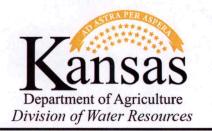
Kansas Department of Agriculture Division of Water Resources

CHANGE: pu WORKSHEET

1. File Number: 12456	2. Status Change Date: //-23 -2022	3. Change Num:	4. Field Office: 04	5. GMD: 03
6. Status: Approved ☐ Deni	ied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: 11/4/2022
8a. Landowner, New to system ☐ HEMINK FARMS LTD 2635 CR 521 HART, TX 79043	Person ID 64577 Add Seq#	8c. Landown		Person IDAdd Seq#
8b. Landowner(s) New to system □	Person ID Add Seq#	РО ВО	stem B & MICHELLE	
9. Documents and Enclosure(s): 🛛 DV	VR Meter(s) Date to Comp	ly: 12/31/2023	N & P Date to	o Comply:
☐ Anti-Reverse Meter ☐ Meter☐ Conservation Plan☐ Date Requir☐		□ N & P Form		Driller Copy ☐ H & E Letter o Comply:
10. Use Made of Water From:		To: _		
	8049 8 13 84 85 8 15 85 85		Date Prepared: 11/2 2 Date Entered:	2/2022 By: MAM By:

ile No. 12456	11. Count	y: GY	Ва	sin: B	UCKN	IER CI	REEK			St	ream:							Fo	ormation Code: Special Use:
2. Points of Diversion CHK OD EL PDIV NT Qualifier	S	Т	R	ID		'N	·W		Com	nment ((AKA L	ine)	978	Rate	Authori	Quanti	.y	Rate	
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										185									
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Limitation:	af/y	rat				gpm (cfs) wh	nen coi	nbined	with	file nu	umber	(s)	ta.		
5YR Allocation: Allocation	Туре	Sta	ırt Yea	r		5 YR	Amour	nt		Amo	unt Un	it	_	Base .	Acres		_ c	omment _	
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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

November 23, 2022

HEMINK FARMS LTD 2635 CR 521 HART, TX 79043

RE: Field Office Application for Change

Water Right, File Nos. . 12315, 12456, 13865, 16803, 21819, 21820, 23295

Dear Sir or Madam:

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. 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 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,

Michael A. Meyer Water Commissioner

MAM: enclosures

pc:

Spandet Dairy LLC

GMD3

CERTIFICATE OF SERVICE

On this 23rd day of November 2022, I hereby certify that the foregoing Approvals of Application for Change in Place of Use, Water Right, File Nos. 12,315, 12,456, 13,865, 16,803, 21,819, 21,820, 23,295 dated 23rd day of November 2022 was mailed postage prepaid, first class, US mail to the following:

HEMINK FARMS LTD 2635 CR 521 HART, TX 79043

Pc

ARCH B & MICHELLE FRINK PO BOX 1088 CIMARRON, KS 67835-1088

SPANDET DAIRY LLC 6306 20 RD CIMARRON, KS 67835-9018

GMD3

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.

	VCISION	ma/or p	ace of	use.		F	File No	. <u>1</u>	2456								1	2:31	IVED 4 2022
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2.	Name ar	nd addre	ess of	Applica	ant: A	RCH E	3 & MI	CHELL	E FRI	NK									
	РО ВОХ	1088, 0	CIMAR	RON,	KS 67	835-1	880	H BY											
	Phone N	umber:	(620)	338-35	514				Email	addre	ss: afr	ink14	@hotm	ail.cor	n				N. P. I.
	Name ar	nd addre	ess of	Water	Use C	orresp	onden	t: SAM	ME AS	ABO	VΕ		1 9		hell.				
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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 th	ne proposed groundwater point of diver	sion is 300 o	r fewer feet fro	m the existing point	of diversion, complete the	e following:
(a)	Does the undersigned represent all o		currently authorsign this applic		e identified in this applica	tion?
(b)	Will the ownership interest of any own affected if this application is approved ☐ Yes ☐ No (If yes, all	as requeste			identified in this applicat	tion be adversely
(c)	If this application is not approved exp ☐ Yes ☐ No (If no, all o		II there be sub sign this applic		roperty, public health or s	safety?
or a cha	oplication proposes a surface water cha ange in place of use, the application mu attach notarized statement authorizing	ist be signed	by all owners			
age an	by verify, being first duly sworn und the owner, the spouse of the openals, in regards to the water rig ned in this application are true, o	wner, or a ht(s) to when orrect and	duly authori nich this app complete.	zed agent of the olication pertains.	owner(s) to make this I further verify that	s application on
Dated a	it Hask	TX	, Kansas, this	25th day of_	October	, 20_22
	& Schilderink					
544	L. SCHILDERINA				(Spouse)	
	(Please Print)				(Please Print)	
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	of Castro	SS				
of O	reby certify that the foregoing app	lication was			sworn to before me	this 25 day
		STE	1	IA VAN VLIET ID #128182759	5	
My Cor	nmission Expires 4/30/24		11 11.000	nmission Expires aril 30, 2024	Notary Public	
accurate	OMPLETE APPLICATIONS WILL BE PRO- information; maps, if necessary, must be in opriate fee must be paid.					
			FEE SCHEDU			
Each a	pplication to change the place of use of the schedule below: Make checks pay	the point of	diversion unde	er this section shall be	e accompanied by the ap	pplication fee set
	 Application to change a point of d Application to change a point of d Application to change the place of 	iversion 300 iversion more	feet or less e than 300 feet			\$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	visions of the Kansas Water Appropriation Law, K.S.A. 82a-	8b, as amended, and K.A.R. 5-5-1, <i>et seq.</i> 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 number	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 char	horized place(s) of use shall be located substantially as shown on nge the place of use. Applicable \square Not 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 A No.	be located more thanfeet 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 measurement K.A.R. 5-6-13. Applicable Not 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 23, or before the first use of water, operated and maintained in accordance with K.A.R. 5-1-4 to	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 provi 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, guick-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 Yo	
12.	water appropriated under the above-referenced file numb limitations, as amended and/or supplemented by this Sum 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 omary Order, and with applicable provisions of the <i>Kansas Water</i> algated thereunder. Failure to comply with these provisions may be used, and/or the suspension or revocation and dismissal of the cons authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
		APPLICATION APPROVED AND
	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, may request an evidentiary hearing before the Chief	SUMMARY ORDER ISSUED
Eng	gineer or request administrative review by the Secretary of	By: Martin A. Mes
file	iculture. A request for hearing by the Chief Engineer must be d within 15 days of service of this Order and a request for	Duly Authorized Designee of the Chief Engineer
	ninistrative review by the Secretary must be filed within 30 pursuant to K.S.A. 77-531. Any request for administrative	(Print Name): MICHAEL A. MEYEX
rev	iew must state a basis for review pursuant to K.S.A. 77-527.	Division of Water Resources - Kansas Department of Agriculture
Leg	any request with Kansas Department of Agriculture, gal Division, 1320 Research Park Drive, Manhattan, KS	Date of Issuance: November 23, 2022
665 pre	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
		Acknowledged before me on November 23,202
		by Michael A. Meyer
		Signature: Notary Public
		My commission expires: Motary JULIE JONES

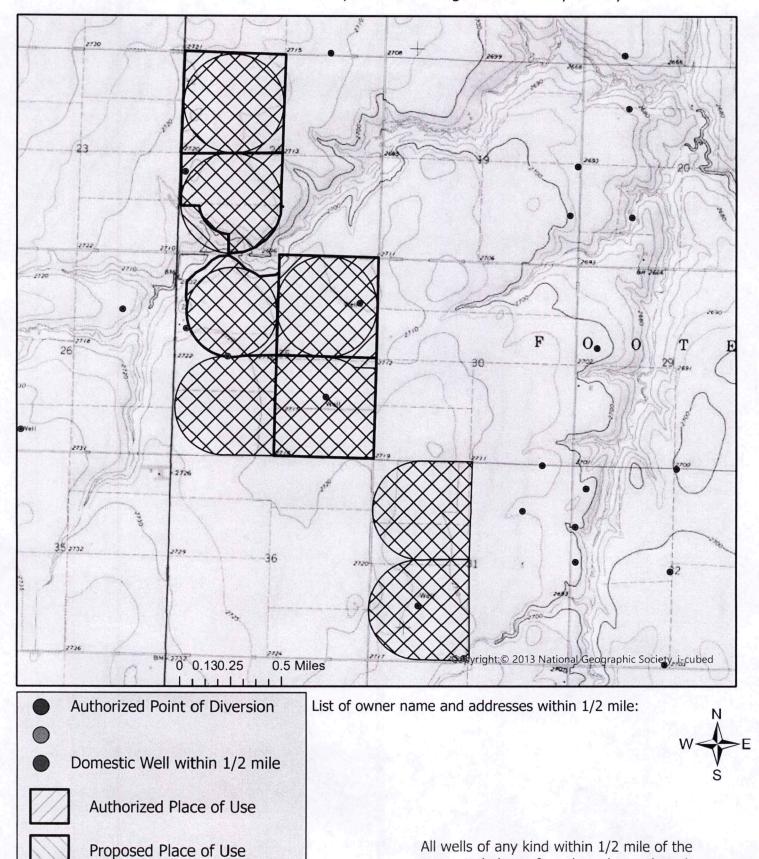
Page 4

DWR 1-121 (Revised 09/11/2019)

File No. <u>12456</u>

CHANGE IN PLACE OF DIVERSION WATER RIGHT, FILE NO. 12456

NW 1/4 of Section 25 Township 24 South Range 28 West Gray County



Date JG/GCFO 1:24,000 Scale

All wells of any kind within 1/2 mile of the requested place of use have been plotted.

(Signature)

Date



Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street Garden City, Kansas 67846

(620) 275-7147 phone www.gmd3.org

November 29, 2022

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. 12315, 12456, 13865, 16803, 21819, 21820 & 23295

Dear Mike:

We have completed a review of the applications for the above referenced water rights. The proposals are 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 current acres to cover land that was not previously authorized and eliminate some of the corners that are not watered. At the same time, the applications will maintain a complete overlap in place of use 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

NOV 1 8 2022

Garden City Field Office
Division of Water Resources

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

November 7, 2022

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

Re:

Request for Recommendation

Water Right, File Nos. 12315, 12456, 13865, 16803, 21819, 21820, 23295,

Dear Mr. Norquest:

This is to advise you that the Arch Frink has 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 applications 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