

Kansas Department of Agriculture  
Division of Water Resources  
**PERMIT OF NEW APPLICATION WORKSHEET**

1. File Number: <p style="text-align: center; font-size: 1.2em;"><b>49,926</b></p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;"><i>11/7/2018</i></p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;"><b>1</b></p>	4. GMD: <p style="text-align: center; font-size: 1.2em;"><b>0</b></p>
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N of C Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
<p>7a. Applicant(s)                      Person ID <u><b>65257</b></u> New to system <input type="checkbox"/>                      Add Seq# _____</p> <p><b>BOTT CATTLE CO INC</b> 1663 1ST RD PALMER KS 66962</p>	<p>7c. Landowner(s)                      Person ID _____ New to system <input type="checkbox"/>                      Add Seq# _____</p>		
<p>7b. Landowner(s)                      Person ID _____ New to system <input type="checkbox"/>                      Add Seq# _____</p> <p><b>7a.</b></p>	<p>7d. Misc.                                      Person ID _____ New to system <input type="checkbox"/>                      Add Seq# _____</p>		
<p>8. WUR Correspondent                      Person ID _____ New to system <input type="checkbox"/>                      Add Seq# _____ Overlap File (s) WUC                      Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>7a.</b></p>	<p>9. Use of Water:    Changing?    <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> Groundwater            <input type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR                      <input type="checkbox"/> REC                      <input type="checkbox"/> DEW                      <input type="checkbox"/> MUN</p> <p><input checked="" type="checkbox"/> STK                      <input type="checkbox"/> SED                      <input type="checkbox"/> DOM                      <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG    <input type="checkbox"/> WTR PWR            <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____    <input type="checkbox"/> OTHER: _____</p>		
10. Completion Date: <u><b>12/31/2019</b></u> 11. Perfection Date: <u><b>12/31/2023</b></u> 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
<p>Date Prepared: <b>12/18/2017</b> By: <b>DWS</b> Date Entered: <i>1/18/2018</i> By: <i>BLM</i></p>			

File No. <b>49,926</b>	15. Formation Code: <b>330</b>	Drainage Basin: <b>BIG BLUE RIVER</b>	County: <b>WS</b>	Special Use:	Stream:																																																																																																																																																																								
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:5%;">16. Points of Diversion</td> <td colspan="9"></td> <td style="width:5%;">17. Rate and Quantity</td> <td colspan="5">MOD ADDL QUANTITY</td> </tr> <tr> <td>T</td> <td colspan="9"></td> <td colspan="4">Authorized</td> <td colspan="2">Additional</td> <td></td> </tr> <tr> <td>MOD</td> <td>PDIV</td> <td>Qualifier</td> <td>S</td> <td>T</td> <td>R</td> <td>ID</td> <td>'N</td> <td>'W</td> <td></td> <td>Rate</td> <td>Quantity</td> <td>Rate</td> <td>Quantity</td> <td>Overlap PD Files</td> </tr> <tr> <td>DEL</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>gpm</td> <td>mgy</td> <td>gpm</td> <td>mgy</td> <td></td> </tr> <tr> <td>ENT</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>√</td> <td><b>26946</b></td> <td><b>CW NW</b></td> <td><b>28</b></td> <td><b>5S</b></td> <td><b>3E</b></td> <td><b>3</b></td> <td><b>3875</b></td> <td><b>5245</b></td> <td>(Batt 1 of 2)</td> <td><b>400</b></td> <td><b>24.8</b></td> <td><b>400</b></td> <td><b>15.41</b></td> <td><b>40,228</b></td> </tr> <tr> <td>√</td> <td><b>44259</b></td> <td><b>CW NW</b></td> <td><b>28</b></td> <td><b>5S</b></td> <td><b>3E</b></td> <td><b>2</b></td> <td><b>3875</b></td> <td><b>5238</b></td> <td>(Batt 1 of 2)</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>√</td> <td><b>53579</b></td> <td><b>CW NW</b></td> <td><b>28</b></td> <td><b>5S</b></td> <td><b>3E</b></td> <td><b>1</b></td> <td><b>3875</b></td> <td><b>5241</b></td> <td>(Geo-Ctr)</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </table>						16. Points of Diversion										17. Rate and Quantity	MOD ADDL QUANTITY					T										Authorized				Additional			MOD	PDIV	Qualifier	S	T	R	ID	'N	'W		Rate	Quantity	Rate	Quantity	Overlap PD Files	DEL										gpm	mgy	gpm	mgy		ENT															√	<b>26946</b>	<b>CW NW</b>	<b>28</b>	<b>5S</b>	<b>3E</b>	<b>3</b>	<b>3875</b>	<b>5245</b>	(Batt 1 of 2)	<b>400</b>	<b>24.8</b>	<b>400</b>	<b>15.41</b>	<b>40,228</b>	√	<b>44259</b>	<b>CW NW</b>	<b>28</b>	<b>5S</b>	<b>3E</b>	<b>2</b>	<b>3875</b>	<b>5238</b>	(Batt 1 of 2)						√	<b>53579</b>	<b>CW NW</b>	<b>28</b>	<b>5S</b>	<b>3E</b>	<b>1</b>	<b>3875</b>	<b>5241</b>	(Geo-Ctr)																																																		
16. Points of Diversion										17. Rate and Quantity	MOD ADDL QUANTITY																																																																																																																																																																		
T										Authorized				Additional																																																																																																																																																															
MOD	PDIV	Qualifier	S	T	R	ID	'N	'W		Rate	Quantity	Rate	Quantity	Overlap PD Files																																																																																																																																																															
DEL										gpm	mgy	gpm	mgy																																																																																																																																																																
ENT																																																																																																																																																																													
√	<b>26946</b>	<b>CW NW</b>	<b>28</b>	<b>5S</b>	<b>3E</b>	<b>3</b>	<b>3875</b>	<b>5245</b>	(Batt 1 of 2)	<b>400</b>	<b>24.8</b>	<b>400</b>	<b>15.41</b>	<b>40,228</b>																																																																																																																																																															
√	<b>44259</b>	<b>CW NW</b>	<b>28</b>	<b>5S</b>	<b>3E</b>	<b>2</b>	<b>3875</b>	<b>5238</b>	(Batt 1 of 2)																																																																																																																																																																				
√	<b>53579</b>	<b>CW NW</b>	<b>28</b>	<b>5S</b>	<b>3E</b>	<b>1</b>	<b>3875</b>	<b>5241</b>	(Geo-Ctr)																																																																																																																																																																				
18. Storage: Rate _____ NF    Quantity _____ ac/ft    Additional Rate _____ NF    Additional Quantity _____ ac/ft																																																																																																																																																																													
19. Limitation: <b>24.8 MGY</b> at _____ gpm ( _____ cfs) when combined with file number(s) <b>40,228</b>																																																																																																																																																																													
Limitation: _____ af/yr at _____ gpm ( _____ cfs) when combined with file number(s) _____																																																																																																																																																																													
20. Meter Required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    To be installed by <b>12/31/2019</b> Date Acceptable Meter Installed _____																																																																																																																																																																													
21. Place of Use																																																																																																																																																																													
T															NE%	NW%				SW%				SE%				Total	Owner	Chg? NO	Overlap Files																																																																																																																																														
MOD	PUSE	S	T	R	ID	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE																																																																																																																																																								
DEL																																																																																																																																																																													
ENT																																																																																																																																																																													
√	<b>14934</b>	<b>34</b>	<b>5</b>	<b>3E</b>	<b>1</b>	<del>(NE) WASHINGTON COUNTY</del> <b>Feedlot (NE)</b>																	<b>7a</b>	<b>NO</b>	<b>40,228</b>																																																																																																																																																				

Comments:

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

**TO:** Files

**DATE:** December 18, 2017

**FROM:** Doug Schemm

**RE:** Application, File No. 49,926

Bott Cattle Company Inc. has filed the referenced application to appropriate 24.8 million gallons (76.12 acre-feet) of groundwater from a battery of two wells, at a rate of diversion of 400 gallons per minute for stockwatering use at a cattle feedlot located in the Northeast Quarter of Section 34, in Township 5 South, Range 3 East, Washington County. This is within the drainage basin of the Big Blue River. The proposed place of use is wholly owned by the applicant, and the application form has been signed by Daryl Bott, stating they have access to the point of diversion. Water Right, File No. 40,228 overlaps in point of diversion and place of use. The additional quantity of water requested under the new application will prevent the applicant from exceeding their authorized quantity of water.

The requested quantity of water of 24.8 million gallons was based on providing an adequate supply of water for 4,000 head of cattle. The applicant provided an estimate for drinking water, as follows: 4,000 head of cattle x 15 gallons per head per day x 365 days = 21.9 million gallons. The additional 2.9 million gallons is for barn cleaning, flushing, and cooling. The requested quantity of water and rate of diversion appear to be reasonable for the intended use. File No. 40,228 is authorized 9.39 million gallons at 40 gallons per minute. This new application will be limited to 24.8 million gallons when combined with the senior file. Note that the senior file was originally approved for 21 million gallons.

A review of area well logs indicate that the source of water is the unconfined Dakota aquifer system. To maintain consistency with processing of senior files sourcing this same aquifer, and per the safe yield criteria in K.A.R. 5-3-11, it is imperative to determine the extent of the unconfined aquifer (area of consideration). Wells to the south of this application have little or no sandstone aquifer, while the wells to the north are sourcing the unconfined Dakota aquifer system. Therefore, a portion of the two-mile circle to the south was excluded from the area of consideration (see enclosed map). Therefore, for this application the extent of the unconfined Dakota aquifer system was determined to be 5,948 acres. Based on a potential recharge of 2.6 inches, with 100% available for appropriation, safe yield was determined to be 1,288.73 acre-feet. Existing appropriations total only 28.82 acre-feet, leaving 1,259.9 acre-feet available for appropriation, and the application complies with safe yield criteria. The only water right in the entire two-mile circle in the applicant's senior file.

The applicant identified two domestic wells within one-half mile of the proposed point of diversion, and notification letters were sent out on November 29, 2017. No responses of any kind were received. As noted above, there no other permitted wells within 2 miles. The nearest domestic well is located over 1,400 feet away. The proposed point of diversion meets minimum well spacing to all wells. Per the requirements in K.A.R. 5-4-4 for the unconfined Dakota aquifer system, the minimum well spacing should be one-half mile to other non-domestic wells and 1,320 feet to domestic wells.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. In a December 14, 2017 discussion, Katie Tietsort, Water Commissioner, Topeka Field Office, recommended approval of the referenced application. Based on the above discussion, well spacing and safe yield criteria are met, approval gives the applicant additional water for this facility, addresses past over-pumping, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

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

January 23, 2018

BOTT CATTLE CO INC  
1663 1ST RD  
PALMER KS 66962

RE: Appropriation of Water, File No. 49,926

Dear Mr. Bott:

**FILE COPY**

There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approval documents. A water meter is required on the proposed diversion works and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right. If you have any questions, please contact our office. If you wish to discuss this 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 "Kristen A. Baum".

Kristen A. Baum  
New Application Unit Supervisor  
Water Appropriation Program

KAB:dws  
Enclosures

pc: Topeka Field Office



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION  
and  
PERMIT TO PROCEED**

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,926** of the applicant

**BOTT CATTLE CO INC  
1663 1ST RD  
PALMER KS 66962**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **October 20, 2017**.
2. That the water sought to be appropriated shall be used for stockwatering use at a cattle feedlot located in the Northeast Quarter (NE $\frac{1}{4}$ ) of Section 34, in Township 5 South, Range 3 East, Washington County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of two (2) wells with a geographic center located near the center of the West Side of the Northwest Quarter (CW NW $\frac{1}{4}$ ) of Section 28, more particularly described as being near a point 3,875 feet North and 5,241 feet West of the Southeast corner of said section, in Township 5 South, Range 3 East, Washington County, Kansas, located substantially as shown on the topographic map accompanying the application.
4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **400 gallons per minute (0.89 c.f.s.)** and to a quantity not to exceed **24.8 million gallons** (76.12 acre-feet) of water for any calendar year.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2019** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.
6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2023** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit 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.

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit 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.

13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

17. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

18. That this permit is limited such that all wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply, and shall supply water to a common distribution system.

19. That the quantity of water approved under this permit is further limited to the quantity which combined with Water Right, File No. 40,228, will provide a **total not to exceed 24.8 million gallons** of water per calendar year for stockwatering use as described herein.

**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, Kansas 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, Kansas 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.

Ordered this 17<sup>th</sup> day of January, 2018, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

Lane P. Letourneau, P.G.  
Program Manager  
Water Appropriation Program  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas            )  
  ) SS  
County of Riley            )

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of January, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

Notary Public

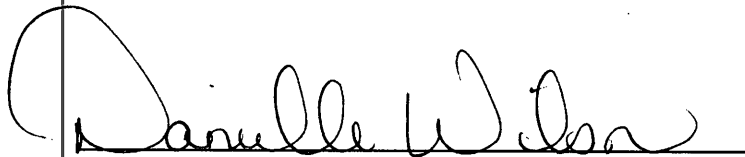
**CERTIFICATE OF SERVICE**

On this 23<sup>rd</sup> day of January, 2018, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,926, dated January 17, 2018 was mailed postage prepaid, first class, US mail to the following:

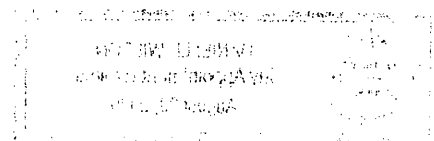
BOTT CATTLE CO INC  
1663 1ST RD  
PALMER KS 66962

With photocopies to:

Topeka Field Office



Division of Water Resources





APPLICATION COMPLETE  
12/19/2017  
Reviewer DWS

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

WATER RESOURCES  
RECEIVED

File Number 49926

This item to be completed by the Division of Water Resources.

OCT 20 2017

11:18

APPLICATION FOR PERMIT TO  
APPROPRIATE WATER FOR BENEFICIAL USE

KS DEPT OF AGRICULTURE

Filing Fee Must Accompany the Application  
(Please refer to Fee Schedule attached to this application form.)

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,  
1320 Research Park Drive, Manhattan, KS 66502:

1. Name of Applicant (Please Print): BOTT CATTLE COMPANY INC.  
Address: 1663 1<sup>ST</sup> RD  
City: PALMER State: KS Zip Code 66962  
Telephone Number: (785) 692-4530 bottcattle@bluevalley.net

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in BIG BLUE RIVER (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 76.12 acre-feet OR 24.8 MILLION gallons per calendar year, to be diverted at a maximum rate of 400 gallons per minute OR \_\_\_\_\_ cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):  
(a)  Artificial Recharge (b)  Irrigation (c)  Recreational (d)  Water Power  
(e)  Industrial (f)  Municipal (g)  Stockwatering (h)  Sediment Control  
(i)  Domestic (j)  Dewatering (k)  Hydraulic Dredging (l)  Fire Protection  
(m)  Thermal Exchange (n)  Contamination Remediation

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:  
F.O. 1 GMD 0 Meets K.A.R. 5-3-1 (YES/NO) Use STK Source G/S County WS By ASW Date 10/23/17  
Code REG Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 10/20/17 Check # 18649

10/30/2017 CCM

5. The location of the proposed wells, pump sites or other works for diversion of water is:

**Note:** For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

(A) One in the \_\_\_\_\_ quarter of the CW quarter of the NW quarter of Section 28, more particularly described as being near a point 3,875 feet North and 5,241 feet West of the Southeast corner of said section, in Township 5 South, Range 3 East, WASHINGTON County, Kansas. **GEO-CTR**

(B) One in the \_\_\_\_\_ quarter of the CW quarter of the NW quarter of Section 28, more particularly described as being near a point 3,875 feet North and 5,245 feet West of the Southeast corner of said section, in Township 5 South, Range 3 East, WASHINGTON County, Kansas. **BATT 1 OF 2**

(C) One in the \_\_\_\_\_ quarter of the CW quarter of the NW quarter of Section 28, more particularly described as being near a point 3,875 feet North and 5,238 feet West of the Southeast corner of said section, in Township 5 South, Range 3 East, WASHINGTON County, Kansas. **BATT 1 OF 2**

(D) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold, or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

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

\_\_\_\_\_ (name, address and telephone number)

\_\_\_\_\_ (name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on 10-17, 2017.

Daryl Bott  
Applicant's Signature

7. The proposed project for diversion of water will consist of TWO WELL BATTERY  
(number of wells, pumps or dams, etc.)

and (was)(will be) completed (by) Existing since 1993 \_\_\_\_\_  
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be Fall 2017 \_\_\_\_\_  
(Mo/Day/Year)

9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?

Yes  No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources?  Yes  No

- If yes, show the Water Structures permit number here \_\_\_\_\_
- If no, explain here why a Water Structures permit is not required \_\_\_\_\_

11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

(a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.

(b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.

(c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.

(d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.

(e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

FILE NO. 40,228 OVERLAP IN PD AND PU.

WATER RESOURCES RECEIVED

OCT 20 2017

KS DEPT OF AGRICULTURE

13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from:  Test holes  Well as completed  Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled				
Total depth of well	80			
Depth to water bearing formation	40			
Depth to static water level	40			
Depth to bottom of pump intake pipe	78			

14. The relationship of the applicant to the proposed place where the water will be used is that of Owner  
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

\_\_\_\_\_  
(name, address and telephone number)

\_\_\_\_\_  
(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at \_\_\_\_\_, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
(month) (year)

Daryl Bott  
(Applicant Signature)



APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By \_\_\_\_\_  
(Agent or Officer Signature)

and/or  
APPLICANT(S) TAXPAYER I.D. NO.(S)

\_\_\_\_\_  
(Agent or Officer - Please Print)

Assisted by DWS

TOPEKA FO  
(office/title)

Date: 10/10/2017

**STOCKWATER USE  
SUPPLEMENTAL SHEET**

File No. 49926

Name of Applicant (Please Print): BOTT CATTLE CO. INC.

- Please indicate type of livestock (cattle, hogs, etc.): CATTLE
- 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			
Last year			
Present Year	4000		

- 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	4000		15 (plus cooling & sanitation)
Year 2			
Year 3			
Year 4			
Year 5	4000		15 (plus cooling & sanitation)

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

- 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	
34	5	3E	FEEDLOT (NE)																

WATER RESOURCES  
RECEIVED

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**

4000 head of CATTLE x 15 gallons/head (avg.) x 365 days = 21.9 Million gallons

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

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

**COOLING**

600 gallons/hour x 8 hour/day x 240 days = 1.15 Million gallons

**SANITATION**

40 g.p.m. x 60 min/hr x 14 hr/wk x 52 wks/yr = 1.75 Million gallons

**OTHER USE** (Explain) = gallons

**TOTAL** 24.8 Million 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 \_\_\_\_\_ linear feet.

8. Total size of stock pens for confinement area of cattle, hogs, etc. is \_\_\_\_\_ 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.

File # 49,926  
 meets safe  
 yield

**Analysis Results**

The selected PD is in an area to new appropriations.  
 The safe yield, based on the variables listed below is 1,288.73 AF.  
 Total prior appropriation in the circle is 104.93 AF. ~~-76.11 =~~ 28.82 AF #  
 Total quantity of water available for appropriation is ~~1,183.80~~ AF.

1,259.91 AF

**Safe Yield Variables**

The area used for the analysis is set at 5948 acres.  
 Potential annual recharge of the area is estimated to be 2.6 inches.  
 The percent of recharge available for appropriation is 100%.

Authorized Quantity values are as of 06-DEC-2017 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

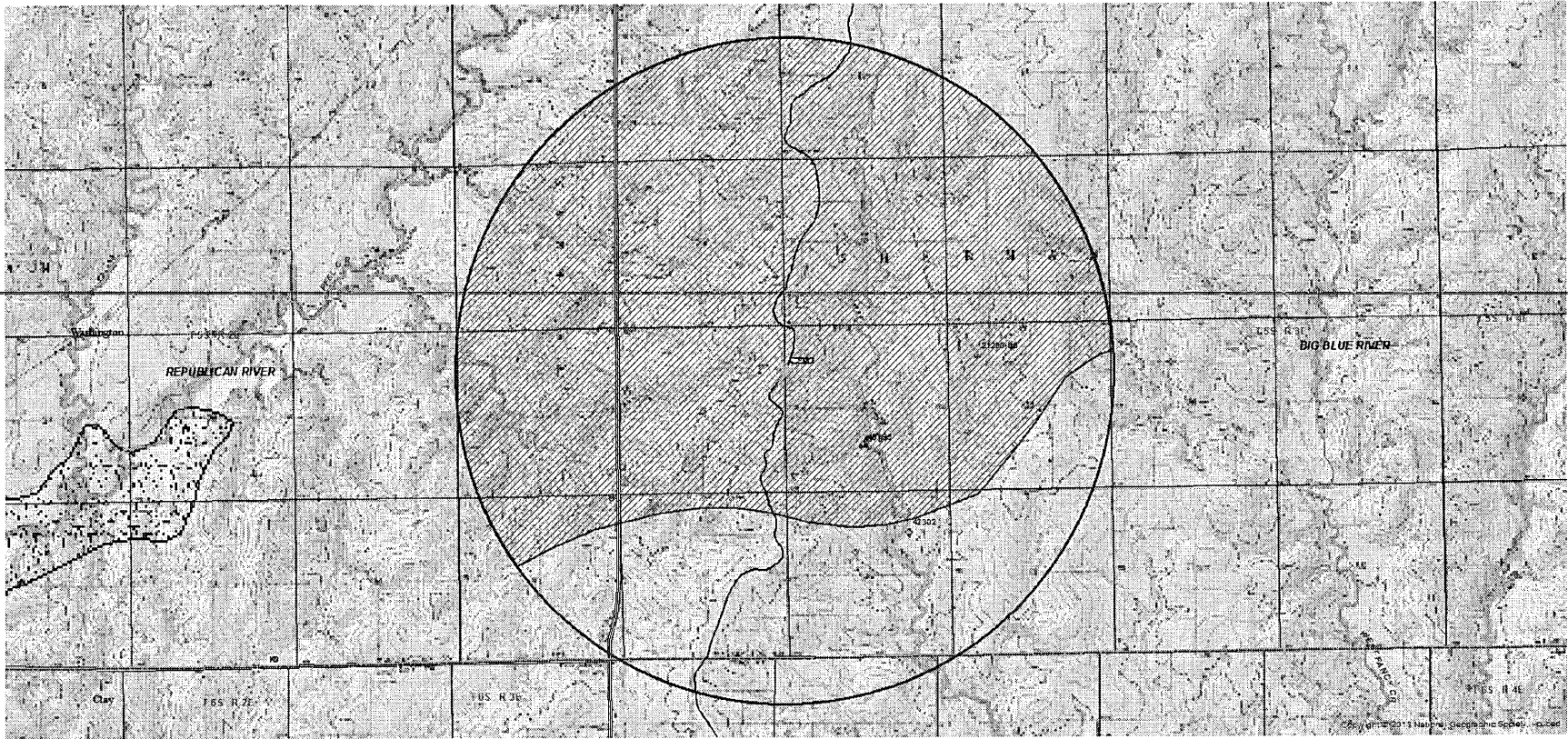
There are 2 water right(s) and 3 point(s) of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth_Quant	Add_Quant	Tacres	Nacres
A 40228 00	STK	NK	G			CW	NW	3875	5245	28	05	03E	3	WR	28.82	28.82		
Same	STK	NK	G			CW	NW	3875	5238	28	05	03E	2	WR				
Same	STK	NK	G			CW	NW	3875	5241	28	05	03E	1	WR				
A 49926 00	STK	AY	G			CW	NW	3875	5245	28	05	03E	3	WR	<del>76.11</del>	<del>76.11</del>		
Same	STK	AY	G			CW	NW	3875	5238	28	05	03E	2	WR				
Same	STK	AY	G			CW	NW	3875	5241	28	05	03E	1	WR				

Safe Yield Report Sheet  
Water Right- A4992600  
Point of Diversion in 28-5S-3E

---

---







D-1 uc

1 LOCATION OF WATER WELL  
 County: WASHINGTON Fraction: NW 1/4 NE 1/4 NE 1/4 Section Number: 29 Township Number: T 5 S Range Number: R 3 E  
 Distance and direction from nearest town or city? 2 E - 3 S Street address of well if located within city?  
PALMER

2 WATER WELL OWNER: RONALD BOFF  
 RR#, St. Address, Box # : PALMER, KANSAS 66962 Board of Agriculture, Division of Water Resources  
 City, State, ZIP Code : PALMER, KANSAS 66962 Application Number:

3 DEPTH OF COMPLETED WELL: 71 ft. Bore Hole Diameter: 8 in. to 71 ft. and 71 in. to 71 ft.  
 Well Water to be used as:  
 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)  
 Irrigation 4 Industrial 7 Lawn and garden only 10 Observation well  
 Well's static water level: 40 ft. below land surface measured on 9 month 2 day 80 year  
 Pump Test Data: Well water was NA ft. after NA hours pumping NA gpm  
 Est. Yield: 60 gpm: Well water was NA ft. after NA hours pumping NA gpm

4 TYPE OF BLANK CASING USED:  
 Steel 3 RMP (SR) 5 Wrought iron 8 Concrete tile Casing Joints: Glued  Clamped  
 PVC 4 ABS 6 Asbestos-Cement 9 Other (specify below) Welded  
 7 Fiberglass Threaded  
 Blank casing dia: 5 in. to 51 ft. Dia: 51 in. to 51 ft. Dia: 51 in. to 51 ft. Dia: 51 in. to 51 ft.  
 Casing height above land surface: 12 in., weight 3 lbs./ft. Wall thickness or gauge No. 258  
 TYPE OF SCREEN OR PERFORATION MATERIAL:  
 PVC 10 Asbestos-cement  
 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 11 Other (specify)  
 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 12 None used (open hole)  
 Screen or Perforation Openings Are:  
 Continuous slot 3 Mill slot 5 Gauzed wrapped  Saw cut 11 None (open hole)  
 Louvered shutter 4 Key punched 6 Wire wrapped 9 Drilled holes  
 7 Torch cut 10 Other (specify)  
 Screen-Perforation Dia: 5 in. to 71 ft. Dia: 71 in. to 71 ft. Dia: 71 in. to 71 ft. Dia: 71 in. to 71 ft.  
 Screen-Perforated Intervals: From 51 ft. to 71 ft. From 71 ft. to 71 ft. From 71 ft. to 71 ft. From 71 ft. to 71 ft.  
 Gravel Pack Intervals: From 13 ft. to 71 ft. From 71 ft. to 71 ft. From 71 ft. to 71 ft. From 71 ft. to 71 ft.

5 GROUT MATERIAL:  Neat cement 2 Cement grout 3 Bentonite 4 Other  
 Grouted Intervals: From 3 ft. to 13 ft. From 13 ft. to 13 ft. From 13 ft. to 13 ft. From 13 ft. to 13 ft.  
 What is the nearest source of possible contamination:  
 Septic tank 4 Cess pool 7 Sewage lagoon 10 Fuel storage 14 Abandoned water well  
 Sewer lines 5 Seepage pit 8 Feed yard 11 Fertilizer storage 15 Oil well/Gas well  
 Lateral lines 6 Pit privy  Livestock pens 12 Insecticide storage 16 Other (specify below)  
 Direction from well: EAST How many feet: 150 ? Water Well Disinfected? Yes  No  
 Was a chemical/bacteriological sample submitted to Department? Yes No If yes, date sample was submitted: month day year Pump Installed? Yes No X  
 If Yes: Pump Manufacturer's name Model No. HP Volts  
 Depth of Pump Intake ft. Pumps Capacity rated at gal./min.  
 Type of pump: 1 Submersible 2 Turbine 3 Jet 4 Centrifugal 5 Reciprocating 6 Other

6 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was  constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on 9 month 2 day 80 year  
 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 359  
 This Water Well Record was completed on 10 month 7 day 80 year under the business name of DARYL Cox & Sons Inc by (signature) Daryl Cox

LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:	FROM		LITHOLOGIC LOG	FROM		LITHOLOGIC LOG
	TO	TO		TO	TO	
	0	3	TOPSOIL			
	3	16	BROWN CLAY			
	16	21	BLUE CLAY			
	21	34	RED CLAY			
	34	70	SAND/ROCK			
	71	STOP				

ELEVATION: 1410'  
 Depth(s) Groundwater Encountered 1. 40 ft. 2. NA ft. 3. NA ft. 4. NA ft. (Use a second sheet if needed)  
 INSTRUCTIONS: Use typewriter or ball point pen, please press firmly and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Division of Environment, Water Well Contractors, Topeka, KS 66620. Send one to WATER WELL OWNER and retain one for your records.

OFFICE USE ONLY T 5 R 3 E W SEC 97 NW 1/4 NE 1/4 NE 1/4

WATER WELL RECORD Form WWC-5

Division of Water Resources App. No.

[Empty box]

Well ID

[Empty box]

Original Record Correction Change in Well Use

1 LOCATION OF WATER WELL: County: WASHINGTON Fraction SW 1/4 SE 1/4 NW 1/4 Section Number 29 Township Number T 5 S Range Number R 3 E

2 WELL OWNER: Last Name: BOTT First: TRAVIS Street or Rural Address where well is located: FROM PALMER, KS: 1/2 EAST TO HWY 15, SOUTH 3 & 1/4 EAST.

3 LOCATE WELL WITH 'X' IN SECTION BOX: N W E S 1 mile

4 DEPTH OF COMPLETED WELL: 58 ft. Depth(s) Groundwater Encountered: 1) ... 2) ... 3) ... 4) Dry Well

5 Latitude: 39° 35' 38.9" N Longitude: 97° 7' 13.3" W Datum: WGS 84 NAD 83 NAD 27

7 WELL WATER TO BE USED AS: 1. Domestic: Household, Lawn & Garden, Livestock, Irrigation, Feedlot, Industrial

Was a chemical/bacteriological sample submitted to KDHE? Yes No If yes, date sample was submitted:

8 TYPE OF CASING USED: Steel PVC Other CASING JOINTS: Glued Clamped Welded Threaded Casing diameter: 6 in. to 3.8 in. Diameter: 3.6 in. to 2.8 in.

9 GROUT MATERIAL: Neat cement Cement grout Bentonite Other Grout Intervals: From 4 ft. to 25 ft.

10 FROM TO LITHOLOGIC LOG FROM TO LITHO. LOG (cont.) or PLUGGING INTERVALS

11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo-day-year) 9/13/13

USE TYPEWRITER OR BALL POINT PEN-PRESS FIRMLY, PRINT CLEARLY.

WATER WELL RECORD  
KSA 82a-1201-1215

Kansas Department of Health and Environment-Division of Environment  
(Water well Contractors)  
Topeka, Kansas 66620

D-3

1. Location of well:		County <b>Washington</b>	Fraction <b>NW 1/4 SW 1/4 NW 1/4</b>	Section number <b>21</b>	Township number <b>5 South</b>	Range number <b>3 East</b>
2. Distance and direction from nearest town or city: <b>5 mi South West + 1/4 South on east side</b>		3. Owner of well: <b>Delwyn Bott</b>			R.R. or street: <b>Palmer Kans</b>	
4. Locate with "X" in section below:		Sketch map:			6. Bore hole dia. <b>10</b> in. Completion date Well depth <b>92</b> ft. <b>12-21-78</b>	
					7. <input checked="" type="checkbox"/> Cable tool <input type="checkbox"/> Rotary <input type="checkbox"/> Driven <input type="checkbox"/> Dug <input type="checkbox"/> Hollow rod <input type="checkbox"/> Jetted <input type="checkbox"/> Bored <input type="checkbox"/> Reverse rotary	
5. Type and color of material					8. Use: <input checked="" type="checkbox"/> Domestic <input type="checkbox"/> Public supply <input type="checkbox"/> Industry <input type="checkbox"/> Irrigation <input type="checkbox"/> Air conditioning <input checked="" type="checkbox"/> Stock <input type="checkbox"/> Lawn <input type="checkbox"/> Oil field water <input type="checkbox"/> Other	
					9. Casing: Material <b>PVC</b> Height: <b>Above</b> or below Threaded <input type="checkbox"/> Welded <input type="checkbox"/> Surface <b>12</b> in. RMP <input type="checkbox"/> PVC <input checked="" type="checkbox"/> Weight <input type="checkbox"/> lbs./ft. Dia. <b>5</b> in. to <b>92</b> ft. depth Wall Thickness: <b>3/8</b> in. Dia. <input type="checkbox"/> in. to <input type="checkbox"/> ft. depth gage No. <input type="checkbox"/>	
					10. Screen: Manufacturer's name <b>M.P.H.</b> Type <b>PVC</b> Dia. <b>5 1/2</b> Slot/gauge <b>.040</b> Length <b>40'</b> Set between <b>52'</b> ft. and <b>92'</b> ft. ft. and <input type="checkbox"/> ft. Gravel pack? <input checked="" type="checkbox"/> Size range of material <b>1/2 X 1/4</b>	
					11. Static water level: <input type="checkbox"/> mo./day/yr. <b>65</b> ft. below land surface Date <b>12-21-78</b>	
					12. Pumping level below land surfaces: ft. after <input type="checkbox"/> hrs. pumping <input type="checkbox"/> g.p.m. ft. after <input type="checkbox"/> hrs. pumping <input type="checkbox"/> g.p.m. Estimated maximum yield <b>30</b> g.p.m.	
					13. Water sample submitted: <input type="checkbox"/> mo./day/yr. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Date <input type="checkbox"/>	
					14. Well head completion: <b>NA</b> <input type="checkbox"/> Pitless adapter <input type="checkbox"/> Inches above grade	
					15. Well grouted? <input checked="" type="checkbox"/> <b>1-2'</b> With: <input type="checkbox"/> Neat cement <input type="checkbox"/> Bentonite <input checked="" type="checkbox"/> Concrete Depth: From <b>15</b> ft. to <b>5</b> ft.	
					16. Nearest source of possible contamination: ft. <b>300</b> Direction <b>South</b> <b>deep ditch</b> Well disinfected upon completion? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
					17. Pump: <input checked="" type="checkbox"/> Not installed Manufacturer's name <input type="checkbox"/> Model number <input type="checkbox"/> HP <input type="checkbox"/> Volts <input type="checkbox"/> Length of drop pipe <input type="checkbox"/> ft. capacity <input type="checkbox"/> g.p.m. Type: <input type="checkbox"/> Submersible <input type="checkbox"/> Turbine <input type="checkbox"/> Jet <input type="checkbox"/> Reciprocating <input type="checkbox"/> Centrifugal <input type="checkbox"/> Other	
18. Elevation: <b>1400</b>		19. Remarks: 			20. Water well contractor's certification: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. <b>Strader Drilling Co 93</b> Business name <b>Blue Rapids</b> License No. <input type="checkbox"/> Address <b>Harold Strader</b> Date <b>12-21-78</b> Signed <b>Harold Strader</b> Authorized representative	

T-6  
R-3  
E-21  
W-1/4  
S-1/4  
NW-1/4

Forward the white, blue and pink copies to the Department of Health and Environment

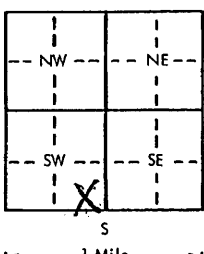
Form WWC-5

D-4

USE TYPEWRITER OR BALL POINT PEN-PRESS FIRMLY, PRINT CLEARLY.

WATER WELL RECORD  
KSA 82a-1201-1215

Kansas Department of Health and Environment-Division of Environment  
(Water well Contractors)  
Topeka, Kansas 66620

1. Location of well: County <u>Washington</u> Fraction <u>SE 1/4 SE 1/4 SW 1/4</u> Section number <u>21</u> Township number <u>5 South</u> Range number <u>3 east E/W</u>	
2. Distance and direction from nearest town or city: <u>7 miles South and 1/2 mi West</u> Street address or well location if in city: <u>7 from Linn</u>	
3. Owner of well: <u>Herman Bott</u> R.R. or street: <u>Palmer Kans</u> City, state, zip code: <u>Palmer Kans</u>	
4. Locate with "X" in section below: Sketch map: 	
5. Type and color of material	
	From To
<u>top soil, Black</u>	<u>0 1</u>
<del><u>Rock, Sand rock</u></del>	<del><u>1 30</u></del>
<del><u>Clay, Blue</u></del>	<del><u>1 6</u></del>
<del><u>Rock, Sandrock</u></del>	<del><u>6 45</u></del>
<del><u>Clay, yellow</u></del>	<del><u>45 54</u></del>
<del><u>Rock, limestone yellow (Water)</u></del>	<del><u>54 58</u></del>
<del><u>Shale, Blue</u></del>	<del><u>58 67</u></del>
<del><u>Shale Red</u></del>	<del><u>67 72</u></del>
6. Bore hole dia. <u>10</u> in. Completion date <u>12-27-78</u> Well depth <u>72</u> ft.	
7. <input checked="" type="checkbox"/> Cable tool <input type="checkbox"/> Rotary <input type="checkbox"/> Driven <input type="checkbox"/> Dug <input type="checkbox"/> Hollow rod <input type="checkbox"/> Jetted <input type="checkbox"/> Bored <input type="checkbox"/> Reverse rotary	
8. Use: <input checked="" type="checkbox"/> Domestic <input type="checkbox"/> Public supply <input type="checkbox"/> Industry <input type="checkbox"/> Irrigation <input type="checkbox"/> Air conditioning <input type="checkbox"/> Stock <input type="checkbox"/> Lawn <input type="checkbox"/> Oil field water <input type="checkbox"/> Other	
9. Casing: Material <u>PVC</u> Height: <u>Above</u> or below Threading: <u>Welded</u> Surface <u>24</u> in. RMP: <u>PVC</u> Weight <u>267</u> lbs./ft. Dia. <u>5</u> in. to <u>72</u> ft. depth Wall Thickness: <u>inches</u> Dia. <u>in.</u> to <u>ft.</u> depth gage No. <u>267</u>	
10. Screen: Manufacturer's name <u>M.P.I.</u> Type <u>PVC</u> Dia. <u>5" inside</u> Slot/gauze <u>040</u> Length <u>40'</u> Set between <u>32'</u> ft. and <u>72'</u> ft. Gravel pack? <input checked="" type="checkbox"/> Size range of material <u>1/4" to 1/2"</u>	
11. Static water level: <u>32</u> ft. below land surface Date <u>12-27-78</u> mo./day/yr.	
12. Pumping level below land surfaces: <u>32</u> ft. after <u>1</u> hrs. pumping <u>20</u> g.p.m. <u>ft.</u> after <u>hrs.</u> pumping <u>g.p.m.</u> Estimated maximum yield <u>20</u> g.p.m.	
13. Water sample submitted: <u>Yes</u> <input checked="" type="checkbox"/> <u>No</u> <input type="checkbox"/> Date <u>mo./day/yr.</u>	
14. Well head completion: <u>NA</u> Pitless adapter <u>inches</u> above grade	
15. Well grouted? <input checked="" type="checkbox"/> With: <u>Neat cement</u> <u>Bentonite</u> <input checked="" type="checkbox"/> <u>Concrete</u> Depth: From <u>15</u> ft. to <u>5</u> ft.	
16. Nearest source of possible contamination: <u>75</u> ft. Direction <u>WEST</u> Type <u>Silo</u> Well disinfected upon completion? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
17. Pump: <input checked="" type="checkbox"/> Not installed Manufacturer's name <u>HP</u> Model number <u>Volts</u> Length of drop pipe <u>ft.</u> capacity <u>g.p.m.</u> Type: <input type="checkbox"/> Submersible <input type="checkbox"/> Turbine <input type="checkbox"/> Jet <input type="checkbox"/> Reciprocating <input type="checkbox"/> Centrifugal <input type="checkbox"/> Other	
(Use a second sheet if needed)	
18. Elevation: <u>1360'</u> Topography: <input checked="" type="checkbox"/> Hill <input checked="" type="checkbox"/> Slope <input type="checkbox"/> Upland <input type="checkbox"/> Valley	19. Remarks:
20. Water well contractor's certification: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. <u>Strader Drilling Co., 237</u> Business name <u>Blue Rapids</u> License No. <u>Harold Strader</u> Address <u>12-27-78</u> Signed <u>Harold Strader</u> Date <u>12-27-78</u> Authorized representative	

5-30-21 SE 1/4 SW 1/4



D-6

USE TYPEWRITER OR BALL POINT PEN-PRESS FIRMLY, PRINT CLEARLY.

WATER WELL RECORD  
KSA 82a-1201-1215

Kansas Department of Health and Environment-Division of Environment  
(Water well Contractors)  
Topeka, Kansas 66620

1. Location of well:	County <b>WASHINGTON</b>	Fraction <b>SE 1/4 NE 1/4 SE 1/4</b>	Section number <b>22</b>	Township number <b>T 5 S R 3 E W</b>	Range number
2. Distance and direction from nearest town or city:	<b>SE - 2 1/2 S</b>		3. Owner of well: <b>HERMAN BOTT</b>		
Street address of well location if in city:	<b>3E-4N PALMER</b>		R.R. or street: City, state, zip code: <b>PALMER, KANS 66962</b>		
4. Locate with "X" in section below:	Sketch map:			6. Bore hole dia. <b>8</b> in. Completion date <b>4-29-78</b> Well depth <b>100</b> ft.	
				7. <input type="checkbox"/> Cable tool <input checked="" type="checkbox"/> Rotary <input type="checkbox"/> Driven <input type="checkbox"/> Dug <input type="checkbox"/> Hollow rod <input type="checkbox"/> Jetted <input type="checkbox"/> Bored <input type="checkbox"/> Reverse rotary	
				8. Use: <input checked="" type="checkbox"/> Domestic <input type="checkbox"/> Public supply <input type="checkbox"/> Industry <input type="checkbox"/> Irrigation <input type="checkbox"/> Air conditioning <input type="checkbox"/> Stock <input type="checkbox"/> Lawn <input type="checkbox"/> Oil field water <input type="checkbox"/> Other	
5. Type and color of material			From	To	9. Casing: Material <b>PVC</b> Height: Above or below Threaded <input type="checkbox"/> Welded <input checked="" type="checkbox"/> Surface <b>12</b> in. RMP <input type="checkbox"/> PVC <input checked="" type="checkbox"/> Weight <b>3</b> lbs./ft. Dia. <b>5</b> in. to <b>100</b> ft. depth Wall Thickness: inches or Dia. <input type="checkbox"/> in. to <input type="checkbox"/> ft. depth gage No. <b>1258</b>
<b>TOPSOIL</b>			<b>0</b>	<b>3</b>	10. Screens: Manufacturer's name <b>TUMPCO</b> Type <b>PVC</b> Dia. <b>5"</b> Slot/gauge <b>1/16</b> Length <b>20'</b> Set between <b>80</b> ft. and <b>100</b> ft. <input type="checkbox"/> ft. and <input type="checkbox"/> ft. Gravel pack? <input checked="" type="checkbox"/> Yes Size range of material <b>8x14</b>
<b>BROWN CLAY</b>			<b>3</b>	<b>8</b>	11. Static water level: <input type="checkbox"/> mo./day/yr. <b>75</b> ft. below land surface Date <b>4-29-78</b>
<b>RED CLAY</b>			<b>8</b>	<b>16</b>	12. Pumping level below land surfaces: <input type="checkbox"/> ft. after <input type="checkbox"/> hrs. pumping <input type="checkbox"/> g.p.m. <input type="checkbox"/> ft. after <input type="checkbox"/> hrs. pumping <input type="checkbox"/> g.p.m. Estimated maximum yield <b>2</b> g.p.m.
<b>SANDROCK</b>			<b>16</b>	<b>24</b>	13. Water sample submitted: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date <input type="checkbox"/>
<b>BLUE CLAY</b>			<b>24</b>	<b>70</b>	14. Well head completion: <input type="checkbox"/> Pitless adapter <b>12</b> Inches above grade
<b>SANDROCK W/ CLAY LAYERS</b>			<b>70</b>	<b>83</b>	15. Well grouted? <input checked="" type="checkbox"/> Yes With: <input checked="" type="checkbox"/> Neat cement <input type="checkbox"/> Bentonite <input type="checkbox"/> Concrete Depth: From <b>0</b> ft. to <b>10</b> ft.
<b>BLUE SHALE</b>			<b>83</b>	<b>100</b>	16. Nearest source of possible contamination: <b>SEPTIC</b> ft. <b>100</b> Direction <b>NE</b> Type <b>TANK</b> Well disinfected upon completion? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>STOP</b>			<b>100</b>		17. Pump: <input checked="" type="checkbox"/> Not installed Manufacturer's name _____ Model number _____ HP _____ Volts _____ Length of drop pipe _____ ft. capacity _____ g.p.m. Type: <input type="checkbox"/> Submersible <input type="checkbox"/> Turbine <input type="checkbox"/> Jet <input type="checkbox"/> Reciprocating <input type="checkbox"/> Centrifugal <input type="checkbox"/> Other
(Use a second sheet if needed)					
18. Elevation: <b>1390</b>	19. Remarks:		20. Water well contractor's certification: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. <b>THOMAS COX &amp; SONS INC 559</b> Business name License No. _____ Address <b>SUTTON KANS 66937</b> Signed <b>Hamilton</b> Date <b>5-1-78</b> Authorized representative		

T-5  
 R-3  
 W-E  
 Sec 22  
 1/4 SE 1/4 NE 1/4

Forward the white, blue and pink copies to the Department of Health and Environment

Form WWC-5



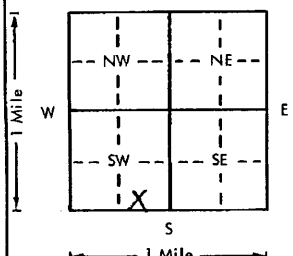


D-8

USE TYPEWRITER OR BALL POINT PEN-PRESS FIRMLY, PRINT CLEARLY.

WATER WELL RECORD  
KSA 82a-1201-1215

Kansas Department of Health and Environment-Division of Environment  
(Water well Contractors)  
Topeka, Kansas 66620

1. Location of well: County <u>Washington</u> Fraction <u>SW 1/4 SE 1/4 SW 1/4</u> Section number <u>31</u> Township number <u>T 5 S R 3</u> Range number <u>3</u> <span style="float:right">E/W</span>	
2. Distance and direction from nearest town or city: <u>7 1/2 E of Clifton</u>	
3. Owner of well: <u>William Gilbert Palmer, Kansas</u>	
4. Locate with "X" in section below: Sketch map: 	
5. Type and color of material	
	From To
<u>Clay</u>	<u>0 15</u>
<u>soft sandrock</u>	<u>15 30</u>
<u>sandrock</u>	<u>30 35</u>
<u>clay</u>	<u>35 40</u>
<u>hard rock</u>	<u>40 41</u>
<u>clay</u>	<u>41 55</u>
<u>sandrock</u>	<u>55 57</u>
<u>clay</u>	<u>57 61</u>
(Use a second sheet if needed)	
18. Elevation: <u>1375</u>	19. Remarks:
Topography: <input checked="" type="checkbox"/> Hill <input type="checkbox"/> Slope <input type="checkbox"/> Upland <input type="checkbox"/> Valley	20. Water well contractor's certification: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. <u>Geo Cox &amp; Sons Inc 258</u> Business name _____ License No. _____ Address <u>Clifton Kansas</u> Signed <u>Francis Cox</u> Date <u>11-8-</u> Authorized representative

6. Bore hole dia. <u>8</u> in. Completion date <u>10-29-77</u> Well depth <u>61</u> ft.
7. <input type="checkbox"/> Cable tool <input checked="" type="checkbox"/> Rotary <input type="checkbox"/> Driven <input type="checkbox"/> Dug <input type="checkbox"/> Hollow rod <input type="checkbox"/> Jetted <input type="checkbox"/> Bored <input type="checkbox"/> Reverse rotary
8. Use: <input checked="" type="checkbox"/> Domestic <input type="checkbox"/> Public supply <input type="checkbox"/> Industry <input type="checkbox"/> Irrigation <input type="checkbox"/> Air conditioning <input type="checkbox"/> Stock <input type="checkbox"/> Lawn <input type="checkbox"/> Oil field water <input type="checkbox"/> Other
9. Casing: Material <u>PVC</u> Height: Above or below Threaded <input type="checkbox"/> Welded <input checked="" type="checkbox"/> Surface <u>12</u> in. RMP <input type="checkbox"/> PVC <input checked="" type="checkbox"/> Weight <u>3</u> lbs./ft. Dia. <u>5</u> in. to <u>61</u> ft. depth Wall Thickness: inches or Dia. <u>   </u> in. to <u>   </u> ft. depth gage No. <u>258</u>
10. Screen: Manufacturer's name <u>Pumpco Supply</u> Type <u>PVC</u> Dia. <u>5</u> Slot/gauze <u>1/16"</u> Length <u>20</u> Set between <u>51</u> ft. and <u>61</u> ft. ft. and <u>   </u> ft. Gravel pack? <u>YES</u> Size range of material <u>1/16"-1/4"</u>
11. Static water level: _____ mo./day/yr. <u>20</u> ft. below land surface Date <u>10-28-77</u>
12. Pumping level below land surfaces: <u>60</u> ft. after <u>12</u> hrs. pumping <u>4-5</u> g.p.m. ft. after _____ hrs. pumping _____ g.p.m. Estimated maximum yield <u>4-5</u> g.p.m.
13. Water sample submitted: _____ mo./day/yr. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____
14. Well head completion: <input type="checkbox"/> Pitless adapter <u>12</u> Inches above grade
15. Well grouted? <u>YES</u> With: <input type="checkbox"/> Neat cement <input type="checkbox"/> Bentonite <input checked="" type="checkbox"/> Concrete Depth: From <u>0</u> ft. to <u>10</u> ft.
16. Nearest source of possible contamination: ft. <u>250</u> Direction <u>NW</u> Type <u>PRIVEY</u> Well disinfected upon completion? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
17. Pump: <input checked="" type="checkbox"/> Not installed Manufacturer's name _____ Model number _____ HP _____ Volts _____ Length of drop pipe _____ ft. capacity _____ g.p.m. Type: <input type="checkbox"/> Submersible <input type="checkbox"/> Turbine <input type="checkbox"/> Jet <input type="checkbox"/> Reciprocating <input type="checkbox"/> Centrifugal <input type="checkbox"/> Other

T 5 S R 3  
 Sec 31  
 1/4 1/4 1/4  
 SWS  
 ESW

Forward the white, blue and pink copies to the Department of Health and Environment

Form WW-5



Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733

Fax: (785) 296-8298

[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Sam Brownback, Governor

November 29, 2017

GREGORY & AMY BOTT  
1476 2<sup>ND</sup> RD  
PALMER KS 66962

Re: Pending New Application, File No. 49,926

Dear Sir or Madam:

This is to advise you that Bott Cattle Company, Inc. has filed the application referred to above for a permit to appropriate 24.8 million gallons (76.12 acre-feet) of groundwater per calendar year for stockwatering use to be diverted at a maximum rate of 400 gallons per minute. Please note that the proposed point of diversion is an existing battery of wells that has been in place for many years and is currently authorized under Water Right, File No. 40,228. The geographic center of the well battery is located as follows:

Near the Center of the West Side of the Northwest Quarter of Section 28, in Township 5 South, Range 3 East, Washington County, Kansas.

Records in this office indicate that you may have a well or wells in this vicinity and you are being notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

You can find the application and site map posted by the file number referenced above at:  
<http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Doug Schemm".

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

pc: Bott Cattle Company, Inc.



Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733  
Fax: (785) 296-8298  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Sam Brownback, Governor

November 29, 2017

JAMES VOELKER REV TR  
1497 2<sup>ND</sup> RD  
PALMER KS 66962

Re: Pending New Application, File No. 49,926

Dear Sir or Madam:

This is to advise you that Bott Cattle Company, Inc. has filed the application referred to above for a permit to appropriate 24.8 million gallons (76.12 acre-feet) of groundwater per calendar year for stockwatering use to be diverted at a maximum rate of 400 gallons per minute. Please note that the proposed point of diversion is an existing battery of wells that has been in place for many years and is currently authorized under Water Right, File No. 40,228. The geographic center of the well battery is located as follows:

Near the Center of the West Side of the Northwest Quarter of Section 28, in Township 5 South, Range 3 East, Washington County, Kansas.

Records in this office indicate that you may have a well or wells in this vicinity and you are being notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

You can find the application and site map posted by the file number referenced above at:  
<http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Schemm".

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

pc: Bott Cattle Company, Inc.

  
**Kansas**  
Department of Agriculture  
Division of Water Resources

49926

Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733  
Fax: (785) 862-2460  
www.agriculture.ks.gov  
Sam Brownback, Governor

October 11, 2017

BOTT CATTLE CO INC  
% DARYL BOTT  
1663 1ST RD  
PALMER KS 66962

RE: New Application for Appropriation of Water

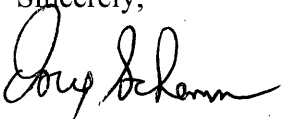
Dear Mr. Bott:

Enclosed are application forms related to completing a new application for permit to appropriate water for beneficial use. Please review the "Application For Permit To Appropriate Water For Beneficial Use" form, the site map, and the enclosed "Stockwater Use Supplemental Sheet". This new application is designed to allow you to pump additional water from your existing battery of wells, currently authorized under Water Right, File No. 40,228.

**You must sign the application at both Paragraph Nos. 6 and 16, and please sign the application map where indicated.** For the requested quantity of 24.8 million gallons, the filing fee would be \$200. Please submit the original application with signatures, and filing fee to the **Kansas Department of Agriculture, Division of Water Resources, 1320 Research Park Drive, Manhattan, KS 66502.**

You may contact the Topeka Field Office at (785) 296-5733, or myself at (785) 296-3495, for any additional assistance in completing these application forms.

Sincerely,



Douglas Schemm  
Environmental Scientist  
Topeka Field Office

Enclosures

WATER RESOURCES  
RECEIVED

OCT 20 2017

KS DEPT OF AGRICULTURE

SCANNED



1320 Research Park Drive  
Manhattan, Kansas 66502

Jackie McClaskey, Secretary

Phone: (785) 564-6700  
Fax: (785) 564-6777  
Email: ksag@kda.ks.gov  
www.agriculture.ks.gov  
Sam Brownback, Governor

October 26, 2017

BOTT CATTLE COMPANY, INC  
1663 1ST RD  
PALMER KS 66962

RE: Application  
File No. 49926

Dear Sir or Madam:

Your application for permit to appropriate water in 28-5S-3E in Washington County, was received and has been assigned the file number noted above.

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. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. 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

BAT: dlw  
pc: TOPEKA Field Office  
GMD

SCANNED

# BOTT CATTLE CO INC NEW APPLICATION - SITE MAP

49924

Gregory  
Amy



1:24,000

● Proposed Point of Diversion  
RECEIVED  
WATER RESOURCES  
Proposed Place of Use  
OCT 20 2017

All known wells within one-half mile of the proposed point of diversion are shown on this map.

David Bott