Department of Agriculture Division of Water Resources

Garden City Field Office 2508 Johns Street Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

Sam Brownback, Governor

April 12, 2017

LBJ FARMS LLC 4075 ANASAZI CT **GRAND JUNCTION CO 81506**

RE: Change in Point of Diversion Water Right, File No 3583

Dear Mrs. Schaak:

Enclosed you will find a Summary Order Approving Application for Change in Point of Diversion for the above referenced file. This order modifies the authorized well location under the referenced file. This order modifies the original document; it should be recorded at the County Register of Deeds.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this order. The diversion works should be completed and reported to the Division of Water Resources by December 31, 2017. Enclosed is a form for this purpose, along with other information for reference,

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report.

This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order. The date of service is the date listed on the enclosed Certificate of Service.

Should you have any questions, please feel free to call this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

Thomas P. Makens

Assistant Water Commissioner

TPM:tom Enclosures GMD#3

CERTIFICATE OF SERVICE

On this \sqrt{3} day of April 2017, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 3583 dated April 12, 2017 was mailed postage prepaid, first class, US mail to the following:

LBJ FARMS LLC 4075 ANASAZI CT GRAND JUNCTION CO 81506

Copy provided to GMD#3

Division of Water Resources

Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended. Fee Schedule is on the third page of this application form.

than	100 feet(s) of di	et, or if	place	of us	e will i	be cha	anged,	includ	le a to	ppogra	aphic n	nap or	detail	ed pla	t show	ving th	e auth sounce	orized a	sion is great and propose AND AND AND AND AND AND AND AND AND AND
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	1116 1		Kunalan D	13a	If the propose	d point of di	version will	be relocate	ed within 100
7.	Why do you need a r	sew point of c	liversion?	100.	feet of the exi	stina point c	of diversion.	indicate it	s location on
	old well needs to be	replaced			the diagram be (PLEASE NO	TE: The "	'X" in cen	ter of dia	gram below
					represents pr	esently aut	horized poi	int of dive	slon.)
							North		
8.	If a well, is the test he	ole log attach	ed? 🛛 Yes 🔲 No		100	50	0 5	0 100)
				,	닏	TTTTT	\ <u>+</u> ''''		
9.		pose to co	mplete the new point	OT .	E		_	1	
	diversion?	•	•		50	+		⊦ -]5	50
	March 15 2017				F			\exists	
10.	If the point of diversion	on is a well:			West 0		<u></u>	<u>.</u>) Fact
	(a) What are you go		n the old well?		AAGSI O		<u> </u>) L(151
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	(b) When will this be	e done? <u>2017</u>	•				17111	[
	0	222222	District recommendati	on	100	50	0 5	0 100)
11.		nagement s ⊠ No	District recommendati	OH	100		South		r
	andoned: [] 168	, K7110		40L	If the present		e 1" = 100		ad more then
12.	Assisted by tpm			130.	if the propose 100 feet but	within 1320	D feet from	າ the exis	ting point of
					diversion, atta	ach a lopog	raphic map	or aerial	photograph.
	*2				within one-hal names and n	f mile of the	proposed p	oint of dive	rsion and the
					names and m water source	nailing addre	esses of the	e owners.	For surface sses of the
					landowner(s)	one-half mi	le downstre	eam and	one-half mile
					upstream fron	your proper	rty lines.		

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

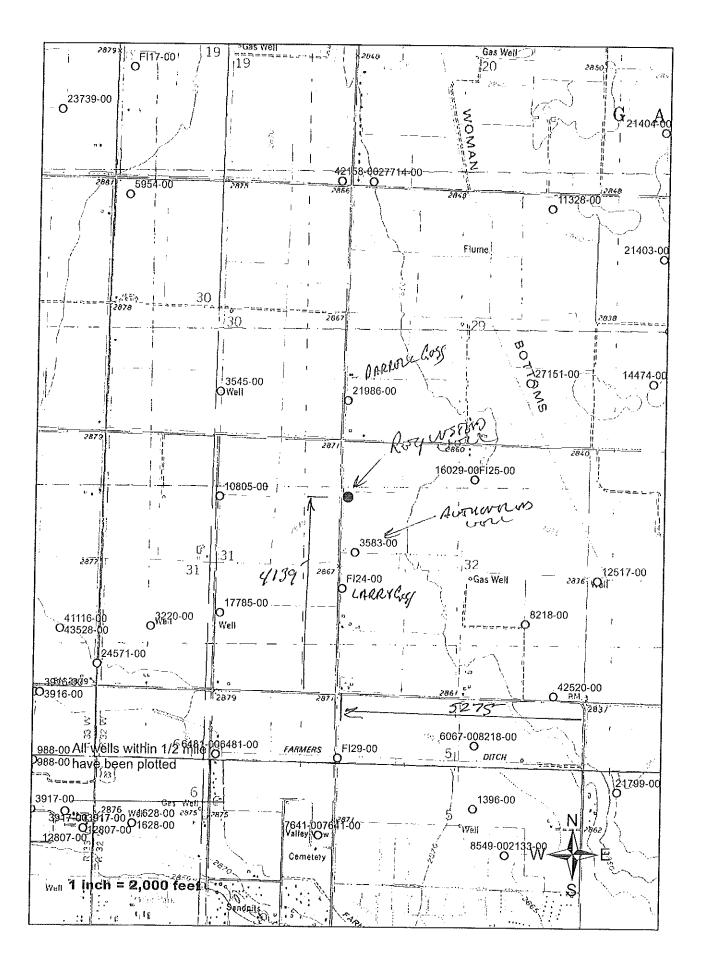
pro K.	This Summary Order is issued under authority of K.S.A. 82a-708b, a provisions of the <i>Kansas Water Appropriation Law, K.S.A. 82a-701 et. se</i> K.A.R. 5-1-1 <i>et.seq.</i> With the exception of those conditions expressly cont terms, conditions and limitations of File No. 3583	g., and rules and regulations promulgated thereunder
1.	1. A change application was received on MARCH 1, 7017 diversion authorized under the above-referenced file number be changed.	requesting that the place of use and / or point o
2.	On and after the effective date of this summary order, the authorized on the topographic map accompanying the application to change the p	place(s) of use shall be located substantially as show lace of use. ☐ Applicable ☑ Not Applicable
3.	3. The change in point of diversion shall not impair existing rights and shapreviously authorized. The point of diversion authorized by this summaradius of the authorized point(s) of diversion. ☑ Applicable ☐	ary order shall be located within a 300 foot
4.	 The point(s) of diversion authorized herein shall not actually be located authorized point(s) of diversion. ☐ Applicable ☐ Not Applicable 	more than feet from the previously e
5.	 As required by K.A.R. 5-3-5d, if the works for diversion is a well with tube or other device suitable for making water level measurements sha with K.A.R. 5-6-13. 	a diversion rate of 100 gallons per minute or more, a all be installed, operated and maintained in accordance
6.	6. The owner of the authorized place(s) of use shall properly ins December 31, 2017, or before the first use of water, whichever occurs and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As re 3-5e, the owner shall maintain records and report the reading of the wannually to the Chief Engineer by March 1 following the end of each ca Applicable ☐ Not Applicable	first. The water flow meter shall be installed, operated equired by K.S.A. 82a-732, as amended, and K.A.R. 5- rater flow meter and the total quantity of water diverted
7.	7. Installation of the works for diversion of water shall be complet authorized extension of time. By March 1, 2018 the applicant shall not diversion has been completed, on the form provided by the Chief Engir Applicable Not Applicable	ify the Chief Engineer that construction of the works for seer, as required by K.A.R. 5-8-4e.
3,	3. The completed well log shall be submitted with the required notice	e. ⊠Applicable ☐ Not Applicable
9.	 All diversion works into which any type of chemical or other foreign sub with an in-line, automatic, quick-closing check valve capable of preve check valve(s) shall be installed, operated and maintained in accordance 	stance will be injected into the water shall be equipped nting pollution of the source of the water supply. The ce with K.A.R. 5-3-5c. ⊠∕Applicable ☐ Not Applicable
10.	10. Additional Conditions are attached. ☐ Yes ☒ No	
11.	11. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, water appropriated under the above-referenced file number are resp limitations, as amended and/or supplemented by this Summary Order Appropriation Law and the Rules and Regulations promulgated there result in civil penalties pursuant to K.S.A. 82a-737, as amended, and water or appropriation right or any other enforcement actions authorized.	onsible for compliance with its terms, conditions and , and with applicable provisions of the <i>Kansas Water</i> and . Failure to comply with these provisions may for the suspension or revocation and dismissal of the
ou befo Dep iled (an Oriv book Ordo	Order will become effective on the 15th day after the date shown Divi	Duly Authorized Designee of the Chief Engineer It Name): THOMAS C. MALENS sion of Water Resources - Kansas Department of Agriculture
	Tor Ose by Register or Deeds	ssuance: HPRN 12, 2017
	State of I	<pre>(ansas) ,</pre>
	County o	
	Acknowle	edged before me on April 12 2017
	by	homes P. Makens.
	Signatu My com	Motary Fabile JULIE JONES My Appointment Expires December 15, 2018 (Notary Seal)
		(Notary Sear)

Page 4

File No. ____

DWR 1-121 (Revised 06/16/2014)

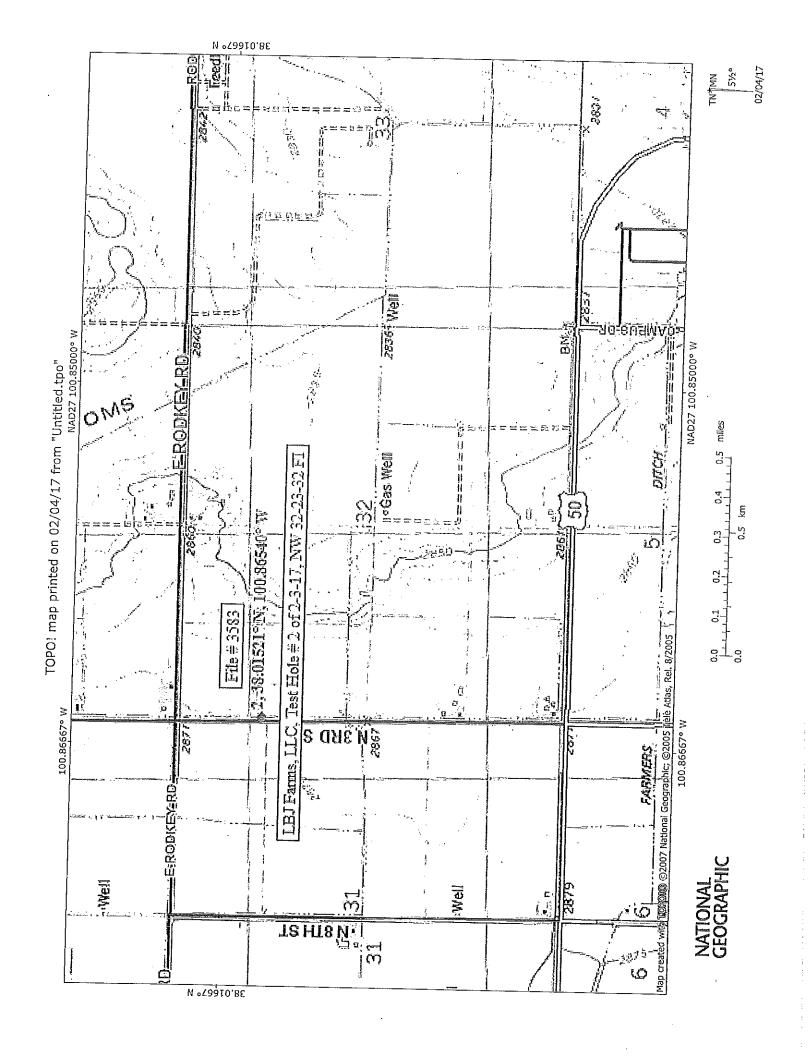
14. If the proposed groundwater point of diversion is 500 or lewer feet normer	disting point of diversion, complete the following.
(a) Does the undersigned represent all owners of the currently authorized☐ Yes☐ No(If no, all owners must sign this application)	
 (b) Will the ownership interest of any owner of the currently authorized affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this application) 	,
(c) If this application is not approved expeditiously, will there be substant ☐ Yes ☐ No (If no, all owners must sign this application	
If the application proposes a surface water change in point of diversion, a group or a change in place of use, the application must be signed by all owners of the agent (attach notarized statement authorizing representation).	indwater change in point of diversion greater than 300 fee e currently authorized place of use, or their duly authorize
I hereby verify, being first duly sworn upon my oath or affirmation age and the owner, the spouse of the owner, or a duly authorized their behalf, in regard to the water right(s) to which this application are true, correct and complete.	agent of the owner(s) to make this application or ion pertains. I further verify that the statements
Dated at Grand Junction Co., Kansas, this 2	24 day of 70 , 20 / 7 .
XLBJFAVM LLC / Dubana Whoak	(Spouse)
13) Furm IC KAY bus A Coffink	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print) State of Kansas County of Out	LIC &
	Michelle Dambrono
My Commission Expires 9-14-2020	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	applicable portions of the application form must be completed wit iate owners' must be affixed to the application and notarized; and
FEE SCHEDULE	
Each application to change the place of use or the point of diversion under this forth in the schedule below: Make checks payable to: Kansas Department of (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	f Agriculture \$100 \$200



PO Box 639 Garden City, KS 67846 Fax: 620-277-0224

Customer Name:	LBJ Farms, LLC	WO#: <i>][53]</i>	Date: 2-3-17
Street Address:	4075 ANASAZÍ	Test #: 2	ELOG:
City, State:	GRAND TUNCTION, COLORADO 81506	Driller: Dale Guinn	
County: Finney		Township: 23	Range: 32
Location:	GPS:	N38,01521 1/100,865	
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5 221 7 228 Fine Sand w / Some clay Stringers 30 228 27 255 Sand fine to med course small gravel w / Jan rock 255 268 Brown Clay 15 268 22 290 Sand fine to med w / Some Tar Rock few clay Stringers 35 290 10 300 Sand fine to med course w/ White & Tan Back - Dvilled loose- 5 300 7 307 / Multi colored Slaffy Clay w / Some fine Sand 20 307 15 322 White & Tan Rock w / fine 3 and 322 340 Black Shale - Super Gol & El 13 411 28 11 28 - Comm Plag - 1		215		221	Brown Sandy clay
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Garden City Fletd Office 2508 Johns Street Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov Sam Brownback, Governor

March 1, 2017

LARRY W GOSS 706 FLEMING ST GARDEN CITY KS 67846-6219

RE: Water Right 3583

Dear Mr. Goss;

This is to advise you that the Premier Farms has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced application.

You can find the complete application posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices

You are notified on this proposed change in point of diversion so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Thomas P. Makens

Environmental Scientist III

pc: GMD#3



Garden City Fleld Office 2508 Johns Street Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture,ks.gov Sam Brownback, Governor

March 1, 2017

LARRY W GOSS 706 FLEMING ST GARDEN CITY KS 67846-6219

RE: Water Right 3583

Dear Mr. Goss;

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You can find the complete application posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices

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Sincerely,

Thomas P. Makens

Environmental Scientist III

pc: GMD#3



Garden City Field Office 2508 Johns Street Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

Sam Brownback, Governor

March 16, 2017

Southwest Kansas Groundwater Management District No 3 409 Campus Drive, Suite 106 Garden City KS 67846

Re: Water Right file number 3583

Dear Mr. Norquest;

LBJ Farms has applied to relocate the well authorized by the above water right number. There are two neighboring well within ½ mile of the requested.

We are delaying action for 15 days on the change application to allow you time to review and provide a recommendation if you feel one is warranted.

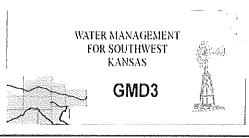
Thank you and as always feel free to call or write us at any time.

Sincerely;

Thomas P Makens

TPM:tpm enc

,		



Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street

Garden City, Kansas 67846

(620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

March 22, 2017

Thomas P. Makens Division of Water Resources 2508 N Johns Street Garden City, Kansas 67846

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MAR 23 2017

RE: Application for Change in Point of Diversion

Water Right, File No. 3583

Garden City Field Office Division of Water Resources

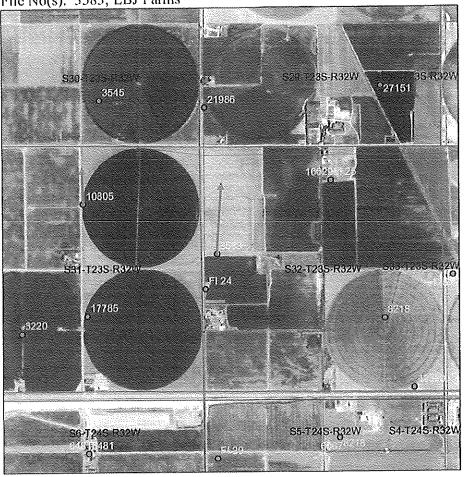
Dear Thomas:

We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed distance moved and spacing to neighboring wells is met in accordance with K.A.R. 5-23-3. It is therefore recommended that the application be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

Jason L. Norquest Assistant Manager Change Application(s); PD File No(s). 3583; LBJ Farms



	ft. North	ft. West	
Authorized PD	2988	5243	Sect. 32-23-32
Proposed PD	4139	5275	
Difference	-1151 N	-32 W	1
a2 + b2 = c2	1324801	1024	1151.445 foot move NE

Neighboring wells: Spacing MET, see WRIS report.

Domestic wells: None found in area of concern

Regulation(s) Reviewed: KAR 5-23-3

Board Review Date: NA Board Recommendation: NA

Waiver Reason: NA

Final Recommendation: After review of all available information, it appears that the area

rules are met. Staff therefore recommends approval of the application.

RECEIVED

MAR 2 3 2017

Gardon City Field Office Division of Vator Resources

Water Rights and Points of Diversion Within 1.00 miles of point defined as: 4139 ft N and 5275 ft W of the SE Corner of Section 32, T 235, R 32W Located at: 100.865400 West Longitude and 38.015211 North Latitude GROUNDWATER ONLY File Number Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan Unit 3220 00 IRR NK G 4867 -- SE NW SW 1270 3973 31 23 32W A . /400 160.00 160.00 AF ' 3118 -- NW SW SE -----A___ 3545 00 IRR NK G 30 23 32W 2 1420 320.00 320.00 AF 3583 00 IRR NK G* 1197 -- SW SW NW -----32 23 304.00 A 32W 4 304.00 AF A103 480.00 8218 00 IRR NK G 4947 -- SW NE SE ----23 32W 160.00 AF /400 320.00 320.00 AF 10805 00 IRR NK G 2472 -- -- CW NE 3950 2500 31 23 32W 3 <u>(5)</u> 16029 00 IRR NK G 2867 -- SW NW NE 4533 2429 234.00 AF 32 23 32W 2300 554.00 17785 00 IRR NK G 3537 -- SW NW SE 1640 2550 /40° 320.00 320.00 AF A 31 23 32W 21986 00 IRR NK G 2002 -- NW SW SW 860 5180 29 23 32W 1 229.00 229.00 AF 27151 00 IRR NK G 4626 -- -- NC SE 1320 1320 29 23 32W 300.00 300.00 1910 -- NW NW SW 2230 VFI 24 00 IRR AA G 160.00 AF 160.00 5209 23 32W VFI 25 00 IRR AA G 2867 -- SW NW NE 4533 2429 32 23 32W 320.00 320.00 AF / Spacing METIAR Total Net Quantities Authorized: Storage Total Requested Amount (AF) = .00 .00 Total Permitted Amount (AF) -.00 .00 Total Inspected Amount (AF) = .00 .00 Total Pro_Cert Amount (AF) = .00 .00 Total Certified Amount (AF) -2347.00 .00 Total Vested Amount (AF) = 480.00 .00 TOTAL AMOUNT (AF) = 2827.00 .00 An * after the source of supply indicates a pending application for change for the file number. An * after the ID indicates a 15 AF exemption was granted for the file number, A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery. The number in the Batt column is the number of wells in the battery. Water Rights and Points of Diversion Within 1.00 miles of point defined as: 100.865400 West Longitude and 38.015211 North Latitude GROUNDWATER ONLY WATER USE CORRESPONDENTS: File Number Use ST SR 3220 00 IRR NK G MICHAEL S & JENNIFER STANDLEY 14550 N VFW RD GARDEN CITY KS 67846 RECEIVED 3545 00 IRR NK G MAR 2 8 2017 LYDIA SCHWEER Garriera Csty Geld Office 8343 DANBURY LN Division of Vision Resources HUDSON FL 34667 >--------3583 00 IRR NK G R J MAXFIELD JR

> 602 E PRICE ST
> GARDEN CITY KS 67846
>
A 8218 00 IRR NK G
> ROGER A JARMER
>
> 1515 E US HWY 50
> GARDEN CITY KS 67846
>
A 10805 00 IRR NK G
> ARNOLD SCHWEER
>
> 4575 N VFW RD
> GARDEN CITY KS 67846
>
A 16029 00 IRR NK G
> JAMES A & CHRISTINA R BECKER
>
> 1602 N VAN DITTIE DR
> GARDEN CITY KS 67846
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A 17785 00 IRR NK G
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> 3810 N VFW RD
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MAR 2.3 2017

Gardon City Lield Office
Division of Weder Resources



Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street Garden City, Kansas 67846

(620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

March 22, 2017

Thomas P. Makens Division of Water Resources 2508 N Johns Street Garden City, Kansas 67846

RE: Application for Change in Point of Diversion

Water Right, File No. 3583

Dear Thomas:

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Sincerely,

Jason L. Norquest

Assistant Manager

