Kansas Department of Agriculture Division of Water Resources

APPROVAL OF CHANGE APPLICATION WORKSHEET

1. File No.: 21114		4. Field Office: 04 - Garden City GMD: 03 - Southwest								
3. Package File No(s): 23384; 29068; 2		Structures File No.: Filing/Priority Date: 10/29/2024 Application Complete Date:								
5a. Applicant Owner WU Address Change HEMINK FARMS LTD	C Person ID 64577 Add Seq#	5b. ☐ Owner ☑ WUC Person ID 41940 ☐ Address Change Add Seq# ARCH B & MICHELLE FRINK								
2635 CR 521 HART, TX 79043		PO BOX 1088 CIMARRON, KS 67835-1088 *ALL IRR PORTION OF FILES*								
5c. ☐ Owner ☒ WUC ☐ Address Change	Person ID 64737 Add Seg#	5d. Owner			son ID I Seq#					
Add Seq# SPANDET DAIRY LLC 2635 CR 521 HART, TX 79043-5258 *ALL STK PORTION OF FILES* Add Seq# Add Seq# Add Seq#										
6. Change No.: C3 PD PU Base Acres: Year: Min F Previous UMW: Not changing MDS Gauge: Active Admin? Completion/Start Date: 12/31/2025 Perfe	UMW: IRF	☑ Groundwater ☐ Surface Water MW: IRR-Irrigation MW: STK-Stockwatering								
8. Action Trail			1		() () () () () () () () () ()					
9. Special Conditions	`r ;									
10. 5YR Allocation Type: Star Comment:	rt Year: 5YR Quan	tity: Base Ad	cres:		*					
11. Sand & Gravel Proj ID:	☐ Active ☐ Dredge	☐ IND Evap ☐	Jr Evap ☐	Other Diversion	☐ Rpt on Sr					
12. Waiver Rule ID: New DApplies: Rule No.: Rule Type: Rule SubType:	ate Requested:	Justification:	7							
Comments UPDATE WUC FOR ALL IRR USE TO A				Processed 10/31/2024 AM	Entered					
KEEP SPANDET AS WUC FOR ALL ST COMBINE PUSE IDS 8073 (KEEP) & 40 NO CHANGE TO STK PLACE OF USE		NERSHIP		Reviewed						

File No. 21114	EK S	tream:											4						
Structures File No:	Aquifer Co	ode:									Spec	ial Use	Area:						
14. Points of Diversion, Rates & Quar	ntities									Oty			Rate		S	orage Qty	, s	torage Rate	
PDIV Qualifier	S T	R	ID	'N	'W	Con	nment (AKA Lii	ne)	Aut		dd	Auth	Add				uth/Add	Overlaps
CHK 32991												-							
								,											
by .																			
	1-																		
15. Limitations Type:	Quantity:		Rate:		C	ombin	ed with	n file no	o(s):										
	Quantity:		Rate:					n file no											
16. Metering Metering R	equired [☐ Anti-Re	verse l	Require	ed [] Sea	l Requ	ired	Comp	liance	Date:	12/31/2	025						
17. Place of Use																			
PUSE S T R ID	NE	NE1/4 NW SW	SE	NE	NV NW	V1/ ₄	SE	NE	SV NW	V ¹ / ₄	SE	NE	SE NW	1/ ₄	SE	Total	Owner(s) Chg	? Overlaps
MOD 32570 32 24S 27W 1		31.5 31.5	31.5	IVE	1444	344	- JL	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	378	5a		**
ENT 8073 29 24S 27W 2		6.4	3.7	4	35	40	12	6.4			3.7	35.6	39.5	35.6	29.1	251	5a		
20 240 27,11 2	-		0	-				0.1							2011		-		
		_																	
																	-		
снк				STK	PUSE	IDs 2	20459	; 3050	5; 70	045 &	7004	6							
18. Point of Diversion and Place	of Use Ove	erlaps						T											
*									21114	; 2338	4; 290	68; 291	13; 31	670; 5°	1252 (1	PENDING	3)		
+ #								##											
^								^^											

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

October 31, 2024

HEMINK FARMS LTD 2635 CR 521 HART, TX 79043

RE:

Filed Office Application for Change

Water Right, File Nos. 21114; 23384; 29068; 29113 & 31670

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 numbers. **Note:** this approval does not allow any single point of diversion to exceed its annual authorized quantity.

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/or 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,

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:

Arch & Michelle Frink

GMD 3

CERTIFICATE OF SERVICE

On this 31st day of October, 2024, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 21,114, 23,384, 29,068, 29,113 and 31,670 dated 31st day of October, 2024 was mailed postage prepaid, first class, US mail to the following:

HEMINK FARMS LTD 2635 CR 521 HART, TX 79043

Pc:

ARCH B & MICHELLE FRINK PO BOX 1088 CIMARRON, KS 67835-1088

GMD 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.

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						F	ile No	. 2111	4		• Ī									
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1. /	Applicati	on is he	reby n	nade fo	or appi	oval o	f the C	hief E	nginee	r to ch	ange t	the (ch	eck or	ne or b	oth):				1.30 am	
						⊠ P	lace o	f Use			Point	of Dive	ersion				1		of Water Resour	
ι	under the	e water	right w	hich is	the s	ubject	of this	applic	ation i	n acco	rdance	with t	the cor	ndition	s desc	ribed b	oelow.			
٦	The sour	ce of su	apply is	s:		⊠G	round	water			Surfac	ce wate	er							
2. 1	Name ar	d addre	ess of	Applica	ant: <u>H</u>	EMINE	FAR	MS LT	D											
2	2635 CR	521 H	ART T	X 7904	3															
F	Phone N	umber:	(806)	240-5	852				Email	addres	ss: <u>lar</u>	s@spa	andetd	airy.cc	m					
1	Name ar	d addre	ess of	Water	Use C	orresp	onden	t: AR	CHB8	MICH	HELLE	FRIN	Κ							
_	PO BOX					<u> 35 – 1</u>	880													
	Phone N								Email	addres	ss: <u>afr</u>	ink14@	@hotm	ail.con	<u> </u>					
	The pres																			
(Owner o																			
,	16.41 !-		ADDRI																	
	If there is	more tr	an one			ach su	ppieme			neces	sary.)						_			
			NE¼						V¼		SW¼						Ε¼ Ι		TOTAL	
Sec.		Range	NE1/4	NW¼		SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼			NE1/4	NW1/4		SE1/4		
32	248	27W	31.5	31.5	31.5	31.5	10			40	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5	428	
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	Jwnero		ADDRE						9043											
										necess	sarv.)									
	If there is								V1/4		1	SV.	V1⁄4		I		Ε1/4		TOTAL	
	If there is			NIE	1/			144	V /4			34				1	-/4	_	TOTAL ACRES	
(Rance	NE1/	NW1/4		SE1/	NE1/	NW1/	SW1/4	SE1/4	NE1/	NW1/	SW1/	SF1/4	NF1/	NW1/	SW1/	SF1/4	ACRES	
		Range 27W	NE1/4 31.5	NW¼ 31.5	SW1/4	SE1/4 31.5	NE1/4	NW¼	SW¼	SE¼	NE¼ 31.5	NW1/4 31.5		SE1/4 31.5	NE1/4 31.5		SW1/4 31.5	SE1/4 31.5	378	
Sec.	Twp.	Range 27W 27W		NW¼			NE¼	NW1/4	SW1/4	SE1/4		NW¼ 31.5	31.5		31.5 35.6					

5.	Presently authorized point of dive	ersion:				
	One in the					
	of Section	, Township	-	South, Range		(W),
	in County	, Kansas,	feet North _	feet West of	f Southeast corner of s	
	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 ☐T					
	Proposed point of diversion: (Co					
	One in the					
	of Section	, Township		South, Range		(W),
	in County					
	Proposed Rate	Proposed Quantity		Proposed well depti	h (feet)	
L	This point is: Additional Well	☐ Geo Center List oth	er water righ	ts that will use this poir	nt	
_			$\overline{}$			
6.	Presently authorized point of dive					
	One in the					Quarter
- 1	of Section			South, Range		(W),
	in County					section.
	Authorized Rate					
	(DWR use only: Computer ID No.				feet West)	,
	☐This point will not be changed ☐T					
	Proposed point of diversion: (Con					
	One in the					Quarter
	of Section	, Township		South, Range		(W),
	in County					
	Proposed Rate					
L	This point is: Additional Well	Geo Center List oth	ner water righ	ts that will use this poir	nt	
7.	The changes herein are desired for		?			
	(please be specific) CREATE A COM		300	200 100 Nort	100 200 3	300
	IN PLACE OF USE WR 21114; 23384 31670 - REMOVE 50 ACRES IN NW		E1	1111111111111111111 <u>111111</u>		9
			E	-/- ±		=
8.	If a well, is the test hole log attached?	Yes 🛛 No	200	- 1/4 + =	- + + -	200
9.	The change(s) (was)(will be) complete	ed by?	100	/ -	\-	=
	UPON APPROVAL		100		- + +	100
10.	If the point of diversion is a well:		*	=		<u> </u>
	(a) What are you going to do with the	e old well?	West 0	+i[iiii[iiii]iiii]iiii]iii ~	ամավայարդար	0 East
	N/A		1	=		1
	(b) When will this be done? N / A		100	(+	_ + + + + /	100
11	Groundwater Management District rec	commendation attached	? 200		+ . +/.	200
11.	Yes No	ommendation attached:	. 200 E	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\		3
			E			1
12.	Assisted by AM / GCFO		300 E1	200 100 0		300 ப
13a	If the proposed point of diversion will b	e relocated more than 30	00 ch 13b lf the	South		

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.)

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NOS. 21114; 23384; 29068; 29113 & 31670 MAKE ADDITIONAL COPIES AS NECESSARY

3. Continued: The presently authorized place of use is:

Owner of Land ---- NAME: <u>HEMINK FARMS LTD</u>
ADDRESS: <u>2635 CR 521 HART TX 79043</u>

				NE	1/4		NW¼				SW1/4				SE	TOTAL			
Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NE¼ NW¼ SW¼ SE¼ NE¼ NW¼ SW¼ SE¼					NE1/4	NW1/4	SW1/4	SE1/4	ACRES		
31	248	27W						DAIRY & LIVESTOCK (NE) & (NW SE)											12.
32	248	27W						DAIRY & LIVESTOCK (NW)											
30	248	27W					DAIRY & LIVESTOCK (S2 SE)										11,-		
29	248	27W					DAIRY & LIVESTOCK (S2 SW)						eT)						

4. Continued: 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: HEMINK FARMS LTD
ADDRESS: 2635 CR 521 HART TX 79043

DWR 1-121-2 (Revised 5/1/2019)

SE1/4 TOTAL NE1/4 SW1/4 SE1/4 NE1/4 NW14 SW14 SE14 NE14 NW14 SW14 SE14 SW1/4 NW1/4 Range Sec. Twp. 27W DAIRY & LIVESTOCK (NE) & (NW SE) 31 248 DAIRY & LIVESTOCK (NW) 32 245 27W 30 **24S** 27W DAIRY & LIVESTOCK (S2 SE) 27W DAIRY & LIVESTOCK (S2 SW) 29 248

Page ___

File No.
THE NO.

(a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application? Yes	14. If the proposed groundwater point of diversion is 500 of fewer feet in	in the existing point of diversion, complete the following.
affected if this application is approved as requested? Yes		
Yes	affected if this application is approved as requested?	
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		
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	or a change in place of use, the application must be signed by all owners	
(Spouse) (Please Print) (Spouse) (Please Print) (Spouse) (Please Print) (Spouse) (Please Print) (Spouse) (Please Print) State of Kansas County of Sharklar Shilth Notary Public State of Kansas My Appt. Expires G - /5 - 2 Co. Notary Public State of Kansas Notary N	age and the owner, the spouse of the owner, or a duly author their behalf, in regards to the water right(s) to which this appropriate contained in this application are true, correct and complete.	zed agent of the owner(s) to make this application on plication pertains. I further verify that the statements
(Please Print) (Owner) (Spouse) (Please Print) (Please Print) (Please Print) (Please Print) (Please Print) (Please Print) (Spouse) (Please Print) State of Kansas County of Sharkar SMITH Notary Public State of Kansas Notary Public Notary Public State of Kansas My Appl. Expires 3 / 5 - 2 L Notary Public Notary Public Notary Public Notary Public (Please Print) State of Kansas Sharkar SMITH Notary Public State of Kansas Notary Public Notary Public Notary Public Notary Public Notary Public State of Kansas Notary Public Notary Public State of Kansas Department of Agriculture (1) Application to change a point of diversion 300 feet or less	Dated at, Kansas, this	25th day of October, 2024.
(Please Print) (Owner) (Spouse) (Please Print) (Please Print) (Please Print) (Please Print) (Please Print) (Please Print) (Spouse) (Please Print) State of Kansas County of Sharkar SMITH Notary Public State of Kansas Notary Public Notary Public State of Kansas My Appl. Expires 3 / 5 - 2 L Notary Public Notary Public Notary Public Notary Public (Please Print) State of Kansas Sharkar SMITH Notary Public State of Kansas Notary Public Notary Public Notary Public Notary Public Notary Public State of Kansas Notary Public Notary Public State of Kansas Department of Agriculture (1) Application to change a point of diversion 300 feet or less	Un 8	
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(Please Print) (Owner) (Spouse) (Please Print) (Please Print) (Please Print) State of Kansas County of SS I hereby certify that the foregoing application was signed in my presence and sworn to before me this SHARLAR. SMITH Notary Public. State of Kansas My Appt. Expires 9 15 26 Notary Public State of Kansas Notary Public Notary Public State of Kansas Notary Public Notary Public Notary Public Notary Public State of Kansas Notary Public N	then Schilderink Manager (Please Print)	(Please Print)
(Please Print) State of Kansas County of	(Owner)	(Spouse)
(Please Print) State of Kansas County of State of Kansas County of State of Kansas I hereby certify that the foregoing application was signed in my presence and sworn to before me this 25tday of SHARLAR. SMITH My Appt. Expires 9-15-20 Notary Public 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 more than 300 feet or less \$100 (2) Application to change a point of diversion more than 300 feet \$200	(Please Print)	(Please Print)
State of Kansas County of Stary Start I hereby certify that the foregoing application was signed in my presence and sworn to before me this 25tday of SHARLAR. SMITH Notary Public - State of Kansas My Appt. Expires 9 - 15 - 26 Notary Public Notary Public 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	(Owner)	(Spouse)
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My Commission Expires 9-15-26 My Commission Expires 9-15-26 Notary Public Nota	I hereby certify that the foregoing application was signed in r	my presence and sworn to before me this 25th day
My Commission Expires	Notary Public - State of Kans	Janua Jana
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	My Commission Expires 9-15-26.	Notary Fabric
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	accurate information; maps, if necessary, must be included; signatures of all the appropriate and accurate information; maps, if necessary, must be included; signatures of all the appropriate accurate information; maps, if necessary, must be included; signatures of all the appropriate accurate information; maps, if necessary, must be included; signatures of all the appropriate accurate information; maps, if necessary, must be included; signatures of all the appropriate accurate information accurate information; maps, if necessary, must be included; signatures of all the appropriate accurate information accurate information accurate ac	of the applicable portions of the application form must be completed with opropriate owners' must be affixed to the application and notarized; and
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	FEE SCHEDU	<u>ILE</u>
	forth in the schedule below: Make checks payable to: Kansas Departme (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet	ent of Agriculture \$100\$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. 21114 A change application was received on October 29, 2024 requesting that the place of us diversion authorized under the above-referenced file number be changed as described in the application. requesting that the place of use and / or point of 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 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 radius of the authorized point(s) of diversion.

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 authorized point(s) of diversion. ☐ Applicable ☒ Not Applicable feet from the previously 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 The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20 25, 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. ☐ Not Applicable Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20 25, or within any authorized extension of time. By March 1, 20 2 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. ☐ Not Applicable Applicable ☐ Applicable The completed well log shall be submitted with the required notice. 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 No. Additional Conditions are attached. ☐ Yes 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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 Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 (Print Name): Hustin 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, Division of Water Resources - Kansas Department of Agriculture Date of Issuance: 2000-Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Acknowledged before me on Signature: Notary Public

My commission expires:

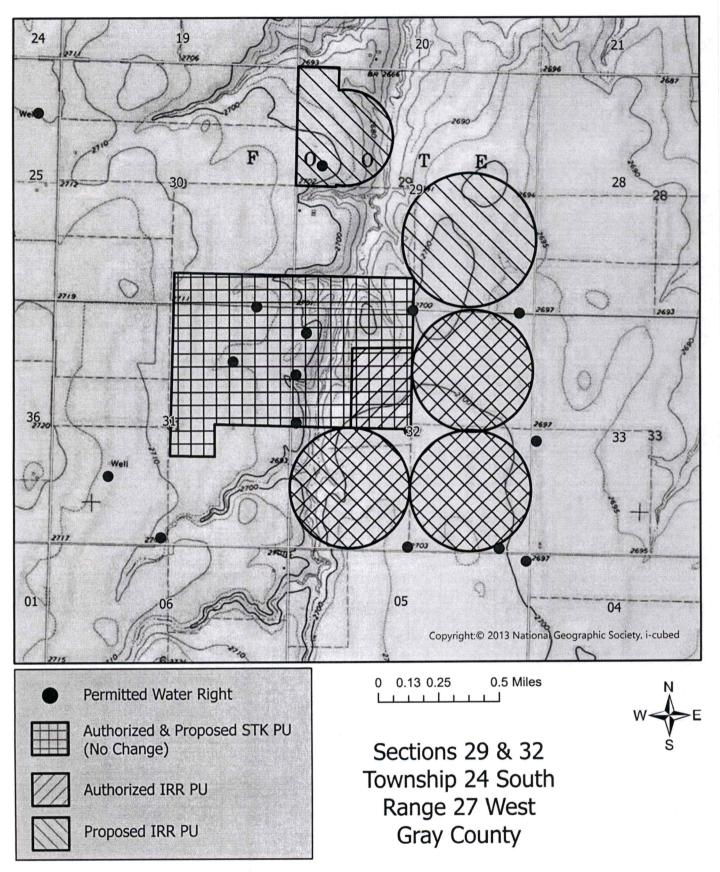
JULIE JONES (Notally Appain) ment Expires

December 15, 2026

FILE NO.

PUBLIC

CHANGE IN PLACE OF USE WATER RIGHT, FILE NOS. 21114; 29068 & 31670



McColloch, Austin [KDA]

From: Marsha Shoemaker <mshoemaker@enviroag.com>

Sent: Monday, October 21, 2024 1:39 PM

To: McColloch, Austin [KDA]
Subject: RE: Pending Application 51252

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.

Yes, that is my intention. Should I put both under the WUC section?

Thanks, Marsha

From: McColloch, Austin [KDA] <Austin.McColloch@ks.gov>

Sent: Monday, October 21, 2024 1:37 PM

To: Marsha Shoemaker <mshoemaker@enviroag.com>

Subject: RE: Pending Application 51252

I just want the clarify who the water use correspondents will be. Currently Arch if WUC for all IRR portions (except 21114 this is still hemink farms ltd). Do we want Arch as the WUC for all files (IRR portion) and Spandet Dairy LLC as WUC for STK side of things?

Austin McColloch Garden City Field Office Ph: (620) 276-2901

From: Marsha Shoemaker < mshoemaker@enviroag.com >

Sent: Monday, October 21, 2024 8:06 AM

To: McColloch, Austin [KDA] < Austin. McColloch@ks.gov >

Subject: RE: Pending Application 51252

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.

Austin - As we discussed last week, attached is our drafted application to correct the overlaps for your quick review prior to getting them signed.

Thanks, Marsha

From: McColloch, Austin [KDA] < Austin.McColloch@ks.gov >

Sent: Thursday, October 17, 2024 10:20 AM



Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street Garden City, Kansas 67846

(620) 275-7147 phone www.gmd3.org

Ocotober 31, 2024

Austin McColloch Division of Water Resources 4532 W Jones Ave., Suite B Garden City, Kansas 67846

RECEIVED OCT 31 2024

Garden City Field Office Divison of Water Resources

RE: Applications for Change in Place of Use

Water Right, File Nos. 21114, 23384, 29068, 29113 & 31670

Dear Austin:

We have reviewed the applications for the above referenced water rights. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). In accordance with K.A.R. 5-5-11(b), the proposed acres are within the allowance of the base acres for the water right and will make a complete overlap for both water rights. It is therefore recommended that the applications be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

Jason L. Norquest

Assistant Manager

GMD3 Change Review

File No(s).: 21114	, 23384, 29068, 2	<u> 29113, 31670</u> .		DWR office:	GC.
App filed to chang					
Is Landowner(s) co	orrect in WRIS:	Hemink Farm	s LTD		
If NO, is do	ocumentation incl	uded?			
Is Water Use Corre	espondent correct	in WRIS?			
If NO, is do	ocumentation incl	uded?			
Regulation(s) Revi	iewed: KAR 5-5-	11			
Point of diversion	ID No(s) bein	g changed.			
	ft. North ft.	West			
Authorized PD					
Proposed PD Difference	0	0			
a2 + b2 = c2	0	0	0		
GPS for proposed	The same of the sa				
Is proposed PD sta		Long:	Thange		
Is Proposed PU ov				& 51252	
Neighboring certif			map the wiks	<u>& 51252</u> .	
Name .	ied well(s) flotilie				
Address					
Zip					
-	one:				
Domestic well(s)					
Name .	iotifica				
Address .					
Zip					
Base Acres: .					
Perfected Acres:					
Irr. Return-Flow	— %				
Gray County					
Changes to the II	RR acres				
21114: 240AF @					
	Mainly in NE, SV	W &, SE 32-2	4-27		
23384: 180AF @	•				
	W, 29-24-27				
29068: 240AF @	1070gpm				
_	es currently as 21	1114			
29113: 240AF @	1070gpm, Limi	tation for dua	l use with oth	ner WRs	
Same 428:	acres listed abov	e			
160acres i	n 29-24-27				

GMD3 Change Review

31670: 240AF @ 775gpm, Limitation for dual us with other WRs

Same 428 acres

Proposed:

378acre in 32-24-27

251acres in 29-24-27

This will make a complete overlap between all the water rights and also bring in complete overlap with 51252.

Is a waiver needed: No, proposal cleans up the PU for the water rights and makes a complete overlap. All within the rules

Recommendation: After review of available information, it appears current area rules

are met. Staff therefore recommends approval of the applications.

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

October 29, 2024

GROUNDWATER MANAGEMENT DISTRICT #3 2009 E SPRUCE ST GARDEN CITY KS 67846

Re:

Request for Recommendation,

File Nos. 21114, 23384, 29068, 29113 & 31670

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Hemink Farms LTD and appears to be in proper form, for your review.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendation concerning this application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (620) 276-2901. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,

Austin McColloch

Assistant Water Commissioner

Enclosure

pc: