Kansas Department of Agriculture Division of Water Resources

CHANGE: P/D WORKSHEET

1. File Number: 27069	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
6. Status: ⊠ Approved □	Denied by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: 9/03/2020
8a. Landowner, Applicant(s) New to system TYSON FRESH MEA 800 STEVENS PORT DAKOTA DUNES, SD	DR # 709	Attn: A	N FRESH MEAT	IAM
8b. Landowner(s) New to system 8a	Person ID Add Seq#	8d. WUC New to sy	vstem □	Person ID Add Seq#
	☑ DWR Meter(s) Date to Comp leter Seal ☑ Check Valve equired: Da	☑ N & P Form	── Water Tube ⊠	Driller Copy ⊠ H & E Letter
10. Use Made of Water From:	ė	To: _		
			Date Prepared: 9/8/ Date Entered:	2020 ву: МАМ Ву:

Base Acres: Year: Minimum Reasonable Quantity:	File No. 20769	11. County:	FI	Bas	sin: AF	RKAN	SAS R	IVER	7.3		St	tream:		- 3						rmation Code: 1/ 331	Special Use:
See	CHK MOD DEL PDIV	S	Т	R	ID		N	'W		Com	ment	(AKA I	Line)		Rate	Authori e	zed Quantity	,	Rate	Quantity	
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A			14.4			Z		- 1			1				10		57	5		<u>a</u> .	
Limitation:	13. Storage: Rate	N	IF 🗸	Quar	ntity					ac/ft	A	ddition	nal Rat	e				NF	Addi	tional Quantity _	ac/ft
15. 5 YR Allocation: Allocation Type 5 YR Amount 5 YR Amount	14. Limitation:	af/yr a	t	3/8			gpm (_				cfs) wl	nen co	mbine	ed with	file n	umber	(s)		7.1		
16. Place of Use CHK MOD DEL	Limitation:	af/yr a	t	74	-47	9	gpm (_				cfs) wl	nen co	mbine	ed with	file n	umber	(s)		1		
CHK MOD DEL ENT PUSE S T R ID	15. 5YR Allocation: Allocation	Туре	Sta	rt Year		-	5 YR	Amou	nt	4, 5	Amo	unt U	nit		Base	Acres		_ Co	omment_		
MOD DEL RNT PUSE S T R ID			NE1/4				NW1/4			-		sv	V ¹ / ₄		SE1/4				Total	Owner Ch	g? Overlap Files
CHK 35694 Base Acres: Year: Minimum Reasonable Quantity:	MOD DEL	ID		NW 1/4	SW 1/4									SE 1/4						4 3	
마이트 아이들은 많은 얼룩하는 그리는 얼룩했으면 이렇게 이렇게 되었다. 그는 그렇게 되는 그를 했다는 그들은 그래요? 그리고 그리고 그리고 그리고 그를 했다.	CHK 35694			1,13				2				THE .						6			
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AVOIDING TO A STATE OF THE STAT	Base Acres: Year: Comments:	M	inimum	ı Reas	onable	Quar	itity:														

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

September 8, 2020

TYSON FRESH MEATS INC Attn: ATTN KEVIN PHAM PO BOX 149 HOLCOMB, KS 67851-0149

RE:

Water Right, File No. 20769

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.

The abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

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

Sincerely

Michael A. Meyer Water Commissioner

MAM:am enclosures

pc:

TYSON FRESH MEATS INC

GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 8th day of September 2020, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 20,769 dated 8th day of September 2020 was mailed postage prepaid, first class, US mail to the following:

TYSON FRESH MEATS INC
Attn: ATTN KEVIN PHAM
PO BOX 149
HOLCOMB, KS 67851-0149
Pc:

TYSON FRESH MEATS INC 800 STEVENS PORT DR # 709 DAKOTA DUNES, SD 57049-5005

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.

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						F	File No	. 2076	9										0 3 2020
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						□ P	lace of	f Use			Point o	of Dive	rsion				Bivi	SION OF	WATER RESOU
	under the	water	right w	hich is	the su	ubject	of this	applic	ation i	n acco	rdance	with t	he cor	dition	s desc	ribed b	elow.		
	The source	ce of su	pply is	; :		⊠ G	round	water			Surfac	e wate	er						
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3.	The pres	ently au	thorize	ed plac	ce of u	se is:													
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	(DWR use only:	Computer ID N	lo. <u>5</u>	GPS		f	eet N	orth			feet W	(est)	
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1	Proposed Rate _		Proposed Quantity	/		_ P	ropose	ed well	depth (feet)	-		1
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7.			for the following reas		300 ET	20 11111111	00	100 	North 0	100	200	3	000
	If a well, is the tes	t hole log attache	d? ⊠ Yes □ No		200	- -	- I	+ 1	=	1 +	1+	1-	200
).	The change(s) (wa	as)(will be) compl	eted by?		E	-	_	_	=	-			
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	(b) When will this	be done?			100		F 1	+ 1	Ξ	1 —	1	1 -	100
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2.	Assisted by mf/GC	JFO		_	300		00	100	0	100	200	3	00
13a	feet but within 2,64 a topographic masources, show all of the proposed paddresses of the conames and addresses and addresses and addresses of the conames and addresses an	40 feet of the exist ap or aerial pho wells (including do not of diversion owners. For surfaresses of the b	I be relocated more the ting point of diversion, tograph. For groun omestic) within one-hand the names and lace water sources, shandowner(s) one-hapstream from your p	attach dwater alf mile mailing ow the lf mile	of the diagra	e exist am sh sion. e rep	ing policy lown (PLEA	oint of one of the original origin	diversion in rela TE:	will be on, indi- ation to The "X"	cate its the e	ed with locati existing	

5. Presently authorized point of diversion:

14. If the proposed groundwater point of diversion is 500 of lewer feet from the	e existing point of diversion, complete the following.	
(a) Does the undersigned represent all owners of the currently authorize ☐ 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) 		ely
(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).		
I hereby verify, being first duly sworn upon my oath or affirmatio age and the owner, the spouse of the owner, or a duly authorized their behalf, in regards to the water right(s) to which this application are true, correct and complete.	agent of the owner(s) to make this application tion pertains. I further verify that the statement	on
Dated at Onkot a Danes Sath Dakata, Kansas, this 3	day of	
Tyson Fresh Mests (Owner) Tyson Fresh Mests	(Spouse)	-
(Please Print)	(Please Print)	
(Owner)	(Spouse)	
(Please Print) Manger	(Please Print)	_
(Owner)	(Spouse)	_
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State of Kansas So Daresta County of Union SS	3 rd	
of	presence and sworn to before me this $\frac{3}{2}$ d	ay
My Commission Expires 3 8 2 MY COMMISSION SYRIPES	inda Wyfferson	_
3/18/ 3- 2	>	
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 riate owners' must be affixed to the application and notarized; 	with
FEE SCHEDULE		
Each application to change the place of use or the point of diversion under the 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	of Agriculture \$100\$200	et
(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. 20769 change application was received on <u>Sprember 3, 2020</u> equesting that the place of us diversion authorized under the above-referenced file number be changed as described in the application. 2020 equesting that the place of use and / or point of A change application was received on 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 The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as 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 The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion.

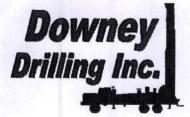
Applicable
Not Applicable feet from the previously As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. ☐ 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 AO, 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, 2020, or within any authorized extension of time. By March 1, 2021 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 The completed well log shall be submitted with the required notice. ☐ 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. 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, SUMMARY ORDER ISSUED 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 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 MICHAECH-MEYEN (Print Name): Division of Water Resources - Kansas Department of Agriculture 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 DEPTEMBER Date of Issuance: 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Acknowledged before me on Signature: onl Notary Public GTATE OF JULIE JONES NOTARY My commission expires t Expires PUBLIC (Notary Seal) 2022

Page 4

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

File No. 2076

LOGGER:



CUSTOMER NAME: SOUTHWEST AG (A-17) TH#1 (TYSON FRESH MEATS)

RECEIVED

LEGAL: SW 31-24S-34W

WR FILE # 20769

AUG 17 2020

COUNTY: FINNEY CO

Garden City Field Office Division of Water Resources

GPS: 37.919419

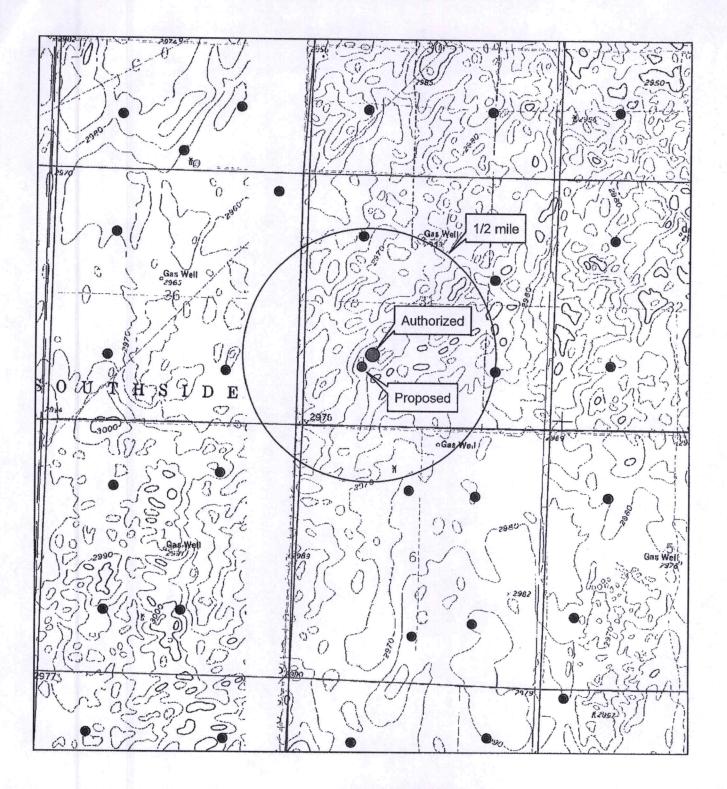
101.098369

DRILLER: ROGELIO WO: 20-822

	Ng-min-makes were com-	LOGGER: DRILLER	ROGELIO			WO:	20-822
FROM	то	ТҮРЕ	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
0	15	SURFACE SAND	SOFT		FAST		SMOOTH
15	30	FINE SAND W/ SANDY CLAY	SOFT		FAST		SMOOTH
30	42	COARSE SAND, FINE GRAVEL	SOFT	RED	FAST		VIBRATION
42	64	FINE, MED, TR. COARSE GRAVEL	SOFT	RED	FAST		FAST CHATTER
64	78	SANDY CLAY W/ MED-COARSE TR FINE GRAVEL LAYERS	SOFT	TAN	FAST		SMOOTH, CHOPPY AT 72
78	104	COARSE SAND W/ MED & BIG GRAVEL	FIRM	RED	FAST	Tayle.	СНОРРУ
104	117	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
117	122	GRAY TAN YELLOW CLAY W/ LIMEROCK LAYERS	SOFT &	GRAY, TAN, YELLOW	SLOW		SMOOTH & CHOPPY AT TIMES
122	135	MED, COARSE, VERY COARSE SAND	SOFT	TAN	FAST		CHATTER
135	157	MED-COARSE SAND W/ FIEN-MED GRAVEL	SOFT	RED	FAST		FAST CHATTER
157	164	SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
164	175	BLUE CLAY	SOFT	BLUE	FAST		sмоотн
175	190	MED-COARSE SAND	SOFT	TAN	FAST		CHATTER
190	205	MED, COARSE, VERY COARSE SAND	SOFT	TAN	FAST		FAST CHATTER
205	222	SANDY CLAY W/ FINE SAND LENSES	SOFT	TAN	FAST		SMOOTH
222	258	MED-COARSE SAND, TR. SANDY CLAY LENSES	FIRM, SOFT	TAN	FAST		FAST CHATTER
258	268	MED-COARSE SAND	SOFT	TAN	FAST	La Li la	FAST CHATTER
268	294	SANDY CLAY W/ FINE SAND & LIMEROCK	SEMIT	TAN	SEMI- SLOW		SMOOTH WI/ VIBRATION AT TIME
294	318	MED-COARSE SAND TR. FINE GRAVEL W/ LIMEROCK	SEMI SOFT		FAST		CHATTER
318	334	SANDY CLAY W/ MED-COARSE SAND & LIMEROCK	SOFT	TAN	FAST		SMOOTH
334	337	CLAY	STIFF	BROWN	FAST		SMOOTH
337	350	COARSE SAND, FINE GRAVEL	SOFT	TAN	FAST		FAST CHATTER
350	358	SANDY CLAY W/ FINE SAND	SOFT		FAST		SMOOTH
358	375	BROWN ROCK WAVEATHERED YELLOW CLAY	FIRM	BROWN	FAST		FAST CHATTER
375	388	BLACK, LIGHT GRAY, DARK GRAY & YELLOW CLAY	SOFT	BLACK, LIGHT DARK GRAY, YELLOW	FAST		SMOOTH
388	393	SAND, SANDSTONE	SOFT	GRAY	FAST		VIBRATION
393	402	CLAY	STIFF	GRAY	SEMI- SLOW		SMOOTH
407	409	LIMESTONE	FIRM	WHITE	sLow		CHATTER
409	411	GRAY CLAY	SOFT	GRAY	SLOW		sмоотн
411	417	BROWN ROCK / SANDSTONE	FIRM	BROWN	SEMI- SLOW		CHATTER
	419	CEMENTED SAND	HARD		SLOW		СНОРРУ
1000	427	GRAY CLAY W/ TR. FINE SAND	SOFT	GRAY	FASTER		SMOOTH
427	435	FINE - MED SAND	SOFT	GRAY	FAST		VIBRATION
435	446	GRAY CLAY W/ FINE SAND	SOFT	GRAY	SLOW		SMOOTH
446	452	FINE - MED SAND	SOFTER	GRAY	FAST		CHATTER
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TW	FROM	то	ТҮРЕ	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	452	455	IRON PYRITE	HARD		SLOW	Х	SEVERE CHATTER
	455	470	SANDSTONE W/ FINE - MEDSAND	SEMI FIRM	GRAY	NOT AS SLOW		CHATTER
	470	481	GRAY CLAY W/ FINE SAND & SILTY CLAY	SOFT	GRAY	SLOW		SMOOTH
	481	496	FINE - MED SAND, SANSTONE	SOFT	GRAY	FASTER		CHATER
	506	527	SHALE W/ SAND SANDSTONE LENSES	SOFT, STIFF	BLUE	SLOW		SMOOTH W/ VIBRATION AT TIME:
	527	528	IRON PYRITE	HARD		SLOW		CHATTER
	528	531	SANDSTONE W/ FINE SAND	NOT AS FIRM	GRAY	FAST		FAST CHATTER
	531	549	SHALE	DENSE	GRAY/ BLUE	SLOWER		SMOOTH
	549	557	SHALE W/ SANDSTONE & FINE SAND	SOFT & STIFF	BLUE	SEMI- SLOW		SMOOTH & CHOPPY AT TIMES
	557	566	SANDSTONE (80% LOST CIRCULATION)	HARD	DEGE	REALLY		CHATTER
	566	614	FINE - MED SAND, SANDSTONE	SOFT	GRAY	FASTER		CHATTER
	614	657	SHALE	HARD	GRAY	SLOW	x	SMOOTH
		658			GNAT	SLOWER	x	
	657		IRON PYRITE	HARDER	CDAY	SLOWER		HARD CHATTER
	658	681	SHALE		GRAY		X	SMOOTH
	681	685	IRON PYRITE	HARDER		DT 1 87.2	X	HARD CHATTER
-	685	689	BLACK SHALE	HARD	BLACK	SLOW	X	SMOOTH
	689	690	IRON PYRITE	HARDER			X	HARD CHATTER
_	690	700	BLACK SHALE	HARD	BLACK	SLOW	X	SMOOTH
			QUIKGEL - 10					
			WATER LOADS - 3					
			BRAN - 5					
			SODA ASH - 1					
			EZ MUD - 1/4					
_			HOLE PLUG - 2					
			CASING SEAL - 1					
						CEN	ED -	
	12.38				H	ECEIA		
						VG 17	020	
					Gard	o City Fi	Id Office	
					Division	of Water	Resource	3
					Link			
74								
								M. Walland
-								
-		-						

Change in point of diversion for water right 20769



Authorized point of diversion

Proposed point of diversion

0 0.1 0.2 0.4 0.6 0.8 Miles

All wells within 1/2 mile are on this map.

