#### Kansas Department of Agriculture Division of Water Resources

**CHANGE: P/U WORKSHEET** 

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
15283	5/21/18	C1	04	01
6. Status: Approved Deni	ed by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: 4/2/18
8a. Applicant(s) New to system   ECLIPSE INC A BRADFORD SMITH 695 KANSAS HWY 27 SHARON SPRINGS KS	Person ID 61594 Add Seq# 1	695 KA		Person ID 16643 Add Seq# 1
8b. Landowner(s) New to system   ECLIPSE INC A BRADFORD SMITH 695 KANSAS HWY 27 SHARON SPRINGS KS	Person ID 61594 Add Seq# 1	PO B	vstem □ DFORD SMITH OX 547 DN SPRINGS KS	Person ID 50040 Add Seq# 1 67758
9. Documents and Enclosure(s): ⊠ D\	VR Meter(s) Date to Comp	ly: <u>12/31/18</u>	□ N & P Date to	Comply:
☐ Anti-Reverse Meter ☐ Meter	Seal	□ N & P Form	☐ Water Tube ☐ D	riller Copy
☐ Conservation Plan Date Requir	ed: Da	ate Approved:	Date to	Comply:
10. Use Made of Water From:		To:		
			Date Prepared: <b>5/17/1</b> Date Entered:	<b>8</b> ву: <b>ТРМ</b> Ву:

																				***************************************	
File No. <b>15283</b>	3	GREI	11. County: GREELY		Bas	Basin: ladder	lder				S	Stream:						1	Formation Code:	Special Use:	
12. Points of Diversion CHK	ersion													Ra	Rate and Quantity	Quantii	λ·			Toronto de mario de la companya de l	
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nc									;												
13. Storage: Rate			岩	<b>L</b> L⊥	Quantity	fity		***************************************		ac/ft		Additional Rate	al Rate					NF Ad	Additional Quantify	Y	ac/ft
14. Limitation:			af/yr at				g B	gpm (			cfs) w	cfs) when combined with file number(s)	nbined	with file	quinu	er(s)				- Average de la company de	
Limitation:			af/yr at				db	) mdb			cfs) w	cfs) when combined with file number(s)	nbined	with file	quinu	er(s)					
15. 5YR Allocation:		Allocation Type		Star	Start Year		   <sub> </sub>	5 YR Amount	ount _		, Amc	Amount Unit	: ::::::	Ba.	Base Acres	<u>ဖ</u>		Comment			
16. Place of Use CHK					NE%	7,4			NW1/4			SW/4	1,4			SE1/4		Total	Owner	Chg? Overlap Files	
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MOD 30153	10 16	3 40W				25	25				32.5	32.5	32.5	32.5 32	32.5 32.5	5 32.5	5 32.5	310	8b no		
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7707	, a,			"		:															

Base Acres: 1275 Year. Minimum Reasonable Quantity.

Comments: delete puid# 36822

DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES GARDEN CITY FIELD OFFICE 2508 JOHNS STREET GARDEN CITY, KS 67846-2804 STATE OF KANSAS

PHONE: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

### GOVERNOR JEFF COLYER, M.D. JACKIE McClaskey, Secretary of Agriculture

May 21, 2018

ECLIPSE INC
A BRADFORD SMITH
695 KANSAS HWY 27
SHARON SPRINGS KS 67758-6029

RE: Change the Place of Use, File Nos 8307, 8308, 10323 11161, 15283, 29985, 39752

Dear Mr. Smith;

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

Enclosures GMD#1

#### CERTIFICATE OF SERVICE

On this 27 day of May 2018, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right File 8307, 8308, 10323, 11161, 15283, 29985, 39752 dated May 21, 2018, was mailed postage prepaid, first class, US mail to the following:

ECLIPSE INC A BRADFORD SMITH 695 KANSAS HWY 27 SHARON SPRINGS KS 67758-6029

Copy provided to GMD#1

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) 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

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. RECEIVED APR 2 2018
1:15 pm
Garden City Field Office File No. <u>15283</u> Application is hereby made for approval of the Chief Engineer to change the (check one or both): Division of Water Resources ☐ Point of Diversion under the water right which is the subject of this application in accordance with the conditions described below. ☐ Surface water The source of supply is: Name and address of Applicant: ECLIPSE INC, A BRADFORD SMITH -695 KANSAS HWY 27, SHARON SPRINGS KS 67758-6029 419 5 God Car Email address: Phone Number: ( ) Name and address of Water Use Correspondent: A BRADFORD SMITH P O BOX 547, SHARON SPRINGS KS 67758 Email address: Phone Number: ( )\_\_\_\_\_ The presently authorized place of use is: Owner of Land --- NAME: ECLIPSE INC, A BRADFORD SMITH 419 S Garduer ADDRESS: -695 KANSAS HWY-27, SHARON SPRINGS KS 67758-6029 (if there is more than one landowner, attach supplemental sheets as necessary.) TOTAL SE1/4 SW1/4 ACRES NE% NW% SW% SE% NW1/4 SW1/4 SE1/4 NE% NW% Range NE14 NW14 SW14 SE14 SW1/4 SE1/4 NE1/4 Sec. Twp. 130 32.5 32.5 32.5 32.5 16 40 3 pulke T OAL 40 40 16 40 32.5 195 32.5 32.5 32.5 40 9 16 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: CCLIPSE ADDRESS: \_\_\_\_ (if there is more than one landowner, attach supplemental sheets as necessary.) SW1/4 TOTAL ACRES NE' NW' SW' NEW NWW SWW SEW SE1/4 NE1/4 NW14 SW1/4 SE1/4 NE% NW% SW% SE% Twp. Range

130

195

32.5

32.5 32.5

32.5

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

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32.5

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17.5 17.5

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16

5.	Presently authorized point of diversion:			
	One in the Quarter of the		Quarter of the	Quarter
	of Section, Township	••	South, Range	W,
	in County, Kansas,	_feet N	orth feet West of Sou	theast corner of section.
	Authorized Rate Authorized Quantity		Depth of well	(feet)
	(DWR use only: Computer ID No. GPS	3	feet North	feet West)
	☐ This point will not be changed ☐ This point will	be cha	nged as follows:	
	Proposed point of diversion: (Complete only if change	e is req	uested)	
	One in the Quarter of the			Quarter
	of Section, Township		South Range	Quarter
	in County, Kansas,	feet No	orth feet West of Sou	theast corner of section
	Proposed Rate Proposed Quantity		Proposed well depth (fee	t)
	This point is: Additional Well Geo Center List of	her wate	er 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	Quarter
	in County, Kansas,	feet No	orth feet West of South	theast corner of section
	Authorized Rate Authorized Quantity	100111	Depth of well	(foot)
	(DWR use only: Computer ID No. GPS		feet North	foot Woot)
	☐ This point will not be changed ☐ This point will I	he char	naed as follows:	rear west)
	Proposed point of diversion: (Complete only if change			
	One in the Quarter of the			Ougeton
	of Section, Township		South Pange	Quarter
	in County, Kansas,	feet No	orth feet West of South	theast corner of section
	Proposed Rate Proposed Quantity	1001110	Proposed well death (feet	nedat content of acction.
	This point is: ☐ Additional Well ☐ Geo Center List oth	er wate	er rights that will use this point	7
7.	Why do you need a new point of diversion?	13a.	If the proposed point of diversion feet of the existing point of divers the diagram below in relation to the (PLEASE NOTE: The "X" in represents presently authorized	sion, indicate its location on e existing point of diversion. center of diagram below
8	If a well, is the test hole log attached? Yes No		North 100 50 0	50 100
٥.	in a work, to the test hole log attached: res reo			
9.	When do you propose to complete the new point of	f	<u> </u>	' <u> </u>
	diversion?		50 + -	
				+ = 50
10	If the point of diversion is a well:		F =	4
10.			West 0 — III   III I X III	IIIII — OEast
	(a) What are you going to do with the old well?		<b>_</b>	' 🖠
				_
			50 - + -	+ - 50
	(b) When will this be done?		_	_
			Fililii ( <del>-</del>	
11.	Groundwater Management District recommendation	1	100 50 0	50 100
	attached? Yes No	•	South	
		405	Scale: 1" = 1	
12.	Assisted by mdf/GCFO	IJD,	If the proposed point of diversion of 100 feet but within 1320 feet for diversion, attach a topographic representation for groundwater sources, show all within one-half mile of the proposed names and mailing addresses of water sources, show the name landowner(s) one-half mile down upstream from your property lines.	rom the existing point of nap or aerial photograph. I wells (including domestic) d point of diversion and the the owners. For surface s and addresses of the

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

FILE NO. <u>15283</u>
MAKE ADDITIONAL COPIES AS NECESSARY

3. Co Ov	ontinue wner of	d: The Land -	NA	ME: I	<b>ECLIP</b>	SE INC	C. A B	RADF	ORD S HARC	SMITH ON SPI	RINGS	KS 6	7758-6	8029					
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10	16	40									32.5	32.5	32.5	32.5	32.5	32.5	32.5	32.5	260
16	16	40	32.5	32.5			32.5	32.5	32.5	32.5									260
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Page 5

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

File No. 15283

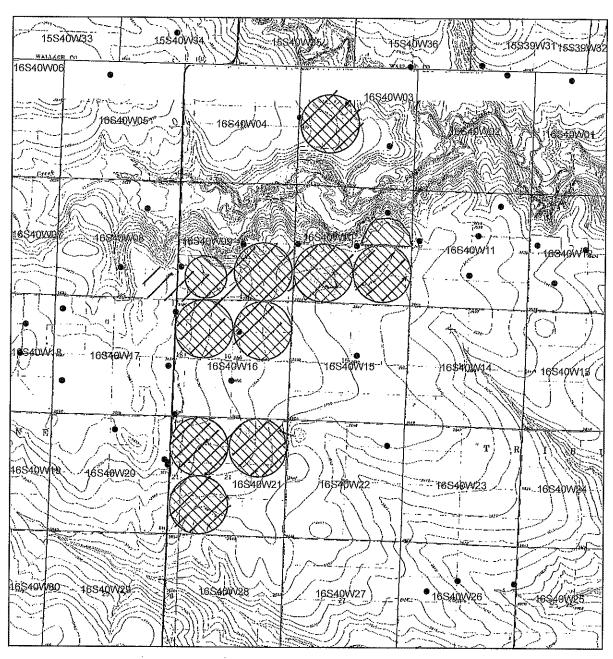
14. If th	he proposed groundwater point of diversion is 300 or few	ver feet from exi	isting point of di	iversion, complete the	following:
(a)	Does the undersigned represent all owners of the curre ☐ Yes ☐ No (If no, all owners must sign	ently authorized this application	place(s) of use .)	identified in this applic	cation?
(b)	Will the ownership interest of any owner of the currer affected if this application is approved as requested?  ☐ Yes ☐ No (If yes, all owners must sign			identified in this applic	ation be adversely
(c)	If this application is not approved expeditiously, will the ☐ Yes ☐ No (If no, all owners must sign			operty, public health o	r safety?
or a cha	oplication proposes a surface water change in point of di ange in place of use, the application must be signed by a attach notarized statement authorizing representation).	iversion, a groun	ndwater change currently autho	e in point of diversion g orized place of use, or	reater than 300 feet their duly authorized
age an their b	by verify, being first duly sworn upon my oath on the owner, the spouse of the owner, or a duly ehalf, in regard to the water right(s) to which she in this application are true, correct and con	y authorized a this applicati	agent of the c	owner(s) to make th	is application on
Dated a	it SHARON SPRINGS, Kar	nsas, this <u>Z</u>	<u> </u>	MARCH	, 20 <u>18</u>
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State of	SS SS	OTARY PUBLIC - ( STEVEN My Appt. Exp.	State of Kansas N.B. PAUL 2/3/2019	(Please Print)	
l here	pby certify that the foregoing application was signed.	ed in my pres	sence and swe	orn to before me thi	is <u>20</u> day of
	, j		Xlu	- B. la	ef
My Com	imission Expires $\frac{2/3/2019}{}$ .		A .	Notary Public	
accurate	DMPLETE APPLICATIONS WILL BE PROCESSED. To be cor information; maps, if necessary, must be included; signatures copriate fee must be paid.	mplete, all of the a of all the appropria	applicable portions ate owners' must	s of the application form n be affixed to the application	nust be completed with on and notarized; and
	<u>FEE.</u>	SCHEDULE			
forth in t ( (	plication to change the place of use or the point of divers he schedule below: Make checks payable to: Kansas I (1) Application to change a point of diversion 300 feet o (2) Application to change a point of diversion more than (3) Application to change the place of use	Department of or less	Agriculture	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	\$100 \$200

<ol> <li>If the proposed groundwater point of diversion is 300 or fewer feet from existing</li> </ol>	
<ul> <li>(a) Does the undersigned represent all owners of the currently authorized place</li></ul>	
<ul> <li>(b) Will the ownership interest of any owner of the currently authorized place affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this application.)</li> </ul>	
(c) If this application is not approved expeditiously, will there be substantial da ☐ Yes ☐ No (If no, all owners must sign this application.)	amage to property, public health or safety?
If the application proposes a surface water change in point of diversion, a groundw or a change in place of use, the application must be signed by all owners of the curagent (attach notarized statement authorizing representation).	ater change in point of diversion greater than 300 feet, rently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirmation an age and the owner, the spouse of the owner, or a duly authorized age their behalf, in regard to the water right(s) to which this application contained in this application are true, correct and complete.	pertains. I further verify that the statements
Dated at Tuilbure, Kansas, this 16	_ day of <u>llauc</u> , 20
TBar S Land Investments	
( Sar S Land Investurats	(Spouse)
(Owner)	(Spouse)
- freu liter	(Please Print)
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State of Kansas  County of Grand My Appt Expires 7-25-	f Kansas LAND
hereby certify that the foregoing application was signed in my preser	ice and sworn to before me this 16 day of
Jan	ie D. Wuiland
My Commission Expires <u>7-25-2018</u>	Notary Fublic
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the appropriate information; maps, if necessary, must be included; signatures of all the appropriate the appropriate fee must be paid.	olicable portions of the application form must be completed with owners' must be affixed to the application and notarized; and
FEE SCHEDULE	
Each application to change the place of use or the point of diversion under this se forth in the schedule below: Make checks payable to: Kansas Department of Ag (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	griculture \$100 \$200
	RECEIVED

File No. 15283

MAR 26 2018

#### Change in Place of Use for Water Right Number 15283 All in Township 16 S, Range 40 West, Greeley County





Authorized Place of Use





Requested Place of Use

All wells within 1/2 mile have been identified.



#### 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. 15283 requesting that the place of use and / or point of A change application was received on April 2, 2018 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 shown on the topographic map accompanying the application to change the place of use. ■ 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 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 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 The point(s) of diversion authorized herein shall not actually be located more than \_ authorized point(s) of diversion. ☐ Applicable ☒ Not Applicable feet from the previously 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 Applicable Not Applicable K.A.R. 5-6-13. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2018, 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. ☐ Not Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20 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 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 ⊠ No 11. Additional Conditions are attached. ☐ Yes 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order **APPLICATION APPROVED AND** If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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 Buly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative (Print Name): Thomas P Makens review must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS Date of Issuance: 66502. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act. State of Kansas For Use by Register of Deeds Acknowledged before he on <u>\gamma</u> Notary Public My commission expires SUE KEENY غ**ۈ**غۇنى NOTARY PUBLIC (MARABIOMER BAPTER)

June 8, 2018 File No.

## Property Details for PID: 0360252100000001010

QuickRef ID:

R152

Owner Name:

SMITH LAND CO INC

Location:

00000 COUNTY RD

Abbreviated Boundary

Description:

S21, T16, R40W, ACRES 317.0, S2

LESS CORD ROW

Owner Information:

Owner

SMITH LAND CO INC

Mailing Address

695 KS HWY 27 SHARON SPRINGS,

KS 67758

**Property Information:** 

Type

Agricultural Use

Status

Active

Taxing Unit

TRIBUNE TWP

Neighborhood Code

031

No Secondary Address Details found

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STATE OF KANSAS

DEPARTMENT OF AGRICULTURE 1320 RESEARCH PARK DRIVE MANHATTAN, KS 66502 PHONE: (785) 564-6700 FAX: (785) 564-6777 EDNOT LEER COLVED

900 SW Jackson, Room 456 Topeka, KS 66612 Phone: (785) 296-3556 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

April 4, 2018

LANDON KOEHN 1050 E COUNTY RD E MARIENTHAL KS 67863

RE: Water Right file no. 8307 8308 10323 11161 15283 29985 39752

This is to advise you that the Eclipse Inc has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use under the above referenced application.

You are notified on this proposed change in place of use so that you may furnish this office with any comments or other information you may want to submit.

You can find the complete application posted by water right file number as referenced above at <a href="www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices">www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices</a> Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged 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
Environmental Scientist III

pc: GMD#1

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE 1320 RESEARCH PARK DRIVE MANHATTAN, KS 66502 PHONE: (785) 564-6700 FAX: (785) 564-6777



900 SW Jackson, Room 456 Topeka, KS 66612 Phone: (785) 296-3556 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

April 20, 2018

Western Kansas Groundwater Management District No 1 PO Box 604 Scott City KS 67861-0604

Re: Water Right file no. 8307, 8308, 10323, 11161, 15283, 29985, 39752

Dear Mr. Spencer;

Eclipse Inc has applied to correct the acres due to added pivots. The base acres are 1275.

We are delaying action for 15 days on the change application to allow you time to review and provide a recommendation if you feel one is warranted

Thank you and as always feel free to call or write us at any time.

Sincerely;

Thomas P Makens

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#### WESTERN KANSAS GROUNDWATER MANAGEMENT DISTRICT NO.1

#### April 20, 2018

Mr. Thom Makens
Assistant Water Commissioner
Division of Water Resources
Garden City Field Office
2508 Johns Street
Garden City, KS 67846

RECEIVED

APR 2 3 2018

Garden City Field Office Division of Water Resources

RE: Water Right File Nos: 8307, 8308, 10323, 11161,

15283, 29985, & 39752

Dear Mr Makens:

After reviewing the change application involving the above water rights, GMD#1 recommends approval.

Sincerely,

**Kyle Spencer** 

District Manager

ks/vr