

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
Earl D. Lewis Jr., Chief Engineer

50718

File Number
This item to be completed by the Division of 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.)

FEB 07 2022

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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): 4D Zeus LLC
Address: Dale Miller, 9000 Choctaw St
City: Union City State OK Zip Code 73090-6644
Telephone Number: (405) 206-3444

2. The source of water is: [] surface water in (stream)
OR [x] groundwater in Medicine Lodge 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.

3. The maximum quantity of water desired is 295.4 acre-feet OR --- gallons per calendar year, to be diverted at a maximum rate of 1,900 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) [x] 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 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G/S County BA By BMM Date 2/7/22
Code RE2 Fee \$ 300 TR # Receipt Date 2-7-22 Check # 1009

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 Geographic Center of a Horizontal Well located in the NW quarter of the NE quarter of the SE quarter of Section 22, more particularly described as being near a point 2,596 feet North and 994 feet West of the Southeast corner of said section, in Township 34 South, Range 11 West, Barber County, Kansas.

(B) One Pump End of a Horizontal Well located in the NW quarter of the NE quarter of the SE quarter of Section 22, more particularly described as being near a point 2,596 feet North and 694 feet West of the Southeast corner of said section, in Township 34 South, Range 11 West, Barber County, Kansas.

(C) One End of a Horizontal Well located in the NW quarter of the NE quarter of the SE quarter of Section 22, more particularly described as being near a point 2,596 feet North and 1,293 feet West of the Southeast corner of said section, in Township 34 South, Range 11 West, Barber 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 February 3rd, 2022. 
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 600' long horizontal well and diversion works
(number of wells, pumps or dams, etc.)
and Will be completed (by) Spring 2022
(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 2022
(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 ½ 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 ½ mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ 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.

There are no overlaps current or proposed for this place of use or point of diversion.

Applicant will be surrendering permit # 47,808 contingent upon approval of this application.

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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	12/22/2020	_____	_____	_____
Total depth of well	35'	_____	_____	_____
Depth to water bearing formation	26'	_____	_____	_____
Depth to static water level	12'	_____	_____	_____
Depth to bottom of pump intake pipe	N/A	_____	_____	_____

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):

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 Union City, OK, ~~Kansas~~, this 3rd day of February, 2022.
(month) (year)

Dale Miller
(Applicant Signature)

By *Managing Member 40 Zeus*
(Agent or Officer Signature)

Dale Miller
(Agent or Officer - Please Print)

Assisted by EKF SFFO/ESII Date: 2/2/2022
(office/title)

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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

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IRRIGATION USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): 4D Zeus LLC, Dale Miller

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: 4D Zeus LLC

ADDRESS: Dale Miller, 9000 Choctaw St, Union City OK 73090-6644

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
22	34S	11W				10.5											22.5				11	44
23	34S	11W							39			12.5	40	39	36.5							167
																					Total	211

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				

Landowner of Record NAME: _____

ADDRESS: _____

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. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
<u>Dale Silt Loam</u>	<u>~60</u>	<u> </u>	<u> </u>
<u>Woodward-Quinlan Loams</u>	<u>~21</u>	<u> </u>	<u> </u>
<u>Attica Loamy Fine Sand</u>	<u>~9</u>	<u> </u>	<u> </u>
<u>Grant Silt Loam</u>	<u>~7</u>	<u> </u>	<u> </u>
<u>Shellabarger Sandy Loam</u>	<u>~3</u>	<u> </u>	<u> </u>
Total:	100 %		

b. Estimate the average land slope in the field(s): 1-3 %

Estimate the maximum land slope in the field(s): 6 %

c. Type of irrigation system you propose to use (check one):

Center pivot Center pivot - LEPA "Big gun" sprinkler
 Gravity system (furrows) Gravity system (borders) Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: TBD psi

(2) What is the sprinkler package design rate? TBD gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? TBD feet

(4) Please include a copy of the sprinkler package design information. TBD

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

Alfalfa, corn, soybeans, oats, sesame, sorghum and wheat. Crop rotation schedule to be determined at a later date.

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

We plan to implement soil moisture content testing plan and water based on those results.

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

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2/3/22

(Date)

Kansas Department of Agriculture
Division of Water Resources
Earl D. Lewis, Jr, 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.

Dale Miller

Signature of Applicant

State of ~~Kansas~~ Oklahoma)
County of Canadian) ss)

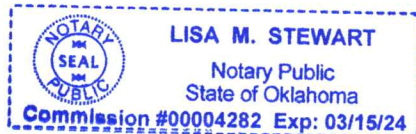
Dale Miller
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 3rd day of February, 2022.

Lisa M. Stewart

Notary Public

My Commission Expires:



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**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.

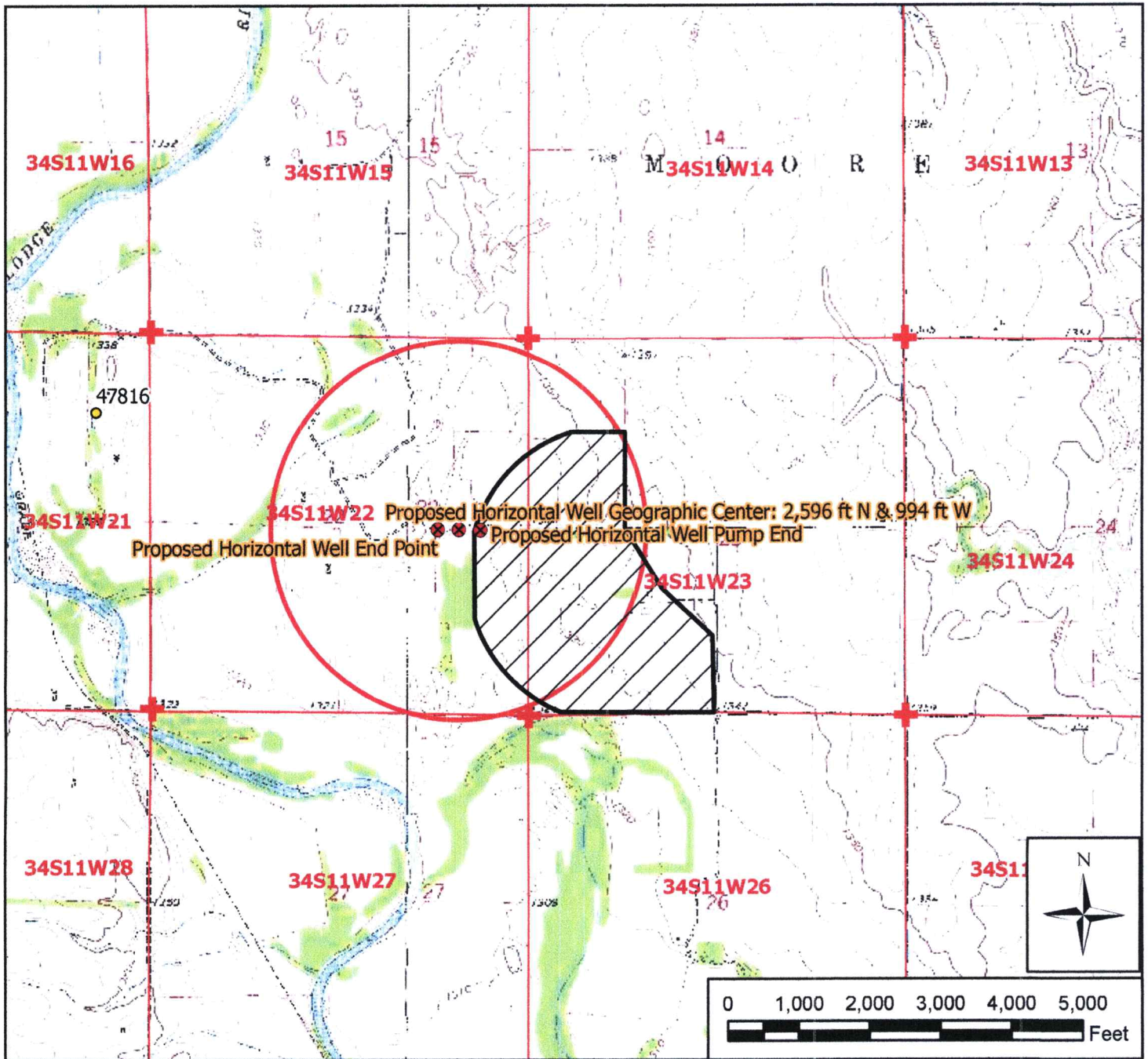
Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

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

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Legend

- Water Appropriation
- ⊗ Proposed Point of Diversion
- ★ Domestic Well
- ⊕ Section Corner
- ▭ Section Line
- ▨ Proposed Place of Use

New Application, File No. _____

Permit to Proceed Application Map

22 & 23-34S-11W // Barber County

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

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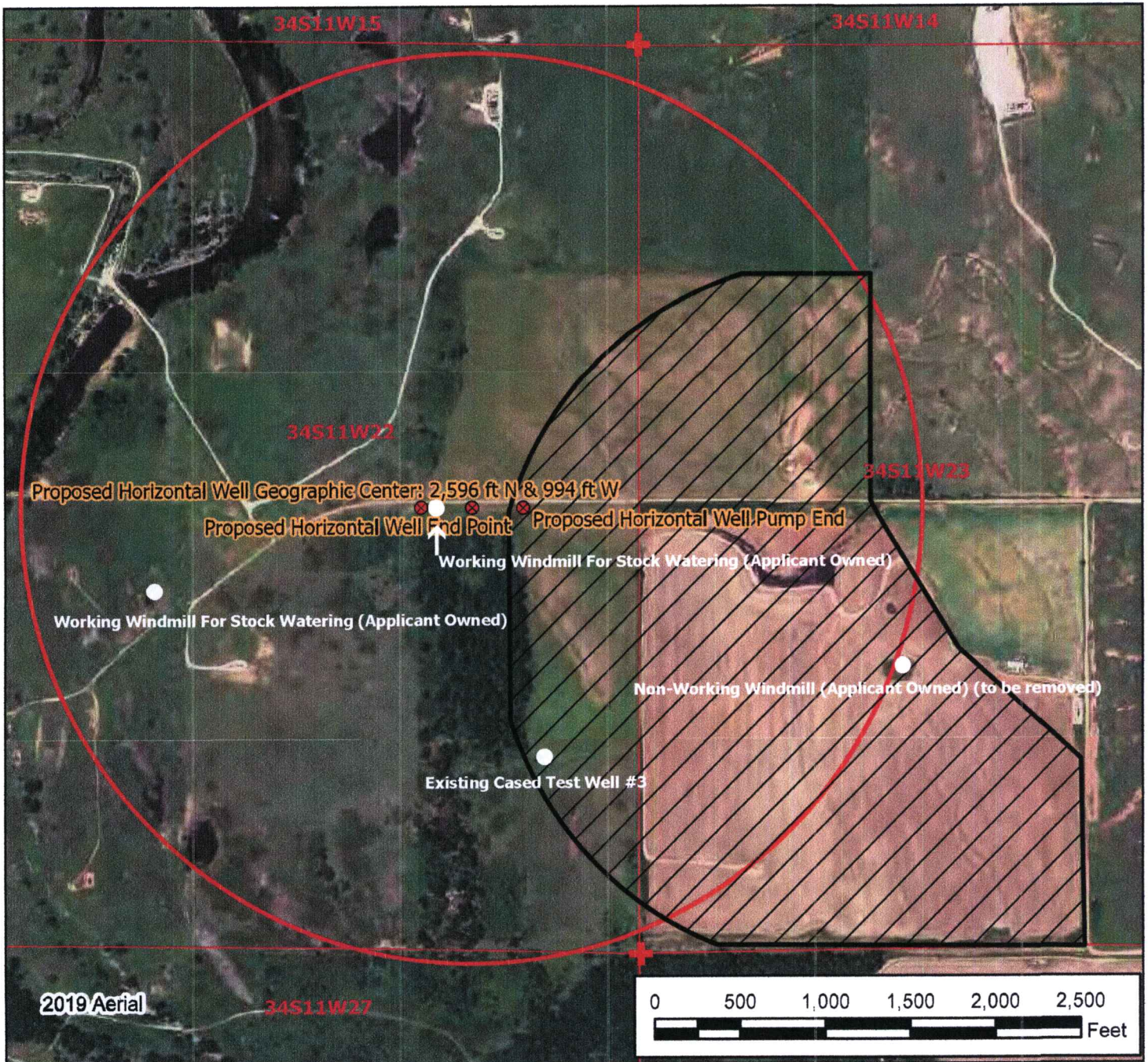
Dan Miller

2-3-22

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Signature / Date

2/2/2022 EKF/SFFO 1:24,000 scale



Legend

- Water Appropriation
- ⊗ Proposed Point of Diversion
- ★ Domestic Well
- ⊕ Section Corner
- ▭ Section Line
- ▨ Proposed Place of Use

New Application, File No. _____
Permit to Proceed Application Zoomed Map
21 & 22-34S-11W // Barber County

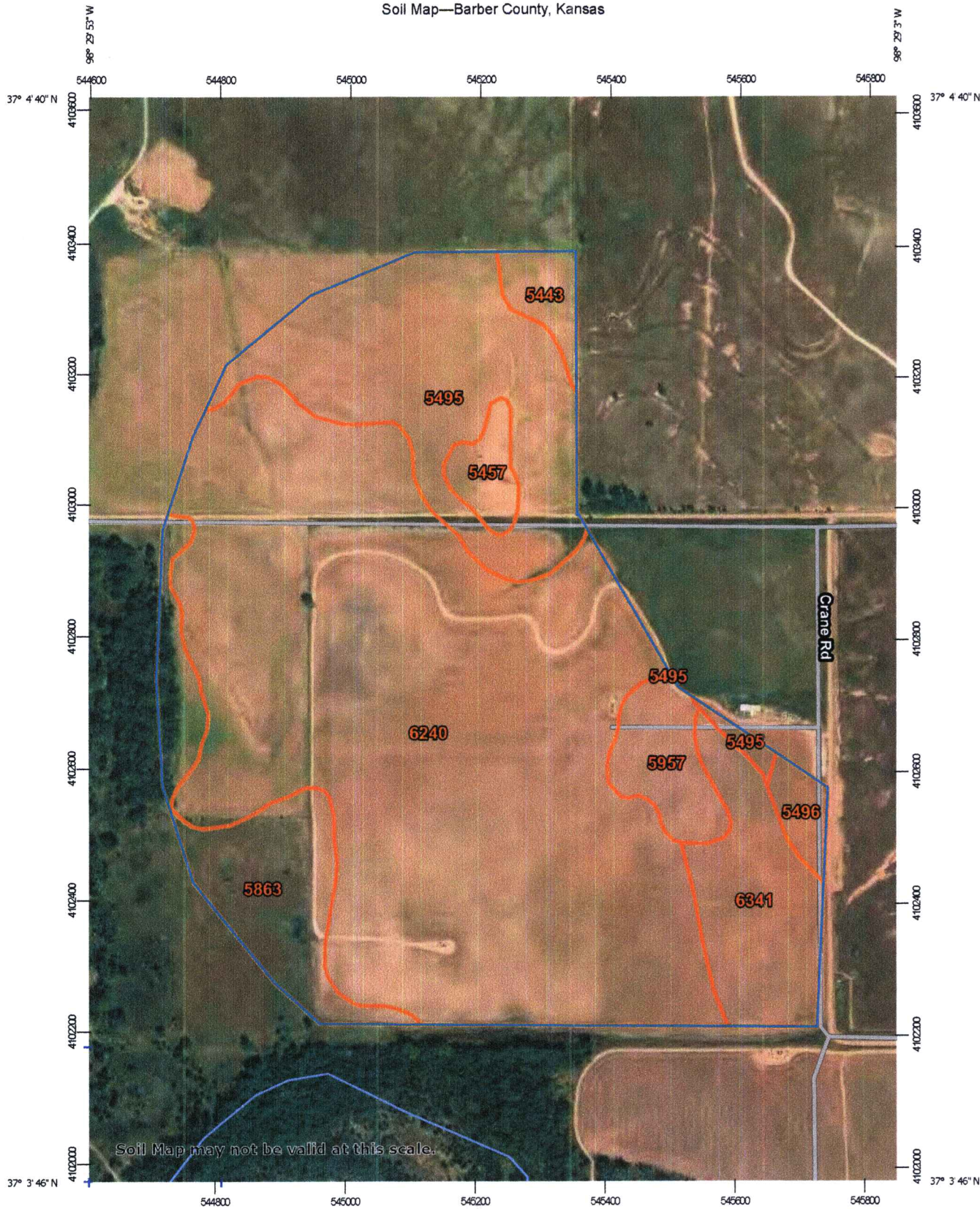


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Soil Map—Barber County, Kansas



Map Scale: 1:8,020 if printed on A portrait (8.5" x 11") sheet.

0 100 200 400 600 Meters

0 350 700 1400 2100 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge ticks: UTM Zone 14N WGS84

Soil Map—Barber County, Kansas

MAP LEGEND

- Area of Interest (AOI)**
 - Area of Interest (AOI)
- Soils**
 - Soil Map Unit Polygons
 - Soil Map Unit Lines
 - Soil Map Unit Points
- Special Point Features**
 - Blowout
 - Borrow Pit
 - Clay Spot
 - Closed Depression
 - Gravel Pit
 - Gravelly Spot
 - Landfill
 - Lava Flow
 - Marsh or swamp
 - Mine or Quarry
 - Miscellaneous Water
 - Perennial Water
 - Rock Outcrop
 - Saline Spot
 - Sandy Spot
 - Severely Eroded Spot
 - Sinkhole
 - Slide or Slip
 - Sodic Spot
- Water Features**
 - Streams and Canals
- Transportation**
 - Rails
 - Interstate Highways
 - US Routes
 - Major Roads
 - Local Roads
- Background**
 - Aerial Photography
- Other Features**
 - Spoil Area
 - Stony Spot
 - Very Stony Spot
 - Wet Spot
 - Other
 - Special Line Features

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Barber County, Kansas
 Survey Area Data: Version 17, Sep 13, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 16, 2014—Oct 23, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

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Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
5443	Quinlan loam, 1 to 3 percent slopes MLRA 78C	3.6	1.6%
5457	Quinlan-Woodward loams, 6 to 15 percent slopes	3.5	1.6%
5495	Woodward-Quinlan loams, 1 to 3 percent slopes	34.9	16.2%
5496	Woodward-Quinlan complex, 3 to 5 percent slopes	2.6	1.2%
5863	Attica loamy fine sand, 1 to 3 percent slopes	18.5	8.6%
5957	Shellabarger sandy loam, 3 to 6 percent slopes	7.2	3.4%
6240	Dale silt loam, rarely flooded	129.5	60.1%
6341	Grant silt loam, 1 to 3 percent slopes	15.7	7.3%
Totals for Area of Interest		215.5	100.0%

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Rosencrantz-Bemis Drilling Co.
 A Division of Rosencrantz-Bemis Ent. Inc.
 P.O. Box 713
 Great Bend, KS 67530
 620-793-5512
 r-bwater@hotmail.com

Invoice

Date	Invoice #
4/15/2021	53585

Bill To	Location
Dale Miller 9000 Choctaw St. Union City, OK 73090	NW 1/4 22-34-11 SE 1/4 22-34-11

Date	Qty	Description	Amount
		Drilled (1) Test Well	
12/22/2020	60	Drilled Test Well (drill 35 ft. - 60 ft. min)	630.00
	35	PVC Casing 5" 160#	142.10T
	1	PVC cap 5"	12.75T
	3	Hole Plug Small Bag	31.50T
	4	Supervisor labor	340.00
	101	Pickup Truck Mileage	151.50
		SE 1/4 22-34-11	
		Drilled (2) Test Wells	
	60	Drilled #1 Test Well - (drill 35 ft. -60 ft min.)	630.00
	35	PVC Casing 5" 160#	142.10T
	1	PVC cap 5"	12.75T
	60	Drilled # 2 Test Well (drill 10 ft. - 60 ft. min) Plugged	630.00
	3	Hole Plug Small Bag	31.50T
	101	Drill Rig Mileage Charge	505.00
12/23/2020	7	Labor - Flow test wells	980.00
		#1 Test NW 1/4 - 112 GPM w/ 19 ft. 7" DD 47,816 Test at Center of Pivot	
		Existing well 115 GPM w/19 ft. DD Existing Water Well Drilled for N-10 / North-East Side of 47,816 Pivot	
		# 1 Test SE 1/4 115 GPM w/ 16 ft. DD Deer Blind - New East Pivot Application	
	101	Service Truck Mileage Charge	252.50
	5	Hole Plug Small Bag	52.50T
	3	Water Sample	144.00
	1	Postage	8.70
	4	Supervisor labor	340.00

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Subtotal	
Sales Tax (7.5%)	Kiowa - NCE
Total	



1000 Corey Road
P.O. Box 886
Hutchinson, KS 67504-0886
620-665-5661
FAX: 620-665-0559
TOLL FREE: 877-464-0623
www.sdklabs.com

Sample # 5343.20
Sample: Water
Other ID: Well Sampled by Luis Luna D.Miller SE 22-34-11 Test 2

Date Received: 12/30/2020
Date/Time Sampled: 12/28/2020 7:20:00
Date Reported: 01/06/2021
Total Fee: \$48.00

ROSENCRANTZ-BEMIS DRILLING
1105 281 BYPASS
P.O. BOX 713
GREAT BEND, KS 67530

ANALYSIS

	Result	Units	Date/Time Analyzed	Analyst
++pH - SM 4500-H+ B	7.44	s. u.	12/29/2020 14:48	NB
++Chloride - SM 4500-Cl B	52.50	mg/L	12/31/2020 13:30	SE
++Total Hardness - SM 2340B	486	mg/L		
++Nitrate-Nitrogen - SM 4500-NO3 D	1.93	mg/L	12/29/2020 15:00	SE
++Calcium - SM 3111B	86.50	mg/L	1/6/2021 10:15	JC
++Magnesium - SM 3111B	65.60	mg/L	1/6/2021 10:15	JC
++Sodium - SM 3111B	26.00	mg/L	1/6/2021 10:15	JC
++Sulfate - SM 4500 SO4 E	75.00	mg/L	12/30/2020 07:10	SE
% Sodium	14.60	%		
SAR-Sodium Absorption Ratio	0.511	s. u.		
++Electrical Conductivity - SM 2510B	1020	umhos/cm	12/29/2020 16:00	SE
TDS-Total Dissolved Solids - Calculated	723	mg/L		
Irrigation Quality Rating	AS FOLLOWS			
Light Soil -Salinity Hazard	Low			
Light Soil -Sodium Hazard	Low			
Medium Soil -Salinity Hazard	Low			
Medium Soil -Sodium Hazard	Low			
Heavy Soil -Salinity Hazard	Medium			
Heavy Soil -Sodium Hazard	Low			
General Comment:	Good to Permissible			

**Sample receipt temperature = 14.8 degree C.

**Sample beyond hold time for pH.

* Denotes analysis was subcontracted to another laboratory for state compliance - see attached.

Methods of analysis per EPA-800 or EPA SW-846, 3rd Ed., 1986 or Standard Methods for the Examination of Water and Wastewater, 18th Edition, 1992.

++Denotes NELAP/KOHE Accredited Method. Lab Certificate #E-10182. Results meet all requirements of NELAC unless noted.

Approved By:

Matt Hogan
Quality Assurance Officer

Matt Hogan

Copies

The results reported pertain only to the samples as received by the laboratory

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FEB 07 2022

KS DEPT OF AGRICULTURE



To: Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Dr
Manhattan KS 66502
Telephone: (785) 564-6640

Re: Domestic Well Spacing
Consent Form

I, 4D Zeus, LLC / Dale Miller, own a well in the NE
Quarter of the NW Quarter of the SE Quarter of Section 22,
Township 34 South, Range 11 ~~West~~ East, Barber County, Kansas.

Water from this well is used only for domestic purposes as follows:

- household use;
- watering of livestock, poultry, farm and domestic animals used in operating a farm; and/or
- irrigation of lands not exceeding a total of two (2) acres in area for the growing of gardens, orchards and lawns.

I understand that an application for a permit to appropriate water, Application, File No. _____, has been filed with the Division of Water Resources and that the applicant seeks to use water from a new well located closer to my domestic well than allowed by the rules and regulations of the Chief Engineer, in particular K.A.R. _____. I hereby give my permission to the applicant to install a horizontal well at a location approximately 50 feet from my domestic well if the same is allowed and permitted by the Chief Engineer.

By giving my permission, I do not waive any right I may have to file a complaint with the Chief Engineer or to make a written request to secure water, pursuant to K.A.R. 5-4-1, if the use of my well becomes impaired such that I am unable to exercise my domestic water right, nor do I waive any other rights I may have under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer.

I acknowledge that my permission has been given freely and voluntarily. I further acknowledge that I have not entered any agreement either oral or in writing with any person(s) including the Applicant, land owner, or any representative or agent of the applicant or land owner that condition my permission on giving up any of my rights under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer or that condition my permission on reliance on any person or entity other than the Chief Engineer to investigate any claims of impairment I may make with respect to my domestic well or to secure water to satisfy my domestic water right.

Dale Muth

Signature

9000 Choctaw Street

Address (please print)
Union City, OK 73090

City/Town, State (please print)

(405) 206-3444

Phone

State of Oklahoma

County of Canadian

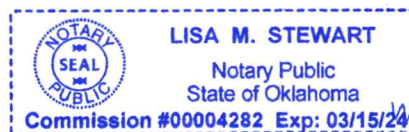
Signed or attested before me on 2/4/2022

by Lisa M. Stewart
(Please print name of signatory)

Lisa M. Stewart

Notary Public

[My appointment expires: 3/15/2024



WATER RESOURCES
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FEB 07 2022

Stafford Field Office
300 S. Main Street
Stafford, KS 67578-1521



Phone: 620-234-5311
Fax: 620-234-6900
www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

February 2, 2022

WATER RESOURCES
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FEB 07 2022

4D Zeus LLC
Dale Miller
9000 Choctaw St
Union City OK 73090-6644
millerexcavation@gmail.com

KS DEPT OF AGRICULTURE

RE: Application Assistance—Change & New Application
File Nos. 47808 & 47816 and New Applications

Dear Mr. Miller,

You will find enclosed with this letter four (4) different applications or forms for the referenced file numbers, which are or are proposed to be in Sections 21-23, Township 34 South, Range 11 West, Barber County Kansas. Each document is outlined below along with what needs done to complete the form. The enclosed applications propose to accomplish the following:

- Close or dismiss File No. 47808
- Modify and expand the authorized acres under File No. 47816 in association with a new application that proposes a horizontal well
- Authorize a second horizontal well to the east of File No. 47816 that will provide water to a second center pivot system.

All forms and associated maps, if applicable, will need to be carefully reviewed and any corrections made as needed. Each document will need at least one signature from an authorized representative of the landowner, 4D Zeus LLC, and some signatures will need to be notarized. In addition, all of the maps will need to be reviewed in order to ensure all known domestic wells are shown. If any wells are added to the map, please provide the landowner's name and mailing address. The maps will also need to be signed.

1. File No. 47808: The Voluntary Dismissal of a Water Right or Permit & Waiver of Hearing form will close File No. 47808. A notarized signature from is required and there is no fee for this form.
2. File No. 47816: This application is a request to change the water appropriation to add a 23-acre strip of land west of the groundwater pit to the authorized place of use. In addition, the proposed change will create a complete place of use overlap with one of the proposed new applications referenced below. The change application is complete except for a notarized signature from an authorized representative of the water right owner on page 5. There is a \$200 fee for this application.

File No. 47808 & 47816 and
New Applications for Irrigation Use
February 2, 2022
Page 2

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KS DEPT OF AGRIC

3. Application for Permit to Appropriate Water (West): This application is for a permit to proceed that proposes to authorize a horizontal well in the Northwest Quarter of Section 22-34S-11W. The place of use is proposed to overlap completely with File No. 47816. The application is complete except for item numbers 9 and 13 of the main application. The back page of the supplemental form will also need completed. A signature from the applicant is needed on item number 6 AND number 16. A notary is not required but be sure to sign both places. This application also requires an MDS acknowledgement form that has been included. A notarized signature is required on this form and there is a \$300 fee for this application.
4. Application for Permit to Appropriate Water (East): This application is for a permit to proceed that proposes to authorize a horizontal well in the Southeast Quarter of Section 22-34S-11W. The application is complete except for item numbers 9 and 13 of the main application. The back page of the supplemental form will also need completed. A signature from the applicant is needed on item number 6 AND number 16. A notary is not required but be sure to sign both places. This application also requires an MDS acknowledgement form that has been included. A notarized signature is required on this form and there is a \$300 fee for this application.

The total fee for filing the enclosed applications is \$800. Please include a check made payable to the Kansas Department of Agriculture for the total amount with the signed applications when they are submitted to Manhattan for processing. If I can be of any further assistance, or if there are any questions regarding the enclosed applications, please give me a call at 620.234.5311.

Sincerely,



Elizabeth K. Fitch
Environmental Scientist
elizabeth.fitch@ks.gov

Enclosures

Dale & Deah Miller

9000 Choctaw Street
Union City, OK 73090
Dale 405-206-3444
Deah 405-684-3101

dale@millereexcavationinc.com

WATER RESOURCES
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KS DEPT OF AGRICULTURE

February 4, 2022

Ms. Elizabeth Fitch
KS Division of Water Resources
KS Dept of Agriculture
1320 Research Park Drive
Manhattan, KS 66502

Re: 47,816 – Change Form
47,808 – Voluntary Dismissal
West – New Application
East – New Application
East – Domestic Well Spacing Consent Form

Dear Ms. Fitch:

Per our discussions, attached please find the above referenced documents, and three checks for the required fees.

Thank you for all of your help with these changes. Please feel free to contact us if you have any questions or if you need any additional information.

Sincerely,



Dale Miller

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

February 7, 2022

4D ZEUS LLC

RE: Application, File No(s). **50718**

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. *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 "Kris Neuhauser". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kris Neuhauser
New Applications Lead
Water Appropriation Program