

File No. **49,930** 15. Formation Code: **500** Drainage Basin: **SMOKY HILL RIVER** County: **CY** Special Use: Stream:

16. Points of Diversion										
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
MOD			70015	SE SW NW	8	10	2E	8	3121	4116 (Batt 1 of 2)
MOD			70016	SE SW NW	8	10	2E	9	3048	4250 (Batt 1 of 2)
MOD			70017	SE SW NW	8	10	2E	10	3085	4183 (Geo-Ctr)

17. Rate and Quantity MOD ADDL QTY				
Authorized		Additional		
Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	Overlap PD Files
400	40.08	400	25.553	45,857

18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

19. Limitation: **40.08 mg/yr** at _____ gpm (_____ cfs) when combined with file number(s) **40,732; 41,101; AND 45,857 (on PU)**
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

20. Meter Required? Yes No To be installed by **12/31/2019** Date Acceptable Meter Installed _____

21. Place of Use T 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				
√	40625	8	10S	2E	1	HOGS (N2 NW) <i>Swine facility</i>																	7a.	No	40,732; 41,101; AND 45,857

Comments:

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

TO: Files

DATE: December 4, 2017

FROM: Doug Schemm

RE: Application, File No. 49,930

Henrys Limited (%Roy Henry) has filed the referenced application to appropriate 40.08 million gallons (123 acre-feet) of groundwater from an existing battery of two wells, at a rate of diversion of 400 gallons per minute for stockwatering use at a hog facility located in the North Half of the Northwest Quarter of Section 8, Township 10 South, Range 2 East, in Clay County. The facility is located within the Smoky Hill River basin. The proposed place of use is wholly owned by the applicant, and the application form has been signed by the applicant, stating he has access to the point of diversion.

Water Right, File No. 45,857 overlaps in point of diversion and place of use, while Water Right, File Nos. 40,732 and 41,101 overlap in place of use. File Nos. 40,732; 41,101; and 45,857 are authorized a combined total of 14.547 million gallons of water. The applicant has provided information with the new application, to justify the requested quantity of water, as follows:

1,500 head of sow/litter x 8 gal/head x 365 Days/year	= 4.38 million gallons
5,500 head of nursery x 1 gal/head x 365 Days/year	= 2.01 million gallons
5,500 head of finishing x 5 gal/head x 365 Days/year	= 10.04 million gallons
Cooling = 80 gpm x 60 min/hr x 12 hrs/day x 240 Days/year	= 13.82 million gallons
Sanitation, pen cleaning, etc.	= 8.74 million gallons
Other (Misc.)	= <u>1.1 million gallons</u>
Total	= 40.09 million gallons

This is the same quantity of water that File No. 45,857 was authorized, but the applicant perfected only a limited quantity of water under this senior file. Approval of this pending application will provide the applicant another opportunity to perfect this additional water. This application will be limited to 40.1 million gallons when combined with the senior files, providing 25.553 million gallons additional water (40.01 mgy – 14.547 mgy).

A review of the well log for the senior files shows alternating shales and limestones, which is typical for this area of the state. Total depth of the well is 138 feet, with a depth to static water level of 62 feet below ground surface. It is likely that the source of water is the limestone layer extending from 99 feet to 113 feet below ground surface, and this would indicate that the bedrock aquifer is under confined conditions. Again, this is also typical for wells in this area where the limestone strata are believed to be the water source for the wells. Based on a review of other water rights in the general area, and the WWC-5 database, it appears that the source of water is likely the fractured limestone formations in the Permian System (Sumner Group). In order to be consistent with other area water rights (and the applicant's senior file), the source will be listed as the Permian System (Formation Code 500). Since the aquifer is likely confined, K.A.R. 5-3-14 describes the methodology to determine safe yield, as follows:

- (a) Each application to appropriate water from a confined aquifer shall be processed on a case by case basis so that the safe yield of the source of water supply is not exceeded.
- (b) Until a specific regulation is adopted by the chief engineer for the confined source of water supply, the analysis shall be made using the best information reasonably available to the chief engineer.

No specific regulation has been adopted by the chief engineer for the Sumner Group aquifer; therefore the best information available should be utilized. Based on other local area wells, the bedrock aquifer appears to extend throughout this area; therefore it would appear reasonable to use the extent of the bedrock aquifer as the area of consideration. The potential annual recharge established for this area for unconfined aquifers (2.7 inches) would provide a maximum quantity of recharge possible.

For this specific application, the area of consideration provides a total of 5,540 acre, which is the extent of the bedrock (truncating out alluvium in the southwest portion of the circle). Based on a potential recharge of 2.7 inches, with 100% available for appropriation, safe yield was determined to be 1,246.5 acre-feet. Prior appropriations (all STK wells owned by the applicant) total 137.81 acre-feet, leaving 1,108.7 acre-feet available, so there is obviously sufficient quantity of water available for appropriation, and the application meets safe yield criteria.

Although it is likely that the confined bedrock aquifer system would receive somewhat less recharge than a near-surface, unconfined aquifer, this safe yield value for unconfined aquifers per K.A.R. 5-3-11 provides a maximum quantity of water available in the area of consideration. If there is a significant quantity of water still remaining, then even with significant reduced recharge to the confined aquifer (in this case it would require only 15% of the maximum recharge value or 0.5 inches of recharge) there would still be sufficient water available. Therefore, based on the above discussion, it appears that this application can be approved per K.A.R. 5-3-14, using the best information reasonably available to the chief engineer.

The applicant identified only two wells within one-half mile, both stockwatering wells owned by him. The pending application is 1,314 feet from the geographic center of the applicant's well battery under File No. 41,101, just 6 feet shy of meeting spacing of 1,320 feet. This difference is within tolerance of the GPS data system, so it would be considered to comply with spacing criteria. In addition, K.A.R. 5-4-4 also provides that the spacing guidelines are not applicable if the required minimum well spacing criteria are not necessary to prevent direct impairment. These are existing wells that have operated for many years, and are all owned by the applicant, therefore, per K.A.R. 5-4-4, the required minimum well spacing criteria is not necessary to prevent direct impairment in this specific instance, and the proposed well spacing is sufficient to prevent direct impairment and to protect the public interest. The well battery complies with minimum well spacing criteria to all other wells. No domestic wells were identified within one-half mile.

The applicant has submitted a signed Minimum Desirable Streamflow form, which has been properly notarized. By completing this statement, the applicant affirms his/her knowledge that there could be times when the diversion of water may not be allowed under this permit. 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 a November 29, 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, approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, and it will provide additional water for the hog operation, it is recommended that the referenced new 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

December 21, 2017

FILE COPY

HENRYS LIMITED
% ROY HENRY
615 INDIAN RD
LONGFORD KS 67458-9374

RE: Appropriation of Water, File No. 49,930

Dear Mr. Henry:

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. 49,930** of the applicant

**HENRYS LIMITED
615 INDIAN RD
LONGFORD KS 67458-9374**

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, 2017**.
2. That the water sought to be appropriated shall be used for stockwatering use in the North Half of the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 8, Township 10 South, Range 2 East, Clay 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 Southwest Quarter of the Northwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 8, more particularly described as being near a point 3,085 feet North and 4,183 feet West of the Southeast corner of said section, in Township 10 South, Range 2 East, Clay 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 **400 gallons per minute** (0.89 c.f.s.) and to a quantity not to exceed **40.08 million gallons** (123 acre-feet) of water for any calendar year.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2019**, or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee, which is currently \$400.00, when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.
6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2023**, or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee, which is currently \$100.00.

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

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

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

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

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

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

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

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

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

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

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

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

19. That the quantity of water approved under this permit is further limited to the quantity which combined with Water Right, File Nos. 40,732; 41,101; and 45,857, will provide a **total not to exceed 40.08 million gallons** of water per calendar year for stockwatering use as described herein.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

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

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

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

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

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

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

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

Lane P. Letourneau

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

State of Kansas)
) SS
County of Riley)

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



Danielle Wilson

Notary Public

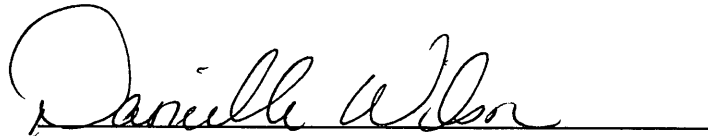
CERTIFICATE OF SERVICE

On this 21st day of December, 2017, I hereby certify that the foregoing Approval of Application, File No. 49,930, dated December 19th, 2017 was mailed postage prepaid, first class, US mail to the following:

HENRYS LIMITED
615 INDIAN RD
LONGFORD KS 67458-9374

With photocopies to:

Topeka Field Office

A handwritten signature in cursive script, appearing to read "Danielle Wilson", is written over a solid horizontal line.

Division of Water Resources

APPLICATION COMPLETE

10/26/2017

Reviewer DWS

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

WATER RESOURCES
RECEIVED

OCT 26 2017

1:23

KS DEPT OF AGRICULTURE

File Number 49930
This item to be completed by the 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, KS 66502:

1. Name of Applicant (Please Print): HENRYS LIMITED
Address: 615 INDIAN RD
City: LONGFORD State: KS Zip Code: 67458-9374
Telephone Number: (785) 427-7036

2. The source of water is: surface water in _____ (stream)
OR groundwater in SMOKY HILL RIVER BASIN (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 123 acre-feet OR 40.08 MILLION gallons per calendar year, to be diverted at a maximum rate of 400 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 STK Source GS County CY By KAB Date 10/26/17
Code _____ REG _____ Fee \$ 300 TR # _____ Receipt Date 10/26/17 Check # CC

SCANNED
11/2/2017 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.

(A) One in the SE quarter of the SW quarter of the NW quarter of Section 8, more particularly described as being near a point 3121 feet North and 4116 feet West of the Southeast corner of said section, in Township 10 South, Range 2 EAST, CLAY County, Kansas. (Batt 1 of 2 -pdiv ID 70015)

(B) One in the SE quarter of the SW quarter of the NW quarter of Section 8, more particularly described as being near a point 3048 feet North and 4250 feet West of the Southeast corner of said section, in Township 10 South, Range 2 EAST, CLAY County, Kansas. (Batt 1 of 2 -pdiv ID 70016)

(C) One in the SE quarter of the SW quarter of the NW quarter of Section 8, more particularly described as being near a point 3085 feet North and 4183 feet West of the Southeast corner of said section, in Township 10 South, Range 2 EAST, CLAY County, Kansas. (Geo-Ctr -pdiv ID 70017)

(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 10/17, 2017. Roy J. Henry
Applicant's Signature

7. The proposed project for diversion of water will consist of TWO WELL BATTERY
(number of wells, pumps or dams, etc.)

and (was) completed (by) Existing (Under File No. 45,857)
(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 Summer 2017
(Mo/Day/Year)

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

~~No~~ 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.

File No. 45,857 OVERLAP IN POINT OF DIVERSION & PLACE OF USE

File Nos. 40,732 & 41,101 - OVERLAP IN PLACE OF USE

WATER RESOURCES
RECEIVED

OCT 26 2017

KS DEPT OF AGRICULTURE

SCANNED

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>1/2004</u>	_____	_____	_____
Total depth of well	<u>110</u>	_____	_____	_____
Depth to water bearing formation	<u>93</u>	_____	_____	_____
Depth to static water level	<u>86</u>	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of owner
(owner, tenant, agent or otherwise)

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

_____ (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, this _____ day of _____, 2017.
(month) (year)


(Applicant Signature)

APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By _____
(Agent or Officer Signature)

and/or
APPLICANT(S) TAXPAYER I.D. NO.(S)

(Agent or Officer - Please Print)

Assisted by DWS TOPEKA FO Date: 10/16/2017
(office/title)

RECEIVED
OCT 17 2017
TOPEKA
FO
10/16/2017

OCT 26 2017

**STOCKWATER USE
SUPPLEMENTAL SHEET**

KS DEPT OF AGRICULTURE

File No. 49930

Name of Applicant (Please Print): HENRYS LIMITED

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

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

PAST NUMBER OF HEAD AND WATER DIVERTED, IF APPLICABLE

LAST 5 YEARS	NUMBER OF HEAD	WATER DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
5 years ago			
Last year			
Present Year			

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

ESTIMATED FUTURE NUMBER OF HEAD AND WATER DIVERTED

NEXT 5 YEARS	NUMBER OF HEAD	WATER TO BE DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
Year 1	12,000	40 Million	
Year 2			
Year 3			
Year 4			
Year 5	12,000	40 MILLION	

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

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

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8	10S	2E	NORTH HALF OF NORTHWEST QUARTER																

SCANNED

#49,930
meets safe yield
BEDROCK Aquifer

Analysis Results

The selected PD is in an area to new appropriations.
 The safe yield, based on the variables listed below is 1,246.50 AF.
 Total prior appropriation in the circle is 260.81 AF.
 Total quantity of water available for appropriation is ~~985.69~~ AF.

-123AF = 137.81
1108.7 AF

Safe Yield Variables

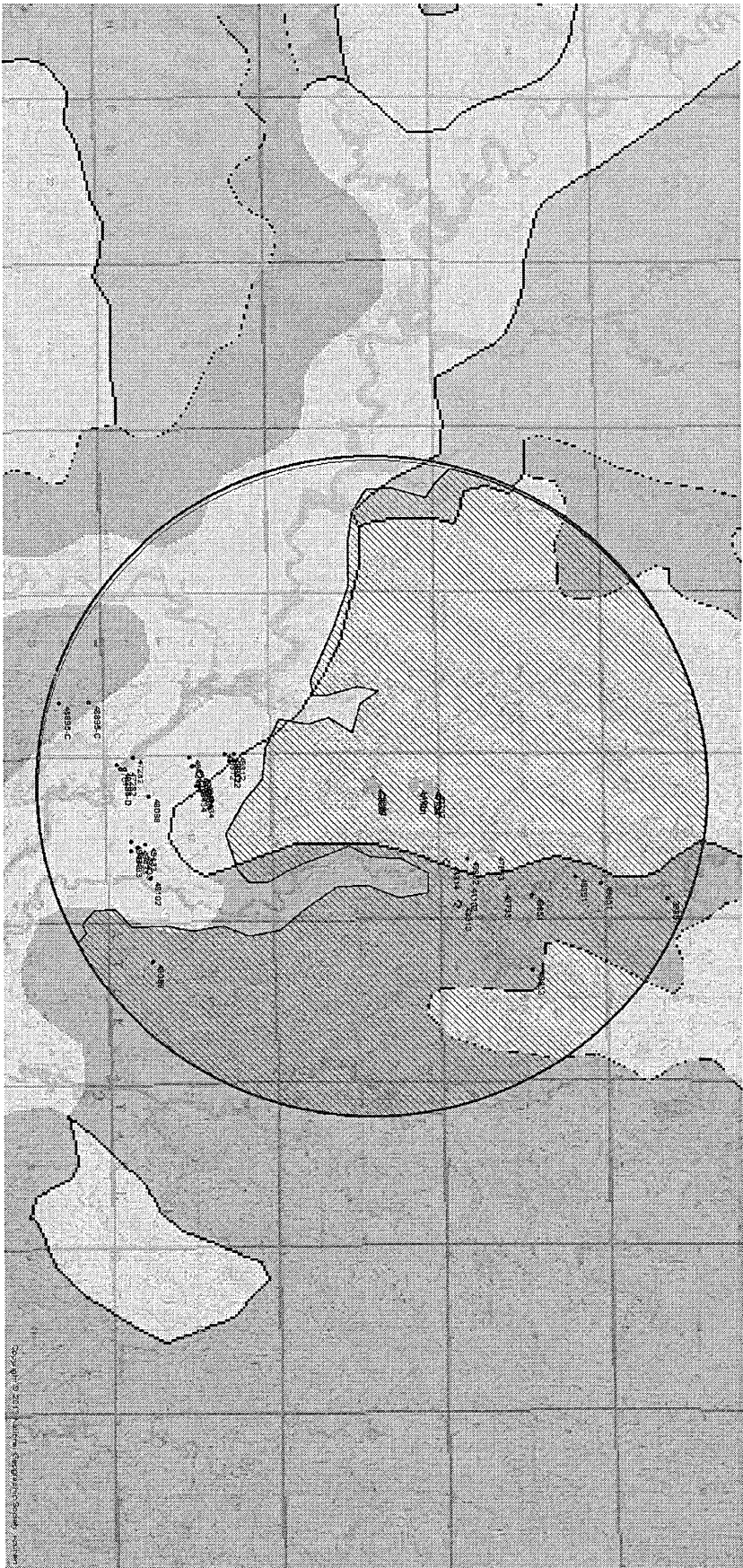
The area used for the analysis is set at 5540 acres.
 Potential annual recharge of the area is estimated to be 2.7 inches.
 The percent of recharge available for appropriation is 100%.

Authorized Quantity values are as of 28-NOV-2017 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 7 water right(s) and 13 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 40732 00	STK	NK	G		NE	NW	NW	4972	4014	08	10	02E	1	WR	39.90	39.90		
Same	STK	NK	G		NE	NW	NW	4880	4138	08	10	02E	5	WR				
Same	STK	NK	G		NE	NW	NW	4852	4142	08	10	02E	2	WR				
Same	STK	NK	G		NE	NW	NW	4815	4258	08	10	02E	3	WR				
A 40733 00	STK	NK	G		SW	NE	SE	1770	776	05	10	02E	1	WR	8.59	8.59		
A 41101 00	STK	NK	G		SE	NW	NW	4353	4116	08	10	02E	4	WR	29.91	4.75		
Same	STK	NK	G		SE	NW	NW	4399	4210	08	10	02E	6	WR				
Same	STK	NK	G		SE	NW	NW	4444	4303	08	10	02E	7	WR				
A 41102 00	STK	NK	G		NW	SE	SE	688	999	05	10	02E	3	WR	3.76	0.49		
A 45857 00	STK	MM	G		SE	SW	NW	3121	4125	08	10	02E	8	WR	122.76	16.88		
Same	STK	MM	G		SE	SW	NW	3021	4325	08	10	02E	9	WR				
Same	STK	MM	G		SE	SW	NW	3071	4225	08	10	02E	10	WR				
A 47553 00	STK	LR	G		SW	NW	SE	1550	2100	05	10	02E	6	WR	67.21	67.21		
A 49930 00	STK	AY	G		SE	SW	NW	3121	4125	08	10	02E	8	WR	123.00	123.00		
Same	STK	AY	G		SE	SW	NW	3021	4325	08	10	02E	9	WR				
Same	STK	AY	G		SE	SW	NW	3071	4225	08	10	02E	10	WR				

Safe Yield Report Sheet
Water Right- A4993000
Point of Diversion in NMSWSE 8-10S-2E



Safe Yield Report Sheet

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

3085 ft N and 4183 ft W of the SE Corner of Section 8, T 10S, R 2E

Located at: 97.237095 West Longitude and 39.199800 North Latitude

GROUNDWATER ONLY

49930-
Adequate spacing
to own well.

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit		
A__ 40732	00	STK	NK	G	1796	--	NE	NW	NW	4880	4138	8	10	2E	5	G	3	39.90	39.90	AF
Same					1895	--	NE	NW	NW	4972	4014	8	10	2E	1	B	3			
Same					1767	--	NE	NW	NW	4852	4142	8	10	2E	2	B	3			
Same					1732	--	NE	NW	NW	4815	4258	8	10	2E	3	B	3			
A__ 40733	00	STK	NK	G	5203	--	SW	NE	SE	1770	776	5	10	2E	1			8.59	8.59	AF
A__ 41101	00	STK	NK	G	1314	--	SE	NW	NW	4399	4210	8	10	2E	6	G	2	29.91	4.75	AF
Same					1270	--	SE	NW	NW	4353	4116	8	10	2E	4	B	2			
Same					1364	--	SE	NW	NW	4444	4303	8	10	2E	7	B	2			
A__ 41102	00	STK	NK	G	4269	--	NW	SE	SE	688	999	5	10	2E	3			3.76	.49	AF
A__ 45857	00	STK	MM	G	44	--	SE	SW	NW	3071	4225	8	10	2E	10	G	2	122.76	16.88	AF
Same					68	--	SE	SW	NW	3121	4125	8	10	2E	8	B	2			
Same					156	--	SE	SW	NW	3021	4325	8	10	2E	9	B	2			
A__ 47553	00	STK	LR	G	4265	--	SW	NW	SE	1550	2100	5	10	2E	6			67.21	67.21	AF
A__ 49433	00	IRR	GY	G	7697	--	NW	SW	SE	926	2326	17	10	2E	7	G	4	220.00	220.00	AF
Same					7413	--	NW	SW	SE	1194	2425	17	10	2E	9	B	4			
Same					7611	--	NW	SW	SE	1064	2144	17	10	2E	10	B	4			
Same					7854	--	NW	SW	SE	721	2509	17	10	2E	11	B	4			
Same					7919	--	NW	SW	SE	723	2226	17	10	2E	12	B	4			
A__ 49434	00	IRR	GY	G	5710	--	SW	SW	NW	2722	4931	17	10	2E	21	G	3	220.00	220.00	AF
Same					5852	--	NW	NW	SW	2621	5215	17	10	2E	22	B	3			
Same					5754	--	SW	SW	NW	2676	4920	17	10	2E	23	B	3			
Same					5536	--	SW	SW	NW	2869	4659	17	10	2E	24	B	3			
A__ 49812	00	IRR	GY	G	4607	--	NW	SW	NW	3892	5227	17	10	2E	17	G	3	320.00	88.80	AF
Same					4478	--	SW	NW	NW	4041	5297	17	10	2E	18	B	3			
Same					4587	--	NW	SW	NW	3881	5079	17	10	2E	19	B	3			
Same					4760	--	NW	SW	NW	3753	5306	17	10	2E	20	B	3			

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	528.80	.00
Total Inspected Amount (AF) =	67.21	.00
Total Pro_Cert Amount (AF) =	16.88	.00
Total Certified Amount (AF) =	53.72	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	666.61	.00

An * after the source of supply indicates a pending application for change for the file number.
 An * after the ID indicates a 15 AF exemption was granted for 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:

97.237095 West Longitude and 39.199800 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number Use ST SR

A__ 40732 00 STK NK G
> HENRYS LIMITED
>
> 615 INDIAN RD
> LONGFORD KS 67458
>-----

A__ 40733 00 STK NK G
> HENRYS LIMITED
>
> 615 INDIAN RD
> LONGFORD KS 67458
>-----

A__ 41101 00 STK NK G
> HENRYS LIMITED
>
> 615 INDIAN RD
> LONGFORD KS 67458
>-----

A__ 41102 00 STK NK G
> HENRYS LIMITED
>
> 615 INDIAN RD
> LONGFORD KS 67458
>-----

A__ 45857 00 STK MM G
> HENRYS LIMITED
>
> 615 INDIAN RD
> LONGFORD KS 67458
>-----

A__ 47553 00 STK LR G
> HENRYS LIMITED
>
> 615 INDIAN RD
> LONGFORD KS 67458
>-----

A__ 49433 00 IRR GY G
> DON VAN SCOYOC
>
> 875 4TH RD
> LONGFORD KS 67458
>-----

A__ 49434 00 IRR GY G
> DON VAN SCOYOC
>
> 875 4TH RD
> LONGFORD KS 67458
>-----

A__ 49812 00 IRR GY G
> DON VAN SCOYOC
>
> 875 4TH RD

Henry's >

49,930
SMOCH
MO

DIVISION OF WATER RESOURCES-KANSAS DEPARTMENT OF AGRICULTURE
COMPLIANCE INVESTIGATION

Field Office No. 01 G.M.D. No. _____ County CLAY

File No. 45857 Overlap P/U File No(s). 41101; 40732

Agency DWR Inspector SMITH

In Compliance/ Date	
<input checked="" type="checkbox"/>	Yes <u>4/12/17</u>
<input type="checkbox"/>	No, see comments _____
<input type="checkbox"/>	Re-investigation _____

Reason: New Application Regular P/D Change P/U Change
 Meter Installed Short Move P/D Change Other SMOCH MO

Date of Order 9/26/16 Date of N of C Ack _____ Chg No. C _____ Date completed _____ If PD chg, old PD ID _____

Current Landowner HENRYS LIMITED Phone No. 785-388-2416

Address 615 INDIAN RD, LONGFORD KS 67458-9374
Additional landowners and addresses identified in remarks section.

Water Use Correspondent SAME AS OWNER Phone No. ROY HENRY CELL 785-427-7036

Authorized Water Use Classification: Domestic Industrial Irrigation Municipal Hydraulic Dredging
 Recreation Stockwatering Water Power Artificial Recharge Contamination Remediation
 Dewatering Fire Protection Thermal Exchange Sediment Control Other _____

Water currently being used for STOCKWATERING

Source: Groundwater Surface Water Basin/Stream STOCKWATERING

EAST WELL
Authorized Point of Diversion: SE SW NW Sec. 8, T. 10S, R. 2E ID No. 08

Approximately 3121 ft. North and 4125 ft. West of SE corner of Sec 8.

Actual Point of Diversion: SE SW NW Sec. 8, T. 10S, R. 2E

Approximately 3121 ft. North and 4116 ft. West of SE corner of Sec 8.

How were distances determined? GPS COLLECTED ON 6/15/10 Latitude _____ Longitude _____

WEST WELL
Authorized Point of Diversion: SE SW NW Sec. 8, T. 10S, R. 2E ID No. 09

Approximately 3021 ft. North and 4325 ft. West of SE corner of Sec 8.

Actual Point of Diversion: SE SW NW Sec. 8, T. 10S, R. 2E

Approximately 3048 ft. North and 4250 ft. West of SE corner of Sec 8.

How were distances determined? GPS COLLECTED ON 6/15/10 Latitude _____ Longitude _____

GEO CTR
Authorized Point of Diversion: SE SW NW Sec. 8, T. 10S, R. 2E ID No. 10

Approximately 3071 ft. North and 4225 ft. West of SE corner of Sec 8.

Actual Point of Diversion: SE SW NW Sec. 8, T. 10S, R. 2E

Approximately 3085 ft. North and 4183 ft. West of SE corner of Sec 8.

Location (site) map attached? YES Sketch or Map below

Comments: _____

Bill & Bump
4-28-17

THE STATE



OF KANSAS

DRAFT

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

CERTIFICATE OF APPROPRIATION FOR BENEFICIAL USE OF WATER

WATER RIGHT, File No. 45,857

PRIORITY DATE February 16, 2004

WHEREAS, It has been determined by the undersigned that construction of the appropriation diversion works has been completed, that water has been used for beneficial purposes and that the appropriation right has been perfected, all in conformity with the conditions of approval of the application pursuant to the water right referred to above and in conformity with the laws of the State of Kansas.

NOW, THEREFORE, Be It Known that DAVID W. BARFIELD, the duly appointed, qualified and acting Chief Engineer of the Division of Water Resources of the Kansas Department of Agriculture, by authority of the laws of the State of Kansas, and particularly K.S.A. 82a-714, does hereby certify that, subject to vested rights and prior appropriation rights, the appropriator is entitled to make use of groundwater to be withdrawn by means of a battery of two (2) wells with a geographic center located in the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 8, more particularly described as being near a point 3,085 feet North and 4,183 feet West of the Southeast corner of said section, in Township 10 South, Range 2 East, Clay County, Kansas, at a diversion rate not in excess of **40 gallons per minute (0.09 c.f.s.)** and a quantity not to exceed **3.434 million gallons (10.54 acre-feet)** of water per calendar year for **stockwatering use** in the North Half of the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 8, Township 10 South, Range 2 East, Clay County, Kansas.

This appropriation right is further limited to a quantity of water which when combined with the water right set forth in the Certificate of Appropriation issued pursuant to File Nos. 40,732 & 41,101, will provide a total quantity not to exceed **14.547 million gallons (44.63 acre-feet)** of water per calendar year for stockwatering use at the location described herein.

(over)



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 27, 2017

FILE COPY

HENRYS LIMITED
615 INDIAN RD
LONGFORD KS 67458

RE: Application
File No. 49930

Dear Sir or Madam:

Your application for permit to appropriate water in 8-10S-2E in Clay 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

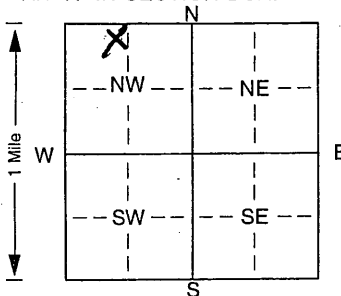
SCANNED

49930

1 LOCATION OF WATER WELL: Fraction NE 1/4 NE 1/4 NW 1/4 Section Number 8 Township Number T 10 S Range Number R 2 E
 County: CLAY

Distance and direction from nearest town or city street address of well if located within city?
From Longford: 3.5 miles East, 2 miles North, and 0.5 East

2 WATER WELL OWNER: ROY HAWRY
 RR#, St. Address, Box #: 822 SIXTH RD
 City, State, ZIP Code: LONGFORD, KS 67458
 Board of Agriculture, Division of Water Resources
 Application Number: _____

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:

 4 DEPTH OF COMPLETED WELL: 110 ft. ELEVATION: _____
 Depth(s) Groundwater Encountered: 1. 93 ft. 2. _____ ft. 3. _____ ft.
 WELL'S STATIC WATER LEVEL: 8.6 ft. below land surface measured on 11/16/04
 Pump test data: Well water was _____ ft. after _____ hours pumping _____ gpm
 Est. Yield: 40 gpm; Well water was _____ ft. after _____ hours pumping _____ gpm
 Bore Hole Diameter: 8.75 in. to 110 ft., and _____ in. to _____ ft.
 WELL WATER TO BE USED AS: 5 Public water supply 8 Air conditioning 11 Injection well
 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)
 2 Irrigation 4 Industrial 7 Domestic (lawn & garden) 10 Monitoring well
 Was a chemical/bacteriological sample submitted to Department? Yes. _____ No. X; If yes, mo/day/yr sample was submitted _____
 Water Well Disinfected? Yes X No _____

5 TYPE OF BLANK CASING USED:
 1 Steel PVC 3 RMP (SR) 4 ABS
 5 Wrought iron 6 Asbestos-Cement 7 Fiberglass
 8 Concrete tile 9 Other (specify below)
 CASING JOINTS: Glued X Clamped _____
 Welded _____ Threaded _____
 Blank casing diameter: 5 in. to 90 ft., Dia _____ in. to _____ ft., Dia _____ in. to _____ ft.
 Casing height above land surface: 29 in., weight _____ lbs./ft. Wall thickness or gauge No. 5DR26
 TYPE OF SCREEN OR PERFORATION MATERIAL:
 1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 10 Asbestos-cement
 2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 11 Other (specify) _____
 12 None used (open hole)
 SCREEN OR PERFORATION OPENINGS ARE:
 1 Continuous slot 2 Mill slot 3 Key punched 5 Gauzed wrapped 8 Saw cut 11 None (open hole)
 2 Louvered shutter 4 Key punched 6 Wire wrapped 7 Torch cut 9 Drilled holes 10 Other (specify) _____
 SCREEN-PERFORATED INTERVALS: From 90 ft. to 110 ft., From _____ ft. to _____ ft.
 From _____ ft. to _____ ft., From _____ ft. to _____ ft.
 GRAVEL PACK INTERVALS: From 23 ft. to 140 ft., From _____ ft. to _____ ft.
 From _____ ft. to _____ ft., From _____ ft. to _____ ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other _____
 Grout Intervals: From 3 ft. to 23 ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.
 What is the nearest source of possible contamination:
 1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well
 2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well
 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below)
 13 Insecticide storage 17 OPEN FIELD
 Direction from well? _____ How many feet? _____

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	17	CLAY, BROWN			
17	55	SAND, TAN			
55	68	LIMESTONE WEATHERED, TAN			
68	93	SHALE, GRAY			
93	110	LIMESTONE			
		WATER RESOURCES RECEIVED			WATER RESOURCES RECEIVED
		OCT 26 2017			FEB 16 2004
		KS DEPT OF AGRICULTURE			KS DEPT OF AGRICULTURE
					TOPEKA FIELD OFFICE DIVISION OF WATER RESOURCES

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 11/16/04 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's Licence No. 585. This Water Well Record was completed on (mo/day/yr) 1/30/04 under the business name of ASSOCIATED PUMP & SERVICE INC by (signature) _____

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Topeka, Kansas 66620-0001. Telephone 785-296-5524. Send one to WATER WELL OWNER and retain one for your records. Fee of \$5.00 for each constructed well.

MICROFILMED
 SCANNED

49930

WATER WELL RECORD Form WWC-5 KSA 82a-1212 ID No.

1 LOCATION OF WATER WELL: Fraction NW 1/4 NW 1/4 Section Number 8 Township Number T 10 S R 2 E County: CLAY

Distance and direction from nearest town or city street address of well if located within city? FROM WARRIEN RD 1/2 MILE WEST, 1/2 MILE SOUTH 3/4 WEST

2 WATER WELL OWNER: ROY HENRY RR#, St. Address, Box #: 415 Indian Rd City, State, ZIP Code: Longford, KS 67458 Board of Agriculture, Division of Water Resources Application Number:

3 LOCATE WELL'S LOCATION WITH AN 'X' IN SECTION BOX: [Diagram of section box with 'X' in NW corner] DEPTH OF COMPLETED WELL: 140 ft. ELEVATION: ... WELL'S STATIC WATER LEVEL: 9.7 ft. below land surface ...

5 TYPE OF BLANK CASING USED: 1 Steel, 3 RMP (SR), 5 Wrought iron, 8 Concrete tile, CASING JOINTS: Glued, Clamped, Welded, Threaded. TYPE OF SCREEN OR PERFORATION MATERIAL: 1 Steel, 3 Stainless steel, 5 Fiberglass, 8 RMP (SR), 10 Asbestos-cement, 12 None used (open hole).

6 GROUT MATERIAL: 1 Neat cement, 2 Cement grout, 3 Bentonite, 4 Other. Grout intervals: From 3 ft. to 25 ft. What is the nearest source of possible contamination: 16 Other (specify below) ON EDGE OF FIELD

Table with columns: FROM, TO, LITHOLOGIC LOG, FROM, TO, PLUGGING INTERVALS. Rows include soil, clay tan, shale gray, shale red, shale gray, limestone gray, shale gray.

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 6/22/04 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's Licence No. 585 This Water Well Record was completed on (mo/day/yr) 7/16/04 under the business name of ASSOCIATED ENVIRONMENTAL INC by (signature)

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Topeka, Kansas 66620-0001. Telephone 785-296-5524. Send one to WATER WELL OWNER and retain one for your records. Fee of \$5.00 for each constructed well.

SCANNED

49930

WATER WELL RECORD Form WWC-5 KSA 82a-1212

1 LOCATION OF WATER WELL: County: <u>Clay</u>	Fraction <u>SE 1/4 NW 1/4 NW 1/4</u>	Section Number <u>8</u>	Township Number <u>T 10 S</u>	Range Number <u>R 2 E/W</u>
--	---	----------------------------	----------------------------------	--------------------------------

Distance and direction from nearest town or city street address of well if located within city?
5 east, 2 1/4 south of Oakhill, Ks.

2 WATER WELL OWNER: Henry's Limited
 RR#, St. Address, Box # : 615 Indian Road
 City, State, ZIP Code : Longford, Ks. 67458
 Board of Agriculture, Division of Water Resources
 Application Number:

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:

4 DEPTH OF COMPLETED WELL: 93 ft. ELEVATION: _____ ft.
 Depth(s) Groundwater Encountered 1. _____ ft. 2. _____ ft. 3. _____ ft.
 WELL'S STATIC WATER LEVEL 6.8 ft. below land surface measured on mo/day/yr 1-28-98
 Pump test data: Well water was _____ ft. after _____ hours pumping _____ gpm
 Est. Yield na gpm: Well water was _____ ft. after _____ hours pumping _____ gpm
 Bore Hole Diameter 9 7/8 to 9 3 ft. and _____ in. to _____ ft.
 WELL WATER TO BE USED AS:
 5 Public water supply 8 Air conditioning 11 Injection well
 1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)
 2 Irrigation 4 Industrial 7 Lawn and garden only 10 Monitoring well Live Stock
 Was a chemical/bacteriological sample submitted to Department? Yes _____ No X; If yes, mo/day/yr sample was submitted _____
 Water Well Disinfected? Yes hth No _____

5 TYPE OF BLANK CASING USED:
 1 Steel 3 RMP (SR) 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued X Clamped _____
 2 PVC 4 ABS 6 Asbestos-Cement 9 Other (specify below) Welded _____
 7 Fiberglass Threaded _____
 Blank casing diameter 5 in. to 6.3 ft., Dia _____ in. to _____ ft., Dia _____ in. to _____ ft.
 Casing height above land surface 2 in., weight SDR 26 lbs./ft. Wall thickness or gauge No. _____
 TYPE OF SCREEN OR PERFORATION MATERIAL:
 1 Steel 3 Stainless steel 5 Fiberglass 7 PVC 10 Asbestos-cement
 2 Brass 4 Galvanized steel 6 Concrete tile 8 RMP (SR) 11 Other (specify) _____
 12 None used (open hole)
 SCREEN OR PERFORATION OPENINGS ARE:
 5 Gauzed wrapped 8 Saw cut 11 None (open hole)
 1 Continuous slot 3 Mill slot 6 Wire wrapped 9 Drilled holes
 2 Louvered shutter 4 Key punched 7 Torch cut 10 Other (specify) _____
 SCREEN-PERFORATED INTERVALS: From 93 ft. to 63 ft., From _____ ft. to _____ ft.
 From _____ ft. to _____ ft., From _____ ft. to _____ ft.
 GRAVEL PACK INTERVALS: From 93 ft. to 20 ft., From _____ ft. to _____ ft.
 From _____ ft. to _____ ft., From _____ ft. to _____ ft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other hole plug
 Grout Intervals: From 20 ft. to 0 ft., From _____ ft. to _____ ft., From _____ ft. to _____ ft.
 What is the nearest source of possible contamination:
 1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well
 2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well
 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below) _____
 13 Insecticide storage _____
 Direction from well? north How many feet? 75'

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	3	Top soil			
3	7	Brown clay			
7	20	Yellow brown clay			
20	30	Blue gray, Redish brown clay			
30	32	Blue gray clay			
32	35	Light gray & brown clay			
35	52	Light gray & brown gritty clay			
52	58	Light gray clay			
58	62	Blue gray shale			
62	68	Light gray & brown soft clay			
68	72	Blue shale			
72	83	Yellow brown, light gray soft clay			
83	93	Blue gray soft shale			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 1-29-98 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 134 This Water Well Record was completed on (mo/day/yr) 1-30-98 under the business name of Rosencrantz-Bemis by (signature) Freddie Watson

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Topeka, Kansas 66620-0001. Telephone: 913-296-5545. Send one to WATER WELL OWNER and retain one for your records.

(Date)

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

Re: Application
File No. 49930

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Roy J Henry
Signature of Applicant

State of Kansas)
County of Shawnee) ss

Roy J Henry
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 17th day of October, 2017.

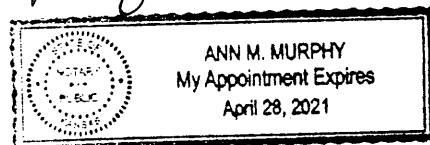
Ann M. Murphy
Notary Public

My Commission Expires:

WATER RESOURCES
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OCT 26 2017

KS DEPT OF AGRICULTURE

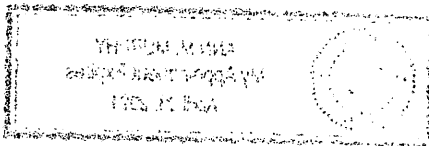


**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

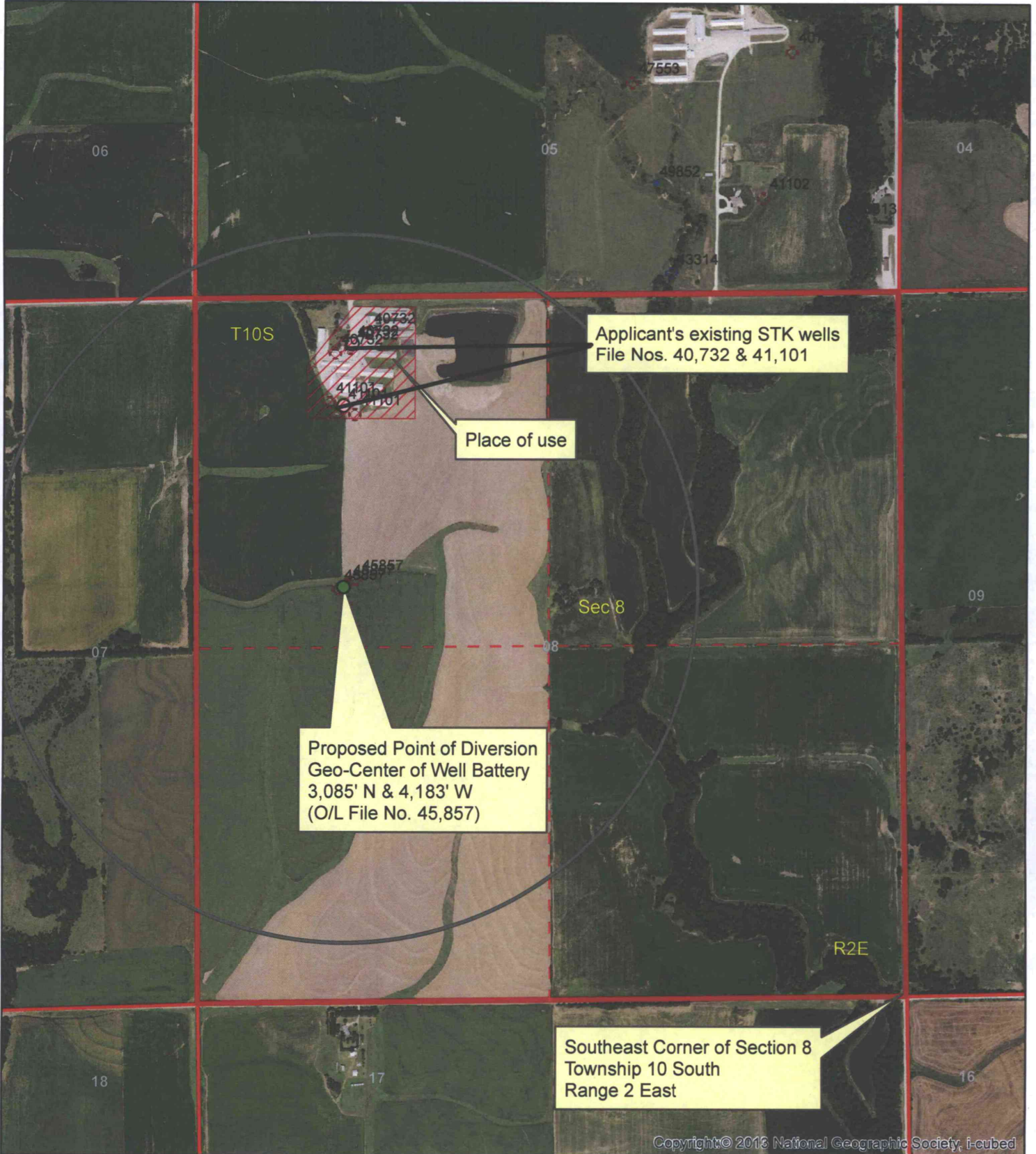
Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River



HENRYS LIMITED - SITE MAP
SEC. 8, T10S, R2E
CLAY CO.

49930

1:12,000



Proposed Point of Diversion
Geo-Center of Well Battery
3,085' N & 4,183' W
(O/L File No. 45,857)

Applicant's existing STK wells
File Nos. 40,732 & 41,101

Place of use

Southeast Corner of Section 8
Township 10 South
Range 2 East

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● Proposed Point of Diversion



Proposed Place of Use

All Known Wells Within 1/2 mile of the
proposed point of diversion are shown on this map.

Ray G Henry

SCANNED

