Kansas Department of Agriculture Division of Water Resources

CHANGE: P/D WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
21387		C2	4	3
6. Status: ☐ Approved ☐ Den	ied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
				6/3/2021
8a. Applicant(s)	Person ID 67796	8c. Landown		Person ID
New to system □	Add Seq#	New to sy	stem 🔲	Add Seq#
LOEWEN FAMILY FARM PO BOX 67 SEMINOLE, TX 79360-00				
8b. Landowner(s) New to system □	Person IDAdd Seq#	8d. WUC New to sy	stem 🗌	Person ID Add Seq#
8a		8a		
9. Documents and Enclosure(s): ⊠ DV	VR Meter(s) Date to Comp	ly: 12/31/2021	⊠ N & P Date to	Comply: 3/1/2022
☐ Anti-Reverse Meter ☐ Meter	Seal 🛛 Check Valve	⊠ N & P Form	☑ Water Tube ☐ D	riller Copy 🛛 H & E Letter
☐ Conservation Plan Date Requir	ed: Da	te Approved:	Date to	Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: 6/10/2 Date Entered:	2021 By: AM By:

File No. 21387 11. County: FI Basin: ARKAN				SAS F	RIVER	R Stream:									rmation Code: 1/331	Special Use:							
	nts of Dive	ersion														Rate	and Q	uantity					
MOD	DDIV															A	Authori	zed		Ad	dditional		
DEL ENT	PDIV	Qualifier	S	Т	R	ID	,	'N	ʻW		Com	ment	(AKA	Line)		Rate gpm		Quantit af	у	Rate gpm		Overlap PD Files	
DEL	3758																						
ENT		SW NE SW	7	25S	34W		1	371	376	2						845		270		845	270	NONE	
MOD	29033	SW NE NE	7	25S	34W	1	4	201	935	2						845	1	270		845	270	NONE	
MOD	47964	SW NE NW	7	25S	34W	2	4	019	373	4						850		272		850	272	NONE	
DEL	78159																						
ENT		NE NE SE	7	25S	34W		2	297	107	i.						860	i.	276		860	276	NONE	
13. Storage: RateNF Quantityac/ft Additional RateNF Additional Quantityac/ft																							
14. Limitation: af/yr at gpm (cfs) when combined with file number(s)																							
Limit	tation:		af/y	r at				gpm (_				cfs) w	hen co	ombine	d with	file n	umber	(s)					
15. 5YR	Allocation	n: Allocation	Туре	_ s	tart Ye	ar		5 YR	Amou	nt		Amo	ount U	nit	_	Base	Acres		_ C	omment _			
16. Place of Use CHK				of Use NE1/4				NW1/4 SW1/4							SE1/4				Total	Owner Chg	? Overlap Files		
MOD DEL ENT	PUSE	STR	ID	NE 1/4			SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE ¼	NW 1/4	SW 1/4	SE 1/4	NE ¼	NW 1/4	SW 1/4	SE 1/4				
снк з	9167																						
Base Ac	res:	Year:		Minimu	ım Rea	sonable	e Quar	ntity:								-							
		DRILLING							LLS	AR	E UF	PDA	ΓING	BA	SED	ON	GPS	FEIL	.D VI	SITS			

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

June 10, 2021

LOEWEN FAMILY FARMS LLC PO BOX 67 SEMINOLE, TX 79360-0067

RE:

Water Right, File Nos. 21387, 21389-D1 & 21389-D2

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 numbers.

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 10th day of June, 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 21,387, 21,389-D1 and 21,389-D2 dated 10th day of June, 2021 was mailed postage prepaid, first class, US mail to the following:

LOEWEN FAMILY FARMS LLC PO BOX 67 SEMINOLE, TX 79360-0067

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

	nlication					Г	·ile No	. <u>2138</u>	7										00 Am
	. Application is hereby made for approval of the Chief Engineer to change the (check one or both):																		
						□ P	lace o	f Use		\boxtimes	Point	of Dive	ersion				Gard	den C	ty Field Office
un	der the v	water i	right w	hich is	the su	ubject	of this	applic	ation ir	n acco	rdance	with t	he cor	nditions	s desc	ribed b	pelow.	n of V	later Resource
	e source					⊠ G	round	water				ce wate							
	me and						N FAN	ILY F	ARMS	LLC									
-	BOX 6																		
	one Nur																		
Na	me and	addre	ss of \	/vater	Use C	orresp	onden	t: SAN	IL AS	ARO/	/E								
Ph	one Nur	mher	()					Fmail	addre	SS:								
	e preser																		
The presently authorized place of use is: Owner of Land NAME: SAME AS ABOVE																			
				ESS:															
(If t	there is m	nore tha	an one	landow	ner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
				NE	1/4		NW¼				SV	V1/4			SE	TOTAL			
ec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
	his appli vner of L	and	NA								the pla	ace of	use be	e chan	ged to	:			
(If	there is n			-		tach su	ppleme	ental sh	eets as	neces	sarv.)			-					
(3,,3	NE					V1/4		1.,	SIV	V1/4			ÇE	=1/4		TOTAL
Sec.	Twp. F	Range	NE1/4	NW1/4		SE1/4	NE1/4			SE1/4	NE1/4	NW1/4		SE1/4	NE1/	NW1/4		SE1/4	ACRES
	TWD.	tunge	III.	1447.4	00074	OL/4	14274	1111/4	01174	OL/4	142/4	14474	01174	02/4	11274	-	-	02/4	

5.	Presently authorized point of diversion:			
	One in the Quarter of the	NC	Quarter of the	SW Quarter
	of Section, Township	25	South, Range	(W),
	in <u>FINNEY</u> County, Kansas, <u>1320</u> fe	et North3	get West of Sou	theast corner of section.
	Authorized Rate Authorized Quantity		Depth of well	(feet)
	(DWR use only: Computer ID No. 03 GPS _	1459	feet North 3737	feet West)
	☐This point will not be changed ☐This point will be changed as	s follows:	No change, point better desc	ribed with GPS as follows:
	Proposed point of diversion: (Complete only if change is	requested of	or if existing point is bet	ter described by GPS)
	One in the Quarter of the	NE	Quarter of the	SW Quarter
	of Section, Township	25	South, Range	(W),
	in FINNEY County, Kansas, 1371 fe			
	Proposed Rate Proposed Quantity		_ Proposed well depth (fee	t)
	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 NE Quarter of the	NE	Quarter of the	SE Quarter
	of Section7, Township			
	in FINNEY County, Kansas, 2235 fe			
	Authorized Rate Authorized Quantity			
	(DWR use only: Computer ID No. 05 GPS			
	☐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 Section7, Township			
	in FINNEY County, Kansas, 2297 fe			
	Proposed Rate Proposed Quantity			
	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) LOSS OF PRODUCTION ON TWO	300	200 100 North	100 200 300
	WELLS			
		E		
8.	If a well, is the test hole log attached? Yes No	200 -	A + + = 1	+ 1 = 200
0	The above (a) (cost) (cittles) as well-to-d by O			
9.	The change(s) (was)(will be) completed by?	E/		_
	UPON APPROVAL	100	+ + =	+ + 100
10	If the point of diversion is a well:	1		
10.	*	West 0 +++1	SEE ATTACH	IED
	(a) What are you going to do with the old well?	West of E	SUPPLEMENTAL	L PAGE
	PLUG / CAP	1 '		
	(b) When will this be done? <u>UPON COMPLETION</u>	100	+ + =	+ + 100
	(2)	F/	_ = =	/=
11.	Groundwater Management District recommendation attached?	200 =	+ + + = 1	+ + = 200
	Yes No	-77 E '		

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

diversion. The proposed point of diversion must be located within the circle shown above. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

0 South

12. Assisted by AM / GCFO

300

200

100

300

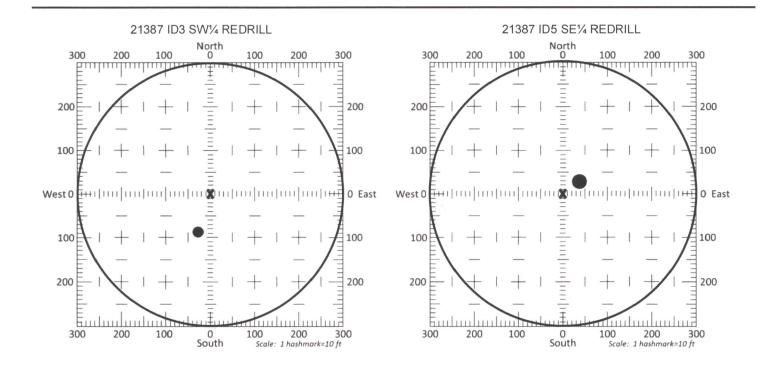
00 200 30 Scale: 1 hashmark=10 ft

100

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO. 21387

Presently authoriz	ed point of	diversion:							
One in the		Quarter of the	NC	Quarter of the	NE	Quarter			
of Section	7	, Township	25	Quarter of the South, Range	34	(W),			
in FINNEY	Cou	inty, Kansas, <u>3960</u>	feet North	1320 feet West of S	Southeast corne	er of section.			
				Depth of well					
(DWR use only: C	omputer ID	No. <u>01</u> GF	PS(NAD 27) -10	01.08823 feet North <u>37.8</u>	9827 feet Wes	t)			
☐ This point will not	be changed	☐ This point will be char	nged as follows:	No change, point better	described with G	PS as follows:			
Proposed point of diversion: (Complete only if change is requested)									
One in the	SW	Quarter of the	NE	Quarter of the	NE	Quarter			
of Section	7	, Township	25	South, Range	34	(W),			
				935 feet West of S					
Proposed Rate		_ Proposed Quantity _		Proposed well depth	(feet)	·			
This point is: Ac	Iditional Well	☐ Geo Center List of	other water righ	nts that will use this point					
Presently authoriz	ed point of	diversion:							
One in the		Quarter of the	NC	Quarter of the	NW	Quarter			
of Section	7	, Township	25	Quarter of the South, Range	34	(VV),			
in FINNEY	Cοι	ınty, Kansas, <u>3960</u>	feet North _	3960 feet West of S	Southeast corne	er of section.			
				Depth of well					
(DWR use only: Computer ID No. <u>02</u> GPS(NAD 27 <u>-101.09993</u> feet North <u>37.89777</u> feet West)									
☐ This point will not	be changed	☐ This point will be char	nged as follows:	No change, point better	described with G	PS as follows:			
		Complete only if chang							
One in the	SW	Quarter of the	NE	Quarter of the	NW	Quarter			
One in the	SW 7	Quarter of the	NE 25	Quarter of the South, Range	34	(W).			
One in the of Section in FINNEY	SW 7 Cou	Quarter of the , Township unty, Kansas,4019	NE 25 feet North	Quarter of the South, Range 3734 feet West of S	34 Southeast corne	er of section.			
One in the of Section in FINNEY Proposed Rate	SW 7 Cou	Quarter of the , Township unty, Kansas,4019 Proposed Quantity _	NE 25 feet North	Quarter of the South, Range	34 Southeast corne (feet)	er of section.			



14. If the proposed groundwater point of diversion is 300 or fewer feet fro	m the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently author ✓ Yes ☐ No (If no, all owners must sign this applic	
 (b) Will the ownership interest of any owner of the currently authorisaffected 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 subset of Yes □ No (If no, all owners must sign this application)	
If the application proposes a surface water change in point of diversion, a 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 affirmage and the owner, the spouse of the owner, or a duly authoritheir behalf, in regards to the water right(s) to which this appropriate in this application are true, correct and complete.	zed agent of the owner(s) to make this application on
Dated at, Kansas, this _	3 day of <u>yune</u> , 20 21.
Lacal General	
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas	
County of Jin new SS	VQ.
I hereby certify that the foregoing application was signed in n of 200 200 .	ny presence and sworn to before me this 3 day
JELIE JOGES	Julie Jones
My Commission Expires 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 apthe appropriate fee must be paid.	
FEE SCHEDU	<u>LE</u>
Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Department	
(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	

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. 21387 2021 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. 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 Mot 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
Not Applicable 5. The point(s) of diversion authorized herein shall not actually be located more than _ 300 feet from the previously authorized point(s) of diversion. Applicable \(\square\) Not Applicable 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 Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 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 to 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 ____, 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. ☐ Not Applicable The completed well log shall be submitted with the required notice. Applicable 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 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 Welles (Print Name): Hustin 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. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Date of Issuance: 0 Legal Division, 1320 Research Park Drive, Manhattan, KS 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: Som JULIE JONES Notary Public KOTARY My Appointment Expires UBLIC . December 15, 2022 December 15, 2022 My commission expires: Wearpointend Expires **1NTIE 10NÉS**

File No.