

# 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.

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

50931

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

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DEC 21 2022  
1:01

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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.)

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): Chance R. and Paige N. Cranston  
Address: 327 County Rd. F  
City: Brewster State KS Zip Code 67732  
Telephone Number: (785) 694-8104

2. The source of water is:  surface water in \_\_\_\_\_  
OR  groundwater in Saline River  
(stream)  
(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 \_\_\_\_\_ acre-feet OR 2.2 mgd gallons per calendar year,  
to be diverted at a maximum rate of 50 gallons per minute OR \_\_\_\_\_ cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):  
(a)  Artificial Recharge (b)  Irrigation (c)  Recreational (d)  Water Power  
(e)  Industrial (f)  Municipal (g)  Stockwatering (h)  Sediment Control  
(i)  Domestic (j)  Dewatering (k)  Hydraulic Dredging (l)  Fire Protection  
(m)  Thermal Exchange (n)  Contamination Remediation

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:  
F.O. 3 GMD 4 Meets K.A.R. 5-3-1 (YES / NO) Use STK Source G/S County TH By ALB Date 12/21/22  
Code REG Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 12/21/22 Check # 2597

12/28/2022  
LMoody

5. The location of the proposed wells, pump sites or other works for diversion of water is:

**Note:** For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

- (A) One in the SE quarter of the SW quarter of the SW quarter of Section 4, more particularly described as being near a point 422 feet North and 4158 feet West of the Southeast corner of said section, in Township 10 South, Range 36 East West (circle one), Thomas 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 November, 2022. [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 one well  
 \_\_\_\_\_  
 (number of wells, pumps or dams, etc.)  
 and (was)(will be) completed (by) Upon Approval  
 \_\_\_\_\_  
 (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 Upon Approval  
 (Mo/Day/Year)

- 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.

Waivers needed. 5-24-10, GMD4 Board of Directors  
 approved this waiver. 5-24-3, GMD4 Board of Directors  
 approved this waiver.

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

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

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

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

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):

NA  
(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 Colby, Kansas, this 14<sup>th</sup> day of November, 2022.  
(month) (year)

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

By \_\_\_\_\_  
(Agent or Officer Signature)

\_\_\_\_\_  
(Agent or Officer - Please Print)

Assisted by Colter Stoll GMD4/Field Scientist Date: \_\_\_\_\_  
(office/title)

## 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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# #13813 Reduction for offset on new applications.

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Proposed new application  
2.80 MGY @50 GPM  
422' N 4158' W  
Complete overlap with #41220 for use at the feedlot.

Proposed new application.  
13.5 MGY @100GPM  
Geo Center 89' N 3772' W  
Complete overlap with #41221 for use at the feedlot.

#13813  
146 AF @300 GPM  
Proposed: 88.75 AF @300 GPM  
It is being reduced for the new appropriations in 4-10-36

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

**STOCKWATER USE  
SUPPLEMENTAL SHEET**

File No. \_\_\_\_\_

Name of Applicant (Please Print): Chance and Paige Cranston

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

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	~ 500		~ 2,737,500
Last year	~ 3,000		~ 16,425,000
Present Year	~ 2,500		~ 13,687,500

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

**ESTIMATED FUTURE NUMBER OF HEAD AND WATER DIVERTED**

NEXT 5 YEARS	NUMBER OF HEAD	WATER TO BE DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
Year 1	3500	19,162,500	15
Year 2	11	11	11
Year 3	11	11	11
Year 4	11	11	11
Year 5	11	11	11

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	
9	10	36																	
4	10	36																	

Feedlot in NW NW of 9-10-36  
Feedlot in SW SW of 4-10-36

Permitted @ 5,000 Capacity is 3,600



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

DRINKING

3500 head of Cattle x 15 gallons/head (avg.) x 365 days = 19,162,500 gallons  
\_\_\_\_ head of \_\_\_\_\_ x \_\_\_\_\_ gallons/head (avg.) x \_\_\_\_\_ days = \_\_\_\_\_ gallons  
\_\_\_\_ head of \_\_\_\_\_ x \_\_\_\_\_ gallons/head (avg.) x \_\_\_\_\_ days = \_\_\_\_\_ gallons

COOLING

\_\_\_\_\_ gallons/hour x \_\_\_\_\_ hour/day x \_\_\_\_\_ days = 0 gallons

SANITATION

\_\_\_\_\_ g.p.m. x 60 min/hr x \_\_\_\_\_ hr/wk x \_\_\_\_\_ wks/yr = 0 gallons

OTHER USE (Explain) Shop, housing, Processing = 275,000 gallons

TOTAL ----- 19,437,500 gallons

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 2,250 linear feet.

8. Total size of stock pens for confinement area of cattle, hogs, etc. is 550,000 square feet.

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

**NORTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT 4**  
**November 2, 2022**

**1. OPEN MEETING, ATTENDANCE AND AGENDA**

The November 2, 2022 board meeting was opened at the GMD 4 office in Colby, Kansas by President, Brett Oelke and via teleconference.

Board members present for some or all the meeting were:

Nate Emig, Karen Flanagin, Lynn Goossen, Dylan Loyd, Shane Mann, Brett Oelke, and Brent Rogers.

Board members absent: Jerry Binning, Jeff Deeds, Ted Nighswonger, and Marsha Shilling.

Others present for some or all of the meeting were: Shannon Kenyon, Jody McCain and Colter Stoll – GMD 4 staff; Adam Dees – GMD 4 attorney; Kelly Stewart and Rebecca Hageman – DWR; Keadron Pearson – KWO; & Chance Cranston.

**Dylan Loyd moved to appoint Brent Rogers as acting secretary in Jeff Deeds absence. The motion was seconded by Shane Mann and passed unanimously by voice vote (no “nay” votes).**

A Change to the agenda was noted:

Add 7. e. Alan Townsend.

**2. CONSENT AGENDA**

**Brent Rogers moved that the consent agenda be accepted as amended. The motion was seconded by Dylan Loyd and passed unanimously by voice vote (no “nay” votes.)**

Shane Mann noted that Nate Emig’s last name was misspelled in the draft minutes of the September 7, 2022 board meeting.

**Dylan Loyd moved the corrected minutes of the September 7, 2022 board meeting be accepted as presented. The motion was seconded by Shane Mann and passed unanimously by voice vote (no “nay” votes).**

Shannon distributed a copy of the updated financials.

**Brent Rogers moved that the updated financial reports and expenditures for the month of September and October be accepted as presented. The motion was seconded by Dylan Loyd and passed unanimously by voice vote (no “nay” votes).**

**3. OPEN FORUM**

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Shannon noted even though foot traffic and phone calls have slowed down, term permits, field paperwork, possible MYFAs, the Post Legislative Audit, LEMA balance correspondence and other GMDs issues are keeping staff members bogged down.

#### **4. AGENCY REPORTS**

Kelly Stewart reported that the field office has been trying to recover from this summer's overload as well. He noted Rebecca Hageman and Colter have been working on the 10 year list of wells/meters that need checked. Kelly brought up a couple of scenarios regarding overpumping situations, and the penalties that would be imposed according to regulations. It was the board's consensus that Kelly would have the board's support to enforce penalty orders of those that over pump their water right or LEMA allocations.

Rebecca reported that she has also been working with Shannon and Colter on the "20% or less" list. She has one more to check today after the meeting.

Keadron Pearson reported that the Upper Republican RAC will meet in Colby at GMD 4 on November 3<sup>rd</sup> at 9 a.m. She also noted that the Governor's Conference is scheduled for November 16-17, 2022 in Manhattan, and the next Kansas Water Authority Meeting is scheduled for December 14, 2022.

#### **5. MANAGER'S REPORT**

Shannon had sent an email to the board on September 30<sup>th</sup>, regarding several topics since an October meeting did not look to materialize with harvest.

The Legislative Post Audit has been cumbersome to say the least. Jody had to go through all of the 2021 financials and re-categorize some items to align with the descriptions/classifications of the LPA. As a result, we are going to re-categorize the 2022 financials as well to match, so that it will align with the LPA in the future so there is no confusion.

GMD 4 has been popular with the publications lately. There was an article in the Kansas Reflector that was distributed around in response to GMD 3's POC project. Shannon has been contacted by other journalist within Kansas, as well as outside of the state.

We held a training event for NRCS folks, in conjunction with KWO and NWKTC, which was a huge success! Shannon included in the board packets the great feedback received through a QR code survey designed by Tallee with NWKTC. We are hoping to take this out to producers.

The first GMD 1 LEMA hearing went very well. There was no verbal opposition and Shannon was asked to discuss the successes of our LEMAs. She even had a few people come thank her after the hearing for paving the way. Shannon noted that GMD 1 would like for her and GMD 4 board members to provide testimony at the second hearing. Shannon will let the board know of the date when it is set.

October 27<sup>th</sup> GMD 1, the KWO, and Shannon, met with the City of Hays to learn how they accomplished the lowest per capita water use in the state. We want to take what we can and adapt it to municipalities in our districts.

There was a conference call discussing the 2022 well measurements. It was noted that KGS would like to have another index well in SW Cheyenne County.

Shannon discussed a conversation she had with GMD 1 staff and board on frustrations around the GMD 3 POC project. Other issues have risen with the DWR proposed rule and regulations as well as legislative that has prompted some dialogue in how to handle the issues.

Cost share money from the Foundation and DOC is still available until the money runs out.

There will be a tour of students from KU this summer studying environmental sociology that Shannon has been asked to be a part of.

## 6. FIELD REPORT

Colter reported he worked 236 hours, with 91.5 of them being in the field checking 210 wells and 3 rate tests. Per Shannon's request he has been working on term permits and sent out all 5-5-11 paperwork. Colter noted that he did find 13 meters in SD-6 that did not have the GMD 4 seal, all of which were at the pivot. He also attended the NRCS training, and felt that Shannon's "Water Rights 101" session was the most beneficial information wise. Colter also investigated a tail water complaint. It was a day the wind was blowing, so the producer was given a written warning and encouraged to look into the bubbler nozzles.

## 7. UNFINISHED BUSINESS

### a. GMD 4 LEMA

We are still waiting on an order from the Chief Engineer. Shannon did make an inquiry to Earl after the GMD 1 hearing. He did acknowledge that it is coming.

### b. SD-6

We received notice that the Order was mailed on October 17, 2022. It was the board's consensus to mail out postcards to producers with the pertinent information that they will need to know be included, and sent out after January 1, 2023.

### c. PUBLIC OUTREACH

The board felt this was not a priority right now.

### d. ATTORNEY

Kenny Titus has taken a corporate position, so is no longer a candidate to take Adam's place. Adam is still trying to find a replacement. His last day will be the December board meeting.

### e. ALAN TOWNSEND

In doing field checks, DWR found a meter in backwards on one of Alan's wells. As per regulations, DWR has sent a penalty order. Alan's attorney has filed an appeal to the Secretary of Agriculture.

**Lynn Goossen moved that Shannon draft a letter of response to Secretary Beam, Lane Letourneau, and Kelly Stewart, stating the board fully supports the 5 year suspension**

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penalty order and that Secretary of Agriculture should deny the appeal. The motion was seconded by Nate Emig and passed unanimously by voice vote (no “nay” votes).

## 8. NEW BUSINESS

### a. gWORKS

As of December 31st, we will no longer have gWorks. They are cancelling on us. Shannon went through the contract to see what that leaves us with. Colter and Shannon both use the program every day. There may be a solution through ArcGIS but Shannon hasn't had the time to utilize the free trial to see its capabilities, which will take a concentrated amount of time. Prior to looking at the contract Shannon did reach out to Janelle with questions, which Shannon included in the board packet mailing. Discussion ensued, and the board asked Shannon to follow up with Janelle in regards to the cost of the source code, and the options to continue using it short term.

### b. DWR PROPOSED RULES & REGULATIONS

There have been a couple of conference calls on some proposed regulation changes mostly in regards to meters and moving a well more than 300'. Most of these regulation changes are in response to issues in SW Kansas.

### c. GMD 4 RULES & REGULATIONS

Shannon has discussed with a few board members and Adam about creating our own rule and regulation to ban any term or temporary permit for artificial recharge. If an actual viable artificial recharge project comes our way then we can provide a waiver but banning these would keep POC projects out of our district. Adam drafted three language options for the board. Discussion ensued.

**Karen Flanagin moved to adopt Option #2, which states:**

#### **5-24-1 Definitions.**

**(c) “Water transfer into or out of the District” means the diversion and transportation of water for beneficial use from a point of diversion outside of the District to a place of use inside of the District or the diversion and transportation of water for beneficial use from a point of diversion inside of the District to a place of use outside of the District.**

#### **5-24-12. Allowable Water Transfers into or out of the District.**

**The District is closed to any and all new water transfer into or out of the District and no person can, may, or shall be allowed to, make a water transfer into or out of the District.**

**The motion was seconded by Nate Emig and passed unanimously by voice vote (no “nay” votes).**

### d. POTENTIAL SHERMAN COUNTY LEMA

Nathan Emig has been talking with some local producers within the Sherman 1 High Priority Area. Many are concerned about the severe declines, and know that reductions may be their only option.

### e. OTHER ACTION IF NEEDED

Municipalities in other areas of the state are hitting hard after the House Water Committee sessions. Shannon, Kate (GMD 1), with members of KWO attended a meeting in Hays to discuss how they were able to provide their residents with the action to become “water savvy.” Hays has the lowest per capita water use per day in the state.

Brett Oelke and Brent Rogers will set up a meeting with the Hoxie municipal water leaders to get discussions started. They will then set up some talking points for the other board members to take back to their areas.

**f. EXECUTIVE SESSION – CHANCE CRANSTON**

**Shane Mann moved to go into executive session at 10:15 a.m. for 20 minutes with the board of directors, Chance Cranston, Adam Dees, DWR staff, and GMD 4 staff as requested to protect trade secrets. The motion was seconded by Dylan Loyd and passed unanimously by voice vote (no “nay” votes).**

**Dylan Loyd moved to approve waivers as discussed in executive session so that Mr. Cranston can move irrigation water he purchased to his feedlot. The motion was seconded by Brent Rogers and passed unanimously by voice vote (no “nay” votes).**

**9. OPEN SESSION – Public Questions/Comments:**

Nothing

**10. SCHEDULING FUTURE MEETINGS:**

The next board meeting was not scheduled, but will revolve around the KWA meeting to be held here in Colby on the 14<sup>th</sup> or 15<sup>th</sup> of December. Shannon will keep the board informed, and a date will be posted on the website.

**ADJOURNMENT**

**With no other business and no objections the meeting adjourned.**

Respectfully submitted:

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Brent Rogers, Acting Secretary

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LIMITED LIABILITY COMPANY JOINT TENANCY WARRANTY DEED - Page 2

EXCEPT AND SUBJECT TO:

Easements and right of ways of record and unrecorded easements and right of ways apparent from view.

Unreleased, unexpired oil and gas leases of record containing ordinary and customary terms prevalent at the time the lease was executed.

Outstanding mineral interests of record, if any.

and that it will warrant and forever defend the same unto said party of the second part, and the successors and assigns of the same, against said party of the first part, its successors and assigns, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the said party of the first part has hereunto caused this Limited Liability Company Joint Tenancy Warranty Deed to be signed on its behalf by its Manager, thereunto duly authorized to do so the day and year first above written.

Knox Land, LLC

BY: Phillip L. Knox  
Phillip L. Knox, Manager

STATE OF KANSAS, COUNTY OF THOMAS, ss.

BE IT REMEMBERED, that on this 9th day of March, 2022, before me, the undersigned, a Notary Public in and for the County and State aforesaid came Phillip L. Knox, Manager of Knox Land, LLC, a Limited Liability Company duly organized, incorporated and existing under and by virtue of the laws of the State of Kansas, who is personally known to me to be such Manager and who is personally known to me to be the same person who executed and attested, as such Manager, the within instrument of writing on behalf of said Limited Liability Company, and such person duly acknowledged the execution of the same to be the act and deed of said Limited Liability Company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

Gabriel Kennedy  
Notary Public

Commission Expires: June 30, 2023

KANSAS SALES VALIDATION QUESTIONNAIRE:  
Attached



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FILE NUMBER 29200958 BK 292 PG 958 - 959

RECORDED 3/9/2022 at 10:07 AM

RECORDING FEE: \$ 38.00

Thomas County, KANSAS

SUZANNE HERSCHBERGER, DEPUTY

LORA L. VOLK, REGISTER OF DEEDS

*Lora L. Volk*



Entered in Transfer Record in My Office  
on 3/9/2022

*Keesa Mariman*

Keesa Mariman

County Clerk

**LIMITED LIABILITY COMPANY  
JOINT TENANCY WARRANTY DEED**

THIS INDENTURE, Made this 9<sup>th</sup> day of March, 2022, between Knox Land, LLC, duly organized, incorporated and existing under and by virtue of the laws of the State of Kansas, party of the first part, and Chance Cranston and Paige Cranston, as joint tenants and not as tenants in common, with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, party of the second part:

WITNESSETH, That said party of the first part in consideration of the sum of \$10.00 and other valuable consideration, the receipt of which is hereby acknowledged, does by these presents, GRANT, BARGAIN, SELL, AND CONVEY unto said party of the second part, and the successors and assigns of the same, all of the following described real estate situated in Thomas County, Kansas, to-wit:

**Southwest Quarter (SW/4) of Section Sixteen (16), Township Ten (10) South, Range Thirty-six (36) West of the Sixth Principal Meridian, Thomas County, Kansas, LESS AND EXCEPT the following described tract:**

**Commencing at the Northwest corner of the Southwest Quarter (SW/4) of Section Sixteen (16), Township Ten (10), Range Thirty-six (36), thence East 34 rods; thence South 17 rods; thence West 34 rods; thence North 17 rods to the point of beginning.**

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, forever.

And said party of the first part, for itself, its successors and assigns, does hereby covenant, promise and agree, to and with said party of the second part, that at the delivery of these presents it is lawfully seized in its own right, of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above granted and described premises, with the appurtenances; that the same are free, clear, discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrance, of what nature or kind soever;

*(continued on next page)*

WATER RESOURCES  
RECEIVED

DEC 21 2022

KS DEPT OF AGRICULTURE



WATER RESOURCES RECEIVED

DEC 21 2022

KS DEPT OF AGRICULTURE



State of Kansas



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

APPLICATION FOR TERM PERMIT

- GROUNDWATER
  - SURFACE WATER
- (check one)

STATUTORY FILING FEE MUST ACCOMPANY THIS APPLICATION  
(Make check payable to the Kansas Department of Agriculture)

1. Applicant: (Please print or type)

Name \_\_\_\_\_  
 Street \_\_\_\_\_  
 City and State \_\_\_\_\_  
 Zip Code \_\_\_\_\_ Telephone No. (\_\_\_\_) \_\_\_\_\_  
 E-Mail Address \_\_\_\_\_  
 Social Security I.D. No. \_\_\_\_\_  
 and/or Taxpayer I.D. No. \_\_\_\_\_

2. Location of Point of Diversion:

Sec. 4, Twp. 10, Rng. 36 (EW)  
Thomas County, Kansas.

Distance from Southeast Corner of Section:  
89 feet North from Southeast Corner  
3772 feet West from Southeast Corner

NOTE: If point of diversion is not site specific (i.e. groundwater pit) show the approximate geographic center.

3. Water Use Data:

Proposed Max. Pumping Rate (gpm) 30 gpm

\* Amount Requested (acre-feet) \_\_\_\_\_  
 per calendar year  
 Depth of Well (feet) \_\_\_\_\_

Date (completed) (will be completed) Upm Approval

Drainage Basin Saline

Name of Stream \_\_\_\_\_

4. Water is to be used for (briefly describe proposed use and explain the rate and quantity requested):

to move from 13813 to 41221. Change application

5. Location of place of use:

Feed lot in S. 9 & S. 4 of 10-36

6. Period of use:

Commencing date: Upm Approval  
Ending Date: Dec. 31, 2022 Also enter on Item 12

If off-stream pit, check here .  
 Will pit floor intersect water table? Yes  No

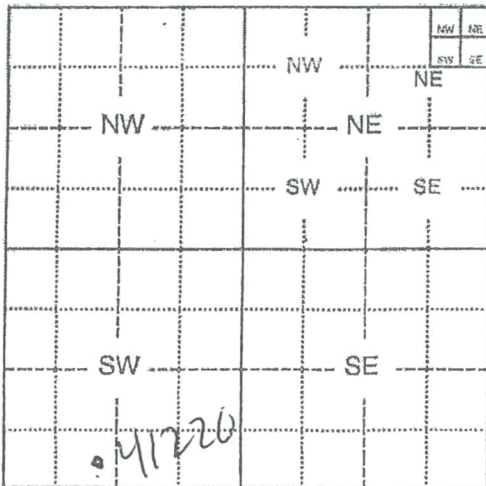
7. Location of the proposed point of diversion and those of other water users within 1/2 mile shall be indicated on the diagram to the lower-left, scale 1 inch = 2,000 feet. If surface water, indicate on the diagram the course of the stream, and its name. List other D.W.R. permit numbers that cover the requested point(s) of diversion or place of use here:

41220

FEE SCHEDULE

- The filing fee for an application is based on the maximum amount of water use proposed within a year. Except for storage, the fee is:
- | Acre-feet  | Fee       |
|------------|-----------|
| 0 - 100    | \$100.00  |
| 101 - 200  | \$200.00  |
| 201 - 300  | \$300.00  |
| 301 - 400  | \$400.00  |
| 401 - 500  | \$500.00  |
| 501 - 600  | \$600.00  |
| 601 - 700  | \$700.00  |
| 701 - 800  | \$800.00  |
| 801 - 900  | \$900.00  |
| 901 - 1000 | \$1000.00 |

Here is additional paperwork & a check for \$400.00 from CP Feeders for the water rights paperwork, these papers accidentally did not get mailed with the rest



Assisted by Shannon Kenyon Gilman

For Office Use Only:  
 F.O. \_\_\_\_\_ GMD \_\_\_\_\_ Meets K.A.R. 5-3-1 (YES / NO) Use \_\_\_\_\_ Source G / S County \_\_\_\_\_ By \_\_\_\_\_ Date \_\_\_\_\_  
 Code \_\_\_\_\_ Fee \$ \_\_\_\_\_ TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # \_\_\_\_\_

8. For groundwater use, list below all wells within 1/2 mile of the proposed well, and plot locations upon the diagram on reverse side. If additional space is needed, attach a map.

Other wells -

Well A Owner(s): Applicant  
Address: \_\_\_\_\_

Well B Owner(s): \_\_\_\_\_  
Address: \_\_\_\_\_

9. For surface water use, list below the names and addresses of all landowners from a point 1/2 mile upstream to a point 1/2 mile downstream of the tract of land upon which the point of diversion is located. If additional space is needed, attach sheet.

Tract A Owner(s): \_\_\_\_\_  
Address: \_\_\_\_\_

Tract B Owner(s): \_\_\_\_\_  
Address: \_\_\_\_\_

10. The owner of the point of diversion, if other than the applicant is (please print):  
\_\_\_\_\_  
(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 \_\_\_\_\_, 20\_\_\_\_. \_\_\_\_\_  
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.

- 11. The applicant states that the information set hereon is true and accurate to the best of his/her knowledge.
- 12. The applicant agrees to waive any right to a hearing on the matter of abandonment of this appropriation right and further agrees that this appropriation right may be dismissed and terminated upon completion of the proposed project, said dismissal date to be on Dec 31, 2022 or within any extension of time authorized by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.
- 13. The applicant agrees to provide water to nearby water users, at no charge to said users, should their rights to use water become impaired by the project proposed by this application.

14. Water use contact person (in event emergency contact is needed):  
Name: Chance R. Cranston Telephone No. (785) 694-8104

CR  
Signature of Applicant or \_\_\_\_\_ Authorized Representative \_\_\_\_\_ Date \_\_\_\_\_  
Chance R. Cranston  
Applicant's Name Printed \_\_\_\_\_ Title \_\_\_\_\_

**DO NOT WRITE BELOW THIS LINE**

CONDITIONS OF APPROVAL:  
The applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined. Accurate and complete records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date, shall cause the applicant to be subject to a civil penalty.  
The use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.  
The Chief Engineer specifically retains jurisdiction in this matter with authority to make such reasonable reductions in the approved rate of diversion and quantity authorized, and such changes in other terms, conditions, and limitation set forth in this approval and permit to proceed as may be deemed to be in the public interest.

LOCATION OF WATER WELL County: <u>Thomas</u>	Fraction <u>SW 1/4 SW 1/4 NW 1/4</u>	Section Number <u>16</u>	Township Number <u>T 10 S</u>	Range Number <u>R 36 EW</u>
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Distance and direction from nearest town or city? 3 S 1E of Brewster Kans  
 Street address of well if located within city?

WATER WELL OWNER: Gene Kling  
 #, St. Address, Box #: Brewster, Kansas 67732  
 City, State, ZIP Code: Brewster, Kansas 67732  
 Board of Agriculture, Division of Water Resources  
 Application Number:

DEPTH OF COMPLETED WELL: 167 ft. Bore Hole Diameter: 8 in. to 167 ft., and . . . . . in. to . . . . . ft.

Use of Well Water to be used as:  
 1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 11 Injection well  
 2 Irrigation 4 Industrial 7 Lawn and garden only 10 Observation well 12 Other (Specify below)

Well's static water level: 147 ft. below land surface measured on 12 month 29 day 99 year

Compass Test Data: Not tested Well water was . . . . . ft. after . . . . . hours pumping . . . . . gpm  
 Yield Not tested gpm: Well water was . . . . . ft. after . . . . . hours pumping . . . . . gpm

TYPE OF CASING USED:  
 1 Steel 3 RMP (SR) 6 Asbestos-Cement 9 Other (specify below) Welded . . . . .  
 2 PVC 4 ABS 7 Fiberglass . . . . . Threaded . . . . .

Casing Joints: Glued  Clamped . . . . .  
 5 Wrought iron 8 Concrete tile  
 10 Observation well

Well casing dia: 5 in. to 147 ft., Dia . . . . . in. to . . . . . ft., Dia . . . . . in. to . . . . . ft.  
 Casing height above land surface: 18 in., weight 10/10 lbs./ft. Wall thickness or gauge No. 14"

TYPE OF SCREEN OR PERFORATION MATERIAL:  
 1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 10 Asbestos-cement 11 Other (specify) . . . . .  
 2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 12 None used (open hole)

Screen or Perforation Openings Are:  
 1 Continuous slot 3 Mill slot 5 Gauzed wrapped 8 Saw cut 11 None (open hole)  
 2 Louvered shutter 4 Key punched 6 Wire wrapped 9 Drilled holes  
 7 Torch cut 10 Other (specify) . . . . .

Screen-Perforation Dia: 5 in. to 147-167 ft., Dia . . . . . in. to . . . . . ft., Dia . . . . . in. to . . . . . ft.  
 Screen-Perforated Intervals: From 147 ft. to 167 ft., From . . . . . ft. to . . . . . ft., From . . . . . ft. to . . . . . ft.  
 gravel Pack Intervals: From 18 ft. to 167 ft., From . . . . . ft. to . . . . . ft., From . . . . . ft. to . . . . . ft.

GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other . . . . .  
 Grouted Intervals: From 4 ft. to 18 ft., From . . . . . ft. to . . . . . ft., From . . . . . ft. to . . . . . ft.

What is the nearest source of possible contamination:  
 1 Sepic tank 4 Cess pool 7 Sewage lagoon 10 Fuel storage 14 Abandoned water well  
 2 Sewer lines 5 Seepage pit 8 Feed yard 11 Fertilizer storage 15 Oil well/Gas well  
 3 Lateral lines 6 Pit privy 9 Livestock pens 12 Insecticide storage 16 Other (specify below)

Direction from well: SW How many feet: 100? Water Well Disinfected? Yes  No  
 Is a chemical/bacteriological sample submitted to Department? Yes  No  
 If yes, date sample submitted . . . . . month . . . . . day . . . . . year: Pump Installed? Yes  No  
 Yes: Pump Manufacturer's name: Red Jacket Model No. 13AD HP 1/2 Volts 220  
 Depth of Pump Intake: 161 ft. Pumps Capacity rated at 5 gal./min.  
 Type of pump: 1 Submersible 2 Turbine 3 Jet 4 Centrifugal 5 Reciprocating 6 Other

CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on 12 month 29 day 1979 year.  
 I certify this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 139  
 This Water Well Record was completed on 2 month 12 day 1980 year under the business name of Bartell Drilling by (signature) Joyce Bartell

LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:	FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHOLOGIC LOG
	0	42	Top Soil			
	42	76	Sand & Clay Strips			
	76	102	Sand & Sand Rock Strips			
	102	119	Sand Clay			
	119	155	Sand & Sandy Clay Strips			
	155	164	OKen			
	164	167	Shale			

ELEVATION:  
 Depth(s) Groundwater Encountered 1. . . . . ft. 2. . . . . ft. 3. . . . . ft. 4. . . . . ft. (Use a second sheet if needed)

INSTRUCTIONS: Use typewriter or ball point pen, please press firmly and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Division of Environment, Water Well Contractors, Topeka, KS 66620. Send one to WATER WELL OWNER and retain one for your records.

**DATA ENTRY SYSTEM ID NUMBER SHEET**

**FILE NUMBER** 50931

<b>APPLICANT PERSON ID &amp; SEQ #</b>	<b>PDIV ID</b>	<b>BATTERY ID</b>
<u>68394</u>	<u>38574</u>	

<b>LANDOWNER PERSON ID &amp; SEQ #</b>	<b>PUSE ID</b>
<u>68394</u>	<u>17712</u>
	<u>29127</u>

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

68394

\_\_\_\_\_

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\_\_\_\_\_