

File No. **28002** 13. County: **GY** 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	
									Auth	Add	Auth	Add	Auth	Add	Auth/Add	Overlaps
DEL	34016															
ENT	SESESE	3	25	29W	86	614			234	234	530	530				

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

17. Place of Use	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				
CHK	28783																					8a	<input checked="" type="checkbox"/>		
																							<input type="checkbox"/>		
																							<input type="checkbox"/>		
																							<input type="checkbox"/>		
																							<input type="checkbox"/>		

18. Point of Diversion and Place of Use Overlaps

* **
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 # ##
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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

January 27, 2025

MIDWEST FEEDERS INC
5013 13 RD
INGALLS, KS 67853-9023

RE: Filed Office Application for Change
Water Right, File No. 28002

Dear Sir and Madam:

Enclosed are orders 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 these approvals 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 files number and meet current specifications.

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

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

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

Sincerely,

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

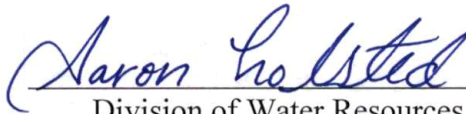
Michael A. Meyer
Water Commissioner

MAM
Enclosures

CERTIFICATE OF SERVICE

On this 27th day of January 2025, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 28,002 dated 27th day of January 2025 was mailed postage prepaid, first class, US mail to the following:

MIDWEST FEEDERS INC
5013 13 RD
INGALLS, KS 67853-9023



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. 28,002

RECEIVED
 3:15 pm
 JAN 24 2025

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: Midwest Feeders, Inc.

05013 13 RD, Ingalls, KS 67853

Phone Number: (620) 335-5790

Email address: jeff@midwest-feeders.com

Name and address of Water Use Correspondent: Same as applicant (was Steven M & Paula C Thompson; purchased by Midwest Feeders, Inc. in September 2024.)

Phone Number: ()

Email address:

3. The presently authorized place of use is:

Owner of Land ---- NAME: Midwest Feeders, Inc.

ADDRESS: 05013 13 RD, Ingalls, KS 67853

(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					
3	25S	29W	34	34	34	34												34	34	34	34	272	
			6-7	6-2																			

Original POU was 544 ac. in Sec. 3 T25S R29W, but change submitted under previous owner and agreed to by current owner 09/2024.

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: N/A

NO CHANGE

ADDRESS:

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

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

For Office Use Only: Code Fee \$ 100.00 TR # Receipt Date 1-24-25 Check # 277232

5. **Presently authorized point of diversion:**
 One in the SE Quarter of the SE Quarter of the SE Quarter of Section 3, Township 25 South, Range 29 W (~~EAA~~), in Gray County, Kansas, 85 feet North 530 feet West of Southeast corner of section. Authorized Rate 530 gpm Authorized Quantity 234 AF Depth of well 280 (feet)
(DWR use only: Computer ID No. 3 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 SE Quarter of the SE Quarter of Section 3, Township 25 South, Range 29 W (~~EAA~~), in Gray County, Kansas, 86 feet North 614 feet West of Southeast corner of section. Proposed Rate 530 gpm Proposed Quantity 234 AF Proposed well depth (feet) 290.
 This point is: Additional Well Geo Center List other water rights that will use this point N/A

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) Current well structure has failed. New well needs to be drilled to be effective.

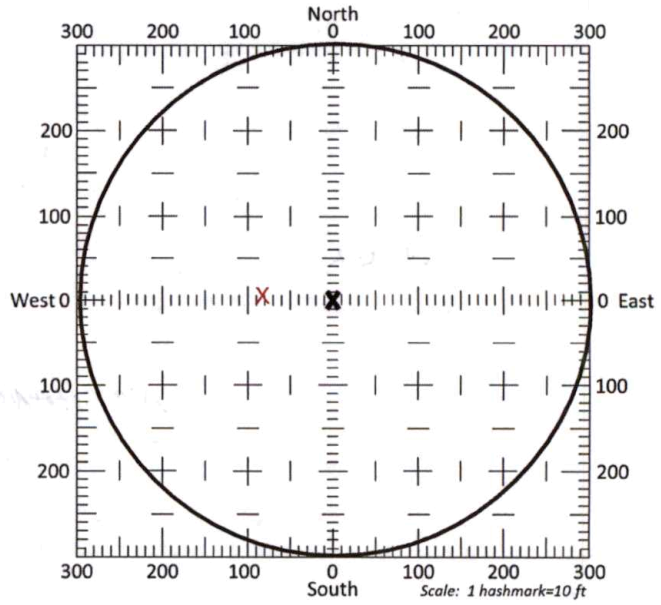
8. If a well, is the test hole log attached? Yes No

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
 (b) When will this be done? Upon Approval

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by Craig Griswold, KLA Environmental Services, Inc.



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.)**

620-260-7350

NASH WATER WELL SERVICE, LLC
PO Box 1388
710 W AVE A
CIMARRON KS 67835
620-277-5657

OWNER: MIDWEST H RD

LATITUDE: 37.900266
LONGITUDE: 100.485082

DEPTH OF TEST HOLE DRILLED: 290'
JOB NAME: H RD TEST HOLE # 2
DATE: 12/27/2024

Old well

LITHOLOGIC LOG INFORMATION:

New Well

FROM TO LITHOLOGIC LOG

0'	4'	TOP SOIL
4'	20'	BROWN CLAY & FINE MEDIUM SAND
20'	35'	TAN & BROWN CLAY WITH FINE MEDIUM SAND
35'	70'	FINE COARSE SAND WITH SMALL TO LARGE GRAVEL
70'	95'	FINE COARSE SAND WITH TAN BROWN CLAY
95'	105'	TAN CLAY FINE COARSE SAND STREAKS
105'	127'	FINE COARSE SAND
127'	140'	FINE MEDIUM SAND WITH WHITE TAN CLAY & CALICHE ROCK
140'	190'	TAN CLAY WITH FINE MEDIUM SAND
190'	195'	FINE COARSE SAND
195'	210'	TAN CLAY FINE MEDIUM SAND
210'	220'	FINE COARSE SAND WITH THIN TAN CLAY STREAKS
220'	240'	FINE COARSE SAND WITH STREAKS OF SMALL TO LARGE GRAVEL & TAN CLAY
240'	260'	FINE COARSE SAND WITH STREAKS OF SMALL TO LARGE GRAVEL & TAN CLAY
260'	280'	FINE COARSE SAND WITH STREAKS OF SMALL TO LARGE GRAVEL & TAN CLAY
281'	290'	BLUE SHALE

MEDIUM 30%
LOOSE 90%
LOOSE 90%
LOOSE 95%
MEDIUM 75%

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 Ingersoll, Kansas, this 16th day of January, 2025.

[Signature]
 (Owner)
 Jeff Sternberger, Midwest Feeders, Inc.
 (Please Print)

 (Spouse)

 (Please Print)

 (Owner)

 (Please Print)

 (Spouse)

 (Please Print)

 (Owner)

 (Please Print)

 (Spouse)

 (Please Print)

State of Kansas }
 County of Gray } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 16 day of January, 2025.

[Signature]
 Notary Public

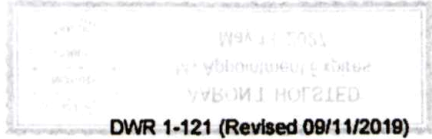
My Commission Expires 02/25/2025.

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. 28,002

1. A change application was received on January 24, 2025 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, 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: January 27, 2025

State of Kansas)

) SS

County of Finney)

Acknowledged before me on January 27, 2025
by Michael A Meyer

Signature: Aaron Holsted
Notary Public

My commission expires:

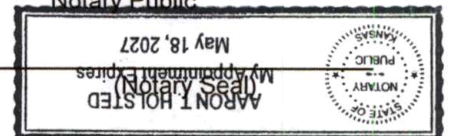


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INDEXED



2410856

Mail Tax Statement to:
MIDWEST FEEDERS, INC.,
05013 13 RD
INGALLS, KS 67853

Property Address:
Section 3-25-29
Cimarron, KS 67835

State of Kansas. Gray County
This instrument filed
10/16/2024 at 11:20 AM
Book 145 Page 160-160
Fee: \$21.00

Renee L Shrinier

Renee L Shrinier, Register of Deeds

GENERAL WARRANTY DEED (Statutory)

THE GRANTORS, **Steven M. Thompson and Paula C. Thompson, husband and wife**

convey and warrant to **MIDWEST FEEDERS, INC.,**

all the following REAL ESTATE in the County of Gray, and the State of Kansas, to-wit:

**Lots One (1) and Two (2) and the South Half of the Northeast Quarter (S/2 NE/4)
Lots Three (3) and Four (4) and the South Half of the the Northwest Quarter (S/2 NW/4);
and the South Half (S/2) of Section Three (3), Township Twenty-five (25) South, Range
Twenty-nine (29) West of the 6th P.M.,
Gray County, Kansas.**

for the sum of one dollar and other good and valuable consideration.

EXCEPT AND SUBJECT TO: Easements, restrictions and assessments of record, and all the taxes and assessments that may be levied, imposed or become payable hereafter.

Dated this 18th day of September, A.D. 2024.

Steven M. Thompson
Steven M. Thompson

Paula C. Thompson
Paula C. Thompson

STATE OF Kansas, Gray COUNTY, SS:

The foregoing instrument executed by

Steven M. Thompson and Paula C. Thompson, husband and wife

was acknowledged before me this 18th day of September, 2024.



(seal)

Mitch L. Little
Notary Public

Appointment expires: 1/2/27

Entered on Record in this
office this 16th day of Oct, 2024
Gray Co. Clk Ashley Rogers

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INDEXED



2410856

Mail Tax Statement to:
MIDWEST FEEDERS, INC.,
05013 13 RD
INGALLS, KS 67853

Property Address:
Section 3-25-29
Cimarron, KS 67835

State of Kansas. Gray County
This instrument filed
10/16/2024 at 11:18 AM
Book 145 Page 159-159
Fee: \$21.00

Renee L Shrinier

Renee L Shrinier, Register of Deeds

GENERAL WARRANTY DEED (Statutory)

THE GRANTORS, **Elizabeth A. Schartz, a single person**

convey and warrant to **MIDWEST FEEDERS, INC.,**

all the following REAL ESTATE in the County of Gray, and the State of Kansas, to-wit:

**Lots One (1) and Two (2) and the South Half of the Northeast Quarter (S/2 NE/4)
Lots Three (3) and Four (4) and the South Half of the the Northwest Quarter (S/2 NW/4);
and the South Half (S/2) of Section Three (3), Township Twenty-five (25) South, Range
Twenty-nine (29) West of the 6th P.M.,
Gray County, Kansas.**

for the sum of one dollar and other good and valuable consideration.

EXCEPT AND SUBJECT TO: Easements, restrictions and assessments of record, and all the taxes and assessments that may be levied, imposed or become payable hereafter.

Dated this 12th day of September, A.D. 2024.

[Signature]
Elizabeth A. Schartz

STATE OF Texas, Dallas COUNTY, SS:

The foregoing instrument executed by

Elizabeth A. Schartz, a single person

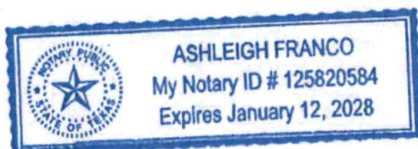
was acknowledged before me this 12th day of September, 2024.

Ashleigh Franco

Notary Public

(seal)

Appointment expires: January 12, 2028



Entered on Record in this
office this 16th day of Oct 2024
Gray Co. Clk Ashley Rogers