

# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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

**APPLICATION FOR TERM PERMIT**

- GROUNDWATER  
 SURFACE WATER  
 (check one)

Water Resources  
 Received

OCT 21 2019  
 11:40



State of Kansas

**STATUTORY FILING FEE MUST ACCOMPANY THIS APPLICATION**  
 (Make check payable to the Kansas Department of Agriculture)

20199064

1. Applicant: (Please print or type)  
 Name POKY FEEDERS, INC.  
 Street 600 E ROAD 30  
 City and State SCOTT CITY, KS  
 Zip Code 67871-5043 Telephone No. (620) 872-5834  
 E-Mail Address kdechant@pokyfeeders.com  
 Social Security I.D. No. \_\_\_\_\_  
 and/or Taxpayer I.D. No. \_\_\_\_\_

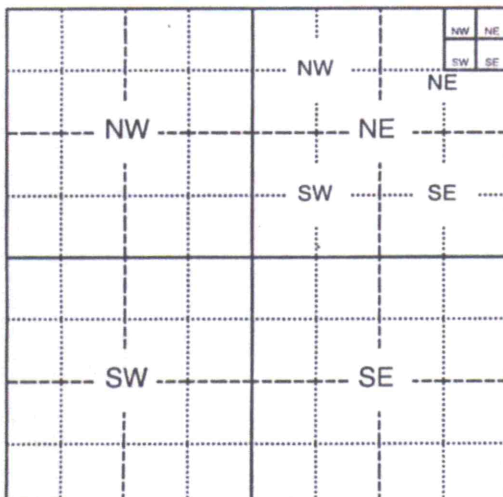
2. Location of Point of Diversion: GEO center of 13 wells:  
Sec. 16, 18, 19, 31, Twp. 20S, Rng. 32W

SCOTT County, Kansas.

Distance from Southeast Corner of Section:  
Listed on attachment feet North from Southeast Corner  
Listed on attachment feet West from Southeast Corner

NOTE: If point of diversion is not site specific (i.e. groundwater pit) show the approximate geographic center.

3. Water Use Data:  
 Proposed Max. Pumping Rate (gpm) See attachment  
 Amount Requested (acre-feet) 764 Acre-Feet  
 per calendar year  
 Depth of Well (feet) NA  
 Date (completed) (will be completed) NA- existing wells  
 Drainage Basin ARKANSAS RIVER  
 Name of Stream NA



Assisted by MM/GCFO  
 4. Water is to be used for (briefly describe proposed use and explain the rate and quantity requested):  
STOCKWATER USE AS A PILOT  
allowing grouping of stockwater wells supplying the facility

5. Location of place of use:  
SW Sec 8, SW Sec 17, S2 Sec 18, E2 of Sec 19, W2SW of Sec 20, all in T.20S R.32W, Scott County

6. Period of use:  
 Commencing date: January 1st, 2020  
 Ending Date: December 31st, 2024 Also enter on Item 12

If off-stream pit, check here   
 Will pit floor intersect water table? Yes  No

7. Location of the proposed point of diversion and those of other water users within 1/2 mile shall be indicated on the diagram to the lower-left, scale 1 inch = 2,000 feet. If surface water, indicate on the diagram the course of the stream, and its name. List other D.W.R. permit numbers that cover the requested point(s) of diversion or place of use here:  
SEE ATTACHED

**FEE SCHEDULE**

- The filing fee for an application is based on the maximum amount of water use proposed within a year. Except for storage, the fee is:  

Acre-feet	Fee
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00

 plus \$20 for each additional 100 acre-feet or any part thereof.
- The fee for an application in which storage is requested, is:  

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.

- 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.
- A request for an extension of time to extend the term of a term permit shall be accompanied by a fee of \$100.00.
- There is a separate application form for domestic use. Do not use this form for domestic use.

**CONVERSION FACTORS**

1 acre-foot equals 325,851 gallons  
 1 million gallons equal 3.07 acre-feet

10/23/2019  
 LMoody

RECEIVED

OCT 16 2019

Garden City Field Office  
 DIVISION OF WATER RESOURCES

For Office Use Only:  
 F.O. 4 GMD 1 Meets K.A.R. 5-3-1 (YES/NO) Use STK Source G/S County SC By KJN Date 10/21/19  
 Code TR3 Fee \$ 400 TR # \_\_\_\_\_ Receipt Date 10/21/19 Check # 195785



8. For groundwater use, list below all wells within 1/2 mile of the proposed well, and plot locations upon the diagram on reverse side. If additional space is needed, attach a map.

Other wells -

Well A Owner(s): SEE ATTACHED  
Address: \_\_\_\_\_

Well B Owner(s): \_\_\_\_\_  
Address: \_\_\_\_\_

9. For surface water use, list below the names and addresses of all landowners from a point 1/2 mile upstream to a point 1/2 mile downstream of the tract of land upon which the point of diversion is located. If additional space is needed, attach sheet.

Tract A Owner(s): NA  
Address: \_\_\_\_\_

Water Resources  
Received

Tract B Owner(s): NA  
Address: \_\_\_\_\_

OCT 21 2019

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

KS Dept Of Agriculture

(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 October 14, 2019.

[Signature]  
Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

11. The applicant states that the information set hereon is true and accurate to the best of his/her knowledge.

12. The applicant agrees to waive any right to a hearing on the matter of abandonment of this appropriation right and further agrees that this appropriation right may be dismissed and terminated upon completion of the proposed project, said dismissal date to be on December 31, 2024 or within any extension of time authorized by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

13. The applicant agrees to provide water to nearby water users, at no charge to said users, should their rights to use water become impaired by the project proposed by this application.

14. Water use contact person (in event emergency contact is needed):

Name: Kirk Dechant Telephone No. (620) 872-5834

[Signature]  
Signature of Applicant  
Kirk Dechant  
Applicant's Name Printed

or

\_\_\_\_\_  
Authorized Representative  
GFO, Poky Feeders, Inc.  
Title  
10/14/2019  
Date

**DO NOT WRITE BELOW THIS LINE**

**CONDITIONS OF APPROVAL:**

The applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined. Accurate and complete records shall be furnished to 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.

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.

The Chief Engineer specifically retains jurisdiction in this matter with authority to make such reasonable reductions in the approved rate of diversion and quantity authorized, and such changes in other terms, conditions, and limitation set forth in this approval and permit to proceed as may be deemed to be in the public interest.

RECEIVED

OCT 16 2019

Garden City Field Office  
DIVISION OF WATER RESOURCES

ATTACHMENT TO TERM PERMIT FOR POKY FEEDERS, INC

Section	Township	Range	County	Distance North from SE Corner	Distance West from SE Corner	Comment
16	20S	32W	Scott	2660 ft	161 ft	PD overlap with File No. 8,630 ID 2
16	20S	32W	Scott	78 ft	2393 ft	PD overlap with File No. 8,630 ID 1
16	20S	32W	Scott	1243 ft	52 ft	PD overlap with File No. 8,630 ID 3
18	20S	32W	Scott	1224 ft	5150 ft	PD overlap with File No. 12,594 (battery of 2 wells)
19	20S	32W	Scott	2550 ft	1150 ft	PD overlap with File No. 13,938
18	20S	32W	Scott	5235 ft	95 ft	PD overlap with File No. 24,894
19	20S	32W	Scott	2710 ft	50 ft	PD overlap with File No. 26,218
18	20S	32W	Scott	1406 ft	2979 ft	PD overlap with File No. 36,291
18	20S	32W	Scott	1330 ft	4603 ft	PD overlap with File No. 36,292
18	20S	32W	Scott	2568 ft	2953 ft	PD overlap with File No. 37,908
31	20S	32W	Scott	5254 ft	3680 ft	PD overlap with File No. 9,488 ID 1
31	20S	32W	SCOTT	3960 FT	1370 FT	PD overlap with File No. 15843 id4

Water Resources  
Received

OCT 21 2019

KS Dept Of Agriculture

RECEIVED

OCT 16 2019

Garden City Field Office  
DIVISION OF WATER RESOURCES

Continuation of Page 1, No. 3, Water Use Data, Proposed Max. Pumping Rate

<u>PD (Well) ID</u>	<u>Authorized Rate</u>
8,630 ID 2	225 GPM
8,630 ID 1	325 GPM
8,630 ID 3	250 GPM
12,594	480 GPM
13,938	660 GPM
24,894	110 GPM
26,218	500 GPM
36, 291	15 GPM
36, 292	50 GPM
37, 908	51 GPM
9,488 ID 1	288 GPM
15,843	725 GPM
	Total = 3679 GPM

Limit each well to its authorized rate and less than 800 GPM when operating under emergency circumstances

**Limit File No. 9488 to 120 AF/yr**  
**Limit File No. 15843 to 254 AF/yr**  
**\*per email w/ Poky Feeders on 12/4/2019**

12/4/2019  
AM

Water Resources  
Received

OCT 21 2019

KS Dept Of Agriculture

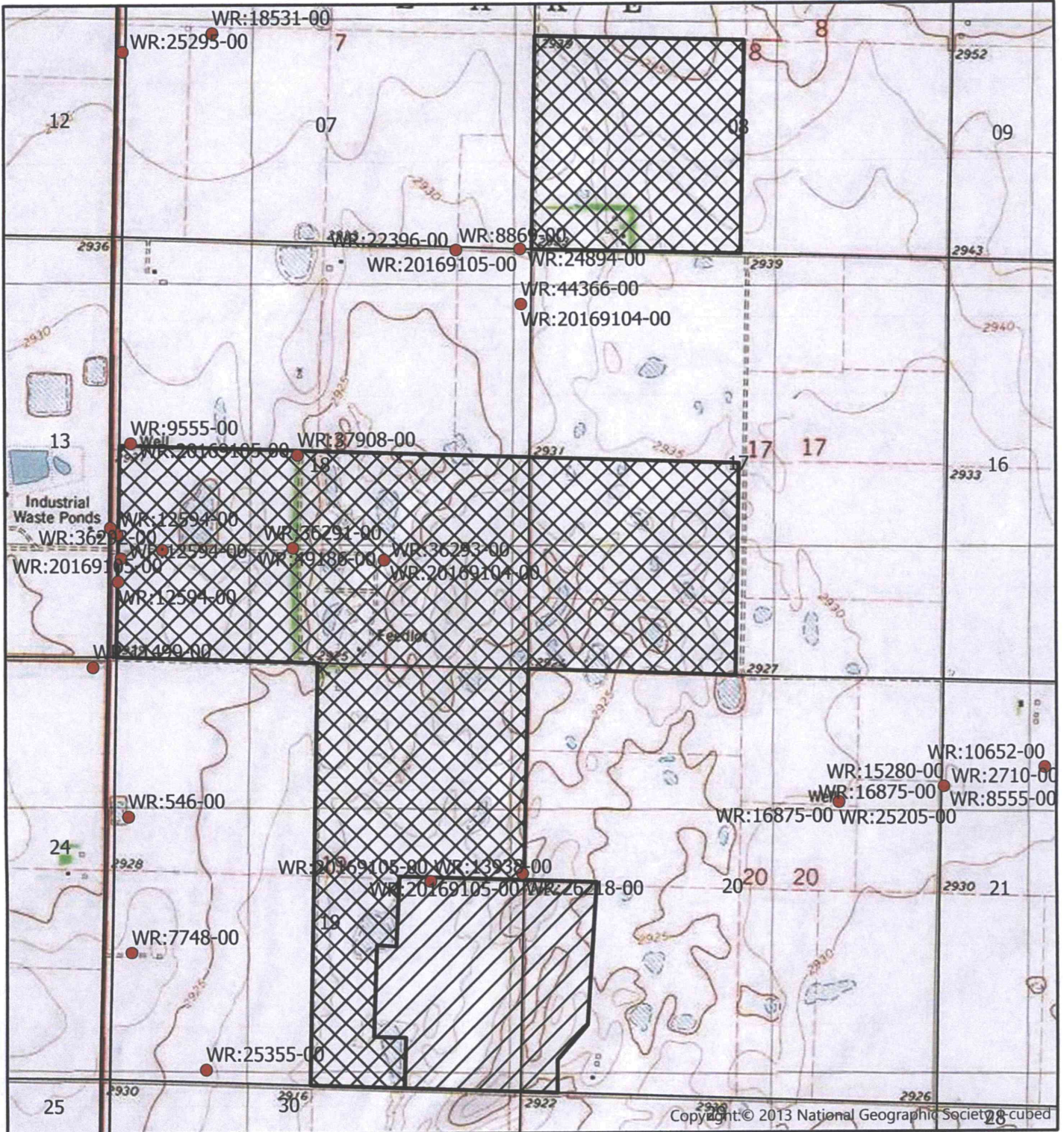
RECEIVED

OCT 16 2019

Garden City Field Office  
DIVISION OF WATER RESOURCES



Application to Change the Place of Use File No.



Township 20 South Range 32 West  
Scott County



Authorized Place of Use



Proposed Place of Use

RECEIVED

OCT 21 2019

OCT 16 2019

KS Dept Of Agriculture



Garden City Field Office  
DIVISION OF WATER RESOURCES

Created By: AM/GCFO



WATER RIGHT NAME	ADDRESS	CITY	STATE/ZIP	WUC	
16676	DENNIS & ELAINE ALLEN	1014 SUMMIT PLAZA	SCOTT CITY	KS 67871	
9555	EILEEN POWERS	1001 COLLEGE	SCOTT CITY	KS 67871	
18531	EILEEN POWERS	"	"	"	K-D FARMS PO BOX 166 SCOTT CITY
546 7748 25355	FAIRLEIGH RANCH CORP "	P O BOX 560 "	SCOTT CITY "	KS 67871 "	
25205 16875	GEORGE & NATALIE ARMANTROUT (DWR ADDRESS)	1302 W 9TH 21350 N RD 13	SCOTT CITY "	KS 67871 "	ED CUPP 1305 ANTELOPE SCOTT CITY
2710 8555 15280 10652	DENNIS & RITA HAVEN DWR: & BAR X INC "	PO BOX 86 " "	BRENFORD " "	SD 57429 " "	ED CUPP 1305 ANTELOPE SCOTT CITY
26261	JUDITH ANN VULGAMORE LARRY VULGAMORE	8250 S. MESQUITE RD "	SCOTT CITY "	KS 67871 "	
VR98 37944-05 37944-06	HIGH CHOICE FEEDERS LLC "	553 W. ROAD 40 "	SCOTT CITY "	KS 67871 "	
11499	STILES FAMILY TR AGR	9180 S. MESQUITE RD	SCOTT CITY	"	WATER RESOURCES RECEIVED NOV 28 2016 KS DEPT OF AGRICULTURE
26626	CHENEY FARMS	12500 S. KANSAS RD	SCOTT CITY	KS 67871	EDWIN & LAURETTA CHENEY SAME ADDRESS

DWR LISTS ADDITIONAL OWNERS: FRANKLIN FARMS, MARGARET ADAMS, PATRICIA FRANKLIN, & MARTHA HIGSMITH

OCT 16 2019

KS Dept Of Agriculture

Garden City Field Office  
DIVISION OF WATER RESOURCES

SCANNED

Water Resources  
Received

OCT 31 2016





**DATA ENTRY SYSTEM ID NUMBER SHEET**

**FILE NUMBER** 20199064

<b>APPLICANT PERSON ID &amp; SEQ #</b>	<b>PDIV ID</b>	<b>BATTERY ID</b>
<u>23270</u>	<u>18629</u>	<u>65404 - GEO CTR</u> <u>693</u>
	<u>35174</u>	<u>65403 - BATT 1</u>
	<u>49060</u>	<u>14697 - BATT 1</u>
	<u>71278</u>	<u>28108</u>
	<u>27727</u>	<u>18237</u> <u>33951</u>
	<u>51216</u>	<u>15081</u> <u>2893</u>

<b>LANDOWNER PERSON ID &amp; SEQ #</b>	<b>PUSE ID</b>
<u>23270</u>	<u>23565</u>
	<u>53620</u>
	<u>54924</u>
	<u>60746</u>

**WATER USE CORRESPONDENT**

**PERSON ID & SEQ #**

23270

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Garden City Field Office  
4532 W. Jones, Suite B  
Garden City, KS 67846



Phone: 620-276-2901  
Fax: 620-276-9315  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

December 5, 2019

ALBERT SAVOLT  
2810 N BROADMOOR PL  
GARDEN CITY, KS 67846

RE: Term Permit Application, File No. 20199064

Dear Sir or Madam:

This is to advise you that Poky Feeders, Inc. has filed the application referenced above for a permit to divert 764 acre-feet of water per calendar year for a period of five years to be utilized for stockwatering use. The requested quantity is not additional water to the quantities currently authorized, this permit is requesting to provide flexibility to divert existing water from existing wells authorized under File Nos. 8,630; 9,488; 12,594; 13,938; 15,843; 24,894; 26,218; 36,291; 36,292 and 37,908. The requested quantity is proposed to be diverted with the additional limitations: that the maximum quantity not exceed 120 acre-feet and 254 acre-feet of water per calendar year for File Nos. 9,488 and 15,843, respectively, and that the maximum rate of diversion not exceed 800 gallons per minute when all of the wells are operating.

You can find the complete application posted by water right file number as referenced above at: <https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

You are notified of the proposed appropriation so that you may furnish this office with any comments or other information you want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

A handwritten signature in blue ink that reads "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc:  
GROUNDWATER MANAGEMENT DISTRICT NO. 1



Garden City Field Office  
4532 W. Jones, Suite B  
Garden City, KS 67846



Phone: 620-276-2901  
Fax: 620-276-9315  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

December 5, 2019

FAIRLEIGH CORPORATION  
207 E BELLEVUE  
SCOTT CITY, KS 67871

RE: Term Permit Application, File No. 20199064

Dear Sir or Madam:

This is to advise you that Poky Feeders, Inc. has filed the application referenced above for a permit to divert 764 acre-feet of water per calendar year for a period of five years to be utilized for stockwatering use. The requested quantity is not additional water to the quantities currently authorized, this permit is requesting to provide flexibility to divert existing water from existing wells authorized under File Nos. 8,630; 9,488; 12,594; 13,938; 15,843; 24,894; 26,218; 36,291; 36,292 and 37,908. The requested quantity is proposed to be diverted with the additional limitations: that the maximum quantity not exceed 120 acre-feet and 254 acre-feet of water per calendar year for File Nos. 9,488 and 15,843, respectively, and that the maximum rate of diversion not exceed 800 gallons per minute when all of the wells are operating.

You can find the complete application posted by water right file number as referenced above at: <https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

You are notified of the proposed appropriation so that you may furnish this office with any comments or other information you want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

A handwritten signature in blue ink that reads "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc:  
GROUNDWATER MANAGEMENT DISTRICT NO. 1