

**Kansas Department of Agriculture  
Division of Water Resources**  
APPROVAL OF CHANGE APPLICATION WORKSHEET

1. File No.: <b>44914</b>	2. Status Change Date: <i>11-25-2024</i>	4. Field Office: <b>04 - Garden City</b> GMD: <b>03 - Southwest</b> Structures File No.: Filing/Priority Date: <b>11/05/2024</b> Application Complete Date: <b>11/25/2024</b>
3. Package File No(s):		
<p>5a. <input type="checkbox"/> Applicant <input checked="" type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change</p> <p style="text-align: right;">Person ID Add Seq#</p> <p><b>SMGS LLC</b> <b>250 SEELEY ST #7</b> <b>BROOKLYNN NEW YORK 11218</b></p>	<p>5b. <input type="checkbox"/> Owner <input checked="" type="checkbox"/> WUC <input type="checkbox"/> Address Change</p> <p style="text-align: right;">Person ID Add Seq#</p> <p><b>MICHAEL W WILLIS</b> <b>1706 ROAD 14</b> <b>HUGOTON, KS 67951-5279</b></p>	
<p>5c. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change</p> <p style="text-align: right;">Person ID Add Seq#</p>	<p>5d. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change</p> <p style="text-align: right;">Person ID Add Seq#</p>	
<p>6. Change No.: <b>1</b> <input checked="" type="checkbox"/> PD <input type="checkbox"/> PU <input type="checkbox"/> UMW</p> <p>Base Acres:          Year:          Min Reasonable Q:</p> <p>Previous UMW:</p> <p>MDS Gauge:          Active Admin? <input type="checkbox"/></p> <p>Completion/Start Date: <b>3/01/2026</b> Perfection/Expiration Date:</p>	<p>7. Use of Water</p> <p><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p>UMW: <b>IRR-Irrigation</b></p> <p>UMW:</p> <p>UMW:</p>	
8. Action Trail		
9. Special Conditions		
<p>10. 5YR Allocation    Type:    Start Year:    5YR Quantity:    Base Acres:</p> <p style="padding-left: 40px;">Comment:</p>		
<p>11. Sand &amp; Gravel    Proj ID:    <input type="checkbox"/> Active <input type="checkbox"/> Dredge <input type="checkbox"/> IND Evap <input type="checkbox"/> Jr Evap <input type="checkbox"/> Other Diversion <input type="checkbox"/> Rpt on Sr</p>		
<p>12. Waiver Rule ID:    <input type="checkbox"/> New Date Requested:</p> <p>Applies:    Rule No.:    Justification:</p> <p>Rule Type:</p> <p>Rule SubType:</p>		
Comments	<div style="border: 1px solid black; padding: 2px;">Processed <b>11/25/2024</b> <b>MAM</b></div>	Entered
	<div style="border: 1px solid black; padding: 2px;">Reviewed</div>	

File No. **44914**      13. County: **SV** Basin: **CIMARRON RIVER** Stream:  
 Structures File No:      Aquifer Code: **211**      Special Use Area:

14. Points of Diversion, Rates & Quantities

PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Qty AF		Rate gpm		Storage Qty		Storage Rate		Overlaps	
									Auth	Add	Auth	Add	Auth	Add	Auth/Add			
<b>DEL</b>	<b>66898</b>																	
<b>ENT</b>	<b>SENESE</b>	<b>9</b>	<b>35</b>	<b>37W</b>		<b>1880</b>	<b>100</b>		<b>288</b>	<b>288</b>	<b>1000</b>	<b>1000</b>						<b>*</b>

15. Limitations Type:      Quantity:      Rate:      combined with file no(s):  
 Type:      Quantity:      Rate:      combined with file no(s):

16. Metering     Metering Required     Anti-Reverse Required     Seal Required    Compliance Date: 12/31/2025

PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner(s)	Chg?	Overlaps
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
					<b>CHK</b>	<b>8956</b>																		
																						<input type="checkbox"/>		
																						<input type="checkbox"/>		
																						<input type="checkbox"/>		
																						<input type="checkbox"/>		

18. Point of Diversion and Place of Use Overlaps  
 \* **45495**      \*\*  
 +      ++  
 #      ##  
 ^      ^^

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](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

November 25, 2024

MICHAEL W WILLIS  
1706 ROAD 14  
HUGOTON, KS 67951-5279

RE: Filed Office Application for Change  
Water Right, File Nos. 44914 & 45496

Dear Sir:

Enclosed are orders 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 numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals are that an acceptable water flow meter must be installed on the diversion works authorized under the referenced files number and meet current specifications.

Since the orders modify the original documents referred to above, they 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,



Michael A. Meyer  
Water Commissioner

MAM  
Enclosures  
pc: SMGS LLC

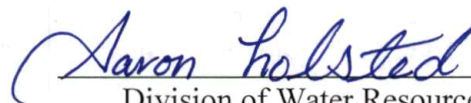
### CERTIFICATE OF SERVICE

On this 25<sup>th</sup> day of November 2024, I hereby certify that the foregoing Approval of Applications for Change in Point of Diversion, Water Right, File Nos. 44914 & 45496 dated 25<sup>th</sup> day of November 2024 was mailed postage prepaid, first class, US mail to the following:

MICHAEL W WILLIS  
1706 ROAD 14  
HUGOTON, KS 67951-5279

Pc:

SMGS LLC  
250 SEELEY ST #7  
BROOKLYNN NEW YORK 11218

A handwritten signature in blue ink that reads "Aaron Holsted". The signature is written in a cursive style and is positioned above a horizontal line.

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  
10:00 am  
NOV 05 2024

Garden City Field Office  
Division of Water Resources

File No. 44914

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: MICHAEL WILLIS

1706 ROAD 14 HUGOTON KS 67951-5279

Phone Number: (      )

Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: NO CHANGE

Phone Number: (      )

Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land --- NAME: S & C MANAGEMENT TRUST SMGS LLC

ADDRESS: 250 SEARLEY ST #7, BROOKLYN, NEW YORK 11218

(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 CGT Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date 11-5-24 Check # 1044



5. **Presently authorized point of diversion:**  
 One in the SE Quarter of the NE Quarter of the SE Quarter  
 of Section 9, Township 35 South, Range 37 W  
 in SV County, Kansas, 1471 feet North 281 feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well 623 (feet)  
 (DWR use only: Computer ID No. 02 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 SE Quarter of the NE Quarter of the SE Quarter  
 of Section 9, Township 35 South, Range 37 W,  
 in SV County, Kansas, 1880 feet North 100 feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) 676  
 This point is:  Additional Well  Geo Center List other water rights that will use this point 45495

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:  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 \_\_\_\_\_ (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. The changes herein are desired for the following reasons?  
 (please be specific) \_\_\_\_\_  
 \_\_\_\_\_

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

9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_

10. If the point of diversion is a well:

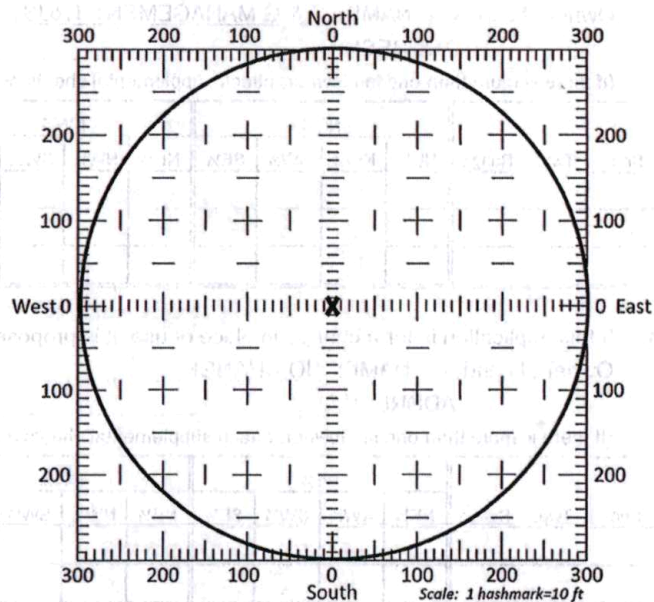
(a) What are you going to do with the old well?  
 \_\_\_\_\_

(b) When will this be done? \_\_\_\_\_

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by MM/DWR

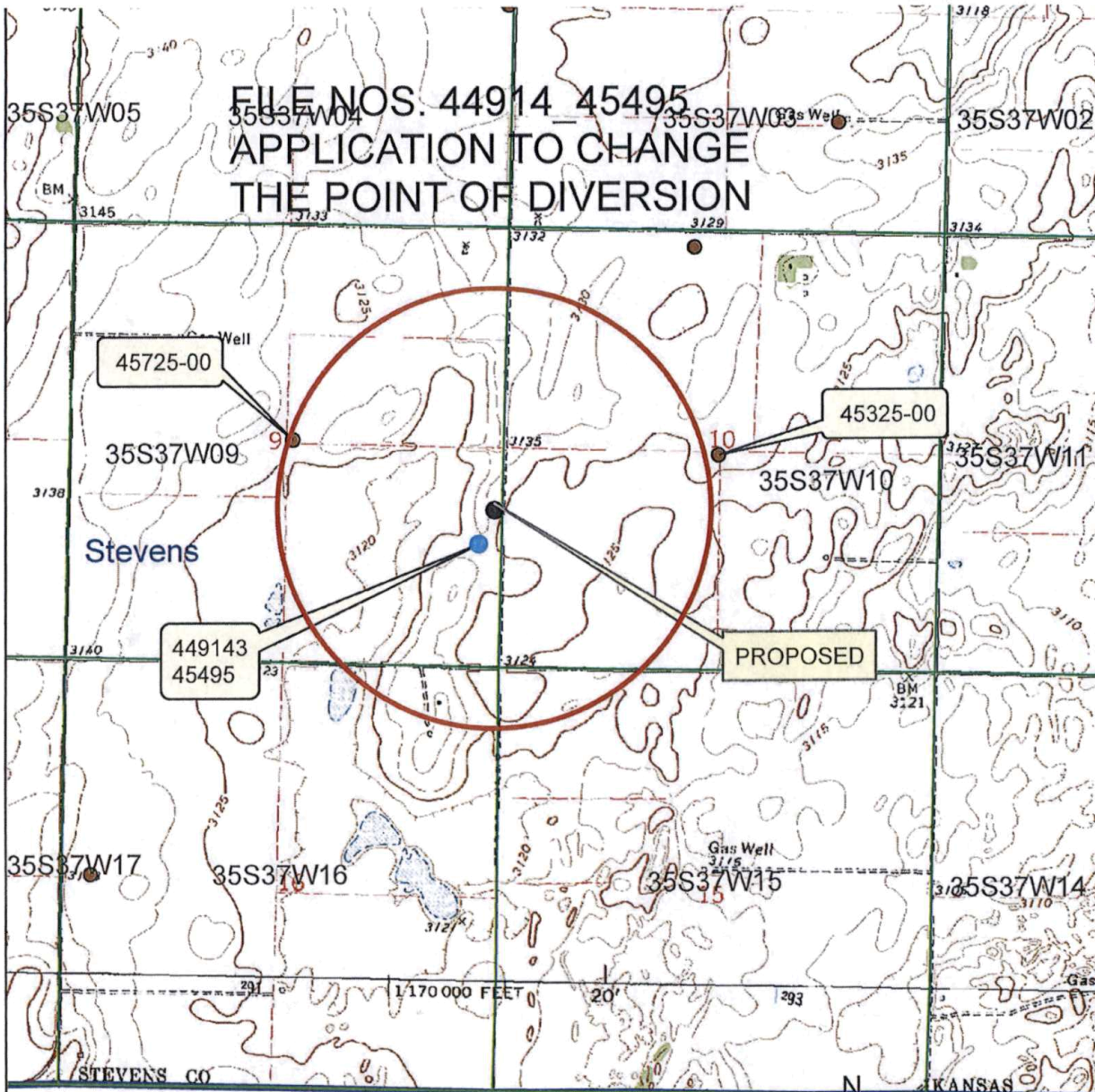
13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and 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.)



FILE NOS. 44914 45495  
APPLICATION TO CHANGE  
THE POINT OF DIVERSION



1 inch = 2,000 feet



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



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

FARMER, WARREN WILLIS 620-488-1063

Customer Name: SMGS, LLC WO#: 27601 Date: 10-2-24  
Street Address: 250 SEELEY ST #7 Test #: 1 E LOG: Yes  
City, State: BROOKLYN NEW YORK 11218 Driller: Date Geirin  
County: Stevens Quarter: SE Section: 9 Township: 35 Range: 37  
Location: \_\_\_\_\_ GPS: N37.01555 W101.33878  
Rig #: 10002 Elevation: 3128 Static WL: 280ft Estimated? Yes  
Proposed Well Depth: 696

PROPOSED WELL REPLACEMENT LOCATION 20' SUMP  
422894 43941

%	Footage		Description of Strata
	From	To	
	0	2	Top Soil "Sandy"
	2	15	Sand Fine w/Little Clay Mixed
	15	20	Gray Clay
	20	39	Sand Fine
	39	79	Brown Sandy Clay
	79	85	Sand Fine
	85	101	Brown Sandy Clay
	101	115	Sand Fine Med Course w/Brown Rock
	115	140	Brown Sandy Clay + Some Calich
	140	153	Brown Sandy Clay w/Fine Sand + Calich Mixed
	153	180	Brown Sandy Clay + Calich w/couple Fine Sand Beds from 162"
	180	199	Calich + Some Clay
	199	201	Sand Fine Med Few Course
	201	235	Sand Very Fine Some Fine
	235	243	Brown Sandy Clay
	243	256	Red Sandy Clay w/Fine Med Few Course Sand Mixed
	256	301	Red Clay
	301	349	Tan + Gray Clay
10	349	364	Sand Very Fine
	364	377	Red Sandy Clay w/Some Fine Sand Mixed
	377	444	Red Clay
10	444	480	Sand Fine Some Med w/Few Clay Strips
15	480	519	Sand Fine Med w/Few clay strips
20	519	546	Sand Fine Med w/couple clay layers
10	546	609	Sand Very Fine to Fine some Med w/Few clay strips
30	609	656	Sand Fine Med Course w/Brown + White Rock
	656	680	Red Bed
			Super Gel X -2
			Water Plug -6
			4 3/4 Drag Blade -1





# SMGS, LLC

Test Hole # 1 of 10-2-24

SE 9-35-37 SV

FILE #'s 422294 & 43941

## Legend

-  37.01555 N 101.33878 W
-  Central Equipment Sales

 37.01555 N 101.33878 W

KANSAS

Google Earth

1 mi





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 NY, NY, Kansas, this 23 day of October, 20 24.

<u>X SMGS LLC Salina Mueller</u> (Owner) <span style="float: right;">MANAGER</span>		(Spouse)
<u>X</u> (Please Print)		(Please Print)
(Owner)		(Spouse)
(Please Print)		(Please Print)
(Owner)		(Spouse)

(Please Print)		(Please Print)
----------------	--	----------------

State of ~~Kansas~~ New York }  
 County of New York } SS

Kavi Bhatia  
 Notary Public, State of New York  
 Reg. No. 01BH6415326  
 Qualified in New York County  
 Commission Expires March 15, 2025

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 23rd day of October, 20 24.

K Bhatia  
 Notary Public

My Commission Expires 03/15/25

**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. 94,914

1. A change application was received on November 5, 2024 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 300 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 \_\_\_\_\_ 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, 2025, 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, 2025, or within any authorized extension of time. By March 1, 2026 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**

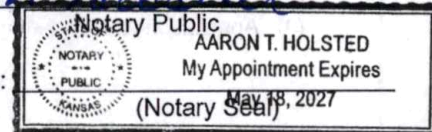
If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and 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: November 25, 2024  
 State of Kansas )  
 ) SS  
 County of Linney )  
 Acknowledged before me on November 25, 2024  
 by Michael A. Meyer  
 Signature: Aaron T. Holsted

My commission expires:







Book 346 Page 405



Entered in Transfer Record by my office this

21<sup>st</sup> day of August

A.D. 2021

Amey Thasby, Anne Venter  
County Clerk

**CORRECTIVE  
TRUSTEE'S DEED**

STATE OF KANSAS SS  
COUNTY OF STEVENS

This instrument was filed for record on the  
day of August A.D. 2021  
at 4:00 o'clock P. M. and duly recorded in  
Book 346 on page 405 Fee \$ 55.00

Jillsha Rosel  
Register of Deeds

KNOW ALL MEN BY THESE PRESENTS:

THIS DEED, made this 16<sup>th</sup> day of August, 2021, MARK EDWARD MUELLICH, AS TRUSTEE OF S & G MANAGEMENT TRUST, party of the first part; and SMGS MANAGEMENT, LLC, party of the second part, WITNESSETH:

WHEREAS, Mark Edward Muellich, is the duly appointed, qualified and acting Trustee of S & G MANAGEMENT TRUST; and by virtue of the powers and authority granted and conferred upon him under said Trust, and by virtue of and execution of the powers to him given, and every other power and authority given unto him; does by these presents grant, bargain, assign, transfer and convey unto SMGS MANAGEMENT, LLC, its successors and assigns, the following described real estate in the County of Stevens and State of Kansas, to wit:

All of the Trust's interest in and to the surface and surface rights only, including all water rights, in and to each of the following tracts of real estate.

The surface and surface rights only, including all water rights, in and to the Southwest Quarter (SW/4) of Section Twenty-five (25) Township Thirty-one (31) South, Range Thirty-seven (37) West of the 6<sup>th</sup> P.M., Stevens County, Kansas;

The surface and surface rights only, including all water rights, in and to the Southeast Quarter (SE/4) of Section Nine (9) Township Thirty-five (35) South, Range Thirty-seven (37) West of the 6<sup>th</sup> P.M., Stevens County, Kansas; and

The surface and surface rights only, including all water rights, in and to the Northwest Quarter (NW/4) of Section Ten (10) Township Thirty-five (35) South, Range Thirty-seven (37) West of the 6<sup>th</sup> P.M., Stevens County, Kansas;

The surface and surface rights only, including all water rights, in and to the South Half (S/2) and the Northwest Quarter (NW/4) of Section Four (4) Township Thirty-five (35) South, Range Thirty-seven (37) West of the 6<sup>th</sup> P.M., Stevens County, Kansas; and

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NOV 05 2024

Garden City Field Office  
Division of Water Resources



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NOV 05 2024

Garden City Field Office  
Division of Water Resources

The surface and surface rights only, including all water rights, in and to all of Section Five (5) Township Thirty-five (35) South, Range Thirty-seven (37) West of the 6<sup>th</sup> P.M., Stevens County, Kansas.

EXCEPTING AND RESERVING unto the Grantor all of the oil, gas and other minerals, lying in and under and that may be produced from each of the above described tracts;

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining; and also all the estate, right, title, interest, property, possession, claim and demand whatsoever, which S & G Management Trust, has in, or to, the above granted premises, and every part and parcel thereof, with the appurtenances.

AND WHEREAS, the said Trust Agreement confers upon and empowers the Trustee to execute and deliver all deeds, conveyances and other instruments necessary or proper for the accomplishment of such power, all without approval of any Court.

TO HAVE AND TO HOLD said premises, the real property aforesaid, with the hereditaments and appurtenances thereof, conveys unto SMGS MANAGEMENT, LLC.

And the said Trustee, for himself and his successors, does hereby covenant, promise and undertake to SMGS MANAGEMENT, LLC that he is the lawful Trustee of S & G Management Trust; and said Trustee has the power to exchange, assign, convey, grant and transfer as aforesaid, and has in all respects acted, in making this transfer, in pursuance of the authority granted and directed by said Trust; and he has not made, done or suffered any act, matter or thing whatsoever, since he was appointed as Trustee as aforesaid, whereby the above granted premises, or any part thereof, are, shall or may be impeached, charged or encumbered, in any manner whatsoever, and that such Trust is still in effect and has not been revoked nor has any legal action been filed to terminate it.

**THIS DEED CORRECTS AND SUPERSEDES THE DEED PREVIOUSLY FILED ON MAY 14, 2021, IN BOOK 344, AT PAGE 574, IN THE OFFICE OF THE REGISTER OF DEEDS OF STEVENS COUNTY, KANSAS.**

IN WITNESS WHEREOF, the said Trustee has hereunder set his hand the day and year above written.

RECEIVED

NOV 05 2024

Garden City Field Office  
Division of Water Resources

Page 3

S & G MANAGEMENT TRUST

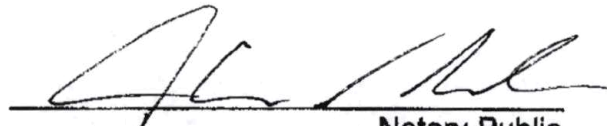
  
Mark Edward Muellich, Trustee

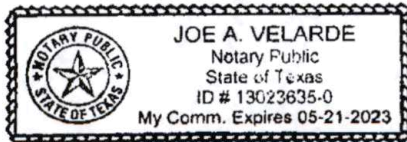
STATE OF TEXAS, BEXAR COUNTY, ss:

BE IT REMEMBERED, that on this 16<sup>th</sup> day of August, 2021, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came MARK EDWARD MUELLICH, AS TRUSTEE OF S & G MANAGEMENT TRUST, who is personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

(SEAL)

  
Notary Public





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](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

November 7, 2024

SOUTHWEST KANSAS GROUNDWATER  
MANAGEMENT DISTRICT NO. 3  
2009 E SPRUCE ST  
GARDEN CITY KS 67846

Re: Request for Recommendation  
Water Right, File Nos. 44914, 45495

Dear Mr. Norquest:

This is to advise you that SMGS Management LLC has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion.

We are delaying action on the change applications to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael A. Meyer".

Michael A. Meyer  
Water Commissioner

MAM  
Enclosures