

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

1. File Number: 41926	2. Status Change Date: <i>8.4-2022</i>	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: 8/01/2022
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8a. Landowner, applicant, WUC Person ID <u>20701</u> New to system <input type="checkbox"/> Add Seq# _____ NATIONAL BEEF PACKING CO PO BOX 978 LIBERAL, KS 67901-0978 Part WR owner	8c. Landowner(s) Person <u>38050</u> New to system <input type="checkbox"/> Add Seq# _____ DAN M BROWN 7495 ROAD 7 LIBERAL, KS 67901-4902
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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# _____
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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: **8/03/2022** By: **MAM**
 Date Entered: _____ By: _____

File No. **41926** 11. County: SW Basin: CIMARRON RIVER Stream: Formation Code: 211 Special Use:

12. Points of Diversion
 Rate and Quantity
 Authorized Additional
 MOD PDIV
 DEL Qualifier S T R ID 'N 'W Comment (AKA Line) Rate Quantity Rate Quantity
 ENT gpm af gpm af Overlap PD Files

DEL 35098

ENT NWNWSE 15 34S 33W 2323 2376 1210 717 1210 717 NONE

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

14. Limitation: _____ af/ 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 30385																				
CHK 35467																				

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

August 4, 2022

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

RE: Field Office Application for Change
Water Right, File No. 41926

Dear Sir:

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

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

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

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

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

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM:
enclosures

pc:

DEAN K BROWN
DAN BROWN
GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 4th day of August 2022, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 41,926 dated 4th day of August 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

DAN M BROWN
7495 ROAD 7
LIBERAL, KS 67901-4902

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.

RECEIVED
 4:12 pm
 AUG 1 2022

File No. 41,926

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				

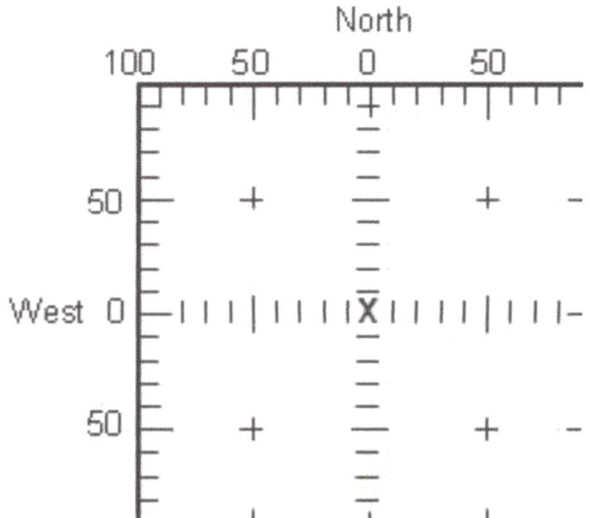
For Office Use Only: Code _____ Fee \$ 100.00 TR # _____ Receipt Date 8-1-22 Check # 03641489

5. **Presently authorized point of diversion:**
 One in the NW Quarter of the NW Quarter of the SE Quarter of Section 15, Township 34 South, Range 33 W, in Seward County, Kansas, 2235 feet North 2442 feet West of Southeast corner of section. Authorized Rate 1210 gpm Authorized Quantity 717 acre-feet Depth of well 616 (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 NW Quarter of the NW Quarter of the SE Quarter of Section 15, Township 34 South, Range 33 W, in Seward County, Kansas, 2323 feet North 2376 feet West of Southeast corner of section. Proposed Rate 1210 gpm Proposed Quantity 717 acre-feet Proposed well depth (feet) 650.
 This point is: Additional Well Geo Center List other water rights that will use this point 43075

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. Combined w/43075
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).

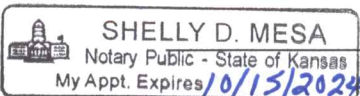
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regard to the water right(s) to which this application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

Dated at Liberal, Kansas _____, Kansas, this 28th day of July _____, 2022.

<u>Jeff Flowers</u> (Owner)	_____ (Spouse)
National Beef Packing Company, LLC, by Jeff Flowers (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (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 28th day of July, 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. 46926.

1. A change application was received on August 1, 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 300 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: Michael A. Meyer
Duly Authorized Designee of the Chief Engineer
(Print Name): MICHAEL A. MEYER
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: August 4, 2022
State of Kansas)

County of Stimney) SS

Acknowledged before me on August 4, 2022
by Michael A. Meyer

Signature: Julie Jones
Notary Public



My commission expires:

3795 W. Jones Ave.
 Garden City, KS 67846
 PH: 620-277-2389



PO Box 639
 Garden City, KS 67846
 Fax: 620-277-0224

Customer Name: Natural Bed Packer Co WO#: 23664 Date: 5/27/22
 Street Address: P.O. Box 978 Test #: 2 E LOG: _____
 City, State: Liberal, KS 67951 Driller: David Frizzell
 County: Sevier Quarter: SE Section: 15 Township: 24 Range: 33
 Location: Formed well - 114' N + 66' E GPS: 37.08980 N 100.894360 W
 Rig #: 10003 Elevation: 2929 Static WL: 194 Estimated? old well
 Proposed Well Depth _____


%	Footage			Description of Strata	41926
	From	Pay	To		
	0		2	Surface	
	2		17	Brown Sandy Clay (caliche)	
	17		34	Fine Sand	
	34		52	Brown Clay, Caliche	
	52		60	Fine Sand	
	60		76	Brown Clay, Caliche (firm)	
	76		78	Fine Sand	
	78		90	Sand, fine to med. coarse, small gravel	
	90		110	Brown Clay, few limonite	
	110		141	Brown - wash to clay, few limonite	
	141		153	Sand, fine to med (cemented)	
	153		171	Brown Clay	
	171		180	Cemented Sand, few clay	
	180		200	Sand, fine to med, coarse	
10%	200	25	225	Sand, fine, few small, few clay	
15%	225	17	242	Sand, fine to small, thin clay (fairly loose)	
20%	242	42	284	Sand, fine to small, some med (fairly loose used a little water)	
	284		289	Brown Clay	
15%	289	20	319	Sand, fine to small, thin clay (fairly loose)	
20%	319	21	340	Sand, fine to small, some med (loose used a little water)	
25%	340	42	382	Sand, fine to small, some med, few coarse (yellow tint)	
15%	382	31	413	Sand, fine to small (loose)	
10%	413	67	480	Sand, fine, thin clay, hard nodules	
10%	480	14	494	Sand, silty to fine (loose) thin blue clay	
	494		505	Red-brown Clay, limonite (HAED)	
	505		515	Blue-gray Clay, brown Clay (firm + sticky)	
5%	515	5	523	Sand, silty, fine clay	
	523		539	Blue-gray, fine silty sand mixed	
20%	539	21	560	Sand, fine to small, some med (fairly loose used a little water)	
30%	560	21	581	Sand, fine to med, coarse thin clay, few brown rock	
5%	581	50	631	Sand, silty to fine, some clay (fairly loose)	
	631		636	Red-brown Sandy Clay	
	636		650	Red Bed	
				- Test Rig	
				- Set up (west)	
				- Pit to Depth	
				2 - Suspended X	
				6 - Grout	
				6 - Barbed Plus	
				1 - Perme Plug	

National Beef Company

Test Hole # 2 of 5-27-22,
SE 15-24-33 SW
FILE # 41926

Legend

 37.08980 N 100.89436 W

 37.08980 N 100.89436 W

K

7

K



Google Earth

2000 ft

15-34-33 W

APPLICATIONS TO CHANGE POINT OF DIVERSION
WATER RIGHT FILE NO'S 41,926 AND 43,075



R 33 W




www.servitech.com

Phone: 620.227.7123

800.557.7509

Fax: 620.227.2047

1816 E. Wyatt Earp • PO Box 1397 • Dodge City, KS 67801

Lab No.: 2752		LABORATORY ANALYSIS RESULTS		Date Reported: 02/25/2022
Send To: 1105	HYDRO RESOURCES INC 3795 W JONES AVE PO BOX 639 GARDEN CITY, KS 67846-0639		 Sean H. Jenkins QA Manager	
Sample ID: NE15	Client Name: NATIONAL BEEF PACKING CO	Date Received:	Invoice No: 383271	
Location: TEST HOLE		P.O. #:		
Date/Time Sampled: 02/22/2022		Name of Sampler: DAVID FRIZZELL		
Date/Time Submitted: 02/22/2022		Name of Submitter: WALK IN		
Subject: Drinking Water Lab Analysis		Depth:		

TOTAL DISSOLVED SOLIDS, CONDUCTIVITY: EXCELLENT QUALITY ("fresh" water): Low salinity level. Suitable for all classes of livestock and poultry.

NITRATE-NITROGEN: VERY LOW: Should have no effect on animal health or performance.

SULFATE: VERY LOW: Considered safe for all classes of livestock. No problems are expected. Could possibly affect poultry performance at upper end of range when sodium, magnesium, or chloride levels are high.

CHLORIDE: LOW: Chloride is considered a dissolved solid. See Total Dissolved Solids comments. Levels greater than 15 to 25 mg/L might affect poultry production when sodium exceeds 50 mg/L.

SODIUM: VERY LOW: Presents little or no risk to livestock or poultry.

CALCIUM: LOW: No effect expected for livestock or poultry use.

MAGNESIUM: VERY LOW: Presents little or no risk to livestock or poultry.

POTASSIUM: VERY LOW: This water is considered satisfactory for all classes of animals.

IRON: VERY LOW: No production problems expected from using this water.

MANGANESE: VERY LOW (less than 0.010 mg/L): No production problems expected for livestock consuming this water.

HARDNESS: EXTREMELY HARD: Hardness has no direct effect on drinking water safety or animal health. It can cause scale buildup and clogging of pipes and drinkers, leading to reduced water consumption and associated problems.

AVERAGE DAILY WATER CONSUMPTION (gallons per day)

Beef cattle	7 to 12 per head	Sheep, goats	2 to 4 per head
Dairy cattle	10 to 40 per head	Chickens	8 to 10 per hundred birds
Swine	2 to 8 per head	Turkeys	10 to 15 per hundred birds
Horses	8 to 12 per head		

(Note: Water consumption may increase by 1½ to 2 times when temperatures exceed 80°F.)

RECEIVED

AUG 3 2022

Garden City Field Office
Division of Water Resources

The reported analytical results apply only to the sample as it was supplied.

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Your opinion is valuable to us. Please let us know what you think about our services! Send an email to feedback@servitech.com.



www.servitech.com

Phone: 620.227.7123

800.557.7509

Fax: 620.227.2047

1816 E. Wyatt Earp • PO Box 1397 • Dodge City, KS 67801

Lab No.: 2752 **LABORATORY ANALYSIS RESULTS** Date Reported: 02/25/2022

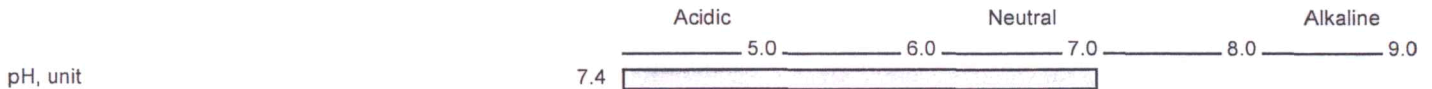
Send To: 1105	HYDRO RESOURCES INC 3795 W JONES AVE PO BOX 639 GARDEN CITY, KS 67846-0639	 Sean H. Jenkins QA Manager
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Sample ID: NE15	Date Received:	Invoice No: 383271 P.O. #: Name of Sampler: DAVID FRIZZELL Name of Submitter: WALK IN Depth:
Client Name: NATIONAL BEEF PACKING CO	Invoice No: 383271	
Location: TEST HOLE	P.O. #:	
Date/Time Sampled: 02/22/2022	Name of Sampler: DAVID FRIZZELL	
Date/Time Submitted: 02/22/2022	Name of Submitter: WALK IN	
Subject: Drinking Water Lab Analysis	Depth:	

Livestock

Additional Tests

Fluoride (F), mg/L	0.46
Potassium as K2O, mg/L	3.6
Total Boron (B), mg/L	0.07
Sodium Adsorption Ratio (SAR), ratio	0.5
Adjusted SAR (SARa), ratio	0.6
Langelier Index (LI)	0.3
Aggressive Index (AI)	12.1
Electrical Conductivity (EC @ 25C), µmho/cm	677
Total Alkalinity (CaCO3), mg/L	180
Bicarbonate (HCO3), mg/L	220
Carbonate (CO3), mg/L	<10
Total Coliform	ABSENT
E. coli	ABSENT



GENERAL RATING - EXCELLENT QUALITY IRRIGATION WATER

SALINITY HAZARD - VERY LOW: Negligible potential for extended use of this irrigation water to result in salt accumulations or soil salinity problems. Some very salt-sensitive plant species could be affected under adverse conditions.

PERMEABILITY HAZARD: VERY LOW. The sodium in this irrigation water (as determined by the adjusted SAR) is not expected to affect soil properties.

INTERPRETATIONS for GENERAL LIVESTOCK PRODUCTION The following statements are general interpretations for a wide range of common livestock and poultry animals. The actual effect of a particular water source on health or performance depends on many factors, including diet, animal activity, air temperature, animal size, and condition. Interpretations for specific livestock types are available on request, including: *beef cattle, beef calves, dairy cattle, dairy calves, mature hogs, young pigs, poultry, horses, or sheep/goats.*

The reported analytical results apply only to the sample as it was supplied.
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Your opinion is valuable to us. Please let us know what you think about our services! Send an email to feedback@servitech.com.



www.servitech.com

Phone: 620.227.7123

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Sample ID: NE15 SE 15-34-35 SW		Date Received:		Invoice No: 383271	
Client Name: NATIONAL BEEF PACKING CO		Invoice No:		P.O. #:	
Location: TEST HOLE		Name of Sampler: DAVID FRIZZELL		Name of Submitter: WALK IN	
Date/Time Sampled: 02/22/2022		Name of Submitter:		Depth:	
Date/Time Submitted: 02/22/2022		Depth:			
Subject: Drinking Water Lab Analysis					

		Livestock				
		Excellent	Good	Fair	Poor	Very Poor
		1000	2000	4000	6000	10000
Total Dissolved Solids (Calc) (TDS), mg/L	433					
		Very Low	Low	Medium	High	Very High
		10.0	30.0	70.0	100	300
Nitrate Nitrogen (NO3-N), mg/L	6.52					
		200	500	1000	2500	4000
Sulfate (SO4), mg/L	60					
		65	170	340	670	1300
Sulfate-Sulfur (SO4-S), mg/L	20					
		35	130	250	500	1000
Chloride (Cl), mg/L	78					
		25	75	150	300	500
Total Sodium (Na), mg/L	21					
		40	100	200	400	600
Total Calcium (Ca), mg/L	75					
		25	50	120	250	500
Total Magnesium (Mg), mg/L	23					
		40	80	120	160	200
Total Potassium (K), mg/L	3					
		0.10	0.20	0.40	0.80	1.20
Total Iron (Fe), mg/L	<0.05					
		0.010	0.025	0.050	0.075	0.150
Total Manganese (Mn), mg/L	<0.005					
		Soft	Moderately Hard	Hard	Very Hard	Brackish
		60	120	180	270	400
Hardness (CaCO3), mg/L	280					
		3.5	7.0	11	16	24
Hardness (CaCO3), grains/gal	17					

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Division of Water Resources

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Fax: 620.227.2047

1816 E. Wyatt Earp • PO Box 1397 • Dodge City, KS 67801

Lab #: 002752

LABORATORY ANALYSIS REPORT

Report Date: 02/25/2022 05:21 p

Sample ID: NE15

Client Name: NATIONAL BEEF PA

Location: TEST HOLE

AVERAGE DAILY WATER CONSUMPTION (gallons per day)

Beef cattle 7 to 12 per head

Sheep, goats 2 to 4 per head

Dairy cattle 10 to 40 per head

Chickens 8 to 10 per hundred birds

Swine 2 to 8 per head

Turkeys 10 to 15 per hundred birds

Horses 8 to 12 per head

(Note: Water consumption may increase by 1½ to 2 times when temperatures exceed 80°F.)

N/A = Not Applicable

MCL = Maximum Contamination Level
(Primary standard, health effects)

SMCL = Secondary Maximum
Contamination Levels (Non-health effects)

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Page 4 of 4

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1816 E. Wyatt Earp • PO Box 1397 • Dodge City, KS 67801

Lab #: 002752

LABORATORY ANALYSIS REPORT

Report Date: 02/25/2022 05:21 p

Sample ID: NE15

Client Name: NATIONAL BEEF PA

Location: TEST HOLE

HARDNESS: EXTREMELY HARD to BRACKISH (270 - 400 mg/L or 16.0 - 23.5 grains per gallon): Water hardness results from dissolved calcium and magnesium minerals. Hardness has no direct effect on drinking water safety, but this water may have a chalky, bitter, or mineral aftertaste. Scale deposits are likely to form in appliances, plumbing, beverages, and ice, especially when water is heated or frozen. Use of this water supply without treatment may shorten the life of plumbing, fixtures, and appliances (like water heaters) due to scale formation. Pretreatment with a water softener or softening agent to remove calcium and magnesium may be needed for specific uses.

TOTAL DISSOLVED SALTS: MODERATE (250 - 500 mg/L TDS), **SATISFACTORY:** This water supply is considered safe to use for drinking and human consumption, but may have a disagreeable taste or odor to some individuals. TDS has been calculated from the electrical conductivity result.

TOTAL DISSOLVED SOLIDS: The U.S. E.P.A. has established a secondary (non-health related) maximum contaminant level of 500 mg/L for total dissolved solids (TDS).

SODIUM: EPA has not established a contaminant level for sodium, but excess sodium may be a factor in certain diets.

SODIUM: MODERATE (20 - 50 mg/L Na), **ACCEPTABLE:** Individuals on a restricted sodium diet may wish to consider the contribution of the sodium in drinking water when planning diets. A typical adult will consume about two quarts daily. This water would contribute about 50 to 100 mg of sodium per day.

Interpretations For Irrigation Use

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Division of Water Resources

GENERAL RATING - EXCELLENT QUALITY IRRIGATION WATER

SALINITY HAZARD - VERY LOW: Negligible potential for extended use of this irrigation water to result in salt accumulations or soil salinity problems. Some very salt-sensitive plant species could be affected under adverse conditions.

PERMEABILITY HAZARD: VERY LOW. The sodium in this irrigation water (as determined by the adjusted SAR) is not expected to affect soil properties.

BORON HAZARD - VERY LOW: Boron is one of the essential plant nutrients required by plants for healthy growth but it is only needed in very small amounts and can therefore become toxic to plants even at very low concentrations. The boron concentration in this water source is considered safe for most field crops and landscape plants.

SULFATE: Considered safe for all classes of livestock.

CHLORIDE HAZARD FROM SPRINKLER IRRIGATION - MEDIUM (70 - 150 mg/L): Chloride level should be acceptable for most crops and plants. Foliar injury, like spotting or leaf burn, may occur from water droplets that dry on the leaf surface when applied to sensitive plant types (e.g. certain tree species, ornamentals, etc.). Chloride injury problems may be more common during high temperature and low humidity conditions.

Interpretations for Livestock Use

CHLORIDE: LOW: Chloride is considered a dissolved solid. See Total Dissolved Solids comments. Levels greater than 15 to 25 mg/L might affect poultry production when sodium exceeds 50 mg/L.

NITRATE: No harmful effects are expected.

N/A = Not Applicable

MCL = Maximum Contamination Level
(Primary standard, health effects)

SMCL = Secondary Maximum
Contamination Levels (Non-health effects)

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Page 3 of 4

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Lab #: 002752		LABORATORY ANALYSIS REPORT			Report Date: 02/25/2022 05:21 p	
Analysis	Result	Unit	MCL	SMCL	Acre Inch	lbs / meq / L
Sample ID: NE15	Client Name: NATIONAL BEEF PA		Location: TEST HOLE			
Total Dissolved Solids (Calc), TDS	433	mg/L	N/A	500		
Corrosion Indices						
Langelier Index, LI	0.3		N/A	N/A		
Aggressive Index, AI	12.1		N/A	N/A		
Interpretations for Corrosive Indices						
AGGRESSIVE INDEX (over 12.0): The Aggressive Index (AI) is a measure of the tendency of water to deteriorate the structure of asbestos-cement pipes. The result indicates that this water is considered "non-aggressive". A water supply can be very corrosive even though the pH is neutral. This occurs in water where there is no hardness or dissolved minerals to coat piping and protect it from the natural corrosiveness of the water.						
LANGLIER SATURATION INDEX: A calculation that indicates the calcium carbonate (CaCO3) saturation of a given water supply. An index value between -0.5 to +0.5, suggests the water is not expected to either form a calcium carbonate scale layer or dissolve an existing scale layer. The water supply may be considered "non-corrosive", but there are other factors that may affect corrosion. These factors include the type of metals used for piping and fixtures, water temperature, flow rate, and others.						
Interpretations for Drinking Water (40 CFR 141)						
CHLORIDE: MODERATE (75 - 150 mg/L Cl), ACCEPTABLE: This water supply is considered safe to use for drinking and human consumption						
COLIFORM - SAFE: The absence of coliform bacteria in a sample indicates the probable absence of human disease organisms, so the water is considered safe for human consumption. The water supply is considered sanitary at the time of the test, but should be tested annually to monitor bacterial safety.						
NITRATE-NITROGEN: LOW (3.0 - 7.0 mg/L NO3-N), SAFE: The U.S. Public Health Service considers drinking water with nitrate-nitrogen levels at or below 10 mg/L NO3-N (or nitrate levels at or below 45 ppm NO3) to be acceptable for unlimited consumption. Recommend that this water supply be tested routinely to confirm low nitrate concentrations.						
FLUORIDE: LOW (less than 0.5 mg/L F) - SATISFACTORY: The fluoride concentration is below the optimum range for drinking water. Young children may require supplemental fluoride to promote good dental health and tooth development. Contact your dentist or physician concerning use of supplemental fluoride.						
IRON: LOW (less than 0.06 mg/L Fe), DESIREABLE: This water has a very low level or nearly undetectable level of iron, so is not expected to affect use for drinking or household purposes.						
MANGANESE: LOW (less than 0.005 mg/L Mn), DESIREABLE: This water has a very low level or nearly undetectable level of manganese, so is not expected to affect use for drinking or household purposes.						
HARDNESS: Water with hardness less than 60 mg/L CaCO3 or less than 3.5 grains per gallon is considered "soft" water. Water with 120 to 180 mg/L CaCO3 (7.0 - 10.5 grains per gallon) or higher is considered "hard" water.						
N/A = Not Applicable		MCL = Maximum Contamination Level (Primary standard, health effects)		SMCL = Secondary Maximum Contamination Levels (Non-health effects)		
Report formatted for regulatory compliance available upon request.						Page 2 of 4

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Fax: 620.227.2047

Lab #: 002503

LABORATORY ANALYSIS REPORT

Report Date: 02/11/2022 05:29 p

Sample ID:

Client Name: NATIONAL BEEF PA

Location: TEST HOLE

HARDNESS: VERY HARD (180 - 270 mg/L or 10.5 - 16.0 grains per gallon): Water hardness results from dissolved calcium and magnesium minerals. Heating this water will likely result in scale deposits forming in appliances, plumbing, and fixtures. Heating or freezing water may cause the hardness minerals (calcium and magnesium) to precipitate and form deposits in beverages and ice. Hardness has no direct effect on drinking water safety, but very hard water can have a chalky, bitter, or mineral aftertaste for some individuals. Pretreatment with a water softener or softening agent to remove calcium and magnesium may be beneficial.

TOTAL DISSOLVED SALTS: MODERATE (250 - 500 mg/L TDS), **SATISFACTORY:** This water supply is considered safe to use for drinking and human consumption, but may have a disagreeable taste or odor to some individuals. TDS has been calculated from the electrical conductivity result.

TOTAL DISSOLVED SOLIDS: The U.S. E.P.A. has established a secondary (non-health related) maximum contaminant level of 500 mg/L for total dissolved solids (TDS).

SODIUM: EPA has not established a contaminant level for sodium, but excess sodium may be a factor in certain diets.

SODIUM: MODERATE (20 - 50 mg/L Na), **ACCEPTABLE:** Individuals on a restricted sodium diet may wish to consider the contribution of the sodium in drinking water when planning diets. A typical adult will consume about two quarts daily. This water would contribute about 50 to 100 mg of sodium per day.

Interpretations For Irrigation Use

GENERAL RATING - EXCELLENT QUALITY IRRIGATION WATER

SALINITY HAZARD - VERY LOW: Negligible potential for extended use of this irrigation water to result in salt accumulations or soil salinity problems. Some very salt-sensitive plant species could be affected under adverse conditions.

PERMEABILITY HAZARD: VERY LOW. The sodium in this irrigation water (as determined by the adjusted SAR) is not expected to affect soil properties.

BORON HAZARD - VERY LOW: Boron is one of the essential plant nutrients required by plants for healthy growth but it is only needed in very small amounts and can therefore become toxic to plants even at very low concentrations. The boron concentration in this water source is considered safe for most field crops and landscape plants.

CHLORIDE HAZARD FROM SPRINKLER IRRIGATION - VERY LOW (less than 35 mg/L): No foliar injury is expected from applying this water by sprinkler irrigation.

N/A = Not Applicable

MCL = Maximum Contamination Level
(Primary standard, health effects)

SMCL = Secondary Maximum
Contamination Levels (Non-health effects)

Report formatted for regulatory compliance available upon request.

Page 3 of 3

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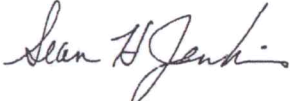
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Fax: 620.227.2047

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Lab #: 002752 **LABORATORY ANALYSIS REPORT** Report Date: 02/25/2022 05:21 p

Send To: 1105	HYDRO RESOURCES INC 3795 W JONES AVE PO BOX 639 GARDEN CITY, KS 67846-0639	 Sean H. Jenkins QA Manager	
Client Name:	NATIONAL BEEF PACKING CO	Received:	02/22/2022 04:05 pm
Sample ID:	NE15 SE15-34-33 SW	Submitted By:	WALK IN
Location:	TEST HOLE	Invoice No:	383271
Sampled:	02/22/2022 03:15 pm	P.O. #:	
Sampled By:	DAVID FRIZZELL		

Analysis	Result	Unit	MCL	SMCL	lbs / Acre Inch	meq / L
Electrical Conductivity, at 17.7°C	677	µmho/cm	N/A	N/A		
pH, at 17.7°C	7.4	unit	N/A	6.5-8.5		
E. coli	ABSENT		0	N/A		
Total Coliform	ABSENT		0	N/A		
Nitrate Nitrogen, NO3-N	6.5	mg/L	10	N/A	1.5	0.5
Chloride, Cl	78	mg/L	N/A	250	17.7	2.2
Fluoride, F	0.46	mg/L	4	2	0.1	<0.1
Sulfate, SO4	60	mg/L	N/A	250	13.6	1.2
Sulfate-Sulfur, SO4-S	20	mg/L	N/A	N/A	4.5	1.2
Bicarbonate, HCO3	220	mg/L	N/A	N/A	49.9	3.6
Carbonate, CO3	<10	mg/L	N/A	N/A	<2.3	<0.3
Total Alkalinity, CaCO3	180	mg/L	N/A	N/A	40.8	3.6
Hardness (CaCO3)	280	mg/L	N/A	N/A		
Hardness (CaCO3)	17	grains/gal	N/A	N/A		
Total Calcium, Ca	75	mg/L	N/A	N/A	17.0	3.7
Total Magnesium, Mg	23	mg/L	N/A	N/A	5.2	1.9
Total Potassium, K	3	mg/L	N/A	N/A	0.7	<0.1
Potassium as K2O	3.6	mg/L	N/A	N/A	0.8	
Total Sodium, Na	21	mg/L	N/A	N/A	4.8	0.9
Sodium Adsorption Ratio, SAR	0.5	ratio	N/A	N/A		
Adjusted SAR, SARa	0.6	ratio	N/A	N/A		
Total Boron, B	0.07	mg/L	N/A	N/A	<0.1	
Total Iron, Fe	<0.05	mg/L	N/A	0.3	<0.0	
Total Manganese, Mn	<0.005	mg/L	N/A	0.05	<0.0	

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N/A = Not Applicable

MCL = Maximum Contamination Level
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Page 1 of 4

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After 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
Starie D. Long
County Clerk

STATE OF KANSAS } FEE \$ 30.80
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)**

Dated: 30 December
October 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 (N $\frac{1}{2}$) 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 northwest quarter (NW $\frac{1}{4}$) and one hundred twenty-five (125) 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, 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 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

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)**

Dated: 30th DEC October 2021
Grantors: Dan M. Brown and Anna M. Brown, husband and wife
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