

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

1. File Number: <p style="text-align: center;">49439</p>	2. Status Change Date: <p style="text-align: center;">4/7/2018</p>	3. Field Office: <p style="text-align: center;">03</p>	4. GMD: <p style="text-align: center;">0</p>
--------------------------------------------------------------------	-----------------------------------------------------------------------	------------------------------------------------------------------	--------------------------------------------------------

5. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

6. Enclosures: Check Valve N of C Form Water Tube Driller Copy Meter

<p>7a. Applicant(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID 62992 Add Seq# _____</p> <p>STATES AG LP 2501 ASH ST HAYS KS 67601</p>	<p>7c. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p>
<p>7b. Landowner(s) New to system <input type="checkbox"/></p> <p>7A</p>	<p>7d. Misc New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p>

<p>8. WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: right;">Person ID _____ Add Seq# _____ Notarized WUC Form <input type="checkbox"/></p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: center;"><input type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>
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10. Completion Date: _____ 11. Perfection Date: _____ 12. Exp Date: _____

13. Conservation Plan Required? Yes No Date Required: _____ Date Approved: _____ Date to Comply: _____

14. Water Level Measuring Device? Yes No Date to Comply: _____ Date WLMD Installed: _____

Date Prepared: **3/17/17** By: **KAB**
Date Entered: **4/10/2017** By: **UM**

File No. **49439** 15. Formation Code: Drainage Basin: County: Special Use: Stream:

16. Points of Diversion											
T	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
DEL 84590											

17. Rate and Quantity				
Authorized			Additional	
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files

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

19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

20. Meter Required? Yes No To be installed by _____ Date Acceptable Meter Installed _____

21. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
T	MOD	DEL	ENT	PUSE	S	T	R	ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼								
DEL 67197																													

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: March 20, 2017

FROM: Kristen Baum

RE: Application, File Nos. 49,439; 49,463; 49,464; 49,465
49,738 and 49,740

States Ag LP has filed the referenced applications to appropriate groundwater from the Ogallala Formation for two different irrigation projects approximately 1.5 miles apart, both located within the South Fork Solomon River Basin (Rooks and Graham Counties). Application, File No. 49,464 is requesting a new well that will be associated with an existing battery of wells and center pivot – no new water is being requested. The remaining Applications are associated with a new project consisting of a center pivot that will be served by three separate wells. The points of diversion for the new project easily meet safe yield. However, due to the order in which the applications were filed, File No. 49,464 would not meet safe yield if Application File Nos. 49,439 and 49,463 were approved. The applicant was informed that File No. 49,464 did not meet safe yield as proposed. He then requested that File Nos. 49,439 and 49,463 be voluntarily dismissed, and he subsequently refiled those applications so that they would have junior priority to File No. 49,464.

These points of diversion are located outside the area designated in the Guidance Document regarding applications impacting Kansas compliance with the Republican River Compact (RRC). Thus, they can be further processed subject to safe yield as described in K.A.R. 5-3-11, which states in part, that the South Fork Solomon River, its tributaries and their alluviums, and any other aquifer that has a substantial hydraulic connection to an alluvium, have been determined to be fully appropriated based on safe yield criteria, and shall be closed to further new groundwater appropriations. The closest mapped alluvium to these points of diversion is in a different drainage basin and is approximately 2.5 to 3.5 miles away, so there would be no substantial hydraulic connection.

Application, File No. 49,464

File No. 49,464 is requesting 267 acre-feet of groundwater at a diversion rate of 1,000 gallons per minute. The proposed point of diversion is a single (1) well located in the Southwest Quarter of Section 24, Township 6 South, Range 21 West, Graham County, Kansas. The 209 acre place of use and point of diversion are both owned by the applicant. This application will completely overlap in place of use with Appropriation of Water, File No. 48,879. It will be limited to 267 acre-feet for irrigation use when combined with the senior file, resulting in no new water being appropriated. This 267 acre-foot quantity provides 1.3 acre-feet per acre, which is less than the maximum reasonable quantity of 1.5 acre-feet per acre for irrigation use in Graham County, per K.A.R. 5-3-24, but would still be considered reasonable.

Using an 8,042 acre area of consideration (the entire 2-mile circle) and a potential recharge of 1.27 inches with 75% available for appropriation, safe yield was determined to be 638.33 acre-feet. A total of 633 acre-feet of water is currently appropriated within the area of consideration, however, this total includes Appropriation of Water, File No. 48,879 (the overlapping place of use file). Since this application will be limited when combined with the senior file on the overlapping place of use and isn't requesting any new water, it meets safe yield once Application File Nos 49,439 and 49,463 are dismissed because the total quantity of water for the place of use has been accounted for within the 2-mile circle.

According to the applicant, no other wells are located within one-half mile of the proposed point of diversion, so no notification letters were sent. The closest domestic wells appear to be at least a mile away. The closest non-domestic point of diversion is approximately 3,200 feet to the northwest, and is the applicant's battery of wells overlapping in place of use with the referenced application. Thus, the proposed point of diversion meets minimum well spacing criteria per the requirements in K.A.R. 5-4-4.

Well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest. Kelly Stewart, Water Commissioner for the Stockton Field Office concurs with the **recommendation that Application, File Nos. 49,439 and 49,463 be dismissed and Application File No 49,464 be approved.**


Application: File Nos. 49,465; 49,738 and 49,740

File Nos. 49,465; 49,738 and 49,740 are requesting 170.8 acre-feet of groundwater at diversion rates from 800-1,000 gallons per minute. The proposed points of diversion are each single (1) wells all located in the Southeast Quarter of Section 30, Township 6 South, Range 20 West, Rooks County, Kansas. The 122 acre place of use and points of diversion are all owned by the applicant. The applications will completely overlap in place of use. Since each application has requested 170.8 acre-feet, the junior files will require limitations of 170.8 acre-feet total when combined with the senior files on the authorized place of use. The requested quantity of 170.8 acre-feet applied to 122 acres will provide 1.4 acre-feet per acre, which is the maximum reasonable quantity for irrigation use in Rooks County, Kansas, per K.A.R. 5-3-24. Therefore, the quantity appears to be reasonable.

Using an 8,042 acre area of consideration (the entire 2-mile circle) and a potential recharge of 1.28 inches with 75% available for appropriation, safe yield was determined to be 643.36 acre-feet. One other pending application filed by the same applicant (File No. 49,464) would have 267 acre-feet appropriated within the area of consideration, providing a 376.36 acre-feet available for appropriation. Thus there is a sufficient quantity of water available for appropriation, and the applications meet all safe yield criteria.

According to the applicant, no other wells are located within one-half mile of the proposed points of diversion, so no notification letters were sent. The closest domestic well appears to be located just over one-half mile to the south. The proposed wells will be just over 1,320 feet apart, and would be considered the closest non-domestic wells. Thus, the proposed points of diversion should meet minimum well spacing criteria per the requirements in K.A.R. 5-24-3. Additionally, all three wells are designed to operate together to provide water to the same place of use, and are under common ownership, so the proposed well spacing should be sufficient to prevent direct impairment and to protect the public interest.

Well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest. Kelly Stewart, Water Commissioner for the Stockton Field Office concurs with the **recommendation that Application, File Nos. 49,465; 49,738 and 49,740 be approved.**


Kristen A. Baum
Environmental Scientist
Permits Unit

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

April 10, 2017

FILE COPY

STATES AG LP
2501 ASH ST
HAYS KS 67601

Re: Appropriation of Water, File Nos. 49,464; 49,465; 49,738 and 49,740
Application, File Nos. 49,439 and 49,463

Dear Sir or Madam:

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

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these permits. Water meters are required and you must install them prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meters should be used to provide the information required on the annual water use reports.

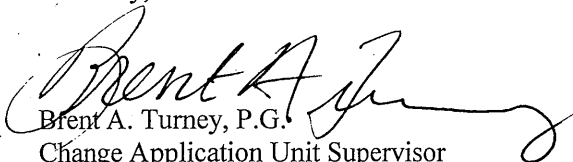
Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of these permits. Enclosed are forms which may be used to notify the Chief Engineer that the proposed diversion works have been completed for each file.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in these permits to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in these permits. Failure to comply with this regulation will result in the dismissal of your permits or your water rights. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00 per file number.

Also enclosed are the Findings and Orders by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File Nos. 49,439 and 49,463, as you requested in the "Voluntary Waiver of Hearing & Dismissal of Water Right" forms received in our office on December 6, 2016.

If you have any questions, please contact our office. If you wish to discuss these specific files, please have the file number ready so that we may help you more efficiently.

Sincerely,



Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT:kab
Enclosures
pc: Stockton Field Office



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

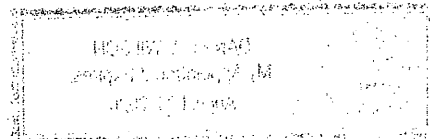
**FINDINGS AND ORDER
IN THE MATTER OF THE
DISMISSAL OF APPLICATION
FILE NO. 49,439**

FILE COPY

After due consideration, the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (hereinafter referred to as the "Chief Engineer"), makes the following findings and order:

FINDINGS

1. That on August 13, 2015, the Chief Engineer received an application from States Ag LP for permit to appropriate groundwater for beneficial use, assigned File No. 49,439, proposing the appropriation of 170.8 acre-feet of water, at a maximum requested diversion rate of 800 gallons per minute, for irrigation use. The specific location for the proposed point of diversion would be the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 30, more particularly described as being near a point 60 feet North and 60 feet West of the Southeast corner of said section, in Township 6 South, Range 20 West, Rooks County, Kansas.
2. That on September 21, 2015, the applicant filed three additional new applications for permits to appropriate groundwater for irrigation use, assigned File Nos. 49,463; 49,464 and 49,465; all located in the same general vicinity as the above referenced application.
3. That on November 2, 2016, a letter was mailed to the applicant informing him that if the above referenced application were approved, there would be no water left available for appropriation to Application, File No. 49,464. The applicant was provided 30 days, until December 1, 2016, to either submit additional information to our office or request additional time prior to final action on the application.
4. That the applicant contacted the Stockton Field Office prior to the deadline and ultimately decided to have the above referenced application voluntarily dismissed so that water would be available for appropriation to File No. 49,464.
5. That a signed "Voluntary Waiver of Hearing & Dismissal of Water Right" form for Application, File No. 49,439 was received in the office of the Chief Engineer on December 12, 2016.
6. That the application should be dismissed and its priority forfeited as requested by the applicant.




CERTIFICATE OF SERVICE

On this ⁰⁴ day of April, 2017, I hereby certify that the foregoing Dismissal of Application, File No. 49,439, dated April 7, 2017 was mailed postage prepaid, first class, US mail to the following:

STATES AG LP
2501 ASH ST
HAYS KS 67601

With photocopies to:

Stockton Field Office



Division of Water Resources

Baum, Kristen

From: Stewart, Kelly
Sent: Friday, March 17, 2017 10:39 AM
To: Baum, Kristen
Cc: Billinger, Mark; Hageman, Rebecca
Subject: RE: States Ag - File Nos. 49,439; 49,463; 49,464; 49,465; 49,738 and 49,740

Kristen,

I have no objection to the approval of these applications. Nice work sorting out and explaining all the details.

Kelly

From: Baum, Kristen
Sent: Thursday, March 16, 2017 1:18 PM
To: Stewart, Kelly <Kelly.Stewart@ks.gov>
Cc: Billinger, Mark <Mark.Billinger@ks.gov>
Subject: States Ag - File Nos. 49,439; 49,463; 49,464; 49,465; 49,738 and 49,740

Kelly,

Attached is a memo for the above-referenced files. These applications are for two different projects both located in the SF Solomon basin approximately 1.5 miles apart. If you recall, we had some problems with safe yield in the beginning due to the order in which the applications were filed. The two senior files are being voluntarily dismissed, which frees up enough water to approve 49,464 with zero additional water. The two junior files replace the ones being dismissed. These are outside the RRC Guidance Document area.

Please provide your recommendation.

Thanks,

Kristen A. Baum
Division of Water Resources – Water Appropriations
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan KS 66502
(785) 564-6627

My email address has changed: kristen.baum@ks.gov

VOLUNTARY WAIVER OF HEARING & DISMISSAL OF WATER RIGHT

To: Kansas Department of Agriculture
Division of Water Resources (DWR)
1320 Research Park Drive
Manhattan, Kansas 66502
<http://agriculture.ks.gov/dwr>

Re: Appropriation of Water
Water Right
Vested Right
Term Permit
(Check Appropriate Box Above)
File No. 49,439

NOTE: A new application is being filed on this p/d – vol. dismissal contingent upon no new applications having been filed with a higher priority in the 2-mile circle prior to receipt of the new application.

The undersigned owner(s) and/or authorized agent(s) of the above referenced water right, or permit, freely and voluntarily request that the file be dismissed and its priority forfeited. By signing this waiver, I am indicating my understanding and agreement that I am relinquishing all right, title and interest in said water right.

The signature(s) below represent all present owners (or an authorized agent) for the file number shown above (attach duplicate copies of this document as necessary).

The signature(s) below also indicate(s) a waiver of any right to a hearing or an appeal that I/we may have had regarding the dismissal and termination of the above referenced file. I/we recognize that if this closure request is submitted to the Division of Water Resources, it will terminate this water right and forfeit any priority associated with it forever.

Indicate here if you wish to retain the well(s) for domestic use (DWR water right not required):

Alan E. States
(Signature of Owner or Authorized Agent)

(Signature of Spouse or Title of Authorized Agent)

ALAN E. STATES
(Please print name here)

(Please print name here)

2501 Ash St
(Mailing Address)

(Mailing Address)

HAYS KS 67601
(City, State, Zip)

(City, State, Zip)

WATER RESOURCES RECEIVED WATER RESOURCES RECEIVED

ACKNOWLEDGMENT

DEC 12 2016

UNACCEPTED FOR PRIORITY

State of Kansas)
County of Books)

KS DEPT OF AGRICULTURE **KS DEPT OF AGRICULTURE**

This instrument was acknowledged before me this 29th day of November, 2016 by
(owners:) Alan States
(Seal)



Rebecca Hageman
Notary Public

My appointment expires:
6-29-19

DWR Initials



WATER RESOURCES RECEIVED

SEP 21 2015

KS DEPT OF AGRICULTURE

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49439

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 13 2015

11:30
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): STATES Ag LP
Address: 2501 ASH STREET
City: HAYS State Ks Zip Code 67601
Telephone Number: (785) 259-5655 cell

2. The source of water is: surface water in _____ (stream)
OR groundwater in S.F. Solomon (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 170.8 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 800 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. 3 GMD -0- Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G/S County RO By KAB Date 8/13/15
Code RE2 Fee \$ 300 TR # _____ Receipt Date 8/13/15 Check # 1298

16005563

8/20/2015 LLM

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 SE quarter of the SE quarter of the SE quarter of Section 30, more particularly described as being near a point 60 feet North and 60 feet West of the Southeast corner of said section, in Township 6 South, Range 20 East (West (circle one)), Rooks 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):

SAME AS 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 Aug 10, 2015. [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 1 to a battery of 4 wells
 (number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) AS SOON AS APPROVED
 (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 _____
 (Mo/Day/Year)

**only need one well.*

- 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.

None.

** Request 60 days to drill test holes in SE QTR of 30 -
GS - 20 W*

WATER RESOURCES
RECEIVED

SEP 21 2015

KS DEPT OF AGRICULTURE

WATER RESOURCES
RECEIVED

AUG 13 2015

KS DEPT OF AGRICULTURE

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

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

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

14. The relationship of the applicant to the proposed place where the water will be used is that of

Owner
(owner, tenant, agent or otherwise)

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

SAME
(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 HAYS, Kansas, this 10th day of Aug, 2015.
(month) (year)

Alan E. States
(Applicant Signature)

By *Alan E. States*
(Agent or Officer Signature)

ALAN E. STATES
(Agent or Officer - Please Print)

Assisted by _____ Date: _____
(office/title)

WATER RIGHTS DIVISION
STATE OF KANSAS
NOV 18 2015
10:15 AM

IRRIGATION USE
SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): ALAN E. STATES

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: STATES Ag LP
ADDRESS: 2501 Ash St. Hays KS 67601

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
30	6	20w																30.5	30.5	30.5	30.5	172	

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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %	_____	_____

b. Estimate the average land slope in the field(s): _____ %

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

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: _____ psi
- (2) What is the sprinkler package design rate? _____ 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? _____ feet
- (4) Please include a copy of the sprinkler package design information.

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

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).

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

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 4, 2015

STATES AG LP
2501 ASH ST
HAYS KS 67601

WATER RESOURCES
RECEIVED

SEP 21 2015

Re: Pending Application, File No. 49,439

KSDEPT OF AGRICULTURE

Dear Sir or Madam:

After a preliminary review of your above referenced application for permit to appropriate water received in this office on August 13, 2015, it is being returned to you for additional information. In your original application, you requested a 60-day period of time in which to determine the precise location for your point of diversion within a specified quarter section tract of land described as the Southeast Quarter (SE $\frac{1}{4}$) of Section 30, in Township 6 South, Range 20 West, Rooks County, Kansas. Your 60-day period will start as of the date of this letter.

Once you've determined the precise location for your point of diversion, complete the rest of Paragraph No. 5 of your application by providing the description for the 10-acre tract location of the point of diversion as well as the feet distances North and West of the Southeast corner of the Section. The location of the point of diversion must also be plotted on the topographical map included. In the case of a battery of wells, please provide the description of the location of the proposed geographic center of the well battery, as well as **the location for each of the individual wells comprising the battery of wells**.

The locations of all other water wells of every kind within one-half mile ($\frac{1}{2}$) of the point of diversion must be plotted on the topographical map as well. Each well should be identified as to its use (e.g. domestic, irrigation, industrial, etc.) and must **include the name and mailing address of the well owner**. A signed statement should be included on the map declaring that all wells within one-half mile ($\frac{1}{2}$) of the point of diversion have been plotted, or it should declare that none exist. Please provide this information once you have established your point of diversion.

Paragraph No. 13 of the application requests well information so the source of supply of the proposed well may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of a well or test hole within 300 feet of the proposed point of diversion. Please supply the indicated information and a test hole log or a driller's log with the returned application.

In order to retain its priority of filing, the original application and attachments must be returned to this office with the requested information on or before **November 4, 2015**, or within any authorized extension of time thereof. According to law, default in refileing of the completed application and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

(over)

States Ag, LP
September 4, 2015
Page 2 of 2

If you have any questions, please contact me at (785) 564-6627 or by email at kristen.baum@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Kristen A. Baum
Environmental Scientist
Water Appropriation Program

enclosures

Test Log

Woofter Pump & Well, Inc.

Alan States

1024 Oak, P.O. Box 689

DATE: 8/10/2015

Hoxie, Kansas 67740

TEST: #1

Ph (785)-675-3991, Fax (785)-675-3990

LEGAL: Rooks Co

E-Mail woofpw@ruraltel.net

SE-SE-SE-SE SE corner

30-6-20

N 39.29.747 Static:

W 99 35.094

Total Depth: 170'

0	2	surface
2	18	loess
18	28	clay & caliche w/sandy clay strks
28	49	sand stone w/clay & caliche lenses
49	60	fine & med sand w/clay & caliche strks
60	80	fine to some med and w/traces of clay
80	100	fine sand w/clay & caliche strks
100	120	fine & med sand w/small gravel strks
120	140	fine to some med sand
140	161	fine sand w/clay & caliche strks
161	170	blakc shale

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SEP 21 2015

KS DEPT OF AGRICULTURE



1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700

900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 4, 2015

STATES AG LP
2501 ASH ST
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(over)

States Ag, LP
September 4, 2015
Page 2 of 2

If you have any questions, please contact me at (785) 564-6627 or by email at kristen.baum@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

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

Kristen A. Baum
Environmental Scientist
Water Appropriation Program

enclosures

August 10th 2015
(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
109 SW 9th Street, 2nd Floor
Topeka, Kansas 66612-1283

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.



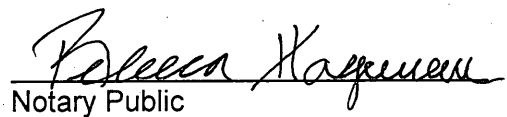
Signature of Applicant

ALAN E. STATES

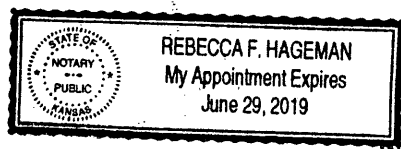
(Print Applicant's Name)

State of Kansas)
County of ROOKS) ss

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 10th day of August, 2015.


Notary Public

My Commission Expires: 6-29-19



WATER RESOURCES
RECEIVED

AUG 13 2015



1320 Research Park Drive
Manhattan, Kansas 66502

Jackie McClaskey, Secretary

Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

August 17 2015

STATES AG LP
2501 ASH ST
HAYS KS 67601

RE: Application
File No. 49439

Dear Sir or Madam:

Your application for permit to appropriate water in 30-6S-20W in Rooks County, was received and has been assigned the file number noted above.

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

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

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

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

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

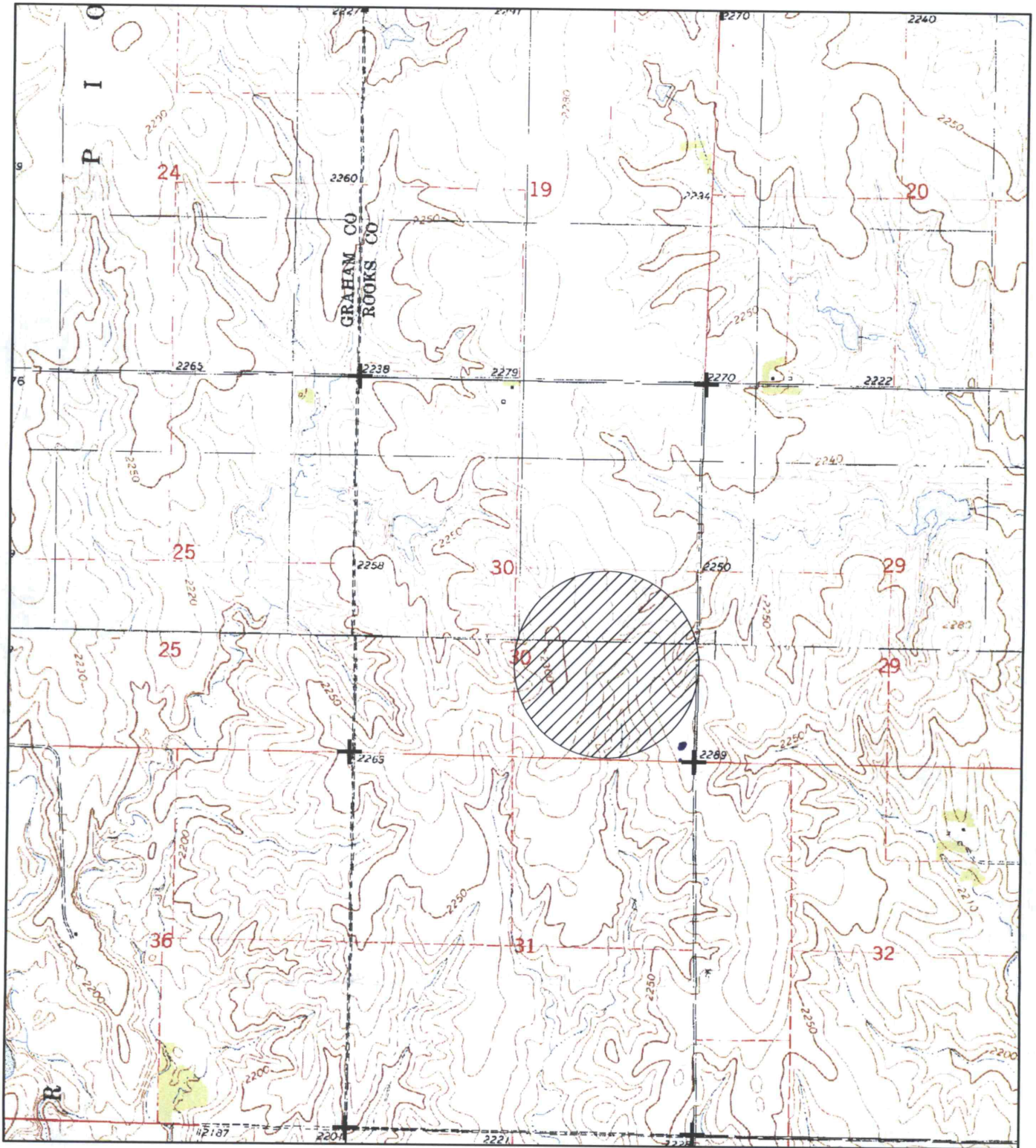
If you have any questions, please contact me at (785) 564-6643. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Brent A. Turney".

Brent Turney, L.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: STOCKTON Field Office
GMD 0



● Proposed Points of Diversion

▨ Proposed Place of Use

WATER RESOURCES RECEIVED

1:24,000

AUG 13 2015



WATER RESOURCES RECEIVED

All water wells of any kind within 1/2 mile of the proposed points of diversion are shown: (None exist)

SEP 21 2015

KS DEPT OF AGRICULTURE

[Handwritten Signature]
 Signature 8/10/15
 Date