

Kansas Department of Agriculture
Division of Water Resources
CHANGE: P/D P/U UMW WORKSHEET

Document Signature _____

1. File Number: 37458	2. Status Change Date: 12/11/2017	3. Change Num: C1	4. Field Office: 02	5. GMD: 05
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6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 24-AUG-2017
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8a. Applicant(s) Person ID 36064 New to system <input type="checkbox"/> Add Seq# 1 BARTON COUNTY FEEDERS INC ALAN POHLMAN 1164 SE 40 RD ELLINWOOD KS 67526-9276	8c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____
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8b. Landowner(s) Person ID 36064 New to system <input type="checkbox"/> Add Seq# 1 BARTON COUNTY FEEDERS INC ALAN POHLMAN 1164 SE 40 RD ELLINWOOD KS 67526-9276	8d. WUC Person ID 36064 New to system <input type="checkbox"/> Add Seq# 1 BARTON COUNTY FEEDERS INC ALAN POHLMAN 1164 SE 40 RD ELLINWOOD KS 67526-9276
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9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/18</u> <input checked="" type="checkbox"/> N & P Date to Comply: <u>12/31/2018</u>	
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> H & E Letter	
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____	

10. Use Made of Water From: <u>IRR</u>	To: <u>IRR and STK</u>
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Date Prepared: 12/05/17	By: RAK
Date Entered: 12/11/2017	By: UM

File No. **37458** 11. County: **BT** Basin: **ARKANSAS RIVER** Stream: Formation Code: **113** Special Use:

12. Points of Diversion										Rate and Quantity				
MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Authorized		Additional		Overlap PD Files
										Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	
IRR MOD	10776	SESWSW	17	20	11W	3	290	4236	BATT 1 OF 4 WELLS					NO
IRR MOD	29121	SESWSW	17	20	11W	4	214	4239	BATT 1 OF 4 WELLS					NO
IRR MOD	31559	SESWSW	17	20	11W	7	367	4236	BATT 1 OF 4 WELLS					NO
IRR MOD	39219	SESWSW	17	20	11W	5	137	4242	BATT 1 OF 4 WELLS					NO
IRR MOD	39477	SESWSW	17	20	11W	2	252	4238	GEO CTR	725 g.p.m.	139.90 AF	725 g.p.m.	139.90 AF	NO
STK ENT	86473	SWNWNE	20	20	11W		4336	2347	ADDITIONAL WELL	75 g.p.m.	15.869 m.g.y. (48.70AF)	75 g.p.m.	15.869 m.g.y. (48.70AF)	NO

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

14. Limitation: **ADDITIONAL WELL** _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	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					
STK ENT	8350	20	20S	11W	1	FEEDLOT EAST HALF (E½)																	8B	NO	9658.01; 14298.02; 16878.02; 16878.03; 18686.05; 18686.06 & 36377.01	
IRR	15416	17	20S	11W	1	33.50	33.50	33.50	33.50					38.50	15.0	15.0	38.50		10.00	10.00		261.00	8B	NO	NO	
No change to irr pu																										

Comments: **ACT SPECIAL CONDITIONS Y ADDITIONAL WELL REVIEW AFTER 5-10 YEARS**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
MEMORANDUM

TO: Files
FROM: Richelle A. Krueger

DATE: December 5, 2017
RE: Water Right
File No. 37,458

Alan Pohlman, on behalf of Barton County Feeders Inc., owner of the above referenced water right, filed an application for approval to change the place of use, point of diversion and use made of water for Water Right, File No. 37,458 located in the Arkansas River Basin. Frank C. Mercurio, P.E., KLA Environmental Services, Inc., assisted the applicant in filing the referenced application.

The referenced file number does not appear abandoned pursuant to K.S.A. 82a-718.

File No. 37,458 has no overlaps and is authorized 197 acre-feet at a diversion rate of 800 gallons per minute from a battery of four(4) wells (all additional no limitations) for irrigation use on 261 acres all located in Section 17, Township 20 South, Range 11 West, Barton County, Kansas. The water right owner proposes to convert 48.7 acre-feet (15.869 million gallons) of water from irrigation use to stockwatering use pursuant to K.A.R. 5-5-10 *Partial changes in the use made of water from irrigation to another type of beneficial use*. After application of the K.A.R. 5-5-10 regulation a total of 139.9 acre-feet of water will remain authorized by File No. 37,458 on the presently authorized well. Irrigation acres will remain at 261 acres and the applicant has submitted justification for retaining the acreage.

The water right owner also proposes to unstack the 48.7 acre-feet (15.869 million gallons) and 75 gallons per minute to be authorized for stockwatering use under File No. 37,458 pursuant to K.A.R. 5-5-16 *Additional wells*, moving the authorized quantity and rate to a well to be drilled at a point located 4,336 feet North and 2,347 feet West of the Southeast corner of Section 20, Township 20 South, Range 11 West, Barton County, a distance move of approximately 2,158 feet from the presently authorized geocenter. A July 26, 2017 pump test conducted by Stafford Field Office staff indicated that no reduction in the overall diversion rate of File No. 37,458 is required. The remaining battery of four wells for irrigation use under File No. 37,458 will be authorized 139.9 acre-feet and 725 gallons per minute. The proposal appears to meet K.A.R. 5-5-13 *Relocation of alluvial wells*.

The only wells within one-half mile of the proposed additional stockwatering well are wells under common ownership based on WRIS and information provided by the applicant.

The proposed stockwatering place of use for File No. 37,458 will be a feedlot located in the East Half (E½) of Section 20, Township 20 South, Range 11 West, Barton County, Kansas as shown on the map. The place of use will overlap Water Right, File Nos. 9,658.01; 14,298.02; 16,878.02; 16,878.03; 18,686.05; 18,686.06 and 36,377.01. An incomplete overlap in place of use will remain with Water Right, File No. 41,588 authorized for industrial use at the feedlot. The total quantity to be authorized for stockwatering use appears reasonable based on the number of head reported in the application.

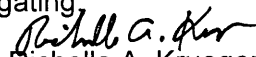
The local source of supply will not change, previously determined to be Main Stem Alluvium (113).

Approval of the application for File No. 37,458 will be subject to the condition that for the sole purpose of administering wells concerning direct impairment, the additional well shall be considered to have the priority of the date the application was filed (August 24, 2017) to add the additional well.

In a letter dated November 13, 2017 Orrin Feril, Manager of Big Bend Groundwater Management District No. 5, indicated that the Board of Directors of GMD No. 5 recommended approval of the application with a waiver of K.A.R. 5-25-2 since the proposed additional well does not meet 1,320 feet spacing requirements to wells under common ownership authorized by Water Right, File Nos. 16,878.02; 16,878.03; 18,686.05 and 41,588. K.A.R. 5-5-16(c)(1) should also be waived.

In an e-mail dated December 5, 2017 Jeff Lanterman, Water Commissioner of the Stafford Field Office, indicated no objection to approval of the application.

Water flow meters and water level measurement tubes are required on any wells pumping more than 100 gpm. Check valves are required if chemigating


Richelle A. Krueger
Environmental Scientist

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

December 13, 2017

BARTON COUNTY FEEDERS INC
ALAN POHLMAN
1164 SE 40 RD
ELLINWOOD KS 67526-9276

RE: Water Right, File No. 37,458

FILE COPY

Dear Mr. Pohlman:

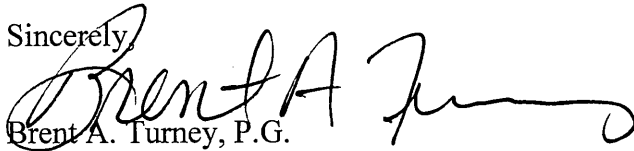
Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

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

Please note that the application to change the point of diversion for File No. 37,458 is approved subject to the condition that for the sole purpose of administering wells concerning direct impairment, the additional well shall be considered to have the priority of the date the application was filed (August 24, 2017) to add the additional well. In addition, the Chief Engineer specifically retains jurisdiction in this matter with authority to review the approval of the additional well at intervals of no fewer than five years, and no more than ten years to determine if the total annual quantity of water actually being withdrawn by all wells authorized by the approval of application for change is exceeding the total annual quantity of water that could have been physically withdrawn if the additional well had not been approved, and based on the review, the Chief Engineer retains authority to make a reasonable reduction in the authorized quantity of water as may be deemed to be in the public interest.

Since the order for the referenced file number modifies the original document referred to above it should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

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

Enclosures

pc: Stafford Field Office
Groundwater Management District No. 5
KLA Environmental Services, Inc., Attn Frank C. Mercurio, P.E.

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN PLACE OF USE
POINT OF DIVERSION AND USE MADE OF WATER
AND ORDER REDUCING THE AUTHORIZED QUANTITY
WATER RIGHT
FILE NO. 37,458**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Alan Pohlman, on behalf of Barton County Feeders, Incorporated, 1164 Southeast 40 Road, Ellinwood, Kansas, 67526, received in this office on August 24, 2017, for approval of a change in the location of the place of use, point of diversion and use made of water under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer dated August 3, 1994, approving the application to change the place of use, finds that the changes are reasonable and will not impair existing rights, that the changes relate to the same local source of supply and that the application should be and is hereby approved.

This order effectively reduces the authorized quantity to 188.60 acre-feet of water per calendar year in accordance with the Application for Approval to Change the Place of Use, Point of Diversion and Use Made of Water received in this office on August 24, 2017.

The application, therefore, is approved subject to the condition that for the sole purpose of administering wells concerning direct impairment, the additional well shall be considered to have the priority of the date the application was filed (August 24, 2017) to add the additional well.

The effective date of the changes shall be the date this order is executed by the Chief Engineer, after which that portion retained for irrigation use shall be authorized from the following point of diversion:

one (1) battery of four (4) wells with a geographic center located in the Southeast Quarter of the Southwest Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 17, more particularly described as being near a point 252 feet North and 4,238 feet West of the Southeast corner of said section, in Township 20 South, Range 11 West, Barton County, Kansas, at a diversion rate not in excess of 725 gallons per minute (1.61 c.f.s.) and a quantity not to exceed 139.90 acre-feet of water per calendar year, for irrigation use on the following described property:

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL ACRES
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
17	20S	11W	33.50	33.50	33.50	33.50					38.50	15.00	15.00	38.50			10.00	10.00	261.00

a total of 261.00 acres in Township 20 South, Range 11 West, Barton County, Kansas, located substantially as shown on the map accompanying the application to change the place of use, point of diversion and use made of water.

The portion changed to stockwatering use shall be authorized from a point of diversion located as follows:

one (1) well located in the Southwest Quarter of the Northwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 20, more particularly described as being near a point 4,336 feet North and 2,347 feet West of the Southeast corner of said section, in Township 20 South, Range 11 West, Barton County, Kansas, at a diversion rate not in excess of 75 gallons per minute (0.16 c.f.s.) and a quantity not to exceed 15.869 million gallons (48.70 acre-feet) of water per calendar year,

for stockwatering use at a feedlot in the East Half (E $\frac{1}{2}$) of Section 20, Township 20 South, Range 11 West, Barton County, Kansas,

located substantially as shown on the map accompanying the application to change the place of use, point of diversion and use made of water.

The point of diversion described herein as a battery of four (4) wells is further limited such that the wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply.

Installation of the works for diversion of water shall be completed on or before December 31, 2018, or within any authorized extension of time. The water right owner shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture when construction of the works for diversion has been completed.

All wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this order 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.

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

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed.

The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

The Chief Engineer specifically retains jurisdiction in this matter with authority to review the approval of the additional well at intervals of no fewer than five years, and no more than ten years to determine if the total annual quantity of water actually being withdrawn by all wells authorized by the approval of application for change is exceeding the total annual quantity of water that could have been physically withdrawn if the additional well had not been approved, and based on the review, the Chief Engineer retains authority to make a reasonable reduction in the authorized quantity of water as may be deemed to be in the public interest.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 37,458, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated September 22, 1992, as modified and amended by the aforementioned order.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

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

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

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

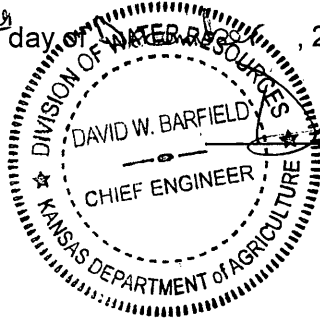
To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 18 days after this Order was mailed to you), with the Kansas Department of Agriculture, Attn: Legal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

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

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

Ordered this 11th day of ~~November~~ December, 2017, in Topeka, Shawnee County, Kansas.



David W. Barfield

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

State of Kansas)
) SS
 County of Riley)

The foregoing instrument was acknowledged before me this 11th day of December, 2017, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



Karen Hunter

 Notary Public

CERTIFICATE OF SERVICE

On this 13th day of December, 2017, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Point of Diversion and Use Made of Water, File No. 37,458, dated December 11th, 2017 was mailed postage prepaid, first class, US mail to the following:

BARTON COUNTY FEEDERS INC
ALAN POHLMAN
1164 SE 40 RD.
ELLINWOOD KS 67526-9276

With photocopies to:

KLA ENVIRONMENTAL SERVICES INC
ATTN FRANK C MERCURIO PE
1303 YUCCA STREET
SCOTT CITY KS 67871

Stafford Field Office
Groundwater Management District No. 5


Division of Water Resources

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

File Number: 37,458

FO: 2

GMD: 5

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
IRR/STK	08/24/17	123	GMD 5	Well Spacing	Well to Well Spacing Non-Domestic
Rule Number	Date Granted	Date Denied	Justification:	GMD No. 5 recommends approval of the application. The wells in question are under common ownership. The same local source of supply will not change.	
K.A.R. 5-25-2(a)(1)	12/11/2017				

WAIVER RULE:

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive

Date Prepared 12/05/17 By RAK

Date Entered 12/11/2017 By LCM

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

File Number: **37,458**

FO: **2**

GMD: **5**

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
IRR/STK	08/24/17	147		Well Spacing	Change Approval
Rule Number	Date Granted	Date Denied	Justification:	K.A.R. 5-5-16(c)(1) should be waived since GMD No. 5 recommends a waiver of K.A.R. 5-25-2(a)(1) well spacing regulation.	
K.A.R. 5-5-16(c)(1)	12/11/2017				

WAIVER RULE:

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive

Date Prepared **12/05/17** By **RAK**

Date Entered **12/11/2017** By **LLM**



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Acting Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**WAIVER OF REGULATION
K.A.R. 5-5-16(c)(1) and K.A.R. 5-25-2 (a)(1)
Well Spacing Requirements**

Date: 12/11/17

Re: Water Right, File No. 37,458

1. That K.A.R. 5-5-16(c)(1) states in part that a proposed additional well must meet the well spacing requirements to all other wells with a priority earlier than the date the change application was filed.
2. That K.A.R. 5-25-2 (a)(1) *Well spacing* states in part that non-domestic wells shall be 1,320 feet from all other non-domestic wells and proposed non-domestic wells that carry an earlier priority.
3. That the application to change the place of use, point of diversion and use made of water for Water Right, File No. 37,458 received in the office of the Chief Engineer on August 24, 2017, requests to drill an additional well for stockwatering use and retain the currently authorized battery of (4) wells for irrigation use.
4. The proposed additional well does not meet well spacing requirements of K.A.R. 5-5-16(c)(1) and K.A.R. 5-25-2(a)(1) to wells authorized by Water Right, File Nos. 16,878.02; 16,878.03; 18,686.05; and 41,588 which serve the same feedlot proposed for File No. 37,458.
5. That in a letter dated November 13, 2017, Big Bend Groundwater Management District No. 5 recommended approval of the referenced change application and waiver of K.A.R. 5-25-2 (a)(1) since the wells in question are owned and operated by the owner/applicant.
6. That the referenced application for File No. 37,458 should be approved with waivers of K.A.R. 5-5-16(c)(1) and K.A.R. 5-25-2 (a)(1).
7. That waivers of K.A.R. 5-5-16(a)(1) and K.A.R. 5-25-2 (a)(1) will neither prejudicially nor unreasonably affect the public interest and will not impair an existing water right.

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

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

**APPLICATION FOR APPROVAL TO
CHANGE THE PLACE OF USE, THE
POINT OF DIVERSION OR THE USE
MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT**



State of Kansas

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
- (Check one or more) Point of Diversion
- Use Made of Water

**WATER RESOURCES
RECEIVED**

AUG 24 2017

10.48
KS DEPT OF AGRICULTURE

File No. 37,458

2. Name of applicant: Barton County Feeders, Inc.

Address: 1164 SE 40 Road

City, State and Zip: Ellinwood, KS 67526

Phone Number: (620) 564-2200 E-mail address: alan.pohlman@ilsbeef.com

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

Name of water use correspondent: Barton County Feeders, Inc.

Address: 1164 SE 40 Road

City, State and Zip: Ellinwood, KS 67526

Phone Number: (620) 564-2200 E-mail address: alan.pohlman@ilsbeef.com

3. The change(s) proposed herein are desired for the following reasons (please be specific): Complete a partial change in use made of water from irrigation to stockwater and install an additional well to supply the stockwater portion to our beef cattle feeding facility. The additional water quantity is needed to support an expansion of the facility that was completed in 2016.

The change(s) (was) (will be) completed by October 1, 2017.

(Date)

For Office Use Only:					
F.O. <u>2</u>	GMD <u>5</u>	Meets K.A.R. 5-5-1 (YES/NO) <u>YES</u>	Use <u>100/500</u>	Source <u>CS</u>	County <u>BT</u>
Code <u>6-3</u>	Fee \$ <u>700</u>	TR # _____	Receipt Date <u>8-24-17</u>	By <u>AM</u>	Date <u>8-24-17</u>
			Check # <u>6783</u>		

APPLICATION COMPLETED
12/05/17
Revised RAI

Assisted by: _____

8/28/17 DW

SCANNED

4. The presently authorized place of use is:

Owner of Land — NAME: Barton County Feeders, Inc.

ADDRESS: 1164 SE 40 Road, Ellinwood, KS 67526

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	
17	20S	11W	33.5	33.5	33.5	33.5					38.5	15.0	15.0	38.5		10.0	10.0		261.0

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

Owner of Land — NAME: _____

ADDRESS: _____

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

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

(If 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: Barton County Feeders, Inc.

ADDRESS: 1164 SE 40 Road, Ellinwood, KS 67526

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	
IRR 17	20S	11W	33.5	33.5	33.5	33.5					38.5	15.0	15.0	38.5		10.0	10.0		261.0
Feedlot - STK 20	20S	11W	X	X	X	X									X	X	X	X	E 1/2

List any other water rights that cover this place of use. See attachment for overlaps related to stockwater use.

Owner of Land — NAME: _____

ADDRESS: _____

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

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

WATER RESOURCES RECEIVED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

**ATTACHMENT TO APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF
USE, THE POINT OF DIVERSION OR THE USE MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT**

APPLICANT: BARTON COUNTY FEEDERS, INC. – FILE NO. 37,458

Continuation of Page 2, No. 5, It is proposed that the place of use be changed to:

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

The following water rights have the same place of use as the proposed place of use for the additional well (feedlot in the E ½ Section 20 T20S R11W):

File Nos. 9,658.01, 14,298.02, 16,878.02, 16,878.03, 18,686.05, 18,686.06, and 36,377.01.

The place of use for File No. 41,588 includes NW ¼ NE ¼ Section 20 T20S R11W.

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6. The presently authorized point(s) of diversion (is) (are) a battery of 4 wells with pumps and appurtenances
(Provide description and number of points)
7. The proposed point(s) of diversion (is) (are) a battery of 4 wells and 1 additional well with pumps and appurtenances
(Provide description and number of points)

List all presently authorized point(s) of diversion: See attachment for description of battery of 4 wells.

8. **Presently authorized point of diversion:**
 One in the SE Quarter of the SW Quarter of the SW Quarter of Section 17, Township 20 South, Range 11W (E/W), in Barton County, Kansas, 200 feet North 4212 feet West of Southeast corner of section.
 Authorized Rate 800 gpm Authorized Quantity 197 acre-feet
 (DWR use only: Computer ID No. 2 * GPS 252 feet North 4338 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the SE Quarter of the SW Quarter of the SW Quarter of Section 17, Township 20 South, Range 11W (E/W), in Barton County, Kansas, 200 ~~252~~ feet North 4212 ~~4238~~ feet West of Southeast corner of section.
 Proposed Rate 725 gpm Proposed Quantity 139.9 acre-feet
 This point is: Additional Well Geo Center List other water rights that will use this point none

9. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the SW Quarter of the NW Quarter of the NE Quarter of Section 20, Township 20 South, Range 11W (E/W), in Barton County, Kansas, 4336 feet North 2347 feet West of Southeast corner of section.
 Proposed Rate 75 gpm Proposed Quantity 48.7 acre-feet
 This point is: Additional Well Geo Center List other water rights that will use this point none

10. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used.
 Not applicable.

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* Modified per GPS data obtained during 7/26/17
 flow rate test Stafford F0
 * RAB/one 4/5/17

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ATTACHMENT TO APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE, THE POINT OF DIVERSION OR THE USE MADE OF THE WATER UNDER AN EXISTING WATER RIGHT

APPLICANT: BARTON COUNTY FEEDERS, INC. – FILE NO. 37,458

Continuation of Page 3, No. 8, Presently authorized point of diversion:

The point of diversion described in No. 8 is the Geo Center of a battery of four (4) wells. The location of each well in the battery is listed below:

FILE NO.	DWR ID	QUARTER	QUARTER	QUARTER	SEC-TWP -RGE	NORTH*	WEST*	*GPS
37,458	3	SE	SW	SW	17-20S-11W	235 FT	4212 FT	290' N 4236' W
37,458	4	SE	SW	SW	17-20S-11W	165 FT	4212 FT	214' N 4239' W
37,458	5	SE	SW	SW	17-20S-11W	90 FT	4212 FT	137' N 4242' W
37,458	7	SE	SW	SW	17-20S-11W	310 FT	4212 FT	367' N 4236' W

* From Southeast corner of section.

* GPS per 7/26/17 flow rate test
Stafford field office

* RAL/mv 12/5/17

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12. The presently authorized use of water is for irrigation purposes.
It is proposed that the use be changed to irrigation and stockwatering purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
Refer to the attached consumptive use calculations. The total quantity requested by this change application is the
consumptive use quantity based on a partial change in use from irrigation to stockwatering. Consumptive use is
based on the "Irrigation Return-Flow Percentages in Kansas, by County" map issued by DWR. The calculations
indicate a reduction of the quantity currently authorized for irrigation use. The method of determining consumptive
use complies with the requirements of K.A.R. 5-5-9 (b) and 5-5-10.
(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to 188.6 acre-feet (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to _____ gallons per minute (_____ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
 - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

Please refer to the attached maps and supporting documentation. The proposed additional well is less than
2,640 feet from the currently authorized point of diversion.

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

Please refer to the letter enclosed with this application for specific details concerning waiver requests. The
waiver requests pertain to well spacing as it relates to applicable provisions of K.A.R. 5-4-4, 5-5-16, and 5-25-2.

Waivers of K.A.R. 5-5-9 and 5-5-10 are requested if necessary for approval of the consumptive use determination.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Ellinwood, Kansas, this 8th day of August, 2017.

Alan Pohlman
(Owner)

(Spouse)

Alan Pohlman
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)


(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Barton } SS

State of Kansas - Notary Public
 **CHERYL RAPP**
My Commission Expires 10-15-18

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 8th day of August, 2017.

Cheryl Rapp
Notary Public

My Commission Expires 10-15-18

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

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KLA ENVIRONMENTAL SERVICES, INC.

PROJECT: **BARTON COUNTY FEEDERS, INC.**

LOCATION: SECTIONS 17 & 20 T20S R11W, BARTON COUNTY, KANSAS

BY: FCM
DATE: 7/17/2017

CHECKED BY: DLB
DATE: 8/2/2017

**CONSUMPTIVE USE CALCULATION PERTAINING TO FILE NO. 37,458
FOR PARTIAL CHANGE OF USE FROM IRRIGATION TO STOCKWATER**

File No. 37,458: Authorized Quantity = 197 AF
Authorized Rate = 800 GPM

Proposed change in use made of water: Convert 48.7 AF and 75 GPM to stockwatering use

Apply consumptive use factor from "Irrigation Return-Flow Percentages in Kansas, by County" issued by DWR:
→ For Barton County, the factor = 14.4%

→ Consumptive Use = (197 AF) - (197 AF x 14.4%)
= (197 AF) x (1.00 - 0.144) = 168.6 AF

Proportion of partial use based on proposed change = (Stockwater Use)/(Consumptive Use)
= $\frac{48.7 \text{ AF}}{168.6 \text{ AF}}$ = 29%

→ Proportion remaining for irrigation = 100% - 29% = 71%
→ Remaining quantity for irrigation = (71%) x (197 AF) = **139.9 AF**

Check reasonable use for stockwatering quantity (K.A.R. 5-3-22):

Current facility capacity = 29,000 head of beef cattle (average annual capacity)

→ Maximum Reasonable Use = (29,000 head) x (15 gallons/head/day) x (365 days/year) = 158.78 MGY
= 487.3 AF

Facility Stockwater Summary:

File No.	Quantity (AF)
41,588	14.90
9,658.01	33.40
14,298.02	39.20
16,878.02	39.20
16,878.03	39.20
18,686.05	39.20
18,686.06	39.20
36,377.01	34.00
37,458	48.70
Total	327.00

Industrial right used to supply the feed mill

Proposed additional well

→ Requested stockwatering quantity is reasonable (327.0 AF < 487.3 AF maximum)

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Check requested rate of 75 gpm for capacity to supply 48.7 AF of stockwater:

$$\begin{aligned} \text{Maximum quantity supplied} &= (75 \text{ gpm}) \times (60 \text{ min/hr}) \times (24 \text{ hr/day}) \times (365 \text{ days/yr}) \times (1 \text{ AF}/325,851 \text{ gal}) \\ &= 121.0 \text{ AF} \quad \rightarrow 75 \text{ gpm rate is sufficient to supply the requested quantity} \end{aligned}$$

Distribution of rate of diversion:

$$\text{Total rate of diversion of existing battery of wells based on current flow test} = 800 \text{ gpm}$$

$$\text{Rate of diversion requested for additional well for stockwatering use} = \underline{75 \text{ gpm}}$$

$$\text{Difference} = \text{rate of diversion requested for existing battery of wells for irrigation use} = 725 \text{ gpm}$$

Check requested rate of 725 gpm for capacity to supply 139.9 AF for irrigation use:

→ Assume minimum 90-day irrigation season:

$$\begin{aligned} \text{Maximum quantity supplied} &= (725 \text{ gpm}) \times (60 \text{ min/hr}) \times (24 \text{ hr/day}) \times (90 \text{ days/yr}) \times (1 \text{ AF}/325,851 \text{ gal}) \\ &= 288.4 \text{ AF} \quad \rightarrow 725 \text{ gpm rate is sufficient to supply the requested quantity} \end{aligned}$$

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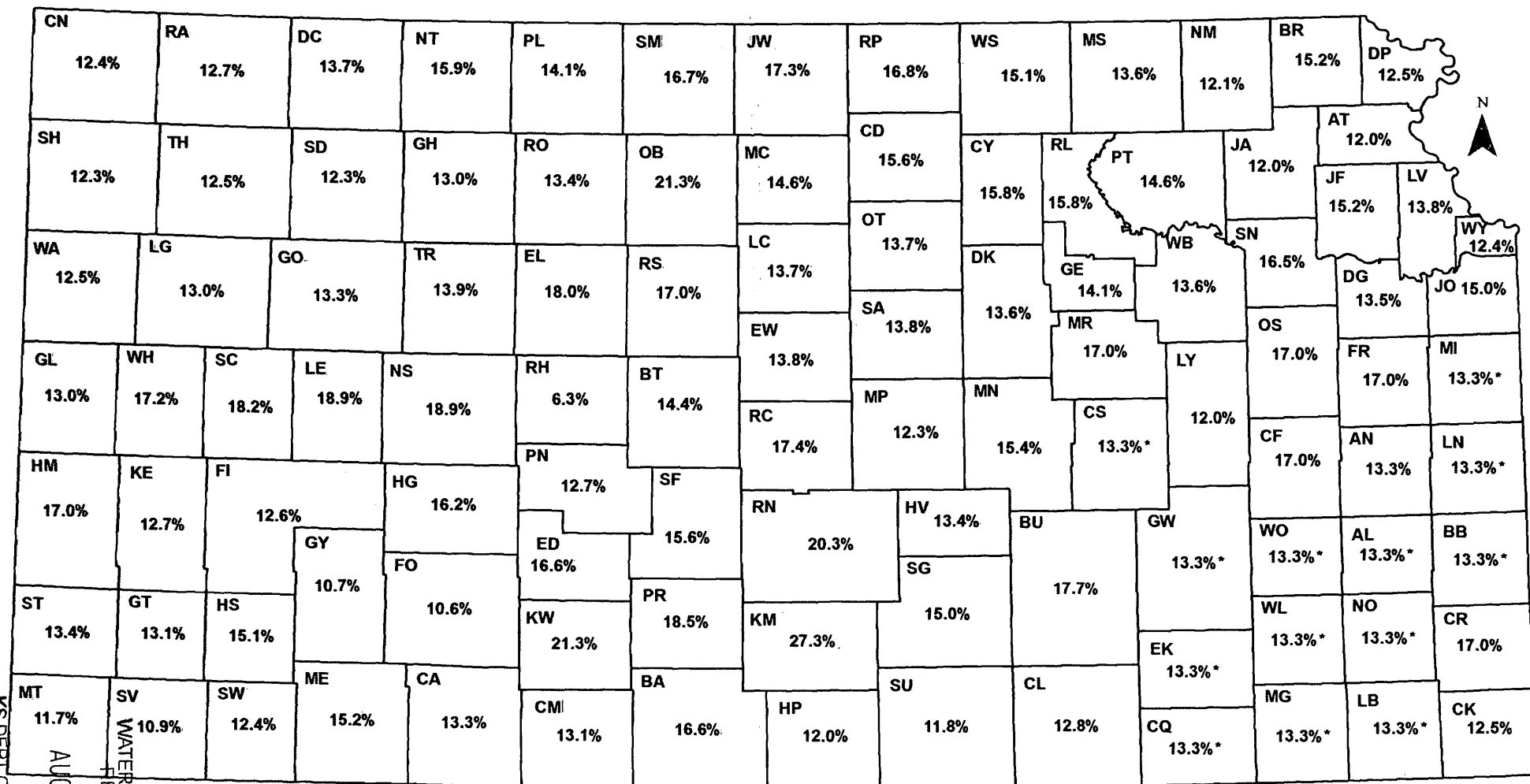
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Irrigation Return-Flow Percentages in Kansas, by County

based on area-weighted average irrigation return flow



Example: A 150 acre-foot irrigation water right is purchased in Gove (GO) County for use in a dairy operation. Applying the default factor from the map (13.3%), the amount of water that the dairy could annually divert with this water right is:

$$150 - (150 \times 13.3\%) = 150 \times (1 - 0.133) = 130 \text{ acre-feet}$$



Kansas Department of Agriculture
 Division of Water Resources
 February 16, 2016

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WATER RESOURCES
 DIVISION

DIVISION OF WATER RESOURCES—KANSAS DEPARTMENT OF AGRICULTURE
METER FLOW RATE/VOLUME TEST

FILE NO. 37,458 Date: 7/26/17 Tester: Conant Tested 1 of 1 installations

Point of Diversion: SE SW SW (authorized geo center) Sec. 17, T. 20S, R. 11W

Approximately 200 ft. North and 4,212 ft. West of SE corner of Sec 17.

How were distances determined? WRIS (see attachments for new GPS) Latitude -- Longitude --

Person(s) present at the test: Mitch Mulch Relationship(s) to owner: feedlot manager

TEST METER INFORMATION: Test meter location at battery of wells Last verified 5/30/17

Manufacturer Panametrics Model # 878 Serial # 09641

Test location had 78" of straight pipe upstream of the transducers to a 90 degree bend (9.75 pipe diameters)

Test location had 17" of straight pipe downstream to the propeller on the meter (2.1 pipe diameter)(>5 diameters if prop is not counted as obstruction)

NORMAL CONDITIONS:

R.P.M. POWER UNIT --

R.P.M. PUMP UNIT --

Pressure at Pump -- psi

MAXIMUM CONDITIONS

R.P.M. POWER UNIT --

R.P.M. PUMP UNIT --

Pressure at Pump -- psi

Non-Intrusive Meter Test Meter Type ultrasonic Meter Serial No. 09641

Ending <u>5008.785</u> gal.	Ending -- gal.
Beginning <u>0</u> gal.	Beginning -- gal.
Difference <u>5008.785</u> gal.	Difference -- gal.
Time <u>376.8 = 6.28</u> min.	Time --- min.
Rate <u>797.6</u> gpm.	Rate --- gpm.

Meas. O.D. 8.645 Meas. Wall 0.179 XDCR Setting 200.1 mm Material Type CS

Diagnostics:

Signal Strength SS up: 63.6 SS dn: 63.5 (Should be over 55 highest on PVC, up and dn should be close to the same)

SN DSP: 4821 (Should be close to book value for the soundspeed at measured temp) Temp 56 F

Delta T (<Delta>): -- Is this number stable? (Yes / No) If no please explain: --

T up: 318.7 T dn: 318.4 (Bad: continuous large fluctuations of 1 microsecond or more)

Signal Quality: Q up 63.2 Q dn 63 (Should be + - 300 or greater)

AMPup: 28.3 AMPdn: 28.2 (Should be 20 - 28 fluctuations)

P#up: 510 P#dn: 507 (100 to 900, closest to 500 is best)

Nfup: -- Nfdn: -- (Should Be 0.85 to 1.0)

Installed Meter Test Manufacturer McCrometer Serial # GP12-2586 Model # MO308

UPSTREAM: 93" from propeller to 90° bend in pipe

DOWNSTREAM: 47" from propeller to 90° bend in pipe

Outside Diameter (Stamped) 8.625 inches (Measured) 8.64 inches

Inside Diameter (Stamped) 8.356 inches (Measured) 8.287 inches

Ending 222,343,000 gal. Ending -- gal./AF

Beginning 222,338,000 gal. Beginning -- gal./AF

Difference 5,000 gal. Difference -- gal./AF

Time 6:17.56 = 6.2927 min. Time -- min.

Rate 794.6 gpm. Rate -- gpm.

% Error Calculation: $\frac{\text{Test} - \text{Meter}}{\text{Test}} \times 100$ % error 0.38% low

Other Flowmeter Use Supplemental Sheet (include meter identification, data and calculations).

COMMENTS: The authorized rate is 800gpm. The tested rate should be rounded to 800gpm for the purposes of using the test to facilitate the additional well change in point of diversion. The transducers were rotated between the first and second test. The second test was 1.4% with similarly good diagnostics. I did not log the second test as it showed a lower rate than the first test. The intent of the test was to measure the highest current rate of the system in the middle of irrigation season, so the first test should be used.

- Good Test
- Adequate Test
- Unacceptable Comparison

Reviewed by [Signature] Date 7/26/17 Entered by [Signature] Date 7/26/17

INPUTS	
Target Section Definition	
Section	17
Township	20
Range	11
Range Direction	w
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-98.56803
Target Latitude	38.30545



- Instructions**
1. Enter values for section, township, range and range direction.
 2. Enter **NAD27** or **NAD83** longitude and latitude of target point.
 3. Click "Load Data and Compute" button.
 4. Use feet distances corresponding to datum of target point.

**Water Right File No. 37,458 ID#7 (north well)
estimated accuracy -6.8'**

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	38.30441020	-98.57201032
NW	38.31896604	-98.57202608
NE	38.31904316	-98.55366837
SE	38.30445512	-98.55362261
Degrees Longitude per Foot		3.48495929E-06
Degrees Latitude per Foot		2.74594472E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	379	-1142
NW	-4922	-1147
NE	-4950	4121
SE	362	4134

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	38.30439800	-98.57165500
NW	38.31895400	-98.57167100
NE	38.31903100	-98.55331400
SE	38.30444300	-98.55326800
Degrees Longitude per Foot		3.48495870E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	383	-1040
NW	-4918	-1045
NE	-4946	4223
SE	367	4236

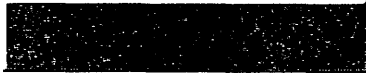
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INPUTS	
Target Section Definition	
Section	17
Township	20
Range	11
Range Direction	W
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-98.56803
Target Latitude	38.30524



- Instructions**
1. Enter values for section, township, range and range direction.
 2. Enter **NAD27** or **NAD83** longitude and latitude of target point.
 3. Click "Load Data and Compute" button.
 4. Use feet distances corresponding to datum of target point.

**Water Right, File No. 37,458 ID#3 (middle north well)
estimated accuracy 5.6'**

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	38.30441020	-98.57201032
NW	38.31896604	-98.57202608
NE	38.31904316	-98.55366837
SE	38.30445512	-98.55362261
Degrees Longitude per Foot		3.48495929E-06
Degrees Latitude per Foot		2.74594472E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	302	-1142
NW	-4999	-1147
NE	-5027	4121
SE	286	4134

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	38.30439800	-98.57165500
NW	38.31895400	-98.57167100
NE	38.31903100	-98.55331400
SE	38.30444300	-98.55326800
Degrees Longitude per Foot		3.48495870E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	307	-1040
NW	-4994	-1045
NE	-5022	4223
SE	290	4236

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INPUTS	
Target Section Definition	
Section	17
Township	20
Range	11
Range Direction	w
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-98.56804
Target Latitude	38.30503



Instructions

1. Enter values for section, township, range and range direction.
2. Enter **NAD27** or **NAD83** longitude and latitude of target point.
3. Click "Load Data and Compute" button.
4. Use feet distances corresponding to datum of target point.

**Water Right, File No. 37,458 ID#4 (middle south well)
estimated accuracy 5.6'**

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	38.30441020	-98.57201032
NW	38.31896604	-98.57202608
NE	38.31904316	-98.55366837
SE	38.30445512	-98.55362261
Degrees Longitude per Foot		3.48495929E-06
Degrees Latitude per Foot		2.74594472E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	226	-1139
NW	-5075	-1144
NE	-5103	4124
SE	209	4137

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	38.30439800	-98.57165500
NW	38.31895400	-98.57167100
NE	38.31903100	-98.55331400
SE	38.30444300	-98.55326800
Degrees Longitude per Foot		3.48495870E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	230	-1037
NW	-5071	-1042
NE	-5099	4226
SE	214	4239

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INPUTS	
Target Section Definition	
Section	17
Township	20
Range	11
Range Direction	W
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-98.56805
Target Latitude	38.30482

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	38.30441020	-98.57201032
NW	38.31896604	-98.57202608
NE	38.31904316	-98.55366837
SE	38.30445512	-98.55362261
Degrees Longitude per Foot		3.48495929E-06
Degrees Latitude per Foot		2.74594472E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	149	-1136
NW	-5152	-1141
NE	-5180	4127
SE	133	4140

- Instructions**
1. Enter values for section, township, range and range direction.
 2. Enter **NAD27** or **NAD83** longitude and latitude of target point.
 3. Click "Load Data and Compute" button.
 4. Use feet distances corresponding to datum of target point.

**Water Right, File No. 37,458 ID#5 (south well)
estimated accuracy -5.8'**

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	38.30439800	-98.57165500
NW	38.31895400	-98.57167100
NE	38.31903100	-98.55331400
SE	38.30444300	-98.55326800
Degrees Longitude per Foot		3.48495870E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	154	-1034
NW	-5147	-1039
NE	-5175	4228
SE	137	4242

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KLA ENVIRONMENTAL SERVICES, INC.

PROJECT: **BARTON COUNTY FEEDERS, INC.**
 LOCATION: SECTIONS 17 & 20 T20S R11W, BARTON COUNTY, KANSAS

BY: FCM
 DATE: 7/17/2017

CHECKED BY: DLB
 DATE: 8/2/2017

JUSTIFICATION FOR IRRIGATED ACRES AND MAINTAINING CURRENT PLACE OF USE

Barton County Feeders, Inc. must comply with KDHE regulations pertaining to confined animal feeding operations (CAFOs). The regulations include implementation of an approved Nutrient Management Plan (NMP). The NMP prescribes the requirements for agronomic application of facility wastewater through irrigation systems owned by the facility. This includes the center pivot sprinklers that irrigate the place of use pertaining to File No. 37,458. The NMP also indicates the areas that must be available for wastewater application and this includes the entire place of use currently associated with File No. 37,458. It is therefore necessary to retain all of the acres associated with this place of use for NMP compliance, which relies on both groundwater and wastewater irrigation to manage nutrient levels in the fields where wastewater is applied. The total quantities of groundwater and wastewater available for irrigation are summarized as follows:

Wastewater quantity based on recent application records from KDHE annual reports:

YEAR	WASTEWATER APPLICATION		
	CIRCLE 2 S 1/2 17-20S-11W	CIRCLE 3 NE 1/4 17-20S-11W	TOTAL
2013	8,949,000 gallons	8,538,000 gallons	17,487,000 gallons
2014	16,576,000 gallons	0 gallons	16,576,000 gallons
2015	5,475,000 gallons	0 gallons	5,475,000 gallons
2016	18,255,000 gallons	0 gallons	18,255,000 gallons
AVERAGE	12,313,750 gallons	2,134,500 gallons	14,448,250 gallons

$$(TOTAL\ AVERAGE)/(325,851\ gallons/acre-foot) = 44.3\ acre-feet$$

Water quantities available for irrigation:

Proposed irrigation quantity for File No. 37,458 =	139.9 AF	AF = Acre-Feet
Average annual wastewater quantity =	44.3 AF	
Total Annual Quantity =	184.2 AF	

Current place of use associated with File No. 37,458:

134 acres in NE 1/4 Section 17 T20S R11W
 127 acres in SW 1/4 & SE 1/4 Section 17 T20S R11W

 261 acres total place of use

$$\begin{aligned} \rightarrow \text{Current Unit Irrigation Rate} &= \frac{\text{Current Authorized Quantity}}{\text{Authorized Acres}} \\ &= \frac{(197\ AF)}{(261\ Ac.)} = 0.75\ Ft. \end{aligned}$$

$$\begin{aligned} \rightarrow \text{Proposed Unit Irrigation Rate} &= \frac{\text{Proposed Total Annual Quantity}}{\text{Authorized Acres}} \\ &= \frac{(184.2\ AF)}{(261\ Ac.)} = 0.71\ Ft. = 94.7\% \text{ OF CURRENT UNIT RATE} \end{aligned}$$

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Maximum acres irrigated during perfection = 131 acres

(Information provided by
Elizabeth Fitch, DWR, via
phone on 07/19/2017)

Base acres = 260 acres

→ Consumptive use will not increase if the authorized place of use and acres authorized for irrigation remain the same. The contribution from wastewater will increase due to the expansion of the facility, which was completed at the end of 2016. Therefore, the unit irrigation rate will be unchanged with a 5.3% increase in wastewater application, which is very likely to occur. The request to retain 261 acres for irrigation is essentially the same as the base acres.

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Well #3 of 4 wells
75' north of #2

LOCATION OF WATER WELL:	Fraction	Section Number	Township Number	Range Number
County: Barton	SE 1/4 SW 1/4 SW 1/4	17	T 20 S	R 11 E/W

Distance and direction from nearest town or city street address of well if located within city?

Approx. 3 miles south of Ellinwood, KS

WATER WELL OWNER:	Barton Co. Land & Cattle	Board of Agriculture, Division of Water Resources
St. Address, Box # :	Route 2	Application Number: 37,458
City, State, ZIP Code :	Ellinwood, KS 67526	

LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX: 	DEPTH OF COMPLETED WELL: 53 ft. ELEVATION: unknown
	Depth(s) Groundwater Encountered 1. 11 ft. 2. . ft. 3. . ft.
	WELL'S STATIC WATER LEVEL: 11 ft. below land surface measured on mo/day/yr 6/17/88
	Pump test data: Well water was not ck'd ft. after . . . hours pumping . . . gpm
Est. Yield 200 gpm: Well water was . . . ft. after . . . hours pumping . . . gpm	
Bore Hole Diameter: 24 in. to 52 . . . ft., and . . . in. to . . . ft.	
WELL WATER TO BE USED AS:	5 Public water supply 8 Air conditioning 11 Injection well 1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below) 2 Irrigation 4 Industrial 7 Lawn and garden only 10 Observation well
Was a chemical/bacteriological sample submitted to Department? Yes . . . No <input checked="" type="checkbox"/> . . . ; If yes, mo/day/yr sample was submitted	Water Well Disinfected? Yes . . . No <input checked="" type="checkbox"/> . . .

TYPE OF BLANK CASING USED:	5 Wrought iron	8 Concrete tile	CASING JOINTS: Glued . . . Clamped . . .
1 Steel	3 RMP (SR)	6 Asbestos-Cement	9 Other (specify below)
2 PVC	4 ABS	7 Fiberglass	Welded <input checked="" type="checkbox"/>
Blank casing diameter 16 in. to 22 ft. Dia 16 in. to 42 ft. Dia . . . in. to . . . ft.			Threaded . . .
Casing height above land surface 12 in., weight 42.05 lbs./ft. Wall thickness or gauge No. .250			

TYPE OF SCREEN OR PERFORATION MATERIAL:	7 PVC	10 Asbestos-cement
1 Steel	3 Stainless steel	5 Fiberglass
2 Brass	4 Galvanized steel	8 RMP (SR)
	6 Concrete tile	9 ABS
		11 Other (specify) . . .
		12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:	5 Gauzed wrapped	8 Saw cut	11 None (open hole)
1 Continuous slot	3 Mill slot	6 Wire wrapped	9 Drilled holes
2 Louvered shutter	4 Key punched	7 Torch cut	10 Other (specify) Doerr Bridge Slot . . .

SCREEN-PERFORATED INTERVALS:	From 22 ft. to 34 ft.	From . . . ft. to . . . ft.
	From 42 ft. to 52 ft.	From . . . ft. to . . . ft.
GRAVEL PACK INTERVALS:	From 15 ft. to 52 ft.	From . . . ft. to . . . ft.
	From . . . ft. to . . . ft.	From . . . ft. to . . . ft.

GROUT MATERIAL:	1 Neat cement	2 Cement grout	3 Bentonite	4 Other . . .
Grout Intervals:	From 0 ft. to . . . ft.	From 15 ft. to . . . ft.	From . . . ft. to . . . ft.	From . . . ft. to . . . ft.

What is the nearest source of possible contamination:	10 Livestock pens	14 Abandoned water well
1 Septic tank	4 Lateral lines	7 Pit privy
2 Sewer lines	5 Cess pool	8 Sewage lagoon
3 Watertight sewer lines	6 Seepage pit	9 Feedyard
		11 Fuel storage
		12 Fertilizer storage
		13 Insecticide storage
		15 Oil well/Gas well
		16 Other (specify below)
		no. known source . . .

Direction from well? How many feet?

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHOLOGIC LOG
0	10	Fine sand topsoil and sandy tan clay			
10	34	Sand & gravel, med. to fine to coarse			
34	45	Clay, yellow gray & black			
45	52	Sand & gravel, med. to fine to coarse			

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CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 6/17/88 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 185 This Water Well Record was completed on (mo/day/yr) 7/28/88 under the business name of Clarke Well & Equipment, Inc. by (signature) [Signature]

SCANNED

Well #4 of 4 wells
75' North of #3

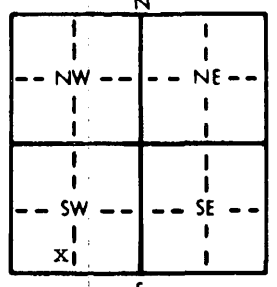
WATER WELL RECORD Form WWC-5 KSA 82a-1212

LOCATION OF WATER WELL: County: Barton	Fraction SE ¼ SW ¼ SW ¼	Section Number 17	Township Number T 20 S	Range Number R 11 E/W
---	----------------------------	----------------------	---------------------------	--------------------------

Distance and direction from nearest town or city street address of well if located within city?
Approx. 3 miles south of Ellinwood, KS

WATER WELL OWNER: Barton Co. Land & Cattle
 Street Address, Box #: Route 2
 City, State, ZIP Code: Ellinwood, KS 67526
 Board of Agriculture, Division of Water Resources
 Application Number: 37458

LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:



DEPTH OF COMPLETED WELL: 53 ft. ELEVATION: unknown
 Depth(s) Groundwater Encountered: 1. 11 ft. 2. ft. 3. ft.
 WELL'S STATIC WATER LEVEL: 11 ft. below land surface measured on mo/day/yr 6/17/88
 Pump test data: Well water was not ck'd ft. after hours pumping gpm
 Est. Yield: 200 gpm; Well water was ft. after hours pumping gpm
 Bore Hole Diameter: 24 in. to 52 ft., and in. to ft.
 WELL WATER TO BE USED AS:
 5 Public water supply 8 Air conditioning 11 Injection well
 1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)
 2 Irrigation 4 Industrial 7 Lawn and garden only 10 Observation well
 Was a chemical/bacteriological sample submitted to Department? Yes No X; If yes, mo/day/yr sample was submitted
 Water Well Disinfected? Yes No X

TYPE OF BLANK CASING USED:
 1 Steel 3 RMP (SR) 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued Clamped
 2 PVC 4 ABS 6 Asbestos-Cement 9 Other (specify below) Welded X
 7 Fiberglass Threaded
 Blank casing diameter: 16 in. to 22 ft., Dia 16 in. to 42 ft., Dia in. to ft.
 Casing height above land surface: 12 in., weight 42.05 lbs./ft. Wall thickness or gauge No. 250

TYPE OF SCREEN OR PERFORATION MATERIAL:
 1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 10 Asbestos-cement
 2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 11 Other (specify)
 12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:
 1 Continuous slot 3 Mill slot 5 Gauzed wrapped 8 Saw cut 11 None (open hole)
 2 Louvered shutter 4 Key punched 6 Wire wrapped 9 Drilled holes
 7 Torch cut 10 Other (specify) Doerr Bridge Slot

SCREEN-PERFORATED INTERVALS:
 From 22 ft. to 34 ft., From ft. to ft.
 From 42 ft. to 52 ft., From ft. to ft.
 GRAVEL PACK INTERVALS:
 From 15 ft. to 52 ft., From ft. to ft.
 From ft. to ft., From ft. to ft.

GROUT MATERIAL:
 1 Neat cement 2 Cement grout 3 Bentonite 4 Other
 Grout intervals: From 0 ft. to 15 ft., From ft. to ft., From ft. to ft.

What is the nearest source of possible contamination:
 1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well
 2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well
 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below)
 13 Insecticide storage none known

Direction from well?		How many feet?	
FROM	TO	LITHOLOGIC LOG	LITHOLOGIC LOG
0	10	Fine sand topsoil & sandy tan clay	
10	34	Sand & gravel, med. to fine to coarse	
34	45	Clay, yellow, gray & black	
45	52	Sand & gravel, med. to fine to coarse	

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CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 6/17/88 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 185 This Water Well Record was completed on (mo/day/yr) 7/28/88 under the business name of Clarke Well & Equipment, Inc. by (signature)

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks. underline or circle the correct answers. Send to three copies to Kansas Department of Health and Environment, Bureau of Water Protection, Topeka, Kansas 66620-7320, Telephone: 913-862-9360. Send one to WATER WELL OWNER and retain one for your records.

SCANNED

General Well Site Information

USGS ID:	381819098340601	KGS Local Well ID:	20S 11W 17CCD 01
County:	Barton	PLSS Description:	20S 11W 17 SWSWSE
HUC 8 Code:	11030004	GMD:	Big Bend GMD #5
Longitude:	-98.568355	Lat/Long Source:	GPS
Latitude:	38.304812	Lat/Long Accuracy:	5 seconds
Surface Elevation (ft):	1795.98	Depth of Well (ft):	53
Geological Unit Codes:		USGS Map Name:	Ellinwood
Use of Site:	Withdrawal of Water	Use of Water:	Irrigation
WWC5 Links:	<u>3024</u>	WIMAS Link:	<u>29121</u>

[Google Location Map](#)

Well Remarks:

No available photograph for this well.

Measuring Point Information

Note that height is listed as feet above or below land surface.

Height:	2.3
Description:	MEASUREMENT TUBE AT SOUTH WELL

Other Well Identifiers

Well Identifier	Assignor	Date Assigned
BT09M	BMT MA Wells	MAY-21-2004
37458	KDA-DWR	MAY-21-2004
Middle Ark	KDA-DWR Wells	SEP-09-2016

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Water Level Measurements

381819098340601

Note that depth to water is feet below land surface and all measurements for the well are included.

Hydrograph- Annual Average Depth to Water Below Land Surface								
Date	Depth to Water	Status	Agency	Method	WL Source	Tape Hold	Chalk Cut	Initials
SEP-01-1997	-9.6	B	DWR	Unknown	-	-	---	-
JAN-01-1998	-8.1	B	DWR	Unknown	-	-	---	-
APR-01-1998	-6.5	B	DWR	Unknown	-	-	---	-
MAR-01-1999	-7.5	B	DWR	Unknown	-	-	---	-
MAY-01-1999	-6.6	B	DWR	Unknown	-	-	---	-
SEP-01-1999	-8.91	B	DWR	Unknown	-	-	---	-
JAN-01-2000	-8.81	B	DWR	Unknown	-	-	---	-
FEB-01-2000	-8.81	B	DWR	Unknown	-	-	---	-
MAR-01-2000	-6.71	B	DWR	Unknown	-	-	---	-
APR-01-2000	-7.19	B	DWR	Unknown	-	-	---	-
MAY-01-2000	-7.61	B	DWR	Unknown	-	-	---	-
JUN-01-2000	-9.31	B	DWR	Unknown	-	-	---	-
JUL-01-2000	-10.35	B	DWR	Unknown	-	-	---	-
AUG-01-2000	-10.17	B	DWR	Unknown	-	-	---	-
SEP-01-2000	-10.8	B	DWR	Unknown	-	-	---	-
OCT-01-2000	-10.77	B	DWR	Unknown	-	-	---	-
NOV-01-2000	-9.77	B	DWR	Unknown	-	-	---	-
DEC-01-2000	-9.68	B	DWR	Unknown	-	-	---	-
JAN-01-2001	-9.72	B	DWR	Unknown	-	-	---	-
FEB-01-2001	-9.53	B	DWR	Unknown	-	-	---	-
MAR-01-2001	-8.31	B	DWR	Unknown	-	-	---	-
APR-01-2001	-8.13	B	DWR	Unknown	-	-	---	-
JUN-01-2001	-9.05	B	DWR	Unknown	-	-	---	-
JUL-01-2001	-10.08	B	DWR	Unknown	-	-	---	-
AUG-01-2001	-11.06	-	DWR	Unknown	-	14	0.64	phd
SEP-01-2001	-9.39	B	DWR	Unknown	-	-	---	-
OCT-01-2001	-9.55	B	DWR	Unknown	-	-	---	-
NOV-01-2001	-9.67	B	DWR	Unknown	-	-	---	-
DEC-01-2001	-9.74	B	DWR	Unknown	-	-	---	-
JAN-01-2002	-9.72	B	DWR	Unknown	-	-	---	-

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FEB-01-2002	-9.9	B	DWR	Unknown	-	-	---	-
MAR-01-2002	-10.1	B	DWR	Unknown	-	-	---	-
APR-01-2002	-10.21	B	DWR	Unknown	-	-	---	-
MAY-01-2002	-10.77	B	DWR	Unknown	-	-	---	-
JUL-01-2002	-17.45	B	DWR	Unknown	-	-	---	-
AUG-01-2002	-12.73	B	DWR	Unknown	-	-	---	-
SEP-01-2002	-12.34	B	DWR	Unknown	-	-	---	-
OCT-01-2002	-11.78	B	DWR	Unknown	-	-	---	-
NOV-01-2002	-11.52	B	DWR	Unknown	-	-	---	-
DEC-01-2002	-11.44	B	DWR	Unknown	-	-	---	-
JAN-01-2003	-11.37	B	DWR	Unknown	-	-	---	-
FEB-01-2003	-11.3	B	DWR	Unknown	-	-	---	-
MAR-01-2003	-11.24	B	DWR	Unknown	-	-	---	-
APR-01-2003	-10.54	B	DWR	Unknown	-	-	---	-
MAY-01-2003	-11.1	B	DWR	Unknown	-	-	---	-
SEP-01-2003	-12.68	B	DWR	Unknown	-	-	---	-
OCT-01-2003	-12.58	B	DWR	Unknown	-	-	---	-
NOV-01-2003	-12.33	B	DWR	Unknown	-	-	---	-
DEC-01-2003	-12.24	B	DWR	Unknown	-	-	---	-
JAN-01-2004	-12.18	B	DWR	Unknown	-	-	---	-
FEB-01-2004	-12.05	B	DWR	Unknown	-	-	---	-
MAR-01-2004	-11.82	B	DWR	Unknown	-	-	---	-
APR-01-2004	-11.84	B	DWR	Unknown	-	-	---	-
MAY-01-2004	-12.25	-	DWR	Unknown	-	-	---	-
OCT-22-2004	-12.42	-	DWR	Unknown	-	-	---	-
NOV-23-2004	-12.23	-	DWR	Unknown	-	-	---	-
DEC-14-2004	-12.12	-	DWR	Unknown	-	-	---	-
JAN-06-2005	-11.65	-	DWR	Unknown	-	-	---	-
FEB-04-2005	-11.93	-	DWR	Unknown	-	-	---	-
MAR-04-2005	-11.63	-	DWR	Unknown	-	-	---	-
APR-21-2005	-11.43	-	DWR	Unknown	-	-	---	-
MAY-01-2005	---	P	DWR	Unknown	-	-	---	-
JUN-01-2005	-11.14	-	DWR	Unknown	-	-	---	-
AUG-12-2005	---	P	DWR	Unknown	-	-	---	-
OCT-25-2005	-12.08	-	DWR	Unknown	-	14.38	0.00	-
JAN-12-2006	-11.85	-	DWR	Unknown	-	15	0.85	-
APR-28-2006	-12.3	-	DWR	Unknown	-	14.6	0.00	-

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OCT-24-2006	-12.5	-	DWR	Unknown	-	14.8	---	crc
JAN-04-2007	-12.26	-	DWR	Unknown	-	17	2.44	-
APR-02-2007	-11.68	-	DWR	Unknown	-	15	1.02	-
OCT-04-2007	-9.36	-	DWR	Unknown	-	15	3.34	-
JAN-25-2008	-9.01	-	DWR	Unknown	-	15	3.69	-
APR-15-2008	-8.63	-	DWR	Unknown	-	15	4.07	-
OCT-29-2008	-7.08	-	DWR	Unknown	-	13	3.62	-
JAN-22-2009	-7.69	-	DWR	Unknown	-	14	4.01	-
JUN-02-2009	-6.33	-	DWR	Unknown	-	11	2.37	-
NOV-03-2009	-7.17	-	DWR	Unknown	-	10	0.53	-
DEC-31-2009	-7.41	-	DWR	Unknown	-	11	1.29	-
APR-12-2010	-7.18	-	DWR	Unknown	-	11	1.52	ekf
OCT-19-2010	-8.92	-	DWR	Unknown	-	14	2.78	ekf
JAN-05-2011	-8.65	-	DWR	Unknown	-	13	2.05	ekf
APR-14-2011	-8.8	-	DWR	Unknown	-	12	0.90	ekf
NOV-17-2011	-11.86	-	DWR	Unknown	-	17	2.84	ekf
MAR-05-2012	-11.29	-	DWR	Unknown	-	15	1.41	pd
APR-19-2012	-10.65	-	DWR	Unknown	-	15	2.05	EKF
OCT-15-2012	-12.9	-	DWR	Unknown	-	16	0.80	EKF
JAN-17-2013	-12.59	-	DWR	Unknown	-	19	4.11	crc
APR-22-2013	-9.94	-	DWR	Unknown	-	16	3.76	al
OCT-09-2013	-10.8	-	DWR	Unknown	-	14	0.90	EKF
MAY-01-2014	---	-	DWR	Unknown	-	-	---	mjm
JAN-05-2015	-10.49	-	DWR	Unknown	-	16	3.21	MJM
OCT-15-2015	-9.99	-	DWR	Unknown	-	15	2.71	MJM
APR-14-2016	-10.57	-	DWR	Unknown	-	16	3.13	MJM
OCT-19-2016	-14.13	-	DWR	Unknown	-	20	3.57	MJM
DEC-30-2016	-10.54	-	DWR	Unknown	-	18	5.16	TJS
APR-19-2017	-10.12	-	DWR	Unknown	-	13	0.58	TJS

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DRILLER'S TEST LOG

Customer Name: Barton County Feeders Date: 6/29/2017

Address _____ Test No: #1-17

County: Barton Quarter: NE Section: 20 Township: 20 Range: 11

Drilled Footage
 From To Description of Strata Indicate Test Location by an X

From	To	Description of Strata	Indicate Test Location by an X			
0	3	Top soil				
3	11	Soft sandy clay			X	
11	15	Soft sandy clay w/ small, med gravel				
15	25	Sand & gravel- small med coarse				
		clean loose				
25	33	Tan clay				
33	40	Sand & gravel- small med coarse				
		w/ small clay streaks				
40	70	Sand & gravel- med clean coarse loose				

Static Water Level: 12 Ft

Remarks: Set 70 ft of 5" pipe for supply well

Garmin GPS- Nad 83
 Latitude: 38.3022 N
 Longitude: 98.5618 W
 Elevation: _____

Driller: Luis Luna
 Spot Location: SW/ NW/ NE

ROSENCRANTZ-BEMIS EQUIPMENT CO., INC
 Telephone (620) 792-2488 or (620) 793-5512
 P.O. Box 713, Great Bend, KS 67530

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1000 Corey Road
 P.O. Box 886
 Hutchinson, KS 67504-0886
 620-665-5661
 FAX: 620-665-0559
 TOLL FREE: 877-464-0623
 www.sdklabs.com

Sample # 3228.17
 Sample: Water
 Other ID: Well Sampled by L.L. Barton Co Feeders Test #1

Date Received: 06/30/2017
 Date/Time Sampled: 6/29/2017 15:00:00
 Date Reported: 07/06/2017
 Total Fee: \$35.00

ROSENCRANTZ-BEMIS DRILLING
 1105 281 BYPASS
 P.O. BOX 713
 GREAT BEND, KS 67530

ANALYSIS

	Result	Units	Date/Time Analyzed	Analyst
++pH - SM 4500-H+ B	7.38	s.u.	6/30/2017 10:35	SE
++Chloride - SM 4500-Cl B	210.00	mg/L	7/5/2017 11:00	SE
++Total Hardness - SM 2340B	323	mg/L		
++Nitrate-Nitrogen - SM 4500-NO3 D	13.80	mg/L	6/30/2017 16:00	SE
++Calcium - SM 3111B	109.00	mg/L	7/3/2017 09:30	AB
++Magnesium - SM 3111B	12.30	mg/L	7/3/2017 09:30	AB
++Sodium - SM 3111B	109.00	mg/L	7/3/2017 09:30	AB
++Sulfate - SM 4500 SO4 E	44.40	mg/L	6/30/2017 14:00	SE
++Iron - SM 3120B	3.73	mg/L	7/6/2017 11:00	JC
++Manganese - SM 3120B	0.096	mg/L	7/6/2017 11:00	JC
++Electrical Conductivity - SM 2510B	1270	umhos/cm	6/30/2017 15:30	SE
TDS-Total Dissolved Solids - Calculated	901	mg/L		

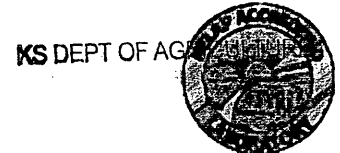
**Sample receipt temperature = 24.7 degrees C.
 **Sample beyond hold time for pH.
 *Analysis was subcontracted to another laboratory for state compliance - see attached.

++Denotes NELAP/KDHE Accredited Method. Lab Certificate #E-10152. Results meet all requirements of NELAC unless noted.
 Methods of analysis per EPA-800 or EPA SW-846, 3rd Ed., 1988 or Standard Methods for the Examination of Water and Wastewater, 18th Edition, 1982.

Approved By: Matt Hogan Officer
 Matt Hogan

WATER RESOURCES RECEIVED

AUG 24 2017



SCANNED



1000 Corey Road
 P.O. Box 886
 Hutchinson, KS 67504-0886
 620-665-5661
 FAX: 620-685-0559
 TOLL FREE: 877-464-0623
 www.sdklabs.com

Sample # 3229.17
 Sample: Water
 Other ID: Well Sampled by L.L. Barton Co Feeders Test #2

Date Received: 06/30/2017
 Date/Time Sampled: 6/29/2017 15:15:00
 Date Reported: 07/06/2017
 Total Fee: \$35.00

ROSENCRANTZ-BEMIS DRILLING
 1105 281 BYPASS
 P.O. BOX 713
 GREAT BEND, KS 67530

ANALYSIS

	Result	Units	Date/Time Analyzed	Analyst
++pH - SM 4500-H+ B	7.32	s.u.	6/30/2017 10:38	SE
++Chloride - SM 4500-Cl B	215.00	mg/L	7/5/2017 11:00	SE
++Total Hardness - SM 2340B	367	mg/L		
++Nitrate-Nitrogen - SM 4500-NO3 D	13.90	mg/L	6/30/2017 16:00	SE
++Calcium - SM 3111B	127.00	mg/L	7/3/2017 09:30	AB
++Magnesium - SM 3111B	12.00	mg/L	7/3/2017 09:30	AB
++Sodium - SM 3111B	105.00	mg/L	7/3/2017 09:30	AB
++Sulfate - SM 4500 SO4 E	33.80	mg/L	6/30/2017 14:00	SE
++Iron - SM 3120B	Less than 0.01	mg/L	7/6/2017 11:00	JC
++Manganese - SM 3120B	Less than 0.01	mg/L	7/6/2017 11:00	JC
++Electrical Conductivity - SM 2510B	1270	umhos/cm	6/30/2017 15:30	SE
TDS-Total Dissolved Solids - Calculated	901	mg/L		

**Sample receipt temperature = 24.1 degrees C.
 **Sample beyond hold time for pH.
 * Analysis was subcontracted to another laboratory for state compliance - see attached.

---Denotes NELAP/DHE Accredited Method. Lab Certificate #E-10152. Results meet all requirements of NELAC unless noted.
 Methods of analysis per EPA-600 or EPA SW-846, 3rd Ed., 1988 or Standard Methods for the Examination of Water and Wastewater, 18th Edition, 1982.

Approved By: Matt Hogan Officer
 Matt Hogan

WATER RESOURCES RECEIVED

AUG 24 2017

KS DEPT OF AGRICULTURE



SCANNED X

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

August 11, 2017

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

Subject: Change Application Pertaining to File No. 37,458, Barton County Feeders, Inc.

Dear Mr. Barfield:

The subject application and supporting documentation are submitted for your review and approval on behalf of the applicant, Barton County Feeders, Inc. KLA Environmental Services, Inc. assisted with the preparation of this application.

Barton County Feeders, Inc. recently completed an expansion of their cattle feeding facility. The permitted capacity of the facility increased from 20,000 head to 30,000 head of beef cattle. The average annual head count is expected to be 29,000. Additional water is needed to support the increased capacity. This change application proposes to increase the quantity of water available for livestock consumption by converting a portion of the authorized quantity associated with File No. 37,458 from irrigation use to stockwatering use. An additional well located within the cattle feeding facility is proposed. This well will be configured to supply only the stockwater portion of File No. 37,458. The place of use for this well is limited to the cattle feeding facility.

File No. 37,458 is currently authorized for irrigation use. The current authorized quantity is 197 acre-feet (AF) per year and the current authorized rate is 800 gallons per minute (gpm). We determined the consumptive use quantity associated with this water right by applying the 14.4% factor for Barton County as shown on the "Irrigation Return-Flow Percentages in Kansas, by County" map that was recently made available by DWR. The resulting consumptive use quantity is 168.6 AF. We request that this procedure be considered according to the provisions of K.A.R. 5-5-9 (b).

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AUG 24 2017

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Barton County Feeders, Inc. currently has a total of 278.3 AF to support the cattle feeding operation. This includes stockwatering rights and an industrial right of 14.9 AF that supplies the feed mill. A total quantity of 327.0 AF is desired to support the expansion, which implies a need for an additional stockwatering quantity of 48.7 AF. This total annual quantity equates to a unit consumption rate of approximately 10 gallons per head per day based on an average annual capacity of 29,000 head of beef cattle. This unit rate of consumption is less than the maximum quantity of 15 gallons per head per day listed in K.A.R. 5-3-22. The proposed additional quantity of stockwater is therefore considered to be reasonable.

The change application proposes a partial change in the use made of water from irrigation to 48.7 AF of stockwater. This represents 29% of the consumptive use quantity of 168.6 AF. The percentage remaining for irrigation is therefore 71%. The methodology outlined in K.A.R. 5-5-10 (d) (2) and (3) was applied to calculate the quantity remaining for irrigation of 139.9 AF.

The calculations pertaining to reasonable stockwater use, determination of consumptive use, and quantity remaining for irrigation are enclosed herein. If necessary, we request a waiver of any portion of K.A.R. 5-5-9 and 5-5-10 that may not be sufficiently satisfied by this documentation.

The place of use associated with File No. 37,458 is included in the Nutrient Management Plan (NMP) implemented by Barton County Feeders, Inc. Wastewater (effluent) from the cattle feeding facility is applied through center pivot irrigation systems onto the two fields comprising the place of use. These fields are also irrigated with groundwater authorized by File No. 37,458. Groundwater irrigation is a vital component of the NMP as it provides an additional source of water to support levels of crop production that are sufficient to utilize the nutrients supplied by wastewater. Wastewater application has been temporarily suspended on the NE $\frac{1}{4}$ of Section 17 T20S R11W until nutrient levels can be reduced to acceptable levels. Continued irrigation with groundwater is needed to resolve this situation. A reduction of the current authorized place of use would have an adverse impact on the NMP and may result in noncompliance with the terms of the facility environmental permit, which is administered by the Kansas Department of Health and Environment. We therefore request a waiver of K.A.R. 5-5-10 (b) so that the current authorized place of use of 261 acres can be retained. We have included calculations that document the average annual quantity of wastewater application. This quantity, when combined with the proposed irrigation quantity of 139.9 AF, represents 93.5% of the current authorized quantity of 197 AF. There will be no increase in consumptive use due to this change. Also, the recent expansion of the facility will produce an increased quantity of wastewater, which will offset the reduction of groundwater quantity available for irrigation.

**WATER RESOURCES
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AUG 24 2017

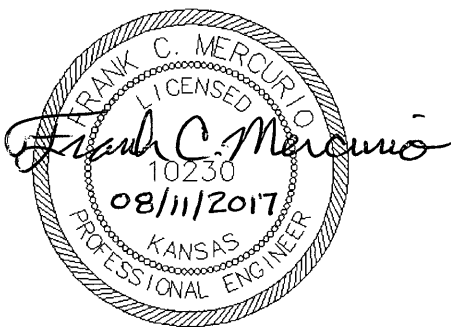
A flow rate test was conducted on the existing battery of wells on July 26, 2017 by the Stafford Field Office. The test rate was 794.6 gpm. Allowing for the accuracy of the test equipment, a rate of 800 gpm was recommended. This rate is equal to the authorized rate of 800 gpm. We propose to assign 725 gpm to the existing battery of wells and 75 gpm to the additional well that will be used for stockwatering purposes. Calculations showing the sufficiency of these rates to reasonably supply the requested quantities are enclosed. The information required by K.A.R. 5-5-16 (b) is also enclosed herein.

There are no wells within 1,320 feet of the geographical center of the existing battery of wells. There are no non-owned wells within 1,320 feet of the proposed additional well. There are four wells within 1,320 feet of the proposed additional well that are owned by the applicant. These wells relate to File Nos. 16,878.02, 16,878.03, 18,686.05 and 41,588. Each of these wells provides water to the cattle feeding facility. Two of the wells are designated as standby wells. None of these wells has an authorized rate in excess of 75 gpm. It is unlikely that any impairment will result from approval of the proposed additional well. If impairment does result, it will only impact the applicant. We therefore request a waiver of the applicable provisions of K.A.R. 5-4-4, 5-5-16 and 5-25-2 as they relate to spacing between existing wells of earlier priority and the proposed additional well.

The WIMAS and Water Well Completion Records (WWC5) databases operated by the Kansas Geological Survey were reviewed to locate neighboring wells. Based upon this review, it was determined that all wells within 1/2 mile of the proposed additional well are owned by Barton County Feeders, Inc. Please refer to the enclosed maps for the locations of all wells pertaining to this application.

Please contact me if you have any questions concerning this application. Thank you for your consideration of this matter.

Respectfully,



Frank C. Mercurio, P.E.

WATER RESOURCES
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AUG 24 2017

August 11, 2017

Page 4 of 4

Mr. David Barfield, P.E.
Chief Engineer

Enclosures

cc/enc: Alan Pohlman, Barton County Feeders, Inc.

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



1303 YUCCA ST. • SCOTT CITY, KS 67877
WWW.KLAENVIRO.COM

AUG 24 2017

KS DEPT OF AGRICULTURE
SCANNED

Krueger, Richelle

From: Krueger, Richelle
Sent: Tuesday, December 5, 2017 11:51 AM
To: Lanterman, Jeff
Cc: Conant, Cameron; Turney, Brent
Subject: RE: Request for Recommendation Change in PD PU UMW File No. 37458 Barton Co Feeders

Thanks Jeff I will proceed!

From: Lanterman, Jeff [KDA]
Sent: Tuesday, December 5, 2017 11:50 AM
To: Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>
Cc: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>; Turney, Brent [KDA] <Brent.Turney@ks.gov>
Subject: RE: Request for Recommendation Change in PD PU UMW File No. 37458 Barton Co Feeders.

Richelle;

I have been pretty involved in this change application and was at the GMD meeting trying to help it through the board and the board review. Anyway I recommend that it be approved as is.

Part of a large stack for BT CO Feeders and an expansion. I am not concerned about the reduction in af/a under the irrigation portion of this right as that circle is part of the KDHE Nutrient Management plan and received effluent from the feedlot.

If you have any questions please don't hesitate to give me a call.

Thanks
Jeff

From: Krueger, Richelle
Sent: Wednesday, November 15, 2017 1:38 PM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Cc: Conant, Cameron <Cameron.Conant@ks.gov>; Turney, Brent <Brent.Turney@ks.gov>
Subject: Request for Recommendation Change in PD PU UMW File No. 37458 Barton Co Feeders

Hi Jeff,
Attached is a draft memo for the referenced change application, do you recommend approval?

Thanks,
Richelle

Krueger, Richelle

From: Orrin Feril <oferil@gmd5.org>
Sent: Monday, November 13, 2017 2:57 PM
To: Krueger, Richelle
Subject: Application for Change, Water Right, File No. 37458
Attachments: 37458 2017-11-13 Rec.pdf

Richelle,

I'm attaching the recommendation requested by your office in a letter dated October 12, 2017. Please let me know if you have any questions.

Thank you for your consideration in this matter,

Orrin

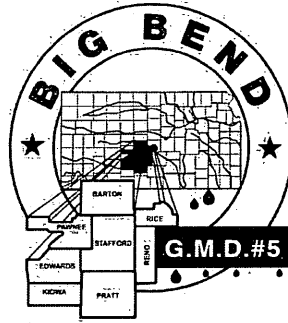
--
Orrin Feril
Manager
Big Bend GMD#5
Email: oferil@gmd5.org
Phone: (620) 234-5352
Mobile: (620) 388-0172
Fax: (620) 234-5718
www.gmd5.org

WATER RESOURCES
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NOV 13 2017

KS DEPT OF AGRICULTURE

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



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

November 13, 2017

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

RE: Water Right File No. 37,458
Change in the Point of Diversion
Change in the Place of Use
Change in the Use Made of Water

Dear Ms. Krueger,

The Big Bend Groundwater Management District #5 has reviewed the above referenced application to change the point of diversion, place of use, and use made of water for Water Right File No. 37,458. The application does not meet K.A.R. 5-25-2 spacing to other wells.

The application was presented to the Board of Directors at the November regular board meeting. Based upon information received in the District office and provided at the board meeting, the Board voted to waive the K.A.R. 5-25-2 due to the fact that all other wells within 1320 feet are owned and operated by the owner/applicant. Therefore, the application for change is recommended for approval.

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

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

Sincerely,

Orrin Feril
Manager

WATER RESOURCES
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NOV 13 2017

KS DEPT OF AGRICULTURE

SCANNED

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

November 6, 2017

BIG BEND GROUNDWATER
MANAGEMENT DISTRICT NO 5
ATTN ORRIN FERIL
125 S MAIN
STAFFORD KANSAS 67578

COPY

Re: Water Right, File No. 37,458

Dear Orrin:

In accordance with your request received in this office on November 3, 2017, the Chief Engineer has extended until November 21, 2017, the time in which to submit your recommendations concerning the application to change the place of use, point of diversion and use made of water under File No. 37,458.

If you have any questions, please contact me at (785) 564-6635. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Richelle A. Krueger".

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

Enclosures

pc: Stafford Field Office

Krueger, Richelle

From: Orrin Feril <oferil@gmd5.org>
Sent: Friday, November 3, 2017 6:00 PM
To: Krueger, Richelle
Subject: Application for Change, Water Right, File No. 37458
Attachments: 37458 2017-11-03 Corr.pdf; Agenda_Nov17.pdf

Richelle,

I'm attaching a request for extension in response to a letter dated October 12, 2017. Please see the attached document for further details. The intent is to take this before the board next week at our November board meeting for further review.

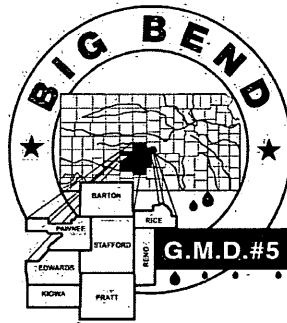
Thank you for your consideration in this matter,

Orrin

--
Orrin Feril
Manager
Big Bend GMD#5
Email: oferil@gmd5.org
Phone: (620) 234-5352
Mobile: (620) 388-0172
Fax: (620) 234-5718
www.gmd5.org

WATER RESOURCES
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NOV 03 2017
KS DEPT OF AGRICULTURE

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



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

November 3, 2017

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

RE: Water Right File No. 37458
Change in the Point of Diversion
Change in Place of Use
Change in Use Made of Water

Dear Ms. Krueger,

The Big Bend Groundwater Management District #5 requests a fifteen-day extension on the above referenced application. This application will be reviewed at the next board meeting. Thank you.

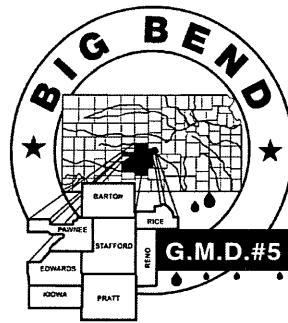
Sincerely,

Orrin Feril
Manager

WATER RESOURCES
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NOV 03 2017
KS DEPT OF AGRICULTURE

SCANNED

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



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

NOTIFICATION OF MONTHLY BOARD MEETING

November 3, 2017

President Darrell Wood has scheduled the monthly board meeting of the Big Bend Groundwater Management District #5. The meeting will be held on **Friday November 10, 2017** at the District office in Stafford. The meeting is scheduled to begin at **10:00 a.m.**

The meeting agenda is as follows:

1. Additions to Agenda
2. Approval of October Minutes
3. Approval of Treasurer's Report
4. WR# 37458 Change Application
5. Manager's Report
6. Rattlesnake Creek LEMA Committee Report
7. DWR Report
8. USFWS Report
9. KWA Report
10. Regional Advisory Committee Report
11. Water Pack Report
12. Other Business
13. Board Round Table & Agenda items for next meeting (December 14 at 10:00 am)

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KS DEPT OF AGRICULTURE

Underline denotes action items

SCANNED

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

October 12, 2017

BIG BEND GROUNDWATER
MANAGEMENT DISTRICT NO 5
ATTN ORRIN FERIL
125 S MAIN
STAFFORD KANSAS 67578

FILE COPY

Re: Water Right, File No. 37,458

Dear Orrin:

We are enclosing a copy of the application to change the place of use, point of diversion and use made of water for File No. 37,458.

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

Please submit your recommendations within the allowed time, or any authorized extension of time thereof. If you have any questions, please contact me at (785) 564-6635. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Richelle A. Krueger".

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

Enclosures

pc: Stafford Field Office

SCANNED



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

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

Jackie McClaskey, Secretary

Governor Sam Brownback

BARTON COUNTY FEEDERS INC
1164 SE 40 ROAD
ELLINWOOD, KS 67526

8/25/2017

FILE COPY

RE: File No 37458

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use PU/PD/UMW
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

BAT: DLW
pc: STAFFORD Field Office GMD5

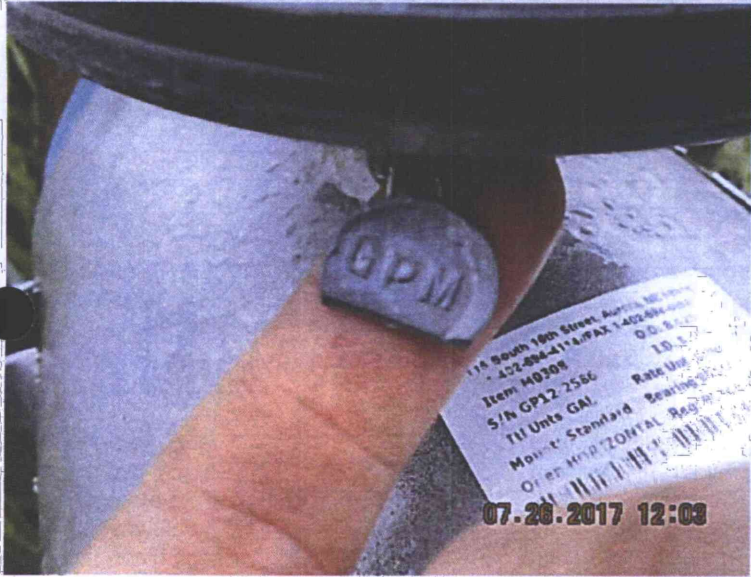
Pictures:



07-26-2017 11:40



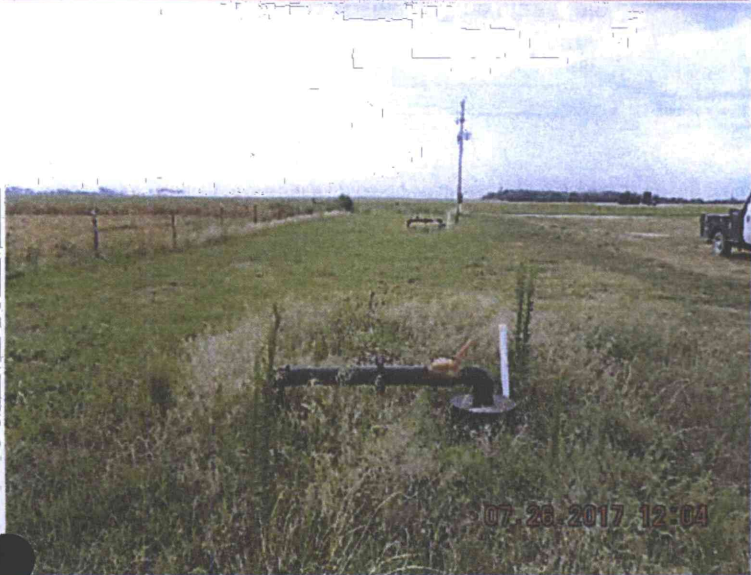
07-26-2017 11:40



07-26-2017 12:03



07-26-2017 12:03



07-26-2017 12:04



07-26-2017 12:04

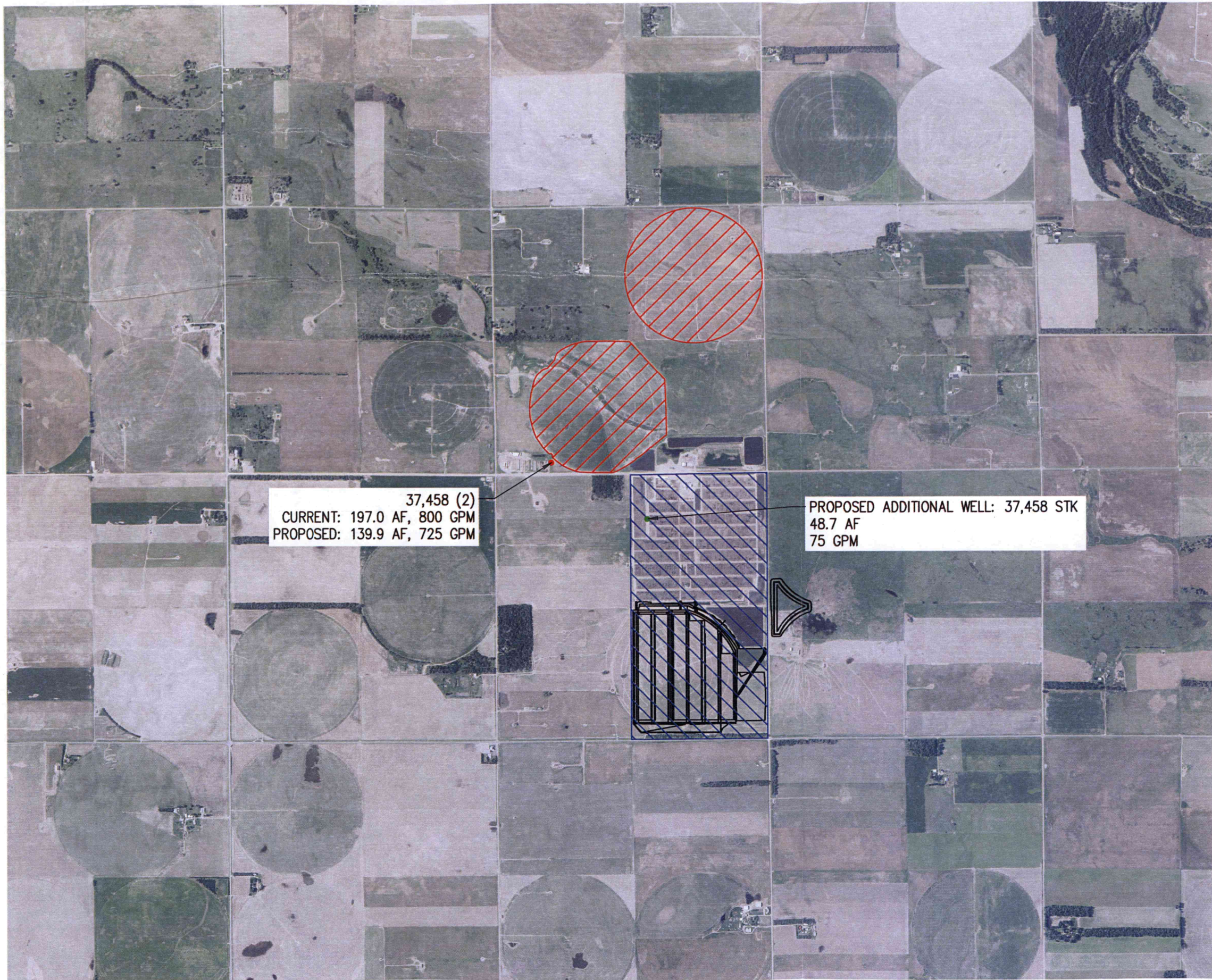
WATER RESOURCES RECEIVED

File No. 37,458

AUG 24 2017

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KS DEPT OF AGRICULTURE



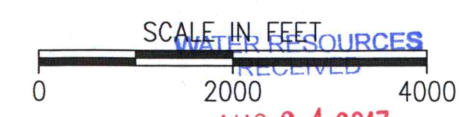
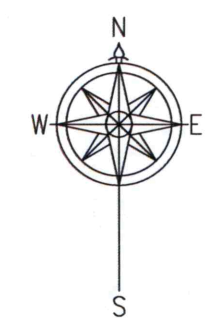
37,458 (2)
 CURRENT: 197.0 AF, 800 GPM
 PROPOSED: 139.9 AF, 725 GPM

PROPOSED ADDITIONAL WELL: 37,458 STK
 48.7 AF
 75 GPM

LEGEND

- POINT OF DIVERSION (IRR)
- POINT OF DIVERSION (ADDITIONAL WELL-STK)
- ▨ PLACE OF USE - IRRIGATION (CURRENT AND PROPOSED)
- ▨ PLACE OF USE - STOCKWATER (PROPOSED)

T20S



AUG 24 2017

KS DEPT OF AGRICULTURE

R11W

FILE NO. 37,458 PLACE OF USE

DRAWN	DLB	DATE	7/17
CHECKED	FCM	DATE	7/17
APPROVED	FCM	DATE	7/17

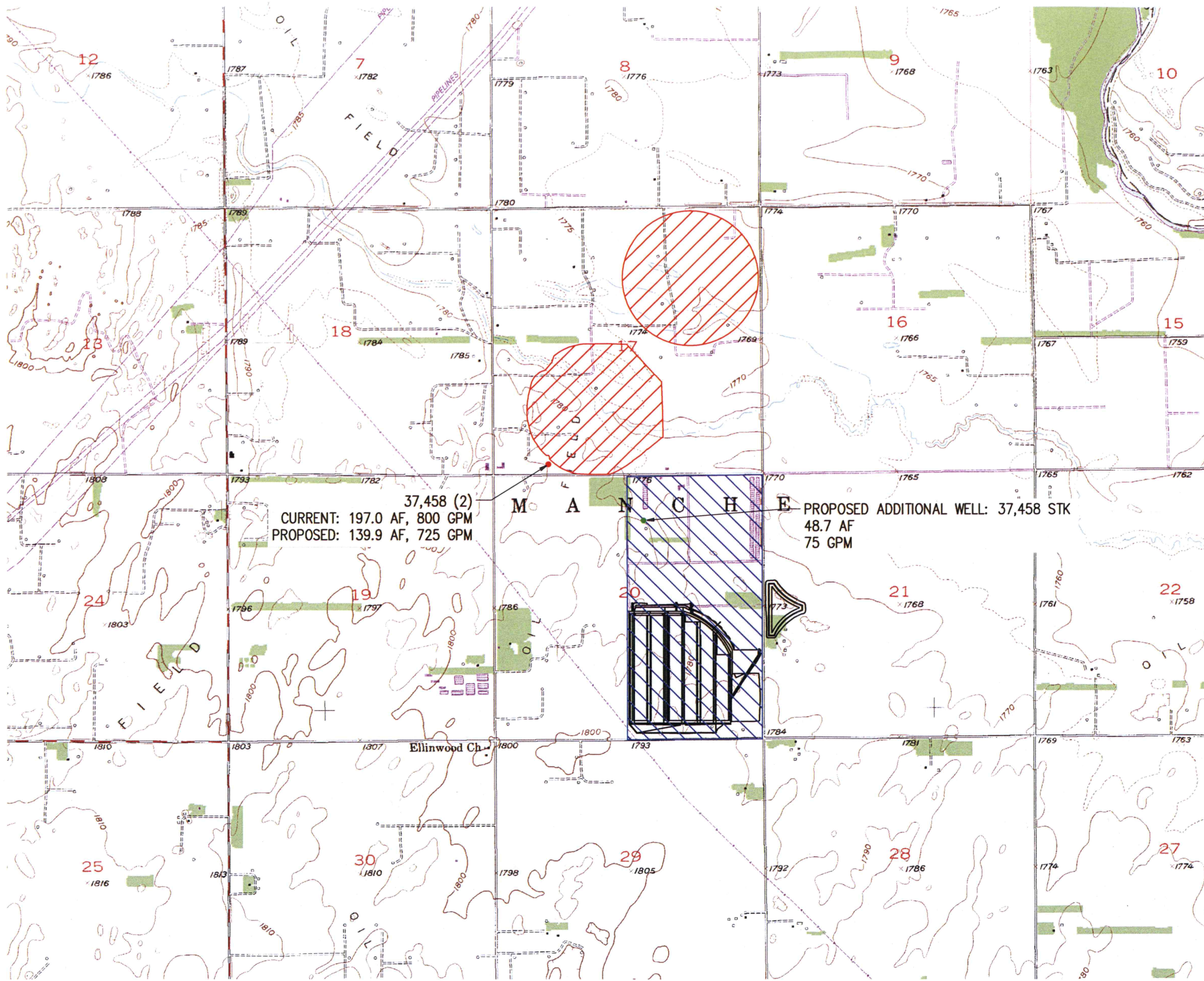
BARTON COUNTY FEEDERS, INC
 WATER RIGHT CHANGE APPLICATION
 NE 1/4 SECTION 20 T20S R11W
 BARTON COUNTY, KANSAS

1700 E. IRON
 SALINA, KANSAS 67401
 (785) 823-0097

1303 YUCCA STREET
 SCOTT CITY, KANSAS 67871
 (620) 872-2300



CAD FILE NAME:
 WATER RIGHTS MAP-2017.DWG
 SHEET NO. 1 OF 2



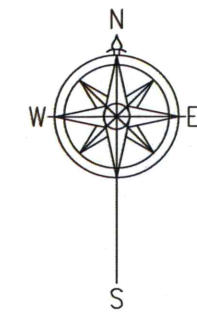
LEGEND

- POINT OF DIVERSION (IRR)
- POINT OF DIVERSION (ADDITIONAL WELL-STK)
- PLACE OF USE - IRRIGATION (CURRENT AND PROPOSED)
- PLACE OF USE - STOCKWATER (PROPOSED)

DRAWN	DLB	DATE	7/17
CHECKED	FCM	DATE	7/17
APPROVED	FCM	DATE	7/17

BARTON COUNTY FEEDERS, INC
 WATER RIGHT CHANGE APPLICATION
 NE 1/4 SECTION 20 T20S R11W
 BARTON COUNTY, KANSAS

T20S



KS DEPT OF AGRICULTURE

R11W

FILE NO. 37,458 PLACE OF USE

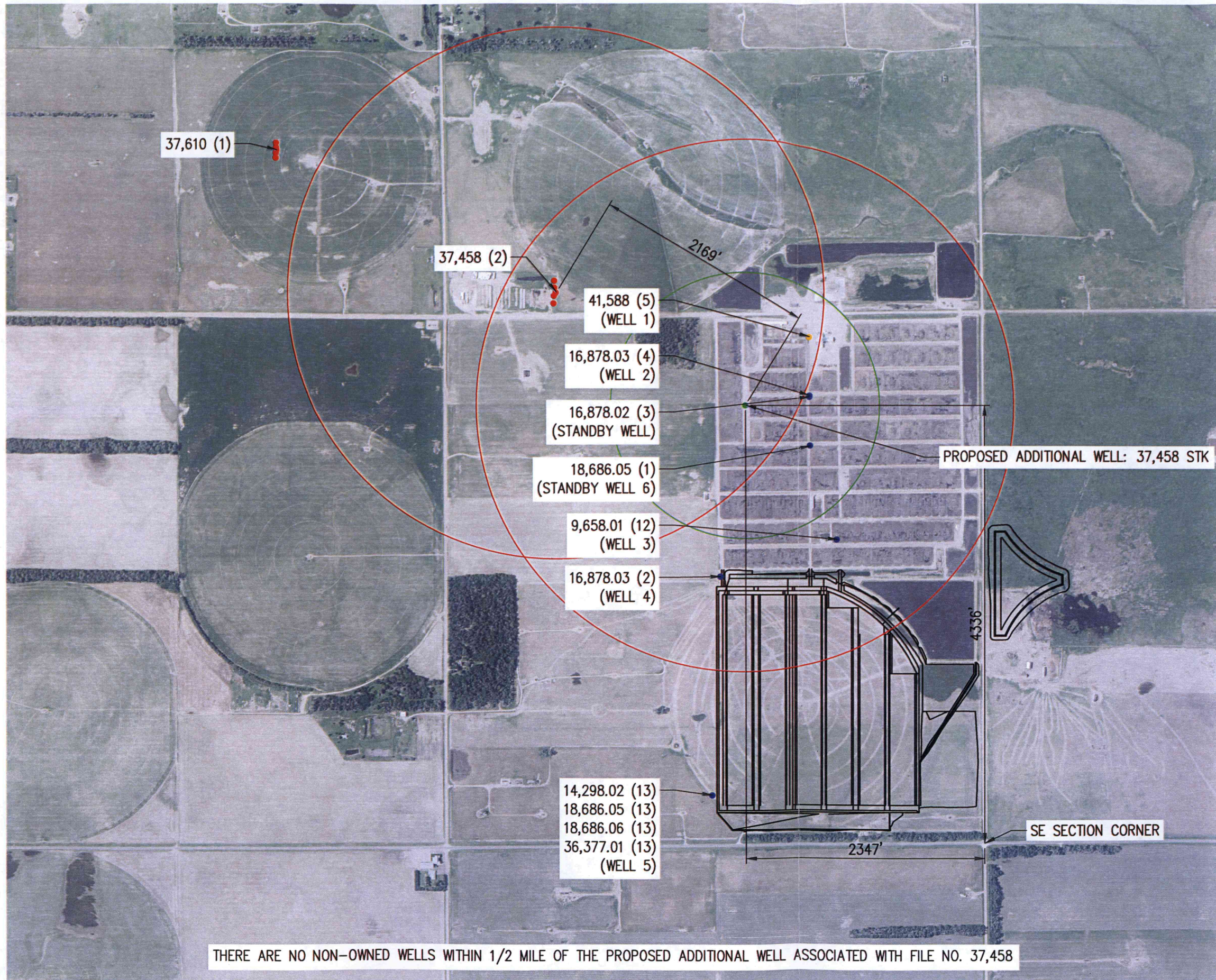
1700 E. IRON
 SALINA, KANSAS 67401
 (785) 823-0097

1303 YUCCA STREET
 SCOTT CITY, KANSAS 67871
 (820) 872-2300



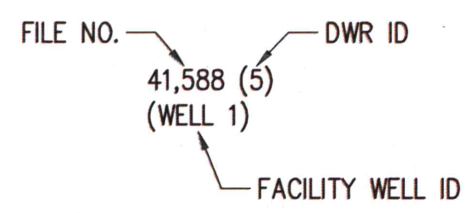
CAD FILE NAME:
 WATER RIGHTS MAP-2017.DWG

SHEET NO. 2 OF 2

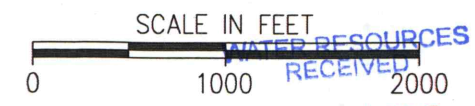


LEGEND

- POINT OF DIVERSION (STK)
- POINT OF DIVERSION (IRR)
- POINT OF DIVERSION (IND)
- POINT OF DIVERSION (ADDITIONAL WELL-STK)
- BOUNDARY OF 1/2 MILE SPACING AROUND FILE NO. 37,458 (2) AND AROUND PROPOSED ADDITIONAL WELL
- BOUNDARY OF 1,320-FOOT SPACING AROUND PROPOSED ADDITIONAL WELL



T20S



AUG 24 2017

KS DEPT OF AGRICULTURE

WELL LOCATIONS

DRAWN	DLB	DATE	7/17
CHECKED	FCM	DATE	7/17
APPROVED	FCM	DATE	7/17

BARTON COUNTY FEEDERS, INC
 WATER RIGHT CHANGE APPLICATION
 NE 1/4 SECTION 20 T20S R11W
 BARTON COUNTY, KANSAS

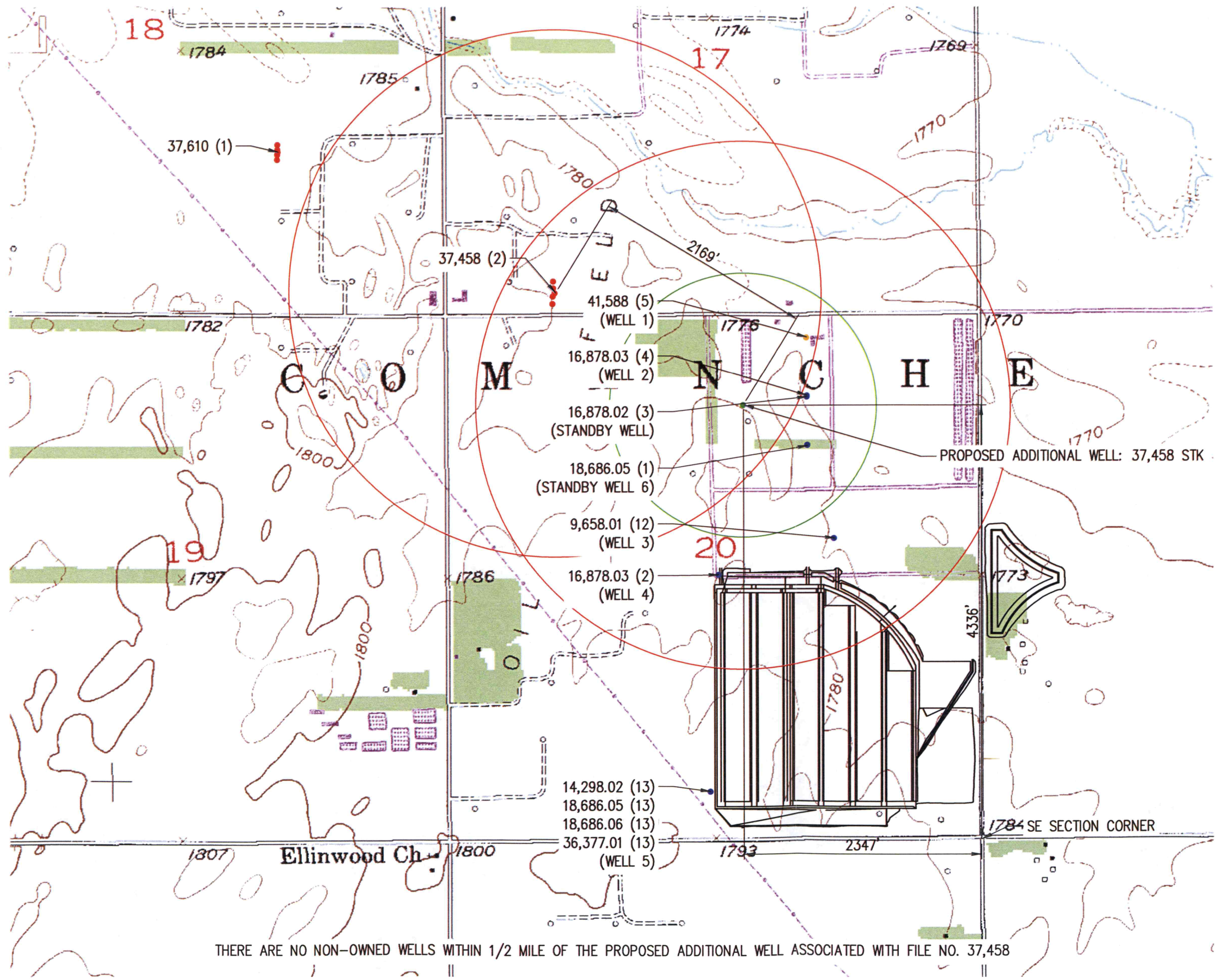
1700 E. IRON
 SALINA, KANSAS 67401
 (785) 823-0097
 1303 YUCCA STREET
 SCOTT CITY, KANSAS 67871
 (620) 872-2300



CAD FILE NAME:
 WATER RIGHTS MAP-2017.DWG
 SHEET NO. 1 OF 2

THERE ARE NO NON-OWNED WELLS WITHIN 1/2 MILE OF THE PROPOSED ADDITIONAL WELL ASSOCIATED WITH FILE NO. 37,458

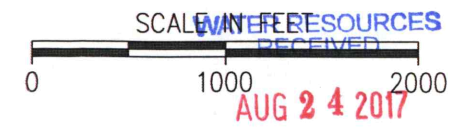
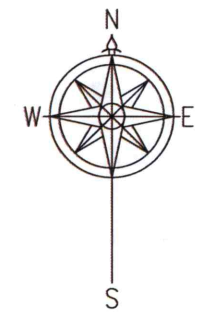
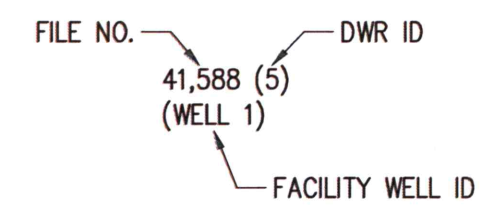
R11W



THERE ARE NO NON-OWNED WELLS WITHIN 1/2 MILE OF THE PROPOSED ADDITIONAL WELL ASSOCIATED WITH FILE NO. 37,458

LEGEND

- POINT OF DIVERSION (STK)
- POINT OF DIVERSION (IRR)
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- POINT OF DIVERSION (ADDITIONAL WELL-STK)
- BOUNDARY OF 1/2 MILE SPACING AROUND FILE NO. 37,458 (2) AND AROUND PROPOSED ADDITIONAL WELL
- BOUNDARY OF 1,320-FOOT SPACING AROUND PROPOSED ADDITIONAL WELL



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WELL LOCATIONS

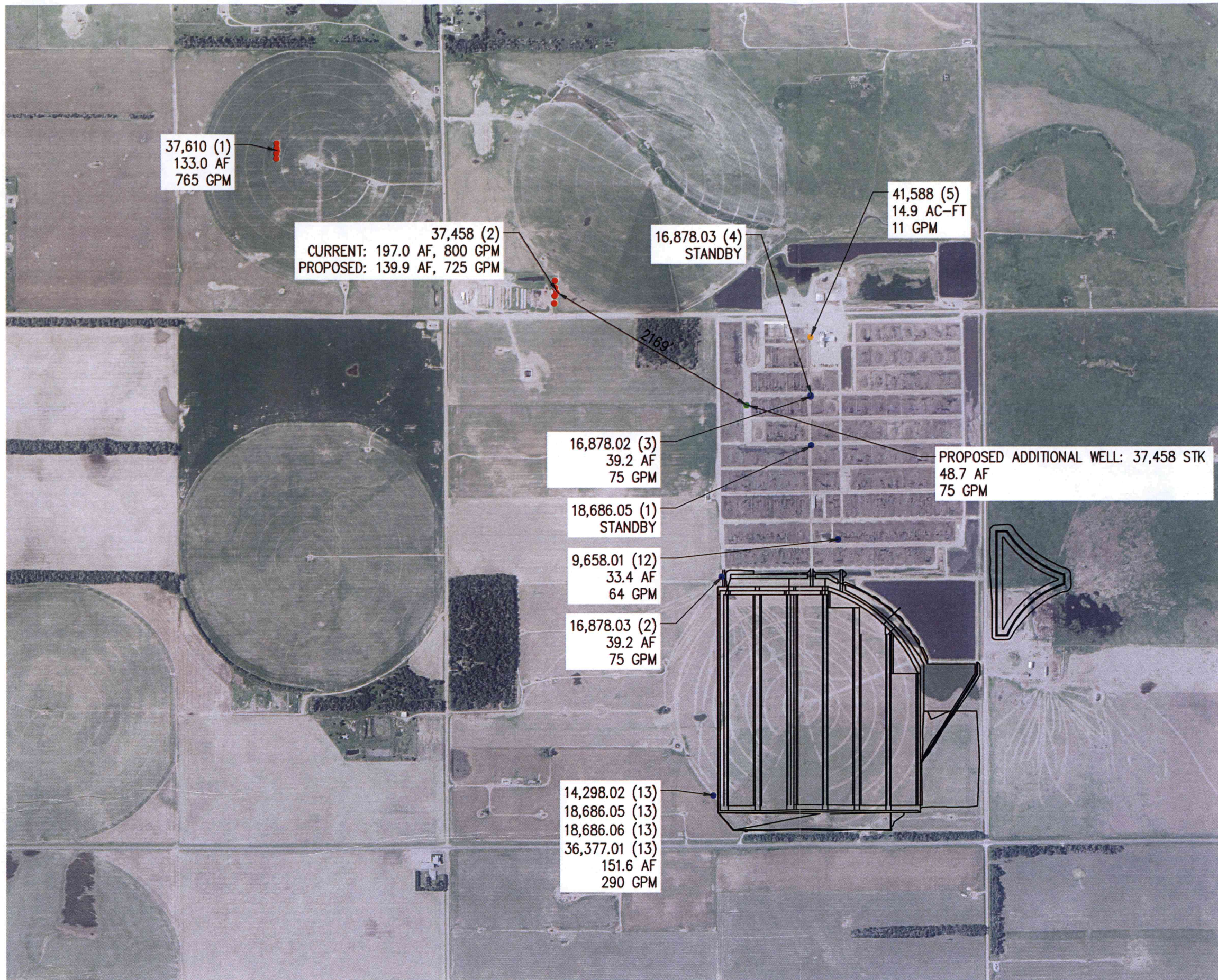
DRAWN	DLB	DATE
CHECKED	FCM	DATE
APPROVED	FCM	DATE
		7/17
		7/17
		7/17

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 SHEET NO. 2 OF 2



37,610 (1)
133.0 AF
765 GPM

37,458 (2)
CURRENT: 197.0 AF, 800 GPM
PROPOSED: 139.9 AF, 725 GPM

16,878.03 (4)
STANDBY

41,588 (5)
14.9 AC-FT
11 GPM

16,878.02 (3)
39.2 AF
75 GPM

PROPOSED ADDITIONAL WELL: 37,458 STK
48.7 AF
75 GPM

18,686.05 (1)
STANDBY

9,658.01 (12)
33.4 AF
64 GPM

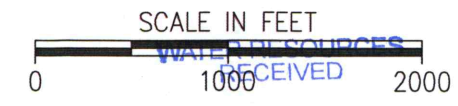
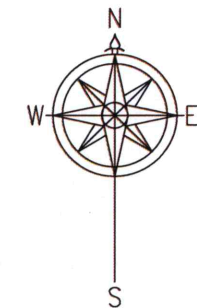
16,878.03 (2)
39.2 AF
75 GPM

14,298.02 (13)
18,686.05 (13)
18,686.06 (13)
36,377.01 (13)
151.6 AF
290 GPM

LEGEND

- POINT OF DIVERSION (STK)
- POINT OF DIVERSION (IRR)
- POINT OF DIVERSION (IND)
- POINT OF DIVERSION (ADDITIONAL WELL-STK)

T20S



AUG 24 2017

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RATE & QUANTITY MAP

R11W

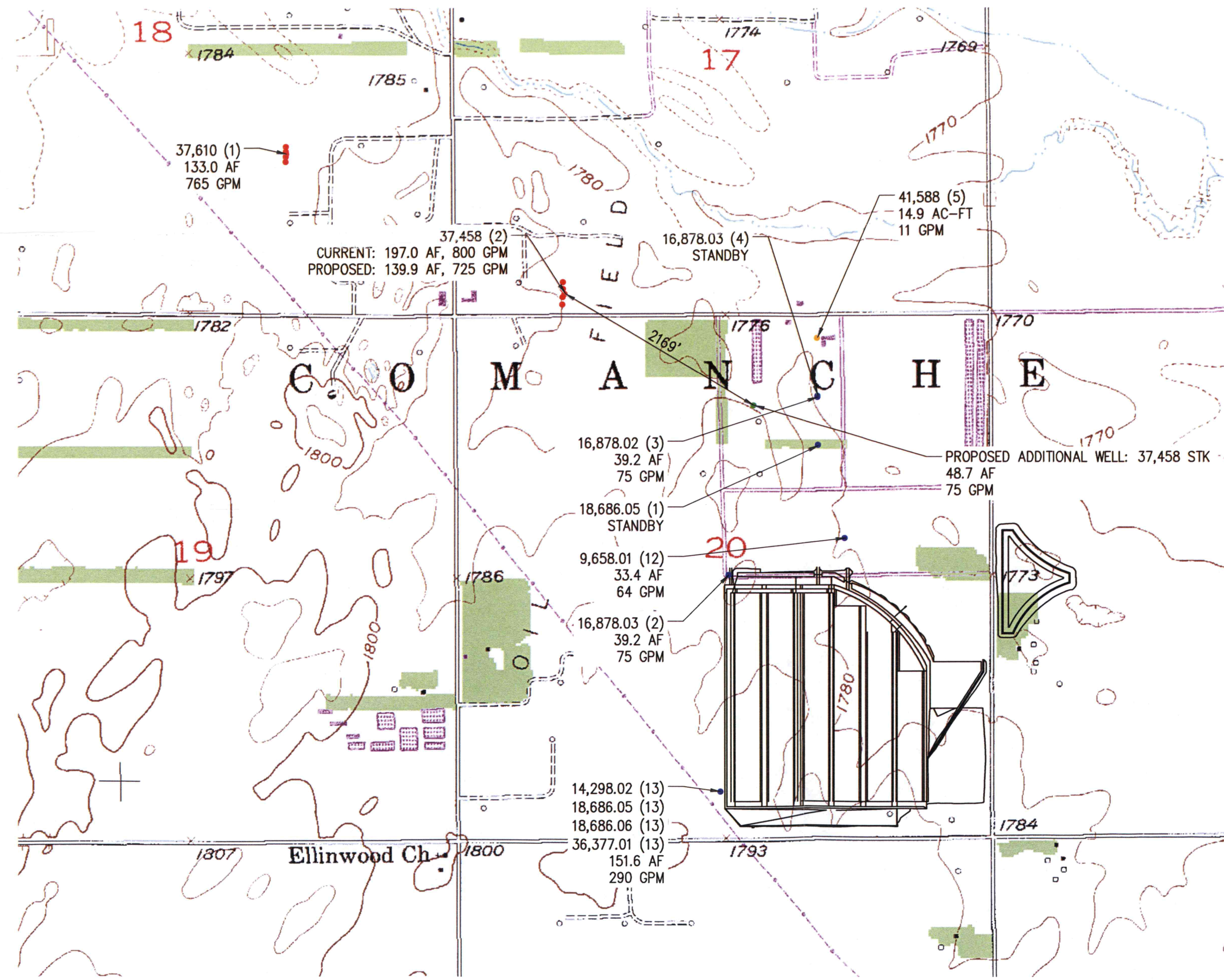
DRAWN	DLB	DATE	7/17
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SHEET NO. 1 OF 2



LEGEND

- POINT OF DIVERSION (STK)
- POINT OF DIVERSION (IRR)
- POINT OF DIVERSION (IND)
- POINT OF DIVERSION (ADDITIONAL WELL-STK)

T20S



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 1303 YUCCA STREET SCOTT CITY, KANSAS 67871 (620) 872-2300



CAD FILE NAME: WATER RIGHTS MAP-2017.DWG
 SHEET NO. 2 OF 2

RATE & QUANTITY MAP

R11W

Ellinwood Ch