NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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 KANSASCES

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.

JUN 2 5 2020

KS DEPT OF AGRICULTURE

Paragraph Nos. 1, 2, 3 & 5 must be completed.	Complete all other applicable portions.	If change in point of diversion is greater
han 100 feet, or if place of use will be changed, inc		
of diversion and/or place of use.		
		RECEIVED

																			00 Am	
						F	File No	٠ ـــــــــــ		202	210						ال	UN 2	2 2020	
1. A	pplicati	on is he	ereby n	nade f	or app		of the C		nginee	-		the (ch		ne or b	oth):	1	Gar DIVISIO	den City N OF WA	Field Office TER RESOURCE	
u	nder the	e water	riaht v	vhich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with t	the cor	ndition	s desc	ribed l	oelow.			
	he sour						Ground					ce wat								
	lame ar																			
P	hone N	umber:	(62	93	253	838	14		Email	addre	ss:	cli	rep.	ealt	@y	Khoo	. cal	2		
	lame ar																			
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	hone N								Email	addre					,					
3. T	he pres	ently a	uthoriz	ed pla	ce of ι	ise is:		0.4	Ta	2	1	Su den	, <	Smi	44	Rev	TM	54	KuIt	
C	wner o	f Land -	N/	AME:		Martir	Smith	(D. D.	- /Ku	NO O	7050) pen	TOD		RE	5-1L	K	VT	v. st	
/1	f thana in		ADDRI										/ CAC.	,-0 2	or are	11/1	76	. 1	(42)	
(1		there is more than one landowner, attach supplemental sheets as neces																		
					Ξ¼ 	T		NV		054	NE44	Ι	V¼	051/	NET		E1/4	051/	TOTAL ACRES	
Sec.	Twp.	Range	NE1⁄4	NW¼	SW¼	SE¼	NE1/4	NW¼	SW¼	SE¼	NE¼	NW¼	SW1/4	SE¼	NE¼ 40	NW¼ 40	SW1/4 40	SE1/4 40	160	
12	32S	43W	40	40	40	40					И				40	40	40	40	320	
13	32S	43W	40	40	40	40									40	40	40	40	320	
										<u></u>	l				L		<u></u>			
4. If	this ap	plicatio	n is for	a cha	nge in	place	of use	it is p	ropose	ed that	the pl	ace of	use be	chan	ged to	:				
C	wner o	f Land -	NA	AME:	Martin	Smith									•					
			ADDRI	ESS:	625 S	BLVD	. Richf	eld, K	S 6795	53										
(1	f there is	more th	an one	landov	vner, at	tach su	ippleme	ental sh	eets as	neces	sary.)				T			— т		
			7	NE	=1/4			NV	V1/4	r		SV	V1/4			SE	Ξ¼ Τ		TOTAL ACRES	
Sec.	Twp.	Range	NE¼	NW¼	SW1/4	SE¼	NE1/4	NW¼	SW¼	SE¼	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE¼		
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F	or Offic	ce Use	Only:	Code		Fe	e \$	100.0	<u>○</u> TR	#		Re	ceipt	Date _	6-22	l-ao	Chec	k#_3	318	
	F.C). 4, G	MD :	3, 5-5	-1 Y.	Use	IRR,	Sour	ce G	. Cou	inty N	/IT B	y BM	M, 6-	-25-20	0				

6/29/2020 LMoody

	Presently authorized point of diversion:			•
	One in the Quarter of the	Quarte	er of the	Quarter
	of Section, Township	South	, Range	W,
	in County, Kansas, fee	North f	eet West of Southe	ast corner of section.
	Authorized Rate Authorized Quantity	Depth of	f well	(feet)
	(DWR use only: Computer ID No GPS	feet No	orth	_feet West)
	☐This point will not be changed ☐This point will be changed as	ollows: 🔲 No change,	point better describe	d with GPS as follows:
	Proposed point of diversion: (Complete only if change is	equested or if exist	ing point is better	described by GPS)
	One in theQuarter of the	Quarte	er of the	Quarter
- 1	of Section Township	South	, Range	vv,
	in County Kansas fee	North f	eet West of Souther	ast corner of section.
	Proposed Rate Proposed Quantity	Propose	ed well depth (feet) _	·
	This point is: Additional Well Geo Center List other	vater rights that will u	se this point	·
_				
6. F	Presently authorized point of diversion:			
٠.	One in the Quarter of the	Quart	er of the	Quarter
	of Cootion Township	South	Range	(⊢/VV),
	in County Kansas fe	North 1	feet West of Southe	ast corner of section.
	Authorized Rate Authorized Quantity	Depth o	nweii	(leet)
	(DWR use only: Computer ID No. GPS	teet No	orth <u> </u>	_ teet west)
- 1	☐ This point will not be changed ☐ This point will be changed as	ollows: No change,	point better describe	d with GPS as follows:
	Proposed point of diversion: (Complete only if change is	equested or if exis	ting point is better	described by GPS)
	One in the Quarter of the	Quart	er of the	Quarter
	of Section, Township	South	Range	(E/W),
	in fe	North	feet West of Southe	
	Proposed Rate Proposed Quantity	Proposi	ed well denth (feet)	
	Proposed Rate Proposed Quantity	votor rights that will i	use this point	
L	This point is: ☐ Additional Well ☐ Geo Center List other	valer rights that will t	35C till3 politi	7
7.	The changes herein are desired for the following reasons?			
٠.	The changes herein are desired for the following reasons? (please be specific)		North	200 200
	over 10 p	300 200) 200 300
		E ' _ '	'	. '
0	If a well, is the test hole log attached? Yes No	Ē.,.	<u>E</u>	
8.	If a well, is the test hole log attached? res res	200 - +	+ = +	- 十
9.	The change(s) (was)(will be) completed by?	E –	_ = -	· – 🚽
Ο.	The plants of the plants	100 = +	+ , = , +	- + = 100
	109		+ = +	' ' <u> </u>
10	If the point of diversion is a well:	F -	_	1 7
10.	(a) What are you going to do with the old well?	West 0 [111]		।।।।।।।।।।।।।।मर्मु 0 East
	(a) What are you going to do with the old well:	E _	_ = -	= = = = = = = = = = = = = = = = = =
		E	- - - + 1 - + 1 + 1	1 1 1 1 100
	(b) When will this be done?	100 - +	+ 1 = 1 +	- 1 + 1 = 100
	(b) When will this be done:	F -	_ = -	. – 🖠
	Occupation Management District recommendation attached?	200 = 1 + 1	- - + 1 - 1 +	- + = 200
11.	Groundwater Management District recommendation attached? Yes No		-	7
	Lifes Mino	E . T .	_ <u>=</u> 	
12.	Assisted by GCFO_SZ	51111111111111111111111111111111111111	100 0 10	0 200 300
		300 200	South	Scale: 1 hashmark=10 ft
138	a. If the proposed point of diversion will be relocated <u>more than 300</u> feet but within 2,640 feet of the existing point of diversion, attach	13b If the proposed po	oint of diversion will b	e relocated within 300 fe
	a tanagraphic man or aerial photograph For drollingwater			
	sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing	diversion (PLF)	ASE NOTE: The ".	to the existing point X" in center of diagram
	addresses of the owners - For SUITACE WATER SOUICES, SHOW IN	above represe	ntsetnee presently	authorized point
	names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property	diversion.)	RECEIVED	7.6
	downstream and one-half mile upstream from your property			

JUN 2 5 2020

lines

WATER RESOURCES
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 2 5 2020 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 LTURE 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
Dated at, Kansas, this day of, 20
Man T. Nett trustee
Maxim T Smith (Owner) (Spouse)
(Please Print) (Please Print)
Jerus Prul trustee
(Owner) (Spouse)
Teresa B. Smith
Rum (Please Print) trustee
(Spouse)
(Please Print) (Please Print)
State of Kansas SS
County of <u>Morton</u>
I hereby certify that the foregoing application was signed in my presence and sworn to before me this 13 day of
VICKIE COEN My Appointment Expires August 21, 2022 Notary Public
My Commission Expires 8/21/2022
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

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro\ With	nsions of the <i>Kansas Water Appropriation Law, K.S.A. oza-r</i> of the exception of those conditions expressly contained herein, ations of File No	Bb, as amended, and K.A.R. 5-5-1, <i>et seq.</i> and other applicabe 701 et. seq., and rules and regulations promulgated thereunde, this Summary Order does not change the terms, conditions an	nd
	A change application was received on diversion authorized under the above-referenced file number	requesting that the place of use and / or point er be changed as described in the application.	of
	On and after the effective date of this summary order, the auth the topographic map accompanying the application to chan	norized place(s) of use shall be located substantially as shown onge the place of use. Applicable Not Applicable	on
	previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion. Applicable	ts and shall be limited to the same source or sources of water y this summary order shall be located within a for e	<i>.</i>
	Positioning System (GPS), as described in the application.	ly corrected to be more accurately described using the Glob ☐ Applicable ☐ Not Applicable	
	authorized point(s) of diversion.	be located more than feet from the previous of Applicable	
	or other device suitable for making water level measurement K.A.R. 5-6-13. Applicable Not Applicable	rell with a diversion rate of 100 gallons per minute or more, a tu nts shall be installed, operated and maintained in accordance w	1011
	operated and maintained in accordance with K.A.R. 5-1-4 t K.A.R. 5-3-5e, the owner shall maintain records and report diverted annually to the Chief Engineer by March 1 followir Applicable		nd ter
	authorized extension of time. By March 1; 20 the aworks for diversion has been completed, on the form provious Applicable Not Applicable	completed on or before December 31, 20, or within a applicant shall notify the Chief Engineer that construction of t ded by the Chief Engineer, as required by K.A.R. 5-8-4e.	ny he
9.	The completed well log shall be submitted with the requi	ired notice. Applicable Not Applicable	
10.		oreign substance will be injected into the water shall be equipp ble of preventing pollution of the source of the water supply. T in accordance with K.A.R. 5-3-5c. Applicable Not Applica	
11.	Additional Conditions are attached. Yes No		
12.	water appropriated under the above-referenced life fidure limitations, as amended and/or supplemented by this Surf	.R. 5-5-14, all of the owners of the authorized place(s) of use per are responsible for compliance with its terms, conditions a nmary Order, and with applicable provisions of the <i>Kansas Wa</i> ilgated thereunder. Failure to comply with these provisions materials and/or the suspension or revocation and dismissal of the suspension or revocation.	<i>iter</i>
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY APPLICATION APPROVED AND	
If y	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, I may request an evidentiary hearing before the Chief	SUMMARY ORDER ISSUED	
Én	gineer or request administrative review by the Secretary of	Rv.	
file	riculture. A request for hearing by the Chief Engineer must be d within 15 days of service of this Order and a request for	By: Duly Authorized Designee of the Chief Engineer	
adı	ministrative review by the Secretary must be filed within 30	(Print Name):	_
rov	iew must state a basis for review pursuant to K.S.A. 77-527. e any request with Kansas Department of Agriculture,		
Le	gal Division, 1320 Research Park Drive, Mannattan, KS	Date of Issuance:	_
66	502. Failure to timely request a hearing or review may eclude review under the Kansas Judicial Review Act.	State of Kansas)) SS	
_	For Use by Register of Deeds	County of)	
		Acknowledged before me on	
	WATER RESOURCES RECEIVED	by	-•
	JUN 2 5 2020	Signature:Notary Public	
	KS DEPT OF AGRICULTURE	My commission expires:(Notary Seal)	_

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

FILE NO. 20210

MAKE ADDITIONAL COPIES AS NECESSARY

WATER RESOURCES RECEIVED

JUN 2 5 2020

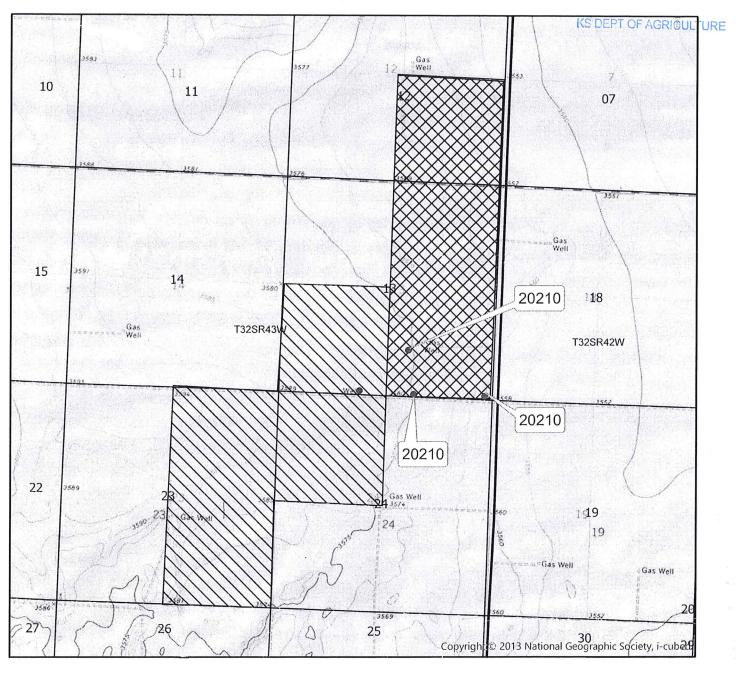
Con	tinued:	If this	applic	ation is	s for a	chang	e in pla	ace of	use, it	is prop	oosed	that th	e plac	e of us	e be c	(S DEF hange	ot o:	AGRICULTURE
wner of	Land -	NA ADDRI	ME: :	JOHN 63	B SMI 0 S BL	TH JR .VD RI	& HO CHFIE	WARD LD, K	C SM S 6795	11TH A 53	ttn: LC	GAN S	SMITH	<u> </u>				
			NE	=1/4		NW¼			NW1/4 SW1/4 SE1/4									TOTAL
Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	ACRES
32S	43W									40	40	40	40					160
	wner of	wner of Land - / Twp. Range	wner of Land NA ADDRI Twp. Range NE1/4	wner of Land NAME: ADDRESS: NETWELL Range NE% NW%	wner of Land NAME: JOHN ADDRESS: 63 NE¼ Twp. Range NE½ NW½ SW½	wner of Land NAME: <u>JOHN B SMI</u> ADDRESS: <u>630 S BL</u> NE¼ Twp. Range NE½ NW½ SW½ SE½	wner of Land NAME: <u>JOHN B SMITH JR</u> ADDRESS: <u>630 S BLVD RI</u> NE¼ Twp. Range NE½ NW½ SW½ SE½ NE½	wner of Land NAME: <u>JOHN B SMITH JR & HO</u> ADDRESS: <u>630 S BLVD RICHFIE</u> NE½ NV Twp. Range NE½ NW½ SW½ SE½ NE½ NW½	wner of Land NAME: ADDRESS: JOHN B SMITH JR & HOWARD AND AND AND AND AND AND AND AND AND AN	wner of Land NAME: <u>JOHN B SMITH JR & HOWARD C SM</u> ADDRESS: <u>630 S BLVD RICHFIELD, KS 6795</u> NE½ NW½ Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½	wner of Land NAME: <u>JOHN B SMITH JR & HOWARD C SMITH A</u> ADDRESS: 630 S BLVD RICHFIELD, KS 67953 NE¼ NW¼ Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ 100 A00 A00 A00 A00 A00 A00 A00 A00 A00	wner of Land NAME: <u>JOHN B SMITH JR & HOWARD C SMITH Attn: LC ADDRESS:</u> NE½ NW½ SW½ SE½ NE½ NW½ SE½ NE½ NE½ NW½ SE½ NE½ NW½ SE½ NE½ NE½ NE½ NE½ NE½ NE½ NE½ NE½ NE½ N	wner of Land NAME: <u>JOHN B SMITH JR & HOWARD C SMITH Attn: LOGAN S 630 S BLVD RICHFIELD, KS 67953</u> NE¼ NW¼ SW¼ SE½ NE½ NW½ SW½ SW½ SE½ NE½ NW½ SW½ SW½ SE½ NE½ NW½ SW½ SE½ NW½ S	wner of Land NAME: <u>JOHN B SMITH JR & HOWARD C SMITH Attn: LOGAN SMITH ADDRESS:</u> NE½ NW½ SW½ SE½ NE½ NW½ SE½ NE½ NW½ SW½ SE½ NE½ NW½ NW½ SW½ SE½ NE½ NW½ NW½ SW½ NE½ NW½ N	wner of Land NAME: JOHN B SMITH JR & HOWARD C SMITH Attn: LOGAN SMITH ADDRESS: 630 S BLVD RICHFIELD, KS 67953 NE½ NW½ SW½ SE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NE½ Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NE½	Continued: If this application is for a change in place of use, it is proposed that the place of use be converged by the continued: If this application is for a change in place of use, it is proposed that the place of use be converged by the co	Continued: If this application is for a change in place of use, it is proposed that the place of use be change where of Land NAME: JOHN B SMITH JR & HOWARD C SMITH Attn: LOGAN SMITH ADDRESS: 630 S BLVD RICHFIELD, KS 67953 NE½ NW½ SW½ SE½ Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW½ SW½ SW½ SW½ SW½ SW½ SW½ SW½ SW	Continued: If this application is for a change in place of use, it is proposed that the place of use be changed to: where of Land NAME: ADDRESS: JOHN B SMITH JR & HOWARD C SMITH Attn: LOGAN SMITH

HOWARD C SMITH NAME: Owner of Land ----ADDRESS: PO BOX 429 ELKHART, KS 67950

				NE	1/4			NV	V1/4		SW¼					SE	TOTAL		
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	ACRES
23	32S	43W	40	40	40	40									40	40	40	40	320
24	32S	43W					40	40	40	40									160
																	-		

CHANGE IN PLACE OF USE WATER RIGHT, FILE NO. 20210

JUN 2 5 2020



Township 32 South Range 43 West MORTON County

0 0.28 0.55 1.1 Miles

Authorized Place of Use



Proposed Place of Use

All wells of any kind within 1/2 mile of the requested place of use have been plotted.



(Signature)

Created by: SZ/GCFO

Kansas Department of Agriculture / Division of Water Resources <u>Garden City</u> Field Office

TO: HEADQUARTERS attn richelle krueger
RE
File No(s). 20210 & 28200 County st
Enclosed are the following checked items:
☐ A FIR ☐ Full ☐ Partial Inspection ☐ Return to Field Office ☐ Proposed Certificate to deliver to Certificate Unit
☐ A Compliance Check Inspection on Meter Install ☐ New App ☐ Chg App ☐ Other In Compliance ☐ Not in Compliance, why Modify Point of Diversion ☐ No ☐ Yes, document attached Indicate all overlapping p/d files
 ☐ An application and judgment sheet with recommendation. ☐ A memorandum dated
A request for an extension of time to perfect or complete. A verified report.
A closure request.
A field investigation report.
Notice of Non-Compliance
An ownership change (name(s) and address(es) below).
A water use report for
A letter dated
☐ A copy of an Approval to Change the ☐ place of use and/or ☐ point of diversion, ☐ Filing Fee attached.
An Advanced <u>copy</u> of a change application and the filing fee, to be processed at the field office.
An original field office change <u>application</u> and the filing fee needing headquarters office review and further processing.
Other: file no. 28200 is an unofficual KAR 5-5-11 current rotation with limiting acres
condition, therefore, current proposal needs reivewed to now meet KAR 5-5-11
Malal 1. 16 6-22-2020
Water Commissioner Date

1320 Research Park Drive Manhattan, KS 66502 785-564-6700 www. agriculture.ks.gov



900 SW Jackson, Room 456 Topeka, KS 66612 785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

June 30, 2020

MARTIN SMITH 625 S BLVD RICHFIELD KS 67953

RE: File No(s). 20210

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) to change the place of use, point of diversion or use made of water for the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation(s) Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at <u>agriculture.ks.gov/divisions-programs/dwr</u>. If you have any other questions, please contact our office at 785-564-6640 or your local Garden City Field Office at 620-276-2901. If you call, please reference the file number so we can help you more efficiently.

Richelle a. Krueger

Richelle Krueger Change Unit Lead

Water Appropriation Program