

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.

Submit To: CHIEF ENGINEER
 Division of Water Resources
 Kansas Department of Agriculture
 1320 Research Park Drive
 Manhattan, Kansas 66502
 http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO
 CHANGE THE PLACE OF USE, THE
 POINT OF DIVERSION OR THE USE
 MADE OF THE WATER UNDER AN
 EXISTING WATER RIGHT**



State of Kansas

*Filing Fee Must Accompany the Application
 (Please refer to Fee Schedule on signature page of application form.)*

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and for place of use must accompany this application.

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12:35

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1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
- (Check one or more) Point of Diversion
- Use Made of Water

File No. 19521-D1

2. Name of applicant: Wilroads Feedyard

Address: 11449 Lariat Way

City, State and Zip: Dodge City KS 67801

Phone Number: (620)225-3960 E-mail address: joldham@startech.net

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: Wilroads Feedyard

Address: 11449 Lariat Way

City, State and Zip: Dodge City KS 67801

Phone Number: (620) 225-3960 E-mail address: joldham@startech.net

3. The change(s) proposed herein are desired for the following reasons (please be specific): _____

To accomadate a feedlot operation. This change will convert an irrigation right to a dual use irrigation/stockwater permit.

The change(s) will be completed by upon approval _____

(Date)

For Office Use Only:							
F.O. Code	<u>2</u>	GMD	<u>3</u>	Meets K.A.R. 5-5-1 (YES / NO)	Use	<u>IRR</u>	Source
	<u>CO</u>			<u>YES</u>			<u>GDS</u>
						County	<u>FO</u>
				Fee \$	<u>500</u>	TR #	
						Receipt Date	<u>12/27/16</u>
						By	<u>AW</u>
						Date	<u>12/27/16</u>
						Check #	<u>22881</u>

12/29/2016 ULM

4. The presently authorized place of use is:

Owner of Land — NAME: Loren & Veleeta Doll

ADDRESS: 11449 Lariat Way, Dodge City KS 67801

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
8	27	24W			1	19										40	12	1	16	89
9	27	24W							13			25	6							44

List any other water rights that cover this place of use. none

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		

List any other water rights that cover this place of use. _____

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: Loren & Veleeta Doll

ADDRESS: 11449 Lariat Way, Dodge City KS 67801

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
8	27	24S			1	19									40	12	1	16	89	
9	27	24S							13			25	6							44

List any other water rights that cover this place of use. none

Owner of Land — NAME: Loren A Doll

ADDRESS: 11449 Lariat Way, Dodge City KS 67801

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4	27	24W	Feedlot in the Southwest Quarter																
8	27	24W	Feedlot in the Northeast Quarter																
9	27	24W	Feedlot in West Half																

List any other water rights that cover this place of use. 38161, 38162, 38163, 38915, 38916, 38917, 45904 & 20137052-MF

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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- 6. The presently authorized point(s) of diversion is one well
(Provide description and number of points)
- 7. The proposed point(s) of diversion is one well
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the NE Quarter of the NE Quarter of the SE Quarter of Section 8, Township 27 South, Range 24 W, in Ford County, Kansas, --- feet North --- feet West of Southeast corner of section.
 Authorized Rate 745 gpm Authorized Quantity 200 AF
 (DWR use only: Computer ID No. 1 GPS 4,955 feet North 5,248 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate no change Proposed Quantity 155.04 AF (see item 13 & 17 for discussion)
 This point is: Additional Well Geo Center List other water rights that will use this point none

9. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

10. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

- 11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. N/A

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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12. The presently authorized use of water is for Irrigation purposes.
It is proposed that the use be changed to Irrigation & Stockwater purposes.
13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
This request proposes to convert the use at the north well to both stockwater and irrigation use. There will be a consumptive use reduction on the authorized irrigation quantity in order to comply with the nutrient management plan that utilizes the return water of the feedlot back to irrigation and retain the current project and acres. The stockwater rights' use and quantities will not be changed. Consumptive Use: 136 perfection acres x 1.14' = 155.04 AF per K.A.R. 5-5-9(a)(1). (Please show any calculations here.)
14. It is requested that the maximum annual quantity of water be reduced to 155.04* (acre-feet or million gallons).
15. It is requested that the maximum rate of diversion of water be reduced to NA gallons per minute (--- c.f.s.).
16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.
- If a change in the location of the point(s) of diversion is proposed, show:
 - The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within ½ mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within ½ mile, please indicate so on the map.
 - If the source of supply is surface water, the names and mailing addresses of all landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.
 - If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.
17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.
Same local source of supply. **The applicant requests that they retain the original 200 AF for irrigation, but will limit the stockwater quantity to 155.04 AF during the duration of the dual use stockwater/irrigation permit. Should the stockwater use ever cease, the applicant will request to revert back to irrigation for the full original quantity of 200 AF. For the proposed change, the applicant requests that 200 AF be permitted for Irrigation and Stockwater and to not single out a quantity per use. Each use will be metered separately at the point of diversion:
18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.
No waivers are anticipated.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at FORD COUNTY, Kansas, this 22 day of DECEMBER, 2016.

Loren A. Doll
(Owner)

Veleta Doll
(Spouse)

LOREN A. DOLL
(Please Print)

VELETA DOLL
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

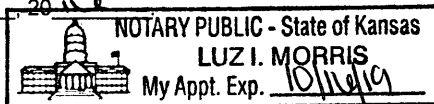
(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Ford } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 22nd day of December, 2016.



Luz I. Morris
Notary Public

My Commission Expires 10/11/19

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

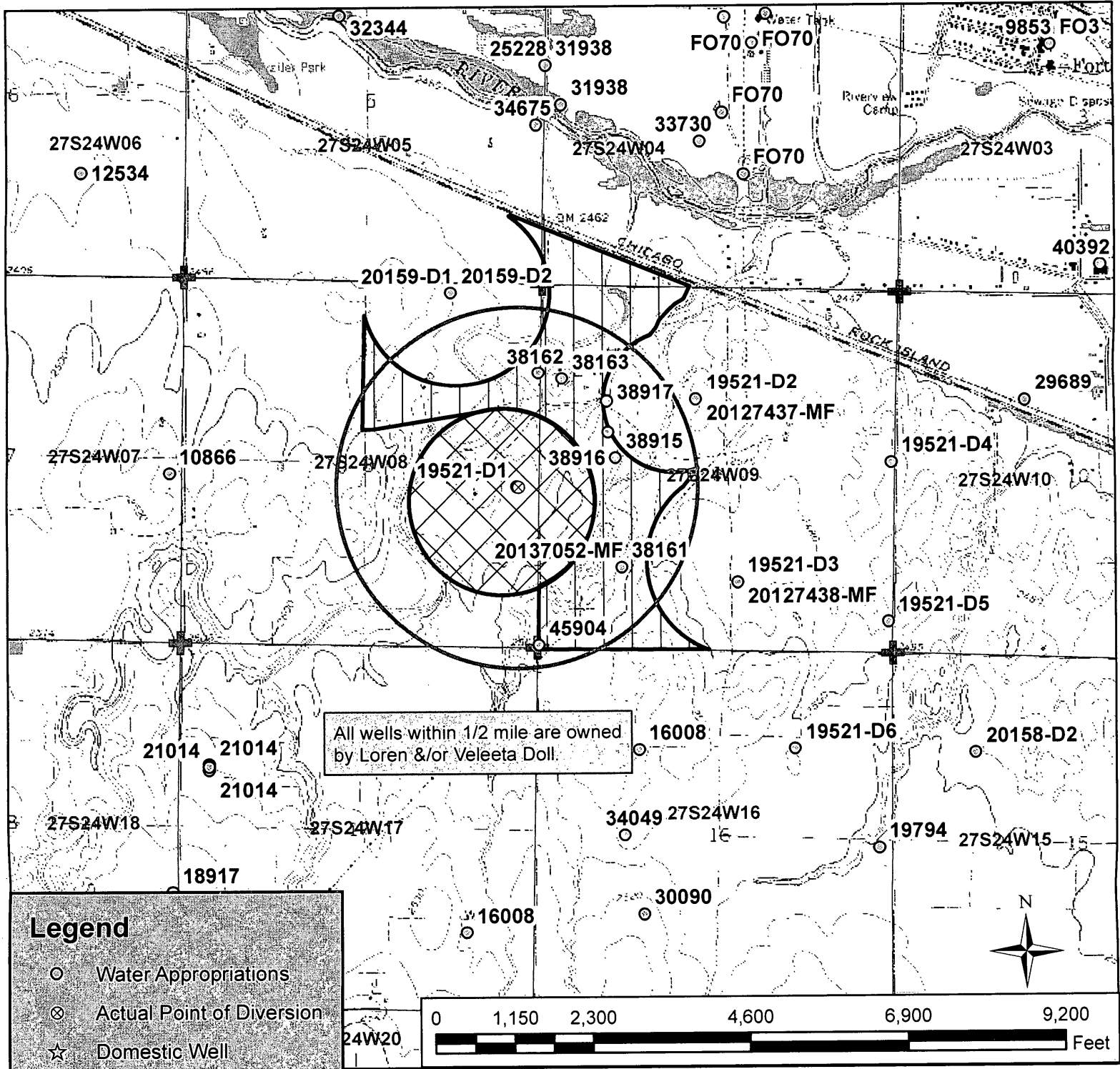
- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

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All wells within 1/2 mile are owned by Loren &/or Veleeta Doll.

Legend

- Water Appropriations
- ⊗ Actual Point of Diversion
- ☆ Domestic Well
- ⊕ Section Corner
- Half Mile Circle
- Section Line

Place of Use

- ▨ Authorized
- ▨ Proposed Irrigation
- ▨ Proposed Stockwater

Water Right, File No. 19521-D1 WATER RESOURCES
 Change in Place of Use & Use Made of Water Application Map 4, 8 & 9-27S-24W // Ford County
 DEC 27 2016
 To the best of my knowledge, all of the domestic wells within 1/2 mile of the proposed point of diversion have been shown.

Loren A. Doll *Veleeta A. Doll*
 Signature 12/16/16 EKF-SFFO 1:24,000 scale



Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521
Jackie McClaskey, Secretary
David W. Darfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

December 7, 2016

Wilroads Feedyard
John Oldham
11449 Lariat Way
Dodge City KS 67801
joldham@starrtech.net

RE: Water Right, File No(s). 19521-D1

Dear Mr. Oldham,


You will find enclosed with this letter an application to change the place of use and use made of water for the referenced file number. The application was written with the intent converting File No. 19521-D1 to a dual use permit for both irrigation and stockwatering use at the Wilroads Feedyard located largely in the in the West Half of 9-27-24W, Ford County.

The enclosed application and map should be carefully reviewed. Feel free to make corrections or clarifications as needed. Please note that the consumptive use numbers described on item numbers 8, 14, 13 and 17 were calculated using the Division of Water Resources' regulations. If you have any additional information that would allow for a higher conversion rate, please feel free to correct the application. Any supporting documentation for any modifications to this number should be submitted along with the application.

In addition, the map will need to be reviewed in order to ensure all known domestic wells are shown. If you have to add any wells, please provide the landowner's name and mailing address. Beyond what has been noted here, the application is complete except for a notarized signature from Loren & Veleeta Doll, the landowners of record. The map will also need to be signed.

The total fee for filing the enclosed application is \$500. Please include a check made payable to the Kansas Department of Agriculture for the total amount with the signed application when you submit it to Manhattan for processing. If I can be of any further assistance, or if you have any questions regarding the enclosed application, please give me a call at 620.234.5311.

Sincerely,


Elizabeth K. Fitch
Environmental Scientist
elizabeth.fitch@ks.gov

Enclosures

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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 28, 2016

WILROADS FEEDYARD
11449 LARIAT WAY
DODGE CITY, KS

FILE COPY

RE: File No. 19521-D1

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use PU/UMW
- point of diversion
- use made of water

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. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. 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,

A handwritten signature in cursive script that reads "Brent A. Turney".

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

BAT: dlw
pc: STAFFORD Field Office GMD 3