# Kansas Department of Agriculture Division of Water Resources

## **CHANGE: P/D WORKSHEET**

1. File Number: <b>18568</b>	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
6. Status: ☐ Approved ☐ Den	ied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: <b>2/7/2020</b>
8a. Applicant(s) New to system ☐  HERITAGE BEEF LLC 2600 FLYNN DR PARSONS, KS 67357	Person ID 66512 Add Seq#	8c. Landowne New to sy		Person ID Add Seq#
8b. Landowner(s) New to system    8a	Person ID Add Seq#	8d. WUC New to sy	stem □	Person ID Add Seq#
9. Documents and Enclosure(s): ☑ D\ ☐ Anti-Reverse Meter ☐ Meter ☐ Conservation Plan Date Requir		⊠ N & P Form	☑ Water Tube ☐	o Comply: 12/31/2021  Driller Copy
10. Use Made of Water From:		To: _		ab ab
	12		Date Prepared: <b>2/11</b> Date Entered:	<b>/2020</b> ву: <b>АМ</b> Ву:

Table and Operation   Table   Table   Table   Table   Table   Table   Table and Operation   Table	12. Points of Diver																					
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ST289   SESENW   9   27S   32W   1   2795   3171   PRIMARY WELL   1200   378   1200   378   4573   1202   378   1202   3															A	uthoriz	pe:		Ado	itional		
87269   SESENW   9   275   32W   7   2628   4225   STANDBY WELL   1200   378   12	LN	Qualifier	σ	-	<b>cc</b>	₽		ž	Ŋ,		Comme	ent (AK	A Line)		Rate		Quantity af		Rate	Quanti		verlap PD Files
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Garden City Field Office 4532 W. Jones, Suite B Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

February 12, 2020

HERITAGE BEEF LLC 2600 FLYNN DR PARSONS, KS 67357

RE: Water Right, File No. 18568

Dear Sir or Madam:

Enclosed is the order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

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

Since the order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

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

Sincerely.

Austin J. McColloch

Assistant Water Commissioner

AM:

enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

### CERTIFICATE OF SERVICE

On this 12<sup>th</sup> day of February, 2020, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 18,568 dated 12<sup>th</sup> day of February, 2020 was mailed postage prepaid, first class, US mail to the following:

HERITAGE BEEF LLC 2600 FLYNN DR PARSONS, KS 67357

Pc:

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. RECEIVED 4:30 PM File No. <u>18568</u> FFB 07 2020 Garden City Field Office 1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Division of Water Resources ☐ Place of Use □ Point of Diversion under the water right which is the subject of this application in accordance with the conditions described below. ☐ Surface water The source of supply is: 2. Name and address of Applicant: HERITAGE BEEF LLC 2600 FLYNN DR, PARSONS, KS 67357 Email address: sublette@heritagebeef.com Phone Number: (620)275-4195 Name and address of Water Use Correspondent: Same Phone Number: ( ) Email address: 3. The presently authorized place of use is: Owner of Land --- NAME: Same ADDRESS: (If there is more than one landowner, attach supplemental sheets as necessary.) TOTAL ACRES NW1/4 SW1/4 Sec. Twp. Range NE1/4 NW1/4 SW1/4 NE' NW' SW' SEN NE1/4 NW1/4 SW1/4 SE1/4 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: ADDRESS: (If there is more than one landowner, attach supplemental sheets as necessary.) TOTAL ACRES NW% SW% SE% Sec. Twp. Range NE1/4 NW1/4 SW1/4 NE' NW' SW' SE' NE1/4 NE% NW1/4 SW1/4 SE1/4 SE1/4 For Office Use Only: Code Fee \$ 100,00 TR # Receipt Date 2-1-20 Sheek #

5.	Presently authorized point of diversion: PRIMARY V			
	One in the Quarter of the			
	of Section9, Township			
	in HS County, Kansas, 2795 fe	et North_	3171 feet West of So	outheast corner of section.
	Authorized Rate No change Authorized Quantity N	lo change	Depth of well	(feet)
	(DWR use only: Computer ID No. 11 GPS_		feet North	feet West)
	☑This point will not be changed ☐This point will be changed as	s follows:	No change, point better de	scribed with GPS as follows:
	Proposed point of diversion: (Complete only if change is	s requeste	d or if existing point is b	etter described by GPS)
	One in the Quarter of the			
	of Section, Township			
	in County, Kansas, fe			
	Proposed Rate Proposed Quantity			
	This point is: Additional Well Geo Center List other			
L	hand band			
6.	Presently authorized point of diversion: STANDBY WE	11		
0.	One in theSEQuarter of the		Quarter of the	NIM Quarter
	of Section9, Township	27	South Pange	32 (\0)
	in HS County, Kansas, 2645 fe			
	Authorized Rate No Change Authorized Quantity N			
	(DWR use only: Computer ID No. 1 GPS	Order of the Control		
	This point will not be changed  This point will be changed as			
	Proposed point of diversion: (Complete only if change is			
	One in the Quarter of the			
	of Section9, Township			
	in <u>HS</u> County, Kansas, <u>2628</u> fe			
	Proposed Rate No change Proposed Quantity N			
	This point is: Additional Well Geo Center List other	water righ	ts that will use this point _	THE PROPERTY OF STREET
7.	The changes herein are desired for the following reasons? (please be specific) Prior change removed old well from water right. This change is to authorize existing well.  To 7	E L	200 100 0 North 0 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	100 200 300 
	If a well, is the test hole log attached?  Yes No	=	-1+1+1=1	
9.	The change(s) (was)(will be) completed by?	E	<del>-</del> -++++=	
	ASAP	100	-1+1+1=1	+   +   = 100
40		E		
10.	If the point of diversion is a well:	E		
	(a) What are you going to do with the old well?	West	78	Till I I I I I I I I I I I I I I I I I I
	It is already plugged	E	Y =	
		100	-	+   +   = 100
	(b) When will this be done?	E		
		E		
11.	Groundwater Management District recommendation attached?	200	-1 + 1 + 1 = 1	+ + + = 200
	Yes No	E	400000 4000000 40000000	
40	A	E	ահավասկավումու <del>‡</del> ամ	եահահահահահու
12.	Assisted by mf/GCFO	300	200 100 0 South	100 200 300 Scale: 1 hashmark=10 ft
13a	If the proposed point of diversion will be relocated <u>more than 300 feet but within 2,640 feet</u> 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 of the diagra divers above divers	proposed point of diversion of existing point of diversion am shown above in relation. (PLEASE NOTE: TI	

14. If the proposed groundwater point of diversion is 300 or fewer feet fr	om the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently auth  ✓ Yes ☐ No (If no, all owners must sign this appl	
<ul> <li>(b) Will the ownership interest of any owner of the currently authoraffected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☒ No</li> <li>(If yes, all owners must sign this approved as requested?)</li> </ul>	
(c) If this application is not approved expeditiously, will there be sul ☑ Yes ☐ No (If no, all owners must sign this appli	
If the application proposes a surface water change in point of diversion, or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affirm age and the owner, the spouse of the owner, or a duly author their behalf, in regards to the water right(s) to which this ap contained in this application are true, correct and complete.	rized agent of the owner(s) to make this application or
Dated at Sarden City, Kansas, this	1 day of Jelemany, 20 20.
(pwner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of Jinney	46
I hereby certify that the foregoing application was signed in of Jerunny, 20	my presence and sworn to before me this day
My Commission Expires  Pusus  My Appointment Expires  December 15, 2022	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate information; maps, if necessary, must be included; signatures of all the at the appropriate fee must be paid.	of the applicable portions of the application form must be completed wit ppropriate owners' must be affixed to the application and notarized; and
Each application to change the place of use or the point of diversion und forth in the schedule below: Make checks payable to: Kansas Departm (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	er this section shall be accompanied by the application fee set tent of Agriculture \$100 t \$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. 18568 A change application was received on Francisco Translation authorized under the above-referenced file number be changed as described in the application. requesting that the place of use and / or point of 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 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 <u>50</u> radius of the authorized point(s) of diversion. Applicable Not Applicable 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 The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion. 

☐ Applicable ☐ Not Applicable feet from the previously 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, 20 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 <u>to</u> the Chief Engineer by March 1 following the end of each calendar year. Applicable Not Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20 20, or within any 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. 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 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND 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 SUMMARY ORDER ISSUED Agriculture. A request for hearing by the Chief Engineer must be filed within 15 days of service of this Order and a request for Duly Authorized Designee of the Chief Engineer 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 Hustin (Print Name): Division of Water Resources - Kansas Department of Agriculture rebevary Date of Issuance: 66502. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act. State of Kansas SS For Use by Register of Deeds County of 2020 Acknowledged before me on Signature: Notary Public STATE OF JULIE JONES My commission expires: Notally Spean intent Expires NOTARY

PUBLIC .

December 15, 2022

File No. (8568