

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.

Water Resources

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

Received
MAR 09 2020
10:30

GROUNDWATER
 SURFACE WATER
(check one)

Water Resources

Received

UNACCEPTABLE
MAR 05 2020
12:38 PM
PRIORITY



KS Dept Of Agriculture State of Kansas

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

20209031

1. Applicant: (Please print or type)
Name GREEN PLAINS CATTLE CO LLC, Attn Mike Hunter
Street 857 N HWY 25
City and State LEOTI KS
Zip Code 67861 Telephone No. (620) 355-2255
E-Mail Address mike.hunter@greenplainscattle.com
Social Security I.D. No. _____
and/or Taxpayer I.D. No. 20-5647338

2. Location of Point of Diversion: GEO center of 9 wells:
Sec. 12, Twp. 17, Rng. 37, W,
WICHITA County, Kansas.
Distance from Southeast Corner of Section:
1516 feet North from Southeast Corner
2016 feet West from Southeast Corner

NOTE: If point of diversion is not site specific (i.e. groundwater pit) show the approximate geographic center.

3. Water Use Data:
Proposed Max. Pumping Rate (gpm) 1475
Amount Requested (acre-feet) 550 mgy
per calendar year
Depth of Well (feet) NA
Date (completed) (will be completed) NA- existing wells
Drainage Basin LADDER CREEK
Name of Stream NA

4. Water is to be used for (briefly describe proposed use and explain the rate and quantity requested):
STOCKWATER USE AS A PILOT
allowing grouping of stockwater well quantities supplying the
facillity place of use.

5. Location of place of use:
SW and E2 of 11-17-37W
all of 12-17-37W, SW 1-16-37w

6. Period of use:
Commencing date: January 1st, 2020
Ending Date: December 31st, 2024 Also enter on Item 12

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

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 ATTACHED

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.

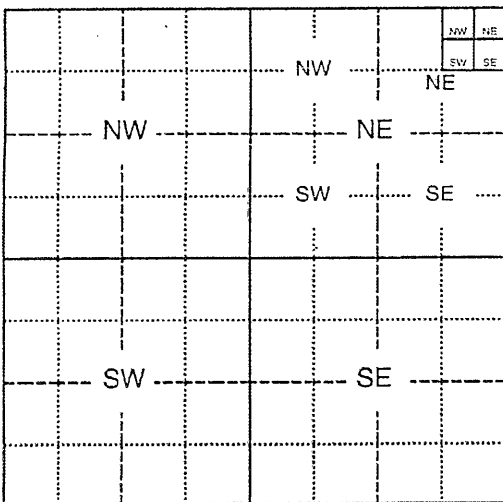
3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

4. A request for an extension of time to extend the term of a term permit shall be accompanied by a fee of \$100.00.

5. 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



See attached map on supplemental sheet...

Assisted by MM/GCFO

For Office Use Only:
F.O. 4 GMD 1 Meets K.A.R. 5-3-1 (YES/NO) Use STK Source G/S County WH By KJN Date 3/9/20
Code TR3 Fee \$ 580 TR # _____ Receipt Date 3/9/20 Check # 603009970

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.

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MAR 09 2020
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MAR 05 2020
UNACCEPTABLE FOR PRIORITY

Other wells -

Well A Owner(s): File No. 10615
Address: _____

Well B Owner(s): KS Dept Of Agriculture
Address: KS Dept Of Agriculture

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): NA
Address: _____

Tract B Owner(s): NA
Address: _____

10. The owner of the point of diversion, if other than the applicant is (please print):
same as applicant
(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 _____, 20____. _____
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 December 31, 2024 _____ 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: Mike Hunter Telephone No. (806) 240-3709

Signature of Applicant or _____
Mike Hunter Applicant's Name Printed _____
Authorized Representative Date
General Manager 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.

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Christopher W. Beightel, Acting Chief Engineer

SWORN STATEMENT
PURSUANT TO K.S.A. 82a-709

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 March 9, 2020. [Signature]
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.

Water Resources
Received

MAR 09 2020

KS Dept Of Agriculture

ATTACHMENT TO TERM PERMIT

GREEN PLAINS CATTLE CO LLC

CONTINUATION OF PAGE 1, NO. 2 (LOCATIONS OF POINTS OF DIVERSION)

Section, Township, Range (West), all WICHTA County, and Distance from SE corner of Section:

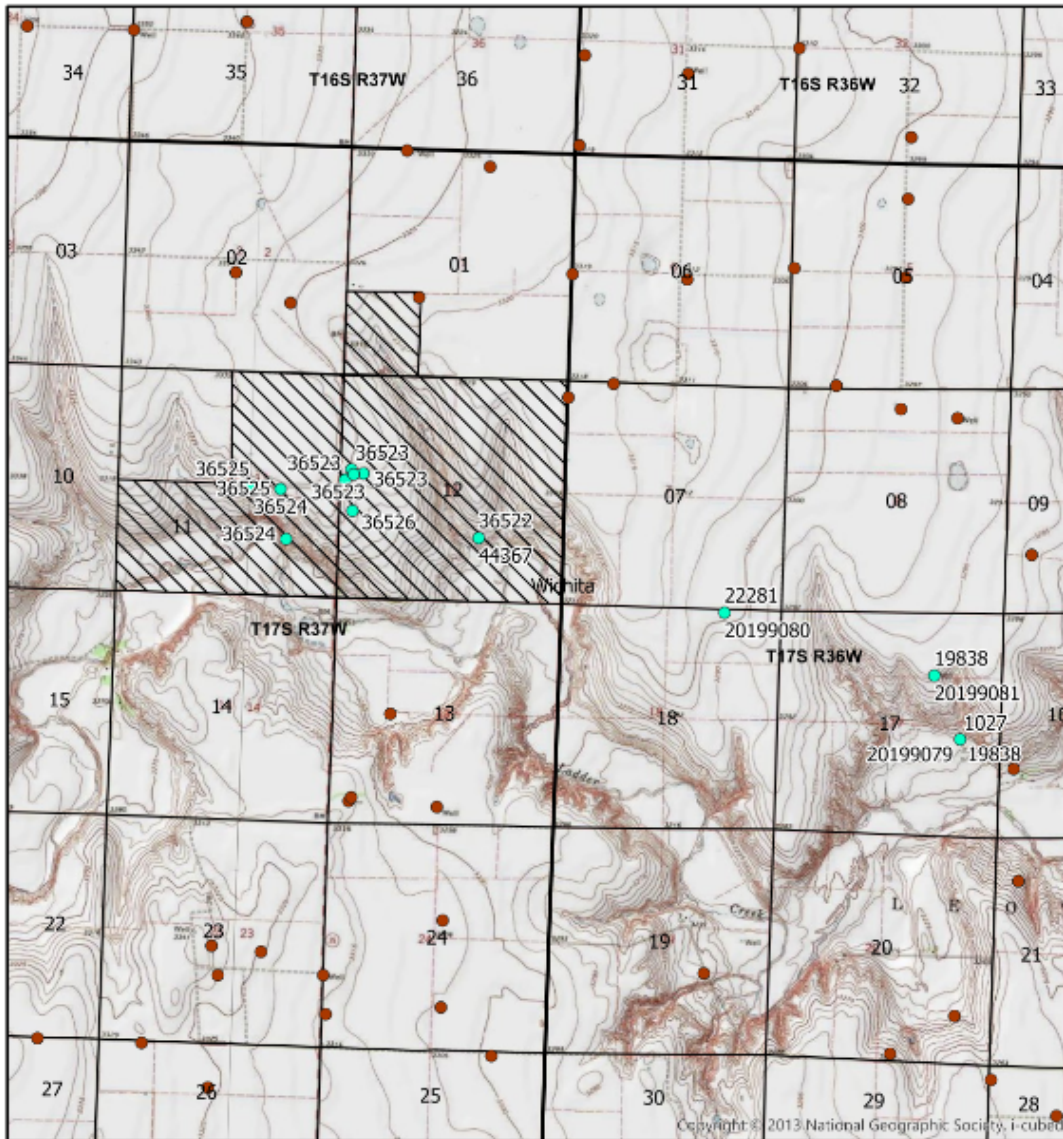
NWNESE - 2330' North, 990' West, 17-17-36W, (File Nos. 1027, 19838)
NESWNE – 3830' North, 1610' West, 17-17-36W (File No. 19838)
NWNENE – 5179' North, 1275' West, 18-17-36W (File No. 22281)
SWNESW – 1865' North, 3595' West, 1-17-37W (File No. 25026)
SWNWSE – 1516' North, 2016' West, 12-17-37W (File Nos. 36522, 44367))
SWSWNW –2917' North, 5023' West, 12-17-37W GEO CENTER (File No. 36523)
 SWSWNW –3029' North, 5065' West, 12-17-37W battery 1 of 3 wells
 SWSWNW –2944' North, 4790' West, 12-17-37W battery 2 of 3 wells
 SWSWNW –2779' North, 5215' West, 12-17-37W battery 3 of 3 wells
NENWSE – 2555' North, 1408' West, 11-17-37W STANDBY WELL (File No. 36524)
SWNESE – 1383' North, 1244' West, 11-17-37W PRIMARY WELL (File No. 36524)
NWNWSE – 2597' North, 2141' West, 11-17-37W, PRIMARY WELL (File No. 36525)
NENWSE – 2555' North, 1408' West, 11-17-37W, STANDBY WEL (File No. 36525)
NWNWSW – 2057' North, 5028' West, 12-17-37W, (File No. 36526)




- ALL WELLS LIMITED ANNUALLY TO A TOTAL COMBINED LIMIT OF 550 mgy.
- ALL WELLS CAN EXCEED THEIR AUTHORIZED ANNUAL BASE WATER RIGHT QUANTITY EXCEPT:
- THE FOLLOWING WELLS ARE PROPOSED TO BE LIMITED ANNUALLY TO THE FOLLOWING QUANTITIES:

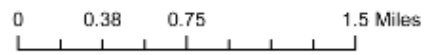
<u>FILE NO.</u>	<u>LIMITED ANNUAL QUANTITY</u>
1027/19838 (SE¼ WELL)	33.889 mgy
19838 (NE¼ WELL)	38.549 mgy
22281	75.276 mgy

(approx. 25% increase “cap” over combined authorized quantity)

GPCC PROPOSED PLACE OF USE



-  AUTHORIZED POINT OF DIVERSION
-  POINT OF DIVERSION
-  PROPOSED PLACE OF USE



Created By: AM/GCFO

Garden City Field Office
4532 W. Jones, Suite B
Garden City, KS 67846



Phone: 620-276-2901
Fax: 620-276-9315
www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

April 8, 2020

VIRGINIA LEE LIFE ESTATE
Attn: ATTN TERRY LEE
2908 SAINT JAMES PLACE
GARDEN CITY, KS 67846

RE: Term Permit Application, File No. 20209031

Dear Sir or Madam:

This is to advise you that Green Plains Cattle Co. LLC has filed the application referenced above for a permit to divert 550 million gallons of water per calendar year for a period of five years to be utilized for stockwatering use. The requested quantity is not additional water to the quantities currently authorized, this permit is requesting to provide flexibility to divert existing water from existing wells authorized under File Nos. 1,027; 19,838; 22,281; 25,026; 36,522; 36,523; 36,524; 36,525; 36,526 and 44,367. The requested quantity is proposed to be diverted with the additional limitations: that the maximum quantity not exceed 33.889 million gallons of water per calendar year for File Nos. 1,027 and 19,838; 38.594 million gallons of water per calendar year for File No. 19,838; 75.276 million gallons of water per calendar year for File No. 22,281.

You can find the complete application posted by water right file number as referenced above at: <https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

You are notified of the proposed appropriation so that you may furnish this office with any comments or other information you want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Austin J. McColloch, by Michael A. Myer
Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc:
GROUNDWATER MANAGEMENT DISTRICT NO. 1