CHECK SHEET Short Change

(To be completed and attached to <u>each</u> application)

F	ile N	lo	23650)	-	Fie	ld Office	No. <u>4</u>		G	MD No. <u>3</u>	
1.	Plug	gging	agreement	obtained fo	r GMD?	Yes 🗌	No		Non Appl	icable 🛛		
2.				et as current	-				No 🗌		Address	Change? NO
3.						-				No 🗌		
1				n computer								
4.										for the new p	ooint(s) o	f diversion:
	A	ction	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	County	y	Qualifiers
	E	ENT	15608		22	27	34w	1300	4290	Haske	11	NESWSW
		DEL	84879									
		Old PI 			gpm gpm/cfs 		gpi	_gpm m/cfs m/cfs		d Quantity af af/mgy _ af/mgy _ ctly shown in		af af/mgy af/mgy
	e.	Forma	ation Name	& No . <u>211 c</u>	glala			_ Specia	l Use Are	a <u>na</u>		
5.	Dist	ances	from the o	original p/d:			127	,	N	40	' \	N
6.	<u>WA</u>	TER R	IGHT ACT	ON TRAIL C	OMMENT	S						
	<u>11/1</u>	<u> 8/16</u>				Change	e Applica	tion Rece	ived (date	e accepted for	priority)	
	12	<u> </u>	<u>7 /16</u>				e Approvo and Proc	ed of by <u>12/3′</u>	<u>1/17</u>			
	_/2	2/2	914			Comple	etion Req	luirement	Removed	I (Change No.	C)	
7.		TER A		AIL COMME	NTS	DWR	/leter Red	quired by	<u>12/31/17</u>			
8.	Bas	e Acre	s		Yea	r		Min	imum Rea	asonable Quar	ntity	
								Γ	ate Crea	ted 11/22/16	by tpm	
								Ē	Date Enter	red	by	

CHECK SHEET ATTACHMENT

9. Changes to the place of use will be:

File Number 23650

	0						NE	=1/4			NV	V1⁄4			SV	V¼			SE	=1/4		TOTAL
Action	Owner Person ID	Place Use ID #	Twp.	Range		NE1/4	NW1/4	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE1/4	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	TOTAL ACRES
NO CHG					Acres Authorized																	
NO CHG					New Acres																	
					Acres Authorized																	
					New Acres																	
					Acres Authorized																	
					New Acres																	
					Acres Authorized																	
					New Acres																	

Names and Address:

1. Person ID #	2.	Person ID #	3.	Person ID #

- 1. Give to Applicant:
 - a. Original application/approval
 - b. Original receipt (one for each application)
 - c. Information packet containing:
 - Notice and Proof form
 - Water Meter Specifications
 - Acceptable Meter list
 - Water level measurement tube specifications
 - Check Valve specifications
 - Pink Sheet K.S.A. 82a-728 letter
 - Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)

- **GENERAL INSTRUCTIONS**
- 2. Send to headquarters:
- a. Good, <u>microfilmable</u> copy of application and/or approval and this check sheet
- b. Original check and copy of receipt
- c. Test hole log
- d. GMD recommendation, if any
- e. Map or aerial photograph, if any
- 3. Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well.

CONDITIONS

- 1. Insert notice and proof date.
- 2. Type or print applicant's/owner's name on line.
- 3. Complete notary statement.

- 4. Date stamp received and approved.
- 5. Complete ownership and WUC change information.

ADDITIONAL PHOTOCOPIES

Garden City Field Office 2508 Johns Street Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner



Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov Sam Brownback, Governor

December 29, 2016

DESERET CATTLE FEEDERS LLC ARMANDO CABALLERO GM 521 RD 50 SATANTA KS 67870

RE: Application to Change the Point of Diversion Water Right, File No. 23650

Dear Sir:

Enclosed is an 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 this order modifies the original documents referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate. Please also submit a copy of the current ownership deed to have our records changed.

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 to call this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

A May

Michael A. Meyer Water Commissioner

MAM: enclosures pc: Groundwater Management District No. 3 Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. *Call for address:*

Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended. Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use. RECEIVED

		File No. <u>23650</u>												3:31,0m NOV 1 8 2016				
1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Garden City Field O Division of Water Reso Division of Water Reso																		
	under the water right which is the subject of this application in accordance with the conditions described below.																	
	The source of	source of supply is:																
2.	Name and add	ress of	Applic	ant: D	ESER	ET CA	TTLE	FEED	ERS L	LC								
	Name and address of Applicant: DESERET CATTLE FEEDERS LLC 521 RD 50 SATANTA KS 67870																	
	Phone Number: (Email address:																	
	Name and add	ress of	Water	Use C	orresp	onden	t: <u>DE</u>	SERE	T CAT	TLE FE	EDEF	RS LLC)					
	521 RD 50 SATANTA KS 67870																	
	Phone Number: () Email address:																	
3.																		
	Owner of Land	N/	AME:	DESE	RET C	ATTL	FEE	DERS	LLC									
		ADDR	ESS:	521 R	D 50	SATA	NTA K	S 678	70									
	(If there is more	than one	landov	vner, at	ttach su	ppleme	ental sh	ieets as	neces	sary.)								
			N	=1⁄4			N/	N1⁄4			SV	V1⁄4			SE	=1/4		TOTAL
	Sec. Twp. Range	NE¼	NW1/4	SW1⁄4	SE¼	NE¼	NW¼	SW1/4	SE1/4	NE¼	NW1/4	SW¼	SE¼	NE¼	NW1⁄4	SW1⁄4	SE¼	ACRES
4.	Owner of Land	N/ ADDR	AME: ESS:	no cha	ange in	acres					ace of	use be	e chan	ged to	:			
_	(If there is more	than one	landov	vner, at	ttach su	ippleme	ental sh	eets as	neces	sary.)								
			N	=1/4			NV	N1⁄4			SV	V1⁄4			SE	=1/4		TOTAL ACRES
		11	1	L .														ACKES

Sec.

For Office Use Only: Code _____ Fee \$ /00 TR # _____ Receipt Date ///18/16 Check # 8380

Twp. Range NE¹/₄ NW¹/₄ SW¹/₄ SE¹/₄ NE¹/₄ NW¹/₄ SW¹/₄ SW¹/₄ SE¹/₄ NE¹/₄ NW¹/₄ SW¹/₄ SE¹/₄ NW¹/₄ SW¹/₄ SE¹/₄ NW¹/₄ SW¹/₄ SE¹/₄ NW¹/₄ SW¹/₄ SW¹

5.	Presently authorized point of diversion:				
	One in the NE Quarter of the	SW	Quarter of the	SW	Quarter
	of Section22, Township				
	in <u>Haskell</u> County, Kansas, <u>1173</u> f				
	Authorized Rate Authorized Quantity				
	(DWR use only: Computer ID No. 08 GPS		feet North	feet	Nest)
	This point will not be changed This point will be				,
	Proposed point of diversion: (Complete only if change	is reau	ested)		
	One in the NE Quarter of the			SW	Quarter
	of Section 22, Township				
	in <u>Haskell</u> County, Kansas, <u>1300</u> f				
	Proposed Rate Proposed Quantity		Proposed well dep	th (feet)	
	This point is: Additional Well Geo Center List othe				
L					
6.	Presently authorized point of diversion:				
Ű.	One in the Quarter of the		Quarter of the		Quarter
	of Section, Township		South, Range		(E/W)
	in County Kansas f	East No.	th feet Meet (of Southoast cor	nor of section
	Authorized Rate Authorized Quantity	/	Depth of well	(1	eet)
	Authorized Rate Authorized Quantity (DWR use only: Computer ID No GPS	./	feet North	feet V	Vest)
	☐ This point will not be changed ☐ This point will be	e chan	ged as follows:		,
	Proposed point of diversion: (Complete only if change				
	One in the Quarter of the				Quarter
	of Section, Township		South Range		(F/W)
	in County, Kansas, f	eet No	th feet West of	of Southeast cor	ner of section
	Proposed Rate Proposed Quantity		Proposed well dep	th (feet)	
	This point is: Additional Well Geo Center List othe				
L					
7.	Why do you need a new point of diversion?	13a.	If the proposed point of div	ersion will be rele	ocated within 100
	Mall many authorized in 2045 was not sound to do This		feet of the existing point of the diagram below in relation	diversion, indica	nte its location on
	Well move authorized in 2015 was not completed. This		(PLEASE NOTE: The ")	(" in center of	diagram below
	application proposes to revert to previous location.		represents presently auth	•	diversion.)
				lorth	100
8.	If a well, is the test hole log attached? 🗌 Yes 🛛 🛛 No		100 50		
9.	When do you propose to complete the new point of			<u>+</u> ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
э.	diversion?		E	_	
	Upon approval by DWR; this is an existing well.		50 - +	+ ·	50
	opon approval by DVVR, this is an existing well.		F	_	7
10.	If the point of diversion is a well:				
	(a) What are you going to do with the old well?		West 0 - 111 111	<u>^</u>	O East
			F	_	7
	Use as a domestic well to serve a rural fire station.		50 - +	— + ·	二50
	(b) Mhan will this be done? 2017				
	(b) When will this be done? 2017			_ +l	
4.4	Counductor Management District account dation		100 50	0 70	100
11.	Groundwater Management District recommendation attached?		100 50 s	0 50 Jouth	100
			Scale	: 1" = 100'	
12.	Assisted by tpm	13b.	If the proposed point of div	ersion will be relo	ocated more than
			100 feet but within 1320 diversion, attach a topogra	aphic map or a	erial photograph.
			For groundwater sources, s	how all wells (ind	cluding domestic)
			within one-half mile of the p names and mailing addres	roposed point of ses of the owne	aiversion and the
			water sources, show the	names and a	ddresses of the
			landowner(s) one-half mile upstream from your property		nd one-half mile
				,	

- 14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:
 - (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application? S Yes □ No (If no, all owners must sign this application.)
 - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes P No (If yes, all owners must sign this application.)

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

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

Dated at Satisfanda	, Kansas, this	15 day of (November	, 20_16
PI (112				
(OWNER) Ganaral Manager			(Spouse)	
Armando Caballero, Manager, Deseret Cattle Feeders L	LC			
(Please Print)			(Please Print)	
(Owner)			(Spouse)	
(Please Print)			(Please Print)	
(Owner)			(Spouse)	
(Please Print) State of Kansas County of	SHER	BLIC - State of Kan YL ANDERSE Expires 6/20/20	N	
I hereby certify that the foregoing application was	signed in my p	presence and sv	worn to before me this	s 15th day of
My Commission Expires 1202020	be complete all of t	Sheef	Notary Public	ust be completed with
accurate information; maps, if necessary, must be included; signat the appropriate fee must be paid.	tures of all the appro	opriate owners' mus	t be affixed to the application	n and notarized; and

FEE SCHEDULE

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

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

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 *et.seq.* With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 23650

- 1. A change application was received on <u>Movember</u> 18, 2016 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
- 2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use.
- The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a <u>50</u> foot radius of the authorized point(s) of diversion. Applicable Not Applicable
- 4. The point(s) of diversion authorized herein shall not actually be located more than ______ feet from the previously authorized point(s) of diversion. _____ Applicable _____ Not Applicable
- 5. 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
- 6. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2017, 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.
- 7. Installation of the works for diversion of water shall be completed on or before December 31, 2017, or within any authorized extension of time. By March 1, 2018 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.

 Image: Complete Comp
- 8. The completed well log shall be submitted with the required notice.

 Applicable

 Not Applicable
- All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
- 10. Additional Conditions are attached.
 Yes Yo
- 11. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the Kansas Water Appropriation Law and the Rules and Regulations promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

Administrative Appeal and Effective Date of Order

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the **Chief Engineer**, **Division of Water Resources**, **Kansas Department of Agriculture**, **1320 Research Park Drive**, **Topeka**, **Kansas 66502**, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown on the Certificate of Service.

For Use by Register of Deeds

SUMMARY ORDER ISSUED
By:
Date of Issuance: December 29, 2016
State of Kansas)
County of <u>Jinney</u>) SS
Acknowledged before me on <u>Necember 29, 2016</u>
by Michael A. Meyer
Signature: <u>Sulle cons</u>
JULIE JONES JULIE JONES My Appointment Expires December 15, 2018
(Notary Seal)
* 2/ -0

FOR OFFICE USE ONLY

File No. 23650

