

File No. **23567** 11. County: **ST** Basin: **N F CIMARRON RIVER** Stream: Formation Code: **211/331** Special Use:

| 12. Points of Diversion | | | | | | | | | | | Rate and Quantity | | | | | |
|-------------------------|--------------|-----|------|-----------------|-----------|------------|------------|----------|-------------|-------------|--------------------|-------------|-------------|-------------|-------------|------------------|
| CHK | MOD | DEL | PDIV | Qualifier | S | T | R | ID | 'N | 'W | Comment (AKA Line) | Authorized | | Additional | | Overlap PD Files |
| ENT | | | | | | | | | | | | Rate gpm | Quantity af | Rate gpm | Quantity af | |
| DEL | | | | 52090 | | | | | | | | | | | | |
| ENT | | | | NW NW NE | 28 | 29S | 40W | | 5111 | 2455 | | 1435 | 520 | 1435 | 520 | NONE |
| CHK | 88325 | | | NE NE SW | 21 | 29S | 40W | 2 | 2553 | 3475 | | 620 | 260 | 620 | 260 | NONE |

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

| 16. Place of Use | | | | | | | | | | | | | | | | | | | Total | Owner | Chg? | Overlap Files | | | | | | |
|------------------|-----|-----|-----|--------------|---|---|---|----|------|------|------|------|------|------|------|------|------|------|-------|-------|------|---------------|------|------|--|--|--|--|
| CHK | MOD | DEL | ENT | PUSE | S | T | R | ID | NE¼ | | | | NW¼ | | | | SW¼ | | | | | | SE¼ | | | | | |
| | | | | | | | | | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | | | | |
| CHK | | | | 3683 | | | | | | | | | | | | | | | | | | | | | | | | |
| CHK | | | | 6224 | | | | | | | | | | | | | | | | | | | | | | | | |
| CHK | | | | 18268 | | | | | | | | | | | | | | | | | | | | | | | | |

Base Acres: Year: Minimum Reasonable Quantity: Comments:

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

April 27, 2022

4 LEAF CLOVER FARMS LTD
Attn: LEILA HURLBURT
PO BOX 351
JOHNSON, KS 67855

RE: Filed Office Application for Change
Water Right, File No. 23567

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 number.

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,

A handwritten signature in blue ink that reads "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc: GROUNDWATER MANAGEMENT DISTRICT NO. 3

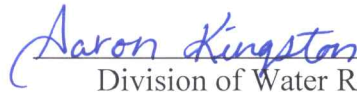
CERTIFICATE OF SERVICE

On this 27th day of April, 2022, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 23,567 dated 27th day of April, 2022 was mailed postage prepaid, first class, US mail to the following:

4 LEAF CLOVER FARMS LTD
Attn: LEILA HURLBURT
PO BOX 351
JOHNSON, KS 67855

Pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

A handwritten signature in blue ink that reads "Aaron Kingston". The signature is written in a cursive style and is positioned above a horizontal line.

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
 2:35 pm
 APR 26 2022

File No. 23567

Garden City Field Office
 Division of Water Resources

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: 4 LEAF CLOVER FARMS LTD

PO BOX 351 JOHNSON KS 67855

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: SAME AS ABOVE

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: SAME AS ABOVE - NO CHANGE

ADDRESS: _____

(If there is more than one landowner, attach supplemental sheets as necessary.)

| 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 | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

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: _____

ADDRESS: _____

(If there is more than one landowner, attach supplemental sheets as necessary.)

| 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 | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

| | | | | |
|---------------------------------|----------------------|------------|-----------------------------|---------------------|
| For Office Use Only: Code _____ | Fee \$ <u>100.00</u> | TR # _____ | Receipt Date <u>4-26-22</u> | Check # <u>6550</u> |
|---------------------------------|----------------------|------------|-----------------------------|---------------------|

5. **Presently authorized point of diversion:**
 One in the NW Quarter of the NW Quarter of the NE Quarter
 of Section 28 , Township 29 South, Range 40 (W),
 in STANTON County, Kansas, 5125 feet North 3475 feet West of Southeast corner of section.
 Authorized Rate Authorized Quantity Depth of well (feet)
(DWR use only: Computer ID No. 03 GPS feet North feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the NW Quarter of the NW Quarter of the NE Quarter
 of Section 28 , Township 29 South, Range 40 (W),
 in STANTON County, Kansas, 5111 feet North 2455 feet West of Southeast corner of section.
 Proposed Rate Proposed Quantity Proposed well depth (feet) 570'
 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 SW Quarter
 of Section 21 , Township 29 South, Range 40 (W),
 in STANTON County, Kansas, 2553 feet North 3475 feet West of Southeast corner of section.
 Authorized Rate Authorized Quantity Depth of well (feet)
(DWR use only: Computer ID No. 02 GPS feet North feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the Quarter of the Quarter of the Quarter
 of Section , Township South, Range (W),
 in County, Kansas, feet North feet West of Southeast corner of section.
 Proposed Rate Proposed Quantity Proposed well depth (feet)
 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

8. If a well, is the test hole log attached? Yes No

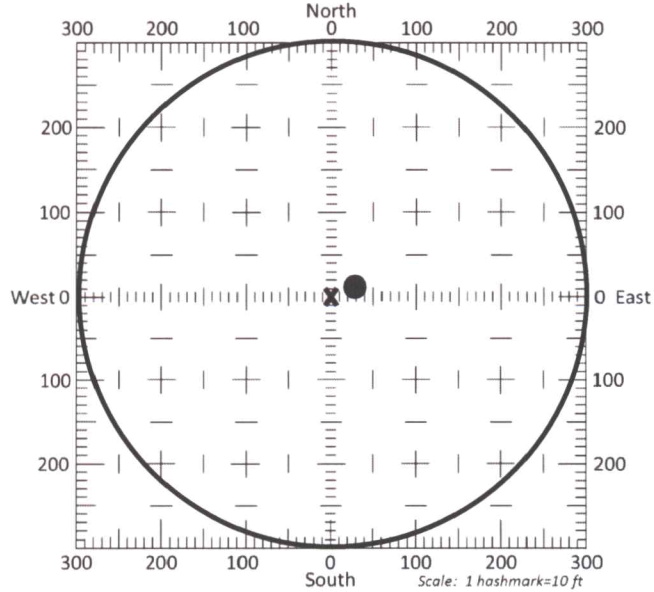
9. The change(s) (was)(will be) completed by?
UPON APPROVAL

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
PLUG / CAP
 (b) When will this be done? UPON COMPLETION

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by AM / GCFO

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



13b. 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 from 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 authorized place(s) of use identified in this application be adversely 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 substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

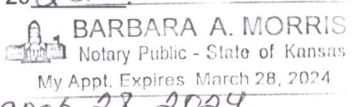
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at JOHNSON CITY, Kansas, this 26th day of APRIL, 2022.

| | |
|-------------------------------|----------------|
| (Owner) | (Spouse) |
| <u>Bryce Wilkerson</u> Tenant | (Please Print) |
| (Please Print) | (Spouse) |
| (Owner) | (Please Print) |
| (Please Print) | (Spouse) |
| (Owner) | (Please Print) |
| (Please Print) | (Spouse) |

State of Kansas }
 County of Stanton } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 26th day of April, 2022.



Barbara A. Morris
 Notary Public

My Commission Expires March 28, 2024

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: Kansas Department of Agriculture

- (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

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. 23567.

1. A change application was received on April 26, 2022 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.
2. 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 Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 50 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. 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 Not Applicable
6. 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. Applicable Not Applicable
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2022**, 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
8. **Installation of the works for diversion of water shall be completed on or before December 31, 2022**, or within any authorized extension of time. By March 1, 2023 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. Applicable Not Applicable
9. **The completed well log shall be submitted with the required notice.** 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
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.

Administrative Appeal and Effective Date of Order

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, 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 administrative review by the Secretary must be filed within **30 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. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

For Use by Register of Deeds

FOR OFFICE USE ONLY
**APPLICATION APPROVED AND
SUMMARY ORDER ISSUED**

By: Austin McColloch
Duly Authorized Designee of the Chief Engineer
(Print Name): Austin McColloch
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: April 27, 2022

State of Kansas)

) SS

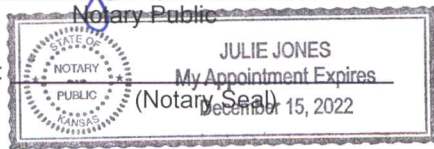
County of Stinson)

Acknowledged before me on April 27, 2022

by Austin McColloch

Signature: Julie Jones
Notary Public

My commission expires: December 15, 2022
(Notary Seal)



3795 W. Jones Ave.
Garden City, KS 67846
PH: 620-277-2389



PO Box 639
Garden City, KS 67846
Fax: 620-277-0224

BRUCE WILKERSON 620-353-8326

Customer Name: Leila Hurlburt 4-LEAF CLOVER FARMS LTD WO#: 23554 Date: 4-21-22
Street Address: P.O. Box 351 Test #: 1 E LOG: Yes
City, State: JOHNSON KS 67855 Driller: Dale Guinn
County: Stanton Quarter: NE Section: 28 Township: 29 Range: 40
Location: 51ft East of Existing Well GPS: N37.50429 W101.69841
Rig #: 10002 Elevation: 3282ft Static WL: 344ft Estimated?
Proposed Well Depth 570
WELL LOCATION - 10' Sump


| % | Footage | | | Description of Strata | 23567 |
|----|---------|-----|-----|---|-------|
| | From | Pay | To | | |
| | 0 | | 2 | Top Soil | |
| | 2 | | 7 | Sand Fine w/Little Sandy Clay Mixed | |
| | 7 | | 14 | Tan Sandy Clay w/some Caliche Mixed | |
| | 14 | | 32 | Brown Clay | |
| | 32 | | 38 | Tan + White Clay | |
| | 38 | | 107 | Brown Sandy Clay | |
| | 107 | | 118 | Sand Fine Med Some Course | |
| | 118 | | 137 | Sand Fine Med Course Few Small Gravel | |
| | 137 | | 188 | Brown Sandy Clay | |
| | 188 | | 197 | Sand Fine Med Course | |
| | 197 | | 201 | Brown Sandy Clay | |
| | 201 | | 218 | Sand Fine Med Course w/Clay Layers | |
| | 218 | | 237 | Brown Sandy Clay | |
| | 237 | | 241 | Sand Fine Med Course | |
| | 241 | | 269 | Brown Clay "Sticky" | |
| | 269 | | 273 | Sand Fine Med Course | |
| | 273 | | 325 | Brown Clay "Sticky" w/Few Thin Sand Strips | |
| | 325 | | 333 | Sand Fine Med | |
| | 333 | | 341 | Brown Clay | |
| 25 | 341 | 5 | 349 | Sand Fine Med Course w/couple clay Strips | |
| | 349 | | 358 | Brown Clay | |
| 20 | 358 | 46 | 404 | Sand Fine Med Course w/Few Clay Layers | |
| | 404 | | 410 | Tan Clay | |
| 30 | 410 | 41 | 451 | Sand Fine Med Course w/Tan + Brown Rock + Couple clay Layers | |
| 15 | 451 | 9 | 460 | Sand Fine Med Course w/Few clay Layers "Drilled Little Tight" | |
| | 460 | | 470 | Tan Clay | |
| 10 | 470 | 13 | 483 | Fine Med w/Few clay Strips | |
| 30 | 483 | 7 | 490 | Sand Fine Med Course w/Brown Rock | |
| | 490 | | 494 | Tan Clay | |
| 35 | 494 | 27 | 521 | Sand Fine Med Course w/Brown Rock | |
| | 521 | | 535 | Yellow Soapstone + Few False Red Bed Strips | |
| 10 | 535 | 25 | 560 | Sandstone + Few Soapstone Layers "Used Some Water" | |
| | 560 | | 580 | Red Bed | |
| | | | | Max Gel | -3 |
| | | | | Hole Plug | -6 |
| | | | | Perma Plug | -1 |
| | | | | 4 3/4 Drag T3 hole | -1 |

4 Leaf Clover Farms, Ltd. / Lelia Hurlburt

Test Hole # 1 of 4-21-22
NE 28-29-40 ST
FILE # 23567

Legend

 37.50429 N 101.69841 W

 37.50429 N 101.69841 W

Google Earth

4000 ft



| INPUTS | |
|---|-------------|
| Target Section Definition | |
| Section | 28 |
| Township | 29 |
| Range | 40 |
| Range Direction | w |
| Target Point Coordinates (NAD27 or NAD83) | |
| Target Longitude | -101.698410 |
| Target Latitude | 37.504290 |

Load Data and Compute

- Instructions**
1. Enter values for section, township, range and range direction.
 2. Enter **NAD27** or **NAD83** longitude and latitude of target point.
 3. Click "Load Data and Compute" button.
 4. Use feet distances corresponding to datum of target point.

| Loaded Section Data From LEOBASE using NAD83 | | |
|--|------------------------|----------------------|
| Corner | Corner Latitudes | Corner Longitudes |
| SW | 37.49016211 | -101.70821188 |
| NW | 37.50473389 | -101.70796814 |
| NE | 37.50465795 | -101.68974890 |
| SE | 37.49025331 | -101.68994654 |
| Degrees Longitude per Foot | | 3.44676985E-06 |
| Degrees Latitude per Foot | | 2.74632993E-06 |
| Target Point Distances from Corners using NAD83 | | |
| Corner | Feet North(+)/South(-) | Feet East(-)/West(+) |
| SW | 5144 | -2844 |
| NW | -162 | -2773 |
| NE | -134 | 2513 |
| SE | 5111 | 2455 |

Target point is In Section

| Loaded Section Data From LEOBASE using NAD27 | | |
|--|------------------------|----------------------|
| Corner | Corner Latitudes | Corner Longitudes |
| SW | 37.49014300 | -101.70776400 |
| NW | 37.50471500 | -101.70752000 |
| NE | 37.50463900 | -101.68930100 |
| SE | 37.49023400 | -101.68949900 |
| Degrees Longitude per Foot | | 3.44676897E-06 |
| Degrees Latitude per Foot | | 2.74598553E-06 |
| Target Point Distances from Corners using NAD27 | | |
| Corner | Feet North(+)/South(-) | Feet East(-)/West(+) |
| SW | 5152 | -2714 |
| NW | -155 | -2643 |
| NE | -127 | 2643 |
| SE | 5119 | 2585 |

Target point is In Section

| Difference (NAD83 Minus NAD27) | | |
|--------------------------------|------------------------|----------------------|
| Corner | Corner Latitudes | Corner Longitudes |
| SW | 0.00001911 | -0.00044788 |
| NW | 0.00001889 | -0.00044814 |
| NE | 0.00001895 | -0.00044790 |
| SE | 0.00001931 | -0.00044754 |
| Difference (NAD83 Minus NAD27) | | |
| Corner | Feet North(+)/South(-) | Feet East(-)/West(+) |
| SW | -7.60444120 | -129.94126146 |
| NW | -6.85886160 | -130.01671240 |
| NE | -6.88417970 | -129.94842573 |
| SE | -7.67310988 | -129.84396551 |