Kansas Department of Agriculture Division of Water Resources

CHANGE: P/D WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
19191	3/6/18	C2	04	03
6. Status: Approved □ De	nied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
				1/31/18
8a. Applicant(s) New to system □	Person ID 16759 Add Seq# 1	8c. Landown		Person IDAdd Seq#
PHILLIP W SMITH 31806 4 RD COPELAND KS 67837		NC		
8b. Landowner(s) New to system □	Person IDAdd Seq#	8d. WUC	stem 🔲	Person IDAdd Seq#
NC		nc		
9. Documents and Enclosure(s): 🛛 🗀	WR Meter(s) Date to Comp	ly: <u>12/31/18</u>	N & P Date to	Comply: <u>12/31/18</u>
☐ Anti-Reverse Meter ☐ Mete	r Seal	□ N & P Form	☐ Water Tube ☐ [Driller Copy ☐ H & E Letter
☐ Conservation Plan Date Requ	ired: Da	ite Approved:	Date to	o Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: 2/20/ Date Entered:	18 ву: ТРМ Ву:

File No. 19191	-	11. County: GY	€		Basin:	Basin: crooked	pes					Stream:	 						Fon	Formation Code:	je.	Special Use:	
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Limitation:		at/yr at	11				udb) mdg				when o	omoine	crs) when combined with file number(s)	Tile nu	mber(s							
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STATE OF KANSAS

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



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

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

March 6, 2018

PHILLIP W SMITH 31806 4 RD COPELAND KS 67837

RE: Change in Point of Diversion Water Right, File No 19191

Dear Mr. Smith:

Enclosed you will find a Summary Order Approving Application for Change in Points of Diversion for the above referenced file. This order modifies the authorized well location under the referenced file. This order modifies the original document; it should be recorded at the County Register of Deeds.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this order. The diversion works should be completed and reported to the Division of Water Resources by December 31, 2018. Enclosed is a form for this purpose, along with other information for reference.

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.

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. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

Thomas P. Makens

Assistant Water Commissioner

TPM:tpm Enclosures GMD#3

CERTIFICATE OF SERVICE

On this 7th day of March 2018, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 19191 dated March 6, 2018 was mailed postage prepaid, first class, US mail to the following:

PHILLIP W SMITH 31806 4 RD COPELAND KS 67837

Copy provided to GMD#3

Division of Water Description

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.

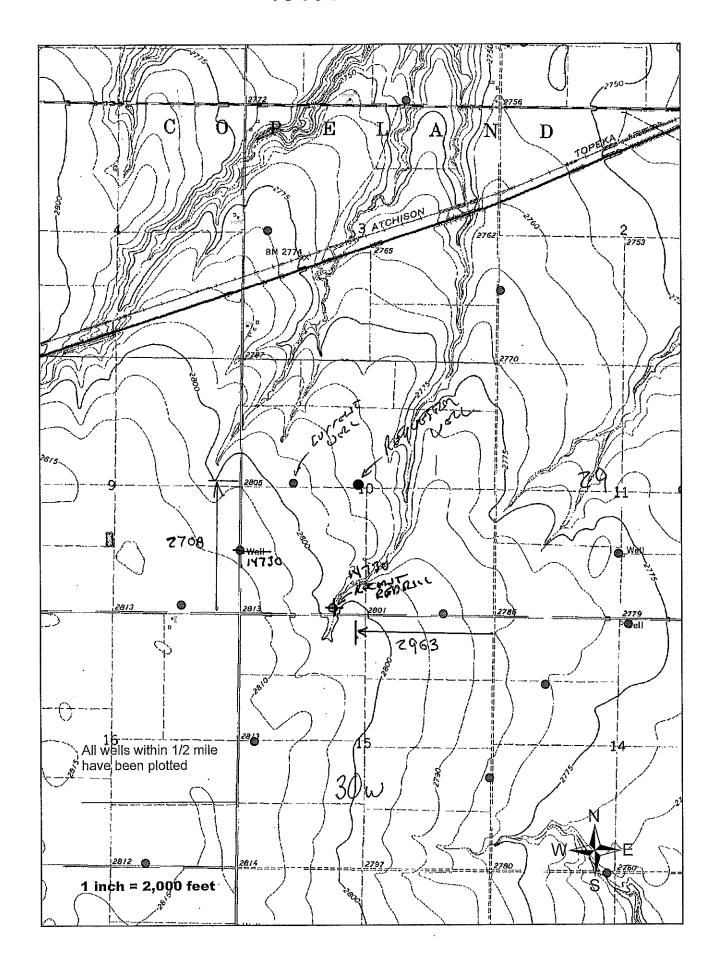
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14. If the proposed groundwater point of diversion is 300 of lewer reet no	and externing point of diversion, complete the lenewing.
 (a) Does the undersigned represent all owners of the currently authors in the curr	orized place(s) of use identified in this application? cation.)
 (b) Will the ownership interest of any owner of the currently author 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 sub ☐ Yes ☐ No (If no, all owners must sign this applic	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 app contained in this application are true, correct and complete.	ized agent of the owner(s) to make this application on plication pertains. I further verify that the statements
- Calaba and Same	31 St day of Jan , 20 18.
Dated at Opeland , Kansas, this	
X MAG I KAN A -	(0, ,,,,,,,)
Philip M Smith	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas SS	•
County of (1-ay)	91 .
I hereby certify that the foregoing application was signed in m	by presence and sworn to before me this $3/37$ day of
	Notary Public
My Commission Expires 4/22/2018	And the second s
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate information; maps, if necessary, must be included; signatures of all the at the appropriate fee must be paid.	My Appt. Exp. 412118
FEE SCHED	<u>ULE</u>
Each application to change the place of use or the point of diversion und forth in the schedule below: Make checks payable to: Kansas Departm (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	nent of Agriculture \$100

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. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 et.seq. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 19191 A change application was received on <u>১A১০০৪২</u> 31, 2018 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. 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 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 The point(s) of diversion authorized herein shall not actually be located more than _ __ feet from the previously authorized point(s) of diversion. Mot Applicable 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 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 and the chief Engineer by March 1 following the conditions are reported as the colondary year. 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, 2018, or within any authorized extension of time. By March 1, 2019 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. ☐ Not Applicable The completed well log shall be submitted with the required notice. ☑ Applicable Not Applicable 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. Additional Conditions are attached. ☐ Yes 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 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 FOR OFFICE USE ONLY APPLICATION APPROVED AND You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 109 SW 9th Street, Topeka, Kansas 66612, within 15 days after the SUMMARY ORDER ISSUED Duly Authorized Designee of the Chief Engineer date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day HOMAS MAKGU (Print Name): Division of Water Resources - Kansas Department of Agriculture after the date shown on the Certificate of Service. MARCH Date of Issuance: _ 2018 For Use by Register of Deeds State of Kansas Acknowledged before the on $\mathcal N$ -Nota**∛** Public NO BINES SUE KEENY NOTARY . My Appointment Expires June 8, 2018 Myake My commission expires: (Notary Seal)



T# #Z

Downey Drilling Inc.
LEXINGTON, NE

CUSTOMER NAME: PHIL SMITH

LEGAL: NW 10-295-30W

COUNTY: GRAY

GP\$: 37 32' 28.78" N

-100 35' 21.49" W

			DRILLER:	CHRIS P			WO#:	17-890
TW	FROM	то	TŸPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	2	TOP SOIL	FIRM	DARK	slow		SMOOTH
	2	48	CLAY AND SILTY CLAY	FIRM	DARK	SLOW		SMOOTH
X_	48	59	FINE-MEDIUM GRAVEL	SOFT	RED	FAST		SMOOTH
	59	111	SILTY CLÂY WITH TRACES OF FINE SAND	SOFT	TAN	SLOW		SMOOTH
X .	111	156 ·	FINE-MEDIUM GRAVEL AND SOME COARSE SAND	SOFT	RED	FAST		CHATTER
	156	169	SILTY CLAY WITH TRACES OF FINE SAND	SOFT	TAN	FAST		SMOOTH
	169	184	FINE-MEDIUM SAND	SOFT	RED	SLOW		SLIGHT CHATTER
	184	202	SANDY CLAY AND SOME FINE SAND	SOFT	TAN	SLOW		SMOOTH
X	202	236		SOFT	RED	FAST		CHATTER
X	236	272	FINE-MEDIUM GRAVEL 36	SOFT	RED	FAST		CHATTER
<u>X</u>	272	291	FINE-MEDIUM GRAVEL AND MEDIUM-SOME COARSE SAND 19	SOFT	RED	FAST		CHATTER
X	291	305	FINE SAND AND SILT 7	SOFT	RED	VERY FAST		SLIGHT CHATTER
X	305	342	COARSE SAND AND FINE-MEDIUM GRAVEL 37	SOFT	RED	FAST		CHATTER
Х	342	345	FINE-TR: MEDIUM GRAVEL W/THIN SANDY CLAY LENSE	SOFT	RED	FAST		IN & OUT CHATTER
X	345	366	FINE-MEDIUM GRAVEL 21	SOFT	RED	FAST		CHATTER
	366	395		SOFT	RED	SEMI FAST		SOME CHATTER
	395	422		SEMI DENSE	TAN	SLOW		SMOOTHER
	422	425	FINE SAND 3	SOFT	TAN	FASTER		SLIGHT CHATTER
	425	451		SEMI DENSE	TAN	SLOW		SMOOTHER
	451:	465	Letter to the second of the se	SOFT	RED	FAST		SLIGHT CHATTER
- 1	465	475	CLAY	FIRM	GRAY	sLow	х	sмоотн
	475	500	SHALE	FIRM	DARK GRAY	slow	x	SMOOTH
			, , , , , , , , , , , , , , , , , , ,					
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Garden City Field Office 2508 Johns Street Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

Sam Brownback, Governor

January 31, 2018

Southwest Kansas Groundwater Management District No 3 409 Campus Drive, Suite 106 Garden City KS 67846

Re: Water Right file number 19191

Dear Mr. Norquest;

The Philip Smith has applied to relocate the wells authorized by the above water right number. There are no neighboring wells within ½ mile of the requested.

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

TPM:tpm enc



Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street Garden City, Kansas 67846

(620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

February 9, 2018

Thomas P. Makens Division of Water Resources 2508 N Johns Street Garden City, Kansas 67846

RECEIVED

FEB 1 3 2018

RE:

Application for Change in Point of Diversion

Water Right, File No. 19191

Garden City Field Office Division of Water Resources

Dear Thomas:

We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed distance moved and well spacing is in accordance with K.A.R. 5-23-3. It is therefore recommended that the application be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

Jason L. Norquest Assistant Manager

	·	



Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street

Garden City, Kansas 67846 (620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

February 9, 2018

Thomas P. Makens Division of Water Resources 2508 N Johns Street Garden City, Kansas 67846

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FEB 1 2 2018

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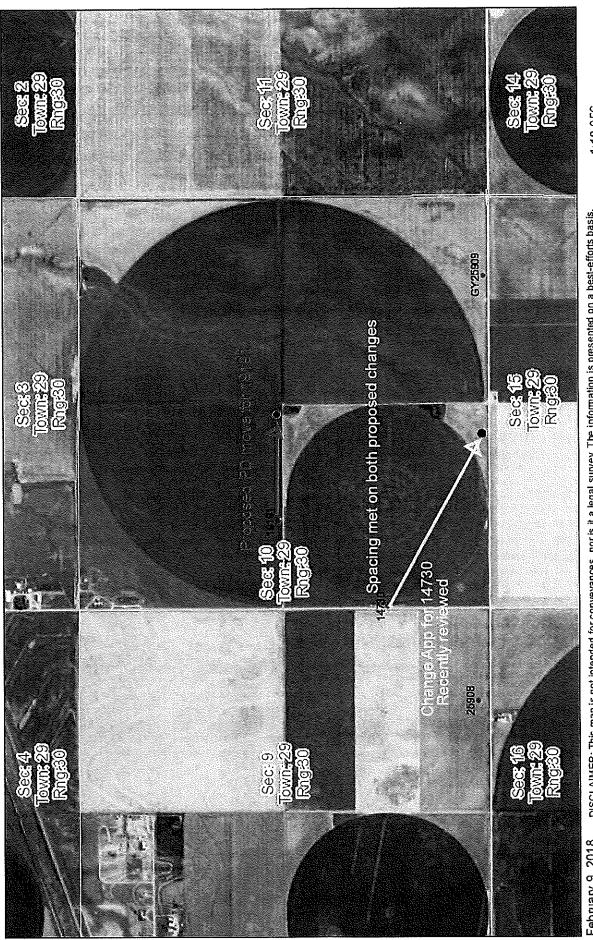
Sincerely,

Jason L. Norquest Assistant Manager

GMD3 Change Review

File No(s).: <u>19191</u> .	DWR office: <u>GC</u> .	
App filed to change: <u>PD</u> .		
Is Landowner(s) correct in WRIS: _Appear	<u>'s so</u> .	
If NO, is documentation included?		
Is Water Use Correspondent correct in WRIS	S? <u>Yes</u> .	
If NO, is documentation included?		
Regulation(s) Reviewed: KAR 5-23-3		
Point of diversion ID No(s) <u>02</u> being char	nged.	
ft. North ft. West		
Authorized PD 2658 4135	Sect. 10-29-30	
Proposed PD 2708 2963		•
Difference -50 N 1172 E		
a2 + b2 = c2	1173.066 foot move SE	
GPS for proposed PD: Lat: 37.541327		
Is proposed PD stacking on existing WRs?		
Is Proposed PU overlapping existing WRs?	·	
Land Owner(s) notified: Yes.		RECEIVED
Name Name		V // // // // // // // // // // // // //
Address Address		FEB 12 2018
Zip Zip		
Neighboring certified well(s) notified:		Garden City Field Office
Name Name		Division of Water Resources
Address Address		
Zip Zip		
Domestic well(s) notified: None found in a	rea of concern.	
Name Name		
Address Address		
Zip <u> </u>		
Base Acres:		
Perfected Acres:		
rr. Return-Flow%		
s a waiver needed: <u>No</u> .		
Final Recommendation: After review of all		
current area rules are met. Staff therefore rec	commends approval of the applic	ation.

12



1,000 m 3,200 # 1:18,056 1,600 20 80 250 DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. FEB 1 2 2018 Sections **Empty** MUN REC STK ្តែ FPR 됐 DOM 00 00 00 DEW X $\star_i^!$ February 9, 2018 10:46 AM Other RR Wells

Garden City Field Office Division of Water Resources

jason GiS Werkshop, LLC.

Water Rights and Points of Diversion Within 1.00 miles of point defined as: 2708 ft N and 2963 ft W of the SE Corner of Section 10, T 29S, R 30W Located at: 100.589260 West Longitude and 37.540472 North Latitude GROUNDWATER ONLY File Number Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth Quan Add Quan Unit 2725 -- -- CW SW -43 -- 305 10 29 14730 00 TRR NK G* 3 OW 320,00 320.00 AF 19191 00 IRR NK G* -> 1173 -- -- CS NW 2658 4135 10 29 630.00 3 OW 630.00 AF A 21624 00 IRR NK G 5069 -- SW NW SW 1550 5175 30W 2 320.00 320.00 AF 2 29 25908 00 IRR NK G 4371 -- SW SE SE 150 1200 9 29 3 O W 320.00 320.00 AF 25909 00 IRR NK G 3248 -- SW SE SE 90 1040 10 29 30W 5 320.00 Total Net Quantities Authorized: Direct Storage Total Requested Amount (AF) = .00 .00 Total Permitted Amount (AF) = .00 .00 Total Inspected Amount (AF) = .00 .00 .00 Total Pro_Cert Amount (AF) = . 00 Total Certified Amount (AF) = 1910.00 .00 Total Vested Amount (AF) = .00 .00 TOTAL AMOUNT (AF) =1910.00 .00 An * after the source of supply indicates a pending application for change for the file number. An * after the ID indicates a 15 AF exemption was granted for the file number. A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery. The number in the Batt column is the number of wells in the battery. Water Rights and Points of Diversion Within 1.00 miles of point defined as: 100.589260 West Longitude and 37.540472 North Latitude GROUNDWATER ONLY WATER USE CORRESPONDENTS: - where are File Number Use ST SR New Spacing on A__ 14730 00 TRR NK G > JEFFREY J & SHARLEEN L UNRUH 3051 A RD COPELAND KS 67837 >----Buth new wells would be ~ 2667' Meets Spacing __ 19191 00 IRR NK G CHAD STAPLETON 33902 10 RD MONTEZUMA KS 67867 RECEIVED 21624 00 IRR NK G TRAVIS & BROOKE JANTZ FEB 1 2 2018 32305 2 RD COPELAND KS 67837 Garden City Field Office Division of Water Resources 25908 00 IRR NK G GAYLE L BALDWIN

>	> 7223 E WHISTLING WIND WAY	
>	> SCOTTSDALE AZ 85255	
>-	>	
A_	A 25909 00 IRR NK G	•
>	> CHAD STAPLETON	•
>	>	
>	> 33902 10 RD	•
>	> MONTEZUMA KS 67867	•
>-	>	

RECEIVED

FEB 1 2 2018

Garden City Field Office Division of Water Resources