

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

1. File Number: 9209-D1	2. Status Change Date:	3. Change Num: C1	4. Field Office: 4	5. GMD: 3
-----------------------------------	------------------------	-----------------------------	------------------------------	---------------------

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: 4/22/2022
--	---

8a. Applicant(s) Person ID 64933 New to system <input type="checkbox"/> Add Seq# _____ ROCKING T RANCH LLC 2670 D RD RISING CITY, NE 68658-3857	8c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____
---	---

8b. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____ 8a	8d. WUC Person ID 2832 New to system <input type="checkbox"/> Add Seq# _____ CIRCLE LAND & CATTLE CORPORATION PO BOX 369 HOLCOMB, KS 67851
--	--

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: **4/26/2022** By: **AM**

Date Entered: _____ By: _____

File No. **9209-D1** 11. County: FI Basin: **ARKANSAS 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 33531
ENT **NW SW SE** **22 25S 32W** **954 2073** **865 268** **865 268** **NONE**

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

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

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

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files	
						NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					
CHK 15397																										

Base Acres: Year: Minimum Reasonable Quantity:
 Comments:

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



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

Mike Beam, Secretary

Laura Kelly, Governor

April 26, 2022

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

RE: Filed Office Application for Change
Water Right, File No. 9209-D1

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, appearing to read "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc: Circle Land & Cattle Corporation
GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 26th day of April, 2022, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 9,209-D1 dated 26th day of April, 2022 was mailed postage prepaid, first class, US mail to the following:

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

Pc:

CIRCLE LAND & CATTLE CORPORATION
PO BOX 369
HOLCOMB, KS 67851

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. 9209-D1

RECEIVED
 10:01 am
 APR 22 2022

Garden City Field Office
 Division of Water Resources

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

Place of Use Point of Diversion

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

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: ROCKINT RANCH LLC

2670 D RD RISING CITY NE 686958-3857

Phone Number: () _____

Email address: _____

Name and address of Water Use Correspondent: _____

Phone Number: () _____

Email address: _____

3. The presently authorized place of use is:

Owner of Land --- NAME: _____

ADDRESS: _____

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

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

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

Owner of Land --- NAME: _____

ADDRESS: _____

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

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

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

5. **Presently authorized point of diversion:**
 One in the NC Quarter of the W2 Quarter of the SE Quarter
 of Section 22, Township 25 South, Range 32 (W),
 in FINNEY 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. 01 GPS 1268 feet North 2081 feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the NW Quarter of the SW Quarter of the SE Quarter
 of Section 22, Township 25 South, Range 32 (W),
 in FINNEY County, Kansas, 954 feet North 2073 feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

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

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

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

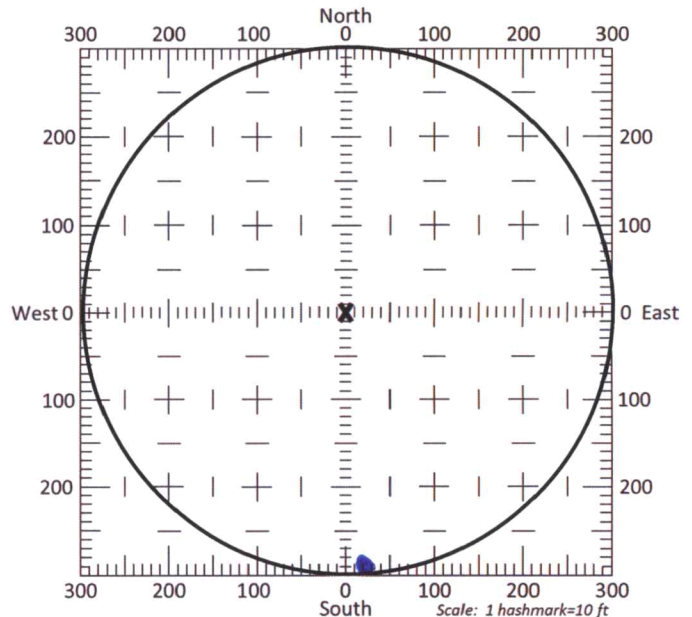
9. The change(s) (was)(will be) completed by?
UPON APPROVAL

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

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by _____

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



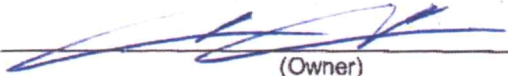
13b. If the proposed point of diversion will be relocated within a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. **(PLEASE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

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

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

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

Dated at Rising City, ^{NEBRASKA} Kansas, this 12TH day of April, 20 22.

 (Owner)	 (Spouse)
<u>Todd Tub</u> (Please Print)	 (Please Print)
 (Owner)	 (Spouse)
 (Please Print)	 (Please Print)
 (Owner)	 (Spouse)
 (Please Print)	 (Please Print)

State of ^{NEBRASKA} ~~Kansas~~ }
 County of Butler } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 12TH day of April, 20 2022.



Teresa L. Anandel
 Notary Public

My Commission Expires JANUARY 24 2025

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

FEE SCHEDULE

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

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

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, *et seq.* and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et seq.*, and rules and regulations promulgated thereunder. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 9209-D1.

1. A change application was received on April 22, 2022 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 50 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. Applicable Not Applicable
5. The point(s) of diversion authorized herein shall not actually be located more than 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: Austin McColloch
 Duly Authorized Designee of the Chief Engineer
 (Print Name): Austin McColloch
 Division of Water Resources - Kansas Department of Agriculture

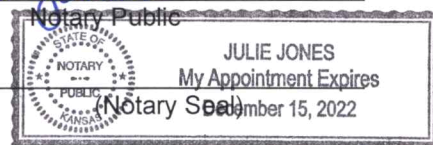
Date of Issuance: April 26, 2022

State of Kansas)
) SS
 County of Ginney)

Acknowledged before me on April 26, 2022
 by Austin McColloch

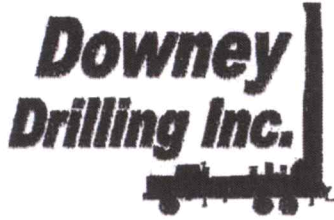
Signature: Julie Jones

My commission expires: _____
 Notary Seal: July 15, 2022



WELL LOG

DATE: 3/15/2022



CUSTOMER NAME: TRINITY FEEDYARD TH#1

LEGAL: SE 22-25S-32W

COUNTY: FINNEY CO, KS

GPS: 37.861148

-100.817923

LOGGER:

DRILLER: DIEGO VALLE

WO: 22-317

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	3	TOPSOIL	SOFT	DARK BROWN	FAST		SMOOTH
	3	9	BROWN SILTY CLAY	SOFT	BROWN	FAST		SMOOTH
	9	38	SANDY CLAY W/ CALICHE	FIRM	LIGHT BROWN	WHITE		SMOOTH & CHOPPY
	38	72	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	72	88	FINE-MED-LARGE GRAVEL W/ FINE-MED-COARSE SAND	STIFF		FAST		CHATTER
	88	105	BROWN SILTY CLAY	STICKY	BROWN TAN & BROWN	FAST		SMOOTH
	105	111	SANDY CLAY W/ BROWN CLAY	SOFT		FAST		SMOOTH
	111	118	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	118	121	SANDY CLAY W/ CEMENTED SAND	FIRM	TAN & WHITE	FAST		SMOOTH & CHOPPY
	121	208	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	208	253	FINE-MED-COARSE SAND W/ SANDY CLAY LAYERS	FIRM		FAST		CHOPPY
	253	284	BROWN SILTY CLAY	STICKY	BROWN WHITE & TAN	FAST		SMOOTH FAST CHATTER & SMOOTH AT TIMES
X	284	287	LIMEROCK W/ FINE-MED SAND & FEW STRIPS OF SANDY CLAY	STIFF		FAST		
	287	324	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	324	336	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	336	371	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	371	375	WEATHERED CLAY	SOFT	GRAY & YELLOW	SEMI-SLOW		SMOOTH
X	375	380	YELLOW SOAPSTONE & SANDSTONE	FIRM	YELLOW	FAST		CHOPPY
X	380	398	FINE-MED-COARSE SAND W/ BROWN ROCK/PURPLE SANDSTONE & YELLOW SOAPSTONE	STIFF	BROWN, PURPLE, YLW	FAST SEMI-SLOW		FAST CHATTER
	398	407	GRAY CLAY	SOFT	GRAY TAN & BROWN	SEMI-SLOW		SMOOTH
	407	413	FINE TAN SAND W/ BROWN ROCK & SANDSTONE	STIFF		FAST		FAST CHATTER
	413	420	GRAY CLAY	SOFT	GRAY	SLOW		SMOOTH
	420	477	FINE SAND W/ BROWN ROCK & SANDSTONE	STIFF	BROWN	FAST		FAST CHATTER
	477	485	GRAY SOAPSTONE	SOFT	GRAY	FAST		VIBRATION
	485	493	FINE SAND W/ SANDSTONE	STIFF	GRAY	FAST		FAST CHATTER
	493	520	SHALE	SOFT	BLUE	SLOW		SMOOTH
			QUIKGEL - 12					
			WATER LOADS - 2					
			SODA ASH - 1/2					
			BRAN - 1/2 A BAG					
			EZ MUD GOLD - 1/2 A BAG					
			HOLE PLUG - 2					
			CASING SEAL - 1					

INPUTS	
Target Section Definition	
Section	22
Township	25
Range	32
Range Direction	w
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-100.817923
Target Latitude	37.861148

Load Data and Compute

Instructions

1. Enter values for section, township, range and range direction.
2. Enter **NAD27** or **NAD83** longitude and latitude of target point.
3. Click "Load Data and Compute" button.
4. Use feet distances corresponding to datum of target point.

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	37.85858934	-100.82905200
NW	37.87307025	-100.82888385
NE	37.87299414	-100.81075614
SE	37.85852832	-100.81074139
Degrees Longitude per Foot		3.46385421E-06
Degrees Latitude per Foot		2.74615708E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	932	-3213
NW	-4341	-3164
NE	-4314	2069
SE	954	2073

Target point is In Section

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	37.85856600	-100.82861300
NW	37.87304700	-100.82844500
NE	37.87297100	-100.81031800
SE	37.85850500	-100.81030300
Degrees Longitude per Foot		3.46385312E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	940	-3086
NW	-4333	-3038
NE	-4306	2196
SE	962	2200

Target point is In Section

Difference (NAD83 Minus NAD27)		
Corner	Corner Latitudes	Corner Longitudes
SW	0.00002334	-0.00043900
NW	0.00002325	-0.00043885
NE	0.00002314	-0.00043814
SE	0.00002332	-0.00043839
Difference (NAD83 Minus NAD27)		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	-8.55788953	-126.73646571
NW	-8.19567718	-126.69317659
NE	-8.15735018	-126.48984758
SE	-8.55199436	-126.56202288