Kansas Department of Agriculture / Division of Water Resources <u>Stockton</u> Field Office

TO: <u>HEADQUARTERS</u>	
RE	ation of Water;
File No(s). 30,287 + 44, 297	County CD
Enclosed are the following checked items:	
A FIR Full Partial la Proposed Certificate to deliver to Certificate Unit	Return to Field Office
7	Meter Order: ☐ GMD#4 ☐ Lower Smoky
A Compliance Check Inspection on Meter Install New App Chg App Ot In Compliance Not in Compliance, why Modify Point of Diversion No Yes, docume Indicate all overlapping p/d files	ent attached
☐ An application and judgment sheet with recommendat☐ A memorandum dated	
A request for an extension of time to perfect or comple	ete.
A verified report.	-
A closure request. A field investigation report.	
Notice of Non-Compliance	
Violation	Date
An ownership change (name(s) and address(es) below	
A water use report for	
A letter dated	
A copy of an Approval to Change the place of use Filing Fee attached. #20920	and/or ⊠ point of diversion,
An Advanced <u>copy</u> of a change application and the office.	filing fee, to be processed at the field
An original field office change application and the review and further processing.	filing fee needing headquarters office
Other:	
1	
(hlulfall)	8-15-67
Assistant Water Commissioner	Date

CHECK SHEET Short Change

		F	ile No. <u>3028</u>	7	Fi	eld Office	No. <u>3</u>		GME	No	_
1.	Plugging	agreement	obtained fo	r GMD?	Yes 🗌] No		Non Applica	able 🗌		
2.	ls Landow	vner correc	ct as current	ly shown	in WRIS	5? Ye	es 🖂	No □		Address	Change? NO
	If applicable	le, list Place	e of Use Ove	rlap File N	os	_					
3.	ls Water U	Jse Corres	pondent co	rrect as cu	rrently	shown ir	WRIS?	Yes ⊠ No		Address	Change? NO
	Name of I	Former WU	JC			Na	ame of No	ew WUC			
4.	a. Point	of diversion	n computer	ID No(s).	3 8	& 4	for poir	nt(s) being c	hanged.		
	b. Show	feet distar	nces from th	е	SE	co	rner of th	ne section fo	or the new p	oint(s) of	diversion:
	Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	County		Qualifiers
	DEL	28433	NO	13	05S	03W	3035	4240	CD		SE SW NW
	ENT	NEW	NO	13	05S	03W	3035	4190	CD		SE SW NW
	NO CHG	41006	NO	13	05S	03W	2885	4325	CD		SE SW NW
	NO CHG	45707	NO	13	05S	03W	2890	4023	CD		SE SW NW
	DEL	65072	YES	13	05S	03W	2871	4139	CD		SE SW NW
	ENT	NEW2	YES	13	05S	03W	2871	4126	CD		SE SW NW
	NO CHG	65700	NO	13	05S	03W	2673	3966	CD		SE SW NW
	Old PE	OIV ID of <u>Drainage</u>		Rate gpm _ PUBLICAN	Addi	tional Ra	gpm is 1	Authorized (Quantity af y shown in \	Additiona	
5.	Distances	from the	previous/ori	ginal p/d:		0		N	50	' E	
6.	WATER R	IGHT ACT	ION TRAIL C	OMMENT	<u>s</u>						
	08/14/2017	7			Chang	je Applica	tion Rece	eived (date a	ccepted for p	oriority)	
	08/15/201	7				e Approv		1/2017			
	/	/			Compl	letion Red	uiremen	t Removed (0	Change No. (C)	
7.	METER A	CTION TRA	AIL COMME	NTS							
	08/15/2017	7			DWR	Meter Red	quired by	12/31/2017			
8.	Base Acre	s		Yea	r		Mir	nimum Reas	onable Quan	tity	
								Date Created	8/14/17	by BILLI	NGER
								Date Entered	1	by	

CHECK SHEET ATTACHMENT

9. (Changes	to	the	place	of	use	will	be
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File Number 30287

	Ourse	Disealles						N	=1/4			NV	V1/4			SV	V1/4			SE	1/4		TOTAL
Action	Owner Person ID	Place Use ID#	Sec.	Twp.	Range		NE1/4	NW1/4	SW1/4	SE1/4	ACRES												
NO CHG						Acres Authorized																	
NO CHG				V		New Acres																	
						Acres Authorized																	
						New Acres																	
						Acres Authorized																	
						New Acres																	
						Acres Authorized																	
						New Acres																	

4 .	Person ID #	2	Person ID #	3	Person ID #
1.	Person ID #		Person ID #	S.	reison in #

- 1. Give to Applicant:
 - a. Original application/approval
 - b. Original receipt (one for each application)
 - c. Information packet containing:
 - Notice and Proof form
 - Water Meter Specifications
 - Acceptable Meter list
 - · Water level measurement tube specifications
 - Check Valve specifications
 - Pink Sheet K.S.A. 82a-728 letter
 - Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)

GENERAL INSTRUCTIONS

- 2. Send to headquarters:
- a. Good, <u>microfilmable</u> copy of application and/or approval and this check sheet
- b. Original check and copy of receipt
- c. Test hole log
- d. GMD recommendation, if any
- e. Map or aerial photograph, if any

CONDITIONS

- Insert notice and proof date.
- 2. Type or print applicant's/owner's name on line.
- 3. Complete notary statement.

- 4. Date stamp received and approved.
- 5. Complete ownership and WUC change information.

ADDITIONAL PHOTOCOPIES



Stockton Field Office 820 S. Walnut Stockton, Kansas 67669-0192

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Kelly Stewart, Water Commissioner

Fax: (785) 425-6842 www.agriculture.ks.gov

Phone: (785) 425-6787

Sam Brownback, Governor

August 15, 2017

W BENSON KEIL 1912 UNION RD CONCORDIA KS 66901-9652

Re: Water Rights, File Nos. 30,287 & 44,297

Dear Mr. Keil:

Enclosed are two (2) orders executed by David W. Barfield, 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 terms, conditions, and limitations specified in these approvals for change. Also, the approval of the orders does require the installation of a water flow meter(s) on the point(s) of diversion authorized under the above file numbers by **December** 31, 2017. Please complete and return the enclosed Notice(s) of Completion of Diversion Works when a water flow meter has been installed. A copy of the Chief Engineer's specifications for the water flow meters is found in K.A.R. 5-1-4 through K.A.R. 5-1-12, along with a partial list of those flow meters found to be acceptable for installation in Kansas can be found on our website at the following web address: http://agriculture.ks.gov/meters

Please note that all meters must be installed and maintained in accordance with the specifications for water flow meters referenced above.

The abandoned water 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 (KDHE). If the well is to be retained by the landowner for other purposes, a copy of the legal transfer of responsibility for maintenance of the well must be forwarded to KDHE Geology Section, 1000 SW Jackson, Suite 420, Topeka, Kansas 66612, telephone number (785) 296-5524. More information is available online at: http://kdheks.gov/waterwell

Since these orders modify the original certificates, they should be recorded with the Register of Deeds just as other legal documents affecting real estate. Such records are maintained at the Register of Deeds Office in the county wherein the place of use is located.

These documents are summary orders by this agency regarding this matter. These orders shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order.

If you have any questions, please feel free to contact this office at (785)425-6787. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely

Mark Billinger

Assistant Water Commissioner

MB:rfh Enclosures

CERTIFICATE OF SERVICE

On this 15th day of August, 2017, I hereby certify that the attached <u>SUMMARY ORDERS</u> <u>APPROVING APPLICATIONS FOR CHANGE in POINT OF DIVERSION</u> for water rights, File Nos. 30, 287 & 44,297, dated on the 15th day of August, 2017, were mailed postage prepaid, first class, U.S. mail, to the following:

Joeca Kaymun

W BENSON KEIL 1912 UNION RD CONCORDIA KS 66901-9652 Submit completed application to.
Kansas Department of Agriculture
Division of Water Resources
Field Office for your area.
Call for address:

Topeka – (785) 862-6300 Stafford – (620) 234-5311 Stockton – (785) 425-6787 Garden City – (620) 276-2901 www.ksda.gov/dwr

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

APPLICATION COMPLETE
8 15 17
Reviewer mg

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 proposed point(s) of diversion and/or place of use.

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						□ P	lace o	f Use		X	Point	of Dive	ersion	316					
ı	under th	e water.	right v	vhich i	s the s	ubject	of this	applic	ation i	n acco	rdance	e with t	he co	ndition	s desc	ribed l	below.		
-	The soul	rce of su	i pply i	s:	. , `	X.C	round	water			Surfac	ce wat	er at 1	112					
I	Name ar	nd addre	ess of	Applic	ant: <u>W</u>	/. Bens	son an	d Judy	/ Keil				,						
	1912 Un	ion Rd.	Conc	ordia, I	(S. 66	901								w					
	Phone N		_								ss: wt			ic.net					
ı	Name ar	nd addre	ess of	Water	Use C	orresp	onden	nt: <u>Sar</u>	ne L) · DEL	الم حدد	Keil							
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Presently authoriz							*
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of Section	13	, Township	5	South, Rai	nge	3 W	
in Cloud	Cou	inty, Kansas, 2890	feet Nor	th4023 feet \	West of Sou	utheast cor	ner of section.
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(DWR use only: C	omputer ID	Authorized Quantity No GPS		feet North		feet \	Nest)
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This point is: Ad	ditional Well	☐ Geo Center List oth	ner water	rights that will use the	nis point		
Presently authoriz	ed point of	diversion:					
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APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO. 30287

AUG 1 4 2017

Stockton Field Office

	zeu pomit or	diversion:				
One in the	SE	Quarter of the	SW	Quarter of the N	W Quarter	
of Section	13	, Township unty, Kansas,3035	5	South, Range	3W	(E/W
n Cloud	Co	unty Kansas 3035	feet North	4240 feet West of	of Southeast corne	er of section.
Authorized Rate	1	Authorized Quantity		Depth of well	(fe	et)
DWP use only: (Computer ID	No 3 GI	PS	feet North	feet W	est)
This point will not	be changed	Authorized Quantity No. 3 GI This point will be changed.	ged as follows:	UPDATE point of divers	ion better describe	d with GPS as:
		(Complete only if chan				
One in the	SE	Quarter of the	SW	Quarter of the	NW	Quarte
of Section	13	Township	5	South, Range	3W	(E/W
n Cloud	Co	unty Kansas 3035	feet North	4190 feet West of	of Southeast corn	er of section.
Proposed Rate		Proposed Quantity		Proposed well de	oth (feet)	
This point is:	dditional Wel	unty, Kansas, 3035 Proposed Quantity Geo Center List	other water rigi	nts that will use this noi	int 44297	
This point is. LIA	ddidonal **Ci	Occ Center List		to didt will doo the por		1
Presently authori	zed point of	diversion:				
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of Section	13	Township	5	South Range	3W	(F/W
n Cloud	Co	unty Kanaga 2673	foot North	3066 feet West	of Southeast corn	er of section
n Cloud		unty, Kansas,	ieer Mortii _	Dooth of well	/fo	ei di secudii.
Authorized Rate _	<u>1</u>	Authorized Quantity		Deput of well	foot 14/	(61)
DWR use only: 0	Computer ID	No GI	PS	Teet North	leet vv	est)
		This point will be chang			ion better describe	a with GPS as
		(Complete only if chan				
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of Section		, Township		South, Range		(E/W
n	Co	, Township unty, Kansas, Proposed Quantity _	feet North	feet West of	of Southeast corne	er of section.
Proposed Rate		Proposed Quantity		Proposed well de	pth (feet)	
This point is:	dditional Wel	I ☐ Geo Center List of	other water righ	nts that will use this poi	int	
Presently authori	zed point of	diversion:				
Presently authori	5E	Quarter of the	SW Fact North	Quarter of theSouth, Range	NW 3	Quarte (EW
One in the	5E 13 Co	Quarter of the, Township	feet North	4157 feet West of	of Southeast come	er of section.
One in the	13 Co	Quarter of the, Township	feet North _	Depth of well	or Southeast corne (fe	er of section. et)
One in the	56 Co 25	Quarter of the, Township sunty, Kansas, _2871 Authorized Quantity No. Gr	feet North 74 AF PS	Depth of well feet North	of Southeast corne (fe feet W	er of section. et) est)
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Done in the	Computer ID to be changed of diversion: SE 13 Co 225 Co 225 Co dditional Well zed point of	Quarter of the, Township, Township, Authorized Quantity No Grand Gr	reet North 7 4 AF ged as follows: [ge is requeste Sw feet North 74 AF other water right	Depth of well	of Southeast corne (fe	Quarte Quarte Quarte (E/W er of section.
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14. 11 0	ne proposed groundwater point of diversion is 500 of fewer feet in	on existing point of diversion, complete the following.
(a)	Does the undersigned represent all owners of the currently authors Yes No (If no, all owners must sign this applied)	
(b)	Will the ownership interest of any owner of the currently authoraffected if this application is approved as requested? ☐ Yes ☑ No (If yes, all owners must sign this app	
(c)	If this application is not approved expeditiously, will there be sub- Yes	
or a cha	oplication proposes a surface water change in point of diversion, a ange in place of use, the application must be signed by all owners attach notarized statement authorizing representation).	
age an	by verify, being first duly sworn upon my oath or affirm d the owner, the spouse of the owner, or a duly author ehalf, in regard to the water right(s) to which this application are true, correct and complete.	ized agent of the owner(s) to make this application or plication pertains. I further verify that the statement
Dated a	t Concordia, Kansas, this	10th dayof August 20 17
	W. Bensen Kest	Judy First
	W. Bensen Kest	Tudu Keil
	(Please Print)	(Ridase Print)
	(Owner)	(Spouse)
	(Please Print)	(Please Print)
,		
	(Owner)	(Spouse)
	(Please Print)	(Please Print)
State of County	Kansas	
_	eby certify that the foregoing application was signed in m	y presence and sworn to before me this
1 Heli	Hugust, 20 17	y presence and sworn to before the this 10 day of
	NOTARY PUBLIC STATE OF KANSAS	Ronda L Humm
My Com	mission Expires C4-02-19	Notary Public
accurate	OMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all information; maps, if necessary, must be included; signatures of all the appriate fee must be paid.	
	FEE SCHEDU	ILE
forth in t	plication to change the place of use or the point of diversion under 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 (3) Application to change the place of use	er this section shall be accompanied by the application fee set ent of Agriculture\$100 t\$200
		RECEIVED

AUG 1 4 2017

pro K.A	visions of the Kansas Water Appropriation Law, K.S.A. 82a-	a-708b, as amended, and K.A.R. 5-14-3 and other applicable -701 et. seq., and rules and regulations promulgated thereunder, ressly contained herein, this Summary Order does not change the
1.	A change application was received on	requesting that the place of use and / or point of r be changed as described in the application.
2.	On and after the effective date of this summary order, the a	authorized place(s) of use shall be located substantially as shown ange the place of use. Applicable Not Applicable
3.	The change in point of diversion shall not impair existing right previously authorized. The point of diversion authorized by tradius of the authorized point(s) of diversion.	hts and shall be limited to the same source or sources of water as this summary order shall be located within a foot ble Not Applicable
4.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion.	be located more than feet from the previously of Applicable
5.	As required by K.A.R. 5-3-5d, if the works for diversion is a tube or other device suitable for making water level measure with K.A.R. 5-6-13. Applicable Not Applicable	a well with a diversion rate of 100 gallons per minute or more, a sements shall be installed, operated and maintained in accordance
6.	operated and maintained in accordance with K.A.R. 5-1-4 tr	operly install an acceptable water flow meter on or before whichever occurs first. The water flow meter shall be installed, prough 5-1-12. As required by K.S.A. 82a-732, as amended, and the reading of the water flow meter and the total quantity of water the end of each calendar year.
7.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 the a works for diversion has been completed, on the form provided Applicable \(\text{Not Applicable} \)	completed on or before December 31, 20, or within any applicant shall notify the Chief Engineer that construction of the ed by the Chief Engineer, as required by K.A.R. 5-8-4e.
8.	The completed well log shall be submitted with the requ	ired notice.
9.	with an in-line, automatic, quick-closing check valve capable	foreign substance will be injected into the water shall be equipped le of preventing pollution of the source of the water supply. The accordance with K.A.R. 5-3-5c. Applicable Not Applicable
10.	Additional Conditions are attached. Yes No	
11.	water appropriated under the above-referenced file number limitations, as amended and/or supplemented by this Summappropriation Law and the Rules and Regulations promule.	A.R. 5-5-14, all of the owners of the authorized place(s) of use of the are responsible for compliance with its terms, conditions and mary Order, and with applicable provisions of the <i>Kansas Water</i> gated thereunder. Failure to comply with these provisions may ended, and/or the suspension or revocation and dismissal of the sauthorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
Voi	have the right to a hearing in accordance with K.A.R. 5-	APPLICATION APPROVED AND
14-	3 before this Summary Order becomes final action of the	SUMMARY ORDER ISSUED
Kar	3 before this Summary Order becomes final action of the assas Department of Agriculture. Any request for a hearing at be filed with the Chief Engineer, Division of Water	
Res	sources, Kansas Department of Agriculture, 109 SW Street, Topeka, Kansas 66612, within 15 days after the	By: Duly Authorized Designee of the Chief Engineer
date	e shown on the Certificate of Service attached hereto. If a	Duly Authorized Designee of the Chief Engineer
hea this	ring is not requested in accordance with K.A.R. 5-14-3, Summary Order will become effective on the 15 th day	(Print Name):
afte	er the date shown on the Certificate of Service.	
	For Use by Register of Deeds	Date of Issuance:
		State of Kansas) County of)
		Acknowledged before me on
		by
		Signature:
		Notary Public
		My commission expires:(Notary Seal)
		(Notan, Soal)

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

 A change application was received on 8-14-17 requesting that the place of use and / or point diversion authorized under the above-referenced file number be changed as described in the application. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as sho on the topographic map accompanying the application to change the place of use. Applicable Not Applicable The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water previously authorized. The point of diversion authorized by this summary order shall be located within a for radius of the authorized point(s) of diversion. Applicable Not Applicable The point(s) of diversion authorized herein shall not actually be located more than feet from the previous authorized point(s) of diversion. Applicable Not Applicable
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 previously authorized. The point of diversion authorized by this summary order shall be located within a feet from the previously authorized point(s) of diversion. Applicable Not Applicable The point(s) of diversion authorized herein shall not actually be located more than feet from the previously authorized herein shall not actually be located more than
previously authorized. The point of diversion authorized by this summary order shall be located within a for radius of the authorized point(s) of diversion. Applicable Not Applicable 4. The point(s) of diversion authorized herein shall not actually be located more than feet from the previous
4. The point(s) of diversion authorized herein shall not actually be located more than feet from the previous
authorized point(s) of diversion. In Applicable (2010) Applicable
5. 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 tube or other device suitable for making water level measurements shall be installed, operated and maintained accordance with K.A.R. 5-6-13. ☑ Applicable ☐ Not Applicable
6. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before the first use of water, whichever occurs first. The water flow meter shall be install 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 amende 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 water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. Applicable Not Applicable
7. Installation of the works for diversion of water shall be completed on or before December 31, 20_/7_, or within a authorized extension of time. By March 1, 20_/8_ the applicant shall notify the Chief Engineer that construction of tworks for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Applicable \[\sum \text{Not Applicable} \]
8. The completed well log shall be submitted with the required notice. Applicable
9. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipp with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. To check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable
10. Additional Conditions are attached. Yes No
11. 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 water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions a limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the Kansas Wa Appropriation Law and the Rules and Regulations promulgated thereunder. Failure to comply with these provisions m result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of twater or appropriation right or any other enforcement actions authorized by law.
Administrative Appeal and Effective Date of Order FOR OFFICE USE ONLY
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. State of Kansas APPLICATION APPROVED AND SUMMARY ORDER ISSUED By: By: APPLICATION APPROVED AND SUMMARY ORDER ISSUED SUMMARY ORDER ISSUED By: Division of Wathrorized Designee of the Chief Engineer (Print Name): Division of Water Resources - Kansas Department of Agriculture Date of Issuance: State of Kansas
County of KOOKS Acknowledged before me on 8-15-17 by Mark Sillinger Signature: REBECCA F. HAGEMAN My Appointment Expires June 29, 2019 My commission expires: 6-29-17 (Notary Seal)

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File No.

DWR 1-121 (Revised 07/10/2017)