

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

1. File Number: <p style="text-align: center;">50,313</p>	2. Status Change Date: <p style="text-align: center;">5/22/2020</p>	3. Field Office: <p style="text-align: center;">1</p>	4. GMD: <p style="text-align: center;">0</p>
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5. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

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

<p>7a. Applicant(s) Person ID 67059 New to system <input type="checkbox"/> Add Seq# _____</p> <p>KOPFER FARMS INC Attn: KELLAN F KOPFER 630 CHEROKEE ROAD OAK HILL KS 67432</p>	<p>7c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>
<p>7b. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p> <p>7a.</p>	<p>7d. Misc. Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>

<p>8. WUR Correspondent Person ID _____ New to system <input type="checkbox"/> Add Seq# _____ Overlap File (s) WUC Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7a.</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input checked="" type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>
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10. Completion Date: **12/31/2021** 11. Perfection Date: **12/31/2025** 12. Exp Date: _____

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

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

Date Prepared: **1/22/2020** By: **DWS**
Date Entered: **5/27/2020** By: **LMoody**

File No. 50,313	15. Formation Code: 330	Drainage Basin: SMOKY HILL RIVER	County: CY	Special Use:	Stream:																																																						
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:55%;"> 16. Points of Diversion T MOD DEL ENT PDIV Qualifier S T R ID 'N 'W </td> <td style="width:45%;"> 17. Rate and Quantity MOD QTY Authorized Additional Rate gpm Quantity mgy Rate gpm Quantity mgy Overlap PD Files </td> </tr> <tr> <td> √ 87728 SW SW SW 5 10S 1E 1 520 4792 (Geo-Ctr) </td> <td> 99 11.222 99 11.222 NONE </td> </tr> <tr> <td> √ 87729 SW SW SW 5 10S 1E 2 490 4810 (Batt 1 of 2) </td> <td> </td> </tr> <tr> <td> √ 87730 SW SW SW 5 10S 1E 3 550 4775 (Batt 1 of 2) </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>						16. Points of Diversion T MOD DEL ENT PDIV Qualifier S T R ID 'N 'W	17. Rate and Quantity MOD QTY Authorized Additional Rate gpm Quantity mgy Rate gpm Quantity mgy Overlap PD Files	√ 87728 SW SW SW 5 10S 1E 1 520 4792 (Geo-Ctr)	99 11.222 99 11.222 NONE	√ 87729 SW SW SW 5 10S 1E 2 490 4810 (Batt 1 of 2)		√ 87730 SW SW SW 5 10S 1E 3 550 4775 (Batt 1 of 2)																																															
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18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft																																																											
19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____ Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____																																																											
20. Meter Required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No To be installed by 12/31/2021 Date Acceptable Meter Installed _____																																																											
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20%;"> 21. Place of Use T MOD DEL ENT PUSE S T R ID </td> <td style="width:10%;">NE¼</td> <td style="width:10%;">NW¼</td> <td style="width:10%;">SW¼</td> <td style="width:10%;">SE¼</td> <td style="width:10%;">Total</td> <td style="width:10%;">Owner</td> <td style="width:10%;">Chg? NO</td> <td style="width:10%;">Overlap Files</td> </tr> <tr> <td> </td> <td>NE ¼</td> <td>NW ¼</td> <td>SW ¼</td> <td>SE ¼</td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> √ 69668 5 10 1E 1 </td> <td colspan="4">SWINE FACILITY (SW)</td> <td> </td> <td>7a.</td> <td>NO</td> <td>NONE</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>						21. Place of Use T MOD DEL ENT PUSE S T R ID	NE ¼	NW ¼	SW ¼	SE ¼	Total	Owner	Chg? NO	Overlap Files		NE ¼	NW ¼	SW ¼	SE ¼					√ 69668 5 10 1E 1	SWINE FACILITY (SW)					7a.	NO	NONE																											
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Comments:																																																											

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: January 22, 2020

FROM: Doug Schemm

RE: Application, File No. 50,313

Kopfer Farms Inc. has filed the above referenced application proposing to appropriate a total of 11.222 million gallons (34.44 acre-feet) of groundwater per calendar year at a diversion rate not to exceed 99 gallons per minute for stockwatering use. The point of diversion is the geographic center of a 2 well battery located in the Southwest Quarter of Section 5, Township 10 South, Range 1 East, in Clay County. There are no overlapping files in place of use or point of diversion. The place of use is described as a swine facility located in the Southwest Quarter, and it is owned by the applicant who has signed the application stating they have access to the point of diversion. The well battery is located within the Smoky Hill River basin.

Based on a review of well logs submitted with the application, and area well logs, the source of supply is the unconfined Dakota aquifer system. Per the definition in K.A.R. 5-1-1(iiii) the "Unconfined Dakota aquifer system" means that portion of the Dakota aquifer system not overlain by a confining layer in which the aquifer is in equilibrium with atmospheric pressure. A well log submitted with the application shows clay down to 34 feet, underlain by a sandstone layer from 34 to 38 feet below ground and a sand layer from 38 to 49 feet below ground surface, where shale bedrock was encountered. The well was screened from 40 feet to 60 feet, and gravel packed from 23 feet to 63 feet below ground surface. Groundwater was encountered at top of the sand layer (38 feet), and static water level was measured at 17 feet below ground surface, which would be above the top of the primary aquifer. However, it is typical that static water levels immediately after completing drilling, are artificially high. It is likely that static water levels over time will be closer to the top of the sandstone layer. Based on this, and other local wells, the aquifer is in equilibrium with atmospheric pressure, and by definition in K.A.R. 5-1-1 (iiii), the source of water for this appropriation is the unconfined Dakota aquifer system.

A review of other area wells show that this aquifer does not extend into the eastern portion of the 2-mile circle. Per K.A.R. 5-3-11, an evaluation of safe yield includes the entire 2-mile area of consideration around the point of diversion within the limits of the unconfined aquifer. As noted above the aquifer does not extend into the eastern portion, with a boundary extending across the edge of the two-mile circle from north to south, reducing the area of consideration to 6,797 acres. With a recharge of 2.7 inches, and 100% available for appropriation, this results in a safe yield of 1,529.22 acre-feet. There are only two water rights within this area of consideration that have appropriated 97.42 acre-feet, leaving 1,431.8 acre-feet available, and the application meets safe yield criteria. This safe yield calculation is based on the extent of the unconfined Dakota aquifer system in this area, complies with K.A.R. 5-3-11 criteria for determination of safe yield, and is consistent with recent determination of safe yield for appropriations in this area.

The applicant did not identify any wells of any kind within one-half (1/2) mile of the proposed point of diversion. The applicant owns all the surrounding property, including the nearest house located approximately 1,800 feet away. The WRIS database indicates that the nearest non-domestic well is located over 7,900 feet away. Per the requirements in K.A.R. 5-4-4 for the unconfined Dakota aquifer system, well spacing should be one-half mile to other nondomestic wells and one-quarter mile to domestic wells. The application complies with well spacing criteria.

The requested quantity of 11.222 million gallons was based on providing an adequate supply of drinking water for a 6,144 head hog facility, as follows: 4,096 head finishing hogs x 5 gallons per head per day x 365 days = 7.5 million gallons, 2048 head of nursery pigs x 1 gallons per head per day x 365 days = 0.75 million gallons. Additional water was estimated for cooling and sanitation, bringing the total quantity of water to 11.222 million gallons. The requested quantity appears to be reasonable for the intended use based on the maximum allowable.

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. The application indicates that no chemicals will be injected into the water pumped under this permit, therefore a check valve will not be required. A diversion rate of less than 100 gallons per minute has been proposed, so a water level measurement tube would not be required by regulation.

In a January 16, 2020 e-mail, Katie Tietsort, Water Commissioner, Topeka Field Office, recommended approval of the referenced application. Based on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Schemm, Doug [KDA]

From: Tietsort, Katie [KDA]
Sent: Thursday, January 16, 2020 1:05 PM
To: Schemm, Doug [KDA]
Subject: RE: 50313 Kopfer Farms

Doug,

It looks ready to move forward!

Thanks, Katie

Katie Tietsort
Water Commissioner

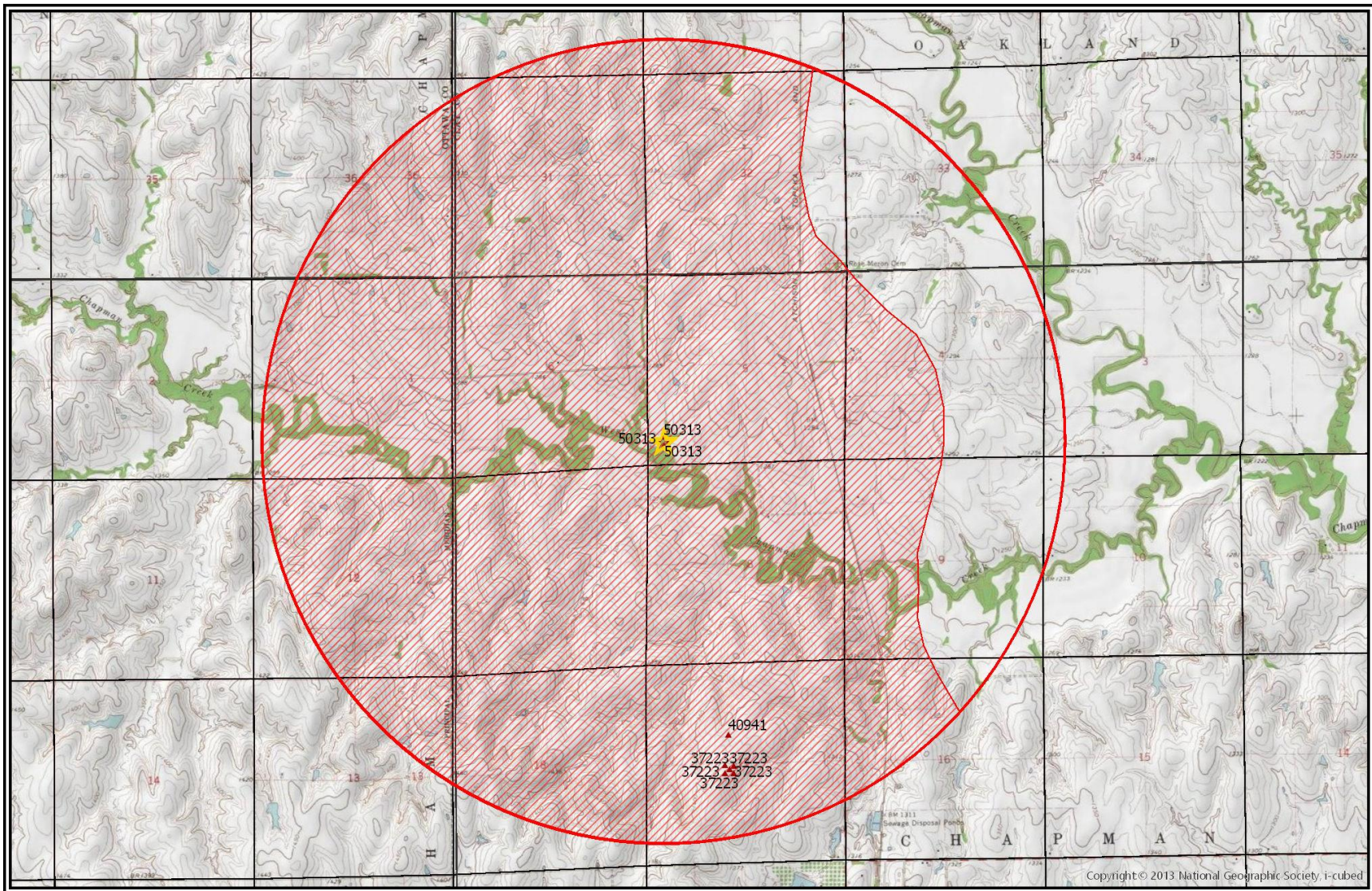
Katie.Tietsort@ks.gov
785-296-5733

Kansas Department of Agriculture
Division of Water Resources
Topeka Field Office
6531 S.E. Forbes Ave, Suite B
Topeka, KS 66619

From: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Sent: Thursday, January 16, 2020 12:52 PM
To: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Subject: 50313 Kopfer Farms

A new hog farm going in. No issues. He owns all the land around here including the nearest house over 1,800 feet away. Meets all the regs.
Please review.

Safe Yield Report Sheet
Water Right- A5031300
Point of Diversion in 05-10S-01E
Footages from SE corner- 520 feet North 4,792 feet West



Analysis Results

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

The safe yield based on the variables listed below is 1,529.22 AF.

Total prior appropriations in the circle is 131.79 AF. - 34.37 AF = 97.42 AF

Total quantity of water available for appropriation is ~~1,397.44~~ AF.
1,431.8

Application File No. 50,313 Meets Safe Yield
dws/dwr 1/16/2020

Safe Yield Variables

The area used for the analysis is set at 6,797 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 16-JAN-2020 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 3 water rights and 9 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 37223 00	MUN	NK	G		NE	NE	SW	2535	3170	17	10	01E	9	WR	92.07	92.07		
Same	MUN	NK	G		NE	NE	SW	2432	3053	17	10	01E	8	WR				
Same	MUN	NK	G		NE	NE	SW	2335	3175	17	10	01E	12	WR				
Same	MUN	NK	G		NE	NE	SW	2528	2930	17	10	01E	10	WR				
Same	MUN	NK	G		NE	NE	SW	2328	2935	17	10	01E	11	WR				
A 40941 00	MUN	NK	G		NE	SE	NW	3370	3080	17	10	01E	7	WR	51.84	5.35 ✓		
A 50313 00	STK	AY	G		SW	SW	SW	520	4792	05	10	01E	1	WR	34.43	-34.37		
Same	STK	AY	G		SW	SW	SW	490	4810	05	10	01E	2	WR				
Same	STK	AY	G		SW	SW	SW	550	4775	05	10	01E	3	WR				

Limitations

File Number	Seq Num	Limitations
A 40941 00	2	31.742 MGY COM/W #37223 ✓ (97.41 AF)

Oak Hill
(Oakhill PO)

50,313

unconfined
Dakota

D-3 - 0 SS

SWL - 15' - 12' - 40'
D-1
SS - 56-60

D-2
96-173-SS
177-192-SS

No
Sandstone
Aquifer

50313
50313
50313

40941

37223
37223
37223
37223
37223

SWL = 75'

70-100 - SS

BM 2381
Sewage Disposal Pond

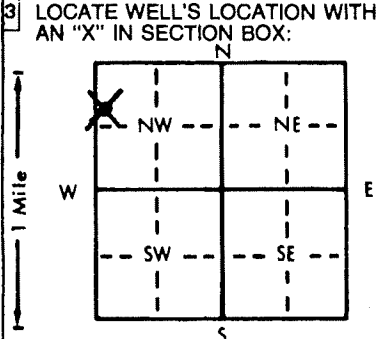
C H A P

Longford

1 LOCATION OF WATER WELL: Fraction SW 1/4 SW 1/4 NW 1/4 Section Number 4 Township Number T 10 S Range Number R 1 E
 County: Clay

Distance and direction from nearest town or city street address of well if located within city?
2 1/2 Mile North of Longford, KS

2 WATER WELL OWNER: Kellan Koffler
 RR#, St. Address, Box # : R.R. 2, Box 126 A Board of Agriculture, Division of Water Resources
 City, State, ZIP Code : Oakhill, KS 67472 Application Number:



4 DEPTH OF COMPLETED WELL: 61 ft. ELEVATION:
 Depth(s) Groundwater Encountered 1. 15 ft. 2. ft. 3. ft.
 WELL'S STATIC WATER LEVEL: 15 ft. below land surface measured on mo/day/yr 12-11-92
 Pump test data: Well water was ft. after hours pumping gpm
 Est. Yield 9-10 gpm: Well water was ft. after hours pumping gpm
 Bore Hole Diameter: 8 in. to 6.1 in. and in. to in.
 WELL WATER TO BE USED AS: 5 Public water supply 8 Air conditioning 11 Injection well
1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)
2 Irrigation 4 Industrial 7 Lawn and garden only 10 Monitoring well
 Was a chemical/bacteriological sample submitted to Department? Yes.....No.....X...; If yes, mo/day/yr sample was submitted
 Water Well Disinfected? Yes X No

5 TYPE OF BLANK CASING USED: 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued X Clamped
 1 Steel 3 RMP (SR) 6 Asbestos-Cement 9 Other (specify below) Welded
2 PVC 4 ABS 7 Fiberglass Threaded
 Blank casing diameter: 5 in. to 4.1 ft., Dia. in. to ft., Dia. in. to ft.
 Casing height above land surface: 12 in., weight 2.37 lbs./ft. Wall thickness or gauge No. 214
 TYPE OF SCREEN OR PERFORATION MATERIAL: 7 PVC 10 Asbestos-cement
 1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 11 Other (specify)
 2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 12 None used (open hole)
 SCREEN OR PERFORATION OPENINGS ARE: 5 Gauzed wrapped 8 Saw cut 11 None (open hole)
 1 Continuous slot 3 Mill slot 6 Wire wrapped 9 Drilled holes
 2 Louvered shutter 4 Key punched 7 Torch cut 10 Other (specify)
 SCREEN-PERFORATED INTERVALS: From 41 ft. to 61 ft., From ft. to ft.
 From ft. to ft., From ft. to ft.
 GRAVEL PACK INTERVALS: From 25 ft. to 61 ft., From ft. to ft.
 From ft. to ft., From ft. to ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other
 Grout Intervals: From 5 ft. to 25 ft., From ft. to ft., From ft. to ft.
 What is the nearest source of possible contamination:
 1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well
 2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well
 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below)
 13 Insecticide storage
 Direction from well? South How many feet? 1100 ft

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	1	Top Soil			
1	12	Brown Clay			
12	20	Fine Sand & Creek Gravel			
20	39 1/2	Fine Sand & Silty Clay Layers			
39 1/2	56	Shale Layers			
56	60	Sandstone & Clay Layers			
60	61	Hard Shale			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 12-11-92 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 138 This Water Well Record was completed on (mo/day/yr) 12-11-92 under the business name of Peterson Irrigation Inc. by (signature) Mike Peterson

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, Bureau of Water, Topeka, Kansas 66620-0001. Telephone: 913-296-5545. Send one to WATER WELL OWNER and retain one for your records.

COPY - PS

1 LOCATION OF WATER WELL: County: **Clay** Fraction: **SE 1/4 SW 1/4 SW 1/4** Section Number: **17** Township Number: **T 10 S** Range Number: **R 1 E**

Distance and direction from nearest town or city street address of well if located within city? **1 West of Longford** 37,223

2 WATER WELL OWNER: **City of Longford**
 RR#, St. Address, Box #: **Longford,**
 City, State, ZIP Code: **Kansas 67458**
 Board of Agriculture, Division of Water Resource
 Application Number:

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:

4 DEPTH OF COMPLETED WELL: **100** ft. ELEVATION: _____
 Depth(s) Groundwater Encountered: 1. _____ ft. 2. _____ ft. 3. _____ ft.
 WELL'S STATIC WATER LEVEL: **75** ft. below land surface measured on mo/day/yr
 Pump test data: Well water was **NA** ft. after _____ hours pumping _____ gpm
 Est. Yield: **55** gpm: Well water was _____ ft. after _____ hours pumping _____ gpm
 Bore Hole Diameter: **15** in. to **100** ft., and _____ in. to _____ ft.
 WELL WATER TO BE USED AS: Public water supply 8 Air conditioning 11 Injection well
 1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)
 2 Irrigation 4 Industrial 7 Lawn and garden only 10 Observation well
 Was a chemical/bacteriological sample submitted to Department? Yes No _____; If yes, mo/day/yr sample was submitted **Upon completion** Water Well Disinfected? Yes No

5 TYPE OF BLANK CASING USED:
 1 Steel 3 RMP (SR) 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued Clamped _____
 2 PVC 4 ABS 6 Asbestos-Cement 9 Other (specify below) Welded _____
 7 Fiberglass _____ Threaded _____
 Blank casing diameter: **6** in. to **60** ft., Dia. _____ in. to _____ ft., Dia. _____ in. to _____ ft.
 Casing height above land surface: **-36"** in., weight **3.57** lbs./ft. Wall thickness or gauge No. **280**
 TYPE OF SCREEN OR PERFORATION MATERIAL:
 1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 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-PERFORATED INTERVALS: From **40** ft. to **100** ft., From _____ ft. to _____ ft.
 GRAVEL PACK INTERVALS: From **24** ft. to **100** ft., From _____ ft. to _____ ft.

6 GROUT MATERIAL: 1 Neat cement Cement grout 3 Bentonite 4 Other _____
 Grout Intervals: From **4** ft. to **24** ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.
 What is the nearest source of possible contamination:
 1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well
 2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well
 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below)
 13 Insecticide storage _____
 Direction from well? **East** How many feet? **2000**

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHOLOGIC LOG
0	4	topsoil			
4	9	brown clay			
9	15	sandrock			
15	31	brown clay			
31	70	blue clay			
70	100	sandrock			
100		stop			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) **8/27/1984** and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. **359** This Water Well Record was completed on (mo/day/yr) **10/15/1985** 1984 under the business name of **Daryl Cox & Sons Inc.** by (signature) *Daryl Cox*

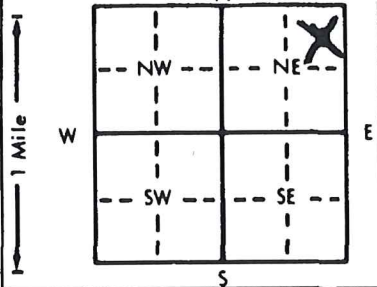
INSTRUCTIONS: Use typewriter or ball point pen, PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Division of Environment, Environmental Geology Section, Topeka, KS 66620. Send one to WATER WELL OWNER and retain one for your records.

1 LOCATION OF WATER WELL: Fraction Section Number Township Number Range Number
 County: Ottawa NE 1/4 NE 1/4 NE 1/4 1 T 10 S R 1 W

Distance and direction from nearest town or city street address of well if located within city?
6 miles north of Minneapolis, KS

2 WATER WELL OWNER: Delphos Coopertive Assn.
 RR#, St. Address, Box #: P.O. Box 346 Board of Agriculture, Division of Water Resources
 City, State, ZIP Code: Delphos, KS 67436 Application Number:

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:



4 DEPTH OF COMPLETED WELL: 135 ft. ELEVATION:
 Depth(s) Groundwater Encountered: 1. 60 ft. 2. ft. 3. ft.
 WELL'S STATIC WATER LEVEL: 60 ft. below land surface measured on 6-22-93
 Pump test data: Well water was ft. after hours pumping gpm
 Est. Yield: 65 gpm; Well water was 65 ft. after 1 hours pumping 1.0 gpm
 Bore Hole Diameter: 8 in. to 19.2 ft., and in. to ft.
 WELL WATER TO BE USED AS:
 5 Public water supply 8 Air conditioning 11 Injection well
 1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)
 2 Irrigation 4 Industrial 7 Lawn and garden only 10 Monitoring well
 Was a chemical/bacteriological sample submitted to Department? Yes.....No X.....; If yes, mo/day/yr sample was submitted
 Water Well Disinfected? Yes X No

5 TYPE OF BLANK CASING USED:
 1 Steel 3 RMP (SR) 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued X Clamped
 2 PVC 4 ABS 6 Asbestos-Cement 9 Other (specify below) Welded
 7 Fiberglass Threaded
 Blank casing diameter: 5 in. to 11.5 ft., Dia in. to ft., Dia in. to ft.
 Casing height above land surface: 1.2 in., weight 2.37 lbs./ft. Wall thickness or gauge No. 2.14
 TYPE OF SCREEN OR PERFORATION MATERIAL:
 1 Steel 3 Stainless steel 5 Fiberglass 7 PVC 10 Asbestos-cement
 2 Brass 4 Galvanized steel 6 Concrete tile 8 RMP (SR) 11 Other (specify)
 9 ABS 12 None used (open hole)
 SCREEN OR PERFORATION OPENINGS ARE:
 5 Gauzed wrapped 8 Saw cut 11 None (open hole)
 1 Continuous slot 3 Mill slot 6 Wire wrapped 9 Drilled holes
 2 Louvered shutter 4 Key punched 7 Torch cut 10 Other (specify)
 SCREEN-PERFORATED INTERVALS: From 1.15 ft. to 1.35 ft., From ft. to ft.
 From ft. to ft., From ft. to ft.
 GRAVEL PACK INTERVALS: From 25 ft. to 135 ft., From ft. to ft.
 From ft. to ft., From ft. to ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other
 Grout Intervals: From 5 ft. to 25 ft., From ft. to ft., From ft. to ft.
 What is the nearest source of possible contamination:
 1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well
 2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well
 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below)
 13 Insecticide storage
 Direction from well? South How many feet? 100 ft

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	2	Top Soil			
2	5	Dark Gray Clay			
5	17	Light Gray Clay			
17	41	Fine Sandy Clay			
41	51	Fine Sand			
51	53	Tan Shale			
53	62	Gray Shale			
62	63	Limestone			
63	96	Gray Shale			
96	173	Sandstone			
173	177	Gray Shale			
177	192	Sandstone			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 6-22-93 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 1.38 This Water Well Record was completed on (mo/day/yr) 6-22-93 under the business name of Peterson Irrigation Inc. by (signature) Mike Peterson

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, Bureau of Water, Topeka, Kansas 66620-0001. Telephone: 913-296-5545. Send one to WATER WELL OWNER and retain one for your records.

USE TYPEWRITER OR BALL POINT PEN-PRESS FIRMLY, PRINT CLEARLY.

WATER WELL RECORD
KSA 82a-1201-1215

Kansas Department of Health and Environment-Division of Environment (Water well Contractors) Topeka, Kansas 66620

D-3

1. Location of well:		County CLAY	Fraction NW 1/4 SE 1/4 SW 1/4	Section number 33	Township number 9 South	Range number 1 East
2. Distance and direction from nearest town or city: Oak Hill 1 3/4 mi South 1/3 mi East			3. Owner of well: Matthew Davidson R.R. or street: Matthew City, state, zip code: Oak Hill Kans 67472			
4. Locate with "X" in section below:			Sketch map:		6. Bore hole dia. 5 in. Completion date 12-16-77 Well depth 66 ft.	
					7. <input checked="" type="checkbox"/> Cable tool <input type="checkbox"/> Rotary <input type="checkbox"/> Driven <input type="checkbox"/> Dug <input type="checkbox"/> Hollow rod <input type="checkbox"/> Jetted <input type="checkbox"/> Bored <input type="checkbox"/> Reverse rotary	
5. Type and color of material			From	To	8. Use: <input type="checkbox"/> Domestic <input type="checkbox"/> Public supply <input type="checkbox"/> Industry <input type="checkbox"/> Irrigation <input type="checkbox"/> Air conditioning <input checked="" type="checkbox"/> Stock <input type="checkbox"/> Lawn <input type="checkbox"/> Oil field water <input type="checkbox"/> Other	
Top Soil, Black			1	5	9. Casing: Material PVC Height: Above or below Threaded <input type="checkbox"/> Welded <input type="checkbox"/> Surface 34 in. RMP <input type="checkbox"/> PVC <input checked="" type="checkbox"/> Weight: 258 lb/wall Dia. 5 in. to 66 ft. depth Wall Thickness: inches or Dia. <input type="checkbox"/> in. to <input type="checkbox"/> ft. depth gage No. <input type="checkbox"/>	
Clay Sandy yellow			5	28	10. Screen: Manufacturer's name M.P.I. Type PVC Dia. 5" Slot/gauze 5/40 Length 40 Set between 26 ft. and 66 ft. <input type="checkbox"/> ft. and <input type="checkbox"/> ft.	
Rock, hard blue			28	35	Gravel pack? <input checked="" type="checkbox"/> Size range of material 1/4 X 1/2	
Shale, Blue			35	66	11. Static water level: 28 ft. below land surface Date 12-16-77 mo./day/yr.	
					12. Pumping level below land surfaces: ____ ft. after ____ hrs. pumping ____ g.p.m. ____ ft. after ____ hrs. pumping ____ g.p.m. Estimated maximum yield 25 g.p.m.	
					13. Water sample submitted: ____ mo./day/yr. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date	
					14. Well head completion: NA <input type="checkbox"/> Pitless adapter ____ Inches above grade	
					15. Well grouted? <input checked="" type="checkbox"/> 1-2 With: <input type="checkbox"/> Neat cement <input type="checkbox"/> Bentonite <input checked="" type="checkbox"/> Concrete Depth: From 26 ft. to 26 ft.	
					16. Nearest source of possible contamination: Creek ft. 500 Direction South Type Creek Well disinfected upon completion? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
					17. Pump: <input checked="" type="checkbox"/> Not installed Manufacturer's name _____ Model number _____ HP _____ Volts _____ Length of drop pipe _____ ft. capacity _____ g.p.m. Type: <input type="checkbox"/> Submersible <input type="checkbox"/> Turbine <input type="checkbox"/> Jet <input type="checkbox"/> Reciprocating <input type="checkbox"/> Centrifugal <input type="checkbox"/> Other	
			(Use a second sheet if needed)			
18. Elevation:		19. Remarks:		20. Water well contractor's certification: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. \$ Traders Drilling Co. 237 Business name Blue Rapids License No. 7 Address Blue Rapids Signed Harold Traders Date 12-16-77 Authorized representative		
Topography: <input type="checkbox"/> Hill <input type="checkbox"/> Slope <input type="checkbox"/> Upland <input checked="" type="checkbox"/> Valley						

9-1-77
 33
 NW 1/4 SW 1/4

Forward the white, blue and pink copies to the Department of Health and Environment

Form WWC-5

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Christopher W. Beightel, Acting 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. 50,313** of the applicant

**KOPFER FARMS INC
Attn: KELLAN F KOPFER
630 CHEROKEE ROAD
OAK HILL KS 67432**

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 **November 8, 2019**.
2. That the water sought to be appropriated shall be used for stockwatering use at a swine facility located in the Southwest Quarter (SW $\frac{1}{4}$) of Section 5, in Township 10 South, Range 1 East, Clay County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of two (2) wells with a geographic center located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 5, more particularly described as being near a point 520 feet North and 4,792 feet West of the Southeast corner of said section, in Township 10 South, Range 1 East, Clay County, Kansas, located substantially as shown on the 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 **11.222 million gallons (34.44 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, 2021** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$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 submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$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, 2025** 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 of \$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 with 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 this permit is further limited such that all wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply, and shall supply water to a common distribution system.

Ordered this *22* day of *may*, 2020, in Manhattan, Riley County, Kansas.

Lane P. Letourneau

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

State of Kansas)
County of Riley) SS

The foregoing instrument was acknowledged before me this *22* day of *may*, 2020, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Ashlee Freeman
Notary Public

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.

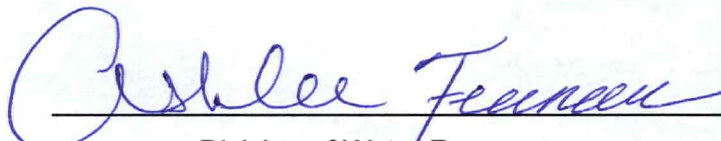
CERTIFICATE OF SERVICE

On this 28 day of May, 2020, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,313, dated May 22, 2020 was mailed postage prepaid, first class, US mail to the following:

KOPFER FARMS INC
Attn: KELLAN F KOPFER
630 CHEROKEE ROAD
OAK HILL KS 67432

With photocopies to:

Topeka Field Office


Division of Water Resources