

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

1. File Number: 38915	2. Status Change Date: 6/4/2020	3. Change Num: C1	4. Field Office: 02	5. GMD: 03
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-Apr-2020
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID <u>67106</u> Add Seq# <u>1</u>		8c. Landowner(s) New to system <input type="checkbox"/>
BOWMAN ENTERPRISES LLC Attn: WILROADS FEED YARD 11449 LARIAT WAY DODGE CITY, KS 67801-6694				
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID <u>67106</u> Add Seq# <u>1</u>		8d. WUC New to system <input type="checkbox"/>
BOWMAN ENTERPRISES LLC Attn: WILROADS FEED YARD 11449 LARIAT WAY DODGE CITY, KS 67801-6694		BOWMAN ENTERPRISES LLC Attn: WILROADS FEED YARD 11449 LARIAT WAY DODGE CITY, KS 67801-6694 <u>NO CHANGES</u>		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/20</u> <input type="checkbox"/> N & P Date to Comply: _____				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter				
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 05/14/20 By: RAK Date Entered: 6/10/2020 By: LMoody				

File No. **38915** 11. County: Basin: **ARKANSAS RIVER** Stream: Formation Code: Special Use: **016 ARK IGUCA**

12. Points of Diversion
 CHK Rate and Quantity
 MOD Authorized Additional
 DEL PDIV Qualifier S T R ID 'N 'W Comment (AKA Line) Rate Quantity Rate Quantity
 ENT Overlap PD Files
 gpm/cfs af/mgy gpm/cfs af/mgy

CHK	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	Overlap PD Files

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

14. Limitation: _____ 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 CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files	
						NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					
MOD	40752	4	27	24W	7																					*19521-D1; 19521-D3; 38161; 38162; 38163; 38915; 38916; 38917; 45904; 20187032-MF

Base Acres: Year: Minimum Reasonable Quantity:
 Comments:

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

TO: Files
FROM: Richelle A. Krueger

DATE: June 2, 2020
RE: Water Right
File Nos. 19,521-D1; 19,521-D3; 38,161;
38,162; 38,163; 38,915; 38,916; 38,917; and
45,904

Keith Bowman and L. La Tessa Bowman, on behalf of Bowman Enterprises LLC, Wilroads Feed Yard, owners of the above referenced water rights, filed an application for approval to change the place of use and use made of water for Water Right, File No. 19,521-D3 and place of use only change applications for Water Right, File Nos. 19,521-D1; 38,161; 38,162; 38,163; 38,915; 38,916; 38,917; and 45,904, all located in the Arkansas River Intensive Groundwater Use Control Area (IGUCA). The applications were filed on April 24, 2020.

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

File No. 19,521-D3 is authorized 227 acre-feet and 870 gallons per minute from one well for irrigation of 135 acres in the South Half (S½) of Section 9, Township 27 South, Range 24 West, Ford County Kansas. The authorized point of diversion and place of use overlaps MYFA Term Permit, File No. 20167078-MF. The water right owner proposes to convert the entire file to stockwatering use pursuant to K.A.R. 5-5-9 *Approval of application for a change in the use made of water from irrigation to any other type of beneficial use of water to facilitate the expansion of an existing feedlot.* After application of the regulation:

$$227 \text{ AF} \times .894 (\text{Ford Co. consumptive use \%}) = 202.938 \text{ AF}$$

a total of 202.938 acre-feet (66.13 million gallons) of water will be authorized for stockwatering use under File No. 19,521-D3. Overlapping File No. 20167078-MF will be dismissed and the quantity under File No. 19,521-D3 will be temporarily reduced in 2020-2021 to total withdrawals of 329.572 acre-feet and to no greater than 202.938 acre-feet in either individual year since the approval of the change application as proposed would allow for water in excess of that allowed by the base water right and the multi-year flex account.

The expanded feedlot will be located in the Southwest Quarter (SW¼) of Section 4, the East Half (E½) of Section 8, the Southwest Quarter of the Northeast Quarter (SW¼ NE¼), the West Half (W½) and the West Half of the Southeast Quarter (W½ SE¼) of Section 9, all in Township 27 South, Range 24 West, Ford County, Kansas. The feedlot is now authorized by Water Right, File Nos. 19,521-D1; 38,161; 38,162; 38,163; 38,915; 38,916; 38,917; and 45,904, and the applications to change the place of use for those files will create an exact overlap in place of use with File No. 19,521-D3. It should be noted that overlapping File No. 19,521-D1 is a suspended stockwatering/irrigation dual use right and now covered by MYFA Term Permit, File No. 20187032 MF. The total limited quantity under the existing base rights is 97.525 million gallons and the 66.13 million gallons requested for File No. 19,521-D3 is in addition to the existing rights covering the feedlot. The applicants submitted justification for the additional quantity in the supplemental sheet, which indicates the feedlot will have 36,000 head, so the total quantity would provide approximately 13 gallons per head per day, which is below K.A.R. 5-3-22 *Maximum reasonable quantity of water for livestock and poultry.*

Also, the well authorized by File No. 38,915 is overlapped by Temporary Permit, File No. 20200015 for industrial use for a concrete batch plant until September 6, 2020.

Water right owners with a point of diversion within one-half mile of the authorized point of diversion of File No. 19,521-D3 were notified by a letter dated April 30, 2020 of the proposed change in place of use and use made of water to comply with K.S.A. 82a 1906.

The same local source of supply will not change.

In a letter dated May 1, 2020, Jason Norquest, Assistant Manager of Southwest Kansas Groundwater Management District No. 3, indicated that the Board of Directors of GMD No. 3 recommended approval of the applications.

In an e-mail dated May 19, 2020, Jeff Lanterman, Water Commissioner of the Stafford Field Office, recommend approval of the referenced applications.

Water flow meters are required. Check valves are required if chemigating.

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



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

Mike Beam, Secretary

Laura Kelly, Governor

BOWMAN ENTERPRISES LLC
Attn: WILROADS FEED YARD
11449 LARIAT WAY
DODGE CITY, KS 67801-6694

RE: Water Right, File Nos. 19,521-D1; 19,521-D3; 38,161; 38,162; 38,163; 38,915; 38,916;
38,917; and 45,904

Multi-Year Flex Account, File No. 20167078-MF

Dear Sir or Madam:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals is that acceptable water flow meters must be installed on the diversion works authorized under the referenced file numbers. 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.

Also enclosed is the Consent Agreement and Final Order for the Dismissal of a Term Permit for a Multi-Year Flex Account, File No. 20167078-MF. The order dismisses File No. 20167078-MF and limits the total withdrawals under Water Right, File No. 19,521-D3 in 2020 and 2021 to 329.572 acre-feet and to no greater than 202.938 acre-feet in either individual year.

Since the orders modify the original documents referred to above, the orders for File Nos. 19,521-D1; 19,521-D3; 38,161; 38,162; 38,163; 38,915; 38,916; 38,917; and 45,904 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,

A handwritten signature in blue ink that reads "Richelle A. Krueger". The signature is written in a cursive style.

Richelle A. Krueger
Environmental Scientist
Division of Water Resources

RAK

pc: Stafford Field Office
Groundwater Management District No. 3

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Christopher W. Beightel, Acting Chief Engineer

APPROVAL OF APPLICATION FOR CHANGE IN PLACE OF USE WATER RIGHT FILE NO. 38,915

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Keith Bowman and L. La Tessa Bowman, on behalf of Bowman Enterprises, L.L.C., Wilroads Feed Yard, 11449 Lariat Way, Dodge City, Kansas 67801-6694, received in this office on April 24, 2020, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, that the change relates to the same local source of supply and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the place of use shall be:

a feedlot located in the Southwest Quarter (SW $\frac{1}{4}$) of Section 4, the East Half (E $\frac{1}{2}$) of Section 8, and the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), the West Half (W $\frac{1}{2}$), and the West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 9, all in Township 27 South, Range 24 West, Ford County, Kansas,

located substantially as shown on the map accompanying the application to change the place of use.

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.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 38,915 for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated June 11, 2002.

Ordered this 4 day of June, 2020, in Manhattan, Riley County, Kansas.

Chris Beightel

Christopher W. Beightel, P.E.
Acting 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 4 day of June, 2020, by Christopher W. Beightel, P.E., Acting Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

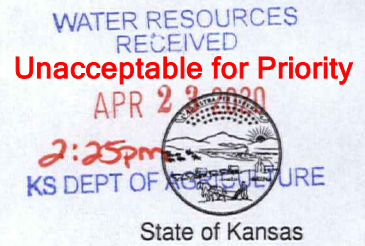


Ashlee Freeman

Notary Public

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**



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.

4/24/2020, 9:16 AM

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

- Place of Use
 Point of Diversion
 Use Made of Water

(Check one or more)

Water Resources
Received

KS Dept Of Agriculture

File No. 38915

2. Name of applicant: Bowman Enterprises LLC, Wilroads Feed Yard

Address: 11449 Lariat Way

City, State and Zip: Dodge City KS 67801-6694

Phone Number: (620)339-0910 E-mail address: travis@wfyllc.com

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

Name of water use correspondent: Bowman Enterprises LLC, Wilroads Feed Yard

Address: 11449 Lariat Way

City, State and Zip: Dodge City KS 67801-6694

Phone Number: () E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): This application proposes to change the place of use to accommodate a proposed expansion of the feedlot facility.

The change(s) will be completed by June 2020

(Date)

For Office Use Only:															
F.O.	<u>2</u>	GMD	<u>3</u>	Meets K.A.R. 5-5-1	(<input checked="" type="checkbox"/> YES / <input type="checkbox"/> NO)	Use	<u>STK</u>	Source	<input type="checkbox"/> G / <input checked="" type="checkbox"/> S	County	<u>FO</u>	By	<u>BMM</u>	Date	<u>4/24/20</u>
Code	<u>CPU</u>			Fee \$	<u>200</u>	TR #	<u>PY00013917</u>	Receipt Date	<u>4/24/2020</u>	Check #	<u>CC</u>				

4/28/2020
LMoody

4. The presently authorized place of use is:

Owner of Land — NAME: Bowman Enterprises LLC, Wilroads Feed Yard (STOCKWATER)

ADDRESS: 11449 Lariat Way, Dodge City KS 67801-6694

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	
4	27S	24W	Feedlot in the Southwest Quarter																
8	27S	24W	Feedlot in the Northeast Quarter																
9	27S	24W	Feedlot in the West Half																

List any other water rights that cover this place of use. 19521-D1, 38161, 38162, 38163, 38915, 38916, 38917, 45904, & 20187032-MF

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: Bowman Enterprises LLC, Wilroads Feed Yard (STOCKWATER)

ADDRESS: 11449 Lariat Way, Dodge City KS 67801-6694

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	
4	27S	24W	Feedlot in the Southwest Quarter																
8	27S	24W	Feedlot in the East Half																
9	27S	24W	Feedlot in the West Half of the Southeast Quarter and the West Half of Section 9																

***SW4NE4 and**

List any other water rights that cover this place of use. 19521-D1, 19521-D3, 38161, 38162, 38163, 38915, 38916, 38917, 45904, & 20187032-MF

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 MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

WATER RESOURCES RECEIVED

***per app map
RAK/DWR 5-21-20**

APR 23 2020

KS DEPT OF AGRICULTURE

- 6. The presently authorized point(s) of diversion is One (1) well with diversion works
(Provide description and number of points)
- 7. The proposed point(s) of diversion is One (1) well with diversion works
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:** STOCKWATER USE

One in the SE Quarter of the SW Quarter of the NW Quarter of Section 9, Township 27 South, Range 24 W, in Ford County, Kansas, 2822 feet North 4063 feet West of Southeast corner of section.
 Authorized Rate 50 GPM Authorized Quantity 7.616 MGY
 (DWR use only: Computer ID No. 8 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 _____, 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 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 _____ 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 _____

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. N/A

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

APR 23 2020

12. The presently authorized use of water is for Stockwatering purposes.

It is proposed that the use be changed to No change purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

See supplemental pages for information on feed lot expansion in regards to the proposed place of use change.

Feedlot expansion projected to operate with 30,000 head of cattle

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to --- (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.

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.

No waivers are anticipated.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY.

RESOURCES RECEIVED

APR 23 2020

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.

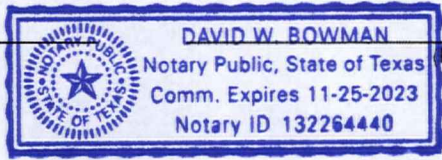
If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

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 207 August Shiner, Tx, Kansas, this 14 day of April, 2020.

<u>Ref Bowman</u> (Owner)	_____	(Spouse)
<u>Keith Bowman</u> (Please Print)	_____	(Please Print)
<u>H Barbara Bowman</u> (Owner)	_____	(Spouse)
<u>L LaTessa Bowman</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of TEXAS
County of LAVACA } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 16TH day of APRIL, 2020.

David W Bowman
Notary Public

My Commission Expires 11/25/2023

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.**

APR 23 2020
KS DEPT OF AGRICULTURE

APR 23 2020

KS DEPT OF AGRICULTURE

**STOCKWATER USE
SUPPLEMENTAL SHEET**

File No. 19521-D3

Name of Applicant (Please Print): Wilroads Feedyard, LLC

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

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

PAST NUMBER OF HEAD AND WATER DIVERTED, IF APPLICABLE

LAST 5 YEARS	NUMBER OF HEAD	WATER DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
5 years ago	9,169 (2014)	41,960,550	12.53
Last year	11,933 (2017)	42,870,107	9.84
Present Year	14,114 (2019)	54,548,758	10.58

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

ESTIMATED FUTURE NUMBER OF HEAD AND WATER DIVERTED

NEXT 5 YEARS	NUMBER OF HEAD	WATER TO BE DIVERTED (GALLONS)	GALLONS PER HEAD PER DAY
Year 1	36,000	170,820,000	13
Year 2	36,000	170,820,000	13
Year 3	36,000	170,820,000	13
Year 4	36,000	170,820,000	13
Year 5	36,000	170,820,000	13

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

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

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4	27S	24W	Feedlot in Southwest Quarter																
8	27S	24W	Feedlot is the East Half																

9 27S 24W Feedlot is the West Half of the Southeast Quarter and the West Half of Section 9

APR 23 2020

KS DEPT OF AGRICULTURE

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

DRINKING

36,000 head of Beef Cattle x 13 gallons/head (avg.) x 365 days = 170,820,000 gallons

_____ head of _____ x _____ gallons/head (avg.) x _____ days = _____ gallons

_____ head of _____ x _____ gallons/head (avg.) x _____ days = _____ gallons

COOLING

NA gallons/hour x _____ hour/day x _____ days = _____ gallons

SANITATION

NA g.p.m. x 60 min/hr x _____ hr/wk x _____ wks/yr = _____ gallons

OTHER USE (Explain) _____ = _____ gallons

TOTAL ----- 170,820,000 gallons

6. Show location of present and future location of confinement pens on your attached maps or photographs.

7. Total feed bunk space for cattle or livestock is 30,213 linear feet.

8. Total size of stock pens for confinement area of cattle, hogs, etc. is 8,505,284 square feet.

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

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



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

Mike Beam, Secretary

Laura Kelly, Governor

BOWMAN ENTERPRISES LLC, WILROADS FEED YARD
11449 LARIAT WAY
DODGE CITY, KS 67801

April 23, 2019

RE: File No **38915**

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
- 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,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

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

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

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

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

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 33 days after this Order was mailed to you), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then 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.

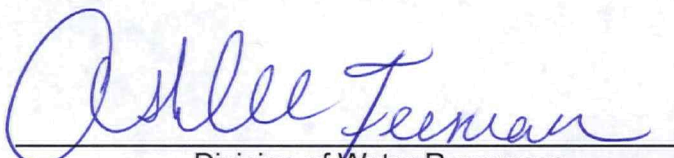
CERTIFICATE OF SERVICE

On this 11th day of June, 2020, I hereby certify that the foregoing Approval of Application for Change in Place of Use, File No. 38,915, dated 4 June 2020 was mailed postage prepaid, first class, US mail to the following:

BOWMAN ENTERPRISES LLC
Attn: WILROADS FEED YARD
11449 LARIAT WAY
DODGE CITY, KS 67801-6694

With photocopies to:

Stafford Field Office
Groundwater Management District No. 3


Division of Water Resources