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 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. 8:00 Am JUN 22 2020 File No. _____ 28200 Garden City Field Office DIVISION OF WATER RESOURCES Application is hereby made for approval of the Chief Engineer to change the (check one or both): Point of Diversion under the water right which is the subject of this application in accordance with the conditions described below. WATER RESOURCES Surface water □ Groundwater The source of supply is: JUN 2 5 2020 Name and address of Applicant: HOWARD C SMITH PO BOX 429 ELKHART, KS 67950 Phone Number: () Email address: _____ Name and address of Water Use Correspondent: JOHN B SMITH JR & HOWARD C SMITH Attn: LOGAN SMITH 630 S BLVD RICHFIELD, KS 67953 Phone Number: () Email address: The presently authorized place of use is: Owner of Land ---- NAME: See supplemental ADDRESS: _ (If there is more than one landowner, attach supplemental sheets as necessary.) TOTAL SW1/4 NE¼ NW¼ SW¼ SE¼ Sec. Twp. Range NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE¼ NW¼ SW¼ 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: See supplemental ADDRESS: (If there is more than one landowner, attach supplemental sheets as necessary.) TOTAL SW1/4 ACRES NE1/4 NW1/4 SW1/4 SE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE¼ NW¼ SW¼ SE¼ NE¼ Sec. Twp. Range

F.O. 4, GMD 3, 5-5-1 Y, Use IRR, Source G, County MT, By BMM, 6-25-20

6/29/2020 LMoody

File No. _____28200

For Office Use Only: Code _____ Fee \$ 2000 TR # ____ Receipt Date ____ Check # 33 [8]

	Presently authorized po					
	One in the	Quarter of the		Quarter of the _		Quarter
	of Section	, Township		South, Range _		W,
	in	County, Kansas,	feet North	feet West	of Southeast co	rner of section.
		Authorized Quantity				
	(DWR use only: Compu	ter ID No GPS		feet North	feet	West)
	This point will not be char	nged This point will be changed	as follows:	No change, point bett	er described with	GPS as follows:
	Proposed point of divers	sion: (Complete only if change	is requested	or if existing point	t is better desci	ribed by GPS)
		Quarter of the				
	of Section	, Township		South, Range		W,
	in	County, Kansas,	feet North	feet West	of Southeast co	rner of section.
	Proposed Pate	Proposed Quantity		Proposed well de	oth (feet)	
	This point is: Addition	al Well Geo Center List ott	er water rights	that will use this po	oint	
L	This point is. Additions	al Well Goo Genter Elst ox	ior water right	that will also this pe		
. г	Presently authorized po	int of diversion:				
6.		Quarter of the		Quarter of the		Quarter
	One in the	, Township		South Pange		(E/\\\)
	of Section	, rownship	fact North	foot West	of Southoast co	rner of section
	in	County, Kansas,	reet North	Death Swell	or Southeast co	(foot)
	Authorized Rate	Authorized Quantity		Depth of Well	foot	(leet)
	(DWR use only: Compu	ter ID No GPS		teet North	1eet	CDS as follows:
	☐ This point will not be char	nged This point will be changed	l as follows: 📋	No change, point bette	er described with	without by CDS)
	Proposed point of diver	sion: (Complete only if change	e is requested	or if existing poin	t is better desci	Cuarter
	One in the	Quarter of the		Quarter of the		Quarter
	of Section	, Township		South, Range	10 11 1	(E/W),
	in	County, Kansas,	feet North	feet West	of Southeast co	mer of section.
		Proposed Quantity				
	This point is: Addition	al Well Geo Center List oth	ner water rights	s that will use this po	oint	
			_			
7.	The changes herein are	desired for the following reasons	?			
	(please be specific)		300	200 100	orth 0 100 2	200 300
			E	հայլահայլահա	' ' ''''''	7''''
			F		<u> </u>	- 1
8.	If a well, is the test hole log	g attached? Yes No	200	1+1+1	= + -	<u>+ 1 − 200</u>
•	TI	a) as manufacted by O	E		Ē	
9.	The change(s) (was)(will b	e) completed by?	E		Ξ	, , 🖠
			100	1 + 1 + 1	= + -	+ = 100
40	16 th a second of all considers in a	all	E		<u> </u>	
10.	If the point of diversion is a		Wast	յուսիավուդ <u>իա</u> յու		Illilli
	(a) What are you going to	do with the old well?	Westo	anahanan hara	Ξ	Eur
			E		·	- 3
			100 =	 + + - + +	= 1 + 1 -	┼ │ ─ 100
	(b) When will this be done	?	E		<u> </u>	_ =
			E		Ĭ.,.,	
11.		District recommendation attached	? 200 =	1+1+1	_ + -	+ 1 = 200
	☐ Yes ⊠] No	Ę.		= -	
			Ē.u	<u>.tltlt</u>	<u>,‡,,,,1,,,,1,,,,1,,,</u>	قسلسلة
12.	Assisted by GCFO SZ		300	200 100	0 100 2	200 300 ashmark=10 ft
13a	. If the proposed point of dive	ersion will be relocated more than 3	000			
	feet but within 2.640 feet of	f the existing point of diversion, atta	ich 13b. If the p	roposed point of dive existing point of div	rsion will be reloc	ated <u>within 300 feet</u> its location on the
	a topographic map or as	erial photograph. For groundwa cluding domestic) within one-half m	nile diagra	m shown above in	relation to the	existing point of
				IN TAGE NOT	E. The "V" in	center of diagram
	of the proposed point of a	liversion and the names and mail	ing diversi	on. (PLEASE NOT	proceptly such	porized point of
	of the proposed point of d	liversion and the names and maili For surface water sources, show to of the landowner(s) one-half m	the above	represents the	presently auth	orized point of

JUN 2 5 2020

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 at ☐ Yes ☑ No (If no, all owners must sign this ap 	uthorized place(s) of use identified in this application? plication.)
affected if this application is approved as requested? ☐ Yes No (If yes, all owners must sign this a	
(c) If this application is not approved expeditiously, will there be s ☐ Yes ☑ No (If no, all owners must sign this ap	substantial damage to property, public health or safety? plication.)
If the application proposes a surface water change in point of diversion or a change in place of use, the application must be signed by all own agent (attach notarized statement authorizing representation).	n, a groundwater change in point of diversion greater than 300 feet, ers of the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affi age and the owner, the spouse of the owner, or a duly auth their behalf, in regards to the water right(s) to which this a	orized agent of the owner(s) to make this application on
contained in this application are true, correct and complete	" 121 Way 20
Dated at, Kansas, the	nis
John 6 Smith Ja Un	ger Slinle m. Smith (Spouse)
John B Smith Jr	Smiley m Smith
(Please Print)	(Please Print)
Howard Smuch	(Spouse)
HOWARD C. SMITH	Janis 2 Smith
(Please Print)	(Please Print)
(Owner)	(Spouse)
Jaris R Smith	
(Please Print)	(Please Print)
State of Kansas) SS County of Morton	
I hereby certify that the foregoing application was signed i	n my presence and sworn to before me this 13 day
of Way , 20 20 VICKIE COE	N A
My Appointment	Expires Notary Public
My Commission Expires 8/21/2022 August 21, 20	
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	, all of the applicable portions of the application form must be completed with ne appropriate owners' must be affixed to the application and notarized; and
FEE SCHI	
Each application to change the place of use or the point of diversion use forth in the schedule below: Make checks payable to: Kansas Department	rtment of Agriculture
(1) Application to change a point of diversion 300 feet or less	\$100 feet \$200
(3) Application to change the place of use	\$200
	WATER RESOURCES RECEIVED
	JUN 2 5 2020

KS DEPT OF AGRICULTURE

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

prov With	risions of the Kansas Water Appropriation Law, K.S.A. 82a	08b, as amended, and K.A.R. 5-5-1, <i>et seq.</i> and other applicable -701 et. seq., and rules and regulations promulgated thereunder, n, this Summary Order does not change the terms, conditions and
1.	A change application was received on	requesting that the place of use and / or point of ber be changed as described in the application.
2.	On and after the effective date of this summary order, the authe topographic map accompanying the application to cha	thorized place(s) of use shall be located substantially as shown on ange the place of use. Applicable Not Applicable
3.	The change in point of diversion shall not impair existing rig previously authorized. The point of diversion authorized radius of the authorized point(s) of diversion. Applicate	hts and shall be limited to the same source or sources of water as by this summary order shall be located within a foot ble ☐ Not Applicable
4.	The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application	ely corrected to be more accurately described using the Global n. \square Applicable \square Not Applicable
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. Applicable	be located more than feet from the previously lot Applicable
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a vor other device suitable for making water level measuremed K.A.R. 5-6-13. Applicable Not Applicable	well with a diversion rate of 100 gallons per minute or more, a tube ents shall be installed, operated and maintained in accordance with
7.	December 31, 20 , or before the first use of water	operly install an acceptable water flow meter on or before, whichever occurs first. The water flow meter shall be installed, through 5-1-12. As required by K.S.A. 82a-732, as amended, and it the reading of the water flow meter and the total quantity of water ring the end of each calendar year.
8.	authorized extension of time By March 1 20 the	e completed on or before December 31, 20 , or within any applicant shall notify the Chief Engineer that construction of the vided by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the requ	ired notice.
10.	with an in-line automatic quick-closing check valve capa	foreign substance will be injected into the water shall be equipped able of preventing pollution of the source of the water supply. The I in accordance with K.A.R. 5-3-5c. \square Applicable \square Not Applicable
11.	Additional Conditions are attached. Yes No	
12.	water appropriated under the above-referenced file num limitations, as amended and/or supplemented by this Sur Appropriation Law and the Rules and Regulations from	A.R. 5-5-14, all of the owners of the authorized place(s) of use of ber are responsible for compliance with its terms, conditions and mmary Order, and with applicable provisions of the <i>Kansas Water</i> ulgated thereunder. Failure to comply with these provisions may mended, and/or the suspension or revocation and dismissal of the ions authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
If vo	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,	APPLICATION APPROVED AND
vou	may request an evidentiary hearing before the Chief inner or request administrative review by the Secretary of	SUMMARY ORDER ISSUED
Agr	iculture. A request for hearing by the Chief Engineer must be within 15 days of service of this Order and a request for	By: Duly Authorized Designee of the Chief Engineer
adn	ninistrative review by the Secretary must be filed within 30	
day	s pursuant to K.S.A. 77-531. Any request for administrative ew must state a basis for review pursuant to K.S.A. 77-527.	(Print Name): Division of Water Resources - Kansas Department of Agriculture
File	any request with Kansas Department of Agriculture, al Division, 1320 Research Park Drive, Manhattan, KS	Date of Issuance:
665	02. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	State of Kansas)
	For Use by Register of Deeds	County of) SS
		Acknowledged before me on
		by
	WATER RESOURCES RECEIVED	Signature:Notary Public
	JUN 2 5 2020	Notary Public
		My commission expires:(Notary Seal)
	KS DEPT OF AGRICULTURE	(Notary Seal)

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

FILE NO. 28200

MAKE ADDITIONAL COPIES AS NECESSARY

Continued: The presently a	authorized	place	ot u	se	IS:
--	------------	-------	------	----	-----

Owner of Land ---- NAME:

HOWARD C SMITH

ADDRESS: PO BOX 429 ELKHART, KS 67950

				NE	=1/4			NV	V1/4			SV	V ¹ / ₄			SE	1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE¼	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

Owner of Land ---- NAME: JOHN B SMITH JR & HOWARD C SMITH Attn: LOGAN SMITH

ADDRESS: 630 S BLVD RICHFIELD, KS 67953

			1	NE	=1/4			NV	V1/4		SW¼			SE	1/4		TOTAL		
Sec.	Twp.	Range	NE%	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
13	32S	43W	101				2				40	40	40	40					160

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: HOWARD C SMITH

ADDRESS: PO BOX 429 ELKHART, KS 67950

				NE	Ξ1/4			NW¼ SW¼ SE½							TOTAL				
Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW¼	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE¼	ACRES
23	32S	43W	40	40	40	40									40	40	40	40	320
24	32S	43W					40	40	40	40									160

Owner of Land ---- NAME: JOHN B SMITH JR & HOWARD C SMITH Attn: LOGAN SMITH

ADDRESS: 630 S BLVD RICHFIELD, KS 67953

				NE	Ξ1/4			NV	V1/4			SV	V1⁄4			SE	1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW¼	SW¼	SE¼	ACRES
13	32S	43W									40	40	40	40					160
_				21.00															
			1 0				İ	n											

Owner of Land ---- NAME: Martin Smith

ADDRESS: 625 S BLVD. Richfield, KS 67953

				NE	Ξ1/4		NW¼				SV	V1/4			SE		TOTAL		
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
12	32S	43W													40	40	40	40	160
13	32S	43W	40	40	40	40									40	40	40	40	320

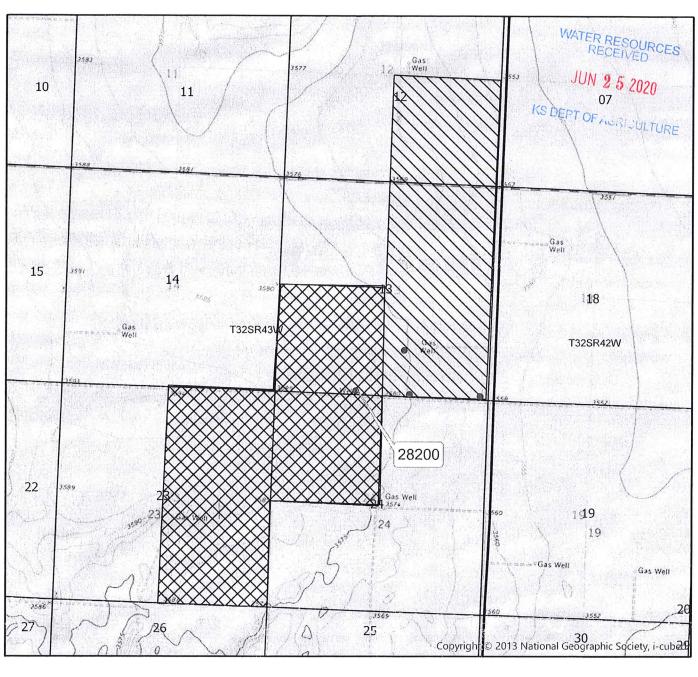
WATER RESOURCES RECEIVED

JUN 2 5 2020

KS DEPT OF AGRICULTURE

File No	28200

CHANGE IN PLACE OF USE WATER RIGHT, FILE NO. 28200





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.



Created by: SZ/GCFO

Kansas Department of Agriculture / Division of Water Resources Garden City 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 copy of a change application and the filing fee, to be processed at the field office.
\boxtimes 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
Mulul St. 10 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

HOWARD C SMITH PO BOX 429 ELKHART KS 67950

RE: File No(s). 28200

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.

Sincerely.

Richelle Krueger Change Unit Lead

Water Appropriation Program

Richelle a. Krueger