

Kansas Department of Agriculture  
Division of Water Resources  
**PERMIT OF NEW APPLICATION WORKSHEET**

1. File Number: <b>50,141</b>	2. Status Change Date: <b>12/28/2018</b>	3. Field Office: <b>01</b>	4. GMD: <b>0</b>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input checked="" type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
7a. Applicant(s) <input type="checkbox"/> New to system <input type="checkbox"/> Person ID <b>66189</b> Add Seq# _____  HENRY 5 LLC 873 6TH RD LONGFORD KS 67458	7c. Landowner(s) <input type="checkbox"/> New to system <input type="checkbox"/> Person ID _____ Add Seq# _____		
7b. Landowner(s) <input type="checkbox"/> New to system <input type="checkbox"/> Person ID _____ Add Seq# _____  <b>7a.</b>	7d. Misc. <input type="checkbox"/> New to system <input type="checkbox"/> Person ID _____ Add Seq# _____		
8. WUR Correspondent <input type="checkbox"/> New to system <input type="checkbox"/> Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No Person ID _____ Add Seq# _____ Notarized WUC Form <input type="checkbox"/>  <b>7a.</b>	9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water <input type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN <input checked="" type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON <input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG <input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____		
10. Completion Date: <b>12/31/2020</b>		11. Perfection Date: <b>12/31/2024</b>	
12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
Date Prepared: <b>11/29/2018</b> By: <b>DWS</b> Date Entered: <b>1/3/2019</b> By: <b>UM</b>			

File No. **50,141**      15. Formation Code: **500**      Drainage Basin: **SMOKY HILL RIVER**      County: **CY**      Special Use:      Stream:

16. Points of Diversion										17. Rate and Quantity <b>MOD ADDL Rate and QTY</b>				
MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		Overlap PD Files	
									Rate gpm	Quantity mgy	Rate gpm	Quantity mgy		
√	<b>40127</b>	<b>NW SE SE</b>	<b>5</b>	<b>10</b>	<b>2E</b>	<b>3</b>	<b>688</b>	<b>999</b>	<b>99</b>	<b>15.0</b>	<b>84</b>	<b>0</b>	<b>41,102</b>	

18. Storage: Rate \_\_\_\_\_ NF      Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF      Additional Quantity \_\_\_\_\_ ac/ft

19. Limitation: **30.41 mg/yr** at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) **40,733; 41,102; 47,553; AND 50,140 (on PU)**  
 Limitation: \_\_\_\_\_ af/yr at **99** gpm ( \_\_\_\_\_ cfs) when combined with file number(s) **41,102**

20. Meter Required?  Yes  No      To be installed by **12/31/2020**      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use T MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files	
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
√	<b>32196</b>	<b>5</b>	<b>10S</b>	<b>2E</b>	<b>1</b>	<b>SWINE FACILITY (N2 SE)</b>																	<b>7a.</b>	<b>No</b>	<b>40,733; 41,102; 47,553 &amp; 50,140</b>	

Comments:

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**  
**MEMORANDUM**

**TO:** Files

**DATE:** November 29, 2018

**FROM:** Doug Schemm

**RE:** Applications, File Nos. 50,140 & 50,141

Henry 5 LLC has filed the referenced applications to appropriate groundwater from existing wells for stockwatering use at a hog facility located in the North Half of the Southeast Quarter of Section 5, Township 10 South, Range 2 East, in Clay County. The two applications will overlap in place of use, and File Nos 40,733; 41,102; and 47,553 also overlap in place of use with the new applications. The facility is located within the Smoky Hill River basin. The proposed place of use is wholly owned by the applicant, and the application forms have been signed by a representative of the applicant, stating they have access to the points of diversion.

Application, File No. 50,140 is requesting 15 million gallons (46.03 acre-feet) of groundwater, at a rate of diversion of 99 gallons per minute, from an existing well currently authorized under Water Right, File No. 40,733. Application, File No. 50,141 is requesting 15 million gallons (46.03 acre-feet) of groundwater, at a rate of diversion of 99 gallons per minute from an existing well currently authorized under Water Right, File No. 41,102.

File Nos. 40,733; 41,102; and 47,553 are authorized a combined total of 24.858 million gallons of water. The applicant has provided information with the new application, to justify the requested quantity of water, as follows: 12,000 head of finishing x 5 gal/head x 365 Days/year = 21.9 million gallons. However, similar stockwatering facilities typically request additional water for cooling and sanitation

Cooling = 40 gpm x 60 min/hr x 10 hrs/day x 240 Days/year	= 5.76 million gallons
Sanitation, pen cleaning, etc.	= 1.75 million gallons
Other (Misc.)	= <u>1.0 million gallons</u>
<b>Total</b>	<b>= 30.41 million gallons</b>

These pending applications will be limited to 30.41 million gallons when combined with the senior files, with File No. 50,140 providing 5.552 million gallons additional water (30.41 mgd – 24.858 mgd).

A review of area well logs, and file information, show some discrepancies regarding sources of water. The applicant's senior files that overlap the new applications, are both labeled as sourcing the unconfined Dakota aquifer system. However, a review of the applicant's well logs, and other nearby well logs depict alternating shales and limestones, which are likely sourcing the Permian system (most likely the Sumner or Chase Group). No sandstone formation is listed in the well logs, but there are some gravel layers. Therefore, in keeping with a review of the well logs, these pending applications will be classified as Permian system. In general, total depths of the wells range from 60 to 100 feet, with depths to groundwater ranging from 16 feet (if gravel present) to 60 feet or more below ground surface if producing solely from the bedrock. It is likely that the limestone strata are the water source for the wells in this local area, and production rates are typically low (30 to 50 gpm).

Also in keeping with senior files, safe yield was evaluated using the extent of the bedrock aquifer, which is also consistent with other applications completed in this area of the state. Using the extent of the bedrock aquifer as the area of consideration provides a total of 7,678 acres for File No. 50,140 (mapped alluvium was excluded from the circle). Based on a potential recharge of 2.7 inches, with 100% available for appropriation, safe yield for File No. 50,140 was determined to be 1,727.6 acre-feet. With only 199.35 acre-feet previously appropriated in this area, there is sufficient quantity of water available for appropriation, and this application meets safe yield criteria. For File No. 50,141, the area of consideration provides a total of 7,336 acres (mapped alluvium was excluded from the circle). Based on a potential recharge of 2.7 inches, with 100% available for appropriation, safe yield for File No. 50,141 was determined to be 1,650.6 acre-feet. With only 245.38 acre-feet previously appropriated in this area, there is sufficient quantity of water available for appropriation, and this application meets safe yield criteria.

A review of the area well logs and the senior files show that water was encountered at depths below where the static water level is listed, and this would indicate that the bedrock aquifer is under confined conditions. Again, this is also typical for wells in this area where the limestone strata are believed to be the water source for the wells. Since the aquifer is likely confined, K.A.R. 5-3-14 describes the methodology to determine safe yield, as follows:

- (a) Each application to appropriate water from a confined aquifer shall be processed on a case by case basis so that the safe yield of the source of water supply is not exceeded.
- (b) Until a specific regulation is adopted by the chief engineer for the confined source of water supply, the analysis shall be made using the best information reasonably available to the chief engineer.

No specific regulation has been adopted by the chief engineer for the Permian bedrock aquifer; therefore the best information available should be utilized. The potential annual recharge established for this area for unconfined aquifers (2.7 inches) would provide a maximum quantity of recharge possible. Although it is likely that the confined bedrock aquifer system would receive somewhat less recharge than a near-surface, unconfined aquifer, this safe yield value for unconfined aquifers per K.A.R. 5-3-11 provides a maximum quantity of water available in the area of consideration. If there is a significant quantity of water still remaining, then even with significant reduced recharge to the confined aquifer (in this case it would require only 18% of the maximum recharge value or 0.5 inches of recharge) there would still be sufficient water available. Therefore, based on the above discussion, it appears that these applications can be approved per K.A.R. 5-3-14, using the best information reasonably available to the chief engineer.

The applicant did not identify any other wells within one-half ( $\frac{1}{2}$ ) mile of the proposed point of diversion, other than his own stockwatering wells. Therefore, no notification letters were required. Both of the applications comply with minimum well spacing criteria of 1,320 feet to all other existing wells. However, the two wells requested under these applications do not meet spacing to each other, being located 1,105 feet apart. There are several unique circumstances that should be considered in this specific instance regarding minimum well spacing.

- These wells for stockwatering use are operated as a system supplying water to the same hog facility, and are not likely to be separated or divided in any way in the future.
- The wells are not typically pumped at the same time, and they are pumped based on water supply demands at the feedlot, not on a continuous basis. This operational flexibility in pumping sources will provide for more efficient management of the source of supply.
- The applicant uses the well under File No. 50,141 more as a standby (backup) well because it also supplies water for domestic use to a residence on the property. The applicant has noted that he has problems with iron bacterial clogging the wells, so he needs these multiple supply wells in case a well needs to be shut down for cleaning.
- These are existing wells that have operated for many years with no known impairment problems, and all nearby wells are owned by the applicant.

Therefore, per K.A.R. 5-4-4, the required minimum well spacing criteria is not necessary to prevent direct impairment in this specific instance, and the proposed well spacing is sufficient to prevent direct impairment and to protect the public interest. Both new appropriations will be limited to a maximum pumping rate of only 99 gpm.

Henry 5 LLC  
File Nos. 50,140 and 50,141  
Page 3

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under these permits, check valves will also need to be installed.

In a November 19, 2018 discussion, Katie Tietsort, Water Commissioner, Topeka Field Office, recommended approval of the referenced applications. Based on the above discussion, reduced well spacing and safe yield criteria are met, approval of the applications will not impair senior water rights nor prejudicially or unreasonably affect the public interest, they will provide additional water and flexibility in sources for the hog operation, it is recommended that the referenced new applications be approved.

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

HENRY 5 LLC  
873 6TH RD  
LONGFORD KS 67458

January 7, 2019

**FILE COPY**

Re: Appropriation of Water, File Nos. 50,140 and 50,141

Dear Mr. Henry:

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 source 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 approval documents. Water meters are required on the proposed diversion works 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. 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. There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water rights.

Sincerely,

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

BAT:dws  
Enclosures

pc: Topeka Field Office



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION  
and  
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 50,141** of the applicant

**HENRY 5 LLC  
873 6TH RD  
LONGFORD KS 67458**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **October 4, 2018**.
2. That the water sought to be appropriated shall be used for stockwatering use in the North Half of the Southeast Quarter (N $\frac{1}{2}$  SE $\frac{1}{4}$ ) of Section 5, Township 10 South, Range 2 East, Clay County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Northwest Quarter of the Southeast Quarter of the Southeast Quarter (NW $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 5, more particularly described as being near a point 688 feet North and 999 feet West of the Southeast corner of said section, in Township 10 South, Range 2 East, Clay County, Kansas, located substantially as shown on the topographic map accompanying the application.
4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **99 gallons per minute** (0.22 c.f.s.) and to a quantity not to exceed **15 million gallons** (46.03 acre-feet) of water for any calendar year.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2020**, or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$400.00, when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.
6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2024**, or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That 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.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with 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.

15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

17. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

18. That the quantity of water approved under this permit is further limited to the quantity which combined with Water Right, File Nos. 40,733 and 41,102; and Appropriation of Water, File Nos. 47,553 and 50,140, will provide a **total not to exceed 30.41 million gallons** (93.32 acre-feet) of water per calendar year for stockwatering use as described herein.



19. That the rate of diversion of water approved under this permit is further limited to the rate which combined with Water Right, File No. 41,102, will provide a **total not to exceed 99 gallons per minute** (0.22 c.f.s.) from the authorized point of diversion.

**RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW**

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Ordered this 25<sup>th</sup> day of December, 2018, in Manhattan, Riley County, Kansas.

*Lane P. Letourneau*

Lane P. Letourneau, L.G.  
Program Manager  
Water Appropriation Program  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas            )  
  ) SS  
County of Riley            )

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of December, 2018, by Lane P. Letourneau, L.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



*Danielle Wilson*

Notary Public

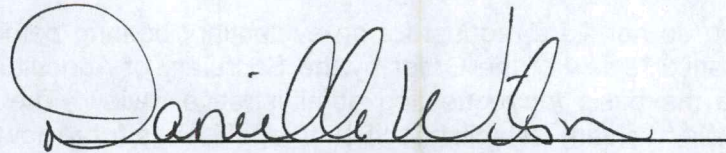
**CERTIFICATE OF SERVICE**

On this 7<sup>th</sup> day of January, 2019, I hereby certify that the foregoing Approval of Application, File No. 50,141, dated December 20<sup>th</sup>, 2018 was mailed postage prepaid, first class, US mail to the following:

HENRY 5 LLC  
873 6TH RD  
LONGFORD KS 67458

With photocopies to:

Topeka Field Office



Division of Water Resources

**Schemm, Doug [KDA]**

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**From:** Tietsort, Katie [KDA]  
**Sent:** Friday, November 16, 2018 9:58 AM  
**To:** Schemm, Doug [KDA]  
**Subject:** RE: Henry 5 LLC 50,140 & 50,141

Please proceed.

Katie Tietsort

**SAVE TIME AND MONEY ON YOUR WATER USE REPORT WHEN YOU**

**FILE ONLINE**

**Online water use reporting available January 2 – March 1**

Starting with the 2018 water use reporting period, the Kansas Department of Agriculture will be implementing a \$20 per water right paper filing fee for those water right holders that report their water use using the paper forms. **This \$20 fee can be avoided by reporting water use online.**



**Learn More**

The Kansas Department of Agriculture encourages you to use the new online filing system. Read more about filing your water use report online at [www.agriculture.ks.gov/wateruse](http://www.agriculture.ks.gov/wateruse).

**Questions?**

If you have a problem using the online water use reporting system, or you simply have questions, please call the water use team at 785-564-6638.

**Complete your online water use report at [www.kswaterusereport.org](http://www.kswaterusereport.org)**

Kansas Department of Agriculture  
6531 SE Forbes Ave Ste B  
Topeka, KS 66619  
[katie.tietsort@ks.gov](mailto:katie.tietsort@ks.gov)  
Phone 785-296-5733

*Achiever~Responsibility~Input~Relator~Arranger*

---

**From:** Schemm, Doug [KDA]  
**Sent:** Tuesday, November 13, 2018 2:11 PM  
**To:** Tietsort, Katie [KDA] <[Katie.Tietsort@ks.gov](mailto:Katie.Tietsort@ks.gov)>  
**Subject:** Henry 5 LLC 50,140 & 50,141

These existing wells are only 1,105 feet apart, so just shy of meeting spacing to each other. But still low rate of pumping < 99 gpm and quantities.

Henry owns everything around this area, so no problems. Bedrock aquifer.

# 50,141  
meets safe yield

## Analysis Results

The selected PD is in an area OPEN to new appropriations.

The safe yield based on the variables listed below is 1,650.64 AF.

Total prior appropriations in the circle is 199.35 AF. **+ 46.03 AF = 245.38 AF**

Total quantity of water available for appropriation is ~~1,451.29~~ AF.

**1,405.26 AF**

## Safe Yield Variables

The area used for the analysis is set at 7,336 acres.

The potential annual recharge at the circle center is estimated to be 2.7 inches.

The percent of recharge available for appropriation is 100%.

Authorized Quantity values are as of 13-NOV-2018 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 9 water rights and 13 points of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
A 40732 00	STK	NK	G		NE	NW	NW	4972	4014	08	10	02E	1	WR	39.90	39.90		
Same	STK	NK	G		NE	NW	NW	4880	4138	08	10	02E	5	WR				
Same	STK	NK	G		NE	NW	NW	4852	4142	08	10	02E	2	WR				
Same	STK	NK	G		NE	NW	NW	4815	4258	08	10	02E	3	WR				
A 40733 00	STK	NK	G		SW	NE	SE	1770	776	05	10	02E	1	WR	8.59	8.59		
A 41101 00	STK	NK	G		SE	NW	NW	4353	4116	08	10	02E	4	WR	29.91	4.75		
Same	STK	NK	G		SE	NW	NW	4399	4210	08	10	02E	6	WR				
Same	STK	NK	G		SE	NW	NW	4444	4303	08	10	02E	7	WR				
A 41102 00	STK	NK	G		NW	SE	SE	688	999	05	10	02E	3	WR	3.76	0.49		
A 45857 00	STK	NK	G		SE	SW	NW	3121	4116	08	10	02E	8	WR	10.54	0.00		
Same	STK	NK	G		SE	SW	NW	3048	4250	08	10	02E	9	WR				
Same	STK	NK	G		SE	SW	NW	3085	4183	08	10	02E	10	WR				
A 47553 00	STK	LR	G		SW	NW	SE	1550	2100	05	10	02E	6	WR	67.21	67.21		
A 49930 00	STK	GY	G		SE	SW	NW	3121	4116	08	10	02E	8	WR	123.00	78.42		
Same	STK	GY	G		SE	SW	NW	3048	4250	08	10	02E	9	WR				
Same	STK	GY	G		SE	SW	NW	3085	4183	08	10	02E	10	WR				
A 50140 00	STK	AY	G		SW	NE	SE	1770	776	05	10	02E	1	WR	46.03	0.00		
A 50141 00	STK	AY	G		NW	SE	SE	688	999	05	10	02E	3	WR	46.03	0.00		

**46.03 AF - Senior File to be approved**

## Limitations

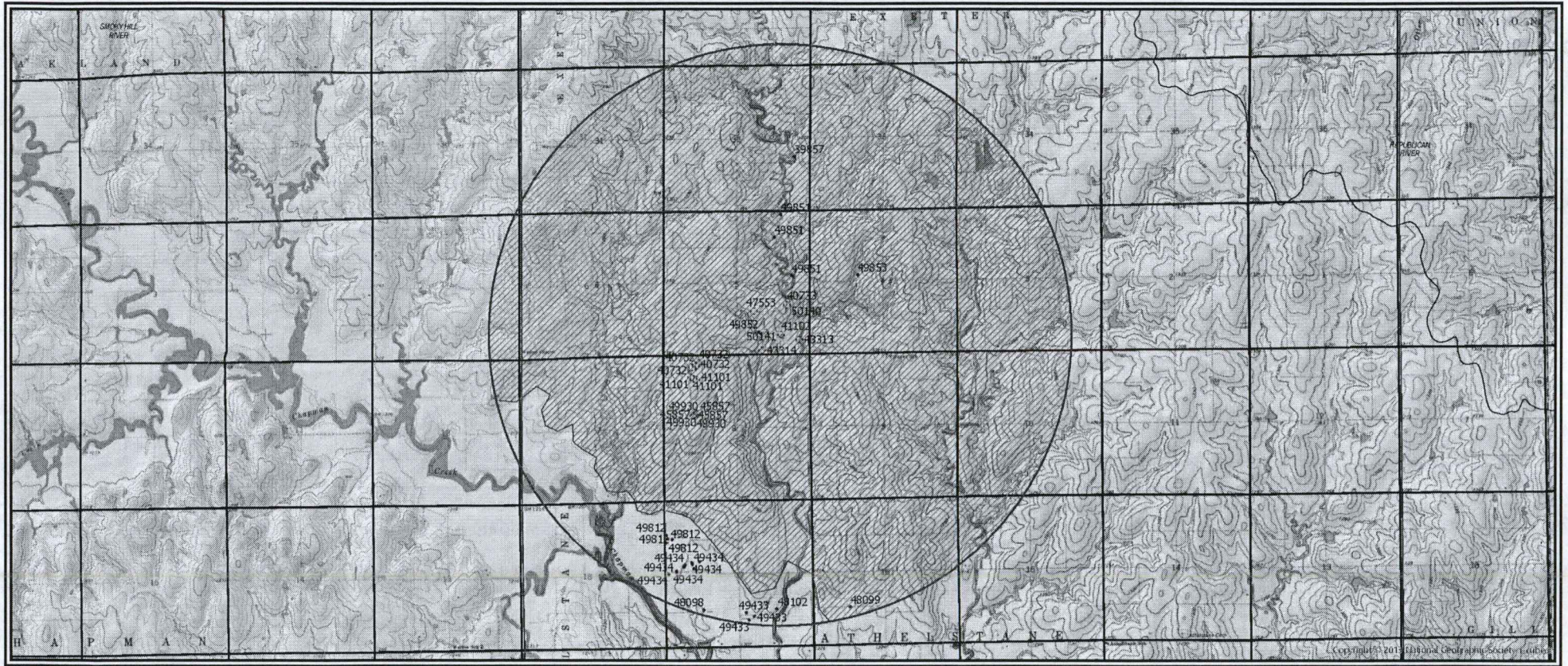
File Number	Seq Num	Limitations
A 41101 00	1	14.547MGY COM/W #40732 ✓
A 41102 00	2	2.958MGY COM/W #40733 ✓
A 45857 00	2	14.547 MGY COM/W #40732 & #41101 ✓

# Safe Yield Report Sheet

## Water Right- A5014100

### Point of Diversion in 05-10S-02E

#### Footages from SE corner- 688 feet North 999 feet West



# 50,141

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File Number	Seq Num	Limitations
A 49812 00	1	768 AF/YR COM/W #48895-C, 48895-D, 49433, 49434 & 49784 ✓
A 49930 00	1	40.08 MGY COM/W #40732, #41101 & #45857 (ON P/U) ✓

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A

50141 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50141 00 STK

*Reduced spacing is acceptable to applicant's own well.*

Water Right and Points of Diversion Within 2.00 miles of point defined as:

688 Feet North and 999 Feet West of the Southeast Corner of Section 5 T 10S R 2E

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit	
A__ 40732 00	STK	NK	G	3291	--	NE	NW	NW	4880	4138	8	10	2E	5	G	3	39.90	39.90	AF
Same				3144	--	NE	NW	NW	4972	4014	8	10	2E	1	B	3			
Same				3304	--	NE	NW	NW	4852	4142	8	10	2E	2	B	3			
Same				3426	--	NE	NW	NW	4815	4258	8	10	2E	3	B	3			
A__ 40733 00	STK	NK	G	1105	--	SW	NE	SE	1770	776	5	10	2E	1		8.59	8.59	AF	
A__ 41101 00	STK	NK	G	3544	--	SE	NW	NW	4399	4210	8	10	2E	6	G	2	29.91	4.75	AF
Same				3481	--	SE	NW	NW	4353	4116	8	10	2E	4	B	2			
Same				3608	--	SE	NW	NW	4444	4303	8	10	2E	7	B	2			
A__ 41102 00	STK	NK	G	0	--	NW	SE	SE	688	999	5	10	2E	3		3.76	.49	AF	
A__ 45857 00	STK	NK	G	4269	--	SE	SW	NW	3085	4183	8	10	2E	10	G	2	10.54	.00	AF
Same				4195	--	SE	SW	NW	3121	4116	8	10	2E	8	B	2			
Same				4343	--	SE	SW	NW	3048	4250	8	10	2E	9	B	2			
A__ 47553 00	STK	LR	G	1398	--	SW	NW	SE	1550	2100	5	10	2E	6		67.21	67.21	AF	
A__ 49433 00	IRR	HK	G	10415	--	NW	SW	SE	926	2326	17	10	2E	7	G	4	220.00	220.00	AF
Same				10162	--	NW	SW	SE	1194	2425	17	10	2E	9	B	4			
Same				10257	--	NW	SW	SE	1064	2144	17	10	2E	10	B	4			
A__ 49434 00	IRR	KE	G	9377	--	SW	SW	NW	2722	4931	17	10	2E	21	G	3	220.00	220.00	AF
Same				9588	--	NW	NW	SW	2621	5215	17	10	2E	22	B	3			
Same				9414	--	SW	SW	NW	2676	4920	17	10	2E	23	B	3			
Same				9132	--	SW	SW	NW	2869	4659	17	10	2E	24	B	3			
A__ 49812 00	IRR	GY	G	8466	--	NW	SW	NW	3892	5227	17	10	2E	17	G	3	320.00	88.80	AF
Same				8372	--	SW	NW	NW	4041	5297	17	10	2E	18	B	3			
Same				8404	--	NW	SW	NW	3881	5079	17	10	2E	19	B	3			
Same				8626	--	NW	SW	NW	3753	5306	17	10	2E	20	B	3			
A__ 49930 00	STK	GY	G	4269	--	SE	SW	NW	3085	4183	8	10	2E	10	G	2	123.00	78.42	AF
Same				4195	--	SE	SW	NW	3121	4116	8	10	2E	8	B	2			
Same				4343	--	SE	SW	NW	3048	4250	8	10	2E	9	B	2			
A__ 50140 00	STK	AY	G	1105	--	SW	NE	SE	1770	776	5	10	2E	1		46.03	.00	AF	
A__ 50141 00	STK	AY	G	0	--	NW	SE	SE	688	999	5	10	2E	3		46.03	.00	AF	

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	607.22	.00
Total Inspected Amount (AF) =	67.21	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	53.72	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	728.15	.00

An \* after the source of supply indicates a pending application for change under the file number.  
 An \* after the ID indicates a 15 AF exemption was granted under the file number.  
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.  
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

688 Feet North and 999 Feet West of the Southeast Corner of Section 5 T 10S R 2E

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

-----  
File Number Use ST SR

A\_\_ 40732 00 STK NK G

> HENRYS LIMITED

>

> 615 INDIAN RD

> LONGFORD KS 67458

-----

A\_\_ 40733 00 STK NK G

> HENRY 5 LLC

>

> 873 6TH RD

> LONGFORD KS 67458

-----

A\_\_ 41101 00 STK NK G

> HENRYS LIMITED

>

> 615 INDIAN RD

> LONGFORD KS 67458

-----

A\_\_ 41102 00 STK NK G

> HENRY 5 LLC

>

> 873 6TH RD

> LONGFORD KS 67458

-----

A\_\_ 45857 00 STK NK G

> HENRYS LIMITED

>

> 615 INDIAN RD

> LONGFORD KS 67458

-----

A\_\_ 47553 00 STK LR G

> HENRY 5 LLC

>

> 873 6TH RD

> LONGFORD KS 67458

-----

A\_\_ 49433 00 IRR HK G

> DON VAN SCOYOC

>

> 875 4TH RD

> LONGFORD KS 67458

-----

A\_\_ 49434 00 IRR KE G

> DON VAN SCOYOC

>

> 875 4TH RD

> LONGFORD KS 67458



THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 50141  
This item to be completed by the 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.)

Water Resources  
Received  
OCT 04 2018  
8:41  
KS Dept Of Agriculture

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

1. Name of Applicant (Please Print): HENRY 5 LLC  
Address: 873 6<sup>th</sup> RD  
City: LONGFORD State: KS Zip Code: 67458  
Telephone Number: (785) 427-7036

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in SMOKY HILL RIVER BASIN (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 46.03 acre-feet OR 15 MILLION gallons per calendar year, to be diverted at a maximum rate of 99 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. 1 GMD  Meets K.A.R. 5-3-1 (YES / NO) Use STK Source G S County CY By DAW Date 10/5/18  
Code      REG Fee \$ 200 TR #      Receipt Date 10/4/18 Check # 7740

SCANNED  
10/10/2018 CLM

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 NW quarter of the SE quarter of the SE quarter of Section 5, more particularly described as being near a point 688 feet North and 999 feet West of the Southeast corner of said section, in Township 10 South, Range 2 EAST, CLAY 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):

\_\_\_\_\_  
(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 \_\_\_\_\_, 2018. Man Hung  
Applicant's Signature

7. The proposed project for diversion of water will consist of ONE WELL  
(number of wells, pumps or dams, etc.)

and (was) completed (by) Existing (Under File No. 41,102) \_\_\_\_\_  
(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 Fall 2018 \_\_\_\_\_  
(Mo/Day/Year)

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

Yes  No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources?  Yes  No

• If yes, show the Water Structures permit number here \_\_\_\_\_

• If no, explain here why a Water Structures permit is not required \_\_\_\_\_

11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

(a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.

(b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.

(c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.

(d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.

(e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

File No. 41,102 OVERLAP IN POINT OF DIVERSION & PLACE OF USE

File Nos. 40,733 & 47,553 - OVERLAP IN PLACE OF USE

Water Resources  
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OCT 04 2018

KS Dept Of Agriculture

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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	10/1991			
Total depth of well	60			
Depth to water bearing formation	16			
Depth to static water level	16			
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):

\_\_\_\_\_  
(name, address and telephone number)

\_\_\_\_\_  
(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at \_\_\_\_\_, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.  
(month) (year)

*Maukey*  
(Applicant Signature)

511-90-0510  
APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

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

and/or  
APPLICANT(S) TAXPAYER I.D. NO.(S)

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

Assisted by DWS TOPEKA FO Date: 9/27/2018  
(office/title)

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OCT 04 2018

KC Dept Of Agriculture

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50141

### 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

Water Resources  
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OCT 04 2018

KS Dept Of Agriculture

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**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN  
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT  
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

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

Ninnescah River  
North Fork Ninnescah River  
Rattlesnake Creek  
Republican River  
Saline River  
Smoky Hill River  
Solomon River  
South Fork Ninnescah  
Spring River  
Walnut River  
Whitewater River

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OCT 04 2011

KS Dept of Agriculture

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**STOCKWATER USE  
SUPPLEMENTAL SHEET**

Water Resources  
Received

**OCT 04 2018**

File No. 50141

KS Dept Of Agriculture

Name of Applicant (Please Print): Henry's Limited

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

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

**PAST NUMBER OF HEAD AND WATER DIVERTED, IF APPLICABLE**

LAST 5 YEARS	NUMBER OF HEAD	WATER DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
5 years ago	8000	2,000,000	0.68
Last year	8000	3,400,000	1.16
Present Year	8000	3,400,000	1.16

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	12000	21,900,000	5
Year 2	12000	21,900,000	5
Year 3	12000	21,900,000	5
Year 4	12000	21,900,000	5
Year 5	12000	21,900,000	5

Please attach any additional information, tables, or curves showing past, present and estimated future water requirements to substantiate the amount of water requested.

WATER RESOURCES  
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JUL 13 2010

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 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	
			STOCKWATERING USE IN THE NORTH HALF OF THE SOUTHEAST QUARTER (N½ SE¼) OF SECTION 5, TOWNSHIP 10 SOUTH, RANGE 2 EAST																CY



50141

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.: K.A.R 5-3-22 → 5 gal/hd/day

DRINKING

12,000 head of Hogs x 5 gallons/head (avg.) x 365 days = 21.9 million 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 = \_\_\_\_\_ gallons

SANITATION

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

OTHER USE (Explain) \_\_\_\_\_ = \_\_\_\_\_ gallons

TOTAL \_\_\_\_\_ 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 \_\_\_\_\_ linear feet.

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

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

Water Resources  
Received

OCT 04 2018

KS Dept Of Agriculture

DEPARTMENT OF AGRICULTURE

OCT 04 2018

Received  
Water Resources

11/12

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

10/5/2018

HENRY 5, LLC  
873 6TH RD  
LONGFORD, KS 67458

RE: Application, File No. **50141**

Dear Sir or Madam:

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 Topeka Field Office at 785-296-5733. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum  
New Application Unit Supervisor  
Division of Water Resources

SCANNED

# File No. 41,102

50141

1:12,000

