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:						
42278	a	C4	04	03						
	9-22-2021									
6. Status: ☐ Approved ☐ Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:						
				9/7/2021						
8a. Landowner , applicant, correspond New to system □	lentPerson ID Add Seq#		8c. Landowner Person ID New to system							
PRAIRIE SKY FARMS LL ATTN: DALE ZORTMAN 5088 23 ROAD FOWLER, KS 67844	.C									
8b. Landowner(s), New to system □	Person ID 52615 Add Seg#	8d. correspor	ndent	Person ID						
New to system 🗀	Αυα σοςιπ	New to sy	New to system ☐ Add Seq#							
8e. Landowner(s),	Person ID	_								
New to system ☐	Add Seq#	_								
9. Documents and Enclosure(s): 🛛 DV	VR Meter(s) Date to Compl	y: 12/31/2021	N & P Date to	Comply: 3/1/2022						
☐ Anti-Reverse Meter ☐ Meter	Seal	□ N & P Form	☐ Water Tube ☐ D	riller Copy						
☐ Conservation Plan Date Require	ed: Da	te Approved:	Date to	Comply:						
10. Use Made of Water From:		To: _	,							
			Date Prepared: 9/13/2 Date Entered:	2021 ву: МАМ Ву:						

File No.	4227	8		1	11. Coun	ty: ME	Ξ	Ва	sin: CR	OOK	ED CI	REEK			St	tream:							Fo	rmation Co	ode:	Special Use:
12. Poir	nts of Div	ersion	n																Rate a	and Q	uantity					
MOD	DDIV/																		A	Nuthori	zed		A	dditional		
DEL ENT	PDIV	Qı	ualifier		S	Т	I	R	ID	ń	N	ʻW		Com	ment	(AKA	Line)		Rate gpm		Quantit af	ty	Rate gpm			verlap PD Files
CHK 705	593																									
13. Stora	13. Storage: RateNF Quantityac/ft Additional RateNF Additional Quantityac/ft																									
14. Limit	ation:				af/y	/r at _					gpm (_				cfs) wl	nen co	mbine	ed with	file nu	umber	(s)					
Limit	ation:				af/y	/r at _					gpm (_				cfs) wl	nen co	mbine	ed with	file nu	umber	(s)					
15. 5YR	Allocatio	n:	Allocat	ion T	уре	_	Star	t Year			5 YR	Amou	nt		Amo	unt U	nit	_	Base	Acres		_ Co	omment .			
16. Plac	e of Use							NE	1/4			NV	V¹/4			SV	V ¹ / ₄			S	E1/4		Total	Owner	Chg?	Overlap Files
MOD DEL ENT	PUSE	S	т	R	ID		NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1⁄4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4				
MOD 3						3	0.5	30.5			30.5	30.5	30.5	30.									183	8ba	yes	17667, 43404
MOD 5	1886	16	31	27	W 01										30.5	30.5	30.5	30.5			30.5	30.5	183	8a	No	17667, 43404
DEL 5	9539																									
Base Acres: 244 Year: Minimum Reasonable Quantity:																										

Comments: an additional 137 base acres more than File No. 17667 base acres

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 22, 2021

PRAIRIE SKY FARMS LLC Attn: DALE ZORTMAN 5088 23 ROAD FOWLER, KS 67844

RE:

Field Office Application for Change

Water Right, File Nos. 17667, 42278, 43404

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 these approvals for change. Conditions of these approvals are that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file numbers 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 enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this day of September 22, 2021, I hereby certify that the foregoing Approvals of Application for Change in Place of Use, Water Right, File Nos. 17667, 42278, and 43404 dated day of September 22, 2021 was mailed postage prepaid, first class, US mail to the following:

PRAIRIE SKY FARMS LLC Attn: DALE ZORTMAN 5088 23 ROAD FOWLER, KS 67844

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.

or arr	0101011 0	na/or p	1400 01	doo.													R	ECE	EIVED
						F	ile No	. <u>4227</u>	8								(SEP 0	7 2021
ι	Application	e water	right w	hich is		XX ubject	Place	of Use	ation i	n acco	Point	of Dive	ersion the cor				Gard livision	/0! en City	Y/AM Field Office ater Resource
<u>\$</u>	2. Name and address of Applicant: Prairie Sky Farms LLC %Dale Zortman 5088 23 Road, Fowler, KS 67844 Phone Number: (620)338-1282 Email address: dalezort@gmail.com Name and address of Water Use Correspondent: SAME																		
3.	Phone Number: ()																		
				NE	1/4			NV	V1/4			SV	V1⁄4		SE¼				TOTAL ACRES
Sec.	Twp.	Range	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW1/4	SE¼	NE1/4 40.0	NW¼ 40.0	SW1/4 40.0	SE1/4 40.0	NE1/4	NW¼	SW1/4 40.0	SE¼ 40.0	240.0
16 21	31s 31s	27w 27w					40.0	40.0	40.0	40.0	10.0	38.0	5.0	40.0			40.0	40.0	213.0
(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: Prairie Sky Farms LLC %Dale Zortman ADDRESS: 5088 23 Road, Fowler, KS 67844 (If there is more than one landowner, attach supplemental sheets as necessary.)																		
				NE	=1/4			NV	N ¹ / ₄			SV	V1/4		SE¼			TOTAL ACRES	
Sec.	Twp.	Range	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW1/4	SE¼	NE¼			SE¼	NE¼	NW1/4		SE¼	
<u>16</u> 21	31s 31s	27w 27w	30.5	30.5			30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5			30.5	30.5	183.0 183.0
	For Offi	ce Use	Only:	Code		Fe	e \$ <u></u>	00	_ TR	#		_ Re	eceipt	Date_	7-7.	102/	Chec	k# <u>20</u>	005

5. Г	Presently authorized poi	nt of diversion:				
	One in theNW	Quarter of the	NW	Quarter of the	NW	Quarter
	of Section 21	, Township	31	South, Range	27	W,
	in Meade	County, Kansas, <u>5040</u>	_ feet North _	5030 feet West of S	Southeast corner	r of section.
	Authorized Rate 118@gpm	n*limted Authorized Quantity	158AF	Depth of well	(fee	t)
		er ID NoO GP				
		anged This point will be change				
	Proposed point of divers	sion: (Complete only if change	e is request	ed or if existing point is	better describe	ed by GPS)
	One in the	Quarter of the		Quarter of the		Quarter
	of Section	, Township		South, Range		
	in	County, Kansas,	feet North			
		Proposed Quantity _				
		I Well ☐ Geo Center List o				
_		_		-		
6.	Presently authorized poi	nt of diversion:		. ~		
١.				Quarter of the		Quarter
	of Section	Quarter of the , Township		South Range		(F/W)
	in	County Kansas	feet North	feet West of	Southeast corne	r of section
	Authorized Rate	County, Kansas, Authorized Quantity		Denth of well	(fee	at)
	(DWR use only: Comput	ter ID No GP	S	feet North	feet We	et)
		ged This point will be change				
		sion: (Complete only if change				
	of Castian	Quarter of the		Quarter of the		Quarter
		, Township				
		_ County, Kansas,				
		Proposed Quantity _				
L	This point is: Additiona	al Well Geo Center List of	iner water rig	nts that will use this point		·
7.	The changes herein are d	esired for the following reason	92			
٠.				North	* 4	
	Rearrange acres for the ope	eration) 200 100 0	100 200	
			Ë	<u> </u>		111113
Ω	If a well is the test hole log	attached? Yes No			_ /	=
0.	if a well, is the test hole log	attached: Tes 110	200	- 1 + 1 =	1 + 1 +	200
9.	The change(s) (was)(will be	e) completed by?		-/ =		\=
	As soon as approved		100		1 4 1 4	100
	7.0 00011 do approved	1	100		1 [1]	# 100
10.	If the point of diversion is a	well:	1			1
	(a) What are you going to	do with the old well?	West 0	#Jun au(uu an)au x u	սիավագավա	ı ı <u>++∓</u> 0 East
			1	=		3
	NA		100	\	1 - 1 - 1 - 1 -	A 100
	(b) When will this be done	?	100	1 + 1 + 1 =	1 + 1 +	100
				=	********	/=
11.	Groundwater Management	District recommendation attache	d? 200	-1+1=	1 + 1 +/	200
	X□ Yes □	No	E			
				Ī		<u>.</u>
12.	Assisted by GMD3/JLN		300	200 100 0	100 200	300
132	If the proposed point of dive	rsion will be relocated more than		South		
	feet but within 2.640 feet of	the existing point of diversion, at	tach 13b.lf the	proposed point of diversi	on will be relocate	ed within a 30

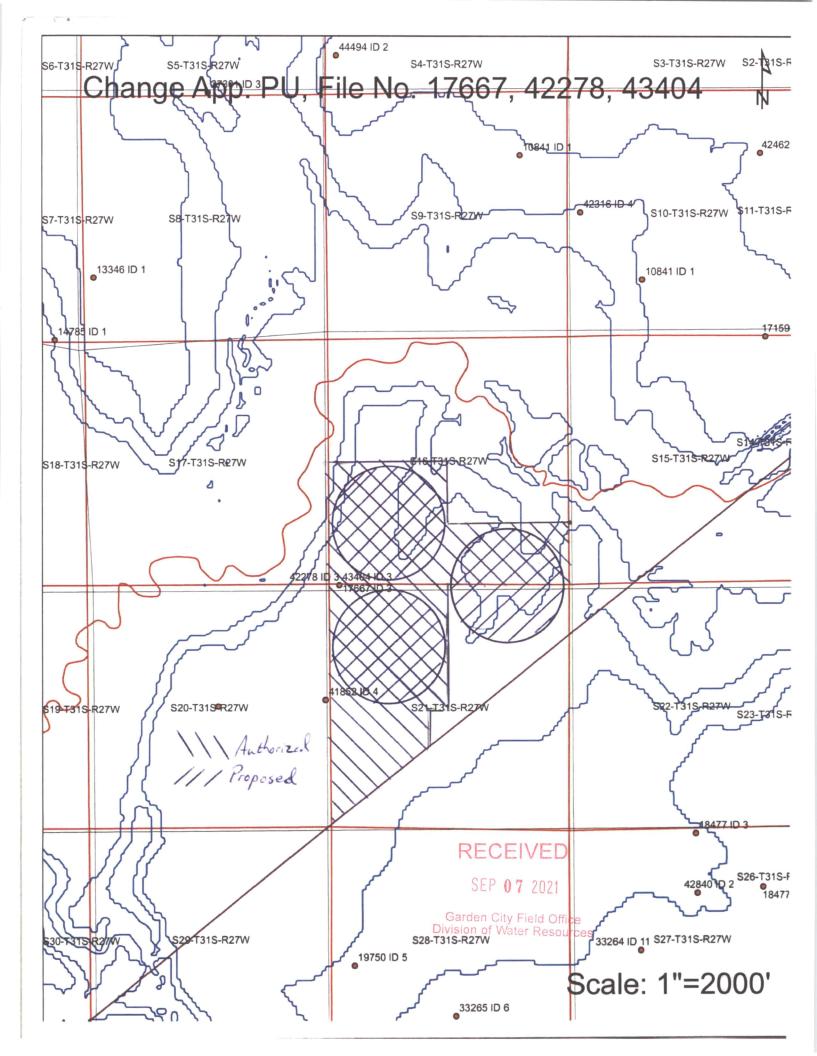
feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines

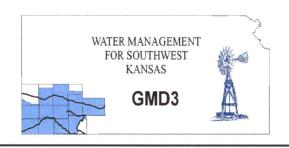
3b.If the proposed point of diversion will be relocated within a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

14. If	the proposed groundwater point of diversion is 300 or	fewer feet fro	m the exist	ing point of diversion, comp	lete the following:
(a	Does the undersigned represent all owners of the call Yes No (If no, all owners must s			e(s) of use identified in this a	application?
(b	o) Will the ownership interest of any owner of the cu affected if this application is approved as requested Yes No (If yes, all owners must	d?		s) of use identified in this a	application be adversely
(0	If this application is not approved expeditiously, will Yes No (If no, all owners must s			nage to property, public hea	alth or safety?
or a cl	application proposes a surface water change in point on nange in place of use, the application must be signed (attach notarized statement authorizing representation)	by all owners	groundwat of the curre	er change in point of divers ently authorized place of us	ion greater than 300 feet, e, or their duly authorized
age a their	eby verify, being first duly sworn upon my oa and the owner, the spouse of the owner, or a conditional behalf, in regards to the water right(s) to what ained in this application are true, correct and conditional	duly authori ich this app complete.	zed agen dication p	t of the owner(s) to mal pertains. I further verify	ke this application on
Dated	at GMD3 Office.	Kansas, this	2524	day of August	, 20 2 (
	Dal Bortum	_			
	Dale Intman			(Spouse)	
	(Please Print)			(Please Print)	
	(Owner)			(Spouse)	
	(Please Print)			(Please Print))
	(Owner)			(Spouse)	
	(Please Print)			(Please Print))
	A	NOTARY PUBLIC - BRANDIS My Appt Expires	State of Kansas NEATH		,
l h	ereby certify that the foregoing application was , 20	signed in n	ny presen	ce and sworn to before	me this ast hay
		_	Br	andi Su	eat
Му Сс	ommission Expires 11119133.	_		Notary Public	
accura	COMPLETE APPLICATIONS WILL BE PROCESSED. To be te information; maps, if necessary, must be included; signatu propriate fee must be paid.				
	<u>1</u>	EE SCHEDU	LE		
	application to change the place of use or the point of don't the schedule below: Make checks payable to: Kans (1) Application to change a point of diversion 300 fe (2) Application to change a point of diversion more (3) Application to change the place of use	liversion unde	r this section	culture	\$100
				SEP 07 2021	

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

prov Witl	visions of the Kansas Water Appropriation Law, K.S.A. 82a-	8b, 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 per 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	horized place(s) of use shall be located substantially as shown on nge the place of use. Applicable \(\bigcap\) Applicable
3.	The change in point of diversion shall not impair existing righ previously authorized. The point of diversion authorized b radius of the authorized point(s) of diversion. Applicable	nts and shall be limited to the same source or sources of water as y 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	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	vell with a diversion rate of 100 gallons per minute or more, a tube nts shall be installed, operated and maintained in accordance with
7.	December 31, 20_2_/ , 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 providing Applicable Not Applicable	completed on or before December 31, 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 requi	ired notice. Applicable Not Applicable
10.	with an in-line, automatic, quick-closing check valve capal	oreign 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 \(\square \) Not Applicable
11.	Additional Conditions are attached. Yes No	*
12.	water appropriated under the above-referenced file numb limitations, as amended and/or supplemented by this Sun Appropriation Law and the Rules and Regulations promu	.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 be ended, and/or the suspension or revocation and dismissal of the ons authorized by law.
4	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
If vo	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,	APPLICATION APPROVED AND
you	may request an evidentiary hearing before the Chief	SUMMARY ORDER ISSUED
Agr	ineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be	By: Muffel A. Me
filed	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): MICHAET A. MOYER
revi 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	Date of Issuance: 5 Colon W 23, 2001
pre	02 . 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
		Acknowledged before me on September 22, 20
		by Michael A. Meyer.
		Signature: Saule Sones
		Notary Public
		My commission expires JULIE JONES My Appointment Expires
		(Notaracashoal)5, 2022





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

August 27, 2020

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 Rights, File Nos. 17667, 43404 & 42278

Dear Mike:

We have assisted with 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 rearrange the acres to better suit the operation and is in accordance with K.A.R. 5-5-11(b). 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 07 2021

Carden City Field Office Division of Major Resources

Entered in Transfer Record in my office this

Please return recorded Warranty Deed to:

Todd Davidson Hampton & Royce, L.C. P.O. Box 1247 Salina, Kansas 67402-1247



STATE OF KANSAS, Meade County This instrument was filed for record on the day of February, A.D. 20 09 M. and duly recorded on Page(s) 307 Register of Deeds

X aci

Photocopied

WARRANTY DEED

Dale Zortman, also known as Dale O. Zortman, also known as Dale Owen Zortman and Jeanette Zortman, also known as Jeanette L. Zortman, also known as Jeanette Louise Zortman, husband and wife, CONTRIBUTE, CONVEY AND WARRANT to Prairie Sky Farms, LLC, a Kansas limited liability company (mailing address for tax purposes: 310 E. 7th, Fowler, Kansas 67844), all of the following described real estate, to-wit:

An undivided one-half (1/2) interest in and to the Northwest Quarter (NW/4) of Section Three (3), Township Thirty (30) South, Range Twenty-seven (27) West of the Sixth P.M., Meade County, Kansas;

An undivided one-half (1/2) interest in and to the Northeast Quarter (NE/4) of Section Eight (8), Township Thirty (30) South, Range Twenty-seven (27) West of the Sixth P.M., Meade County, Kansas;

The West Half of the Northwest Quarter (W/2 NW/4) of Section Nine (9), Township Thirty (30) South, Range Twenty-seven (27) West of the 6th P.M., Meade County, Kansas;

The Northeast Quarter (NE/4) and the East Half of the Northwest Quarter (E/2 NW/4) of Section Nine (9), Township Thirty (30) South, Range Twentyseven (27) West of the Sixth P.M., Meade County, Kansas;

RECEIVED

SEP 2 1 2021

An undivided one-half (1/2) interest in and to the Southeast Quarter (SE/4) of Garden City Field Office Division of Water Resources Section Fifteen (15), Township Thirty (30) South, Range Twenty-seven (27) West of the 6th P.M., Meade County, Kansas;

3 PAGE

The Southeast Quarter (SE/4) of Section Twenty-two (22), Township Thirty (30) South, Range Twenty-seven (27) West of the 6th P.M., Meade County, Kansas, EXCEPT a tract of land located in said Southeast Quarter (SE/4) of Section Twenty-two (22) described as follows:

Beginning at the Northeast corner of the Southeast Quarter (SE/4) of said Section Twenty-two (22); thence South 00°00'00" East (assumed bearing), along the East line of said Southeast Quarter, 1,173.00 feet, thence North 90°00'00" West 50.67 feet; thence on a curve to the left with a radius of 1,300.00 feet, a central angle of 78°09'22", an arc distance of 1,773.31 feet; a chord length of 1,638.98 feet and a chord bearing of N44°13'21" West, to a point on the North line of said Southeast Quarter; thence South 89°55'33" East, along the North line of said Southeast Quarter, 1,193.77 feet to the point of beginning, said excepted tract containing 9.28 acres, more or less, including 0.81 acres of County Road Right-of-Way, subject to a ten year term interest beginning August 4, 2005, reserved unto Prairie Farms, a Kansas general partnership, by a Corporation General Warranty Deed dated August 4, 2005;

The Southwest Quarter (SW/4) of Section Twenty-three (23), Township Thirty (30) South, Range Twenty-seven (27) West of the 6th P.M., Meade County, Kansas;

An undivided two-fifths (2/5) interest in and to the Northwest Quarter (NW/4) of Section Twenty-six (26), Township Thirty (30) South, Range Twenty-seven (27) West of the 6th P.M., Meade County, Kansas;

The South Half of the Southeast Quarter (S/2 SE/4) of Section Sixteen (16), Township Thirty-one (31) South, Range Twenty-seven (27) West of the 6th P.M., Meade County, Kansas, subject to a fifteen (15) year term interest reserved unto Prairie Farms, a Kansas general partnership, by General Warranty Deed dated October 6, 1998;

The Southwest Quarter (SW/4) of Section Sixteen (16), Township Thirtyonc (31) South, Range Twenty-seven (27) West of the 6th P.M., Meade County, Kansas, subject to a fifteen (15) year term interest reserved unto Prairie Farms, a Kansas general partnership, by General Warranty Deed and Trustee's Deed, each dated July 24, 1998;

The Northwest Quarter (NW/4) of Section Twenty-one (21), Township Thirty-one (31) South, Range Twenty-seven (27) West of the Sixth P.M., Meade County, Kansas;

The Southwest Quarter (SW/4) of Section Twenty-one (21), Township Thirty-one (31) South, Range Twenty-seven (27) West of the 6th P.M., Meade County, Kansas;

[No Kansas Real Estate Sales Validation Questionnaire required, K.S.A. 79-1437e(a)(4).]

for the sum of One Dollar (\$1.00) and other valuable consideration, together with all its appurtenances and warrants the title to the same, subject to all mortgages, prior mineral reservations, oil and gas leases, rights-of-way, easements and protective covenants of record, if any.

orary Fuone

My Appointment Expires:

PATTY A. WHEET
State of Kansas
My Appl. Exp. Objiobil

SEP 21 2021

Garden City Field Office Division of Water Resources

06-11-2011