

# 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

Water Resources Received  
MAR 05 2020 12:51  
KS Dept Of Agriculture

KANSAS DEPARTMENT OF AGRICULTURE  
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 50358  
This item to be completed by Division of Water Resources

**APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE**  
Filing Fee Must Accompany the Application  
(Please refer to Fee Schedule attached to this application form)

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

1. Name of Applicant:  
**Jennifer A. Gerety, Livestock Operations Coordinator**  
**J-SIX ENTERPRISES, LLC — SUMMIT PRODUCERS COMPANY**  
**604 Nemaha Street, P.O. Box 170**  
**Seneca, Kansas 66538**  
**785-336-2148**

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
  
OR  groundwater in the Smoky Hill 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 17.74 acre feet OR 5,781,600 gallons per calendar year, to be diverted at a maximum rate of 11 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 under than 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)  Stock watering (h)  Sediment Control  
(i)  Domestic (j)  Dewatering (k)  Hydraulic Dredging (l)  Fire Protection  
(m)  Thermal Exchange (n)  Contamination Remediation

3/17/2020  
LMoody

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 - Meets K.A.R. 5-3-1 (Yes/No) Use STK Source OS County MP By KJN Date 3/5/20  
Code REG Fee \$ 200 TR# \_\_\_\_\_ Receipt Date 3/5/20 Check # 536306

Water Resources  
Received

MAR 05 2020

KS Dept Of Agriculture

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) **WELL #1**

One well in the SW quarter of the SW quarter of the NE quarter of Section 09, more particularly described as being near a point 2694 feet North and 1998 feet West of the Southeast corner of said section, in Township 18 South, Range 05 (East/West) of McPherson 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 (4) 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 (2) or more wells connected to a common pump by a manifold, or not more than four (4) 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.

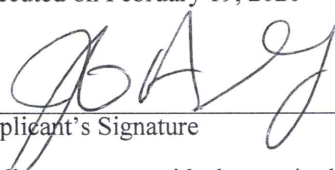
6. The owner of the point of diversion, if other than the applicant is (please print):

J-Six Enterprises, LLC — Summit Producers Company  
603 Nemaha Street, P.O. Box 170  
Seneca, Kansas 66538  
785-336-2148

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 as 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 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 One (1) Well (number of wells, pumps or dams, etc.) and was completed by June of 2013.
8. The first actual application of water for the proposed beneficial use will be upon approval.

MAR 05 2020

9. Will pesticide, fertilizer or other foreign substance be injected into the water pumped from the diversion works:

Yes       No

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 application for a permit for construction of this dam and reservoir with the Division of Water Resources?

Yes       No       N/A

- 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 USGS topographic map, aerial photograph or a detailed plan 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 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of the section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within one-half (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 one-half (1/2) mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) one-half (1/2) mile downstream and one-half (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 minutes USGS 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.

#39230 (Place of Use), #39229 (Place of Use) & #48572 (Point of Diversion)

File will be limited to 5,781,600 gallons (5,781,600 additional) and 11 GPM (0 additional) when combined with #48,572 and further limited to 37,317,600 gallons when combined with #39,230 & #39,229 & #48,572 and the two new applications. The quantity of water is reasonable for the number of head at the facility and is limited by the rate at which the wells can produce.

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 #	(A)	(B)	(C)	(D)
Date Drilled	11/02/2011	/	/	/
Total Depth of Well	60 Feet	/	/	/
Depth to Water Bearing Formation	38 Feet	/	/	/
Depth to Static Water Level	38 Feet	/	/	/
Depth to Bottom of Pump Intake Pipe	55 Feet	/	/	/

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


Owner                       Tenant                       Agent                       Other \_\_\_\_\_

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

Applicant is the Owner.

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.

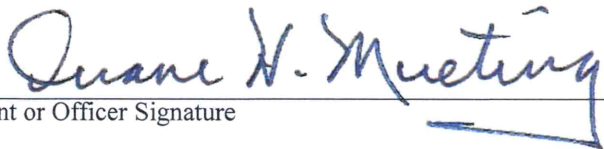
Dated at Seneca, Kansas, this 19<sup>th</sup> day of February, 2020

  
 \_\_\_\_\_  
 Applicant Signature

Water Resources  
 Received

MAR 05 2020

KS Dept Of Agriculture

By   
 \_\_\_\_\_  
 Agent or Officer Signature

Duane H. Muetting, P.E., P.L.S., Agent  
 \_\_\_\_\_  
 Agent or Officer (Please Print)

Assisted By:

Duane H. Muetting, P.E., P.L.S.  
 Muetting Engineering  
 612 Community Drive  
 Seneca, Kansas 66538  
 785-334-6044 / 785-336-1390 (Cell)  
[muetting-eng@rainbowtel.net](mailto:muetting-eng@rainbowtel.net)

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 #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 paragraph #1 or paragraph #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 the field inspection fee of \$200.00.

**MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE**

**ATTENTION:**

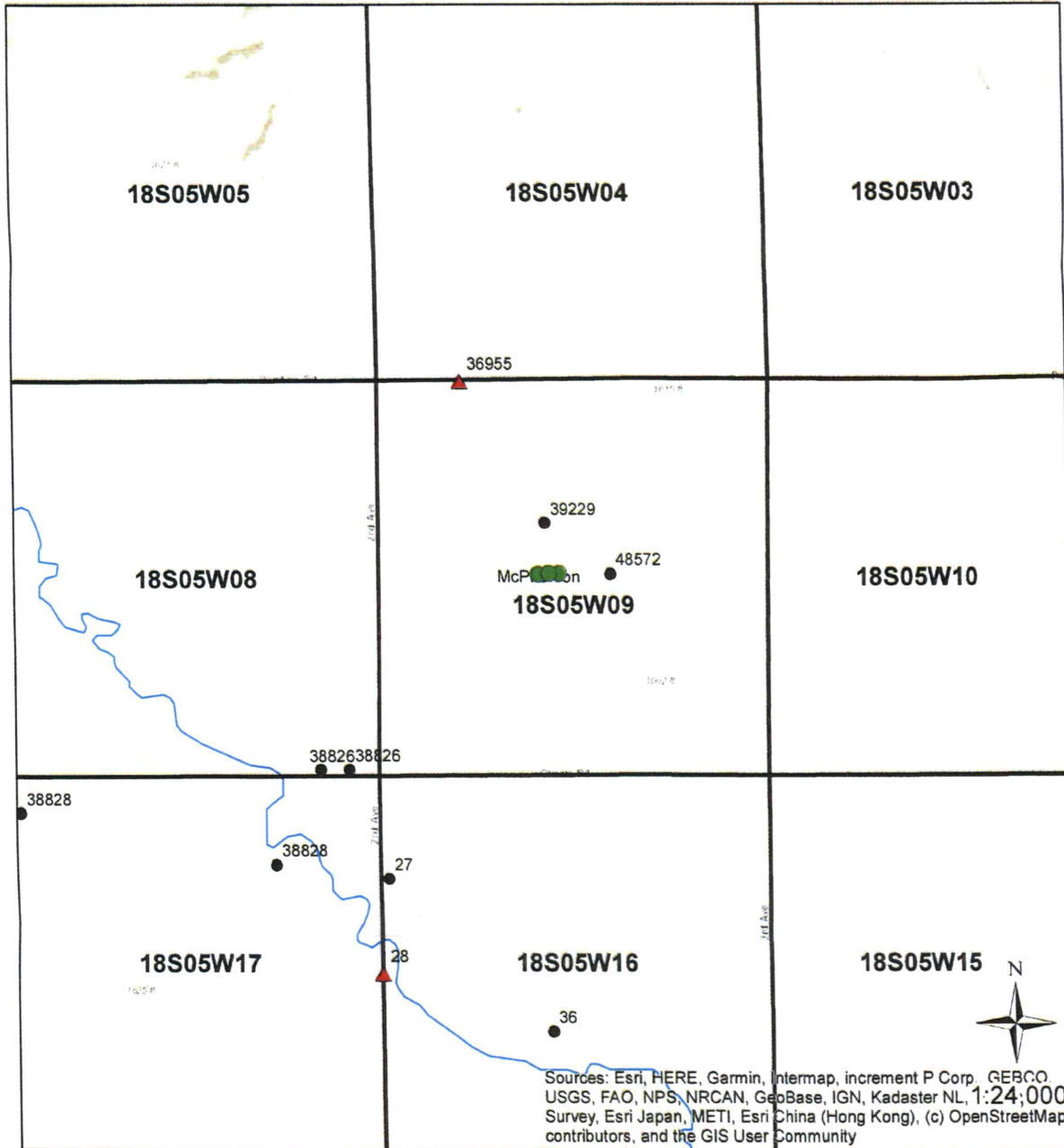
A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b and c may also be required from you. After the Division of Water Resources has had the 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.

Water Resources  
Received  
MAR 05 2020  
KS Dept Of Agriculture

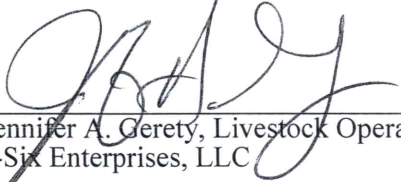
**J-SIX ENTERPRISES, LLC**  
Summit Producers Company

Section 9, Township 18 South, Range 5 West  
McPherson County, Kansas

**New Application for Groundwater**



By signing this I am stating that to the best of my knowledge all wells that are within one-half (1/2) mile of the well location identified in this application are identified on this map.

  
\_\_\_\_\_  
Jennifer A. Gerety, Livestock Operations Coordinator  
J-Six Enterprises, LLC

Water Resources  
Received

MAR 05 2020

KS Dept Of Agriculture

**STOCK WATER USE  
SUPPLEMENTAL SHEET**

File #'s  
#39230-00 / #39229-00 / #48572-00

Name of Applicant (please print):

Jennifer A. Gerety, Livestock Operations Coordinator  
J-SIX ENTERPRISES, LLC — SUMMIT PRODUCERS COMPANY  
604 Nemaha Street, P.O. Box 170  
Seneca, Kansas 66538  
785-336-2148

Water Resources  
Received

**MAR 05 2020**

KS Dept Of Agriculture

1. Please indicate the 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			
Last Year			
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 DIVERTED (Gallons)	GALLONS PER HEAD PER DAY
Year 1	7718	37,317,600	13.25 Gallons Drinking, Cooling & Sanitation
Year 2	7718	37,317,600	13.25 Gallons Drinking, Cooling & Sanitation
Year 3	7718	37,317,600	13.25 Gallons Drinking, Cooling & Sanitation
Year 4	7718	37,317,600	13.25 Gallons Drinking, Cooling & Sanitation
Year 5	7718	37,317,600	13.25 Gallons Drinking, Cooling & Sanitation

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	
09	18	5W	Swine Facility Stockwatering - in the South One-Half of Section 9																



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

**Drinking Water**

1010 Head of Sows & Litters x 8 gallons / head (avg) x 365 days/year = 2,949,200 Gallons  
4788 Head of Gestation Sows x 6 gallon / head (avg) x 365 days/year = 10,485,720 Gallons  
1280 Head of Finishing Pigs x 5 gallon / head (avg) x 365 days/year = 2,336,000 Gallons  
640 Head of Nursery Pigs x 1 gallon / head (avg) x 365 days/year = 233,600 Gallons  
**Total Drinking Water = 16,004,520 Gallons**

**Servicing / Flushing / Cooling / Sanitation**

1010 Head of Sows & Litters x 15 gallons / head (avg) x 365 days/year = 5,529,750 Gallons  
4788 Head of Gestation Sows x 8 gallon / head (avg) x 365 days/year = 13,980,960 Gallons  
1280 Head of Finishing Pigs x 3 gallon / head (avg) x 365 days/year = 1,401,600 Gallons  
640 Head of Nursery Pigs x 1.71 gallon / head (avg) x 365 days/year = 400,770 Gallons  
**Total Servicing = 21,313,080 Gallons**

**TOTAL**

37,317,600 Gallons = 114.53 Acre-Feet

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 N/A linear feet.
8. Total size of stock pens for confinement area of cattle, hogs, etc consists of twelve (12) enclosed swine confinement buildings.

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

Water Resources  
Received

MAR 05 2020

KS Dept Of Agriculture

**DATA ENTRY SYSTEM ID NUMBER SHEET**

FILE NUMBER **50358**

APPLICANT PERSON ID & SEQ #	PDIV ID	BATTERY ID
<b>64465</b>	<b>79478</b>	

LANDOWNER PERSON ID & SEQ #	PUSE ID
<b>64465</b>	<b>14670</b>

WATER USE CORRESPONDENT  
PERSON ID & SEQ #  
**64465**

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

March 5, 2020

J-SIX ENTERPRISES LLC  
Attn: JENNIFER GERETY  
PO BOX 170 604 NEMAHA ST  
SENECA, KS 66538

RE: Application, File No. **50358**

Dear Applicant:

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

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

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

Sincerely,

A handwritten signature in black ink that reads "Kristen A. Baum". The signature is written in a cursive, flowing style.

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program