## **CHECK SHEET Short Change**

(To be completed and attached to each application)

Fi	le No. <u>24</u>	1108			Fie	ld Office	No. <u>4</u>		•	GMD No. §	3
1.	Plugging	ı agreemen	t obtained fo	r GMD?	Yes □	No		Non Appl	icable ⊠		
2.	s Lando	wner corre	ct as current	ly shown	in WRIS1	? Ye	3 🗌	No ⊠	}	Address	Change? NO
1	f applica	ble, list Plac	e of Use Ove	rlap File N	os. <u>na</u>		ww				
3. I	s Water	Use Corres	spondent cor	rect as cu	ırrentlv s	hown in	WRIS?	Yes □	No ⊠	Address	Change? NO
			•		•				& L SMITH F = 308 \ \		• —
			<i>PDい単て</i> n computer							0 2 67	
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	o. Shov	v teet distar	nces from th	е		cor	ner of th	ne section	for the new	point(s) o	f diversion:
ſ	Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	Coun	ty	Qualifiers
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(	i. Name	e of <u>Drainac</u>	<u>je Basin</u>		<u> </u>		ls t	his correc	tly shown in	WRIS?	∄ Yes □ No
6	e. Form	ation Name	∌ & No				_Specia	al Use Are	a		
5. <b>[</b>	Distance	s from the	original p/d:		<b>.</b>		<u>'</u> ,	N		, v	٧
6. \	VATER I	RIGHT ACT	ION TRAIL C	OMMENT	S						
	3/ <u>13/17</u>					Applicati	on Rece	eived (date	accepted for	priority)	
_	9/2	<u>9</u> / <u>17</u>			Change	Approve	ď		·	. ,,	
_		/			Complet	ion Requ	iirement	Removed	(Change No.	C)	
7. <b>l</b>	NETER A	CTION TRA	AIL COMMEN	NTS							
_		9/17			DWR M	eter Requ	ired by	<u>12/31/17</u>			
8. E	Base Acro	es		Year	•		Mir	ıimum Rea	sonable Qua	ntity	
							August	Date Creat	ed <b>9/27/17</b>	by <b>tpm</b>	
							****	Date Enter	ed	by	

# CHECK SHEET ATTACHMENT

9. Changes to the place of use will be:

File Number 24108

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1.       Person ID # 55420       2.       Person ID # 3998         1. & L SMITH FARMS INC       DEW FARMS INC         BRYAN SMITH       BRAD DEW         9170 E ROAD 2       66 NORTH 1000 EAST         DLYSSES KS 67880-8151       MAPLETON UT 84664	V FARMS INC ND DEW JORTH 1000 E
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# Give to Applicant:

- a. Original application/approval
- b. Original receipt (one for each application)
- c. Information packet containing:
- Notice and Proof form
  - \* Notice and Floor form
- Water Meter Specifications
- Acceptable Meter listWater 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

- Send to headquarters:
- a. Good, microfilmable copy of application and/or approval and this check sheet

Complete ownership and WUC change information.

ADDITIONAL PHOTOCOPIES

Date stamp received and approved.

4

- b. Original check and copy of receipt
- c. Test hole log
- d. GMD recommendation, if any
- e. Map or aerial photograph, if any
- 3. Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well.

## CONDITIONS

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

			84W1-0-7-1



Garden City Field Office 2508 Johns Street Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary David W. Bartield, Chief Engineer Michael A. Meyer, Water Commissioner

Fax: (620) 276-9315 www.agriculture.ks.gov

Phone: (620) 276-2901

Sam Brownback, Governor

September 29, 2017

J & L SMITH FARMS INC **BRYAN SMITH** 9170 E ROAD 2 ULYSSES KS 67880-8151

> RE: Change the Place of Use, File Nos 17680, 24108, 31268

Dear Bryan;

Enclosed you will find a Summary Order Approving Application for Change in Place of Use for the above referenced files. Since these orders modify the original documents, it should be recorded at the County Register of Deeds.

These orders modify the authorized acres that can be irrigated by these files. The authorized place of use is as shown on the plats within the change approvals.

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report (including the meter reading at the beginning and end of the report year).

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. The date of service is the date listed on the enclosed Certificate of Service.

Should you have any questions, please feel free to call this office or arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Thomas P. Makens

Assistant Water Commissioner

TPM:tpm Enclosures GMD#3

#### CERTIFICATE OF SERVICE

On this 3<sup>h,o</sup> day of September 2017, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right File 17680, 24108, 31268 dated September 29, 2017, was mailed postage prepaid, first class, US mail to the following:

J & L SMITH FARMS INC BRYAN SMITH 9170 E ROAD 2 ULYSSES KS 67880-8151

Copy provided to GMD#3

Division of Water Resources

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 Clty -- (620) 276-2901 http://agriculture.ks.gov/dwr

# DWR FIELD OFFICE WATER RESOURCES APPLICATION FOR APPROVALECTIVED TO CHANGE THE PLACE OF 15 2017 USE AND/OR THE POINT OF DIVERSION S DEPTOFAGRICULTURE 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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u	nder the	water	right w	hich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with t	he cor	ndition	s desc	ribed I	pelow.	ater He	sources
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5	27	35w	34	34	34	34													130
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F	or Offi	ce Use	Only:	Code		Fe	e \$	<u>uu</u>	TR	#		Re	ceipt	Date <u>:</u>	2/12/	1/	Chec	K# <u>↓</u> €	5413
L	·				•							•							

5.		<u>d point of diversion:</u>					
	One in the	Quarter of the	nc	Quart	er of the	nw	Quarter
	of Section	, Township	27	South	n, Range	35	W,
		County, Kansas,					
	Authorized Rate	Authorized Qua	ntity	Depth o	of well	(fe	et)
	(DWR use only:⊜Co	mputer ID No. <u>4 💚</u>	GPS	feet No	orth	feet W	est)
		t be changed 🛮 🔲 This poin	it will be char	iged as follows:			
	Proposed point of o	iversion: (Complete only if o	hange is req	<u>uested)</u>			
	One in the	Quarter of the		Quart	er of the		Quarter
		, Township					
		County, Kansas,					
		Proposed Quan					
		itional Well 🔲 Geo Center					
•							
6.	Presently authorize	d point of diversion:					
١ .	One in the	Quarter of the	nc	Quart	er of the	ne	Quarter
- 1		5, Township					
		County, Kansas,					
1		Authorized Qua					
	(DWR use only: Co	mputer ID No. <u>&amp; 7</u>	GPS	feet No	orth	feet W	est)
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	•	iversion: (Complete only if c		_			
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		, Township					
		County, Kansas,					
		Proposed Quan					
		tional Well Geo Center I					
. •							
7.	Why do you need a ne	w point of diversion?	13a.	If the proposed feet of the exist	point of diversions	on will be reloc ersion, indicate	cated within 100
	no change to wells			the diagram belo	w in relation to	the existing po	oint of diversion.
				(PLEASE NOTE represents pres	:: The "X" II sently authoriz	n center of d ed point of di	diagram below version.)
				. op. oos., to pro-	North	•	, , , , , , , , , , , , , , , , , , ,
Ω	If a well is the test hol	e log attached? 🛛 Yes 🔲 N	Jo.	100	50 0		ΠΩ
0.	n a won, is the test not	c log attached:					
9.	When do you prop	ose to complete the new p	oint of	<u>_</u>	<u>'</u>	' -	-
	diversion?					, -	
				50	+	+ -	50
				E	_		1
10.	If the point of diversion	is a well:		West 0 - II	$\Box \Box \Box \Box \Box \overline{X} \Box$	111   111   -	O East
	(a) What are you goir	g to do with the old well?					
				E		_	_
				50 🗀	+ -	+ -	<b>-</b>  50
	(b) When will this be	dana?		F	=	-	•••
	(D) When was and be			F.	- 1   1   1   7	1111111	-
11	Groundwater Mana	gement District recomme	ndation	100	50 0	50 1	<b>-</b> 00
11.	attached?  Yes		TIGGLIOIT	100	South Scale: 1"	) 1	00
			401	16.11			
12.	Assisted by tpm		13b.	If the proposed page 100 feet but we	point of diversic ithin 1320 fee	on will be reloc t from the e	ated more than xisting point of
				diversion, attach	n a topographi	c map or aer	ial photograph.
				For aroundwater	sources, show	all wells (incl	udina domestic)
				within one-half n names and mai	ling addresses	of the owner	s. For surface
				water sources, landowner(s) or	show the na	mes and add	dresses of the
				upstream from y	our property line	98.	a one-nan mile

### APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO. <u>24108</u>
MAKE ADDITIONAL COPIES AS NECESSARY

	wner o	Land -	NA	ntly au \ME: <u> </u> ESS: <u> </u>	DEW F	<b>ARMS</b>	3 INC	BRAD AST N	APLE	TON	JT 84	664							
				NE	1/4			ΝV	11/4		ļ <u>.</u>	SV	V%			SE	1/4	<u> </u>	TOTAL ACRES
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C	ontinue	ed: If th	is app	lication	is for	a char	nge in	place (	of use,	it is p	ropose	d that	the pla	ice of	use be	chan	jed to	<u>                                     </u>	
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O Sec. 4	Twp. 27	Range 35w	NE%	AME: ESS:  NE NW1/A  AME: ESS:	DEW   66 NC	FARMS	S INC 000 E NE% 34	BRAE AST I NW 14 34	D DEW MAPLE V% SW% 34	SE¼ 34	NE½ 35	\$\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	V% SW% 35	SE½ 35	NE%	SI NW¼	E¼ SW¼	SE¼	ACRES 276 TOTAL
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O Gec.	Twp. 27  wner o	Range 35w f Land	NE%  NE%  NE%  NE%  ADDR  NE%  NE%	AME: ESS: NW%  AME: ESS: NW%  AME: ESS:	DEW   66 NO   5%   SW%   SW%	SE%	S INC 000 E NE% 34	NW% 34	D DEW MAPLE VX SWX 34 SWX	SE½ 34 SE½	NE% NE%	SV NWW 35 SI NWW	N/4 SW/4 35	SE½ 35	NE%	S NW%	E¼ SW¼ SW¼	SE¼	ACRES
O Sec.	Twp. 27  wner o	Range 35w  f Land  Range	NE%  NE%  NE%  NE%  ADDR  NE%  NE%	AME: ESS: NW%  AME: ESS: NW%  AME: ESS:	DEW   66 NO   5%   SW%   SW%	SE%	S INC 000 E NE% 34	NW% 34	D DEW MAPLE V¼ SW¼ 34  SW¼ SW¼	SE½ 34 SE½	NE% NE%	SV NWW 35 SI NWW	N/4 SW/4 35	SE½ 35	NE%	SI NW%	E¼ SW¼ SW¼	SE¼	TOTAL ACRES
Sec. C	Twp. 27  wner o	Range 35w f Land	NE%  NE%  NE%  NE%  ADDR  NE%  NE%	AME: ESS: NW%  AME: ESS: NW%  AME: ESS:	DEW   66 NO   5%   SW%   SW%	SE%	S INC 000 E NE% 34	NW% 34	D DEW MAPLE VX SWX 34 SWX	SE½ 34 SE½	NE% NE%	SV NWW 35 SI NWW	N/4 SW/4 35	SE½ 35	NE%	S NW%	E¼ SW¼ SW¼	SE¼	TOTAL ACRES
O Gec. 4	Twp. 27  wner o	Range 35w f Land	NE%  NE%  NE%  NE%  ADDR  NE%  NE%	AME: ESS: NW%  AME: ESS: NW%  AME: ESS:	DEW   66 NO   5%   SW%   SW%	SE%	S INC 000 E NE% 34	NW% 34	D DEW MAPLE VX SWX 34 SWX	SE½ 34 SE½	NE% NE%	SV NWW 35 SI NWW	N/4 SW/4 35	SE½ 35	NE%	S NW%	E¼ SW¼ SW¼	SE¼	TOTAL

Page \_\_\_\_\_

DWR 1-121-2 (Rev. 01/23/2008)

File No. \_\_\_\_\_

		,

14. If the proposed groundwater point of diversion is 300 or fewer feet from	om existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently auth ☐ Yes ☐ No (If no, all owners must sign this appli	orized place(s) of use identified in this application?
(b) Will the ownership interest of any owner of the currently autho affected if this application is approved as requested?  Yes No (If yes, all owners must sign this app	rized place(s) of use identified in this application be adversely
(c) If this application is not approved expeditiously, will there be sub Yes No (If no, all owners must sign this appli	stantial damage to property, public health or safety? cation.)
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	groundwater change in point of diversion greater than 300 feet, of the currently authorized place of use, or their duly authorized .
I hereby verify, being first duly sworn upon my oath or affirm age and the owner, the spouse of the owner, or a duly author their behalf, in regard to the water right(s) to which this appropriation are true, correct and complete.  Dated at	ized agent of the owner(s) to make this application on lication pertains. I further verify that the statements
(Owher)	(Spouse)
— (Owner)	RECEIVED
(Please Print)	(Please Print)
,	SEP 15 2017
(Owner)	(Spouse) Garden CN/Field Office Division of the American
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)  State of Kansas  County of Sult Lake  I hereby certify that the foregoing application was signed in my	(Please Print)  PAMELA ANDERTON  NOTARY PUBLIC  STATE OF UTAH  COMMISSION # 686947  MY COMMISSION EXPIRES ON  Presence and sworn for Warman 12006
september, 20 17.	Anda anderton
My Commission Expires Felman, 2020	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate Information; maps, if necessary, must be included; signatures of all the apthe appropriate fee must be paid.	of the applicable portions of the application form must be completed with propriate owners' must be affixed to the application and notarized; and
FEE SCHEDU	<u>LE</u>
Each application to change the place of use or the point of diversion undeforth in the schedule below: Make checks payable to: Kansas Departmeter (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	ent of Agriculture \$100\$200

the state of the s





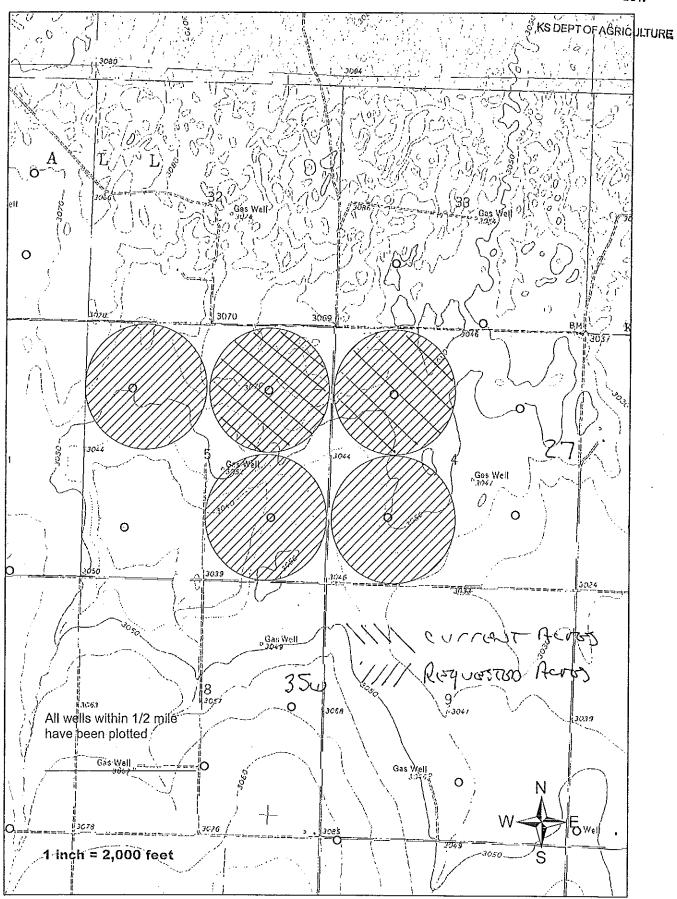
14. If the proposed groundwater point of diversion is 300 or	fewer feet fro	m existing point of div	ersion, complete the f	ollowing:
(a) Does the undersigned represent all owners of the c ☐ Yes ☐ No (If no, all owners must s			identified in this applic	ation?
<ul> <li>(b) Will the ownership interest of any owner of the cu affected if this application is approved as requested</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must</li> </ul>	d?		dentified in this applic	ation be adversely
(c) If this application is not approved expeditiously, will ☐ Yes ☐ No (If no, all owners must s			perty, public health or	safety?
If the application proposes a surface water change in point or a change in place of use, the application must be signed agent (attach notarized statement authorizing representation	by all owners			
I hereby verify, being first duly sworn upon my oa age and the owner, the spouse of the owner, or a their behalf, in regard to the water right(s) to whi contained in this application are true, correct and	duly authoria ch this appl	zed agent of the ov	wner(s) to make th	is application on
		74L day of	March	, 20
X Al Smith Farms by Beil	OV.P.			
(Owner)	~		(Spouse)	
(Please Print)			(Please Print)	
(Owner)			(Spouse)	
(Please Print)			(Please Print)	
(Owner)			(Spouse)	
(Please Print)			(Please Print)	
State of Kansas  County of <u>Grant</u> SS				
I hereby certify that the foregoing application was s	signed in my	presence and swo		
101.21.4	_	aine I		ARY PUBLIC - State of Kein Aimee Dickey ppl. Expires_/6/13/18
My Commission Expires 10 13 18.				
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be accurate information; maps, if necessary, must be included; signatu the appropriate fee must be paid.	e complete, all c res of all the ap	f the applicable portions propriate owners' must b	of the application form real affixed to the application	nust be completed with on and notarized; and
<del>-</del>	EE SCHEDU			
Each application to change the place of use or the point of deforth in the schedule below: Make checks payable to: Kans (1) Application to change a point of diversion 300 fe (2) Application to change a point of diversion more	sas Departme eet or less than 300 feet	nt of Agriculture	· · · · · · · · · · · · · · · · · · ·	\$100 \$200
(3) Application to change the place of use				(\$200)

#### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro K.A terr	visions of the <i>Kansas Water Appropriation Law, K.S.A. 82a-7</i> .R. 5-1-1 <i>et.seq</i> . With the exception of those conditions expre ns, conditions and limitations of File No	-708b, as amended, and K.A.R. 5-14-3 and other applicable 701 et. seq., and rules and regulations promulgated thereunder, essly contained herein, this Summary Order does not change the
1.	A change application was received on MARCH 13, diversion authorized under the above-referenced file number	2017 requesting that the place of use and / or point of be changed as described in the application.
2.	On and after the effective date of this summary order, the au on the topographic map accompanying the application to char	thorized place(s) of use shall be located substantially as shown nge 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 th radius of the authorized point(s) of diversion.	s and shall be limited to the same source or sources of water as is summary order shall be located within a foot  Not Applicable
4.	The point(s) of diversion authorized herein shall not actually be authorized point(s) of diversion. $\square$ Applicable $\bowtie$ Not	e located more than feet from the previously 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 measurer with K.A.R. 5-6-13.   Applicable Not Applicable	well with a diversion rate of 100 gallons per minute or more, a ments shall be installed, operated and maintained in accordance
6.	December 31, 2017, or before the first use of water, whichever and maintained in accordance with K.A.R. 5-1-4 through 5-1-	perly install an acceptable water flow meter on or before er occurs first. The water flow meter shall be installed, operated 12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-g of the water flow meter and the total quantity of water diverted f each calendar year.
7.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 <u>18</u> the applicant diversion has been completed, on the form provided by the Cl ☐ Applicable ☑ Not Applicable	completed on or before December 31, 2017, or within any shall notify the Chief Engineer that construction of the works for hief Engineer, as required by K.A.R. 5-8-4e.
8.	The completed well log shall be submitted with the requir	ed notice.   Applicable   Not Applicable
9.	with an in-line, automatic, quick-closing check valve capable	oreign substance will be injected into the water shall be equipped 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 Summ Appropriation Law and the Rules and Regulations promulgations	R. 5-5-14, all of the owners of the authorized place(s) of use of are responsible for compliance with its terms, conditions and ary Order, and with applicable provisions of the Kansas Water ated thereunder. Failure to comply with these provisions may need, and/or the suspension or revocation and dismissal of the authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
•	have the right to a hearing in accordance with K.A.R. 5-14-3	APPLICATION APPROVED AND
befo	ore this Summary Order becomes final action of the Kansas	SUMMARY ORDER ISSUED
Der filed	partment of Agriculture. Any request for a hearing must be I with the Chief Engineer, Division of Water Resources,	1 0 1.1
Kar	isas Department of Agriculture, 1320 Research Park ve, Topeka, Kansas 66502, within 15 days after the date	Ву:
sho	wn on the Certificate of Service attached hereto. If a hearing	Duly Authorized Designee of the Chief Engineer  (Print Name): THOMAS P. MAKENS
Ord	of requested in accordance with K.A.R. 5-14-3, this Summary er will become effective on the 15 <sup>th</sup> day after the date shown	(Print Name): THOMAS V. MACENS  Division of Water Resources - Kansas Department of Agriculture
on 1	he Certificate of Service.  For Use by Register of Deeds	Date of Issuance: SEPTEMBER 29, 2017
	To tode by Megister of Doods	State of Kansas )
		County of <u>tinney</u> ) SS
		Acknowledged before me on September 29, 2017
		by Thomas P. Makens
	•	Signature:
		JULIE JONES
		My Appointment Expires  PUBLICATION  My Appointment Expires  December 15, 2018
		My commission expires:
		(Notary Seal)

### place of use 17680, 24108, 31268.

SEP 05 2017



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