

Kansas Department of Agriculture / Division of Water Resources
Stockton Field Office

TO: HEADQUARTERS

RE Vested Right; Water Right; Appropriation of Water; Application

File No(s). 5580 County SH

Enclosed are the following checked items:

A FIR Full Partial Inspection Return to Field Office

Proposed Certificate to deliver to Certificate Unit

Meter Order: GMD#4

Lower Smoky

Other _____

A Compliance Check Inspection on _____

Meter Install New App Chg App Other _____

In Compliance Not in Compliance, why _____

Modify Point of Diversion No Yes, document attached

Indicate all overlapping p/d files _____

An application and judgment sheet with recommendation.

A memorandum dated _____

A request for an extension of time to perfect or complete.

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 and/or point of diversion,

Filing Fee attached. #5583
\$ 200.00

An Advanced copy of a change application and the filing fee, to be processed at the field office.

An original field office change application and the filing fee needing headquarters office review and further processing.

Other: _____

Urbal Bell
Assistant Water Commissioner

6-11-18
Date

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/U WORKSHEET

| | | | | |
|--|------------------------|--|-------------------------------|--|
| 1. File Number: 5,580 | 2. Status Change Date: | 3. Change Num: C3 | 4. Field Office: 03 | 5. GMD: 04 |
| 6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return | | | | 7. Filing Date of Change: 6/8/18 |
| 8a. Applicant(s) New to system <input type="checkbox"/> SPRING CREEK FAMILY FARMS TODD ZENGER 13269 TURKEY TRAIL WAMEGO, KS 66547 | | Person ID 59077 Add Seq# _____ | | |
| 8b. Landowner(s) New to system <input type="checkbox"/> SPRING CREEK FAMILY FARMS TODD ZENGER 13269 TURKEY TRAIL WAMEGO, KS 66547 | | Person ID 59077 Add Seq# _____ | | |
| 8c. Landowner(s) New to system <input type="checkbox"/> | | Person ID _____ Add Seq# _____ | | |
| 8d. WUC New to system <input type="checkbox"/> | | Person ID 59077 Add Seq# _____ | | |
| 9. Documents and Enclosure(s): <input type="checkbox"/> DWR Meter(s) Date to Comply: _____ <input type="checkbox"/> N & P Date to Comply: _____ <input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____ | | | | |
| 10. Use Made of Water From: _____ To: _____ | | | | |
| Date Prepared: 6/11/18 By: BILLINGER Date Entered: _____ By: _____ | | | | |

File No. **5,580** 11. County: SH Basin: **BEAVER CREEK** Stream: Formation Code: 211 Special Use:

| 12. Points of Diversion | | | | | | | | | | | Rate and Quantity | | | | | | |
|-------------------------|-------|-----|-----|------|-----------|----|----|-----|----|------|-------------------|--------------------|----------|-------------|----------|-------------|------------------|
| CHK | MOD | DEL | ENT | PDIV | Qualifier | S | T | R | ID | 'N | 'W | Comment (AKA Line) | Rate gpm | Quantity af | Rate gpm | Quantity af | Overlap PD Files |
| CHK* | 86104 | NW | NW | NE | | 19 | 6S | 37W | 4 | 4721 | 2227 | | 800 | 222 | 800 | 222 | |

* WRIS ENTRY FOR "GPS FT NORTH" & "GPS FT WEST" ARE INCORRECT AND SHOULD BE UPDATED TO THE ABOVE FOOT DISTANCES

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

| 16. Place of Use | | | | | | | | | | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | Total | Owner | Chg? | Overlap Files | |
|------------------|-------|-----|-----|------|---|---|---|----|--|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|-------|------|---------------|-----|
| CHK | MOD | DEL | ENT | PUSE | S | T | R | ID | | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | | | | | |
| MOD | 21711 | 19 | 6S | 37W | 1 | | | | | 31 | 31 | 31 | 31 | | | | | | | | | | | | | | 124 | 8b. | YES | N/A |

Base Acres: Year: Minimum Reasonable Quantity:
 Comments:

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
STOCKTON FIELD OFFICE
820 S. WALNUT
STOCKTON, KS 67669-0192



PHONE: (785) 425-6787
FAX: (785) 425-6842
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE MCCLASKEY, SECRETARY OF AGRICULTURE

June 11, 2018

Spring Creek Family Farms
Attn: Todd Zenger
13269 Turkey Trail
Wamego, KS 66547

Re: Water Right, File No. 5,580

Dear Mr. Zenger:

Enclosed is the order executed by David W. Barfield, 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 terms, conditions, and limitations specified in this approval for change.

Since this order modifies the original certificate, it should be recorded with the Register of Deeds as other instruments affecting real estate.

This document is a summary order by this agency regarding this matter. This order 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. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,


Mark Billinger
Assistant Water Commissioner

MB:rh
Enclosures
pc: G.M.D. No. 4

CERTIFICATE OF SERVICE

On this 11th day of June, 2018, I hereby certify that the attached **SUMMARY ORDER APPROVING APPLICATION FOR CHANGE in PLACE OF USE** for water right, File No. 5,580, dated on the 11th day of June, 2018, was mailed postage prepaid, first class, U.S. mail, to the following:

Spring Creek Family Farms
Attn: Todd Zenger
13269 Turkey Trail
Wamego, KS 66547


Staff

A copy of this Change Approval was sent to the following:

Groundwater Management District No. 4
P.O. Box 905
Colby, KS 67701

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

APPLICATION NO. _____
 6111 18
 Reviewer: MB

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. 5580

RECEIVED
 2:50 PM
 MAY 31 2018
 UNACCEPTABLE FOR PRIORITY
 Stockton 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: SPRING CREEK FAMILY FARMS

13269 TURKEY TRAIL WAMEGO, KS 66547

Phone Number: (785)564-0835

Email address: _____

Name and address of Water Use Correspondent: SHOULD BE CHANGED TO ABOVE

Phone Number: () _____

Email address: _____

RECEIVED

JUN 08 2018

10:45 am

Stockton Field Office
 Division of Water Resources

3. The presently authorized place of use is:

Owner of Land ---- NAME: SPRING CREEK FAMILY FARMS

ADDRESS: 13269 TURKEY TRAIL WAMEGO, KS 66547

(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 | |
| 19 | 6 | 37 | 40 | 40 | 33 | 40 | | | | | | | | | | | | | 153 |
| | | | | | | | | | | | | | | | | | | | |

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: SPRING CREEK FAMILY FARMS

ADDRESS: 13269 TURKEY TRAIL WAMEGO, KS 66547

(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 | |
| 19 | 6 | 37 | 31 | 31 | 31 | 31 | | | | | | | | | | | | | 124 |
| | | | | | | | | | | | | | | | | | | | |

For Office Use Only: Code _____ Fee \$ _____ TR # _____ Receipt Date _____ Check # _____

5. **Presently authorized point of diversion:**
 One in the NW Quarter of the NW Quarter of the NE Quarter of Section 19, Township 6 South, Range 37 W, in SHERMAN County, Kansas, 4721 feet North 2227 feet West of Southeast corner of section. Authorized Rate 800 GPM Authorized Quantity 222 AF 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 _____

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) TO COVER NEW PIVOT

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

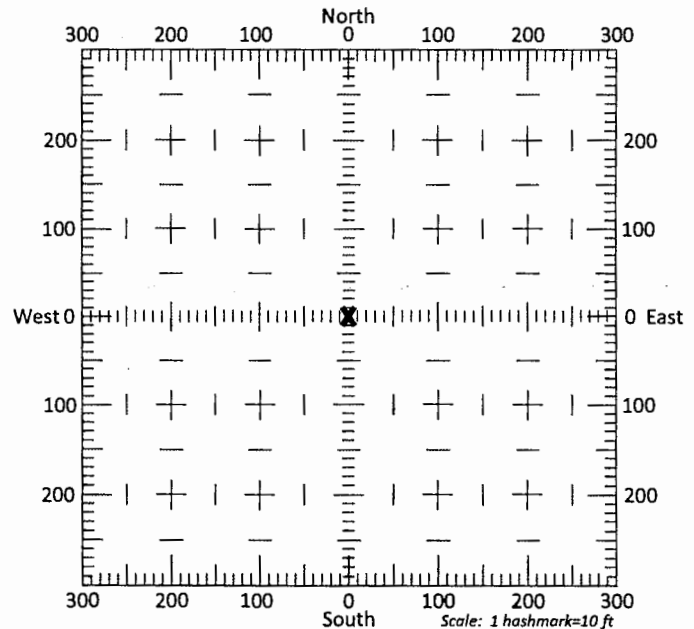
9. The change(s) (was)(will be) completed by?
COMPLETE

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
NA
 (b) When will this be done? NA

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by RL GMD #4

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 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

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 Manhattan, Kansas, this 21st day of May, 2018.

| | |
|--------------------------------------|-------------------------|
| <u>Scott</u> (Owner) | _____ (Spouse) |
| <u>Todd Zenger</u> (Please Print) | _____ (Please Print) |
| _____ (Owner) | _____ (Spouse) |
| _____ (Please Print) | _____ (Please Print) |
| _____ (Owner) | _____ (Spouse) |
| _____ (Please Print) | _____ (Please Print) |

RECEIVED
MAY 31 2018
Stockton Field Office
Division of Water Resources

State of Kansas }
County of Riley } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 21 day of May, 2018.

ALLYSA D. MARTINEZ
 Notary Public - State of Kansas
 My Appt. Expires 9/9/2018

Allysa Martinez
Notary Public

My Commission Expires September 9, 2018

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 |

RECEIVED
JUN 08 2018

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. 5580.

- 1. A change application was received on 6-8-18 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 _____ 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, 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**_____, or within any authorized extension of time. By March 1, 20_____ 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: Mark Billinger
Duly Authorized Designee of the Chief Engineer

(Print Name): MARK BILLINGER
Division of Water Resources - Kansas Department of Agriculture

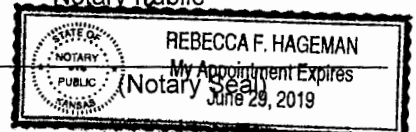
Date of Issuance: 6-11-18

State of Kansas)
County of Books) SS

Acknowledged before me on 6-11-18
by Mark Billinger

Signature: Rebecca F Hageman
Notary Public

My commission expires: 6-29-19



WR # 5580 & 27970

Spring Creek Family Farms
13269 Turkey Trail
Wamego, Ks
66541

BOOK 194 PAGE 282

ENTERED IN TRANSFER RECORD
IN MY OFFICE THIS

20th DAY OF December A.D. 2017
Ashley T. Mannis
COUNTY CLERK

STATE OF KANSAS, COUNTY OF SHERMAN, SS
This instrument was filed this 20th
day of December 2017 AT 9:24 A.M.
and recorded in Micrfilm Book 194
at Page 282-283 FEE \$ 32.00

Billie R. Hoyt
Register of Deeds
Billie R. Hoyt



MICROFILM
INDEXED
11/14

LIMITED LIABILITY COMPANY GENERAL WARRANTY DEED

THIS INDENTURE, Made this 8th day of December, 2017, between Q7 Farms, LLC, a Limited Liability Company duly organized, incorporated and existing under and by virtue of the laws of the State of Kansas, of the first part, and Spring Creek Family Farms, of the second part:

WITNESSETH, That said party of the first part in consideration of the sum of \$10.00 o.v.c., the receipt of which is hereby acknowledged, does by these presents, GRANT, BARGAIN, SELL, AND CONVEY unto said part(ies) of the second part, and the heirs and assigns of the same, all of the following described real estate, situated in Sherman County and State of Kansas, to-wit:

East Half (E/2) of Section Nineteen (19), Township Six (6) South, Range Thirty-seven (37) West of the 6th P.M., Sherman County, Kansas.

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, forever.

And said grantor, for itself, its successors and assigns, does hereby covenant, promise and agree, to and with said part(ies) of the second part, that at the delivery of these presents it is lawfully seized in its own right, of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above granted and described premises, with the appurtenances; that the same are free, clear, discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and incumbrance, of what nature or kind soever;

EXCEPT AND SUBJECT TO:

Easements, Restrictions, Reservations, and Oil and Gas Leases of Record, If Any.

and that it will warrant and forever defend the same unto said part(ies) of the second part, and the heirs and assigns of the same, against said party of the first part, its successors and assigns, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the said party of the first part has hereunto caused this Deed to be signed on its behalf by its members, thereunto duly authorized so to do the day and year first above written.

BOOK 194 PAGE 282

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JUN 08 2018

Stockton Field Office
Division of Water Resources

RECEIVED
MAY 31 2018
Stockton Field Office
Division of Water Resources

Q7 Farms, LLC

By Clair L. Query
Clair L. Query
Managing Member

STATE OF KANSAS, THOMAS COUNTY, ss:

BE IT REMEMBERED, That on this 8th day of December, 2017, before me, the undersigned, a Notary Public in and for the County and State aforesaid came Clair L. Query, Managing Member of Q7 Farms, LLC, a Limited Liability Company duly organized, incorporated and existing under and by virtue of the laws of the State of Kansas, who is personally known to me to be such members and who are personally known to me to be the same persons who executed and attested, as such members, the within instrument of writing on behalf of said Limited Liability Company, and such person duly acknowledged the execution of the same to be the act and deed of said Limited Liability Company.

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

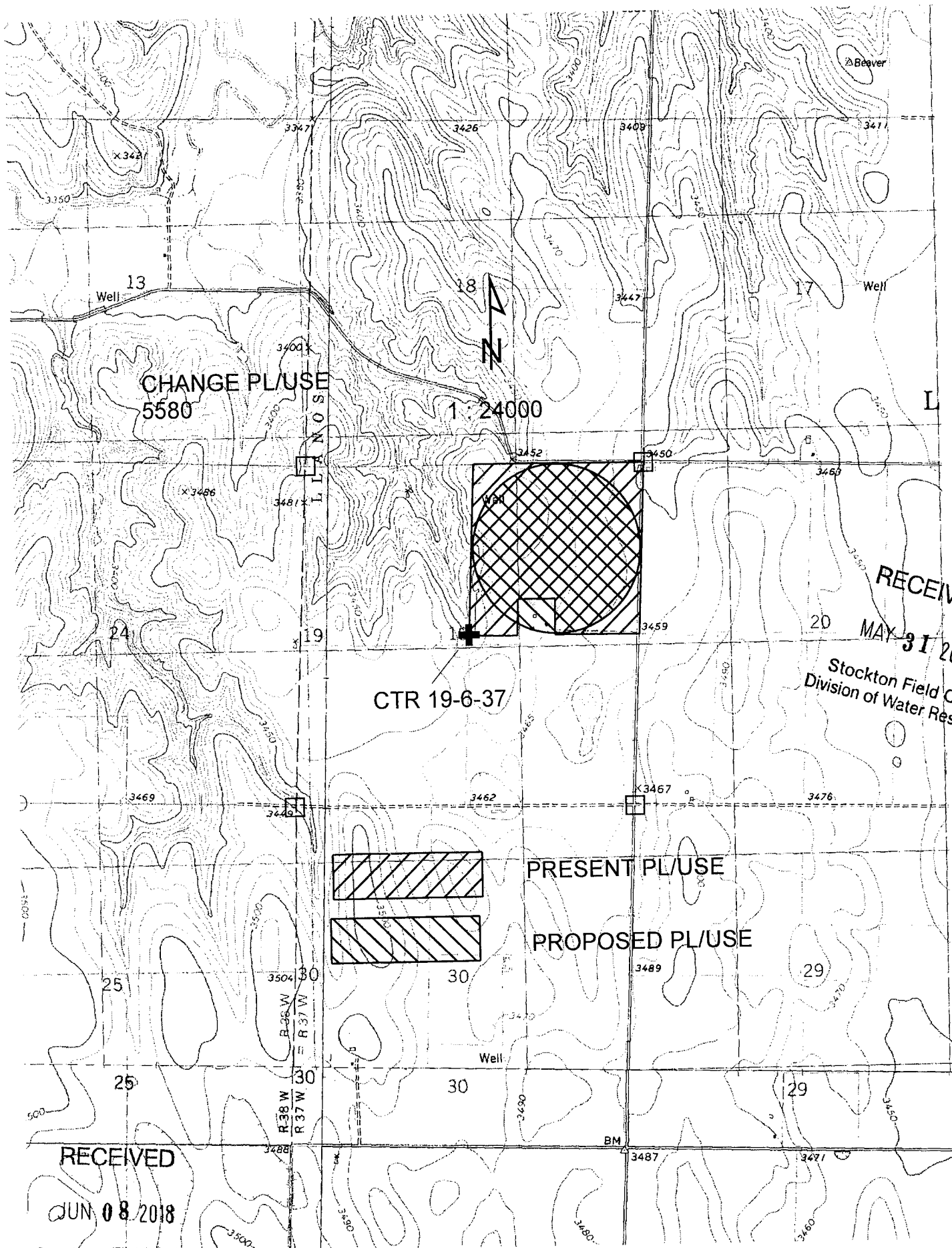


Nancy A. Foster
Notary Public

Commission Expires: 10/29/20

KANSAS VALIDATION QUESTIONNAIRE:

Attached



CHANGE PL/USE
5580

CTR 19-6-37

PRESENT PL/USE

PROPOSED PL/USE

1:24000

RECEIVED
MAY 31 2018

Stockton Field Office
Division of Water Resources

RECEIVED

JUN 08 2018

Stockton Field Office

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
STOCKTON FIELD OFFICE
820 S. WALNUT
STOCKTON, KS 67669-0192



PHONE: (785) 425-6787
FAX: (785) 425-6842
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

June 8, 2018

GROUNDWATER MANAGEMENT DISTRICT NO 4
PO BOX 905
COLBY KS 67701

Re: Water Right, File No. 5,580

Dear Ladies and Gentlemen:

Reference is made to the application referred to above which appears to be in proper form.

We are delaying any further action until **June 18, 2018** 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 wish to refer to a specific file, please reference it when you contact us.

Sincerely,

Kelly C. Stewart
Water Commissioner

KCS:rfh
Enclosures

SCANNED



**NORTHWEST KANSAS
GROUNDWATER MANAGEMENT
DISTRICT NO. 4**

1290 West 4th Street
P.O. Box 905
Colby, Kansas 67701-0905

June 8, 2018

Kelly Stewart
Stockton Field Office
820 South Walnut Street
Stockton KS 67669

RE: WR File No. 5,580
Spring Creek Family Farms

Dear Kelly,

The Northwest Kansas Groundwater Management District has reviewed the above referenced application and based on our records and the information supplied by the applicant, we have determined that the following recommendations be made to the Chief Engineer:

Approve applications. Resource Development Plan attached.

If you have any questions, please contact this office.

Sincerely,

Ray Luhman
Manager

RPL: jem
attachments

| | |
|---|-----------------|
| LEGAL (OPT) | NE 19-6-37 5580 |
| PIVOT LENGTH (REQD) | 1304 |
| ROTATION DEGREES (REQD) | 360 |
| GPM (REQD) | 550 |
| NOZZLE SPACING IN FT (OPT) | 7.5 |
| RESIDUE IN LBS/ACR (REQD) | 4000 |
| ACRES OF CLASS VI SOIL IN GRASS, ALFALFA, ETC. | 0 |

CROPS ANY IRRIGABLE CROPS MAY
BE PRODUCED

ADDED PROVISIONS/NOTES NONE

CALCULATIONS FOR AVERAGE FIELD SLOPE

ACRES IN FIELD: 122.6358

| MAP UNIT NUMBER | SOIL TYPE | AVERAGE SLOPE | ACRES OF THE SOIL TYPE | WEIGHTE AVERAGE |
|-----------------|--|---------------|------------------------|-----------------|
| 1619 | Keith silt loam, 0 to 1 percent slopes | 0.5 | 110.3 | 0.44971 |
| 1580 | Colby silt loam, 5 to 15 percent slopes | 10 | 3.8 | 0.30986 |
| 1857 | Ulysses silt loam, 1 to 3 percent slopes | 2 | 7.6 | 0.12394 |
| 1859 | Ulysses silt loam, 3 to 6 percent slopes | 4.5 | 0.9 | 0.03302 |
| 0 | | 0 | | 0 |
| 0 | | 0 | | 0 |
| 0 | | 0 | | 0 |
| 0 | | 0 | | 0 |
| 0 | | 0 | | 0 |

AVERAGE WEIGHTED FIELD SLOPE: 0.92 %

| | |
|-----------------------------------|------------|
| ENTER CLASS VI ACRES HERE: | 3.8 ACRES |
| ENTER STEEPEST SLOPE IF CLASS VI: | 7 % |
| WEIGHTED AVERAGE FIELD SLOPE: | 0.916535 % |
| PER CENT CLASS VI SOIL | 3.098606 % |
| DESIGN SLOPE FOR CENTER PIVOT: | 0.916535 % |

DESIGN GROUP 5

| | | | | |
|---------------------|---------------|------|------|------|
| design slope | 0.916535 % | 1 | 1 | 4.2 |
| residue | 4000 lbs/acre | 4000 | 3 | 2.5 |
| max all. Appl. Rate | 5.04 in/hr | | 5 | 1.5 |
| | | | 7 | 1.1 |
| | | | 900 | 0.85 |
| | | | 1000 | 0.9 |
| | | | 1500 | 0.95 |
| | | | 2000 | 1 |
| | | | 2500 | 1.05 |
| | | | 3000 | 1.1 |
| | | | 3500 | 1.15 |
| | | | 4000 | 1.2 |
| | | | 4500 | 1.25 |

CALCULATED

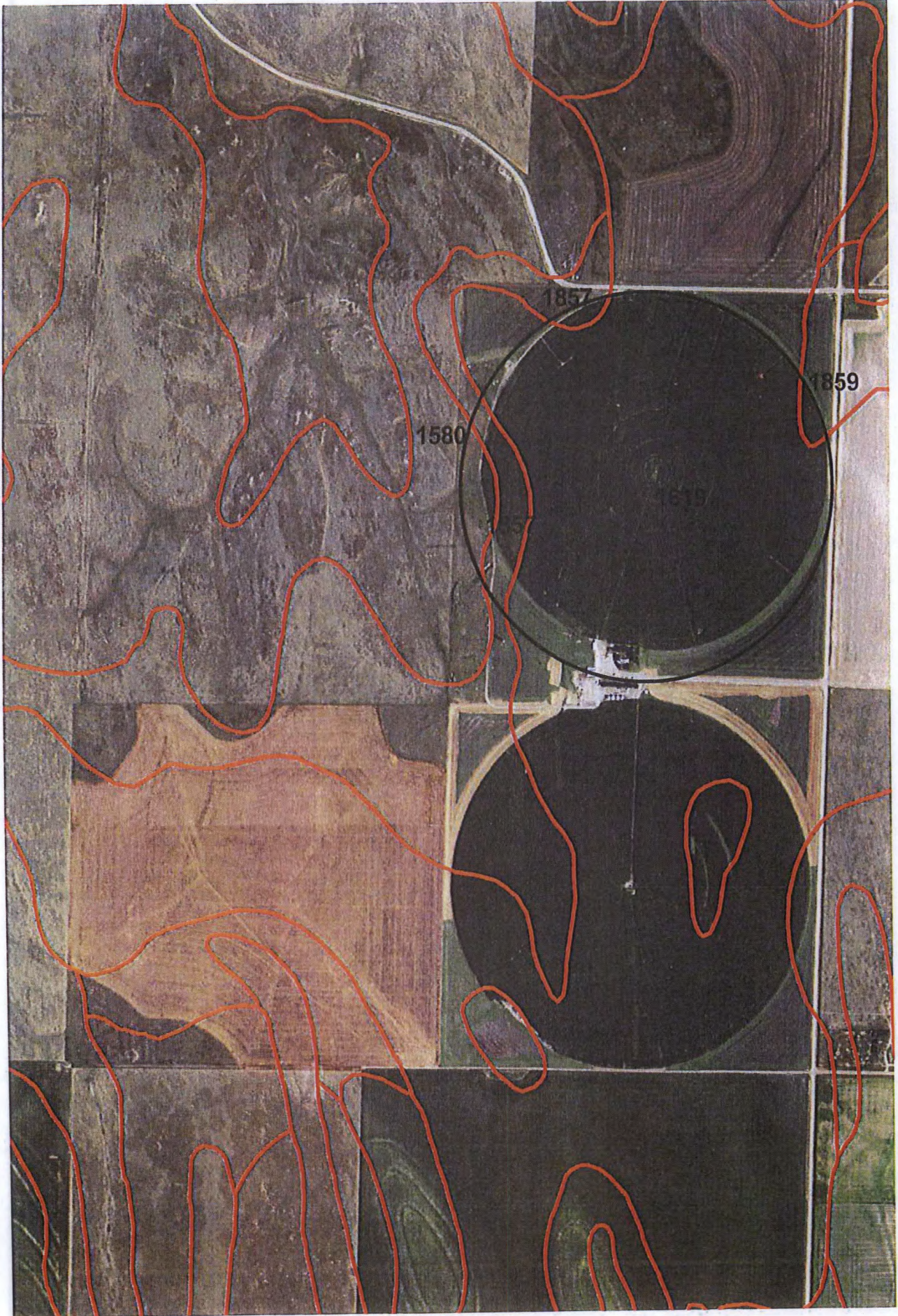
| | | | | |
|------------------------|-----------------|-------------|--------|---------|
| MAX ALLOW APPL RATE | PIVOT LENGTH | GPM:WTD DIA | GPM | WTD DIA |
| 5.04 | 1304 | 34.14 | 550.00 | 16.11 |

GPM = 550

APPL RT= 5.04

| | | | |
|--------|-----|-----------|--------|
| RADIUS | GPM | NZL SPCNG | GPM/AC |
| 1304 | 550 | 7.5 | 4.48 |

547.68 =SUM NZL GPM
6.30 =GPM END NZL



SCANNED