be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

Jason L. Norquest
Assistant Manager

Serving Southwest Kansas Since 1976

GMD3 Change Review

File No(s): 50045. DWR office: GC.

App filed to change: New Appropriation.

Is Landowner(s) correct in WRIS: FJL Venture Group.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? Yes.

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-23-3 & KAR 5-23-4(b)(4)

Point of diversion ID No(s) being changed.

	ft. North	ft. West			
Authorized PD					
Proposed PD					
Difference	0	0			
a2 + b2 = c2	0	0	0		

GPS for proposed PD: Lat: Long: .

Is proposed PD stacking on existing WRs? Yes, 46464.

Is Proposed PU overlapping existing WRs? SAME.

Land Owner(s) notified: Yes.

Name . Name .

Address . Address .

Zip . Zip .

Neighboring certified well(s) notified: .

Name . Name .

Address . Address .

Zip . Zip .

Domestic well(s) notified: .

Name . Name .

Address . Address .

Zip . Zip .

Base Acres: .

Perfected Acres: .

Irr. Return-Flow %

Area is closed to new appropriations, except for 15 AF exemptions. One other exemption approved within the 2 mile radius, which is the well this appropriations is proposed to be stacked on.

WR 46464 is certified with 2.94AF (.957 mgy) @ 30gpm

New appropriation proposeds 10AF (3.26 mgy) @ 50gpm.

Spacing is met to all neighboring wells.

Is a waiver needed: No.

Final Recommendation: After review of all available information, it appears the current are rules are met. Staff therefore recommends approval of the application.

50045 New Appropriation Review

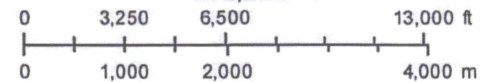


August 9, 2018
14:47 PM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

- Wells**
- | | | | | | | | | | |
|---|-------|----|-----|---|-----|---|-----|---|----------|
| + | CON | 👤 | FPR | ▲ | MUN | ⚡ | THX | | |
| ? | Other | ☒ | DEW | + | HYD | ▬ | REC | ? | Empty |
| • | IRR | ⚙️ | DOM | ★ | IND | ⊗ | STK | □ | Sections |

1:72,224



AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 46464 00

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AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 46464 00 IND

Water Right and Points of Diversion Within 2.00 miles of point defined as:

2286 Feet North and 2645 Feet West of the Southeast Corner of Section 2 T 25S R 34W

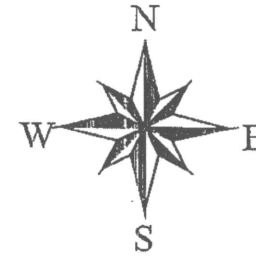
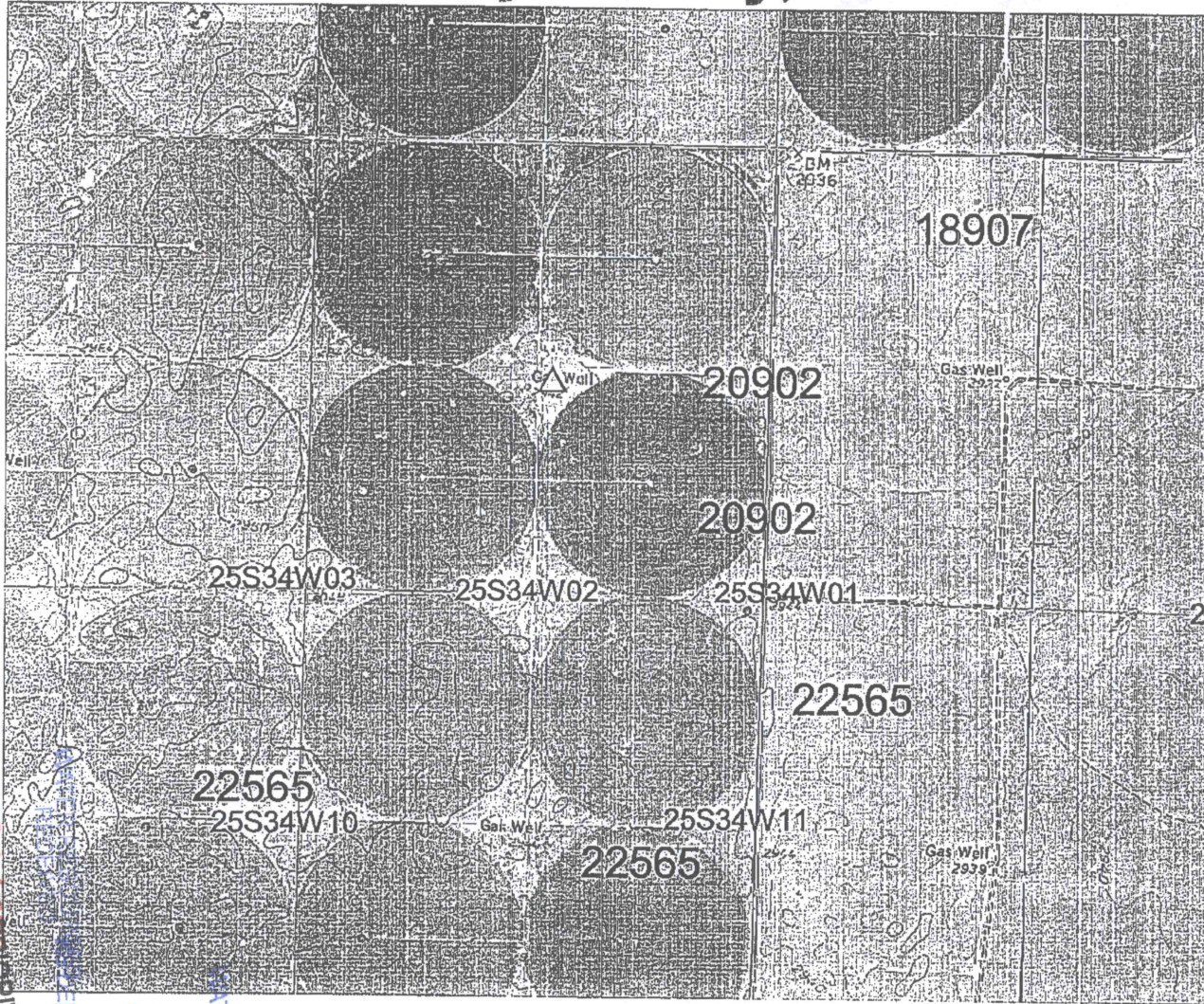
GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 18907 00	IRR	NK	G	7857	--	--	NC	SE	1320	1320	36	24	34W	1		272.00	272.00	AF
A__ 20893 00	IRR	NK	G	8697	--	NE	NE	NE	4680	233	9	25	34W	5		272.00	272.00	AF
A__ 20894 00	IRR	NK	G	10294	--	NW	NW	NE	4668	2097	4	25	34W	6		272.00	272.00	AF
A__ 20896 00	IRR	NK	G	10226	--	--	NC	SE	1320	1340	33	24	34W	4		272.00	272.00	AF
A__ 20897 00	IRR	NK	G	7553	--	--	NC	NW	3960	3940	10	25	34W	2		272.00	272.00	AF
Same				7481	--	--	NC	SE	1295	1320	10	25	34W	4		272.00	272.00	AF
Same				7826	--	NE	NE	SW	2220	3000	10	25	34W	5		272.00	272.00	AF
Same				5675	--	SE	NW	NE	4231	1893	10	25	34W	6		272.00	272.00	AF
A__ 20898 00	IRR	NK	G	4272	--	--	NC	NE	3980	1320	3	25	34W	1		272.00	272.00	AF
Same				4087	--	--	NC	SE	1340	1320	3	25	34W	4		272.00	272.00	AF
Same				7074	--	SE	NW	NW	4144	4207	3	25	34W	5		272.00	272.00	AF
Same				6845	--	NE	SW	SW	1105	4091	3	25	34W	6		272.00	272.00	AF
A__ 20900 00	IRR	NK	G	9561	--	--	NC	NW	3980	3960	34	24	34W	2		272.00	272.00	AF
Same				7862	--	--	NC	SW	1340	3960	34	24	34W	3		272.00	272.00	AF
Same				5632	--	NW	SE	SE	1296	1079	34	24	34W	5		272.00	272.00	AF
Same				8169	--	SE	NW	NE	3993	1691	34	24	34W	6		272.00	272.00	AF
A__ 20902 00	IRR	NK	G	2144	--	--	NC	NE	3980	1320	2	25	34W	1		272.00	272.00	AF
Same				2153	--	--	NC	NW	3980	3960	2	25	34W	2		272.00	272.00	AF
Same				1615	--	--	NC	SW	1340	3960	2	25	34W	3		272.00	272.00	AF
Same				1631	--	--	NC	SE	1340	1320	2	25	34W	4		272.00	272.00	AF
A__ 22565 00	IRR	NK	G	3489	--	NE	NE	NE	5130	150	11	25	34W	1		272.00	272.00	AF
Same				3510	--	NW	NW	NW	5151	5109	11	25	34W	2		272.00	272.00	AF
Same				6675	--	NC	W2	SW	1220	4510	11	25	34W	3		272.00	272.00	AF
Same				7485	--	SE	SE	SE	550	150	11	25	34W	4		272.00	272.00	AF
A__ 22566 00	IRR	NK	G	9331	--	NE	NW	SE	2381	1370	4	25	34W	7		272.00	272.00	AF
A__ 23622 D1	IRR	NK	G	10354	--	--	NC	SW	1320	3980	25	24	34W	4		272.00	272.00	AF
Same				8008	--	SW	SW	NE	2850	2400	36	24	34W	3		272.00	272.00	AF
Same				5812	--	--	NC	SW	1320	3980	36	24	34W	4		272.00	272.00	AF
Same				7986	--	--	NC	NW	3982	3971	36	24	34W	5		267.00	267.00	AF
A__ 26080 D1	IRR	NK	G	7047	--	--	NC	NE	3960	1320	35	24	34W	1		264.00	264.00	AF
Same				4488	--	--	NC	SE	1320	1320	35	24	34W	3		272.00	272.00	AF
A__ 26080 D2	IRR	NK	G	7052	--	--	NC	NW	3960	3960	35	24	34W	2		272.00	272.00	AF
Same				4478	--	--	NC	SW	1320	3960	35	24	34W	4		272.00	272.00	AF
A__ 28417 00	IND	NK	G	10167	--	--	NC	SW	1315	3852	31	24	33W	1		1100.00	1100.00	AF
A__ 28969 00	IRR	NK	G	9604	--	--	NC	SW	1320	3960	26	24	34W	3		264.00	264.00	AF
Same				9533	--	NE	SW	SE	1300	1795	26	24	34W	5		264.00	264.00	AF
A__ 30122 00	IND	NK	G	9458	--	--	NC	NW	4064	3750	6	25	33W	1		1045.00	518.30	AF
A__ 46464 00	IND	NK	G	0	--	NW	NW	SE	2286	2645	2	25	34W	5*		2.94	2.94	AF
A__ 50045 00	IND	AY	G	0	--	NW	NW	SE	2286	2645	2	25	34W	5		15.00	15.00	AF

Spacing MET

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	15.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00

File 46,464 F.J.L. Ventures Group, L.L.C. Section 2 Township 25 South Range 34 West Finney County, Kansas



Garden City Field Office
Division of Water Resources

MAR 2 2 2017

RECEIVED

50045

△ Point of Diversion:
(2,375 Feet North, 2,615 Feet West)

- Twp.shp
- ▤ Highways.shp
- Piss.shp
- Pd_utmz14nad83.shp

1:24000

APR 2 5 2018

WATER RESOURCES
RECEIVED

UNACCEPTABLE FOR PRIORITY

