

File No. **16910** 11. County: FI Basin: **ARKANSAS RIVER** Stream: Formation Code: **211** Special Use:

12. Points of Diversion
 Rate and Quantity
 Authorized Additional
 Rate Quantity Rate Quantity
 gpm mgy gpm mgy Overlap PD Files

CHK	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	Overlap PD Files
DEL					34802												
ENT					NW SE SW	24	25S	33W		1043	3903		425	90.261	425	90.261	NONE

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

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

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

CHK	MOD	DEL	ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
									NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
CHK																												
CHK																												
CHK																												
CHK																												

Base Acres: Year: Minimum Reasonable Quantity:
 Comments:

Garden City Field Office
4532 W. Jones, Suite B
Garden City, KS 67846



Phone: 620-276-2901
Fax: 620-276-9315
www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

April 26, 2022

ROCKING T RANCH LLC
2670 D RD
RISING CITY, NE 68658-3857

RE: Filed Office Application for Change
Water Right, File No. 16910

Dear Sir or Madam:

Enclosed is the order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

Since the order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

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

Sincerely,

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

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc: GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 26th day of April, 2022, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 16,910 dated 26th day of April, 2022 was mailed postage prepaid, first class, US mail to the following:

ROCKING T RANCH LLC
2670 D RD
RISING CITY, NE 68658-3857

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 diversion and/or place of use.

File No. 16910

RECEIVED
 10:00 am
 APR 22 2022

Garden City Field Office
 Division of Water Resources

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

Place of Use Point of Diversion

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

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: ROCKING T RANCH LLC

2670 D RD, RISING CITY, NE 68658-3857

Phone Number: () _____ Email address: _____

Name and address of Water Use Correspondent: Same

Phone Number: () _____ Email address: _____

3. The presently authorized place of use is:

Owner of Land — NAME: Same

ADDRESS: _____

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

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES		
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land — NAME: _____

ADDRESS: _____

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

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				

For Office Use Only: Code _____ Fee \$ 100.00 TR # _____ Receipt Date 4-22-21 Check # Visa card

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ NC Quarter of the _____ SW Quarter
 of Section _____ 24 _____, Township _____ 25 _____ South, Range _____ 33 _____ (W),
 in FINNEY _____ County, Kansas, _____ 1110 _____ feet North _____ 3685 _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 01 _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the _____ NW _____ Quarter of the _____ SE _____ Quarter of the _____ SW _____ Quarter
 of Section _____ 24 _____, Township _____ 25 _____ South, Range _____ 33 _____ (W),
 in FINNEY _____ County, Kansas, 1043 feet North 3903 feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

7. The changes herein are desired for the following reasons?
 (please be specific) LOSS OF PRODUCTION

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

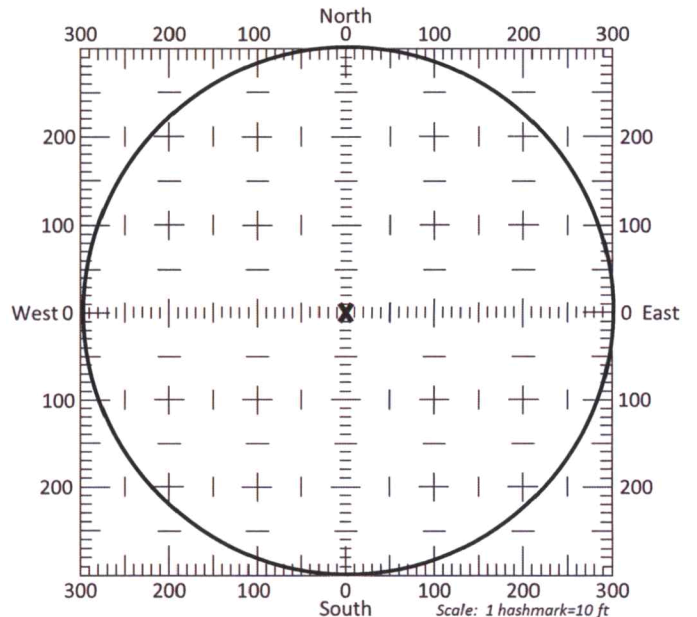
9. The change(s) (was)(will be) completed by?
UPON APPROVAL

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

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by _____

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines



13b. If the proposed point of diversion will be relocated within a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. **(PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)**

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
 - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
 - (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

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

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

Dated at Rising City, ^{NEBRASKA} Kansas, this 12th day of April, 2022.

[Signature]
 (Owner)

 (Spouse)

TOO TULS
 (Please Print)

 (Please Print)

 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

State of ~~Kansas~~ NEBRASKA }
 County of BUTLER } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 12th day of APRIL, 2022.



[Signature]
 Notary Public

My Commission Expires JANUARY 24, 2025.

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

FEE SCHEDULE

- Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**
- (1) Application to change a point of diversion 300 feet or less \$100
 - (2) Application to change a point of diversion more than 300 feet \$200
 - (3) Application to change the place of use \$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 16910.

- 1. A change application was received on April 22, 2022 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
- 2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
- 3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 50 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
- 4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. Applicable Not Applicable
- 5. The point(s) of diversion authorized herein shall not actually be located more than 350 feet from the previously authorized point(s) of diversion. Applicable Not Applicable
- 6. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable Not Applicable
- 7. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2022, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. Applicable Not Applicable
- 8. Installation of the works for diversion of water shall be completed on or before December 31, 2022, or within any authorized extension of time. By March 1, 2023 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Applicable Not Applicable
- 9. The completed well log shall be submitted with the required notice. Applicable Not Applicable
- 10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
- 11. Additional Conditions are attached. Yes No
- 12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the Kansas Water Appropriation Law and the Rules and Regulations promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

Administrative Appeal and Effective Date of Order

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

For Use by Register of Deeds

FOR OFFICE USE ONLY
APPLICATION APPROVED AND SUMMARY ORDER ISSUED

By: Austin McColloch
Duly Authorized Designee of the Chief Engineer

(Print Name): Austin McColloch
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: April 26, 2022

State of Kansas)

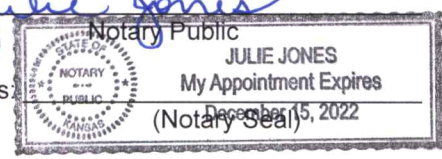
County of Winney) SS

Acknowledged before me on April 26, 2022

by Austin McColloch

Signature: Julie Jones

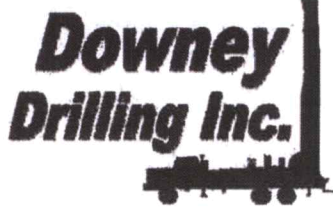
My commission expires _____
Notary Public
JULIE JONES
My Appointment Expires _____
(Notary Seal) December 15, 2022



WELL LOG

Feedlot

DATE: 1/28/2022



16910

CUSTOMER NAME: TRINITY FEEDYARD LLC (TH#1)

LEGAL: SW 24-255-33W

COUNTY: FINNEY CO, KS

GPS: 37.861623

-100.897217

LOGGER:

DRILLER: DIEGO VALLE

WO: 21-1748

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	5	SURFACE SAND	SOFT		FAST		SMOOTH
	5	35	SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
	35	45	FINE SAND	SOFT		FAST		VIBRATION
	45	60	SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
	60	73	FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		FAST CHATTER
	73	115	FINE-MED GRAVEL W/ FINE-MED-COARSE SAND	STIFF		FAST		FAST CHATTER
	115	143	FINE-MED-LARGE GRAVEL	STIFF		FAST		CHATTER
	143	144	CEMENTED SAND	HARD	WHITE	SLOW	X	CHATTER
	144	160	FINE-MED-COARSE SAND W/ FINE GRAVEL & LIMEROCK	STIFF		FAST		FAST CHATTER
	160	173	SANDY CLAY	LITTLE STICKY	BROWN	FAST		SMOOTH
	173	187	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	187	193	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	193	209	BLUE SANDY CLAY	SOFT	BLUE	FAST		SMOOTH
	209	233	FINE-MED SAND	SOFT		FAST		VIBRATION
	233	253	BROWN CLAY W/ FINE SAND & LIMEROCK	FIRM	BROWN & WHITE	FAST		SMOOTH & CHOPPY
	253	283	FINE-MED-COARSE SAND W/ LIMEROCK	STIFF	WHITE	FAST SEMI-SLOW		FAST CHATTER
	283	300	SANDY CLAY W/ FINE-MED-COARSE SAND	FIRM	WHITE	FAST		SMOOTH & CHOPPY
X	300	353	FINE-MED-COARSE SAND W/ LIMEROCK	STIFF	WHITE	FAST		FAST CHATTER
	353	380	SANDY CLAY W/ FINE-MED-COARSE SAND	SOFT	TAN	FAST		SMOOTH VIBRATION & CHOPPY
	380	431	FINE SAND W/ LIMEROCK	STIFF	WHITE	FAST		SMOOTH
	431	440	BROWN CLAY	SOFT	BROWN	FAST		VIBRATION SMOOTH & VIBRATION
	440	451	FINE-MED SAND	FIRM		FAST		CHATTER
	451	474	SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		SMOOTH & FAST CHATTER
	474	476	HARD SPOT	HARD		SLOW	X	FAST CHATTER & SMOOTH
	476	488	WEATHERED CLAY W/ BROWN ROCK & SANDSTONE	FIRM	YELLOW & BROWN	FASTER		FAST CHATTER
X	488	500	BROWN ROCK W/ SANDSTONE/ WEATHERED CLAY	STIFF	BROWN & YELLOW	FAST		FAST CHATTER
X	500	516	BROWN ROCK W/ SANDSTONE & FINE SAND	STIFF	BROWN	FAST		SMOOTH
	516	527	BLUE SOAPSTONE W/ BLUE CLAY & FINE SAND	FIRM	BLUE	FAST		FAST CHATTER
X	527	551	SANDSTONE W/ BROWN ROCK & FINE SAND	HARD	BROWN	FAST		VIBRATION
X	551	580	SHALE	SOFT	BLUE	SLOW		FAST CHATTER
			QUIKGEL - 10	CASING SEAL - 1				
			BRAN - 4	EZ MUD - 1/2				
			HOLE PLUG - 2	SODA ASH - 1				