Kansas Department of Agriculture Division of Water Resources

APPROVAL OF CHANGE APPLICATION WORKSHEET

 File No.: 20764 Package File No(s): 	2. Status Change Date:		GMD: 0 : Structure Filing/Pri	ice: 04 - Garden 03 - Southwest es File No.: ority Date: 1/8/20 on Complete Date:	25
5a. ⊠ Applicant ⊠ Owner □ WU	C Person ID 58184 Add Seq# 01	5b. Owner	⊠ wuc	Pers	son ID 58184 Seq# 02
TYSON FRESH MEATS INC PO BOX 149 HOLCOMB, KS 67851		TYSON FRI ATTN: DAN PO BOX 14 HOLCOMB	IIEL PEREZ 9		r ,
5c. Owner WUC Address Change	Person ID Add Seq#	5d. ☐ Owner ☐ Addres	☐ WUC s Change		son ID Seq#
6. Change No.: C1 PD PU Base Acres: Year: Min F Previous UMW: Not changing MDS Gauge: Active Admin? Completion/Start Date: 12/31/2025 Perfe	Reasonable Q:		7. Use of Wate Groundw UMW: IRF UMW: UMW:		Water
8. Action Trail					
9. Special Conditions					
10. 5YR Allocation Type: Star Comment:	rt Year: 5YR Quan	tity: Base A	Acres:	r	
11. Sand & Gravel Proj ID:	☐ Active ☐ Dredge	☐ IND Evap ☐] Jr Evap 🔲	Other Diversion	☐ Rpt on Sr
12. Waiver Rule ID: New D Applies: Rule No.: Rule Type: Rule SubType:	ate Requested:	Justification:			,
Comments No 6mo reco	recieved as of	7-5-72		Processed 2/5/2025 AM	Entered
				Reviewed	

File	No. 2	2076	4	13. C	ounty: F	l Basi	n: AR ł	KANSA	S RIV	ER St	ream:												
Stru	ıctures	File	No:	Aquif	er Code	211						_			Spec	ial Use	Area:						
14. F	oints o	f Dive	rsion, Rates & Qua	ntities										Oty	AF		Rate g	ma	Sto	orage Qt	V	Storage R	ate
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			Type:	Quanti			Rate:				ed with												
16.	Meter	ing		equire	d 🗌	Anti-Re	verse	Require	ed [Sea	l Requ	ired	Comp	liance	Date:	12/31/2	2025						
17.	Place o	of Use									9												
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18.	Point	of Div	ersion and Place	of Use	Overla	os						**											
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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

February 5, 2025

TYSON FRESH MEATS INC PO BOX 149 HOLCOMB, KS 67851

RE:

Filed Office Application for Change

Water Right, File No. 20764

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.

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,

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:

CERTIFICATE OF SERVICE

On this 5th day of February, 2025, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 20,764 dated 5th day of February, 2025 was mailed postage prepaid, first class, US mail to the following:

TYSON FRESH MEATS INC PO BOX 149 HOLCOMB, KS 67851

Pc:

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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ь. Г	Presently authorize	zed poir	nt of diversion:		43		Market Control
			Quarter of the	NC	Quarter of the	NW	Quarter
1	of Section	29	, Township	24	South, Range	34	(W),
	in FINNEY		County, Kansas, 3960	feet North	3960 feet West of S	Southeast corne	er of section.
1			Authorized Quantity				
	(DWR use only: (Comput	er ID No. 02 GP	S	feet North	feet We	est)
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1	of Section	29	, Township	24	South, Range	34	(W),
1	in FINNEY		County, Kansas, <u>3573</u>	_ feet North _	4295 feet West of S	Southeast corne	er of section.
	Proposed Rate	un di as	Proposed Quantity _	t stitle by old-	Proposed well depth	(feet)	NY FYF
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3.	Presently authori						
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000	of Section		, Township		South, Range		(W),
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3.	if a well, is the test	note log	attached? X Yes No	200	-1/+++=	1 + 1 +	200
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	(b) When will this	be done?	UPON COMPLETION	100	1, +, +, =	10# 10#	100
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11.	Groundwater Mana	gement [District recommendation attache	ed? 200		1 + 1 +/	200
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12.	Assisted by AM / G	CFO	production of the second second second	30	0 200 100 0	100 200	300
13a	If the proposed poin	nt of diver	sion will be relocated more than		South		

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

feet but within 2,640 feet of the existing point of diversion, attach 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.)

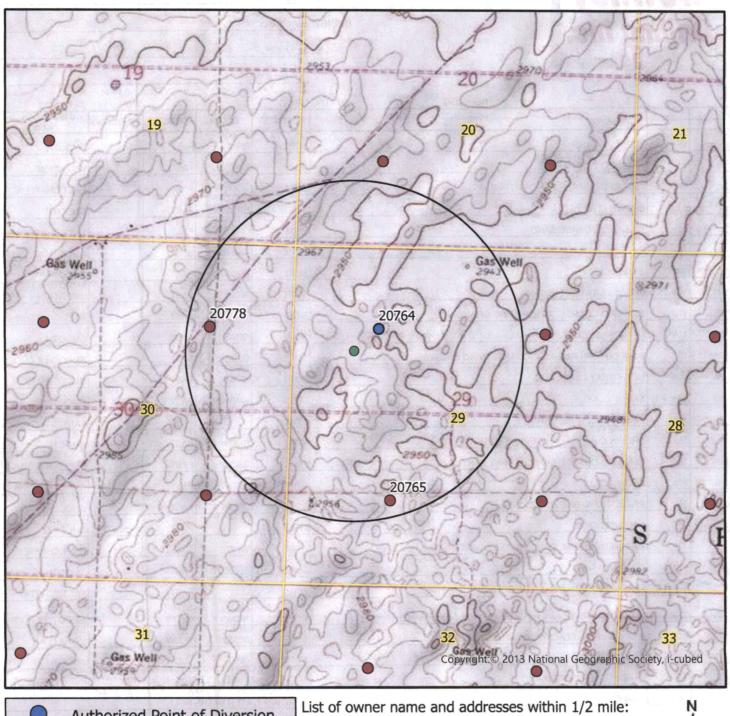
14. If th	ne proposed grou	undwater point	of diversion is 30	00 or fewer feet fro	m the exis	ting point of	diversion, cor	nplete the fo	ollowing:	
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(b)	affected if this a	application is a	oproved as reque	e currently authorested? nust sign this appli		(s) of use id	dentified in this	application	n be adve	rsely
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or a cha	ange in place of ι	use, the applica	ater change in po ation must be sign orizing represent	oint of diversion, a ned by all owners ation).	groundwa of the curr	ter change i ently author	in point of dive	rsion greate use, or their	er than 30 duly auth	0 feet, orized
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/ly Com	nmission Expires	PUBLIC	December 15, 2	2026		O	Notary (Bubli			
accurate	OMPLETE APPLIC information; maps opriate fee must be	, if necessary, m	BE PROCESSED. ust be included; sig	To be complete, all gnatures of all the ap	of the applic	cable portions wners' must b	of the applications of the affixed to the	on form must application a	be completed not not arize	ted with
				FEE SCHEDU	LE					
				of diversion unde			accompanied	by the applic	cation fee	set
				00 feet or less					\$100)
	(2) Application	to change a po	int of diversion m	nore than 300 feet					\$200)
	(a) Application	to change the	nace of use						⊅∠∪∪	,

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	s 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 visions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and tations of File No. 20764
1.	A change application was received on
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
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 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
5.	The point(s) of diversion authorized herein shall not actually be located more than 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
7.	The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20, 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, 20 25, or within any authorized extension of time. By March 1, 20 6 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.
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 <i>Kansas Water Appropriation Law</i> and the <i>Rules and Regulations</i> 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.
If you Englished Agriculture (Agriculture (A	Administrative Appeal and Effective Date of Order Ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, or may request an evidentiary hearing before the Chief gineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be die within 15 days of service of this Order and a request for hearing by the Secretary must be filed within 30 as pursuant to K.S.A. 77-531. Any request for administrative review by the Secretary must be filed within 30 as pursuant to K.S.A. 77-527. The pursuant to K.S.A. 77-527. The pursuant to K.S.A. 77-527. The pursuant to timely request a hearing or review may clude review under the Kansas Judicial Review Act. For Use by Register of Deeds For Use by Register of Deeds For Use by Register of Deeds FOR OFFICE USE ONLY APPLICATION APPROVED AND SUMMARY ORDER ISSUED By: Duly Authorized Designee of the Chief Engineer (Print Name): Division of Water Resources - Kansas Department of Agriculture of Issuance: Date of Issuance: State of Kansas County of Acknowledged before me on Acknowledged before me on Description of Water Resources - Kansas Department of Agriculture of Issuance: Acknowledged before me on Acknowledged before me on
	Signature: Sule souls
	My commission expires: Notaty Public JULIE JONES
	Windsty.

. CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NO. 20764

NW1/4 of Section 29 Township 24 South Range 34 West Finney County



Authorized Point of Diversion Proposed Point of Diversion Permitted Water Right Domestic Well within 1/2 mile

1/2 mile buffer

WR 20765 & 20778 - OWNED BY APPLICANT



By signing below I agree that all wells, including domestic, and owners names and addresses within 1/2 mile of the proposed point of diversion have been shown on the map

(Signature) Date

AM/GCFO 1:18,000 Scale Downey Drilling Inc.

CUSTOMER NAME: TYSON FRESH MEATS

TH#2-24

LEGAL: NW 29-24S-34W

COUNTY: FINNEY CO, KS

GPS: 37.940529

-101.081409

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X	28	47	FINE-MED-COARSE SAND W/ FINE-MED GRAVEL	STIFF		FAST		FAST CHATTER
	47	53	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
	53	69	FINE-MED-COARSE SAND	FIRM	1	FAST		FAST CHATTER
	69	76	WHITE CLAY	SOFT	WHITE	SLOW		ѕмоотн
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	116	126	LIGHT GRAY CLAY	SOFT	GRAY	FAST		SMOOTH
	126	155	BLUE CLAY W/ FINE-MED-COARSE SAND LEDGES	SOFT	BLUE	FAST		SMOOTH & CHOPPY
	155	163	LIGHT GRAY CLAY	SOFT	GRAY	FAST		SMOOTH
123	163	173	SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
×	173	195	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	195	203	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
	203	246	FINE-MED-COARSE SAND W/ SANY CLAY LAYERS	FIRM	BROWN	FAST		FAST CHATTER & SMOOTH @ TIMES
	246	255	BROWN CLAY	STICKY	BROWN	FAST		SMOOTH
	255	280	FINE SAND W/ BROWN CLAY	SOFT	BROWN	FAST		VIBRATION & SMOOTH
	280	295	FINE-MED SAND	FIRM		FAST		СНОРРУ
x	295	325	FINE-MED-COARSE SAND W/ FINE GRAVEL & LIME ROCK	STIFF	WHITE	FAST		FAST CHATTER
	325	339	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
	339	356	FINE-MED-COARSE SAND W/ BROWN ROCK TRACE	FIRM		FAST		FAST CHATTER
	356	376	YELLOW & GRAY CLAY W/ BROWN ROCK & FINE SAND	SOFT	GRAY, & BROWN	SEMI SLOW		SMOOTH & CHOPP
	376	418	GRAY CLAY W/ BLACK SOAPSTONE LEDGES	SOFT	GRAY & BLACK	SLOW	T.	VIBRATION
	418	439	BLUE CLAY	SOFT	BLUE	SLOWER	1et	sмоотн
х	439	455	SANDSTONE W/ FINE SAND	OUT TOO 1	00' RECOVE	RED CIRCUL	ATION 100 P	ERCENT @ 120' WEN
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			QUIK TROLL - 1 BAG EZ MUD GOLD - 2 CUPS		1		1	



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

January 16, 2025

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

Re:

Request for Recommendation,

File No. 20764

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Tyson Fresh Meats Inc. 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: