# Kansas Department of Agriculture Division of Water Resources

**CHANGE: P/D WORKSHEET** 

1. File Number: <b>41113</b>	2. Status Change Date: 7-/3-2020	3. Change Num:	4. Field Office:	5. GMD:
6. Status: ⊠ Approved ☐ Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
8a. Applicant(s), landowner, WUC New to system □	Person ID 64866 Add Seq#	8c. Landown		Person IDAdd Seq#
WINNER CIRCLE FEEDY LLC Attn: VANCE PHILLIPS PO BOX 847 SYRACUSE, KS 67878	ARD SYRACUSE			
8b. Landowner(s) New to system	Person IDAdd Seq#	8d. WUC New to sy	rstem 🗌	Person IDAdd Seq#
8a				
9. Documents and Enclosure(s): 🛛 DV	VR Meter(s) Date to Comp	y: <u>12/31/2020</u>	N & P Date to	Comply: <b>3/1/2021</b>
☐ Anti-Reverse Meter ☐ Meter☐ ☐ Conservation Plan ☐ Date Require				riller Copy
10. Use Made of Water From:		To: _		
			Date Prepared: <b>7/13/2</b> Date Entered:	<b>020</b> ву: <b>МАМ</b> ву:

File No. <b>41113</b>	11. County:	НМ	Ва	sin: Al	RKAN	SAS R	IVER			Stream:							Fo	rmation Code: 3	Special Use:
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4. Limitation:	af/yr a	at			9	gpm (_			cfs) v	when co	ombine	d with	file no	umber(	(s)				
14. Limitation:	af/yr a	at	art Year		9	gpm (_		nt	cfs) v	when co	ombine	d with	file no	umber( umber( Acres	(s)				
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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

July 13, 2020

WINNER CIRCLE FEEDYARD SYRACUSE LLC Attn: VANCE PHILLIPS PO BOX 847 SYRACUSE, KS 67878

RE: Water Right, File No. 41113

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.

Please note that there is an additional condition to ensure the screening of this well to only access the Dakota Aquifer.

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,

Michael A. Meyer

Water Commissioner

MAM enclosures

#### CERTIFICATE OF SERVICE

On this 13th day of July 2020, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 41,113 dated 3th day of July 2020 was mailed postage prepaid, first class, US mail to the following:

WINNER CIRCLE FEEDYARD SYRACUSE LLC Attn: VANCE PHILLIPS **PO BOX 847** SYRACUSE, KS 67878

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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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.)

lines

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

14. If the	proposed groundwater point of di	version is 300	or fewer feet fro	m the exi	sting point o	of diversion, com	plete the following:
	Does the undersigned represent a ☐ Yes ☐ No (If no, a		currently authors sign this application		ce(s) of use	identified in this	application?
	Will the ownership interest of any affected if this application is appro  ☐ Yes ☐ No (If yes,	ved as request			e(s) of use i	dentified in this	application be adversely
	f this application is not approved ∈ ☐ Yes ☐ No (If no, a		vill there be sub t sign this applic		amage to pro	operty, public he	alth or safety?
or a chan	lication proposes a surface water ge in place of use, the application ach notarized statement authorizi	must be signe	d by all owners				
age and their be	verify, being first duly swor the owner, the spouse of th half, in regards to the water ed in this application are true	e owner, or a right(s) to w e, correct and	duly author hich this app complete.	zed age dication	nt of the o pertains.	wner(s) to ma	ke this application on
Dated at	GARDENCITY		_, Kansas, this	100	day of	July	. 20 20
X K	257		_,		_ day 0		
D	(Owner)					(Spouse)	
120	(Please Print)					(Please Prin	t)
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of	by certify that the foregoing a	application wa	s signed in I	<del>ny prosc</del>	Tan	hmu I	e me this 10 day
My Comr	nission Expires5-28-2	021				Notary Public	
accurate in	MPLETE APPLICATIONS WILL BE P nformation; maps, if necessary, must b priate fee must be paid.	ROCESSED. To be included; signa	be complete, all atures of all the a	of the applopropriate	icable portion owners' must	s of the application be affixed to the a	n form must be completed with application and notarized; and
			FEE SCHEDU	II E			
forth in th	olication to change the place of use the schedule below: Make checks 1) Application to change a point of 2) Application to change a point of 3) Application to change the place	payable to: <b>Ka</b> of diversion 300 of diversion mo	f diversion under Insas Departm I feet or less Ire than 300 fee	er this sec	riculture		\$100 \$200

## SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit Iimi	visions of the <i>Kansas Water Appropriation Law, K.S.A. 82a</i> - h the exception of those conditions expressly contained herein tations of File No. <u>41113</u>	18b, as amended, and K.A.R. 5-5-1, et seq. and other applicable 701 et. seq., and rules and regulations promulgated thereunder, n, this Summary Order does not change the terms, conditions and
1.	A change application was received on diversion authorized under the above-referenced file numbers.	requesting that the place of use and / or point of ber be changed as described in the application.
2.	On and after the effective date of this summary order, the aut the topographic map accompanying the application to cha	thorized place(s) of use shall be located substantially as shown on inge the place of use.   Applicable Not Applicable
3.	The change in point of diversion shall not impair existing right previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion. Applicable	nts and shall be limited to the same source or sources of water as by this summary order shall be located within a foot le Not Applicable
4.	The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application	ely corrected to be more accurately described using the Global .   Applicable Not Applicable
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. ☐ Applicable ☑ N	be located more than feet from the previously ot Applicable
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a wor other device suitable for making water level measureme K.A.R. 5-6-13. Applicable Not Applicable	well with a diversion rate of 100 gallons per minute or more, a tube ents shall be installed, operated and maintained in accordance with
7.	<b>December 31, 20,</b> or before the first use of water, operated and maintained in accordance with K.A.R. 5-1-4	operly install an acceptable water flow meter on or before whichever occurs first. The water flow meter shall be installed, through 5-1-12. As required by K.S.A. 82a-732, as amended, and the reading of the water flow meter and the total quantity of water ng the end of each calendar year.
8.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 / the works for diversion has been completed, on the form prov Applicable Not Applicable	completed on or before December 31, 20 20, or within any applicant shall notify the Chief Engineer that construction of the ided by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the requ	ired notice. Applicable
10.	with an in-line, automatic, quick-closing check valve capa	foreign substance will be injected into the water shall be equipped ble of preventing pollution of the source of the water supply. The 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 number limitations, as amended and/or supplemented by this Sun Appropriation Law and the Rules and Regulations promu	A.R. 5-5-14, all of the owners of the authorized place(s) of use of oper are responsible for compliance with its terms, conditions and nmary Order, and with applicable provisions of the <i>Kansas Water</i> algated thereunder. Failure to comply with these provisions may needed, and/or the suspension or revocation and dismissal of the ons authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
If yo	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,	APPLICATION APPROVED AND SUMMARY ORDER ISSUED
you	may request an evidentiary hearing before the Chief pineer or request administrative review by the Secretary of	SUMINIARY ORDER ISSUED
Agr	iculture. A request for hearing by the Chief Engineer must be	By:
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): MICHARI A. MEYER
File	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	al Division, 1320 Research Park Drive, Manhattan, KS 02. Failure to timely request a hearing or review may	Date of Issuance: July 13, 2020
pre	clude review under the Kansas Judicial Review Act.	State of Kansas ) ) SS
	For Use by Register of Deeds	County of Jinney )
		Acknowledged before me on
		by Michael A. Meger.
		Signature:
		Julie Jones
		My commission expires: My Appointment Expires   My Appointment   My Appoint

### ADDITIONAL CONDITIONS TO SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS, Water Right, File Nos. 41,113

That the applicant shall set surface casing through any shallow groundwater aquifers, and shall cause the well under this appropriation to be constructed so that the source of supply will be restricted to withdrawal of water from the confined Dakota aquifer system below a depth of 257 feet below ground surface, thereby precluding withdrawal of water from any overlying water-bearing strata and ensure that an adequate seal is placed between the confined Dakota aquifer system, and all overlying water-bearing strata so as to prevent any movement of water between formations.

That the gravel pack shall not extend more than two feet above the top of the well screen, and shall be properly sealed (e.g. bentonite pellets) to prevent any movement of water between formations along the well annulus

	By:
	(Print Name):
	Dated of Issuance: July 10,2020
State of Kansas	
County of Finney ) SS	
Acknowledged before me on	the 13 day of July 2020
By Michael A	Meyer
Signature Notary	Public
My Commission expires	JULIE JONES  TARY  My Appointment Expires  Octary Seeath ber 15, 2022



Fax: 620-277-0224

RODNEY DERSTEIN 620-789-5323

KRISKERR 620-290-2507

Customer Name: Winner Circle Fe	d Yard WO#: 20435	Date: 7-6-20
Street Address: P.O. Box 280	847 · Test #: 2	E LOG: Yes
City, State: SVRACUSE. KS	67878 Driller: Dale Gui	inn
County: Hamilton Quarter: NE	Section: 34 Township: 23	Range: 4/
Location: 295' Fast Of Fristing la	// GPS: N38.01538 W101.807	701
Rig#: 10002	levation: 3350 TT Static WL: 293' 2019	Estimated?
	Proposed Well Depth	458
WEL	LOCATION 20'SUMP	

			1	WELL LOCATION & O'SUMP
		Footage	)	
%	From	Pay	То	Description of Strata
	0		2	Top Soil
	2		20	Brown Sandy Clay
	20		40	10p 30.1  13rown Sandy Clay  Yellow & Gray Scapstone w /Few Sandstone Strips  Black Shale w /Few Hard Sandstone Strips  Black Shale w /Some Hard Gray Rock Layers  Black Shale w /Some Gray Scapstone & Some Gray Rock Layers  Black Shale
	40		69	Black Shale wiFew Hard Sandstone Strips
er kille	69		108	Black Shale w/ Some Hard Gray Rock Layers
	108		139	Black Shale w / Some Gray Scapstone & Some Gray Rock Layers
	. 139		164	Black Shale
	164		1197	13/ack Shale w 150me Gray Rocky Layers
	197		257	Black Shale
	257		276	Sandstone
	276		293	Black Shale & Sandstone
5	293	34	329	Sandstone W/ Couple Soapstone Layers Soapstone + Shale
	327		332	Soupstone + Shale
5	332	31	363	Sandstone w/couple Soapstone Layers
	363		37.1	Soupstone Sandstone
10	371	67	438	Sandstone
	438		1460	Shale
		*	E COL	
				Super Gel X -3
				· Grout -4
				Hole Plug -6
				Drag 13/ada 5" -1
				Hole Plug -6 Drag 13/ada 5" -1 Drag 13/ada 43/4 -1
				Parma Plug -1
		les les		
		ALCOHOL:		
			-	
	1 2 2 2 2			

