

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50,094
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

JUL 27 2018

11:30

KS DEPT OF AGRICULTURE

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

1. Name of Applicant (Please Print): KNIGHT FEEDLOT INC
Address: 1768 AVENUE J
City: LYONS State: KS Zip Code 67554-8805
Telephone Number: (620) 257-5106

2. The source of water is: [] surface water in (stream)
OR [x] groundwater in COW CREEK (drainage basin)

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

3. The maximum quantity of water desired is 145.16 acre-feet OR 47.3 Million gallons per calendar year, to be diverted at a maximum rate of 90 gallons per minute OR cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can NOT be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):
(a) [] Artificial Recharge (b) [] Irrigation (c) [] Recreational (d) [] Water Power
(e) [] Industrial (f) [] Municipal (g) [x] Stockwatering (h) [] Sediment Control
(i) [] Domestic (j) [] Dewatering (k) [] Hydraulic Dredging (l) [] Fire Protection
(m) [] Thermal Exchange (n) [] Contamination Remediation

YOU MUST COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:
F.O. 2 GMD Meets K.A.R. 5-3-1 (YES/NO) Use STW Source G/S County PC By ADW Date 7/27/18
Code REG REC Fee \$ 30 TR # 1900520 Receipt Date 7/27/18 Check # 5913

8/2/2018 LCM

* Fee taken from dismissed file Nos. 50,098 - 50,082

5. The location of the proposed wells, pump sites or other works for diversion of water is:

Note: For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

- (A) One in the SE quarter of the SE quarter of the SE quarter of Section 23, more particularly described as being near a point 82 feet North and 229 feet West of the Southeast corner of said section, in Township 19 South, Range 8 WEST, RICE County, Kansas.
- (B) One in the SE quarter of the SW quarter of the SE quarter of Section 23, more particularly described as being near a point 46 feet North and 1374 feet West of the Southeast corner of said section, in Township 19 South, Range 8 WEST, RICE County, Kansas.
- (C) One in the SW quarter of the SW quarter of the SE quarter of Section 23, more particularly described as being near a point 82 feet North and 2147 feet West of the Southeast corner of said section, in Township 19 South, Range 8 WEST, RICE County, Kansas.
- (D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

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

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

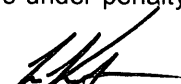
6. The owner of the point of diversion, if other than the applicant is (please print):

(name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 25, 2018.



Applicant's Signature

7. The proposed project for diversion of water will consist of 3 WELLS WITHIN 1/4 MILE RADIUS CIRCLE and (was)(will be) completed (by) SUMMER 2018.
(number of wells, pumps or dams, etc.)
(Month/Day/Year - each was or will be completed)

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

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

Yes No If "yes", a check valve shall be required.

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

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

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

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

GROUNDWATER WELLS

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

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (c) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (d) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

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

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

FILE NOS. 34,290; 38,175; 38,177; 47,276 and 47,277 overlap in PU

And Second New application to be filed.

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

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

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

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

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

(name, address and telephone number)

(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at LYONS, Kansas, this 25th day of July, 2018.
(month) (year)

[Signature]
(Applicant Signature)

APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By _____
(Agent or Officer Signature)

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

(Agent or Officer - Please Print)

Assisted by DWS _____ TOPEKA FO _____ Date: 7/24/2018
(office/title)

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FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

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KS DEPT OF AGRICULTURE

1700 E. IRON AVE. ▪ SALINA, KS 67401
T 785.823.0097 F 913.273.1493



1303 YUCCA ST. ▪ SCOTT CITY, KS 67871
WWW.KLAENVIRO.COM

July 25, 2018

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KS DEPT OF AGRICULTURE

Mr. David Barfield, P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502

Subject: Knight Feedlot, Inc. - Applications for New Appropriations of Water for Beneficial Use

Dear Mr. Barfield:

Two applications to appropriate water for stock watering and five Voluntary Dismissal of an Application for Permit to Appropriate Water forms for File Nos. 50078, 50079, 50080, 50081, and 50082 are enclosed for your consideration. These applications are submitted on behalf of the applicant, Knight Feedlot, Inc. Mr. Doug Schemm, Topeka Field Office, assisted with the preparation of these applications.

Also enclosed are email correspondence and a map prepared by Doug Schemm.

Please contact me if you have any questions concerning the enclosed application or the associated supporting documentation. Thank you for your consideration of this matter.

Respectfully,

Kevin L. Shamburg, P.E.
785-820-6087 (cell)
kshamburg@klaenviro.com

Enclosures

cc/enc: Luke Knight, Knight Feedlot, Inc.

Kevin Shamburg

From: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Sent: Tuesday, July 24, 2018 11:23 AM
To: Kevin Shamburg
Subject: Knight Feedlot Inc.
Attachments: App GW 4 wells qtr mile STK use.docx; App GW STK well battery.docx; 50079 VOLUNTARY WITHDRAWAL OF APPLICATION.DOCX; 50080 VOLUNTARY WITHDRAWAL OF APPLICATION.DOCX; 50081 VOLUNTARY WITHDRAWAL OF APPLICATION.DOCX; 50082 VOLUNTARY WITHDRAWAL OF APPLICATION.DOCX; 50078 VOLUNTARY WITHDRAWAL OF APPLICATION.DOCX

Kevin,

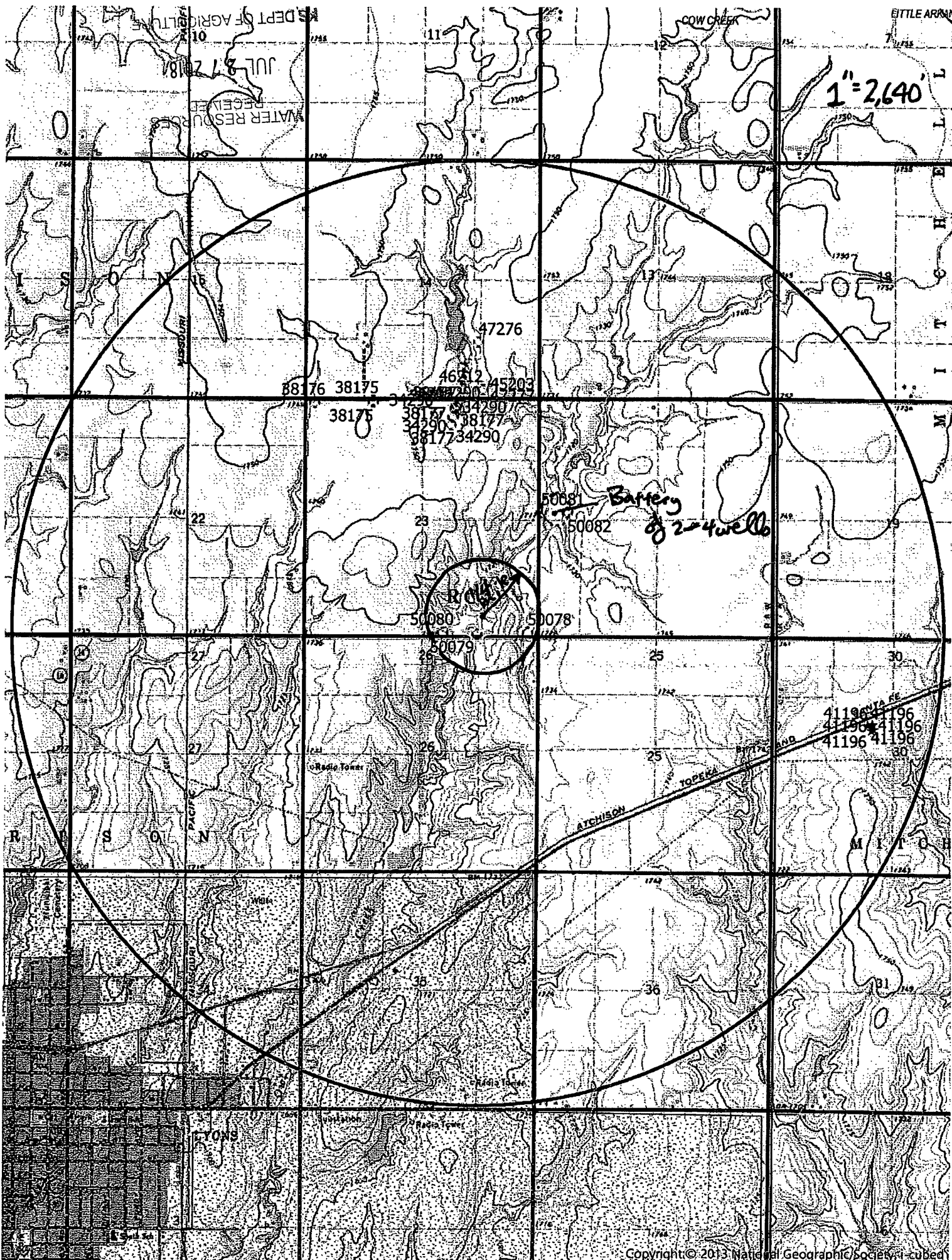
As we discussed, here's the 2 new applications for the 3 wells in ¼ mile, and the 4 well battery. I based the well locations on your existing application information. I've also attached voluntary closures for the 5 pending applications, contingent upon approval of these 2 new applications. The application forms must be signed at both **Paragraph Nos. 6 and 16**. Please submit the applications to the **Kansas Department of Agriculture, Division of Water Resources, 1320 Research Park Drive, Manhattan, KS 66502**.

Have a great day,
Doug

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U.S. DEPT OF AGRICULTURE
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1" = 2,640'

47276
88176 38175
46212
45293
38175
38177
34290
38177 34290
50081
50082

*BATTERY
of 2-4 wells*

ROCK

41196
41196
41196
41196

Radio Tower

ATCHISON
TOPEKA

*CONTINGENT UPON APPROVAL NEW APPLICATION

Voluntary Dismissal of an Application for Permit to Appropriate Water

(Date)

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

RE: Application File No. 50078

Chief Engineer:

We are submitting this statement in regard to Application for Permit to Appropriate Water, File No. 50078.

We are the applicant who filed this application. We now wish to voluntarily withdraw said application. We realize such withdrawal means the application will be dismissed and whatever priority it may have had will be forfeited. Please withdraw Application File No. 50078. By signing below, We also acknowledge the waiver of any right to a hearing or appeal that We may have had in regards to this Application.

Sincerely,

(Signature of Applicant)

KNIGHT FEEDLOT INC

(Please print name here)

1768 AVENUE J

(Mailing Address)

LYONS KS 67554-8805

(City, State, Zip)

(Signature of Applicant)

(Please print name here)

(Mailing Address)

(City, State, Zip)

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*CONTINGENT UPON APPROVAL NEW APPLICATION

Voluntary Dismissal of an Application for Permit to Appropriate Water

(Date)

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

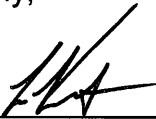
RE: Application File No. 50079

Chief Engineer:

We are submitting this statement in regard to Application for Permit to Appropriate Water, File No. 50079.

We are the applicant who filed this application. We now wish to voluntarily withdraw said application. We realize such withdrawal means the application will be dismissed and whatever priority it may have had will be forfeited. Please withdraw Application File No. 50079. By signing below, We also acknowledge the waiver of any right to a hearing or appeal that We may have had in regards to this Application.

Sincerely,



(Signature of Applicant)

KNIGHT FEEDLOT INC
(Please print name here)

1768 AVENUE J
(Mailing Address)

LYONS KS 67554-8805
(City, State, Zip)

(Signature of Applicant)

(Please print name here)

(Mailing Address)

(City, State, Zip)

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*CONTINGENT UPON APPROVAL NEW APPLICATION

Voluntary Dismissal of an Application for Permit to Appropriate Water

(Date)

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

RE: Application File No. 50080

Chief Engineer:

We are submitting this statement in regard to Application for Permit to Appropriate Water, File No. 50080.

We are the applicant who filed this application. We now wish to voluntarily withdraw said application. We realize such withdrawal means the application will be dismissed and whatever priority it may have had will be forfeited. Please withdraw Application File No. 50080. By signing below, We also acknowledge the waiver of any right to a hearing or appeal that We may have had in regards to this Application.

Sincerely,

(Signature of Applicant)

KNIGHT FEEDLOT INC
(Please print name here)

1768 AVENUE J
(Mailing Address)

LYONS KS 67554-8805
(City, State, Zip)

(Signature of Applicant)

(Please print name here)

(Mailing Address)

(City, State, Zip)

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*CONTINGENT UPON APPROVAL NEW APPLICATION

Voluntary Dismissal of an Application for Permit to Appropriate Water

(Date)

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

RE: Application File No. 50081

Chief Engineer:

We are submitting this statement in regard to Application for Permit to Appropriate Water, File No. 50081.

We are the applicant who filed this application. We now wish to voluntarily withdraw said application. We realize such withdrawal means the application will be dismissed and whatever priority it may have had will be forfeited. Please withdraw Application File No. 50081. By signing below, We also acknowledge the waiver of any right to a hearing or appeal that We may have had in regards to this Application.

Sincerely,

(Signature of Applicant)

KNIGHT FEEDLOT INC
(Please print name here)

1768 AVENUE J
(Mailing Address)

LYONS KS 67554-8805
(City, State, Zip)

(Signature of Applicant)

(Please print name here)

(Mailing Address)

(City, State, Zip)

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*CONTINGENT UPON APPROVAL NEW APPLICATION

Voluntary Dismissal of an Application for Permit to Appropriate Water

(Date)

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

RE: Application File No. 50082

Chief Engineer:

We are submitting this statement in regard to Application for Permit to Appropriate Water, File No. 50082.

We are the applicant who filed this application. We now wish to voluntarily withdraw said application. We realize such withdrawal means the application will be dismissed and whatever priority it may have had will be forfeited. Please withdraw Application File No. 50082. By signing below, We also acknowledge the waiver of any right to a hearing or appeal that We may have had in regards to this Application.

Sincerely,

(Signature of Applicant)

(Signature of Applicant)

KNIGHT FEEDLOT INC
(Please print name here)

(Please print name here)

1768 AVENUE J
(Mailing Address)

(Mailing Address)

LYONS KS 67554-8805
(City, State, Zip)

(City, State, Zip)

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Whitesell, Alex [KDA]

From: Schemm, Doug [KDA]
Sent: Wednesday, July 25, 2018 6:57 AM
To: Whitesell, Alex [KDA]
Cc: Baum, Kristen [KDA]
Subject: FW: Knight Feedlot Inc.
Attachments: App GW 4 wells qtr mile STK use.docx; App GW STK well battery.docx; 50079 VOLUNTARY WITHDRAWAL OF APPLICATION.DOCX; 50080 VOLUNTARY WITHDRAWAL OF APPLICATION.DOCX; 50081 VOLUNTARY WITHDRAWAL OF APPLICATION.DOCX; 50082 VOLUNTARY WITHDRAWAL OF APPLICATION.DOCX; 50078 VOLUNTARY WITHDRAWAL OF APPLICATION.DOCX

Here's what I sent to Kevin. These 2 apps will come in with NO money. We are applying the filing fees from their previous 5 apps 50,078 thru 50,082. I assume he will submit them soon.
Thanks, Doug

From: Schemm, Doug [KDA]
Sent: Tuesday, July 24, 2018 11:23 AM
To: 'kshamburg@klaenviro.com' <kshamburg@klaenviro.com>
Subject: Knight Feedlot Inc.

Kevin,

As we discussed, here's the 2 new applications for the 3 wells in ¼ mile, and the 4 well battery. I based the well locations on your existing application information. I've also attached voluntary closures for the 5 pending applications, contingent upon approval of these 2 new applications. The application forms must be signed at both **Paragraph Nos. 6 and 16**. Please submit the applications to the **Kansas Department of Agriculture, Division of Water Resources, 1320 Research Park Drive, Manhattan, KS 66502**.

Have a great day,
Doug

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

8/1/2018

KNIGHT FEEDLOT, INC
1768 AVENUE J
LYONS, KS 67554

RE: Application, File No. **50094**

Dear Sir or Madam:

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

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

Additional information about the process may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any other questions, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

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

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