

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

| | | | |
|----------------------------------|--|-------------------------------|---------------------|
| 1. File Number: 49,721 | 2. Status Change Date: 1/18/2017 | 3. Field Office: 01 | 4. GMD: 0 |
|----------------------------------|--|-------------------------------|---------------------|

5. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

6. Enclosures: Check Valve N of C Form Water Tube Driller Copy Meter

| | |
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| <p>7a. Applicant(s) Person ID 64184 New to system <input type="checkbox"/> Add Seq# _____</p> <p>ADVANTAGE METALS RECYCLING LLC 510 WALNUT ST SUITE 100 KANSAS CITY MO 64106</p> | <p>7c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p> |
| <p>7b. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p> <p>7a.</p> | <p>7d. Misc. Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p> |

| | |
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| <p>8. WUR Correspondent Person ID _____ New to system <input type="checkbox"/> Add Seq# _____ Overlap File (s) WUC Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7a.</p> | <p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input checked="" type="checkbox"/> IND SIC: 5093 <input type="checkbox"/> OTHER: _____</p> |
|--|--|

10. Completion Date: **12/31/2018** 11. Perfection Date: **12/31/2022** 12. Exp Date: _____

13. Conservation Plan Required? Yes No Date Required: _____ Date Approved: _____ Date to Comply: _____

14. Water Level Measuring Device? Yes No Date to Comply: _____ Date WLMD Installed: _____

Date Prepared: **12/12/2016** By: **DWS**
Date Entered: **1/18/2017** By: **WM**

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|---|--|--|--|--|--------------|--|--|--|---|--|--------------|--------------|----------------|----------------------|--|-----------------------------------|--|--|--|-----------|-----------|-------------|-------------------------------------|-----------------------------------|--|--|--|-----------|-----------|-------------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| File No. 49,721 | 15. Formation Code: 113 | Drainage Basin: Kansas River | County: WY | Special Use: | Stream: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; vertical-align: top;"> 16. Points of Diversion T MOD DEL ENT PDIV Qualifier S T R ID 'N 'W </td> <td style="width:50%; vertical-align: top;"> 17. Rate and Quantity Authorized Additional Rate Quantity Rate Quantity gpm mgy gpm mgy Overlap PD Files </td> </tr> <tr> <td> ✓ 85699 SE NE SE 21 11S 25E 12 1560 110 </td> <td> 60 5.5 60 5.5 NONE </td> </tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table> | | | | | | 16. Points of Diversion T MOD DEL ENT PDIV Qualifier S T R ID 'N 'W | 17. Rate and Quantity Authorized Additional Rate Quantity Rate Quantity gpm mgy gpm mgy Overlap PD Files | ✓ 85699 SE NE SE 21 11S 25E 12 1560 110 | 60 5.5 60 5.5 NONE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s): _____ Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 20. Meter Required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No To be installed by <u>12/31/2018</u> Date Acceptable Meter Installed _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:25%; vertical-align: top;"> 21. Place of Use T MOD DEL ENT PUSE S T R ID </td> <td style="width:12.5%;"> NE¼ NE¼ NW¼ SW¼ SE¼ </td> <td style="width:12.5%;"> NW¼ NE¼ NW¼ SW¼ SE¼ </td> <td style="width:12.5%;"> SW¼ NE¼ NW¼ SW¼ SE¼ </td> <td style="width:12.5%;"> SE¼ NE¼ NW¼ SW¼ SE¼ </td> <td style="width:5%;"> Total </td> <td style="width:10%;"> Owner </td> <td style="width:10%;"> Chg? NO </td> <td style="width:10%;"> Overlap Files </td> </tr> <tr> <td> MOD 68088 21 11 25E 3 </td> <td colspan="4"> SCRAP METAL RECYCLING (SE) </td> <td> 7a </td> <td> No </td> <td> NONE </td> </tr> <tr> <td> ENT 68188 22 11 25E </td> <td colspan="4"> SCRAP METAL RECYCLING (SW) </td> <td> 7a </td> <td> No </td> <td> NONE </td> </tr> <tr><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></tr> </table> | | | | | | 21. Place of Use T MOD DEL ENT PUSE S T R ID | NE¼ NE¼ NW¼ SW¼ SE¼ | NW¼ NE¼ NW¼ SW¼ SE¼ | SW¼ NE¼ NW¼ SW¼ SE¼ | SE¼ NE¼ NW¼ SW¼ SE¼ | Total | Owner | Chg? NO | Overlap Files | MOD 68088 21 11 25E 3 | SCRAP METAL RECYCLING (SE) | | | | 7a | No | NONE | ENT 68188 22 11 25E | SCRAP METAL RECYCLING (SW) | | | | 7a | No | NONE | | | | | | | | | | | | | | | | |
| 21. Place of Use T MOD DEL ENT PUSE S T R ID | NE¼ NE¼ NW¼ SW¼ SE¼ | NW¼ NE¼ NW¼ SW¼ SE¼ | SW¼ NE¼ NW¼ SW¼ SE¼ | SE¼ NE¼ NW¼ SW¼ SE¼ | Total | Owner | Chg? NO | Overlap Files | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MOD 68088 21 11 25E 3 | SCRAP METAL RECYCLING (SE) | | | | 7a | No | NONE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ENT 68188 22 11 25E | SCRAP METAL RECYCLING (SW) | | | | 7a | No | NONE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Comments: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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

January 19, 2017

ADVANTAGE METALS RECYCLING LLC
510 WALNUT ST SUITE 100
KANSAS CITY MO 64106

FILE COPY

Re: Appropriation of Water, File No. 49,721

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,

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

BAT:dws
Enclosures

pc: Topeka Field Office

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: December 12, 2016

FROM: Doug Schemm

RE: Application, File No. 49,721

Advantage Metals Recycling has filed the above referenced new application to appropriate 5.5 million gallons (16.9 acre-feet) of groundwater at a rate of diversion not to exceed 60 gallons per minute for industrial use at a metals recycling facility. The single well would be located in the Southeast Quarter of Section 21, Township 11 South, Range 25 East, Wyandotte County. A representative of the applicant has signed the application form stating that they have access to the point of diversion. The applicant has indicated that the majority of the water will be used for cooling within a scrap shredder. The proposed quantity was calculated as follows: 220,000 pounds metal scrap x 0.083 gallons per pound per day x 300 days = 5.5 million gallons.

The point of diversion consists of a single well completed in the Kansas River alluvium. No well log was submitted with the application, which is typical for wells sourcing the Kansas River alluvium. A nearby well log shows the typical alluvial deposits with fine sand near the surface and coarser sand with depth (it did not extend to bedrock). The well log extended to 94 feet, with static water level at 36 feet. Based on this well log and the physical location of the wells, the source will be the Kansas River alluvium. K.A.R. 5-3-11 states that calculated recharge in the Kansas River alluvium shall be determined by taking 25% of the average annual rainfall in the area of consideration. The extent of the alluvium for the area of consideration provides a total of 3,896 acres. With a potential recharge of 9.04 inches, and 75% available for appropriation, safe yield was determined to be 2,201.24 acre-feet, while prior appropriations total 5,139.1 acre-feet, indicating no water is available. However, the majority of water (4,299.88 acre-feet) is for dewatering use under File No. 47,589, which would only divert water during extreme (flooding) events on the Kansas River, and there are extended periods of time when these dewatering pumps never operate, making the dewatering operation an infrequent, temporary process until the river recedes. In addition, the dewatering operation is largely non-consumptive because the primary source water is surface water infiltration from the river and the pumped water is ultimately discharged back into the river. Therefore, this quantity of water was subtracted from prior appropriations, leaving 1,378.87 acre-feet available, and the application meets safe yield.

The only wells identified by the applicant within one-half mile are monitoring/observation wells. In addition, a review of the WWC-5 database (see attached) shows multiple injection and air sparging wells throughout this local area, which are indicative of contamination remediation projects. This area has been extensively developed, with industrial and commercial facilities, limiting any nearby domestic uses of water. A review of the KDHE database shows that the proposed well is located outside of any current remediation sites that prohibit well installations. The WRIS database shows the nearest permitted well is over a mile away, and the proposed well complies with minimum well spacing criteria. With the well location adjacent to the Kansas River, and low pumping rate and quantity of water, this well would have virtually no impact on the aquifer.

The Kansas River Water Assurance District No. 1 was notified of receipt of this application on December 1, 2016 in order to fully inform them of the proposed location of the applicant's point of diversion and proposed use of water. This notification was as per the KSWAD Program Operations Agreement, which states, in part, "the District reserves the right to review all applications to appropriate water and change applications, including term permits, filed with the Division of Water Resources that propose the diversion of water from the Kansas River or its alluvium". No response has been received from the District.

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 chemicals will be injected into the water pumped under this permit, a check valve will also be required.

Katie Tietsort, Water Commissioner of the Topeka Field Office, recommended approval of the referenced application in a December 7, 2016 discussion.

Based on the above discussion, the application complies with safe yield and well spacing criteria, and approval will not impair senior water rights, it is recommended that the referenced application be approved.

Doug Schemm
Environmental Scientist
Topeka Field Office



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. 49,721** of the applicant

**ADVANTAGE METALS RECYCLING LLC
510 WALNUT ST SUITE 100
KANSAS CITY MO 64106**

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 26, 2016**.
2. That the water sought to be appropriated shall be used for industrial use at a metal scrap processing facility located in the Southeast Quarter of Section 21 and the Southwest Quarter of Section 22, both in Township 11 South, Range 25 East, Wyandotte County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 21, more particularly described as being near a point 1,560 feet North and 110 feet West of the Southeast corner of said section, in Township 11 South, Range 25 East, Wyandotte 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 **60 gallons per minute (0.13 c.f.s.)** and to a quantity not to exceed **5.5 million gallons** (16.9 acre-feet) of water for any calendar year.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2018** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.
6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2022** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.
8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.
9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.
10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.
11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.
12. That 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 with 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 the applicant shall submit to the Chief Engineer a copy of the well log required by the Kansas Department of Health and Environment under the authority of K.S.A. 82a-1212, currently form WWC-5, within 30 days following the drilling of the well at the location authorized herein.

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

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

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

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

Ordered this *18th* day of *January*, 201 , in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

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 *18th* day of *January*, 201 , by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

Notary Public

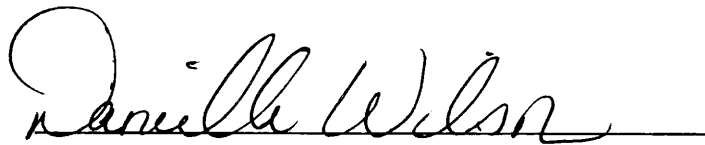
CERTIFICATE OF SERVICE

On this 19th day of January, 2017, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,721, dated January 18, 2017 was mailed postage prepaid, first class, US mail to the following:

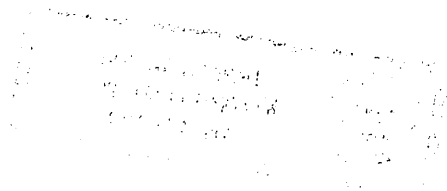
ADVANTAGE METALS RECYCLING LLC
510 WALNUT ST SUITE 100
KANSAS CITY MO 64106

With photocopies to:

Topeka Field Office



Division of Water Resources



10/26/2016
DWS



WATER RESOURCES RECEIVED
OCT 26 2016
3:09
KS DEPT OF AGRICULTURE

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49,721
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

~~RECEIVED
NOV 20 2016
10:33am
Topeka Field Office
DIVISION OF WATER RESOURCES~~

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.)

~~UNACCEPTABLE FOR PRIORITY
OCT 15 2016
1:04
KS DEPT OF AGRICULTURE~~

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): Advantage Metals Recycling
Address: 510 Walnut St., Suite 100
City: Kansas City State MO Zip Code 64106
Telephone Number: (816) 861-2700

2. The source of water is: surface water in _____ (stream)
OR groundwater in Kansas 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 _____ acre-feet OR 5,500,000 gallons per calendar year, to be diverted at a maximum rate of 60 gallons per minute OR _____ cubic feet per second.

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

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

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

For Office Use Only:
F.O. 1 GMD 0 Meets K.A.R. 5-3-1 (YES/NO) Use IND Source @/S County WY By AW Date 10/26/16
Code REG Fee \$ 20 TR # 170129 Receipt Date 10/26/16 Check # 908431

SCANNED

10/31/2016 LLM

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.

See Note @ Item 12

(A) One in the SE quarter of the NE quarter of the SE quarter of Section 21, more particularly described as being near a point 1960 feet North and 110 feet West of the Southeast corner of said section, in Township 11 South, Range 25 (East/West (circle one)), WYANDOTTE 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):

(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 October 24, 2016. [Signature] (Engineer)
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 well (number of wells, pumps or dams, etc.) and (was)(will be) completed (by) February 24, 2016 (Month/Day/Year - each was or will be completed)

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

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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.

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.

NONE

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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 | <u>NA</u> | | | |
| Total depth of well | <u>NA</u> | | | |
| Depth to water bearing formation | <u>NA</u> | | | |
| Depth to static water level | <u>NA</u> | | | |
| Depth to bottom of pump intake pipe | <u>NA</u> | | | |

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):

(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 Kansas City, Kansas, this 19 day of September, 2016.
(month) (year)

Brian Rowe
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by _____ Date: _____
(office/title)

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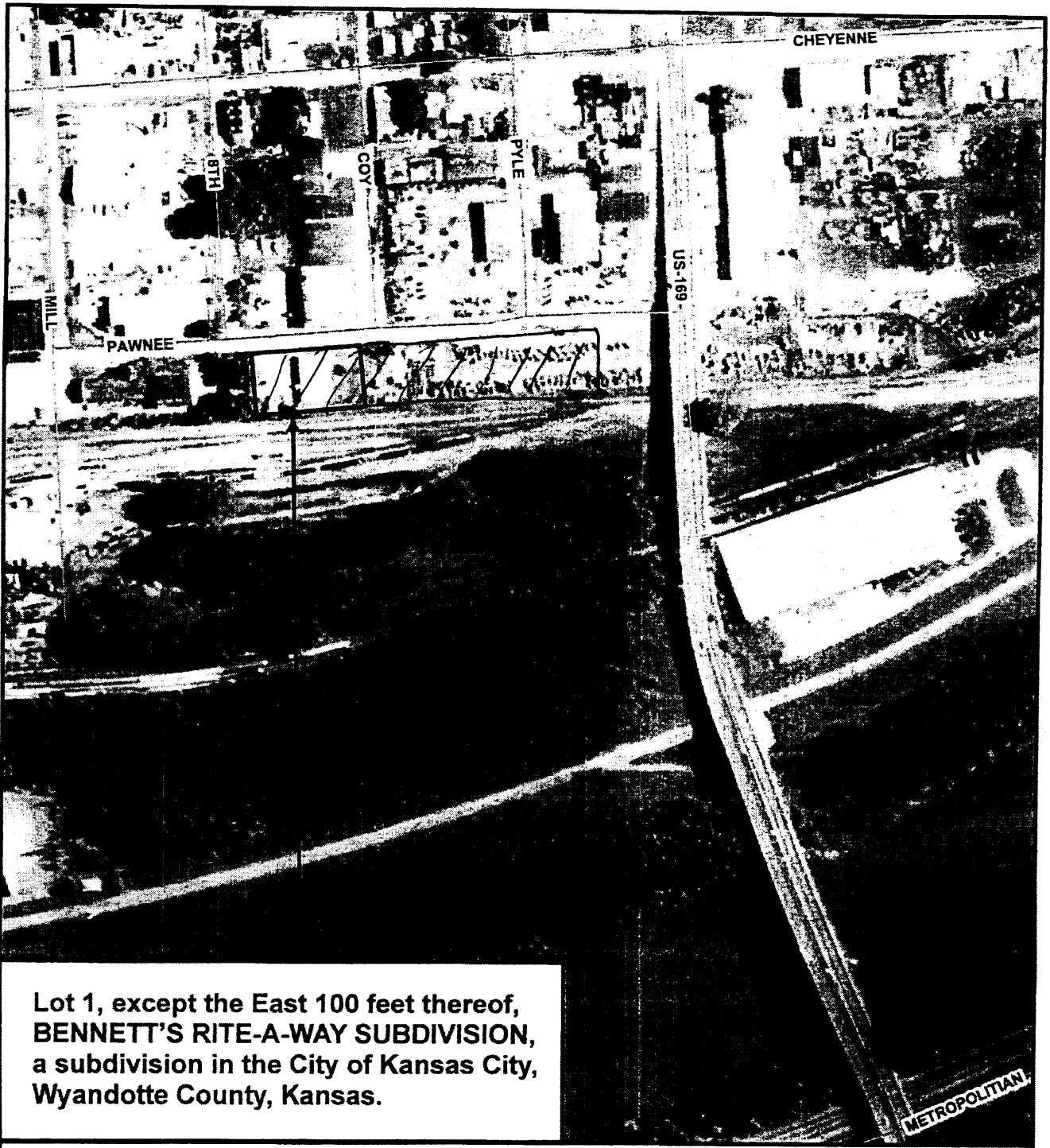
OCT 26 2016

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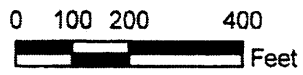
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**Lot 1, except the East 100 feet thereof,
 BENNETT'S RITE-A-WAY SUBDIVISION,
 a subdivision in the City of Kansas City,
 Wyandotte County, Kansas.**



Map Prepared by KDHE

LEGEND



-  Local Roads
-  EUCA Area Boundary (approximate)

Exhibit A

Coral Refinery
 Kansas City, Kansas
 11-EUC-0007

KGS**Water Well
Database
Query**

Township: 11S, Range: 25E

**Save Data
to File****Hydrology**

Select location of well to view details.

Click on column heading to sort.

1576 records. Only 50 records displayed at a time--sort will affect ALL records.

| View page: < Prev 21 22 23 24 25 26 27 28 29 30 Next > | | | | | | | | | |
|---|---------------------------------|------------------|--------------------------|------------------|---|-------------|-----------------|--------------------|----------------------|
| T-R-S | Owner | Well Depth | Static Water Level | Est. Yield | Well Use | Other ID | Action Taken | Completion Date | Scan? |
| | | Ascend. Desc. | Ascend. Desc. | Ascend. Desc. | | | | Ascend. Desc. | |
| Sec. 20 NWSE | A.T. & SANTA FE | 40 ft. | 35 ft. | | Other | | Constructed | 01-Feb- 1994 | |
| Sec. 20 NESE | THE ATCHISON TO | 44 ft. | 33.1 ft. | | Monitoring well/observation/piezometer | | Constructed | 18-Apr- 1995 | |
| Sec. 20 NESE | THE ATCHISON TO | 38 ft. | 29.9 ft. | | Monitoring well/observation/piezometer | | Constructed | 26-Apr- 1995 | |
| Sec. 20 NESE | THE ATCHISON TO | 43 ft. | 29 ft. | | Monitoring well/observation/piezometer | | Constructed | 05-Apr- 1995 | |
| Sec. 20 NENWSE | ATSFE RR | 42 ft. | 31.32 ft. | | Monitoring well/observation/piezometer | | Constructed | 22-Oct- 1994 | |
| Sec. 20 CNNWSE | BURLINGTON NOR. | 38 ft. | 37 ft. | | Monitoring well/observation/piezometer | | Constructed | 19-Mar- 1997 | |
| Sec. 20 SWSWNW | SINCLAIR OIL | 35 ft. | 27.08 ft. | | Monitoring well/observation/piezometer | | Constructed | 22-Apr- 1997 | |
| Sec. 20 NW SE SW | City of Kansas City | 43 ft. | 26.97 ft. | | Monitoring well/observation/piezometer | | Constructed | 05-Jun- 1991 | Scan |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 47 ft. | | | Injection well/air sparge (AS)/shallow | I 57 | Constructed | 31-Jan- 2007 | PDF |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 47 ft. | | | Monitoring well/observation/piezometer | OBS 7-2 | Constructed | 06-Feb- 2007 | PDF |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 45 ft. | | | Monitoring well/observation/piezometer | OBS 7-5 | Constructed | 13-Feb- 2007 | PDF |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 45 ft. | | | Monitoring well/observation/piezometer | OBS 7-3 | Constructed | 05-Feb- 2007 | PDF |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 42.5 ft. | | | Injection well/air sparge (AS)/shallow | I 55 | Constructed | 30-Jan- 2007 | PDF |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 45 ft. | | | Monitoring well/observation/piezometer | OBS 7-4 | Constructed | 07-Feb- 2007 | PDF |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 43 ft. | | | Injection well/air sparge (AS)/shallow | I 52 | Constructed | 29-Jan- 2007 | PDF |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 43 ft. | | | Injection well/air sparge (AS)/shallow | I 53 | Constructed | 29-Jan- 2007 | PDF |
| | Armourdale Muffler Shop | 45 ft. | 32.15 ft. | | Monitoring well/observation/piezometer | MW 13 | Constructed | 07-Dec- 2007 | PDF |

| | | | | | | | | | |
|------------------------|---------------------------------|--------------|--------------|--|---|-------------|-------------|-----------------|---------------------|
| Sec. 21 NW NE NW | | | | | | | | | |
| Sec. 21 NW NE NW | Armourdale Muffler Shop | 44 ft. | 30 ft. | | Monitoring well/observation/piezometer | MW 14 | Constructed | 25-Jan- 2008 | PDF |
| Sec. 21 NE NW NW | Armourdale Muffler Shop | 44 ft. | 32.45 ft. | | Monitoring well/observation/piezometer | MW 16 | Constructed | 10-Dec- 2007 | PDF |
| Sec. 21 NE NW NW | Armourdale Muffler Shop | 28.8 ft. | | | Monitoring well/observation/piezometer | MW 2 | Plugged | 24-Jan- 2008 | PDF |
| Sec. 21 SWNWNW | COLGATE PALMOLI | 50 ft. | 38.8 ft. | | Monitoring well/observation/piezometer | | Constructed | 12-Dec- 1994 | |
| Sec. 21 SWNWNW | COLGATE PALMOLIVE | 51 ft. | 42.7 ft. | | Monitoring well/observation/piezometer | MW 2 | Constructed | 08-Dec- 1994 | |
| Sec. 21 SWNWNW | COLGATE- PALMOLI | 50 ft. | 32 ft. | | Monitoring well/observation/piezometer | | Constructed | 12-Jul- 1996 | |
| Sec. 21 NENWNW | ARMOURDALE MUFF | 30 ft. | 25.27 ft. | | Monitoring well/observation/piezometer | | Constructed | 03-Sep- 1997 | |
| Sec. 21 NE NW NW | Armourdale Muffler Shop | 30 ft. | | | Monitoring well/observation/piezometer | MW 3 | Plugged | 11-Aug- 2004 | PDF |
| Sec. 21 NE NW NW | Armourdale Muffler Shop | 45 ft. | 31.88 ft. | | Monitoring well/observation/piezometer | MW 3R | Constructed | 10-Aug- 2004 | PDF |
| Sec. 21 NE NW NW | Armourdale Muffler Shop | 30 ft. | | | Monitoring well/observation/piezometer | MW 4 | Plugged | 10-Aug- 2004 | PDF |
| Sec. 21 NE NW NW | Armourdale Muffler Shop | 45 ft. | 31.8 ft. | | Monitoring well/observation/piezometer | MW 1R | Constructed | 09-Aug- 2004 | PDF |
| Sec. 21 NW NW NW | Colgate- Palmolive | 45 ft. | 40.45 ft. | | Monitoring well/observation/piezometer | MW 25 | Constructed | 01-Nov- 2005 | PDF |
| Sec. 21 NW NW NW | Colgate- Palmolive | 37.5 ft. | 35.47 ft. | | Injection well/air sparge (AS)/shallow | 8 | Constructed | 01-Nov- 2005 | PDF |
| Sec. 21 SE NE SW | All Freight Systems | 45 ft. | 39.18 ft. | | Monitoring well/observation/piezometer | MW 6 | Constructed | 16-Oct- 2003 | PDF |
| Sec. 21 SE NE SW | All Freight Systems | 45 ft. | 34.95 ft. | | Monitoring well/observation/piezometer | MW 7 | Constructed | 16-Oct- 2003 | PDF |
| Sec. 21 NW NW NW | Colgate- Palmolive | 37.5 ft. | 35.5 ft. | | Injection well/air sparge (AS)/shallow | 7 | Constructed | 01-Nov- 2005 | PDF |
| Sec. 21 NW NW NW | Colgate- Palmolive | 40 ft. | 35.9 ft. | | Injection well/air sparge (AS)/shallow | 5 | Constructed | 01-Nov- 2005 | PDF |
| Sec. 21 SE NE SW | All Freight Systems | 45 ft. | 38.38 ft. | | Monitoring well/observation/piezometer | MW 4 | Constructed | 15-Oct- 2003 | PDF |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 41.61 ft. | 37.58 ft. | | Injection well/air sparge (AS)/shallow | MW I 35C | Constructed | 06-Sep- 2006 | PDF |
| | | | | | | | Constructed | | PDF |

**INDUSTRIAL USE
SUPPLEMENTAL SHEET**

File No. 49,721

Name of Applicant (Please Print): Advantage Metals Recycling

1. Please describe type of industry or product produced: Scrap metal recycling
Standard Industrial Classification Code Number: 5093

2. Please complete the following table to show your past and present water requirements:

PAST PRODUCT PRODUCTION AND WATER DIVERTED, IF APPLICABLE

| LAST 5 YEARS | AMOUNT OF PRODUCT | WATER DIVERTED (GALLONS) | GALLONS PER PRODUCT PER DAY |
|--------------|-------------------|--------------------------|-----------------------------|
| 5 years ago | | | |
| Last year | | | |
| Present year | | | |

3. Please complete the following table to show your future water requirements:

ESTIMATED FUTURE PRODUCT PRODUCTION AND WATER DIVERTED

| NEXT 5 YEARS | AMOUNT OF PRODUCT | WATER TO BE DIVERTED (GALLONS) | GALLONS PER PRODUCT PER DAY |
|--------------|-------------------|--------------------------------|-----------------------------|
| Year 1 | <u>220,000</u> | <u>5,500,000</u> | <u>0.083</u> |
| Year 2 | <u>220,000</u> | <u>5,500,000</u> | <u>0.083</u> |
| Year 3 | <u>220,000</u> | <u>5,500,000</u> | <u>0.083</u> |
| Year 4 | <u>220,000</u> | <u>5,500,000</u> | <u>0.083</u> |
| Year 5 | <u>220,000</u> | <u>5,500,000</u> | <u>0.083</u> |

Number of days of operation of the industry per year is 300 days.

Please attach any tables, curves or additional information 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 | |
| <u>21</u> | <u>11, 25</u> | <u>E</u> | | | | | | | | | | | | | | | | | <u>11.5 acres</u> |

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

DWR 1-100.22 (7-7-00)

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44,721

WATER RESOURCES
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UNAVAILABLE FOR PRIORITY
OCT 03 2016

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

KS DEPT OF AGRICULTURE



From: Advantage Metals Recycling, (Main Office Address)
510 Walnut Street, Suite 100
Kansas City, MO 64106

Attached, please find our application (with permit fee) for a "Permit to Appropriate Water for Beneficial Use." This application is in regard to Advantage Metals Recycling's desire to install a water well, for industrial use. This proposed well would be on the site of Advantage Metals Recycling's facility, located at

**1153 S. 12th Street
Kansas City, KS, 66105**

and as described in the application.

The proposed well would be used to provide non-potable process and miscellaneous water for our metal scrap processing. The majority of the water would be used for cooling, within a scrap shredder (i.e., a large hammer-mill). Domestic, municipal water is currently used for this service.

Please note that Item 13, of the application is marked NA, as we have not bored test holes or pre-drilled the well. However, as the site is located just to the north of the Kansas River, we are confident a drilled well will produce water capacity that will meet our needs.

Please contact me at the address or phone number below, if I can answer any questions or should provide further information or documentation.

Thank you,
Brian Bowen, PE (MO)

Brian Bowen
AMR Engineer
3005 Manchester Trafficway
Kansas City, MO 64129

Ph.: 816-728-8914

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| | | | | | | | | | |
|---|---------------------------------|--------------|--------------|--|---|-----------------|-------------|-----------------|---------------------|
| Sec. 21 NW NW NW | Colgate Palmolive Company | 41.69 ft. | 37.51 ft. | | Injection well/air sparge (AS)/shallow | MW I 40C | | 05-Sep- 2006 | |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 41.95 ft. | 37.37 ft. | | Injection well/air sparge (AS)/shallow | MW I 18C | Constructed | 01-Sep- 2006 | PDF |
| Sec. 21 NW NW NW | Colgate- Palmolive | 40 ft. | 37.63 ft. | | Injection well/air sparge (AS)/shallow | 3 | Constructed | 01-Nov- 2005 | PDF |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 41.62 ft. | 36.26 ft. | | Injection well/air sparge (AS)/shallow | MW I 30C | Constructed | 05-Sep- 2006 | PDF |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 41.95 ft. | 37.21 ft. | | Injection well/air sparge (AS)/shallow | MW I 33C | Constructed | 05-Sep- 2006 | PDF |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 44.47 ft. | | | Injection well/air sparge (AS)/shallow | MW I 47 C | Constructed | 21-Nov- 2006 | PDF |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 39.38 ft. | 37.14 ft. | | Injection well/air sparge (AS)/shallow | MW I 42C | Constructed | 06-Sep- 2006 | PDF |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 44.95 ft. | | | Monitoring well/observation/piezometer | MW I 48 C | Constructed | 21-Nov- 2006 | PDF |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 28.85 ft. | 36.95 ft. | | Injection well/air sparge (AS)/shallow | MW I 21C | Constructed | 28-Aug- 2006 | PDF |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 29.75 ft. | | | Injection well/air sparge (AS)/shallow | MW I 13B | Constructed | 31-Aug- 2006 | PDF |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 29.56 ft. | | | Injection well/air sparge (AS)/shallow | MW I 18B | Constructed | 01-Sep- 2006 | PDF |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 42.8 ft. | 38.85 ft. | | Injection well/air sparge (AS)/shallow | MW I 22RC | Constructed | 14-Sep- 2006 | PDF |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 44.53 ft. | 41.15 ft. | | Injection well/air sparge (AS)/shallow | MW I 26C | Constructed | 30-Aug- 2006 | PDF |
| Sec. 21 NW NW NW | Colgate Palmolive Company | 41.81 ft. | 37.54 ft. | | Injection well/air sparge (AS)/shallow | MW I 31C | Constructed | 06-Sep- 2006 | PDF |
| View page: < Prev 21 22 23 24 25 26 27 28 29 30 Next > | | | | | | | | | |

Kansas Geological Survey

Comments to webadmin@kgs.ku.eduURL=<http://www.kgs.ku.edu/Magellan/WaterWell/index.html>

Display Programs Updated July 2, 2014

Data added continuously.



Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov
Sam Brownback, Governor

December 1, 2016

KANSAS RIVER WATER ASSURANCE DISTRICT NO 1
% GALEN BIERY
212 SW 7TH STREET
TOPEKA KS 66603-3717

Re: Application, File No. 49,721

Dear Mr. Biery:

This is to advise you that Advantage Metals Recycling has filed the application referred to above for a permit to appropriate groundwater from a proposed well for use at a metal scrap processing facility. The application is requesting 5.5 million gallons per calendar year to be diverted at 60 gallons per minute for industrial use. The well would be located in the Southeast Quarter of Section 21, Township 11 South, Range 25 East, in Wyandotte County, Kansas.

As you know, the Kansas River Water Assurance Program Operations Agreement states, in part, that "the District reserves the right to review all applications to appropriate water and change applications, including term permits, filed with the Division of Water Resources that propose the diversion of water from the Kansas River or its alluvium". Therefore, you are being notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's points of diversion and proposed use of water.

You may contact me at (785) 296-3495 with any questions or comments.

Sincerely,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

Enclosure

Schemm, Doug

From: Schemm, Doug
Sent: Thursday, December 01, 2016 8:22 AM
To: 'krwad@att.net'
Subject: Advantage Metals Recycling 49,721
Attachments: Scan - Inbox_001.pdf; Notification of KS River Assurance District.docx

Good Morning Galen,
This is a new application for a metal scrap processing facility in Wyandotte County.
Have a great day,
Doug

#49,721
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 2,201.24 AF.

Total prior appropriation in the circle is 5,139.10 AF. ~~-16.88 AF (Pending)~~ - 4,299.88 AF (DEW) = 822.34

Total quantity of water available for appropriation is ~~0.00~~ AF.

1,378.87AF

Safe Yield Variables

The area used for the analysis is set at 3896 acres.

Potential annual recharge of the area is estimated to be 9.04 inches.

The percent of recharge available for appropriation is 75%.

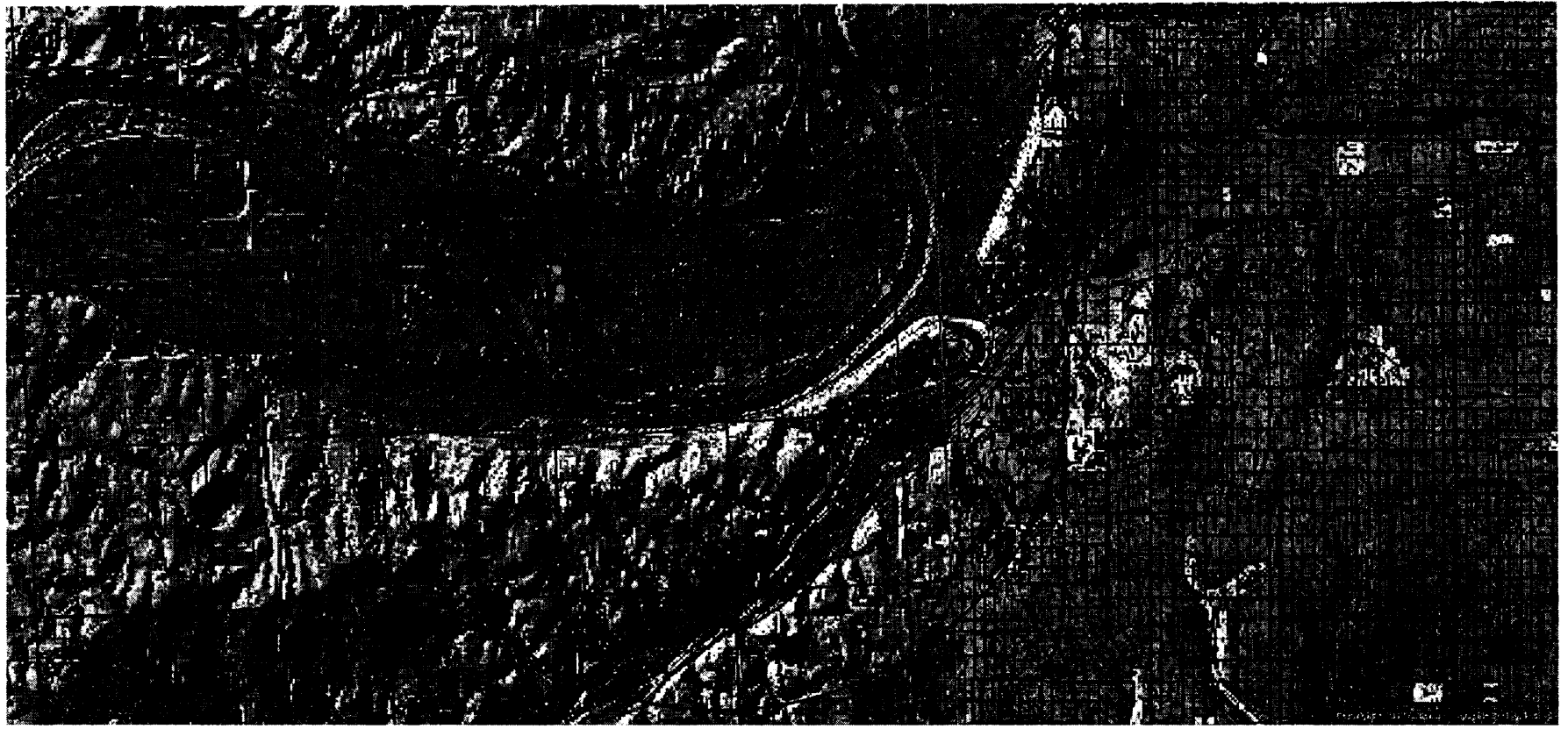
Authorized Quantity values are as of 30-NOV-2016 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 7 water right(s) and 10 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 | 38604 | 00 | IND | NK | G | | | 4977 | 1117 | 14 | 11 | 25E | 6 | WR | 2.79 | 2.79 | | | |
| A | 38810 | 00 | IND | NK | G | | | 4880 | 1800 | 15 | 11 | 25E | 6 | WR | 11.94 | 11.94 | | | |
| A | 39171 | 00 | IND | NK | G | | | 4977 | 1117 | 14 | 11 | 25E | 6 | WR | 4.19 | 4.19 | | | |
| A | 40035 | 00 | IND | NK | G | | | 4977 | 1117 | 14 | 11 | 25E | 6 | WR | 5.51 | 5.51 | | | |
| A | 47589 | 00 | DEW | KE | G | SE | SW | SE | 300 | 1500 | 10 | 11 | 25E | 9 | WR | 4,299.88 | 4,299.88 | | |
| Same | | | DEW | KE | G | | | 4200 | 1000 | 14 | 11 | 25E | 7 | WR | | | | | |
| Same | | | DEW | KE | G | NE | SE | NE | 3700 | 600 | 15 | 11 | 25E | 8 | WR | | | | |
| Same | | | DEW | KE | G | NE | SE | NE | 3900 | 250 | 22 | 11 | 25E | 7 | WR | | | | |
| A | 49721 | 00 | IND | AY | G | SE | NE | SE | 1560 | 110 | 21 | 11 | 25E | 12 | WR | 16.88 | 16.88 | | |
| V WY | 20 | 00 | IND | AA | G | NW | NW | NW | 4880 | 4960 | 21 | 11 | 25E | 8 | WR | 797.91 | 797.91 | | |
| Same | | | IND | AA | G | SW | NW | NW | 4390 | 4890 | 21 | 11 | 25E | 9 | WR | | | | |
| Same | | | IND | AA | G | SW | NW | NW | 4040 | 4940 | 21 | 11 | 25E | 10 | WR | | | | |

#49,721

Safe Yield Report Sheet
Water Right- A4972100
Point of Diversion in SENESE 21-11S-25E 12 (85699)



49,721

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49721 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49721 00 IND

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

1560 Feet North and 110 Feet West of the Southeast Corner of Section 21 T 11S R 25E

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__ 38604 | 00 | IND | NK | G | 10322 | -- | -- | -- | 4977 | 1117 | 14 | 11 | 25E | 6 | | 2.79 | 2.79 | AF | |
| A__ 38810 | 00 | IND | NK | G | 9298 | -- | -- | -- | 4880 | 1800 | 15 | 11 | 25E | 6 | | 11.94 | 11.94 | AF | |
| A__ 39171 | 00 | IND | NK | G | 10322 | -- | -- | -- | 4977 | 1117 | 14 | 11 | 25E | 6 | | 4.19 | 4.19 | AF | |
| A__ 40035 | 00 | IND | NK | G | 10322 | -- | -- | -- | 4977 | 1117 | 14 | 11 | 25E | 6 | | 5.51 | 5.51 | AF | |
| A__ 47589 | 00 | DEW | KE | G | 10121 | -- | SE | SW | SE | 300 | 1500 | 10 | 11 | 25E | 9 | 4299.88 | 4299.88 | AF | |
| Same | | | | | 9750 | -- | -- | -- | 4200 | 1000 | 14 | 11 | 25E | 7 | | | | | |
| Same | | | | | 8829 | -- | NE | SE | NE | 3700 | 600 | 15 | 11 | 25E | 8 | | | | |
| Same | | | | | 5667 | -- | NE | SE | NE | 3900 | 250 | 22 | 11 | 25E | 7 | | | | |
| A__ 49721 | 00 | IND | AY | G | 0 | -- | SE | NE | SE | 1560 | 110 | 21 | 11 | 25E | 12 | 16.88 | 16.88 | AF | |
| VWY | 20 | 00 | IND | AA | G | 5896 | -- | NW | NW | NW | 4880 | 4960 | 21 | 11 | 25E | 8 | 797.91 | 797.91 | AF |
| Same | | | | | 5570 | -- | SW | NW | NW | 4390 | 4890 | 21 | 11 | 25E | 9 | | | | |
| Same | | | | | 5442 | -- | SW | NW | NW | 4040 | 4940 | 21 | 11 | 25E | 10 | | | | |

All wells > 1/2 mile away.

Meets Spacing of 1/4 mile.

| Total Net Quantities Authorized: | Direct | Storage |
|----------------------------------|---------|---------|
| Total Requested Amount (AF) = | 16.88 | .00 |
| Total Permitted Amount (AF) = | 4299.88 | .00 |
| Total Inspected Amount (AF) = | .00 | .00 |
| Total Pro_Cert Amount (AF) = | .00 | .00 |
| Total Certified Amount (AF) = | 24.43 | .00 |
| Total Vested Amount (AF) = | 797.91 | .00 |
| TOTAL AMOUNT (AF) = | 5139.10 | .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:

1560 Feet North and 110 Feet West of the Southeast Corner of Section 21 T 11S R 25E

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

=====

File Number Use ST SR
 A__ 38604 00 IND NK G
 > FORDYCE CONCRETE COMPANY INC
 > KATIE RICHARDSON
 > 11011 CODY ST
 > OVERLAND PARK KS 66210

A__ 38810 00 IND NK G
 > KANSAS CITY READY MIX LLC
 > MGR ENVIROMENTAL AFFAIRS
 > 15100 E COURTNEY ATHERTON
 > SUGAR CREEK MO 64058

>-----

A__ 39171 00 IND NK G
> FORDYCE CONCRETE COMPANY INC
> KATIE RICHARDSON
> 11011 CODY ST
> OVERLAND PARK KS 66210

>-----

A__ 40035 00 IND NK G
> FORDYCE CONCRETE COMPANY INC
> KATIE RICHARDSON
> 11011 CODY ST
> OVERLAND PARK KS 66210

>-----

A__ 47589 00 DEW KE G
> KAW VALLEY DRAINAGE DIST OF WYANDOTTE CO
> JAMES L JENKINS
> 719 OSAGE AVE
> KANSAS CITY KS 66105

>-----

A__ 49721 00 IND AY G
> ADVANTAGE METALS RECYCLING LLC
>
> 510 WALNUT ST
> KANSAS CITY MO 64106

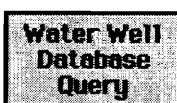
>-----

VWY 20 00 IND AA G
> VVF INTERVEST LLC
> PLANT MANAGER
> 1705 KANSAS AVE
> KANSAS CITY KS 66105

>-----

=====

#####



Specific Water Well Detail

Well T11S, R25E, Sec. 22, NCNESW, Action: Constructed

| Location Info | | |
|---|-----------------------------|-------------------------------|
| Owner: | | Status: Constructed |
| Location: T11S, R25E, Sec. 22, NCNESW | | County: Wyandotte |
| Directions: | | |
| Longitude: -94.6234358 | Latitude: 39.0794817 | Datum NAD 27 |
| Longitude and latitude calculated by Survey from township-range-section-quarter calls. Only good to within the quarter call accuracy. | | |
| View well on interactive map This link will create a new window and display an interactive map of this well and its neighbors. | | |
| General Info | | |
| Well Depth: 94 ft. | | Elevation: ft. |
| Static Water Level: 36 ft. | | Est. Yield: 600 gpm. |
| Comp. Date: 31-Oct-1976 | | Well Use: Other |
| DWR Applic. #: | | Other ID: |
| Driller Info | | |
| Driller: Layne-Western | | License #: 149 |
| Chemical Sample Submitted?: No | | |
| Casing Info | | |
| Casing Type: | | |
| Diam: 0 in. to 0 ft. | | |
| Diam: 0 in. to 0 ft. | | |
| Diam: 0 in. to 0 ft. | | |
| Grout Info | | |
| Grout used: other | | |
| From: 0 to 0 ft. | | |
| From: 0 to 0 ft. | | |
| From: 0 to 0 ft. | | |
| Source of Possible Contamination | | |
| Source: none | | |
| Direction from well: | | Distance: 0 |
| Screen and Perforation Info | | |
| Screen Type: OTHER | | Screen Openings: OTHER |

| | | |
|--|-------------------------------|-------------------------------|
| | From: 43 ft. to 59 ft. | From: 73 ft. to 93 ft. |
| | From: 0 ft. to 0 ft. | From: 0 ft. to 0 ft. |
| Lithologic Log | | |
| (log data not edited or checked by the KGS.) | | |
| | From: 0 ft. to 14 ft. | Type: FINE SAND |
| | From: 14 ft. to 31 ft. | Type: CLAY |
| | From: 31 ft. to 64 ft. | Type: MEDIUM SAND |
| | From: 64 ft. to 94 ft. | Type: COARSE SAND |

Kansas Geological Survey

Comments to webadmin@kgs.ku.edu

URL=<http://www.kgs.ku.edu/Magellan/WaterWell/index.html>

Display Programs Updated July 2, 2014

Data added continuously.

49,721



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

WATER RESOURCES
RECEIVED

October 10, 2016

OCT 26 2016

ADVANTAGE METALS RECYCLING
510 WALNUT ST SUITE 100
KANSAS CITY MO 64106

KS DEPT OF AGRICULTURE

Re: Unacceptable Application

Dear Sir or Madam:

Returned herewith is your Application for Permit to Appropriate Water for Beneficial Use received by the Division of Water Resources on October 3, 2016 with Check No. 908431 in the amount of \$200. This application is not acceptable for filing in its present form.

Effective July 1, 2009, K.S.A. 82a-709 requires all applicants for new appropriation rights for the beneficial use of water in the State of Kansas to provide evidence of legal access to or control of the point of diversion from the landowner or the landowner's authorized representative. Applicants may provide a copy of a recorded deed, lease, easement or other document with the application. **In lieu of providing this documentary evidence, you may sign Paragraph No. 6 of the original permit application (where indicated), which constitutes a sworn statement.** Please note that the enclosed new application must bear an **original signature**. Photocopies or fax signatures are not acceptable. *DONE*

~~Paragraph No. 13 of the application requests well information so the source of supply of the proposed well may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of a well or test hole within 300 feet of the proposed point of diversion. Please supply the indicated information and a test hole log or a driller's log with the returned application.~~

Upon return of the acceptable application with required original signatures and information, it will be assigned a priority based upon the date and time it is received in the office of the Chief Engineer. If you have any questions, please contact me at (785) 564-6631 or alex.whitesell@kda.ks.gov.

*Returned
per Alex Whitesell*

Sincerely,

Alex Whitesell
Environmental Scientist
Water Appropriation Program

enclosure

SCANNED

FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

| ACRE-FEET | FEE |
|---------------|--|
| 0-100 | \$200.00 |
| 101-320 | \$300.00 |
| More than 320 | \$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof. |

2. The fee for an application in which storage is requested, except for domestic use, shall be:

| 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.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

WATER RESOURCES
RECEIVED

OCT 26 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES
RECEIVED

OCT 03 2016
UNACCEPTABLE FOR PRIORITY

KS DEPT OF AGRICULTURE

SCANNED



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 28, 2016

ADVANTAGE METALS RECYCLING
510 WALNUT ST SUITE 100
KANSAS CITY MO 64106

FILE COPY

RE: Application
File No. 49721

Dear Sir or Madam:

Your application for permit to appropriate water in 21-11S-25E in Wyandotte 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,

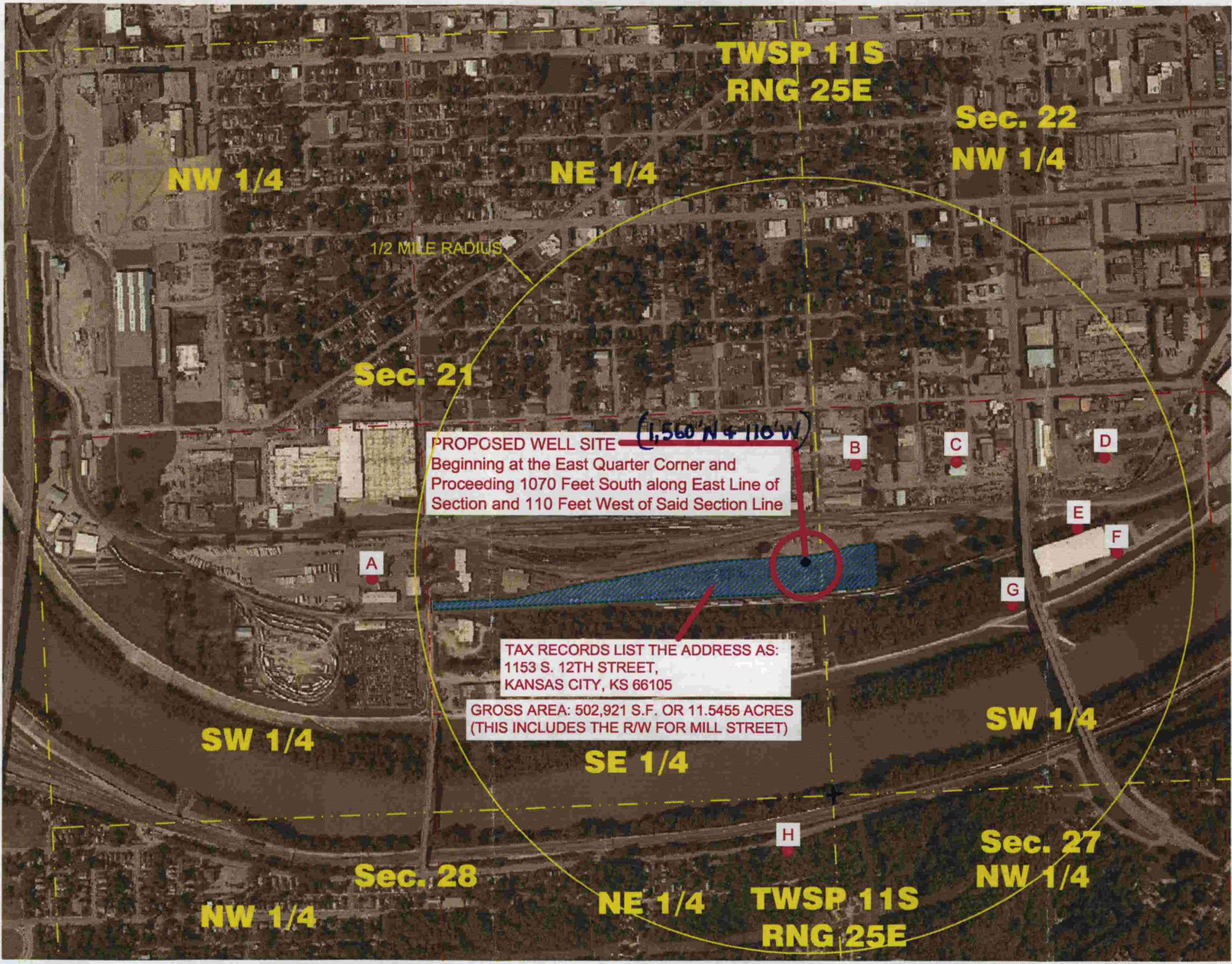
Brent A Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: TOPEKA Field Office
GMD

SCANNED

Well information listed below was obtained from website: <http://maps.kgs.ku.edu/wwc5/>

SCANNED



PROPOSED WELL SITE (1,560' N + 110' W)
 Beginning at the East Quarter Corner and
 Proceeding 1070 Feet South along East Line of
 Section and 110 Feet West of Said Section Line

TAX RECORDS LIST THE ADDRESS AS:
 1153 S. 12TH STREET,
 KANSAS CITY, KS 66105
 GROSS AREA: 502,921 S.F. OR 11.5455 ACRES
 (THIS INCLUDES THE R/W FOR MILL STREET)

- A) All Freight Systems
 1134 South 12th Street
 Kansas city, KS. 66105
 Monitoring Well/ Observation/
 Piezometer
 MW-1
 MW-2
 MC-3
 MW-4
 MW-5
 MW-6
 MW-7
- B) Kansas Dept. of Health &
 Enviroment
 800 W 24th St,
 Lawrence, KS 66046
 Monitoring Well/ Observation/
 Piezometer
 CORAL MW-3
 CORAL NW-4 1986
- C) Kansas Dept. of Health &
 Enviroment
 800 W 24th St,
 Lawrence, KS 66046
 Monitoring Well/ Observation/
 Piezometer
 CORAL MW-1
 CORAL NW-2
- D) No Owner listed
 No use listed
 No Label Listed
- E) Union Pacific Railroad
 1416 Dodge Street
 Omaha NE, 68179
 Monitoring Well/ Observation/
 Piezometer
- F) No Owner listed
 No use listed
 No Label Listed
- G) Kansas Dept. of
 Transportation, KDOT
 Test Hole, Geotechnical
 169-105 K-2878-01
- H) City of Kansas City, Kansas
 Monitoring Well/ observation/
 piezometer
 No Label Listed

WATER RESOURCES RECEIVED

OCT 26 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

UNACCEPTABLE FOR PRIORITY
OCT 03 2016

KS DEPT OF AGRICULTURE