Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
23650	9-15-202	C3	04	03
6. Status: ☐ Approved ☐ Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
				9/7/202/
8a. Applicant(s) New to system □	Person ID 61901 Add Seq#	8c. Landown New to sy	The state of the s	Person IDAdd Seq#
DESERET CATTLE FEED ATTN: ARMANDO CABA 521 RD 50 SATANTA, KS 67870				
8b. Landowner(s) New to system □	Person ID	8d. WUC New to sy	stem 🗌	Person ID
8A		8A		
9. Documents and Enclosure(s): 🛛 DV	VR Meter(s) Date to Compl	y: 12/31/21	N & P Date to	Comply: <u>3/1/22</u>
☐ Anti-Reverse Meter ☐ Meter	Seal	☑ N & P Form	Water Tube □ Deliver	riller Copy
☐ Conservation Plan Date Require	ed: Da	te Approved:	Date to	Comply:
10. Use Made of Water From:		To: _		_
			Date Prepared: 9/14/2 Date Entered:	102) By: AM By:

File No.	23650	0		11. 0	County	: HS	Ва	sin: Al	RKAN	SASF	RIVER			S	tream:							Fo	rmation C	ode: 331	Special Use:	
	nts of Dive	ersion																Rate	and Q	uantity						
MOD																P	uthori	zed		A	dditional					
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снк	6399																									
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Limit	ation:				_af/yra	at				gpm (_				cfs) w	hen co	mbine	d with	file nu	umber	(s)						
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16. Plac	e of Use			NE			Ξ1/4			NV	V¹/4			SV	V1/4		SE1/4				Total Owner Ch			Overlap Files		
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Comments: CREATING A COMPLETE OVERLAP UNDER FILE NOS. 11299; 16645 (IRR); 16702; 20262; 21214 & 23650

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 15, 2021

DESERET CATTLE FEEDERS LLC Attn: ARMANDO CABALLERO GM 521 RD 50 SATANTA, KS 67870

RE:

Field Office Application for Change

Water Right, File Nos. 11299, 16645, 16702, 20262, 21214 & 23650

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 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/or installation of the required meter as soon as these actions are completed.

Since the 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 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:

GMD 3

CERTIFICATE OF SERVICE

On this 15th day of September 2021, I hereby certify that the foregoing Approval of Applications for Change in Place of Use, Water Right, File Nos. 11,299; 16,645; 16,702; 20262; 21,214 & 23,650 dated 15

th day of September 2021 was mailed postage prepaid, first class, US mail to the following:

DESERET CATTLE FEEDERS LLC Attn: ARMANDO CABALLERO GM 521 RD 50 SATANTA, KS 67870

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

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							File No	o. <u>236</u>	50					-			S	SEP (7 2021
1. /	Applicat	ion is he	ereby i	made f	or app	roval	of the (Chief E	ngine	er to c	hange	the (cl	neck o	ne or l	ooth):		0 - 1	3:4	7 PM Field Office
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P	hone N	umber:	()					Email	addre	ss:				Procession and Proceedings				
3. T	Phone Number: () Email address: The presently authorized place of use is:																		
C	Owner of Land NAME: DESERET CATTLE FEEDERS LLC																		
		,	ADDR	ESS:	521 RI	D 50 S	ATAN	TA KS	6787	00		***************************************							
(1	f there is	more th	an one	landov	ner, at	tach su	ppleme	ental sh	eets as	s neces	sary.)								
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F	or Offic	ce Use	Only:	Code		Fe	e \$	200	_ TR	#		Re	ceipt	Date _	1-1-	104/	Chec	k# <u>/</u> }	1801

5.	Presently authorize	zed point of diversion:		
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	of Section	, Township	South, Range	(E/W),
		County, Kansas, fe		
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		Computer ID No. GPS		
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		Quarter of the		
	of Section	, Township	South, Range	(E/W).
	in	County, Kansas,fe	et North feet West of Sou	theast corner of section.
		Proposed Quantity		
		Iditional Well Geo Center List other		
J		hard Colored	/ give that this got the point _	·
6.	Presently authoriz	ed point of diversion:		
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- 1		, Township		
		, rownshipfee		
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	/DMD use only: C	omputer ID No GPS	feet North	fact Mact
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		Quarter of the		
		, Township		
		County, Kansas, fee		
		Proposed Quantity		
L	This point is: Ad	ditional Well Geo Center List other	water rights that will use this point	·
7.	The changes herein	are desired for the following recent?		
1.		are desired for the following reasons?	North	
	(produce so apodino) _		300 200 100 North	100 200 300
^	16 11 - 1 - 11 - 1 - 11 - 1	Jalana Harla ID III Van III III II		- /- =
8.	If a well, is the test ho	ole log attached? Yes No	200 + + + + + + - + - + -	+ 1 + 200
9.	The change(s) (was)	(will be) completed by?		
J,	The onange(s) (was)	will be formpleted by :	■ ! ! .	
	L		100 + + + + = -	+ + 100
10.	If the point of diversic	on is a well:	# =	
, ,		ing to do with the old well?	West 0 [111]	
	(a) What are you go	ing to do with the old well?	Ē	
			<u> </u>	
	(b) When will this be	done?	100 + + = -	+ + 100
	(2) Thien this time se		[/-
11	Groundwater Manage	ement District recommendation attached?	200	+ 1 + 1 = 200
1 33	Yes			
12.	Assisted by		51111111111111111111111111111111111111	Tuuluuluu7 000 000 000
10-	If the property as ! !	of diversion will be relocated more than 300	South	Scale: 1 hashmark=10 ft
138	feet but within 2,640 f	eet of the existing point of diversion, attach	13b.If the proposed point of diversion wi	ll be relocated within a 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

Bb.If the proposed point of diversion will be relocated within a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of 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.)

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

FILE NO. 23650

MAKE ADDITIONAL COPIES AS NECESSARY

		ed: Th of Land	N	AME:	DESI		CATTL	E FE	EDERS										
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Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
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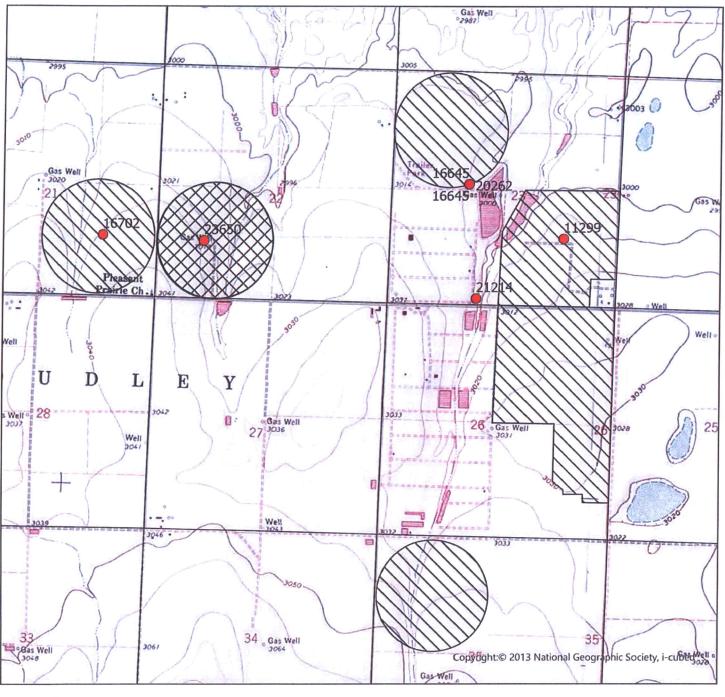
14. If the proposed groundwater point of diversion is 300 or fewer feet from	om the existing point of diversion, complete the following:								
(a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?☐ Yes☐ No(If no, all owners must sign this application.)									
 (b) Will the ownership interest of any owner of the currently author 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 sub ☐ Yes ☐ No (If no, all owners must sign this applic									
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 affirm age 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 plication pertains. I further verify that the statements								
Dated at SAC, Kansas, this	2 day of September, 2021.								
13									
(Owner)	(Spouse)								
(Please Print)	(Please Print)								
(Owner)	(Spouse)								
(Please Print)	(Please Print)								
(Owner)	(Spouse)								
(Please Print) State of Kansas County of SaltLak	DIANE LUNT NOTARY PUBLIC STATE OF UTAH COMMISSION# 710496 COMM. EXP. 03-24-2024								
I hereby certify that the foregoing application was signed in most	ny presence and sworn to before me this 2 day								
My Commission Expires	Notary Public								
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all caccurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	of the applicable portions of the application form must be completed with propriate owners' must be affixed to the application and notarized; and								
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 Departme (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	nt of Agriculture\$100 \$200								

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro	rovisions of the <i>Kansas Water Appropriation Law, K.S.A. &</i> ith the exception of those conditions expressly contained hold in the co	2a-708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable 82a-701 et. seq., and rules and regulations promulgated thereunder, herein, this Summary Order does not change the terms, conditions and
1.	A change application was received on	requesting that the place of use and / or point of number be changed as described in the application.
2.	On and after the effective date of this summary order, the the topographic map accompanying the application to	e authorized place(s) of use shall be located substantially as shown on change the place of use. Applicable \(\square\$ Not Applicable
3.	The change in point of diversion shall not impair existing previously authorized. The point of diversion authorize radius of the authorized point(s) of diversion. ☐ Appli	grights and shall be limited to the same source or sources of water as ed by this summary order shall be located within afoot licable Not Applicable
4.	The point(s) of diversion described herein is administration Positioning System (GPS), as described in the application	ratively corrected to be more accurately described using the Global ation. Applicable Not Applicable
5.	The point(s) of diversion authorized herein shall not actual authorized point(s) of diversion.	ally be located more than feet from the previously Not Applicable
6.	As required by K.A.R. 5-3-5d, if the works for diversion is or other device suitable for making water level measure K.A.R. 5-6-13.	s a well with a diversion rate of 100 gallons per minute or more, a tube ements shall be installed, operated and maintained in accordance with ble
7.	December 31, 20 <u>2/</u> , or before the first use of wa operated and maintained in accordance with K.A.R. 5-	properly install an acceptable water flow meter on or before ater, whichever occurs first. The water flow meter shall be installed, 1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and sport the reading of the water flow meter and the total quantity of water lowing the end of each calendar year.
8.	authorized extension of time. By March 1, 20	be completed on or before December 31, 20, or within any the applicant shall notify the Chief Engineer that construction of the provided by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the re	equired notice. Applicable Not Applicable
10.	with an in-line automatic guick-closing check valve ca	ner foreign substance will be injected into the water shall be equipped apable of preventing pollution of the source of the water supply. The ned in accordance with K.A.R. 5-3-5c. Applicable \(\simega\) Not Applicable
11.	Additional Conditions are attached. 🔲 Yes 🗘 No	
12.	water appropriated under the above-referenced file null limitations, as amended and/or supplemented by this Suppropriation Law and the Rules and Regulations pro	K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of umber are responsible for compliance with its terms, conditions and Summary Order, and with applicable provisions of the <i>Kansas Water</i> omulgated thereunder. Failure to comply with these provisions may amended, and/or the suspension or revocation and dismissal of the actions authorized by law.
1	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,	APPLICATION APPROVED AND SUMMARY ORDER ISSUED
you Eng	nay request an evidentiary hearing before the Chief gineer or request administrative review by the Secretary of	ALL CONSERVICES
Agri	riculture. A request for hearing by the Chief Engineer must be d within 15 days of service of this Order and a request for	By:Buly Authorized Designee of the Chief Engineer
adm	ministrative review by the Secretary must be filed within 30 ys pursuant to K.S.A. 77-531. Any request for administrative	(Print Name): MICHAET A. MEYER
revi	iew must state a basis for review pursuant to K.S.A. 77-527.	Division of Water Resources - Kansas Department of Agriculture
Leg	gal Division, 1320 Research Park Drive, Manhattan, KS	Date of Issuance: 34 Km Pet 15, 2021
	502. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	State of Kansas) SS
	For Use by Register of Deeds	County of tinney)
		Acknowledged before me on Neptember 15, 202
		by Michael A. Meyer.
		Signature: Notary Public
		My commission expires: JULIE JONES PUBLIC (Notary Carly) intent Expires
DWF	R 1-121 (Revised 09/11/2019)	Page 4 File No. <u>23650</u>

CHANGE IN PLACE OF USE WATER RIGHT, FILE NO. 23650

Section 22 Township 27 South Range 34 West Haskell County



Authorized Place of Use
Proposed Place of Use

W S

Date: 8/9/21 HH/GCFO Scale: 1:24,000



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

September 10, 2021

Michael A. Meyer Division of Water Resources 4532 W Jones Ave., Suite B Garden City, Kansas 67846

RE: Applications for Change in Place of Use

Water Right, File Nos. 11299, 16645, 16702, 20262, 21214 & 23650

Dear Mike:

We have reviewed the applications for the above referenced water rights. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use will make a complete overlap in place of use in irrigated acres, with no new acres being proposed, which is 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,

Jason L. Norquest Assistant Manager

RECEIVED

SEP 1 0 2021

Garden City Field Office Division of Water Resources

GMD3 Change Review

File No(s).: 11299, 16	645, 16702, 2	20262, 21214	<u>& 23650</u> .	DWR office: <u>GC</u> .					
App filed to change: _	PU								
Is Landowner(s) correct		Desert Cattle	Feeders LLC.						
If NO, is documentation included?									
Is Water Use Correspondent correct in WRIS?									
If NO, is documentation included?									
Regulation(s) Reviewed: KAR 5-5-11									
Point of diversion ID N									
		0 0							
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	ng on existing	WRs? No C	Change to any	<u>PD</u> .					
Is Proposed PU overla	pping existing	g WRs? Pro	posed complet	e overlap for WRs on					
IRR acres.									
Neighboring certified well(s) notified:									
Name									
Address									
Zip									
Email: Phone:									
Domestic well(s) notif	ied:								
Name									
Address									
Zip									
Base Acres:									
Perfected Acres:									
Irr. Return-Flow%	, 3								
Currently authorized	l acres: 1129	9, 16645, 202	62, 21214						
274.55 acres, l	NW & SE 23-	-27-34							
206 acres, NE	& SE 26-27-	34							
126 acres, NW	35-27-34								
Currently authorized	l acres: 2365	30							
136 acres, SW	22-27-34								
Currently authorized	l acres: 1670	2							
135 acres, SE	21-27-34								
ALL water rights list the above acres as proposed IRR acres.									
16645 shows the feedlot as place of use since also lists STK use on the water right.									

GMD3 Change Review

Is a waiver needed: Complete overlap in current authorized IRR acres, no new acres proposed. Applicant does have easement agreement to run water to all acres that are not directly connected.

Recommendation: <u>After review of all available information, it appears current area rules are met.</u> Staff therefore recommends approval of the applications.

RECEIVED

SEP 1 0 2021

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 9, 2021

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 3 2009 E SPRUCE ST GARDEN CITY KS 67846

Re: Request for Recommendation

Water Right, File Nos. 11299, 16645, 16702, 20262, 21214, 23650

Dear Mr. Norquest:

This is to advise you that Deseret Cattle Feeders LLC, have filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use.

We are delaying action on the change application to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

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

Sincerely,

Michael A. Meyer Water Commissioner

MAM Enclosures