

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

1. File Number: 14287 D2	2. Status Change Date: <i>2-17-2020</i>	3. Change Num: C2	4. Field Office: 04	5. GMD: 03
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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: 2/14/20
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8a. Applicant(s) Landowner, WUC, applicant Person ID <u>34911</u> New to system <input type="checkbox"/> Add Seq# <u>1</u> CORWIN & MELODEE SMITH 1604 ROAD 45 LAKIN, KS 67860-6205	8c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____
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8b. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____	8d. WUC Person ID _____ New to system <input type="checkbox"/> Add Seq# _____
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9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/20** N & P Date to Comply: **12/31/21**

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: **2/14/20** By: **MAM**
Date Entered: _____ By: _____

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

February 17, 2020

CORWIN & MELODEE SMITH
1604 ROAD 45
LAKIN, KS 67860-6205

RE: Water Right, File No. 14287-D2

Dear Sir and Madam:

Enclosed is an order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

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

Since the order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

The abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

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, appearing to read "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM:
enclosures
pc: GMD3

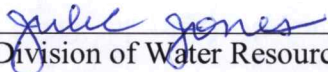
CERTIFICATE OF SERVICE

On this 17th day of February 2020, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 14,278-D2, dated 17th day of February 2020 was mailed postage prepaid, first class, US mail to the following:

CORWIN & MELODEE SMITH
1604 ROAD 45
LAKIN, KS 67860-6205

With photocopies to:

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. 14287 D2

RECEIVED
 11:00 Am
 FEB 14 2020
 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: CORWIN SMITH 1604 ROAD 45 LAKIN KS 67860 - 6205
 Phone Number: () _____ Email address: _____
 Name and address of Water Use Correspondent: CORWIN & MELODEE SMITH 1604 ROAD 45 LAKIN KS 67860 - 6205
 Phone Number: () _____ Email address: _____

3. The presently authorized place of use is:
 Owner of Land ---- NAME: _____
 ADDRESS: _____
 (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. 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: _____
 ADDRESS: _____
 (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				

For Office Use Only: Code _____ Fee \$ 100.00 TR # _____ Receipt Date 2-14-20 Check # 1239

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ NC Quarter of the _____ SW Quarter
 of Section _____ 8 _____, Township _____ 26 _____ South, Range _____ 36 _____ W,
 in KE _____ County, Kansas, _____ 1320 _____ feet North _____ 3960 _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 04 GPS 37.79798 feet North -101.28513 feet West) NAD27 *
 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 _____ SW Quarter of the _____ NE Quarter of the _____ SW Quarter
 of Section _____ 8 _____, Township _____ 26 _____ South, Range _____ 36 _____ W,
 in KE _____ County, Kansas, _____ 1404 _____ feet North _____ 3943 _____ 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 _____

* 1458' x 3991' W

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

7. The changes herein are desired for the following reasons?
 (please be specific) _____

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

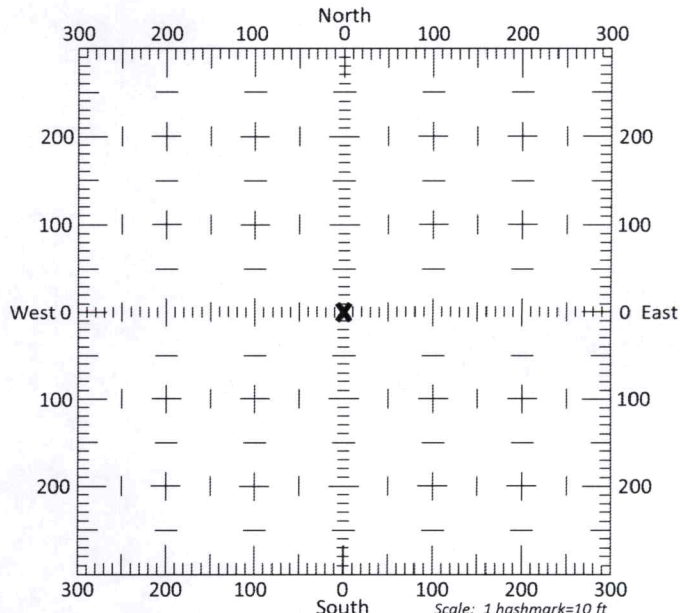
9. The change(s) (was)(will be) completed by?

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 _____



13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines

13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. **(PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)**

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
- (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Garden City, Kansas, this 14th day of February, 20 20.

<u>Corwin Smith</u> (Owner)	_____	(Spouse)
<u>Corwin Smith</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(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 14th day of February, 20 20.



Julie Jones
Notary Public

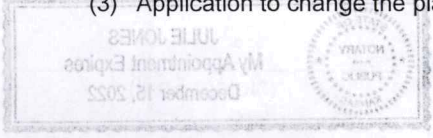
My Commission Expires _____

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



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. 14287-D2.

- 1. A change application was received on February 14, 2020 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
- 2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
- 3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 50 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
- 4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. Applicable Not Applicable
- 5. The point(s) of diversion authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion. Applicable Not Applicable
- 6. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable Not Applicable
- 7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2020**, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.
 Applicable Not Applicable
- 8. **Installation of the works for diversion of water shall be completed on or before December 31, 2020**, or within any authorized extension of time. By March 1, 2021 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.
 Applicable Not Applicable
- 9. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
- 10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
- 11. Additional Conditions are attached. Yes No
- 12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

Administrative Appeal and Effective Date of Order

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

For Use by Register of Deeds

FOR OFFICE USE ONLY
**APPLICATION APPROVED AND
SUMMARY ORDER ISSUED**

By: Michael A. Meyer
Duly Authorized Designee of the Chief Engineer

(Print Name): MICHAEL A. MEYER
Division of Water Resources - Kansas Department of Agriculture

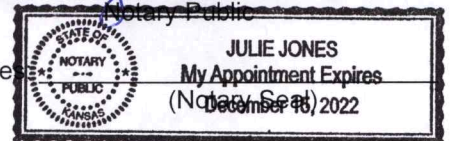
Date of Issuance: February 17, 2020

State of Kansas)
) SS

County of Atinney)

Acknowledged before me on February 17, 2020
by Michael A. Meyer

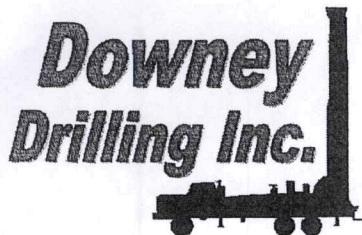
Signature: Julie Jones
Notary Public



My commission expires _____

WELL LOG

DATE: 2/7/2020



CUSTOMER NAME: CORWIN SMITH

LEGAL: SW 8-26S-36W

COUNTY: KEARNY COUNTY, KS

GPS: N 37.797851

TEST HOLE #1

W -101.285412

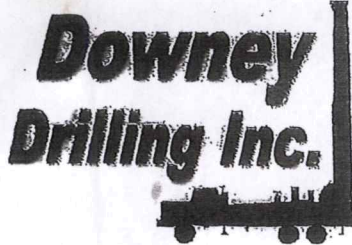
DRILLER: DALE GUINN

WO: 19-901

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	26	FINE SAND					SMOOTH
	26	35	SANDY CLAY AND FINE SAND MIXED					MIXED
	35	48	FINE-MEDIUM-COARSE SAND					LITTLE CHATTER AND SMOOTH
	48	76	FINE-MEDIUM-COARSE SAND AND SMALL-MEDIUM-LARGE GRAVEL					CHATTER AND ROUGH
	76	111	FINE-MEDIUM-COARSE SAND AND SMALL GRAVEL WITH A COUPLE OF CLAY STRINGERS					CHATTER AND ROUGH
	111	125	FINE-MEDIUM-COARSE SAND AND SMALL-MEDIUM-LARGE GRAVEL					CHATTER AND ROUGH
	125	144	CLAY		BROWN			SMOOTH
	144	156	FINE-MEDIUM-COARSE SAND AND SMALL-MEDIUM-LARGE GRAVEL					CHATTER
	156	180	SANDY CLAY		BROWN			SMOOTH
	180	200	FINE-MEDIUM-COARSE SAND AND SMALL-MEDIUM GRAVEL					CHATTER
	200	221	CLAY		BLUE			SMOOTH
	221	262	FINE-MEDIUM-COARSE SAND AND SMALL GRAVEL					CHATTER
	262	274	SANDY CLAY		TAN			SMOOTH
	274	292	FINE-MEDIUM SAND WITH SANDY CLAY MIXED		TAN			VIBRATION AND SMOOTH
	292	299	SANDY CLAY		TAN			SMOOTH
	299	316	FINE-MEDIUM SAND					VIBRATION
	316	348	FINE SAND AND CLAY MIXED - STICKY IN PLACES		TAN			SMOOTH
	348	358	CLAY - STICKY		TAN			SMOOTH
	358	375	SANDSTONE AND SOME SOAPSTONE					VIBRATION AND SMOOTH
	375	383	SANDSTONE WITH BROWN ROCK - LOST CIRCULATION AT 378, MIXED BRAN AND MUD					VIBRATION AND CHOPPY
	383	408	SOAPSTONE AND SANDSTONE		YELLOW GRAYISH BLUE			VIBRATION AND CHOPPY
	408	436	SHALE WITH A FEW SANDSTONE STRIPS	TIGHT				CHOPPY
	436	480	SANDSTONE	FAIRLY LOOSE				VIBRATION
	480	494	SANDSTONE	LITTLE TIGHT				VIBRATION AND A LITTLE CHOPPY
	494	535	SANDSTONE AND BROWN ROCK	FAIRLY LOOSE				VIBRATION
	535	550	SHALE AND SANDSTONE	HARD	BLUE			CHOPPY
	550	600	SHALE	HARD	BLUE			CHOPPY
			QUIK GEL - 58					
			BRAN - 3					
			HOLE PLUG - 2					
			CASING SEAL - 1					

WELL LOG

DATE: 2-7-20



CUSTOMER NAME: Corwin Smith

LEGAL: SW 8-26S-36W

COUNTY: Leary

GPS: N37.797851 W101.285412

Test # 1

DRILLER: Dale Guinn

WO: 19-901

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILL ACTION
	0	26	Fine Sand					Smooth
	26	35	Sandy Clay & Fine Sand Mixed					Smooth
	35	48	Fine Med Course Sand					Little Chatter Smooth
	48	76	Fine Med Course Sand Small Med Large Gravel					Chatter & Rough
	76	111	Fine Med Course Sand Small Gravel w/ Couple Clay	Stringers				Chatter & Smooth
	111	125	Fine Med Course Sand Small Med Large Gravel					Chatter & Rough
	125	144	Clay		Brown			Smooth
	144	156	Fine Med Course Sand Small Med Gravel					Chatter
	156	160	Sandy Clay		Brown			Smooth
	160	200	Fine Med Course sand Small Med Gravel					Chatter
	200	221	Clay		Blue			Smooth
	221	262	Fine Med Course Sand Small Gravel w/ Couple Clay layers					Chatter
	262	274	Sandy Clay		Tan			Smooth
	274	292	Fine Med Sand w/ Sandy Clay Mixed		Tan			Vibration & Smooth
	292	299	Sandy Clay		Tan			Smooth
	299	316	Fine Med Sand					Vibration
	316	348	Fine Sand & Clay Mixed - Sticky in Places -		Tan			Smooth
	348	358	Clay - Sticky -		Tan			Smooth
	358	375	Sandstone & Some Sargstone					Vibration & Smooth
	375	383	Sandstone - Last Circ. @ 378' Mixed Bran & Mud Loose w/ Brown Rock					Vibration & Choppy
	383	408	Sargstone & Sandstone		Yellow			Vibration & Choppy
	408	436	Shale w/ Few Sandstone strips	Tight	Grayish Blue			Choppy
	436	480	Sandstone	Fairly Loose				Vibration
	480	494	Sandstone	Little Tight				Vibration & Little Choppy
	494	535	Sandstone w/ Brown Rock	Fairly Loose				Vibration
	535	550	Shale & Sandstone	Hard	Blue			Choppy
	550	600	Shale	Hard	Blue			Choppy
			Quick Gel - 58					
			Bran - 3					
			Hole Plug - 2					
			Casing Seal - 1					