

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: pu WORKSHEET

1. File Number: 7433	2. Status Change Date: 1-30-19	3. Change Num: C1	4. Field Office: 04	5. GMD: 03
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 1/17/19
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8a. Applicant(s) / Landowner Person ID **60090**
 New to system Add Seq# **1**

HOWARD - NICKAL FARMS LLC
1312 E MICHIGAN AVE
ULYSSES KS 67880-3013

8c. Landowner(s) Person ID **?**
 New to system Add Seq# _____

BAR H QUARTER CIRCLE RANCH
8722 N RD F
UYLYSSES KS 67880

8b. Landowner(s) Person ID _____
 New to system Add Seq# _____

8d. WUC Person ID **60090**
 New to system Add Seq# _____

HOWARD - NICKAL FARMS LLC
1312 E MICHIGAN AVE
ULYSSES KS 67880-3013

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/19** N & P Date to Comply: _____

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **1/30/19** By: **MAM**
 Date Entered: _____ By: _____

File No. **7433** 11. County: **GT** Basin: **BEAR CREEK** Stream: _____ Formation Code: _____ Special Use: _____

12. Points of Diversion
CHK Rate and Quantity
MOD Authorized Additional
DEL PDIV Qualifier S T R ID 'N 'W **Comment (AKA Line)** Rate Quantity Rate Quantity
ENT gpm af gpm af Overlap PD Files

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files					
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼									
MOD	61212	13	27	38W	6	40	40	40	40	40	15.5	30	40	40	40	40	40	40	40	40	40	40	40	40	40	40	605.5	8a	no	7245, 6809
DEL	61213	18	27	37W	2					40	30.36	30.1	40														140.46	8a	no	7245
ENT	?	24	27	38W		40	40	40	40																		160	8a		7245, 6809
ENT	?	13	27	38W							18.5																18.5	8c		7245, 6809

Base Acres: **320** Year: _____ Minimum Reasonable Quantity: _____
 Comments: _____

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 30, 2019

HOWARD - NICKAL FARMS LLC
1312 E MICHIGAN AVE
ULYSSES KS 67880-3013

RE: Water Right, File Nos. 6809, 7245, 7433

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:

BAR H QUARTER CIRCLE RANCH
8722 N RD F
UYLYSSES KS 67880

GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

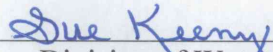
On this 30th day of January, 2019, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 6,809, 7,245, 7433, dated 30th day of January, 2019 was mailed postage prepaid, first class, US mail to the following:

HOWARD - NICKAL FARMS LLC
1312 E MICHIGAN AVE
ULYSSES KS 67880-3013

With photocopies to:

BAR H QUARTER CIRCLE RANCH
8722 N RD F
UYLYSSES KS 67880

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.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

File No. 6809

RECEIVED
 9:15 A.M.
 JAN 17 2019

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: Groundwater Surface water

Garden City Field Office
 Division of Water Resources

2. Name and address of Applicant: BRUCE K. HOWARD

1312 E. MICHIGAN AVE., ULYSSES, KS 67880

Phone Number: () _____

Email address: _____

Name and address of Water Use Correspondent: _____

Phone Number: () _____

Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: HOWARD-NICKAL FARMS LLC

ADDRESS: 1312 E. MICHIGAN AVE., ULYSSES, KS 67880

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13	27	38	40	40	40	40					40	40	40	40					320
18	27	37					40	30.36	30.1	40									140.46

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: HOWARD-NICKAL FARMS LLC

ADDRESS: 1312 E. MICHIGAN AVE., ULYSSES, KS 67880

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13	27	38	40	40	40	40	40	18.5	30	40	40	40	40	40	40	40	40	40	608.5
24	27	38	40	40	40	40													160

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 1-17-19 Check # 101673

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ 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 changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ 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 changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

7. The changes herein are desired for the following reasons?
 (please be specific) Overlap farm.

8. If a well, is the test hole log attached? Yes No

9. The change(s) (was)(will be) completed by?
Upon approval

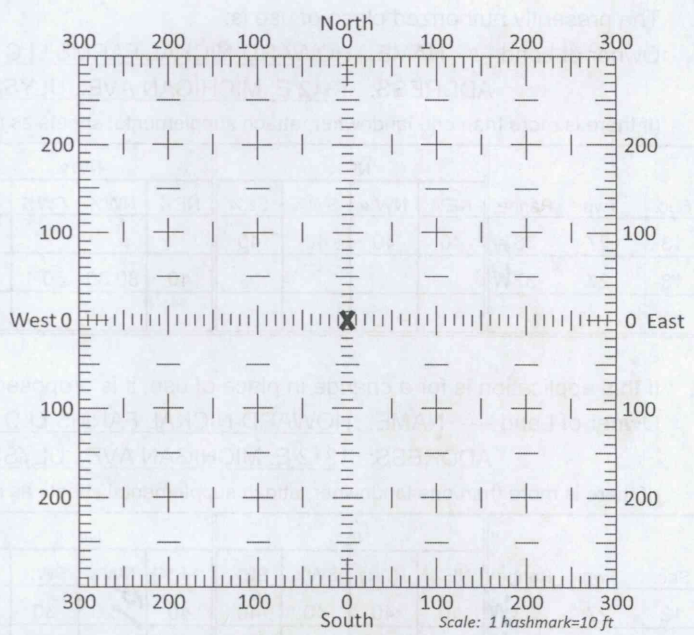
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by bsc

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines



13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 6809
MAKE ADDITIONAL COPIES AS NECESSARY

3. *Continued:* The presently authorized place of use is:
Owner of Land ---- NAME: BAR H QUARTER CIRCLE RANCH
ADDRESS: 8722 N RD F, ULYSSES, KS 67880

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES		
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			

Owner of Land ---- NAME: _____
ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				

Owner of Land ---- NAME: _____
ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES				
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					

4. *Continued:* If this application is for a change in place of use, it is proposed that the place of use be changed to:
Owner of Land ---- NAME: BAR H QUARTER CIRCLE RANCH
ADDRESS: 8722 N RD F, ULYSSES, KS 67880

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES				
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					
13	27	38W																					18.5

Owner of Land ---- NAME: _____
ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES					
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼						

Owner of Land ---- NAME: _____
ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES					
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼						

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
 - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely 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 substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at 1-16-19, Kansas, this _____ day of _____, 20_____.

Bar H. Quarter Circle Ranch, Inc. _____
 (Owner) (Spouse)

 (Please Print) (Please Print)

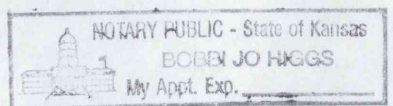
David Higgs Pres _____
 (Owner) (Spouse)

David Higgs _____
 (Please Print) (Please Print)

 (Owner) (Spouse)

 (Please Print) (Please Print)

State of Kansas }
 County of Grant } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 16 day of January, 2019.

Bobbi Jo Higgs
 Notary Public

My Commission Expires 10-15-19

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (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 \$200
- (3) Application to change the place of use \$200

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely 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 substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Garden City, Kansas, this 17th day of January, 2019.

Howard Nickal Farms LLC member Bruce K Howard
(Owner) (Spouse)

Howard Nickal Farms LLC member Bruce K Howard
(Please Print) (Please Print)

(Owner) (Spouse)

(Please Print) (Please Print)

(Owner) (Spouse)

(Please Print) (Please Print)

State of Kansas }
County of Finney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 17th day of January, 2019.



My Commission Expires

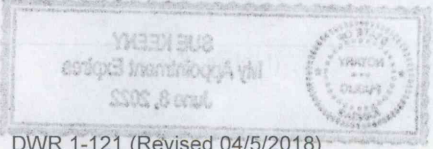
Julie Jones
Notary Public

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

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- (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 \$200
- (3) Application to change the place of use \$200



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. 5-5-1, et seq. and other applicable provisions of the *Kansas Water Appropriation Law*, K.S.A. 82a-701 et seq., and rules and regulations promulgated thereunder. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 6609.

1. A change application was received on January 17, 2019 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.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
3. 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
4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. Applicable Not Applicable
5. The point(s) of diversion authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion. Applicable Not Applicable
6. 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
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2019**, 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. Applicable Not Applicable
8. **Installation of the works for diversion of water shall be completed on or before December 31, 2019**, or within any authorized extension of time. By March 1, 2019 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. Applicable Not Applicable
9. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
10. 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 Not Applicable
11. Additional Conditions are attached. Yes No
12. 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.

Administrative Appeal and Effective Date of Order

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

For Use by Register of Deeds

FOR OFFICE USE ONLY
**APPLICATION APPROVED AND
 SUMMARY ORDER ISSUED**

By: Michael A. Meyer
 Duly Authorized Designee of the Chief Engineer

(Print Name): MICHAEL A. MEYER
 Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: January 30, 2019

State of Kansas)

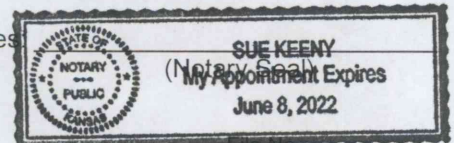
County of Finney) SS

Acknowledged before me on January 30, 2019

by Michael A. Meyer

Signature: Sue Keeny
 Notary Public

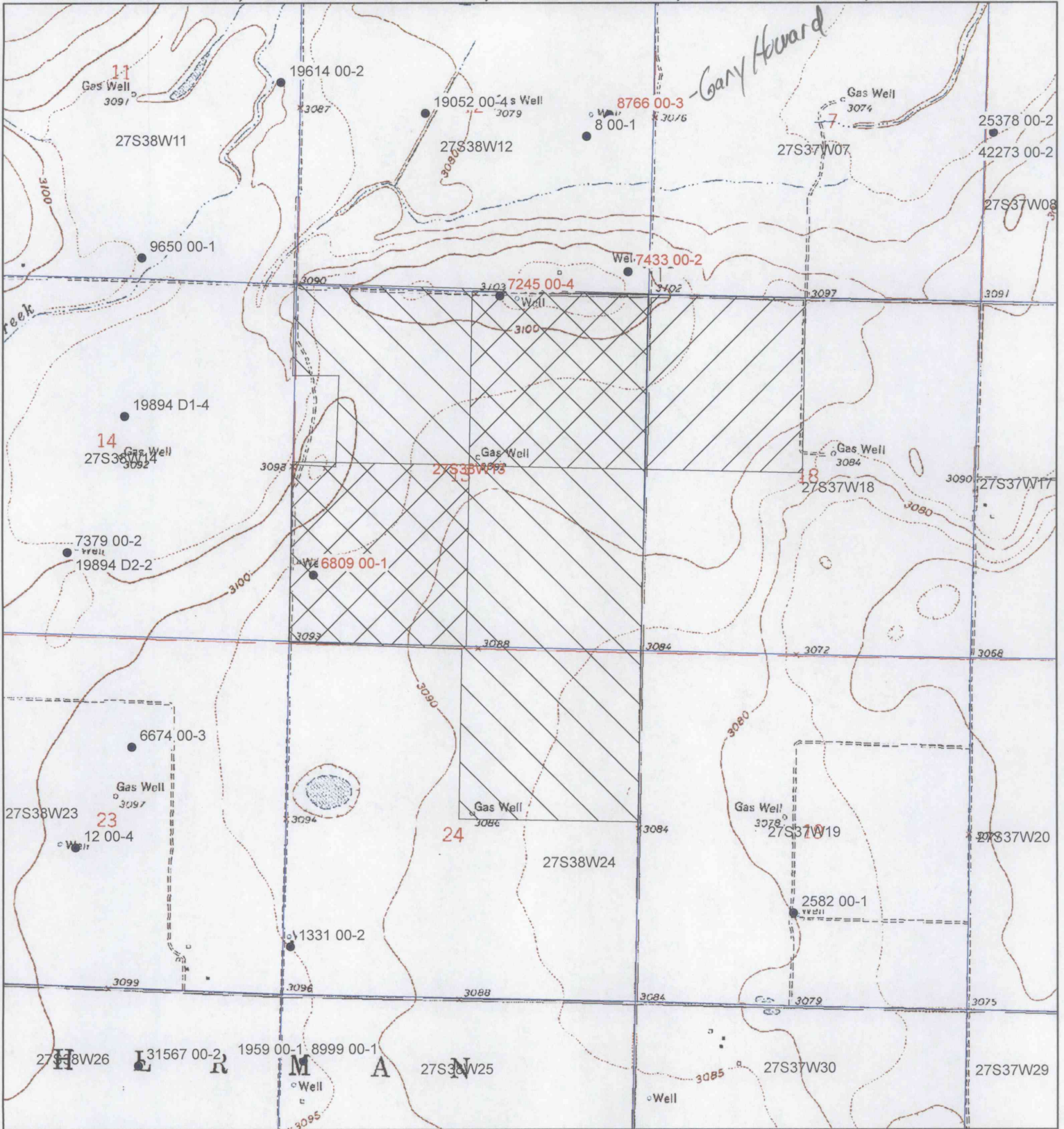
My commission expires




CHANGE IN PLACE OF USE

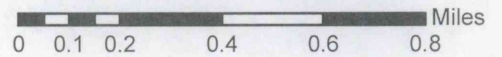
WR 6809

SECTION 13 & 24, TOWNSHIP 27 SOUTH, RANGE 38 WEST, GRANT COUNTY, KANSAS



 Authorized Place of Use

 Proposed Place of Use



Recording Information:

STATE OF KANSAS, GRANT COUNTY, S.S. THIS INSTRUMENT WAS FILED FOR RECORD ON THE 19th DAY OF APRIL A.D. 20 11 AT 2:56 O'CLOCK P. M. AND DULY RECORDED IN BOOK 79 OF DEEDS AT PAGE 153 FEE \$6.00

Entered in transfer record in my office this 19th day of APRIL 20 11

Michelle Harmon Deputy Grant County Clerk

MARY K. SULLIVAN REGISTER OF DEEDS

BY Mary K. Sullivan



WARRANTY DEED

This deed is made this 7th day of April, 2011, by and between Howard-Nickal Farms, L.L.C., as "Grantor", a Kansas limited liability company, and, Fowler Family Farms, LC, a Kansas limited liability company, as "Grantee".

Grantor, for valuable consideration, conveys and warrants unto Grantee the following described real estate situated in County of Grant, State of Kansas, to-wit:

The West Half (W 1/2) of Section Eighteen (18), Township Twenty-seven (27) South, Range Thirty-seven (37) West of the 6th P.M., also known as Lots One (1) and Two (2) and the East Half of the Northwest Quarter (E 1/2 NW 1/4) and Lots Three (3) and Four (4) and the East Half of the Southwest Quarter (E 1/2 SW 1/4), together with the growing wheat crop, all rights to wind, the natural flow of wind or wind energy, improvements and fixtures, but EXCEPTING and RESERVING unto Grantor the center-pivot sprinkler located thereon and all irrigation water rights,

SUBJECT TO mineral reservations, oil and gas leases, easements and rights-of-way of record:

IN WITNESS WHEREOF, Grantor has caused this warranty deed to be duly executed on the day and year first above written.

Howard-Nickal Farms, L.L.C.

Reception [checked] Numerical [checked] Direct [checked] Indirect [checked] Stamped [checked] Computer [checked] Orig. Comp. [checked]

Bruce K. Howard, Member-Manager

Calvin A. Nickal, Member-Manager

STATE OF KANSAS, COUNTY OF GRANT, SS: This Warranty Deed was acknowledged before me on this 11 day of April, 2011, by Bruce K. Howard as member-manager of Howard-Nickal Farms, L.L.C. [Signature] NOTARY PUBLIC My Appointment Expires: 4-16-2014 [Notary Seal: Rob Oglevie]

STATE OF KANSAS, Wyoming, COUNTY OF GRANT, SS: Laramie This Warranty Deed was acknowledged before me on this 7 day of April, 2011, by Calvin A. Nickal as member-manager of Howard-Nickal Farms, L.L.C. [Signature] NOTARY PUBLIC My Appointment Expires: May 1 2014 [Notary Seal: Lori A. Brennan]

RECEIVED

JAN 10 2019

Property Details for PID: 0340461300000001010

QuickRef ID : R562

Owner Name : BAR H QUARTER CIRCLE RANCH

Location: 8722 N RD F, ULYSSES, KS 67880

Abbreviated Boundary Description: S13, T27, R38W, ACRES 38.6, W 660' NW LESS ROW

Owner Information:

Owner BAR H QUARTER CIRCLE RANCH

Mailing Address 8722 N RD F ULYSSES, KS 67880

Property Information:

Type Farm Homesite

Status Active

Taxing Unit 010-USD 214

Neighborhood Code 300.0

Secondary Address Details

Address 00000 NW 13-27-38, Ulysses, KS 67880

Address 00000 NW-13-27-38, Ulysses, KS 67880

Market Land Details:

Actual Width: 0

Eff. Width	0
Eff. Depth	0
Acres	2
Square Feet	65,340

No Permit Details found

No Orion Deed Book Page Details found

Additional Deed Book Page Details

Deed Book/Page 0032/0209 0056/0466 79/155-156

Value Details

	Year	2018
Current Final Value (Agricultural)	Land	\$11,360.00
	Building	\$1,320.00
	Total	\$12,680.00

	Year	2018
Current Final Value (Farm Homesite)	Land	\$2,550.00
	Building	\$67,810.00
	Total	\$70,360.00

Current Final Value (Agricultural)	Year	2017
---	------	------

Land	\$15,410.00
Building	\$1,300.00
Total	\$16,710.00
Year	2017

Current Final Value (Farm Homesite)

Land	\$2,550.00
Building	\$68,270.00
Total	\$70,820.00

Dwelling Details

Story Height	One Story	Style	Modular	Year Built	1980
Total Sq Ft Living Area	1890	Main Floor Living SqFt :	1890	Upper Floor Living Pct :	
Total Rooms:	8	Bedrooms:	3	Remodel Year:	
Full Baths:	2	Half Baths:	0	Basement:	Crawl
Depreciation Rating:	PR	Physical Condition:	AV	Quality:	Average-

No Manufactured Home Details found

Additional Dwelling Details

Residential Component	Units	Quality	Year Built
Frame, Siding, Wood	100%		
Composition Shingle	100%		

Warmed & Cooled Air 100%
 Plumbing Fixtures (#) 8

Other Improvements

Type :	Quantity :	Area :	Year Built :	Quality :	Condition :
Paving, Concrete with Base	1	10	1980	Average	Normal/AV
Residential Garage - Detached	1	720	1998	Fair	Normal/AV

No Commercial Building Details found

No Commercial Building Section Details found

Ag Land Details

Acre Type :	No Acres :	Map Unit :	Irrig :	Well Depth :
Dry Land	8.60	1857		
Dry Land	1.30	1856		
Dry Land	5.90	1349		
Irrigated Land	4.40	1857	F	500
Irrigated Land	12.00	1867	F	500
Dry Land	0.10	1867		
Irrigated Land	2.40	1349	F	500
Irrigated Land	2.40	1856	F	500

Total Acres : 37.10

Ag Building Details

Type	Quantity	Size	Year Built	Grade	Condition
Farm Utility Building		26X40	1980	Fair	Normal/AV

Aerial image





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

January 25, 2019

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

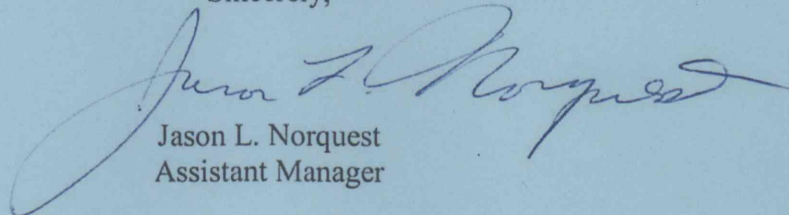
RE: Applications for Change in Place of Use
Water Right, File Nos. 6809, 7245 & 7433

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 in irrigation acres is within the combined base acres for the water rights, in accordance with K.A.R. 5-5-11. 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,

A handwritten signature in blue ink, which appears to read "Jason L. Norquest".

Jason L. Norquest
Assistant Manager

GMD3 Change Review

File No(s).: 6809, 7245 & 7433.

DWR office: GC.

App filed to change: PU.

Is Landowner(s) correct in WRIS: Bruce Howard.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? Yes.

If NO, is documentation included?

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

Point of diversion ID No(s) being changed.

	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 stacking on existing WRs? .

Is Proposed PU overlapping existing WRs? Making an overlap with all three water rights.

Land Owner(s) notified: .

Name . Name .

Address . Address .

Zip . Zip .

Neighboring certified well(s) notified: .

Name . Name .

Address . Address .

Zip . Zip .

Domestic well(s) notified: .

Name . Name .

Address . Address .

Zip . Zip .

Base Acres: 944 on based acres prior to reductions.

Perfected Acres: .

Irr. Return-Flow %

6809: 320acres (NE & SW 13) + 140.46 (NW 18) = 460.46 acres

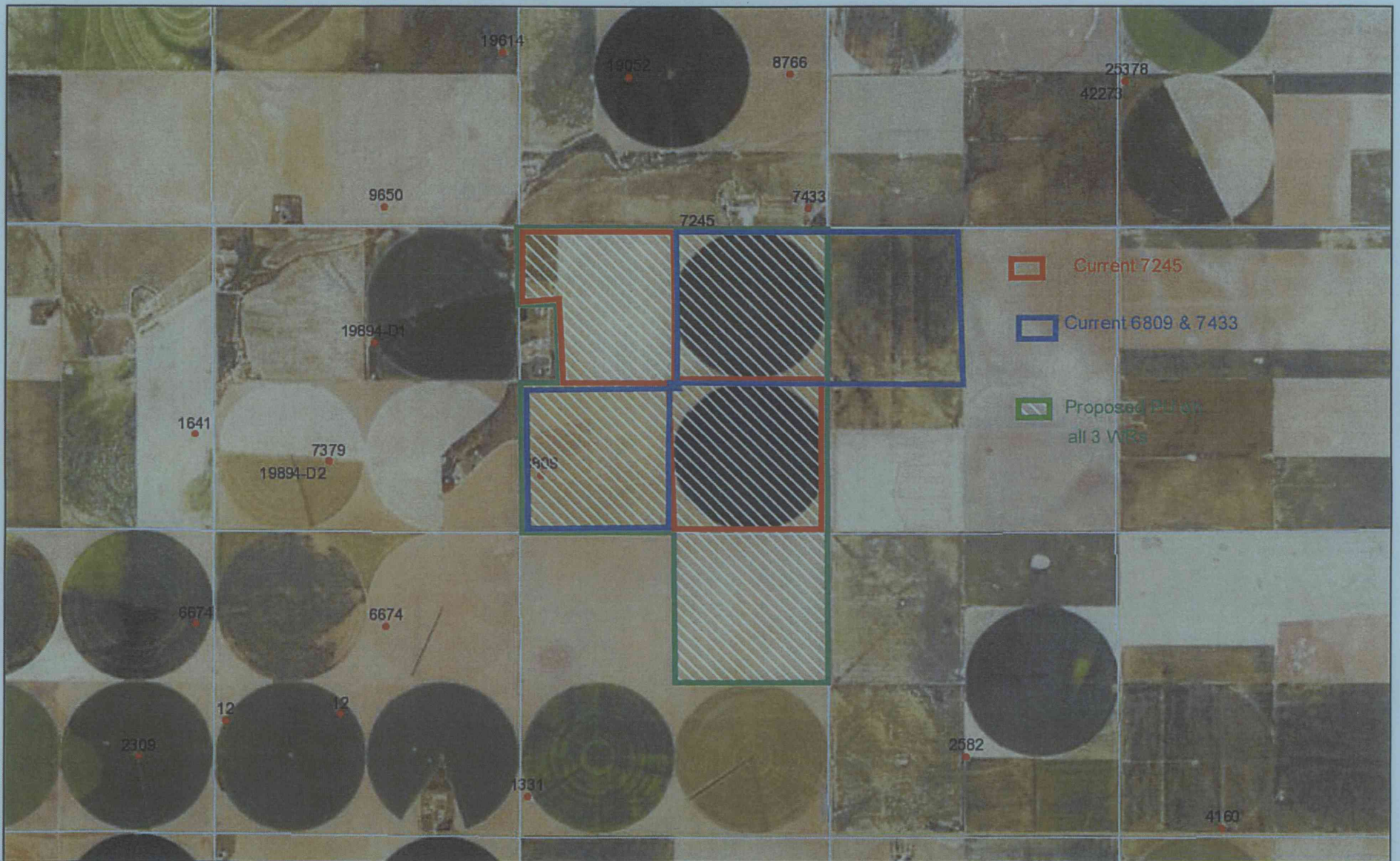
7245: 304acres (NW & SE 13)

7433: Currently same acres as 6809

TOTAL COMBINED ACRES = 764.46

Proposed overlap: 624 (All 13) + 160 (NE 24) = 784 acres

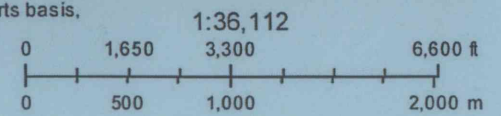
Is a waiver needed: No.



January 25, 2019
15:30 PM

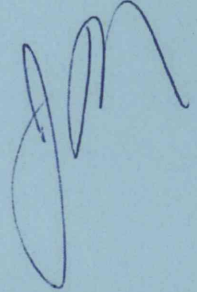
DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

Wells	+	CON	●	FPR	▲	MUN	⚡	THX	
?	Other	⊠	DEW	⊕	HYD	⊖	REC	?	Empty
•	IRR	⚡	DOM	★	IND	⊗	STK	□	Sections



GMD3 Change Review

Final Recommendation: The base acres on record for these water rights is more than requested in this case. There is no increase in pumping authority. All other current rules for the area are met. Staff therefore recommends approval of the applications.

A handwritten signature in blue ink, consisting of a large, stylized 'J' followed by a series of loops and a final upward stroke.

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 24, 2019

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

Re: Water Right File Nos. 6809, 7245, 7433

Dear Mr. Norquest:

This is to advise you that Bruce Howard has 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 these change applications to allow you time to review and provide a recommendation. A change in place of use is being proposed. Please submit a recommendation within 15 days.

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

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer". The signature is fluid and cursive.

Michael A. Meyer
Water Commissioner

MAM
Enclosures