

NOTICE

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

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50118
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.)

Water Resources
Received
AUG 29 2018
10:30
KS Dept Of Agriculture

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

1. Name of Applicant (Please Print): US Minerals - Steve Stone
Address: 911 Linco PO Box 630
City: Lacygne State Ks Zip Code 66040
Telephone Number: (913) 757 2757

2. The source of water is: surface water in _____ (stream)
OR groundwater in Marais Des Cygnes (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is _____ acre-feet OR 20,000,000 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 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. <u>1</u>	GMD <u>0</u>	Meets K.A.R. 5-3-1 (YES/NO)	Use <u>IND</u>	Source <u>Q/S</u>	County <u>LN</u>	By <u>KAB</u>	Date <u>8/29/18</u>
Code <u>KEG</u>	Fee \$ <u>200</u>	TR # _____	Receipt Date <u>8/29/18</u>	Check # <u>1021</u>			

9/5/18 DAW

**INDUSTRIAL USE
SUPPLEMENTAL SHEET**

File No. 50118

Name of Applicant (Please Print): US Minerals

1. Please describe type of industry or product produced: Abrasive Product Mfg.
 Standard Industrial Classification Code Number: 3291

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

PAST PRODUCT PRODUCTION AND WATER DIVERTED, IF APPLICABLE

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

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

ESTIMATED FUTURE PRODUCT PRODUCTION AND WATER DIVERTED

NEXT 5 YEARS	AMOUNT OF PRODUCT	WATER TO BE DIVERTED (GALLONS)	GALLONS PER PRODUCT PER DAY
Year 1	<u>Watering Stockpiles</u>	<u>20,000,000</u>	<u>2.2 gallon/day / Ton</u>
Year 2	<u>30,000 Ton of</u>	<u>20,000,000</u>	<u>2.2 gallon / Ton / day</u>
Year 3	<u>product</u>	<u>20,000,000</u>	<u>2.2 gallon / Ton / day</u>
Year 4		<u>20,000,000</u>	<u>2.2 gallon / Ton / day</u>
Year 5		<u>20,000,000</u>	<u>2.2 gallon / Ton / day</u>

Number of days of operation of the industry per year is 300 days. 67,000 gallon / day

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

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

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
<u>04</u>	<u>2024</u>					<u>370</u>				<u>513</u>				<u>370</u>				<u>509</u>		<u>4.34</u>
						<u>ft</u>				<u>ft</u>				<u>ft</u>						

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

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 NE quarter of the _____ quarter of the _____ quarter of Section 04, more particularly described as being near a point 350 feet North and 150 feet West of the Southeast corner of said section, in Township 20 South, Range 24 East/West (circle one), Linn County, Kansas.
- (B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

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

(name, address and telephone number)
US Minerals - Steve Stone, 911 Linnco, Lacygne, KS, 66040, 913-757-2757
(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 8/15, 2018 SS Stone
Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of 1 well
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) Fall 2018
(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 Fall 2018
(Mo/Day/Year)

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13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from: Test holes Well as completed Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	_____	_____	_____	_____
Total depth of well	_____	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
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 Employee
(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):

Jason Allen, 18635 W Creek drive, Tinley Park, IL, 708-990-0605
(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 Lacygne, Kansas, this 23 day of August 2018.
(month) (year)

Steve Stro
(Applicant Signature)

By Jason
(Agent or Officer Signature)

Jason B. Allen
(Agent or Officer - Please Print)

Assisted by _____ Date: _____
(office/title)

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50118

Corporation Warranty Deed

THIS INDENTURE, Made this 3rd day of February, 2017 A.D. between

U.S. Minerals, Inc.,

a foreign corporation duly authorized to do business in the State of Kansas and having its principal place of business at Tinley Park, Illinois, of the First Part and

U.S. Minerals, Inc.

a foreign corporation duly authorized to do business in the State of Kansas and having its principal place of business at Tinley Park, Illinois, of the Second Part,

WITNESSETH, That said party of the first part, in consideration of the sum of \$1.00 and Other Valuable Consideration in the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey unto said party of the second part, its heirs and assigns, all the following described real estate:

The below described Tract, which is the merger of two prior tracts, said merger being duly approved by Linn County, Kansas, and recorded in the office of the Linn County Register of Deeds:

A Tract of Land known as Lots 10 and 11, Linn County Industrial Park, a subdivision in the Northeast Quarter of Section 4, Township 20 South, Range 24 East of the 6th PM, now being merged and described as follows by James D. Schmitz, Kansas PLS-727, January 27, 2017:

Beginning at the Northeast corner of Lot 11; thence South 0°00'00" East 370.00 feet, to the Southeast corner of said Lot 11; thence South 89°48'02" West 512.84 feet to the Southwest corner of said Lot 10; thence North 0°39'57" East 370.04 feet to the Northwest corner of said Lot 10; thence North 89°48'02" East 508.54 feet to the point of beginning. Containing in all, 4.34 acres and subject to easements and encumbrances of record, if any.

This tract of land may not be hereafter split, divided, or sold as partial or individual lots or tracts without following the proper Linn County subdivision lot split regulations.

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, forever.

And said grantor for itself, its successors and assigns, does hereby covenant, promise and agree, to and with said parties of the second part, that at the delivery of these presents it is lawfully seized in its own right, of an absolute and indefeasible estate of inheritance, in fee simple of

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STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

US MINERALS
STEVE STONE
911 LINNCO, PO BOX 630
LACYGNE, KS 66040

8/30/2018

RE: Application, File No. **50118**

Dear Sir or Madam:

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

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

Additional information about the process may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any other questions, please contact our office at 785-564-6640 or your local Topeka Field Office at 785-296-5733. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Division of Water Resources

Lacygne

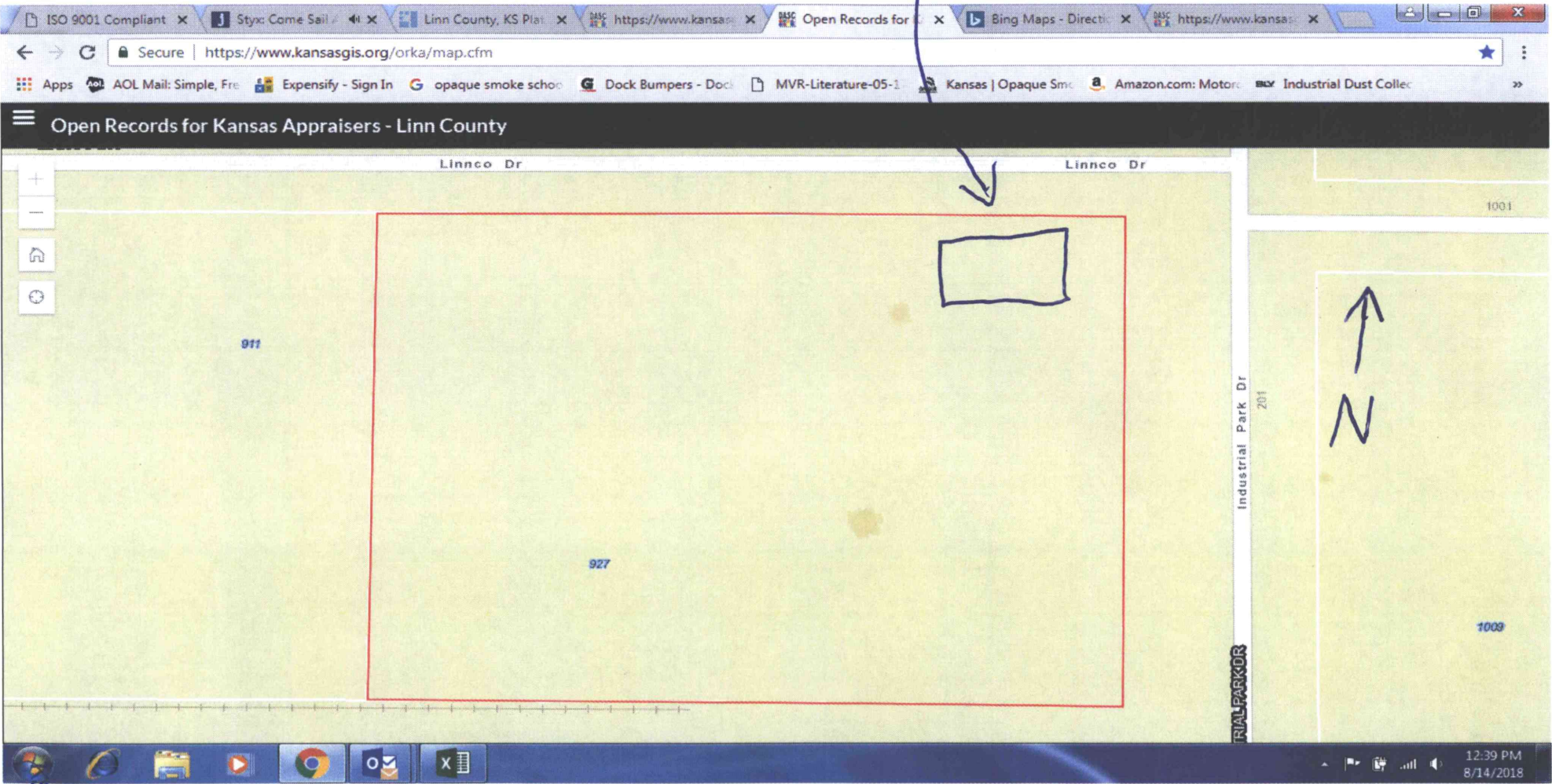
site of well (Parcel)



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Proposed well location on parcel



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