

# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

FEB 03 2020

12:24

KS Dept Of Agriculture



State of Kansas

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

APPLICATION FOR TERM PERMIT

- GROUNDWATER (checked)
SURFACE WATER
(check one)

STATUTORY FILING FEE MUST ACCOMPANY THIS APPLICATION
(Make check payable to the Kansas Department of Agriculture)

20209012

1. Applicant: (Please print or type)
Name Liberty Midstream Pipeline LLC
Street 2331 CityWest Blvd
City and State Houston, TX
Zip Code 77042 Telephone No. (832) 765-3066
E-Mail Address Melony.A.Phillips@p66.com
Social Security I.D. No.
and/or Taxpayer I.D. No.

4. Water is to be used for (briefly describe proposed use and explain the rate and quantity requested):
Construction dewatering for the installation of a 24-inch diameter crude oil / condensate pipeline
5. Location of place of use:
See attached maps and table
6. Period of use:
Commencing date: April 1, 2020
Ending Date: April 1, 2021 Also enter on Item 12

2. Location of Point of Diversion: (See attached table)
Sec. 34, Twp. 16S, Rng. 31, (E/M)
Scott County, Kansas.
Distance from Southeast Corner of Section:
2613 feet North from Southeast Corner
1496 feet West from Southeast Corner
NOTE: If point of diversion is not site specific (i.e. groundwater pit) show the approximate geographic center.

If off-stream pit, check here [ ]
Will pit floor intersect water table? Yes [ ] No [ ]

3. Water Use Data:
Proposed Max. Pumping Rate (gpm) 250
Amount Requested (acre-feet) 53.2 per calendar year
Depth of Well (feet) Trench depth up to 10 feet
Date (completed) (will be completed) July 1, 2021
Drainage Basin See attached maps and table Smoky Hill River
Name of Stream N/A

7. Location of the proposed point of diversion and those of other water users within 1/2 mile shall be indicated on the diagram to the lower-left, scale 1 inch = 2,000 feet. If surface water, indicate on the diagram the course of the stream, and its name. List other D.W.R. permit numbers that cover the requested point(s) of diversion or place of use here:
See the attached table and mapset for diversion point location information

FEE SCHEDULE

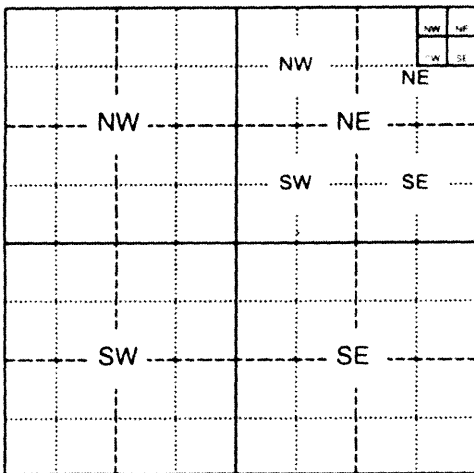
- 1. The filing fee for an application is based on the maximum amount of water use proposed within a year. Except for storage, the fee is:
Acre-feet Fee
0-100 \$200.00
101-320 \$300.00
More than 320 \$300.00
plus \$20 for each additional 100 acre-feet or any part thereof.
2. The fee for an application in which storage is requested, is:
Acre-feet Fee
0-250 \$200.00
More than 250 \$200.00
plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

NOTE: If an application requests both direct use and storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

- 3. A request for an extension of time to extend the term of a term permit shall be accompanied by a fee of \$100.00.
4. There is a separate application form for domestic use. Do not use this form for domestic use.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons
1 million gallons equal 3.07 acre-feet



\*KJW
2/3/20
Crossing ID:
325

Assisted by \_\_\_\_\_

2/10/2020
LMoody

For Office Use Only:
F.O. 4 GMD 1 Meets K.A.R. 5-3-1 (YES/NO) Use DEW Source GYS County SC By KJW Date 2/3/20
Code TRP Fee \$ 200 TR # Receipt Date 2/3/20 Check # 115377

8. For groundwater use, list below all wells within 1/2 mile of the proposed well, and plot locations upon the diagram on reverse side. If additional space is needed, attach a map.

Other wells -

Well A Owner(s): N/A  
Address: \_\_\_\_\_

Well B Owner(s): \_\_\_\_\_  
Address: \_\_\_\_\_

9. For surface water use, list below the names and addresses of all landowners from a point 1/2 mile upstream to a point 1/2 mile downstream of the tract of land upon which the point of diversion is located. If additional space is needed, attach sheet.

Tract A Owner(s): N/A  
Address: \_\_\_\_\_

Tract B Owner(s): \_\_\_\_\_  
Address: \_\_\_\_\_

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

See attached maps and table.  
(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 January 24, 2020. Melony Phillips  
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.

11. The applicant states that the information set hereon is true and accurate to the best of his/her knowledge.

12. The applicant agrees to waive any right to a hearing on the matter of abandonment of this appropriation right and further agrees that this appropriation right may be dismissed and terminated upon completion of the proposed project, said dismissal date to be on April 1, 2021 or within any extension of time authorized by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

13. The applicant agrees to provide water to nearby water users, at no charge to said users, should their rights to use water become impaired by the project proposed by this application.

14. Water use contact person (in event emergency contact is needed):

Name: \_\_\_\_\_ Telephone No. (\_\_\_\_) \_\_\_\_\_

Melony Phillips  
Signature of Applicant or \_\_\_\_\_  
Melony A. Phillips Authorized Representative Date  
Applicant's Name Printed Title

**DO NOT WRITE BELOW THIS LINE**

**CONDITIONS OF APPROVAL:**

The applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined. Accurate and complete records shall be furnished to 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.

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.

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, and such changes in other terms, conditions, and limitation set forth in this approval and permit to proceed as may be deemed to be in the public interest.

**Melony Phillips**  
Senior Environmental Specialist

**PHILLIPS 66**  
2331 CityWest Blvd.  
Houston, TX 77042  
Phone 832.765.3066



January 31, 2020

Kristen Baum, Environmental Scientist  
Kansas Department of Agriculture  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, KS 66502

Water Resources  
Received

**FEB 03 2020**

KS Dept Of Agriculture

**Subject: Liberty Midstream Pipeline LLC – Term and Temporary Permit Applications for Trench Dewatering**

Dear Ms. Baum,

Liberty Midstream Pipeline LLC (Liberty) plans to construct the Liberty Pipeline Project (Project), which is an approximately 720-mile, 24-inch diameter crude oil/condensate pipeline and associated appurtenances originating in Guernsey, Wyoming and terminating in Cushing, Oklahoma. Construction is currently scheduled to begin in Kansas in the second quarter of 2020 with an in-service date of the first quarter of 2021.

Based on communications with the Kansas Department of Agriculture and the Groundwater Management District Offices, the attached applications are grouped by respective permitting limitations (e.g., term, temporary, length of permit). Application Group A contains term permit applications for dewatering locations in Groundwater Management District (GMD) 1, GMD 4, and all other locations outside of or considered non-GMDs. Application Group B contains term permit applications for dewatering locations in the Upper Smoky Hill and Pawnee Valley Expansion Intensive Groundwater Use Control Areas (IGUCAs). Application Group C contains temporary permit applications for dewatering locations in GMD 5.

There are currently a total of 977 dewatering locations across all three group permit applications. Table 1 breaks down permit application information for the Project. Each application group have respective application forms, crossing tables containing location information and crossing IDs, and Project maps. The mapping provided herein is in response to the location question in Section 7 of the application forms.

<b>Table 1</b>			
<b>Liberty Midstream Pipeline LLC</b>			
<b>Liberty Pipeline Project</b>			
<b>Application Group</b>	<b>Permit Application Type</b>	<b>GMD or IGUCA (if applicable)</b>	<b>Crossing ID(s)</b>
Group A	Term Permit	GMD 1, GMD 4, and non-GMDs	1-150, 152-158, 182-468, 638-674, 724-977
Group B	Term Permit	Upper Smoky Hill and Pawnee Valley Expansion IGUCAs	151, 159-181, 469-637
Group C	Temporary Permit	GMD 5	675-723

**Melony Phillips**  
Senior Environmental Specialist

**PHILLIPS 66**  
2331 CityWest Blvd.  
Houston, TX 77042  
Phone 832.765.3066



Installation of the new pipeline will require excavating a trench typically 5 to 7 feet deep, and in some cases up to 10 feet deep, in which to place the pipeline. Groundwater intrusion into the trench may occur, requiring dewatering. The precise location(s) of where construction dewatering will occur along the Project corridor is currently unknown and is subject to change. Discharge rates will vary between locations depending upon trench length, pump size, number of pumps, water depth and inflow rate, and surface runoff control. In order to calculate the filing fee, an estimated average discharge rate of 250 gallons per minute was used to determine the proposed maximum annual amount of water use. However, the maximum annual amount of water use is also subject to change based upon field conditions.

Please contact MacKenzie Metraus of Environmental Resources Management, Inc. (ERM), Liberty's environmental consultant for this Project, at (715) 338-0090, or [MacKenzie.Metraus@erm.com](mailto:MacKenzie.Metraus@erm.com), if you have any questions about this request or need additional information to complete your review. I would also be happy to assist you and may be reached at (832) 765-3066 or [Melony.A.Phillips@p66.com](mailto:Melony.A.Phillips@p66.com).  
Sincerely,

A handwritten signature in black ink that reads "Melony Phillips". The signature is written in a cursive style.

Liberty Midstream Pipeline LLC  
Melony A. Phillips  
Senior Environmental Specialist

Water Resources  
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**FEB 03 2020**  
KS Dept Of Agriculture

Enclosure:                    Application Fee \$10,200 (Check number 115377)  
                                  Attachment A  
                                  Term Permit Applications for Project Areas Intersecting GMD 1, GMD 4,  
                                  and non-GMD or non-IGUCA Land  
                                  Map Series with anticipated points of diversion  
                                  Discharge Location Tables  
                                  Attachment B  
                                  Term Permit Applications for Project Areas Intersecting IGUCAs  
                                  Map Series with anticipated points of diversion  
                                  Discharge Location Tables  
                                  Attachment C  
                                  Temporary Permit Applications for Project Areas Intersecting GMD 5  
                                  Map Series with anticipated points of diversion  
                                  Discharge Location Tables

cc:            Monica Howard (Liberty)  
                 Kurtis Schlicht (ERM)  
                 Bill Miller (ERM)









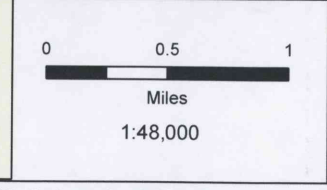
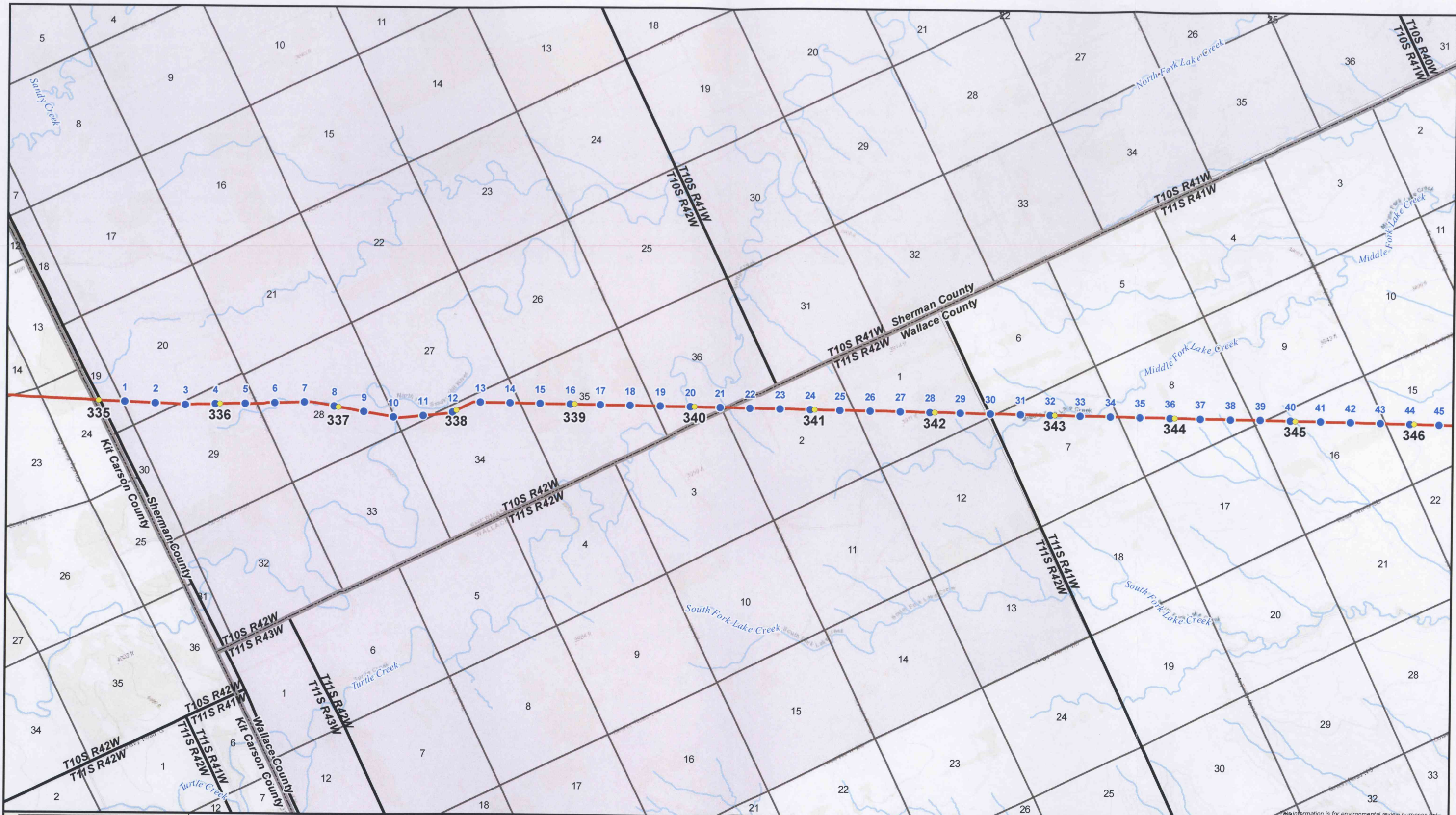










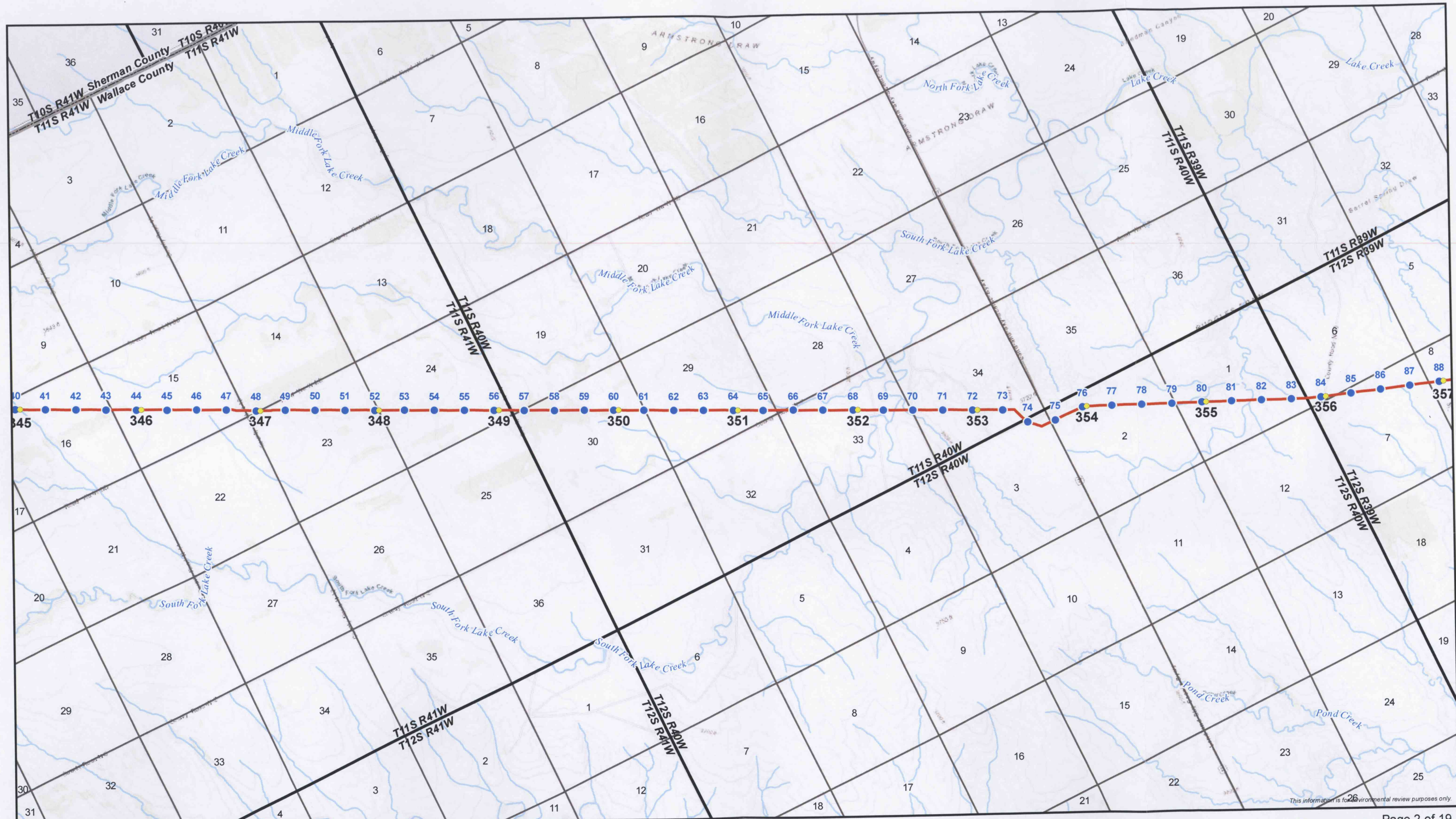


- Mileposts
- Discharge Points
- Current Route
- NHD Stream
- County Boundary
- Township/Range Boundary
- Section Boundary
- Northwest Kansas GMD #4

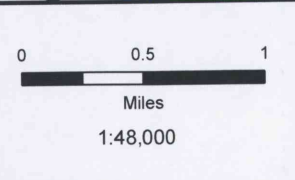


**Term Permit**  
**Anticipated Points of Diversion**  
**Liberty Pipeline Project**  
 Liberty Midstream Pipeline LLC  
 Wallace County, Kansas

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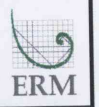


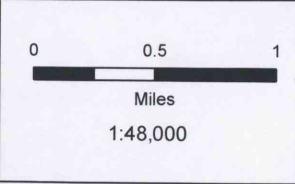
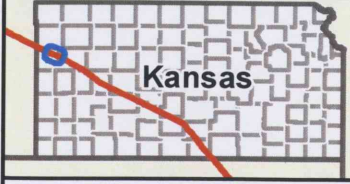
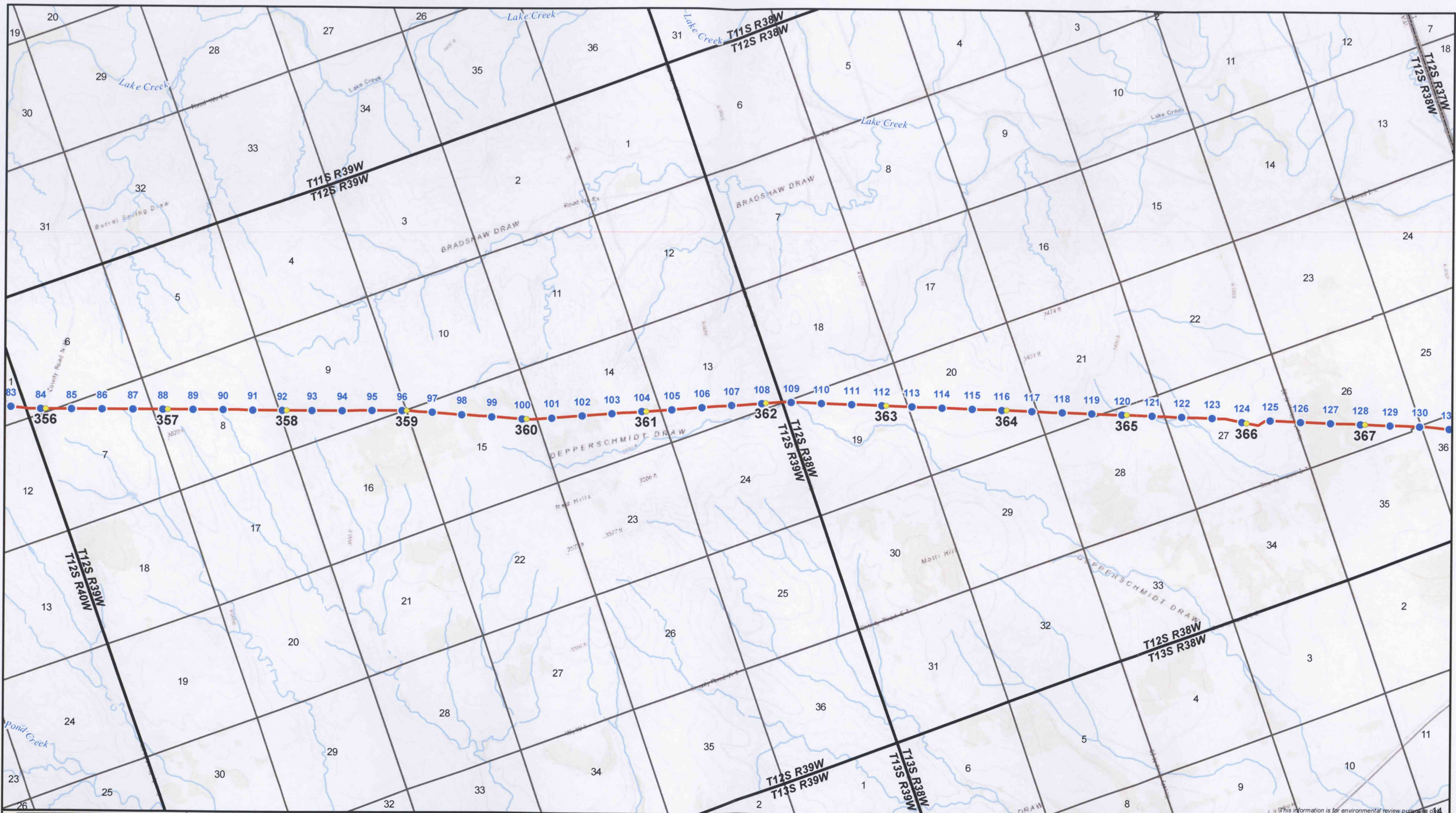
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- Discharge Points
- Current Route
- NHD Stream
- County Boundary
- ▭ Township/Range Boundary
- ▭ Section Boundary
- ▭ Northwest Kansas GMD #4



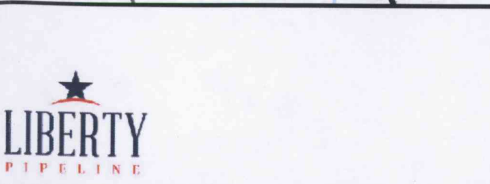
**Term Permit**  
**Anticipated Points of Diversion**  
 Liberty Pipeline Project  
 Liberty Midstream Pipeline LLC  
 Wallace County, Kansas

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**FEB 03 2020**





- Mileposts
- Discharge Points
- Current Route
- NHD Stream
- County Boundary
- ▭ Township/Range Boundary
- ▭ Section Boundary



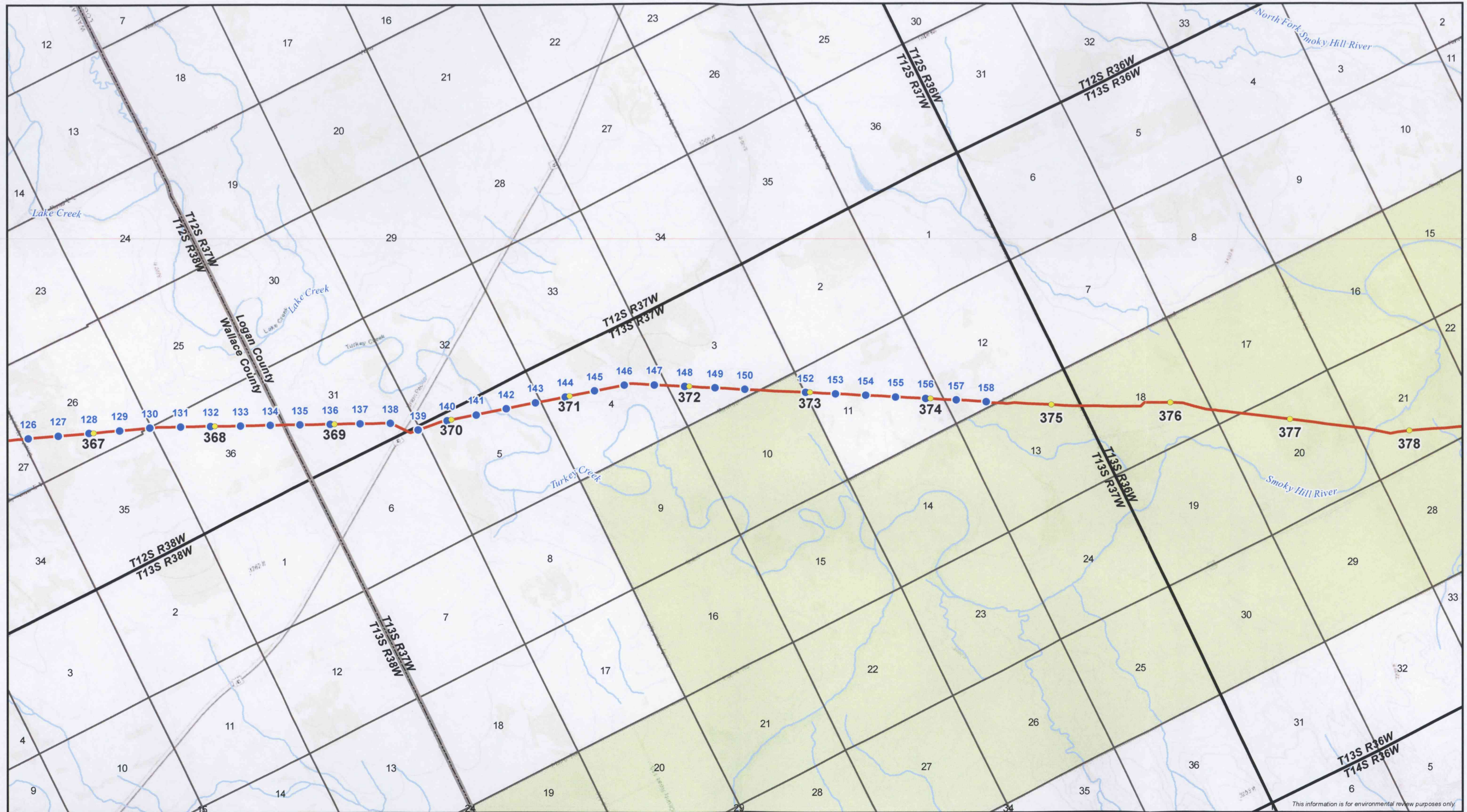
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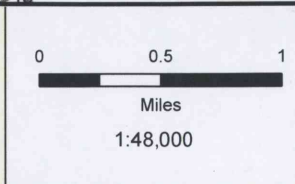
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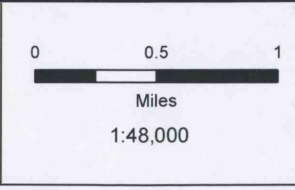
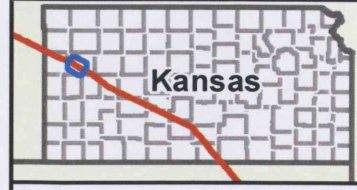
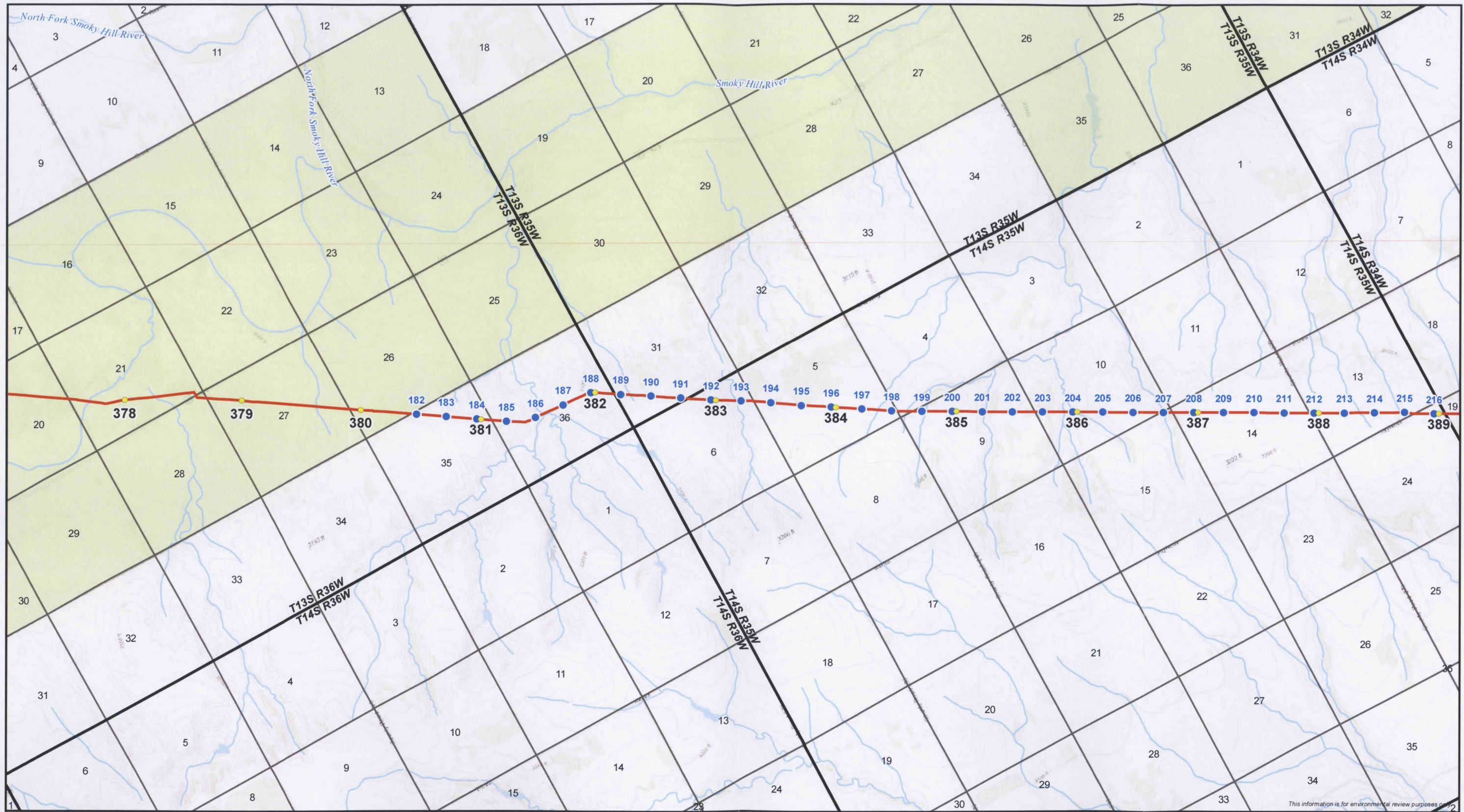


- Mileposts
- Discharge Points
- Current Route
- NHD Stream
- County Boundary
- Township/Range Boundary
- Section Boundary
- Upper Smoky Hill



**Term Permit**  
**Anticipated Points of Diversion**  
 Liberty Pipeline Project  
 Liberty Midstream Pipeline LLC  
 Logan County, Kansas

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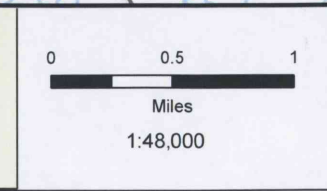
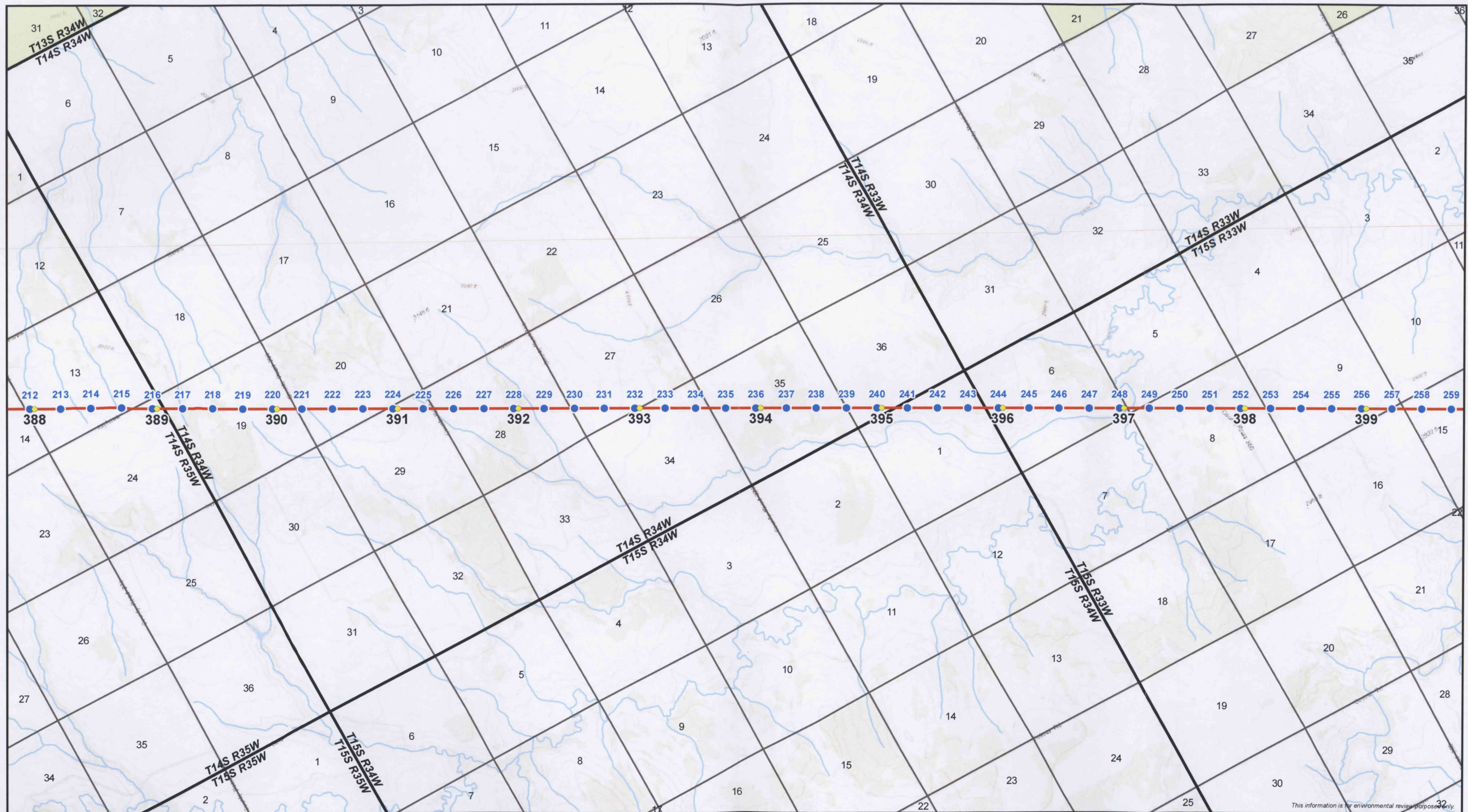


- Mileposts
- Discharge Points
- Current Route
- NHD Stream
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- Section Boundary
- Upper Smoky Hill

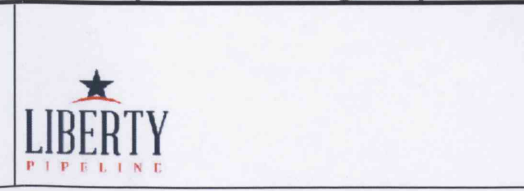


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**Liberty Pipeline Project**  
 Liberty Midstream Pipeline LLC  
 Logan County, Kansas

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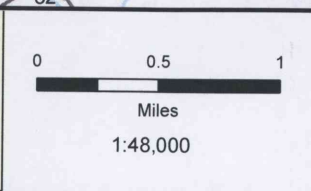
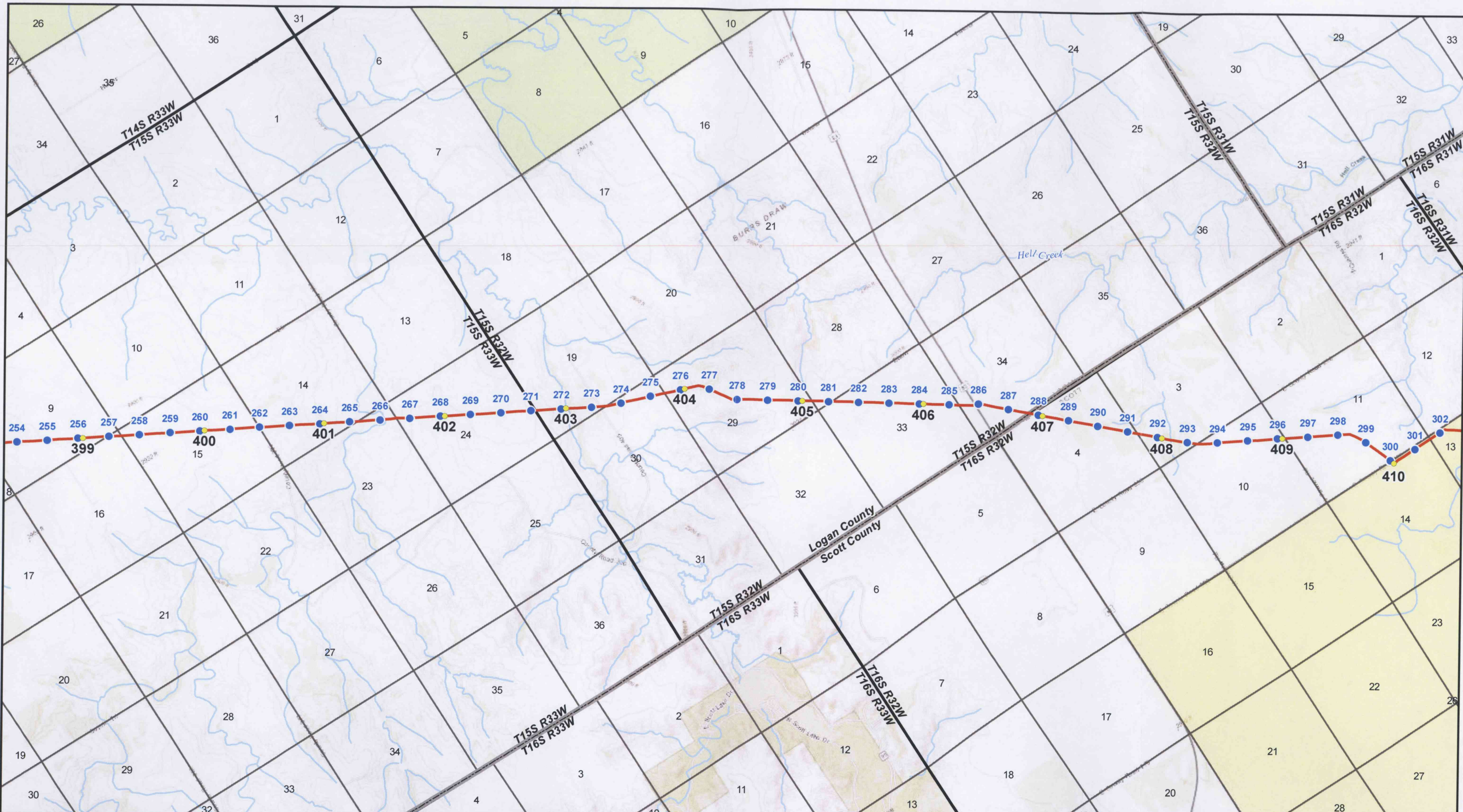


- Mileposts
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- NHD Stream
- County Boundary
- Township/Range Boundary
- Section Boundary
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 Liberty Midstream Pipeline LLC  
 Logan County, Kansas

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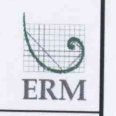


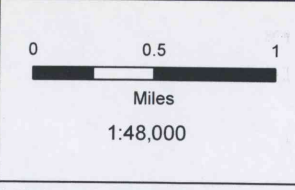
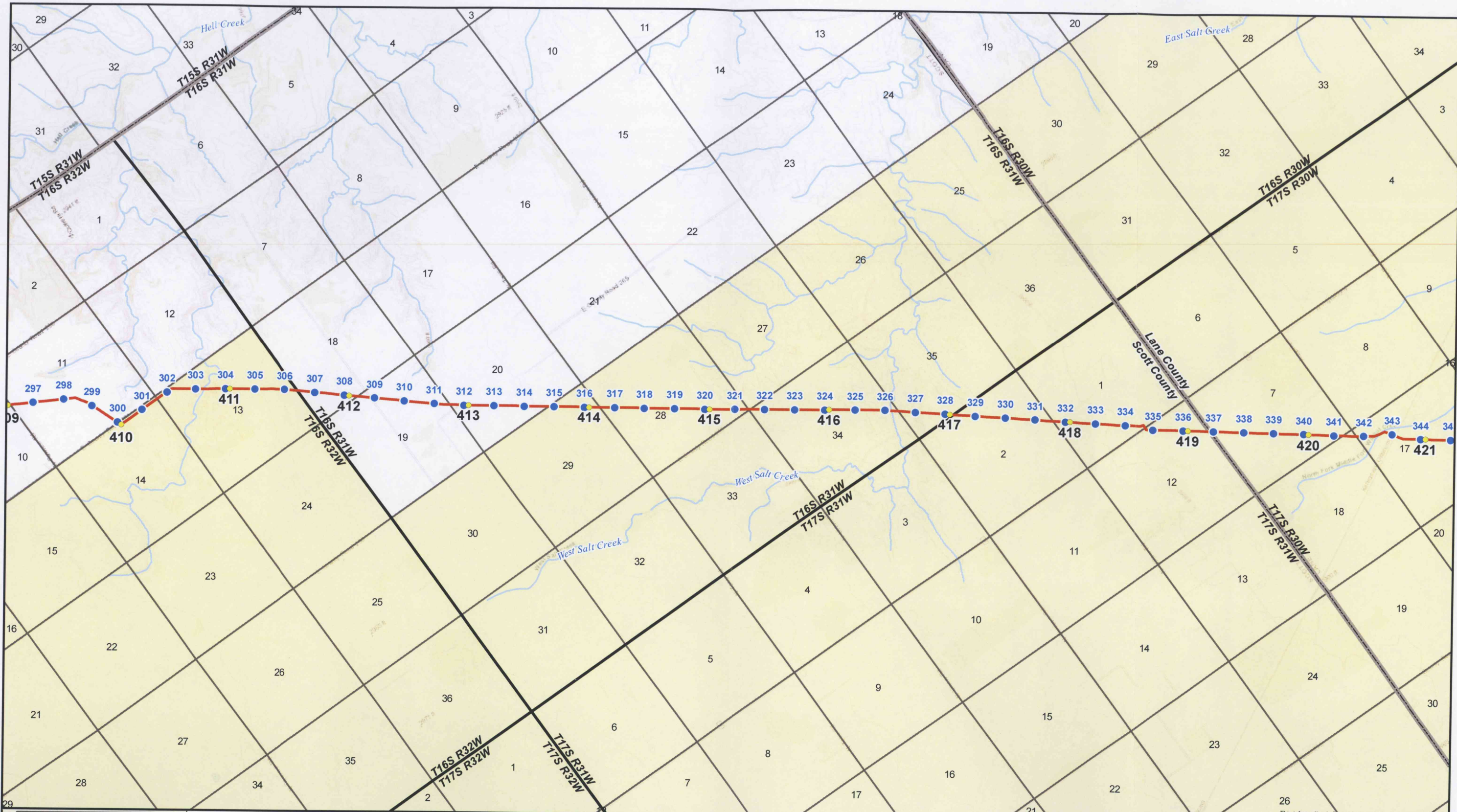
- Mileposts
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- County Boundary
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- Section Boundary
- Upper Smoky Hill
- Western Kansas GMD #1



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 Liberty Midstream Pipeline LLC  
 Logan County, Kansas

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- Section Boundary
- Western Kansas GMD #1



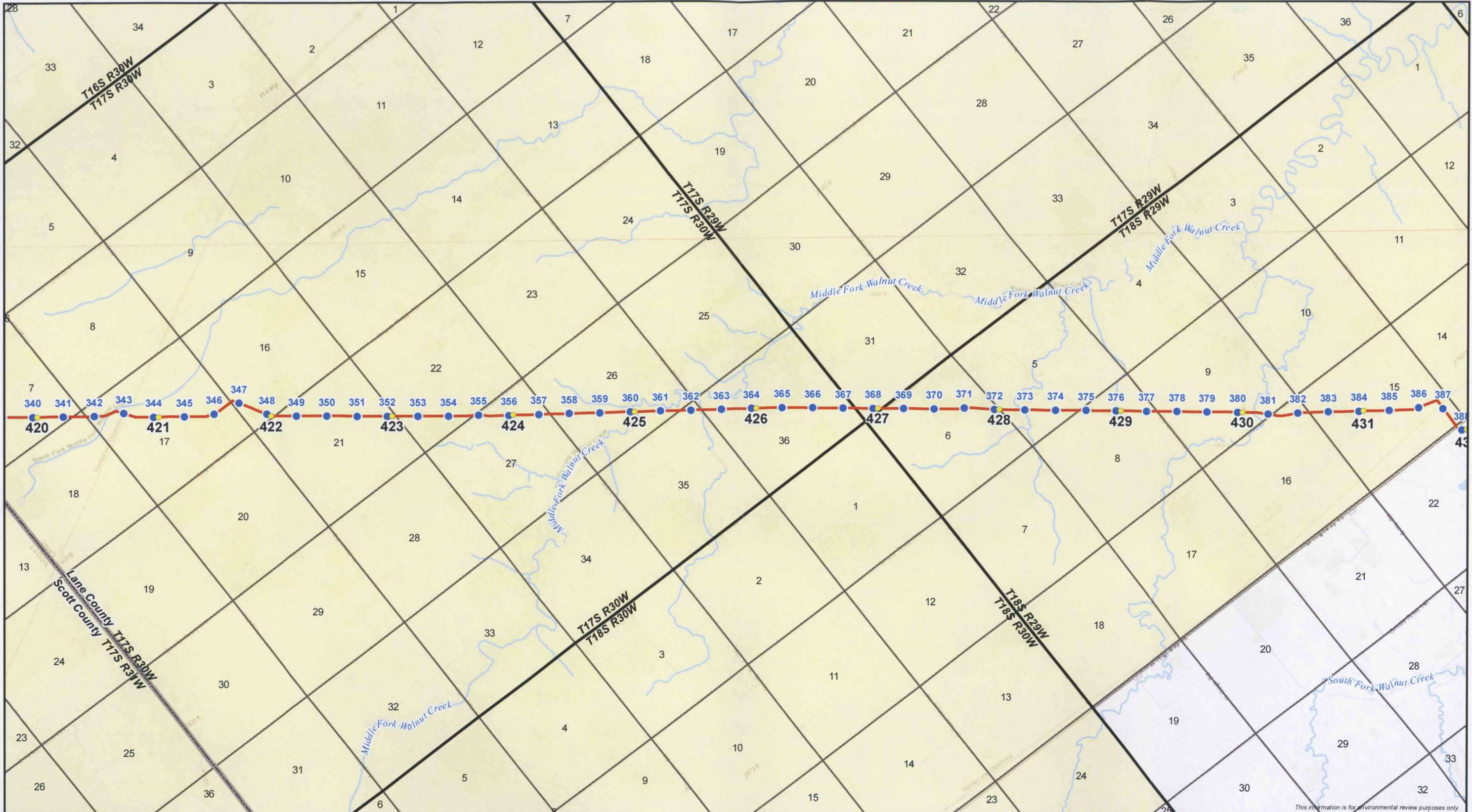
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Scott County, Kansas

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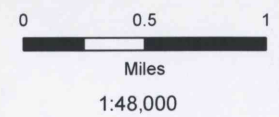


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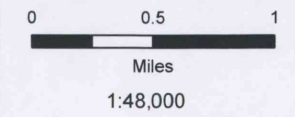
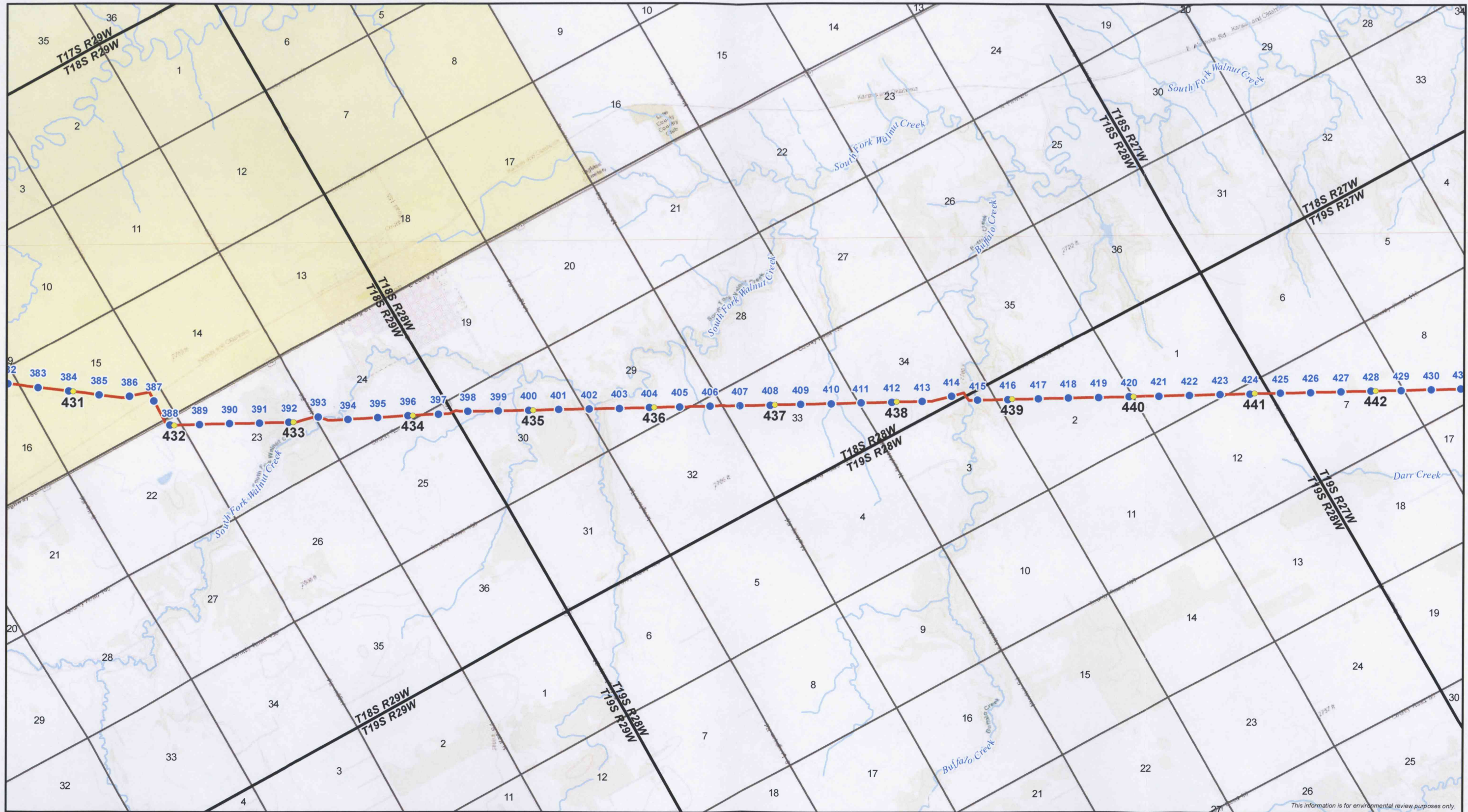
- Mileposts
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 Liberty Midstream Pipeline LLC  
 Lane County, Kansas

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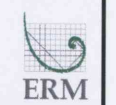


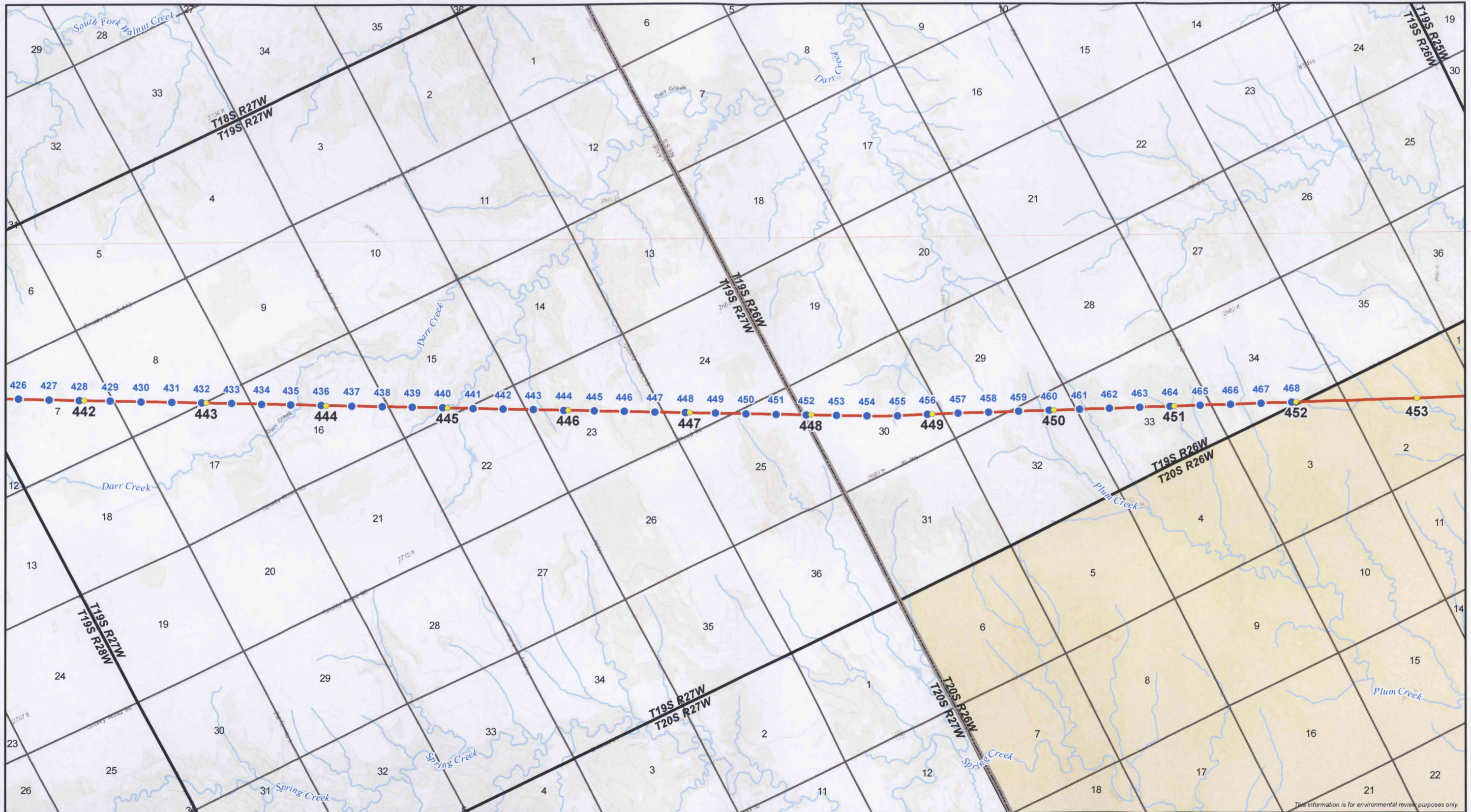
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- Section Boundary
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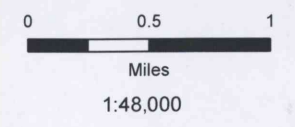
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 Liberty Midstream Pipeline LLC  
 Lane County, Kansas

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- Mileposts
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- NHD Stream
- County Boundary
- Township/Range Boundary
- Section Boundary
- Pawnee Valley Expansion



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 Liberty Midstream Pipeline LLC  
 Lane County, Kansas

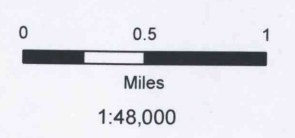
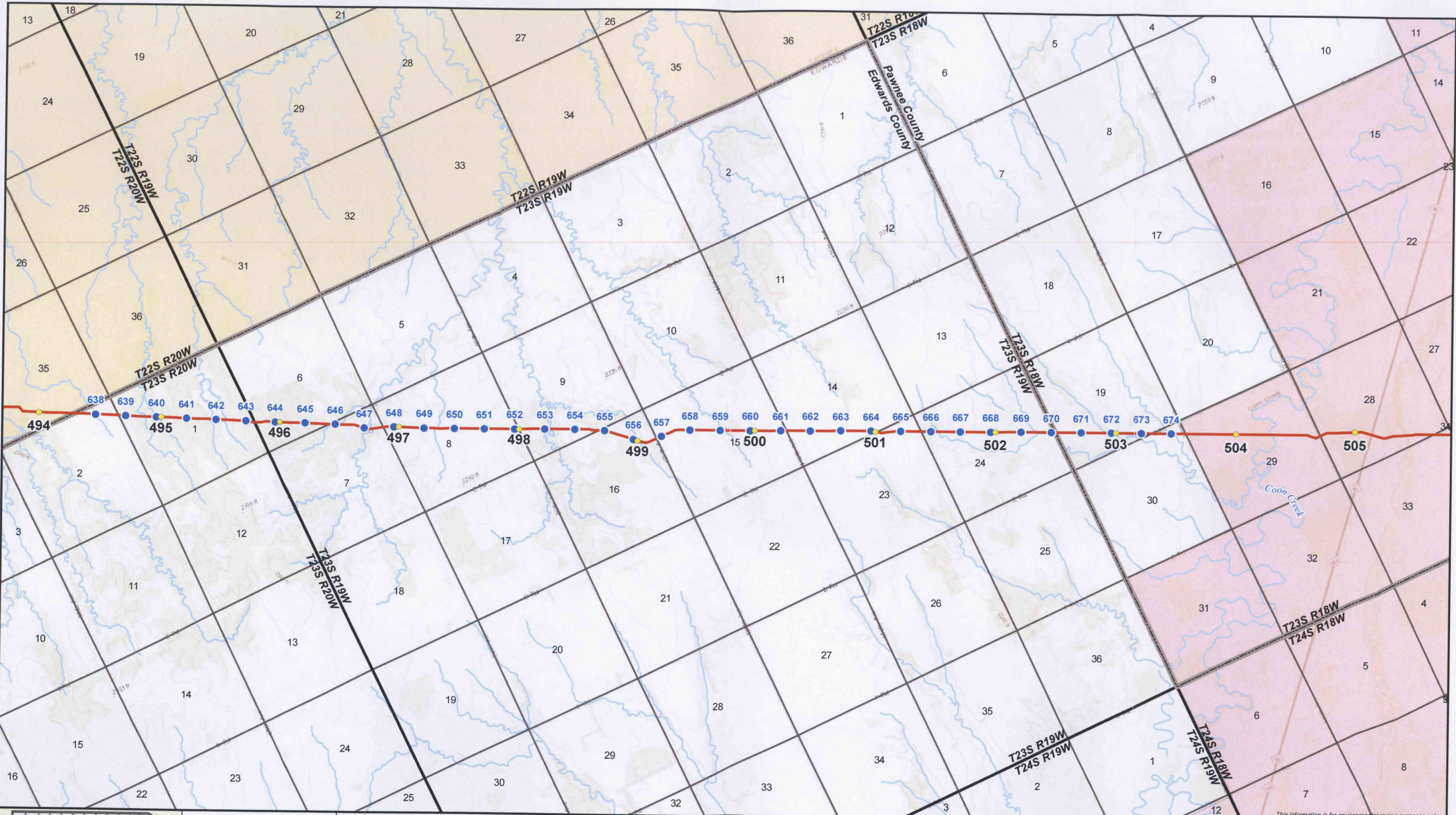
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- Mileposts
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- Township/Range Boundary
- Section Boundary
- Big Bend GMD #5
- Pawnee Valley Expansion

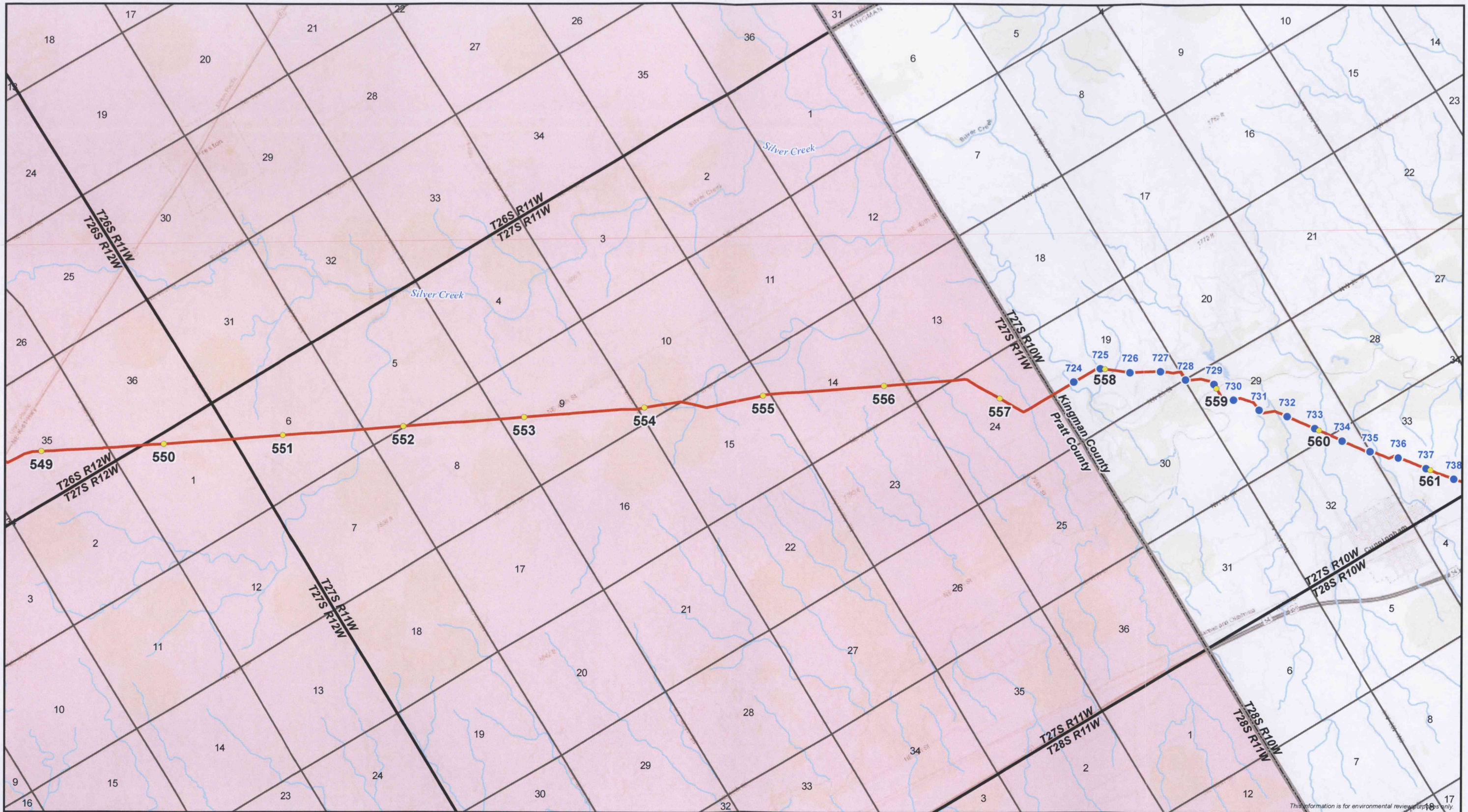


**Term Permit**  
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 Liberty Midstream Pipeline LLC  
 Edwards County, Kansas

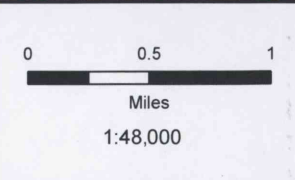
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MPLS M:\Clients\IP-R\IP66\Liberty\_ArcGIS\2019\11\KS\_Discharge\_Permit\IP66\_KS\_Discharge\_Permit.mxd | REVISED: 12/12/2019 | SCALE: 1:48,000 when printed at 11x17



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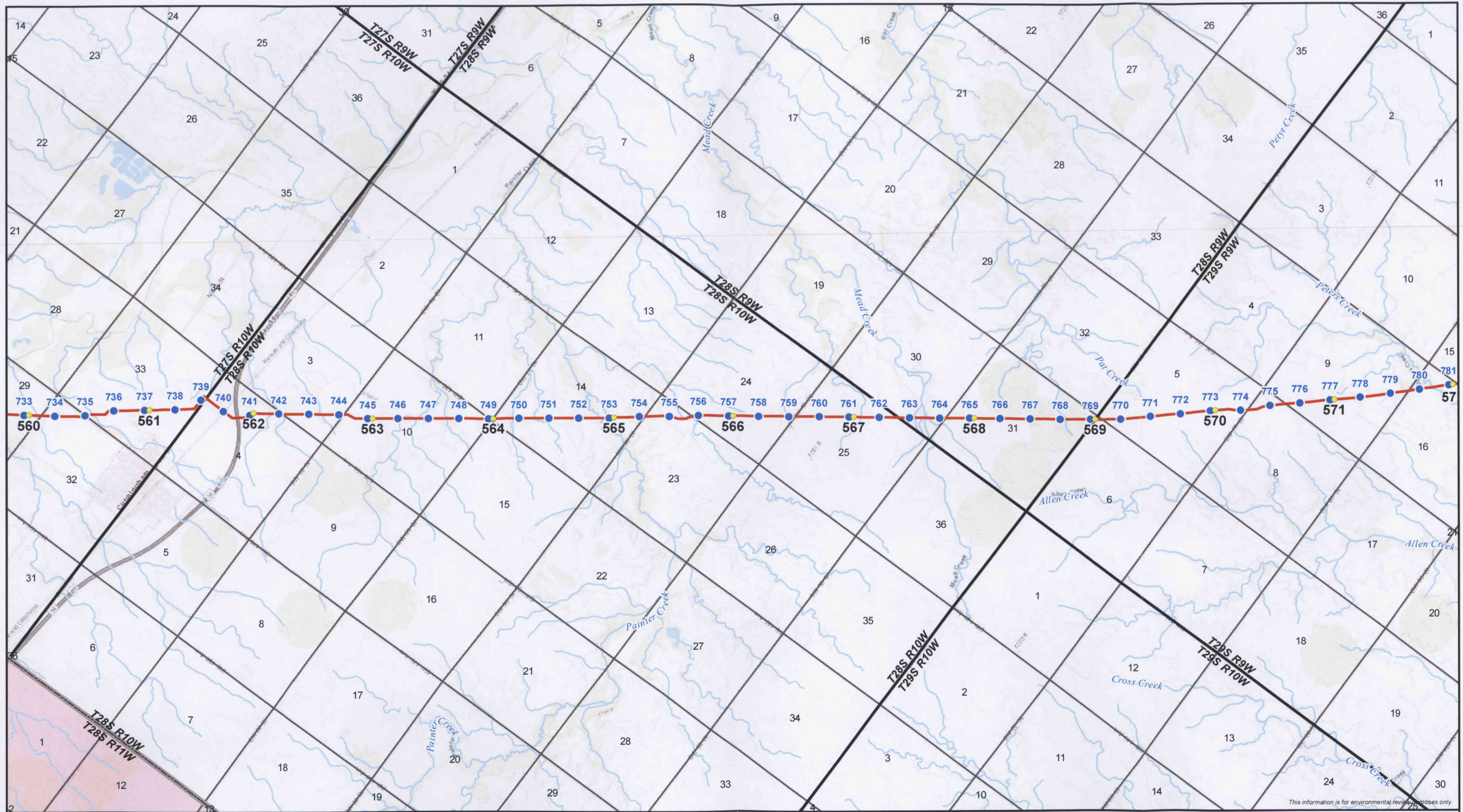
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- ▭ Section Boundary
- ▭ Big Bend GMD #5



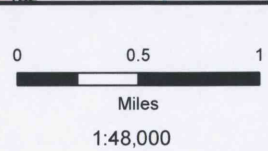
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**Liberty Pipeline Project**  
 Liberty Midstream Pipeline LLC  
 Pratt County, Kansas

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- Mileposts
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- NHD Stream
- County Boundary
- Township/Range Boundary
- Section Boundary
- Big Bend GMD #5

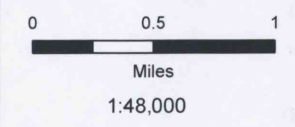
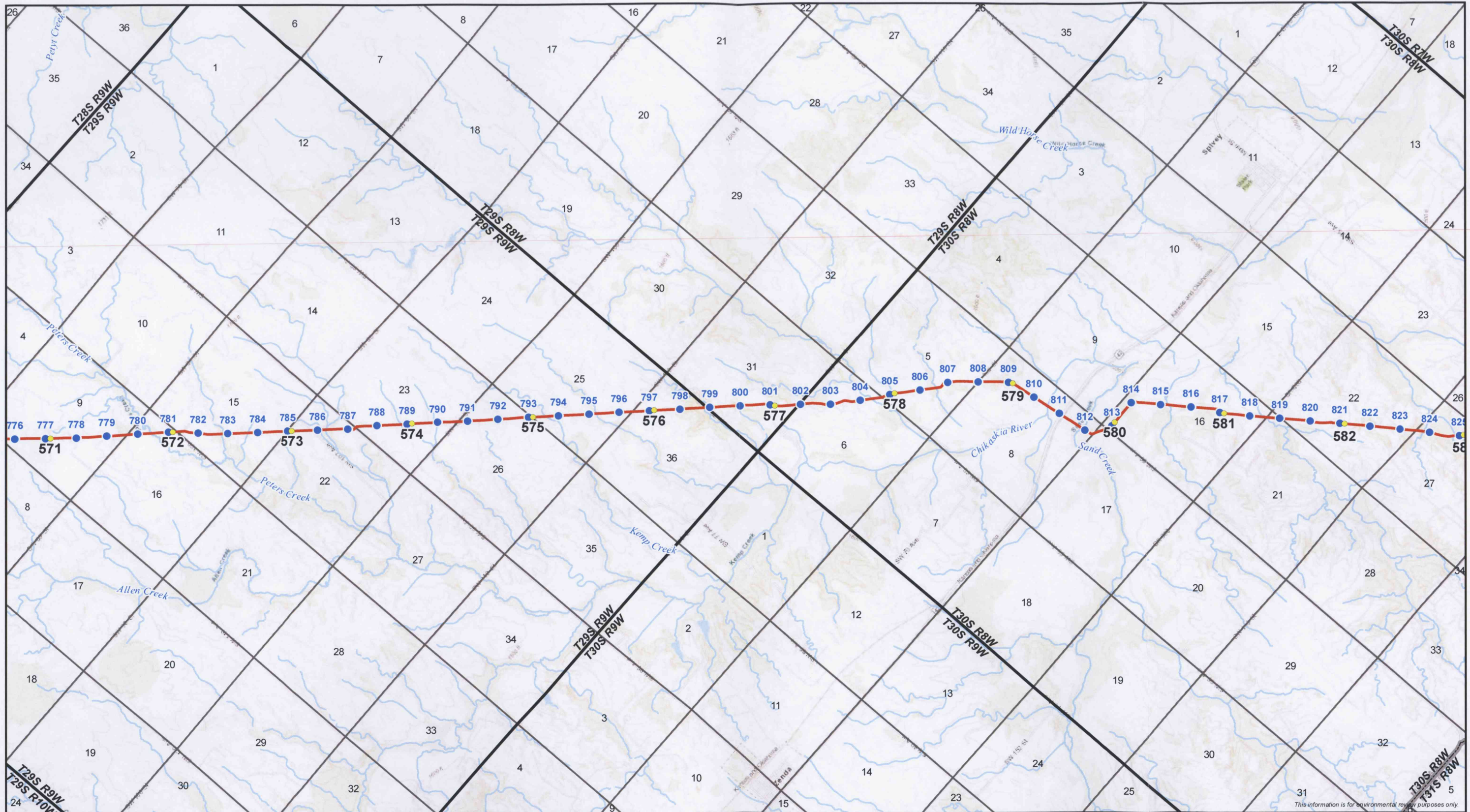


**Term Permit**  
**Anticipated Points of Diversion**  
**Liberty Pipeline Project**  
 Liberty Midstream Pipeline LLC  
 Kingman County, Kansas

Water Resources  
 Received  
**FEB 03 2020**



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- Mileposts
- Discharge Points
- Current Route
- NHD Stream
- County Boundary
- ▭ Township/Range Boundary
- ▭ Section Boundary



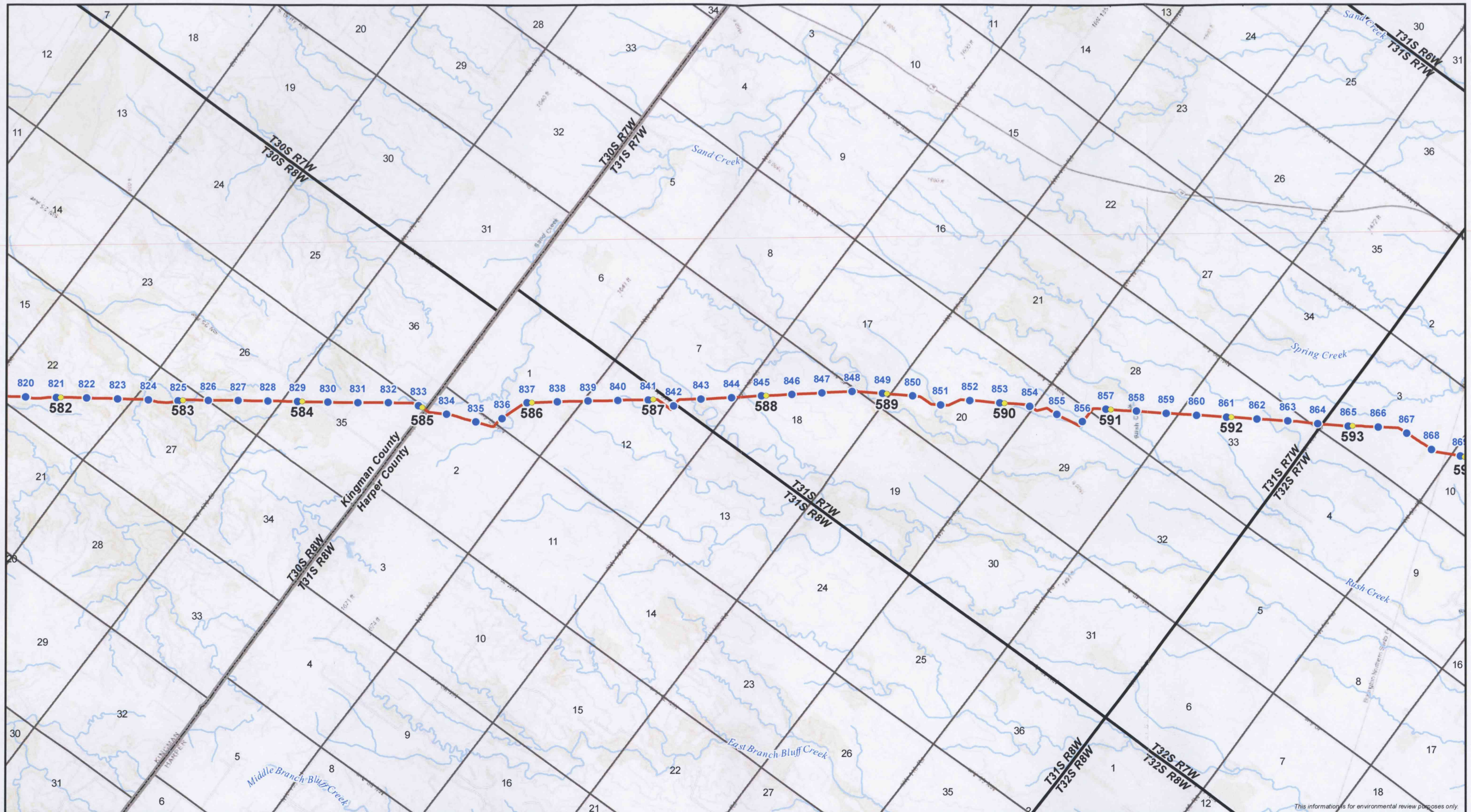
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**Anticipated Points of Diversion**  
 Liberty Pipeline Project  
 Liberty Midstream Pipeline LLC  
 Kingman County, Kansas

Water Resources  
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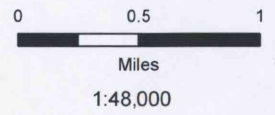
**FEB 03 2020**

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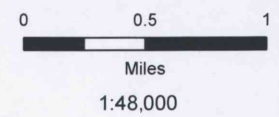
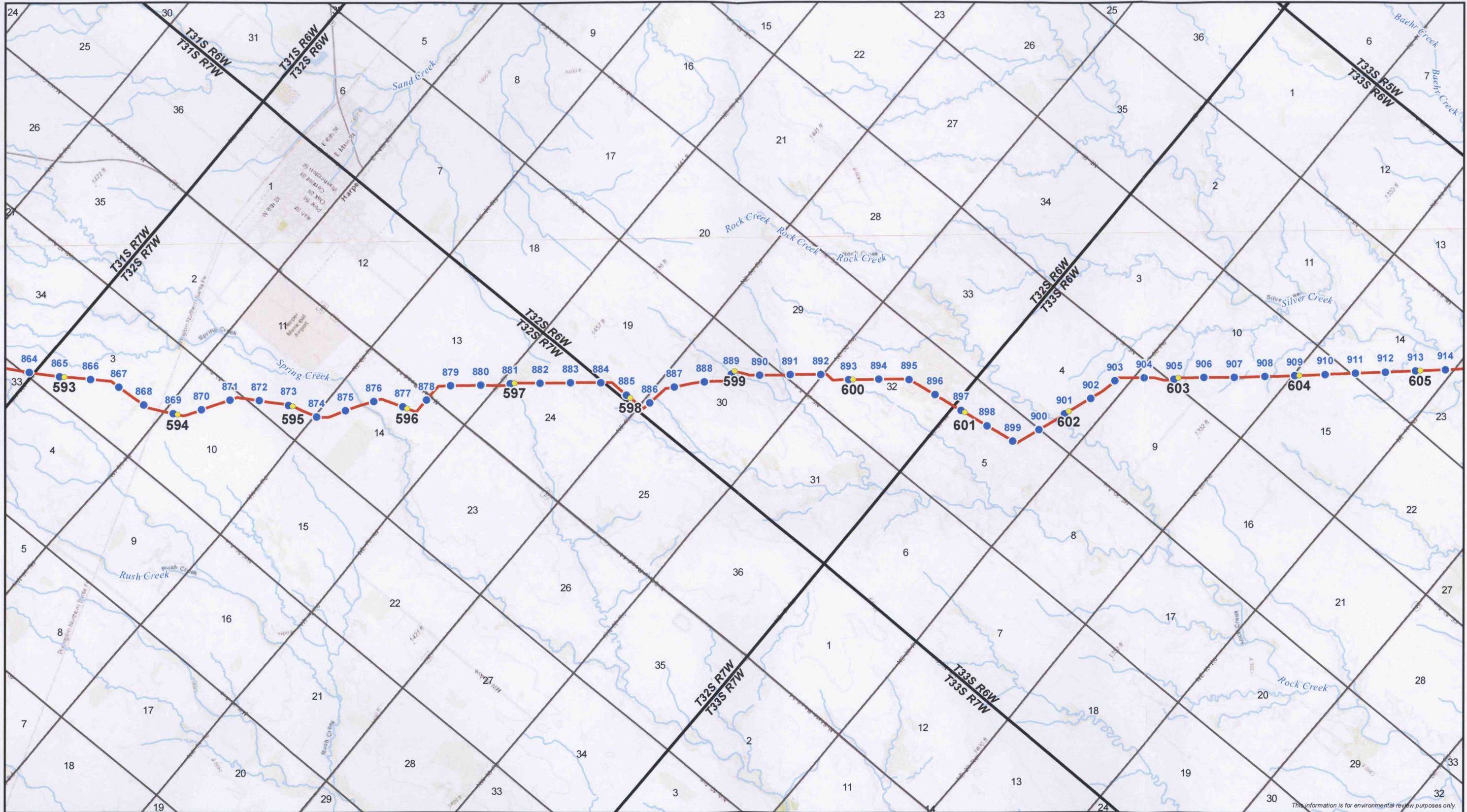
- Mileposts
- Discharge Points
- Current Route
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**Term Permit**  
**Anticipated Points of Diversion**  
**Liberty Pipeline Project**  
 Liberty Midstream Pipeline LLC  
 Harper County, Kansas

**Water Resources**  
**Received**  
**FEB 03 2020**





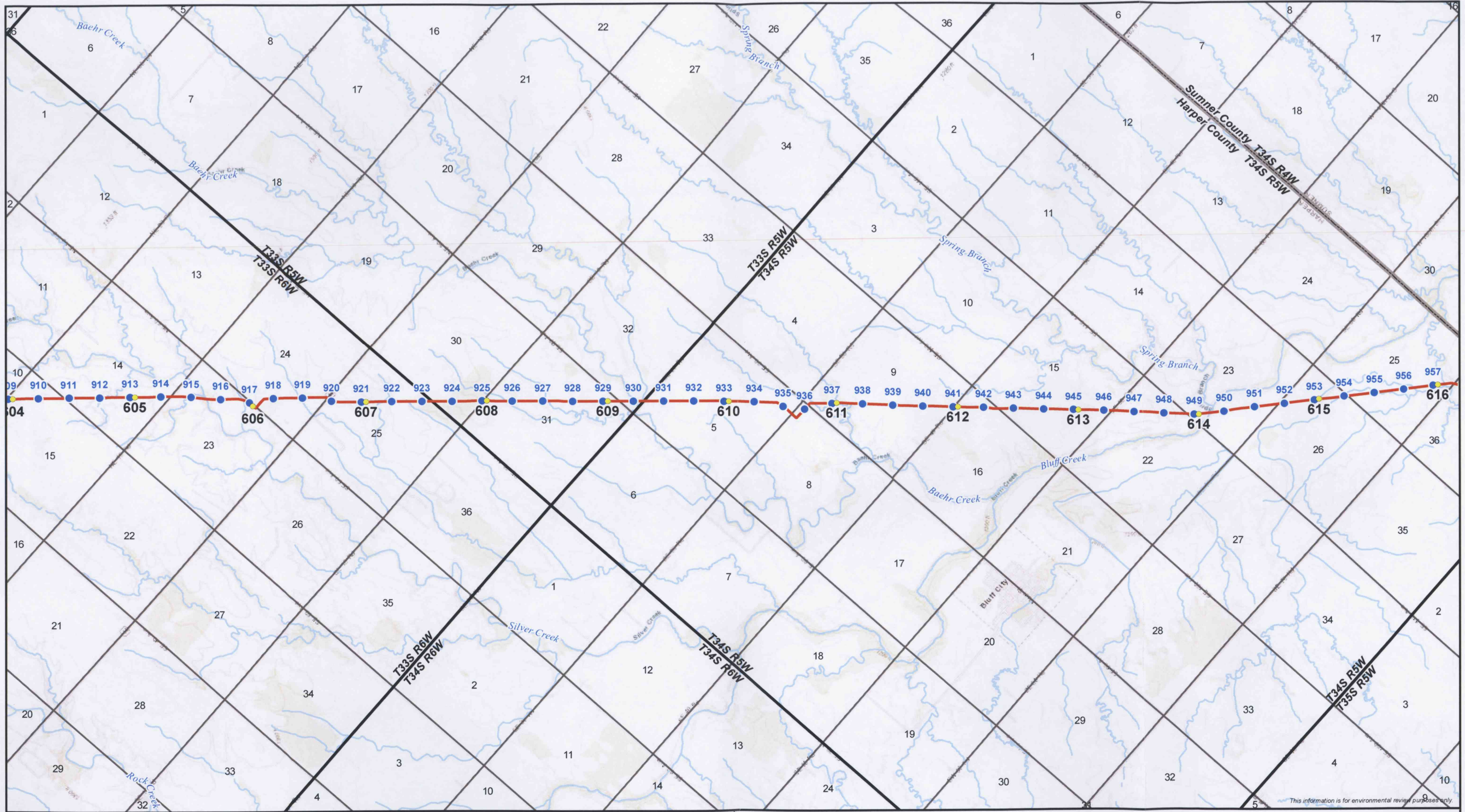
- Mileposts
- Discharge Points
- Current Route
- NHD Stream
- County Boundary
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- Section Boundary



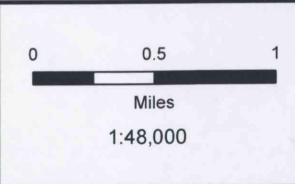
**Term Permit**  
**Anticipated Points of Diversion**  
 Liberty Pipeline Project  
 Liberty Midstream Pipeline LLC  
 Harper County, Kansas

Water Resources  
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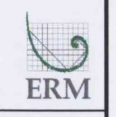


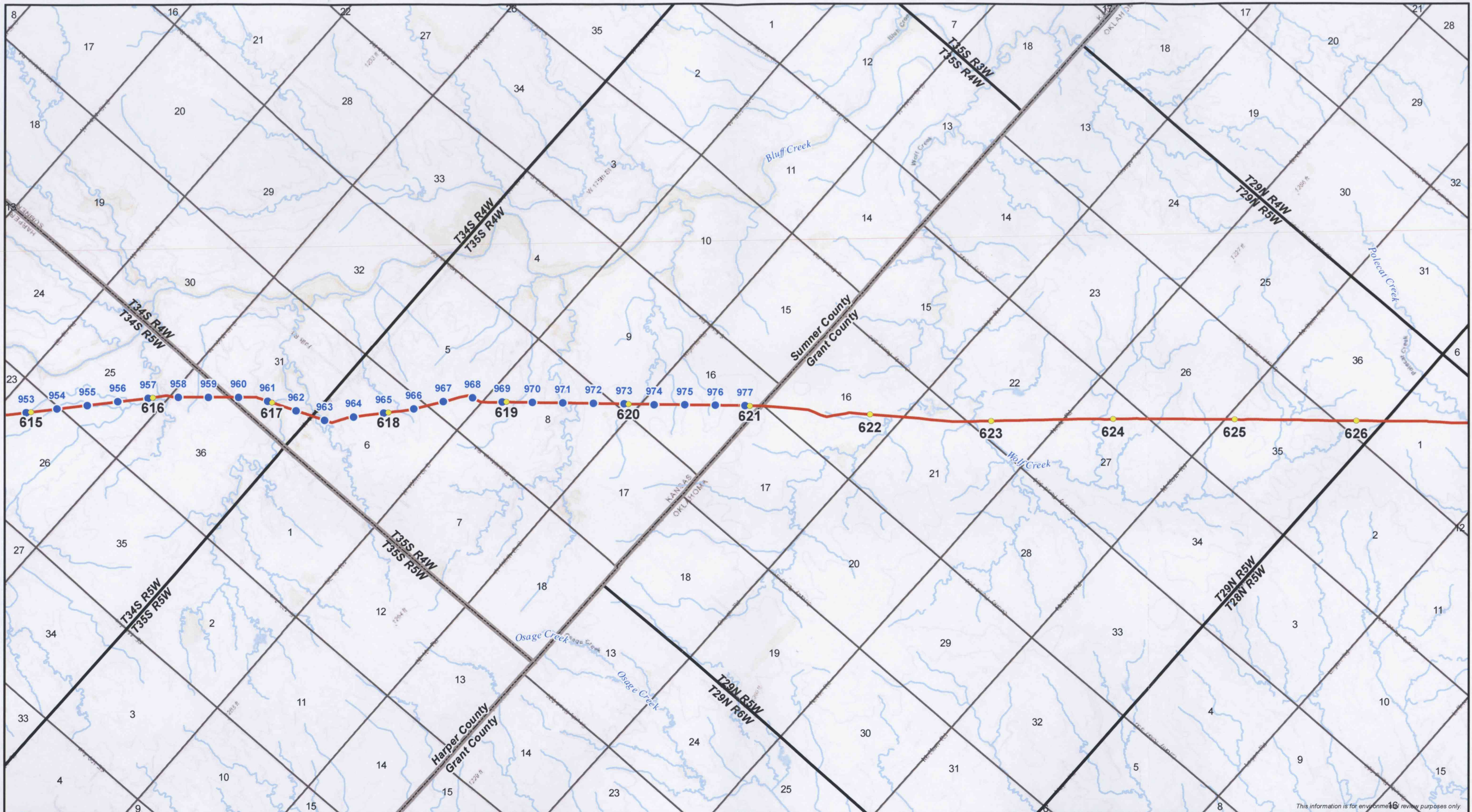
- Mileposts
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- Section Boundary



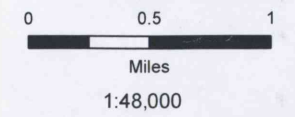
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 Liberty Midstream Pipeline LLC  
 Harper County, Kansas

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- Mileposts
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**Term Permit**  
**Anticipated Points of Diversion**  
 Liberty Pipeline Project  
 Liberty Midstream Pipeline LLC  
 Sumner County, Kansas

Water Resources Received  
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FEB 03 2020

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**DATA ENTRY SYSTEM ID NUMBER SHEET**

**FILE NUMBER** 20209012

<b>APPLICANT PERSON ID &amp; SEQ #</b>	<b>PDIV ID</b>	<b>BATTERY ID</b>
<u>67170</u>	<u>87901</u>	

<b>LANDOWNER PERSON ID &amp; SEQ #</b>	<b>PUSE ID</b>
<u>67170</u>	<u>69826</u>

<b>WATER USE CORRESPONDENT PERSON ID &amp; SEQ #</b>
<u>67170</u>

1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6700  
www. agriculture.ks.gov



900 SW Jackson, Room 456  
Topeka, KS 66612  
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

February 3, 2020

LIBERTY MIDSTREAM PIPELINE LLC  
2331 CITYWEST BLVD  
HOUSTON TX 77042

RE: Application, File Nos. **20209012 &  
20209013**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your applications for a Term permit to appropriate water for beneficial use. Your applications have been assigned the file numbers referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your applications and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the applications is unlawful.

Additional information about the process may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any other questions, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program