

Kansas Department of Agriculture  
 Division of Water Resources  
**CHANGE: pu WORKSHEET**

1. File Number: <b>33603</b>	2. Status Change Date:	3. Change Num: <b>C2</b>	4. Field Office: <b>04</b>	5. GMD: <b>03</b>
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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: <b>5/8/19</b>
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8a. Landowner, applicant, WUC New to system <input type="checkbox"/>  <b>J &amp; L SMITH FARMS INC                  BRYAN SMITH                  9170 E ROAD 2                  ULYSSES KS 67880-8151</b>	Person ID <b>55420</b> Add Seq# <b>1</b>  8c. applicant, WUC New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____
--	--

8b. Landowner(s) New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____	8d. WUC New to system <input type="checkbox"/>  <b>3</b>  Person ID _____ Add Seq# _____
---	--

9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/19**     N & P Date to Comply: \_\_\_\_\_

Anti-Reverse Meter     Meter Seal     Check Valve     N & P Form     Water Tube     Driller Copy     H & E Letter  
 Conservation Plan    Date Required: \_\_\_\_\_    Date Approved: \_\_\_\_\_    Date to Comply: \_\_\_\_\_

10. Use Made of Water    From: \_\_\_\_\_    To: \_\_\_\_\_

Date Prepared: **6/10/19**    By: **MAM**  
 Date Entered: \_\_\_\_\_    By: \_\_\_\_\_

File No. **33603**      11. County: **GT**      Basin: **ARK RIVER**      Stream: \_\_\_\_\_      Formation Code: \_\_\_\_\_      Special Use: \_\_\_\_\_

12. Points of Diversion										Rate and Quantity				
CHK MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
										Rate gpm	Quantity af	Rate gpm	Quantity af	

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 \_\_\_\_\_

CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files	
						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					
ENT	7886	4	27	35	W 4					34	34	34	34	35	35	35	35	34	34	34	34	412	8a	no	17680, 21580, 24108, 31268, 24122-D2	
ENT	1109	5	27	35	W 2	34	34	34	34	34	34	34	34					35	35	35	35	412	8a	no	17680, 21580, 24108, 31268, 24122-D2	
ENT	34748	33	26	35	W 2													40	40	40	40	160	8a	no	17680, 21580, 24108, 31268, 24122-D2	
CHK	14480	27	26	35	W 3													34	34	34	34	136	8a	no	17680, 21580, 24108, 31268, 24122-D2	

Base Acres: ~~30~~      Year: \_\_\_\_\_      Minimum Reasonable Quantity: \_\_\_\_\_  
 Comments: \_\_\_\_\_



Garden City Field Office  
4532 W. Jones, Suite B  
Garden City, KS 67846



Phone: 620-276-2901  
Fax: 620-276-9315  
www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

June 10, 2019

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

RE: Water Right, File Nos. 17680, 21508, 24108, 24122-D2, 31268, 33603

Dear Sir:

Enclosed are orders executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals are that acceptable water flow meters must be installed on the diversion works authorized under the referenced file numbers and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meters as soon as these actions are completed.

Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

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,

A handwritten signature in blue ink that reads "Michael A. Meyer".

Michael A. Meyer  
Water Commissioner

MAM:  
enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

**CERTIFICATE OF SERVICE**

On this 12 day of June, 2019, I hereby certify that the foregoing Approval of Applications for Change in Place of Use, Water Right, File Nos. 17680, 21508, 24108, 24122-D2, 31268, 33603 dated 10 day of June, 2019 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

Pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

  
\_\_\_\_\_  
Division of Water Resources Staff

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**

**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. 33603

**RECEIVED**  
**3:50pm**  
**MAY 08 2019**  
 Garden City 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: J & L SMITH FARMS INC; BRYAN SMITH  
9170 E ROAD 2 ULYSSES KS 67880-8151  
 Phone Number: (    )      Email address: \_\_\_\_\_  
 Name and address of Water Use Correspondent: SAME  
 Phone Number: (    )      Email address: \_\_\_\_\_

3. The presently authorized place of use is:  
 Owner of Land ---- NAME: J & L SMITH FARMS INC  
 ADDRESS: 9170 E ROAD 2 ULYSSES KS 67880-8151  
 (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					
27	26S	35W																	34	34	34	34	136

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: J & L SMITH FARMS INC  
 ADDRESS: 9170 E ROAD 2 ULYSSES KS 67880-8151  
 (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	
4	27S	35W					34	34	34	34	35	35	35	35	34	34	34	34	412
5	27S	35W	34	34	34	34	34	34	34	34					35	35	35	35	412
33	26S	35W													40	40	40	40	160

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date 5-8-19 Check # 010077



5. **Presently authorized point of diversion:**

One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ NC Quarter of the \_\_\_\_\_ SE Quarter of Section \_\_\_\_\_ 27 \_\_\_\_\_, Township \_\_\_\_\_ 26 \_\_\_\_\_ South, Range \_\_\_\_\_ 35 \_\_\_\_\_ (W), in KE County, Kansas, \_\_\_\_\_ 1446 \_\_\_\_\_ feet North \_\_\_\_\_ 1340 \_\_\_\_\_ feet West of Southeast corner of section. Authorized Rate \_\_\_\_\_ 1000 GPM Authorized Quantity \_\_\_\_\_ 260 AF Depth of well \_\_\_\_\_ (feet) (DWR use only: Computer ID No. 3 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 \_\_\_\_\_ (EW), 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 \_\_\_\_\_ (EW), 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 \_\_\_\_\_ (EW), 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) NO CHANGE TO WELL

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

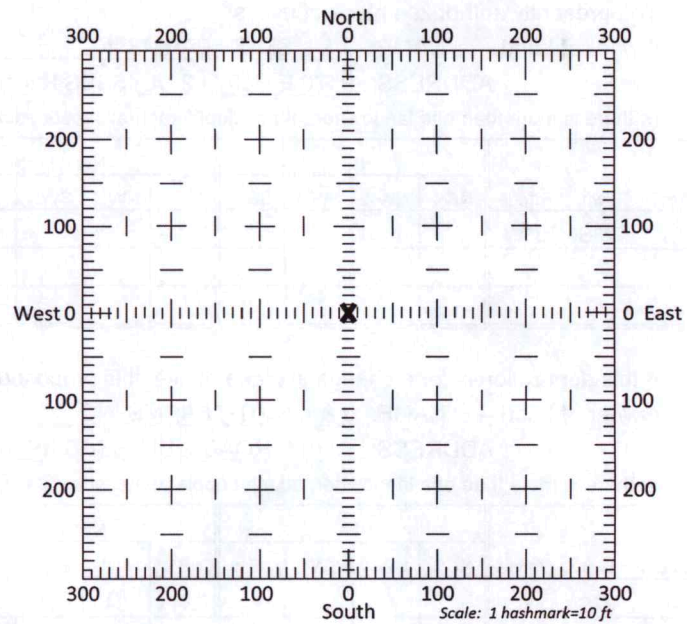
9. The change(s) (was)(will be) completed by? \_\_\_\_\_

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

11. Groundwater Management District recommendation attached?  Yes  No

12. Assisted by AM

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.)



APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
**FILE NO. 33603**  
MAKE ADDITIONAL COPIES AS NECESSARY

3. *Continued:* The presently authorized place of use is:

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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			

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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				

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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					

4. *Continued:* 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: Same  
ADDRESS: \_\_\_\_\_

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					
27	26	35																					

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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						

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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						



APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
FILE NO. \_\_\_\_\_

**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:

**Proposed point of diversion: (Complete only if change is requested)**

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 \_\_\_\_\_

**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:

**Proposed point of diversion: (Complete only if change is requested)**

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 \_\_\_\_\_

**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:

**Proposed point of diversion: (Complete only if change is requested)**

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 \_\_\_\_\_

**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:

**Proposed point of diversion: (Complete only if change is requested)**

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 \_\_\_\_\_



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 Garden City, Kansas, this 8<sup>th</sup> day of May, 2019.

<u>JH Smith Farms Inc by Bryan Smith</u>	
(Owner)	(Spouse)
<u>JH Smith Farms Inc by Bryan Smith</u>	
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of Kansas }  
 County of Finney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 8<sup>th</sup> day of May, 2019.



Julie Jones  
 Notary Public

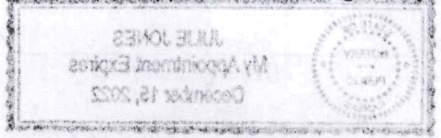
My Commission Expires

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

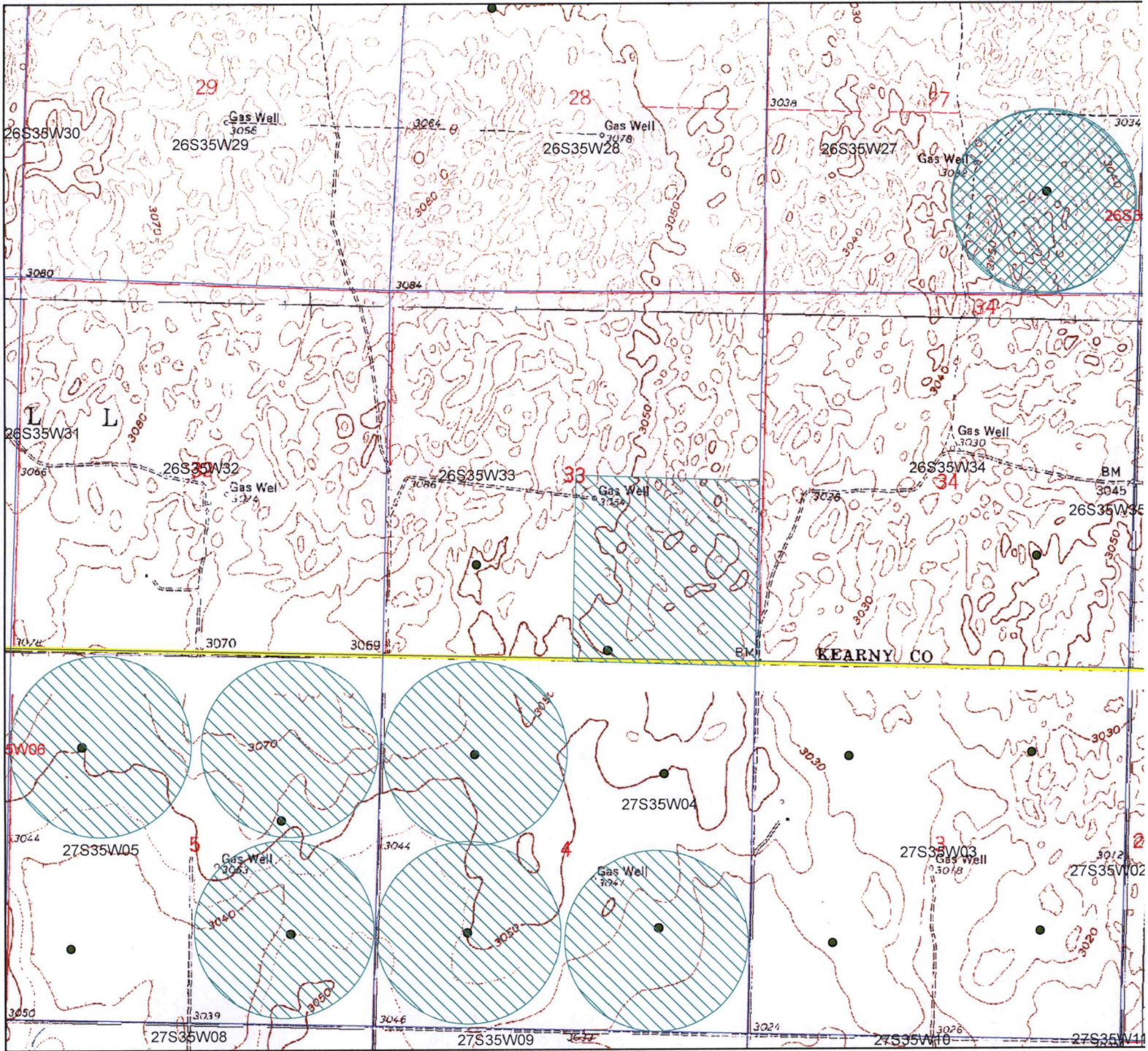








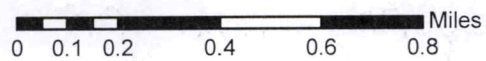


# Change in Place of Use for Water Right 33603 Township 26 & 27 South, Range 42 West, Grant & Kearny County



 Authorized Place of use

 Proposed place of use



All wells within 1/2 miles are on this map.

X \_\_\_\_\_



**WARRANTY DEED**

This 15 day of March, 2019

**William Schultz a/k/a William Lawrence Schultz and  
Nancybeth Schultz a/k/a Nancybeth Hubert Schultz, husband and wife**

CONVEY(S) AND WARRANT(S) TO

**J & L Smith Farms, Inc., a Kansas corporation**

all the following described REAL ESTATE in **Kearny County, Kansas**, to-wit:

**The Southeast Quarter (SE/4) of Section Twenty-seven (27), Township Twenty-six (26) South, Range Thirty-five (35) West of the Sixth Principal Meridian, Kearny County, Kansas.**

**Except the coal, oil, gas and other minerals underlying the surface of said land and all right and easements in favor of the estate of said coal, oil, gas and other minerals.**

**FOR THE SUM OF: TEN DOLLARS (\$10.00) and other valuable consideration.**

**SUBJECT TO: Easements, rights of way, reservations and restrictions of record, if any.**

RECEIVED

MAY 08 2019

Garden City Field Office  
Division of Water Resources

WR#  
33603

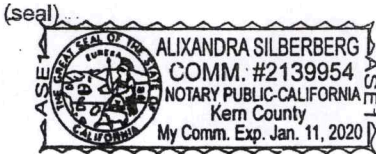


William Schultz  
William Schultz

Nancybeth Schultz  
Nancybeth Schultz

STATE OF California, COUNTY OF Kern, ss:

This instrument was acknowledged before me on this 15 day of March, 2019, by **William Schultz and Nancybeth Schultz.**



Alixandra Silberberg  
Notary Public

Printed Name: Alixandra Silberberg

Appt. Expires: Jan. 11, 2020

STATE OF KANSAS } ss  
KEARNY COUNTY }

This instrument was filed for record on the 25<sup>th</sup> day of March A.D. 2019 at 12:05 o'clock P. M., and duly recorded in Book 290 of Record, at Page 279

Melissa Geritzen  
REGISTER OF DEEDS

By \_\_\_\_\_ Deputy

Rec. Fee \$ 38.00



Entered in Transfer Record in my Office this 25<sup>th</sup> day of March A.D. 2019

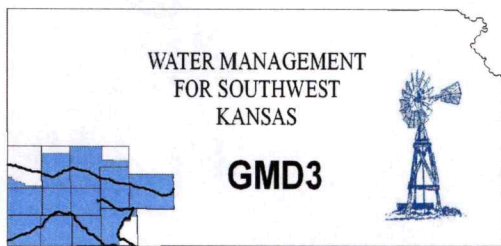
Jana Jenkins  
County Clerk

INDEXED  
RECEPTION ✓  
COMPUTER ✓  
DIRECT c  
INDIRECT c  
NUMERICAL ✓  
ORIG. COMP ✓

RECEIVED

MAY 08 2019

Garden City Field Office  
Division of Water Resources



**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

May 20, 2019

Michael A. Meyer  
Division of Water Resources  
2508 N Johns Street  
Garden City, Kansas 67846

RE: Applications for Change in Place of Use  
Water Right, File Nos. 17680, 21508, 24108, 24122 D2, 31268 & 33603

Dear Mike:

We have completed a review of the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use for a complete overlap in irrigation acres is in accordance with K.A.R. 5-5-11(b)(1). It is therefore recommended that the applications be approved at this time.

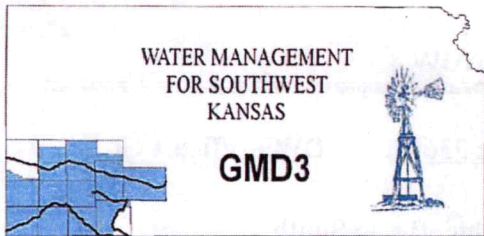
Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

A handwritten signature in blue ink, which appears to read "Jason L. Norquest", is written over the typed name and title.

Jason L. Norquest  
Assistant Manager





**Southwest Kansas**  
**Groundwater Management District No. 3**  
**2009 E. Spruce Street**  
**Garden City, Kansas 67846**  
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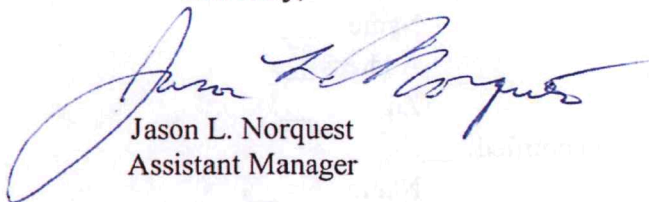
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Jason L. Norquest  
Assistant Manager

RECEIVED

MAY 21 2019

Garden City Field Office  
Division of Water Resources

## GMD3 Change Review

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File No(s).: 17680, 21508, 24108, 24122D2, 31268 & 33603. DWR office: GC.

App filed to change: PU.

Is Landowner(s) correct in WRIS: J&L Smith Farms Inc, Bryan Smith.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? Deed with apps for one of the quarters.

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-5-11

Point of diversion ID No(s)     being changed.

	ft. North	ft. West			
Authorized PD					
Proposed PD					
Difference	0	0			
a2 + b2 = c2	0	0	0		

GPS for proposed PD: Lat:     Long:    .

Is proposed PD stacking on existing WRs?    .

Is Proposed PU overlapping existing WRs? Proposal to make a complete overlap with all the WRs listed.

Land Owner(s) notified:    .

Name    . Name    .

Address    . Address    .

Zip    . Zip    .

Neighboring certified well(s) notified:    .

Name    . Name    .

Address    . Address    .

Zip    . Zip    .

Domestic well(s) notified:    .

Name    . Name    .

Address    . Address    .

Zip    . Zip    .

Base Acres:    .

Perfected Acres:    .

Irr. Return-Flow    %

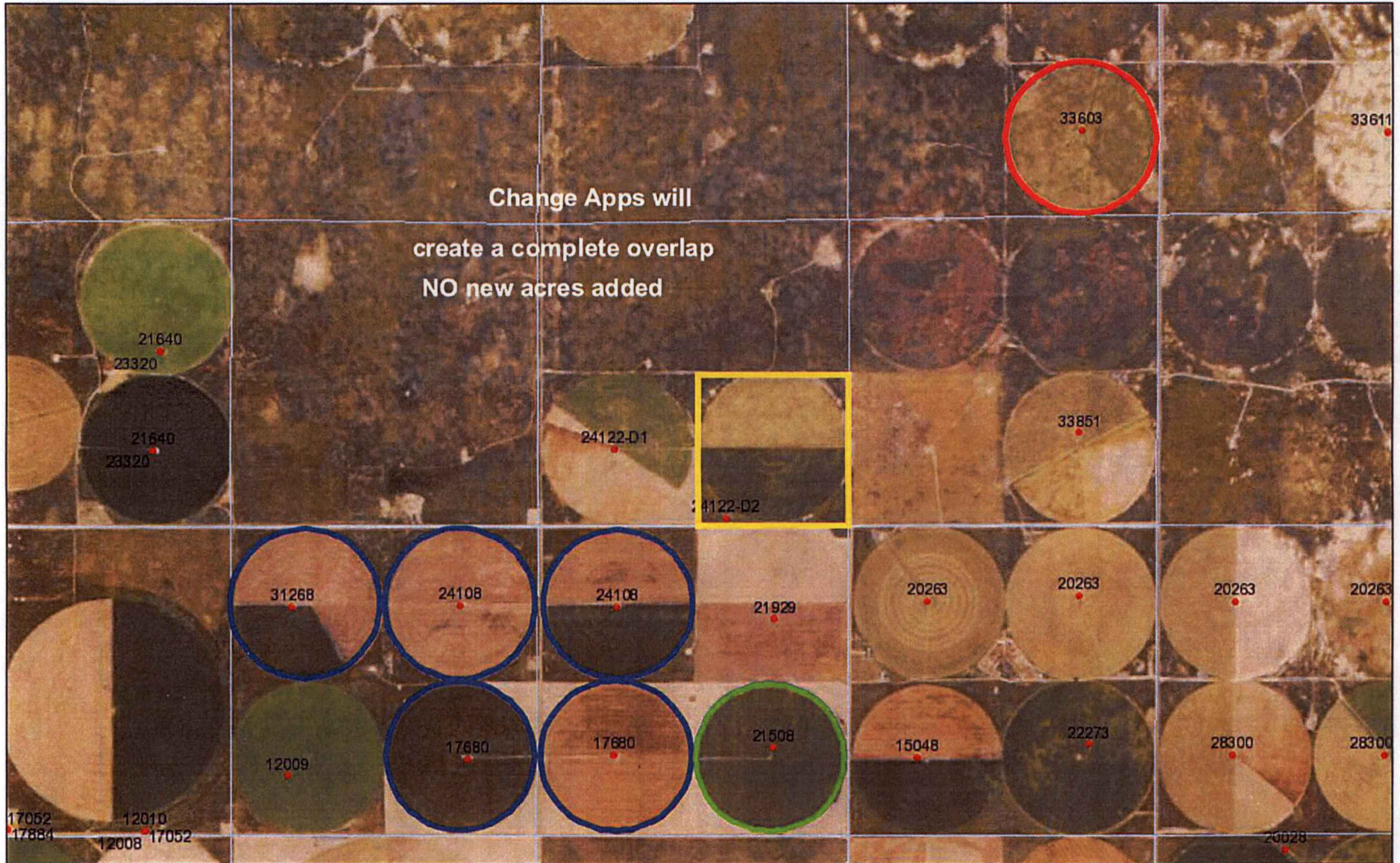
**All proposed acres are covered by at least one of the WRs and no new acres being proposed.**

Is a waiver needed: NO.

Recommendation: The proposal meets the criteria for all current area rules and is not bring in any acres not currently covered by a water right. Staff therefore recommends approval of the application.







May 20, 2019  
14:49 PM

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.

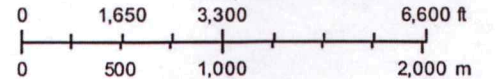
**Wells**

- ? Other
- IRR

- |   |     |   |     |   |     |   |          |
|---|-----|---|-----|---|-----|---|----------|
| + | CON | ■ | FPR | ▲ | MUN | ⚡ | THX      |
| ⊠ | DEW | ⊕ | HYD | ▬ | REC | ? | Empty    |
| • | DOM | ★ | IND | ⊗ | STK | □ | Sections |

RECEIVED  
 MAY 21 2019  
 Garden City Field Office  
 Division of Water Resources

1:36,112



## Meyer, Mike [KDA]

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**From:** Meyer, Mike [KDA]  
**Sent:** Monday, May 20, 2019 11:39 AM  
**To:** 'Norquest, Jason (Norquest@gmd3.org)'  
**Subject:** request for recommendation, File Nos. 17680, 21508, 24108, 24122-D2, 31268, & 33603  
**Attachments:** 20190520113059166.pdf

Good morning

Attached is a request for a recommendation on applications to change the place of use. these applications are proposing a complete overlap in land with no new acres.

Please provide a recommendation within 15 days

Thanks again

*Mike*



Garden City Field Office  
4532 W. Jones, Suite B  
Garden City, KS 67846



Phone: 620-276-2901  
Fax: 620-276-9315  
www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

May 20, 2019

SOUTHWEST KANSAS GROUNDWATER  
MANAGEMENT DISTRICT NO. 3  
409 CAMPUS DRIVE, SUITE 106  
GARDEN CITY KS 67846

Re: Water Right File Nos. 17680, 21508, 24108, 24122-D2, 31268, & 33603

Dear Mr. Norquest:

This is to advise you that J & L Smith Farms Inc, Bryan Smith, has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use for the above referenced files. These applications are proposing a complete overlap among all referenced water rights, with no new land.

We are delaying action on the change applications to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Michael A. Meyer  
Water Commissioner

MAM  
Enclosures