

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: PU PD UMW WORKSHEET

Document Signature DWB _____

1. File Number: 24,999	2. Status Change Date: <i>5/22/2018</i>	3. Change Num: 2 & 3	4. Field Office: 2	5. GMD: 5
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 9/29/2016 & 2/20/2018
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8a. Applicant(s) New to system <input type="checkbox"/> ILS LAND LLC PO BOX 1506 GREAT BEND KS 67530-1506	Person ID 59931 Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/> WARD FEED YARD INC PO BOX H LARNED KS 67550	Person ID 20678 Add Seq# _____
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8b. Landowner(s) New to system <input type="checkbox"/> SAME AS 8a	Person ID _____ Add Seq# _____	8d. WUC New to system <input type="checkbox"/> SAME AS 8a	Person ID _____ Add Seq# _____
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9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: 12/31/2018 N & P Date to Comply: _____

Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From IRRIGATION To: IRRIGATION AND STOCKWATERING

*Prepared by BAT
 Entered by GCM on 6/5/2018*

File No. 24,999	11. County: PN	Basin:	Stream:	Formation Code: 211	Special Use:																		
12. Points of Diversion																							
MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Rate and Quantity		Additional		Overlap PD Files									
										Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy										
MOD 12025	SW SE NW		22	22S	16W	4	3187	3873	IRR	475	142 AF	475	142	NONE									
MOD 85079	NW NW NW		22	22S	16W	8	4955	5248	IRR/STK	IRR 180	47.7 AF 15.087 MG	180	47.7 AF 15.087 MG	NONE 20169090									
										5 TK 180	15.087 MG	Ø	Ø										
13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft																							
14. Limitation: 188.3 AF (61.358 mg) af/yr at _____ gpm (____ cfs) when combined with file number(s) See image for details																							
Limitation: _____ af/yr at _____ gpm (____ cfs) when combined with file number(s) _____																							
15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____																							
16. Place of Use		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files		
MOD DEL ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼						
ENT 38533	21	22S	16W	4						FEEDLOT E1/2											8c		
CHK 7138	22	22S	16W	3					40	40	40	40							160	8a	NO	NONE	
Comments: Quantity limited to 188.3 AF (61.358 mg) as long as additional stockwater is desired, Need pop up box for temporary quantity reduction Code BS																							
PLACE OF USE OVERLAP STOCKWATER 24,999 31/940 31,941 20169090																							

Temporary Reduced Qty - Yes

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

FILE COPY

WARD FEED YARD INC
PO BOX H
LARNED KS 67550

June 4, 2018

RE: Base Water Right, File Nos. 24,999; 31940 and 31,941,
Project Term Permit, File No. 20169090

Dear Sir or Madam:

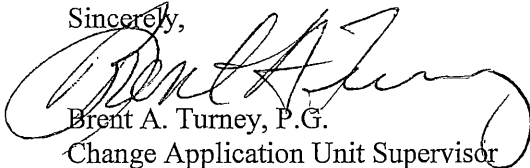
Enclosed is an Order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, suspending the base water right referenced above, and approving your Application for a Project Term Permit. The approval of this Project Term Permit affords you the ability to divert water from multiple points of diversion (existing wells) for stockwatering irrigation uses, during the set period of January 1, 2017 through December 31, 2021. However, the use of water **in excess of the total quantity of water described in the enclosed Order** within any one year or the five year set period listed above, **shall result in imposition of penalties as provided in K.A.R. 5-14-10.**

Acceptable water meters are required and shall be installed on any diversion works authorized by this term permit in accordance with Kansas Administrative Regulations 5-1-4 through 5-1-12, and they shall be installed prior to water being put to beneficial use. The applicant shall file an annual water use report with the Chief Engineer by March 1, following the end of each calendar year.

The approval of your application constitutes a term permit to appropriate water for beneficial use as set forth in the application. It does not constitute authority under K.S.A. 82a-301 through 305a, to construct any dam or other obstruction. It does not give authority to access any right-of-way, or authorize injury to, or trespass upon, public or private property, nor does it obviate the necessity of obtaining assent from Federal or Local Governmental authorities, when necessary. Please be advised that K.S.A. 82a-728 sets forth, in essence, that it is unlawful to divert or threaten to divert water for the type of use you propose without first acquiring approval of the Chief Engineer of the Division of Water Resources.

If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,



Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT
Enclosures
pc: Stafford Field Office
GMD No. 5
ILS Land LLC

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: May 10, 2018

FROM: Brent A. Turney

RE: Water Right
File Nos. 24,999, 31,940 &
31,941

Lee Borck on behalf of ILS Land, LLC, and Ward Feed Yard Inc., owner of the referenced water rights, has filed applications for approval to change the place of use, use made of water for Water Right, File No. 24,999, and applications for approval to change the place of use under File Nos. 31,940 and 30,941, all filed on September 29, 2016 and an application for approval to change the point of diversion under File No. 24,999 on February 20, 2018. File No. 24,999 is currently authorized for irrigation use while File Nos. 31,940 and 31,941 are authorized for stockwatering use. The referenced files are located in the Arkansas River Basin in GMD No. 5. The referenced file numbers do not appear to be abandoned as per K.S.A. 82a-718.

File No. 24,999 is authorized two irrigation wells (authorized 142 acre-feet and 53 acre-feet) for the irrigation of the 160 acre place of use. Water Right, File Nos. 31,940 and 31,941, for stockwatering use at a feedlot in the Southeast Quarter of Section 21. The water right owner is proposing to move water between the existing wells under File No. 24,999, and convert one of the wells to dual use to provide an additional 15.08 million gallons (46.3 acre-feet) to stockwatering use and irrigation use. The additional stockwater will provide a total of 141.61 million gallons (434.59 acre-feet) for stockwatering use.

Based K.A.R. 5-5-9, the well to be converted will be 53 acre-feet x 0.873 = 46.3 acre-feet for stockwatering. The authorized quantity for the referenced file will remain 195 acre-feet, however, it will be limited to 188.3 acre-feet (61.358 million gallons) until such a time the additional stockwatering quantity is no longer desired. Based upon the attached power point presentation, there will be no reduction in the number of acres that may be irrigated due to the change in the use made of water.

In letters dated October 23, 2016 and March 23, 2018, Orrin Feril, Manager of Big Bend Groundwater Management District No. 5, indicated that applications comply with the current management program and he further recommends approval of the applications at this time.

In a telephone conversation dated May 4, 2018, Jeff Lanterman, Water Commissioner of the Stafford Field Office, indicated that he is not opposed to approval of the applications.

Water flow meters are required. Check valves are required if any chemical or foreign substance is injected into the water through the diversion works



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN POINT OF DIVERSION
PLACE OF USE
USE MADE OF WATER AND ORDER
IN THE MATTER OF THE
AUTHORIZED QUANTITY OF WATER
WATER RIGHT
FILE NO. 24,999**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written applications of Lee Borck on behalf of ILS Land LLC, PO Box 1506, Great Bend, Kansas 67530-1506, received in this office on September 29, 2016, for approval of a change in the location of the place of use and use made of water and the written application of Jon Skelton on behalf of ILS Land LLC, PO Box 1506, Great Bend, Kansas 67530-1506, received in this office on February 20, 2018, for approval of a change in the location of the point of diversion under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the order of the Chief Engineer dated February 10, 2016, approving the application to change the authorized point of diversion, finds that the changes are reasonable and will not impair existing rights and that the applications should be and are hereby approved.

The authorized quantity under this water right will remain 195 acre-feet (63.54 million gallons). This order effectively limits the authorized quantity of water to 189.7 acre-feet (61.181 million gallons) per calendar year. That the limitation on the quantity of water shall exist until such a time that the additional water for stockwatering use authorized by this approval is no longer required.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which that portion retained for irrigation use shall be authorized from one (1) well located as follows:

one (1) well located near Southwest Quarter of the Southeast Quarter of the Northwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 22, more particularly described as being near a point 3,187 feet North and 3,873 feet West of the Southeast corner of said section, in Township 22 South, Range 16 West, Pawnee County, Kansas, in a quantity not to exceed 142 acre-feet (46.27 million gallons) of groundwater per calendar year at a diversion rate not in excess of 475 gallons per minute (1.06 c.f.s.),

That portion changed to stockwatering use and irrigation use shall be authorized from one (1) well located as follows:

one (1) well located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 22, more particularly described as being near a point 4,955 feet North and 5,248 feet West of the Southeast corner of said section, in Township 22 South, Range 16 West, Pawnee County, Kansas, in a quantity not to exceed 47.7 acre-feet (15.54 million gallons) of groundwater per calendar year at a diversion rate not in excess of 180 gallons per minute (0.40 c.f.s.),

and the authorized place of use shall be:

a feedlot located in the East Half (E $\frac{1}{2}$) of Section 21, Township 22 South, Range 16 West, Pawnee County, Kansas, and

Sec.	Twp.	Range	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
22	22S	16W					40	40	40	40									160

a total of 160 acres in Section 22, Township 22 South, Range 16 East, Pawnee County, Kansas,

located substantially as shown on the topographic maps accompanying the applications to change the use made of water and point of diversion.

Installation of the works for diversion of water shall be completed on or before December 31, 2017, or within any authorized extension of time. The applicant shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

All diversion works 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.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 24,999, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated January 28, 1987, and as modified by the aforementioned order.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

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

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

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

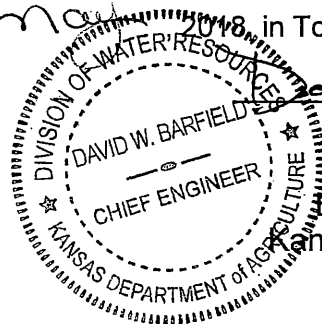
To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal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

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

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

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this 22nd day of May, 2018, in Topeka, Shawnee County, Kansas.



David W. Barfield
David W. Barfield, P.E.,
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 22nd day of May, 2018, by David W. Barfield, P., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



Karen Hunter
Notary Public

CERTIFICATE OF SERVICE

On this 4th day of June, 2018, I hereby certify that the attached original Approval of Change in place of use and use made of water, File No. 24,999, dated May 22nd, 2018, was mailed postage prepaid, first class, US mail to the following:

ILS LAND LLC
PO BOX 1506
GREATBEND KS 67530-1506

With photocopies to:

Stafford Field Office
GMD No. 5

WARD FEED YARD INC
WARD FEED YARD SOUTH
PO BOX H
LARNED KS 67550

Darrell Wilson
Staff

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

ILS LAND LLC
PO BOX 1506
GREAT BEND KS 67530-1506

RE: Water Right
File Nos. 24,999, 31,490 & 31,941

Dear Sir or Madam:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced files.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approval for change. A condition of the approval is that an acceptable water flow meter must be installed on the diversion works authorized under the above referenced water right. Please return the required notification of installation of the required meter as soon as these actions are completed.

Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact this office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

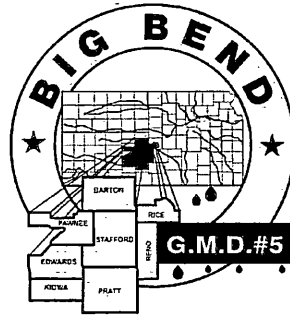
Sincerely,

A handwritten signature in black ink, appearing to read "Brent A. Turney".

Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT
Enclosures
pc: Stafford Field Office
GMD No. 5
Ward Feedyard

Darrell Wood - Edwards (Pres.)
Fred Grunder - Pratt (V Pres.)
John Janssen - Kiowa (Treas.)
Jerry Cullop - Rice (Sec.)
Justin Gatz - Reno
Kent Lamb - Stafford
Phil Martin - Barton
Kerry Froetschner - Pawnee
Tom Taylor - At-Large



Orrin Feril, Manager
125 South Main Street
Stafford, Kansas 67578
ph: (620) 234-5352
fx: (620) 234-5718
gmd5@gmd5.org
www.gmd5.org

March 23, 2018

Brent Turney
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502

RE: Water Right File No. 24999
Change in the Point of Diversion

Dear Mr. Turney,

Big Bend Groundwater Management District #5 has reviewed the above referenced application to change the point of diversion. It is the understanding of the District that this change is intended to redistribute water already authorized by this water right file to better accommodate the irrigation operation and to re-drill one of the two wells. Based upon information received in the District office, the application appears to be consistent with 5-25-20(b) and is therefore recommended for approval.

The application to change is subject to the District's well equipment regulation K.A.R. 5-25-5 for a required flow meter.

Please feel free to give me a call if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Orrin Feril".

Orrin Feril
Manager

WATER RESOURCES
RECEIVED

MAR 23 2018

KS DEPT OF AGRICULTURE

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 /or place of use must accompany this application.

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

**WATER RESOURCES
RECEIVED**

SEP 29 2016

11:34

KS DEPT OF AGRICULTURE

File No. 24999

2. Name of applicant: ILS Land LLC

Address: Kelly Meyer, PO Box 1506

City, State and Zip: Great Bend KS 67530-1506

Phone Number: (620)793-9200

E-mail address: kelly.meyer@ilsbeef.com

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

Name of water use correspondent: ILS Land LLC

Address: PO Box 1506

City, State and Zip: Great Bend KS 67530-1506

Phone Number: (620) 793-9200

E-mail address: kelly.meyer@ilsbeef.com

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. 2 GMD 5 Meets K.A.R. 5-5-1 (YES/NO) Use IRR Source G/S County PN By ADW Date 9/29/16
Code C-2 Fee \$ 500 TR # _____ Receipt Date 9/29/16 Check # 14452

DWR 1-120 (Revised 06/16/2014)

APPLICATION COMPLETE
3/23/18
Reviewer BAS

Assisted by: EKF/SFFO

10/4/2016 ULM

4. The presently authorized place of use is:

Owner of Land — NAME: ILS Land LLC

ADDRESS: PO Box 1506, Great Bend KS 67530-1506

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	
22	22	16W					40	40	40	40									

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: ILS Land LLC

ADDRESS: PO Box 1506, Great Bend KS 67530-1506

IRRIGATION USE

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	
22	22	16W					40	40	40	40									

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

Owner of Land — NAME: Ward Feed Yard Inc

ADDRESS: PO Box H, Larned KS 67550

STOCK WATERING USE

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	
21	22	16W	Feedlot in the East Half																

List any other water rights that cover this place of use. 31940 & 31941

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

LI/DWR 1/26/17

WATER RESOURCES RECEIVED

SEP 29 2016

SCANNED

KS DEPT OF AGRICULTURE

6. The presently authorized point(s) of diversion are two wells
(Provide description and number of points)
7. The proposed point(s) of diversion are two wells
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the NW Quarter of the NW Quarter of the NW Quarter of Section 22, Township 22 South, Range 16 W, in Pawnee County, Kansas, 4,957 feet North 5,235 feet West of Southeast corner of section. Authorized Rate 475 gpm Authorized Quantity 142 AF
(DWR use only: Computer ID No. 8 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 _____ (EW), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate no change Proposed Quantity 127.8 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 NC NW Quarter of Section 22, Township 22 South, Range 16 W, in Pawnee County, Kansas, 3,960 feet North 3,930 feet West of Southeast corner of section. Authorized Rate 180 gpm Authorized Quantity 53 AF
(DWR use only: Computer ID No. 4 GPS 3,935 feet North 3,968 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 _____ (EW), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate no change Proposed Quantity no change
 This point is: Additional Well Geo Center List other water rights that will use this point none

10. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (EW), 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 _____ (EW), 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

WATER RESOURCES RECEIVED

SCANNED

SEP 29 2016

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.

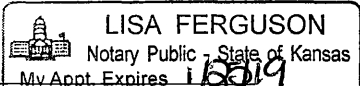
I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application 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 Great Bend, Kansas, this 27th day of September, 2016.

<u>Lee Borcik</u> (Owner)	_____	(Spouse)
<u>LEE BORCIK</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of Kansas }
County of Barton } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 27th day of September, 2016.



LISA FERGUSON
 Notary Public - State of Kansas
 My Appt. Expires 1/2019

Lisa Ferguson
Notary Public

My Commission Expires _____

LEE 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.**

WATER RESOURCES RECEIVED

SCANNED

SEP 29 2016

KS DEPT OF AGRICULTURE

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. This is a 2016 pilot project that is proposing a 10% consumptive use reduction on the authorized irrigation quantity on the north well 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 south well will remain as irrigation only. The stockwater rights' use and quantities will not be changed.
(Please show any calculations here.)

**NEW KAR 5-5-9 53A-F X .877 = 46.3A-F*

14. It is requested that the maximum annual quantity of water be reduced to 180.8* (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.

- a. If a change in the location of the point(s) of diversion is proposed, show:
 - 1) 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.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 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 1/2 mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. 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. See attached documentation for justification of the proposed quantity and the 10% consumptive use acknowledgement. *The applicant requests that they retain the original 195 AF for irrigation, but will limit the stockwater quantity to 180.8 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 195 AF. For the proposed change, the applicant requests that 127.8 AF be permitted for Irrigation and Stockwater at the north well 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.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

x BITDWR
5-1-18

WATER RESOURCES RECEIVED

SCANNED

SEP 29 2016

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

March 8, 2018

BIG BEND GROUNDWATER
MANAGEMENT DISTRICT NO 5
ATTN ORRIN FERIL
125 S MAIN ST
STAFFORD KS 67578-0007

FILE COPY

Re: Water Right
File No. 24,999

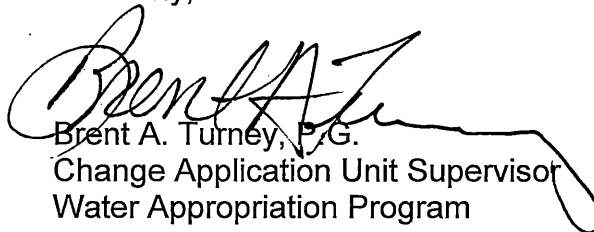
Dear Mr. Feril:

We are enclosing a copy of the application to change the point of diversion under File No. 24,999 received in the office of the Chief Engineer on February 20, 2018.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning this application.

Please submit your recommendations within the allotted time, or any authorized extension of time thereof. 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.

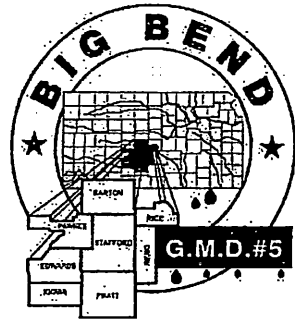
Sincerely,


Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT
Enclosures

pc: Stafford Field Office

Darrell Wood - Edwards (Pres.)
Fred Grunder - Pratt (V Pres.)
John Janssen - Kiowa (Treas.)
Jerry Cullop - Rice (Sec.)
Justin Gatz - Reno
Kent Lamb - Stafford
Phil Martin - Barton
Bob Standish - Pawnee
Tom Taylor - At-Large



Orrin Feril, Manager
125 South Main Street
Stafford, Kansas 67578
ph: (620) 234-5352
fx: (620) 234-5718
gmd5@gmd5.org
www.gmd5.org

October 23, 2017

WATER RESOURCES
RECEIVED

OCT 23 2017

Brent Turney
Division of Water Resources
Kansas Department of Agriculture
109 SW 9th St 2nd Floor
Topeka, Kansas 66612-1283

KS DEPT OF AGRICULTURE

RE: Water Right File Nos. 24999, 31940, 31941
Term Permit Application No. 20169090

Dear Mr. Turney,

The Big Bend Groundwater Management District #5 has reviewed the above referenced change applications for Water Right File Nos. 24999, 31940 & 31941. Additionally the District has reviewed the Term Permit Application No. 20169090. The term permit application does not meet K.A.R. 5-25-13 (Term Permits).

The application was presented to the Board of Directors at the October regular board meeting. Based upon information received in the District office and provided at the board meeting, the Board voted to waive the K.A.R. 5-25-13 as a pilot project for five years. Therefore, the applications for change and the application for term permit are recommended for approval.

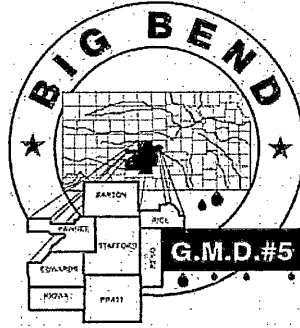
The applications to change and term permit are subject to the District's well equipment regulation K.A.R. 5-25-5 for a required flow meters.

Please feel free to give me a call if you have any questions.

Sincerely,

Orrin Feril
Manager

Darrell Wood - Edwards (Pres.)
Fred Grunder - Pratt (V Pres.)
John Janssen - Kiowa (Treas.)
Jerry Cullop - Rice (Sec.)
Justin Gatz - Reno
Kent Lamb - Stafford
Phil Martin - Barton
Bob Standish - Pawnee
Tom Taylor - At-Large



Orrin Feril, Manager
125 South Main Street
Stafford, Kansas 67578
ph: (620) 234-5352
fx: (620) 234-5718
gmd5@gmd5.org
www.gmd5.org

October 23, 2017

WATER RESOURCES
RECEIVED

OCT 23 2017

Brent Turney
Division of Water Resources
Kansas Department of Agriculture
109 SW 9th St 2nd Floor
Topeka, Kansas 66612-1283

KS DEPT OF AGRICULTURE

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The applications to change and term permit are subject to the District's well equipment regulation K.A.R. 5-25-5 for a required flow meters.

Please feel free to give me a call if you have any questions.

Sincerely,

Orrin Feril
Manager

SCANNED

Water Resources
Received

FEB 20 2018

1:45

KS Dept of Agriculture



State of Kansas

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**

*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 /or place of use must accompany this application.

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. 24999

2. Name of applicant: ILS Land LLC

Address: PO Box 1506

City, State and Zip: Great Bend KS 67530-1506

Phone Number: (620)792-6166

E-mail address: bronson.smith@ilsbeef.com

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

Name of water use correspondent: ILS Land LLC

Address: PO Box 1506

City, State and Zip: Great Bend KS 67530-1506

Phone Number: (620) 792-6166

E-mail address: bronson.smith@ilsbeef.com

3. The change(s) proposed herein are desired for the following reasons (please be specific): The south well (ID04) is to be re-drilled and the quantity authorized on each well will be adjusted to better suit the irrigation operation.

The change(s) will be completed by Spring 2018

(Date)

For Office Use Only:

F.O. 2 GMD 5 Meets K.A.R. 5-5-1 (YES/NO) Use IRR Source G/S County PN By AW Date 2/20/18
Code CGT Fee \$ 200 TR # _____ Receipt Date 2/20/18 Check # 1937

4. The presently authorized place of use is:

Owner of Land — NAME: ILS Land LLC

ADDRESS: PO Box 1506, Great Bend KS 67530-1506

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	
22	22	16W					40	40	40	40									160

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: No Change

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. _____

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 MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY Resources Received

FEB 20 2018

SCANNED

KS Dept Of Agriculture

6. The presently authorized point(s) of diversion are two wells and diversion system
(Provide description and number of points)

7. The proposed point(s) of diversion are two wells and diversion system
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the --- Quarter of the --- Quarter of the NC NW Quarter
 of Section 22, Township 22 South, Range 16 W,
 in Pawnee County, Kansas, 3,960 feet North 3,930 feet West of Southeast corner of section.
 Authorized Rate 180 gpm Authorized Quantity 53 AF
 (DWR use only: Computer ID No. 04 GPS 3,935 feet North 3,969 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 SW Quarter of the SE Quarter of the NW Quarter
 of Section 22, Township 22 South, Range 16 W,
 in Pawnee County, Kansas, 3,187 feet North 3,873 feet West of Southeast corner of section.
 Proposed Rate 475 gpm Proposed Quantity 142 AF
 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 NW Quarter of the NW Quarter of the NW Quarter
 of Section 22, Township 22 South, Range 16 W,
 in Pawnee County, Kansas, 4,957 feet North 5,235 feet West of Southeast corner of section.
 Authorized Rate 475 gpm Authorized Quantity 142 AF
 (DWR use only: Computer ID No. 08 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 NW Quarter of the NW Quarter of the NW Quarter
 of Section 22, Township 22 South, Range 16 W,
 in Pawnee County, Kansas, no change feet North no change feet West of Southeast corner of section.
 Proposed Rate 180 gpm Proposed Quantity 53 AF
 This point is: Additional Well Geo Center List other water rights that will use this point none

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. old well
will be plugged

Water Resources
Received

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

FEB 20 2018

KS Dept Of Agriculture
SCANNED

12. The presently authorized use of water is for irrigation purposes.

It is proposed that the use be changed to --- purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

N/A

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to --- (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to --- 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.

a. If a change in the location of the point(s) of diversion is proposed, show:

- 1) 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.
- 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 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 1/2 mile, please indicate so on the map.
- 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.

b. 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.

Proposed well is maintaining required spacing to nearby wells.

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 anticipated.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

Water Resources
Received

FEB 20 2018

KS Dept Of Agriculture **SCANNED**

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 Great Bend, Kansas, this 15 day of Feb, 2018

[Signature]
(Owner)
Jon Skelton
(Please Print)

(Spouse)

(Please Print)

(Owner)

(Please Print)

(Spouse)

(Please Print)

(Owner)

(Please Print)

(Spouse)

(Please Print)

State of Kansas }
County of _____ } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 15th day of February, 2018

LISA FERGUSON
Notary Public - State of Kansas
My Appt. Expires 1/25/19

[Signature]
Notary Public

My Commission Expires 1/25/19

FEES 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.**

Water Resources
Received
FEB 20 2018

KS Dept Of Agriculture
SCANNED



**ILS FARM
PARTNERSHIP**

February 15, 2018

551A SW 30 Road
Great Bend, Kansas 67530

620.792.6166
620.792.7178 fax
www.ilsbeef.com

Mr. Brent Turney
Division of Water Resources
Kansas Dept. of Agriculture
1320 Research Park Drive
Manhattan, KS 66502

Re: ILS Land, LLC File No. 24999

Dear Mr. Turney,

Enclosed please find the application for approval to change the point of diversion on the above referenced water right 24999.

We are also requesting a modification of the pending use made of the water change application that has been previously submitted under the same file number. We ask that the north well's stock watering authorized quantity be changed from 127.8 AF to 47.7 AF contingent on approval of the attached application to change the point of diversion. This would then change the overall limitation from 180.8 AF to 189.7 AF when water is use for stock watering purposes from the north well.

Lastly, we have enclosed our check in the amount of \$200 for the application fee to change a point of diversion more than 300 feet. Upon review of the above, please don't hesitate to contact us with any questions or concerns.

Sincerely,

ILS Land, LLC



Jon Skelton, CEO

Water Resources
Received

FEB 20 2018

KS Dept Of Agriculture

cc: Ward Feed Yard, Inc.
dd

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



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

Secretary Jackie McClaskey

Governor Jeff Colyer, M.D.

ILS LAND, LLC
PO BOX 1506
GREAT BEND, KS 67530

February 27, 2018

RE: File No 24999

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 PD
 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. Tourney".

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

BAT: DLW
pc: STAFFORD Field Office GMD5

PROPOSED DAIRY - WATER RIGHTS CONVERSION

Prepared by Mandy Fox

WATER RESOURCES
RECEIVED

SEP 29 2016

KS DEPT OF AGRICULTURE

1878

STATISTICS

- Current Water Right Appropriation = 480 acre-feet
- 240 Base Acres
- Currently used for irrigation

- Proposed Dairy
- 4,900 Lactating Cows, 300 Heifers (maximum on KDHE permit)

WATER RESOURCES
RECEIVED

SEP 29 2016

KS DEPT OF AGRICULTURE

2 of 8

CONSUMPTIVE USE (CURRENT PROCESS)

- K.A.R. 5-5-9
- Base Acres X NIR at 50% Chance Rainfall
- 240 acres X 1.23' = 295.2 Acre Feet available for stockwater after conversion
- **Results in a 38.5% reduction in water right**

WATER RESOURCES
RECEIVED

SEP 29 2016

KS DEPT OF AGRICULTURE

3 62 8

CONVERSION BASED ON ANIMAL TYPE

- K.A.R. 5-3-22 Maximum reasonable quantity for livestock
- Maximum Reasonable Quantity X Maximum Permitted Amount (KDHE)
- 4,900 Mature Dairy Cows X 35 gal/hd/day X 365 days = 192.1 AF
- 300 Heifers X 15 gal/hd/day X 365 days = 5.0 AF
- Total = 197.2 AF X 30% conservation credit = 59.1 AF Reduction in Water Right
- Water right for stockwater becomes 420.9 AF
- **Results in a 12.3% reduction in water right**

STANDARD 10% REDUCTION

- Simplified process that is very clear to current and incoming businesses
- $480 \text{ AF} \times 10\% = 48 \text{ AF}$ reduction
- Water right for stockwater becomes 432 AF
- **Results in a 10% reduction in water right**

WATER RESOURCES
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SEP 29 2016

KS DEPT OF AGRICULTURE

50F8

STOCKWATER USE- SUPPLEMENTAL SHEET								
							TOTAL USE	
	MAXIMUM	UNITS	TIME		GAL/YEAR	AF/YEAR		
			HOURS/DAY	DAYS/YEAR				
DRINKING								
LACTATING COWS	4,900	35	GAL/HEAD		365	62,597,500	192.1	197.2
HEIFERS	300	15	GAL/HEAD		365	1,642,500	5.0	
OVERFLOW WATER		10,800	GAL/DAY		120	1,296,000	4.0	
COOLING								
MISTERS		1,500	GAL/HOUR	12	150	2,700,000	8.3	
FOGGERS		85	GAL/MIN	12	150	36,720,000	112.7	
MILK COOLING		46,500	GAL/DAY		365	16,972,500	52.1	
SANITATION								
ROTARY WASH		50	GAL/HOUR	22	365	401,500	1.2	
WASH-UP CYCLE		4,000	GAL/DAY		365	1,460,000	4.5	
MILK BARN FLUSH		6,000	GAL/DAY		365	2,190,000	6.7	
OTHER								
HOSPITAL		2,600	GAL/DAY		365	949,000	2.9	
TOTAL						126,929,000	389.6	

ADDITIONAL SUMMARY

- Water Right #183 After Changes
 - One quantity one well – Not to Exceed 420.9 AF/Year for Stockwater
 - 59.1 AF Reduction in Water Right
 - 81 Acre Reduction in Place of Use
- Existing stockwater well (Water Right #101) provided additional 39.9 AF
- Total stockwater available for new dairy 460.8 AF
- Justified Use 389.6 AF
 - Difference in justification and use would allow for future expansion
 - Possible growth from 4,900 lactating cow to 6,000

ECONOMIC IMPACT

New Dairy = 300 AF/Year

\$20,000,000 in milk sales

30 jobs \$1,500,000 in payroll

\$1,500,000 in local silage purchases

\$400,000 in alfalfa purchases

\$750,000 in corn purchases

Existing Water Right = 480 AF/Year

\$500,000 in corn sales (300 AF used)

1 job

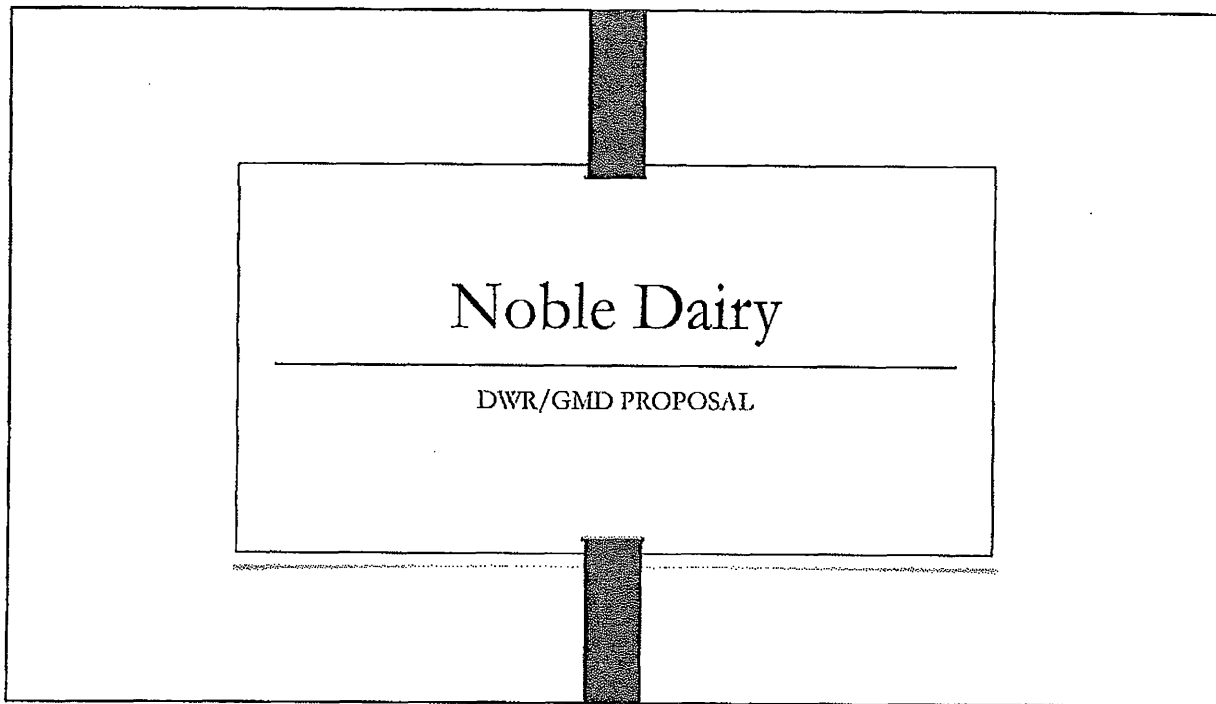
Additional Water Savings with Dairy

reduced water to grow silage for dairy instead of growing grain

water is extracted at local processing plant and reused

waste water is collected on facility and used for irrigation

8 of 8



Overview of Existing Water Rights

- Water Right 1395-SW – Stockwater Right With 100AF – POD SW 8-26-32
- Water Right 7554-D1 – Stockwater Right With 100AF – POD SW 8-26-32
- Water Right 1395-IRR – Irrigation Right With 474AF – POD NE 18-26-32
- Water Right 21325 – Irrigation Right With 260AF – POD SE 5-26-32
- Both Irrigation Rights Include Identical Places of Use Covering 452 Acres Across Section 5, Section 8, & Section 18
- Map Attached Illustrating the Location of the Above Point of Diversions and Their Accompanying Places of Use

WATER RESOURCES
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SEP 29 2016

Historical Usage of Royal Farms Dairy

Year	Stockwater Pumped	Lagoon Water Irrigated	Consumed Water	Average Headcount
2011	842	443	399	12399
2012	831	529	302	12267
2013	776	501	275	12260
2014	800	702	98	12375
2015	704	442	262	12405
Average	791	523	268	12341

Historical Usage of Royal Farms Dairy

- Stockwater Pumped Per Animal Per Day – 57.2 Gallons/Head/Day
 - Estimate – 6170 Non-Lactating Animals @ 20 Gallons/Head/Day
 - Estimate – 6170 Lactating Animals @ 94 Gallons/Head/Day

- Net Water Consumed (Consumptive Use) Per Animal Per Day – 19.4 Gallons/Head/Day
 - Estimate – 6170 Non-Lactating Animals @ 12 Gallons/Head/Day
 - Estimate – 6170 Lactating Animals @ 27 Gallons/Head/Day

WATER RESOURCES
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Noble Dairy – 30 Year Permit Overview

- Permit 4 Point Of Diversions With A Dual Purpose Use (Stockwater & Irrigation)
- Blanket the Appropriated Volumes Across All 4 Wells With The Volume Not To Exceed Current Authorized Quantity On the 2 Existing Irrigation Wells
- Agree to an Upfront Consumptive Use Conservation Cut in Exchange for Long Term Water Right Flexibility (Example Calculation to Follow)

Noble Dairy – Proposed Calculation for Upfront Consumptive Use Conservation Cut

- Long Term Potential to Develop Noble Dairy Site to 14000 Animals Including 7000 Lactating & 7000 Non-Lactating Animals
 - Propose to Calculating Consumptive Use On The Following Volume
 - Lactating – $7000 * 35 \text{ Gallons/Hd/Day} = 275 \text{ Acre Feet}$
 - Non-Lactating – $7000 * 15 \text{ Gallons/Hd/Day} = 118 \text{ Acre Feet}$
 - Estimate of Total Acre Feet Consumed = 393 Acre Feet
 - Less Existing Stockwater Rights = 200 Acre Feet
 - Leaving 193 Acre Feet Subject to Existing Consumptive Use Calculation
 - Resulting In An Upfront Consumptive Use Conservation Cut of 46 Acre Feet

WATER RESOURCES
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Summary

- Noble Dairy Will Be Left With 888 AF Of Dual Purpose Water From 4 Points of Diversion During the 30 Years of the Permit
- At the End of the Permit, All Places of Use and Volumes Will Revert Back to the Appropriated Volumes Totaling 934 AF
- Noble Dairy Will Not Pump Existing Irrigation Wells Beyond Existing Allowable Quantity
- Creates a Business/Development Friendly Approach to Managing Water Rights While Administering an Upfront Conservation Cut
- Flexibility of this Strategy Will Create Greater Efficiency in Managing the Nutrient Load of a Livestock Facility Over the Long Term

WATER RESOURCES
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SEP 29 2016

KS DEPT OF AGRICULTURE

SCANNED^A


Kansas
Department of Agriculture
Division of Water Resources

109 SW 9th Street, 2nd Floor
Topeka, Kansas 66612-1283

phone: (785) 296-3717
fax: (785) 296-1176
www.ksda.gov/dwr

Dale A. Rodman, Secretary
David W. Barfield, Chief Engineer

Sam Brownback, Governor

August 9, 2017

BIG BEND GROUNDWATER
MANAGEMENT DISTRICT NO 5
ATTN ORRIN FERIL
125 S MAIN ST
STAFFORD KS 67578-0007

FILE COPY

Re: Water Right
File Nos. 24,999; 31,940 f& 39,941
Term Permit
File No. 20169090

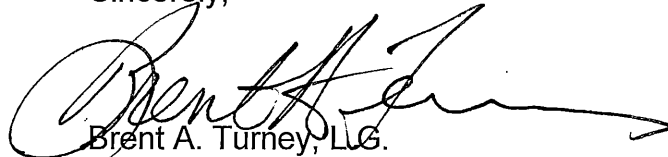
Dear Mr. Feril:

We are enclosing a copy of the applications under the above referenced file numbers, received in the office of the Chief Engineer on September 29, 200.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning this application.

Please submit your recommendations within the allotted time, or any authorized extension of time thereof. If you have any questions, please contact me at (785) 296-4617. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,



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

BAT
Enclosures

pc: Stafford Field Office

SCANNED


Kansas
Department of Agriculture
Division of Water Resources

109 SW 9th Street, 2nd Floor
Topeka, Kansas 66612-1283

phone: (785) 296-3717
fax: (785) 296-1176
www.ksda.gov/dwr

Dale A. Rodman, Secretary
David W. Barfield, Chief Engineer

Sam Brownback, Governor

October 3, 2017

BIG BEND GROUNDWATER
MANAGEMENT DISTRICT NO 5
ATTN ORRIN FERIL
125 S MAIN ST
STAFFORD KS 67578-0007

FILE COPY

Re: Water Right
File Nos. 24,999; 31,940 & 31,941
Term Permit
File No. 20169090

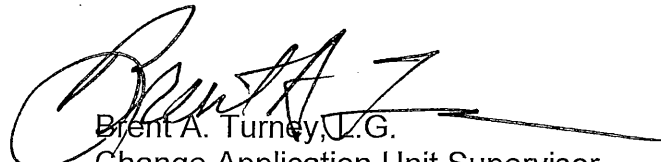
Dear Mr. Feril:

As per our telephone conversation on today's date, the Chief Engineer has granted your request for an extension of time to supply a recommendation under the above referenced file numbers.

We are delaying any further action November 1, 2017, to allow you time to submit your recommendations concerning this application.

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. 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,


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

BAT
Enclosures

pc: Stafford Field Office

SCANNED

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

May 17, 2017

FILE COPY

BIG BEND GROUNDWATER
MANAGEMENT DISTRICT NO 5
ATTN ORRIN FERIL
125 S MAIN ST
STAFFORD KS 67578-0007

Re: Water Right
File No. 24,999, 31,940 and 31,941
Term Permit
File No. 20169090

Dear Mr. Feril:

We are enclosing copies of the applications for change under File Nos. 24,999, 31,941 and 31,941, and Term Permit, File No. 20169090 received in the office of the Chief Engineer on September 29, 2016.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning these applications.

Please submit your recommendations within the allotted time, or any authorized extension of time thereof. If you have any questions, please contact me at (785) 296-4617. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

BAT
Enclosures

pc: Stafford Field Office

SCANNED



109 SW 9th Street, 2nd Floor
Topeka, Kansas 66612-1283

Dale A. Rodman, Secretary
David W. Barfield, Chief Engineer

phone: (785) 296-3717
fax: (785) 296-1176
www.ksda.gov/dwr

Sam Brownback, Governor

FILE COPY

August 23, 2017

BIG BEND GROUNDWATER
MANAGEMENT DISTRICT NO 5
ATTN ORRIN FERIL
125 S MAIN ST
STAFFORD KS 67578-0007

Re: Water Right
File Nos. 24,999; 31,940 & 31,941
Term Permit
File No. 20169090

Dear Mr. Feril:

We are in receipt of your request for an extension of time to supply a recommendation to the Chief Engineer, dated August 23, 2017.

We are delaying any further action September 22, 2017, to allow you time to submit your recommendations concerning this application.

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. 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,

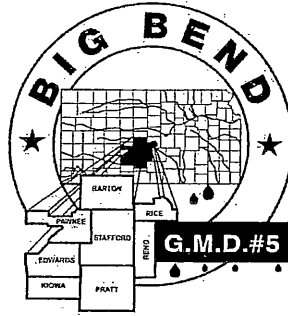
Brent A. Turney, L.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT
Enclosures

pc: Stafford Field Office

SCANNED

Darrell Wood - Edwards (Pres.)
Fred Grunder - Pratt (V Pres.)
John Janssen - Kiowa (Treas.)
Jerry Cullop - Rice (Sec.)
Justin Gatz - Reno
Kent Lamb - Stafford
Phil Martin - Barton
Bob Standish - Pawnee
Tom Taylor - At-Large



Orrin Feril, Manager
125 South Main Street
Stafford, Kansas 67578
ph: (620) 234-5352
fx: (620) 234-5718
gmd5@gmd5.org
www.gmd5.org

August 23, 2017

Brent Turney
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502

Re: Water Right File Nos. 24999, 31940, 31941
Term Permit File No. 20169090

Dear Mr. Turney,

The Big Bend Groundwater Management District #5 requests a thirty-day extension on the above referenced application in order to be reviewed at the September board meeting. This meeting is tentatively scheduled for September 14, 2017.

Sincerely,

Orrin Feril
Manager

c: ILS Land LLC (Applicant)
DWR – Stafford Field Office

SCANNED



109 SW 9th Street, 2nd Floor
Topeka, Kansas 66612-1283

phone: (785) 296-3717
fax: (785) 296-1176
www.ksda.gov/dwr

Dale A. Rodman, Secretary
David W. Barfield, Chief Engineer

Sam Brownback, Governor

FILE COPY

August 7, 2013

BIG BEND GROUNDWATER
MANAGEMENT DISTRICT NO 5
ATTN ORRIN FERIL
125 S MAIN ST
STAFFORD KS 67578-0007

Re: Water Right
File Nos. 24,999; 31,940 & 39,941
Term Permit
File No. 20169090

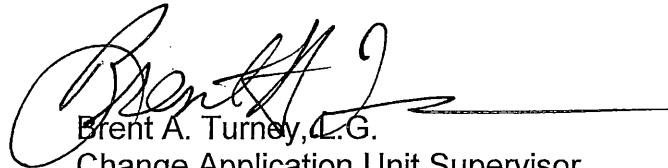
Dear Mr. Feril:

We are enclosing a copy of the application to change the place of use under the above referenced file numbers, received in the office of the Chief Engineer on September 29, 2016.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning this applications.

Please submit your recommendations within the allotted time, or any authorized extension of time thereof. 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,



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

BAT
Enclosures

pc: Stafford Field Office

ADDRESS LISTING NEARBY NOTIFICATION LETTER DATED 1/27/17
Water Right, File Nos. 24,999, 31,940 & 31,941
Permit, File No. 20169090

File No. 16,111 NW/4 27-22-16w
JOHN G HALLOCK
854 100TH AVE
LARNED KS 67550

File No. 16,125 NE/4 28-22-16w
BRUCE L PETERS
141 N CHELMSFORD CT
WICHITA KS 67230-6914

File No. 17,091 NW/4 28-22-16w
RICHARD D HORNING ESTATE
BROCK MCPHERSON EXECUTOR
2109 12TH ST
GREAT BEND KS 67530

File No. 38623 Well in the NE SE 16-22-16W
WFY HOLDING COMPANY
PO BOX 1506
GREAT BEND KS 67530

File No. 20,826 NE 22-22-16W
PAWNEE COUNTY CATTLE COMPANY INC
2660 N ROCKY VIEW RD
CASTLE ROCK CO 80108

FILE COPY

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

January 27, 2017

ADDRESS LIST

RE: Water Right, File Nos. 24,999; 31,940 & 31,941

Dear Sir or Madam:

This letter is to **provide notice** as required by Kansas Senate House Bill No. 337, which became effective on July 1, 2016.

The owner of the referenced appropriations of water has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

The application for File No. 24,999, proposes a change in use made of water and place of use. The application proposes to change the authorized use from irrigation to irrigation and stockwatering uses, with the stockwatering use to be at an existing stockwatering facility. The irrigated place of use under File No. 24,999, is the Northwest Quarter (NW¼) of Section 22, Township 22 South, Range 16 West, Pawnee County, Kansas.

The applications under File Nos. 31,940 & 31,941, which authorized only stockwatering use, propose a change in place of use to allow each right to be utilized within the currently authorized footprint of the facility. The description of the stockwatering facility proposed to be authorized by File Nos. 24,999; 31,940 & 31,941, is a feedlot located in the East Half of Section 21, in Township 22 South, Range 16 West, Pawnee County, Kansas.

If you have any questions, please contact our office, my desk phone is (785) 564-6633. If you wish to discuss a specific file, please have the file numbers ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

January 27, 2017

JOHN G HALLOCK
854 100TH AVE
LARNED KS 67550

RE: Water Right, File Nos. 24,999; 31,940 & 31,941

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Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

FILE COPY

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Manhattan, Kansas 66502
(785) 564-6700



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Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

January 27, 2017

BRUCE L PETERS
141 N CHELMSFORD CT
WICHITA KS 67230-6914

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Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

FILE COPY

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

January 27, 2017

RICHARD D HORNING ESTATE
BROCK MCPHERSON EXECUTOR
2109 12TH ST
GREAT BEND KS 67530

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Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

FILE COPY

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Manhattan, Kansas 66502
(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

January 27, 2017

WFY HOLDING COMPANY
PO BOX 1506
GREAT BEND KS 67530

RE: Water Right, File Nos. 24,999; 31,940 & 31,941

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Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

FILE COPY

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

January 27, 2017

PAWNEE COUNTY CATTLE COMPANY INC
2660 N ROCKY VIEW RD
CASTLE ROCK CO 80108

RE: Water Right, File Nos. 24,999; 31,940 & 31,941

Dear Sir or Madam:

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Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

82-1111
FILE COPY



Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

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

September 22, 2016

WATER RESOURCES
RECEIVED

SEP 29 2016

ILS Farm LLC
Kelly Meyer
PO Box 1506
Great Bend KS 67530-1506
kelly.meyer@ilsbeef.com

KS DEPT OF AGRICULTURE

RE: Water Right, File No(s). 24999, 31940 & 31941 and
Pilot Project Term Permit

Dear Mr. Meyer,

You will find enclosed with this letter a set of four different applications for the referenced file numbers. Each application is outlined below along with what needs to be done to complete it. These applications were written with the intent converting File No. 24999 to a dual use permit for both irrigation and stockwatering use in addition to creating a project permit that allows more flexibility for the stockwater wells associated with a feedlot in the East Half of 21-22-16 W, Pawnee County.

All permits and associated maps will need to be carefully reviewed. Feel free to make corrections as needed. Each application will need at least one signature and some signatures will need to be notarized. In addition, all of the maps 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. The maps will also need to be signed.

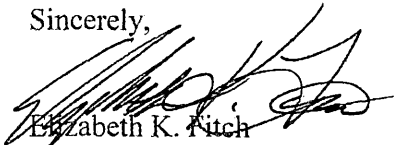
1. File No. 24999: This application and associated map proposes a change in the use made of water from irrigation to irrigation and stockwater use at the north well. The application also includes a place of use change that will add the referenced feedlot. This application is complete except for a notarized signature from the landowner on page 5. There is a \$500 application fee.
2. File No. 31940 & 31941: These two applications and associated maps propose a change in place of use to overlap both files so that the each cover the entire feedlot. Currently, the each file only covers one-half of the feedlot. These applications are complete except for a notarized signature from the landowner on page 5. There is a \$200 fee per application.
3. Project Term Permit Application: This application will create a group sum for the four stockwater wells currently and proposed to be authorized by the referenced file numbers, providing the water user greater flexibility. A signature from you or the landowner is needed on item number 10 AND number 11. A notary is not required, but be sure to sign both places. There is a \$340 fee for this application.

SCANNED

File No. 24999, 31940 & 31941 and
Pilot Project Term Permit
September 22, 2016
Page 2

The total fee for filing the enclosed applications is \$1,040. Please include a check made payable to the Kansas Department of Agriculture for the total amount with the signed applications when you submit them to Manhattan for processing. If I can be of any further assistance, or if you have any questions regarding the enclosed applications, please give me a call at 620.234.5311.

Sincerely,



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

Enclosures

WATER RESOURCES
RECEIVED

SEP 29 2016

KS DEPT OF AGRICULTURE

SCANNED

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

FILE COPY

September 30, 2016

ILS LAND LLC
PO BOX 1506
GREAT BEND , KS 67530

RE: File No. 24999

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 5 5

SCANNED

ADDRESS LISTING NEARBY NOTIFICATION LETTER DATED
Water Right, File Nos. 24,999; 31,940 & 31,941
Permit, File No. 20169090

File No. 16,111 NW/4 27-22-16w
JOHN G HALLOCK
854 100TH AVE
LARNED KS 67550

File No. 16,125 NE/4 28-22-16w
BRUCE L PETERS
141 N CHELMSFORD CT
WICHITA KS 67230-6914

File No. 17,091 NW/4 28-22-16w
RICHARD D HORNING ESTATE
BROCK MCPHERSON EXECUTOR
2109 12TH ST
GREAT BEND KS 67530

File No. 38623 Well in the NE SE 16-22-16W
WFY HOLDING COMPANY
PO BOX 1506
GREAT BEND KS 67530

File No. 20,826 NE 22-22-16W
PAWNEE COUNTY CATTLE COMPANY INC
2660 N ROCKY VIEW RD
CASTLE ROCK CO 80108

FILE COPY

80108

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

January 27, 2017

ADDRESS LIST

RE: Water Right, File Nos. 24,999; 31,940 & 31,941

Dear Sir or Madam:

This letter is to **provide notice** as required by Kansas Senate House Bill No. 337, which became effective on July 1, 2016.

The owner of the referenced appropriations of water has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

The application for File No. 24,999, proposes a change in use made of water and place of use. The application proposes to change the authorized use from irrigation to irrigation and stockwatering uses, with the stockwatering use to be at an existing stockwatering facility. The irrigated place of use under File No. 24,999, is the Northwest Quarter (NW¼) of Section 22, Township 22 South, Range 16 West, Pawnee County, Kansas.

The applications under File Nos. 31,940 & 31,941, which authorized only stockwatering use, propose a change in place of use to allow each right to be utilized within the currently authorized footprint of the facility. The description of the stockwatering facility proposed to be authorized by File Nos. 24,999; 31,940 & 31,941, is a feedlot located in the East Half of Section 21, in Township 22 South, Range 16 West, Pawnee County, Kansas.

If you have any questions, please contact our office, my desk phone is (785) 564-6633. If you wish to discuss a specific file, please have the file numbers ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

FILE COPY

COPIED

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

January 27, 2017

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Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

FILE COPY

SCANNED

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Manhattan, Kansas 66502
(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

January 27, 2017

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WICHITA KS 67230-6914

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Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

FILE COPY

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Topeka, Kansas 66612
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Jackie McClaskey, Secretary

Governor Sam Brownback

January 27, 2017

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2109 12TH ST
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Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

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Manhattan, Kansas 66502
(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

January 27, 2017

WFY HOLDING COMPANY
PO BOX 1506
GREAT BEND KS 67530

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Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

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900 SW Jackson, Room 456
Topeka, Kansas 66612
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Jackie McClaskey, Secretary

Governor Sam Brownback

January 27, 2017

PAWNEE COUNTY CATTLE COMPANY INC
2660 N ROCKY VIEW RD
CASTLE ROCK CO 80108

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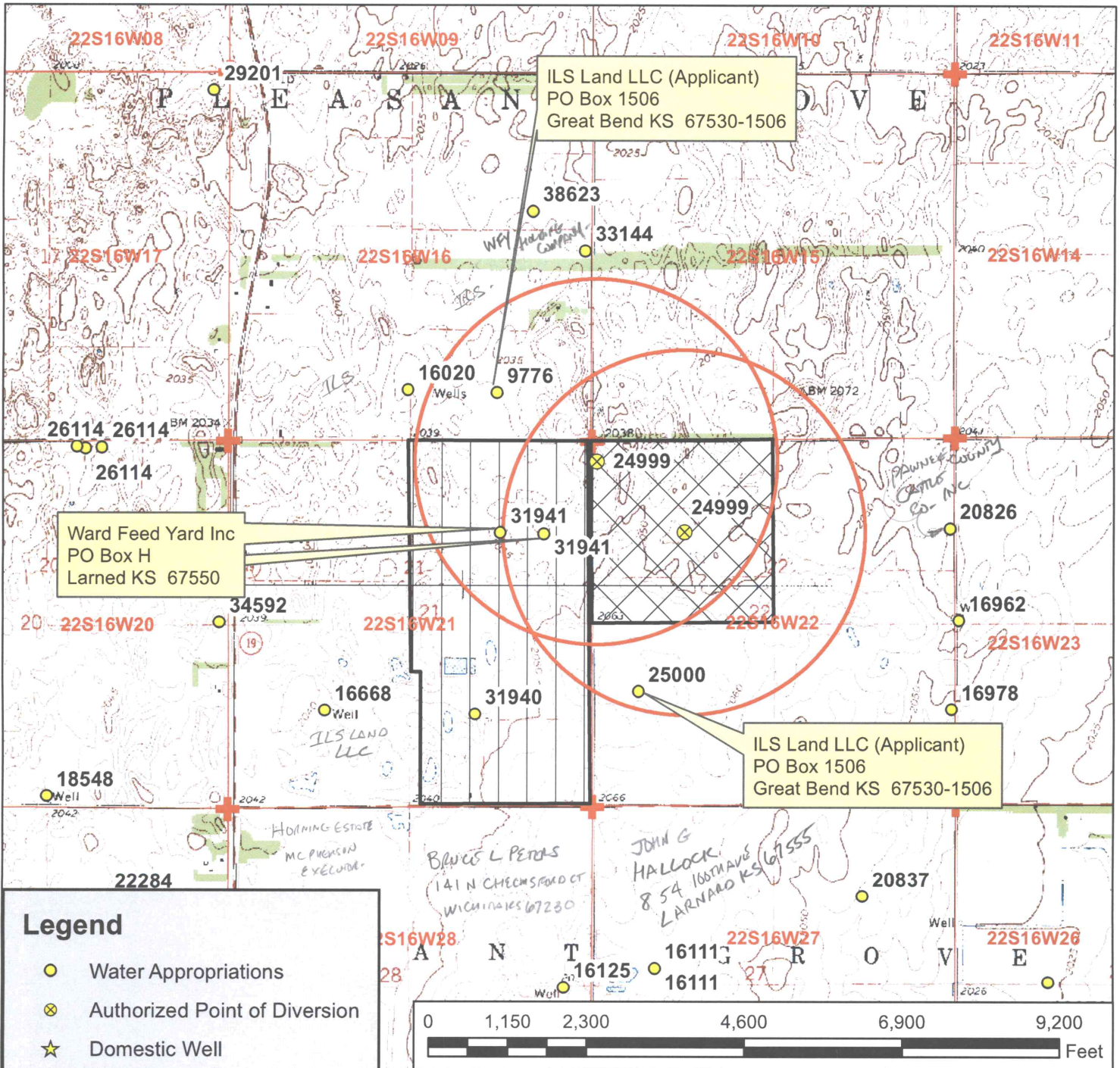
Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

FILE COPY



Legend

- Water Appropriations
- ⊗ Authorized Point of Diversion
- ★ Domestic Well
- ⊕ Section Corner
- ▭ Section Line
- Half Mile Circle

Place of Use

- ▨ Authorized--Irrigation
- ▧ Proposed--Irrigation
- ▩ Proposed--Stockwater

Water Right, File No. 24999

Change in Place of Use Application Map
 21 & 22-22S-16W // Pawnee County

WATER RESOURCES RECEIVED
 SEP 29 2016

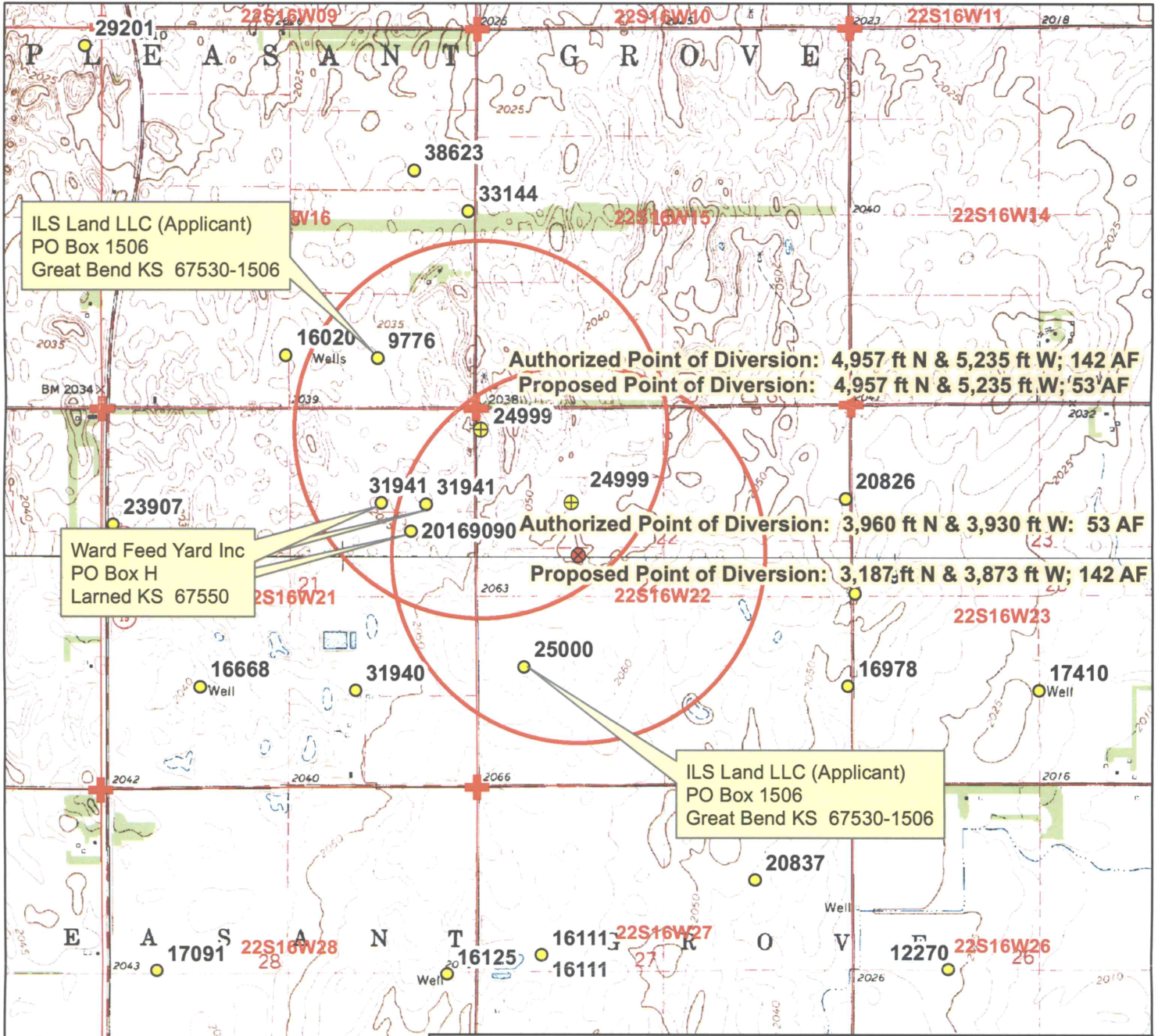
KS DEPT OF AGRICULTURE

To the best of my knowledge, all of the domestic wells within 1/2 mile of the authorized/proposed point(s) of diversion have been shown.

[Handwritten Signature]
 Signature

SCANNED

9/20/16 EKF-SFFO



Legend

- Water Appropriations
- ⊕ Authorized Point of Diversion
- ⊗ Proposed Point of Diversion
- ★ Domestic Well
- ⊕ Section Corner
- ▭ Section Line
- Half Mile Circle



Water Right, File No. 24999

Change in Point of Diversion Application Map
22-22S-16W // Pawnee County

To the best of my knowledge, all of the wells within 1/2 mile of the authorized/proposed point(s) of diversion have been shown.

Water Resources
Received



Signature *[Handwritten Signature]*

FEB 20 2018 2/13/18 EKF-SFFO