Kansas Department of Agriculture Division of Water Resources

CHANGE: pu WORKSHEET

1. File Number: 16613	2. Status Change Date: 2-/3-/9	3. Change Num:	4. Field Office: 04	5. GMD: 03
6. Status: ☐ Approved ☐ Den	ied by DWR/GMD □	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: 1/31/19
8a. Landowner, applicant, WUC New to system GREEN PLAINS CATTLE 19016 ROAD I KISMET KS 67859-6026	Person ID Add Seq# 1	8c. applicant New to sy		Person ID Add Seq#
8b. Landowner(s) New to system □	Person ID Add Seq#	8d. WUC New to sy	estem □	Person IDAdd Seq#
9. Documents and Enclosure(s): DV	Seal	□ N & P Form te Approved:	Date	o Comply: Driller Copy
10. Use Made of Water From:		To: _	Date Prepared: 2/11 . Date Entered:	/ 19 By: MAM By:

File No. 16613	11. County: S	SW	Bas	sin: CI	MARE	RON RI	VER		-	S	tream:		-					Fo	ormation	Code:		Special Use:	- ¥
12. Points of Diversion CHK MOD		14.	3		7.7				\ - -				,		and Qu	uantity zed		Α	dditional				
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16. Place of Use			NE	1/4			NV	V¹/4			sv	V1/4			s	E1/4		Total	Owner	Chg	? 0	verlap Files	
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Base Acres: 304 Year: Comments:	Minim	um Re	easona	ble Qu	uantity																		

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



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

Mike Beam, Interim Secretary

Laura Kelly, Governor

February 13, 2019

GREEN PLAINS CATTLE CO LLC 19016 ROAD I KISMET KS 67859-6026

RE:

Water Right, File Nos. 16613 and 41286

Dear Sir:

Enclosed are orders executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals are that acceptable water flow meters must be installed on the diversion works authorized under the referenced file numbers and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meters as soon as these actions are completed.

Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

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,

Michael A. Meyer

Water Commissioner

MAM: enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this day of February, 2019, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 16613 & 41286, dated day of February, 2019 was mailed postage prepaid, first class, US mail to the following:

GREEN PLAINS CATTLE CO LLC 19016 ROAD I KISMET KS 67859-6026

With photocopies to:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

Division of Water Resources Staff

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.

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For Office Use Only: Code

Fee \$ 200 .00 TR #

Receipt Date 1-31-19 Check # 604000018

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14. If the proposed groundwater point of diversion is 300 or fewer feet from the	existing point of diversion, complete the fo	ollowing:
(a) Does the undersigned represent all owners of the currently authorized ☐ Yes ☐ No (If no, all owners must sign this application.)		1?
 (b) Will the ownership interest of any owner of the currently authorized p affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this application) 	anamatic the state of the state	be adversely
(c) If this application is not approved expeditiously, will there be substantia ☐ Yes ☐ No (If no, all owners must sign this application.)		ety?
If the application proposes a surface water change in point of diversion, a groun or a change in place of use, the application must be signed by all owners of the agent (attach notarized statement authorizing representation).		
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 a their behalf, in regards to the water right(s) to which this applicationation are true, correct and complete.	gent of the owner(s) to make this a	pplication on
Dated at Kismut, Kansas, this 3	day of Jon	, 20 19.
Dreen Plnin Cottle Colle y mille (Owner)	(Spouse)	Hero-About a As-
(Owner)	(Cpouse)	
milsa Velty: DM (Please Print)	(Please Print)	5100
(Owner)	(Spouse)	Halp the
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(Owner)	(Spouse)	
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State of Kansas County of Seward SS		idina Para
I hereby certify that the foregoing application was signed in my pre of	esence and sworn to before me this	30 ⁷³ day
My Commission Expires <u>5-2-2022</u>	Notary Public	8
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the a accurate information; maps, if necessary, must be included; signatures of all the appropriate the appropriate fee must be paid.	pplicable portions of the application form must te owners' must be affixed to the application ar	be completed with id notarized; and
FEE SCHEDULE		
Each application to change the place of use or the point of diversion under this s forth in the schedule below: Make checks payable to: Kansas Department of A		cation fee set
(1) Application to change a point of diversion 300 feet or less	,	\$100
(2) Application to change a point of diversion more than 300 feet(3) Application to change the place of use		
AME AVES		

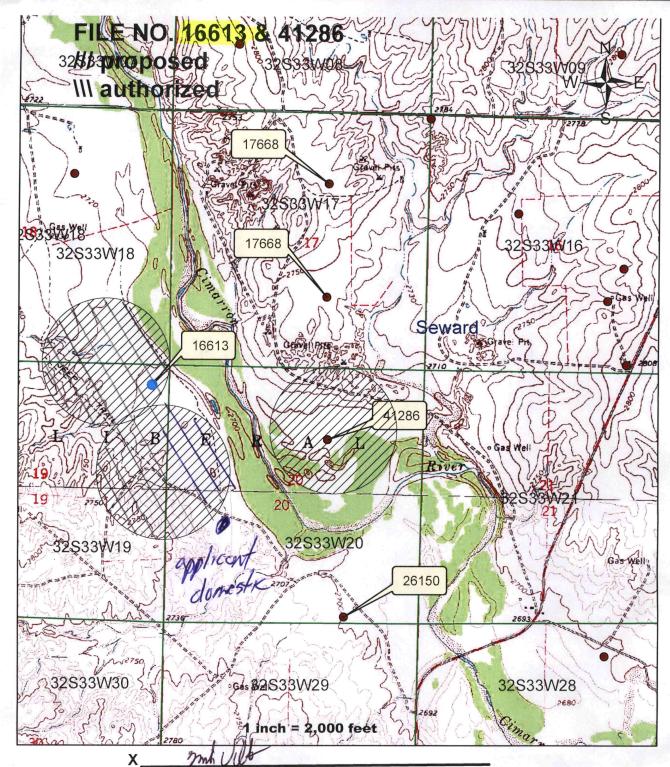
Page 3

File No.

DWR 1-121 (Revised 04/5/2018)

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	visions of the Kansas Water Appropriation Law, K.S.A. 82a	708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable 2-701 et. seq., and rules and regulations promulgated thereunder, ein, this Summary Order does not change the terms, conditions and
1.	A change application was received on <u>January 31</u> diversion authorized under the above-referenced file num	requesting that the place of use and / or point of other be changed as described in the application.
2.	On and after the effective date of this summary order, the at the topographic map accompanying the application to ch	uthorized place(s) of use shall be located substantially as shown on lange the place of use. Applicable \(\sigma\) Not Applicable
3.	The change in point of diversion shall not impair existing rig previously authorized. The point of diversion authorized radius of the authorized point(s) of diversion. Applica	by this summary order shall be located within a foot ble Not Applicable
	Positioning System (GPS), as described in the application	
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. Applicable	y be located more than feet from the previously Not Applicable
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a or other device suitable for making water level measurem K.A.R. 5-6-13. Applicable Not Applicable	well with a diversion rate of 100 gallons per minute or more, a tube tents shall be installed, operated and maintained in accordance with
7.	December 31, 20, or before the first use of wate operated and maintained in accordance with K.A.R. 5-1-4	roperly install an acceptable water flow meter on or before r, whichever occurs first. The water flow meter shall be installed, 4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and out the reading of the water flow meter and the total quantity of water wing the end of each calendar year.
8.	authorized extension of time. By March 1, 20 the	e completed on or before December 31, 20, or within any e applicant shall notify the Chief Engineer that construction of the wided by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the req	uired notice. Applicable Not Applicable
10.	with an in-line, automatic, quick-closing check valve cap	r foreign substance will be injected into the water shall be equipped able of preventing pollution of the source of the water supply. The d in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
11.	Additional Conditions are attached. Yes No	
12.	water appropriated under the above-referenced file nun limitations, as amended and/or supplemented by this Suappropriation Law and the Rules and Regulations prom	A.R. 5-5-14, all of the owners of the authorized place(s) of use of other are responsible for compliance with its terms, conditions and ammary Order, and with applicable provisions of the <i>Kansas Water</i> nulgated thereunder. Failure to comply with these provisions may mended, and/or the suspension or revocation and dismissal of the tions authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
If vo	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,	APPLICATION APPROVED AND
you	may request an evidentiary hearing before the Chief	SUMMARY ORDER ISSUED
	gineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be	By: Milal & May
filed	d within 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30	Duly Authorized Designee of the Chief Engineer
day	s pursuant to K.S.A. 77-531. Any request for administrative	(Print Name): MICHAEL A. MEYER
revi	ew must state a basis for review pursuant to K.S.A. 77-527. any request with Kansas Department of Agriculture ,	Division of Water Resources - Kansas Department of Agriculture
Leg	gal Division, 1320 Research Park Drive, Manhattan, KS	Date of Issuance: February 13, 2019
	602. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	State of Kansas) SS
	For Use by Register of Deeds	County of <u>Sinney</u>
		Acknowledged before me on Acknowledged befor
		by Michael A. Meyer.
		Signature: Notary Public
		My commission expires:



APPLICANT SIGNATURE
NO OTHER WELLS WITHIN ONE HALF MILE

111



Wells

Other

IRR

CON

DEW

DOM

FPR

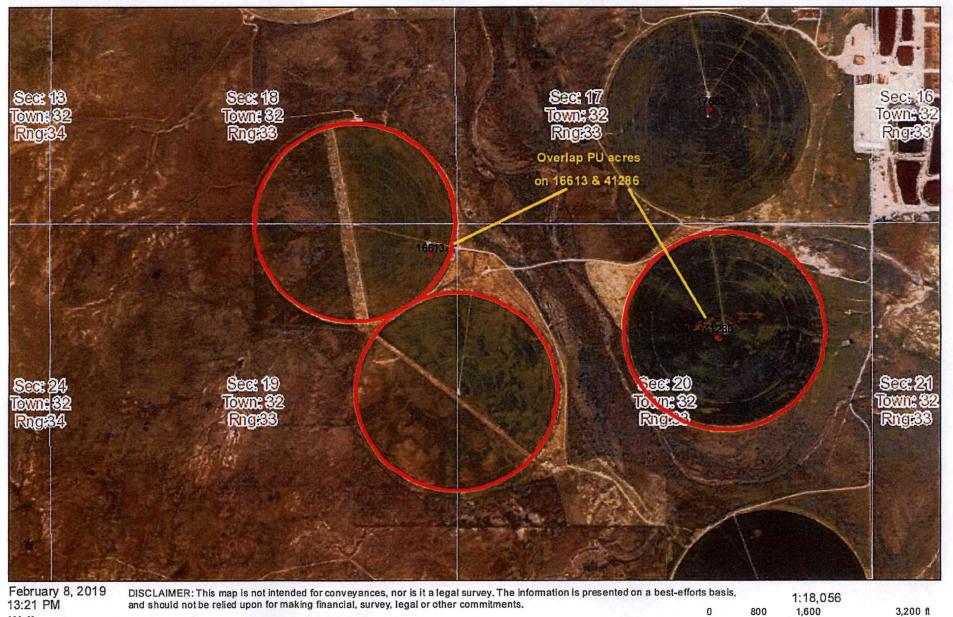
HYD

IND

MUN

STK

PU Change: 16613 & 41286



THX

Empty

Sections

1,000 m

250

500



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

February 8, 2019

Michael A. Meyer Division of Water Resources 2508 N Johns Street Garden City, Kansas 67846

RE: Applications for Change in Place of Use

Water Right, File Nos. 16613 & 41286

Dear Mike:

We have completed a review of the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use for a complete overlap in irrigation acres is in accordance with K.A.R. 5-5-11(b)(1). 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

File No(s).: 1661		DWR office: <u>GC</u> .						
App filed to change	ge: <u>PU</u> .							
Is Landowner(s) co	orrect in WRIS: <u>C</u> ocumentation inclu		Cattle Co LLC.					
Is Water Use Corr			Yes.					
	ocumentation inclu							
Regulation(s) Rev								
Point of diversion								
Tomic or divoloton	12 1(o(o) oome	, viiaii grai						
	ft. North ft. \	West						
Authorized PD								
Proposed PD								
Difference	0	0						
a2 + b2 = c2	0	0	0					
GPS for proposed	PD: Lat:	Long:						
Is proposed PD sta	acking on existing	WRs?						
Is Proposed PU ov	erlapping existing	WRs? Ma	ke a complete overlap on both WF	ls.				
Land Owner(s) no		in visit in the second						
Name	Name	<u>Lela</u> nt						
Address	Addres	S						
Zip	Zip	Refra att						
Neighboring certif		l:						
Name	Name	in the second						
Address	Addres	s						
Zip	Zip	<u> </u>						
Domestic well(s) r	notified:							
Name	Name							
Address	Addres	s						
Zip	Zip							
Base Acres:								
Perfected Acres:								
Irr. Return-Flow _	%							
16613 covers 264	acres							
41286 covers 120	acres							
Combined $= 384$	acres							
No new acres being	ng requested that	covered by	one of the water rights.					
Is a waiver needed	l: <u>No</u> .							
Final Recommend	ation: After revie	ew of all avai	lable information, it appears the c	urrent				
area rules are met.	No new acres bei	ng added. St	aff recommends approval of the					
applications.								
			\cap	1				

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



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

Mike Beam, Interim Secretary

Laura Kelly, Governor

January 31, 2019

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 3 409 CAMPUS DRIVE, SUITE 106 GARDEN CITY KS 67846

Re:

Water Right File Nos. 16613 and 41286

Dear Mr. Norquest:

This is to advise you that Green Plains Cattle Co LLC have filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use for the above referenced files.

We are delaying action on the change application to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,

Michael A. Meyer Water Commissioner

MAM Enclosures