



File No. **49,865**      15. Formation Code: **500**      Drainage Basin: **KANSAS RIVER**      County: **JA**      Special Use:      Stream:

16. Points of Diversion										17. Rate and Quantity						
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		Overlap PD Files	
											Rate gpm	Quantity mgy	Rate gpm	Quantity mgy		
<b>MOD</b>			<b>86213</b>	<b>SW NE NE</b>	<b>33</b>	<b>7S</b>	<b>13E</b>	<b>1</b>	<b>4520</b>	<b>740</b>		<b>99</b>	<b>7.495</b>	<b>99</b>	<b>7.495</b>	<b>NONE</b>
<b>MOD</b>			<b>86214</b>	<b>SE NE NE</b>	<b>33</b>	<b>7S</b>	<b>13E</b>	<b>2</b>	<b>4400</b>	<b>500</b>						
<b>ENT</b>			<b>86305</b>	<b>SE NE NE</b>	<b>33</b>	<b>7S</b>	<b>13E</b>	<b>1</b>	<b>4460</b>	<b>620</b>						
<i>Battery ID # 2040</i>																

18. Storage: Rate \_\_\_\_\_ NF      Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF      Additional Quantity \_\_\_\_\_ ac/ft

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

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

MOD	DEL	ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
								NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
<b>MOD</b>			<b>68440</b>	<b>33</b>	<b>7</b>	<b>13E</b>	<b>1</b>	<b>CATTLE FEEDLOT (NE) – LIMESTONE FEEDLOT</b>																	<b>7a</b>	<b>NO</b>	<b>NONE</b>

Comments:

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

**TO:** Files

**DATE:** August 8, 2017

**FROM:** Doug Schemm

**RE:** Application, File No. 49,865  
(Limestone Feedlot)

J-Six Enterprises LLC has filed the referenced application to appropriate 7.495 million gallons (23 acre-feet) of groundwater from a battery of two wells, at a rate of diversion of 99 gallons per minute for stockwatering use at a cattle feedlot located in the Northeast Quarter of Section 33, in Township 7 South, Range 13 East, Jackson County. This is within the drainage basin of the Kansas River. The proposed place of use is wholly owned by the applicant, and the application form has been signed by a representative of the applicant (Jennifer Gerety), stating they have access to the point of diversion. There are no overlapping files in point of diversion or place of use. Note the applicant listed two wells on the application form, but following further discussion agreed that these should be a two well battery.

Please note that the source of water based on the well log appears to be limestone and shale bedrock (likely the Council Grove Group), **NOT** the Dakota aquifer system. A review of other wells in this area and general geologic map show that the wells are completed in shale and limestone bedrock. A test hole log provided with the application shows interbedded limestone and shale extending to a total depth of 138 feet below ground surface. Groundwater was encountered at a depth of 56 feet below ground surface, and static water level is 54 feet below ground surface which corresponds to the top of a limestone layer in the well log. With other nearby wells producing from this similar bedrock formation, it was resolved that the area of consideration should be reflective of the bedrock extent. It appears that the bedrock extends throughout the entire two-mile circle, providing a total of 8,042 acres. With a potential recharge of 4.5 inches, and 75% available for appropriation, safe yield was determined to be 2,261.95 acre-feet. There are no prior appropriations in this area of consideration, leaving the entire quantity of water available, and the application clearly meets safe yield.

The requested quantity of water of 7.495 million gallons was based on providing an adequate supply of water for 999 head of cattle. The applicant provided an estimate for drinking water, as follows: 999 head of cattle x 15 gallons per head per day x 365 days = 5.47 million gallons. The additional 2.03 million gallons is for barn cleaning, flushing, and cooling. The requested quantity and rate of diversion appear to be reasonable for the intended use.

The applicant did not identify any domestic well owners within one-half (1/2) mile of the proposed point of diversion. Therefore, no notification letters are required. There are no prior appropriations located within one-half (1/2) mile of the proposed point of diversion. Based on the source of supply (bedrock aquifer), K.A.R. 5-4-4 requires minimum well spacing of 1,320 feet (1/4-mile) to non-domestic wells and 660 feet to domestic wells. The proposed point of diversion meets these minimum well spacing criteria.

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

In an August 7, 2017 discussion, Katie Tietsort, Water Commissioner, Topeka Field Office, recommended approval of the referenced application. Based on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 28, 2017

J-SIX ENTERPRISES LLC  
% JENNIFER GERETY  
PO BOX 170 604 NEMAHA ST  
SENECA KS 66538

**FILE COPY**

RE: Appropriation of Water, File No. 49,865 – (Limestone Feedlot)

Dear Ms. Gerety:

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

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

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss this specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum  
New Application Unit Supervisor  
Water Appropriation Program

KAB:dws

Enclosures

pc: 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. 49,865** of the applicant

**J-SIX ENTERPRISES LLC  
JENNIFER GERETY  
PO BOX 170 604 NEMAHA ST  
SENECA KS 66538**

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 **July 3, 2017**.
2. That the water sought to be appropriated shall be used for stockwatering use at a cattle feedlot located in the Northeast Quarter (NE $\frac{1}{4}$ ) of Section 33, in Township 7 South, Range 13 East, Jackson County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of two (2) wells with a geographic center located in the Southeast Quarter of the Northeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 33, more particularly described as being near a point 4,460 feet North and 620 feet West of the Southeast corner of said section, in Township 7 South, Range 13 East, Jackson 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 **99 gallons per minute (0.22 c.f.s.)** and to a quantity not to exceed **7.495 million gallons (23 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 this permit is limited such that all wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply, and shall supply water to a common distribution system.

**RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW**

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

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

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

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

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

Ordered this 24<sup>th</sup> day of August, 2017, 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 24<sup>th</sup> day of August, 2017, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson  
Notary Public

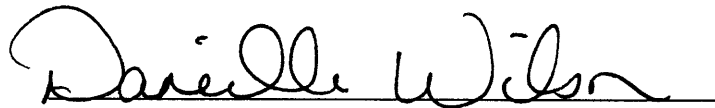
### CERTIFICATE OF SERVICE

On this ~~20th~~ day of August, 2017, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,865, dated August 24, 2017 was mailed postage prepaid, first class, US mail to the following:

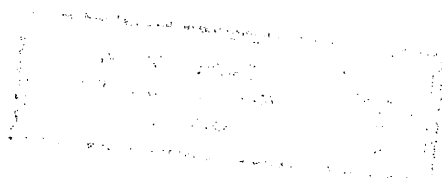
J-SIX ENTERPRISES LLC  
JENNIFER GERETY  
PO BOX 170 604 NEMAHA ST  
SENECA KS 66538

With photocopies to:

Topeka Field Office



Division of Water Resources





APPLICATION COMPLETE

8/7/2017

Reviewer DWS



THE STATE

OF KANSAS

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JUL 03 2017

12:55

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KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

File Number 49,865

This item to be completed by 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)

*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:  
Ms. Jennifer Gerety  
J-Six Enterprises, LLC — Limestone Feedlot  
604 Nemaha Street, P.O. Box 170  
Seneca, Kansas 66538  
785-336-2148

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
  
OR  groundwater in the 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 23.0 acre feet OR 7,495,125 gallons per calendar year, to be diverted at a maximum rate of 99 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 under than 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)  Stock watering (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.	<u>1</u>	GMD	<u>-</u>	Meets K.A.R. 5-3-1	<input checked="" type="checkbox"/> Yes/No	Use	<u>STK</u>	Source	<u>CS</u>	County	<u>JA</u>	By	<u>AM</u>	Date	<u>7-3-17</u>
Code	<u>REG</u>	Fee \$	<u>200</u>	TR#		Receipt Date	<u>7-3-17</u>	Check #	<u>056204</u>						

7/5/17 DWS

SCANNED Page 1

Geo-Center. SENE NE 4460'N and 620'W

Sec. 33, 7S, 13 E  
Jackson Co.

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.

Batt 1 of

(A) One in the SW quarter of the NE quarter of the NE quarter of Section 33, more particularly described as being near a point 4520 feet North and 740 feet West of the Southeast corner of said section, in Township 7 South, Range 13 (East/~~West~~) of Jackson County, Kansas.

Batt 2 of

(B) One in the SE quarter of the NE quarter of the NE quarter of Section 33, more particularly described as being near a point 4400 feet North and 500 feet West of the Southeast corner of said section, in Township 7 South, Range 13 (East/~~West~~) of Jackson 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 (4) 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 (2) or more wells connected to a common pump by a manifold, or not more than four (4) 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.

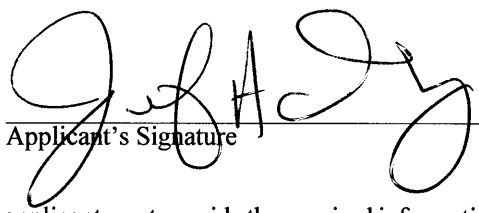
6. The owner of the point of diversion, if other than the applicant is (please print):

The applicant is the owner.

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 as 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 June 29, 2017

  
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.

\* Battery of

7. The proposed project for diversion of water will consist of A Two (2) Wells (number of wells, pumps or dams, etc.)

8. The first actual application of water for the proposed beneficial use will be on October 1, 2017

9. Will pesticide, fertilizer or other foreign substance be injected into the water pumped from the diversion works:

Yes       No

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

\* Per discussion with Duane Mueeting  
on 8/7/17, modified to a 2 well Battery  
DWS/DWR 8/7/17

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- 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 application for a permit for construction of this dam and reservoir with the Division of Water Resources?

Yes     No     N/A (Not building an impoundment)

- 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 USGS topographic map, aerial photograph or a detailed plan 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 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of the section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within one-half (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 one-half (1/2) mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) one-half (1/2) mile downstream and one-half (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 minutes USGS 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

- 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 #	(A)	(B)*	(C)	(D)
Date Drilled	05/15/2017			
Total Depth of Well	138 Feet			
Depth to Water Bearing Formation	56 Feet			
Depth to Static Water Level	54 Feet			
Depth to Bottom of Pump Intake Pipe	138 Feet			

*\*No well log exists for the older well used at this location.*

- 14. The relationship of the applicant to the proposed place where the water well will be used is that of:

Owner                       Tenant                       Agent                       Other \_\_\_\_\_

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- 15. The owner of the property where the water is used, if other than the applicant, is (please print):

JUL 03 2017

Applicant is the Owner.

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 Seneca, Kansas, this 29<sup>th</sup> day of June, 2017

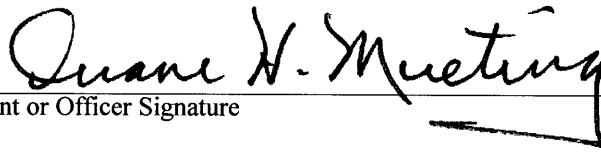


Applicant Signature

Applicant's Social Security Identification Number or Applicant's Taxpayer ID Number

46-4333649

By



Agent or Officer Signature

Duane H. Mueting, P.E., P.L.S., Agent

Agent or Officer (Please Print)

Assisted By:

Duane H. Mueting, P.E., P.L.S.  
Mueting Engineering  
612 Community Drive  
Seneca, Kansas 66538  
785-334-6044  
[mueting-eng@rainbowtel.net](mailto:mueting-eng@rainbowtel.net)

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

**Drinking Water**

999 Head of Swine x 15 gallons /head (avg) x 365 days/year = 5,469,525 Gallons

**Cooling Water**

20 GPM x 60 minutes/hour x 8 hour/day x 120 days = 1,152,000 Gallons

**Sanitation Water**

20 GPM x 60 minutes/hour x 14 hours/week x 52 weeks/year = 873,600 Gallons

**Other Use**

0 Gallons

**TOTAL**

7,495,125 Gallons - 23.0 Acre-Feet

- 6. Show location of present and future location of confinement pens on your attached maps or photographs.
- 7. Total feed bunk space for cattle or livestock is 1385 linear feet.
- 8. Total size of stock pens for confinement area of cattle, hogs, etc is 9.13 Acres = 397,703 Ft<sup>2</sup> of feedlot pens for cattle feeding.

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

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49,865  
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 2,261.81 AF.  
Total prior appropriation in the circle is 23.00 AF.  
Total quantity of water available for appropriation is 2,238.81 AF.

**Safe Yield Variables**

-----  
The area used for the analysis is set at 8,042 acres.  
Potential annual recharge of the area is estimated to be 4.5 inches.  
The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 07-AUG-2017 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 1 water right(s) and 2 point(s) of diversion within the circle.

=====

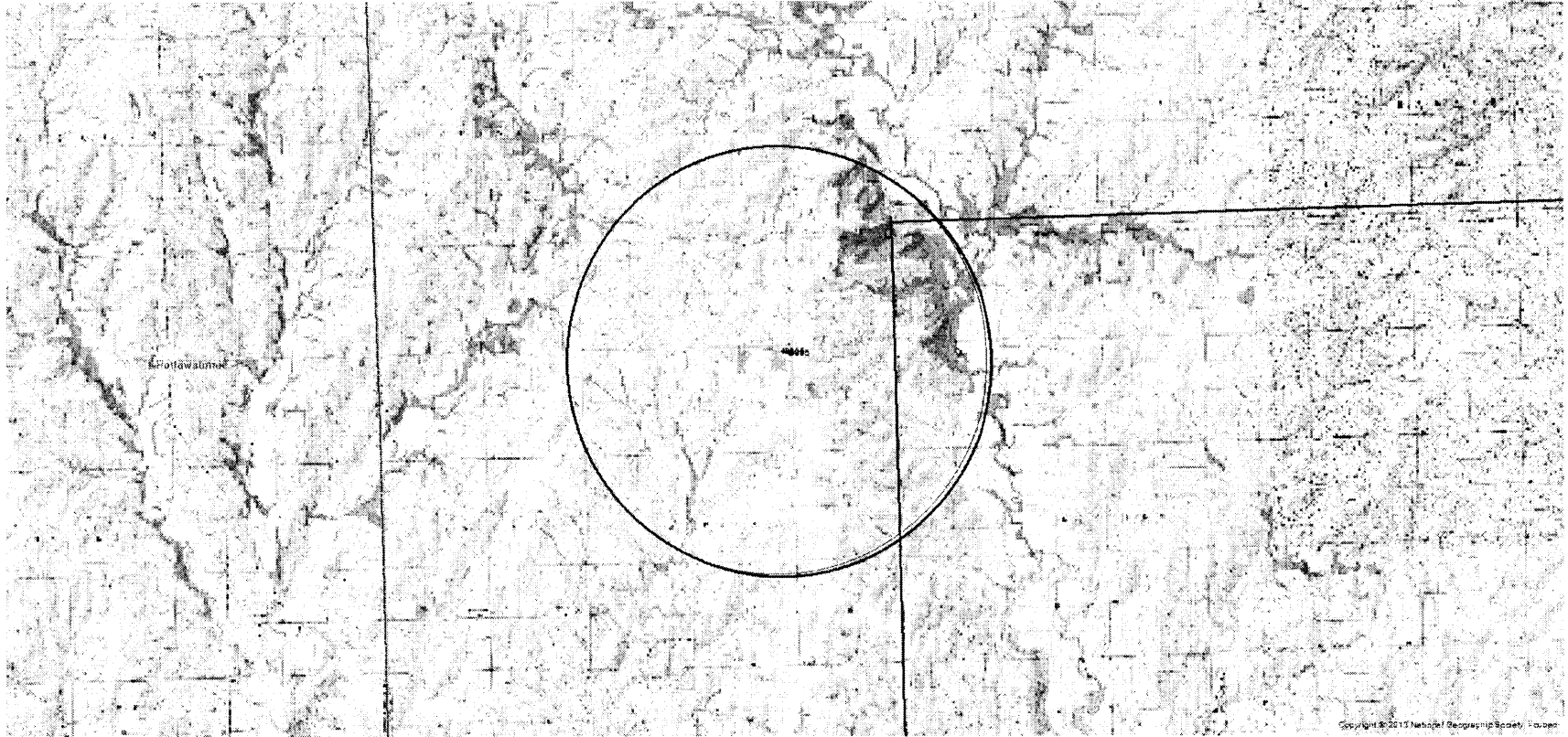
File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth_Quant	Add_Quant	Tacres	Nacres
A	49865	00	STK	AY	G	SW	NE	NE	4520	740	33	07	13E	1	WR	23.00	23.00	
Same			STK	AY	G	SE	NE	NE	4400	500	33	07	13E	2	WR			

=====

Safe Yield Report Sheet  
Water Right- A4986500  
Point of Diversion in ~~NENE~~SW 33-7S-13E

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49,865

WATER WELL RECORD Form WWC-5

Original Record Correction Change in Well Use

Division of Water Resources App. No.

[ ]

Well ID

[ ]

1 LOCATION OF WATER WELL:

County: Jackson

Fraction NE 1/4 SW 1/4 NE 1/4 NE 1/4

Section Number 33

Township Number T 7 S

Range Number R 13 E W

2 WELL OWNER: Last Name:

Business: J-Six
Address: 604 Nemaha St
City: Seneca

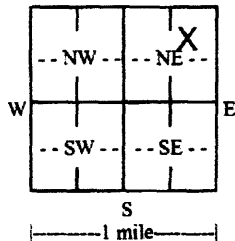
First:

State: KS ZIP: 66538

Street or Rural Address where well is located (if unknown, distance and direction from nearest town or intersection): If at owner's address, check here: [ ]

Pasture 1/4 mile SW of 198 RD and E Rd

3 LOCATE WELL WITH 'X' IN SECTION BOX:



4 DEPTH OF COMPLETED WELL: 138 ft.

Depth(s) Groundwater Encountered: 1) 56 ft. 2) ... 3) ... 4) Dry Well
WELL'S STATIC WATER LEVEL: 54 ft.
Pump test data: Well water was ... ft. after ... hours pumping ... gpm
Estimated Yield: 20 gpm
Bore Hole Diameter: 10 in. to 138 ft. and ... in. to ... ft.

5 Latitude: 39.403006 (decimal degrees)

Longitude: 95.963602 (decimal degrees)
Datum: [X] WGS 84 [ ] NAD 83 [ ] NAD 27
Source for Latitude/Longitude: [ ] GPS [ ] Land Survey [ ] Topographic Map [ ] Online Mapper

6 Elevation: 1264 ft. [X] Ground Level [ ] TOC

Source: [ ] Land Survey [ ] GPS [ ] Topographic Map [X] Other KOLAR

7 WELL WATER TO BE USED AS:

- 1. Domestic: [ ] Household [ ] Lawn & Garden [X] Livestock
2. Irrigation
3. Feedlot
4. Industrial
5. Public Water Supply: well ID
6. Dewatering: how many wells?
7. Aquifer Recharge: well ID
8. Monitoring: well ID
9. Environmental Remediation: well ID
10. Oil Field Water Supply: lease
11. Test Hole: well ID
12. Geothermal: how many bores?
13. Other (specify):

Was a chemical/bacteriological sample submitted to KDHE? [ ] Yes [X] No If yes, date sample was submitted:
Water well disinfected? [X] Yes [ ] No

8 TYPE OF CASING USED: [ ] Steel [X] PVC [ ] Other CASING JOINTS: [X] Glued [ ] Clamped [ ] Welded [ ] Threaded

Casing diameter 6 in. to 138 ft. Diameter ... in. to ... ft. Diameter ... in. to ... ft.
Casing height above land surface 24 in. Weight ... lbs./ft. Wall thickness or gauge No. SDR26

TYPE OF SCREEN OR PERFORATION MATERIAL: [ ] Steel [ ] Stainless Steel [ ] Fiberglass [X] PVC [ ] Other (Specify)
[ ] Brass [ ] Galvanized Steel [ ] Concrete tile [ ] None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE: [ ] Continuous Slot [X] Mill Slot [ ] Gauze Wrapped [ ] Torch Cut [ ] Drilled Holes [ ] Other (Specify)
[ ] Louvered Shutter [ ] Key Punched [ ] Wire Wrapped [ ] Saw Cut [ ] None (Open Hole)

SCREEN-PERFORATED INTERVALS: From 48 ft. to 88 ft., From ... ft. to ... ft., From ... ft. to ... ft.

GRAVEL PACK INTERVALS: From 23 ft. to 138 ft., From ... ft. to ... ft., From ... ft. to ... ft.

9 GROUT MATERIAL: [ ] Neat cement [ ] Cement grout [X] Bentonite [ ] Other

Grout Intervals: From 0 ft. to 23 ft., From ... ft. to ... ft., From ... ft. to ... ft.

Nearest source of possible contamination: [ ] Septic Tank [ ] Lateral Lines [ ] Pit Privy [X] Livestock Pens [ ] Insecticide Storage
[ ] Sewer Lines [ ] Cess Pool [ ] Sewage Lagoon [ ] Fuel Storage [ ] Abandoned Water Well
[ ] Watertight Sewer Lines [ ] Seepage Pit [ ] Feedyard [ ] Fertilizer Storage [ ] Oil Well/Gas Well
[ ] Other (Specify)

Direction from well? NE Distance from well? 100 ft.

Table with columns: 10 FROM, TO, LITHOLOGIC LOG, FROM, TO, LITHO. LOG (cont.) or PLUGGING INTERVALS. Rows include Clay, Limestone, Gray Shale, Red Shale, Gray Shale, Limestone, Alternating layers Gray Shale and Limest.

11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was [X] constructed, [ ] reconstructed, or [ ] plugged under my jurisdiction and was completed on (mo-day-year) 05/15/2017 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 760 This Water Well Record was completed on (mo-day-year) 05/15/2017 under the business name of Associated Drilling, Inc.

Send one copy to WATER WELL OWNER and retain one for your records. Fee of \$5.00 for each constructed well. KS Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-3565. Visit us at http://www.kdheks.gov/waterwell/index.html

JUL 03 2017

SCANNED KSA 82a-1212 KS DEPT OF AGRICULTURE

47,865  
47,866

WATER RESOURCES  
RECEIVED

JUL 03 2017

KS DEPT OF AGRICULTURE

# MUETING ENGINEERING

612 Community Drive  
Seneca, Kansas 66538  
785-334-6044  
[mueting-eng@rainbowtel.net](mailto:mueting-eng@rainbowtel.net)

June 29, 2017

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

RE: J-Six Enterprises, LLC - Applications for Permits to Appropriate Water  
Limestone Feedlot Site & Olson Site

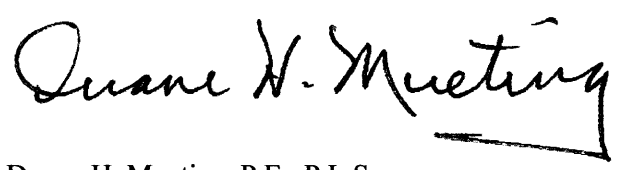
Dear Mr. Barfield:

Please find enclosed two (2) applications for the above referenced points of diversion along with a check for \$400.00 to cover the fees associated with submission of these forms.

Should you have any questions or require additional information, please contact me.

Sincerely,

**MUETING ENGINEERING**



Duane H. Mueeting, P.E., P.L.S.  
Licensed Professional Engineer #9240  
Professional Land Surveyor #977

DHM/alm

cc: Jennifer Gerety, J-Six Enterprises, LLC  
File

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

July 3, 2017

J-SIX ENTERPRISES, LLC  
JENNIFER GERETY  
PO BOX 170 604 NEMAHA ST  
SENECA KS 66538

**FILE COPY**

RE: Application  
File No. 49865

Dear Sir or Madam:

Your application for permit to appropriate water in 33-7S-13E in Jackson 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.

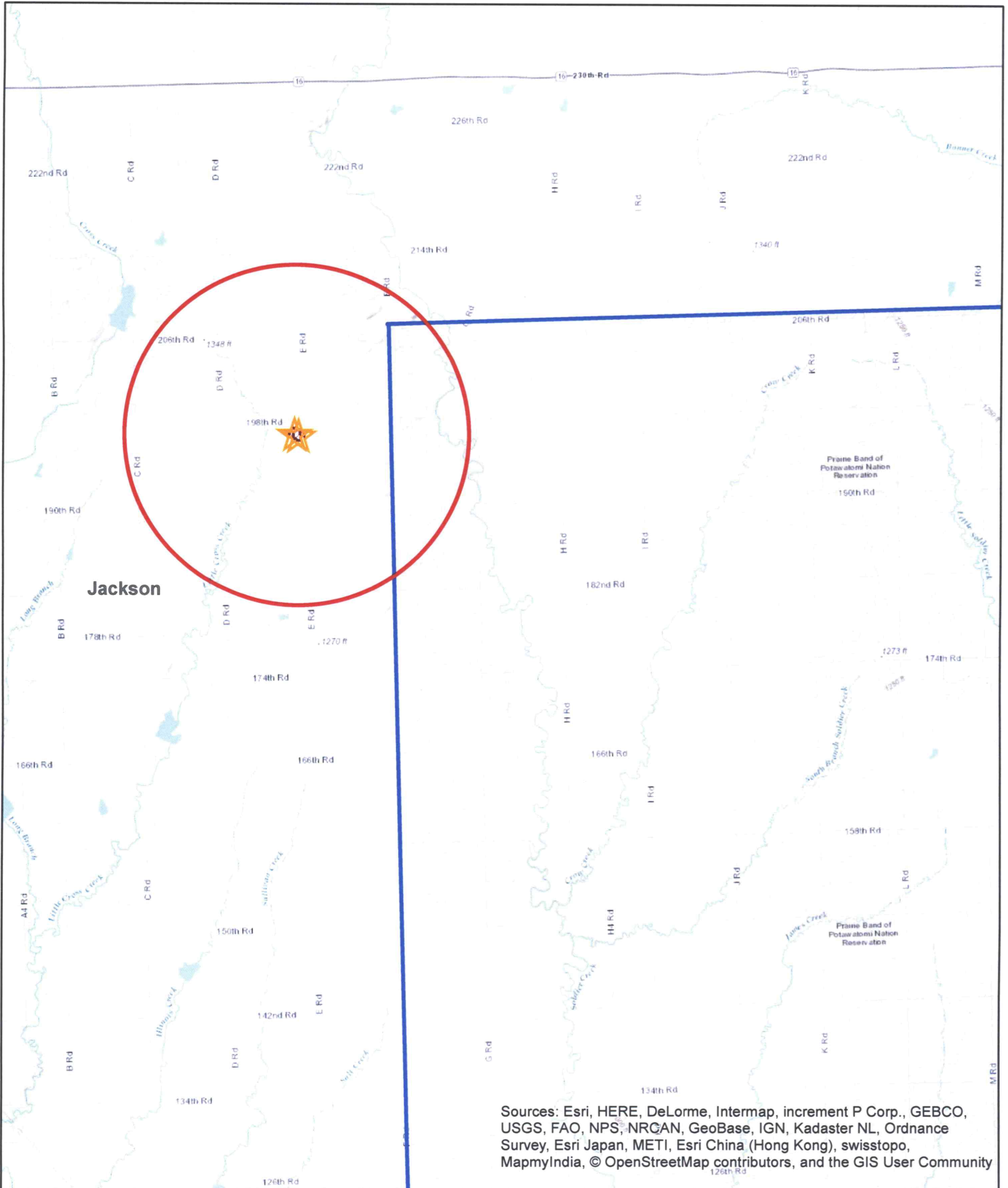
Sincerely,

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: TOPEKA Field Office  
GMD

SCANNED

# FILE NO. 49,865 J-SIX WITH PRAIRIE BAND POTTAWATOMIE NATION BOUNDARY MAP



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

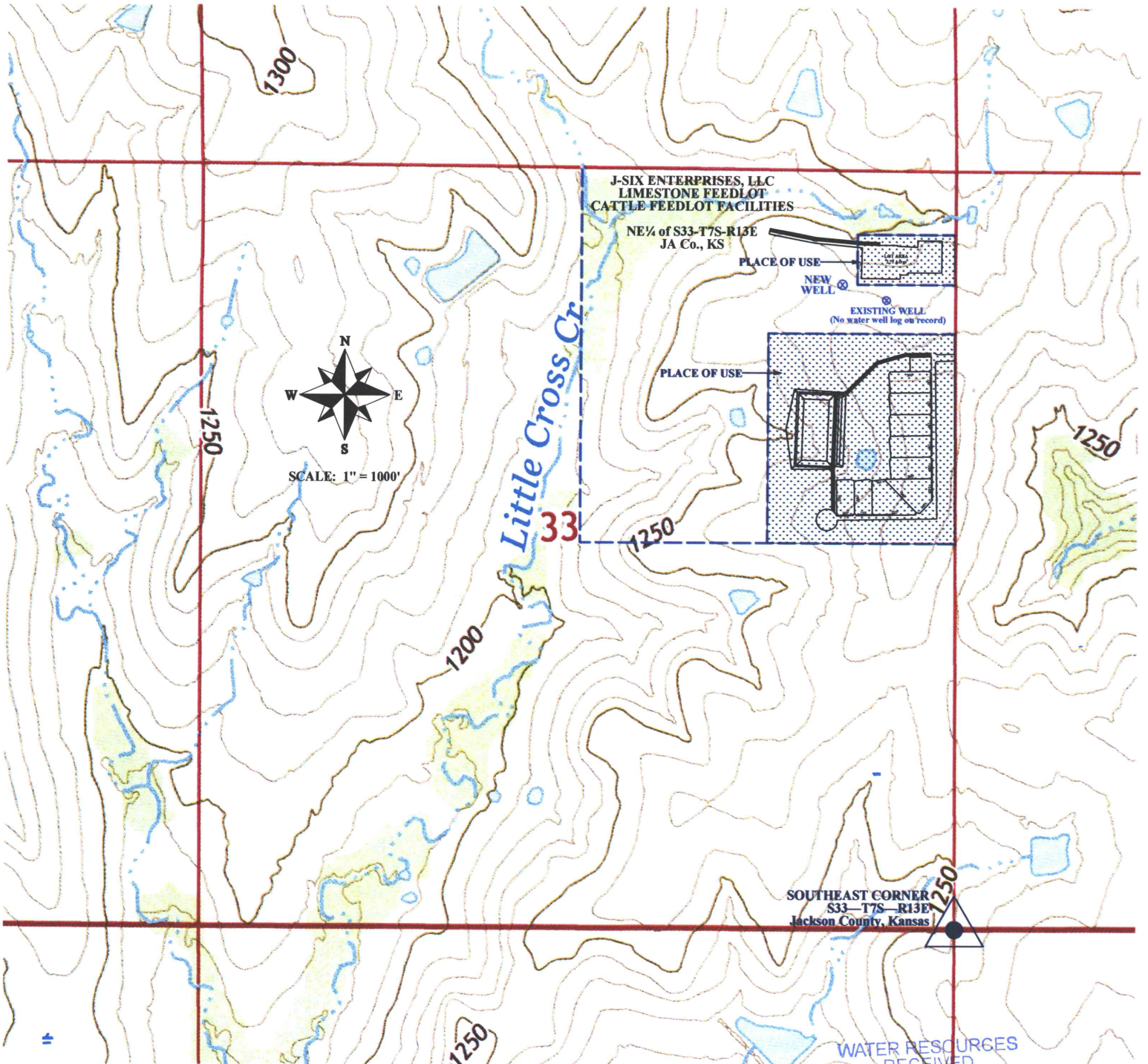


49,865

# J-SIX ENTERPRISES, LLC Limestone Feedlot

Northeast One-Quarter (NE¼)  
Section 33, Township 7 South, Range 13 East  
Jackson County, Kansas

USGS Topographic Map  
Soldier NW Quadrangle



NOTE: No other wells exist within one-half (½) mile of these wells.

JUL 03 2017

49,865

# J-SIX ENTERPRISES, LLC Limestone Feedlot

Northeast One-Quarter (NE<sup>1</sup>/<sub>4</sub>)  
Section 33, Township 7 South, Range 13 East  
Jackson County, Kansas

Aerial Plan View



WATER RESOURCES  
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JUL 03 2017

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