Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

| 1. File Number: | 342-D2 | 2. Status Change Date: | 3. Change Num: | 4. Field Office: | 5. GMD: |
|--------------------------------|---|--------------------------|----------------------|---|---|
| 6. Status: 🛛 A | pproved 🔲 Der | ied by DWR/GMD | Dismiss by Reques | t/Failure to Return | 7. Filing Date of Change: 4/3/2023 |
| 8a. Applicant(s New to syst | | Person ID 67267 Add Seq# | 8c. Landown | 120 | Person ID 35308 Add Seq# |
| Attn: DA 1707 RO | Y HAY LLC RIN SMITH AD 45 (S 67860 | | 1194 R | N D & LORNA M OAD V5 , KS 67860-6230 | JOHNSON |
| 8b. Landowner New to syste | • | Person ID Add Seq# | 8d. WUC New to sy | rstem 🗌 | Person ID Add Seq# |
| 8a | | | 8a | | |
| *SEE AT | TACHED DEED | FOR SW/4* | | | |
| | | | | | |
| 9. Documents ar | nd Enclosure(s): 🛛 D | WR Meter(s) Date to Comp | oly: 12/31/2023 | N & P Date to | Comply: 3/1/2024 |
| ☐ Anti-Rever | se Meter | Seal | ⊠ N & P Form | ☐ Water Tube ☐ D | riller Copy |
| ☐ Conservati | on Plan Date Requi | red: Da | ate Approved: | Date to | Comply: |
| 10. Use Made of | Water From: | | To: _ | - 1 | |
| | | | | Date Prepared: 4/14/2 Date Entered: | 2023 By: AM By: |

| File No. | 2734 | 2-D2 | 2 | 11. (| County: | KE | Ва | sin: A | RKAN | ISAS I | RIVER | | | S | tream | : | | | | | | | ormation C 1 1/331 | ode: | Special Use: | |
|-------------------|------------|--------|--------------|-------|----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-------------|-----------|--------------|---------|-------------|------------------------------|--------------|------------------|--------|
| 12. Poir CHK | nts of Div | ersior | 1 | | | | | | | | | | | | | | | Rate | and Q | uantity | | | | | | |
| MOD DEL | PDIV | | | | | | | | | | | | | | | | | 1 | Author | zed | | Α | dditional | | | |
| ENT | | Qı | ualifier | | S | Т | R | ID | 9 | 'N | ʻW | 1 | Com | nment | (AKA | Line) | | Rate gpm | | Quanti af | ty | Rate gpm | | antity af | Overlap PD Files | |
| СНК | 89992 | ı | | | | | | | | | | | | | | | | | | | | | | | | |
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| 13. Stora | age: Rate | e | | | 1 | NF | | | | | | | ac/ft | Α | ddition | al Rat | e | | | | NF | Addi | tional Qua | ntity | , | _ac/ft |
| 14. Limit | ation: | | | | af/yr a | at | | | | | | | | cfs) w | hen co | mbine | d with | file n | umber | (s) | | | 9 | | | |
| Limit | ation: | | | | _af/yr a | at | | | | gpm (_ | | | | cfs) w | hen co | mbine | d with | file n | umber | (s) | | | | | | |
| 15. 5YR | Allocation | n: | Allocation 1 | Гуре | | _ Sta | ırt Yea | r | | 5 YR | Amou | nt | | Amo | ount U | nit | _ | Base | Acres | | _ c | omment . | | | | |
| 16. Plac | e of Use | | | | | | N | Ξ1/4 | | | NV | V1/4 | | | sv | V1/4 | | | s | E¼ | 15 | Total | Owner | Chg? | Overlap Files | |
| MOD DEL ENT | PUSE | s | T R | II | D | 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 | NE 1⁄4 | NW 1/4 | SW 1/4 | SE ¼ | | | | | |
| ENT 1 | | | 25S35V | | | 34 | 34 | 34 | 34 | | | | | | | | | | | | | 136 | 8c | N | 27342-D1 | |
| MOD 3 | 9217 | 7 | 25S35V | V 5 | 5 | | | | | 34 | 34 | 34 | 34 | 34 | 34 | 34 | 34 | | | | | 272 | 8a | Υ | 27342-D1 | |
| | | | | | | | | | | | | | 1.2 | | | | | | | | | | | | | |
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| Base Acı | res: | | Year: | | М | linimun | n Reas | onable | Quar | itity: | | | | | | | | | | | | | | | | |
| Commen | nts: PU | SEI | D 19090 | IS | DRO | PPIN | IG T | HE N | IW/4 | (CH | ANG | E O | WN | ERS | HIP) | ANI |) MC | VIN | G TI | HOSE | ACF | RES O | NTO PI | JSE II | 39217 | |

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 14, 2023

QUALITY HAY LLC Attn: DARIN SMITH 1707 ROAD 45 LAKIN, KS 67860

RE:

Filed Office Application for Change

Water Right, File Nos. 27342-D1 & 27342-D2

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 numbers. **Note:** this approval does not allow any single point of diversion to exceed its annual authorized quantity.

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 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.

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:

Glenn & Lorna Johnson

GMD₃

CERTIFICATE OF SERVICE

On this 14th day of April, 2023, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 27,342-D1 and 27,342-D2 dated 14th day of April, 2023 was mailed postage prepaid, first class, US mail to the following:

QUALITY HAY LLC Attn: DARIN SMITH 1707 ROAD 45 LAKIN, KS 67860

Pc:

GLENN D & LORNA M JOHNSON 1194 ROAD V5 LAKIN, KS 67860-6230

GMD 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 div | version a | and/or p | lace o | f use. | | J | | | | | | | | | 0 | | | | 4 1 |
|--------|--------------|-----------|---------|---------|---------------|---------|----------|---------------|--------------------------------------|----------|---------------|----------|--------|---------|--------|---------|-------|---------|---------------------------------|
| | | | | | | i | File No | . <u>2734</u> | 2-D2 | | | | | | | | | | CEIVED 1:41pm 1:42pm 2 0 3 2023 |
| 1. | Applicat | ion is he | ereby r | nade f | or app | roval c | of the C | Chief E | ngine | er to ch | nange | the (ch | eck o | ne or b | oth): | | Ga | arden (| NA F |
| | | | | | | ⊠ P | lace o | f Use | | | Point | of Dive | ersion | | | | Divis | ion of | Vater Resour |
| (| under th | e water | right v | vhich i | s the s | ubject | of this | applic | ation i | n acco | rdance | e with t | the co | ndition | s desc | ribed I | | | |
| | The sou | rce of s | upply i | s: | | | Ground | water | | | Surfac | ce wat | er | | | | | | |
| 2. | Name a | nd addr | ess of | Applic | ant: <u>G</u> | LENN | D&L | ORNA | М ЈО | HNSO | N | | | | | | | | |
| | 1194 RC | DAD V5 | LAKII | N, KS | 67860- | 6230 | | | | | | | | | | | | | |
| | Phone N | lumber: | (620) | 355-1 | 947 | , | | | Email | addre | ss: <u>No</u> | ne | | | | | | - | *11 |
| | Name a | nd addr | ess of | Water | Use C | orresp | onder | t: <u>Sar</u> | ne | | | | - | | | | | | |
| | Phone N | Number: | (|) | | | | | Email | addre | ss: | | | | | | | | |
| 3. | The pres | sently a | uthoriz | ed pla | ce of u | ıse is: | | | | | | | | | | | | | |
| | Owner o | of Land - | N/ | AME: | <u>Same</u> | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | (If there is | s more th | nan one | landov | vner, at | tach su | ippleme | ental sh | eets as | neces | sary.) | | | | | | | | |
| | | | | N | E1/4 | | | NV | N ¹ / ₄ | | | SV | V1/4 | | | SI | E1/4 | | TOTAL |
| Sec | . Twp. | Range | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW¼ | SW1/4 | SE1/4 | NE1/4 | NW¼ | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | ACRES |
| 7 | 25 | 35W | | | | | | | - | | 34 | 34 | 34 | 34 | | | | | 136 |
| 10 | | | | | | | | | | | | | 44 | | | | | - A | |
| | If this ap | | | | | | | | | | | | | | | | - | | - |
| | Owner o | | | | | | 10 | iler | ty | Ha | 4 | rri | | | | | | | |
| | | | | ESS: | | | | `] | | | | | | | | | | | |
| | (If there is | s more th | nan one | landov | vner, at | tach su | ıppleme | ental sh | eets as | neces | sary.) | | | | | | | | |
| | | | | N | E¼ | | | N\ | <i>N</i> ¹ / ₄ | | | SV | V1/4 | | | SI | E¼ | | TOTAL ACRES |
| Sec | . Twp. | Range | NE¼ | NW¼ | SW1/4 | SE1/4 | NE1/4 | NW¼ | SW1/4 | SE¼ | NE1/4 | NW1/4 | SW1/4 | SE¼ | NE¼ | NW¼ | SW1/4 | SE1/4 | |
| 7 | 25 | 35W | 34 | 34 | 34 | 34 | 34 | 34 | 34 | 34. | 34 | 34 | 34. | 34 | | | | | 408 13 |
| _ 7 | 25 | 35 W | | | | | 34 | 34 | 34 | 34 | 34 | 34 | 34 | 34 | | | - | | 272 |
| | | | | | | | | | | | | | | | JL | | | | 1, |
| | For Offi | ice Use | Only? | Code | 70. | Fe | e \$ 2 | νη. Oc |) TR | # | | Re | eceint | Date L | 1-2- | 23 | Chec | k# | (0111 |
| į . | | | J, . | 3000 | | • | | | | | | _ | | | | | | | |

| 5. | Presently authorized point of di | <u>version:</u> | | | | | |
|-----|---|--|-----------------|---|-----------------------------|----------------------|---------------|
| | One in the | Quarter of the | | Quarter of the | | | Quarter |
| | of Section | . Township | | South, Range | | | (E/W). |
| | in Coun | ty, Kansas, | feet North | feet West | of Southeast | corner of | section. |
| - 1 | Authorized Rate | Authorized Quantity | | Depth of well | | (feet) | |
| | (DWR use only: Computer ID N | o GF | PS | feet North | fo | eet West) | |
| | ☐This point will not be changed ☐ | This point will be chang | ed as follows: | ☐ No change, point bet | ter described v | with GPS as | follows: |
| | Proposed point of diversion: (C | emplete only if chan | ge is request | ted or if existing poin | t is better de | scribed b | y GPS) |
| | One in the | Quarter of the | | Quarter of the | | | Quarter |
| | of Section | , Township | | South, Range | | | _ (E/W), |
| | of Section Coun | ty, Kansas, | feet North | feet West | of Southeast | t corner of | section. |
| | Proposed Rate | Proposed Quantity _ | | Proposed well de | pth (feet) | | |
| | This point is: | ☐ Geo Center List of | other water rig | ghts that will use this p | oint | | |
| | | | | | | | |
| 6. | Presently authorized point of di | version: | | | | | |
| | One in the | Quarter of the | | Quarter of the | | | Quarter |
| | of Section | , Township | | South, Range | | | _ (E/W), |
| | of Section Coun | ty, Kansas, | feet North | feet West | Southeast | corner of | section. |
| | Authorized Rate | Authorized Quantity | | Depth of well | | (feet) | |
| | (DWR use only: Computer ID N | o GF | PS | feet North | fe | eet West) | |
| - 1 | ☐This point will not be changed ☐ | This point will be chang | ed as follows: | ☐ No change, point bett | er describ ed w | ith GPS as f | ollows: |
| - 1 | Proposed point of diversion: (C | omplete only if chan | ge is request | ted or if existing poin | t is better de | scribed b | y GPS) |
| | One in the | Quarter of the | | Quarter of the | | | Quarter |
| | of Section | , Township | | South, Range | | | _ (E/W), |
| | in Coun | ty, Kansas, | feet North | feet West | of Southeast | t corner of | section. |
| | Proposed Rate | Proposed Quantity _ | | Proposed well de | pth (feet) | | |
| L | This point is: Additional Well | ☐ Geo Center List of | other water rig | ghts that will use this p | oint | | $\overline{}$ |
| _ | | | _ | | | | |
| 7. | The changes herein are desired for (please be specific) Make better use | | | | | | |
| | (please be specific) Make better use | or imgation resources | 30 | 00 200 100 | orth 0 100 | 200 | 300 |
| | | | | | <u> </u> | mhanha | 3 |
| 0 | If a well is the test halo less attaches | 10 DV DN- | | | - - | | 3 |
| ο. | If a well, is the test hole log attached | d? ☐ Yes ⊠ No | 200 | -1+1+1 | 트 + | + 1- | 200 |
| 9. | The change(s) (was)(will be) complete | eted by? | | | <u> </u> | | |
| | As soon as approved | | 100 | | 들ㅣ+ㅣ | + - | 100 |
| 10. | If the point of diversion is a well: | | | | <u> </u> | | 3 |
| | (a) What are you going to do with the | ne old well? | West 0 | [վոսիավավավա | ® m[mm[mm] | mu muh# | 0 East |
| | | | | | - - | | 4 |
| | 4. 114 - 1 - 2 | | 100 | E + + + + + + + + + + + + + + + + + + + | 章 - 章 十 | + 1- | 100 |
| | (b) When will this be done? | | | | | | 3 |
| | | | | | ≣ | | |
| 11. | Groundwater Management District re | commendation attache | ed? 200 | E + + · | = + | + 1- | 200 |
| | ☐ Yes ☐ No | | | <u> </u> | - - | | ∄ |
| 12. | Assisted by mdf/GCFO | | _ | | _ | | 3 |
| 40 | | La salamata de la companya de la com | 30 | | 0 100 outh <i>Scale:</i> | 200 1 hashmark=10 | 300 ft |

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 13b.If the proposed point of diversion will be relocated within 300 feet 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

of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

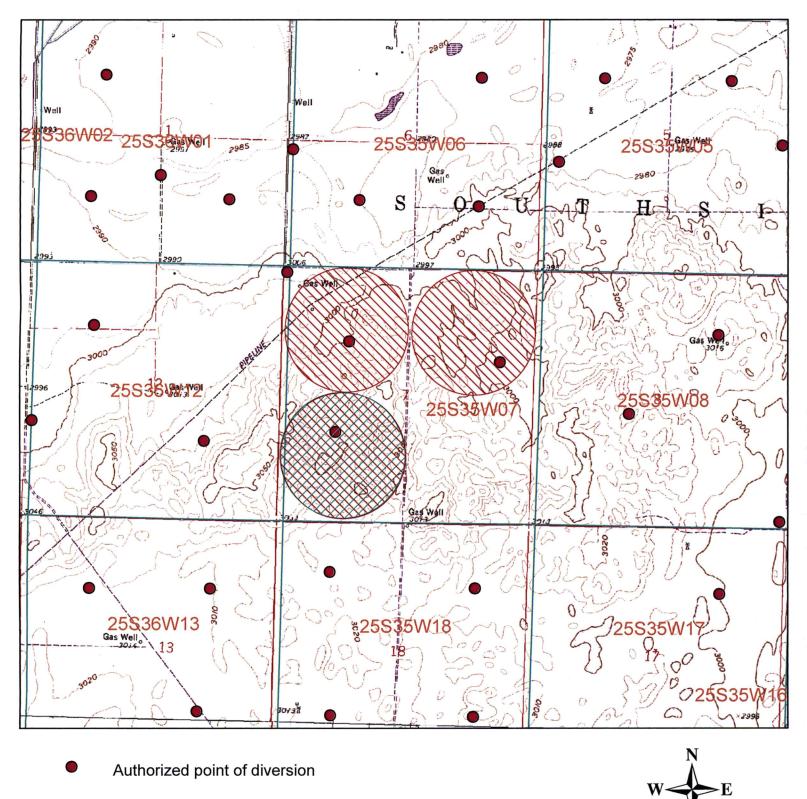
| 14. If the proposed groundwater point of diversion is 300 or fewer feet | rom the existing point of diversion, complete the following: |
|---|---|
| (a) Does the undersigned represent all owners of the currently aut ☐ Yes ☐ No (If no, all owners must sign this app | |
| (b) Will the ownership interest of any owner of the currently auth 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 su ☐ Yes ☐ No (If no, all owners must sign this app | |
| If the application proposes a surface water change in point of diversion, or a change in place of use, the application must be signed by all owner agent (attach notarized statement authorizing representation). | |
| I hereby verify, being first duly sworn upon my oath or affire age and the owner, the spouse of the owner, or a duly author their behalf, in regards to the water right(s) to which this appoint and complete. | orized agent of the owner(s) to make this application on opplication pertains. I further verify that the statements |
| Dated at Kansas, this | s 3 rd day of <u>pril</u> , 20 23. |
| | , <u> </u> |
| Golden D Johnse | Lorna Johnson |
| (Owner) | (Spouse) |
| CARIGINN J John SON | Lorna Johnson |
| (Please Print) | (Please Print) |
| (Owner) | (Spouse) |
| (Please Print) | (Please Print) |
| (Owner) | (Spouse) |
| (Please Print) | (Please Print) |
| State of Kansas) SS | |
| County of Sinney | rd. |
| I hereby certify that the foregoing application was signed in of, 20 | my presence and sworn to before me this 3 day |
| JULIE JONES | N. 1. 200010 |
| My Commission Expires My Appointment Expires December 15, 2026 | Notary (Public |
| ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, a | Il of the applicable portions of the application form must be completed wit |
| accurate information; maps, if necessary, must be included; signatures of all the the appropriate fee must be paid. | appropriate owners' must be affixed to the application and notarized; and |
| FEE SCHED | |
| Each application to change the place of use or the point of diversion und forth in the schedule below: Make checks payable to: Kansas Department | |
| (1) Application to change a point of diversion 300 feet or less. (2) Application to change a point of diversion more than 300 fee (3) Application to change the place of use | \$100 et\$200 |
| | |

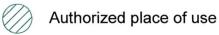
| 14. If the proposed groundwater point of diversion is 300 or fewer feet fro | m the existing point of diversion, complete the following: |
|--|---|
| (a) Does the undersigned represent all owners of the currently autho ☐ Yes ☐ No (If no, all owners must sign this applic | |
| (b) Will the ownership interest of any owner of the currently authorisaffected 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 applic | |
| 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). | |
| I hereby verify, being first duly sworn upon my oath or affirmage and the owner, the spouse of the owner, or a duly authorize their behalf, in regards to the water right(s) to which this app contained in this application are true, correct and complete. | zed agent of the owner(s) to make this application on lication pertains. I further verify that the statements |
| Dated at, Kansas, this, Kansas, this, Cowner) Darin TSmith (Please Print) | 3rd day of April , 20 23. |
| Que libelle le ha A 90 p | |
| (Owner) | (Spouse) |
| Darin TSmith | |
| (Please Print) | (Please Print) |
| (Owner) | (Spouse) |
| (Please Print) | (Please Print) |
| (Owner) | (Spouse) |
| (Please Print) | (Please Print) |
| State of Kansas County of SS | ard |
| I hereby certify that the foregoing application was signed in mof, 20, 20, | ny presence and sworn to before me this day |
| My Commission Expires | Notar Public |
| ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all caccurate information; maps, if necessary, must be included; signatures of all the ap the appropriate fee must be paid. | |
| FEE SCHEDU | |
| Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Departme (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 |
| MULIE JOHES Monur Force My Appointment Expires December 15, 2026 | |

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

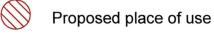
| prov With | ovisions of the Kansas Water Appropriation Law, K.S.A. 82a | 708b, as amended, and K.A.R. 5-5-1, <i>et seq.</i> and other applicable <i>ea-701 et. seq.</i> , and rules and regulations promulgated thereunder, ein, this Summary Order does not change the terms, conditions and |
|--|---|---|
| 1. | A change application was received on April 3 diversion authorized under the above-referenced file nur | mber be changed as described in the application. |
| 2. | On and after the effective date of this summary order, the arthe topographic map accompanying the application to ch | authorized place(s) of use shall be located substantially as shown on hange the place of use. Applicable Not Applicable |
| 3. | The change in point of diversion shall not impair existing rig previously authorized. The point of diversion authorized radius of the authorized point(s) of diversion. Applica | ights and shall be limited to the same source or sources of water as by this summary order shall be located within a foot able |
| | Positioning System (GPS), as described in the application | |
| | authorized point(s) of diversion. | •• |
| | or other device suitable for making water level measurem K.A.R. 5-6-13. Applicable Not Applicable | |
| | December 31, 20 → , or before the first use of water operated and maintained in accordance with K.A.R. 5-1-4 K.A.R. 5-3-5e, the owner shall maintain records and report diverted annually to the Chief Engineer by March 1 follow Applicable Not Applicable | |
| 8. | authorized extension of time. By March 1, 20 24 the | be completed on or before December 31, 20 23, or within any ne applicant shall notify the Chief Engineer that construction of the ovided by the Chief Engineer, as required by K.A.R. 5-8-4e. |
| 9. | The completed well log shall be submitted with the requ | quired notice. Applicable Not Applicable |
| 10. | with an in-line, automatic, quick-closing check valve cap | or foreign substance will be injected into the water shall be equipped pable of preventing pollution of the source of the water supply. The ed in accordance with K.A.R. 5-3-5c. ☒ Applicable ☐ Not Applicable |
| | Additional Conditions are attached. Yes No | |
| 12. | water appropriated under the above-referenced file num limitations, as amended and/or supplemented by this Su Appropriation Law and the Rules and Regulations prom | A.A.R. 5-5-14, all of the owners of the authorized place(s) of use of mber are responsible for compliance with its terms, conditions and ummary Order, and with applicable provisions of the <i>Kansas Water</i> mulgated thereunder. Failure to comply with these provisions may amended, and/or the suspension or revocation and dismissal of the ctions authorized by law. |
| 1 | Administrative Appeal and Effective Date of Order | FOR OFFICE USE ONLY |
| If yo | ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, | APPLICATION APPROVED AND |
| you Eng Agri filed adm day: revie File Leg 6656 | u may request an evidentiary hearing before the Chief gineer or request administrative review by the Secretary of riculture. A request for hearing by the Chief Engineer must be d within 15 days of service of this Order and a request for ministrative review by the Secretary must be filed within 30 ys pursuant to K.S.A. 77-531. Any request for administrative riew must state a basis for review pursuant to K.S.A. 77-527. It is any request with Kansas Department of Agriculture, gal Division, 1320 Research Park Drive, Manhattan, KS 502. Failure to timely request a hearing or review may include review under the Kansas Judicial Review Act. | By: Duly Authorized Designee of the Chief Engineer (Print Name): Assume Male Market Resources - Kansas Department of Agriculture Date of Issuance: April 2023 State of Kansas) SS |
| | For Use by Register of Deeds | County of <u>Finney</u>) |
| | | Acknowledged before me on Opul 14, 2023 |
| | | by Austin McColloch. |
| | | Signature: Subject Subjection Signature: Notary Public |
| | | My commission expires: My Appointment Expires Wy Appointment Expires (Notacy, Seal) 2028 |

Change in Place of Use for water right 27342-D2





0 0.1 0.2 0.4 0.6 0.8 Miles



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

X



Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street

Garden City, Kansas 67846 (620) 275-7147 phone www.gmd3.org

April 14, 2023

Austin McColloch Division of Water Resources 4532 W Jones Ave., Suite B Garden City, Kansas 67846 RECEIVED

APR 1 4 2023

Garden City Field Office Division of Water Resources

Applications for Change in Place of Use

Water Right, File Nos. 27342 D1 & 27342 D2

Dear Austin:

RE:

We have reviewed the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use will make a complete overlap in currently authorized place of use in accordance with K.A.R. 5-5-11(b). No new acres being proposed. 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).: 27342D1 | <u>& 27342D2</u> . | | DWR of | fice: <u>GC</u> . |
|-------------------------|------------------------|---------------|--------------------|----------------------|
| App filed to change: _ | PU . | | | |
| Is Landowner(s) corre | ct in WRIS: _C | Glenn & Lor | na Johnson . | |
| If NO, is docur | nentation inclu | ided? | | |
| Is Water Use Correspo | ondent correct i | in WRIS? _ | | |
| If NO, is docur | nentation inclu | ided? | | |
| Regulation(s) Reviewe | ed: KAR 5-5-1 | 1 | | |
| Point of diversion ID | No(s) _ being | g changed. | | |
| | | | | |
| ft. | North ft. \ | West | | |
| Authorized PD | | | | |
| Proposed PD | | | | |
| Difference | 0 | 0 | | |
| a2 + b2 = c2 | 0 | 0 | 0 | |
| GPS for proposed PD: | - | Long: | | |
| Is proposed PD stacking | | | | |
| Is Proposed PU overla | | | king complete over | lap. |
| Neighboring certified | well(s) notified | d: | | |
| Name | | | | |
| Address | | | | |
| Zip | | | | |
| Email: Phone: | | | | |
| Domestic well(s) notif | ied: | | | |
| Name | | | | |
| Address | | | | |
| Zip | | | | |
| | | | | |
| Base Acres: | | | | |
| Perfected Acres: | , | | | |
| Irr. Return-Flow% | 9 | | | |
| Kearney County | | | | |
| 27342D1: two wells a | | | | |
| ID01: 260AF | 0 | | | |
| ID07: 260AF | 0 | | | |
| 272 acres N2 7 | | | | |
| 27342D2: 258AF @ 3 | - | | | |
| 136 acres SW | | | | |
| Is a waiver needed: N | o new acres p | roposed, jus | making a complete | overlap in currently |
| authorized acres. | | .11 | | |
| Recommendation: A | | | | ears current area |
| rules are met. Staff re | commends app | proval of the | applications. | |

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 13, 2023

GROUNDWATER MANAGEMENT DISTRICT #3 2009 E SPRUCE ST GARDEN CITY KS 67846

Re:

Request for Recommendation, File Nos. 27342-D1 & 27342-D2

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Quality Hay LLC and appears to be in proper form, for your review.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendation concerning this application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (620) 276-2901. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,

Austin McColloch

Assistant Water Commissioner

Enclosure

pc:

| STATE OF KANSAS (cc |
|---|
| KEARNY COUNTY SS |
| This instrument was filed for record on the |
| 13th day of March A.D. 20 23 at |
| 11:30 o'clock A.M., and duly recorded in |
| Book 313 of record, at Page 772 |
| Meliona Genitzen REGISTER OF DEEDS |
| REGISTER OF DEEDS |
| ByDeputy |



INDEXED RECEPTION COMPUTER DIRECT C INDIRECT 6 NUMERICAL . ORIG. COMP

Entered in Transfer Record in my Office this A.D. 20.23

RECORDING INFORMATION

WARRANTY DEED

GLENN DALE JOHNSON (a/k/a Glenn D. Johnson) and LORNA MARGARET JOHNSON, husband and wife, Grantors

CONVEY AND WARRANT TO

Rec. Fee \$ 38.00

QUALITY HAY, L.L.C., a Kansas limited liability company, Grantee

All of the following described real estate in the County of KEARNY and the State of KANSAS. including all water rights appurtenant thereto, to-wit:

1) The Northwest Quarter (NW¼) of Section Seven (7), Township Twenty-five (25) South. Range Thirty-five (35) West of the 6th P.M., Kearny County, Kansas, EXCEPT the following two tracts, described as follows:

Tract No. 1: Beginning at the Northwest corner of said Northwest Quarter (NW1/4); thence South along the section line a distance of 735 feet; thence Northeasterly a distance of 1039.45 feet to a point on the North section line; thence West 735 feet along the North section line to the point of beginning, containing 6.2 acres, more or less.

Tract No. 2: Beginning at the Northwest corner of said Section Seven (7); thence on an assumed bearing of North 89°40'08" East, on the North line of said Section Seven (7), for a distance of 735.00 feet to a 1/2" rebar with pink plastic cap "Palmberg PS1382" and the Point of Beginning; thence continuing on a bearing of North 89°40'08" East, on said North line, for a distance of 47.52 feet to a 1/2" rebar with pink plastic cap "Palmberg PS1382"; thence on a bearing of South 44°53'09" West for a distance of 1110.83 feet to the West line of said Section Seven (7) and a 1/2" rebar with pink plastic cap "Palmberg PS1382"; thence on a bearing of North 0°06'09" East, on said West line, for a distance of 47.52 feet to 1/2" rebar with pink plastic cap "Palmberg PS1382"; thence on a bearing of North 44°53'09" East for a distance of 1043.37 feet to the said North line and the Point of Beginning, as prepared by Duane K. Palmberg, PS1382 on March 17, 2022.

2) The Southwest Quarter (SW1/4) of Section Seven (7), Township Twenty-five (25) South, Range Thirty-five (35) West of the 6th P.M., Kearny County, Kansas. 27342-02

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APR **03** 2023

For the sum of Ten Dollars (\$10.00) and other good and valuable consideration.

EXCEPT AND SUBJECT TO: Oil and gas leases, easements, restrictions, covenants, mineral reservations and rights-of-way of record.

Dated: 3 | 13 | 73

Senson Johnson Johnson Johnson Lorna Margaret Johnson

STATE OF KANSAS

COUNTY OF Keary

THE FOREGOING INSTRUMENT was acknowledged before me this 13th march, 2023, by GLENN DALE JOHNSON and LORNA MARGARET JOHNSON, husband and wife.

CRYSTAL LODER Notary Public, State of Kansas My Appointment Expires

Signature: Crystal 20der
[Notary Public]

Name: Crystal Loder
[Printed or Typed]

My Appointment Expires: 10 (24 (7)

W:\MCD\Quality Hay.LLC\WarrantyDeed(Johnson).docx

RECEIVED APR 0 3 2023

Garden City Field Office Division of Water Resources

Buyer's Settlement Statement

Frazee Abstract & Title, Inc 301 North Main, PO Box 413 Syracuse, KS 67878

Phone: 620-384-7828 Fax: 620-384-6759

Date: 03/08/23

Escrow no.: 23-0105

Close of escrow: 03/13/23

Escrow officer: Crystal Loder

Buyer: Quality Hay, L.L.C.

Seller: Glenn Dale Johnson and Lorna Margaret Johnson

Time: 12:36:56PM

Property location: NW/4 7-25-35 except tract; SW/4 7-25-35

Kearny County, KS 67860

| | Buyer | | |
|---|-----------------|-------------|--|
| | Debit | Credit | |
| Financial Consideration | | | |
| Contract sales price | 599,344.39 | | |
| Purchase money note | | 548,010.32 | |
| Escrow Charges | 1,000 | | |
| Closing Fee to Frazee Abstract & Title, Inc | 400.00 | | |
| Courier Fee to Frazee Abstract & Title, Inc | \$ 50.00 | - rehid | |
| Title Charges | | | |
| Search Fee to Frazee Abstract & Title, Inc | 250.00 | | |
| Owner's policy premium to Frazee Abstract & Title, Inc | 1,323.80 | | |
| Policies issued: Owners Policy Coverage: 599,344.39 1,323.80 Version: ALTA Owners Policy (06/17/06) | | | |
| Recording Charges | | | |
| Recording fees to Kearny County Register of Deeds | 93.00 | | |
| Subtotals | 601,461.19 | 548,010.32 | |
| Balance Due FROM Buyer | | \$53,450.87 | |
| TOTALS | 601,461.19 | 601,461.19 | |

Buyer

Quality Hay, L.L.C.

Darin T. Smith Member

Frazee Abstract & Title, Inc

Settlement Agent

RECEIVED

APR 03 2023

Garden City Field Office Division of Water Resources