Kansas Department of Agriculture Division of Water Resources

CHANGE: PU WORKSHEET

| 1. File Number: | 2. Status Change Date: | 3. Change Num: | 4. Field Office: | 5. GMD: |
|---|----------------------------|--------------------------|--|------------------------------------|
| 26150 | 2-22-2022 | C1 | 04 | 03 |
| 6. Status: Approved Deni | ed by DWR/GMD | Dismiss by Reques | t/Failure to Return | 7. Filing Date of Change: |
| | | | | 2/7/2022 |
| 8a. Landowner, applicant, WUC New to system □ | Person ID 64148 Add Seq# 1 | 8c. applicant, New to sy | | Person IDAdd Seq# |
| GREEN PLAINS CATTLE 19016 ROAD I KISMET KS 67859-6026 | COLLC | | | |
| 8b. Landowner(s) New to system □ | Person ID Add Seq# | 8d. WUC New to sy | stem □ | Person IDAdd Seq# |
| 9. Documents and Enclosure(s): ☑ DV ☐ Anti-Reverse Meter ☐ Meter : ☐ Conservation Plan Date Require | | □ N & P Form | | Comply: H & E Letter Comply: |
| 10. Use Made of Water From: | | To: _ | | |
| | | | Date Prepared: 02/22 Date Entered: | /2022 By: MAM By: |

| File No. 26150 | 11. County: SV | V E | Basin: Cl | MARF | | Stream: | | | | | | | | | Fo | rmation Cod | e: | Special Use: | | |
|--|-----------------------|------------|-----------|-----------|-----------|-----------|--------|-----------|-----------|-----------|-----------|-----------|-------------|-----------|---------------|-------------|----------|--------------|------|---------------------|
| 12. Points of Diversion | | | | | | | | | | | | | Rate a | and Qu | antity | | | | | |
| CHK MOD | | | | | | | | | | | | | А | uthori | zed | | A | dditional | | |
| DEL PDIV ENT Qualifier | S T | R | ID | | N | 'W | | Com | ment (| (AKA I | _ine) | | Rate gpm | | Quantit af | У | Rate | 2 | | verlap PD Files |
| CHK 25154 | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |
| 13. Storage: Rate NF | | | | | | | | | | | | | | | | | | | | |
| 14. Limitation: | af/yr at | | | | gpm (_ | | | | cfs) wh | hen co | mbine | d with | file nu | ımber(| s) | | | | | |
| Limitation: | af/yr at _ | | | | gpm (_ | | | | cfs) wh | hen co | mbine | d with | file nu | ımber(| s) | | | | | |
| 15. 5YR Allocation: Allocation | Туре | Start Ye | ar | | 5 YR | Amour | nt | | Amo | ount Ur | nit | _ | Base / | Acres | | _ Co | omment _ | | | |
| 16. Place of Use | | ı | NE¼ | | | NW | 11/4 | | | sv | V¹/4 | | | s | E1⁄4 | | Total | Owner | Chg? | Overlap Files |
| MOD DEL ENT PUSE S T R | | NE NW 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 | | | | |
| ENT 15665 18 32 33 | | | | | | | | | | | | | | | 18 | 39 | 57 | 8A | NO | 16613, 7668, 41286 |
| ENT 27986 19 32 33 | SW 1 | 38 15 | | 20 | | | | | | | | | 5 | | | | 78 | 8A | NO | 16613, 17668, 41286 |
| MOD 2989 20 32 3 | 3W 5 | 11 25 | 40 | 20 | 4 | 20 | 40 | 28 | 4 | 26 | | | 3 | 8 | 37 | 37 | 303 | 8A | NO | 16613, 17668, 41286 |
| ENT 24034 17 32 33 | 3W 1 | 22 34 | 35 | 25 | 1 | | | 1 | 16 | | 8 | 16 | 9 | 39 | 37 | 7 | 250 | 8A | NO | 16613, 17668, 41286 |
| DEL 17824 20 32 3 | 3W 1 | | | | | | | | | | | | | | | | | | | |
| MOD 32336 29 32 | 33W 1 | 22 22 | | | | | | | | , | | | | | | | 44 | 8A | NO | 17668, 17668, 41286 |
| ENT 21 32 3 | 3W | 14 | | | 34 | 2 | 2 | 22 | | | | | | | | | 74 | 8A | NO | 16613,17668, 41286 |
| Base Acres: 130 Year: Comments: ENT 2989 PUS | Minimun | | | | | NITH | I PU | SE I | D 17 | 7824. | . PU | SE I | D 17 | 7824 | WILL | . BE | DEL | | | |

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

February 22,2022

GREEN PLAINS CATTLE CO LLC 19016 ROAD I KISMET, KS 67859-6026

RE:

Field Office Application for Change

Water Right, File Nos. 16613, 17668, 26150, 41286

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 enclosures

pc:

GMD 3

CERTIFICATE OF SERVICE

On this 22nd day of February 2022, I hereby certify that the foregoing Approval of Applications for Change in Place of Use, Water Right, File Nos. 16,613, 26,150, 17,668, and 41,286 dated 22nd day of February 2022 was mailed postage prepaid, first class, US mail to the following:

GREEN PLAINS CATTLE CO LLC 19016 ROAD I KISMET, KS 67859-6026

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 d | liversion a | and/or p | lace o | f use. | | | © 1 € 1 90L 2153200 12 | | , 0 | | | | | | | | RE | ECE | IVED |
|------|-----------------|-------------|-------------|----------|---------|----------|------------------------|---------------|---------|--------|--------|---------|-------------------------------|---------|--------|----------|--------|-------|------------------------------|
| | | | | | | ı | File No | . <u>2615</u> | 0 | | | | | - | | | F | EB 0 | 7 2022 |
| 1. | Applicat | ion is he | ereby r | nade f | or app | | of the O | | ngine | | | the (ch | | ne or b | oth): | | | | Field Office er Resources |
| | under th | e water | right v | vhich is | s the s | ubject | of this | applic | ation i | n acco | ordanc | e with | the co | ndition | s desc | cribed l | oelow. | | |
| | The sou | | | | | | Ground | | | | | ce wat | | | | | | | |
| 2. | Name at 19016 R | OAD I, | KISME | ET, KS | 67859 | 9-6026 | | | TTLE | CO LL | .C | | | | | | | | |
| | Phone N | | | | | | | | | | | | | | | | | | |
| | Name a | nd addr | ess of | Water | Use C | orresp | onder | t: <u>GR</u> | EEN P | LAINS | CAT | TLE C | O LLC | | | | | | |
| | 19016 R | | | | | | | | | | | | | | | | | | |
| | Phone N | | | | | | | | Email | addre | ss: | | | | | | | | |
| 3. | The pres | - | | | | | 1110 0 | A TT1 F | - 00 1 | | | FENIF | | | | | | | |
| | Owner o | | | | | | | | | | | EEN F | LAINS | SINC | | | | | |
| | (If there is | | | | 1811 A | | | | | | | | | | | | | | |
| | (II there is | s more u | lali one | | | Lacii St | ppieme | | | neces | Sary.) | | A | | Ι | | | | |
| | | | - | | =1/4 | | | | V1/4 | | | T | N ¹ / ₄ | | | I | =1/4 | | TOTAL ACRES |
| Se | | Range | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE¼ | NW¼ | SW1/4 | SE¼ | NE1/4 | NW¼ | SW1/4 | SE¼ | 70 |
| 2(| | 33W | | | | | | | | | | | | | | 3 | 35 | 35 | 73 |
| 29 | 9 32 | 33W | 29 | 28 | | | | | | | | - | | | | - | | | 57 |
| 4. | If this ap | f Land - | NA ADDRI | AME: | SEE A | TTAC | HED | | | | | | | | | : | | | |
| | (II tilele is | S IIIOIC LI | lan one | | | tacii sc | ppieme | | | 110003 | Sary.) | | | | | | -4. | | |
| 0- | - T | D | NET | | E1/4 | 051/ | NET | | V1/4 | 051/ | NE1/ | | V1/4 | 051/ | NEW | | E1/4 | 051/ | TOTAL ACRES |
| Se | c. Twp. | Range | NE1/4 | NW1/4 | SW1/4 | SE¼ | NE1/4 | NW1/4 | SW1/4 | SE¼ | NE1/4 | NW¼ | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | |
| | | | | | | | | | | | | | | | | | | | - |
| | | | | | | | | | | | - | | | | | - | | | |
| | • | | | | | | | | | | | | | | | | | | |
| | For Offi | ce Use | Only: | Code | | Fe | e \$_ 8 | 400.6 | TR: | # | | Re | eceipt | Date _ | a-7 | -22 | -Chec | k#_6 | 0400606 |
| | | | | | | | | | | | | | | | | | | | |

| 5. | Presently authorized | | | | |
|------|-----------------------------|--|-----------------|---|--|
| - 1 | One in the | Quarter of the | | Quarter of the | Quarter |
| | | , Township | | | |
| | | County, Kansas, | | | |
| | Authorized Rate | Authorized Quantity _ | | Depth of well | (feet) |
| | (DWR use only: Cor | mputer ID No GPS | S | feet North | feet West) |
| | ☐This point will not be | changed This point will be changed | d as follows: |] No change, point better de | escribed with GPS as follows: |
| | Proposed point of d | iversion: (Complete only if change | e is requeste | d or if existing point is J | etter described by GPS) |
| | One in the | Quarter of the | | Quarter of the | Quarter |
| - 1 | of Section | , Township | | South, Range | W, |
| | in | County, Kansas, | feet North | feet West of S | outheast corner of section. |
| | Proposed Rate | Proposed Quantity | | Proposed well depth (| feet) |
| | This point is: Addi | tional Well | her water righ | ts that will use this point _ | |
| _ | | | | | |
| 6. l | Presently authorized | d point of diversion: | | | |
| ٠. | One in the | Quarter of the | / | Quarter of the | Quarter |
| | | , Township | | | |
| | in | County, Kansas, | feet North | feet West of S | outheast corner of section. |
| | Authorized Rate | Authorized Quantity _ | | Depth of well | (feet) |
| | (DWR use only: Cor | nputer ID No GPS | 5/ | feet North | feet West) |
| | This point will not be | changed This point will be changed | d as follows: | No change, point better de | scribed with GPS as follows: |
| | | iversion: (Complete only if change | | | |
| | | Quarter of the | | | - |
| | | , Township | | | |
| | | County, Kansas, | | | |
| | | Proposed Quantity | | | |
| | | tional Well Geo Center List ot | | | |
| L | This point is | tional vven | ner water right | to triat will age triig point_ | · |
| 7. | The changes herein a | are desired for the following reasons | ? | | |
| | | | | North | |
| | | | 300 | 200 100 0 | 100 200 300 |
| | | | E | | |
| 8. | If a well, is the test hole | e log attached? 🗌 Yes 🛮 No | E | 1 + 1 + 1 | |
| | | ing antaonear | 200 | 1/+ 1 + 1 = | + + = 200 |
| 9. | The change(s) (was)(w | vill be) completed by? | E | / | \ = |
| | 2022 | | 100 | $\frac{1}{1} + \frac{1}{1} + \frac{1}{1} = \frac{1}{1}$ | + + 100 |
| | 2000 000 | | 7 | · · · · <u> </u> | 1 |
| 10. | If the point of diversion | is a well: | ₽ | . 7 . T . E | |
| | (a) What are you goin | g to do with the old well? | West 0 | ajanjanjanjan z a | |
| | | | F | - | |
| | | | 100 | . 1 + 1 + 1 = | $ + + \neq $ 100 |
| | (b) When will this be of | done? | | \ ' ' ' ' | · |
| | | | E | \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ | / = |
| 11. | | nent District recommendation attached | ? 200 | · 1 + = | + + = 200 |
| | Yes | ☐ No | E | | _ /_ = |
| 40 | A : - t | | E. | uluuluuluul uuluu . | |
| 12. | Assisted by MM/GCFO | | 300 | 200 100 0 | 100 200 300 |
| 13a | | diversion will be relocated more than 3 | | South | Scale: 1 hashmark=10 ft |
| | feet but within 2,640 fee | et of the existing point of diversion, atta | ch 13b.If the | proposed point of diversion | will be relocated within a 30 |
| | sources, show all wells | r aerial photograph. For groundwa (including domestic) within one-half m | ile on the | e diagram shown above in | f diversion, indicate its locatio relation to the existing point of |

a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile 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

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

FILE NO. 26150

MAKE ADDITIONAL COPIES AS NECESSARY

RECEIVED
FEB 07 2022

Garden City Field Office

File No. _____

| O | ontinue wner o | f Land - | NA | | | ou piuc | e or u | | | | | | | | | | sion of | | |
|--|----------------------|---|-------------------------------|---|--|---|---|------------------------------|-------------------------------------|-------------------------------|-------------------------|--------------------------------|------------------|----------------|-----------------|--------------------|--|------------------|--|
| | | | | NE | E1/4 | | | NV | N1/4 | | | SV | V1/4 | | | SI | Ξ1/4 | | TOTAL |
| Sec. | Twp. | Range | NE1/4 | NW¼ | | SE¼ | NE¼ | NW¼ | SW1/4 | SE¼ | NE¼ | NW¼ | SW1/4 | SE1/4 | NE1/4 | NW1/4 | | SE¼ | ACRES |
| | | | | | | | | | | | | | | | | | | | |
| O | wner o | f Land - | NA ADDRI | | | | | | | | | | | | | | | | |
| | | | | NE | Ε1/4 | | | NV | V¹/4 | | | SV | V1/4 | | | SI | Ξ1/4 | | TOTAL |
| 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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| | | | | | | | | / | | | | | | | | | | | |
| 0 | wnor o | f Land - | NI/ | \ | | | | / | | | | | | | | | | | |
| 0 | wilei o | | | ESS: | | | 7 | | | | | | | | | | | | |
| | | | | | | | | | | | 1 | - | | | | | | | |
| | - | _ | | | Ε1⁄4 | / | | | V1/4 | 0.544 | | | V1/4 | 054/ | NE4/ | | E1/4 | 051/ | TOTAL ACRES |
| Sec. | Twp. | Range | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE¼ | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | |
| | | | | | | / | | | | | - | | | | | | | | *************************************** |
| | | | | | / | | | | | | | | | | | | | | |
| | | d: If th | | | | | | | | | | | | | use be | chang | ged to: | | |
| | | f Land - | NA | | GREE | N PLA | INS C | ATTLE | E CO L | LC,Att | n: GR | | | | use be | chang | ged to: | | |
| | | f Land - | NA | AME: ESS: | GREE | N PLA | INS C | ATTLE DR,OM | E CO L | LC,Att | n: GR | EEN P | | | use be | | ged to: | | TOTAL |
| | | f Land - | ADDRI | AME: ESS: NE | GREE 1811 A | N PLA AKSAF | INS C | ATTLE DR,OM | ECOL MAHA, M¼ | NE 68 | n: GR | EEN P | V¼ | | use be | SI | Ξ½ | SE1/4 | TOTAL ACRES |
| O ¹ | wner o | f Land - | ADDRI | AME: ESS: NE | GREE 1811 A | N PLA AKSAF | INS C | ATTLE DR,OM | ECOL MAHA, | NE 68 | tn: GR 3108 | SV | V¼ | SINC | | SI | Ξ½ | | |
| O Sec. | wner o | f Land - | ADDRI | NW1/4 | GREE 1811 A E1/4 SW1/4 | N PLA AKSAF SE1/4 | NE1/4 | ATTLE DR,OM | ECOL MAHA, | NE 68 | tn: GR 3108 NE1/4 | SV | V¼ SW¼ | S INC | NE1/4 | SI NW¼ | =1/4 SW1/4 | SE1/4 | ACRES |
| Sec. 17 | Twp. | Range 33W | ADDRI | NW1/4 | GREE 1811 A E1/4 SW1/4 | N PLA AKSAF SE1/4 | NE1/4 | ATTLE DR,OM | ECOL MAHA, | NE 68 | tn: GR 3108 NE1/4 | SV | V¼ SW¼ | S INC | NE1/4 | SI NW¼ | 5W1/4 37 | SE1/4 7 | ACRES 250 |
| Sec. 17 18 19 | Twp. 32 32 32 | Range 33W 33W 33W | NE½ 22 38 | NW/4 34 | GREE 1811 / SW/4 35 | N PLA AKSAF SE¼ 25 | NE1/4 | ATTLE DR,OM | ECOL MAHA, | NE 68 | tn: GR 3108 NE1/4 | SV | V¼ SW¼ | S INC | NE1/4 9 | SI NW¼ | 5W1/4 37 | SE1/4 7 | 250 57 |
| Sec. 17 18 19 | Twp. 32 32 32 | Range 33W 33W 33W | NE½ 22 38 | NE NW/4 34 15 AME: | GREE 1811 / 5W/ 35 same | N PLA AKSAF SE¼ 25 | NE1/4 | ATTLE DR,OM NV NW/4 | E CO L | NE 68 | tn: GR 3108 NE1/4 | SV NW¼ | V/4 SW/4 8 | S INC | NE1/4 9 | SI NW% 39 | SW½ 37 18 | SE1/4 7 | 250 57 78 |
| Sec. 17 18 19 | Twp. 32 32 32 wner o | Range 33W 33W 33W | NE% 22 38 ADDRI | NE: NW1/4 34 15 AME: ESS: NE | GREE 1811 / SW1/4 35 same : | N PLA AKSAF SE¼ 25 20 as abo | NE% 1 | NW/4 | SW1/4 | LC,Att | NE1/4 16 | SV | V/4 SW/4 8 | SE1/4 16 | NE1/4 9 5 | SI NW'/4 39 SI | 5W½ 37 18 | SE1/4 7 39 | 250 57 |
| Sec. 17 18 19 O | Twp. 32 32 32 wner o | Range 33W 33W 33W f Land | NE1/4 22 38 NE1/4 ADDRI | NE: NW/4 34 15 AME: ESS: NE: NW/4 | GREE 1811 / SW/4 35 same : | N PLA AKSAF SE¼ 25 20 as abo | NE% | NW/4 | SW% | SE1/4 SE1/4 | NE1/4 NE1/4 | SV NW% | V/4 SW/4 8 | S INC | NE½ 9 5 | SI NW% | 5W% 37 18 | SE¼ 7 39 SE¼ | 250 57 78 TOTAL ACRES |
| Sec. 17 18 19 O | Twp. 32 32 32 wner o | Range 33W 33W 33W f Land Range | NE% 22 38 ADDRI | NE: NW/4 34 15 AME: ESS: NE NW/4 25 | GREE 1811 / SW1/4 35 same : | N PLA AKSAF SE¼ 25 20 as abo | NE% NE% NE% A | NV NW/4 | SW% SW% SW% SW% | LC,Att NE 68 SE1/4 1 SE1/4 28 | NE1/4 16 | SV | V/4 SW/4 8 | SE1/4 16 | NE1/4 9 5 | SI NW'/4 39 SI | 5W½ 37 18 | SE1/4 7 39 | 250 57 78 TOTAL ACRES 303 |
| Sec. 17 18 19 O' Sec. 20 21 | Twp. 32 32 wner o | Range 33W 33W 33W FLand Range 33W 33W | NE½ 22 38 ADDRI NE½ 11 | NE: NE: | GREE 1811 / SW/4 35 same : | N PLA AKSAF SE¼ 25 20 as abo | NE% | NW/4 | SW% | SE1/4 SE1/4 | NE1/4 NE1/4 | SV NW% | V/4 SW/4 8 | SE1/4 16 | NE½ 9 5 | SI NW% | 5W% 37 18 | SE¼ 7 39 SE¼ | 250 57 78 TOTAL ACRES 303 74 |
| Sec. 17 18 19 O | Twp. 32 32 32 wner o | Range 33W 33W 33W f Land Range | NE1/4 22 38 NE1/4 ADDRI | NE: NW/4 34 15 AME: ESS: NE NW/4 25 | GREE 1811 / SW/4 35 same : | N PLA AKSAF SE¼ 25 20 as abo | NE% NE% NE% A | NV NW/4 | SW% SW% SW% SW% | LC,Att NE 68 SE1/4 1 SE1/4 28 | NE1/4 NE1/4 | SV NW% | V/4 SW/4 8 | SE1/4 16 | NE½ 9 5 | SI NW% | 5W% 37 18 | SE¼ 7 39 SE¼ | 250 57 78 TOTAL ACRES |
| Sec. 17 18 19 O | Twp. 32 32 wner o | Range 33W 33W 33W F Land Range 33W 33W 33W 33W | NE% 22 38 NE% 11 22 NE% 22 | NE: NW1/4 34 15 AME: ESS: NE NW1/4 25 14 22 | SAME : SW1/4 SW1/4 | N PLA AKSAF SE¼ 25 20 as abo | NE% NE% NE% A | NV NW/4 | SW% SW% SW% SW% | LC,Att NE 68 SE1/4 1 SE1/4 28 | NE1/4 NE1/4 | SV NW% | V/4 SW/4 8 | SE1/4 16 | NE½ 9 5 | SI NW% | 5W% 37 18 | SE¼ 7 39 SE¼ | 250 57 78 TOTAL ACRES 303 74 |
| Sec. 17 18 19 O | Twp. 32 32 wner o | Range 33W 33W 33W F Land Range 33W 33W 33W 33W | NE% 22 38 NE% 11 22 NE% 22 | NE: | SAME : SW1/4 SW1/4 | N PLA AKSAF SE¼ 25 20 as abo | NE% NE% NE% A | NV NW/4 | SW% SW% SW% SW% | LC,Att NE 68 SE1/4 1 SE1/4 28 | NE1/4 NE1/4 | SV NW/4 SV NW/4 26 | V/4 SW/4 8 | SE1/4 16 | NE½ 9 5 | SI NW/4 8 | 5W% 37 18 | SE¼ 7 39 SE¼ | 250 57 78 TOTAL ACRES 303 74 |
| Sec. 17 18 19 O | Twp. 32 32 wner o | Range 33W 33W 33W F Land Range 33W 33W 33W 33W | NE½ 22 38 NE½ 11 22 NE½ ADDRI | NE NW/4 34 15 NE NW/4 25 14 22 AME: ESS: NE | SAME : SW% 40 40 E% | N PLA AKSAF 25 20 as abo | NE% NE% A A A A A A A A A A A A A | NV/A NV/A NV/A NV/A NV/A | SW1/4 SW1/4 SW1/4 SW1/4 SW1/4 SW1/4 | SE1/4 1 SE1/4 28 22 | NE1/4 16 NE1/4 4 | SV NW% | V/4 SW/4 8 | SE1/4 16 SE1/4 | NE½ 9 5 | SI NW% 39 SI NW% 8 | 5W/ ₄ 37 18 5W/ ₄ 37 37 37 37 37 | SE¼ 7 39 SE¼ 37 | 250 57 78 TOTAL ACRES 303 74 44 |
| Sec. 17 18 19 Or Sec. 20 21 29 Or Sec. 20 Or Sec. 20 Or Sec. 21 29 Or Sec. 20 | Twp. 32 32 wner o | Range 33W 33W 33W f Land Range 33W 33W 33W f Land | NE½ 22 38 NE½ 11 22 NE½ ADDRI | NE: | SAME : SW% 40 40 E% | N PLA AKSAF 25 20 as abo | NE% NE% A A A A A A A A A A A A A | NV/A NV/A NV/A NV/A NV/A | SW% SW% SW% | SE1/4 1 SE1/4 28 22 | NE1/4 16 NE1/4 4 | SV NW% | V/4 SW/4 8 | SE1/4 16 SE1/4 | NE½ 9 5 | SI NW% 39 SI NW% 8 | SW% 37 18 SW% 37 37 SW% 37 | SE¼ 7 39 SE¼ 37 | 250 57 78 TOTAL ACRES 303 74 44 |
| Sec. 17 18 19 Or Sec. 20 21 29 Or Sec. 20 Or Sec. 21 29 Or Sec. 20 Or Sec. 21 29 Or Sec. 20 Or Sec. 20 Or Sec. 21 29 Or Sec. 20 Or Sec. 21 29 Or Sec. 21 20 | Twp. 32 32 wner o | Range 33W 33W 33W f Land Range 33W 33W 33W f Land | NE½ 22 38 NE½ 11 22 NE½ ADDRI | NE NW/4 34 15 NE NW/4 25 14 22 AME: ESS: NE | SAME : SW% 40 40 E% | N PLA AKSAF 25 20 as abo | NE% NE% A A A A A A A A A A A A A | NV/A NV/A NV/A NV/A NV/A | SW% SW% SW% | SE1/4 1 SE1/4 28 22 | NE1/4 16 NE1/4 4 | SV NW% | V/4 SW/4 8 | SE1/4 16 SE1/4 | NE½ 9 5 | SI NW% 39 SI NW% 8 | SW% 37 18 SW% 37 37 SW% 37 | SE¼ 7 39 SE¼ 37 | 250 57 78 TOTAL ACRES 303 74 44 |

Page _____

DWR 1-121-2 (Revised 5/1/2019)

| 14. If the proposed groundwater point of diversion is 30 | 0 or fewer feet from | the existing point of diver | rsion, complete the f | ollowing: |
|--|---|---|---|---------------------------------|
| (a) Does the undersigned represent all owners of t ☐ Yes ☐ No (If no, all owners mu | | | ied in this application | n? |
| (b) Will the ownership interest of any owner of the affected if this application is approved as reque ☐ Yes ☐ No (If yes, all owners means the content of the affected in the af | ested? | | ed in this application | n be adversely |
| (c) If this application is not approved expeditiously. ☐ Yes ☐ No (If no, all owners mu | | | , public health or saf | ety? |
| If the application proposes a surface water change in poor a change in place of use, the application must be sign agent (attach notarized statement authorizing representation) | ned by all owners of | | | |
| I hereby verify, being first duly sworn upon my age and the owner, the spouse of the owner, or their behalf, in regards to the water right(s) to contained in this application are true, correct a | r a duly authorize which this applic nd complete. | d agent of the owner ation pertains. I fur | (s) to make this a ther verify that th | application on ne statements |
| Dated at Kismet | , Kansas, this | day of <u>Fel</u> | zruary | _, 20 <u>22</u> |
| Grand Plain - Cottle Commerce 1 | 16 M. M. V. | 1/2/1/2: | | |
| Green Plains Cattle Company | it, my mine | verti | (Spouse) | |
| Mike Veltri (Please Print) | | (P | lease Print) | |
| (Owner) | |) | (Spouse) | |
| (Please Print) | | (P | lease Print) | |
| (Owner) | | j | (Spouse) | |
| (Please Print) | | (P | lease Print) | |
| State of Kansas | | | | |
| County of SEWARD | | | | ith |
| I hereby certify that the foregoing application wof <u>february</u> , 20 121. | vas signed in my | presence and sworn | to before me this | s 43 day |
| NOTARY PUBLIC - State of Kar BARBARA J. CALL My Commission Expires My Appt. Expires 5-2-22 | 1903 | WW OCL Not | ary Public | |
| ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. accurate information; maps, if necessary, must be included; sig the appropriate fee must be paid. | | | | |
| | FEE SCHEDULE | | | |
| Each application to change the place of use or the point forth in the schedule below: Make checks payable to: K (1) Application to change a point of diversion 30 (2) Application to change a point of diversion m (3) Application to change the place of use | Kansas Department 00 feet or less ore than 300 feet | of Agriculture | | \$100 \$200 |
| (3) Application to change the place of use | | RECEIV FEB 07 2 | ED 2022 | |
| - the state of the | | | | |
| DWR 1-121 (Revised 09/11/2019) | Page 3 | Garden City Fie | eld Office File N | 10 |

Garden City Field Office Division of Water Resources

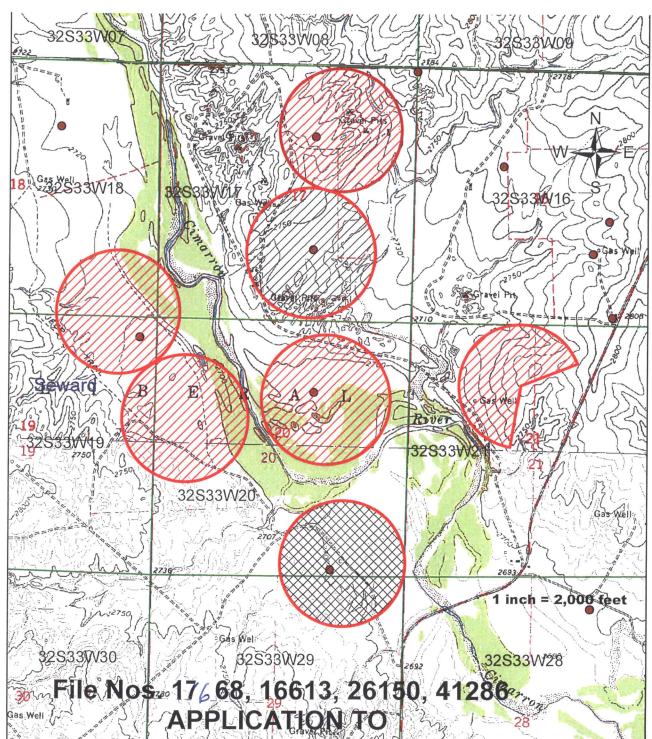
SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

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. 26150 change application was received on <u>Feliphary</u>, 2022 requesting that the place of use diversion authorized under the above-referenced file number be changed as described in the application. 2022 requesting that the place of use and / or point of A change application was received on On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on 2. the topographic map accompanying the application to change the place of use. Applicable ☐ Not Applicable The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as 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 The point(s) of diversion authorized herein shall not actually be located more than _ authorized point(s) of diversion.

Applicable Not Applicable feet from the previously 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 The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before **December 31, 20**, 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 Installation of the works for diversion of water shall be completed on or before December 31, 20_ authorized extension of time. By March 1, 20 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. Not Applicable Applicable 9. The completed well log shall be submitted with the required notice. ☐ Applicable Mot 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 \subseteq Not Applicable 11. Additional Conditions are attached. ☐ Yes 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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 Duly Authorized Designes of the Chief Engineer administrative review by the Secretary must be filed within 30 MICHAEL A. MEYER days pursuant to K.S.A. 77-531. Any request for administrative (Print Name): Division of Water Resources - Kansas Department of Agriculture review must state a basis for review pursuant to K.S.A. 77-527. File any request with Kansas Department of Agriculture, Date of Issuance: Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Funne Acknowledged before me on F by Michael Notary Public My commission expi SUE KEENY NOTARY MVNotaintn@etallxpires June 8, 2022

File No.



CHANGE THE PLACE OF USE \\\\ AUTHORIZED PLACE OF USE \\\\\ PROPOSED PLACE OF USE

RECEIVED
FEB 07 2022

Garden City Field Office Division of Water Resources



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

February 15, 2022

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

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FEB 1 5 2022

Applications for Change in Place of Use

Water Right, File Nos. 16613, 17668, 26150 & 41286

Reallocation, Water Right 17668

Garden City Field Office Division of Water Resources

Dear Mike:

RE:

We have completed a review of the applications for the above referenced water rights. The proposed change in place of use 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 make a complete overlap and increases base acres by 10 acres in accordance with K.A.R. 5-5-11(b).

The proposed change in allocation between the wells under Water Right 17668 meets the criteria set forth in K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells. These two wells have had reallocation applications approved in the recent past. Each time the analysis showed possible effects within our guidelines. The most recent reallocation approved does not give us enough history for an analysis. It is also noted that this proposed reallocation will only change the original certified amounts by a minimal amount and would more than likely be minimal effects for the area.

After review of all this information, 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

GMD3 Change Review

| File No(s).: 16613, 17668, 26150 & 41286. | DWR office: <u>GC</u> . |
|---|-------------------------|
| App filed to change: PU & reallocation. | |
| Is Landowner(s) correct in WRIS: <u>Green Plains Cattle Co LLC.</u> | |
| 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 No(s) being changed. | |
| | |
| ft. North ft. West | |
| Authorized PD | |
| Proposed PD | |
| Difference 0 0 | |
| a2 + b2 = c2 0 0 | |
| GPS for proposed PD: Lat: Long: | |
| Is proposed PD stacking on existing WRs? No new wells, but 1 | 7368 is applying to |
| reallocate between the two wells under the WR. | |
| Is Proposed PU overlapping existing WRs? <u>Making a complete</u> | overlap and rearranging |
| the acres to better suit the operation. | |
| Neighboring certified well(s) notified: | |
| Name | |
| Address | |
| Zip | |
| Email: Phone: | |
| Domestic well(s) notified: | |
| Name | |
| Address | |
| Zip | |
| | |
| Base Acres: | |
| Perfected Acres: | |
| Irr. Return-Flow% | |
| 16613: 5000N 300W, 19-32-33, 292AF @ 830gpm, 264base | |
| 63acres, SE of section 18 | |
| 135acres, NE & SE of section 19 | |
| 186acres, in section 20 | |
| 17668: ID01 3800N 2100W, 17-32-33, 310AF @ 855gpm, 265l | oase |
| ID 02 1450N 2100W, 17-32-33, 135AF @ 895gpm | |
| 272acres in section 17 | |
| Also proposing to redistribute the allocation between the two | wells under this WR. |
| Proposed: | |

GMD3 Change Review

ID01, 222.5AF @ 855gpm [87.5AF decrease] Prior to 2019 change, 210AF ID02, 222.5AF @ 895gpm [87.5AF increase] Prior to 2019 change, 235AF

26150: 200N 1500W, 20-32-33, 260AF @ 845gpm, 130base

73acres SE of section 20 57acres NE of section 29

41286: 3880N 1920W, 20-32-33, 240AF @ 1000gpm

**Same acres as 16613. Changes approved in 2019 for complete overlap. Proposing 806 total acres. 1237AF/806 = 1.5AF/acre.

Is a waiver needed: The change in PU increase base acres by the 10acres allowed and will make a complete overlap. The reallocation is moving authority back to very similar to how it was originally. Looking at how it was certified, we are moving a very small amount (roughly 12AF). Not enough time since the last reallocation to really determine if there will be effects since then.

Recommendation: <u>after review of all available information</u>, it appears that the proposal meets current area rules. When going back to certificate for 17668, we are dealing with a small amount in the reallocation and is hard to do analysis since the previous changes really were not in place long enough to get good data on the possible effects to the area. Also, the previous analysis showed possible effects within our guidelines. Staff therefore recommends approval of the applications.

RECEIVED

FEB 1 5 2022

Garden City Field Office Division of Water Resources Water Rights and Points of Diversion Within 1 mile of point defined as: 3800 Feet N and 2100 Feet W of the Southeast Corner of Section 17 Twp 32S Rng 33W Located at: 100.930080 West Longitude and 37.267676 North Latitude Both SURFACE WATER and GROUNDWATER

| ==== | | === | ==== | | | | | ===: | | | | | | | | | | | | |
|------|-----------|-----|------|------|------|-------|---------------|------|------|----|----|-------|-------|-----|-----|-----|---------|-----------|----------|--|
| File | Number | 1 | Use | ST | SR | Dist | (ft) | Q4 | Q3 | Q2 | Q1 | FeetN | FeetW | Sec | Twp | Rng | ID Batt | Auth_Quan | Add_Quan | |
| Unit | | | | | | | | | | | | | | | | | | 221 | 2.5 | |
| A | 17668 | 00 | IRR | NK | G* | 1 | > 6 | | NC | W2 | NE | 3800 | 2100 | 17 | 32 | 33W | 1 | | 310.00 | |
| AF | | | | | | | | | | | | | | | | | | ë | 22.5 | |
| Same | | | | | | | 2351 | | SW | NW | SE | 1450 | 2100 | 17 | 32 | 33W | 2 | | 135.00 | |
| AF | | | | | | | | | | | | | | | | | | | | |
| A | 26620 | 00 | IRR | NK | G | | 5216 | | NW | SW | NE | 3900 | 2000 | 18 | 32 | 33W | 1 | 272.00 | 272.00 | |
| AF | | | | | | | | | | | | | | | | | | | | |
| A | 27288 | D1 | IRR | NK | G | | 3395 | | | NC | SW | 1300 | 3980 | 8 | 32 | 33W | 3 | 262.00 | 262.00 | |
| AF | | | | | | | | | | | | | | | | | | | | |
| A | 28014 | 00 | STK | NK | G | | 2511 | | NW | NW | NW | 5150 | 5271 | 16 | 32 | 33W | 6 | 100.00 | .00 | |
| AF | | | | | | | | | | | | | | | | 1 | | | | |
| Same | | | | | | | 3987 | | SW | SE | NW | 3226 | 3394 | 16 | 32 | 33W | 5 ; | 278.25 | .00 | |
| AF | | | | | | | | | | | | | | | | | _ / | | | |
| A | 39722 | 00 | STK | NK | G | | 2511 | | NW | NW | NW | 5150 | 5271 | 16 | 32 | 33W | (6) | 311.00 | 176.09 | |
| AF | | | | | | | | | | | | | | | | | | | | |
| ==== | | === | ==== | | | | | === | ===: | | | | | | | | | | | |
| Tota | l Net Qua | ant | itie | es A | Autl | horiz | ed: | Di | rect | t | | Sto | orage | | | | | | | |
| Tota | l Request | ted | Amo | ount | t {/ | AF) = | | | .00 |) | | | .00 | | | | | Ann | | |
| Tota | l Permit | ted | Amo | ount | t (2 | AF) = | | | .00 |) | | | .00 | | < | 50 | acing | mst | 2013 | |
| Tota | l Inspec | ted | Amo | ount | t () | AF) = | | | .00 |) | | | .00 | | | 1 | , | | · | |
| Tota | l Pro_Ce: | rt | Amo | ount | t (2 | AF) = | | | .00 |) | | | .00 | | | | | MET | | |
| Tota | l Certif: | ied | Amo | ount | t (2 | AF) = | | 115 | 5.0 | 9 | | | .00 | | | | | | | |
| Tota | l Vested | | Amo | oun | t (2 | AF) = | | | .00 |) | | | .00 | | | | | | | |
| TOTA | L .AMOUNT | | | | (2 | AF) = | | 115 | 5.0 | 9 | | | .00 | | | | | | | |

An * after the source of supply indicates a pending application for change under the file number. An * after the ID indicates a 15 AF exemption was granted under the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the

The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1 mile of point defined as: 3800 Feet North and 2100 Feet West of the Southeast Corner of Section 17 Twp 32S Rng 33W Located at: 100.930080 West Longitude and 37.267676 North Latitude Both SURFACE WATER and GROUNDWATER WATER USE CORRESPONDENTS:

File Number Use ST SR > GREEN PLAINS CATTLE CO LLC > 19016 ROAD I > KISMET KS 67859 >-----> BOLES LAND & CATTLE LP > PO BOX 1595 > LIBERAL KS 67905 > FRANZ LAND CO (SEWARD) > J H HAY > PO BOX 2707 > LIBERAL KS 67905 >-----GREEN PLAINS CATTLE CO LLC

> 19016 ROAD I > KISMET KS 67859 Water Rights and Points of Diversion Within 1 mile of point defined as: 1450 Feet N and 2100 Feet W of the Southeast Corner of Section 17 Twp 32S Rng 33W Located at: 100.930080 West Longitude and 37.261222 North Latitude Both SURFACE WATER and GROUNDWATER

| | | ==== | | | | | ===: | ===: | | | | | ==== | | | | ==== | -~ | ****** |
|-------|------------|------|------|--------------|--------------|-------------------|------|------|------|-----|-------|----------|------|-----|-----|----|------|-----------|--------------------|
| File | Number | Use | ST | SR | Dist | (ft) | Q4 | Q3 | Q2 | Q1 | FeetN | FeetW | Sec | Twp | Rng | ID | Batt | Auth_Quan | Add_Quan |
| Unit | | | | | | | | | | | | | | | | | | _ | _ |
| A | 16613 00 | IRR | NK | G | | 4059 | | NE | NE | NE | 5000 | 300 | 19 | 32 | 33W | 1 | | 292.00 | 292.00 |
| AF | | | | | | | | | | | | | | | | | | | |
| A | 17668 00 | IRR | NK | G* | \leftarrow | >> 6 | | SW | NW | SE | 1450 | 2100 | 17 | 32 | 33W | 2 |) | 135.00 | 135-00 |
| AF | | | | | | | | | | | | | | | - | | | 287. | SAF leach |
| Same | | | | | | 2351 | | NC | W2 | NE | 3800 | 2100 | 17 | 32 | 33W | 1 | | 310,00 | 310.0 0 |
| AF | | | | | | | | | | | | | | | | | | | |
| A | 28014 00 | STK | NK | G | | 4286 | | NW | NW | NW | 5150 | 5271 | 16 | 32 | 33W | 6 | | 100.00 | .00 |
| AF | | | | | | | | | | | | | | | | | | | |
| Same | | | | | | 4351 | | SW | SE | NW | 3226 | 3394 | 16 | 32 | 33W | 5 | | 278.25 | .00 |
| AF | | | | | | | | | | | | | | | | | | | |
| A | 39722 00 | STK | NK | G | | 4286 | | NW | NW | NW | 5150 | 5271 | 16 | 32 | 33W | 6 | | 311.00 | 176.09 |
| AF | | | | | | | | | | | | 12/12/12 | | | | | | | |
| | 41286 00 | IRR | NK | G | | 2966 | | NE | SW | NE | 3880 | 1920 | 20 | 32 | 33W | 4 | | 240.00 | 240.00 |
| AF | | | | | | | | | | | | | | | | | | | |
| ==== | | | ===: | ==== | | | | ===: | ===: | === | | | | EEE | | | | | |
| | l Net Quan | | | | | | Di | | | | Sto | orage | | | | | | 1 | |
| | l Requeste | | | | | | | .00 | 5 | | | .00 | | 11 | ac | ,7 | - / | APDeul | > |
| Tota | l Permitte | d Am | ount | : (<i>I</i> | AF) = | | | .00 | 0 | | | .00 | | 1 | | 0 | , | 100 | |
| Tota | l Inspecte | d Am | ount | : (Z | AF) = | | | .00 |) | | | .00 | | | | | | Appear | |
| Tota | l Pro_Cert | Am | ount | (1 | AF) = | | | .00 | 0 | | | .00 | | | | | | ~ ~ / | |
| Tota. | l Certifie | d Am | ount | - (<i>I</i> | AF) = | | 115 | 3.0 | 9 | | | .00 | | | | | | | |
| Tota | l Vested | Am | ount | (1 | AF) = | | | .00 | 0 | | | .00 | | | | | | | |
| TOTA | L .AMOUNT | | | (7 | AF) = | | 115 | 3.09 | 9 | | | .00 | | | | | | | |

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An * after the ID indicates a 15 AF exemption was granted under the file number.

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The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1 mile of point defined as: 1450 Feet North and 2100 Feet West of the Southeast Corner of Section 17 Twp 32S Rng 33W Located at: 100.930080 West Longitude and 37.261222 North Latitude Both SURFACE WATER and GROUNDWATER WATER USE CORRESPONDENTS:

File Number Use ST SR GREEN PLAINS CATTLE CO LLC > 19016 ROAD I > KISMET KS 67859 >-----> GREEN PLAINS CATTLE CO LLC > 19016 ROAD I > KISMET KS 67859 >-----GREEN PLAINS CATTLE CO LLC > 19016 ROAD I > KISMET KS 67859 GREEN PLAINS CATTLE CO LLC

> 19016 ROAD I > KISMET KS 67859 RECEIVED

FEB 1 5 2022

Garden City Field Office Division of Water Resources > GREEN PLAINS CATTLE CO LLC
> 19016 ROAD I
> KISMET KS 67859

>-----

Meyer, Mike [KDA]

From:

Jason Norquest < norquest@gmd3.org>

Sent:

Tuesday, February 15, 2022 1:36 PM

To:

Meyer, Mike [KDA]

Subject:

RE: request for recommendation, File Nos. 16613, 17668, 26150, 41286

Attachments:

2022-02-15 ReviewMat.pdf

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

How does this work for you.

Jason Norquest

Assistant Manager, GMD3

Cell: 620-271-1289 Office: 620-275-7147

www.gmd3.org

From: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>

Sent: Tuesday, February 8, 2022 4:48 PM **To:** Jason Norquest <norquest@gmd3.org>

Subject: request for recommendation, File Nos. 16613, 17668, 26150, 41286

good afternoon

attached is a request for a recommendation for the pending applications.

all applications are proposing to make a complete overlap in place of use and to add a center pivot. some pivots have been moved and to current size proposal

base acres are as follows:

16613 has 264 base acres

17668 has 265 base acres

26150 has 130 base acres

41286 has 120 base acres

total base acres = 779 acres.

the proposal is to add 10 acres above base for File Nos. 17668, add 10 acres above base of File Nos.

16613/4286, and add 10 acres above base for File No. 26150

(30 additional acres above base for these individual sperate water rights)

total proposed for application= 806 acres

also, recall, in the past File no. 17668 has been shifting quantities between the two wells under the same water right to manage rotation of crops. therefore, there is a change in point of diversion under File No. 17668 to even out the quantities between the two wells. now that they got the ground healthy again, plumbing all wells together, this should be the final quantity shift between the 2 wells.

please review and provide a recommendation within 15 days.

thank you

T

Garden City Field Office Division of Water Resources

RECEIVED

Mike

Meyer, Mike [KDA]

From:

Lewis, Earl [KDA]

Sent:

Monday, February 14, 2022 3:13 PM

To:

KDA DWR - All Group

Subject:

HB 2682

Follow Up Flag:

Follow up

Flag Status:

Flagged

Good afternoon,

As you have probably heard, there is a significant water related legislative bill that was introduced last week and being heard this week. You may have, or get, questions about what is in the bill or what it means for you. So here is the relatively short explanation as I know it.

Reorganization

- Creates a new secretary led cabinet level agency, the Kansas Department of Water and Environment combining
 - KDA Division of Water Resources
 - KDA Division of Conservation
 - KDHE Division of Environment
 - Kansas Water Office
- All authorities, resources, and staff of current agencies and divisions would be moved to the newly created agency
- All current field offices would remain, although there would be a review over the next 5 years of the opportunity to co-locate field staff from the different divisions. That could mean combining field DWR and KDHE field offices if it made sense financially and if it serves the public well.
- There is no change to the authorities of the chief engineer due to this proposed change.

Funding and Fees

- Creates a water maintenance trust fund and trust board
- Increases water protection fee for municipal, industrial, and stockwater from 3 cents/1000 gallon to 5. (raises about \$2.5M)
- Creates a water right fee that is \$1 / authorized af, with a minimum of \$25 and maximum of \$250 per water right. Mun, Ind, and Stk exempt from water right fee since they are paying water protection fee. (raises about \$6M)

- Water protection fee continues to go into state water plan fund with recommendations from the Kansas Water Authority. SWPF becomes a subaccount of the water maintenance trust fund.
- Water right fee goes into water maintenance trust fund and overseen by trust board.

Groundwater Management Districts

- Changes board elections to one person one vote for anyone living within the GMD boundary.
- Changes the number of board members to 5, 7, or 9
- Requires that the GMD provide a financial accounting and budget to the legislature by Feb 1 of each year
- Requires that the GMDs identify areas of significant concern (GW decline) by end of 2024 and develop a plan to address the decline by 2026. If no plan is developed, Chief Engineer authorized to develop an IGUCA to address the issues and report back to the legislature annually by 2027

Secretarial Review of Chief Engineer Decision

- Removes secretarial review of chief engineer decisions that are currently allowed.
- Hearing procedure outlined by Kansas Administrative Procedure Act still apply and decisions can still be taken to district court

Dam Safety

- Exempts dry detention road fill and low head dams from many dam safety requirements, but still treated as stream obstruction
- Allows dam inspections to be done under the supervision of a licensed engineer rather than required the PE do the inspection
- Allows for civil penalties for dam safety violations
- Creates a dam safety emergency fund for use when dam owner doesn't have resources.

Thanks again for all that you do for us. If you have questions about this or anything else, please don't hesitate to ask.

Earl

Earl Lewis, PE | Chief Engineer

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Mike Beam, Secretary

Laura Kelly, Governor

February 8, 2022

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

> Request for Recommendation Re:

> > Water Right, File Nos. 16613, 17668, 26150, 41286

Dear Mr. Norquest:

This is to advise you that Green Plains Cattle Co LLC, has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use on all applications to make a complete overlap, and to change the point of diversion under File No. 17668.

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