CHECK SHEET Short Change

(To be completed and attached to each application)

File No. <u>45767</u>					Fie	ld Office	• No. <u>4</u>		GMD No. <u>3</u>		
1. F	Plugging	agreement	t obtained fo	or GMD?	Yes 🗌	No		Non App	licable ⊠		
2. 1	s Landov	ner correc	ct as current	ly showr	n in WRIS1	7 Ye	es 🛛	No []	Address	Change? NO
I	f applicab	le, list Plac	e of Use Ove	rlap File I	Vos						
			•		•				No 🗌		Change? <u>NO</u>
4. a	a. Point	of diversio	on computer	ID No(s)	•		for poi	nt(s) bein	g changed.		
									for the new	/ point(s) o	f diversion:
ſ	Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	Cou	nty	Qualifiers
-	NO CHG				,	<u> </u>					
-											
-											
		of <u>Drainag</u>	ge Basin	gpm/cfs gpm/cfs		gpı	m/cfs m/cfs Is	this corre	af/mgy af/mgy ctly shown i	n WRIS? [af af/mgy af/mgy Yes No
6	e, Forma	ition Name	e & No				_ Spec	ial Use Ar	ea		
5. [Distances	from the	original p/d:					_' N		', \	N
6. <u>\</u>	NATER R	IGHT ACT	ION TRAIL C	OMMEN	<u>TS</u>						
Ş	<u>9/13/17</u>	7			-			ceived (date	e accepted fo	r priority)	
-	<u> </u>	<u>Z117</u>				Approve and Proo					
-	/	/			Comple	tion Req	luiremei	nt Remove	d (Change No	o. C)	
7. <u>I</u>	METER A	CTION TRA	AIL COMME	NTS							
-	/	/			DWR M	eter Rec	quired b	y/_	/		
8. E	3ase Acre	s <u>480</u>		Ye	ar <u>on perm</u>	nit	_ M	inimum Re	asonable Qua	antity	
								Date Crea	ited 9/19/17	by tpm	
								Date Ente	red	by	

CHECK SHEET ATTACHMENT

File Number 45767

Changes to the place of use will be:

 { F	ACRES	366	366	114	114	·			
F	***********		***************************************	_	τ-		eenmeeeneenge		
	SE%	12	12						
SE1/4	SW7.	35	35						
S	NE% NW% SW%	40	40						
	NE%	35	35	******************************	000		intelescione (
	SE¼			28.5	28.5				
17.4	SW%			28.5	28.5				
SW1/4	NW% SW%			28.5	28.5				
	NE%			28.5	28.5				
	SE%	40	40						
74	SW74	35	35						
NW%	NW% SW%	12	12						
	NE%	35	35						
e nonecono.	SEW	35	35						
7,		40	40						
NEX	NW% SW%	35	35						
:	NE%	12	12						
		Acres Authorized	New Acres	Acres Authorized	New Acres	Acres Authorized	New Acres	Acres Authorized	New Acres
	Range	ŗ	WC5		% ***				
	Sec. Twp. Range		ې 4		4				:
	Sec.	6	တို -	ç	3				
i	Place Use ID#		07096		»e				
	Owner Person ID		39574		395/4				
	Action	1	ე 0 0 0	!	<u></u>				

	3. Person ID #				
employee to the second special second	2. Person ID #				
Names and Address:	1. Person ID # <u>39574</u> 2	MID AMERICA CATTLE CO	WALTER BEESLEY	PO BOX 818	HUGOTON KS 67951-0818

GENERAL INSTRUCTIONS

- Send to headquarters:
- a. Good, microfilmable copy of application and/or approval and this check sheet
- b. Original check and copy of receipt

b. Original receipt (one for <u>each</u> application)

a. Original application/approval

Give to Applicant:

c. Information packet containing:

Water Meter Specifications

Acceptable Meter list

Notice and Proof form

- c. Test hole log
- d. GMD recommendation, if any
- e. Map or aerial photograph, if any
- Send to KDHE: Letter (KDHE.LT) advising o location of abandoned well.

CONDITIONS

Insert notice and proof date. --:

Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)

Pink Sheet - K.S.A. 82a-728 letter

Check Valve specifications

Water level measurement tube specifications

- Type or print applicant's/owner's name on line. લં છ
 - Complete notary statement.

- Date stamp received and approved.
- Complete ownership and WUC change information.

ADDITIONAL PHOTOCOPIES

	of			

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



Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

Sam Brownback, Governor

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner

September 22, 2017

MID AMERICA CATTLE CO WALTER BEESLEY PO BOX 818 HUGOTON KS 67951-0818

RE: Change the Place of Use, File Nos 45767

Dear Mr. Beesley;

Enclosed you will find a Summary Order Approving Application for Change in Place of Use for the above referenced files. Since these orders modify the original documents, it should be recorded at the County Register of Deeds.

These orders modify the authorized acres that can be irrigated by these files. The authorized place of use is as shown on the plats within the change approvals.

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 (including the meter reading at the beginning and end of the report year).

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 or arrange an appointment 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

Assistant Water Commissioner

TPM:tpm Enclosures GMD#3

CERTIFICATE OF SERVICE

On this 25 day of September 2017, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right File 45767 dated September 22, 2017, was mailed postage prepaid, first class, US mail to the following:

MID AMERICA CATTLE CO WALTER BEESLEY PO BOX 818 HUGOTON KS 67951-0818

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.

thai		t, or if	place	of use	will b	e cha			e a to _l	pograp		ap or					autho RI		
						1	File No	. <u>4576</u>	87					_				213	
1.	Application is hereby made for approval of the Chief Engineer to change the (check one or both): Garage to the Chief Engineer to change the (check one or both): Garage to the Chief Engineer to change the (check one or both): Garage to the Chief Engineer to change the (check one or both): Garage to the Chief Engineer to change the (check one or both): Garage to the Chief Engineer to change the (check one or both): Garage to the Chief Engineer to change the (check one or both): Garage to the Chief Engineer to change the (check one or both): Garage to the Chief Engineer to change the (check one or both): Garage to the Chief Engineer to change the (check one or both): Garage to the Chief Engineer to change the (check one or both): Garage to the Chief Engineer to change the (check one or both): Garage to the Chief Engineer to change the (check one or both): Garage to the Chief Engineer to the																		
	The sou	rce of s	upply i	is:		⊠ 0	Fround	water			Surfa	ce wat	er						
2.	Name and address of Applicant: MID AMERICA CATTLE CO WALTER BEESLEY PO BOX 818 HUGOTON KS 67951-0818 Phone Number: (620) 544-4307 Email address: wbeesley@pld.com Name and address of Water Use Correspondent: MID AMERICA CATTLE CO WALTER BEESLEY																		
3.	PO BOX 818 HUGOTON KS 67951-0818 Phone Number: (620) 544-4307 Email address: wbeesley@pld.com The presently authorized place of use is: Owner of Land NAME: MID AMERICA CATTLE CO WALTER BEESLEY ADDRESS: PO BOX 818 HUGOTON KS 67951-0818																		
	(If there is	more th	nan one		vner, at	tach su	ppleme		eets as	neces	sary.)	SV	V¼	1		SI	Ξ¼.		TOTAL ACRES
		Range 35w	40	40	5W1/4 40	\$E¼ 40	NE¼ 40	NW 1/4	5W1/4 40	SE¼ 40	NE%	NW%	SW%	SE¼	NE% 40	40	40	SE¼ 40	480
4.	If this ap Owner o	f Land -	NA ADDRI	AME: ESS:	MID A	MERIO 0X 818	CA CA	TTLE (OO W	VALTE 67951	R BEE 0818			e chan	ged to				
				1	1/4				٧%	1			V¼	ĺ		1	Ε ¼		TOTAL ACRES
<u>Se</u> 30		Range 35w	NE¼ 12	NW1/4 35	40	SE14 35	NE% 35	12	35	SE1/4	NEX	NW1/4	SW1/4	SE¼	NE1/4 35	NW% 40	35	SE% 12	366
30		34w			10					-10	28.5	28.5	28.5	28.5		10		1.6-	114
	For Office Use Only: Code Fee \$ 200 TR # Receipt Date 9/13/17 Check # 8192																		

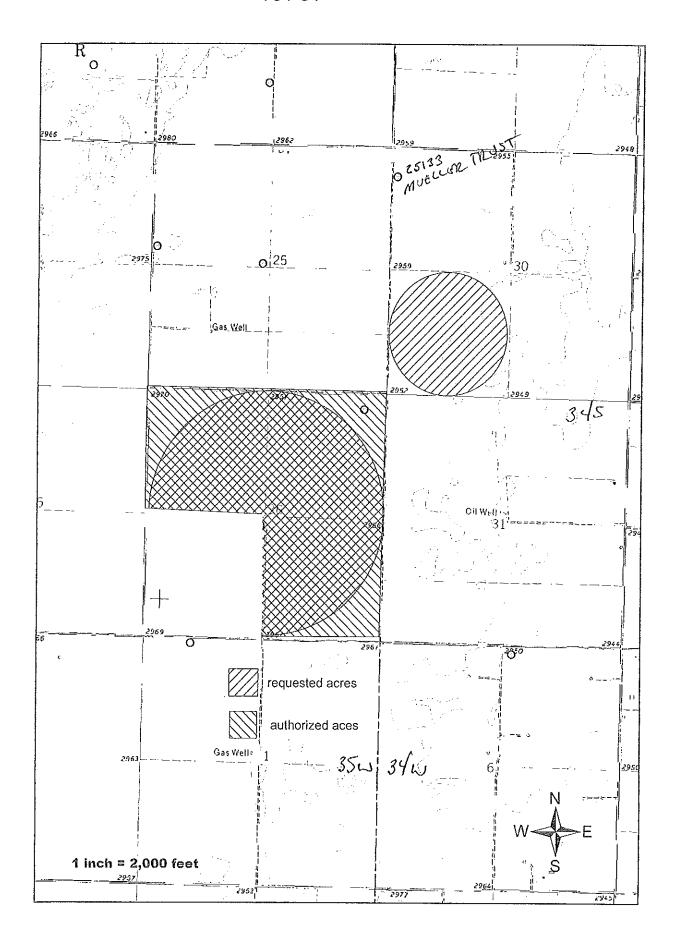
5.	Presently authorized point of diversion:			
İ	One in the Quarter of the		Quarter of the	Quarter
ŀ	of Section, Township			
}	in County, Kansas,	feet No	rth feet West of	Southeast corner of section.
	Authorized Rate Authorized Quantity	****	Depth of well	(feet)
	(DWR use only: Computer ID No GPS		feet North	feet West)
	☐ This point will not be changed ☐ This point will be			
- 1	Proposed point of diversion: (Complete only if change	is requ	rested)	
	One in the Quarter of the		Quarter of the	Quarter
	of Section, Township			
	in County, Kansas,	feet No	rthfeet West of	Southeast corner of section.
	Proposed Rate Proposed Quantity		Proposed well depth	(feet)
1	This point is: Additional Well Geo Center List oth	er wate	r rights that will use this point	
6. [Presently authorized point of diversion:			
٠	One in the Quarter of the		Quarter of the	Quarter
1	of Section, Township		South, Range	(EW),
	in County, Kansas,	feet No	rth feet West of	Southeast corner of section.
[Authorized Rate Authorized Quantity			
	(DWR use only: Computer ID No GPS		feet North	feet West)
	☐ This point will not be changed ☐ This point will b			,
	Proposed point of diversion: (Complete only if change	is requ	ested)	
	One in the Quarter of the		Quarter of the	Quarter
	of Section, Township			
1	in County, Kansas,	feet No	th feet West of	Southeast corner of section.
	Proposed Rate Proposed Quantity		Proposed well depth	(feet)
	This point is: Additional Well Geo Center List other			
-		•		
7.	Why do you need a new point of diversion?	13a.	If the proposed point of divers	sion will be relocated within 100 iversion, indicate its location on
	no change to well location		the diagram below in relation:	to the existing point of diversion.
	tio change to well location		(PLEASE NOTE: The "X" represents presently author	in center of diagram below
				,
_			Noi 100 - 50 - 0	
3.	If a well, is the test hole log attached? Yes No		100 50 0 	50 100
a	When do you propose to complete the new point of	:		· · · · · · · · · · · · · · · · · · ·
٠,	diversion?			i
			50 - + -	· + <u>-</u> 50
			_	
10.	If the point of diversion is a well:		West 0 - 111 111 X	
	(a) What are you going to do with the old well?		***** UF ' ' ' ' ' ' ' ^	Triffin du casi
	, , ,		<u> </u>	=
			50 📙 🙏 🗀	- + - 50
			E '	
	(b) When will this be done?		-	, 7
11.	Groundwater Management District recommendation		100 50 0 Soc	50 100
	attached? Yes No		Scale: 1	i" = 100'
12	Assisted by tom	13b.	If the proposed point of divers	sion will be relocated more than
12.	710510100 by ton?		100 feet but within 1320 fe	eet from the existing point of hic map or aerial photograph.
			For groundwater sources, sho	w all wells (including domestic)
			within one-half mile of the pro-	posed point of diversion and the s of the owners. For surface
			water sources, show the r	names and addresses of the
			landowner(s) one-half mile of	downstream and one-half mile
			upstream from your property li	nes,

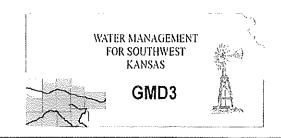
14. If the proposed groundwater point of diversion is 300 or fewer feet from	om existing point of diversion, complete the following:
 (a) Does the undersigned represent all owners of the currently authorized Types ☐ No (If no, all owners must sign this applied 	orized place(s) of use identified in this application? cation.)
 (b) Will the ownership interest of any owner of the currently author affected if this application is approved as requested? Yes No \text{(If yes, all owners must sign this application)} 	•
(c) If this application is not approved expeditiously, will there be sub ☐ Yes ☐ No (If no, all owners must sign this applic	stantial damage to property, public health or safety? cation.)
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	groundwater change in point of diversion greater than 300 feet, of the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirm age and the owner, the spouse of the owner, or a duly authori their behalf, in regard to the water right(s) to which this app contained in this application are true, correct and complete.	zed agent of the owner(s) to make this application on
Dated at Hugoton , Kansas, this	13th day of <u>September</u> , 20 17.
40.000000000000000000000000000000000000	
X Mal Beast greed	(Spouse)
WALTER BEESLEY (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of Stevens ss	
I hereby certify that the foregoing application was signed in my	procence and sworn to before me this 1372 day of
KIM CHAMBERLAIN NOTARY PUBLIC, STATE OF K	ANSAS Lim Chamberlais
My Commission Expires 1-(1-2-1 My Appl. Exp. 1-1/2)	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all o accurate information; maps, if necessary, must be included; signatures of all the application appropriate fee must be paid.	f the applicable portions of the application form must be completed with propriate owners' must be affixed to the application and notarized; and
FEE SCHEDUI	<u>E</u>
Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Departmet (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet	nt of Agriculture \$100 \$200
DIMID 4 404 (D-14-15 00(40)0044)	

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-14-3 and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder. K.A.R. 5-1-1 et.seq. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 45767 _____. A change application was received on September 13, 2017 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown ☐ Not Applicable on the topographic map accompanying the application to change the place of use. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a ______ foot radius of the authorized point(s) of diversion.

Applicable
Not Applicable The point(s) of diversion authorized herein shall not actually be located more than feet from the previously authorized point(s) of diversion. ☐ Applicable As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. ☐ Applicable Not Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20____, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. Not Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20 authorized extension of time. By March 1, 20 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Not Applicable Applicable The completed well log shall be submitted with the required notice. ☐ Applicable Not Applicable All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable \sum Not Applicable 10. Additional Conditions are attached. ☐ Yes ⊠ No 11. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the Kansas Water Appropriation Law and the Rules and Regulations promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND You have the right to a hearing in accordance with K.A.R. 5-14-3 SUMMARY ORDER ISSUED before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Topeka, Kansas 66502, within 15 days after the date Duly Authorized Designee of the Chief Engineer shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown (Print Name): Thomas P Makens Division of Water Resources - Kansas Department of Agriculture on the Certificate of Service. SEPTEMBER Date of Issuance: For Use by Register of Deeds State of Kansas SS County of Acknowledged before me on \mathcal{P} Makens homas Signature: Notary Public VATE OF JULIE JONES NOTARY My Appointment Expires PUELIC December 15, 2018 My commission expires: (Notary Seal)





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

September 19, 2017

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

RECEIVED

SEP 1 9 2017

RE: Application for Change in Point of Diversion Water Appropriation, File No. 45767

Garden City Field Office Division of Mater 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 change in place of use is in accordance with K.A.R. 5-5-11(b). It is therefore recommended that the applications 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

GMD3 Change Review

Change Application(s); PU

File No(s). 45767; Mid America Cattle Co.

SEE ATTACHED MAP

Authorized 960AF @ 2500gpm

WR not certified yet, perfect by date of 12/31/19

Currently 480 total acres, 160acres/each in NE, NW & SE quarters.

Requesting 366acres in Sect. 36-34-35 (NE, NW & SE 1/4s)

114acres in Sect. 30-34-34

Total would be 480

Base acres determined by the number of acres authorized since the water right has not been certified yet.

Neighboring wells: NA Domestic wells: NA

Regulation(s) Reviewed: KAR 5-5-11(a)

Board Review Date: NA Board Recommendation: NA

Waiver Reason: NA

Final Recommendation: After review of all available information, it appears the change meets all current rules for the area. The applicant is not requesting any new acres, just shifting acres out of the corners and adding another pivot. Staff therefore recommends approval of the application.

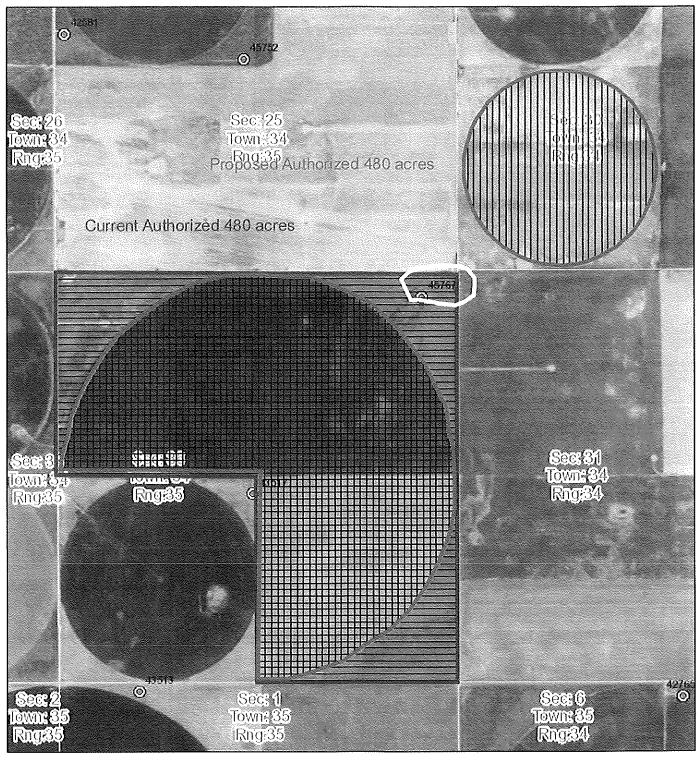
RECEIVED

SEP 1 9 2017

Garden City Field Office Division of Mathr Resources



45767 Review, Place of Use

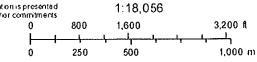


September 19, 2017/SCLAIMER. This map is not intended for conveyances, not is a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

Meters

· Wells

Sections



RECEIVED

SEP 1 9 2017



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

Fax: (620) 276-9315 www.agriculture.ks.gov

Phone: (620) 276-2901

Sam Brownback, Governor

September 13, 2017

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

Re: Water Right file number 45767

Dear Mr. Norquest;

Mid America Cattle Co has applied to alter the acres authorized to reflect current place of use. The base acres are 480.

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. I have enclosed a copy of the change for your perusal.

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

Sincerely;

Thomas P Makens

encs.