Kansas Department of Agriculture Division of Water Resources

CHANGE: P/D WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
22033		C4	4	3
6. Status: Approved Den	ied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: 11/28/2023
8a. Applicant(s) New to system SOUTHWEST PLAINS D.	Person ID Add Seq#	8c. Landowne	(a) (a) (b) (b) (c) (c) (c) (c) (c) (c) (c) (c) (c) (c	Person ID Add Seq#
Attn: RICHARD GEVEN 12701 SW CR 32 SYRACUSE, KS 67878-7	816			
8b. Landowner(s) New to system □	Person IDAdd Seq#	8d. WUC New to sy	stem 🗌	Person IDAdd Seq#
8a		8a		
9. Documents and Enclosure(s): D	WR Meter(s) Date to Comp	y: 12/31/2024	N & P Date to	Comply: <u>3/1/2025</u>
☐ Anti-Reverse Meter ☐ Meter☐ Conservation Plan☐ Date Requir	Seal 🛚 Check Valve			oriller Copy
10. Use Made of Water From:		To: _		
			Date Prepared: 11/29 Date Entered:	b /2023 By: AM By:

File No.	22033	3	11. Count	y: HM	В	asin: Bl	EAR	CREEK	(S	tream:	2						Fo	ormation Code	e: 331	Special Use	:
12. Poi CHK MOD	nts of Dive	ersion															and Q	uantity zed		A	dditional			
DEL ENT	PDIV	Qualifier	S	Т	R	ID		'N	ʻW		Com	ment	(AKA	Line)		Rate		Quantit af	у	Rate gpm			erlap PD Files	
DEL	90318																							
ENT	80523	SW SE NW	3	26S	43W	5	2	678	370	1						890)	281		890	281	NO	NE	
																								-
13. Stor	age: Rate			.NF	Qua	ntity					ac/ft	Α	dditior	al Rat	e				NF	Addi	tional Quantit	ty		_ ac/ft
14. Limi	tation:		af/yr	at				gpm (_				cfs) w	hen co	mbine	d with	i file n	umber	(s)						
Limi	tation:		af/yr	at				gpm (_				cfs) w	hen co	mbine	d with	file n	umber	(s)						
15. 5YR	Allocation	: Allocation	Туре	_ s	tart Yea	ır		5 YR	Amou	nt		Amo	unt U	nit	_	Base	Acres		_ C	omment _				
16. Pla	ce of Use					NE1/4			NW1/4				SW1/4			SE¼				Total	Owner (Chg?	Overlap Files	
MOD DEL	PUSE	STR	ID	NE 1/4		SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1⁄4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4					
CHK 2																								
																								1
Base Ad		Year:			um Reas				F CC	MP	IFT	ION	RFC		FMF	NT.	_ RF	VERI	ING	BACK	(TO OI D	WELL		
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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 29, 2023

SOUTHWEST PLAINS DAIRY LLC Attn: RICHARD GEVEN 12701 SW CR 32 SYRACUSE, KS 67878-7816

RE:

Filed Office Application for Change

Water Right, File No. 22033

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.

The abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:

CERTIFICATE OF SERVICE

On this 29th day of November, 2023, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 22,033 dated 29th day of November, 2023 was mailed postage prepaid, first class, US mail to the following:

SOUTHWEST PLAINS DAIRY LLC Attn: RICHARD GEVEN 12701 SW CR 32 SYRACUSE, KS 67878-7816

Pc:

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.

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						F	ile No	. 2203	3								NC	100 1 V 2 8	2023
1.	Application	on is he	reby n	nade fo	or appi		f the C		nginee		ange t	10.75		e or b	oth):	G Divi	arder sion (n City F of Wate	Field Office or Resources
	under the	water	right w	hich is	s the s	ubject	of this	applic	ation i	n acco	rdance	with t	he cor	dition	s desc	ribed b	elow.		
	The sour						round				Surfac								
2.	Name an 12701 S\ Phone N Name an	WCR 3 umber:	2, SYF (620)	372-20	SE, KS 021	6787	3-7816	3	Email	addres	ss: ge	ven@j	old.con	1					
	Phone N The pres Owner of	ently au Land -	uthoriz	ed pla ME:	ce of u	se is:													
	(If there is																		
1					1/4				V1/4	T	SW¼ NE¼ NW¼ SW¼ SE¼			AF41	SE¼ NE¼ NW¼ SW¼				TOTAL ACRES
Sec	c. Two	Range	NE%	NW¼	SVV%	SE%	NE%	NVV%	SW1/4	SE%	NE¼	NVV/4	SVV/4	SE¼	NE¼	NVV/4	500%	SE¼	

4.	If this ap Owner or	Land -	NA ADDRI	ME: ESS:			•		***************************************			ace of	use be	chan	ged to				
				N	Ξ1/4			N	N¼	44-2000		SI	N'/4			SI	E¼		TOTAL
Se	c. Twp.	Range	NE%	NW¼	SW1/4	SE¼	NE¼	NW¼	SW¼	SE¼	NE%	NW%	SW1/4	SE¼	NE¼	NVV	SW¼	SE¼	ACRES

	For Offic	ce Use	Only:	Code	L	Fe	e \$ 10	0.00) TR	#		Re	eceipt	Date	N·2	8-23	Chec	:k#0	27079

For Office Use Only: Code _____ Fee \$100.00 TR #____

5.	Presently authorized point of diversion:							
	One in the Quarter of the	SE	Quarter of the	NW	Quarter			
	of Section, Township	26	South, Range	43	W,			
-	in HM County, Kansas, 2685 fe	eet North	3588 feet West of So	outheast corne	r of section.			
-	Authorized Rate No change Authorized Quantity 1	No change	Depth of well	(fee	et)			
1	(DWR use only: Computer ID No. 6 GPS							
	☐This point will not be changed ☐This point will be changed a							
-	Proposed point of diversion: (Complete only if change i							
	One in the SW Quarter of the							
	of Section3, Township							
	in HM County, Kansas, 2678 fe							
1	Proposed Rate No change Proposed Quantity N							
	This point is: Additional Well Geo Center List othe	er water righ	te that will use this point A	ι/Δ				
L	This point to: Additional Well Goo Center List office	water figi	its that will use this point is	<i>"</i>	*			
. г	Propositive authorized point of dispresions							
j.	Presently authorized point of diversion:							
- 1	One in the Quarter of the		Quarter of the		Quarter			
-	of Section, Township		South, Range		(E/W),			
-	inCounty, Kansas,fe	eet North _	feet West of So	outheast corne	r of section.			
1	Authorized Rate Authorized Quantity		Depth of well	(fee	et)			
-	(DWR use only: Computer ID No. GPS		feet North	feet We	est)			
	☐This point will not be changed ☐This point will be changed a							
	Proposed point of diversion: (Complete only if change i							
	One in the Quarter of the							
-	of Section, Township							
	in County, Kansas, fe							
	Proposed Rate Proposed Quantity							
L	This point is: Additional Well Geo Center List other	er water righ	its that will use this point _					
7.	The changes herein are desired for the following reasons?							
	(please be specific) Reverting back to old well.	300	200 100 North	100 200	300			
		E .	$\frac{100}{100}$	100 200	mig Emp			
		E			Ē			
3.	If a well, is the test hole log attached? Yes No	200	-1 + 1 + 1 = 1	1 + 1 +	300			
		200	-1 + 1 + 1 =		200			
€.	The change(s) (was)(will be) completed by?	E		-	=			
	ASAP	100	- + + 🖳	1 + 1 +	100			
		Ē			Ē			
10.	If the point of diversion is a well:		.	T	. 🖠 .			
	(a) What are you going to do with the old well?	West 0	មា(របៀបរៀបរៀបរៀបរណ្ឌីបរ	լուսիավասիո	O East			
	Can	E		***************************************	=			
	Сар	100	-1 + 1 + 1 = 1	1 + 1 +	1 = 100			
	(b) When will this be done? As soon as approved	E			. =			
		Ē			3			
11.	Groundwater Management District recommendation attached?	200	-1 + 1 + 1 =	1 + 1 +	1 = 200			
	☐ Yes ☐ No	E	process The generation transporting delications game	and an	릨			
12	Assisted by mdf/GCEO	, [hinhintindia	لجسلنا			
12.	Assisted by mdf/GCFO	300	200 100 0 South	100 200	300			
13a	a. If the proposed point of diversion will be relocated more than 300	0		Scale: 1 hashmo	NT22			
	feet but within 2,640 feet of the existing point of diversion, attach	h 13b.lf the	proposed point of diversion	will be relocated	d within 300 fee			

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

14. If the proposed groundwater point of diversion is 300 of lewer reet from	if the existing point of diversion, complete the following.
(a) Does the undersigned represent all owners of the currently author ☐ Yes ☐ No (If no, all owners must sign this applica	
 (b) Will the ownership interest of any owner of the currently authorize 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 subs ☐ Yes ☐ No (If no, all owners must sign this application)	
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	groundwater change in point of diversion greater than 300 feet, of the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirmating age and the owner, the spouse of the owner, or a duly authorize their behalf, in regards to the water right(s) to which this appropriate in this application are true, correct and complete.	zed agent of the owner(s) to make this application on
Dated at //- /9-23 Kansas, this	17 day of Novamber , 20 23.
111./2	
(Owner)	(Spouse)
(Owner) Richard Gewen (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas SS	
County of Hamilton I hereby certify that the foregoing application was signed in n	ny presence and sworn to before me this / 7 day
of Novamber , 20 KERA WEIS Notary Public, State of Kansa My Appointment Expires	7
My Commission Expires 12-1-24	Notally Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate information; maps, if necessary, must be included; signatures of all the ap the appropriate fee must be paid.	of the applicable portions of the application form must be completed with propriate owners' must be affixed to the application and notarized; and
FEE SCHEDU	<u>LE</u>
Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Departmet (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	ent of Agriculture \$100 \$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

prov With	isions of the Kansas Water Appropriation Law. K.S.A. 82a-70	o, as amended, and K.A.R. 5-5-1, <i>et seq.</i> and other applicable 01 et. seq., and rules and regulations promulgated thereunder, this Summary Order does not change the terms, conditions and
1	A change application was received on November 75 diversion authorized under the above-referenced file number	requesting that the place of use and / or point of be changed as described in the application.
2.	On and after the effective date of this summary order, the author the topographic map accompanying the application to change	orized place(s) of use shall be located substantially as shown on ge the place of use. ☐ Applicable ☒ Not Applicable
3.	The change in point of diversion shall not impair existing rights previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion. ☒️Applicable	s and shall be limited to the same source or sources of water as this summary order shall be located within a <u>5 > foot</u> foot Not Applicable
4.	The point(s) of diversion described herein is administratively Positioning System (GPS), as described in the application.	corrected to be more accurately described using the Global ☐ Applicable ☑ Not Applicable
5.	The point(s) of diversion authorized herein shall not actually be authorized point(s) of diversion. ☐ Applicable ☐ Not	e located more than feet from the previously Applicable
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a we or other device suitable for making water level measurement K.A.R. 5-6-13. ☐ Applicable ☐ Not Applicable	Il with a diversion rate of 100 gallons per minute or more, a tube is shall be installed, operated and maintained in accordance with
	December 31, 20 2, or before the first use of water, we operated and maintained in accordance with K.A.R. 5-1-4 th	erly install an acceptable water flow meter on or before whichever occurs first. The water flow meter shall be installed, rough 5-1-12. As required by K.S.A. 82a-732, as amended, and he reading of the water flow meter and the total quantity of water g the end of each calendar year.
	Installation of the works for diversion of water shall be concluded authorized extension of time. By March 1, 20 ≤5 the aworks for diversion has been completed, on the form provided Applicable Not Applicable	ompleted on or before December 31, 20 22, or within any pplicant shall notify the Chief Engineer that construction of the ed by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the require	ed notice. Applicable Not Applicable
10.	with an in-line, automatic, quick-closing check valve capable	reign substance will be injected into the water shall be equipped e of preventing pollution of the source of the water supply. The accordance with K.A.R. 5-3-5c. 🔀 Applicable 🗌 Not Applicable
11.	Additional Conditions are attached. Yes No	
12.	water appropriated under the above-referenced file numbe limitations, as amended and/or supplemented by this Sumn Appropriation Law and the Rules and Regulations promule	R. 5-5-14, all of the owners of the authorized place(s) of use of r are responsible for compliance with its terms, conditions and nary Order, and with applicable provisions of the <i>Kansas Water</i> gated thereunder. Failure to comply with these provisions may nded, and/or the suspension or revocation and dismissal of the s authorized by law.
A	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
you Engi Agrid filed adm days revie File Lega 6650	u are aggrieved by this order, pursuant to K.S.A. 82a-1901, may request an evidentiary hearing before the Chief ineer or request administrative review by the Secretary of culture. A request for hearing by the Chief Engineer must be within 15 days of service of this Order and a request for inistrative review by the Secretary must be filed within 30 is pursuant to K.S.A. 77-531. Any request for administrative in must state a basis for review pursuant to K.S.A. 77-527. In any request with Kansas Department of Agriculture, all Division, 1320 Research Park Drive, Manhattan, KS D2. Failure to timely request a hearing or review may dude review under the Kansas Judicial Review Act. For Use by Register of Deeds	By:
	Tot ose by Negister of Deeds	County of
		by Austin McColloch.
		Signature: Netany Rubile
		My commission expires My Appointment Expires My Appointment Expires