

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/D P/U UMW WORKSHEET

Document Signature dwb

1. File Number: 11511-D2	2. Status Change Date: 8/21/2017	3. Change Num: 2	4. Field Office: 04	5. GMD: 03
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6. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

7. Filing Date of Change:
4/14/2017

8a. Applicant(s) Person ID 64998 New to system <input type="checkbox"/> Add Seq# _____ CIMARRON CROSSING FEEDERS LLC PO BOX 349 CIMARRON KS 67835	8c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____
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8b. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____ 8A	8d. WUC Person ID 64998 New to system <input type="checkbox"/> Add Seq# _____ 8A
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9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/17** N & P Date to Comply: **12/31/17**

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: **irr** To: **irr & stk**

Date Prepared: **7/19/17** By: **I,j**
 Date Entered: **8/21/2017** By: **UM**

12. Points of Diversion											Rate and Quantity				
MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Authorized		Additional		
ENT											Rate gpm	Quantity af/mgy	Rate gpm	Quantity af/mgy	Overlap PD Files
MOD	85690	NW SW NE		32	25	28W	4	3481	2532	IRR USE	540	272.8 AF	540	272.8 AF	31342
ENT	24452	CW NW SE		32	25	28W	2	1940	2620	ADDL WELL STK USE	200	65.17MGY	200	65.17 MGY	NONE

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

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) **NONE**
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use											NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼							
MOD	13315			32	25	28W	1	40.0	40.0	40.0	40.0													215	8A	NO	11511-D1			
MOD	14942			33	25	28W	1									40.0	40.0	40.0	26.0	37.0	39.0	24.0	15.0	261	8A	NO	11511-D1			
ENT	20035			4	26	28W	1	FEEDLOT (S2N2) & (S2)																	8A	NO	GY 10- D1			
ENT	8461			10	26	28W	6	FEEDLOT (NW)																	8A	NO	GY 10- D1			

2079033
2079033

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: August 15, 2017

FROM: Leslie Ireland

RE: Water Right, File No. 11,511-D2

Dori Hilker-Ridge, on behalf of Cimarron Crossing Feeders, LLC, has filed an application under the referenced file for approval to change the place of use, point of diversion and use made of water under the referenced file authorized for irrigation use. The application was received on April 14, 2017, but was delayed due to the division of the right for a change in use made of water under the D2 portion. The change in point of diversion proposes an additional well and the use made of water to authorize irrigation and stockwatering is proposed to be processed by the newly proposed December 14, 2016, methodology and the stockwatering portion will be used at an existing feedlot. The applicant was assisted by Frank Mercurio, P.E., KLA Environmental (KLA), who provided the justification and maps for the proposed change

It would appear that the referenced file is in good standing as per K.S.A. 82a -718 and K.S.A. 82a -732. The right is located within the Ark River Intensive Groundwater Control Area. A review of the proposal for compliance with K.S.H.B. 337, found no wells that are not owned by the applicant located within one-half (½) of the proposed additional point of diversion, so no notifications were sent.

A total of **496 acre-feet (AF) at a rate of 740 gallons per minute** was assigned to the D2 portion by the division, to be pumped from the well located in the NW¼ SW¼ NE¼ of Section 32, in Township 25, Range 28 West, Gray County. This well is also authorized by Water Right, File No. 31,342, which is authorized to irrigate a different place of use. The 476 acres comprising the irrigated place of use, located in the East half of Section 32, and the South half of Section 33, is and will remain authorized by File Nos. 11,511-D1 & 11,511-D2. The division assigned 180 maximum and 180 base acres irrigated to the D2 portion.

The requested change in point of diversion is to add a well per K.A.R. 5-5-16, *Additional well*. The propose existing well had previously authorized by the right. No new wells will be drilled. The proposed additional well is located near the center of the Westside of the Northwest Quarter of the Southeast Quarter (CW NW¼ SE¼) approximately 1,940 feet North and 2,620 feet West of the Southeast corner of Section 32, Township 25, Range 28 West, Gray County. The proposed additional well will be used solely for stockwatering use. It was determined that this proposed location which is closer to the Arkansas River complies with the conditions of the Ark River IGUCA, as it had been authorized by the right. The change will not alter the local source of supply by the same justification. The source of supply for the existing and proposed wells has been determined to be the Ogallala Formation (211), and have the special area designation of the Ark River IGUCA (016).

A rate test completed by Staff of the Garden City Field Office on November 21, 2016, determined that normal operating conditions produced a rate that would justify the full 740 gallons per minute at the currently authorized well. The owner has requested to assign 200 gallons per minute to divert the requested 200 acre-feet for stockwatering use from the well located near the center of the Westside of the Northwest Quarter of the Southeast Quarter (CW NW¼ SE¼) approximately 1,940 feet North and 2,620 feet West of the Southeast corner of Section 32. The current well being located in the Northwest Quarter of the Southwest Quarter of the Northeast Quarter (NW¼ SW¼ NE¼) approximately 3,481 feet North and 2,532 feet West of the Southeast corner of Section 32 to **retain 540 gallons per minute for the diversion of 272.8 acre-feet for the irrigation use.**

The well located in the Southeast Quarter will have the priority date of April 14, 2017, for reasons of impairment and the Chief Engineer will reserve jurisdiction to review the approval of this additional well.

The currently authorized well was completed in 2016 to a depth of 314 feet. The WRIS database for the proposed point of diversion was reported to be approximately 282 feet deep. The depth increase of the 2016 constructed well would not be considered to be a significant enlargement, but is 32 feet deeper. The logs for the wells are part of the historical information of the file, so they were not submitted with the application for change.

The division assigned a maximum acres irrigated during the perfection period of 180 acres to the D2 portion of this right. The consumptive use calculation as required by K.A.R. 5-5-16(a)(2)(C)(i):

$$180 \text{ acres} \times 1.34 \text{ (80\%NIR GY Co.)} \div 0.85 = 283.76 \text{ acre-feet.}$$

It would appear the requested change in point of diversion to add an additional well would require the 496 acre-feet authorized for irrigation use by the referenced file to be reduced. It appears the owners have requested the irrigation portion to be reduced to 272.8 acre-feet, twenty-three (23) acre-feet less than the required reduction. It would appear the owner has reduced the quantity that will be retained for the authorized irrigation use. It has been the policy that proposals requesting an additional well and a use made of water were required a quantity adjustment by one of the regulations to assure compliance with K.A.R. 5-5-3, *Change in consumptive use*. The application proposes to partially change the use made of water from irrigation to irrigation and stockwatering.

Adding back the existing well results in a change in point of diversion, more than 300 feet, requiring it to meet the spacing to nearby wells as defined by part (a) of K.A.R. 5-23-3, *Minimum well spacing requirements*. The proposed additional well will authorize 200 AF at 200 gallons per minute for stockwatering use. K.A.R. 5-23-3, lists a minimum 1,300 feet of spacing to nearby nondomestic wells and 606 feet to domestic wells. The applicants domestic well located in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of the section meets the required spacing. The well authorized by File No. 11,511-D2 and 31,342, have a combined total 524.8 AF, which requires 2,300 feet of spacing to any nearby non-domestic wells. The proposed well does not meet the required well to well spacing as it is only 1,544 feet to the South of the currently authorized well that will be retained for irrigation use. The applicant has requested a **waiver of the minimum well spacing distances per K.A.R. 5-23-3.**

The requested partial change in the use made of water from **irrigation to irrigation and stockwatering use**, proposes 200 AF (65.170 mgy) for stockwatering use at the place of use currently authorized by File Nos. GY 10-D1; 8887; 19,925-08; 28,476; & 40,238. This feedlot was also authorized by the existing term permit File No. 20169101, which expired December 2016, and a new term permit under File No. 20179033, approved July 24, 2017 and expiring December 31, 2017. Water Right, File Nos. GY 10-D1; 8887; 19,925-08; 28,476; & 40,238, currently have a combined total quantity authorized for stockwatering of 79.64 million gallons, (244.4 AF).

The use made of water was summarized by KLA using K.A.R. 5-5-8, *Standards for approval of an application for a change in the place of use and a change in the use made of water* and the *Default Consumptive Use Factor by County* guideline map of December 2016, which cites is use for K.A.R. 5-5-9, specifically Part (b), not K.A.R. 5-5-10, were summarized in the application. Utilizing the Default Consumptive Use methodology, the 496 AF authorized would be adjusted by the factor determined for Gray County as 10.7 percent.

$$496\text{AF} - (496 \text{ AF} \times 10.7\%) = 442.93 \text{ AF}$$

This would afford 442.9 AF to be available for a new use by the county map for the default consumptive use methodology if the entire right was changing, per K.A.R. 5-5-9. The requested partial change in use made of water per K.A.R. 5-5-10, *Partial changes in the use made of water from irrigation to another type of beneficial use*, would be second chair to the consumptive use evaluation per the additional well regulation, K.A.R. 5-5-16. The owner requests 200AF for stockwatering use, and the additional well quantity of 272.8 AF remaining for irrigation use would avail the right to retain 472.8 AF for the combined uses. It does appear the proposal by the new methodology would require the 472.8 acre-feet proposed to have an additional 30 acre-feet reduction if the entire right were being changed to stockwatering use, but the application of the additional well regulation will result in a reduction of 23.2 AF, and will retain more water under the less consumptive irrigation use. It would appear the reduction per the additional well regulation is sufficient to prevent an increase in the historical consumptive use and the change would comply with K.A.R. 5-5-3, *Change in consumptive use*.

KLA summarized the change in use made of water by citing K.A.R 5-5-8, *Standards for approval of an application for a change in the place of use and a change in the use made of water*. This regulation has historically been for any use of water other than irrigation, evaluating gross diversion less return flows to the source of supply and less any waste of water. They determined a perfection period consumptive use of 761.6 AF with the proposed consumptive use determined to be 775.3 AF under File No. 11,511, which equates to a difference of 13.7 AF, or an increase of 1.2 percent, they cited 102 percent.

It appears the change in use made of water will not be evaluated by the new *Default Consumptive Use Factor by County, map or K.A.R 5-5-10*. It appears the processing the application with the required reduction per K.A.R. 5-5-16 will reduce the authorized quantity sufficiently and the proposal complies with K.S.A. 82a-706a, *Rules, regulations and standards*.

The approval will increase the Cimarron Crossing Feeders LLC, **total quantity authorized for stockwatering use to 144.81 million gallons per year (444.4 AF)**. This quantity will afford the watering of 26,449 beef cattle per K.A.R. 5-3-22, *Maximum reasonable quantity of water for livestock and poultry*. The change proposal requests to retain **272.8 AF for irrigation use at the currently authorized 476 acres located in Sections 32 & 33, Township 25, Range 28 West, Gray County**. This place of use will remain authorized with File No. 11,511-D1, which provides 456 AF. The owner has indicated there will be approximately 138 AF of wastewater available for irrigation use, and has requested a return flow credit for 138 AF per year. Together a total of 866.8 AF would be available for irrigation use. This will result in 1.82 AF to irrigate the 476 acres that will be authorized under File Nos. 11,511-D1 & 11,511-D2, with the indicated effluent. In years that effluent is not available This complies with K.A.R. 5-3-23, *Maximum reasonable annual quantity approvable for irrigation use for an application for change in place of use and a request to reduce a water right*.

The application map details the pipeline to the feedlot located in Sections 4 & 10, in Township 26, Range 28 W, Gray County. This feedlot is the proposed location for the stockwatering use.

In a letter dated June 15, 2017, Jason Norquest, Assistant Manager of Southwest Kansas Groundwater Management District No. 3, stated the application had been reviewed by their Board on June 14, 2017, and they recommended approval with a waiver of KAR 5-23-3(a).

Mike Meyer, Water Commissioner of the Garden City Field Office, has requested the application for change be sent to the Chief Engineer for his approval. It would appear he supports the waiver of KAR 5-23-3(a).

Water flowmeters will be required according to 82a-706c and because the point of diversion and use made of water changes. A check valve will be required if any chemical or foreign substance is injected into the water through the diversion works according to K.A.R. 5-3-5(c). A water level measurement tube and WWC-5 will not be required as the well that will be authorized as the additional well is existing and appears to be from the late 60s.

Based on the above discussion, and that the requested waiver of well to well spacing is in the public interest and the quantities appear to be reasonable, that impairment to existing water rights is unlikely, no change in the local source of supply will occur, the referenced application for change may be approved.



Leslie Ireland
Environmental Scientist
Water Appropriation Program

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

August 22, 2017

CIMARRON CROSSING FEEDERS LLC
PHILLIP WOODS
PO BOX 349
CIMARRON, KS 67835

FILE COPY

RE: Water Right, File No. 11,511-D2

Dear Mr. Woods:

Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the referenced file.

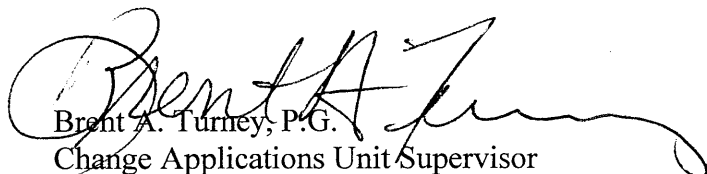
Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approval for change. A condition of the approval is that an acceptable water flowmeter must be installed on the diversion works prior to the diversion of water. Please return the required and enclosed form *Notification of the Completion of the Diversion Works and Installation of the Water Flowmeters*, prior to December 31, 2017.

Please note that the application is approved subject to the condition that for the sole purpose of administering wells concerning direct impairment, the additional well shall be considered to have the priority of the date the application was filed (April 14, 2017) which proposed the additional well. In addition, the Chief Engineer specifically retains jurisdiction in this matter with authority to review the approval of the additional well at intervals of no fewer than five years, and no more than ten years to determine if the total annual quantity of water actually being withdrawn by all of the wells authorized by the approval of application for change is exceeding the total annual quantity of water that could have been physically withdrawn if the additional well had not been approved, and based on the review, the Chief Engineer retains authority to make a reasonable reduction in the authorized quantity of water as may be deemed to be in the public interest.

Since the order approving the application to change Water Right, File No. 11,511-D2, modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,



Brent A. Turney, P.G.
Change Applications Unit Supervisor

BAT:LI:li

Enclosures

pc: Garden City Field Office
Groundwater Management District No. 3
KLA Environmental Services, Inc., Frank C. Mercurio, P.E.

THE STATE



OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

APPROVAL OF APPLICATION
FOR
CHANGE IN PLACE OF USE,
POINT OF DIVERSION
AND
USE MADE OF WATER
WATER RIGHT, FILE NO. 11,511-D2

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Dori Hilker - Ridge on behalf of Cimarron Crossing Feeders LLC, PO Box 349, Cimarron, Kansas 67835, received in this office on April 14, 2017, for approval of change in the location of the place of use, point of diversion and use made of water under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer dated October 14, 2016, approving the application to change the points of diversion, and by the Findings and Order of the Chief Engineer dated, July 24, 2017, which administratively divided Water Right, File No. 11,511, finds that the change is reasonable and will not impair existing rights, and that the applications should be and are hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the portion retained for irrigation use shall be authorized a maximum quantity not to exceed 272.8 acre-feet of groundwater per calendar year, at a diversion rate not to exceed 540 gallons per minute (1.20 c.f.s.), from the point of diversion described as:

one (1) well located in the Northwest Quarter of the Southwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 32, more particularly described as being near a point 3,481 feet North and 2,532 feet West of the Southeast corner of said section, in Township 25 South, Range 28 West, Gray County, Kansas,

for irrigation use on the following described property:

Sec. Twp. Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
32 25S 28W	40.0	40.0	40.0	40.0									30.0			25.0	215
33 25S 28W									40.0	40.0	40.0	26.0	37.0	39.0	24.0	15.0	261

a total of 476 acres in Township 25 South, Range 28 West, Gray County, Kansas.

The portion authorized for stockwatering use shall be a maximum quantity not to exceed 65.170 million gallons (200 acre-feet) of groundwater per calendar year, at a maximum diversion rate not in excess of 200 gallons per minute (0.45 c.f.s.), from the point of diversion described as:

one (1) well with located near the center of the West side of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) Section 32, more particularly described as being near a point 1,940 feet North and 2,620 feet West of the Southeast corner of said section, in Township 25 South, Range 28 West, Gray County, Kansas,

for stockwatering use on the following described property:

a feedlot located in the South Half of the North Half (S $\frac{1}{2}$ N $\frac{1}{2}$) and the South Half (S $\frac{1}{2}$) of Section 4, and in the Northwest Quarter (NW $\frac{1}{4}$) of Section 10, all in Township 26 South, Range 28 West, Gray County, Kansas,

all located substantially as shown on the topographic map the application to change the place of use, point of diversion and use made of water.

Installation of the works for diversion of water shall be completed on or before December 31, 2017, or within any authorized extension of time. The applicant shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

All diversion works 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.

The application, therefore, is approved subject to the condition that for the sole purpose of administering wells concerning direct impairment, the additional well shall be considered to have the priority of the date the application was filed (April 14, 2017) to add the additional well.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 11,511, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated June 20, 1986, as modified and amended by the aforementioned orders.

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.

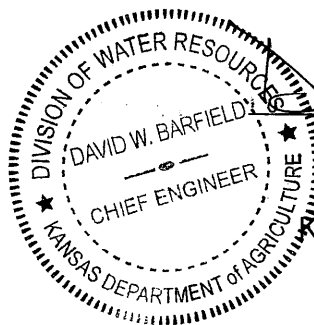
Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

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, KS 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, KS 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 *21st* day of *August*, 2017, at Topeka, Shawnee County, Kansas.



David W. Barfield

 David W. Barfield, P.E.
 Chief Engineer
 Division of Water Resources
 Kansas Department of Agriculture

State of Kansas)
)
) SS
 County of Riley)

The foregoing instrument was acknowledged before me this *21st* day of *August*, 2017, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



Karen Hunter

 Notary Public

CERTIFICATE OF SERVICE


On this *22nd* day of *August*, 2017, I hereby certify that the attached Approval of Application for Change in Point of Diversion, Place of Use and Use Made of Water, under Water Right, File No. 11,511-D2, dated *August 21, 2017* was mailed postage prepaid, first class, US mail to the following:

Cimarron Crossing Feeders LLC
Phillip Woods
PO Box 349
Cimarron, KS 67835

With photocopies to:

KLA Environmental Services, Inc.
Frank C. Mercurio, P.E.
1303 Yucca ST
Scott City, KS 67871

Garden City Field Office
Groundwater Management District No. 3


Division of Water Resources

Kansas Department of Agriculture
 Division of Water Resources
WAIVER REQUEST & WAIVER RULE WORKSHEET

File Number: 11511-D2

FO: 4

GMD: 3

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
IRR	4/14/17	27	GMD 3	Well Spacing	Well to Well Spacing
Rule Number	Date Granted	Date Denied	Justification:	The area groundwater management district recommends a waiver of their rule.	
K.A.R. 5-23-3(a)(1)	8/21/2017				

WAIVER RULE:

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive
				K.A.R.		

Date Prepared 7/19/2017 By LI

Date Entered 8/22/2017 By LCM

THE STATE



OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

WAIVER OF REGULATION

K.A.R. 5-23-3(a)(1)

Date: 8/21/17
Re: File No. 11,511-D2

1. That K.A.R. 5-23-3(a)(1) states in part, that the minimum well spacing requirement for non-domestic wells which propose the withdrawal of over 500 acre-feet of water from the Ogallala Formation shall be a minimum of 2,300 feet from all other non-domestic wells in the Ogallala aquifer.
2. The proposed additional well under the referenced file is 1,544 feet from the parent well, that will remain authorized 524.8 acre-feet under File Nos. 11,511-D2 & 31,342.
3. The proposed diversion under the additional well is from an existing well that will operate for stockwatering use at a low rate of 200 gallons per minute for the diversion of 200 acre-feet.
4. That the proposed additional well is approximately 282 feet deep and its last reported static water level in 2001 was 144 feet.
5. That the Southwest Groundwater Management District No. 3, recommended a waiver of part (a)(1) of K.A.R. 5-23-3.
6. That the waiver will not prejudicially or unreasonably affect the public interest.

Comments:

A handwritten signature in cursive script that reads "David W. Barfield".

David W. Barfield, P.E.
Chief Engineer
Division of Water Resources

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

**APPLICATION FOR APPROVAL TO
 CHANGE THE PLACE OF USE, THE
 POINT OF DIVERSION OR THE USE
 MADE OF THE WATER UNDER AN
 EXISTING WATER RIGHT**



State of Kansas

Filing Fee Must Accompany the Application
 (Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
- (Check one or more) Point of Diversion
- Use Made of Water

**WATER RESOURCES
 RECEIVED**

APR 14 2017

10:59
KS DEPT OF AGRICULTURE

RECEIVED

APR 12 2017

File No. 11,511 D2

Garden City Field Office
 Division of Water Resources

2. Name of applicant: Cimarron Crossing Feeders LLC

Address: PO Box 349

City, State and Zip: Cimarron, KS 67835

Phone Number: (620) 855-3162

E-mail address: philwoods25@hotmail.com

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: Cimarron Crossing Feeders LLC

Address: PO Box 349

City, State and Zip: Cimarron, KS 67835

Phone Number: (620) 855-3162

E-mail address: philwoods25@hotmail.com

3. The change(s) proposed herein are desired for the following reasons (please be specific): Complete a partial change in use made of water from irrigation to stockwatering to provide a sufficient water supply for the Cimarron Crossing Feeders LLC beef cattle feeding facility. This change will also allow the facility to expand to its future planned capacity. An additional well will supply the requested stockwater quantity.

The change(s) ~~was~~ (will be) completed by _____ upon approval of application.

(Date)

For Office Use Only:		F.O. <u>4</u> GMD <u>3</u> Meets K.A.R. 5-5-1 <u>(YES)</u> / NO Use <u>FRR</u> Source <u>G/S</u> County <u>GV</u> By <u>AJW</u> Date <u>4/14/17</u>	
Code <u>C3</u>	Fee \$ <u>700</u>	TR # _____	Receipt Date <u>4/14/17</u> Check # <u>13065</u>

APPLICATION COMPLETE

7/24/17

Reviewer LI

4. The presently authorized place of use is:

Owner of Land — NAME: Cimarron Crossing Feeders LLC

ADDRESS: PO Box 349, Cimarron, KS 67835

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
32	25S	28W	40	40	40	40									30			25	215
33	25S	28W								40	40	40	26	37	39	24	15	261	

List any other water rights that cover this place of use.

Owner of Land — NAME:

ADDRESS:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

List any other water rights that cover this place of use.

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: Cimarron Crossing Feeders LLC

ADDRESS: PO Box 349, Cimarron, KS 67835

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
IRR	32	25S 28W	40	40	40	40									30			25	215
IRR	33	25S 28W								40	40	40	26	37	39	24	15	261	
STK	4	26S 28W			X	X			X	X	X	X	X	X	X	X	X	X	Feedlot

List any other water rights that cover this place of use. GY 10 D1, 8,887, 19,925.08, 28,476 & 40,238 in S ½ N ½ & S ½ Sec. 4

Owner of Land — NAME: Cimarron Crossing Feeders LLC
 * SOUTH HALF (S ½) AND SOUTH HALF OF THE NORTH HALF (S ½ N ½)

ADDRESS: PO Box 349, Cimarron, KS 67835

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
STK	10	26S 28W					X	X	X	X	(NORTH WEST QUARTER)				(NW¼)				Feedlot

List any other water rights that cover this place of use. GY 10 D1, 8,887, 19,925.08, 28,476 & 40,238 in NW ¼ Sec. 10

* LI/DWR 5/4/17

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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- 6. The presently authorized point(s) of diversion (~~is~~) (are) 1 active and 1 inactive well, pumps and appurtenances
(Provide description and number of points)
- 7. The proposed point(s) of diversion (~~is~~) (are) 2 active wells, pumps and appurtenances
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the NW Quarter of the SW Quarter of the NE Quarter of Section 32, Township 25 South, Range 28W (E/W), in Gray County, Kansas, 3481 feet North 2532 feet West of Southeast corner of section. Authorized Rate 740 gpm Authorized Quantity 496 AF
 (DWR use only: Computer ID No. 4 GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested) EXISTING WELL*
 One in the NW Quarter of the SW Quarter of the NE Quarter of Section 32, Township 25 South, Range 28W (E/W), in Gray County, Kansas, 3481 feet North 2532 feet West of Southeast corner of section. Proposed Rate 540 gpm Proposed Quantity 272.8 AF
 This point is: Additional Well Geo Center List other water rights that will use this point File No. 31,342

7612L

104 Authorized 224AF

9. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the CW Quarter of the NW Quarter of the SE Quarter of Section 32, Township 25 South, Range 28W (E/W), in Gray County, Kansas, 1940 feet North 2620 feet West of Southeast corner of section. Proposed Rate 200 gpm Proposed Quantity 200 AF (65.170 mgal STIC USE)*
 This point is: Additional Well Geo Center List other water rights that will use this point _____

10. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

- 11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____
 - Not applicable -

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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12. The presently authorized use of water is for irrigation purposes.
It is proposed that the use be changed to irrigation and stockwatering purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased. Refer to the consumptive use evaluation included with the attached supporting documentation. The results of the consumptive use evaluation indicate that consumptive use will not be substantially increased. This finding complies with the requirements of K.A.R. 5-5-3, 5-5-8 and 5-5-9.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to 472.8 acre-feet (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to _____ gallons per minute (_____ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
 - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

Please refer to the letter, maps and supporting documentation that are included with this application.

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18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

The basis for determining consumptive use as it relates to this application is the factor listed for Gray County in the draft "Default Consumptive Use Factor by County in Kansas" map issued by KDA-DWR. A waiver of K.A.R. 5-5-9 and K.A.R. 5-5-10 is requested if this information does not satisfy the requirements of K.A.R. 5-5-9 (b).

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Cimarron, Kansas, this 10th day of April, 20 17.

Griffith Ridge
(Owner)
Dori Hilker-Ridge
(Please Print)

(Spouse)

(Please Print)

(Owner)

(Please Print)

(Spouse)

(Please Print)

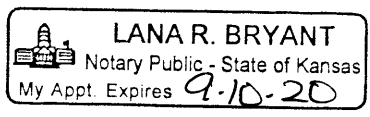
(Owner)

(Please Print)

(Spouse)

(Please Print)

State of Kansas }
County of Gray } SS



I hereby certify, that the foregoing application was signed in my presence and sworn to before me this 10th day of April, 20 17.

Lana R. Bryant
Notary Public

My Commission Expires 9-10-20

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

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**CIMARRON FEEDERS OF KANSAS, LLC
P.O. BOX 349
CIMARRON, KANSAS 67835
KANSAS (KDHE) PERMIT A-UAGY-C001
FEDERAL (NPDES) PERMIT KS0037541**

**EVALUATION OF SEEPAGE RATE FROM RETENTION CONTROL STRUCTURE 2
LOCATED IN SECTION 4 AND 9 T26S R28W AND S 1/2 SECTION 33 T25S R28W
GRAY COUNTY, KANSAS**

SUMMARY

Water balance techniques were used to accurately measure seepage losses from a waste storage pond located at Cimarron Feeders of Kansas, LLC. Changes in the liquid level of the pond and evaporation were measured continuously for 2 nighttime periods ranging from November 12, 2014 to November 13, 2014 and from November 13, 2014 to November 14, 2014. No precipitation occurred and other inflows and outflows were precluded during this period. The average daily seepage rate of the pond was calculated. This seepage rate, which is summarized in Table 2, was 0.1477 in./d (3.752 mm/d).

SITE DESCRIPTION

A water balance study was conducted to measure the whole-pond seepage rate from a waste storage pond at Cimarron Feeders of Kansas, LLC. This is a beef cattle feeding facility with a total permitted capacity of 22,500 animal units, and is located in Section 4 and 9 T26S R28W and S 1/2 Section 33 T25S R28W, Gray County, Kansas. This pond, identified as Retention Control Structure 2, is shown on the location map contained in the Appendix. Runoff, sediment and process wastes from the facility are stored in the pond for subsequent application on agricultural land.

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Division of Water Resources

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KLA ENVIRONMENTAL SERVICES, INC.

PROJECT: **CIMARRON CROSSING FEEDERS LLC**

LOCATION: SECTIONS 4 & 10 T26S R28W, GRAY COUNTY, KANSAS

BY: FCM
DATE: 3/17/2017

CHECKED BY: DLB
DATE: 3/17/2017

CONSUMPTIVE USE CALCULATION PERTAINING TO FILE NO. 11,511 D2 FOR PARTIAL CHANGE OF USE FROM IRRIGATION TO STOCKWATER

File No. 11,511 D2: Authorized Quantity = 496 AF
Authorized Rate = 740 GPM

Proposed change in use made of water: Convert 200 AF and 200 GPM to stockwatering use

Apply consumptive use factor from "Default Consumptive Use Factor by County in Kansas" issued by DWR:
→ For Gray County, the factor = 10.7%

$$\begin{aligned} \rightarrow \text{Consumptive Use} &= (496 \text{ AF}) - (496 \text{ AF} \times 10.7\%) \\ &= (496 \text{ AF}) \times (1.00 - 0.107) = 442.9 \text{ AF} \end{aligned}$$

$$\begin{aligned} \text{Proportion of partial use based on proposed change} &= (\text{Stockwater Use}) / (\text{Consumptive Use}) \\ &= \frac{200 \text{ AF}}{442.9 \text{ AF}} = 45\% \end{aligned}$$

$$\begin{aligned} \rightarrow \text{Proportion remaining for irrigation} &= 100\% - 45\% = 55\% \\ \rightarrow \text{Remaining quantity for irrigation} &= (55\%) \times (496 \text{ AF}) = \mathbf{272.8 \text{ AF}} \end{aligned}$$

Check reasonable use for stockwatering quantity (K.A.R. 5-3-22):

Current facility capacity = 22,500 head of beef cattle
Planned expansion capacity = 28,000 head of beef cattle

$$\begin{aligned} \rightarrow \text{Maximum Reasonable Use} &= (28,000 \text{ head}) \times (15 \text{ gallons/head/day}) \times (365 \text{ days/year}) = 153.30 \text{ MGY} \\ &= 470.5 \text{ AF} \end{aligned}$$

Facility Stockwater Summary:

File No.	Quantity (AF)
GY 10 D1	94.01
8,887	9.15
28,476(2)	53.12
28,476(4)	53.12
19,925.08	17.86
40,238	17.16
11,511 D2	200.00
Total	444.42

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→ Requested stockwatering quantity is reasonable

Check requested rate for capacity to supply 200 AF:

$$\begin{aligned} \text{Maximum quantity supplied} &= (200 \text{ gpm}) \times (60 \text{ min/hr}) \times (24 \text{ hr/day}) \times (365 \text{ days/yr}) \times (1 \text{ AF}/325,851 \text{ gal}) \\ &= 322.6 \text{ AF} \quad \rightarrow 200 \text{ gpm rate is sufficient to supply the requested quantity} \end{aligned}$$

SCANNED

KLA ENVIRONMENTAL SERVICES, INC.

PROJECT: **CIMARRON CROSSING FEEDERS LLC**
 LOCATION: SECTIONS 4 & 10 T26S R28W, GRAY COUNTY, KANSAS

BY: FCM
 DATE: 4/4/2017

CHECKED BY: DLB
 DATE: 4/5/2017

JUSTIFICATION FOR IRRIGATED ACRES AND MAINTAINING CURRENT PLACE OF USE

Cimarron Crossing Feeders LLC must comply with KDHE regulations pertaining to confined animal feeding operations (CAFO). The regulations include implementation of an approved Nutrient Management Plan (NMP). The NMP prescribes the requirements for agronomic application of facility wastewater through irrigation systems owned by the facility. This includes the center pivot sprinklers that irrigate the place of use pertaining to File Nos. 11,511 D1 and 11,511 D2. The NMP also indicates the areas that must be available for wastewater application and this includes the entire place of use currently associated with File Nos. 11,511 D1 and 11,511 D2. It is therefore necessary to retain all of the acres associated with this place of use for NMP compliance, which relies on both groundwater and wastewater irrigation to manage nutrient levels in the fields where wastewater is applied. The total quantities of groundwater and wastewater available for irrigation are summarized as follows:

Wastewater quantity based on recent application records:

YEAR	WASTEWATER APPLICATION
2013	76 AF
2014	113 AF
2015	149 AF
2016	215 AF
AVERAGE	138 AF

AF = Acre-Feet

Water quantities available for irrigation:

File No. 11,511 D1 authorized quantity = 456.0 AF
 File No. 11,511 D2 authorized quantity = 272.8 AF
 Average annual wastewater quantity = 138.0 AF
 Total Annual Quantity = 866.8 AF

Current place of use associated with File Nos. 11,511 D1 and 11,511 D2:

215 acres in Section 32 T25S R28W
261 acres in Section 33 T25S R28W
 476 acres total place of use

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 Division of Water Resources

$$\rightarrow \text{Average application} = \frac{\text{Total Annual Quantity}}{\text{Total Acres}} = \frac{866.8 \text{ AF}}{476 \text{ ac.}} = 1.82 \text{ Ft.}$$

$$\rightarrow \text{Groundwater only} = \frac{\text{Total Authorized Quantity}}{\text{Total Acres}} = \frac{728.8 \text{ AF}}{476 \text{ ac.}} = 1.53 \text{ Ft.}$$

Compare with criteria for reasonable irrigation use:

$$\text{K.A.R. 5-5-11 (e) (2): } \geq 50\% \text{ Chance NIR}/0.85 = 1.15 \text{ Ft.}/0.85 = 1.35 \text{ Ft. (Gray County)}$$

$$\text{K.A.R. 5-3-24, Reasonable quantity for irrigation use (map): } 1.8 \text{ Ft. (AF/ac.) (Gray County)}$$

Therefore, a reasonable quantity for irrigation is provided and the acres associated with the current place of use can be justified.

SCANNED

**KS652.0605 State supplement -
irrigation system design****(a) General information**

This part contains additional technical information required for the design of the various types of irrigation systems. Section KS652.0605(b) addresses gravity irrigation systems. Section KS652.0605(c) addresses sprinkle irrigation systems. Section KS652.0605(d) addresses micro (drip) irrigation systems.

Table KS6-1 is provided for guidance in determining the recommended irrigation efficiency to use in the various system designs. The efficiencies shown are for the system efficiency. System efficiency considers all water losses beginning at the water source and ending at the soil surface or point of application. These values are appropriate for use in irrigation scheduling programs, which are addressed in Chapter 9, Irrigation Water Management. It does not consider impacts of irrigation management alternatives. Those issues are discussed in KS652.0505.

Table KS6-1 Typical Efficiency for Irrigation Systems

Irrigation System Type	Efficiency (%)
Surface Irrigation - Basic (Earthen conveyance ditch and siphon tubes or cutouts)	50
Surface Irrigation - Basic (Earthen conveyance ditch, siphon tubes or cutouts, land leveled)	60
Surface Irrigation - Basic (Earthen conveyance ditch, gated pipe, land leveled, tailwater reuse)	70
Surface Irrigation - Improved (Delivery pipeline, gated pipe)	70
Surface Irrigation - Improved (Delivery pipeline, gated pipe, land leveled)	75
Surface Irrigation - Improved (Tailwater reuse, land leveled, delivery pipeline, gated pipe)	80
Center Pivot ^{1/2/} and Linear Move - Sprinklers on top of pipe	80
Center Pivot ^{1/2/} and Linear Move - Nozzles below lateral but > 6 feet height above ground	85
Center Pivot ^{1/2/} and Linear Move - Nozzles near ground (in canopy)	87
Center Pivot and Linear Move - Low Energy Precision Application (LEPA)	92
Sprinkler - Solid set	75
Sprinkler Irrigation - Side roll	70
Subsurface Drip Irrigation (SDI)	92

^{1/} When the center pivot system includes an end gun, reduce the efficiency by 5%.

^{2/} When the center pivot system includes a corner system (sometimes referred to as a trailer section), reduce the efficiency by 3%.

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Division of Water Resources

**CIMARRON FEEDERS OF KANSAS, LLC
P.O. BOX 349
CIMARRON, KANSAS 67835
KANSAS (KDHE) PERMIT A-UAGY-C001
FEDERAL (NPDES) PERMIT KS0037541**

**EVALUATION OF SEEPAGE RATE FROM THE IRRIGATION RESERVOIR
LOCATED IN SECTION 4 AND 9 T26S R28W AND S 1/2 SECTION 33 T25S R28W
GRAY COUNTY, KANSAS**

SUMMARY

Water balance techniques were used to accurately measure seepage losses from a waste storage pond located at Cimarron Feeders of Kansas, LLC. Changes in the liquid level of the pond and evaporation were measured continuously for 2 nighttime periods ranging from November 26, 2014 to November 27, 2014 and from November 27, 2014 to November 28, 2014. No precipitation occurred and other inflows and outflows were precluded during this period. The average daily seepage rate of the pond was calculated. This seepage rate, which is summarized in Table 2, was 0.2045 in./d (5.195 mm/d).

SITE DESCRIPTION

A water balance study was conducted to measure the whole-pond seepage rate from a waste storage pond at Cimarron Feeders of Kansas, LLC. This is a beef cattle feeding facility with a total permitted capacity of 22,500 animal units, and is located in Section 4 and 9 T26S R28W and S 1/2 Section 33 T25S R28W, Gray County, Kansas. This pond, identified as the Irrigation Reservoir, is shown on the location map contained in the Appendix. Runoff, sediment and process wastes from the facility are stored in the pond for subsequent application on agricultural land.

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Default Consumptive Use Factor by County in Kansas based on area weighted average irrigation return flow

CN 12.4%	RA 12.7%	DC 13.7%	NT 15.9%	PL 14.1%	SM 16.7%	JW 17.3%	RP 16.8%	WS 15.1%	MS 13.6%	NM 12.1%	BR 15.2%	DP 12.5%	
SH 12.3%	TH 12.5%	SD 12.3%	GH 13.0%	RO 13.4%	OB 21.3%	MC 14.6%	CD 15.6%	CY 15.8%	RL 15.8%	PT 14.6%	JA 12.0%	AT 12.0%	LV 13.8%
WA 12.5%	LG 13.0%	GO 13.3%	TR 13.9%	EL 18.0%	RS 17.0%	LC 13.7%	OT 13.7%	DK 13.6%	GE 14.1%	WB 13.6%	SN 16.5%	JF 15.2%	WY 12.4%
GL 13.0%	WH 17.2%	SC 18.2%	LE 18.9%	NS 18.9%	RH 6.3%	BT 14.4%	EW 13.8%	SA 13.8%	MR 17.0%	LY 12.0%	OS 17.0%	DG 13.5%	MI 13.3%*
HM 17.0%	KE 12.7%	FI 12.6%	HG 16.2%	PN 12.7%	SF 15.6%	RC 17.4%	MP 12.3%	MP 12.3%	MN 15.4%	CS 13.3%*	CF 17.0%	FR 17.0%	LN 13.3%*
ST 13.4%	GT 13.1%	HS 15.1%	GY 10.7%	FO 10.6%	ED 16.6%	PR 18.5%	RN 20.3%	HV 13.4%	BU 17.7%	GW 13.3%*	WO 13.3%*	AN 13.3%	BB 13.3%*
SV 10.7%	SW 12.4%	ME 15.2%	CA 13.3%	KW 21.3%	CM 13.1%	BA 16.6%	KM 27.3%	SG 15.0%	EK 13.3%*	WV 13.3%*	AL 13.3%*	NO 13.3%*	CR 17.0%
							HP 12.0%	SU 11.8%	CL 12.8%	CQ 13.3%*	MG 13.3%*	LB 13.3%*	CK 12.5%

* LI / DWA 6/28/17

These default values were developed to ensure that a change in use made of water does not increase net consumptive use per K.A.R. 5-5-9.

Example: A 150 acre-foot irrigation water right is purchased in Gove (GO) County for use in a dairy operation. Applying the default factor from the map (13.3%), the amount of water that the dairy could annually divert with this water right is:

$$150 - (150 \times 13.3\%) = 150 \times (1 - 0.133) = 130 \text{ acre-feet}$$

KDA-DWR will consider site-specific data provided by the water right holder during the change process and may adjust the consumptive use factor accordingly.

* State-wide average factor calculated using the Northwest Kansas model used for counties with no reported irrigation use.

Model data was used for counties within GMDs 1, 3, 4 and 5.



Kansas Department of Agriculture
Division of Water Resources
December 14, 2016

KS DEPT. OF AGRICULTURE
APR 12 2017

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**CIMARRON FEEDERS OF KANSAS, LLC
P.O. BOX 349
CIMARRON, KANSAS 67835
KANSAS (KDHE) PERMIT A-UAGY-C001
FEDERAL (NPDES) PERMIT KS0037541**

**EVALUATION OF SEEPAGE RATE FROM RETENTION CONTROL STRUCTURE 1
LOCATED IN SECTION 4 AND 9 T26S R28W AND S 1/2 SECTION 33 T25S R28W
GRAY COUNTY, KANSAS**

SUMMARY

Water balance techniques were used to accurately measure seepage losses from a waste storage pond located at Cimarron Feeders of Kansas, LLC. Changes in the liquid level of the pond and evaporation were measured continuously for 2 nighttime periods ranging from February 3, 2015 to February 4, 2015 and from February 6, 2015 to February 7, 2015. No precipitation occurred and other inflows and outflows were precluded during this period. The average daily seepage rate of the pond was calculated. This seepage rate, which is summarized in Table 2, was 0.0570 in./d (1.448 mm/d).

SITE DESCRIPTION

A water balance study was conducted to measure the whole-pond seepage rate from a waste storage pond at Cimarron Feeders of Kansas, LLC. This is a beef cattle feeding facility with a total permitted capacity of 22,500 animal units, and is located in Section 4 and 9 T26S R28W and S 1/2 Section 33 T25S R28W, Gray County, Kansas. This pond, identified as Retention Control Structure 1, is shown on the location map contained in the Appendix. Runoff, sediment and process wastes from the facility are stored in the pond for subsequent application on agricultural land.

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WATER RESOURCES
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APR 14 2017

Garden City Field Office
Division of Water Resources

KS DEPT OF AGRICULTURE

KLA ENVIRONMENTAL SERVICES, INC.

PROJECT: **CIMARRON CROSSING FEEDERS LLC**

LOCATION: SECTIONS 4 & 10 T26S R28W, GRAY COUNTY, KANSAS

BY: FCM
DATE: 3/16/2017

CHECKED BY: DLB
DATE: 3/17/2017

**CONSUMPTIVE USE EVALUATION PERTAINING TO FILE NO. 11,511
OWNED BY CIMARRON CROSSING FEEDERS LLC**

CRITERIA:

K.A.R. 5-5-3: Extent of consumptive use shall not be substantially increased based upon the perfection period.

K.A.R. 5-5-8: Consumptive Use = (Gross Diversion) - (Waste of Water) - (Return Flows)

Assumptions: → Waste of water during the perfection period cannot be accurately documented.
→ Current and proposed operation produces no discernible waste of water.

Therefore, for the purposes of this evaluation, Consumptive Use = (Gross Diversion) - (Return Flows)

Water Right File No. 11,511 attributes:

DWR ID	POINT OF DIVERSION				AUTHORIZED	
	LOCATION FROM SE CORNER OF SECTION	SEC	TWP	RGE	QUANTITY (AF)	RATE (GPM)
1	5080 FT N 100 FT W	32	25S	28W	456	740
4	3481 FT N 2532 FT W	32	25S	28W	496	740
2	1940 FT N 2620 FT W	32	25S	28W	NOT ACTIVE	

Consumptive use during perfection period based upon authorized quantities:

DWR records indicate that a surface (i.e. gravity or flood) irrigation system was used during the perfection period. Typical practices associated with this system include delivery pipelines and gated pipe, land leveling where needed, and tailwater pits.

From USDA NRCS NEH Part 652, Irrigation Guide, Table KS6-1, the typical efficiency of this type of system is **80%**.

The sum of the authorized quantities for File No. 11,511 is 456 AF + 496 AF = 952 AF.

$$\begin{aligned} \rightarrow \text{Consumptive Use} &= (\text{Gross Diversion}) - (\text{Return Flows}) \text{ where Return Flow} = 100\% - \text{Efficiency} \\ &= (952 \text{ AF}) - [(100\% - 80\%) \times (952 \text{ AF})] \\ &= \mathbf{761.6 \text{ AF}} \end{aligned}$$

WATER RESOURCES
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Garden City Field Office
Division of Water Resources

Consumptive use resulting from proposed change application based upon authorized quantities:

The proposed changes are:

- Divide File No. 11,511 such that 11,511(1) = D1 and 11,511(4) = D2.
- Reactivate 11,511 (2) as an additional well for stockwatering use.
- Move 200 AF and 200 gpm from D2 to additional well [11,511(2)] for stockwatering authority.
- Reduce irrigation quantity pertaining to File No. 11,511 D2 for consumptive use. Apply 10.7% consumptive use factor for Gray County from the draft weighted average irrigation return flow map ("Default Consumptive Use Factor by County in Kansas") issued by DWR. The resulting quantity is 272.8 AF.

File No. 11,511 D1 and D2 are currently center pivot sprinklers with drop nozzles (nozzles near the ground). From USDA NRCS NEH Part 652, Irrigation Guide, Table KS6-1, the typical efficiency of this type of system is **87%**.

Consumptive use from irrigation contributions includes irrigation based on authorized quantities as well as contributions from wastewater irrigation that is applied to the same place of use. The source of the wastewater is the Cimarron Crossing Feeders LLC facility. The peak wastewater quantity applied by the applicant is **215 AF** in 2016.

All wastewater is pumped from the Cimarron Crossing Feeders LLC facility to a storage pond located in the SW 1/4 of Section 33 T25S R28W. This pond is adjacent to the place of use for File No. 11,511. The wastewater stored in this pond is then pumped through the sprinklers that are also used for irrigation. The area of this pond is approximately **1.25 acres**. All seepage from this pond acts as a return flow. KLA Environmental Services, Inc. has conducted three whole-pond seepage tests on wastewater retention structures in the Cimarron Crossing Feeders LLC facility. The seepage rates were 0.0570 in./day, 0.1477 in./day and 0.2045 in./day. The average seepage rate is **0.1364 in./day**. All of these seepage rates comply with KDHE regulations and the average seepage rate is used to account for return flows from the irrigation storage pond. It is estimated that the pond contains wastewater at least **180 days** per year on average.

Consumptive use evaluation for proposed change application:

Gross Diversion:

File No. 11,511 D1 irrigation =	456.0 AF
File No. 11,511 D2 irrigation =	272.8 AF
File No. 11,511 stockwater =	200.0 AF
→ Total gross diversion =	928.8 AF

Return Flows:

File No. 11,511 D1 irrigation return flow = (456.0 AF) x (100% - 87%) =	59.3 AF
File No. 11,511 D2 irrigation return flow = (272.8 AF) x (100% - 87%) =	35.5 AF
Wastewater irrigation return flow = (215.0 AF) x (100% - 87%) =	28.0 AF
Wastewater pond return flow = (0.1364 in./day) x (180 days) x (1.25 acres) =	30.7 AF
→ Total return flows =	153.5 AF

→ Consumptive Use = Total Gross Diversion - Total Return Flow =	928.8 AF
	-153.5 AF
	775.3 AF

Comparison: $\frac{\text{Proposed Consumptive Use}}{\text{Perfection Period Consumptive Use}} = \frac{775.3 \text{ AF}}{761.6 \text{ AF}} = 102\%$

→ **Proposed change does not substantially increase consumptive use and complies with the requirements of K.A.R. 5-5-3. Therefore, the consumptive use factor of 10.7% is reasonable.**

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Garden City Field Office
Division of Water Resources

Ireland, Leslie

From: Meyer, Mike
Sent: Tuesday, August 15, 2017 8:31 AM
To: Ireland, Leslie; Turney, Brent
Subject: RE: Cimarron feeders

You mean the new map?

Yes!

Recall we already approved Reeve with the new map.

GMD recommended approval CE good with table

Please proceed asap.

They need approval of the change app to use the new well for stk asap

Mike

From: Ireland, Leslie
Sent: Tuesday, August 15, 2017 8:19 AM
To: Turney, Brent <Brent.Turney@ks.gov>; Meyer, Mike <Mike.Meyer@ks.gov>
Subject: RE: Cimarron feeders

Mike,

We can proceed with permitting with the new table? I put this together, but didn't know if we had to wait until after the hearings on the rules? So it can go prior to the publishing of the final adoption of the rules for consumptive use by the new table? I have I together and Brent reviewed and the KAPA wording to update. I still have it on my desk.

Cimarron is permitted by the term be able to operate under the term.

Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov

From: Turney, Brent
Sent: Tuesday, August 15, 2017 7:33 AM
To: Meyer, Mike <Mike.Meyer@ks.gov>; Ireland, Leslie <Leslie.Ireland@ks.gov>
Subject: RE: Cimarron feeders

Leslie has that one, it should be ready to go? She will be in soon to follow up.

Brent A. Turney, P.G.
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan Kansas 66502
(785) 564-6645

Brent.Turney@ks.gov
www.agriculture.ks.gov

From: Meyer, Mike
Sent: Tuesday, August 15, 2017 7:30 AM
To: Turney, Brent <Brent.Turney@ks.gov>; Ireland, Leslie <Leslie.Ireland@ks.gov>
Subject: RE: Cimarron feeders

What about the regular change?

Mike

From: Turney, Brent
Sent: Tuesday, August 15, 2017 7:27 AM
To: Meyer, Mike <Mike.Meyer@ks.gov>; Ireland, Leslie <Leslie.Ireland@ks.gov>
Subject: RE: Cimarron feeders

Mike,
That term permit file no. 20179033 was approved on July 24th. Is there another one?

Brent A. Turney, P.G.
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan Kansas 66502
(785) 564-6645
Brent.Turney@ks.gov
www.agriculture.ks.gov

From: Meyer, Mike
Sent: Monday, August 14, 2017 8:42 PM
To: Turney, Brent <Brent.Turney@ks.gov>; Ireland, Leslie <Leslie.Ireland@ks.gov>
Subject: Cimarron feeders

Good people where are we at with Cimarron feeders

Sent from my Verizon, Samsung Galaxy smartphone

Ireland, Leslie

From: Meyer, Mike
Sent: Tuesday, May 23, 2017 3:54 PM
To: Ireland, Leslie
Subject: RE: 11511 rate test

In the application, and I am recommending (now) to use 740 GPM based on the flow tests and other information the applicant provided (pump curve data, analysis etc).

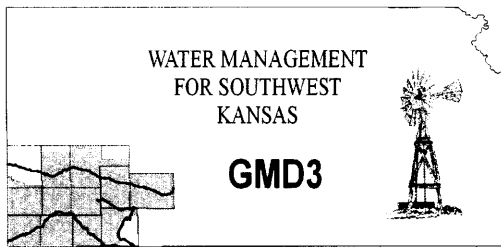
Mike

From: Ireland, Leslie
Sent: Tuesday, May 23, 2017 3:40 PM
To: Meyer, Mike <Mike.Meyer@ks.gov>
Subject: 11511 rate test

Mike,

Found the attached in the history folder in Docuware. Is this it?.. looks to be a lower, but not sure.

Leslie



Southwest Kansas
Groundwater Management District No. 3
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone (620) 275-1431 fax
www.gmd3.org

June 15, 2017

Leslie Ireland
Kansas Department of Ag
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

RE: Change Application
Water Right, File No. 11511 D2
Term Permit 20179033

Dear Leslie:

We have completed a review of the applications for the above referenced water right. The proposal is partially in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). More specifically as it pertains to spacing to neighboring wells in accordance with K.A.R. 5-23-3(a). We reviewed this application at our June 14, 2017 Board meeting.

Frank Mercurio was in attendance representing the applicant. A brief history of this application and the previous term application for the other stock wells reviewed at the December 2016 meeting was given. Since that meeting, the applicant has applied for the division of Water Right 11511, drilled a new irrigation well under 11511D2, applied for the conversion of 200AF to stock and moving back to the original location, installed over two miles of pipeline to the stock pens and installed a storage tank for the stock water to help during high water demand days. Mr. Mercurio stated that they are trying to do everything they can within the rules to meet the demand of the feed yard and at the same time eliminate the need for term permits, which seems to be an annual event. The only reason for the term permit in this set of applicants to make sure they have the ability to get water to the livestock while the applications are being processed and they work through the most efficient way to manage the pressure in the system. Mr. Mercurio stated that they agreed with the Board on the need to eliminate the need for so many term permits and that it has taken a lot of time to work through a solution.

The partial conversion to stock watering and the additional well was the most efficient and economical way to provide for their current needs and possible future expansion. Additional information was provided to show that the conversion calculation was more similar to the proposed Consumptive Use Map which the state was trying to convert to, than with the current standard calculation. With that in mind the applicant used the map percentage for the consumptive use calculation.

It was noted that the only spacing issue is between the proposed irrigation and stock wells for water right 11511D2. All other spacing is met and there was no response from any on the neighboring wells from the GMD3 notification letters. The Board stated that they appreciated the effort of the applicant to work within the rules and eliminate the need for further term permits. Realizing the applicant has put a lot of time, effort and expense into making the system work as efficiently as they can within the rules and the only spacing issue is between the proposed well of this application, the Board recommends a waiver to K.A.R. 5-23-3(a) and that the applications be approved at this time.

WATER RESOURCES
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JUN 19 2017

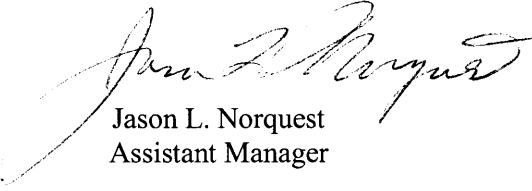
Serving Southwest Kansas Since 1976

KS DEPT OF AGRICULTURE

SCANNED

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,



Jason L. Norquest
Assistant Manager

Water Rights and Points of Diversion Within 1.50 miles of point defined as:

1940 ft N and 2620 ft W of the SE Corner of Section 32, T 25S, R 28W

Located at: 100.418983 West Longitude and 37.832858 North Latitude

GROUNDWATER ONLY

PROPOSED ADDL WELL

File Number	Use	ST	SR	Dist	(ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 9898	00	IRR	NK	G	5434	--	SE	SW	SE	145	1605	30	25	28W	4		254.00	254.00	AF
A__ 11511	00	IRR	NK	G*	4018	--	NE	NE	NE	5080	100	32	25	28W	1		456.00	456.00	AF
Same					1544	--	NW	SW	NE	3481	2532	32	25	28W	4		496.00	496.00	AF
A__ 11617	00	IRR	NK	G	6620	--	SE	SE	SW	80	3100	30	25	28W	2		314.00	314.00	AF
Same					5434	--	SE	SW	SE	145	1605	30	25	28W	4		254.00	.00	AF
A__ 12166	00	IRR	NK	G	2685	--	CS	SW	SW	150	4620	32	25	28W	3		256.00	256.00	AF
A__ 17227	00	IRR	NK	G	4280	--	SW	SW	SW	-----	-----	29	25	28W	3		428.00	428.00	AF
A__ 18020	00	IRR	NK	G	7638	--	--	--	--	2800	4950	31	25	28W	1		524.00	524.00	AF
A__ 19677	00	STK	NK	G	6126	NC	N2	SE	NW	3730	3215	31	25	28W	4		46.86	46.86	AF
Same					6577	--	NE	NE	NW	5040	3150	31	25	28W	10		.00	.00	AF
Same					6400	--	NE	NE	NW	5038	2949	31	25	28W	11		46.86	46.86	AF
A__ 19717	00	IRR	NK	G	3782	--	NW	NE	SE	2357	1122	31	25	28W	12		386.00	386.00	AF
A__ 19821	00	MUN	NK	G	7175	--	--	--	--	5900	2750	1	26	29W	8		51.28	51.28	AF
A__ 31342	00	IRR	NK	G	3782	--	NW	NE	SE	2357	1122	31	25	28W	12		376.00	376.00	AF
Same					2685	--	CS	SW	SW	150	4620	32	25	28W	3		224.00	224.00	AF
Same					1544	--	NW	SW	NE	3481	2532	32	25	28W	4		252.00	252.00	AF
A__ 44601	00	MUN	KE	G	7353	--	--	--	--	6100	3000	1	26	29W	7		173.26	94.85	AF

MOVES ADDL 1,544'

> 2640

MUTUAL OWNERS

APPLICATIONS WELL PROPOSED

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	94.85	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	4111.01	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	4205.85	.00

- MOVE FOR ADL WELL 1,544'
11511-02 ~ 272.8 AF + 31,342 ~ 252 AF = 524.8 AF
NEEDS 2300 FT WZW SPACING

An * after the source of supply indicates a pending application for change for the file number.
 An * after the ID indicates a 15 AF exemption was granted for 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.

ADL WELL IS ONLY 1544' FROM PROPOSED ADL WELL

Water Rights and Points of Diversion Within 1.50 miles of point defined as:

100.418983 West Longitude and 37.832858 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 9898	00	IRR	NK G
>	IRSIK G & B FARMS INC		
>	9605 12 RD		
>	INGALLS KS 67853		

A__ 11511	00	IRR	NK G
>	CIMARRON CROSSING FEEDERS LLC		
>			

Water Rights and Points of Diversion Within 1.50 miles of point defined as:

3481 ft N and 2532 ft W of the SE Corner of Section 32, T 25S, R 28W

Located at: 100.418679 West Longitude and 37.837089 North Latitude

GROUNDWATER ONLY

*26 proposed well
11,511 - D2 1/2 EXISTING WELL
FILE NO. 31, 342-*

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 9898	00	IRR	NK	G	4694	--	SE	SW	SE	145	1605	30	25	28W	4	254.00	254.00	AF
A__ 11511	00	IRR	NK	G*	2905	--	NE	NE	NE	5080	100	32	25	28W	1	456.00	456.00	AF
Same					0	--	NW	SW	NE	3481	2532	32	25	28W	4	496.00	496.00	AF
A__ 11617	00	IRR	NK	G	6066	--	SE	SE	SW	80	3100	30	25	28W	2	314.00	314.00	AF
Same					4694	--	SE	SW	SE	145	1605	30	25	28W	4	254.00	.00	AF
A__ 12166	00	IRR	NK	G	3932	--	CS	SW	SW	150	4620	32	25	28W	3	256.00	256.00	AF
A__ 17227	00	IRR	NK	G	3150	--	SW	SW	SW	-----	-----	29	25	28W	3	428.00	428.00	AF
A__ 18020	00	IRR	NK	G	7699	--	--	--	--	2800	4950	31	25	28W	1	524.00	524.00	AF
A__ 19677	00	STK	NK	G	5943	NC	N2	SE	NW	3730	3215	31	25	28W	4	46.86	46.86	AF
Same					6083	--	NE	NE	NW	5040	3150	31	25	28W	10	.00	.00	AF
Same					5889	--	NE	NE	NW	5038	2949	31	25	28W	11	46.86	46.86	AF
A__ 19717	00	IRR	NK	G	3995	--	NW	NE	SE	2357	1122	31	25	28W	12	386.00	386.00	AF
A__ 19821	00	MUN	NK	G	7877	--	--	--	--	5900	2750	1	26	29W	8	51.28	51.28	AF
A__ 31342	00	IRR	NK	G	3995	--	NW	NE	SE	2357	1122	31	25	28W	12	376.00	376.00	AF
Same					3932	--	CS	SW	SW	150	4620	32	25	28W	3	224.00	224.00	AF
Same					0	--	NW	SW	NE	3481	2532	32	25	28W	4	252.00	252.00	AF

Proposed

Proposed

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	4111.01	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	4111.01	.00

*BUT DOESN'T MEET SPECIFIC
TO PROPOSED ADL WELL
1940'N & 2620'W -*

An * after the source of supply indicates a pending application for change for the file number.

An * after the ID indicates a 15 AF exemption was granted for 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 1.50 miles of point defined as:

100.418679 West Longitude and 37.837089 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 9898	00	IRR	NK G
>	IRSIK G & B FARMS INC		
>			
>	9605 12 RD		
>	INGALLS KS 67853		

A__ 11511	00	IRR	NK G
>	CIMARRON CROSSING FEEDERS LLC		
>			
>	PO BOX 349		

> CIMARRON KS 67835

>-----

A__ 11617 00 IRR NK G

> IRSIK G & B FARMS INC

>

> 9605 12 RD

> INGALLS KS 67853

>-----

A__ 12166 00 IRR NK G

> ARCH B & MICHELLE FRINK

>

> PO BOX 1088

> CIMARRON KS 67835

>-----

A__ 17227 00 IRR NK G

> LEROY DAVIDSON

>

> PO BOX 555

> CIMARRON KS 67835

>-----

A__ 18020 00 IRR NK G

> IRSIK G & B FARMS INC

>

> 9605 12 RD

> INGALLS KS 67853

>-----

A__ 19677 00 STK NK G

> INGALLS FEEDYARD #2

>

> 10505 US HWY 50

> INGALLS KS 67853

>-----

A__ 19717 00 IRR NK G

> ARCH B & MICHELLE FRINK

>

> PO BOX 1088

> CIMARRON KS 67835

>-----

A__ 19821 00 MUN NK G

> CITY OF INGALLS

>

> PO BOX 103

> INGALLS KS 67853

>-----

A__ 31342 00 IRR NK G

> ARCH B & MICHELLE FRINK

>

> PO BOX 1088

> CIMARRON KS 67835

>-----

=====

WRIS
File No. 11511-D2 AND 31342 ID 4-

WATER WELL RECORD Form WWC-5

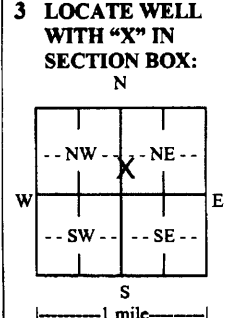
Division of Water Resources App. No.

11511,31342 Well ID

Original Record Correction Change in Well Use

1 LOCATION OF WATER WELL: County: Gray	Fraction SW 1/4 NW 1/4 SW 1/4 NE 1/4	Section Number 32	Township Number T 25 S	Range Number R 28 <input type="checkbox"/> E <input checked="" type="checkbox"/> W
--	---	----------------------	---------------------------	---

2 WELL OWNER: Last Name: Cimarron Crossing Feeders LLC Business: Cimarron Crossing Feeders LLC Address: PO Box 349 Address: City: Cimarron State: KS ZIP: 67835	Street or Rural Address where well is located (if unknown, distance and direction from nearest town or intersection): If at owner's address, check here: <input type="checkbox"/> Intersection of L & 15 Road, 1/2 mile West and 1/4 mile South.
--	---



4 DEPTH OF COMPLETED WELL: 320 ft.

Depth(s) Groundwater Encountered: 1) 187 ft.
2) ft. 3) ft., or 4) Dry Well

WELL'S STATIC WATER LEVEL: 187 ft.
 below land surface, measured on (mo-day-yr) 10/28/2016
 above land surface, measured on (mo-day-yr)

Pump test data: Well water was ft.
after hours pumping gpm
Well water was ft.
after hours pumping gpm

Estimated Yield: 700 gpm
Bore Hole Diameter: 26 in. to 320 ft. and
..... in. to ft.

5 Latitude: 37.837112 (decimal degrees)
Longitude: 100.419105 (decimal degrees)
Datum: WGS 84 NAD 83 NAD 27
Source for Latitude/Longitude:
 GPS (unit make/model:)
(WAAS enabled? Yes No)
 Land Survey Topographic Map
 Online Mapper:

6 Elevation: 2765 ft. Ground Level TOC
Source: Land Survey GPS Topographic Map
 Other KOLAR

7 WELL WATER TO BE USED AS:

1. Domestic: <input type="checkbox"/> Household <input type="checkbox"/> Lawn & Garden <input type="checkbox"/> Livestock	5. <input type="checkbox"/> Public Water Supply: well ID	10. <input type="checkbox"/> Oil Field Water Supply: lease
2. <input checked="" type="checkbox"/> Irrigation	6. <input type="checkbox"/> Dewatering: how many wells?	11. Test Hole: well ID
3. <input type="checkbox"/> Feedlot	7. <input type="checkbox"/> Aquifer Recharge: well ID	<input type="checkbox"/> Cased <input type="checkbox"/> Uncased <input type="checkbox"/> Geotechnical
4. <input type="checkbox"/> Industrial	8. <input type="checkbox"/> Monitoring: well ID	12. Geothermal: how many bores?
	9. Environmental Remediation: well ID	a) Closed Loop <input type="checkbox"/> Horizontal <input type="checkbox"/> Vertical
	<input type="checkbox"/> Air Sparge <input type="checkbox"/> Soil Vapor Extraction	b) Open Loop <input type="checkbox"/> Surface Discharge <input type="checkbox"/> Inj. of Water
	<input type="checkbox"/> Recovery <input type="checkbox"/> Injection	13. <input type="checkbox"/> Other (specify):

Was a chemical/bacteriological sample submitted to KDHE? Yes No If yes, date sample was submitted:

Water well disinfected? Yes No

8 TYPE OF CASING USED: Steel PVC Other CASING JOINTS: Glued Clamped Welded Threaded

Casing diameter 16 in. to 320 ft., Diameter in. to ft., Diameter in. to ft.
Casing height above land surface 18 in. Weight lbs./ft. Wall thickness or gauge No. SDR 21

TYPE OF SCREEN OR PERFORATION MATERIAL:
 Steel Stainless Steel Fiberglass PVC Other (Specify)

Brass Galvanized Steel Concrete tile None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:
 Continuous Slot Mill Slot Gauze Wrapped Torch Cut Drilled Holes Other (Specify)

Louvered Shutter Key Punched Wire Wrapped Saw Cut None (Open Hole)

SCREEN-PERFORATED INTERVALS: From 160 ft. to 320 ft., From ft. to ft.
GRAVEL PACK INTERVALS: From 40 ft. to 320 ft., From ft. to ft.

9 GROUT MATERIAL: Neat cement Cement grout Bentonite Other

Grout Intervals: From 0 ft. to 40 ft., From ft. to ft., From ft. to ft.

Nearest source of possible contamination:

<input type="checkbox"/> Septic Tank	<input type="checkbox"/> Lateral Lines	<input type="checkbox"/> Pit Privy	<input type="checkbox"/> Livestock Pens	<input type="checkbox"/> Insecticide Storage
<input type="checkbox"/> Sewer Lines	<input type="checkbox"/> Cess Pool	<input type="checkbox"/> Sewage Lagoon	<input type="checkbox"/> Fuel Storage	<input type="checkbox"/> Abandoned Water Well
<input type="checkbox"/> Watertight Sewer Lines	<input type="checkbox"/> Seepage Pit	<input type="checkbox"/> Feedyard	<input type="checkbox"/> Fertilizer Storage	<input type="checkbox"/> Oil Well/Gas Well

Other (Specify) N/A

Direction from well? N/A Distance from well? 0 ft.

10 FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
Attached	Attached	Attached			

Notes:

11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo-day-year) 10/28/2016 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 846 This Water Well Record was completed on (mo-day-year) 11/10/2016 under the business name of Nash Water Well Service, LLC

WR# 11,511-DZ & 31,342-

Form	WWC5
Contractor	Nash Water Well Service, LLC
Well Owner	
Doc ID	1321927

Litholgy

0	20	Top soil. Tan brown clay.
20	30	Red clay.
30	40	Tan/white clay & caliche.
40	60	Tan/white/red clay w/caliche & thin fine sand streaks.
60	80	Tan/white clay caliche. Fine tight sand & cemented sand streaks.
80	100	Tan clay, fine sand layers, tight cemented sand streaks.
100	120	Fine coarse sand, small/med gravel w/brown clay layers.
120	140	Fine coarse sand w/small medium gravel & brown clay.
140	160	Fine coarse sand w/brown clay layer streaks.
160	180	Fine medium sand w/brown clay layers.
180	200	Tan clay w/fine sand streaks.
200	220	Fine clay. Fine sand layers.
220	240	Fine sand.
240	280	Fine coarse sand.
280	300	Fine coarse sand w/small gravel streaks.
300	314	Fine coarse sand w/small medium

Form	WWC5
Contractor	Nash Water Well Service, LLC
Well Owner	
Doc ID	1321927

Litholgy

		medium and some large gravel.
314	320	Blue shale.

1700 E. IRON AVE. • SALINA, KS 67401
T 785.823.0097 F 913.273.1493



1303 YUCCA ST. • SCOTT CITY, KS 67871
WWW.KLAENVIRO.COM

March 29, 2017

Mike Meyer, Water Commissioner
Kansas Department of Agriculture
Division of Water Resources - Garden City Field Office
2508 Johns Street
Garden City, KS 67846-2804

Subject: Cimarron Crossing Feeders LLC
File No. 11,511, Gray County

**WATER RESOURCES
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KS DEPT OF AGRICULTURE

Dear Mr. Meyer:

Several applications pertaining to the subject water right are enclosed with this letter and are submitted on behalf of the applicant, Cimarron Crossing Feeders LLC. The purpose of these applications is to:

1. Secure an additional source of water for livestock consumption at the Cimarron Crossing Feeders LLC facility,
2. Redistribute irrigation quantities to effectively implement the facility Nutrient Management Plan and comply with KDHE regulations, and
3. Provide a stable and flexible water supply for future planned expansion of the cattle feeding facility.

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The details of each application are summarized herein.

APR 12 2017

Application to Divide a Water Right

Garden City Field Office
Division of Water Resources

File No. 11,511 consists of two points of diversion subject to individual authorized quantities and rates. The application proposes to divide this water right into separate rights for each point of diversion. The priority would be the same for each of the divided rights. File No. 11,511 (DWR ID 1) would become File No. 11,511 D1 and File No. 11,511 (DWR ID 4) would become File No. 11,511 D2. The authorized quantities and

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rates currently associated with these points of diversion would remain the same. We request that a complete overlap of the place of use be maintained as this is vital to implementation of the Nutrient Management Plan. We also request that the base acres remain the same for each divided rate.

Application for Approval to Change the Place of Use, the Point of Diversion and the Use Made of Water under an Existing Water Right

This change application pertains to File No. 11,511 D2. The application proposes the following changes:

- Create an additional well at the location formerly occupied by File No. 11,511 (DWR ID 2). This is an existing well that was retained for future use when a previous well move was completed. It would have the following attributes:
 - An authorized quantity of 200 acre-feet (AF)
 - An authorized rate of 200 gallons per minute (gpm)
 - Stockwatering would be the use made of water
 - The place of use would be the Cimarron Crossing Feeders LLC cattle feeding facility

- Change the attributes of the well at the current point of diversion location of File No. 11,511 D2 as follows:
 - Reduce the authorized quantity to 272.8 AF
 - Reduce the authorized rate to 540 gpm
 - Retain irrigation as the use made of water and retain the same place of use

These changes will provide an additional source of water for the Cimarron Crossing Feeders LLC cattle feeding facility. These changes will also maintain a sufficient rate and quantity for irrigation to support implementation of the facility Nutrient Management Plan.

The consumptive use calculations relating to this change application are based on a reduction factor of 10.7% for Gray County. This factor was obtained from the draft version of the map entitled "Default Consumptive Use Factor by County in Kansas." This map was issued by KDA-DWR in 2016. We completed a consumptive use evaluation to justify the use of this factor. The evaluation was based on the criterion of K.A.R. 5-5-3, which indicates that consumptive use shall not be substantially increased by a change in a water right. The definition of consumptive use as outlined in K.A.R. 5-5-8 provided the basis for our evaluation. We considered return flows during the perfection period and return flows that would occur as a result of the proposed changes. Consideration of return flows from wastewater irrigation, which are a direct result of the operation of the Cimarron Crossing Feeders LLC facility, was an important component of the evaluation. We concluded that the proposed changes will not substantially

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APR 12 2017

APR 14 2017



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increase the consumptive use associated with this water right. We believe that the consumptive use evaluation, the aforementioned map issued by KDA-DWR, and the supporting documentation satisfy the requirements of K.A.R. 5-5-9 (b). If the Chief Engineer does not concur, then we request a waiver of K.A.R. 5-5-9 and 5-5-10 to enable this change application to be approved.

We searched the WIMAS and Water Well Completion Records (WWC5) databases to locate wells within 1/2 mile of the wells that are the subject of this change application. We found a domestic well in the SE 1/4 of the SE 1/4 of Section 32 T25S R28W that is owned by the applicant. An irrigation well covered by File Nos. 12,166 and 31,342 in the SW 1/4 of the SW 1/4 of Section 32 T25S R28W was also located. Based upon coordinates listed in WRIS reports, we determined that this well is just over 1/2 mile from the proposed additional well associated with File No. 11,511 D2. This finding was verified by well-to-well measurements on an aerial photo.

Please contact me if you have any questions concerning these applications and the associated documentation. Thank you for your consideration of this matter.

Respectfully,

Frank C. Mercurio

Frank C. Mercurio, P.E.

Enclosures

cc/enc: Phillip Woods, Cimarron Crossing Feeders LLC

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APR 14 2017

APR 12 2017

KS DEPT OF AGRICULTURE

Garden City Field Office
Division of Water Resources



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37.83708 / 100.41867

1620
338
7675
Jacob

DIVISION OF WATER RESOURCES—KANSAS DEPARTMENT OF AGRICULTURE

METER FLOW RATE/VOLUME TEST

FILE NO. 11511 3134244 Date: 11-21-16 Tester: Chavez Tested 1 of 1 installations

Point of Diversion: NW SW NE Sec. 32, T. 25 S, R. 28 W

Approximately _____ ft. North and _____ ft. West of SE corner of Sec 32.

How were distances determined? GPS NAD 83 Latitude 37.83708 Longitude 100.41872

Person(s) present at the test: Phillip Woods Relationship(s) to owner: 620-338-3871

TEST METER INFORMATION: Test meter location _____ Last verified _____

Manufacturer PT Model # PT 878 Serial # 07765

Sensor is _____ in upstream from _____

Sensor is _____ in downstream from _____

NORMAL CONDITIONS:

R.P.M. POWER UNIT _____

R.P.M. PUMP UNIT _____

Pressure at Pump 0 psi

MAXIMUM CONDITIONS

R.P.M. POWER UNIT _____

R.P.M. PUMP UNIT _____

Pressure at Pump _____ psi

<input checked="" type="checkbox"/>	Meter Test	Meter Type	<u>ultrasonic</u>	Meter Serial No.	_____
	Ending	_____	gal.	Ending	<u>3602.3</u> gal.
	Beginning	<u>0</u>	gal.	Beginning	<u>0</u> gal.
	Difference	<u>3744.4</u>	gal.	Difference	<u>3602.4 (5.14)</u> gal.
	Time	<u>660.4 (11.000)</u>	min.	Time	<u>308.4</u> min.
	Rate	<u>703.65</u>	gpm.	Rate	<u>700.8</u> gpm.

Diagnostics:

Signal Strength SS up: 68.3 SS dn: 68.2 (Should be over 55 highest on PVC, up and dn should be close to the same)

SNDSP: 4959.5 (Should be close to book value for the soundspeed at measured temp) Temp _____ F

Delta T (<Delta>): 245.03 Is this number stable? Yes If no please explain: _____

T up: 296.15 T dn: 295.92 (Bad: continuous large fluctuations of 1 microsecond or more)

Signal Quality: Q up 3993 Q dn 3923 (Should be + - 300 or greater)

AMP up: 28.1 AMP dn: 27.9 (Should be 20 - 28 fluctuations)

P# up: 441 P# dn: 459 (100 to 900, closest to 500 is best)

Nf up: _____ Nf dn: _____ (Should Be 0.85 to 1.0)

Installed Meter Test Manufacturer McCrometer Serial # 91-8-1234 Model # _____

Sensor is _____ in upstream from _____

Sensor is _____ in downstream from _____

Outside Diameter (Stamped) _____ inches (Measured) 8.00 inches

Inside Diameter (Stamped) _____ inches (Measured) 7.872 inches

Ending	<u>543602(00)</u>	AF	Ending	<u>543699(00)</u>	gal./AF
Beginning	<u>543520(00)</u>	AF	Beginning	<u>543674(00)</u>	gal./AF
Difference	<u>8200</u>	gal.	Difference	<u>2500</u>	gal./AF
Time	<u>10:05.15 (10.08)</u>	min.	Time	<u>3:05.22 3.022</u>	min.
Rate	<u>813.49</u>	gpm.	Rate	<u>811</u>	gpm.

% Error Calculation: $\frac{\text{Test} - \text{Meter}}{\text{Test}} \times 100$ % error _____

Other Flowmeter Use Supplemental Sheet (include meter identification, data and calculations).

COMMENTS: 11511 or-1/40 / GPM seal / ID: 7.872 / OD 8.00 / IR= 750 (+) gpm

703 GPM final test rate

- Good Test
- Adequate Test
- Unacceptable Comparison

Reviewed by Michael Date 11-22-16 Entered by _____ Date _____

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

May 16, 2017

FILE COPY

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO 3
ATTN JASON NORQUEST
2009 E SPRUCE STREET
GARDEN CITY KS 67846

RE: Term Permit, File No. 20179033
Application for Change, Water Right, File No. 11,511

Dear Mr. Rude:

In response Jason Norquest's, May 15, 2017, E-mail, the Chief Engineer has extended, the time in which to submit a recommendation concerning the above referenced files.

The Chief Engineer has delayed any further action until June 15, 2017.

Please submit your recommendations within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

pc: Garden City Field Office
Phillip Woods, Cimarron Crossing Feeders LLC
Frank C. Mercurio, P.E., KLA Environmental

SCANNED

Ireland, Leslie

From: Jason Norquest <norquest@gmd3.org>
Sent: Monday, May 15, 2017 5:24 PM
To: Ireland, Leslie
Cc: Mark Rude; Meyer, Mike
Subject: 11511D2 STK

Good evening Leslie. Been reviewing this set of applications and term permit. The new well under proposed 11511D2 for STK appears to be short on minimum spacing to the 11511D2 IRR well. So I will schedule it for the June Board meeting. With that I will need an extension until June 15th should give me time to get the written recommendation to you. If you have any questions, please let me know.

Thanks and have a good evening.

Jason Norquest

Assistant Manager, GMD3

Office: 620-275-7147 Cell: 620-271-1289

norquest@gmd3.org

www.gmd3.org

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

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

Jackie McClaskey, Secretary

Governor Sam Brownback

May 5, 2017

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO 3
ATTN MARK RUDE
2009 E SPRUCE
GARDEN CITY KS 67846

Re: Term Permit, File No. 20179033
Application for Change, Water Right, File No. 11,511

Dear Mr. Rude:

We are enclosing a copy of the proposed application for Term Permit and an application for change under the referred right that is proposed to be divided into two portions, with the proposed change under the D2 portion.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendation concerning the applications.

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li
Enclosure

pc: Garden City Field Office
Phillip Woods, Cimarron Crossing Feeders LLC
Frank C. Mercurio, P.E., KLA Environmental

FILE COPY

Turney, Brent

From: Meyer, Mike
Sent: Wednesday, April 12, 2017 3:50 PM
To: Turney, Brent
Subject: file no. 11511

Brent FYI

Frank is sending in a division agreement, change UMW, PU, PD, and term permit for this file

We need to start processing the app asap when you get it and send out our notices on the change AND the term permit within one half mile

Frank has supplied on site study to justify a different CU, but at the end of the day, ask for a waiver if other disagree.

The term permit is a facilitis permit like we did for nobel and tuls dairy last tyear that combined all stockwells for one allocation

This is a rush application as they owner needs to use his new proposed well upon approval.
Good luck.

Mike

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

April 14, 2017

CIMARRON CROSSING FEEDERS, LLC
PO BOX 349
CIMARRON, KS 67835

FILE COPY

RE: File No. 11511 D2

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use PU/PD/UMW
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

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

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

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

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

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

BAT: DLW
pc: GARDEN CITY Field Office GMD 3

LOCATION MAP

BOUNDARIES

STATE OF KANSAS

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APR 14 2017



SECTION 10, T12N, R10E, S12E

APR 14 2017

LEGEND

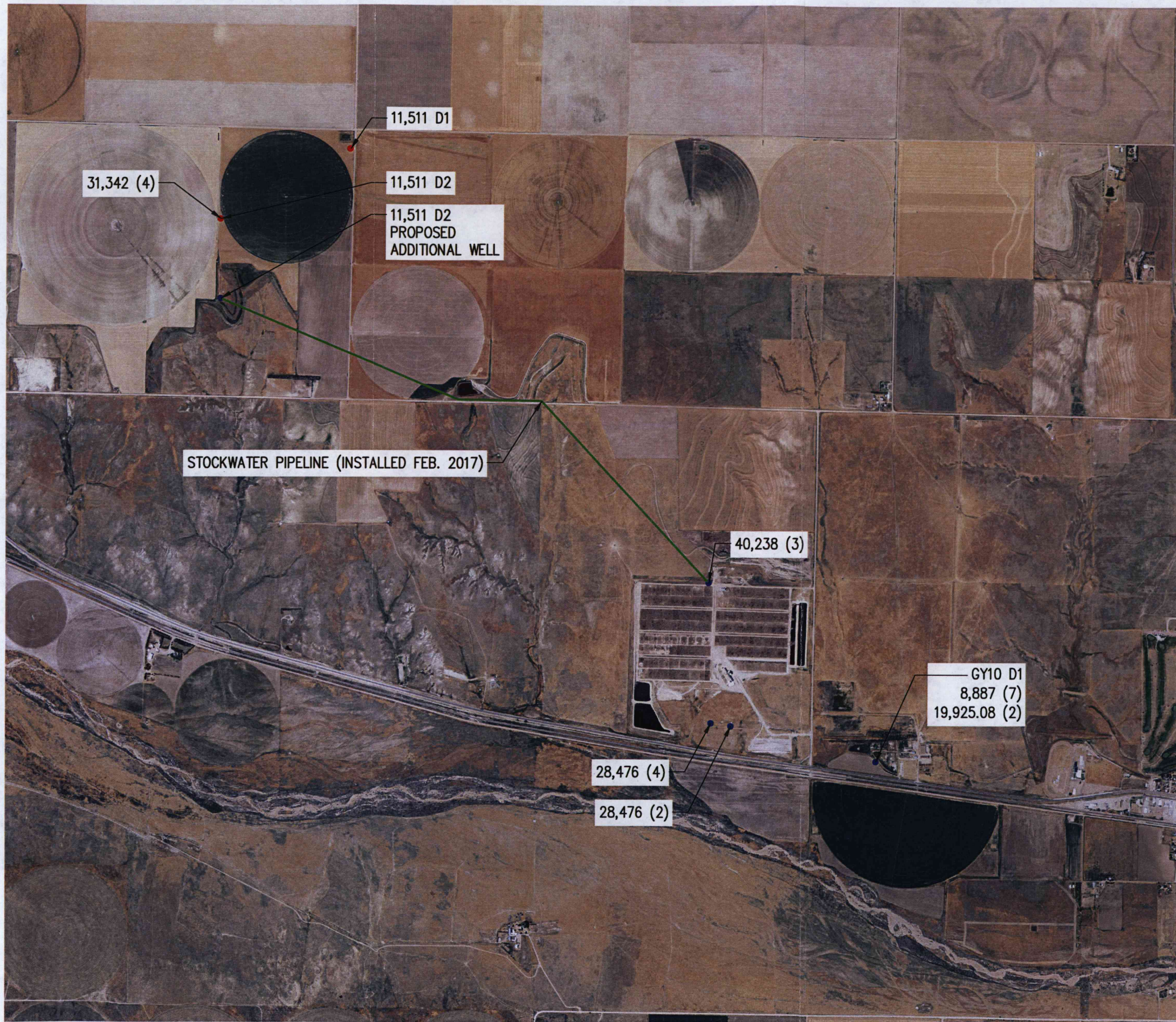
OWNED PORT OF EMERSON FARM
OWNED PORT OF DIVERSION FARM

LEGEND

APR 14 2017	APR 14 2017	APR 14 2017
APR 14 2017	APR 14 2017	APR 14 2017
APR 14 2017	APR 14 2017	APR 14 2017

CIMARRON CROSSING FEEDERS, L.L.C.
SECTION 10, T12N, R10E, S12E
GRAY COUNTY, KANSAS

KSWA
KANSAS STATE WATER ASSOCIATION
1001 WEST 10TH STREET
TOPEKA, KS 66604
785.233.2222
WWW.KSWA.ORG



LEGEND

- OWNED POINT OF DIVERSION (IRR)
- OWNED POINT OF DIVERSION (STK)

DRAWN	DLB	DATE	3/17
CHECKED	FCM	DATE	3/17
APPROVED	FCM	DATE	3/17

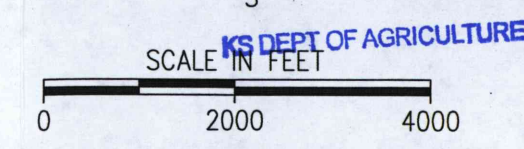
CIMARRON CROSSING FEEDERS LLC
 SECTIONS 4&10 T26S R28W
 GRAY COUNTY, KANSAS

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Garden City Field Office -
 Division of Water Resources



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APR 14 2017



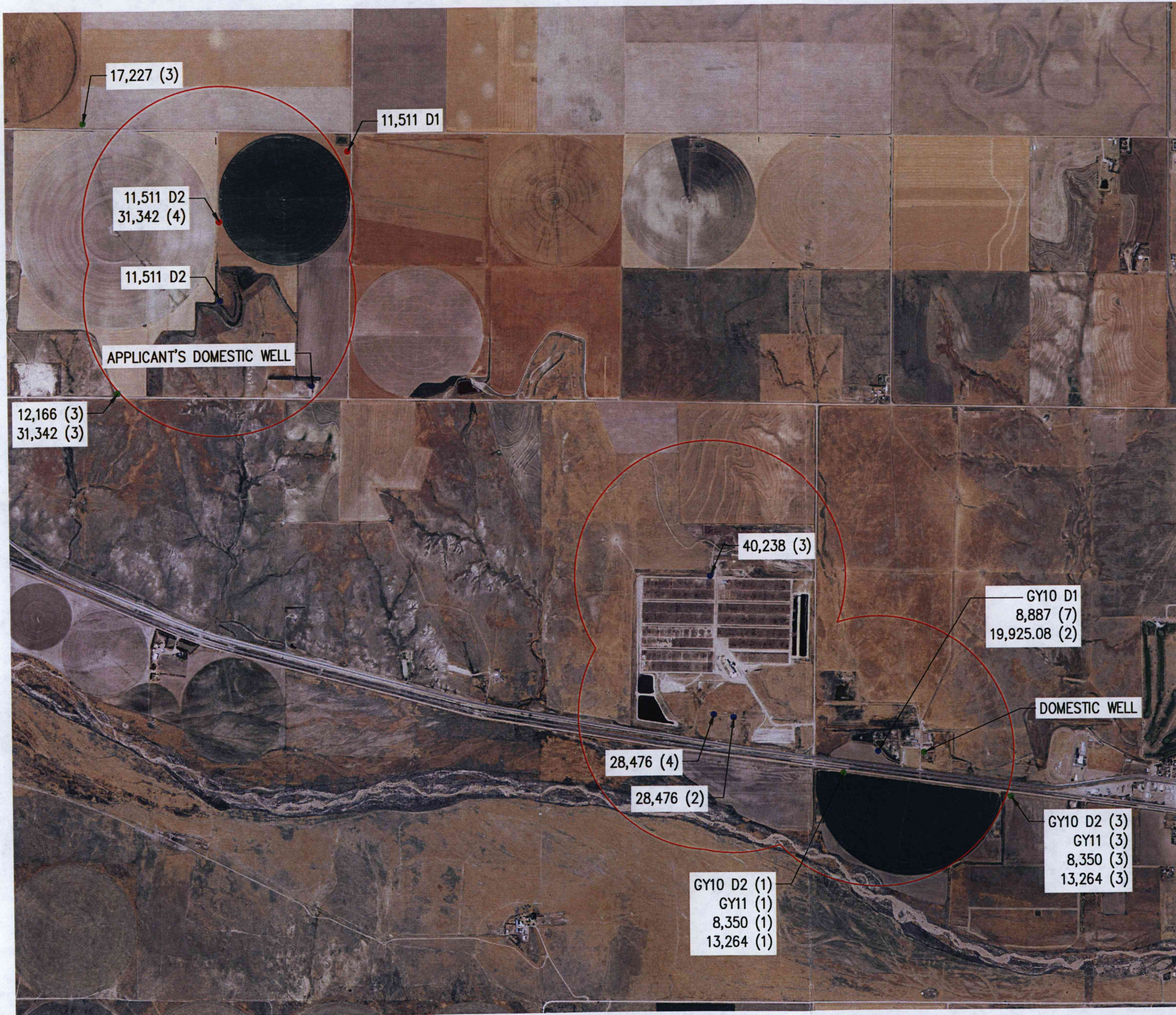
SCANNED

LOCATION MAP

1700 E. IRON
 SALINA, KANSAS 67401
 (785) 823-0097

1303 YUCCA STREET
 SCOTT CITY, KANSAS 67871
 (620) 872-2300

CAD FILE NAME:
 PLAN VIEW.dwg



LEGEND

- OWNED POINT OF DIVERSION (IRR)
- OWNED POINT OF DIVERSION (STK)
- NEIGHBORING POINT OF DIVERSION
- BOUNDARY OF 1/2 MILE SPACING FROM OWNED WELL

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Garden City Field Office
Division of Water Resources



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NEIGHBORING WELL MAP

DRAWN	DLB	DATE	3/17
CHECKED	FCM	DATE	3/17
APPROVED	FCM	DATE	3/17

CIMARRON CROSSING FEEDERS LLC
SECTIONS 4&10 T26S R28W
GRAY COUNTY, KANSAS

1700 E. IRON
SAUNA, KANSAS 67401
(785) 823-0097
1303 YUCCA STREET
SCOTT CITY, KANSAS 67871
(620) 872-2300



CAD FILE NAME:
PLAN VIEW.dwg

SHEET NO. 1 OF 2





CURRENT: 11,511 D2, 496 AF, 740 GPM
 PROPOSED: 11,511 D2, 272.8 AF, 540 GPM

PROPOSED: 11,511 D2, 200 AF, 200 GPM

STOCKWATER PIPELINE (INSTALLED FEB. 2017)

LEGEND

- OWNED POINT OF DIVERSION (IRR)
- OWNED POINT OF DIVERSION (STK)
-  PLACE OF USE - IRRIGATION (CURRENT AND PROPOSED)
-  PLACE OF USE - STOCKWATER (PROPOSED)

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APR 12 2017

Garden City Field Office
 Division of Water Resources

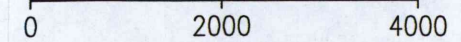


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APR 14 2017

KS DEPT OF AGRICULTURE

SCALE IN FEET



SCANNED

DRAWN	DLB	DATE
CHECKED	FCM	DATE
APPROVED	FCM	DATE
		3/17
		3/17
		3/17

CIMARRON CROSSING FEEDERS LLC
 SECTIONS 4&10 T26S R28W
 GRAY COUNTY, KANSAS

1700 E. IRON
 SALINA, KANSAS 67401
 (785) 823-0087
 1303 YUCCA STREET
 SCOTT CITY, KANSAS 67871
 (620) 872-2300



CAD FILE NAME:
 PLAN VIEW.dwg

SHEET NO. 1 OF 2



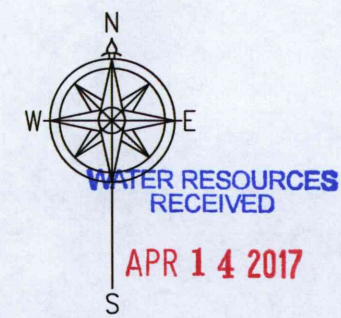
LEGEND

- OWNED POINT OF DIVERSION (IRR)
- OWNED POINT OF DIVERSION (STK)

RECEIVED

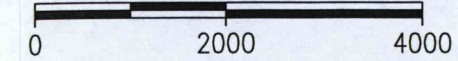
APR 12 2017

Garden City Field Office
Division of Water Resources



APR 14 2017

KS DEPT OF AGRICULTURE
SCALE IN FEET



SCANNED

DRAWN	DLB	DATE	3/17
CHECKED	FCM	DATE	3/17
APPROVED	FCM	DATE	3/17

CIMARRON CROSSING FEEDERS LLC
SECTIONS 4&10 T26S R28W
GRAY COUNTY, KANSAS

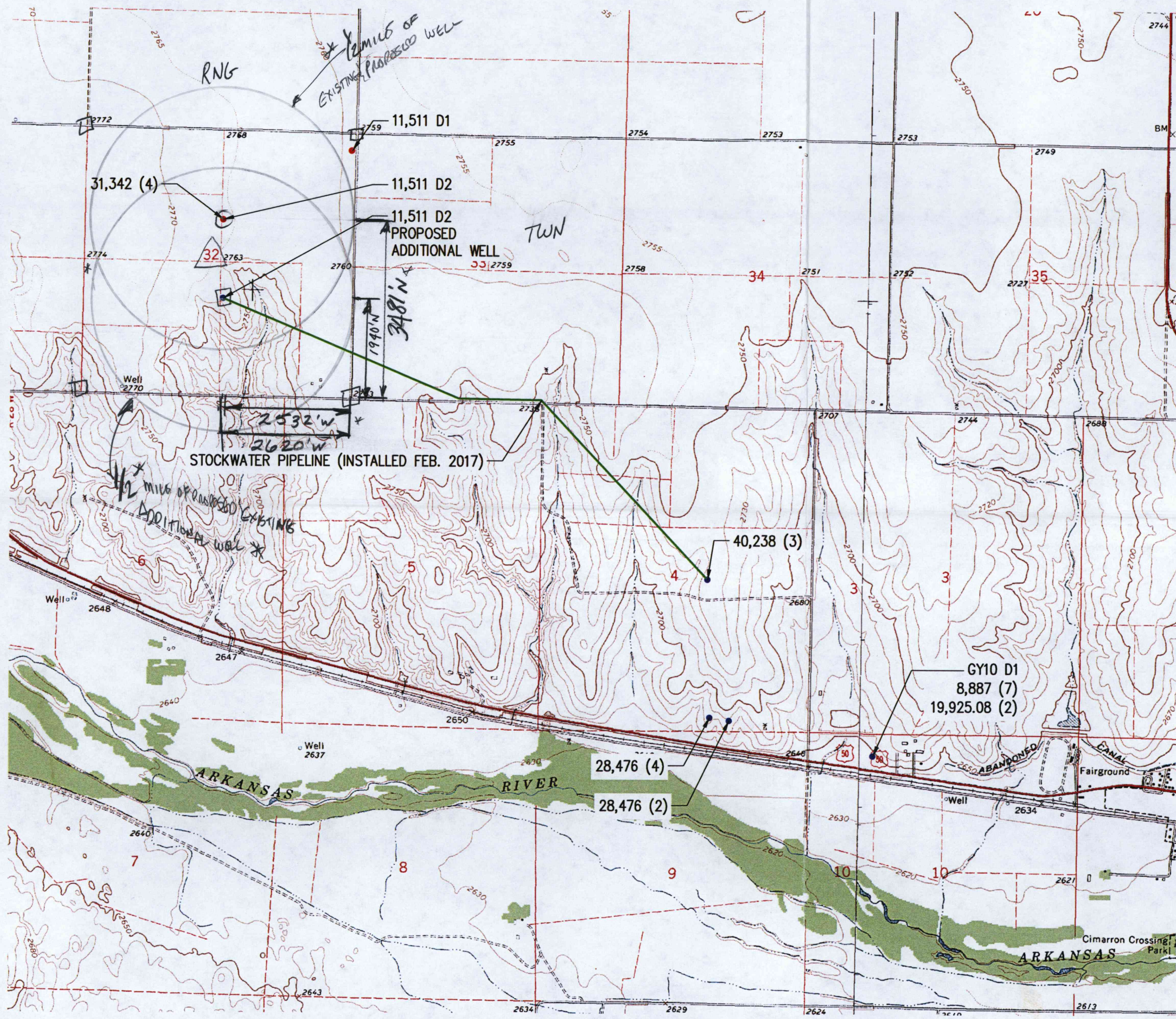
1700 E. IRON
SALINA, KANSAS 67401
(785) 823-0097
1303 YUCCA STREET
SCOTT CITY, KANSAS 67871
(620) 872-2300



CAD FILE NAME:
PLAN VIEW.dwg

SHEET NO. 1 OF 2

FILE NO. 11,511 D2 QUANTITY AND RATE MAP



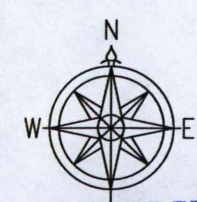
LEGEND

- OWNED POINT OF DIVERSION (IRR)
- OWNED POINT OF DIVERSION (STK)
- ⊙ AUTHORIZED FILE NO. 11511-D2
- ⊠ PROPOSED ADDITIONAL WELL FILE NO. 11,511-D2.
- * LI/DWA - 6/28/17

RECEIVED

APR 12 2017

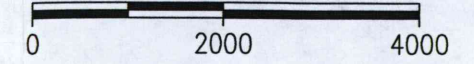
Garden City Field Office
Division of Water Resources



WATER RESOURCES RECEIVED

APR 14 2017

SCALE IN FEET OF AGRICULTURE



SCANNED
WELL
LOCATION MAP

DRAWN	DLB	DATE
CHECKED	FCM	DATE
APPROVED	FCM	DATE
		3/17
		3/17
		3/17

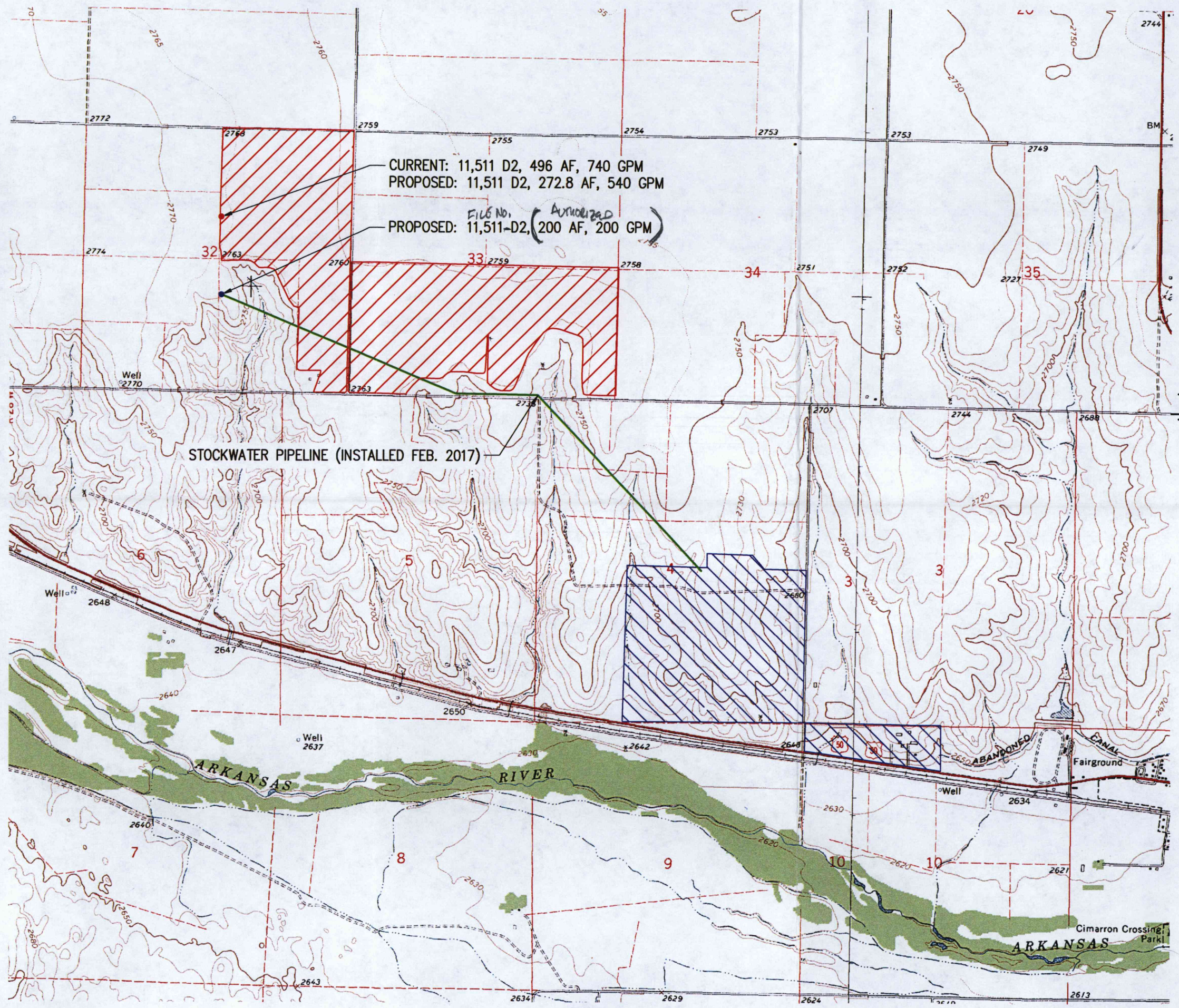
CIMARRON CROSSING FEEDERS LLC
SECTIONS 4&10 T26S R28W
GRAY COUNTY, KANSAS

1700 E. IRON
SALINA, KANSAS 67401
(785) 823-0097
1303 YUCCA STREET
SCOTT CITY, KANSAS 67871
(620) 872-2300



CAD FILE NAME:
PLAN VIEW.dwg

SHEET NO. 2 OF 2



CURRENT: 11,511 D2, 496 AF, 740 GPM
 PROPOSED: 11,511 D2, 272.8 AF, 540 GPM

PROPOSED: FILE NO. 11,511-D2, (AUTHORIZED) 200 AF, 200 GPM

STOCKWATER PIPELINE (INSTALLED FEB. 2017)

LEGEND

- OWNED POINT OF DIVERSION (IRR)
- OWNED POINT OF DIVERSION (STK)
- PLACE OF USE - IRRIGATION (CURRENT AND PROPOSED)
- PLACE OF USE - STOCKWATER (PROPOSED)

T25S
T26S

RECEIVED
APR 12 2017

Garden City Field Office
Division of Water Resources



WATER RESOURCES RECEIVED
APR 14 2017



KS DEPT OF AGRICULTURE

SCANNED

DRAWN	DLB	DATE	3/17
CHECKED	FCM	DATE	3/17
APPROVED	FCM	DATE	3/17

CIMARRON CROSSING FEEDERS LLC
 SECTIONS 4&10 T26S R28W
 GRAY COUNTY, KANSAS

1700 E. IRON
 SALINA, KANSAS 67401
 (785) 823-0097

1303 YUCCA STREET
 SCOTT CITY, KANSAS 67871
 (620) 872-2300

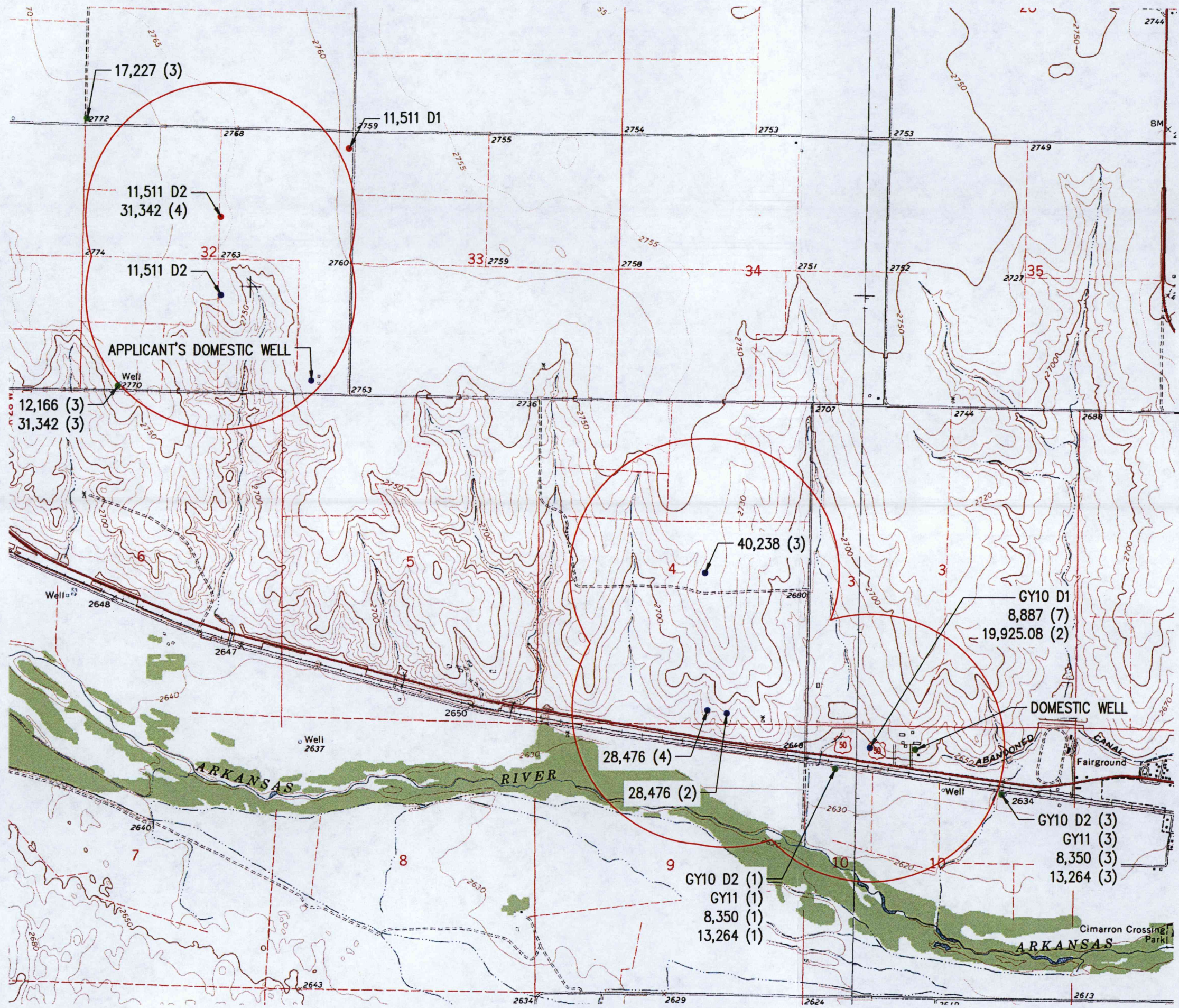


CAD FILE NAME:
PLAN VIEW.dwg

SHEET NO. 2 OF 2

R28W

FILE NO. 11,511 D2 PLACE OF USE MAP



LEGEND

- OWNED POINT OF DIVERSION (IRR)
- OWNED POINT OF DIVERSION (STK)
- NEIGHBORING POINT OF DIVERSION
- BOUNDARY OF 1/2 MILE SPACING FROM OWNED WELL

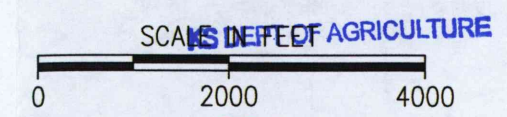
T25S
T26S

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APR 12 2017

Garden City Field Office
Division of Water Resources



WATER RESOURCES RECEIVED
APR 14 2017



SCANNED

DRAWN	DLB	DATE	3/17
CHECKED	FCM	DATE	3/17
APPROVED	FCM	DATE	3/17

CIMARRON CROSSING FEEDERS LLC
SECTIONS 4&10 T26S R28W
GRAY COUNTY, KANSAS

1700 E IRON
SALINA, KANSAS 67401
(785) 823-0097
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SCOTT CITY, KANSAS 67871
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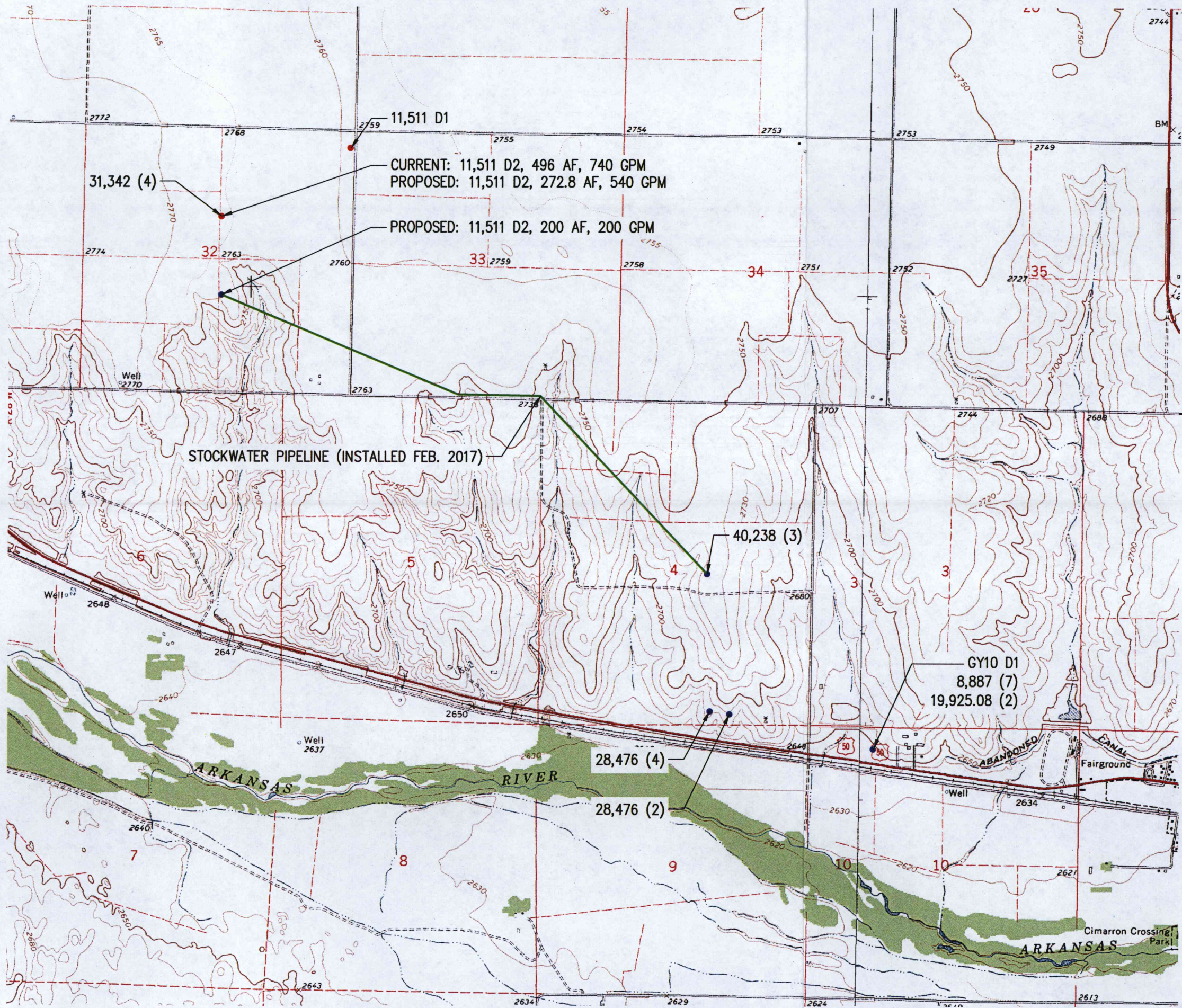


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SHEET NO. 2 OF 2

R28W

NEIGHBORING WELL MAP



LEGEND

- OWNED POINT OF DIVERSION (IRR)
- OWNED POINT OF DIVERSION (STK)

RECEIVED

APR 12 2017

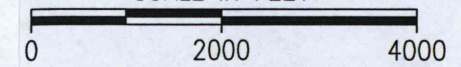
Garden City Field Office
 Division of Water Resources



WATER RESOURCES RECEIVED

APR 14 2017

KS DEPT OF AGRICULTURE



SCANNED

DRAWN	DLB	DATE
CHECKED	FCM	DATE
APPROVED	FCM	DATE
		3/17
		3/17
		3/17

CIMARRON CROSSING FEEDERS LLC

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SHEET NO. 2 OF 2