

# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 50180  
This item to be completed by the Division of Water Resources.

Water Resources  
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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.)

DEC 06 2018  
12:39  
KS Dept Of Agriculture

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

1. Name of Applicant (Please Print): Venture Corporation - William Seybert  
Address: 214 S. Hwy 281  
City: Great Bend State KS Zip Code 67530  
Telephone Number: (620) 792-5921

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Arkansas River (drainage basin)

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. **Project Permit, Offset water provided by File No. 18,200**

3. The maximum quantity of water desired is 50 acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of NE 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. 2 GMD 5 Meets K.A.R. 5-3-1 (YES/NO) Use IND Source G/S County BT By BT Date 12-6-18  
Code LEG Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 12/6/18 Check # 49523

DWR 1-100 (Revised 02/12/2014) paid \$ 500

12/11/2018 ULM

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.

(A) One in the \_\_\_\_ quarter of the \_\_\_\_ quarter of the LOT 1 quarter of Section 12, more particularly described as being near a point 2888 feet North and 4056 feet West of the Southeast corner of said section, in Township 20 South, Range 14 West, Barton (Pit Geo CTR) 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):

K&CS Enterprises PO Box 1424 - Chris Spray - 620-786-0936  
(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 November 28, 2018. William R. [Signature]  
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 18.18 Acre Groundwater Pit, Geo CTR Pit  
(number of wells, pumps or dams, etc.)  
and (was)(will be) completed (by) ASAP  
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was first estimated to be ASAP  
(Mo/Day/Year)

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- 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 Has Pending Permit
- 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.

File# 18,200 is being used as an Offset, Application is being filed as a Project Permit.

Requesting a maximum 18.18 acre groundwater pit located within the 208-acre Track in the

West 1/2 of Sec. 12 T20S R14W, SW 1/4 of Sec. 1 T 20S R14W, NW 1/4 of Sec. 13 T20S R13W shown in

the included maps. Applicant stated they will start mining in the South portion of the property,

then move North and back fill in the groundwater pit as they expand the pit north.

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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

Lessee  
(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):

K & CS Enterprises PO Box 1424 Great Bend Ks. 67530 - Chris Spray  
(name, address and telephone number) 620-792-5921  
\_\_\_\_\_  
(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 Great Bend, Kansas, this 28 day of November, 2018  
(month) (year)

\_\_\_\_\_  
(Applicant Signature)

By William R. Seybert  
(Agent or Officer Signature)

William R. Seybert  
(Agent or Officer - Please Print)

Assisted by \_\_\_\_\_ ESII \_\_\_\_\_ Date: 11/27/2018  
(office/title)

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**INDUSTRIAL USE  
SUPPLEMENTAL SHEET**

File No. 50180

Name of Applicant (Please Print): Venture Corporation - William Seybert

1. Please describe type of industry or product produced: Sand & Gravel (Project Permit)

Standard Industrial Classification Code Number: 9994

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	N.A.		
Last year	N.A.		
Present year	N.A.		

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	30,000 tons		
Year 2	30,000 tons		
Year 3	30,000 tons		
Year 4	30,000 tons		
Year 5	30,000 tons		

Number of days of operation of the industry per year is 365 days.

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

**18.18 Acres of Exposed Groundwater x 33" evaporation / 12 = 50 Acre-Feet**

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	
	20S	14W	Max 18.18 Acre Sand & Gravel Pit located within the 208-acre Track in Sections 1, 12, & 13 Township 20S, Range 14W shown on the included maps																18.18

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

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THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

NOTICE OF INTENT TO OPEN OR EXPAND A  
SAND AND GRAVEL PIT OPERATION  
(In accordance with K.S.A. 82s-734(c), K.A.R. 5-13-1, and amendments thereto)

File No. \_\_\_\_\_ (Office Use Only)

- 1. Operator Name (Please Print) Venture Corporation  
 Address 214 S. Hwy 281  
Great Bend Ks. 67530  
 Telephone (620) 792-5921

- 2. Please designate the legal description of the pit. Max size of 18.18 acres in the \_\_\_\_\_ 1/4 of the \_\_\_\_\_ 1/4 of the \_\_\_\_\_ 1/4 of Section 1, 12 & 13, Township 20 South, Range 14 West, Barton County, Kansas.
- 3. Outline on an aerial photograph or topographical map the current and FINAL outline of the proposed pit, and attach it to the Notice of Intent. The photograph or map shall indicate the legal description of the location of the proposed pit and the scale of the map or photograph.
- 4. What year did, or will, the excavation of the pit begin? 2019
- 5. Indicate the proposed final size of the pit in acres. 18.18 acres.
- 6. Estimate the year the pit will be completed? 2039
- 7. By what method will the pit be excavated?  
 Hydraulic  Mechanical \_\_\_\_\_ Other \_\_\_\_\_
- 8. Will you have any other diversions of water at the pit site besides hydraulic dredging, such as pumpsites or wells? Yes \_\_\_\_\_ No . If yes, please specify the type of diversion and use to be made of the water. \_\_\_\_\_
- 9. Attach a copy of the Reclamation Plan you have on file with the State Conservation Commission.

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10. Please specify the measures you plan to use to protect groundwater from pollution, such as berms or vegetative strips. \_\_\_\_\_

We will construct earthen berms around the  
sand pit. The berms will be seeded.

11. Please complete the following table showing the estimated pit size at the end of each of the next five years.

Size of the Pit	Projected Pit Size in Acres
Current size of pit	0
Year 1	2
Year 2	3
Year 3	4
Year 4	5
Year 5	6

12. Owner's Name (Please Print) Chris Spray

Address PO Box 1424  
Great Bend KS. 67530

Telephone (620) 786 -7039

13. Please attach any additional information you believe will assist the Division in understanding the nature of your proposed pit or the expansion of your existing pit.

William R. Seybert 12-3-18  
Name (Please Print) Date

William R. Seybert  
Signature

Lessee  
Title/Relationship to Owner

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LR-3 (Rev. 6/18)



**Mined Land Reclamation Program**  
**RECLAMATION PLAN**

K.S.A. 49-602. It is the policy of this state to provide for the reclamation and conservation of land affected by surface mining and thereby to preserve natural resources, protect and perpetuate the taxable value of property, and protect and promote the health, safety and general welfare of the citizens of this state.

**SITE INFORMATION**

Company/County Name Venture Corporation License Number 03-234  
 Street Address 1 214 S. Hwy 281  
 Street Address 2 \_\_\_\_\_  
 City Great Bend State KS Zip 67530  
 E-mail rocky@venturecorpks.com  
 Telephone (620) 792-5921 Fax (620) 792-7155  
 Date of Application 12/04/18

**THIS RECLAMATION PLAN WILL BE VALID FOR 10 YEARS FROM THE DATE OF DOC APPROVAL.**  
 Expiration Date: \_\_\_\_\_

**SITE INFORMATION**

Site Number	Site Name	County	Legal Description				East/West	
			Q	S	T	R		
	Great Bend West Pit	Barton	S	W	12	20	14	West

Material(s) to be Extracted:  Limestone  Sand & Gravel  Sand  Rock  Shale  Gypsum  
 Sandstone  Landfill  Quartzite  Stone  Caliche  Salt  Gravel  Soil  Topsoil  
 Clay  Volcanic Ash

Street address of site \_\_\_\_\_  
 Is the site leased or owned by the operator? Leased  
 Pre-mining land use? Agriculture Total acreage of the registered site? 213.29  
 What is the total acreage of mining operation (includes roads, stockpiles, storage etc.)? 213.29

Indicate the approximate depth in feet of the following:  
 topsoil 0.5 mineral layer(s) 1) Water Resources 30  
 overburden minus topsoil 2.5 2) Received \_\_\_\_\_

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RECLAMATION PLANNING

Do you intend to reclaim as you mine? Yes Or when mining is completed? \_\_\_\_\_  
What is the expected total acreage of land to be affected at the site during the life of the mine? 213.29

(Affected land is defined as the land area where overburden has been removed for mining, overburden storage area, or both)

What is the intended post-mining land use? (check all that may apply)

Use	Estimated Acreage	Use	Estimated Acreage
<input type="checkbox"/> 1. Pasture	_____	<input type="checkbox"/> 6. Commercial/Industrial	_____
<input type="checkbox"/> 2. Farmland	_____	<input checked="" type="checkbox"/> 7. Wildlife Habitat	<u>213.29</u>
<input type="checkbox"/> 3. Forest	_____	<input type="checkbox"/> 8. Recreation	_____
<input type="checkbox"/> 4. Lake or Pond	_____	<input type="checkbox"/> 9. Other	_____
<input type="checkbox"/> 5. Residential	_____		

**K.S.A. 49-611.** (a) An operator authorized under this act to operate a mine, after completion of mining operations and within the time specified in K.S.A. 49-613, shall:

- (1) Grade affected lands except for impoundments and pit floors to slopes no steeper than one foot vertical rise for each three feet of horizontal distance. Where the original topography of the affected land was steeper than one foot of vertical rise for each three feet of horizontal distance, the affected lands may be graded to blend with the surrounding terrain. The grading of high banks of sand pits and highwalls may be modified or exempted by the Director.
- (2) Provide for the vegetation of the affected lands, except for impoundments, pit floors, and highwalls, as approved by the Director before the release of the bond as provided in K.S.A. 49-616.

I understand under Kansas law I am required to reclaim mined land after completion of mining operations unless a variance is granted by the State Conservation Commission under authority granted in K.S.A. 49-611 (d). WRS Initial

*GRADED SLOPES AND FILL AREAS ARE REQUIRED TO BE VEGETATED TO PREVENT EROSION AND SOIL LOSS. Vegetation may include grasses, forbs, legumes, shrubs and trees. Division of Conservation suggests the operator use the grass mixtures recommended by the Natural Resources Conservation Service/ County Conservation District, or KSU Extension for the area.*

Please indicate the type or species of grass or other vegetation that will be planted on the reclaimed land:  
 Brome     Fescue     Native Grass     Other

**Topsoil: K.S.A. 49-611.** (c) Topsoil that is a part of overburden shall not be buried or destroyed in the process of mining.

I understand that topsoil will not be buried or destroyed in the process of mining. WRS Initial.

An approximately equal amount of topsoil that was on the site prior to mining must be placed over the areas to be seeded after mining. Do you plan to remove any of the topsoil from the site? \_\_\_\_\_ Yes    X No  
If yes, then state the approximate amount of topsoil to be stockpiled for reclamation on site. \_\_\_\_\_

*Certain topsoil reclamation requirements under K.S.A. 49-601 through 624 may receive a variance by the Executive Director with the concurrence of the State Conservation Commission.*

When mining is complete, final reclamation planning should occur in consultation with the DOC before beginning reclamation work.

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**SET-BACK DISTANCE FROM ADJOINING PROPERTY**

*Although not part of the Surface Mining Land Reclamation and Conservation Act, this statute applies to landowners with land that is mined. The set-back distance should also be enough to allow for the required 3:1 slope of affected mine land to be achieved when shaping is required.*

**K.S.A. 49-501. Limits on excavation of certain land; civil remedies for violations.**

- (a) From and after the effective date of this act, land which is located outside the limits of any incorporated city and which is not zoned or is zoned for agricultural use shall not be excavated for limestone mining or quarrying purposes unless there is, for each foot of depth excavated, at least one foot of unexcavated land between the excavation and the property line of the person who owns the land being excavated. The requirement for maintenance of unexcavated land along a property line shall not be required if adjoining lands upon both sides of such property line are being excavated for such purpose.
- (b) The commission of any act in violation of subsection (a) shall render the violator liable to the adjoining landowner for the payment of a civil penalty of \$1,000 plus actual damages and reasonable attorney fees, recoverable in an action brought by the adjoining landowner.

**RECLAMATION REQUIREMENTS**

**Grading:** Shall be completed within **6 months** after receipt of the Final Surface Mining Completion Report.

**Seeding:** Shall be completed within **one year** or after conclusion of grading, considering optimal seeding time, spring or fall.

**Vegetation establishment:** Shall be completed in **one to three years**, depending upon vegetation type and/or the amount of rainfall and weather conditions. Each operator shall allow the seeded vegetation at least one year to become established before filing a *Reclamation Approval Request* form.

Natural Resources Conservation Service (NRCS) – *Provides seeding recommendations and conservation planning at no cost. The county Conservation District is normally co-located with the NRCS and can provide a list of grass seeding contractors in your county and often sell grass seed.*

**K.A.R. 11-8-7. Reclamation requirements.** Reclamation of affected lands shall meet the following standards, in addition to the standards listed in K.S.A. 49-611, and amendments thereto.

- (a) Affected lands shall be graded to allowable slopes within six months after filing the final report for the site.
- (b) In grading the affected lands, all mining-related waste products and machinery incompatible with the care and growth of vegetation shall be removed from the affected lands. Boulders and stones incompatible with the proposed post-mining use of the site shall be buried or removed from the site.
- (c) Topsoil and overburden, or if topsoil was not present initially, then overburden only, shall be preserved in an amount specified in the reclamation plan on the site for reclamation of affected lands.
- (d) Within one year following the conclusion of all earthwork, seeding of all areas in which vegetation is to be provided shall be completed to the extent permitted by weather and planting requirements.

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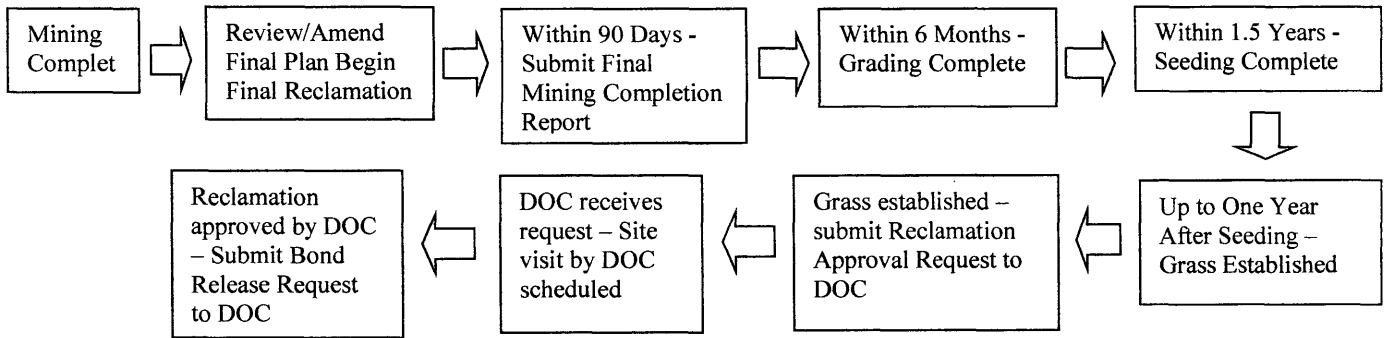
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- (e) Erosion control methods shall be used where necessary to prevent rill and gully formation.
- (f) Each operator shall allow the seeded vegetation at least one year to become established before filing a release request.
- (g) A variance from the requirements of sub-sections (a), (d) and (f) of this regulation, may be granted by the Executive Director if the operator submits a written request at least 30 days before the initiation of affected reclamation activities. (Authorized by K.S.A. 49-623; implementing K.S.A. 49-611; effective June 19, 1995.)

**I understand that under Kansas law, after completion of mining operations, I am required to reclaim mined land in accordance with the standards identified in the reclamation plan unless a variance is granted by the State Conservation Commission under authority granted in K.S.A. 49-611 (d) and K.A.R. 11-8-7. wls Initial**

**RECLAMATION PROCESS**

*Within 3 years after the mining completion report is filed with the DOC all reclamation must be completed.  
K.S.A. 49-613(a).*



**By checking the box, I acknowledge that I have read the above statement and do hereby demonstrate my understanding and agreement to abide by these guidelines.**

**SIGN REQUIREMENTS**

**K.S.A. 49-607. Signing of Site (c)** A mine site registered pursuant to this section or K.S.A. 49-616 shall have, at the primary entrance to the mine site, a clearly visible sign which sets forth the name, business address and phone number of the operator. Failure to post and maintain a sign as required by this subsection, within 30 days after notice from the Executive Director, invalidates the registration.

**By checking the box, I acknowledge that I have read the above statement and do hereby demonstrate my understanding and agreement to abide by these guidelines.**

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**RECLAMATION MAP REQUIREMENTS**

**Location Maps should be aerial photographs or enlarged topographic maps of the entire mine area and of a scale sufficient to clearly illustrate the following:**

- (1) Outline of the registered site detailing the affected areas, incremental mining areas;
- (2) Outline of the stockpile area;
- (3) Outline of the overburden stockpile areas;
- (4) Outline of the settling ponds;
- (5) Location of plant sites or processing areas;
- (6) Location of roads both existing and planned on-site; and
- (7) Location of planed and existing on-site buildings.
- (8) The proposed final limits of the excavation, during the number of years for which the permit is requested.

**Map Sources:**  
Google Maps  
Google Earth  
CAD Drawings

**By checking the box, I acknowledge that I have read the above statement and do hereby demonstrate my understanding and agreement to abide by these guidelines.**

**SIGNATURES**

**Operator responsible for reclamation:**

*As a representative of the above-named company, I certify that the above information is correct to the best of my knowledge, and that the above-named company/county has the authority to operate a mine on the site listed above, and that the above-named company/county has complied with all local, state, and federal requirements pursuant to K.S.A. 49-607(7).*

**First Name** William **MI** R **Last Name** Seybert

**Title** Vice-President **Date** 12/04/18

**Signature** William R. Seybert

**DIVISION OF CONSERVATION APPROVAL**

\_\_\_\_\_  
Mined Land Reclamation Program Manager  
Division of Conservation, KDA

Date \_\_\_\_\_

Notes:

\_\_\_\_\_  
Water Resources

Submit this form to: **Division of Conservation, KDA, Mined Land Reclamation Program, 1320 Research Park Drive, Manhattan, Kansas, 66502** OFFICE 785-564-6620 FAX 785-564-6778

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52150



3000 ft

Google Earth

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Water Resources



Overburden

Scalps

Mass

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**CONSENT AGREEMENT FOR OFFSET STATUS**

PER APPROVAL OF NEW PROJECT PERMIT

Water Right, File No. 18,200

I, ED7J INC + Concepts Commercial, owner or authorized agent for Water Right, File No. 18,200, hereby confer the water right to the Division of Water Resources, State of Kansas, for an offset per the approval of New Project Permit, effective upon the date of approval of said appropriation.

I hereby certify that this water right:

- 1) is vested or certified,
- 2) has an authorized point of diversion located in the Lot 1 of Section 1,  
Township 20 South, Range 14 W, Barton County, Kansas,
- 3) has an authorized maximum rate of diversion of 600 gallons per minute,
- 4) has an authorized maximum annual quantity of 50 Acre-Feet,
- 5) is authorized to be used for irrigation use,
- 6) is in good standing and not abandoned, and
- 7) will no longer be exercised after November 28, 2018.
- 8) that the existing point of diversion will be properly plugged and abandoned by the current owner.

[Signature] Pres. 11-28-18  
(Signature of Water Right Owner and Date)

State of Kansas )  
County of Barton ) SS

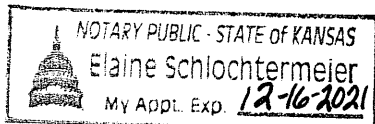
[Signature] 11-28-18

The foregoing instrument was acknowledged before me this 28 day of November, 2018, by David D. Mermier (Water Right Owner).

[Signature]

Notary Public

My Appointment Expires:



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State of Kansas )  
County of BARTON ) SS

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of November, 2018, by R. JOE Southard (Water Right Owner).

[Signature]

Notary Public

My Appointment Expires:



Water Resources  
Received  
**DEC 06 2018**  
KS Dept Of Agriculture



50/80

CONSENT AGREEMENT FOR OFFSET STATUS  
Page 2

The Division of Water Resources hereby agrees to accept the information on the Consent Agreement for Offset Status as fully satisfying the water right owner's obligation to confer the water right to the Division of Water Resources, State of Kansas, to obtain a new appropriation for municipal use of water. The Division of Water Resources also hereby agrees to assume the responsibility of filing the annual water use report on the conferred water right as required under Kansas Law (ref. K.S.A. 82a-732). This agreement is binding on the owner of the water right, his or her heirs, successors and assigns, and may not be rescinded in any way at any time.

---

Program Manager  
Water Appropriation Program

State of Kansas                    )  
  ) SS  
County of \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_, by \_\_\_\_\_.

---

Notary Public

My Appointment Expires:

Water Resources  
Received  
**DEC 06 2018**  
KS Dept Of Agriculture



50180

**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN  
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT  
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River  
Big Blue River  
Chapman Creek  
Chikaskia River  
Cottonwood River  
Delaware River  
Little Arkansas River  
Little Blue River  
Marais des Cygnes River  
Medicine Lodge River  
Mill Creek (Wabaunsee Co. area)  
Neosho River

Ninnescah River  
North Fork Ninnescah River  
Rattlesnake Creek  
Republican River  
Saline River  
Smoky Hill River  
Solomon River  
South Fork Ninnescah  
Spring River  
Walnut River  
Whitewater River

Water Resources  
Received

**DEC 06 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

VENTURE CORPORATION  
WILLIAM SEYBERT  
214 S HWY 281  
GREAT BEND, KS 67530

December 10, 2018

RE: Application, File No. **50180**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application for a permit to appropriate water for beneficial use. Your application has been assigned the file number referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the application is unlawful.

Additional information about the process may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any other questions, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

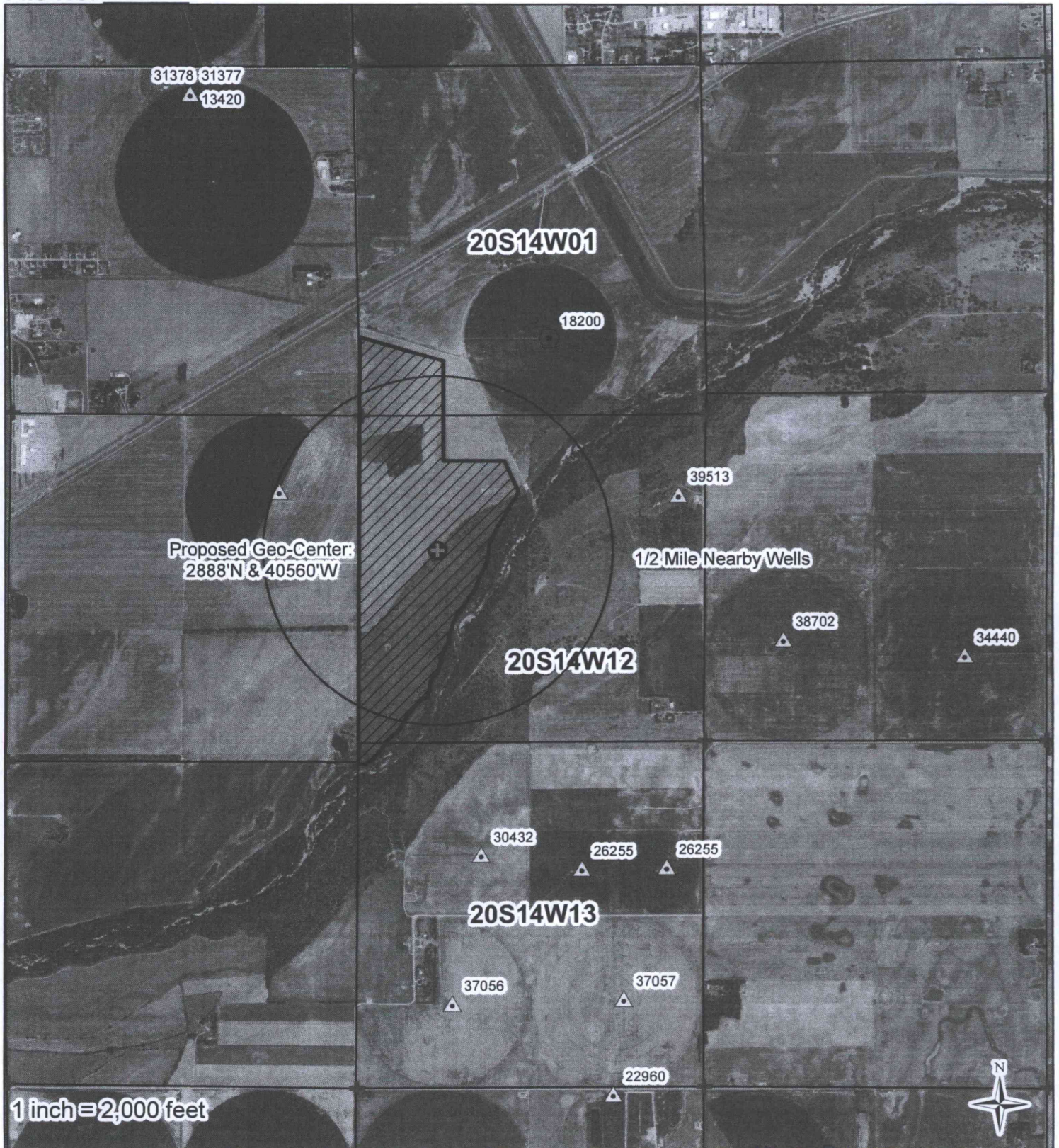
Sincerely,

A handwritten signature in black ink that reads "Brent A. Tourney". The signature is written in a cursive style.






Brent Tourney, L.G.  
Change Applications Unit Supervisor  
Water Appropriation Program



File No. *50180*



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

-  Offset - File#18200
-  Proposed PD
-  Water Rights
-  Proposed Place of Use
-  SFFOsec\_corners

**DEC 06 2018**

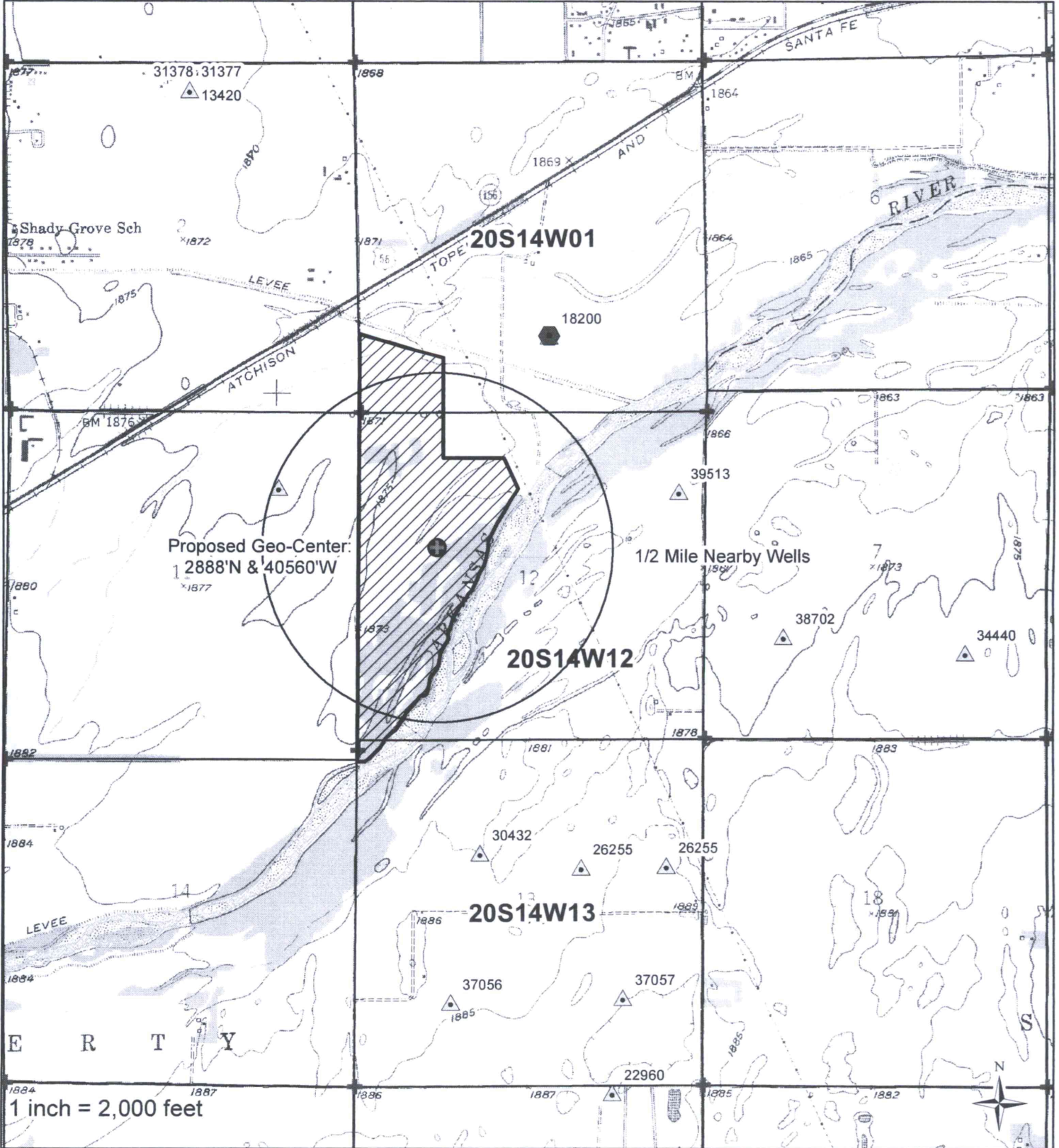
Signature \_\_\_\_\_ Date \_\_\_\_\_  
0 800 1,600 3,200 4,800 6,400  
Feet

Created By: Matt Meier  
Date: 11/27/2018

Water Resources  
Received  
KS Dept Of Agriculture



File No. 50180



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

- Offset - File#18200
- Proposed PD
- Water Rights
- Proposed Place of Use
- SFFOsec\_corners

Signature \_\_\_\_\_ Date \_\_\_\_\_  
 0 800 1,600 3,200 4,800 6,400 Feet

Water Resources  
 Received  
 Created By: Matt Meier  
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 Date: 11/27/2018  
 KS Dept Of Agriculture