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.)

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 ma	ade for approval of the Chief Engineer to change the Place of Use	WATER RESOURCES RECEIVED				
	(Check one or more)	☐ Point of Diversion ☐ Use Made of Water	NOV 1 4 2022 3'.17 KS DEPT OF AGRICULTURE				
		File No. <u>7,272</u>					
2.	Name of applicant: Way	ne Carpenter					
	Address: 2257 County	Road 2					
	City, State and Zip: Bre						
	. —						
	vvnat is your relationshi	p to the water right; ■ owner □ tenant □ agent □	other? If other, please explain				
	Name of water use corn	espondent:					
	Phone Number:	E-mail address:					
3.	The change(s) proposed	d herein are desired for the following reasons (please b	be specific): The existing livestock feeding				
	facility has proposed a	n expansion to 20,000 head of beef cattle weighing	greater than 700 pounds. Additional stock				
	water is necessary to s	support the expanded headcount. Changes will crea	ate a complete overlap in place of use				
	with the change application for File No. 14,377, which includes the expanded place of use.						
	The change(s) (was) (w	ill be) completed by upon approval	(Date)				
			(Date)				
F.	or Office Use Only: O3 GMD _4 Meets Ode	S K.A.R. 5-5-1 (YES / NO) Use STK Source G / S Fee \$ 200 TR # Receip	County TH By ALB Date 11/21/2022 Check # 2\%				

															1	File N	o. <u>7,27</u>	72	
4. The																			
Owner of Land — NAME: Wayne L & Leisha K Carpenter ADDRESS: 2257 County Road 2, Brewster, KS 67732																			
			AD	DRES	5: 22	57 00	l	toau	2, Die	WSter	, 100	71132			ı				
Sec.	Twp.	Range	NE¼		5W1/4	SE1/4	NE1/4	NV ¹ / ₄	V1/4 SW1/4	SE1/4	NE1/4		V1/4 SW1/4	SE1/4	NE¼	NW1/4	5W1/4	SE1/4	TOTAL ACRES
17	7S	36W	INL/4	144474	300/4	SL/4	X	X	X	X	NE74	INVV/4	300/4	SE/4	NE74	1444/4	300/4	SE/4	Feedlot
-																			
							L												
List any																			
	Owne	er of La																	
			AD	DRES	SS:										ı				
Sec.	Twp.	Range	NE1/4		5W1/4	SE1/4	NE1/4		V1/4 SW1/4	SE1/4	NE1/4		V1/4 SW1/4	SE1/4	NE¼	NW1/4	5W1/4	SE1/4	TOTAL ACRES
		runge	11274		01174	02/4	11274	1,,,,,,	01174	02/4	NE74	111174	01174	OL/4	11274	111174	O I I I	02/4	
								6											
List any																			
	(If the	ere are	more	than tv	wo lan	downe	ers, att	ach a	dditior	ial she	eets as	s nece	ssary.)					
5. It is		sed tha																	
	Owne	er of La																	
			AD	DRES	S: 22	57 Cc	ounty	Road	2, Bre	wster	, KS 6	5//32							
		_			=1/4				V1/4				V1/4				Ξ½		TOTAL ACRES
Sec.	<u>Тwр.</u> 7S			NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	X SW1/4	SE¼ X	NE1/4	NW1/4	SW1/4	SE¼	Feedlot
17	78	36W		Х	Х		Х	Х	Х	Х									Feedlot
																			or one proposition
List any			:	Lb a4 aa	416	:1-		Fil	e No	14 37	77 (un	on an	nrova	l of ch	ange	annlic	ration)		
List any														. 0. 01	ungo	SPPII	Jacon		
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			AD	DRES															

 Sec.
 Twp.
 Range
 NE½
 NE½
 NW¼
 SW¼
 SE½
 NE¾
 NW¼
 SW¼
 SE½
 TOTAL ACRES

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

			7	272
Ηı	le	No.	Ι,	,272

6.	The presently authorized point(s) of diversion (is) (are) one well, pump, and	D appuπenances, and one standby well (Provide description and number of points)	
7.	The proposed point(s) of diversion (is) (are) one well, pump, and appurtent		
7.	The proposed point(s) of diversion (is) (are)	(Provide description and number of points)	<u> </u>
	List all presently authorized point(s) of diversion:		
8.	Presently authorized point of diversion:		
	One in the NW Quarter of the SW	_ Quarter of the <u>NW</u> Qı	uarter
	of Section 17, Township 7	_ South, Range <u>36 West</u> (l	E/W),
	in Thomas County, Kansas, 3718 feet North 5008	feet West of Southeast corner of sec	tion.
	Authorized Rate 300 GPM Authorized Quantity 168.789 AF		
	(DWR use only: Computer ID No GPS	feet North feet West)	
	■ This point will not be changed ☐ This point will be changed as fo	llows:	
	Proposed point of diversion: (Complete only if change is requested)		
	One in the Quarter of the	Quarter of the Qu	uarter
	of Section, Township	South, Range(I	Ξ/W),
	in County, Kansas, feet North	feet West of Southeast corner of sect	ion.
	Proposed Rate Proposed Quantity		
	This point is: Additional Well Geo Center List other water rights that	at will use this point	
9.	Presently authorized point of diversion:	NIA/	r
	One in the NC W2 Quarter of the SW	Quarter of the NVV Qu	ıarter
	of Section 17 , Township 7	South, Range 36 West (I	Ξ/W),
	in Thomas County, Kansas, 3356 feet North 4928	feet West of Southeast corner of sect	ion.
	Authorized Rate 300 GPM Authorized Quantity 168.789 AF		
	(DWR use only: Computer ID No GPS		
	■ This point will not be changed ☐ This point will be changed as fo	llows:	
	Proposed point of diversion: (Complete only if change is requested)		
	One in the Quarter of the		
	of Section, Township		
	in County, Kansas, feet North	feet West of Southeast corner of sect	ion.
	Proposed Rate Proposed Quantity		
I	This point is: Additional Well Geo Center List other water rights that	at will use this point	·
ا م	Presently authorized point of diversion:		
10.	One in the Quarter of the	Quarter of the	lartor
	of Section, Township		
	in County, Kansas, feet North	foot West of Southeast corner of and	=/٧٧),
	Authorized Rate Authorized Quantity	leet west of Southeast comer of sect	.1011.
	(DWR use only: Computer ID No GPS	foot North foot Worth	
	☐ This point will not be changed ☐ This point will be changed as fo		
	Proposed point of diversion: (Complete only if change is requested)		
			artor
		Quarter of the	
	One in the Quarter of the		
	One in the Quarter of the of Section, Township	South, Range(I	Ξ/W),
	One in the Quarter of the of Section, Township in County, Kansas, feet North	South, Range(I	Ξ/W),
	One in the Quarter of the of Section, Township in County, Kansas, feet North Proposed Rate Proposed Quantity	South, Range (I	E/W), tion.
	One in the Quarter of the of Section, Township in County, Kansas, feet North Proposed Rate Proposed Quantity This point is: Additional Well Geo Center List other water rights that	South, Range(I	E/W), tion.
11.	One in the Quarter of the of Section, Township in County, Kansas, feet North Proposed Rate Proposed Quantity	South, Range(I	E/W), tion.

								File No. 7,272		
12	The	nre	sently authorized	use of water is f	or stockwater		nurnose	29		
	It is	pro	posed that the use	e be changed to	stockwater		purpose	purposes.		
13.	If ch	nang	ing the place of u	se and/or use m	ade of water, des	cribe how the consun otive use by complying				
	Ple	ase	refer to the enclo	sed calculation	s and related do	cumentation for mor	e detailed ii	nformation.		_
	_									
	(Ple	ase s	how any calculations	s here.)						
14.	It is	req	uested that the ma	aximum annual o	quantity of water I	pe reduced to N/A		(acre-feet or r	nillion gallon	s).
15.	It is	req	uested that the ma	aximum rate of d	iversion of water	be reduced to N/A		gallons per minute	e (c.f.s	.).
16.	1:24 Kar Dist	4,00 nsas tanc ould	0, is available the 66047-3726 (<u>ww</u> es North and Wealso be shown. Ic	rough the Kans w.usgs.gov). The st of the Southe dentify the center	as Geological Sume map should shast corner of the rof the section, the	detailed plat. A U.S. urvey, 1930 Constant now the location of the section must be shown section lines and the following info	t Avenue, Lose presently own. The properties of the properties of the properties of the section	University of Kans authorized point(s resently authorize orners and show t	as, Lawrences) of diversion diversion of under the diversion of under the appropriate the appr	ce, on. se
	a.	If a	change in the loc	ation of the poin	t(s) of diversion is	proposed, show:				
		1)	The location of the must be shown. Paragraph Nos.	Please be cert	ain that the infor	Distances North and mation shown on the	West of the map agree	e Southeast corne es with the inform	r of the section shown	on in
		2)	domestic wells, v	within 1/2 mile of	the proposed we	show the location of Il or wells. Identify ea If there are no wells v	ach well as	to its use and fur	nish name a	nd
		3)			water, the name roperty lines mus	es and mailing addres at be shown.	sses of all la	andowner(s) ½ mi	le downstrea	ım
	b.					oroposed place of uswith the information sl				
17.	loca wel mad	al so I log de b	urce of supply as s, test hole logs, elow.	to which the wa and other inform	ater right relates. nation as necessa	erein will not impair e This information may ary information to sho	y include sta w the above	atements, plats, go e. Additional com	eology repor iments may l	ts,
						pply water. Consum		/III not be increas	ed. Please	_
	reie	er to	the enclosed ma	aps and support	ing documentation	on for additional info	rmation.			_
	-									_
										_
18.	ider req	ntify uest not	the rules and reg	gulations for which	ch you request a nentation showing	es and regulations of waiver. State the reg that granting the reg rest.	eason why a	a waiver is neede	d and why t	he

File No.	7,272
I IIC INO.	

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, executor, 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 a authorized to make this application on their behalf, and declare furth complete. By filing this application I authorize the chief engineer to be as specified in sections 14 and 15 of this application.	er that the statements contained herein are true, correct, and
Dated at Bruster , Kansas, this	2151 day of October , 20, 22.
Mr. Cant	
(Owner)	(Spouse)
Wayne L. Carpenter	
Allsha K (Olease Print)	(Please Print)
(Owner)	(Spouse)
Leisha K. Carpenter	WAYNE L. CARpenter
(Please Print)	(Please Print)
(Owner)	(Spouse)
,,	
(Please Print)	(Please Print)
State of Kansas County of Thomas I hereby certify that the foregoing application was signed in my	DEANN K. SHELDS ATTARY PUBLIC THE OF KANSAS DIESENCE and sworn to before me this 2/5+ day of
· · ·	Dean K. Shede
My Commission Expires 1028 25	Notary Public
FEE SCHED	ULE
Each application to change the place of use, the point of diversion or the use application fee set forth in the schedule below:	e made of the water under this section shall be accompanied by the
 (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	

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

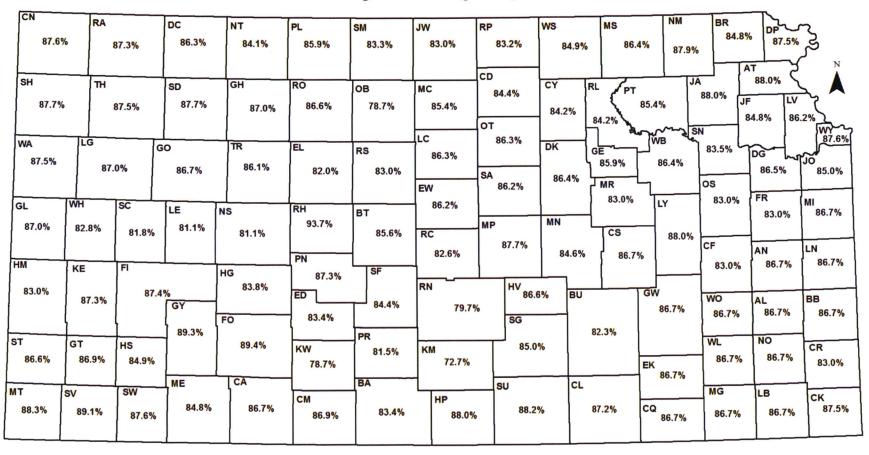


KS DEPT OF AGRICULTURE

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 No.	Facility	Authorized Quantity	LEMA Quantity*
(P/D ID)	ID	(AF)	(AF)
7,272 (6)	Standby	168.789	168.789
7,272 (7)	Primary	100.709	100.709
14,377 (1) & (2)		546.875	432.000
Total		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

