

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

1. File Number: <p style="text-align: center; font-size: 1.2em;">50,179</p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;">5/30/2019</p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">1</p>	4. GMD: <p style="text-align: center; font-size: 1.2em;">0</p>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
<p>7a. Applicant(s) Person ID <u>64465</u> New to system <input type="checkbox"/> Add Seq# _____</p> <p style="border: 1px solid black; padding: 2px; margin: 5px 0;">J-SIX ENTERPRISES LLC JENNIFER GERETY PO BOX 170 604 NEMAHA ST SENECA KS 66538</p> <p>7b. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p> <p>7a.</p>	<p>7c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p> <p>7d. Misc. Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>		
<p>8. WUR Correspondent Person ID _____ New to system <input type="checkbox"/> Add Seq# _____ Overlap File (s) WUC Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7a.</p>	<p>9. Use of Water: Changing? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p style="padding-left: 40px;"><input type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p style="padding-left: 40px;"><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p style="padding-left: 40px;"><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>		
10. Completion Date: <u>12/31/2020</u> 11. Perfection Date: <u>12/31/2024</u> 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
<p>Date Prepared: 5/14/2019 By: DWS Date Entered: 6/4/2019 By: WM</p>			

File No. 50,179	15. Formation Code: 140	Drainage Basin: MISSOURI RIVER	County: BR	Special Use:	Stream:																																																						
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:55%; vertical-align: top;"> 16. Points of Diversion T MOD DEL ENT PDIV Qualifier S T R ID 'N 'W </td> <td style="width:45%; vertical-align: top;"> 17. Rate and Quantity MOD QTY AND RATE Authorized Additional Rate gpm Quantity mgy Rate gpm Quantity mgy Overlap PD Files </td> </tr> <tr> <td> ENT 61061 SW SE NW 1 2S 18E 1 3112 3916 (Batt 1 of 2) ENT 61062 SW SE NW 1 2S 18E 2 3039 3924 (Batt 1 of 2) ENT 61063 SW SE NW 1 2S 18E 3 3076 3920 (Geo-Ctr) DEL 87209 </td> <td> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">99</td> <td style="text-align: center;">20.66</td> <td style="text-align: center;">3</td> <td style="text-align: center;">10.033</td> <td style="text-align: center;">42,876</td> </tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </table> </td> </tr> </table>						16. Points of Diversion T MOD DEL ENT PDIV Qualifier S T R ID 'N 'W	17. Rate and Quantity MOD QTY AND RATE Authorized Additional Rate gpm Quantity mgy Rate gpm Quantity mgy Overlap PD Files	ENT 61061 SW SE NW 1 2S 18E 1 3112 3916 (Batt 1 of 2) ENT 61062 SW SE NW 1 2S 18E 2 3039 3924 (Batt 1 of 2) ENT 61063 SW SE NW 1 2S 18E 3 3076 3920 (Geo-Ctr) DEL 87209	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">99</td> <td style="text-align: center;">20.66</td> <td style="text-align: center;">3</td> <td style="text-align: center;">10.033</td> <td style="text-align: center;">42,876</td> </tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </table>	99	20.66	3	10.033	42,876																																													
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18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft																																																											
19. Limitation: <u>20.66 MGY</u> /yr at <u>99</u> gpm (_____ cfs) when combined with file number(s) <u>42,876</u> Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____																																																											
20. Meter Required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No To be installed by <u>12/31/2020</u> Date Acceptable Meter Installed _____																																																											
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Comments: THIS WAS FILED AS IRR USE BY BRYAN FARMS, MODIFIED TO STK USE FOR J-SIX AT EXISTING SWINE FACILITY.																																																											

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

TO: Files

DATE: May 14, 2019

FROM: Doug Schemm

RE: Application, File No. 50,179

J-Six Enterprises, LLC (J-Six) has filed the above referenced application proposing to appropriate a total of 20.66 million gallons (63.4 acre-feet) of groundwater per calendar year at a diversion rate not to exceed 99 gallons per minute for stockwatering use. The point of diversion is an existing well battery, located in the Northwest Quarter of Section 1, Township 2 South, Range 18 East, in Brown County. Water Right, File No. 42,876 overlaps in both place of use and point of diversion. The place of use is described as a swine facility located in the Northeast Quarter of the Northwest Quarter of Section 1.

Please note that Application, File No. 50,179 was initially filed by Bryan Farms, Inc. for irrigation use. The proposed point of diversion under File No. 50,179 did not meet minimum well spacing to the battery of wells authorized under File No. 42,876. J-Six was concerned about possible impact to their well battery, and also determined that they needed additional water at their swine facility. In order to address J-Six's concerns and provide additional water, Bryan Farms Inc. agreed to allow Application, File No. 50,179 to be modified to make J-Six the owner and have it converted to STK use. Bryan Farms, Inc. will file a subsequent application for IRR use, which will obviously be junior in priority to File No. 50,179.

The requested quantity of 20.66 million gallons was based on providing an adequate supply of drinking water for a 9,000 head finishing hog facility, as follows: 9,000 head x 5 gallons per head per day x 365 days = 16.43 million gallons. The applicant also requested water for cooling and sanitation, bringing the total quantity of water to 20.66 million gallons. Water Right, File No. 42,876 is authorized 10.627 million gallons at 96 gallons per minute. This new application is to provide both additional quantity of water (10.033 million gallons) and rate of diversion to ensure they have adequate water for this facility in the future. The new application will be limited to 20.66 million gallons at 99 gpm. The rate limitation to 99 gpm avoids the requirement of installing a water level measurement tube.

A review of the well log for File No. 42,876, shows clay extending to 58 feet below ground surface, a few feet of coarse sand and gravel, and then a fine sand extending from 64 feet to 104 feet below ground surface to shale bedrock. Other area wells, and senior file safe yield reviews, indicate that the glacial drift deposits extend throughout the local area. Depths to groundwater and saturated thicknesses are also highly variable over short lateral distances, contributing to a complex, heterogeneous aquifer. However, in general, there is typically a coarse sand and gravel zone overlying the bedrock, which comprises the primary aquifer.

Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer (glacial drift), within a two-mile circle radius of the point of diversion, which establishes the area of consideration. Much of the information for the aquifer in this local area was obtained from hydrologic data collected for senior water rights. The well logs show that the sand and gravel deposits do not extend to the southwest of the project area. Therefore, for this application, and to maintain consistency with the senior file, the area of consideration was determined by excluding a small area in the southwest portion of the two-mile circle where there were no sand and gravel deposits. The rest of the two-mile circle was included in the analysis based on the extent of the glacial drift aquifer determined primarily on previous safe yield maps and geologic deposits. Application, File No. File No. 50,179 has an Area of Consideration of 7,937 acres, a Potential Recharge of 5.2 inches, and 100% of the recharge available for appropriation, providing a safe yield of 3,439.26 acre-feet. Existing water rights have appropriated only 57.28 acre-feet, providing a difference of 3,381.98 acre-feet available for appropriation, and the application requesting 63.4 acre-feet complies with safe yield.

The applicant did not identify any wells of any kind located within one-half (1/2) mile of the proposed point of diversion. A review of aerial photos also shows no nearby homes or structures, which would indicate there are no nearby domestic wells. No nearby notification letters are required. The WRIS database indicates that the nearest permitted well is over 4,200 feet away. The proposed point of diversion complies with minimum well spacing of 660 to domestic wells and 1,320 to non-domestic wells.

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. The application indicates that no chemicals will be injected into the water pumped under this permit, therefore a check valve will not be required.

In a May 13, 2019 e-mail, 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 gives the applicant adequate water for this facility, 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, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

FILE COPY

June 7, 2019

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

RE: Appropriation of Water, File No. 50,179

Dear Ms. Gerety:

Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit.

Notice must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

An acceptable water flowmeter must be installed on the diversion works authorized by this permit prior to using water. An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at www.kswaterusereport.org.

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Enclosed is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640 or your local Topeka Field Office. 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

KAB:dws
Enclosure(s)

pc: Topeka Field Office

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, 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. **50,179** 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 **December 6, 2018**.
2. That the water sought to be appropriated shall be used for stockwatering use at a swine facility located in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 1, in Township 2 South, Range 18 East, Brown County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater from the glacial drift aquifer, to be withdrawn by means of a battery of two (2) wells with a geographic center located in the Southwest Quarter of the Southeast Quarter of the Northwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 1, more particularly described as being near a point 3,076 feet North and 3,920 feet West of the Southeast corner of said section, in Township 2 South, Range 18 East, Brown 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 **20.66 million gallons (63.4 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, 2020** 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, 2024** 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.

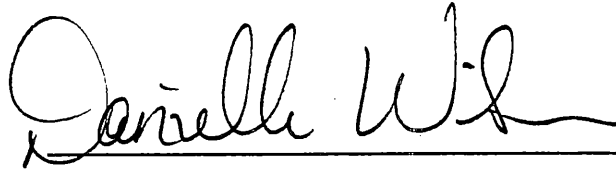
CERTIFICATE OF SERVICE

On this ^{7th} day of June, 2019, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,179, dated May 30th, 2019 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

* Modified Application to STK use for J-Six from existing well battery. This was agreed to by both Bryan Farms Inc. & J-Six Enterprises. \$300

DWS/DWR 5/14/19

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50179
This item to be completed by the Division of Water Resources.

Water Resources
Received

APPLICATION COMPLETE
5/18/19
Reviewer KAB

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.)

DEC 06 2018
12:58
KS Dept Of Agriculture

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,
109 SW 9th Street, Second Floor, Topeka, KS 66612-1283:

* 1. Name of Applicant (Please Print): ~~Bryan Farms, Inc~~ J-Six Enterprises LLC % Jennifer Gerety
Address: ~~2039 290th St~~ P.O. Box 170, 604 Nemaha St.
City: ~~Hiawatha~~ SENECA State Ks Zip Code ~~66434~~ 66538
Telephone Number: (785) ~~744-1000~~ 336-2148

2. The source of water is: surface water in _____ (stream).
OR groundwater in Missouri 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 ~~240~~ 63.4 acre-feet OR 20.66 million gallons per calendar year, to be diverted at a maximum rate of ~~800~~ 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. 1 GMD Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G/S County BR By KJN Date 12/6/18
Code 1LE2 Fee \$ 300 TR # _____ Receipt Date 12/10/18 Check # 51002

12/11/2018 ucm

* 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 2
(A) One in the SW quarter of the SE quarter of the NW quarter of Section 1, more particularly described as being near a point 3112 feet North and 3916 feet West of the Southeast corner of said section, in Township 2 South, Range 18 East, Brown County, Kansas.

Batt 2 of 2
(B) One in the SW quarter of the SE quarter of the NW quarter of Section 1, more particularly described as being near a point 3039 feet North and 3924 feet West of the Southeast corner of said section, in Township 2 South, Range 18 (East) West (circle one), Brown County, Kansas.

Geo-Center
(C) One in the SW quarter of the SE quarter of the NW quarter of Section 1, more particularly described as being near a point 3076 feet North and 3920 feet West of the Southeast corner of said section, in Township 2 South, Range 18 (East) West (circle one), Brown 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):

Same
(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 November 30, 2018. *[Signature]*
Applicant's Signature

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

7. The proposed project for diversion of water will consist of Battery of wells 1 now might add 1 more to the east and (was)(will be) completed (by) July 1st 2018 Existing well Battery
(number of wells, pumps or dams, etc.)
(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 July 1st 2018
Water Resources 2019
Received (Mo/Day/Year)

DEC 06 2018

- 9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
 Yes No If "yes", a check valve shall be required.

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

- 10. *MR* 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.
- None* (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- ✓ (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- ✓ (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

- 12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

~~None know - Owner has the hog barn well there also~~
PD/Pu overlap with File # 42,876

Water Resources
Received

DEC 06 2018

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
(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):

Same
(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 Hiaratha, Kansas, this 30 day of November, 2018.
(month) (year)


(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by Keith Grimm MWI, LLC
(office/title)

Date: 11-30-2018
Water Resources
Received

DEC 06 2018

KS Dept Of Agriculture

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
(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):

Same
(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 Hiawatha, Kansas, this 30 day of November, 2018.
(month) (year)



(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by Keith Grimm MWI, LLC Date: 11-30-2018
(office/title) Water Resources

Water Resources Received
FEB 04 2019
KS Dept Of Agriculture

Received
DEC 06 2018
KS Dept Of Agriculture
SCANNED

STOCKWATER USE SUPPLEMENTAL SHEET

File No. **50,179** _____

Name of Applicant (Please Print): J-SIX ENTERPRISES LLC

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	9000	20.66 MILLION GALS	5 gals Drinking + Cooling & Sanitation
Year 2			
Year 3			
Year 4			
Year 5	9000	20.66 MILLION GALS	5 gals Drinking + Cooling & Sanitation

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	
1	2S	18E	SWINE FACILITY (NE NW)																

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

DRINKING

9000 head of FINISHING HOGS x 5 gallons/head (avg.) x 365 days = 16.43 Million gallons

_____ head of _____ x _____ gallons/head (avg.) x _____ days = _____ gallons

_____ head of _____ x _____ gallons/head (avg.) x _____ days = _____ gallons

COOLING

30 _____ g.p.m. x 60 min/hr x 8 hour/day x 120 days = 1.73 Million gallons

SANITATION

30 _____ g.p.m. x 60 min/hr x 16 hr/wk x 52 wks/yr = 1.5 Million gallons

OTHER USE (Explain) Additional equipment cleaning (trucks, etc.) _____ = 1.0 Million gallons

TOTAL ----- = **20.66 MILLION (63.4 AF)** gallons

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 _____ linear feet.

8. Total size of stock pens for confinement area of cattle, hogs, etc. is _____ square feet.

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

#42,876

1] LOCATION OF WATER WELL: Fraction SE 1/4 SE 1/4 NW 1/4 Section Number 1 Township Number T X S Range Number R 18 EW
 County: BROWN
 Distance and direction from nearest town or city street address of well if located within city?
9 east, 3 1/2 north of Hiawatha

2] WATER WELL OWNER: Ed Parker
 RR#, St. Address, Box #: Box 122
 City, State, ZIP Code: Robinson, KS 66532
 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... 104' ft. ELEVATION: ft.
 Depth(s) Groundwater Encountered 1. ft. 2. ft. 3. ft.
 WELL'S STATIC WATER LEVEL ... 16' ft. below land surface measured on mo/day/yr 12-21-92
 Pump test data: Well water was ft. after hours pumping gpm
 Est. Yield ... 100 gpm: Well water was ft. after hours pumping gpm
 Bore Hole Diameter... 12" in. to 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
 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: 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued X Clamped
 1 Steel 3 RMP (SR) 6 Asbestos-Cement 9 Other (specify below) Welded
 2 PVC 4 ABS 7 Fiberglass Threaded.....
 Blank casing diameter 5" in. to 0-81 ft., Dia 5" in. to 101-104 ft., Dia in. to ft.
 Casing height above land surface 24" in., weight 2.82 lbs./ft. Wall thickness or gauge No. 258
 TYPE OF SCREEN OR PERFORATION MATERIAL: 7 PVC 10 Asbestos-cement
 1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 11 Other (specify)
 2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 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... 81 ft. to 101 ft., From ft. to ft.
 From ft. to ft., From ft. to ft.
 GRAVEL PACK INTERVALS: From... 24 ft. to 104 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... 4 ft. to 24 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)
 9 Insecticide storage creek
 Direction from well? south How many feet? 220'

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	3	Top Soil			
3	58	Clay-Brown			
58	64	Fine Sand-Coarse Sand-Med-Gravel	$K=160 \times 6 = 960$		
64	104	Fine Sand-Brown	$K=50 \times 40 = 2000$		
104	110	Shale-Grey			
					$2960 \times 7.47 \text{ gals/ft}^3 = 22,111$
					"T"
					$S = 0.001$

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) ~~12-21-92~~ and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 182 This Water Well Record was completed on (mo/day/yr) 12-21-92 under the business name of STRADER DRILLING CO., INC. by (signature) Dale Gibson

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.

Analysis Results

The selected PD is in an area OPEN to new appropriations.

The safe yield based on the variables listed below is 3,439.26 AF.

Total prior appropriations in the circle is 312.01 AF. $- 254.73 \text{ AF} = 57.28 \text{ AF}$

Total quantity of water available for appropriation is 3,127.25 AF.

3381.98 AF

50,179
meets safe
yield

Safe Yield Variables

The area used for the analysis is set at 7,937 acres.

The potential annual recharge at the circle center is estimated to be 5.2 inches.

The percent of recharge available for appropriation is 100%.

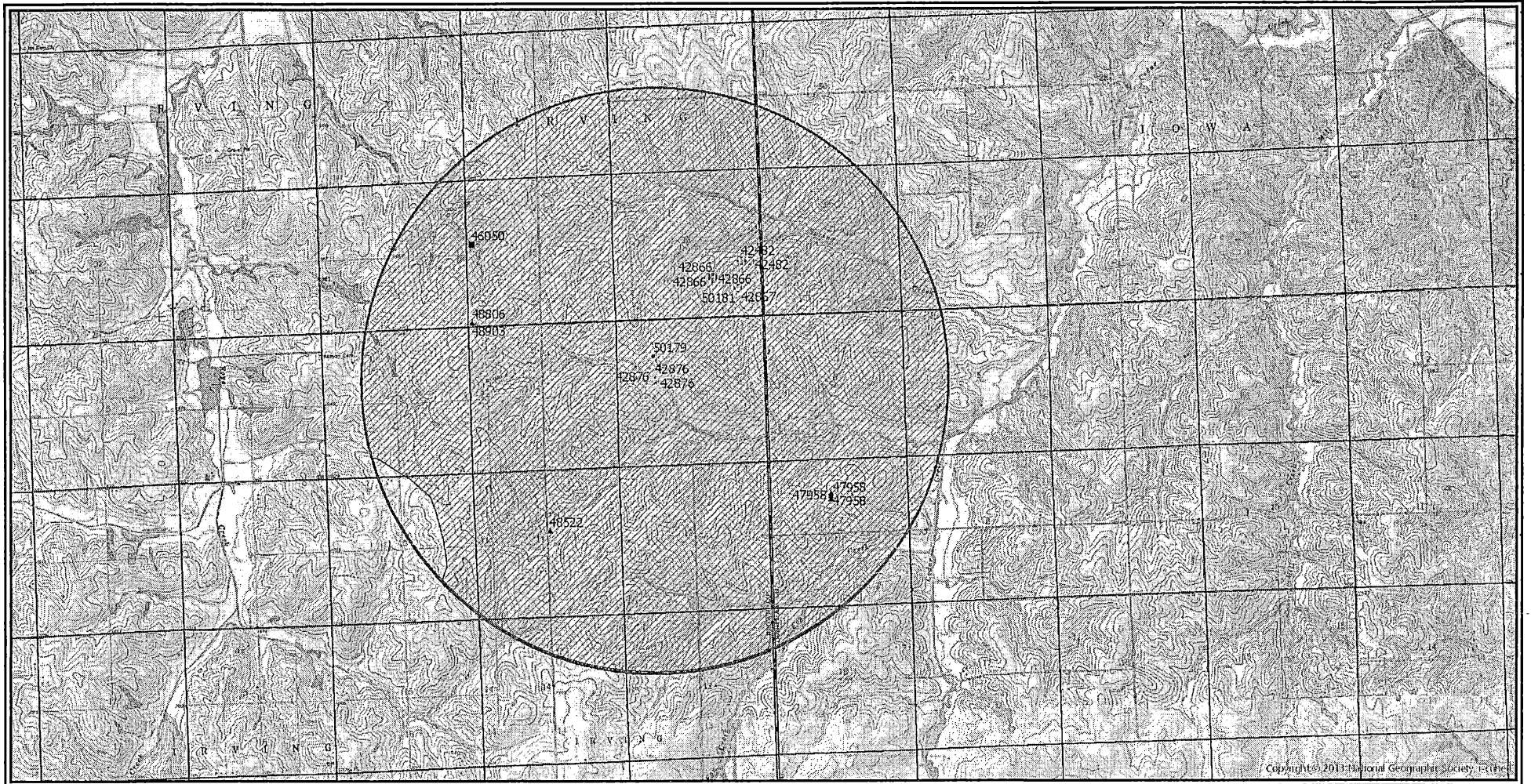
Authorized Quantity values are as of 07-MAY-2019 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 4 water rights and 8 points 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	Tot Acres	Net Acres
A 42866 00	STK	NK	G		SE	NW	SE	1450	1746	36	01	18E	3	WR	24.67	24.67		
Same	STK	NK	G		SE	NW	SE	1514	1740	36	01	18E	4	WR				
Same	STK	NK	G		SE	NW	SE	1386	1751	36	01	18E	5	WR				
A 42876 00	STK	NK	G		SW	SE	NW	3112	3916	01	02	18E	1	WR	32.61	32.61		
Same	STK	NK	G		SW	SE	NW	3039	3924	01	02	18E	2	WR				
Same	STK	NK	G		SW	SE	NW	3076	3920	01	02	18E	3	WR				
A 50179 00	IRR	AY	G				NW	3960	3960	01	02	18E	4	WR	240.00	240.00	240.00	240.00
A 50181 00	STK	AY	G		NW	SE	SE	1018	857	36	01	18E	6	WR	14.73	14.73		

254.73

Safe Yield Report Sheet
Water Right- A4287600
Point of Diversion in 01-02S-18E
Footages from SE corner- 3,112 feet North 3,916 feet West



#42,876
Report Date Tuesday, May 7 2019
#50,179

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

A__ 50179 00 IRR AY G
> BRYAN FARMS INC
>
> 2039 290TH ST
> HIAWATHA KS 66434

A__ 50181 00 STK AY G
> J-SIX ENTERPRISES LLC
> JENNIFER GERETY
> PO BOX 170 604 NEMAHA ST
> SENECA KS 66538

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 42876 00 STK

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

*Geo-Center
all > 1,320'
meets spacing*

3076 Feet North and 3920 Feet West of the Southeast Corner of Section 1 T 2S R 18E
GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit	
A__ 42866 00	STK	NK	G	4268	--	SE	NW	SE	1450	1746	36	1	18E	3	G	2	24.67	24.67	AF
Same				4326	--	SE	NW	SE	1514	1740	36	1	18E	4	B	2			
Same				4211	--	SE	NW	SE	1386	1751	36	1	18E	5	B	2			
A__ 42876 00	STK	NK	G	0	--	SW	SE	NW	3076	3920	1	2	18E	3	G	2	32.61	32.61	AF
Same				36	--	SW	SE	NW	3112	3916	1	2	18E	1	B	2			
Same				37	--	SW	SE	NW	3039	3924	1	2	18E	2	B	2			
A__ 50179 00	IRR	AY	G	885	--	--	--	NW	3960	3960	1	2	18E	4		240.00	240.00	AF	
A__ 50181 00	STK	AY	G	4462	--	NW	SE	SE	1018	857	36	1	18E	6		14.73	14.73	AF	

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	254.73	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	57.28	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	312.01	.00

An * after the source of supply indicates a pending application for change under the file number.
An * after the ID indicates a 15 AF exemption was granted under the file number.
A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 2.00 miles of point defined as:
3076 Feet North and 3920 Feet West of the Southeast Corner of Section 1 T 2S R 18E

GROUNDWATER ONLY
WATER USE CORRESPONDENTS:

=====

File Number Use ST SR

A__ 42866 00 STK NK G
> J-SIX ENTERPRISES LLC
> JENNIFER GERETY
> PO BOX 170 604 NEMAHA ST
> SENECA KS 66538

>-----

A__ 42876 00 STK NK G
> J-SIX ENTERPRISES LLC
> JENNIFER GERETY
> PO BOX 170 604 NEMAHA ST
> SENECA KS 66538

>-----

A__ 50179 00 IRR AY G
> BRYAN FARMS INC
>
> 2039 290TH ST
> HIAWATHA KS 66434

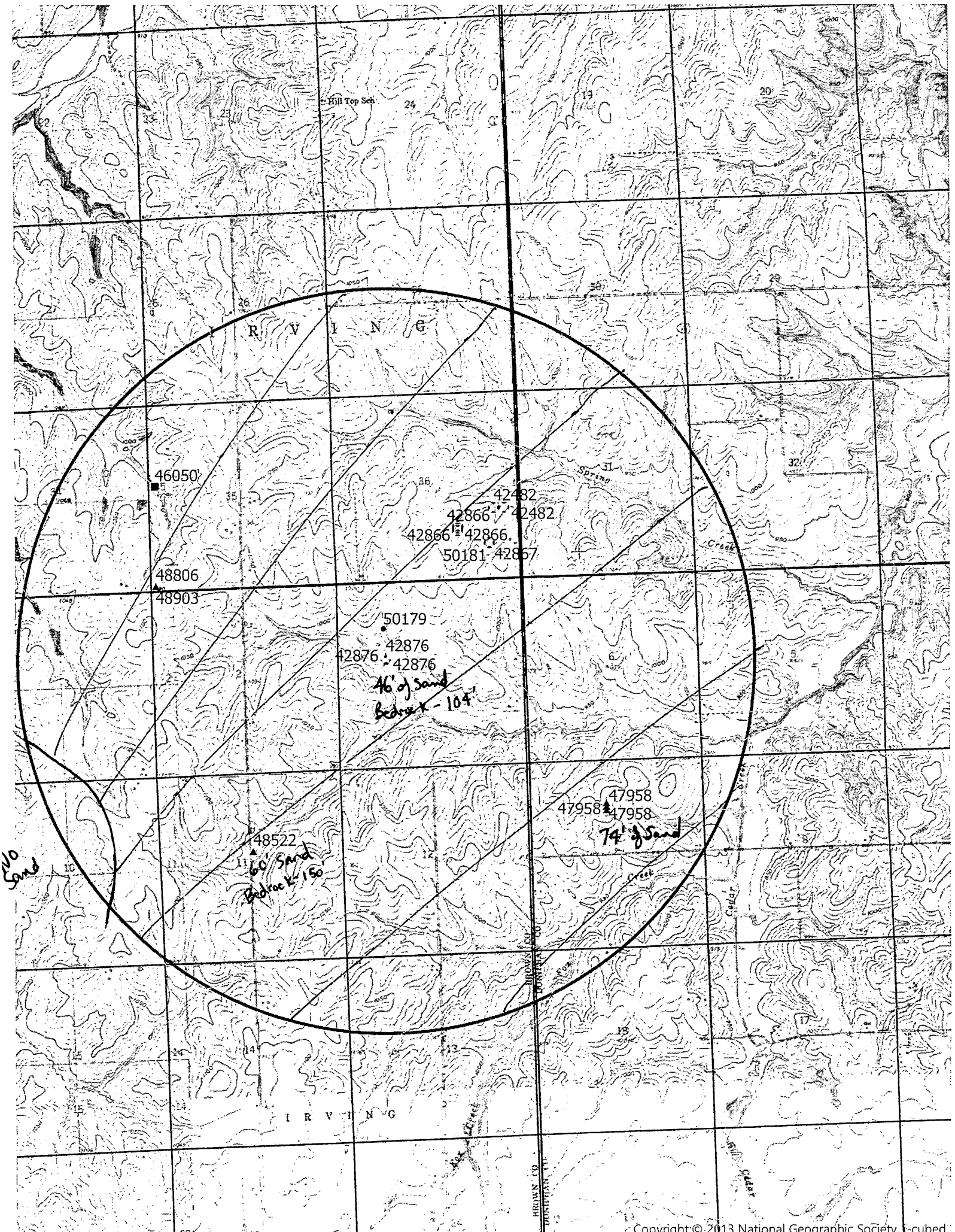
>-----

A__ 50181 00 STK AY G
> J-SIX ENTERPRISES LLC
> JENNIFER GERETY
> PO BOX 170 604 NEMAHA ST
> SENECA KS 66538

>-----

=====

#####



Hill Top Sect.

IRVING

46050
48806
48903

42866
42866
50181 42867

50179
42876
42876

46' of Sand
Bedrock - 104'

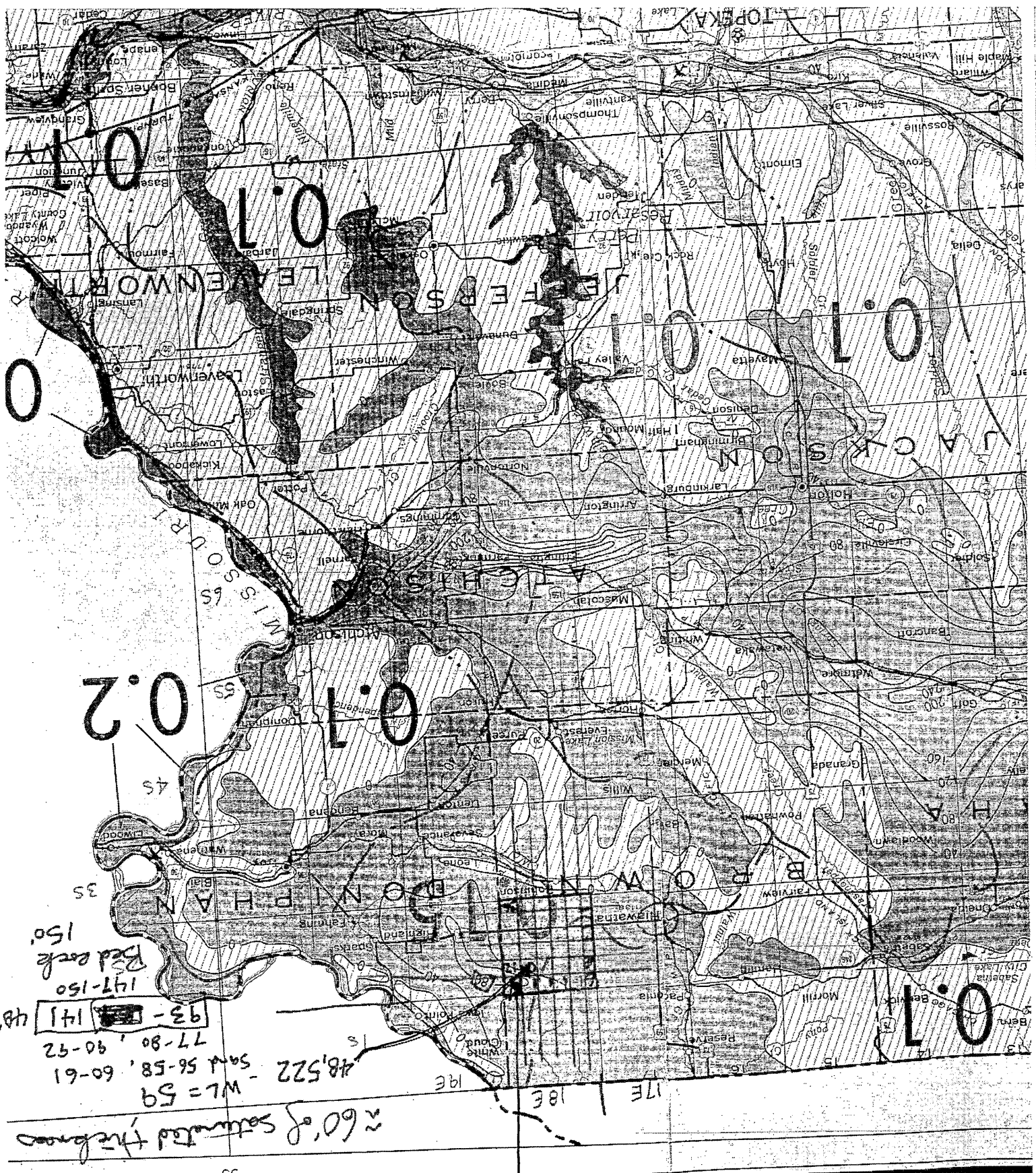
47958
47958

74' of Sand

48522
60' Sand
Bedrock 150'

20' Sand

IRVING



93-141 148
147-150
Red earth
150

77-80, 90-92
48,522 - sand 56-58, 60-61

WL = 59
≈ 60' of sedimented the ground

50,179

95°

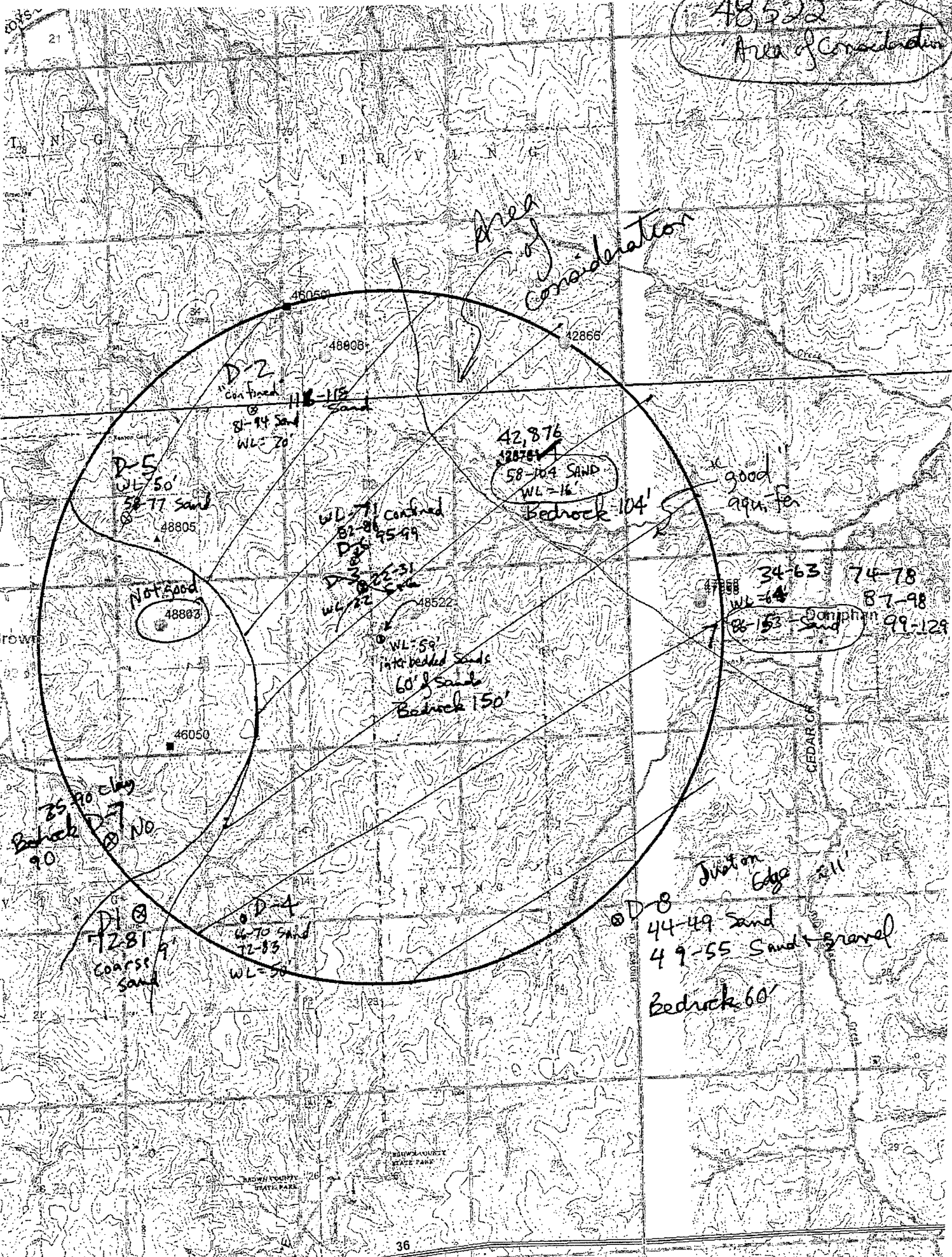
17E

18E

19E

48,522
Area of Consideration

Area of Consideration



D-2
Con. Fract.
81-94 Sand
WL=20'

D-5
WL=50'
58-77 Sand
48805

Not Good
48803

WL=71 Con. Fract.
82-86
D-6
95-99
WL=72

42,876
42,876
58-104 SAND
WL=16'
Bedrock 104'

good
aquifer

34-63
WL=64
87-98
88-153
99-129

WL=59'
Interbedded Sands
60' of Sands
Bedrock 150'

75 no clay
Bedrock
90

D-1
72-81
Coarse Sand

D-4
6-70 SAND
72-83
WL=50'

D-8
44-49 Sand
49-55 Sand + gravel
Bedrock 60'

Just on
Edge

9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
 Yes No If "yes", a check valve shall be required.

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

10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources? Yes No

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required _____

11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047

12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

None know Owner has the hog barn well there also

Water Resources Received
 FEB 04 2019
 KS Dept Of Agriculture

Water Resources Received
 DEC 06 2018
 KS Dept Of Agriculture
 SCANNED

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 50179

Name of Applicant (Please Print): Bryan Farms, Inc

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: Bryan Farms, Inc

ADDRESS: 2039 290th St Hiwatha KS 66434

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1	2s	18E	40	40	40	40	40												240

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Water Resources
Received

Water Resources
Received

DEC 06 2018

#300



THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

APPLICATION COMPLETE
Reviewer

File Number 50179
This item to be completed by the Division of Water Resources.

Water Resources
Received

DEC 06 2018
12:08

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.)

KS Dept Of Agriculture

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,
109 SW 9th Street, Second Floor, Topeka, KS 66612-1283:

1. Name of Applicant (Please Print): Bryan Farms, Inc
Address: 2039 290th St
City: Hiawatha State Ks Zip Code 66434
Telephone Number: (785) 741-1689

Water Resources
Received

FEB 04 2019

KS Dept Of Agriculture

2. The source of water is: surface water in _____ (stream)
OR groundwater in Cedar Creek in Missouri River Basin 1143
(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 240 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 800 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 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source G S County BR By KJN Date 2/6/18
Code 1LE2 Fee \$ 300 TR # _____ Receipt Date 2/10/18 Check # 5002

2/11/2018 rcm

*60 DAYS to locate**

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.

West well of Battery

(A) One in the SW quarter of the SE quarter of the NW quarter of Section 1, more particularly described as being near a point 2715 feet North and 3325 feet West of the Southeast corner of said section, in Township 2 South, Range 18 East, Brown County, Kansas.

East well

(B) One in the SE quarter of the SE quarter of the NW quarter of Section 1, more particularly described as being near a point 2715 feet North and 2725 feet West of the Southeast corner of said section, in Township 2 South, Range 18 (East/West (circle one)), Brown County, Kansas.

GEO center

(C) One in the SE quarter of the SE quarter of the NW quarter of Section 1, more particularly described as being near a point 2715 feet North and 3025 feet West of the Southeast corner of said section, in Township 2 South, Range 18 (East/West (circle one)), Brow 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):

Same
(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 November 30, 2018. *[Signature]*
Applicant's Signature

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

7. The proposed project for diversion of water will consist of Battery of wells 1 now might add 1 more to the east (number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) July 1st 2018
Water Resources (Month/Day/Year - each was or will be completed)
Received

8. The first actual application of water for the proposed beneficial use was or is estimated to be July 1st 2018 (Mo/Day/Year).

FEB 04 2019

Water Resources Received

**BAT DWR
12-6-18*

KS Dept Of Agriculture

DEC 06 2018

SCANNED

KS Dept Of Agriculture

Schemm, Doug [KDA]

From: Tietsort, Katie [KDA]
Sent: Monday, May 13, 2019 11:06 AM
To: Schemm, Doug [KDA]
Subject: RE: 50179 - J-Six

Doug,

Thanks for working through this new application that will get the J-Six facility (prior Packy Parker hog facility) all set with permitting and back in use. I just got the meter information in via Priority mail from Duane and Jenny so this will get them all set with this new facility. I agree with your recommendation to move this application forward. Please keep a copy of the pertinent documents for the Bryan Farms application.

Thanks, Katie

Katie Tietsort

Kansas Department of Agriculture
6531 SE Forbes Ave Ste B
Topeka, KS 66619
katie.tietsort@ks.gov
Phone 785-296-5733

From: Schemm, Doug [KDA]
Sent: Tuesday, May 7, 2019 9:25 AM
To: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Subject: 50179 - J-Six

This is the Modified Bryan Farms file. I went with the max of 20.66 million gallons, limited back to senior file.

#50,179

Schemm, Doug [KDA]

From: Tietsort, Katie [KDA]
Sent: Monday, March 18, 2019 1:53 PM
To: Jenny Gerety
Cc: Mueting Engineering; Schemm, Doug [KDA]
Subject: the old Parker facility

So we talked to KDHE today and they have this federal site permitted for 9000 finishers > 55 lbs. When we do the math: 9000 X 5 GPHD X 365 days= 16.425 million gallons and if we throw in a couple million or so for sanitation we can easily reach 20.0 mgd with this facility. Right now, File No. 42,876 gives you 10.627 million gallons per year. We are understanding that the intention was to ensure you have the stockwater you may need ahead of the Bryan Farms application. Is that correct? Do you need more than the 10.627? If so, to get in ahead in priority, the Bryan Farms app would need to be after yours. One way to accomplish this would be to modify the pending application to meet your needs and the Bryan application refiled afterwards. This would save one filing fee. Or dismiss the Bryan application and file 2 new apps with the STK file sent first.

We did try to call both of you today about this but you were both out. I am going to be out until the 29th so please either respond email or talk to Doug directly so we can keep moving forward.

Thanks!

Katie Tietsort

Kansas Department of Agriculture
6531 SE Forbes Ave Ste B
Topeka, KS 66619
katie.tietsort@ks.gov
Phone 785-296-5733

Dear Kristen:

Enclosed herewith is the information that you requested in your letter dated January 8th. After completing a 24 hour pump test we are now confident in the number of wells that we would like to complete and their desired locations. However, during our investigations we unearthed some information that is certainly noteworthy.

We are now aware that the two small wells of domestic size located in the far Southwest corner of this farm are actually permitted wells (File No. 42876) for stockwatering use that serve the nearby hog facility. With our original understanding, these wells were considered to be for a domestic use, so we were not all that concerned about the spacing between the two wells and the one completed irrigation well that is proposed under this application as the distance between the proposed well and the nearest of the 2 "domestic" wells is about 600 feet which meets spacing under the assumption that we are dealing with domestic wells. It is now clear that the assumptions were incorrect and we now having a spacing issue with the battery of two stockwatering wells.

Fortunately, we completed the pump test and that information should be adequate to show that the diversion of water from a battery of 2 irrigation wells should not dramatically affect the ability of the stockwatering wells to serve water to the hog facility. Some highlights of the pump test are shown below. Another side note is that all the wells that are part of this discussion are owned by the applicant Bryan Farms Inc.

Hog barn well- static water level 24'.2". Irrigation well-static water level 24'.0"

Hog barn well casing depth 104ft Irrigation well casing depth 108

Test pump results 400GPM 24 hours

	Hog barn well.	Irrigation well.
Hour 2 of pumping.	36'.7"	59'2"
Hour 20 of pumping.	44'.3"	79'.2"
Hour 24 of pumping.	44'.3"	79'.2"

After the test pump was completed and the data was analyzed, we decided that installing pumps of 350gpm in each well would not significantly impact or impair the hog barns ability to get water.

History of the situation and why there is a well drilled that don't meet spacing is as follows:

Edwin Parker owned this site and had Rieschick Drilling drill the new irrigation well several years back and Parker was going through financial issues so apparently never paid Rieschick's and the project never moved forward. The property sold last year to Bryan Farms and they wanted to look at developing the existing well that was on site for the pivot that was already in place to properly distribute the waste from the lagoon facilities. Owner Rick Bryan wanted to make sure we did not impact the hog barn wells so we decided to do a test pump and verify the influence. At the time the original permit was sent in we didn't realize that there was an existing water right on the hog barn wells and that the well that Edwin Parker had drilled wouldn't meet proper spacing. We are asking for a waiver to the spacing so we can get a permit for file 50179.

Please contact Keith Grimm with any questions

Water Resources
Received
FEB 04 2019
KS Dept Of Agriculture **SCANNED**

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

January 8, 2019

FILE COPY

BRYAN FARMS INC
2039 290TH ST
HIAWATHA KS 66434

Re: Pending Application,
Files No. 50,179

Dear Bryan Farms, Inc.

After a preliminary review of your above referenced applications for permit to appropriate water received in this office on December 6, 2018, they are being returned to you for additional information. In your original applications, you requested a 60-day period of time in which to determine the precise location for your point of diversions within a specified quarter section tract of land described as the Northwest Quarter (NW $\frac{1}{4}$) of Section 1, in Township 2 South, Range 18 East, Brown County, Kansas. Due to our delay in returning the original applications to you, the 60-day period of time will start as of the date of this letter.

Once you've determined the precise location for your point of diversions, complete the rest of Paragraph No. 5 of your applications by providing the descriptions for the 10-acre tract location of the point of diversions as well as the feet distances North and West of the Southeast corner of the Section. The location of the point of diversions must also be plotted on the topographical map included. In the case of a battery of wells, please provide the description of the locations of the proposed geographic center of the well battery, as well as **the locations for each of the individual wells comprising the battery of wells**.

The locations of all other water wells of every kind within one-half mile ($\frac{1}{2}$) of the point of diversions must be plotted on the topographical map as well. I have attached a map with this application to help locate the diversion point. Each well should be identified as to its use (e.g. domestic, irrigation, industrial, etc.) and must **include the name and mailing address of the well owner**. A signed statement should be included on the map declaring that all wells within one-half mile ($\frac{1}{2}$) of the point of diversions have been plotted, or it should declare that none exist. Please provide this information once you have established your point of diversion.

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

Bryan Farms, Inc
January 8, 2019
Page No. 2

In order to retain their priority of filing, the original applications and attachments must be returned to this office with the requested information on or before March 8, 2019, or within any authorized extension of time thereof. According to law, default in refiling of the completed applications and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 564-6627 or by email at Kristen.Baum@ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum.
New Application Unit Supervisor
Water Appropriation Program

KAB:bmm

pc: Topeka Field Office

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

December 10, 2018

BRYAN FARMS, INC.
2039 290TH ST
HIAWATHA, KS 66434

RE: Application, File No. **50179**

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,

A handwritten signature in black ink that reads "Brent A. Tourney".

Brent Tourney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

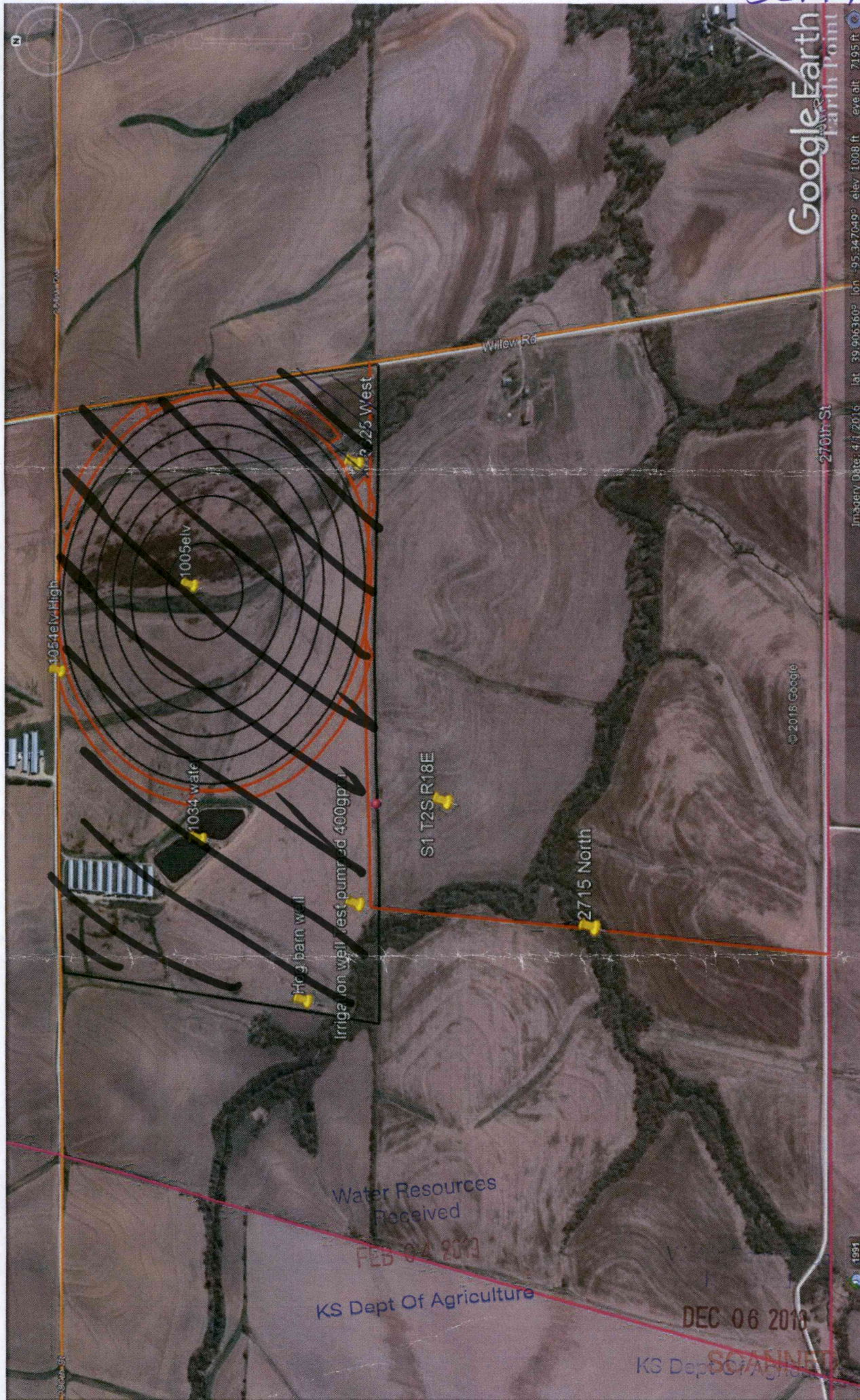
Water Resources
Received

FEB 04 2019

KS Dept Of Agriculture

SCANNED

5017



Google Earth
Earth Point

Imagery Date: 4/1/2016 lat: 39.906360° lon: -95.347049° elev: 1008 ft eye alt: 7195 ft

© 2016 Google

1054elv High

1005elv

1034 water

Hr J barn well

Irrigation well test pumped 400gpm

S1 T2S R18E

2715 North

270th St

Willow Rd

? 25th West

Water Resources
Received

FEB 04 2013

KS Dept Of Agriculture

DEC 06 2010

KS Dept Of Agriculture

SCANNED

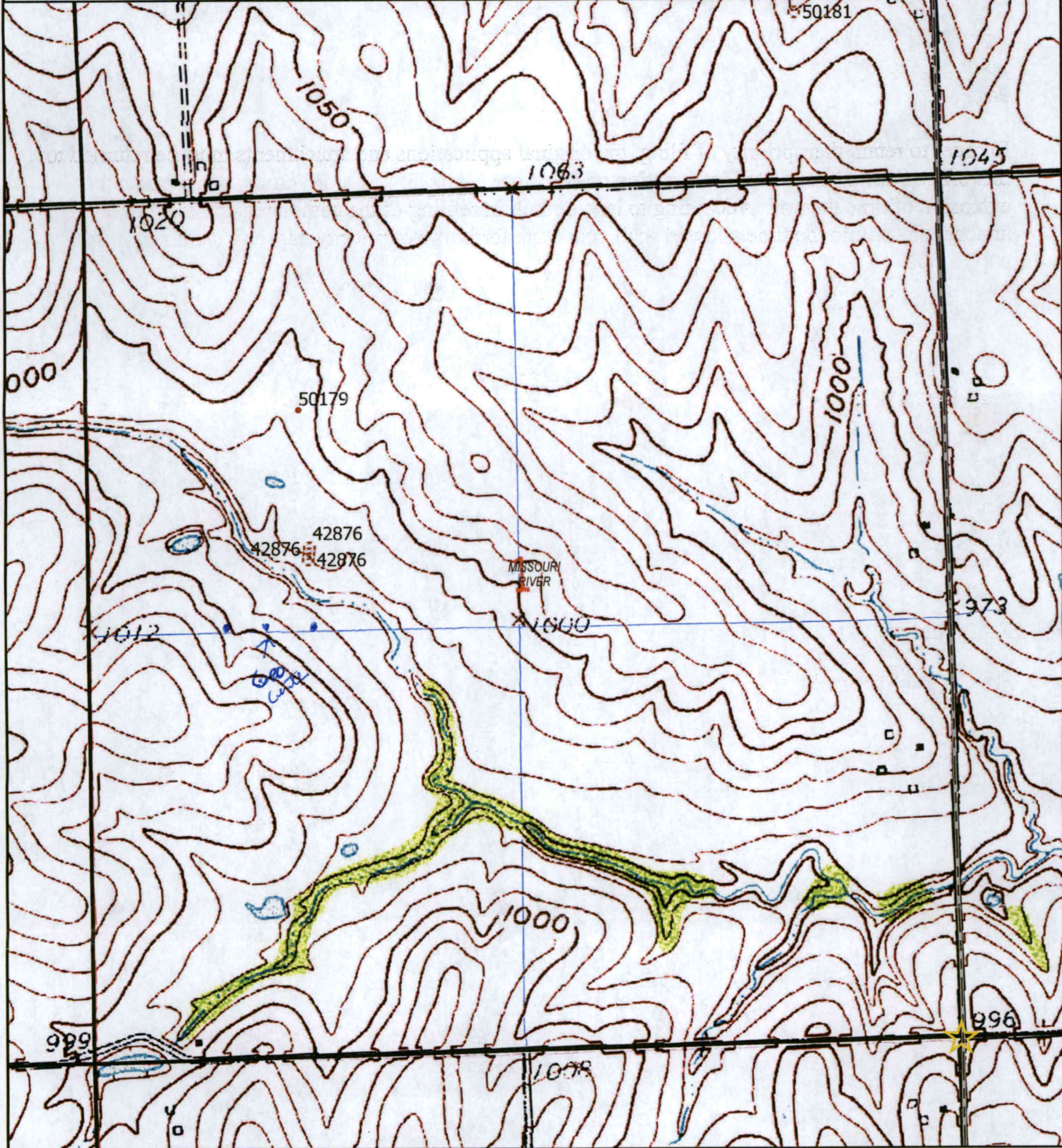
1994



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DEC 06 2018
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SCANNED

New Application, Bryan Farms Inc, 1-2S-18E



0 0.1 0.2 0.4 Miles

Water Resources
Received
FEB 04 2019
Dept Of Agriculture

All wells of any kind within a half mile of the proposed point(s) of diversion are shown above:

[Signature] _____ 1-18-19
Signature Date



Kansas Department of Agriculture
Division of Water Resources
08 Jan 2019

User brandon.milner

J-SIX ENTERPRISES LLC FILE NO. 50,179 - SITE MAP



1:12,000

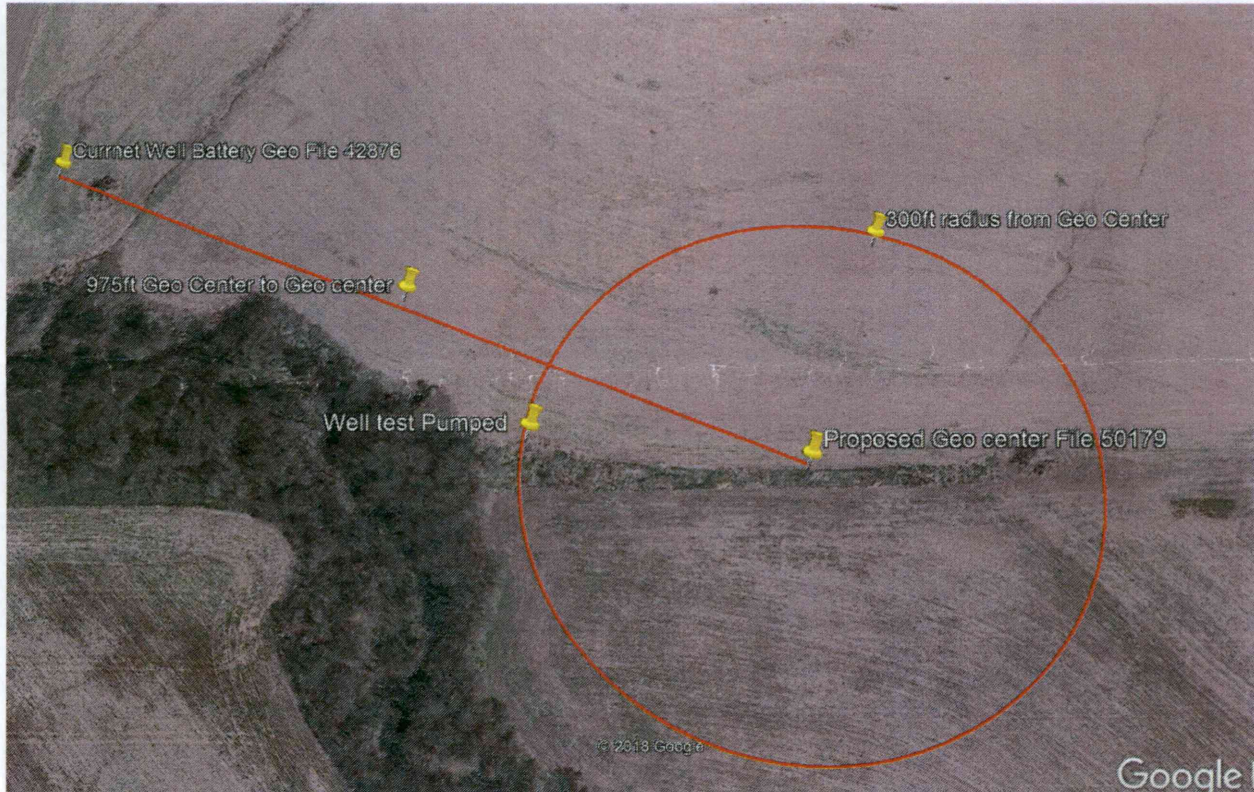
● Proposed Point of Diversion



MWI, LLC
1215 Oregon St.
Hiawatha, KS 66434



PERFORMANCE PLUS DEALER 



Water Resources
Received

FEB 04 2019 **SCANNED**

KS Dept Of Agriculture



Layers*

Labels

Parcels

NRCS Soils

School Districts

NG911 Aerials 2015

NAIP Aerials 2017

NAIP Aerials 2015

NAIP Aerials 2014

Base Map

* Some layers only visible when zoomed in

