

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

Submit To: CHIEF ENGINEER
 Division of Water Resources
 Kansas Department of Agriculture
 1320 Research Park Drive
 Manhattan, Kansas 66502
 http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO
 CHANGE THE PLACE OF USE, THE
 POINT OF DIVERSION OR THE USE
 MADE OF THE WATER UNDER AN
 EXISTING WATER RIGHT**



State of Kansas

*Filing Fee Must Accompany the Application
 (Please refer to Fee Schedule on signature page of application form.)*

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- (Check one or more)
- Place of Use
 - Point of Diversion
 - Use Made of Water

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 SCANNED
 NOV 14 2022
 3:00
 KS DEPT OF AGRICULTURE

File No. 21106

2. Name of applicant: SEABOARD FOODS LLC, Attn: ENVIRONMENTAL ENG MNGR

Address: 2801 HURLIMAN RD

City, State and Zip: GUYMON, OK 73942

Phone Number: () _____ E-mail address: _____

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: SEABOARD FOODS LLC, Attn: ENVIRONMENTAL ENG MNGR

Address: 2801 HURLIMAN RD

City, State and Zip: GUYMON, OK 73942

Phone Number: () _____ E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): Current points of diversion are not physically located at the permitted location.

The change(s) (was) (will be) completed by _____ (Date)

For Office Use Only:															
F.O.	<u>4</u>	GMD	<u>3</u>	Meets K.A.R. 5-5-1	<input type="checkbox"/> YES <input type="checkbox"/> NO	Use	<u>STK</u>	Source	<input type="checkbox"/> G <input type="checkbox"/> S	County	<u>ST</u>	By	<u>ALB</u>	Date	<u>11/22/22</u>
Code	<u>CGT</u>	Fee \$	<u>200</u>	TR #		Receipt Date	<u>11/14/22</u>	Check #	<u>27260883</u>						

6. The presently authorized point(s) of diversion are Two wells and associated diversion works
(Provide description and number of points)
7. The proposed point(s) of diversion are Two wells and associated diversion works
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion: See Supplement Sheet**

One in the NW Quarter of the NE Quarter of the NW Quarter of Section 5, Township 31 South, Range 40 (E/W), in Morton County, Kansas, 5081 feet North 3961 feet West of Southeast corner of section. Authorized Rate 30 gpm Authorized Quantity 25 ac/ft
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

One in the NW Quarter of the NE Quarter of the NW Quarter of Section 5, Township 31 South, Range 40 (E/W), in Morton County, Kansas, 5172 feet North 3440 feet West of Southeast corner of section. Proposed Rate same Proposed Quantity same
 This point is: Additional Well Geo Center List other water rights that will use this point _____

9. **Presently authorized point of diversion:**

One in the NW Quarter of the NE Quarter of the NW Quarter of Section 5, Township 31 South, Range 40 (E/W), in Morton County, Kansas, 5081 feet North 3873 feet West of Southeast corner of section. Authorized Rate same Authorized Quantity same
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

One in the NW Quarter of the NE Quarter of the NW Quarter of Section 5, Township 31 South, Range 40 (E/W), in Morton County, Kansas, 5177 feet North 3350 feet West of Southeast corner of section. Proposed Rate same Proposed Quantity same
 This point is: Additional Well Geo Center List other water rights that will use this point _____

10. **Presently authorized point of diversion:**

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____

Correcting well battery POD

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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4. The presently authorized place of use is:

Owner of Land — NAME: SEABOARD FOODS LLC, Attn: ENVIRONMENTAL ENG MNGR

ADDRESS: 2801 HURLIMAN RD, GUYMON, OK 73942

Sec.	Twp	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5	31	40W					Swine facility												

List any other water rights that cover this place of use.

Owner of Land — NAME:

ADDRESS:

Sec.	Twp	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

List any other water rights that cover this place of use.

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME:

ADDRESS:

Sec.	Twp	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

List any other water rights that cover this place of use.

Owner of Land — NAME:

ADDRESS:

Sec.	Twp	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

List any other water rights that cover this place of use.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

WATER RESOURCES DIVISION

NOV 14 2022

Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

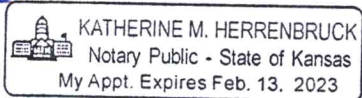
I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Shawnee Mission, Kansas, this 2nd day of November, 20 22.

<u>[Signature]</u> (Owner)	_____ (Spouse)
<u>Stephen Summerlin, Sr. VP of Ops</u> (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)

State of Kansas }
County of Johnson } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 2nd day of November, 20 22.

 KATHERINE M. HERRENBRUCK
Notary Public - State of Kansas
My Appt. Expires Feb. 13, 2023

[Signature]
Notary Public

My Commission Expires _____

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

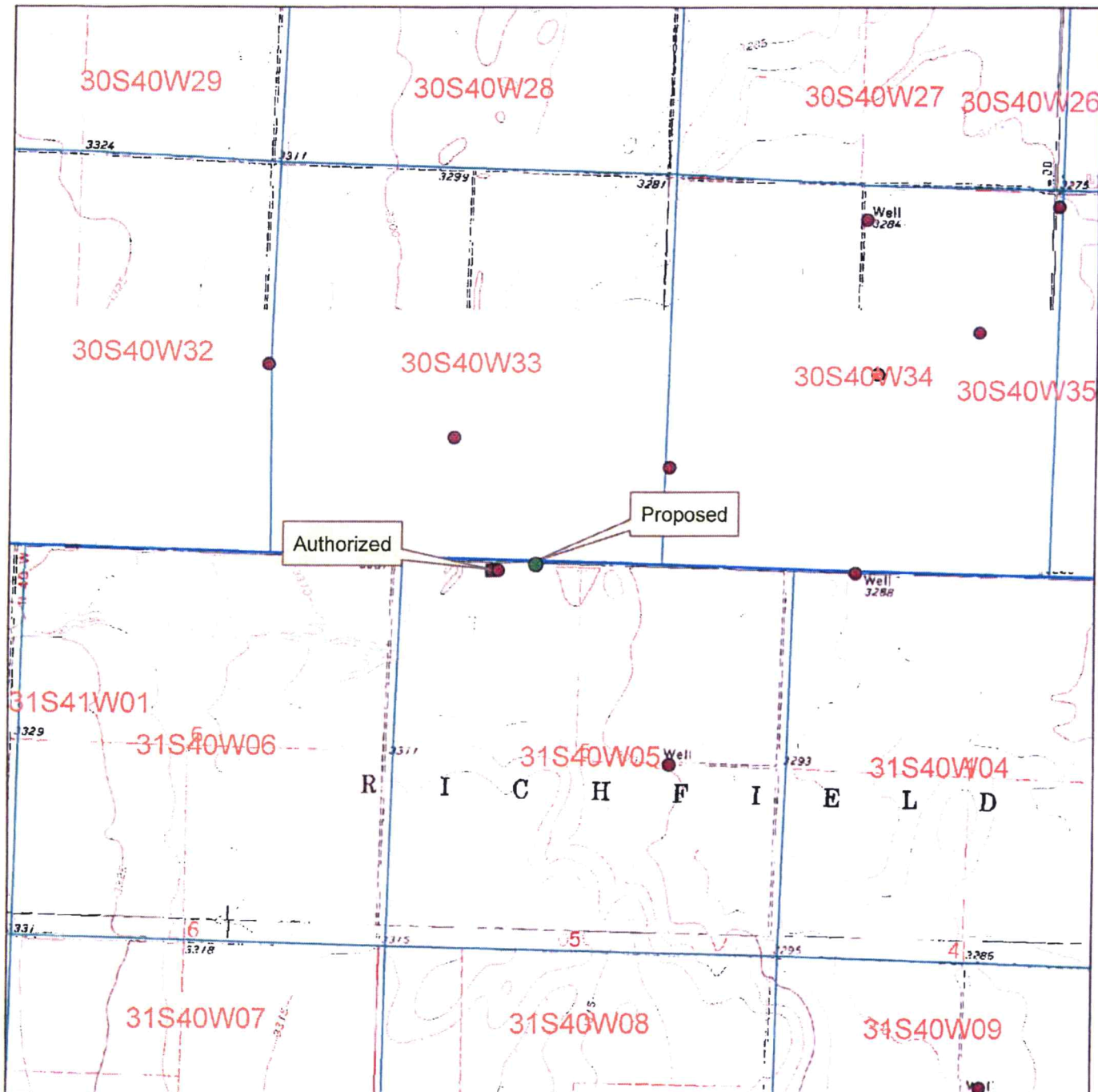
Make check payable to **Kansas Department of Agriculture.**

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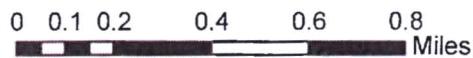
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Change in point of diversion for water right 21106



- Authorized point of diversion
- Proposed point of diversion



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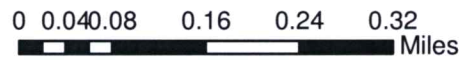
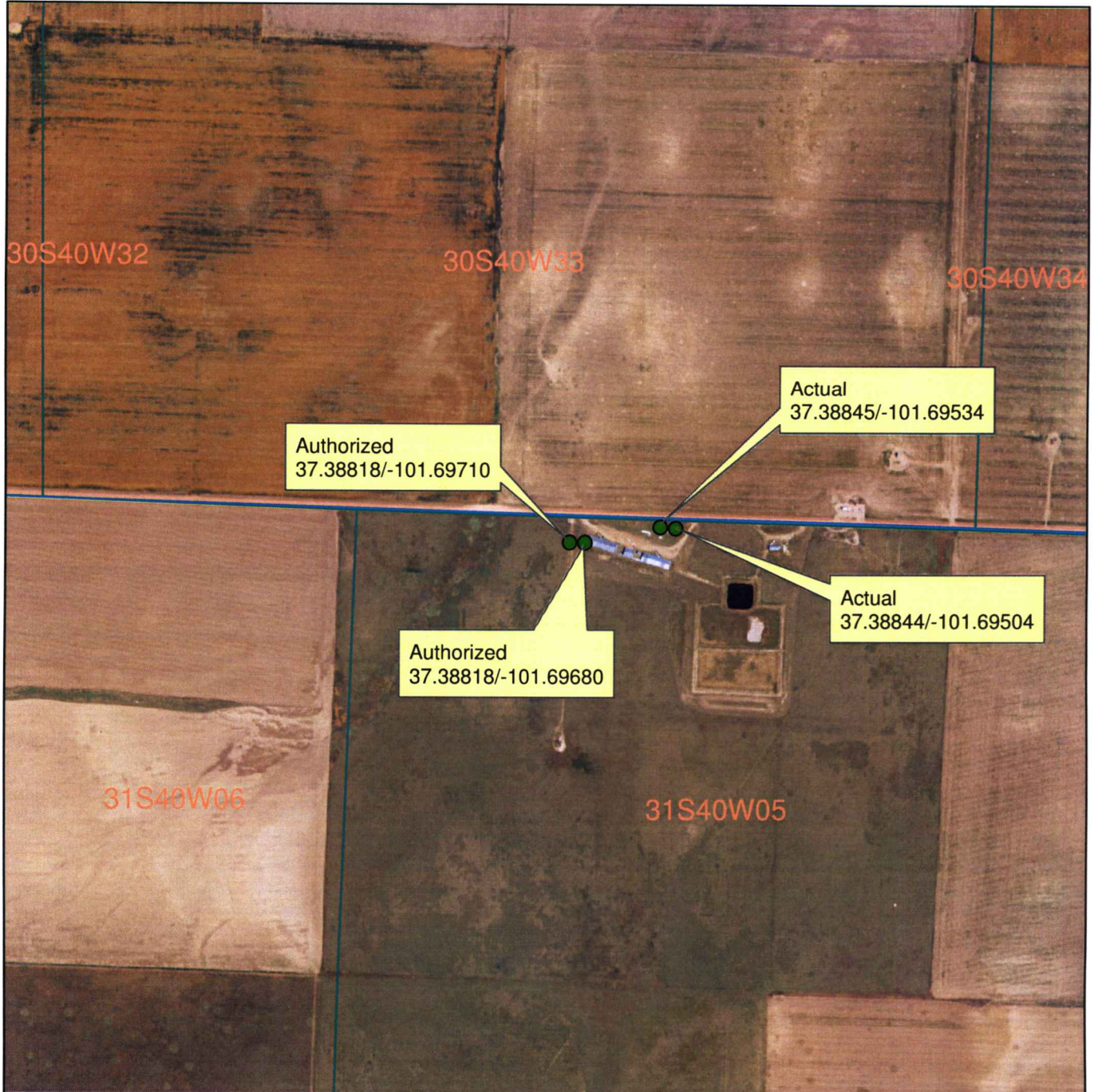
All wells within 1/2 mile are on this map.

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X _____

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Location map for water right 21106
Stockwater only.



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