

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
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

50431

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

Water Resources
Received

**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.)

AUG 26 2020
12.15
KS Dept Of Agriculture

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

1. Name of Applicant (Please Print): Golden Rule Farms Inc
Address: Donovan Claassen, 11529 NW 120th St
City: Whitewater State KS Zip Code 67154
Telephone Number: (____) _____

2. The source of water is: surface water in _____ (stream)
OR groundwater in the Walnut River Basin (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.

3. The maximum quantity of water desired is 73.5 acre-feet OR 23,944,800 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.	<u>2</u>	GMD	-	Meets K.A.R. 5-3-1	(YES/NO)	Use	<u>STK</u>	Source	<input type="checkbox"/> G / <input type="checkbox"/> S	County	<u>BU</u>	By	<u>KJN</u>	Date	<u>8/27/2020</u>
Code	<u>REG</u>			Fee \$	<u>200.00</u>	TR #		Receipt Date	<u>8/26/2020</u>	Check #	<u>14489</u>				

8/27/2020
LMoody

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.

Geocenter: (A) One GeoCenter in the NW quarter of the NW quarter of the NE quarter of Section 6, more particularly described as being near a point 4,967 feet North and 2,176 feet West of the Southeast corner of said section, in Township 24 South, Range 4 East, Butler County, Kansas.

8/27/2020
KJN

(B) One in the NW quarter of the NW quarter of the NE quarter of Section 6, more particularly described as being near a point 5,142 feet North and 2,003 feet West of the Southeast corner of said section, in Township 24 South, Range 4 East, Butler County, Kansas.

(C) One in the NW quarter of the NW quarter of the NE quarter of Section 6, more particularly described as being near a point 4,792 feet North and 2,349 feet West of the Southeast corner of said section, in Township 24 South, Range 4 East, Butler 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.

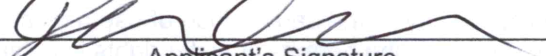
6. The owner of the point of diversion, if other than the applicant is (please print):

Applicant
(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 August 19, 2020. 
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 a battery of two wells
(number of wells, pumps or dams, etc.)

and was completed (by) 1993
(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 1993
(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 --- _____
- 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 No. 40396 and 42059 authorized the same points of diversion and place of use. If this new application is approved, File No. 42059 will be dismissed.

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	2/15/1994	_____	_____	_____
Total depth of well	100'	_____	_____	_____
Depth to water bearing formation	75'	_____	_____	_____
Depth to static water level	30'	_____	_____	_____
Depth to bottom of pump intake pipe	75'	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of Applicant
(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):
Applicant
(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 _____, Kansas, this _____ day of _____, (month) (year)

Golden Rule Farms Inc. by [Signature] V.P.
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Water Resources
Received
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KS Dept Of Agriculture

FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

STOCKWATER USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): Golden Rule Farms

1. Please indicate type of livestock (cattle, hogs, etc.): Hogs

2. Please complete the following table showing past and present water requirements:

PAST NUMBER OF HEAD AND WATER DIVERTED, IF APPLICABLE

LAST 5 YEARS	NUMBER OF HEAD	WATER DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
5 years ago	(2015) 3,000	2,954,420	2.7
Last year	(2019) 3,000	3,411,090	3.1
Present Year			

3. Please complete the following table showing estimated future water requirements:

ESTIMATED FUTURE NUMBER OF HEAD AND WATER DIVERTED

NEXT 5 YEARS	NUMBER OF HEAD	WATER TO BE DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
Year 1	3280	25,000,000	7622
Year 2	3280	25,000,000	7622
Year 3	3280	25,000,000	7622
Year 4	3280	25,000,000	7622
Year 5	3280	25,000,000	7622

Please attach any additional information, tables, or curves 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			
6	24	4E	Confined Hog Facilities in the NW1/4 NE1/4																		

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5. Show quantities of water used and all associated water uses at the feedlot such as water used in feed mills, cooling of animals, washing, flushing of wastes, etc.:

DRINKING

3,280 head of finishing hogs _____ x 5 _____ gallons/head (avg.) x 365 _____ days = 5,986,800 gallons
 _____ head of _____ x _____ gallons/head (avg.) x _____ days = _____ gallons
 _____ head of _____ x _____ gallons/head (avg.) x _____ days = _____ gallons

COOLING

300 gallons/hour x 20 hour/day x 180 days = 1,080,000 gallons

SANITATION

15 gal/head/day x 3,280 animal units x 365 days ~~g.p.m. x 60 min/hr x hr/wk x wks/yr~~ = 17,958,000 gallons

OTHER USE (Explain) _____ = _____ gallons

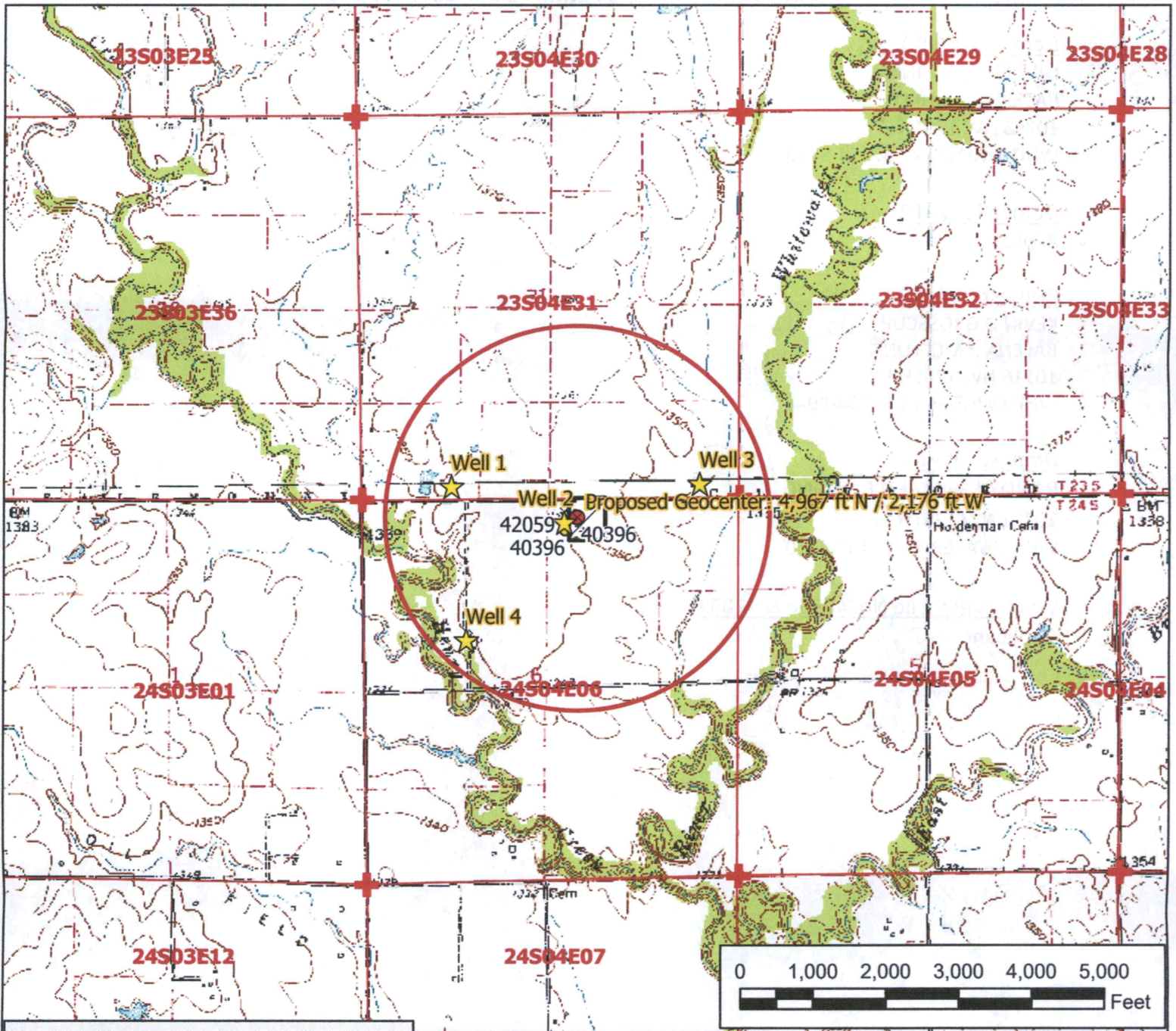
TOTAL ----- ~~23,944,800~~ gallons
25,024,800

6. Show location of present and future location of confinement pens on your attached maps or photographs.
7. Total feed bunk space for cattle or livestock is --- linear feet.
8. Total size of stock pens for confinement area of cattle, hogs, etc. is _____ square feet.

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

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Legend

- Water Appropriation
- Proposed Point of Diversion
- Authorized Point of Diversion
- ★ Domestic Well
- ⊕ Section Corner
- ▭ Section Line
- Half Mile Circle
- ▭ Proposed Place of Use

Water Application, File No. _____

New Application Map 6-24-4E // Butler County

To the best of my knowledge, all wells within one-half mile of the proposed points of diversion have been shown.



Water Resources
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KS Dept Of Agriculture

Signature / Date

7/14/2020 EKF/SFFO 1:24,000 scale

File No. _____ New Application for a Permit to Proceed: Nearby Well Owners

Domestic Well 1

LAWRENCE P HINKLE
PATRICIA K HINKLE
10768 NW 120TH ST
WHITEWATER, KS 67154-8950

Domestic Well 2

Applicant

Domestic Well 3

KEVIN D GROSSCUP
BALENA R MCCLUNG
10116 NW 120TH ST
WHITEWATER, KS 67154-8948

Domestic Well 4

RANDY J & KAREN E HUJING
10721 NW 120TH ST
WHITEWATER, KS 67154-8950

Water Right, File No. 40396 & 42059

Applicant

(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
1320 Research Park Drive
Manhattan, Kansas 66502

Re: Application
File No. _____

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Golden Rule Farms Inc. by
Signature of Applicant [Signature]

State of Kansas)
County of Butler) ss

Golden Rule Farms Inc. by Dean
(Print Applicant's Name) Classen

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 16 day of July, 2020.

MARGRETTA MACY
Notary Public - State of Kansas
My Appt. Expires 03-17-23

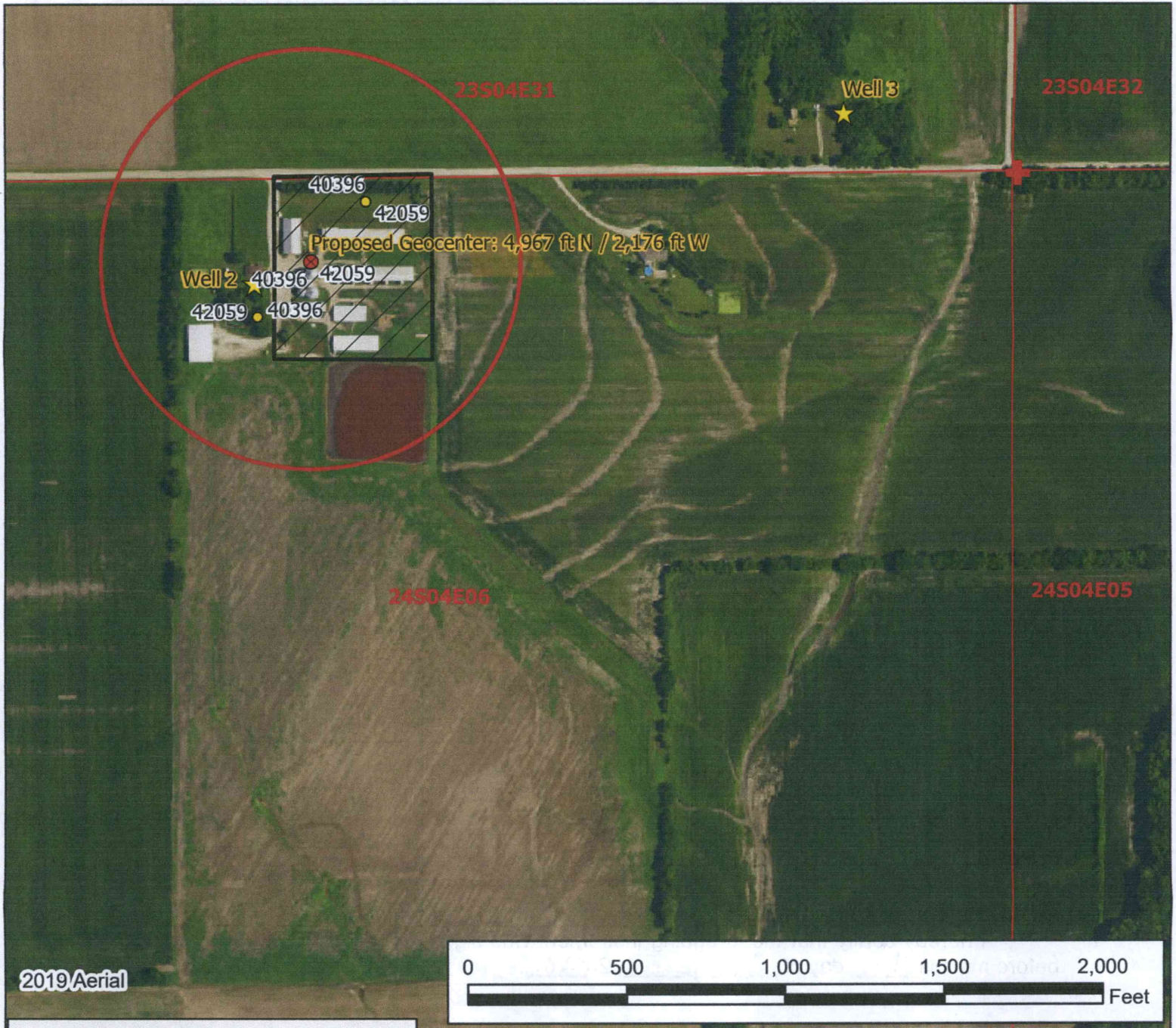
Margaretta Macy
Notary Public

My Commission Expires: 03-17-2023

Water Resources
Received

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KS Dept Of Agriculture



Legend

- Water Appropriation
- Proposed Point of Diversion
- Authorized Point of Diversion
- ★ Domestic Well
- ⊕ Section Corner
- ▭ Section Line
- ▭ 660 ft Circle
- ▨ Proposed Place of Use

Water Application, File No. _____

Zoomed New Application Map
6-24-4E // Butler County



DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 50431

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
35749	10021 - GEO	79
	24939	
	42075	

LANDOWNER PERSON ID & SEQ #	PUSE ID
35749	38785

WATER USE CORRESPONDENT PERSON ID & SEQ #
35749

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

August 31, 2020

GOLDEN RULES FARMS INC ATTN: DONOVAN CLAASEN
11529 NW 120TH ST
WHITEWATER KS 67154

RE: Application, File No(s). **50431**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) for a permit to appropriate water for beneficial use. Your application(s) has been assigned the file number(s) 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(s) 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(s) is unlawful.

Additional information about the process may be found on our website at 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 "Kristen A. Baum". The signature is written in a cursive style.

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program