

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

1. File Number: <p style="text-align: center;">49,918</p>	2. Status Change Date: <p style="text-align: center;"><i>12/19/2017</i></p>	3. Field Office: <p style="text-align: center;">04</p>	4. GMD: <p style="text-align: center;">0</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 type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
<p>7a. Applicant(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID 34184 Add Seq# _____</p> <p>RANGER FEEDERS II LLC 144 S OGALLALAH RD DIGHTON KS 67839</p>	<p>7c. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p>		
<p>7b. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p> <p>7a.</p>	<p>7d. Misc. New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p> <p>KLA ENVIRONMENTAL SERVICES INC 1700 E IRON AVE SALINA KS 67401</p>		
<p>8. WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: right;">Person ID _____ Add Seq# _____ Notarized WUC Form <input type="checkbox"/></p> <p>7a.</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="text-align: center;"><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input checked="" type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>		
10. Completion Date: <u>12/31/2019</u>		11. Perfection Date: <u>12/31/2023</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: 11/28/2017 By: DWS Date Entered: <i>12/20/2017</i> By: <i>LLM</i></p>			

File No. 49,918	15. Formation Code: 340	Drainage Basin: WALNUT CREEK	County: LE	Special Use:	Stream:																																																																																																			
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="10" style="width:55%;">16. Points of Diversion</td> <td colspan="5" style="width:45%;">17. Rate and Quantity</td> </tr> <tr> <td style="font-size: small;">T MOD DEL ENT</td> <td style="font-size: small;">PDIV</td> <td style="font-size: small;">Qualifier</td> <td style="font-size: small;">S</td> <td style="font-size: small;">T</td> <td style="font-size: small;">R</td> <td style="font-size: small;">ID</td> <td style="font-size: small;">'N</td> <td style="font-size: small;">'W</td> <td style="font-size: small;">Rate gpm</td> <td style="font-size: small;">Quantity mgy</td> <td style="font-size: small;">Rate gpm</td> <td style="font-size: small;">Quantity mgy</td> <td style="font-size: small;">Overlap PD Files</td> </tr> <tr> <td>√</td> <td>75088</td> <td>SW NE SE</td> <td>22</td> <td>18</td> <td>28W</td> <td>14</td> <td>1578</td> <td>1143</td> <td>75</td> <td>34.12</td> <td>75</td> <td>34.12</td> <td>39,695</td> </tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </table>						16. Points of Diversion										17. Rate and Quantity					T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	Overlap PD Files	√	75088	SW NE SE	22	18	28W	14	1578	1143	75	34.12	75	34.12	39,695																																																								
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18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft																																																																																																								
19. Limitation: _____ at _____ gpm (_____ cfs) when combined with file number(s) _____ Limitation: _____ MG/yr at _____ gpm (_____ cfs) when combined with file number(s) _____																																																																																																								
20. Meter Required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No To be installed by 12/31/2019 Date Acceptable Meter Installed _____																																																																																																								
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√	10230	22	18	28W	1	(E2)																7a.	No	*See Below																																																																																
√	29854	23	18	28W	1	(S2) & (S2 NW)																7a.	No	*See Below																																																																																

Comments: ***FILE NOS. 39,695; 39,696; 39,697; 39,698; 45,888; 45,933; AND 49,918 ALL OVERLAP IN PLACE OF USE.**

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

TO: Files

DATE: November 28, 2017

FROM: Doug Schemm

RE: Application File No. 49,918

Ranger Feeders II, LLC has filed the above referenced application proposing to appropriate 34.12 million gallons (104.7 acre-feet) of groundwater per calendar year at a diversion rate not to exceed 75 gallons per minute for stockwatering use from an existing well currently authorized under File No. 39,695. The well is located in the Southeast Quarter (SE¼) of Section 22, Township 18 South, Range 28 West, in Lane County, Kansas. File Nos. 39,695; 39,696; 39,697; 39,698; 45,888; and 45,933 overlap the proposed place of use, which is a cattle feedlot located in Sections 22 and 23. A representative of the applicant has signed the application stating they have access to the point of diversion. The applicant was assisted by KLA Environmental Services, Inc. who has provided additional supporting data for the request.

The senior files, with limitations, are authorized a total of 53.485 million gallons combined. The Stockwater Use Supplemental Sheet and supporting data, indicate that the feedlot will be expanded to 16,000 cattle. Projected drinking water needs for finishing cattle, is as follows: 16,000 head x 15 gallons per head per day x 365 days = 87.6 million gallons. No additional water was requested for cooling or sanitation purposes. As noted above, the senior files authorize 53.485 million gallons. The requested quantity under this new application of 34.12 million gallons, is the difference between projected water needs and current authorized quantity of water (87.6 mgy – 53.485 mgy). Therefore, this new application would provide all additional water.

The source of water for the pending application would be the **confined** Dakota aquifer system based on the test hole log that was submitted, and other area wells. Note that only two of the applicant's wells are sourcing the confined Dakota aquifer system (File Nos. 39,695 and 39,696), the rest of the wells in this area are sourcing a shallow, unconfined aquifer (total depths of less than 75 feet). No specific safe yield evaluation has been adopted by the chief engineer for the confined Dakota aquifer system, although it is likely that the confined Dakota aquifer system would receive significantly less recharge than a near-surface, unconfined aquifer. Therefore, in order to better represent the potential recharge to this confined aquifer, it was determined that the saturated thickness of the aquifer and the thickness of the confining unit are critical factors. Limited saturated thickness with a significant confining unit would get less recharge (0.3 times the "standard" K.A.R. 5-3-11 value), while significant saturated thickness with a limited confining unit would get more recharge (0.5 times the "standard" K.A.R. 5-3-11 value).

For this application, the saturated thickness is less than the confining unit thickness, which results in a factor of less than 1 (0.34). A factor less than 1 gets 0.3 times the "normal" recharge. The K.A.R. 5-3-11 safe yield recharge value was determined to be 0.7 inches. Multiplying 0.7 inches x 0.3 results in a recharge of 0.21 inches. The area of consideration is 8,042 acres (2-mile circle), assuming the confined aquifer extends throughout this local area. This is consistent with the processing of other senior files sourcing the confined Dakota aquifer system.

Thus 8,042 acres x 0.21 inches x 100% recharge available / 12 provides a safe yield of 140.74 acre-feet. Note that the 100% recharge is used because the assigned basin recharge value is not valid for confined aquifers. The only other existing appropriation within the two-mile circle sourcing this same aquifer is File No. 39,696, which is authorized 23.02 acre-feet, leaving 117.73 acre-feet available. This application requesting 104.7 acre-feet meets safe yield.

The applicant identified one domestic well within one-half mile, however based on well completion records this well is likely sourcing the shallow, unconfined aquifer with typical total depths of less than 75 feet, while the applicant's Dakota wells are over 900 feet in total depth. Since the domestic well is sourcing a different aquifer, no notification letters are required. Also, as noted, this is an existing well that has been in place for many years, so any adjacent well owners would certainly be aware of this cattle operation.

The applicant's two existing wells under File Nos. 39,695 and 39,696, are both sourcing the confined Dakota aquifer system, and are only 522 feet apart (WRIS shows they are 457 feet apart), obviously less than the recommended minimum well spacing for the confined Dakota aquifer system for non-domestic wells of 4 miles. The applicant has noted that the wells have historically functioned without any issues. K.A.R. 5-4-4 provides that the spacing guidelines are not applicable if the required minimum well spacing criteria are not necessary to prevent direct impairment. There are several unique circumstances that should be considered in this specific instance regarding minimum well spacing.

- These stockwatering wells are operated as a system supplying water to the same cattle feedlot, and are not likely to be separated or divided in any way in the future.
- The wells have been in place for many years with no known concerns. The wells are not typically pumped at the same time, and they are pumped based on water supply demands at the feedlot, not on a continuous basis. This operational flexibility in pumping sources will provide for more efficient management of the source of supply.
- These two wells are the only known wells within a 4 mile radius producing from this confined Dakota aquifer system. This aquifer is over 240 feet in thickness at this location, and with the proposed low pumping rate there is no indication that there would be any significant drawdown (i.e. approval of this application would not cause an unreasonable lowering of the water table).

Therefore, per K.A.R. 5-4-4, the required minimum well spacing criteria is not necessary to prevent direct impairment in this specific instance, and the proposed well spacing is sufficient to prevent direct impairment and to protect the public interest. It is unlikely that there are any domestic wells sourcing this aquifer within one-half mile, so the application complies with well spacing to domestic wells. The applicant has stated that to the best of their knowledge there are no other non-domestic wells sourcing the Dakota aquifer system within a 4 mile radius, which is supported by KGS WWC-5 data, thereby complying with non-domestic well spacing.

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

Mike Meyer, Water Commissioner, Garden City Field Office, recommended the application be approved in a November 27, 2017 e-mail. Based on the above discussion, the area is open to new appropriations, the application complies with safe yield and well spacing criteria, it will provide the applicant with additional water necessary for the expanded facility, and the 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.

Doug Schemm
Environmental Scientist
Topeka 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

December 21, 2017

FILE COPY

RANGER FEEDERS II LLC
144 S OGALLALAH RD
DIGHTON KS 67839

RE: Appropriation of Water, File No. 49,918

Dear Sir or Madam:

There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the 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 these approval documents. A water meter is required on the proposed diversion works 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 originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an 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 will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

KAB:dws
Enclosures

pc: Garden City Field Office
KLA Environmental Services, Inc.

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
and
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,918** of the applicant

**RANGER FEEDERS II LLC
144 S OGALLALAH RD
DIGHTON KS 67839**

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

1. That the priority date assigned to such application is **October 2, 2017**.
2. That the water sought to be appropriated shall be used for stockwatering use in the East Half (E $\frac{1}{2}$) of Section 22, in the South Half (S $\frac{1}{2}$) of Section 23, and in the South Half of the Northwest Quarter (S $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 23, all in Township 18 South, Range 28 West, Lane County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, from the confined Dakota aquifer system, to be withdrawn by means of one (1) well located in the Southwest Quarter of the Northeast Quarter of the Southeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 22, more particularly described as being near a point 1,578 feet North and 1,143 feet West of the Southeast corner of said section, in Township 18 South, Range 28 West, Lane 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 **75 gallons per minute** (0.17 c.f.s.) and to a quantity not to exceed **34.12 million gallons** (104.7 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, 2019**, or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$400.00, when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.
6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2023**, or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

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

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

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

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

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

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

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

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

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

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

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

18. That this permit is limited such that all wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply, and shall supply water to a common distribution system.

19. That the applicant shall cause the well under this appropriation to be constructed so that the source of supply will be restricted to withdrawal of water from the Lower Cretaceous (Dakota) Formation, thereby precluding withdrawal of water from any overlying water-bearing strata and insure that an adequate seal is placed between the Lower Cretaceous (Dakota) Formation and all overlying water-bearing strata so as to prevent any movement of water between formations.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

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


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

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary. To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

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

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

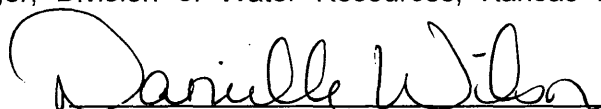
Ordered this 19th day of December, 2011, in Topeka, Shawnee County, Kansas.



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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 19th day of December, 2011, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Notary Public

CERTIFICATE OF SERVICE

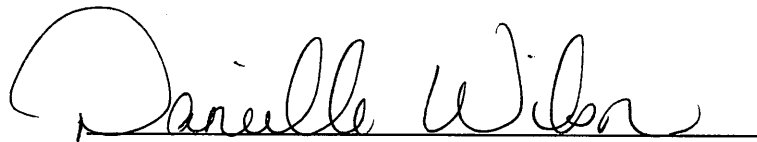
On this 21st day of December, 2017, I hereby certify that the foregoing Approval of Application, File No. 49,918, dated December 19th, 2017 was mailed postage prepaid, first class, US mail to the following:

RANGER FEEDERS II LLC
144 S OGALLALAH RD
DIGHTON KS 67839

With photocopies to:

KLA ENVIRONMENTAL SERVICES INC
1700 E IRON AVE
SALINA KS 67401

Garden City Field Office

A handwritten signature in cursive script that reads "Danielle Wilson". The signature is written in black ink and is positioned above a horizontal line.

Division of Water Resources

APPLICATION COMPLETE

10/2/2017

Reviewer DWS

11/27/17 KAB

THE STATE



OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49918
This item to be completed by the Division of Water Resources.

WATER RESOURCES
RECEIVED

OCT 2 2017

2:25

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): Ranger Feeders II, LLC
Address: 144 South Ogallalah Road
City: Dighton State KS Zip Code 67839
Telephone Number: (620) 397-2235

2. The source of water is: surface water in _____ (stream)
OR groundwater in Upper Walnut Creek, Upper Arkansas 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 104.7 acre-feet OR 34,116,600 gallons per calendar year, to be diverted at a maximum rate of 75 gallons per minute OR 0.167 cubic feet per second.

34.12 DWR/DWR 11/28/17

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 Meets K.A.R. 5-3-1 (YES/NO) Use SR Source GWS County LE By AJW Date 10/2/17
Code REZ Fee \$ 300 TR # _____ Receipt Date 10/2/17 Check # 5102

SCANNED
10/15/2017 ULM

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 SW quarter of the NE quarter of the SE quarter of Section 22, more particularly described as being near a point 1578 feet North and 1143 feet West of the Southeast corner of said section, in Township 18 South, Range 28 East/West (circle one), Lane County, Kansas.
- (B) One in the quarter of the quarter of the quarter of Section , more particularly described as being near a point feet North and feet West of the Southeast corner of said section, in Township South, Range East/West (circle one), County, Kansas.
- (C) One in the quarter of the quarter of the quarter of Section , more particularly described as being near a point feet North and feet West of the Southeast corner of said section, in Township South, Range East/West (circle one), County, Kansas.
- (D) One in the quarter of the quarter of the quarter of Section , more particularly described as being near a point feet North and feet West of the Southeast corner of said section, in Township South, Range East/West (circle one), County, Kansas.

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

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

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

- - Same as Applicant - -

(name, address and telephone number)

(name, address and telephone number)

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

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

Executed on 9-27, 2017.

Shelby R Jones
Applicant's Signature

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

7. The proposed project for diversion of water will consist of one existing well, pump & appurtenances
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) well on 02/14/2008 and pump upgrade upon approval
(Month/Day/Year - each was or will be completed)

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

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

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

10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir. - - Not Applicable - -

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

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

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

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

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

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

This application proposes to add a new appropriation to the point of diversion (well) associated with

File No. 39,695. The source of supply for this well is the confined Dakota aquifer. Water Right File

Nos. 39,695, 39,696, 39,697, 39,698, 45,888 and 45,933 cover a portion of the proposed place of use.

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

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

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	02/14/2008			
Total depth of well	942 ft.			
Depth to water bearing formation	702 ft.			
Depth to static water level	480 ft.			
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):
-- Same as Applicant --
(name, address and telephone number)

(name, address and telephone number)

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

Dated at Scott City, Kansas, this 27 day of September, 2017.
(month) (year)

(Applicant Signature)

By Shelby G. Jones
(Agent or Officer Signature)

Shelby G. Jones Vice President Ranger Feeders II, LLC
(Agent or Officer - Please Print)

Assisted by _____ Date: _____
(office/title)

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**STOCKWATER USE
SUPPLEMENTAL SHEET**

File No. 49918

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Name of Applicant (Please Print): Ranger Feeders II, LLC

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

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

PAST NUMBER OF HEAD AND WATER DIVERTED, IF APPLICABLE

LAST 5 YEARS	NUMBER OF HEAD	WATER DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
2012 5 years ago	11,517 AVG.	41,465,900	9.86
2016 Last year	8,360 AVG.	28,429,200	9.32
Present Year			

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

ESTIMATED FUTURE NUMBER OF HEAD AND WATER DIVERTED

NEXT 5 YEARS	NUMBER OF HEAD	WATER TO BE DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
Year 1	16,000	87,600,000	15
Year 2	16,000	87,600,000	15
Year 3	16,000	87,600,000	15
Year 4	16,000	87,600,000	15
Year 5	16,000	87,600,000	15

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

4. Please designate the legal description of the location where the water is to be used. Show in the space provided below the Section (S), Township (T), and Range (R), and the number of acres in each forty acre tract or fractional portion thereof.

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
22	18	28	40	40	40	40									40	40	40	40	320
23	18	28							20	7	40	40	40	40	32	17	40	40	316

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

DRINKING

16,000 head of beef cattle x 15 gallons/head (avg.) x 365 days = 87.6 million gallons
_____ head of _____ x _____ gallons/head (avg.) x _____ days = _____ gallons
_____ head of _____ x _____ gallons/head (avg.) x _____ days = _____ gallons

COOLING

_____ gallons/hour x _____ hour/day x _____ days = _____ gallons

SANITATION

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

OTHER USE (Explain) _____ = _____ gallons

TOTAL ----- 87.6 million gallons

6. Show location of present and future location of confinement pens on your attached maps or photographs.

7. Total feed bunk space for cattle or livestock is

	Existing	Planned
	<u>14,200</u>	<u>19,000</u>

 linear feet.

8. Total size of stock pens for confinement area of cattle, hogs, etc. is

	Existing	Planned
	<u>3,892,000</u>	<u>5,189,000</u>

 square feet.

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

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Schemm, Doug

From: Meyer, Mike
Sent: Monday, November 27, 2017 4:18 PM
To: Schemm, Doug
Subject: RE: Ranger Feeders 49,918

Agree to approve and please put in the conditions that the top water must be sealed off.
thanks

Mike

From: Schemm, Doug
Sent: Monday, November 27, 2017 11:25 AM
To: Meyer, Mike <Mike.Meyer@ks.gov>; Baum, Kristen <Kristen.Baum@ks.gov>
Subject: Ranger Feeders 49,918

Hello,

This is where I got on this one. The supporting data from KLA notes that DWR staff had estimated safe yield at 107 AF, so pretty close to what I came up with.

Obviously confined Dakota, so used the standard matrix. Their 2 existing wells are only 500 feet apart, but with 240 feet of aquifer and low pumping rates, I can't believe there would be a problem.

Please review.

Thanks, Doug

File # 49,918

Confined DAKOTA Aquifer

gets 0.3 x "normal" Recharge

0.7 x .3 = 0.21" Requesting
104.7 AF - meets safe
Yield.

Analysis Results

The selected PD is in an area to new appropriations.

The safe yield, based on the variables listed below is ~~469.12 AF.~~ 140.74 AF

Total prior appropriation in the circle is 164.08 AF. - ~~46.25 - 19.61 - 32.35 - 14.98 - 27.88 = 23.02~~

Total quantity of water available for appropriation is ~~305.04 AF.~~ 117.73 AF

Safe Yield Variables

The area used for the analysis is set at 8,042 acres.

Potential annual recharge of the area is estimated to be ~~0.7~~ inches. 0.21"

The percent of recharge available for appropriation is 100%.

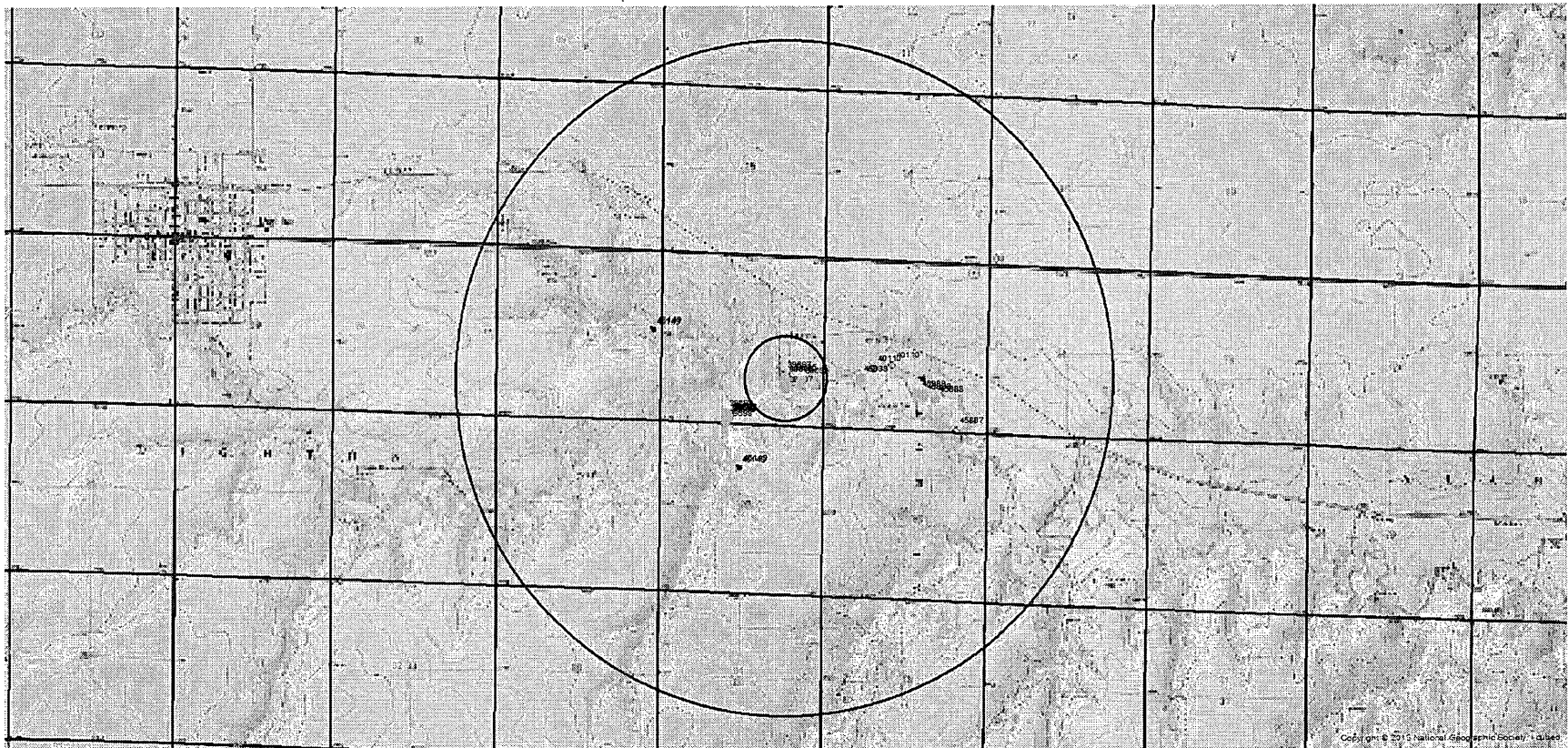
Authorized Quantity values are as of 27-NOV-2017 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 7 water right(s) and 11 point(s) of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth_Quant	Add_Quant	Tacres	Nacres
A	39695	00	STK	NK	G		SW NE SE	1578	1143	22	18	28W	14	WR	46.25	46.25 *		
A	39696	00	STK	NK	G		CS NE SE	1475	698	22	18	28W	2	WR	23.02	23.02		DAKOTA ✓
A	39697	00	STK	NK	G		NW SE SE	1208	1048	22	18	28W	13	WR	19.61	19.61		
A	39698	00	STK	NK	G		SE SE SW	380	3053	22	18	28W	8	WR	41.65	32.35		
Same			STK	NK	G		SE SE SW	323	2978	22	18	28W	9	WR				
Same			STK	NK	G		SE SE SW	106	3028	22	18	28W	11	WR				
Same			STK	NK	G		SE SE SW	270	3020	22	18	28W	12	WR				
A	45888	00	STK	NK	G		NW SW SE	1228	2313	23	18	28W	5	WR	14.98	14.98		
Same			STK	NK	G		NE SW SE	1055	1764	23	18	28W	6	WR				
Same			STK	NK	G		NE SW SE	1142	2039	23	18	28W	7	WR				
A	45933	00	STK	LR	G		SE NW SW	1646	4088	23	18	28W	4	WR	30.01	27.88		
A	49918	00	STK	AY	G		SW NE SE	1578	1143	22	18	28W	14	WR	104.70	0.00		

* Note: all other wells (except 39,696) are NOT sourcing the DAKOTA Aquifer.

Safe Yield Report Sheet
Water Right- A4991800
Point of Diversion in SENESW 22-18S-28W 14 (75088)



CONFINED DAKOTA AQUIFER SYSTEM SAFE YIELD EVALUATION

FILE NUMBER: **49,918**

<u>Safe Yield Calculation</u>				
Thickness of Saturated Aquifer (in feet)	divided by	Thickness of Confining Unit (in feet)	=	A Factor
240		701	=	0.34
If Factor < 1		Multiply Normal Recharge by 0.3 to get Confined Aquifer Recharge (in inches)		
If Factor is between 1 and 2		Multiply Normal Recharge by 0.4 to get Confined Aquifer Recharge (in inches)		
If Factor > 2		Multiply Normal Recharge by 0.5 to get Confined Aquifer Recharge (in inches)		
Normal Recharge (per 5-3-11) = 0.52 inches		0.7 inches x 0.3 = 0.21 inches of recharge		
Area of consideration =	8042 acres			
Annual Recharge =	0.21 inches			
Percent Recharge =	1	100%		
Confined Dakota Aquifer Safe Yield =				140.735 acre-feet

This would provide more recharge to a well that has a thinner confining unit and greater saturated thickness (i.e. a higher factor score).
 Confined aquifers get 100% of potential recharge because it will not contribute baseflow to a stream.

Further review indicates that saturated thickness of the aquifer and thickness of confining unit are the 2 key variables that would most likely influence well production and recharge, respectively. Therefore, a weighted system was designed to account for this by dividing the saturated thickness by the thickness of the confining unit. The less confining unit you have the higher the recharge potential and the greater the saturated thickness the better production you will get from the well. This ratio provides a factor which can be used to evaluate the percentage of safe yield to consider as reasonable. Saturated thickness is pertinent to safe yield since per definition it is "long-term sustainable yield of the source".

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49918 00

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49918 00 STK

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

1578 Feet North and 1143 Feet West of the Southeast Corner of Section 22 T 18S R 28W

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit	
A__ 39695	00	STK	NK	G	0	--	SW	NE	SE	1578	1143	22	18	28W	14	46.25	46.25	AF	
A__ 39696	00	STK	NK	G	457	--	CS	NE	SE	1475	698	22	18	28W	2	23.02	23.02	AF	
A__ 39697	00	STK	NK	G	382	--	NW	SE	SE	1208	1048	22	18	28W	13	19.61	19.61	AF	
A__ 39698	00	STK	NK	G	2288	--	SE	SE	SW	270	3020	22	18	28W	12 G	3	41.65	32.35	AF
Same					2255	--	SE	SE	SW	380	3053	22	18	28W	8 B	3			
Same					2223	--	SE	SE	SW	323	2978	22	18	28W	9 B	3			
Same					2392	--	SE	SE	SW	106	3028	22	18	28W	11 B	3			
A__ 45888	00	STK	NK	G	4415	--	NE	SW	SE	1142	2039	23	18	28W	7 G	2	14.98	14.98	AF
Same					4133	--	NW	SW	SE	1228	2313	23	18	28W	5 B	2			
Same					4698	--	NE	SW	SE	1055	1764	23	18	28W	6 B	2			
A__ 45933	00	STK	LR	G	2337	--	SE	NW	SW	1646	4088	23	18	28W	4	30.01	27.88	AF	
A__ 49918	00	STK	AY	G	0	--	SW	NE	SE	1578	1143	22	18	28W	14	104.70	.00	AF	

Does not meet spacing to Applicant's existing STK well. But adequate per 5-4 & DWS 1000

← DAKOTA

← Niobrara

Total Net Quantities Authorized:		Direct	Storage
Total Requested Amount (AF)	=	.00	.00
Total Permitted Amount (AF)	=	.00	.00
Total Inspected Amount (AF)	=	27.88	.00
Total Pro_Cert Amount (AF)	=	.00	.00
Total Certified Amount (AF)	=	136.20	.00
Total Vested Amount (AF)	=	.00	.00
TOTAL AMOUNT (AF)	=	164.08	.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:
 1578 Feet North and 1143 Feet West of the Southeast Corner of Section 22 T 18S R 28W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR	
A__ 39695	00	STK	NK	G
>	RANGER FEEDERS II LLC			
>	144 S OGALLALAH RD			
>	DIGHTON KS 67839			

A__ 39696	00	STK	NK	G
>	RANGER FEEDERS II LLC			
>	144 S OGALLALAH RD			
>	DIGHTON KS 67839			

A__ 39697 00 STK NK G
> RANGER FEEDERS II LLC
>
> 144 S OGALLALAH RD
> DIGHTON KS 67839

A__ 39698 00 STK NK G
> RANGER FEEDERS II LLC
>
> 144 S OGALLALAH RD
> DIGHTON KS 67839

A__ 45888 00 STK NK G
> RANGER FEEDERS II LLC
>
> 144 S OGALLALAH RD
> DIGHTON KS 67839

A__ 45933 00 STK LR G
> RANGER FEEDERS II LLC
>
> 144 S OGALLALAH RD
> DIGHTON KS 67839

A__ 49918 00 STK AY G
> RANGER FEEDERS II LLC
>
> 144 S OGALLALAH RD
> DIGHTON KS 67839

#####

Sec.	Ranger	Total Depth	37 ft.	35 ft.		Feedlot		Plugged	16-May-1996	PDF
<u>22</u> <u>SE</u> <u>SW</u>	Ranger Feeders II									
<u>22</u> <u>SE SE</u> <u>SW</u>	Ranger Feeders II	36 ft.	7 ft.	25 gpm.	Feedlot/Livestock/Windmill	Well 10	Constructed		13-May-1996	PDF
<u>22</u> <u>SE SE</u> <u>SE</u>	Shapland, Eugene	40 ft.	25 ft.	20 gpm.	Domestic		Constructed		16-Aug-2005	PDF
<u>22</u> <u>SW</u> <u>NE</u> <u>SE</u>	Ranger Feeders II LLC	942 ft.	480 ft.		Feedlot		Constructed		14-Feb-2008	PDF
<u>22</u> <u>NE</u> <u>SE</u> <u>SW</u>	Mumma Feed Yard	36 ft.	9 ft.	20 gpm.	Feedlot		Constructed		01-Apr-1982	PDF
<u>22</u> <u>SE SE</u> <u>SW</u>	Ranger Feeders II	36 ft.	12.5 ft.		Feedlot		Plugged		08-May-1996	PDF
<u>22</u> <u>SE SE</u> <u>SW</u>	Ranger Feeders II	36 ft.	7 ft.	25 gpm.	Feedlot	Well 11	Constructed		13-May-1996	PDF
<u>22</u> <u>SE SE</u> <u>SW</u>	Ranger Feeders II	57 ft.	22 ft.		Feedlot		Constructed		02-Sep-2005	PDF
<u>22</u> <u>E2 SE</u>	Mumma Feed Yard	1165 ft.	12 ft.		Domestic, Livestock	Test 56	Constructed		03-Jun-1976	PDF
<u>23</u> <u>NE</u> <u>SW</u> <u>SE</u>	Ranger Feeders II	61 ft.	14 ft.		Feedlot		Constructed		16-Jul-2004	PDF
<u>23</u> <u>NW</u> <u>SW</u> <u>SE</u>	Ranger Feeders	60 ft.	27 ft.		Feedlot		Constructed		25-Jun-2004	PDF
<u>24</u> <u>NE</u> <u>NE</u> <u>NW</u>	Maughlin, Stan and Richard	91 ft.	51 ft.		Domestic		Plugged		11-Oct-1991	PDF
<u>25</u>	Seifried, Dwayne	46 ft.	19 ft.		Domestic, Livestock		Constructed		06-Oct-1978	PDF

49918

WATER WELL RECORD

Form WWC-5

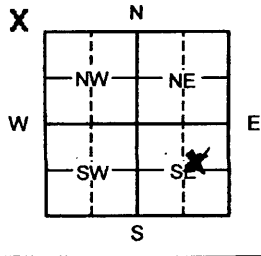
Division of Water Resources; App. No. 39695

1 LOCATION OF WATER WELL: Fraction SW 1/4 NE 1/4 SE 1/4 Section Number 22 Township Number T 18 S Range Number R 28 E/W

Distance and direction from nearest town or city street address of well if Located within city? From Dighton, appx 1 miles South & 3 1/2 miles East Global Positioning System (decimal degrees, min. of 4 digits) Latitude: 38.4710 Longitude: 100.3979 Elevation: 2698 Datum: Data Collection Method:

2 WATER WELL OWNER: Ranger Feeders II LLC RR#, St. Address, Box #: PO Box 880 City, State, ZIP Code: Dighton KS 67839

3 LOCATE WELL'S LOCATON WITH AN "X" IN SECTION BOX: 4 DEPTH OF COMPLETED WELL 942 ft.



Depth(s) Groundwater Encountered 1 ft. 2 ft. 3 ft. WELL'S STATIC WATER LEVEL 480 ft. below land surface measured on mo/day/yr 2/18/08 Pump test data: Well water was ft. after 4 hours pumping gpm Est. Yield gpm: Well water was ft. after hours pumping gpm WELL WATER TO BE USED AS: 5 8 Air conditioning 11 Injection well 1 Domestic 3 Feed lot 6 Oil field water supply 9 Dewatering 12 Other (Specify below) 2 Irrigation 4 Industrial 7 Domestic (lawn & garden) 10 Monitoring well Was a chemical/bacteriological sample submitted to Department? Yes No x ; If yes, mo/day/yr Sample was submitted Water Well Disinfected? Yes x No

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

Blank casing diameter 8 5/8 in. to 942 ft., Dia in. to ft., Dia in. to ft. Casing height above land surface 12 in., Weight 8.25 lbs./ft. Wall thickness or gauge No. 500

TYPE OF SCREEN OR PERFORATION MATERIAL: 1 Steel 3 Stainless steel 5 Fiberglass 7 PVC 9 ABS 11 Other (specify) 2 Brass 4 Galvanized steel 6 Concrete tile 8 RM (SR) 10 Asbestos-Cement 12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE: 1 Continuous slot 3 Mill slot 5 Guaze wrapped 7 Torch cut 9 Drilled holes 11 None (open hole) 2 Louvered shutter 4 Key punched 6 Wire wrapped 8 Saw Cut 10 Other (specify)

SCREEN-PERFORATED INTERVALS: From 702 ft. to 942 ft. From ft. to ft. From ft. to ft. GRAVEL PACK INTERVALS: From 20 ft. to 942 ft. From ft. to ft. From ft. to ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other Grout Intervals From 0 ft. to 25 ft. From ft. to ft. From ft. to ft.

What is the nearest source of possible contamination: 1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 13 Insecticide Storage 16 Other (specify below) 2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 14 Abandoned water well below) 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 15 Oil well/ gas well

Direction from well? East How many feet? 30

Table with columns: FROM, TO, LITHOLOGIC LOG, FROM, TO, PLUGGING INTERVALS. Rows include: 0-2 Surface, 2-50 Sandy clay, 50-180 Shale, 180-217 Soap Stone, 217-240 Sand stone soap stone, 240-297 Soap stone, 297-302 Shale, 302-465 Shale, 465-507 Sand stone soap stone, 507-699 Soap stone w/few sand stone, 699-860 Sand stone soap stone, 860-875 Soap stone sand stone stringers, 875-937 Sand stone soap stone, 937-960 Soap stone Shale w/ sand stone

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7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 02/14/08 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 145. This Water Well Record was completed on (mo/day/year) 06/04/08 under the business name of Henkle Drilling & Supply Co, Inc. by (signature) Bruce J. Reichardt.

INSTRUCTIONS: Please fill in blanks or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5522. Send one to WATER WELL OWNER and retain one for your records. Fee of \$5.00 for each constructed well. Visit us at <http://www.kdheks.gov/waterwell>.

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**APPLICATION FOR PERMIT TO APPROPRIATE WATER
FOR BENEFICIAL USE**

Ranger Feeders II, LLC
Sections 22 & 23 T18S R28W ▪ Lane County, Kansas



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

1303 YUCCA ST. ▪ SCOTT CITY, KS 67851
WWW.KLAENVIRO.COM

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49918

KLA ENVIRONMENTAL SERVICES, INC.

PROJECT: RANGER FEEDERS II, LLC

LOCATION: SECTIONS 22 & 23 T18S R28W, LANE COUNTY, KANSAS

BY: FCM
DATE: 9/22/2017

CHECKED BY: DLB
DATE: 9/26/2017

DETERMINATION OF REASONABLE QUANTITY FOR STOCKWATER USE

Ranger Feeders II, LLC is a beef cattle feeding facility. The current permitted capacity of the facility is 12,000 head. Six water rights supply water for stockwatering use. These water rights are subject to an overall limitation of 164.14 acre-feet per year. This equates to a unit consumption rate of 12.2 gallons per head per day. A facility expansion is planned that will raise the total capacity to 16,000 head. The expansion project will proceed as soon as an additional supply of water is acquired that is sufficient to support 16,000 head of cattle. An application for a new appropriation of water will be submitted for this purpose. The annual quantity requested is based on the maximum reasonable use for beef cattle to ensure that there is sufficient water in years when peak cattle numbers and abnormally hot weather result in high levels of stockwater consumption. It is anticipated that the actual quantities used for stockwatering will vary from year to year depending upon cattle numbers and environmental conditions. The Ranger Feeders II facility has existing storage tank capacity in excess of 130,000 gallons, which increases the feasibility of the expansion project and accommodates the moderate pumping rates associated with the stockwatering rights.

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

$$\rightarrow \text{Maximum Reasonable Use} = (16,000 \text{ head}) \times (15 \text{ gallons/head/day}) \times (365 \text{ days/year}) = 87.60 \text{ MGY} \\ = 268.83 \text{ AF}$$

where MGY = million gallons per year, AF = acre-feet per year and 1.0 AF = 325,851 gallons

		Authorized	Net
		Quantity	Quantity
Existing Stockwater Quantity Summary:	File No. 39,695 =	46.25 AF	46.25 AF
	File No. 39,696 =	23.02 AF	23.02 AF
	File No. 39,697 =	19.61 AF	19.61 AF
	File No. 39,698 =	41.64 AF	32.35 AF
	File No. 45,888 =	14.98 AF	14.98 AF
	File No. 45,933 =	30.01 AF	27.88 AF
	Total =	175.51 AF	164.09 AF

→ WRIS report for File No. 45,933 indicates an overall combined quantity limitation of 53.485 MGY = 164.14 AF.

$$\rightarrow \text{Maximum additional quantity of stockwater needed} = (\text{Maximum Reasonable Quantity}) - (\text{Existing Quantity}) \\ = (268.83 \text{ AF}) - (164.14 \text{ AF}) \\ = 104.69 \text{ AF}$$

→ Use 104.7 AF for application

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Basis for rate request: Rate must be sufficient to produce the requested quantity in a reasonable time. A period of 365 days per year is reasonable for a confined livestock feeding facility since water must be supplied every day of the year.

Requested Rate = 75 gpm

$$\begin{aligned} \rightarrow \text{Annual Production} &= (75 \text{ gpm}) \times (60 \text{ min/hr}) \times (24 \text{ hr/day}) \times (365 \text{ days/year}) \times (1 \text{ AF}/325851 \text{ gallons}) \\ &= 121.0 \text{ AF} \end{aligned}$$

→ The requested rate is sufficient to produce the requested quantity in a reasonable time.

It is further requested that the overall rate be limited to the requested rate plus the authorized rate associated with File No. 39,695, which uses a common point of diversion (existing well).

	Rate	Quantity
File No. 39,695 =	28 gpm	46.25 AF
New Appropriation =	<u>75 gpm</u>	<u>104.70 AF</u>
	103 gpm	150.95 AF

→ Use 95 gpm for overall rate limitation

$$\begin{aligned} \rightarrow \text{Annual Production} &= (95 \text{ gpm}) \times (60 \text{ min/hr}) \times (24 \text{ hr/day}) \times (365 \text{ days/year}) \times (1 \text{ AF}/325851 \text{ gallons}) \\ &= 153.2 \text{ AF} \end{aligned}$$

→ The requested overall rate is sufficient to produce the total quantity in a reasonable time.

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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

September 28, 2017

Mr. David Barfield, P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502

Subject: Application for New Appropriation of Water for Beneficial Use Pertaining to
Ranger Feeders II, LLC, Lane County

Dear Mr. Barfield:

An application to appropriate water for stockwatering use is enclosed for your consideration. This application is submitted on behalf of the applicant, Ranger Feeders II, LLC. KLA Environmental Services, Inc. assisted with the preparation of this application. Additional information relating to this application is provided herein.

Ranger Feeders II, LLC is a confined beef cattle feeding facility. The current capacity is 12,000 head and the existing water supply is generally sufficient. An expansion to 16,000 head is planned. An additional source of stockwater is needed to support this capacity and the project is contingent upon acquiring an additional water right that will provide a sufficient and stable water supply.

We determined that the area in the vicinity of Ranger Feeders II, LLC is not within a groundwater management district and is not closed to new appropriations. Preliminary discussions with Division of Water Resources staff (Mike Meyer and Kristen Baum) indicated that as much as 107 acre-feet (AF) may be available for new appropriation from the Dakota aquifer within the vicinity of this facility. This application requests a new appropriation from this source of water.

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The quantity requested in the application is based on the maximum reasonable quantity of water indicated in K.A.R. 5-3-22 and the total capacity resulting from the proposed expansion:

$$\begin{aligned} (16,000 \text{ head of beef cattle}) \times (15 \text{ gallons/head/day}) \times (365 \text{ days/year}) &= 87.6 \text{ million gallons/yr.} \\ &= 268.8 \text{ AF/yr.} \end{aligned}$$

The maximum reasonable request is the difference between the maximum reasonable quantity and the existing authorized quantity. The existing authorized quantity of all pertinent water rights appears to be subject to an overall limitation of 164.14 AF. Therefore, the maximum quantity requested in this application is:

$$268.8 \text{ AF/yr.} - 164.14 \text{ AF/yr.} = 104.66 \text{ AF/yr.}$$

This quantity was rounded to 104.7 AF/yr. in the application. A rate of 75 gallons per minute is also requested. This rate is sufficient to produce the requested quantity in a reasonable period of time.

The point of diversion (well) associated with this application is identical to that of File No. 39,695. The source of supply for this well is the Dakota aquifer. This provides a common source of supply to a well that is already connected to the pressurized water system that serves the facility. We determined that this is the most feasible option for increasing the capacity of the water supply system.

The well associated with File No. 39,695 and the proposed new appropriation is within 522 feet of the well associated with File No. 39,696. The source of supply for this well is also the Dakota aquifer. These wells were approved prior to the current spacing regulation and have functioned without issue. To the best of our knowledge, there are no other wells that rely on the Dakota aquifer within four miles of the points of diversion associated with File Nos. 39,695 and 39,696. The likelihood of impairment of non-owned neighboring wells is minimal. We therefore request a waiver of the applicable provisions of K.A.R. 5-4-4 as it pertains to this application and File Nos. 39,695 and 39,696.

We plotted all known active wells on the maps enclosed with the application. Please note that the wells were plotted at their actual locations where visible on aerial photographs. Location coordinates listed in WRIS reports were used in the application and on the maps where required. There may be some differences between the actual locations and the locations indicated by the WRIS report coordinates.

We searched the *Water Well Completion Records (WWC5) Database* operated by the Kansas Geological Survey for evidence of domestic wells within ½ mile of the well associated with this application. We located one domestic well in a pasture west of the

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Ranger Feeders II, LLC facility. This well is shown on the well location map. We could not identify any other active non-owned wells within 1/2 mile of the well that is the subject of this application.

Please contact me if you have any questions concerning the enclosed application or the associated supporting documentation. Thank you for your consideration of this matter.

Respectfully,



Frank C. Mercurio, P.E.

Enclosures

cc/enc: Shelby Jones, Ranger Feeders II, LLC

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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

October 4, 2017

RANGER FEEDERS II, LLC
144 SOUTH OGALLALAH RD
DIGHTON KS 67839

FILE COPY

RE: Application
File No. 49918

Dear Sir or Madam:

Your application for permit to appropriate water in 22-18S-28W in Lane 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 black ink that reads "Kristen A. Baum". The signature is written in a cursive style.

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: GARDEN CITY Field Office
GMD

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NOTE: PROPOSED PLACE OF USE IS THE CURRENT PLACE OF USE FOR EXISTING STK WATER RIGHTS PLUS THE PROPOSED EXPANSION AREA

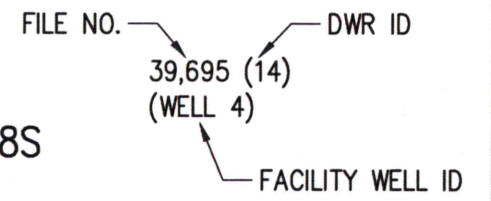
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96

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LEGEND

- OWNED WELL (STK) DAKOTA AQUIFER
- OWNED WELL (STK) UNCONFINED AQUIFER
- NEIGHBORING DOMESTIC WELL WITHIN 1/2 MILE
- ▨ PROPOSED PLACE OF USE (STK)



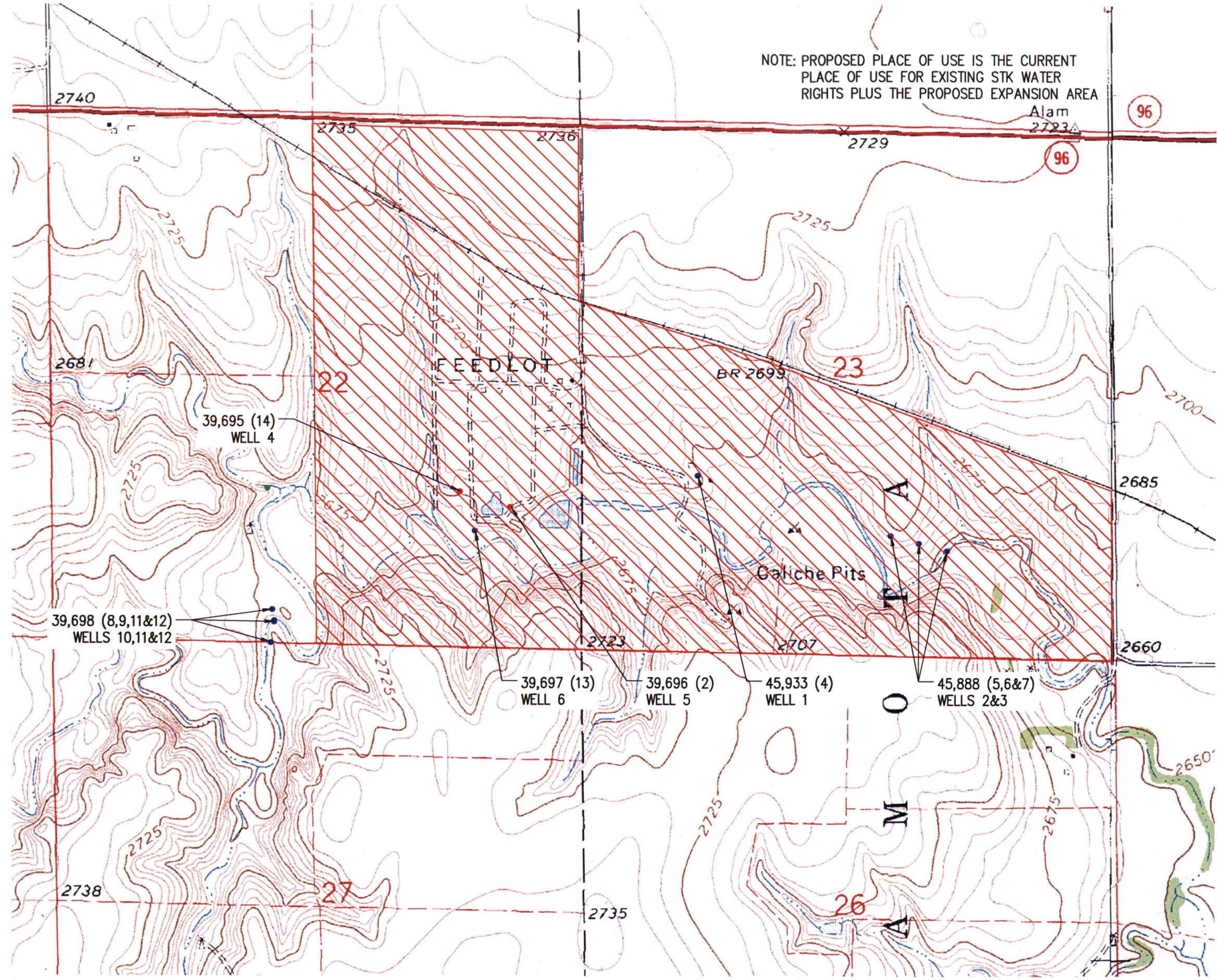
RANGER FEEDERS II, LLC
 APPLICATION FOR NEW APPROPRIATION
 SECTION 22 & SECTION 23 T18S R28W
 LANE COUNTY, KANSAS

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



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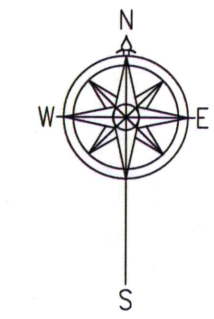
SHEET NO. 2 OF 2



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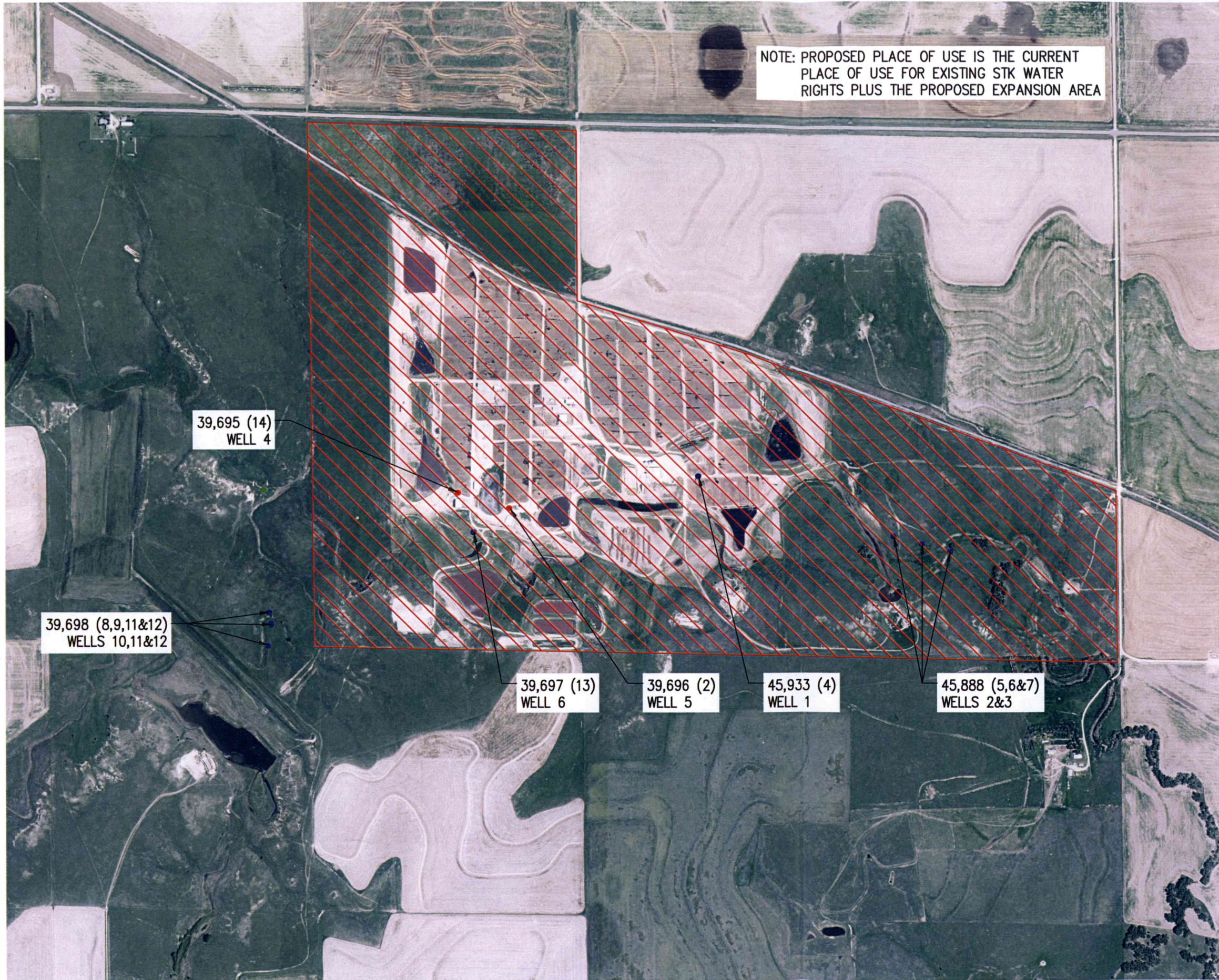
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PLACE OF USE MAP

R28W



NOTE: PROPOSED PLACE OF USE IS THE CURRENT PLACE OF USE FOR EXISTING STK WATER RIGHTS PLUS THE PROPOSED EXPANSION AREA

39,695 (14)
WELL 4

39,698 (8,9,11&12)
WELLS 10,11&12

39,697 (13)
WELL 6

39,696 (2)
WELL 5

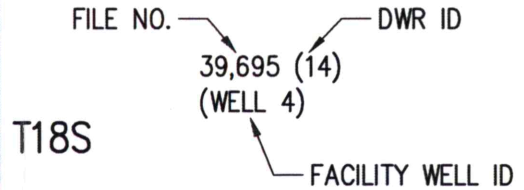
45,933 (4)
WELL 1

45,888 (5,6&7)
WELLS 2&3

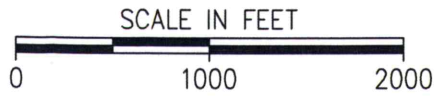
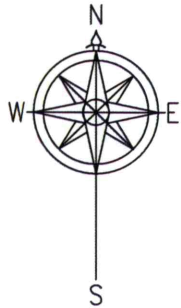
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PLACE OF USE MAP

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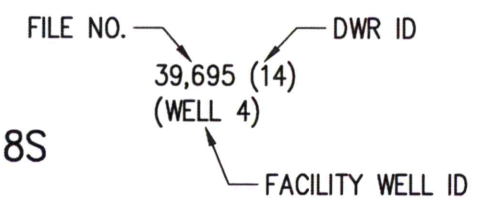
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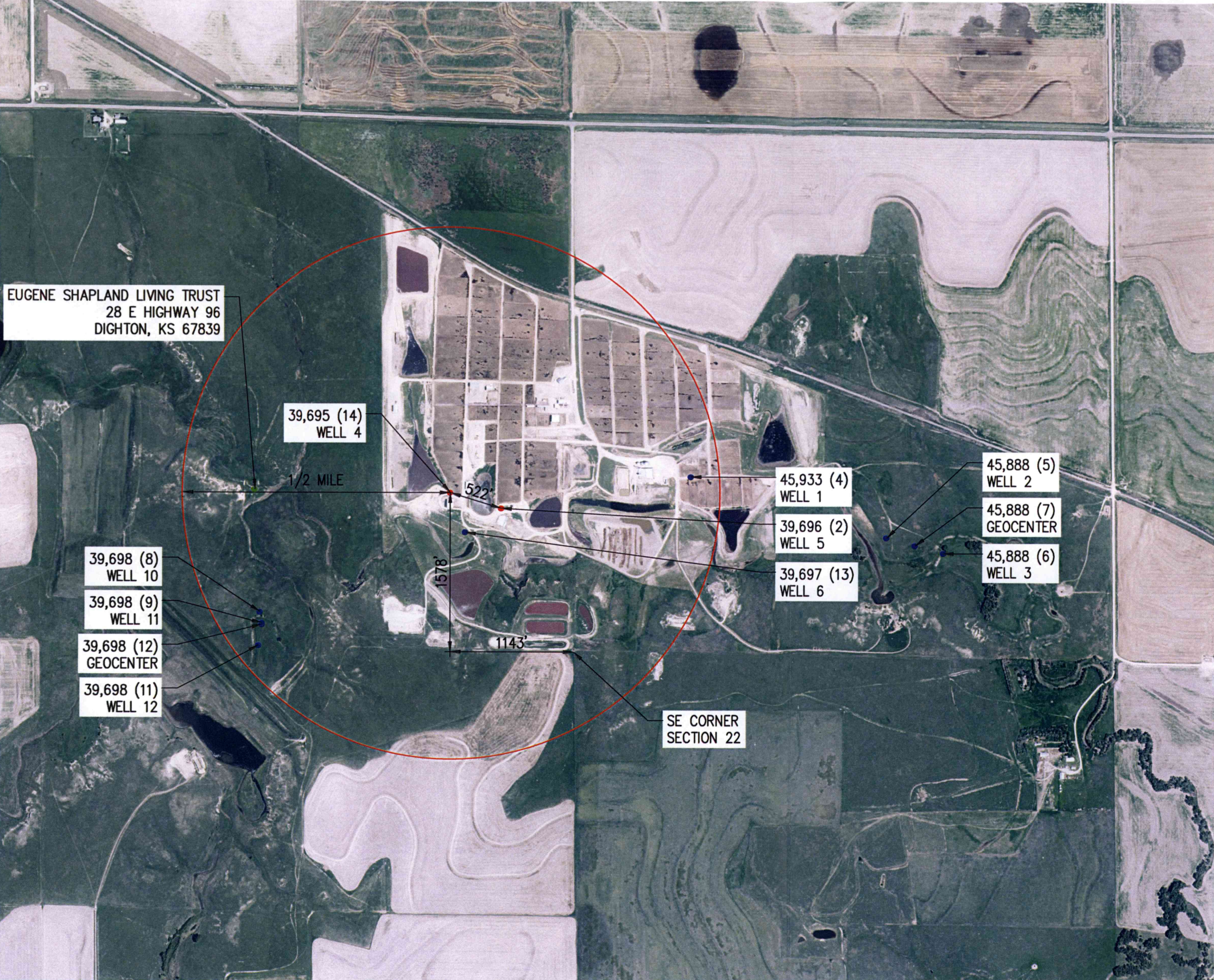
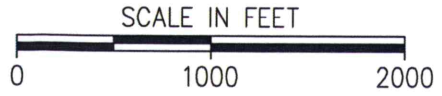
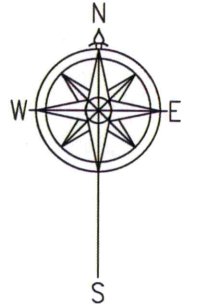
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- 1/2 MILE BOUNDARY AROUND STK WELL 39,695 (14) AND PROPOSED NEW APPROPRIATION



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NOTE: WELL LOCATION COORDINATES TAKEN FROM DWR WRIS REPORTS



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SECTION 22 & SECTION 23 T18S R28W
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R28W

WELL LOCATION MAP

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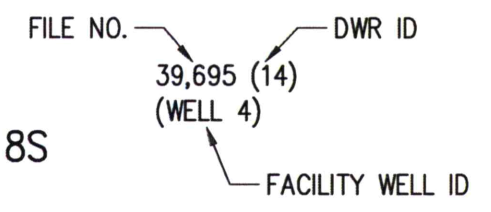
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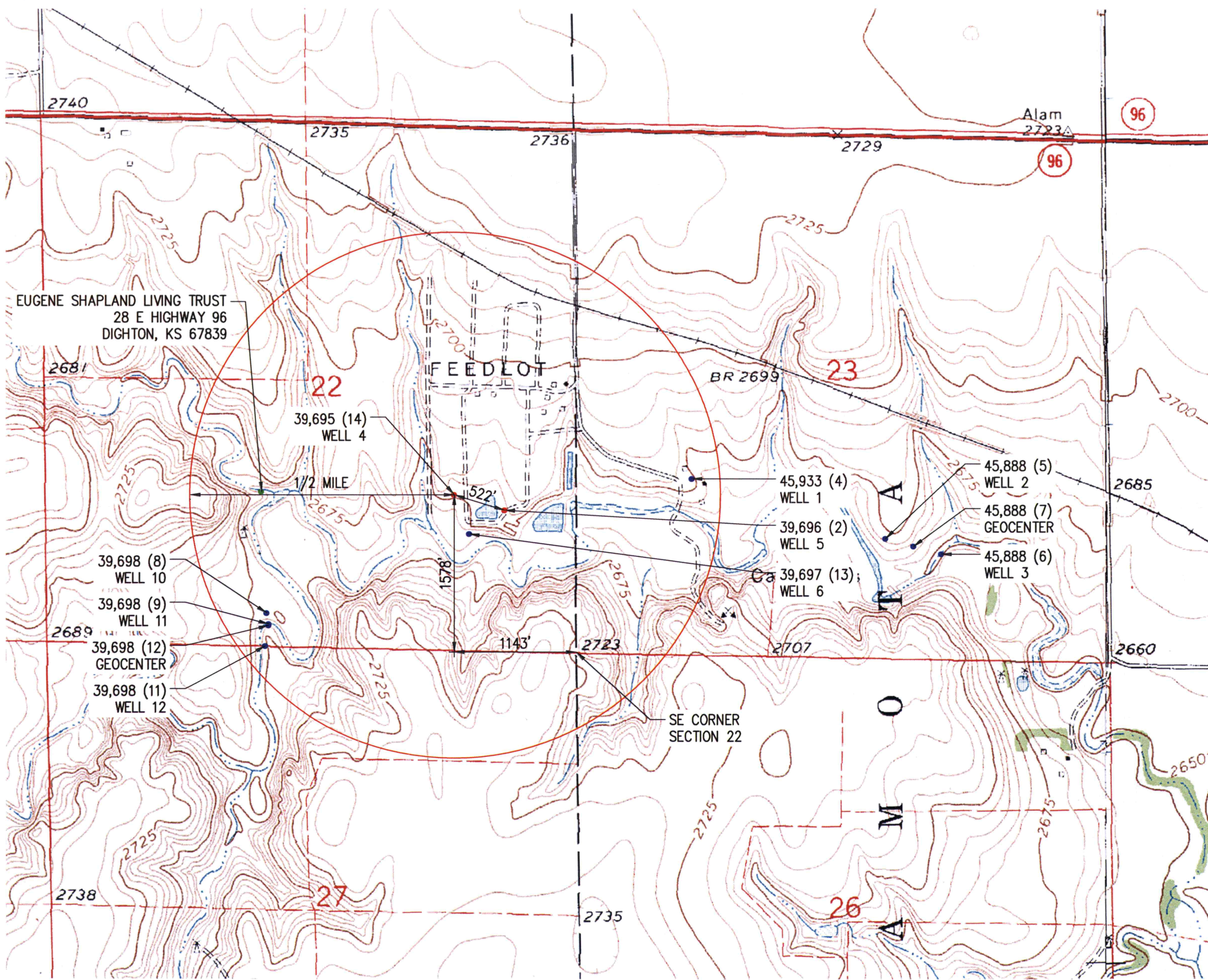
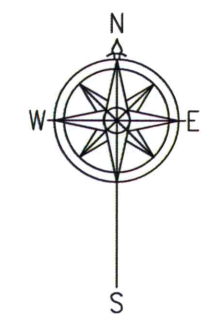
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EUGENE SHAPLAND LIVING TRUST
 28 E HIGHWAY 96
 DIGHTON, KS 67839

RANGER FEEDERS II, LLC
 APPLICATION FOR NEW APPROPRIATION
 SECTION 22 & SECTION 23 T18S R28W
 LANE COUNTY, KANSAS

1700 E. IRON
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WELL LOCATION MAP

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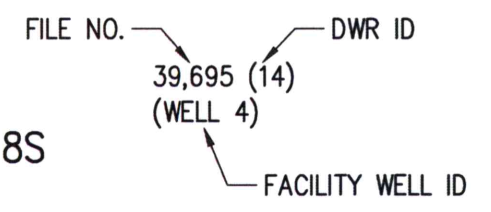
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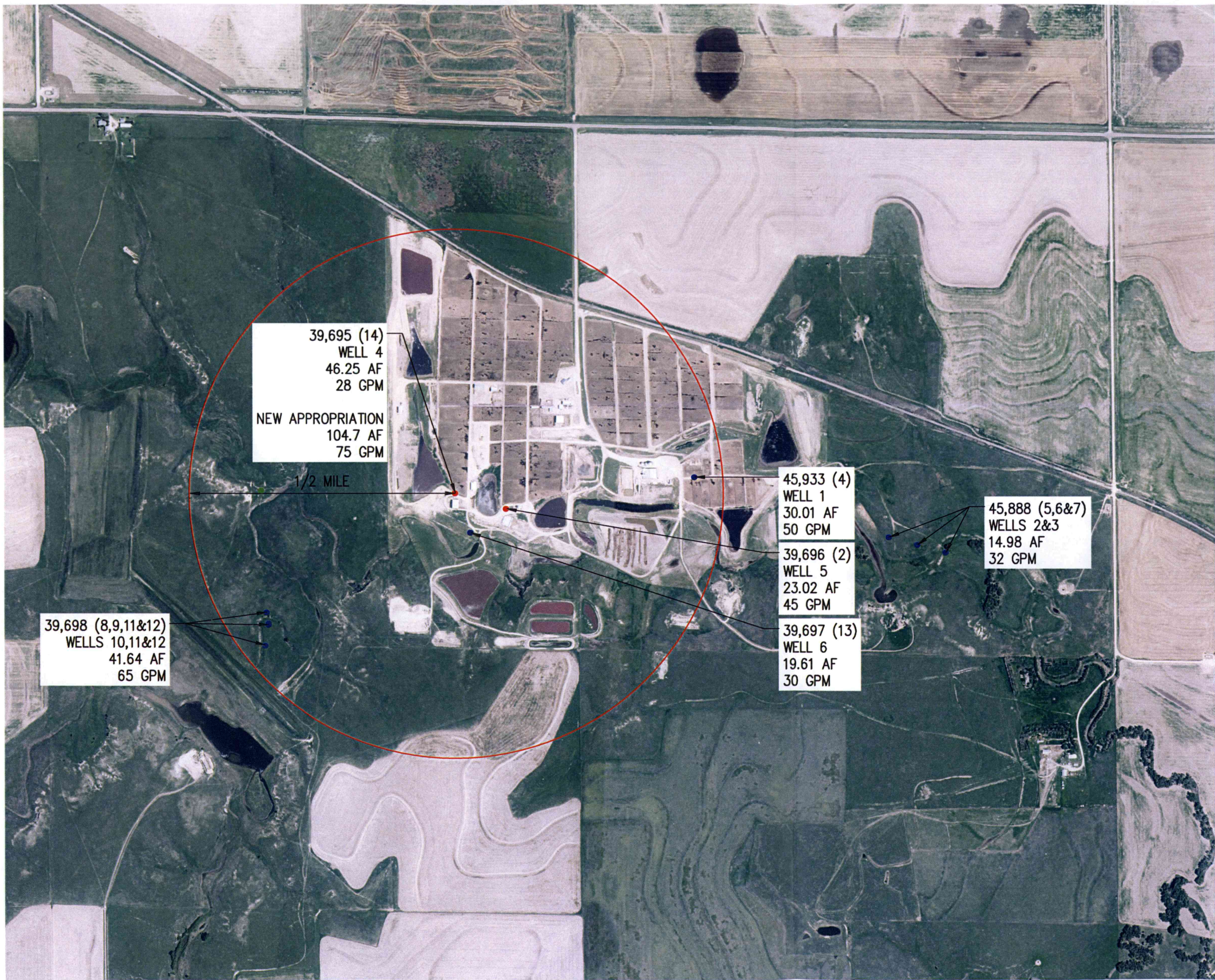
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39,695 (14)
WELL 4
46.25 AF
28 GPM
NEW APPROPRIATION
104.7 AF
75 GPM

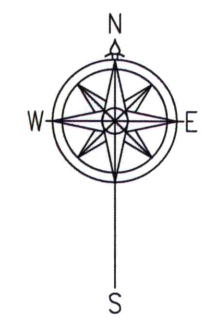
45,933 (4)
WELL 1
30.01 AF
50 GPM

45,888 (5,6&7)
WELLS 2&3
14.98 AF
32 GPM

39,696 (2)
WELL 5
23.02 AF
45 GPM

39,697 (13)
WELL 6
19.61 AF
30 GPM

39,698 (8,9,11&12)
WELLS 10,11&12
41.64 AF
65 GPM



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RATE AND QUANTITY MAP

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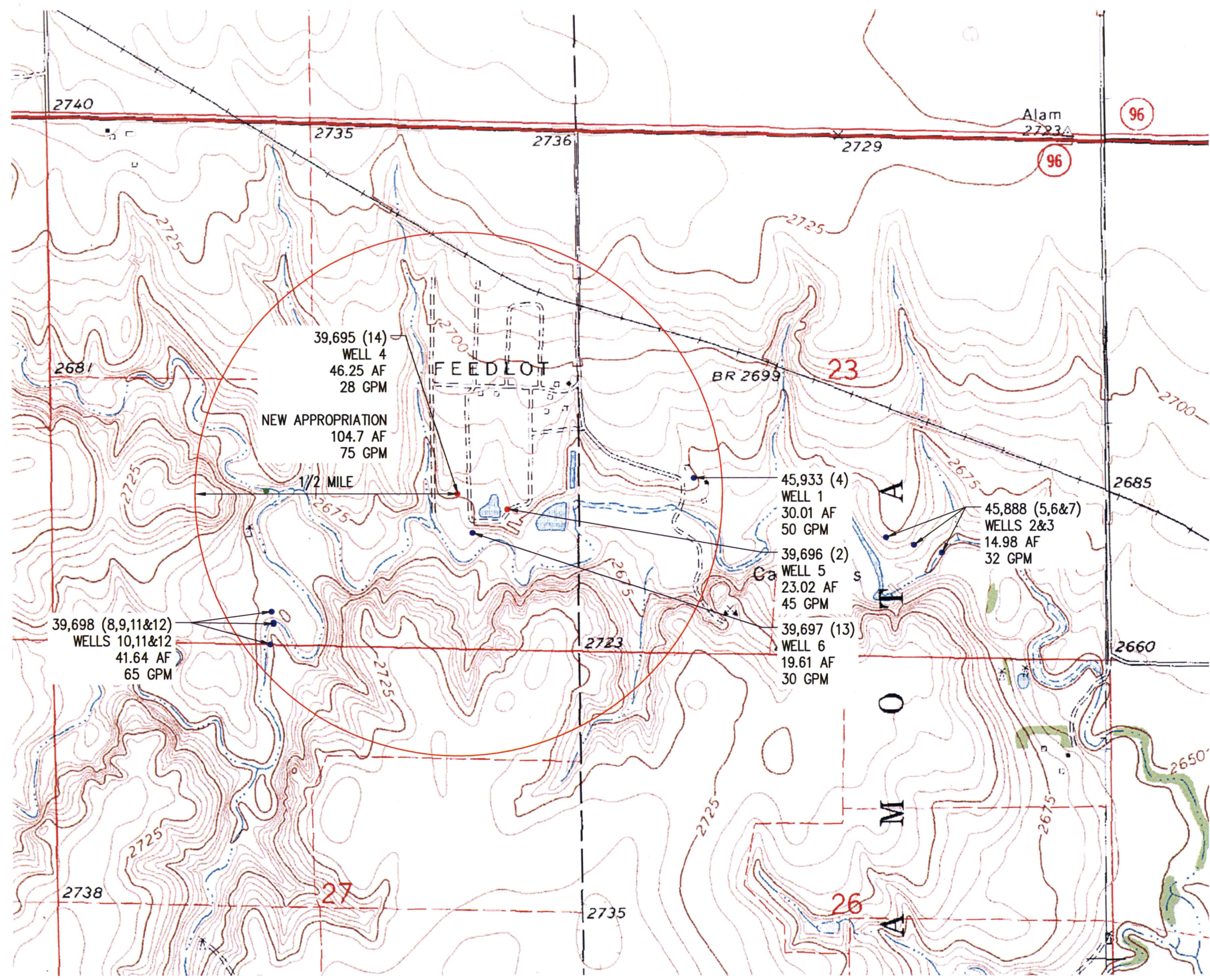
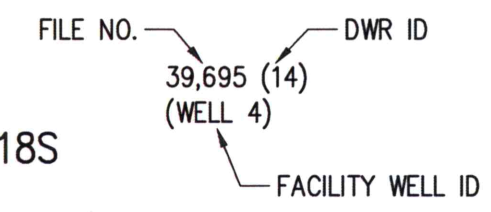
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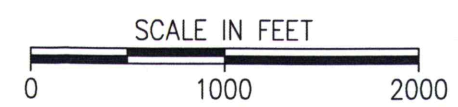
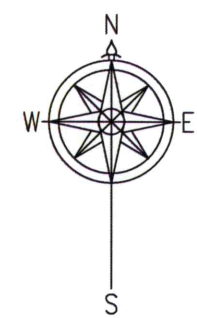
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RATE AND QUANTITY MAP

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