

Kansas Department of Agriculture
Division of Water Resources
CHANGE: P/D WORKSHEET

1. File Number: 40543	2. Status Change Date:	3. Change Num: C1	4. Field Office: 4	5. GMD: 3
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 3/25/2022
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8a. Applicant(s) Person ID <u>20701</u> New to system <input type="checkbox"/> Add Seq# _____ NATIONAL BEEF PACKING CO PO BOX 978 LIBERAL, KS 67901-0978	8c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____ 8a – PART WR OWNER
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8b. Landowner(s) Person ID <u>31698</u> New to system <input type="checkbox"/> Add Seq# _____ DEAN K BROWN 8745 ROAD 7 LIBERAL, KS 67901-4901	8d. WUC Person ID _____ New to system <input type="checkbox"/> Add Seq# _____ 8a
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9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: 12/31/2022 N & P Date to Comply: 3/1/2023

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter
 Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **3/30/2022** By: **AM**
Date Entered: _____ By: _____

File No. **40543** 11. County: **SW** Basin: **CIMARRON RIVER** Stream: Formation Code: **211** Special Use:

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

DEL 17145
ENT SE NW NE 22 34S 33W 4207 1360 1000 560 1000 560 41603

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 _____

16. Place of Use 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 2669																									

Base Acres: Year: Minimum Reasonable Quantity:
 Comments: **ATTACHED AGREEMENTS / WARRENTY DEEDS**

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

March 30, 2022

NATIONAL BEEF PACKING CO
PO BOX 978
LIBERAL, KS 67901-0978

RE: Filed Office Application for Change
Water Right, File No. 40543 & 41603

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: Dean Brown
GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 30th day of March, 2022, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 40,543 and 41,603 dated 30th day of March, 2022 was mailed postage prepaid, first class, US mail to the following:

NATIONAL BEEF PACKING CO
PO BOX 978
LIBERAL, KS 67901-0978

Pc:

DEAN K BROWN
8745 ROAD 7
LIBERAL, KS 67901-4901

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. 40,543

RECEIVED
 2:35 pm
 MAR 25 2022

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

Place of Use Point of Diversion

Garden City Field Office
 Division of Water Resources

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: National Beef Packing Company, LLC

1501 East 8th Street, P.O. Box 978, Liberal, Kansas 67905-0978

Phone Number: (620)626-0233

Email address: jeff.flowers@nationalbeef.com

Name and address of Water Use Correspondent: c/o William A. Ludwig, Jr., Corporate Enviro. Dir.,

P.O. Box 20046, Kansas City, MO 64195-0046

Phone Number: (816)713-8552

Email address: Bud.Ludwig@nationalbeef.com

3. The presently authorized place of use is:

Owner of Land ---- NAME: NO CHANGE

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: NO CHANGE

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 \$ <u>100.00</u> TR # _____ Receipt Date <u>3/25/22</u> Check # <u>03630195</u>
--

5. **Presently authorized point of diversion:**
 One in the SW Quarter of the NE Quarter of the NE Quarter
 of Section 22, Township 34 South, Range 33 W,
 in Seward County, Kansas, 4379 feet North 1300 feet West of Southeast corner of section.
 Authorized Rate 1000 gpm Authorized Quantity 560 acre-feet Depth of well 650 (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:
Proposed point of diversion: (Complete only if change is requested)
 One in the SE Quarter of the NW Quarter of the NE Quarter
 of Section 22, Township 34 South, Range 33 W,
 in Seward County, Kansas, 4224 ⁴²⁰¹ feet North 1366 ¹³⁶⁹ feet West of Southeast corner of section.
 Proposed Rate 1000 gpm Proposed Quantity 560 acre-feet Proposed well depth (feet) 640
 This point is: Additional Well Geo Center List other water rights that will use this point 41603

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/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:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/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. Why do you need a new point of diversion? new potable
water supply well for planned change of use to a dual use
water right for irrigation and industrial use.

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

9. When do you propose to complete the new point of diversion?
as soon as possible

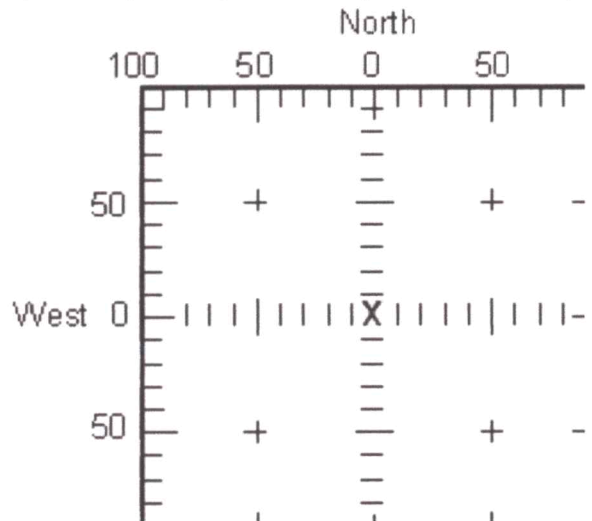
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
retain pending application for dual use water right

(b) When will this be done? application within 60 days

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by _____

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

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?
 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 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 Liberal, Kansas, Kansas, this 11th day of March, 2022.

<u>Jeff Flowers</u> (Owner)	
National Beef Packing Company, LLC, by Jeff Flowers (Please Print)	

State of Kansas }
County of Seward } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 11th day of March, 2022.

Shelly D. Mesa
Notary Public

My Commission Expires 10-15-2024.

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. 40543.

- A change application was received on March 25, 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.
- 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
- 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
- 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
- The point(s) of diversion authorized herein shall not actually be located more than 300 feet from the previously authorized point(s) of diversion. Applicable Not Applicable
- 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, 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
- 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
- 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
- Additional Conditions are attached. Yes No
- 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 McCulloch
Duly Authorized Designee of the Chief Engineer

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

Date of Issuance: March 30, 2022

State of Kansas)
) SS

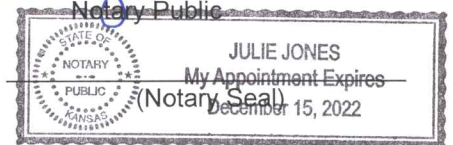
County of Finney)

Acknowledged before me on March 30, 2022

by Austin McCulloch

Signature: Julie Jones
Notary Public

My commission expires: _____
My Appointment Expires _____
(Notary Seal) December 15, 2022



8752 W. Jones Ave.
Garden City, KS 67848
PH: 620-277-2852



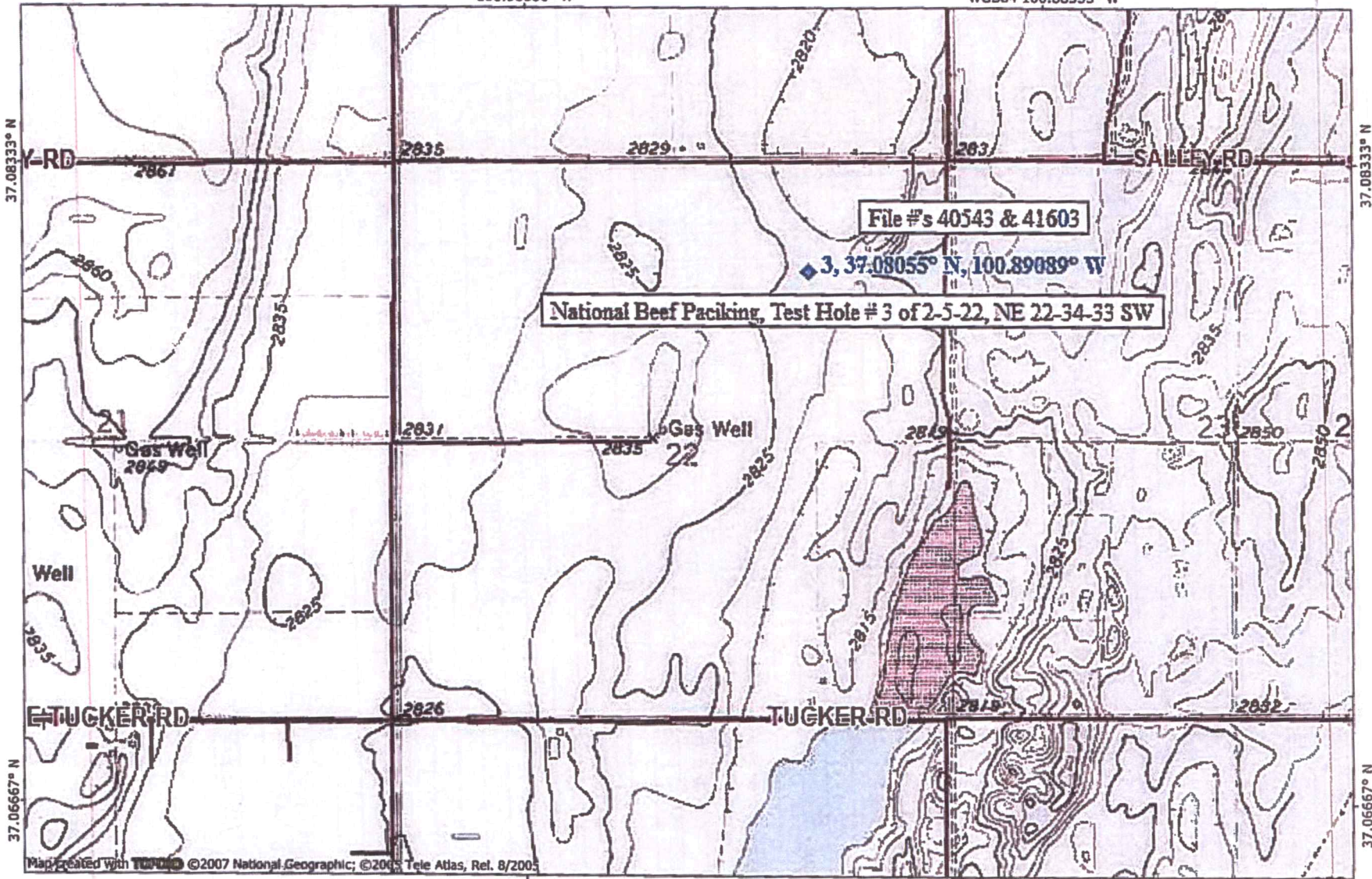
FD Box: 669
Garden City, KS 67848
Fax: 620-277-0224

Customer Name: National Beef Packing Co WO#: 22246 Date: 2/5/22
 Street Address: P.O. Box 978 Test #: 3 E LOG: _____
 City, State: Liberal, KS 67901 Driller: David Fezzell
 County: Sevier Quarters: NF Section: 22 Township: 34 Range: 33
 Location: From old well - 120' S + 5' W GPS: 37.08055°N 100.89089°W
 Rig #: 10004 Elevation: 2821 Static WL: 199' Estimated? Well to Abel
 Proposed Well Depth _____

%	From	Footage Pay	To	Description of Strata
	0		2	Surface
	2		10	Brown Clay
	10		24	Fine Sand
	24		52	Brown Sandy Clay, few Caliche
	52		61	Red-Brown Clay (firm)
	61		80	Sand fine, some clay
	80		88	Sand fine to med
	88		131	Brown Clay, limestone
	131		144	Sand fine to med, coarse
	144		162	Brown-white clay, few limestone
	162		224	Sand fine to small, thin clay
	224		240	Sand fine to some small, thin clay, few ledges
15%	240	105	365	Sand fine to small, few med, few thin clay
5%	365	30	395	Sand fine (Slightly cemented), some clay
10%	395	26	421	Sand fine to small, thin blue clay mixed
	421		423	HARD ledge
5%	423	19	442	Sand, Silty, clay mixed, few ledges
	442		507	Blue Clay, few brown, few tight sands
10%	507	28	535	Sand fine, very few small
	535		542	Blue Clay
5%	542	11	553	Brown Sandy Clay, Silty sands (tight)
15%	553	10	563	Sand fine to small, some med
20%	563	18	581	Sand fine to small, med, few coarse, thin clay
5%	581	21	602	Sand, Silty, clay mixed (Darker tight)
5%	602	8	610	Brown Clay, Silty sand (Dark firm + tight)
10%	610	7	617	Sand fine to small
	617		629	Brown Clay (Slightly Sand)
5%	629	9	638	Sand Silty
	638		649	Red-Blue Clay (firm)
	649		660	Red Bed
				REAMED HOLE
				3- SuperGel X
				SET CASING
				5- Grout
				AIR LIFT
				8- Bentonite Plug
				COLLECT WATER SAMPLES
				1- Perma Plug
				DELIVER SAMPLES TO SERVI-TECK 2-9-22

TOPO! map printed on 02/08/22 from "Untitled.tpo"
100.90000° W

WGS84 100.88333° W



37.08333° N

37.08333° N

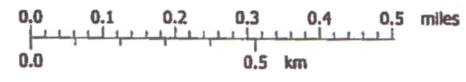
37.06667° N

37.06667° N

Map created with TOPO! ©2007 National Geographic; ©2003 Tele Atlas, Ref. 8/2003

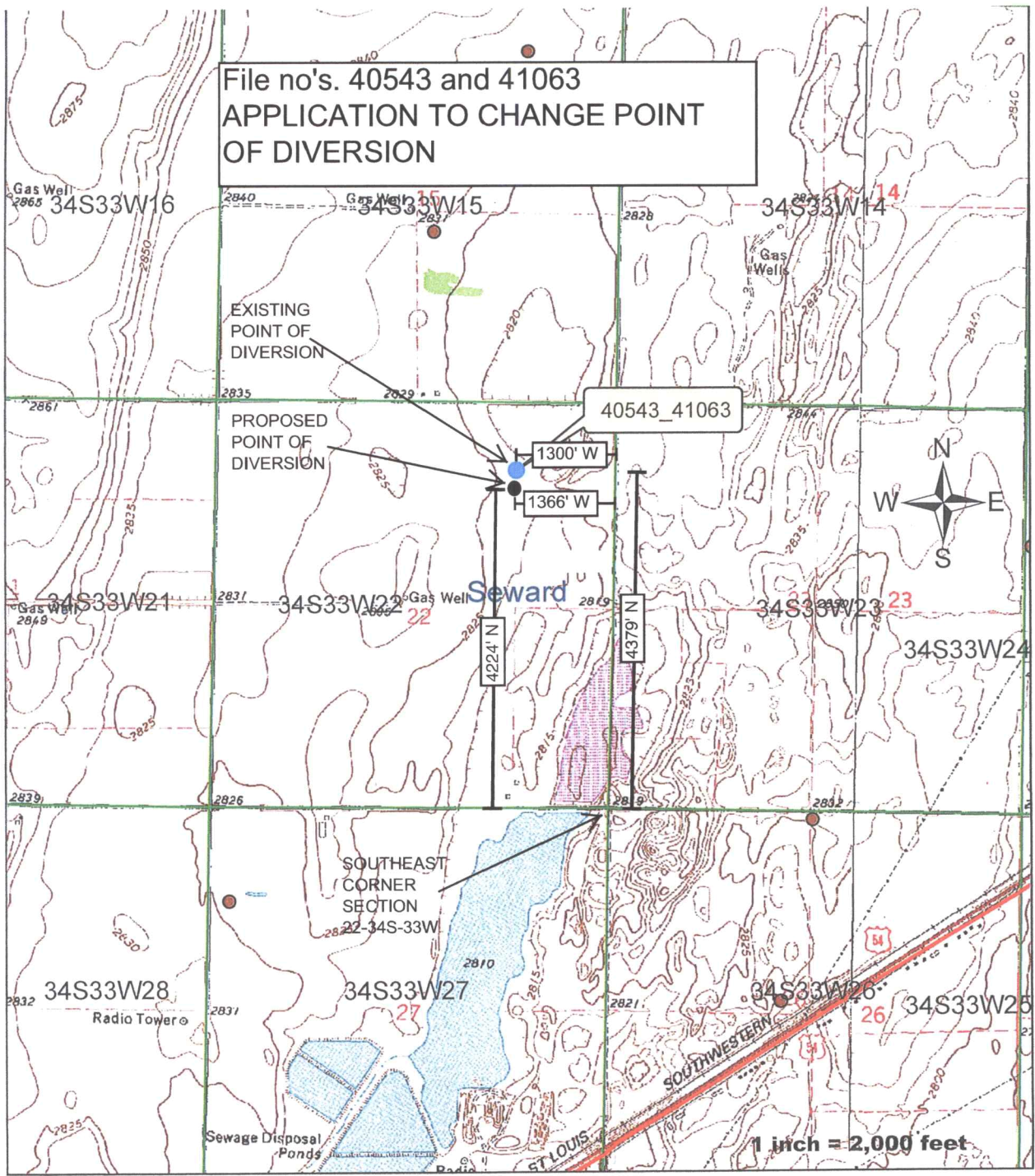
100.90000° W

WGS84 100.88333° W



File no's. 40543 and 41063
APPLICATION TO CHANGE POINT
OF DIVERSION

T
34
S



R 33 W

All wells within 1/2
mile of the proposed
point of diversion are
shown.

MAR 30 2022

Garden City Field Office
Division of Water Resources**MEMORANDUM OF AGREEMENT AND
NOTICE OF EASEMENTS AND COVENANTS**

THIS INSTRUMENT is executed retroactively as of 30 July 2020 by Dan M. Brown and Anna M. Brown, husband and wife, Dean K. Brown, an unmarried individual, Forrest W. Brown and Kelli Jo Brown, husband and wife, and Thurman L. Brown and Kristina Brown, husband and wife, herein collectively referred to as "Brown", and National Beef Packing Company LLC, a Delaware limited liability company authorized to do business in Kansas, herein referred to as the "National Beef."

WHEREAS, on the 30th day of July 2020, Brown and National Beef entered in to a written agreement (the "Agreement") concerning certain lands as described in Exhibits A, D and Schedule 2 to the Agreement and also concerning water rights described in Schedules 1 and 3 attached to the Agreement;

WHEREAS, at Section 1.3 of the Agreement, Brown and National Beef agreed to execute an instrument to be recorded, in which the terms of the Agreement relating to the use and enjoyment of Brown's water supply system, certain water rights and wastewater are stated as covenants and easements;

WHEREAS, at Section 6.1 of the Agreement, Brown and National Beef agreed the covenants stated in the Agreement constituted covenants running with the lands of Brown and National Beef, specifically the lands of Brown described in Exhibit A to the Agreement and the lands of National Beef described in Exhibit D to the Agreement, for the benefit of Brown, National Beef and their successors and assigns; and,

WHEREAS, at Section 6.2 of the Agreement, Brown and National Beef agreed that in lieu of recording the Agreement each party to the Agreement, on the other party's request, would execute and deliver a recordable instrument that is a summary memorandum of the general terms the Agreement, identifying the Parties and the real property subject to the covenants of the Agreement.

THEREFORE, Brown and National Beef execute this instrument for the purpose of notifying all persons concerned of the existence of the Agreement, portions of which are summarized as follows:

1. **LANDS AND WATER RIGHTS.** The lands and water rights affected by the Agreement are described in Exhibits A, D and in Schedules 1, 2 and 3 attached to the Agreement. True copies of such exhibits and schedules are attached to this instrument.

2. **PURPOSE; NON-RELIANCE.** This instrument is made and recorded solely for the purpose of notifying all concerned persons of the existence of the Agreement. The terms of the Agreement are not fully stated in this instrument. No person may rely on this instrument as a full and complete statement of the terms of the Agreement. Any person who is affected by the Agreement may submit a request to National Beef or Brown for a copy of the Agreement, and National Beef or Brown may require verification of the purpose for the request and the execution

of a confidentiality agreement as a prerequisite to providing a copy of the Agreement.

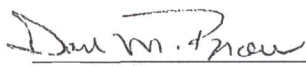
3. NATIONAL BEEF'S USE OF WELLS AND ADDITIONAL WATER RIGHTS. National Beef will be entitled to divert groundwater from wells located on Sections 15 and 22 and will be entitled to pump, mine, capture, produce and use groundwater and groundwater resources from wells located on Sections 15 and 22 for industrial purposes associated with the operation of the Beef Plant as a contribution to the Fresh Water Supply.

4. ADDITIONAL RIGHTS, PRIVILEGES, DUTIES AND COVENANTS. Brown grants to National Beef easements to locate, drill, complete, operate, maintain, repair, relocate and replace water wells and to install, maintain, repair, replace and operate equipment and facilities that National Beef requires to pump, treat and transport water for its Fresh Water Supply, including pumps, casings, well houses, valves, controls, meters, fences, treatment devices and systems, buried water pipelines, buried electric power lines, buried communications lines, buried fuel pipelines, and cathodic protection equipment lines necessary for operation and control of the water wells, pipelines and related equipment and Brown grants National Beef easements to operate and maintain private, un-paved access roads to and from each water well for the exclusive use of National Beef and Brown. The easements, rights-of-way and covenants granted to National Beef in the Agreement will remain in full force and effect as long as the term of the conveyance of the Additional Water Rights to National Beef has not expired.

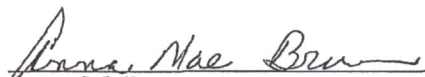
5. BROWN'S USE OF WASTEWATER. Brown permits and authorizes National Beef to deliver Wastewater to Brown's Land, and Brown agrees to the use and application of Wastewater to Brown's Land by Brown.

6. TERM OF AGREEMENT. The term of the Agreement will end as of midnight of December 31, 2045, unless otherwise extended by the Parties.

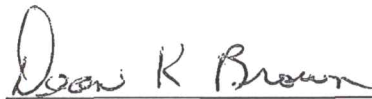
IN WITNESS WHEREOF, the Parties have hereunto subscribed their names on the date and year first above written.



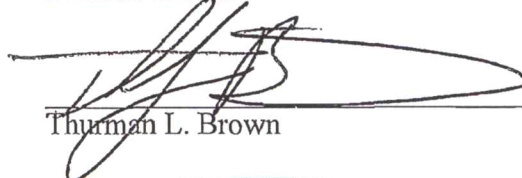
Dan M. Brown



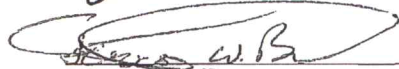
Anna M. Brown



Dean K. Brown



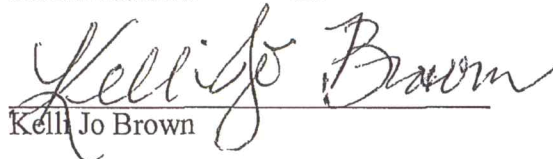
Thurman L. Brown



Forrest W. Brown



Kristina Brown



Kelli Jo Brown

RECEIVED

MAR 30 2022

Garden City Field Office
Division of Water Resources

National Beef Packing Company, LLC


By: Bret G. Wilson

Printed Name: BRET G. WILSON Office: VICE PRESIDENT

STATE OF KANSAS, COUNTY OF Seward, SS:

This instrument was acknowledged before me on this 2nd day of December, 2021, by Dan M. Brown and Anna M. Brown, husband and wife.

Alyssa S. Krause
NOTARY PUBLIC

NOTARY PUBLIC - STATE OF KANSAS
 Alyssa S Krause
My Commission Expires 11/4/2022

My Appointment Expires: 11/4/2022

STATE OF KANSAS, COUNTY OF Seward, SS:

This instrument was acknowledged before me on this 3 day of Dec, 2021, by Dean K. Brown, an unmarried individual.

Lorena DeHerrera
NOTARY PUBLIC

LORENA DeHERRERA
Notary Public - State of Kansas
My Appt. Expires 8-27-25

My Appointment Expires: 8-27-25


RECEIVED
MAR 30 2022

Garden City Field Office
Division of Water Resources

STATE OF KANSAS, COUNTY OF Seward, SS:

This instrument was acknowledged before me on this 23rd day of November, 2021, by Forrest W. Brown and Kelli Jo Brown, husband and wife.

Alyssa S. Krause
NOTARY PUBLIC

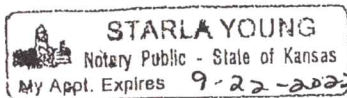
NOTARY PUBLIC - STATE OF KANSAS
 Alyssa S Krause
My Commission Expires 11/4/2022

My Appointment Expires: 11/4/2022

STATE OF KANSAS, COUNTY OF Seward, SS:

This instrument was acknowledged before me on this 16 day of December, 2021, by Thurman L. Brown and Kristina Brown, husband and wife.

[Signature]
NOTARY PUBLIC



My Appointment Expires: 9/22/2022

STATE OF Missouri, COUNTY OF Platte, SS:

This instrument was acknowledged before me on this 28th day of January, 2022, by Bret G. Wilson as the Vice President (office) of National Beef Packing Company, LLC, a Delaware limited liability company.

[Signature]
NOTARY PUBLIC

My Appointment Expires: 3/7/22



STATE OF KANSAS } FEE \$ 173⁰⁰/₁₀₀
SEWARD COUNTY }



This instrument was filed for record
February 4 20 22
at 12:40 o'clock A. M. and recorded
in Vol. 733 at page 554

KAREN J. WARDEN, Register of Deeds
[Signature]

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MAR 30 2022

Garden City Field Office
Division of Water Resources

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MAR 30 2022

EXHIBIT A

Brown's Cropland

Garden City Field Office
Division of Water Resources

TRACT 1: 450 irrigated acres in section eighteen (18), township thirty-four (34) south, range thirty-two (32) west of the 6th PM, in Seward County, Kansas, owned by Dean K. Brown and Dan M. Brown.

TRACT 2: 116 irrigated acres in the southwest (SW $\frac{1}{4}$) of section thirteen (13), township thirty-four (34) south, range thirty-three (33) west of the 6th PM, in Seward County, Kansas, owned by Dan M. Brown.

TRACT 3: 110 irrigated acres in the southeast (SE $\frac{1}{4}$) of section thirteen (13), township thirty-four (34) south, range thirty-three (33) west of the 6th PM, in Seward County, Kansas, owned by Dean K. Brown.

TRACT 4: 80 irrigated acres in the east 2,155 feet of the southeast (SE $\frac{1}{4}$) of section fourteen (14), township thirty-four (34) south, range thirty-three (33) west of the 6th PM, in Seward County, Kansas, owned by Thurman L. Brown and Forrest W. Brown.

TRACT 5: 240 irrigated acres in the northwest (NW $\frac{1}{4}$) and the west 1,790 feet of the southwest (SW $\frac{1}{4}$) of section fourteen (14), township thirty-four (34) south, range thirty-three (33) west of the 6th PM, in Seward County, Kansas, owned by Thurman L. Brown and Forrest W. Brown.

TRACT 6: 240 irrigated acres in the north half (N $\frac{1}{2}$) of section fifteen (15), township thirty-four (34) south, range thirty-three (33) west of the 6th PM, in Seward County, Kansas, owned by Dean K. Brown.

TRACT 7: 240 irrigated acres in the south half (S $\frac{1}{2}$) of section fifteen (15), township thirty-four (34) south, range thirty-three (33) west of the 6th PM, in Seward County, Kansas, owned by Dan M. Brown.

TRACT 8: 240 irrigated acres in the north half (N $\frac{1}{2}$) of section twenty-two (22), township thirty-four (34) south, range thirty-three (33) west of the 6th PM, in Seward County, Kansas, owned by Dean K. Brown and Dan M. Brown.

TRACT 9: 122 irrigated acres in the northeast (NE $\frac{1}{4}$) of section twenty-four (24), township thirty-four (34) south, range thirty-three (33) west of the 6th PM, in Seward County, Kansas, owned by Dean K. Brown and Dan M. Brown.

EXHIBIT D

National Beef Land

Tracts of land located in the north half (N½) of section thirty-four (34), township thirty-four (34) south, range thirty-three (33) west of the 6th PM, in Seward County, Kansas ("Section 34"), more particularly described as follows:

TRACT 1 [from book 441, page 017]: Beginning at the northwest corner of Section 34, and assuming the west line of Section 34 bears north 00 degrees 00 minutes 00 seconds east, thence north 88 degrees 56 minutes 54 seconds east a distance of 2,300.6 feet (described as 2,296.5 feet in the deed recorded in book 241, page 350, the "Deed"); thence south 01 degree 18 minutes 16 seconds east a distance of 741.9 feet (described as 741.5 feet in the Deed); thence south 56 degrees 29 minutes 05 seconds west a distance of 2,779.2 feet to the west line of Section 34; thence north along the west line of Section 34 a distance of 2,234.0 feet to the point of beginning; and,

TRACT 2 [from book 560, page 1008]: Beginning at the northeast corner of the northwest quarter (NW¼) of said Section 34, thence west along the section line 299.04 feet to a point marked by a steel 3/4 inch reinforcing rod 30 inches long set in concrete, which is 2,296.5 feet east of the northwest corner of Section 34), thence south 741.75 feet to the highway, thence northeasterly along the highway 1,389.03 feet to the north section line, thence west on the section line 875.46 feet to the point of beginning.

RECEIVED

MAR 30 2022

Garden City Field Office
Division of Water Resources

SCHEDULE 1
Base Water Rights

RECEIVED

MAR 30 2022

Division of Water Resources ("DWR")
Water Right File No. 15,745

Garden City Field Office
Division of Water Resources

Priority Date: October 8, 1968;
Authorized Use: Industrial;
Authorized Place of Use: Beef processing plant located in the N½ of Section 34-T34S-R33W, Seward County, Kansas;
Authorized Points of Diversion: National Beef well 6 located in the NE¼ NE¼ NW¼, 4,865 feet north and 3,058 feet west of the SE corner of Section 34-T34S-R33W (a/k/a DWR Id 4); National Beef Well 9 located in the SW¼ SW¼ NW¼, 3,233 feet north and 5,098 feet west of the SE corner of Section 34-T34S-R33W (a/k/a DWR Id 6); and, National Beef well 10 located in the NW¼ NW¼ NW¼, 4,931 feet north and 5,169 feet west of the SE corner of Section 34-T34S-R33W (a/k/a DWR Id 7);
Authorized Quantity: From National Beef well 6, not to exceed 189.582 million gallons (581.805 acre-feet) per calendar year; From National Beef well 9, not to exceed 218.400 million gallons (670.24 acre-feet) per calendar year; From National Beef well 10, not to exceed 233.982 million gallons (718.06 acre-feet) per calendar year; All subject to limitations imposed by the certificate of appropriation dated October 29, 2001;
Authorized Diversion Rate: From National Beef well 6, not to exceed 720 gallons per minute (1.60 cfs); From National Beef well 9, not to exceed 700 gallons per minute (1.56 cfs); and, From National Beef well 10, not to exceed 700 gallons per minute (1.56 cfs).

DWR Water Right File No. 30,255

Priority Date: August 12, 1977;
Authorized Use: Industrial;
Authorized Place of Use: Beef processing plant located in the N½ of Section 34-T34S-R33W, Seward County, Kansas;
Authorized Point of Diversion: National Beef well 4 located in the SE¼ SE¼ NW¼, 2,773 feet north and 3,028 feet west of the SE corner of Section 26-T34S-R33W (a/k/a DWR Id 1);
Authorized Quantity: Not to exceed 327.324 million gallons (1,004.52 acre-feet) per calendar year, subject to limitations imposed

Authorized Diversion Rate: by the certificate of appropriation dated October 29, 2001;
Not to exceed 760 gallons per minute (1.69 cfs).

DWR Water Right File No. 42,805

Priority Date: May 12, 1997;
Authorized Use: Industrial;
Authorized Place of Use: Beef processing plant located in the N½ of Section 34-T34S-R33W, Seward County, Kansas;
Authorized Point of Diversion: National Beef well 7 located near center north side (CN), 5,155 feet north and 2,540 feet west of the SE corner of Section 26-T34S-R33W (a/k/a DWR Id 2);
Authorized Quantity: Not to exceed 244.39 million gallons (750 acre-feet) per calendar year;
Authorized Diversion Rate: Not to exceed 720 gallons per minute (1.60 cfs).

DWR Water Right File No. 44,607

Priority Date: April 3, 2001;
Authorized Use: Industrial;
Authorized Place of Use: Beef processing plant located in the N½ of Section 34-T34S-R33W, Seward County, Kansas;
Authorized Point of Diversion: National Beef well 7 located near center north side (CN), 5,155 feet north and 2,540 feet west of the SE corner of Section 26-T34S-R33W (a/k/a DWR Id 2);
Authorized Quantity: Not to exceed 12.877 million gallons (39.518 acre-feet) per calendar year;
Authorized Diversion Rate: Not to exceed 720 gallons per minute (1.60 cfs), subject to limitations imposed by the certificate of appropriation dated December 12, 2016.

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MAR 30 2022

DWR Water Right File No. 44,608

Priority Date: April 3, 2001;
Authorized Use: Industrial;
Authorized Place of Use: Beef processing plant located in the N½ of Section 34-T34S-R33W, Seward County, Kansas;
Authorized Point of Diversion: National Beef Well 9 located in the SW¼ SW¼ NW¼, 3,233 feet north and 5,098 feet west of the SE corner of Section 34-T34S-R33W (a/k/a DWR Id 6);
Authorized Quantity: Not to exceed 13.472 million gallons (41.34 acre-feet) per calendar year;
Authorized Diversion Rate: Not to exceed 700 gallons per minute (1.56 cfs), subject to limitations imposed by the certificate of appropriation dated October 27, 2015.

Garden City Field Office
Division of Water Resources

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MAR 30 2022

Garden City Field Office
Division of Water Resources

DWR Water Right File No. 45,181

Priority Date: July 16, 2002;
Authorized Use: Industrial;
Authorized Place of Use: Beef processing plant located in the N½ of Section 34-T34S-R33W, Seward County, Kansas;
Authorized Point of Diversion: National Beef well 6 located in the NE¼ NE¼ NW¼, 4,865 feet north and 3,058 feet west of the SE corner of Section 34-T34S-R33W (a/k/a DWR Id 4);
Authorized Quantity: Not to exceed 91.966 million gallons (282.23 acre-feet) per calendar year;
Authorized Diversion Rate: Not to exceed 720 gallons per minute (1.60 cfs), subject to limitations imposed by the certificate of appropriation dated October 27, 2015.

DWR Water Right File No. 45,182

Priority Date: July 16, 2002;
Authorized Use: Industrial;
Authorized Place of Use: Beef processing plant located in the N½ of Section 34-T34S-R33W, Seward County, Kansas;
Authorized Point of Diversion: National Beef well 4 located in the SE¼ SE¼ NW¼, 2,773 feet north and 3,028 feet west of the SE corner of Section 26-T34S-R33W (a/k/a DWR Id 1);
Authorized Quantity: Not to exceed 262.61 million gallons (805.92 acre-feet) per calendar year, subject to limitations imposed by the certificate of appropriation dated October 27, 2015;
Authorized Diversion Rate: Not to exceed 760 gallons per minute (1.69 cfs), subject to limitations imposed by the certificate of appropriation dated October 27, 2015.

DWR Water Right File No. 45,339

Priority Date: December 11, 2002;
Authorized Use: Industrial;
Authorized Place of Use: Beef processing plant located in the N½ of Section 34-T34S-R33W, Seward County, Kansas;
Authorized Point of Diversion: National Beef well 8 located in the NW¼ SW¼ NW¼, 2,773 feet north and 3,028 feet west of the SE corner of Section 24-T34S-R33W (a/k/a DWR Id 5);
Authorized Quantity: Not to exceed 175.31 million gallons (538.01 acre-feet) per calendar year, subject to limitations imposed by the certificate of appropriation dated October 27, 2015;
Authorized Diversion Rate: Not to exceed 415 gallons per minute (0.92 cfs).

SCHEDULE 2

Brown's Land

All of section eighteen (18), township thirty-four (34) south, range thirty-two (32) west of the 6th PM, in Seward County, Kansas, owned by Dean K. Brown and Dan M. Brown.

The southwest (SW $\frac{1}{4}$) of section thirteen (13), township thirty-four (34) south, range thirty-three (33) west of the 6th PM, in Seward County, Kansas, owned by Dan M. Brown.

The southeast (SE $\frac{1}{4}$) of section thirteen (13), township thirty-four (34) south, range thirty-three (33) west of the 6th PM, in Seward County, Kansas, owned by Dean K. Brown.

The east 2,155 feet of the southeast (SE $\frac{1}{4}$) of section fourteen (14), township thirty-four (34) south, range thirty-three (33) west of the 6th PM, in Seward County, Kansas, owned by Thurman L. Brown and Forrest W. Brown.

The northwest (NW $\frac{1}{4}$) and the west 1,790 feet of the southwest (SW $\frac{1}{4}$) of section fourteen (14), township thirty-four (34) south, range thirty-three (33) west of the 6th PM, in Seward County, Kansas, owned by Thurman L. Brown and Forrest W. Brown.

The north half (N $\frac{1}{2}$) of section fifteen (15), township thirty-four (34) south, range thirty-three (33) west of the 6th PM, in Seward County, Kansas, owned by Dean K. Brown.

The south half (S $\frac{1}{2}$) of section fifteen (15), township thirty-four (34) south, range thirty-three (33) west of the 6th PM, in Seward County, Kansas, owned by Dan M. Brown.

The north half (N $\frac{1}{2}$) of section twenty-two (22), township thirty-four (34) south, range thirty-three (33) west of the 6th PM, in Seward County, Kansas, owned by Dean K. Brown.

The northeast (NE $\frac{1}{4}$) of section twenty-four (24), township thirty-four (34) south, range thirty-three (33) west of the 6th PM, in Seward County, Kansas, except a tract beginning 1920.42 feet east and 35 feet south of the northwest corner of the northwest quarter (NW $\frac{1}{4}$) of said section 24, thence south 388 feet, thence east 360, thence north 388 feet, thence west 360 feet to the point of beginning, and except a tract beginning 214 feet east and 30 feet south of the northwest corner of the northeast quarter (NE $\frac{1}{4}$) of said section 24, thence east 277, thence south 206 feet, thence west 277 feet, thence north 206 feet to the point of beginning, owned by Dan M. Brown and Dean K. Brown.

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MAR 30 2022

Garden City Field Office
Division of Water Resources

SCHEDULE 3
Additional Water Rights

RECEIVED

MAR 30 2022

Garden City Field Office
Division of Water Resources

Division of Water Resources ("DWR")
Water Right File No. 41,926

Priority Date: December 6, 1995;
Authorized Use: Irrigation;
Authorized Place of Use: 13 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$;
36 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$;
40 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$;
36 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$;
40 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$;
40 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$;
40 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$;
40 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$;
40 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$;
40 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$;
40 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$;
40 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$;
36 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$;
40 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$;
36 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$;
13 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$;
a total of 570 acres,
all in section 15-T34S-R33W, Seward County, Kansas;
Authorized Point of Diversion: One well located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, 2,235 feet
north and 2,442 feet west of the SE corner of Section
15-T34S-R33W (a/k/a DWR Id 4);
Authorized Quantity: Not to exceed 717 acre-feet per calendar year;
Authorized Diversion Rate: Not to exceed 1,210 gallons per minute.

DWR Water Right File No. 42,943

Priority Date: September 2, 1997;
Authorized Use: Irrigation;
Authorized Place of Use: 13 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$;
36 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$;
40 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$;
36 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$;
40 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$;
40 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$;
40 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$;
40 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$;
40 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$;
40 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$;

40 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 40 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 36 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 40 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 36 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 13 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 a total of 570 acres,
 all in section 15-T34S-R33W, Seward County, Kansas;
 Authorized Point of Diversion: One well located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, 5,165 feet
 north and 5,155 feet west of the SE corner of Section
 15-T34S-R33W (a/k/a DWR Id 3);
 Authorized Quantity: Not to exceed 354 acre-feet per calendar year, subject
 to any limitations imposed by the certificate dated
 October 21, 2003;
 Authorized Diversion Rate: Not to exceed 1,045 gallons per minute.

DWR Water Right File No. 43,075

Priority Date: December 8, 1997;
 Authorized Use: Irrigation;
 Authorized Place of Use: 13 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 36 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$;
 40 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$;
 36 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 40 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 40 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 40 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 40 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 40 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 40 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 40 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 40 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 36 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 40 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 36 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 13 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 a total of 570 acres,
 all in section 15-T34S-R33W, Seward County, Kansas;
 Authorized Point of Diversion: One well located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, 4,546 feet
 north and 1,252 feet west of the SE corner of Section
 15-T34S-R33W (a/k/a DWR Id 6);
 Authorized Quantity: Not to exceed 735 acre-feet per calendar year, subject
 to any limitations imposed by the certificate dated
 November 10, 2008;
 Authorized Diversion Rate: Not to exceed 1,380 gallons per minute.

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MAR 30 2022

Garden City Field Office
 Division of Water Resources

DWR Water Right File No. 40543

Priority Date: December 23, 1991;
Authorized Use: Irrigation;
Authorized Place of Use: 34 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$;
40 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$;
34 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$;
12 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$;
40 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$;
40 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$;
40 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$;
40 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$;
a total of 280 acres,
all in section 22-T34S-R33W, Seward County, Kansas;
Authorized Point of Diversion: One well located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, 4,379 feet
north and 1,300 feet west of the SE corner of Section
22-T34S-R33W (a/k/a DWR Id 2);
Authorized Quantity: Not to exceed 560 acre-feet per calendar year;
Authorized Diversion Rate: Not to exceed 1,000 gallons per minute.

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MAR 30 2022

Garden City Field Office
Division of Water Resources

DWR Water Right File No. 41603

Priority Date: December 27, 1994;
Authorized Use: Irrigation;
Authorized Place of Use: 34 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$;
40 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$;
34 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$;
12 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$;
40 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$;
40 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$;
40 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$;
40 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$;
a total of 280 acres,
all in section 22-T34S-R33W, Seward County, Kansas;
Authorized Point of Diversion: One well located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, 4,379 feet
north and 1,300 feet west of the SE corner of Section
22-T34S-R33W (a/k/a DWR Id 2);
Authorized Quantity: Not to exceed 560 acre-feet per calendar year, subject
to any limitations imposed by the certificate dated
December 5, 2001;
Authorized Diversion Rate: Not to exceed 1,035 gallons per minute, subject to any
limitations imposed by the certificate dated December
5, 2001.

After recording mail to:
Michael K. Ramsey, Attorney
Hope, Mills, Bolin, Collins & Ramsey LLP
P.O. Box 439, Garden City, KS 67846

5318

Entered in Transfer Record in my office
this 14th day of January 20 22
Stacia D. Long
County Clerk

STATE OF KANSAS } FEE \$ 30.98
SEWARD COUNTY }
This instrument was filed for record
January 13 20 22
at 8:50 o'clock A. M. and recorded
in Vol. 732 at page 1064
KAREN J. WARDEN, Register of Deeds
Karen J. Warden



**TERM WARRANTY DEED
(Water Rights)**

RECEIVED

Dated: 30th ^{Dec} October 2021

MAR 30 2022

Grantors: Dan M. Brown and Anna M. Brown, husband and wife

**Garden City Field Office
Division of Water Resources**

Grantee: National Beef Packing Company LLC, a Delaware limited liability company

Consideration: Exchange of property interests and other valuable consideration

Grantors convey and warrant to Grantee, real property in Seward County, Kansas, described as follows:

The part or portion of appropriation water right files numbered 41926, 42943 and 43075 appurtenant to two hundred eighty-five (285) acres of land in the south half (S $\frac{1}{2}$) of section fifteen (15), township thirty-four south (34S), range thirty-three west (33W) of the 6th P.M., described as one hundred sixty (160) acres in the southwest quarter (SW $\frac{1}{4}$) and one hundred twenty-five (125) acres in the southeast quarter (SE $\frac{1}{4}$), as more particularly described in the records and plat maps maintained by the Division of Water Resources, Kansas Department of Agriculture, and

An undivided one-half ($\frac{1}{2}$) interest in appropriation water right files numbered 40543 and 41603 appurtenant to two hundred eighty (280) acres of land in the north half (N $\frac{1}{2}$) of section twenty-two (22), township thirty-four south (34S), range thirty-three west (33W) of the 6th P.M., described as one hundred sixty (160) acres in the northwest quarter (NW $\frac{1}{4}$) and one hundred twenty (120) acres in the northeast quarter (NE $\frac{1}{4}$); as more particularly described in the records and plat maps maintained by the Division of Water Resources, Kansas Department of Agriculture,

for a term ending on December 31, 2045,

SUBJECT TO the covenants, easements and terms of an agreement among Grantors, Grantee and others dated 30 July 2020, as referred to in the instrument dated 30 July 2020 and titled, Memorandum of Agreement and Notice of Easements and Covenants, recorded in the office of the Seward County Register of Deeds.

Dan M. Brown
Dan M. Brown

Anna M. Brown
Anna M. Brown

State of Kansas, County of Seward, ss:

On ~~30th October~~ ^{December} 2021 this warranty deed was acknowledged before me by Dan M. Brown and Anna M. Brown, husband and wife.

Alyssa S. Krause
Notary Public

My Appointment Expires: 11/4/2022

NOTARY PUBLIC - STATE OF KANSAS
 Alyssa S Krause
My Commission Expires: 11/4/2022

Per recording mail to:
Michael K. Ramsey, Attorney
Hope, Mills, Bolin, Collins & Ramsey LLP
P.O. Box 439, Garden City, KS 67846

5317

Entered in Transfer Record in my office
this 14th day of January 20 22
Stacie Long
County Clerk

STATE OF KANSAS } FEE \$ 30⁰⁰/₁₀₀
SEWARD COUNTY }

This instrument was filed for record
January 13 20 22
at 8:50 o'clock A. M. and recorded
In Vol. 732 at page 1062

KAREN J. WARDEN, Register of Deeds
Karen J. Warden



**TERM WARRANTY DEED
(Water Rights)**

RECEIVED

MAR 30 2022

**Garden City Field Office
Division of Water Resources**

Dated: 30 ~~October~~ December 2021
Grantors: Dean K. Brown, an unmarried individual
Grantee: National Beef Packing Company LLC, a Delaware limited liability company
Consideration: Exchange of property interests and other valuable consideration

Grantor conveys and warrants to Grantee, real property in Seward County, Kansas, described as follows:

The part or portion of appropriation water right files numbered 41926, 42943 and 43075 appurtenant to two hundred eighty-five (285) acres of land in the north half (N¹/₂) of section fifteen (15), township thirty-four south (34S), range thirty-three west (33W) of the 6th P.M., described as one hundred sixty (160) acres in the northwest quarter (NW¹/₄) and one hundred twenty-five (125) acres in the northeast quarter (NE¹/₄), as more particularly described in the records and plat maps maintained by the Division of Water Resources, Kansas Department of Agriculture, and

An undivided one-half (1/2) interest in appropriation water right files numbered 40543 and 41603 appurtenant to two hundred eighty (280) acres of land in the north half (N¹/₂) of section twenty-two (22), township thirty-four south (34S), range thirty-three west (33W) of the 6th P.M., described as one hundred sixty (160) acres in the northwest quarter (NW¹/₄) and one hundred twenty (120) acres in the northeast quarter (NE¹/₄), as more particularly described in the records and plat maps maintained by the Division of Water Resources, Kansas Department of Agriculture,

for a term ending on December 31, 2045,

SUBJECT TO the covenants, easements and terms of an agreement among Grantor, Grantee and others dated 30 July 2020, as referred to in the instrument dated 30 July 2020 and titled, Memorandum of Agreement and Notice of Easements and Covenants, recorded in the office of the Seward County Register of Deeds.


Dean K. Brown

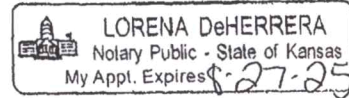
Dean K. Brown

FILE COPY

State of Kansas, County of Seward, ss:

On 30 ^{December} ~~October~~ 2021 this warranty deed was acknowledged before me by Dean K. Brown, an unmarried individual.


Notary Public



My Appointment Expires: 8-27-25

McColloch, Austin [KDA]

From: Jeff Flowers <jeff.flowers@nationalbeef.com>
Sent: Wednesday, March 30, 2022 2:26 PM
To: McColloch, Austin [KDA]
Subject: RE: KDA-DWR Change Applications

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.

Change them over to National Beef

From: McColloch, Austin [KDA] <Austin.McColloch@ks.gov>
Sent: Wednesday, March 30, 2022 2:22 PM
To: Jeff Flowers <jeff.flowers@nationalbeef.com>
Subject: RE: KDA-DWR Change Applications

Thanks Jeff,

Am I to keep Dean Brown as the Water Use Correspondent to report water use each year? Or were we wanting to switch that over to National Beef?

Austin McColloch
Ph: (620) 276-2901

From: Jeff Flowers <jeff.flowers@nationalbeef.com>
Sent: Wednesday, March 30, 2022 1:32 PM
To: McColloch, Austin [KDA] <Austin.McColloch@ks.gov>
Subject: RE: KDA-DWR Change Applications

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.

Here you go hope this covers what you need. If there is anything else do not hesitate to give me a call.

Thank you for your help

Jeff

From: McColloch, Austin [KDA] <Austin.McColloch@ks.gov>
Sent: Wednesday, March 30, 2022 8:50 AM
To: Jeff Flowers <jeff.flowers@nationalbeef.com>
Subject: KDA-DWR Change Applications

Jeff,

Sorry I missed your call yesterday. If you could send me those documents we can move forward with the proposed redrill.

Thanks,

Austin J. McColloch

Assistant Water Commissioner

Kansas Department of Agriculture- DWR

Garden City Field Office

<http://agriculture.ks.gov/>

Ph: (620) 276-2901

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