NOTICE

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

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture

1320 Research Park Drive Manhattan, Kansas 66502 http://agriculture.ks.gov/dwr

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



Assisted by:

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

showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat

(C	application is hereby mad	de for approval of the Chief Engineer to change th Place of Use Point of Diversion	WATER RESOURCES RECEIVED NOV 1 4 2022
(C	,	■ Place of Use	RECEIVED
***	Check one or more)		NOV 1 4 2022
***	Check one or more)	☐ Point of Diversion	NU V 1 4 / 11//
2. N			21.0
2. N		Use Made of Water	KS DEPT OF AGRICULTURE
2. N		File No. <u>14,377</u>	_
	lame of applicant: Jame	es S & Bonnie J Carpenter Trust	
A	oddress: 2055 County F	Road 2	
С	City, State and Zip: <u>Brew</u>	vster, KS 67732	
Р	Phone Number:	E-mail address:	
V	Vhat is your relationship	to the water right; owner tenant agent	t other? If other, please explain
_ N	lame of water use corre	spondent: Same as applicant	
	•	E-mail address:	
3. TI	he change(s) proposed	herein are desired for the following reasons (pleas	se be specific): The existing Carpenter Cattle
<u>C</u>	Company, Inc. livestock	feeding facility has proposed an expansion to	20,000 head of beef cattle weighing greater
<u>t</u> r	han 700 pounds. Addit	tional stockwater is necessary to support the ex	panded headcount. Changes will also create
<u>a</u>	complete overlap in p	lace of use with facility stock water rights, which	includes the expanded place of use.
T	he change(s) (was) (will	l be) completed by upon approval	
			(Date)
For C	Office Use Only:		ALB
F.O.	3 GMD 4 Meets	K.A.R. 5-5-1 (YES NO) Use STK Source G	S County TH By Date 11/22/2
Code	<u> </u>	Fee \$ TR # Re	ceipt Date 11 22 Check # 218

File No. 14,377	
-----------------	--

The presently authorized place of use	is:
---	-----

Owner of Land — NAME: See attached Land Ownership map for areas of Irrigation Use

ADDRESS:

				NE	Ξ1/4			NW1/4		SW¼			SE1/4				TOTAL		
Sec.	Twp.	Range	NE1/4	NW1⁄4	SW1/4	SE1/4	NE1⁄4	NW1⁄4	SW1/4	SE1/4	NE1/4	NW1⁄4	SW1/4	SE1/4	NE1/4	NW1⁄4	SW1/4	SE1/4	ACRES
8	7S	36W															9	40	49
17	7S	36W	40	28	39	40					40	40	40	40					307

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

Owner of Land — NAME: _____

ADDRESS:

				NE	1/4			NW¼		SW1/4				SE1/4				TOTAL	
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	ACRES												
										•									

(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: See attached Land Ownership map for areas of Irrigation Use

ADDRESS:

				NE	Ξ1/4			NW1/4			SV	V1⁄4		SE1/4				TOTAL	
Sec.	Twp.	Range	NE1⁄4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
8	78	36W														_	9	40	49
17	7S	36W	40	23	12	40					40	40	40	40					275

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

Owner of Land — NAME: See attached Land Ownership map for areas of Stockwater Use

ADDRESS:

				NE	Ξ1/4			NW1/4		SW¼			SE1/4				TOTAL		
Sec.	Twp.	Range	NE1/4	NW1⁄4	SW1/4	SE1/4	NE1/4	NW1⁄4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
8	7S	36W											Х	Х		ı			Feedlot
17	7S	36W		Х	Х		Х	Х	Х	Х									Feedlot
								ı,				1							

List any other water rights that cover this place of use. File No. 7,272

		File No. <u>14,377</u>	
6.	The presently authorized point(s) of diversion (is) (are) one well, pump, are	nd appurtenances.	
	•	(Provide description and number of points)	
7.	The proposed point(s) of diversion (is) (are) one well, pump, and appurte	nances. (Provide description and number of points)	·
	List all presently authorized point(s) of diversion:	(Provide description and number of points)	
8.	Presently authorized point of diversion:		
٥.	One in the Quarter of the CE of Section 17, Township 7 in Thomas County, Kansas, 1320 feet North 2660 Authorized Rate 1990 GPM Authorized Quantity 625 AF (DWR use only: Computer ID No GPS	Quarter of the SW	Quarter
	of Section 17 Township 7	South, Range 36 WEST	(E/W).
	in Thomas County, Kansas, 1320 feet North 2660	feet West of Southeast corner of	section.
	Authorized Rate 1990 GPM Authorized Quantity 625 AF		
	(DWR use only: Computer ID No GPS	feet North feet West)	
	■ This point will not be changed ☐ This point will be changed as f	ollows:	
	Proposed point of diversion: (Complete only if change is requested)		
	One in the Quarter of the		
	of Section, Township		
	in County, Kansas, feet North		section.
	Proposed Rate Proposed Quantity		
	This point is: Additional Well Geo Center List other water rights to	nat will use this point	·
ا م	Presently authorized point of diversion:		
9.	One in the SW	Quarter of the SW	Quarter
	of Section 17 Township 7	South Range 36 WEST	_ Quarter
	One in the SW One in the SW of Section 17 In Thomas County, Kansas, 250 Geet North 5000	feet West of Southeast corner of	(L/VV),
	Authorized Rate 1990 GPM Authorized Quantity 625 AF	rect west of Southeast corner of	Section.
	(DWR use only: Computer ID No GPS	feet North feet West)	
	■ This point will not be changed ☐ This point will be changed as f		
	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 the	nat 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),

10.									
	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 sect					
	Authorized Rate	Authorized Quan	tity						
	(DWR use only: Con	nputer ID No	GPS	feet North	feet West)				
		t be changed 🔲 This point							
	Proposed point of di	iversion: (Complete only if ch	nange is requested)					
		iversion: (Complete only if ch Quarter of the _		-	Quarter				
	One in the			Quarter of the					
	One in the	Quarter of the		Quarter of the South, Range	(E/W),				
	One in the of Section in	Quarter of the _ , Township	feet North	Quarter of the South, Range feet West of So	(E/W),				
	One in the of Section in Proposed Rate	Quarter of the _ , Township County, Kansas,	feet North	Quarter of the South, Range feet West of So	utheast corner of section.				

			File No. <u>14,377</u>
12	The pre	esently authorized use of water is for <u>irrigation</u> purpo	2020
· 2 ·	It is pro	posed that the use be changed to irrigation and stockwater	purposes.
13.	If chang	ging the place of use and/or use made of water, describe how the consumptive use e applications will ensure no increase in consumptive use by complying with th	
	Please	refer to the enclosed calculations and related documentation for more detailed	d information. In the event this
	water r	ight is no longer necessary for stock use, the owner requests the ability to reve	ert to the full irrigation quantity.
	/Dlagge	show any adjoulations have	
14.		show any calculations here.) uested that the maximum annual quantity of water be reduced to 546.875 AF	(acre-feet or million gallons).
15.	It is rec	uested that the maximum rate of diversion of water be reduced to N/A	_ gallons per minute (c.f.s.).
16.	1:24,00 Kansas Distand should	plication must include either a topographic map or detailed plat. A U.S. Geologic 10, is available through the Kansas Geological Survey, 1930 Constant Avenue, s 66047-3726 (www.usgs.gov). The map should show the location of the present es North and West of the Southeast corner of the section must be shown. The also be shown. Identify the center of the section, the section lines and the section, township, and range numbers on the map. In addition the following information may be available to the section of the section and the section of the section in the following information may be available to the section of the	University of Kansas, Lawrence, ly authorized point(s) of diversion. presently authorized place of use corners and show the appropriate
	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 t must be shown. Please be certain that the information shown on the map agr Paragraph Nos. 9, 10 and 11 of the application.	
	2)	If the source of supply is groundwater, please show the location of existing a domestic wells, within $\frac{1}{2}$ mile of the proposed well or wells. Identify each well a mailing address of the property owner or owners. If there are no wells within $\frac{1}{2}$ m	is to its use and furnish name and
	3)	If the source of supply is surface water, the names and mailing addresses of all and $\frac{1}{2}$ mile upstream from your property lines must be shown.	landowner(s) ½ mile downstream
		a change in the place of use is desired, show the proposed place of use by crost tain that the information shown on the map agrees with the information shown in P	
17.	local so well log made b		statements, plats, geology reports, ove. Additional comments may be
		is no change in well location or local source of supply water. Consumptive use	will not be increased. Please
	refer to	the enclosed maps and supporting documentation for additional information.	
	-		
18.	identify reques	roposed change(s) does not meet all applicable rules and regulations of the Kansa the rules and regulations for which you request a waiver. State the reason why t should be granted. Attach documentation showing that granting the request will r prejudicially and unreasonably affect the public interest.	y a waiver is needed and why the

File No.	14,377
1 110 140.	

Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> 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 authorized to make this application on their behalf, an complete. By filing this application I authorize the chief as specified in sections 14 and 15 of this application.	d declare furth f engineer to pe	er that the statements rmanently reduce the o	contained herein are quantity of water and	e true, correct, and or rate of diversion
Dated at Bruster	, Kansas, this	31 st day of	October	, 20 22
James S + Bannie & Carpenter Trus James S + Bonnie J Carpenter Tr (Please Print)	t_		(Spouse)	
Transac C + Barnie & Carpenter Tr	ust		(Spouse)	
(Please Print)	1		(Please Print)	
By Bannia & Carpenter I	wes		(Spouse)	
By Bonnie J Carpenter True (Please Print)	slee		(Please Print)	
(Owner)			(Spouse)	
(Please Print)		STA	NK SHIELDS TARIBASE Print) TE OF KANSAS TO 10 25 28	
State of Kansas County of ThOhnas SS		Inches and the second	activities and the second seco	
I hereby certify that the foregoing application was s	signed in my p	oresence and sworn to	before me this	3151 day of
My Commission Expires 10 25 28		Deen	Notary Public)
	FEE SCHED	JLE		
Each application to change the place of use, the point of divergence application fee set forth in the schedule below:	ersion or the use	made of the water unde	er this section shall be	accompanied by the

Make check payable to Kansas Department of Agriculture.

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

October 20, 2022

WATER RESOURCES
RECEIVED

NOV 1 4 2022

KS DEPT OF AGRICULTURE

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

Subject: Change Applications Pertaining to Water Right File Nos. 7,272 and 14,377 for Carpenter Cattle Company, Inc. and James S and Bonnie J Carpenter Trust

Dear Mr. Lewis:

Two change applications pertaining to the subject water rights are enclosed for your consideration. These applications are submitted on behalf of the applicants, Carpenter Cattle Company, Inc and James S and Bonnie J Carpenter Trust. KLA Environmental Services, Inc. assisted with the preparation of these applications. Additional information relating to the change applications is provided herein.

Water for livestock consumption at Carpenter Cattle Company, Inc. is currently supplied by one primary well, with a standby well as a backup. The stockwater well discharges into an interconnected pressurized pipeline system that supplies water to the entire facility. The operation of the system is based upon variable livestock demand and the physical characteristics of the pumps and pipeline system.

Carpenter Cattle Company, Inc. is submitting a permit application to the Kansas Department of Health and Environment (KDHE) with a plan for an expansion of the feedyard to increase their permitted headcount to 20,000 cattle. The water system for the new expansion is planned to be interconnected with the existing feedyard's pipeline system. Change in place of use to include the expansion is necessary to allow for this connection.

Application for Change in Place of Use and Use Made of Water Pertaining to File No 14,377

After the proposed expansion, Carpenter Cattle Company, Inc. will have a maximum permitted capacity of 20,000 head of beef cattle. The maximum reasonable use for this capacity is 336.043 acre-feet per year based upon a maximum unit consumption rate of 15 gallons/head/day.

The total of all stockwater rights currently associated with the facility is 168.789 acrefeet per year. This implies a potential supply deficit of 167.254 acre-feet per year. A supplemental source of stockwater is needed to allow the facility to operate at full capacity. An application for a change in use made of water from irrigation to dual use irrigation and stockwater is proposed to provide the necessary supplemental source of stockwater. It is requested that File No. 14,377 would be converted to dual use irrigation and stockwater purposes. After the consumptive use factor for Thomas County is applied, 546.875 acre-feet of water would be available. Reduction of the authorized quantity to the consumptive use level ensures that consumptive use is not increased while fulfilling the potential stockwater deficit. Determination of the consumptive use quantity is based on the "Irrigation Return-Flow Percentages in Kansas, by County" map issued by the Division of Water Resources. Use of this map and the associated methodology appears to satisfy the requirements of K.A.R. 5-5-9. Calculations have been included with these applications.

Ownership of File No. 14,377 will remain under the James S and Bonnie J Carpenter Trust. The irrigation place of use will be reduced by the footprint of the new livestock facility expansion. The place of use for stockwater diversion would completely overlap that of the other change application being submitted, which will supply stockwater to the feedyard and new expansion.

Approval of these change applications are critical to supplying water to the expanded headcount. Please process these applications as quickly as possible to ensure a sufficient supply of water for the cattle.

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

Respectfully,

Craig Griswold, P.E.

Craig Griswold

Enclosures

cc/enc:

Wayne Carpenter, Carpenter Cattle Company, Inc.

WATER RESOURCES RECEIVED

NOV 1 4 2022

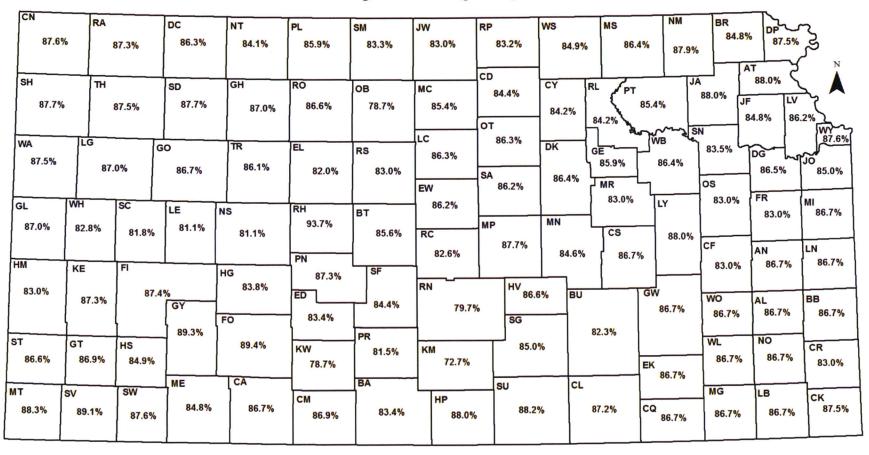


KS DEPT OF AGRICULTURE

NOV 1 4 2022 KS DEPT OF AGRICULTURE

Consumptive Use 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 consumptive use factor from the map (86.7%), the amount of water that the dairy could convert to stockwater use with this water right is:

150 X 86.7% = 150 X 0.867 = 130 acre-feet



KLA ENVIRONMENTAL SERVICES, INC.

PROJECT: CARPENTER CATTLE COMPANY, INC.

LOCATION: SW 1/4 SECTION 8 AND N 1/2 SECTION 17 T7S R36W, THOMAS COUNTY, KANSAS

BY: <u>CSG</u> DATE: <u>02/19/21</u> CHECKED BY: NSG

DATE: 10/13/2022

STOCKWATER REQUIREMENTS

Carpenter Cattle Company, Inc. is a beef cattle feeding facility. An expansion has been submitted to raise the permitted number of cattle to 20,000 head. An additional source of water is required to support the increase in permitted headcount. Conversion of an existing irrigation water right to dual use irrigation and stockwater is proposed to provide the necessary additional stockwater. It is anticipated that the actual quantities used for stockwatering will vary from year to year depending upon cattle numbers, cattle weights, and environmental conditions.

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

Planned facility capacity =

20,000 head of beef cattle (maximum annual capacity)

→ Maximum Reasonable Quantity =

20,000 head x

15 gallons/head/day

x 365 days/year =

109.50 MGY = 336.043 AF

where MGY = million gallons per year, AF = acre-feet per year and 1.0 AF = 325,851 gallons

Existing Facility Stockwater Summary:

File No.	P/D ID	Facility ID	Net Quantity (AF)
7,272	6	STANDBY WELL	168.789
7,272	7	PRIMARY WELL	100.709

TOTAL 168.789

→ Maximum additional quantity of stockwater needed = (Maximum Reasonable Quantity) - (Existing Quantity)

= 336.043 AF - 168.789 AF = 167.254 AF

WATER RESOURCES RECEIVED

NOV 1 4 2022

KLA ENVIRONMENTAL SERVICES, INC.

PROJECT: CARPENTER CATTLE COMPANY, INC.

LOCATION: SW 1/4 SECTION 8 AND N 1/2 SECTION 17 T7S R36W, THOMAS COUNTY, KANSAS

BY: CSG

CHECKED BY: NSG

DATE: 09/26/22

DATE: 10/13/2022

CONSUMPTIVE USE CALCULATION PERTAINING TO FILE NO. 14,377 (1) & (2) FOR CHANGE OF USE FROM IRRIGATION TO DUAL USE IRRIGATION AND STOCKWATER

File No. 14,377 (1) & (2):

Authorized Quantity = 625.000 AF

Authorized Rate = 1,990 GPM

LEMA (5-year) Authorized Quantity = 2,160.000 AF LEMA Average Annual Quantity = 432.000 AF

Proposed change in use made of water: Convert 625.0 AF and 1,990 GPM to dual use.

Apply consumptive use factor from "Consumptive Use Percentages in Kansas, by County" as contained in K.A.R. 5-5-9(a) (1):

 \rightarrow For **Thomas County**

the factor =

87.5%

87.5% = 546.875 AF

→ Quantity available for dual use = 546.875 AF

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

 \rightarrow Consumptive Use = 625.000 AF x

Planned facility capacity =

20,000 head of beef cattle (maximum annual capacity)

→ Maximum Reasonable Use = 20,000 head x

15 gallons/head/day

x 365 days/year =

109.500 MGY

= 336.043 AF

Proposed Stockwater Summary:

File	e No.	Facility	Authorized Quantity	LEMA Quantity*
(P/	D ID)	ID	(AF)	(AF)
7,2	72 (6)	Standby	168.789	168.789
7,2	72 (7)	Primary	100.709	100.709
14,377	(1) & (2)		546.875	432.000
Т	otal		715.664	600.789

*LEMA Quantity listed as an annual average. Actual LEMA limitation is 2,160 AF for 5 years for File No. 14,377. (Provided by KS DWR)

Existing Stockwater Quantity = 168.789 AF

Additional Stock Quantity Necessary = 167.254 AF

Remainder Dual Use Quantity for Irrigation = 264.746 AF

(File No. 14,377 including LEMA limitations)

Irrigation rate (acre basis)

Permitted Irrigation Acres = 356 acres

Average Irrigation Rate = 8.9 acre-inches/acre

WATER RESOURCES RECEIVED

NOV 1 4 2022

