

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

1. File Number: <p style="text-align: center;">50,203</p>	2. Status Change Date: <p style="text-align: center;">4/8/2019</p>	3. Field Office: <p style="text-align: center;">01</p>	4. GMD: <p style="text-align: center;">0</p>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input checked="" type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
<p>7a. Applicant(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID 66187 Add Seq# _____</p> <p style="text-align: center;">HILLTOP CATTLE CO TRAVIS BOTT 1740 3RD RD LINN KS 66953</p> <p>7b. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p> <p>7a.</p>	<p>7c. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID 65257 Add Seq# _____</p> <p style="text-align: center;">BOTT CATTLE CO INC 1663 1ST RD PALMER KS 66962</p> <p>7d. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p>		
<p>8. WUR Correspondent New to system <input type="checkbox"/> Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: right;">Person ID _____ Add Seq# _____ Notarized WUC Form <input type="checkbox"/></p> <p>7a.</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="text-align: center;"><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input checked="" type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>		
10. Completion Date: <u>12/31/2020</u> 11. Perfection Date: <u>12/31/2024</u> 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
Date Prepared: 4/2/2019 By: DWS Date Entered: 4/11/2019 By: WCM			

File No. **50,203** 15. Formation Code: 330 Drainage Basin: BIG BLUE RIVER County: WS Special Use: Stream:

16. Points of Diversion										
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
✓				SW SE NW	29	5	3E	2	3196	3435

17. Rate and Quantity MOD ADDL QTY				
Authorized		Additional		
Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	Overlap PD Files
400	30.2	400	5.4	NONE

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

19. Limitation: 30.2 MG/yr at _____ gpm (_____ cfs) when combined with file number(s) 40,228 & 49,926
 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							NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	NO	Overlap Files						
MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼										
✓				29	5	3E	2	FEEDLOT (SE)																					7a.	NO	40,228 & 49,926*		
✓				34	5	3E	1	FEEDLOT (NE)																					7c.	NO	40,228 & 49,926*		

Comments: *CHANGE IN PLACE OF USE ON SENIOR FILES WILL CREATE COMPLETE OVERLAP.

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

TO: Files

DATE: April 3, 2019

FROM: Doug Schemm

RE: Application, File No. 50,203

Hilltop Cattle Company %Travis Bott, has filed the referenced new application to appropriate 30.2 million gallons (93 acre-feet) of groundwater from an existing well at a rate of 400 gallons per minute for stockwatering use at two feedlots. The well is located in the Northwest Quarter of Section 29, Township 5 South, Range 3 East, Washington County, within the Big Blue River Drainage Basin. The place of use (2 feedlots) is owned by the applicant and by Bott Cattle Co. Inc.. A representative of the applicant has signed the application form stating they have access to the point of diversion.

The new feedlot located in the Southeast Quarter of Section 29, is owned by the applicant Hilltop Cattle Company, and it currently does not have any water rights associated with it. The existing feedlot located in the Northeast Quarter of Section 34 is owned by Bott Cattle Co. Inc., and it is currently authorized under File Nos. 40,228 and 49,926. Change applications on these senior files will create a complete overlap in place of use (both feedlots).

The applicant was assisted by Topeka Field Office staff in filing this new application and the change applications for File Nos. 40,228 and 49,926, after it was determined that Bott Cattle Co. Inc. had been using the well requested under this pending application to supply water to their existing feedlot. In addition, the applicant had filed a domestic water right application, File No. 20183003 TD for his feedlot. However, after further discussion with the applicant and Bott Cattle Co. Inc., it was determined that this facility shares common feeding and other physical facilities (i.e. trucks, equipment, etc.), with Bott Cattle Co. Inc., and thereby meets the definition of a stockwatering facility. File No. 20183003 TD was dismissed on February 14, 2019, and has been replaced with this new STK application.

The requested quantity of water of 30.2 million gallons was based on providing an adequate supply of water for 5,000 head of cattle (4000 head at the existing feedlot and 999 head at the new feedlot). The applicant provided an estimate for drinking water, as follows: 5,000 head of cattle x 15 gallons per head per day x 365 days = 27.4 million gallons. The additional 2.9 million gallons is for barn cleaning, flushing, and cooling. The requested quantity of water and rate of diversion appear to be reasonable for the intended use. File No. 40,228 is authorized 9.39 million gallons, and File No. 49,926 is authorized 24.8 million gallons (limited to 24.8 million gallons with the senior file). This new application will be limited to 30.2 million gallons when combined with the senior files, providing 5.4 million gallons of additional water.

The applicant identified one domestic well within one-half mile, and a notification letter was sent out on February 26, 2019. No response of any kind was received. A review of the WRIS database and aerial photos support this, with no other potential domestic wells (e.g. homes or buildings) within one-half mile of the existing well, and no permitted wells within one-half mile. The nearest non-domestic well is over 3,500 feet away, and the nearest domestic well is over 2,000 feet away. The point of diversion meets minimum well spacing criteria to all existing wells per the requirements in K.A.R. 5-4-4 for the unconfined Dakota aquifer system. It is located over ½ mile from the nearest non-domestic well, and over 1,320 feet from the nearest domestic well.

The well proposed under this application shows sandstone was encountered at a very shallow depth of 8 feet below ground surface, and it extended to a depth of 56 feet, where gray shale was encountered. Static water level was 16 feet below ground surface, which is within the sandstone aquifer, indicating the unconfined Dakota aquifer system is the source. This is also consistent with the applicant's senior files, Nos. 40,228 and 49,926 located over one-half mile to the northeast.

To maintain consistency with processing of senior files sourcing this same aquifer, and per the safe yield criteria in K.A.R. 5-3-11, it is imperative to determine the extent of the unconfined aquifer (area of consideration). Wells to the south of this application have little or no sandstone aquifer, while the wells to the north are sourcing the unconfined Dakota aquifer system. Therefore, a portion of the two-mile circle to the south was excluded from the area of consideration (see enclosed map). Therefore, for this application the extent of the unconfined Dakota aquifer system was determined to be 6,403 acres. Based on a potential recharge of 2.6 inches, with 75% available for appropriation, safe yield was determined to be 1,040.45 acre-feet. Existing appropriations total only 76.11 acre-feet, leaving 964.34 acre-feet available for appropriation, and the application complies with safe yield criteria. The only water rights in the entire two-mile circle are Bott Cattle Co. Inc. files.

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 April 1, 2019 discussion, Katie Tietsort, Water Commissioner, Topeka Field Office, recommended approval of the referenced new application. Based on the above discussion, well spacing and safe yield criteria are met, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced new application be approved in conjunction with the Changes in Place of Use for File Nos. 40,228 and 49,926.

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

April 12, 2019

HILLTOP CATTLE CO
% TRAVIS BOTT
1740 3RD RD
LINN KS 66953

RE: Appropriation of Water, File No. 50,203

FILE COPY

Dear Sir or Madam:

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

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

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

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

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

Sincerely,

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

KAB:dws
Enclosure(s)

pc: Topeka Field Office
Bott Cattle Co. 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. 50,203** of the applicant

**HILLTOP CATTLE CO
TRAVIS BOTT
1740 3RD RD
LINN KS 66953**

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 **January 25, 2019**.
2. That the water sought to be appropriated shall be used for stockwatering use at cattle feedlots located in the Southeast Quarter (SE $\frac{1}{4}$) of Section 29, and the Northeast Quarter (NE $\frac{1}{4}$) of Section 34, all in Township 5 South, Range 3 East, Washington County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Southwest Quarter of the Southeast Quarter of the Northwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 29, more particularly described as being near a point 3,196 feet North and 3,435 feet West of the Southeast corner of said section, in Township 5 South, Range 3 East, Washington 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 **400 gallons per minute (0.89 c.f.s.)** and to a quantity not to exceed **30.2 million gallons (93 acre-feet)** of water for any calendar year.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2020** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

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

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

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

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

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

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

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

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

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

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

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

CERTIFICATE OF SERVICE

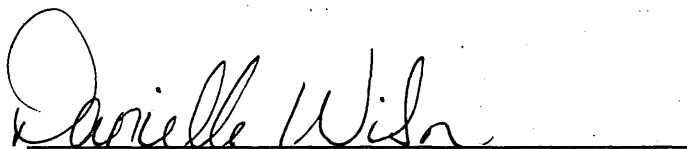
On this 12th day of April, 2019, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,203, dated April 8th, 2019 was mailed postage prepaid, first class, US mail to the following:

HILLTOP CATTLE CO
TRAVIS BOTT
1740 3RD RD
LINN KS 66953

With photocopies to:

BOTT CATTLE CO INC
1663 1ST RD
PALMER KS 66962

Topeka Field Office



Division of Water Resources

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 50203
This item to be completed by the Division of Water Resources.

Water Resources
Received

APPLICATION COMPLETE
4/1/19
Reviewer KAB

JAN 25 2019

12:27
KS Dept Of Agriculture

**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.)

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): HILLTOP CATTLE COMPANY %TRAVIS BOTT
Address: 1663 1ST RD
City: PALMER State: KS Zip Code 66962
Telephone Number: (785) 447-0221 travis bott@hotmail.com

2. The source of water is: surface water in _____ (stream)
OR groundwater in BIG BLUE RIVER (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 93 acre-feet OR 30.2 MILLION gallons per calendar year, to be diverted at a maximum rate of 400 gallons per minute OR _____ cubic feet per second.

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

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

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

For Office Use Only:
F.O. 1 GMD 1 Meets K.A.R. 5-3-1 (YES / NO) Use STK Source (G) S County WS By DAW Date 1/25/19
Code _____ REG _____ Fee \$ 200 TR # _____ Receipt Date 1/25/19 Check # 20494

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 SW quarter of the SE quarter of the NW quarter of Section 29, more particularly described as being near a point 3196 feet North and 3435 feet West of the Southeast corner of said section, in Township 5 South, Range 3 East, WASHINGTON County, Kansas.

(B) 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.

(C) 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.

(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)

(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 1-18, 2019. *Daryl Bost*
Applicant's Signature

7. The proposed project for diversion of water will consist of ONE WELL
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) Existing Domestic Well
(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 Spring 2019
(Mo/Day/Year)

Water Resources
Received

JAN 25 2019

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

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

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

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

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

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

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

(a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.

(b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.

(c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.

(d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.

(e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

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

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

FILE NOS. 40,228 & 49,926 WILL OVERLAP IN PU AFTER CHANGES.

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	60	_____	_____	_____
Depth to water bearing formation	16	_____	_____	_____
Depth to static water level	16	_____	_____	_____
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/Agent
(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):

BOTT CATTLE COMPANY INC., 1663 1ST ROAD, PALMER KS 66962
(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 _____, Kansas, this _____ day of _____
(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: 1/8/2019
(office/title)

Water Resources
Received

JAN 25 2019

KS Dept Of Agriculture

STOCKWATER USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): HILLTOP CATTLE COMPANY %TRAVIS BOTT

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	5000		

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	5000		15 (plus cooling & sanitation)
Year 2			
Year 3			
Year 4			
Year 5	5000		15 (plus cooling & sanitation)

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

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

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
29	5	3E	FEEDLOT (SE)																				
34	5	3E	FEEDLOT (NE)																				

Water Resources
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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

5000 head of CATTLE x 15 gallons/head (avg.) x 365 days = 27.4 Million gallons
 _____ head of _____ x _____ gallons/head (avg.) x _____ days = _____ gallons
 _____ head of _____ x _____ gallons/head (avg.) x _____ days = _____ gallons

COOLING

600 gallons/hour x 8 hour/day x 240 days = 1.15 Million gallons

SANITATION

40 g.p.m. x 60 min/hr x 14 hr/wk x 52 wks/yr = 1.75 Million gallons

OTHER USE (Explain) _____ = _____ gallons

TOTAL ----- **30.3 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.

4. The presently authorized place of use is:

Owner of Land — NAME: BOTT CATTLE CO INC.

ADDRESS: 1663 1ST ROAD, PALMER, KS 66962

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES				
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					
34	5S	3E	FEEDLOT (NE)																				

List any other water rights that cover this place of use. 49,926

Owner of Land — NAME: _____

ADDRESS: _____

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

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

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

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

Owner of Land — NAME: BOTT CATTLE CO INC.

ADDRESS: 1663 1ST ROAD, PALMER, KS 66962

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES				
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					
34	5S	3E	FEEDLOT (NE)																				

List any other water rights that cover this place of use. 49,926 & PENDING NEW APPLICATION TO BE FILED

Owner of Land — NAME: HILLTOP CATTLE CO INC.

ADDRESS: 1663 1ST ROAD, PALMER, KS 66962

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES				
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					
29	5S	3E	FEEDLOT (SE)																				

Water Resources
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JAN 25 2019
KS Dept Of Agriculture

List any other water rights that cover this place of use. 49,926 & PENDING NEW APPLICATION TO BE FILED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

SCANNED

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, Interim Secretary

Laura Kelly, Governor

January 29, 2019

TRAVIS BOTT
1663 1ST RD
PALMER, KS 66962

RE: Application, File No. **50203**

Dear Sir or Madam:

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

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

Additional information about the process may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any other questions, please contact our office at 785-564-6640 or your local Topeka Field Office at 785-296-5733. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

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

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

SCANNED

HILLTOP CATTLE CO NEW APPLICATION - SITE MAP



Proposed Point of Diversion
One Well
3,196' N & 3,435' W

Domestic Well
Gregory and Amy Bott
1476 2nd RD
Palmer KS 66962

Well Battery
File Nos. 40,228 & 49,926
Bott Cattle Company Inc.

Southeast Corner of Section 29
Township 5 South
Range 3 East

Southeast Corner of Section 34
Township 5 South
Range 3 East

KS Dept Of Agriculture
JAN 24 2019
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1:24,000

- Proposed Point of Diversion
- ▨ Proposed Place of Use

All known wells within one-half mile of the
proposed point of diversion are shown on this map.

Darryl Bott

