

File No. **50,094** 15. Formation Code: 100/330 Drainage Basin: **Cow Creek** County: **RC** Special Use: Stream:

16. Points of Diversion										
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
MOD				SE SE SE	23	19	8W	11	454	152
√				SE SW SE	23	19	8W	12	46	1374
√				SW SW SE	23	19	8W	13	82	2147

17. Rate and Quantity MOD ADDL QTY				
Authorized		Additional		
Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	Overlap PD Files
90	47.3	90	0	NONE*

18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

19. Limitation: **174.25** **MG**/yr at _____ gpm (_____ cfs) when combined with file number(s) **RC-2; 3,543; 9,997; 34,290; 38,175; 38,177; 47,276; 47,277; and 50,093**
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

20. Meter Required? Yes No To be installed by **12/31/2020** Date Acceptable Meter Installed _____

21. Place of Use T MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files	
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
MOD	31039	23	19	8W	1	FEEDLOT																	7a.	NO	See Below	

Comments: **KNIGHT FEEDLOT FILES: 34,290; 38,175; 38,177; 47,276; 47,277; 50,093; and 50,094 all overlap in Place of Use.**
CITY OF LYONS FILES: RC-2; 3,543 and 9,997 overlap in Place of Use.
THESE ARE 3 INDIVIDUAL WELLS IN ¼ MILE RADIUS CIRCLE. *Senior file pd overlaps will be dismissed.

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

TO: Files

DATE: November 19, 2018

FROM: Doug Schemm

RE: Application, File Nos. 50,093 and 50,094
50,078; 50,079; 50,080; 50,081; and 50,082

Knight Feedlot Inc has filed the above referenced applications File Nos. 50,093 and 50,094 proposing to appropriate groundwater for stockwatering use. File No. 50,093 is requesting to appropriate 100 million gallons (306.89 acre-feet), and File No. 50,094 is requesting to appropriate 47.3 million gallons (145.17 acre-feet). The proposed wells are located in Sections 23 and 24, Township 19 South, Range 8 West, Rice County, Kansas, within the Cow Creek drainage basin. The applicant has signed the application forms stating that they have legal access to the points of diversion. The applicant was assisted by Topeka Field Office staff. Note that the applicant had filed five previous applications that were essentially replaced with these new applications, and they have submitted voluntary closure requests for File Nos. 50,078; 50,079; 50,080; 50,081; and 50,082. Findings and Orders will be prepared to dismiss these applications as requested upon approval of the new applications.

The applicant has five senior water rights, File Nos. 34,290; 38,175; 38,177; 47,276; and 47,277, which overlap in place of use. File No. 34,290 is authorized 3 million gallons, File No. 38,175 is authorized 15.4 million gallons, File No. 38,177 is authorized 16.16 million gallons, File No. 47,276 is authorized 31.536 (limited to 109.5 million gallons with 24.24 million gallons additional), and File No. 47,277 is authorized 21.024 million gallons (limited to 109.5 million gallons with 0 additional). Note that in addition to being limited with these senior STK files, these files are also limited in quantity with File Nos. RC-2; 3,543 and 9,997, which are owned by the City of Lyons. File No. RC-2 can provide 23 million gallons; File No. 3,543 can provide 7.1 million gallons; and File No. 9,997 can provide 24.6 million gallons for a total of 54.7 million gallons from the City of Lyons. The applicant's files are limited to total of 54.8 million gallons when combined with the City's files (109.5 mgy – 54.7 mgy). Note that Place of Use changes will be required on all of these senior files to create a complete overlap in Place of Use with the new applications.

The applicant provided an estimate for total water needs, as follows: 30,000 head of cattle x 10.5 gallons per head per day x 365 days = 114.975 million gallons. This is less than the typical maximum value requested of 15 gallons per head per day, which would equate to 164.25 million gallons. In addition, for similar operations water for cooling, sanitation, and other uses, can be estimated at 10 million gallons, for a total of 174.25 million gallons. As noted above, the authorized quantity for the feedlot supply is 109.5 million gallons. Therefore, it is proposed that File No. 50,093 will be limited to 174.25 million gallons with all senior files, providing an additional 64.75 million gallons (174.25 mgy – 109.5 mgy). File No. 50,094 will be limited to 174.25 million gallons with all senior files, providing 0 additional water. These additional wells will also provide flexibility and backup supply for the feedlot if any other wells were to fail.

File No. 50,093 is requesting to appropriate groundwater from a battery of four (4) wells at a rate of diversion of 800 gallons per minute. Note that File No. 50,094 is requesting to appropriate groundwater from three (3) individual wells at a combined rate of diversion of 90 gallons per minute (30 gpm per well). Per K.A.R. 5-3-4, a single application can include "Not more than four wells within a circle with a quarter-mile radius in the same local source of supply that do not exceed a maximum diversion rate of 20 gallons per minute per well." However, the applicant has requested a higher pumping rate to ensure an adequate water supply to the feedlot, especially if one of the wells were to become inoperable at a critical time. It was estimated that none of the wells are likely to exceed 30 gallons per minute. This operational flexibility in pumping rates will provide for more efficient management of both the feedlot operations and the source of supply. The requested pumping rate will require a waiver of K.A.R. 5-3-4 (d).

The applicant provided multiple test hole logs with the previous applications. In addition, during the processing of File Nos. 47,276 and 47,277 the applicant was required to provide additional hydrogeological data due to failure to meet well spacing for the confined Dakota system aquifer. Ground Water Associates, Inc. conducted pumping tests and reviewed available geologic reports and well logs, and prepared a letter dated July 23, 2009.

Knight Feedlot Inc.

File Nos. 50,093; 50,094; 50,078; 50,079; 50,080; 50,081; and 50,082

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This letter indicates that there are two aquifers, a shallow unconsolidated Quaternary Age aquifer composed of silt and sand, and a deeper sandstone aquifer (Dakota system). The letter also notes that both aquifers are considered to be semi-confined. Pump test results showed minimal drawdown of less than one foot in a well just 50 feet away from the pumping well, and no drawdown at wells 400 feet and 800 feet away. Based on this data, DWR approved File Nos. 47,276 and 47,277 noting that the required minimum well spacing criteria is not necessary to prevent direct impairment in this instance.

In general, the well logs show clay and "Dakota drift" extending to depths of 40 feet to 60 feet below ground, underlain by interbedded sandstone and shale. The sandstone units range from 6 feet to 27 feet in thickness, with several of them labeled as "coarse", and they should produce adequate water for these applications. Note that the sandstone thickness in the test holes in the Northwest Quarter of Section 24 are significantly greater than Section 23 test holes, which supports the higher rate of diversion for the battery of wells. No static water levels were provided on the test hole logs, however data from the pump test discussed above shows static water levels around 18 feet below ground surface. This static water level would be above the top of the sandstone aquifer, however, pump test results show that the shallower aquifer is also providing water to these wells and is likely influencing the static water level. In addition, note that nearby domestic wells, show that static water levels are the same or below the depths that groundwater was encountered, which would indicate this is an unconfined aquifer system.

Typically, when the Dakota aquifer system is overlain by a shallower aquifer, the entire system is considered to be unconfined and safe yield is evaluated using unconfined aquifer criteria in K.A.R. 5-3-11. Based on local area wells, the bedrock aquifer appears to extend throughout this 2-mile area; therefore it would appear reasonable to use the extent of the bedrock aquifer as the area of consideration. The potential annual recharge established for this area for unconfined aquifers (2 inches) would provide a maximum quantity of recharge possible. For both files, based on an area of consideration of 8,042 acres, a potential recharge of 2 inches, with 75% available for appropriation, safe yield was determined to be 1,005.3 acre-feet. Existing water rights have appropriated 289.7 acre-feet, leaving 715.6 acre-feet available for File No. 50,093. With the approval of File No. 50,093, there would be 408.71 acre-feet available for File No. 50,094, and both applications meet safe yield.

Although it is possible that these semi-confined aquifer systems would receive somewhat less recharge than a near-surface, unconfined aquifer, this safe yield value for unconfined aquifers per K.A.R. 5-3-11 provides a maximum quantity of water available in the area of consideration. If there is a significant quantity of water still remaining, then even with significant reduced recharge to the semi-confined aquifer (in this case it would require only 60% of the maximum or 1.2 inches of recharge) there would still be sufficient water available.

The applicant did not identify any domestic well owners within one-half ($\frac{1}{2}$) mile of the proposed points of diversion. However, after further review it appears that a domestic well is located to the south of the applicant's property within the Northeast Quarter of Section 26. A notification letter was sent out on August 8, 2018, and the well owner (Jack Prather) contacted our office on August 14, 2018. He expressed general concerns that his well could be impacted, and we discussed his senior water right and that he can contact the Stafford Field Office if he notices any issues in the future. His well is 70 feet in total depth, with depth to water of 35 feet. NOTE: Mr. Prather stated he is currently having problems with his well and he's going to contact a plumber to investigate it. He has not done any recent work on the well or pump. Per K.A.R. 5-4-4, for the unconfined Dakota aquifer system, well spacing is 1,320 feet to domestic wells and 2,640 feet to non-domestic wells, and with relocation of one of the wells under File No. 50,094, both applications comply with well spacing criteria to all other wells and to each other.

Knight Feedlot Inc.

File Nos. 50,093; 50,094; 50,078; 50,079; 50,080; 50,081; and 50,082

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In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

In an August 9, 2018 e-mail, Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the referenced applications, File Nos. 50,093 and 50,094. Based on the above discussion, well spacing and safe yield criteria are met, approval of the applications will not impair senior water rights nor prejudicially or unreasonably affect the public interest, and these will provide greater flexibility in sources of water and provide backup in case of other well failure, it is recommended that the referenced new applications be approved, in conjunction with the change applications on the senior files, and dismissals of other applications.

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www.agriculture.ks.gov



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

Mike Beam, Acting Secretary

Laura Kelly, Governor

March 15, 2019

KNIGHT FEEDLOT INC
% LUKE KNIGHT
1768 AVENUE J
LYONS KS 67554-8805

FILE COPY

RE: Appropriation of Water, File Nos. 50,093 and 50,094; and
Application, File Nos. 50,078; 50,079; 50,080; 50,081; and 50,082

Dear Mr. Knight:

There are enclosed permits to appropriate water (File Nos. 50,093 and 50,094) authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the sources and at the locations specified in these permits, and to use it for the purpose and at the location described in these permits.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these permits, with **specific reference to File No. 50,094, Paragraph No. 17 describing the requirements for locating all wells within a ¼ mile radius circle.** Water meters are required on the diversion works and you must install them prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meters should be used to provide the information required on the annual water use reports.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of these permits. Enclosed are forms which may be used to notify the Chief Engineer that the proposed diversion works have been completed for each file. All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in these permits to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in these permits. Failure to comply with this regulation will result in the dismissal of your permits or your water rights. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00 per file number. There is also enclosed an information sheet setting forth the procedure to obtain Certificates of Appropriation which will establish the extent of your water rights.

In addition, enclosed are the Findings and Orders by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File Nos. 50,078; 50,079; 50,080; 50,081; and 50,082 as you requested in your voluntary dismissal forms. Appropriation of Water, File Nos. 50,093 and 50,094 essentially replace these five applications.

If you are aggrieved by these Orders, 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.

Knight Feedlot Inc.

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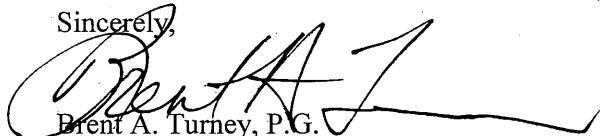
To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of these Orders as provided in K.S.A. 77-531 (**i.e., within a total of 18 days after these Orders were mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 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 these Orders 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 these Orders as provided in K.S.A. 77-531 (**i.e., within a total of 33 days after these Orders were mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 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 these Orders 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.

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:dws

Enclosures

pc: Stafford Field Office
KLA Environmental Services, Inc.

THE STATE  OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Acting Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, File No. **50,094** of the applicant

**KNIGHT FEEDLOT INC
1768 AVENUE J
LYONS KS 67554-8805**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **July 27, 2018**.
2. That the water sought to be appropriated shall be used for stockwatering use at a cattle feedlot located in Section 23, in Township 19 South, Range 8 West, Rice County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of three (3) wells located as follows:

one (1) well located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 23, more particularly described as being near a point 454 feet North and 152 feet West of the Southeast corner of said section,

one (1) well located in the Southeast Quarter of the Southwest Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 23, more particularly described as being near a point 46 feet North and 1,374 feet West of the Southeast corner of said section, and

one (1) well located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 23, more particularly described as being near a point 82 feet North and 2,174 feet West of the Southeast corner of said section,

all in Township 19 South, Range 8 West, Rice County, Kansas, located substantially as shown on the topographic map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **90 gallons per minute (0.20 c.f.s.)** and to a quantity not to exceed **47.3 million gallons** (145.16 acre-feet) of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2020** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2024** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

12. That acceptable water flow meters shall be installed and maintained on the diversion works authorized by this permit in accordance with Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. These water flow meters shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter readings at the beginning and end of the report year).

13. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

14. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

15. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

16. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

17. That this permit is further limited such that all wells shall be located within a $\frac{1}{4}$ mile (1,320 feet) radius circle and in the same local source of supply.

18. That the applicant shall submit to the Chief Engineer a copy of the well log required by the Kansas Department of Health and Environment under the authority of K.S.A. 82a-1212, currently form WWC-5, within 30 days following the drilling of the well at the location authorized herein.

19. That the quantity of water approved under this permit is further limited to the quantity which combined with Vested Water Right, RC-02; Water Right, File Nos. 3,543; 9,997; 34,290; 38,175; 38,177; and Appropriation of Water, File Nos. 47,276; 47,277; and 50,093, will provide a **total not to exceed 174.25 million gallons of water** per calendar year for stockwatering use as described herein.

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, Kansas 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, Kansas 66502, FAX (785) 564-6777.

Kansas Department of Agriculture
 Division of Water Resources
WAIVER REQUEST & WAIVER RULE WORKSHEET

File Number: 50,094

FO: 2 GMD: 0

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
STK	11/19/2018	145	Statewide	Application Acceptance	Maximum Instantaneous Rate
Rule Number	Date Granted	Date Denied	Justification:	The proposed pumping rate per well exceeds 20 gpm. This increased pumping rate is necessary to ensure an adequate water supply to the feedlot, especially if one of the wells were to become inoperable at a critical time. None of the wells are likely to exceed 30 gallons per minute, and they are pumped based on water supply demands at the feedlot, not on a continuous basis. Granting this waiver will not prejudicially or unreasonably affect the public interest and will not impair any existing water right.	
K.A.R. 5-3-4(d)	3/6/2019				

WAIVER RULE:

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive

Date Prepared 11/19/2018 By dws

Date Entered 3/12/2019 By LLM

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

WAIVER OF REGULATION
K.A.R. 5-3-4(d) Application

Date: 3/6, 2019.

Re: Application, File No. 50,094

1. That K.A.R. 5-3-4(d) states in part that if the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that any of the following categories may be included on a single application: (1) Not more than four wells within a circle with a quarter-mile radius in the same local source of supply that do not exceed a maximum diversion rate of 20 gallons per minute per well;....
2. That the referenced application is requesting three (3) wells within a quarter-mile radius circle in the same local source of supply; however the requested maximum diversion rate is 90 gallons per minute. This pumping rate would allow the applicant to exceed the maximum diversion rate of 20 gallons per minute per well.
3. That none of the wells will exceed 30 gallons per minute, and they will be pumped based on water supply demands at the feedlot, not on a continuous basis.
4. That the applicant has requested a higher pumping rate to ensure an adequate water supply to the feedlot, especially if one of the wells were to become inoperable at a critical time.
5. That including all three points of diversion on one application will provide operational flexibility in pumping rates to ensure that adequate pressure can be maintained throughout the system and will provide for more efficient management of both the feedlot operations and the source of supply.
6. That granting this waiver will not prejudicially or unreasonably affect the public interest, and no senior rights will be impaired by the proposed use.

Comments:

A handwritten signature in black ink, reading "David W. Barfield", written over a horizontal line.

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

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

APPLICATION COMPLETE
3/4/19
Reviewer KAB

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 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) 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 3 Meets K.A.R. 5-3-1 (YES/NO) Use STW Source G/S County PC By AW Date 7/27/18
Code REG REC Fee \$ 30 TR # 1900570 Receipt Date 7/27/18 Check # 5913

* Fee taken from dismissed file Nos. 50,098 - 50,092
8/2/2018 LCM
SCANNED

* Modified well location to meet spacing of 1,320' to domestic well (to the South). DWS/DWR 11/15/18
Applicant agreed to well move (see 11/15/18 email)

File No. 50,094

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^{454'} feet North and 228^{152'} 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
(number of wells, pumps or dams, etc.)
and (was)(will be) completed (by) SUMMER 2018
(Month/Day/Year - each was or will be completed)

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

WATER RESOURCES
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JUL 27 2018

KS DEPT OF AGRICULTURE

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
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**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 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) Stockwatering (h) Sediment Control
(i) Domestic (j) Dewatering (k) Hydraulic Dredging (l) Fire Protection
(m) Thermal Exchange (n) Contamination Remediation

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

For Office Use Only:							
F.O. <u>2</u>	GMD <u>3</u>	Meets K.A.R. 5-3-1 <u>(YES)</u>	Use <u>SNL</u>	Source <u>(S)</u>	County <u>PC</u>	By <u>AW</u>	Date <u>7/27/18</u>
Code <u>REG</u>	<u>REV</u>	Fee \$ <u>30</u>	TR # <u>1900520</u>	Receipt Date <u>7/27/18</u>	Check # <u>5913</u>		

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

8/2/2018 LCM

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)



(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)

WATER RESOURCES RECEIVED
JUL 27 2018
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KS DEPT OF AGRICULTURE

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

WATER RESOURCES
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JUL 27 2018

KS DEPT OF AGRICULTURE
SCANNED

**STOCKWATER USE
SUPPLEMENTAL SHEET**

File No. # 50,094

Name of Applicant (Please Print): KNIGHT FEEDLOT INC.

1. Please indicate type of livestock (cattle, hogs, etc.): CATTLE

2. Please complete the following table showing past and present water requirements:

PAST NUMBER OF HEAD AND WATER DIVERTED, IF APPLICABLE

LAST 5 YEARS	NUMBER OF HEAD	WATER DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
5 years ago			
Last year			
Present Year			

3. Please complete the following table showing estimated future water requirements:

ESTIMATED FUTURE NUMBER OF HEAD AND WATER DIVERTED

NEXT 5 YEARS	NUMBER OF HEAD	WATER TO BE DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
Year 1	30,000	174.25 Million gals	15 + Cooling and Sanitation
Year 2			
Year 3			
Year 4			
Year 5	30,000	174.25 Million gals	15 + Cooling and Sanitation

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

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

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			FEEDLOT IN SECTION 23, T19S, R8W, RICE CO.																

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

DRINKING

30,000 head of Cattle x 15 gallons/head (avg.) x 365 days = 164.25 Million gallons
 _____ head of _____ x _____ gallons/head (avg.) x _____ days = _____ gallons
 _____ head of _____ x _____ gallons/head (avg.) x _____ days = _____ gallons

COOLING

400 gallons/hour x 10 hour/day x 180 days = 0.72 Million gallons

SANITATION

200 g.p.m. x 60 min/hr x 14 hr/wk x 52 wks/yr = 8.74 Million gallons

OTHER USE (Explain) Keep waterers from freezing, etc. = 0.54 Million gallons

TOTAL ----- **174.25 Million** gallons

6. Show location of present and future location of confinement pens on your attached maps or photographs.
7. Total feed bunk space for cattle or livestock is _____ linear feet.
8. Total size of stock pens for confinement area of cattle, hogs, etc. is _____ square feet.

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

Schemm, Doug [KDA]

From: Kevin Shamburg <KShamburg@klaenviro.com>
Sent: Thursday, November 15, 2018 3:22 PM
To: Schemm, Doug [KDA]
Subject: RE: Knight Feedlot Inc. File Nos. 50,093 and 50,094

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Thanks Doug, we were aware of the east well location. Kevin

From: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Sent: Thursday, November 15, 2018 3:06 PM
To: Kevin Shamburg <KShamburg@klaenviro.com>
Subject: Knight Feedlot Inc. File Nos. 50,093 and 50,094

Hello Kevin,

I'm getting ready to send these to Manhattan for final review, since you have filed the Place on Use changes on your senior files.

I just wanted to send you the map to show that I had to move the east well under File No. 50,094 to the North to get 1,320 feet from the Domestic well.

Doug

From: Kevin Shamburg <KShamburg@klaenviro.com>
Sent: Wednesday, August 8, 2018 10:44 AM
To: Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Cc: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>; Letourneau, Lane [KDA] <Lane.Letourneau@ks.gov>; Luke Knight <luke.knight@ilsbeef.com>
Subject: RE: Knight Feedlot Inc.

Hello Doug,

It is good to hear that you are actively working on our applications. The proposed expansion will likely only happen if these new wells can be added to supply the additional water, so we thought it was wise to address the new applications before we apply for changes to the existing rights. Are we missing anything with this approach? Thanks.

Kevin Shamburg
KLA Environmental Services, Inc.

Cell: 785-820-6087



STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
TOPEKA FIELD OFFICE
6531 SE FORBES AVE., SUITE B
TOPEKA, KS 66619



PHONE: (785) 296-5733
FAX: (785) 296-8298
www.agriculture.ks.gov

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

August 8, 2018

JACK M PRATHER
1125 18TH RD
LYONS KS 67554

Re: Pending New Application, File No. 50,094

Dear Mr. Prather:

This is to advise you that Knight Feedlot Inc. has filed the application referred to above for a permit to appropriate 47.3 million gallons (145.16 acre-feet) of groundwater per calendar year for stockwatering use to be diverted at a maximum rate of 90 gallons per minute. The proposed points of diversion are three wells located in the Southeast Quarter of Section 23, in Township 19 South, Range 8 West, Rice County, Kansas.

Records in this office indicate that you may have a well or wells in this vicinity and you are being notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

You can find the application and site map posted by the file number referenced above at:
<http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

pc: Knight Feedlot Inc.
Kevin Shamburg, KLA Environmental Services, Inc.

(via e-mail)

#50,094

1st well

Report Date Monday, August 6 2018

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50094 00

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50094 00 STK

All wells
> 1/2 mile

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

meets spacing

82 Feet North and 229 Feet West of the Southeast Corner of Section 23 T 19S R 8W

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Tw	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit		
A__ 34290	00	STK	NK	G	5247	--	NE	NW	NE	5067	1867	23	19	8W	10	G	2	9.21	9.21	AF
Same					5236	--	NE	NW	NE	5053	1874	23	19	8W	4	B	2			
Same					5257	--	NE	NW	NE	5080	1860	23	19	8W	9	B	2			
A__ 38175	00	STK	NK	G	6197	--	NW	NE	NW	5202	3721	23	19	8W	8			47.26	47.26	AF
A__ 38177	00	STK	NK	G	5247	--	NE	NW	NE	5067	1867	23	19	8W	10	G	2	49.59	49.59	AF
Same					5236	--	NE	NW	NE	5053	1874	23	19	8W	4	B	2			
Same					5257	--	NE	NW	NE	5080	1860	23	19	8W	9	B	2			
A__ 41196	00	IND	NK	G	8044	--	NE	SE	NW	3372	3131	30	19	7W	5	G	3	22.34	22.34	AF
Same					8112	--	NE	SE	NW	3302	3080	30	19	7W	3	B	3			
Same					7960	--	NE	SE	NW	3393	3212	30	19	7W	4	B	3			
Same					8059	--	NE	SE	NW	3420	3103	30	19	7W	6	B	3			
A__ 47276	00	STK	KK	G	6570	--	NE	SW	SE	1260	1360	14	19	8W	2			96.78	.00	AF
A__ 47277	00	STK	KK	G	5499	--	SW	SE	SE	191	1254	14	19	8W	1			64.52	.00	AF
A__ 50078	00	STK	AY	G	0	--	SE	SE	SE	82	229	23	19	8W	11			50.00	50.00	AF
A__ 50079	00	STK	AY	G	1146	--	SE	SW	SE	46	1374	23	19	8W	12			50.00	50.00	AF
A__ 50080	00	STK	AY	G	1918	--	SW	SW	SE	82	2147	23	19	8W	13			50.00	50.00	AF
A__ 50081	00	STK	AY	G	2694	--	SW	SW	NW	2765	5241	24	19	8W	1			50.00	50.00	AF
A__ 50082	00	STK	AY	G	2824	--	SW	SW	NW	2765	4640	24	19	8W	2			50.00	50.00	AF
A__ 50093	00	STK	AY	G	2744	--	SW	SW	NW	2765	4940	24	19	8W	3	G	4	306.89	306.89	AF
Same					2694	--	SW	SW	NW	2765	5241	24	19	8W	1	B	4			
Same					2824	--	SW	SW	NW	2765	4640	24	19	8W	2	B	4			
Same					2988	--	SW	SW	NW	3015	4940	24	19	8W	4	B	4			
Same					2500	--	NW	NW	SW	2515	4940	24	19	8W	5	B	4			
A__ 50094	00	STK	AY	G	0	--	SE	SE	SE	82	229	23	19	8W	11			145.16	145.16	AF
Same					1146	--	SE	SW	SE	46	1374	23	19	8W	12					
Same					1918	--	SW	SW	SE	82	2147	23	19	8W	13					

To be dismissed

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	702.05	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	128.40	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	830.45	.00

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

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

82 Feet North and 229 Feet West of the Southeast Corner of Section 23 T 19S R 8W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

=====
File Number Use ST SR

A__ 34290 00 STK NK G

> KNIGHT FEEDLOT INC

>

> 1768 AVENUE J

> LYONS KS 67554

A__ 38175 00 STK NK G

> KNIGHT FEEDLOT INC

>

> 1768 AVENUE J

> LYONS KS 67554

A__ 38177 00 STK NK G

> KNIGHT FEEDLOT INC

>

> 1768 AVENUE J

> LYONS KS 67554

A__ 41196 00 IND NK G

> CENTRAL KANSAS SERVICES INC

>

> 1940 E HWY 56 PO BOX 413

> LYONS KS 67554

A__ 47276 00 STK KK G

> KNIGHT FEEDLOT INC

>

> 1768 AVENUE J

> LYONS KS 67554

A__ 47277 00 STK KK G

> KNIGHT FEEDLOT INC

>

> 1768 AVENUE J

> LYONS KS 67554

A__ 50078 00 STK AY G

> KNIGHT FEEDLOT INC

>

> 1768 AVENUE J

> LYONS KS 67554

A__ 50079 00 STK AY G

> KNIGHT FEEDLOT INC

>

> 1768 AVENUE J

> LYONS KS 67554

A__ 50080 00 STK AY G

> KNIGHT FEEDLOT INC

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> 1768 AVENUE J
> LYONS KS 67554

A__ 50081 00 STK AY G
> KNIGHT FEEDLOT INC
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> 1768 AVENUE J
> LYONS KS 67554

A__ 50082 00 STK AY G
> KNIGHT FEEDLOT INC
>
> 1768 AVENUE J
> LYONS KS 67554

A__ 50093 00 STK AY G
> KNIGHT FEEDLOT INC
>
> 1768 AVENUE J
> LYONS KS 67554

A__ 50094 00 STK AY G
> KNIGHT FEEDLOT INC
>
> 1768 AVENUE J
> LYONS KS 67554

=====

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50094 00 STK

2nd well

Water Right and Points of Diversion Within 2.00 miles of point defined as:
46 Feet North and 1374 Feet West of the Southeast Corner of Section 23 T 19S R 8W
GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 34290 00	STK	NK	G	5045	--	NE	NW	NE	5067	1867	23	19	8W	10	G 2	9.21	9.21	AF
Same				5032	--	NE	NW	NE	5053	1874	23	19	8W	4	B 2			
Same				5057	--	NE	NW	NE	5080	1860	23	19	8W	9	B 2			
A__ 38175 00	STK	NK	G	5665	--	NW	NE	NW	5202	3721	23	19	8W	8		47.26	47.26	AF
A__ 38177 00	STK	NK	G	5045	--	NE	NW	NE	5067	1867	23	19	8W	10	G 2	49.59	49.59	AF
Same				5032	--	NE	NW	NE	5053	1874	23	19	8W	4	B 2			
Same				5057	--	NE	NW	NE	5080	1860	23	19	8W	9	B 2			
A__ 41196 00	IND	NK	G	9147	--	NE	SE	NW	3372	3131	30	19	7W	5	G 3	22.34	22.34	AF
Same				9212	--	NE	SE	NW	3302	3080	30	19	7W	3	B 3			
Same				9063	--	NE	SE	NW	3393	3212	30	19	7W	4	B 3			
Same				9163	--	NE	SE	NW	3420	3103	30	19	7W	6	B 3			
A__ 47276 00	STK	KK	G	6510	--	NE	SW	SE	1260	1360	14	19	8W	2		96.78	.00	AF
A__ 47277 00	STK	KK	G	5442	--	SW	SE	SE	191	1254	14	19	8W	1		64.52	.00	AF
A__ 50078 00	STK	AY	G	1146	--	SE	SE	SE	82	229	23	19	8W	11		50.00	50.00	AF
A__ 50079 00	STK	AY	G	0	--	SE	SW	SE	46	1374	23	19	8W	12		50.00	50.00	AF

A__	50080 00 STK AY G	774 -- SW SW SE	82	2147	23	19	8W	13	50.00	50.00	AF
A__	50081 00 STK AY G	3073 -- SW SW NW	2765	5241	24	19	8W	1	50.00	50.00	AF
A__	50082 00 STK AY G	3397 -- SW SW NW	2765	4640	24	19	8W	2	50.00	50.00	AF
A__	50093 00 STK AY G	<u>3226</u> -- SW SW NW	2765	4940	24	19	8W	3 G 4	306.89	306.89	AF
Same		3073 -- SW SW NW	2765	5241	24	19	8W	1 B 4			
Same		3397 -- SW SW NW	2765	4640	24	19	8W	2 B 4			
Same		3439 -- SW SW NW	3015	4940	24	19	8W	4 B 4			
Same		3018 -- NW NW SW	2515	4940	24	19	8W	5 B 4			
A__	50094 00 STK AY G	1146 -- SE SE SE	82	229	23	19	8W	11	145.16	145.16	AF
Same		0 -- SE SW SE	46	1374	23	19	8W	12			
Same		774 -- SW SW SE	82	2147	23	19	8W	13			

```

=====
Total Net Quantities Authorized:  Direct      Storage
Total Requested Amount (AF) =    702.05      .00
Total Permitted Amount (AF) =         .00      .00
Total Inspected Amount (AF) =         .00      .00
Total Pro_Cert Amount (AF) =         .00      .00
Total Certified Amount (AF) =    128.40      .00
Total Vested Amount (AF) =         .00      .00
TOTAL AMOUNT (AF) =    830.45      .00
    
```

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

Water Rights and Points of Diversion Within 2.00 miles of point defined as:
 46 Feet North and 1374 Feet West of the Southeast Corner of Section 23 T 19S R 8W
 GROUNDWATER ONLY
 WATER USE CORRESPONDENTS:

```

=====
File Number      Use ST SR
    
```

```

A__ 34290 00 STK NK G
> KNIGHT FEEDLOT INC
>
> 1768 AVENUE J
> LYONS KS 67554
>-----
    
```

```

A__ 38175 00 STK NK G
> KNIGHT FEEDLOT INC
>
> 1768 AVENUE J
> LYONS KS 67554
>-----
    
```

```

A__ 38177 00 STK NK G
> KNIGHT FEEDLOT INC
>
> 1768 AVENUE J
> LYONS KS 67554
>-----
    
```

```

A__ 41196 00 IND NK G
> CENTRAL KANSAS SERVICES INC
>
    
```

> 1940 E HWY 56 PO BOX 413
> LYONS KS 67554

A__ 47276 00 STK KK G
> KNIGHT FEEDLOT INC
>
> 1768 AVENUE J
> LYONS KS 67554

A__ 47277 00 STK KK G
> KNIGHT FEEDLOT INC
>
> 1768 AVENUE J
> LYONS KS 67554

A__ 50078 00 STK AY G
> KNIGHT FEEDLOT INC
>
> 1768 AVENUE J
> LYONS KS 67554

A__ 50079 00 STK AY G
> KNIGHT FEEDLOT INC
>
> 1768 AVENUE J
> LYONS KS 67554

A__ 50080 00 STK AY G
> KNIGHT FEEDLOT INC
>
> 1768 AVENUE J
> LYONS KS 67554

A__ 50081 00 STK AY G
> KNIGHT FEEDLOT INC
>
> 1768 AVENUE J
> LYONS KS 67554

A__ 50082 00 STK AY G
> KNIGHT FEEDLOT INC
>
> 1768 AVENUE J
> LYONS KS 67554

A__ 50093 00 STK AY G
> KNIGHT FEEDLOT INC
>
> 1768 AVENUE J
> LYONS KS 67554

A__ 50094 00 STK AY G

> KNIGHT FEEDLOT INC
>
> 1768 AVENUE J
> LYONS KS 67554
>-----

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50094 00 STK

3rd well

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

82 Feet North and 2147 Feet West of the Southeast Corner of Section 23 T 19S R 8W

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist	(ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit	
A__ 34290	00	STK	NK	G	4993	--	NE	NW	NE	5067	1867	23	19	8W	10	G	2	9.21	9.21	AF
Same					4978	--	NE	NW	NE	5053	1874	23	19	8W	4	B	2			
Same					5006	--	NE	NW	NE	5080	1860	23	19	8W	9	B	2			
A__ 38175	00	STK	NK	G	5356	--	NW	NE	NW	5202	3721	23	19	8W	8			47.26	47.26	AF
A__ 38177	00	STK	NK	G	4993	--	NE	NW	NE	5067	1867	23	19	8W	10	G	2	49.59	49.59	AF
Same					4978	--	NE	NW	NE	5053	1874	23	19	8W	4	B	2			
Same					5006	--	NE	NW	NE	5080	1860	23	19	8W	9	B	2			
A__ 41196	00	IND	NK	G	9909	--	NE	SE	NW	3372	3131	30	19	7W	5	G	3	22.34	22.34	AF
Same					9974	--	NE	SE	NW	3302	3080	30	19	7W	3	B	3			
Same					9826	--	NE	SE	NW	3393	3212	30	19	7W	4	B	3			
Same					9927	--	NE	SE	NW	3420	3103	30	19	7W	6	B	3			
A__ 47276	00	STK	KK	G	6522	--	NE	SW	SE	1260	1360	14	19	8W	2			96.78	.00	AF
A__ 47277	00	STK	KK	G	5479	--	SW	SE	SE	191	1254	14	19	8W	1			64.52	.00	AF
A__ 50078	00	STK	AY	G	1918	--	SE	SE	SE	82	229	23	19	8W	11			50.00	50.00	AF
A__ 50079	00	STK	AY	G	774	--	SE	SW	SE	46	1374	23	19	8W	12			50.00	50.00	AF
A__ 50080	00	STK	AY	G	0	--	SW	SW	SE	82	2147	23	19	8W	13			50.00	50.00	AF
A__ 50081	00	STK	AY	G	3476	--	SW	SW	NW	2765	5241	24	19	8W	1			50.00	50.00	AF
A__ 50082	00	STK	AY	G	3887	--	SW	SW	NW	2765	4640	24	19	8W	2			50.00	50.00	AF
A__ 50093	00	STK	AY	G	<u>3675</u>	--	SW	SW	NW	2765	4940	24	19	8W	3	G	4	306.89	306.89	AF
Same					3476	--	SW	SW	NW	2765	5241	24	19	8W	1	B	4			
Same					3887	--	SW	SW	NW	2765	4640	24	19	8W	2	B	4			
Same					3861	--	SW	SW	NW	3015	4940	24	19	8W	4	B	4			
Same					3497	--	NW	NW	SW	2515	4940	24	19	8W	5	B	4			
A__ 50094	00	STK	AY	G	1918	--	SE	SE	SE	82	229	23	19	8W	11			145.16	145.16	AF
Same					774	--	SE	SW	SE	46	1374	23	19	8W	12					
Same					0	--	SW	SW	SE	82	2147	23	19	8W	13					

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	702.05	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	128.40	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	830.45	.00

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An * after the ID indicates a 15 AF exemption was granted under the file number.
A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

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

82 Feet North and 2147 Feet West of the Southeast Corner of Section 23 T 19S R 8W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

=====

File Number Use ST SR

A__ 34290 00 STK NK G

> KNIGHT FEEDLOT INC

>

> 1768 AVENUE J

> LYONS KS 67554

A__ 38175 00 STK NK G

> KNIGHT FEEDLOT INC

>

> 1768 AVENUE J

> LYONS KS 67554

A__ 38177 00 STK NK G

> KNIGHT FEEDLOT INC

>

> 1768 AVENUE J

> LYONS KS 67554

A__ 41196 00 IND NK G

> CENTRAL KANSAS SERVICES INC

>

> 1940 E HWY 56 PO BOX 413

> LYONS KS 67554

A__ 47276 00 STK KK G

> KNIGHT FEEDLOT INC

>

> 1768 AVENUE J

> LYONS KS 67554

A__ 47277 00 STK KK G

> KNIGHT FEEDLOT INC

>

> 1768 AVENUE J

> LYONS KS 67554

A__ 50078 00 STK AY G

> KNIGHT FEEDLOT INC

>

> 1768 AVENUE J

> LYONS KS 67554

A__ 50079 00 STK AY G

> KNIGHT FEEDLOT INC

>
> 1768 AVENUE J
> LYONS KS 67554

>-----

A__ 50080 00 STK AY G
> KNIGHT FEEDLOT INC

>
> 1768 AVENUE J
> LYONS KS 67554

>-----

A__ 50081 00 STK AY G
> KNIGHT FEEDLOT INC

>
> 1768 AVENUE J
> LYONS KS 67554

>-----

A__ 50082 00 STK AY G
> KNIGHT FEEDLOT INC

>
> 1768 AVENUE J
> LYONS KS 67554

>-----

A__ 50093 00 STK AY G
> KNIGHT FEEDLOT INC

>
> 1768 AVENUE J
> LYONS KS 67554

>-----

A__ 50094 00 STK AY G
> KNIGHT FEEDLOT INC

>
> 1768 AVENUE J
> LYONS KS 67554

>-----

=====

#####

#50,094

Analysis Results

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

The safe yield based on the variables listed below is 1,005.31 AF.

Total prior appropriations in the circle is 830.45 AF. $-250 - 145.16 = 435.29 \text{ AF} + 96.78 + 64.52 = \underline{596.59 \text{ AF}}$

Total quantity of water available for appropriation is 174.86 AF.

408.72 AF

Safe Yield Variables

The area used for the analysis is set at 8,042 acres.

The potential annual recharge at the circle center is estimated to be 2.0 inches.

The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 06-AUG-2018 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 13 water rights and 18 points of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
A 34290 00	STK	NK	G		NE	NW	NE	5053	1874	23	19	08W	4	WR	9.21	9.21		
Same	STK	NK	G		NE	NW	NE	5080	1860	23	19	08W	9	WR				
Same	STK	NK	G		NE	NW	NE	5067	1867	23	19	08W	10	WR				
A 38175 00	STK	NK	G		NW	NE	NW	5202	3721	23	19	08W	8	WR	47.26	47.26		
A 38177 00	STK	NK	G		NE	NW	NE	5053	1874	23	19	08W	4	WR	49.59	49.59		
Same	STK	NK	G		NE	NW	NE	5080	1860	23	19	08W	9	WR				
Same	STK	NK	G		NE	NW	NE	5067	1867	23	19	08W	10	WR				
A 41196 00	IND	NK	G		NE	SE	NW	3393	3212	30	19	07W	4	WR	22.34	22.34		
Same	IND	NK	G		NE	SE	NW	3302	3080	30	19	07W	3	WR				
Same	IND	NK	G		NE	SE	NW	3372	3131	30	19	07W	5	WR				
Same	IND	NK	G		NE	SE	NW	3420	3103	30	19	07W	6	WR				
A 47276 00	STK	KK	G		NE	SW	SE	1260	1360	14	19	08W	2	WR	96.78	0.00		
A 47277 00	STK	KK	G		SW	SE	SE	191	1254	14	19	08W	1	WR	64.52	0.00		
A 50078 00	STK	AY	G		SE	SE	SE	82	229	23	19	08W	11	WR	50.00	50.00		
A 50079 00	STK	AY	G		SE	SW	SE	46	1374	23	19	08W	12	WR	50.00	50.00		
A 50080 00	STK	AY	G		SW	SW	SE	82	2147	23	19	08W	13	WR	50.00	50.00		
A 50081 00	STK	AY	G		SW	SW	NW	2765	5241	24	19	08W	1	WR	50.00	50.00		
A 50082 00	STK	AY	G		SW	SW	NW	2765	4640	24	19	08W	2	WR	50.00	50.00		
A 50093 00	STK	AY	G		SW	SW	NW	2765	5241	24	19	08W	1	WR	306.89	306.89		
Same	STK	AY	G		SW	SW	NW	2765	4640	24	19	08W	2	WR				
Same	STK	AY	G		SW	SW	NW	2765	4940	24	19	08W	3	WR				
Same	STK	AY	G		SW	SW	NW	3015	4940	24	19	08W	4	WR				
Same	STK	AY	G		NW	NW	SW	2515	4940	24	19	08W	5	WR				
A 50094 00	STK	AY	G		SE	SE	SE	82	229	23	19	08W	11	WR	145.16	145.16		
Same	STK	AY	G		SE	SW	SE	46	1374	23	19	08W	12	WR				

96.78
64.52
To be dismissed
250 AF

Senior pending to be approved

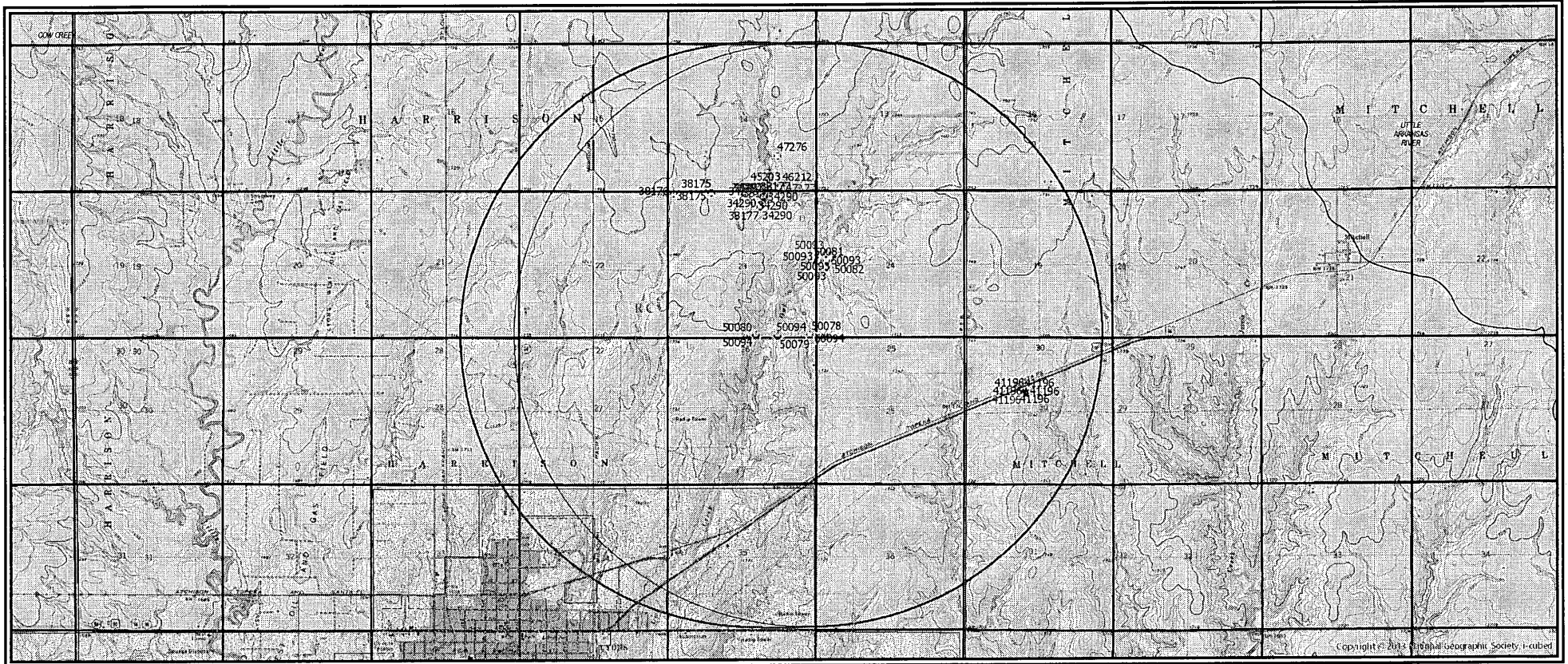
145.16

Safe Yield Report Sheet

Water Right- **A5009400**

Point of Diversion in 23-19S-08W

Footages from SE corner- 82 feet North 229 feet West



50,094

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth Quant	Add Quant	Tot Acres	Net Acres
Same	STK	AY	G		SW	SW	SE	82	2147	23	19	08W	13	WR				

Limitations

File Number	Seq Num	Limitations
A 38177 00	1	40GPM COM/W #34,290
A 47276 00	1	109.5MGY COM/W #RC 2, 3543, 9997, 34290, 38175 & 38177
A* 47277 00	1	109.5MGY COM/W #RC 2, 3543, 9997 , 34290, 38175, 38177 & 47276

336 AF

* Could pump full quantity under this file.

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

WATER RESOURCES
RECEIVED

JUL 27 2018

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.

SCANNED

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

WATER RESOURCES
RECEIVED

JUL 27 2018

KS DEPT OF AGRICULTURE

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

SCANNED

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.

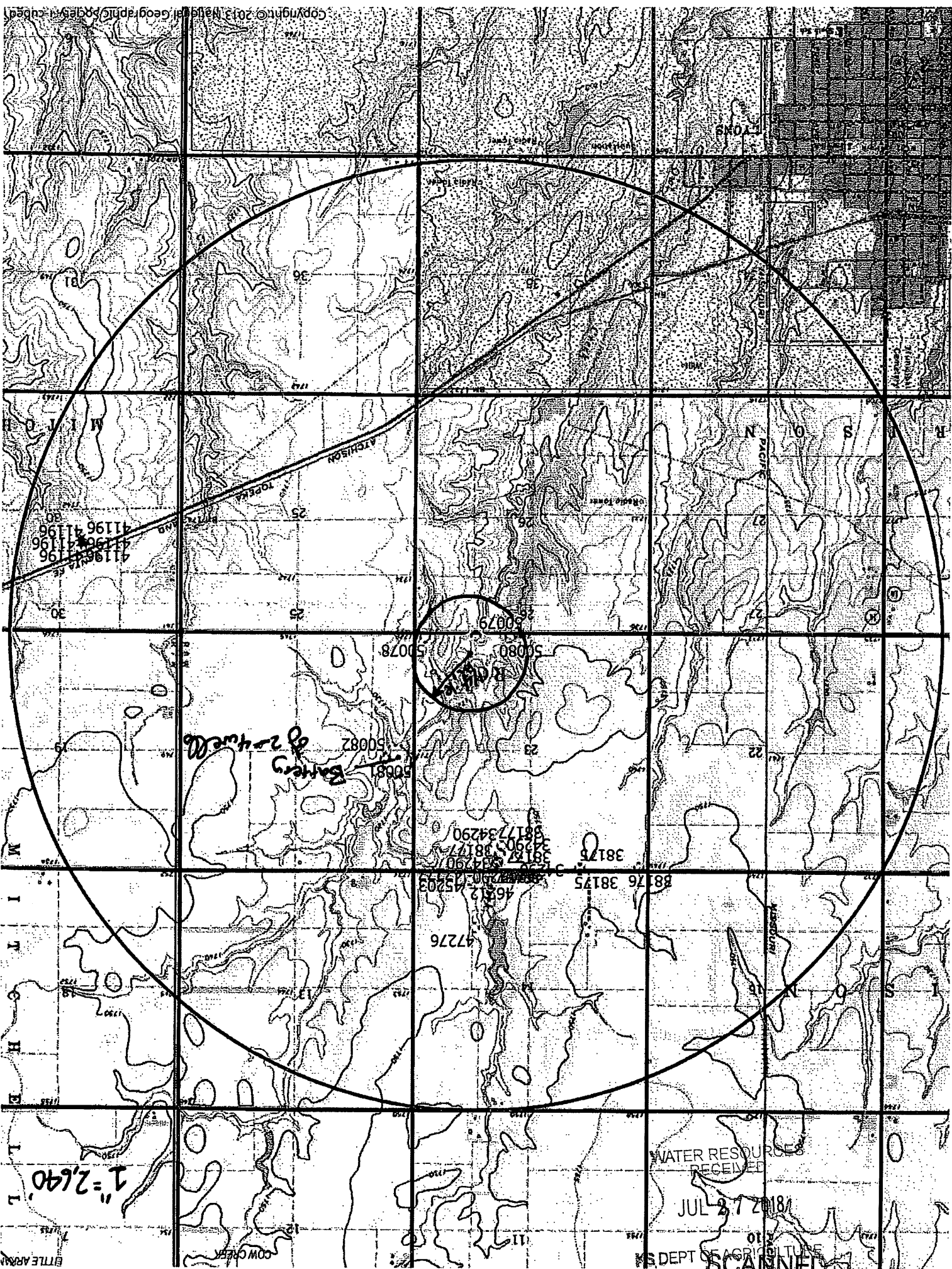
[Signature]
Applicant's Signature

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)

WATER RESOURCES RECEIVED

JUL 27 2018



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41196
41196
41196
41196
41196
41196

Dam of 24 ft high
Battery

1" = 2,640'

BITTLE ARMY

WATER RESOURCES
RECEIVED
JUL 27 2018
US DEPT OF AGRICULTURE
SCANNED

1:12,000

KNIGHT FEEDLOT INC - SITE MAP

File #'s 50,093 + 50,094



Southeast Corner of Section 23
Township 19 South
Range 8 West

Applicant's STK Wells
File No. 50,093

Applicant's STK Wells
File No. 50,094

Domestic Well
Jack Prather
1125 18th Road
Lyons, KS 67554

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus
DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Proposed Place of Use

All known wells within 1/2 mile
have been identified.