

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

1. File Number: <p style="text-align: center; font-size: 1.2em;">49,729</p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;">7/11/2017</p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">4</p>	4. GMD: <p style="text-align: center; font-size: 1.2em;">3</p>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
<p>7a. Applicant(s) Person ID <u>65308</u> New to system <input type="checkbox"/> Add Seq# <u>1</u></p> <p>PIONEER HI-BRED INTL 1455 E PARALLEL ROAD GARDEN CITY KS 67846</p> <p>7b. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p> <p>7a.</p>	<p>7c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p> <p>7d. Misc. Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>		
<p>8. WUR Correspondent Person ID _____ New to system <input type="checkbox"/> Add Seq# _____ Overlap File (s) WUC Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7a.</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input checked="" type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>		
10. Completion Date: <u>12/31/2018</u> 11. Perfection Date: <u>12/31/2037</u> 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
<p>Date Prepared: 6/15/2017 By: AM Date Entered: 7/12/2017 By: UM</p>			

File No. **49,729** 15. Formation Code: 211/341 Drainage Basin: Arkansas River County: Finney Special Use: Stream:

16. Points of Diversion										17. Rate and Quantity					
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		Overlap PD Files
											Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	
CHK	85735			SE SE SW	32	25S	32W	8	432	2824	50	3.91 (12 AF)	50	3.91 (12 AF)	NONE

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

19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

20. Meter Required? Yes No To be installed by **12/31/2018** Date Acceptable Meter Installed _____

21. Place of Use		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	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				
CHK	68114			32	25S	32W	6					Office Bldg. (SW)									7a.	NONE	

Comments:
ADD 15 AF EXCEPTION TO ACTION TRAIL & SPECIAL CONDITIONS

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files

DATE: June 15, 2017

FROM: Austin McColloch

RE: Application, File No. 49,729

Pioneer Hi-Bred Intl. has filed the above referenced application proposing to appropriate water at a maximum rate of 50 gallons per minute, and at 12 acre-feet per calendar year for municipal use. The applicant is requesting a 15 acre-feet exemption based on K.A.R. 5-23-4. The application was received in the Office of the Chief Engineer on November 14, 2016. The proposed application is in the drainage basin of the Arkansas River. The source of supply appears to be Ogallala/Dakota.

The point of diversion is located in the Southeast Quarter of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 32 more particularly described as being near a point 432 feet North and 2,824 feet West of the Southeast Quarter of said section, in Township 25 South, Range 32 West, Finney County, Kansas. There are no other 15 acre-feet exemption diversion works within two (2) miles of this point.

Two (2) wells within $\frac{1}{2}$ mile of the point of diversion were identified. One of the wells identified do not meet well spacing requirements as per K.A.R. 5-23-3. There appear to be one domestic well within a half mile as well. The two wells identified within a half mile of the proposed point of diversion are owned by John and Cynthia Lightner. In a letter that was submitted with the application, John and Cynthia Lightner expressed their knowledge of the diversion works and that they have no objection to the proposed new appropriation. In a letter of recommendation from GMD #3 a waiver of well spacing was requested due to the fact that it is dealing with a small quantity (12 AF) and the only neighboring wells have signed a letter stating they have no issue with the new water right. No other concerns or objections were received from the Districts notice letter that was sent to neighboring well owners or the nearby notice sent by the Division on May 26, 2017 to the domestic well owner.

The point of diversion is located within the boundary of Groundwater Management District No. 3. A letter was sent to GMD No. 3 for a recommendation on the application on May 10, 2017. GMD No. 3 provided a recommendation for approval on June 14, 2017 with the approval of the waiver of K.A.R. 5-23-3.

The application has been reviewed by Mike Meyer, Water Commissioner at the Garden City Field Office. In an email dated June 15, 2017, Mr. Meyer recommended the approval of the application.

In accordance with K.S.A. 82a-706(c), the Chief Engineer retains full authority to require any water user to install meters, gauges, or other measuring devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 thru K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. A proposed rate of 100 gallons per minute requires a water level measuring tube.

Based on the above discussion, approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.



Austin McColloch
Environmental Scientist

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

PIONEER HI-BRED INTL
1455 E PARALLEL ROAD
GARDEN CITY KS 67846

July 12, 2017

FILE COPY

RE: Appropriation of Water, File No. 49,729

Dear Sir or Madam:

There is enclosed a permit to appropriate water authorizing you to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit. A water meter is required and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed. All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time set forth in the permit to complete diversion works or to perfect an appropriation.

For any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which establish the extent of your water right.

If you have any questions, please contact me at (785) 564-6627. If you wish to discuss a specific file, please have the file number ready to that we may help you more efficiently.

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:am

Enclosures

pc: Garden City Field Office
Groundwater Management District No. 3



KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**

(This is not a Certificate of Appropriation)

This is to certify that I have examined Application **File No. 49,729** of the applicant

**PIONEER HI-BRED INTL
1455 E PARALLEL ROAD
GARDEN CITY KS 67846**

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

1. That the priority date assigned to such application is **November 14, 2016**.
2. That the water sought to be appropriated shall be used for municipal use in the Southwest Quarter (SW $\frac{1}{4}$) of Section 32, Township 25 South, Range 32 West, Finney County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Southeast Quarter of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$), of Section 32, more particularly described as being near a point 432 feet North and 2,824 feet West of the Southeast corner of said section, in Township 25 South, Range 32 West, Finney County, Kansas, located substantially as shown on the topographic map accompanying the application.
4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **50 gallons per minute (0.11 c.f.s.)** and to a quantity not to exceed **3.91 million gallons** (12 acre-feet) of water for any calendar year.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2018** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.
6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2037** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.
7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

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

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

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

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

13. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

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

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

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

17. That the Chief Engineer specifically retains jurisdiction in this matter with authority to make such reasonable reductions in the approved rate of diversion and quantity authorized to be perfected, and such changes in other terms, conditions, and limitations set forth in this approval and permit to proceed as may be deemed to be in the public interest.

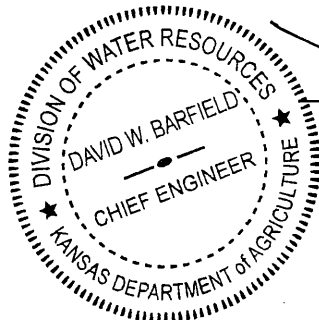
This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer, or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. The applicant, if aggrieved by this Order, may petition for administrative review, pursuant to K.S.A. 82a-711(c) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564-6777.

Ordered this 11th day of July, 2017, in Topeka, Shawnee County, Kansas.



David W. Barfield

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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 11th day of July, 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 12th day of July, 2017, I hereby certify that the foregoing Approval of Application, File No. 49,729, dated July 11, 2017 was mailed postage prepaid, first class, US mail to the following:

PIONEER HI-BRED INTL
1455 E PARALLEL ROAD
GARDEN CITY KS 67846

With photocopies to:

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: 49,729

FO: 4 GMD: 3

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
MUN	7/10/2017	153- New	STATEWIDE	Perfection Period	Progress Report
Rule Number	Date Granted	Date Denied	Justification:	Dealing with a small quantity (12 AF) with no projected increase in annual water use during the anticipated 20 year perfection period.	
K.A.R. 5-8-6(b)	7/11/2017				

WAIVER RULE:

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive
new	statewide	Perfection Period	Progress Report	KAR 5-8-6(b)	7/11/2017	

153

Date Prepared 7/10/2017 By AM

Date Entered 7/12/2017 By UM

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

File Number: 49,729

FO: 4 GMD: 3

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
MUN	6/15/2017	26	GMD 3	Well Spacing	Well to Well Spacing
Rule Number	Date Granted	Date Denied	Justification:	Dealing with a small quantity (12 AF) and only neighboring wells have signed letter stating they have no issue with the new water right. Recommended waiver request and approval from GMD 3.	
K.A.R. 5-23-3(a)(1)	7/11/17				

WAIVER RULE:

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive

Date Prepared 6/15/2017 By AM

Date Entered 7/12/2017 By UM

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. 5-8-6(b)

Date: 7/11/17

Re: Application of Appropriation, File No. 49,729

1. That K.A.R. 5-8-6(b) states in part, that each holder of a permit for municipal use of water shall submit a progress report to the Chief Engineer 10 full calendar years after the permit was issued, and the report shall compare the annual water use projected in the original application with the actual annual water use for the prior 10 years.
2. That information submitted with the application showed no projected increase in annual water use during the anticipated 20 year perfection period.
3. That the quantity requested is relatively low at 12 acre-feet.
4. That a waiver of K.A.R. 5-8-6(b) will not prejudicially or unreasonably affect the public interest and will not impair any existing water rights.

Comments:


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

THE STATE



OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

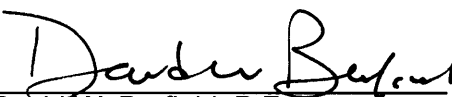
WAIVER OF REGULATION
K.A.R. 5-23-3(a)(1)

Date: 7/11/17

Re: Application of Appropriation, File No. 49,729

1. That K.A.R. 5-23-3(a)(1) states in part, that the minimum well spacing shall be based on the maximum annual quantity of water in acre-feet authorized and requested for the proposed well or authorized and requested by a senior application, permit or water right.
2. That the quantity requested by the proposed well is 12 acre-feet.
3. That the quantities authorized by Water Right, File Nos. 8,318 & 11,408 are 292 acre-feet & 296 acre-feet respectively.
4. That K.A.R. 5-23-3(a)(1) requires a minimum well spacing of 1,600 feet between wells authorized between 201 and 300 acre-feet.
5. That the proposed point of diversion, for File No. 49,729 and the wells authorized by File Nos. 8,318 & 11,408 are approximately 570 & 1,140 feet apart respectively.
5. That attached with the application was a letter from the two Water Right owners, John and Cynthia Lightner, stating that they did not have an issue with the application since it was for a small amount and supported the waiver.
6. That Southwest Groundwater Management District No. 3, Board of Directors recommended approval of the proposed application with a waiver of the spacing.
7. That a waiver of K.A.R. 5-23-3(a)(1) will not prejudicially or unreasonably affect the public interest and will not impair any existing water rights.

Comments:


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

Baum, Kristen

From: Meyer, Mike
Sent: Monday, July 10, 2017 11:41 AM
To: Baum, Kristen
Subject: RE: 49729 - Pioneer Hi-Bred

Yes I would agree since the only reason they applied for this is due to public drinking water as per KDHE

Mike

From: Baum, Kristen
Sent: Monday, July 10, 2017 11:40 AM
To: Meyer, Mike <Mike.Meyer@ks.gov>
Subject: 49729 - Pioneer Hi-Bred

Mike,

I was getting ready to send this one to David for signature. It looks like a good candidate for nixing the 10 year municipal reporting requirement, unless you object. We will probably make it a waiver of 5-8-6 (b).

Kristen A. Baum
Division of Water Resources – Water Appropriations
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan KS 66502
(785) 564-6627

My email address has changed: kristen.baum@ks.gov

APPLICATION COMPLETE
6/15/17
Reviewer AM

THE STATE OF KANSAS



WATER RESOURCES RECEIVED

NOV 14 2016

12:39

KS DEPT OF AGRICULTURE

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49,729
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

UNACCEPTABLE FOR PRIORITY
NOV 31 2016
12:59
KS DEPT OF AGRICULTURE

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

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

1. Name of Applicant (Please Print): Pioneer H, - Brock Intl.
Address: 1455 E Parallel Road
City: Garden City State KS Zip Code 67846
Telephone Number: () _____

2. The source of water is: surface water in _____ (stream)
OR groundwater in Ark River (drainage basin)

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

3. The maximum quantity of water desired is 12 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 50 gallons per minute OR _____ cubic feet per second.

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

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

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

For Office Use Only:
F.O. 4 GMD 3 Meets K.A.R. 5-3-1 (YES / NO) Use MUN Source (G)S County FI By AW Date 11/14/16
Code REG Fee \$ 200 TR # _____ Receipt Date 11/19/16 Check # 1130

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

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

- (A) One in the SE quarter of the SE quarter of the SW quarter of Section 32, more particularly described as being near a point 432 feet North and 2824 feet West of the Southeast corner of said section, in Township 25 South, Range 32 East/West (circle one), Finney County, Kansas.
- (B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

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

same as applicant Pioneer Hi-Bred Intl.

 (name, address and telephone number)

 (name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on Nov 7, 2016. Tom S Lee for DuPont Pioneer
We can provide legal deed if necessary Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of 1 well & discharge

 (number of wells, pumps or dams, etc.)
 and (was/will be) completed (by) As soon as possible

 (Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be _____
 (Mo/Day/Year)

9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
 Yes No If "yes", a check valve shall be required.

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

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

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

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required _____

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

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

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

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

None

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

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

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

14. The relationship of the applicant to the proposed place where the water will be used is that of owner
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):
Pioneer Hi-Bred Intl 1455 E. Parallel Road Garden City Ks
(name, address and telephone number) 67846
620-276-8149
(name, address and telephone number)

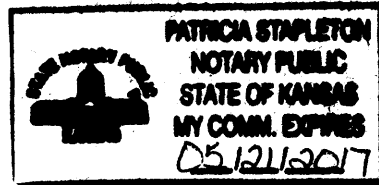
16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at Gm23 office, Kansas, this 26th day of October, 2016.
(month) (year)

[Signature]
(Applicant Signature)

By Patricia Stapleton
(Agent or Officer Signature)

Patricia Stapleton
(Agent or Officer - Please Print)



Assisted by [Signature] Gm23 Date: 10/26/16
(office/title)

Applicant's Name _____
(Please Print)

MUNICIPAL (PUBLIC WATER SUPPLY) APPLICATION SUPPLEMENTAL INFORMATION SHEET

Application File Number

(assigned by DWR)

SECTION 1: PRESENT WATER USE SUMMARY (IF NO PREVIOUS MUNICIPAL WATER USE HAS BEEN UTILIZED, PROCEED TO SECTION 3)
NOTE: WORKSHEET FOR WATER PUMPED, PURCHASED, AND SOLD BY YOUR WATER DISTRIBUTION SYSTEM.

Column 1 Raw Water Diverted Under Your Rights	Column 2 Water Purchased From All Sources	Column 3 Water Sold to Other Public Water Suppliers	Column 4 Water Sold to Your Industrial, Stock, and Bulk Customers	Column 5 Water Sold to Your Residential and Commercial Customers	Column 6 Other Metered Water	Column 7 Remaining Water Used (See Below Explanation)
TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6				UNACCOUNTED FOR WATER

UNACCOUNTED FOR WATER = TOTAL WATER - ACCOUNTED FOR WATER

- Column 1: The amount of raw water diverted from all of your points of diversion.
- Column 2: The amount of water purchased wholesale from all other public water supply systems or the Kansas Water Office.
- Column 3: The amount of water sold wholesale to all other public water supply systems.
- Column 4: The amount of water sold retail to all industrial, pasture, stockwater, feedlot, and bulk water service connections. Include the amount of water sold to all farmsteads using at least 200,000 gallons of water per year.
- Column 5: The amount of water sold retail to your residential and commercial customers and to industries and farmsteads using less than 200,000 gallons of water per year.
- Column 6: The amount of water used that is metered at individual service connections and supplied free, such as for public service, treatment processes, and connections receiving free water.
- Column 7: The amount of remaining water used. The gallons reported in this column are found by adding the numbers in Columns 1 and 2 and subtracting the numbers in Columns 3, 4, 5, and 6.

UNACCOUNTED FOR WATER

Use the following to calculate your distribution system's Unaccounted For Water:

Start with the amount in Column 1 and add the amount in Column 2, then subtract the amounts in Columns 3, 4, 5, and 6 leaving an amount of water representing your unaccounted for water to enter in Column 7.

Use the following to calculate the percent Unaccounted For Water versus the Total Water of your system:

$$\text{Percent Unaccounted For Water} = \frac{\text{Unaccounted For Water}}{\text{Total Water (Columns 1,2)}} \times 100$$

If this number exceeds 20%, please explain the large amount of unaccounted for water and describe any steps being taken to reduce it.

SECTION 2: PAST WATER USE

COMPLETE THE FOLLOWING TABLE FROM YOUR PAST WATER USE RECORDS.

Column 1 Raw Water Diverted Under Your Rights	Column 2 Water Purchased From All Sources	Column 3 Water Sold to Other Public Water Suppliers	Column 4 Water Sold to Your Industrial, Stock, and Bulk Customers	Column 5 Water Sold to Your Residential and Commercial Customers	Column 6 Other Metered Water	Column 7 Remaining Water Used (See Above Explanation)
20 years ago						
15 years ago						
10 years ago						
5 years ago						
TOTAL WATER = Columns 1 + 2		ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6				UNACCOUNTED FOR WATER

SECTION 3: PROJECTED FUTURE WATER NEEDS

PLEASE COMPLETE THE FOLLOWING TABLE SHOWING YOUR FUTURE WATER REQUIREMENTS FOR THE NEXT 20 YEARS:

	Column 1 Raw Water Diverted Under Your Rights	Column 2 Water Purchased From All Sources	Column 3 Water Sold to Other Public Water Suppliers	Column 4 Water Sold to Your Industrial, Stock, and Bulk Customers	Column 5 Water Sold to Your Residential and Commercial Customers	Column 6 Other Metered Water	Column 7 Remaining Water Used (See Explanation on other side)
Year 5	3.9 mgy						
Year 10							
Year 15							
Year 20							
TOTAL WATER = Columns 1 + 2			ACCOUNTED FOR WATER = Columns 3 + 4 + 5 + 6			UNACCOUNTED FOR WATER	

SECTION 4: POPULATION AND SERVICE CONNECTIONS

ESTIMATE THE NUMBER OF PERSONS DIRECTLY SERVED BY YOUR WATER DISTRIBUTION SYSTEM

PAST POPULATION - PROVIDE INFORMATION BELOW:
(CENSUS BUREAU INFORMATION)

LAST 20 YEARS	POPULATION
20 years ago	
15 years ago	
10 years ago	
5 years ago	
Last Year	

PROJECTED FUTURE POPULATION

ESTIMATE FUTURE POPULATION AND SUBSTANTIATE NUMBERS ON SEPARATE ATTACHMENT

NEXT 20 YEARS	POPULATION
Year 5	120
Year 10	
Year 15	
Year 20	

Provide number of current active service connections:

_____ Residential _____ Industrial _____ Other (specify) _____
 _____ Commercial _____ Pasture/ Stockwater/ Feedlot _____ Total

SECTION 5: PRESENT GALLONS PER PERSON PER DAY

CALCULATE YOUR GALLONS PER PERSON PER DAY

Water in Columns 5, 6, and 7 ÷ Population ÷ 365 Days/Year = Gallons per Person per Day

$$\frac{3.9 \text{ mgy}}{\text{Amount of water in Columns 5, 6, and 7 of Section 1}} \div \frac{120}{\text{Population from Last Year of Section 4}} \div 365 \text{ Days/Year} = \underline{\sim 90} \text{ GALLONS PER PERSON PER DAY.}$$

Seasonal number of employees will vary between 25-100 dependent upon month.

SECTION 6: AREA TO BE SERVED

Describe the area to be served or provide the legal description of the location where the water is to be used including any other city of water supply system (i.e. Rural Water District): _____

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

WATER RESOURCES RECEIVED UNACCEPTABLE FOR PRIORITY

OCT 31 2016

WATER RESOURCES RECEIVED

NOV 14 2016

SCANNED

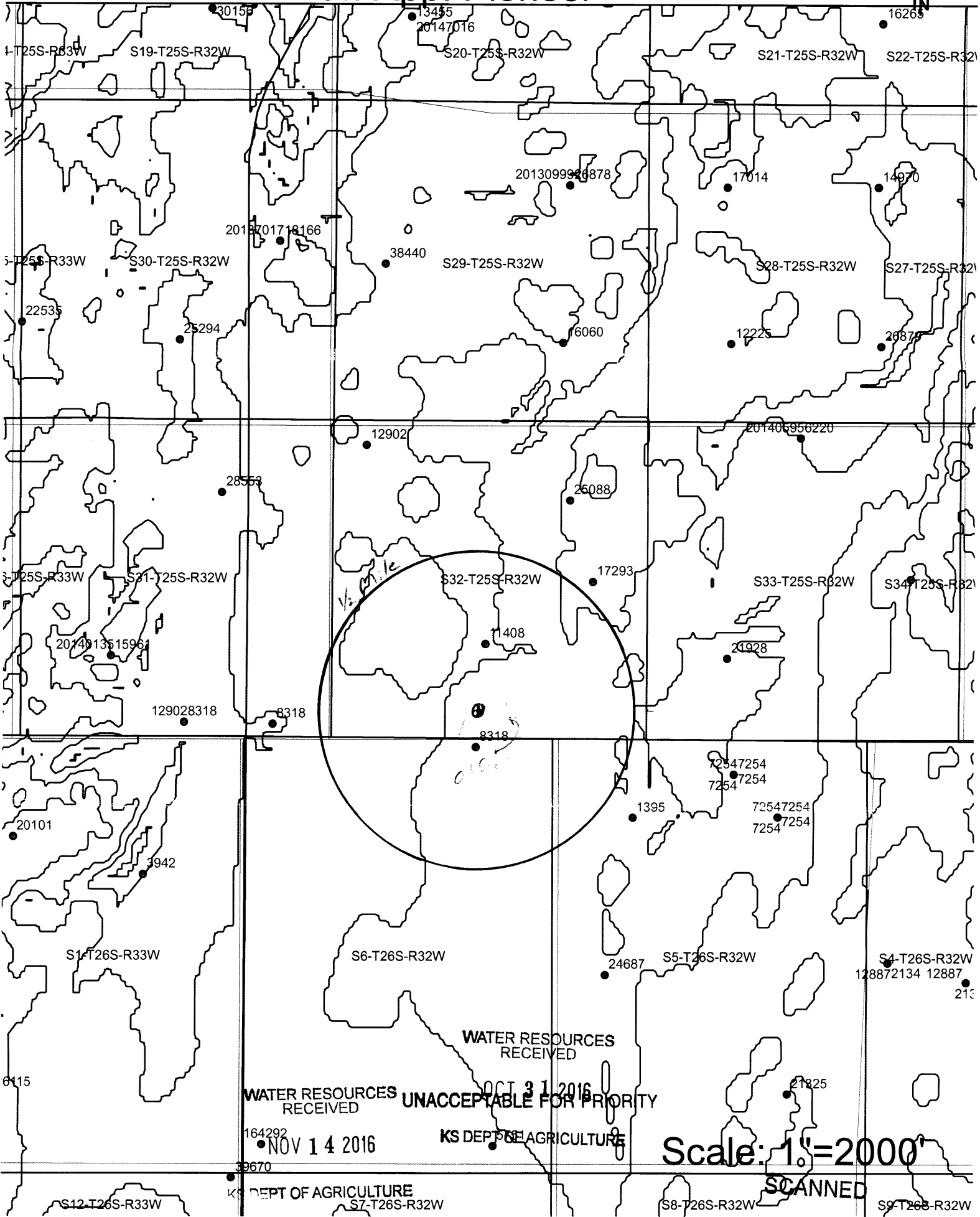
KS DEPT OF AGRICULTURE

KS DEPT OF AGRICULTURE

49,729

49,729

New App. Pioneer



Parcel numbers: 30159, 13455, 20147016, 16265, 20130999, 26878, 17014, 14970, 20137017, 18166, 38440, 22535, 25294, 6060, 12225, 26878, 12902, 28553, 25088, 17293, 201405956, 220, 20140135, 15961, 129028318, 8318, 1408, 21928, 20101, 3942, 72547254, 7254, 72547254, 7254, 1395, 24687, 21825, 6115, 164292, 39670, 128872134, 12887, 213.

Grid coordinates: 1-T25S-R33W, S19-T25S-R32W, S20-T25S-R32W, S21-T25S-R32W, S22-T25S-R32W, 5-T25S-R33W, S30-T25S-R32W, S29-T25S-R32W, S28-T25S-R32W, S27-T25S-R32W, 3-T25S-R33W, S31-T25S-R32W, S32-T25S-R32W, S33-T25S-R32W, S34-T25S-R32W, S1-T26S-R33W, S6-T26S-R32W, S5-T26S-R32W, S4-T26S-R32W, S12-T26S-R33W, S7-T26S-R32W, S8-T26S-R32W, S9-T26S-R32W.

Annotations: WATER RESOURCES RECEIVED, UNACCEPTABLE FOR PRIORITY, OCT 31 2016, NOV 14 2016, KS DEPT OF AGRICULTURE, Scale: 1"=2000", SCANNED.

McColloch, Austin

From: Meyer, Mike
Sent: Thursday, June 15, 2017 11:07 AM
To: McColloch, Austin
Subject: RE: Recommendation New Application File No. 49,729

Please describe the source of supply (Ogallala/Dakota)
And then approve as recommended
thanks

Mike

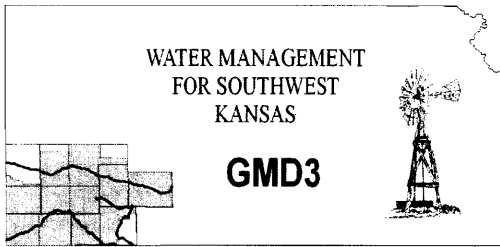
From: McColloch, Austin
Sent: Thursday, June 15, 2017 9:37 AM
To: Meyer, Mike <Mike.Meyer@ks.gov>
Cc: Makens, Thom <Thom.Makens@ks.gov>
Subject: Recommendation New Application File No. 49,729

Mike,

Attached is my draft memo for File No. 49,729 submitted by Pioneer Hi-Bred Intl. They are requesting a 15 AF exemption and waiver of well spacing. GMD 3 reviewed the application and approved of both. Let me know if you have any questions.

Thanks,

Austin McColloch
Environmental Scientist
Ph: (785) 564-6643



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 14, 2017

Austin J. McColloch
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

RE: New Application
Water Appropriation, File No. 49729

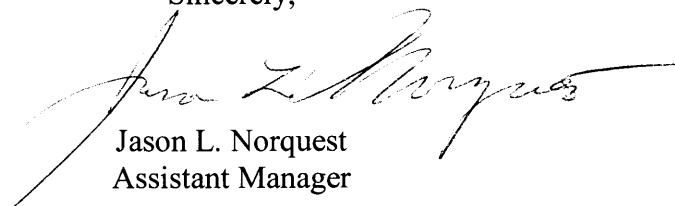
Dear Austin:

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

Travis Lee and Lora Norquest were in attendance representing their office as the applicant. With the new facility Pioneer Hybrid built, it was originally thought that a domestic well was all that was needed. Once they got further into the process, KDHE determined that they would have to have the well equipped to municipal water supply standards. Mrs. Norquest that this was primarily due to two month's in the summer when they hire part time staff for pollination of their research plots. The rest of the year they only have a select number of full time employees. The well that does not meet spacing is currently in a long term lease with Pioneer Hybrid and they also had a letter from the actual owner, Mr. Lightner, of the well stated that he had no objection to this proposed application. No other concerns or objections were received from the District notice letter that was sent to neighboring well owners. After further discussion, the Board moved to allow a waiver to the spacing since the application is for a small amount of water and the well in question had support from the owner and is also in a long term lease with the applicant. It is therefore recommended that a waiver to K.A.R. 5-23-3 be granted and the application be approved at this time.

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 RESOURCES
RECEIVED

JUN 19 2017

KS DEPT OF AGRICULTURE



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 26, 2017

FILE COPY

MARTIN NUSSER
1735 E PARALLEL RD
GARDEN CITY KS 67846

Re: New Application,
File No. 49,729

Dear Mr. Nusser:

This is to advise you that Pioneer Hi-Bred Intel. has filed the application referred to above for permit to appropriate 12 acre-feet of water per calendar year for municipal use to be diverted at a maximum rate of 50 gallons per minute from a well located as follows:

one (1) well located in the Southeast Quarter of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 32, more particularly described as being near a point 432 feet North and 2,824 feet West of the Southeast corner of said section, in Township 25 South, Range 32 West, Finney County, Kansas.

A copy of an aerial photograph depicting the location of the proposed point of diversion is also enclosed. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location(s) of the applicant's point(s) of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office within 15 days from the date of this letter.

If you have any questions, please contact me at (785) 564-6643. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Austin J. McColloch
Environmental Scientist
Water Appropriation Program

Enclosure(s)

pc: Garden City Field Office



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 10, 2017

FILE COPY

GROUNDWATER MANAGEMENT DISTRICT #3
2009 E SPRUCE ST
GARDEN CITY KANSAS 67846

Re: New Application,
File No. 49,729

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Pioneer Hi-Bred Intl. and appears to be in proper form, for your review.

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 this application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (785) 564-6643. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,

Austin McColloch
Environmental Scientist
Water Appropriation Program

Enclosure
pc: Garden City Field Office

APR 21 2017

KS DEPT OF AGRICULTURE

Date: 4-19-17

KANSAS DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
DAVID BARFIELD, P.E., CHIEF ENGINEER
109 SW 9 TH STREET
TOPEKA, KS 66612-1283

RE:New Appropriation: Application File
No.48,728

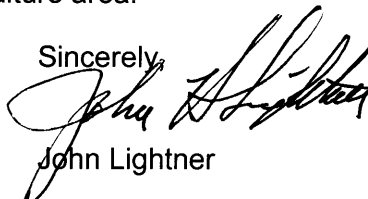
Dear Mr. Barfield, P. E.:

This is to advise you that I have no objection to the proposed new appropriation Pioneer Hi-Bred Intl. is seeking to authorize a new well for industrial use, with the well located at:

one (1) new well located in the Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 32 more particularly described as being near a point 432 feet North and 2,824 feet West of the Southeast corner of said section in Township 25 South, Range 32 West, Finney County, Kansas.

I feel the small requested amount will not have an effect on our wells and believe that the intended use would be of benefit to the agriculture area.

Sincerely,



John Lightner

SCANNED

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49729 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49729 00 MUN

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

432 Feet North and 2824 Feet West of the Southeast Corner of Section 32 T 25S R 32W

GROUNDWATER ONLY

=====

File Number	Use	ST	SR	Dist (mi)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 164 00	IRR	NK	G	1.52	--	SW	SW	SW	473	4820	6	26	32W	4		200.00	200.00	AF
A__ 292 00	IRR	NK	G	1.52	--	SW	SW	SW	473	4820	6	26	32W	4		300.00	300.00	AF
A__ 1395 A	IRR	NK	G	.59	--	--	--	--	5921	3924	5	26	32W	6		255.00	255.00	AF
A__ 2134 00	IRR	NK	G	1.53	--	NW	SW	NW	3510	4928	4	26	32W	5		628.00	628.00	AF
Same				1.77	--	SW	SE	NW	3190	3622	4	26	32W	6				
A__ 3942 00	IRR	NK	G	1.18	--	--	--	--	4950	1690	1	26	33W	5		508.00	508.00	AF
A__ 5751 00	IRR	NK	G	1.37	--	SW	SE	SE	-----	-----	6	26	32W	2		800.00	800.00	AF
A__ 6220 00	IRR	NK	G	1.32	--	NE	NE	NW	5000	2750	33	25	32W	4		156.00	156.00	AF
A__ 7254 00	IRR	NK	G	1.01	--	--	--	--	5941	1485	5	26	32W	2		438.78	438.78	AF
A__ 7254 00	STK	NK	G	.84	--	--	--	--	6650	2220	5	26	32W	5		8.01	8.01	AF
A__ 7554 D1	STK	NK	G	2.00	--	NE	NE	SE	2487	388	7	26	32W	1		100.02	100.02	AF
A__ 7554 D2	IRR	NK	G	2.00	--	NE	NE	SE	2487	388	7	26	32W	1		252.00	252.00	AF
A__ 8318 00	IRR	NK	G	.90	--	SW	SW	SE	200	2290	31	25	32W	1		442.00	442.00	AF
Same				.65	--	SW	SE	SE	200	980	31	25	32W	2		643.00	643.00	AF
Same				.15	--	--	--	--	6880	1280	6	26	32W	3		292.00	292.00	AF
A__ 11408 00	IRR	NK	G	.22	--	SE	NE	SW	1570	2700	32	25	32W	1		296.00	296.00	AF
A__ 12225 00	IRR	NK	G	1.42	--	--	NC	SW	1320	3850	28	25	32W	7		252.00	252.00	AF
A__ 12887 00	IRR	NK	G	1.53	--	NW	SW	NW	3510	4928	4	26	32W	5		14.00	14.00	AF
Same				1.77	--	SW	SE	NW	3190	3622	4	26	32W	6		28.00	28.00	AF
A__ 12902 00	IRR	NK	G	.90	--	SW	SW	SE	200	2290	31	25	32W	1		44.00	44.00	AF
Same				.94	--	NW	NW	NW	4925	4980	32	25	32W	6		311.31	311.31	AF
A__ 14151 00	IRR	NK	G	1.96	--	--	NC	S2	1350	2640	36	25	33W	5		260.00	260.00	AF
A__ 15961 00	IRR	NK	G	1.18	--	--	NC	SW	1320	3730	31	25	32W	5		252.00	252.00	AF
A__ 16060 00	IRR	NK	G	1.20	--	--	NC	SE	1320	1420	29	25	32W	4		267.00	267.00	AF
A__ 17014 00	IRR	NK	G	1.82	--	NE	SW	NW	3863	3995	28	25	32W	9		256.00	256.00	AF
A__ 17293 00	IRR	NK	G	.54	--	NW	NE	SE	2550	940	32	25	32W	7		290.00	290.00	AF
A__ 18166 00	IRR	NK	G	1.60	NC	S2	SE	NE	2953	660	30	25	32W	4		280.00	280.00	AF
A__ 20101 00	IRR	NK	G	1.53	--	--	--	--	5618	3855	1	26	33W	6		481.00	481.00	AF
A__ 21325 00	IRR	NK	G	1.56	--	--	NC	SE	1320	1320	5	26	32W	3		260.00	260.00	AF
A__ 21928 00	IRR	NK	G	.80	--	--	NC	SW	1300	3940	33	25	32W	2		272.00	272.00	AF
A__ 22535 00	IRR	NK	G	1.91	--	--	--	--	1620	5250	30	25	32W	5		260.00	260.00	AF
A__ 24687 00	IRR	NK	G	.92	--	NE	SW	NW	3306	4381	5	26	32W	4		516.00	516.00	AF
A__ 25088 00	IRR	NK	G	.73	--	--	NC	NE	3960	1290	32	25	32W	3		284.00	284.00	AF
A__ 25294 00	IRR	NK	G	1.52	--	--	--	SE	1350	2600	30	25	32W	3		360.00	360.00	AF
A__ 26115 00	IRR	NK	G	1.95	--	SE	NW	SW	1344	4195	1	26	33W	7		244.00	244.00	AF
A__ 26168 00	IRR	NK	G	1.78	--	--	NC	SW	1320	3960	34	25	32W	3		260.00	260.00	AF
Same				1.74	--	--	--	CN	7100	2640	4	26	32W	4		321.00	321.00	AF
A__ 26671 01	STK	NK	G	.84	--	--	--	--	6650	2220	5	26	32W	5		42.01	42.01	AF
A__ 26878 00	IRR	NK	G	1.69	--	--	NC	NE	3960	1320	29	25	32W	2		272.00	272.00	AF
A__ 26879 00	IRR	NK	G	1.72	--	NE	SW	SE	1305	1360	28	25	32W	10		124.00	124.00	AF
A__ 28276 00	IRR	NK	G	1.44	--	CS	SE	NE	2680	810	33	25	32W	3		520.00	520.00	AF
Same				1.89	--	--	NC	NW	3960	3950	34	25	32W	4		260.00	260.00	AF
A__ 28553 00	IRR	NK	G	1.07	--	SE	NW	NE	4050	1850	31	25	32W	4		707.00	.00	AF
A__ 38440 00	IRR	NK	G	1.45	NC	E2	W2	W2	2640	4400	29	25	32W	3		95.00	95.00	AF

A__	39670	00	MUN LR G	1.66	--	NE NE NE	5220	145	12	26	33W	6	3.44	3.44	AF
A__	49729	00	MUN AY G	.00	--	SE SE SW	432	2824	32	25	32W	8	12.00	12.00	AF
T__	20137017	MF	IRR GY G	1.60	NC	S2 SE NE	2953	660	30	25	32W	4	1400.00	.00	AF

```

=====
Total Net Quantities Authorized:  Direct      Storage
Total Requested Amount (AF) =      12.00      .00
Total Permitted Amount (AF) =         .00      .00
Total Inspected Amount (AF) =       3.44      .00
Total Pro_Cert Amount (AF) =         .00      .00
Total Certified Amount (AF) =    12144.12      .00
Total Vested Amount (AF) =          .00      .00
TOTAL AMOUNT (AF) =    12159.56      .00
    
```

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

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

432 Feet North and 2824 Feet West of the Southeast Corner of Section 32 T 25S R 32W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

- ```

=====
File Number Use ST SR
A__ 164 00 IRR NK G
> MARK PARR
> 6770 E TV RD
>
> GARDEN CITY KS 67846
>-----
A__ 292 00 IRR NK G
> MARK PARR
> 6770 E TV RD
>
> GARDEN CITY KS 67846
>-----
A__ 1395 A IRR NK G
> TRIANGLE H GRAIN & CATTLE CO
>
> 1955 W PLYMELL RD
> GARDEN CITY KS 67846
>-----
A__ 2134 00 IRR NK G
> GENE HEIMAN ENTERPRISES LP
>
> 9460 S COUNTY ROAD 15
> GARDEN CITY KS 67846
>-----
A__ 3942 00 IRR NK G
> RAYMOND R & LOIS LEE JOHNSTON
>
> 9665 S US HIGHWAY 83
> GARDEN CITY KS 67846

```

Neighboring certified wells within half mile.

8318: Owned by John & Cynthia Lightner

9855 S US Highway 83

Garden City, KS 67846

This well is currently operated by Pioneer Hi-Bred and has a long term lease on it.

11408: Owned by John & Cynthia Lightner

Domestic well: Martin Nusser JR

1735 E Parallel RD

Garden City, KS 67846

WATER RESOURCES  
RECEIVED

NOV 14 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES  
RECEIVED

UNACCEPTABLE FOR PRIORITY  
OCT 5 2016

KS DEPT OF AGRICULTURE

SCANNED

49,729

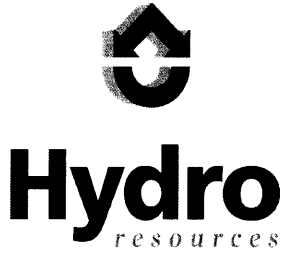
3795 W. Jones Ave.  
 Garden City, KS 67846  
 PH: 620-277-2389



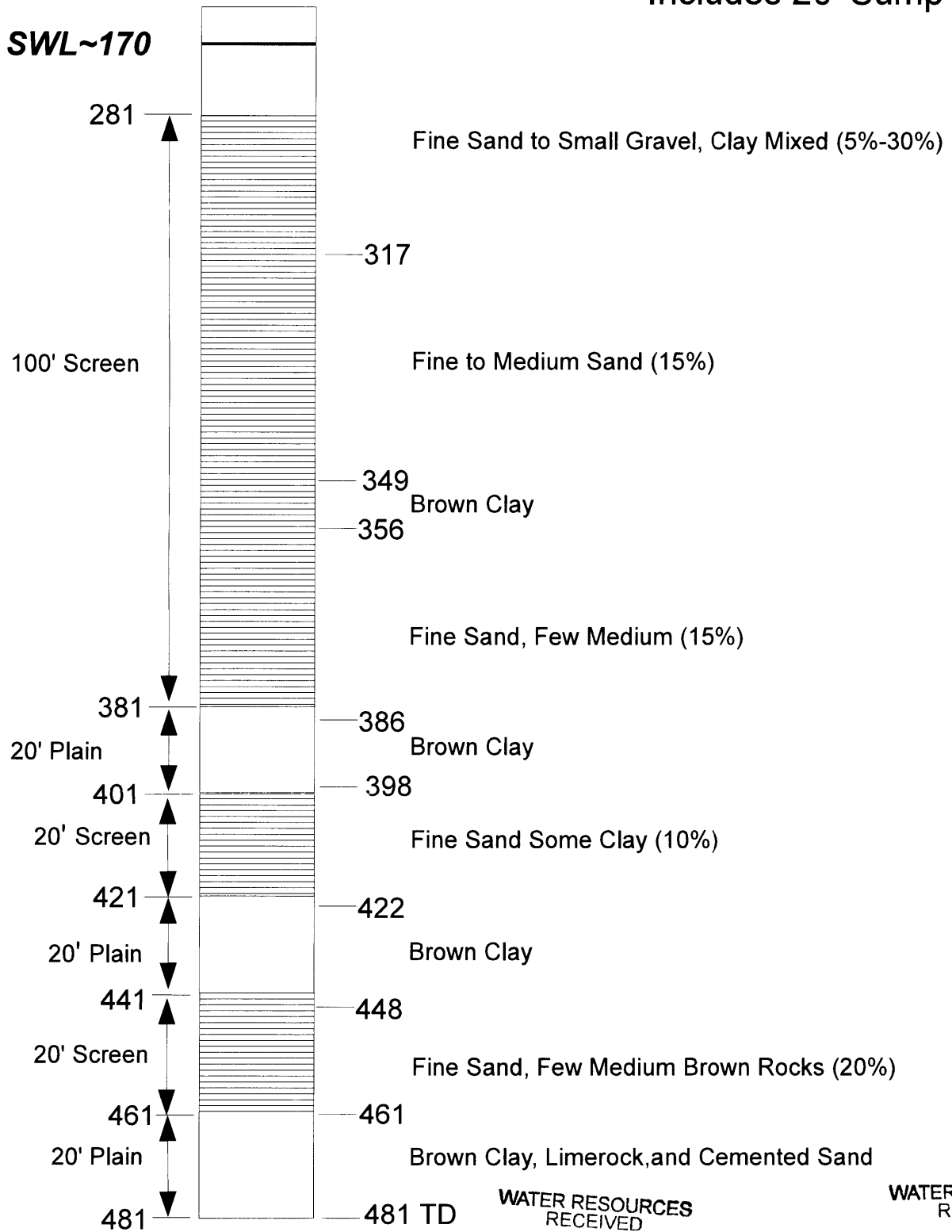
PO Box 639  
 Garden City, KS 67846  
 Fax: 620-277-0224

Customer Name: Crossland Construction WO#: 11150 Date: 09/16/16  
 Street Address: PO Box 45 Test #: 1 E LOG: No  
 City, State: Columbus, KS 66725 Driller: David Frizzell  
 County: Fl Quarter: SW Section: 32 Township: 25 Range: 32  
 Location: GPS: 37.83070, -100.85664  
 Rig #: 10001 Elevation: 2874 Static WL: 170 Estimated? Yes  
 Proposed Well Depth 481

| %  | Footage |     |     | Description of Strata                                                                 |
|----|---------|-----|-----|---------------------------------------------------------------------------------------|
|    | From    | Pay | To  |                                                                                       |
|    | 0       |     | 2   | Surface                                                                               |
|    | 2       |     | 21  | Brown clay(firm) caliche                                                              |
|    | 21      |     | 40  | Sand, fine to med, coarse, small gravel                                               |
|    | 40      |     | 81  | Sand, fine to med, coarse, small to large gravel, few ledges, thin clays              |
|    | 81      |     | 134 | Sand, fine to me coarse small to large gravel, cobblestones, ledges,(used some water) |
|    | 134     |     | 139 | Blue-Yellow clay                                                                      |
|    | 139     |     | 178 | Blue clay( sticky)                                                                    |
|    | 178     |     | 196 | Blue clay(sticky), some blue sand                                                     |
|    | 196     |     | 209 | Blue clay( sticky)                                                                    |
|    | 209     |     | 219 | Blown clay (firm and sticky), few sand                                                |
|    | 219     |     | 235 | Brown-white clay, limerock, cemented sand                                             |
| 20 | 235     | 9   | 244 | Sand, fine to med, few coarse                                                         |
|    | 244     |     | 250 | Brown clay                                                                            |
| 15 | 250     | 9   | 259 | Sand, fine to small, few med                                                          |
| 10 | 259     | 5   | 264 | Sand, fine (tight)                                                                    |
| 5  | 264     | 11  | 275 | sand, fine, clays mixed                                                               |
| 10 | 275     | 13  | 288 | Sand, fine                                                                            |
| 15 | 288     | 7   | 295 | Sand, fine to small                                                                   |
| 30 | 295     | 14  | 309 | Sand, fine to small, med, coarse, few small gravel                                    |
|    | 309     |     | 317 | Brown clay                                                                            |
| 15 | 317     | 32  | 349 | Sand, fine to small, few med                                                          |
|    | 349     |     | 356 | Brown clay                                                                            |
| 15 | 356     | 30  | 386 | Sand, fine to small, few med                                                          |
|    | 386     |     | 398 | Brown clay, few sand                                                                  |
| 10 | 398     | 24  | 422 | Sand, fine, some clays (tight)                                                        |
|    | 422     |     | 448 | Brown clay, few fine sand ( tight and sticky)                                         |
| 20 | 448     | 13  | 461 | Sand, fine to small, few med few tiny brown and white rock, ledges                    |
|    | 461     |     | 475 | Brown clay, limerock, cemented sand                                                   |
|    | 475     |     | 494 | Soapstone, limestone, few shale                                                       |
|    | 494     |     | 510 | Grey shale, limestone (hard)                                                          |
|    | 510     |     |     | TD                                                                                    |
|    |         |     |     | Test Rig Set Up West<br>Pit to North                                                  |
|    |         |     |     | 7 Super Gel-X                                                                         |
|    |         |     |     | 5 Grout                                                                               |
|    |         |     |     | 5 Bentonite                                                                           |
|    |         |     |     | 1 Perma Plug                                                                          |
|    |         |     |     | 1 4 3/4" Bit                                                                          |
|    |         |     |     | 1 Soda Ash                                                                            |
|    |         |     |     | WATER RESOURCES RECEIVED                                                              |
|    |         |     |     | WATER RESOURCES RECEIVED                                                              |
|    |         |     |     | NOV 14 2016 UNACCEPTABLE FOR PRIORITY                                                 |



Crossland Construction  
SW 32-25-32 FI  
Test Hole #1 of 9/16/16  
Proposed Well Design  
Total Depth 481'  
Includes 20' Sump



WATER RESOURCES RECEIVED

WATER RESOURCES RECEIVED

NOV 14 2016

UNACCEPTABLE FOR PRIORITY

OCT 31 2016

SCANNED

F04

RECEIVED

APR 28 2017

Topeka Field Office  
DIVISION OF WATER RESOURCES

4.13.2017

(Date)

WATER RESOURCES  
RECEIVED

APR 20 2017

KS DEPT OF AGRICULTURE

Kansas Department of Agriculture  
Division of Water Resources  
David W. Barfield, Chief Engineer  
1320 Research Park Drive  
Manhattan, Kansas 66502

Re: Application File No. ~~48,728~~ 49,729 \*  
Minimum Desirable Streamflow DWS/DWR  
5/1/17

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

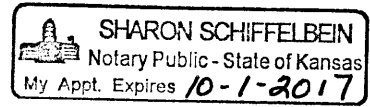
I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Travis J Lee for DuPont  
Pisnee  
Signature of Applicant

State of Kansas )  
County of Funney ) ss

Travis J Lee  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 13<sup>th</sup> day of April, 2017.



Sharon Schiffelbein  
Notary Public

My Commission Expires:  
10-1-2017

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

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

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

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



1320 Research Park Drive  
Manhattan, Kansas 66502  
Jackie McClaskey, Secretary



Phone: (785) 564-6700  
Fax: (785) 564-6777  
Email: ksag@kda.ks.gov  
www.agriculture.ks.gov  
Sam Brownback, Governor

November 16, 2016

PIONEER HI-BRED INTL  
1455 E PARALLEL ROAD  
GARDEN CITY KS 67846

**FILE COPY**

RE: Application  
File No. 49729

Dear Sir or Madam:

Your application for permit to appropriate water in 32-25S-32W in Finney County, was received and has been assigned the file number noted above.

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. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. 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.

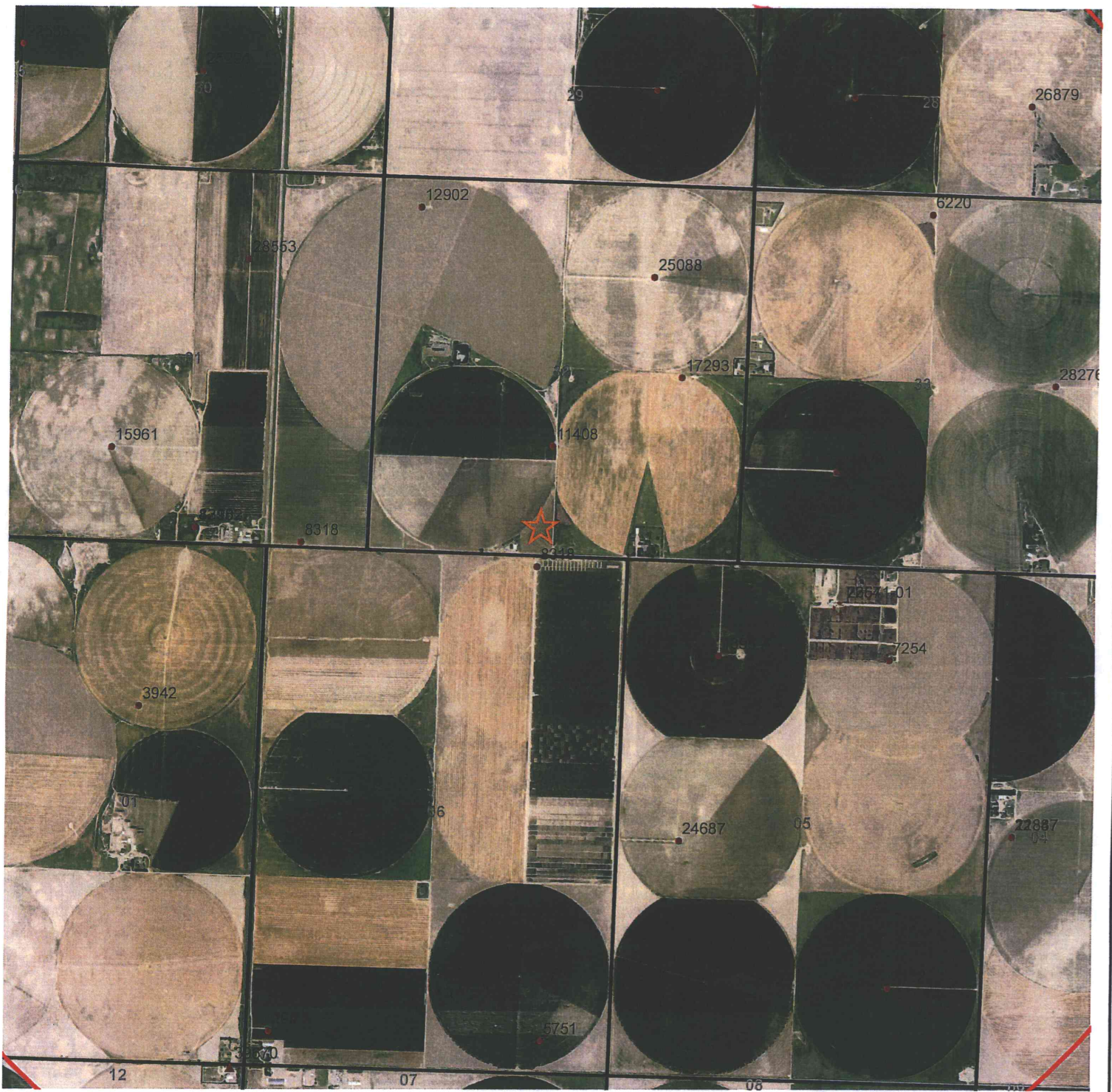
Sincerely,

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

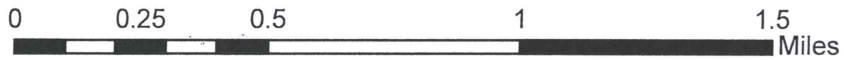
Brent A Turney, P.G.  
Change Application Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: GARDEN CITY Field Office  
GMD 3

SCANNED



1:24,000



**Legend**

☆ Point of Diversion

New Application, File No. 49,729

Point of Diversion

32-25S-32W Finney County, KS

SCANNED

AM/DWR

Date: 5/26/2017