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.

NOV 2 8 2022 2:13

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

APPLICATION FOR APPROVAL TO DEPTOFAGRICULT
CHANGE THE PLACE OF USE, THE
POINT OF DIVERSION OR THE USE
MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT
St



Filing Fee Must Accompany the Application (Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat

	showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.
1.	Application is hereby made for approval of the Chief Engineer to change the Place of Use (Check one or more) Point of Diversion Use Made of Water
	File No. 10 771
2.	Name of applicant: 5 mith Land Config.
	Address: 695 Kansus 27
	City, State and Zip: 56 aven Springs KS 67758
	Phone Number: (620) 376-8258(ell) E-mail address: rag, smith osmith landis cour
	What is your relationship to the water right; ★ owner □ tenant □ agent □ other? If other, please explain.
	Name of water use correspondent: Smith Land Co, Inc.
	Address: 5ame
	City, State and Zip: Same
	Phone Number: (785) 852-4653 (work) E-mail address: vay, smith@smithlanding.com
3.	The change(s) proposed herein are desired for the following reasons (please be specific):
-	Fo Fucrace water efficiency and provide backup wells in case of
	break downs

For Office Use Only: F.O. 4 GMD 1 Meets K.A.R. 5-5-1 (YES / NO) Use Code Fee \$ 200 TR #	IRR	_Source G/S County Receipt Date _	GL (2 <u>8</u> 22	By ALB Dat	e 11/30/22
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May

12/7/2022 LMoody

2023

(Date)

The change(s) (was) (will be) completed by _

																File No	o. <u> </u>	77	71
4. The presently authorized place of use is: Owner of Land — NAME: Smith Land Co, Inc. ADDRESS: 695 Kansas 37 Shawn Springs K5 67758																			
	ADDRESS: 645 Kansas 4 1 Shawn Springs KS 67758																		
	NE1/4 NW1/4 SW1/4 SE1/4											TOTAL							
Sec.		Range	NE1/4			SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4			SE1/4	ACRES
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Liot air																			
	Own	er of La			S:									SDEP	TOFA	GRISU	LTURE		
-	+		70								I					0.0	-1/		TOTAL
Sec.	Twp.	Range	NE1/4		5W1/4	SE1/4	NE1/4	NW1/4	V1/4 SW1/4	SE1/4	NE1/4		V1/4 SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	TOTAL
List an	y other	r water r	ights t	that co	over th	is plac	ce of u	se											
	(If th	ere are	more t	than to	wo lan	downe	ers, at	tach a	dditior	nal she	eets as	s nece	ssary.)					
5. It i	1	osed tha																	
	Own	er of La	nd —	- NAM	1E:	5	mi	46 L	and	6,	Inc	٤.							
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12-	16-	42	40	40	40	40									40	40	40	40	320
List an	List any other water rights that cover this place of use. 1816																		
Owner of Land — NAME: SKR Land LLL																			
		101 01 20									Sha	1-07	500	riugs	- K	56	775	8	
					E¼				N1/4				N ¹ / ₄	-	I		E1/4		TOTAL
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7-	16	-41	40	40	40	40	40	36,1	363	40	40	365	367	40	40	40	40	40	

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

List any other water rights that cover this place of use. 37093 37095 3923[

File No. 1677 (

0.	The presently authorize	ed point(s) of diversion (is) (are	e) <u>NOV 2 8 2022</u>		*					
7	The proposed point(s)	of diversion (is) (are)		(Provide description and						
1.	The proposed point(s)	of diversion (is) (are)	KS DEPT OF AGR!CULT	Provide description and	number of points)					
		orized point(s) of diversion:								
8.	Presently authorized	point of diversion:								
	One in the NE	Quarter of the	SE	_ Quarter of the _	XE Quarter					
	of Section 12	, Township	16	South, Range	42 (E/W),					
	in Greeley	County, Kansas,	feet North	feet West	of Southeast corner of section.					
		Authorized Quant								
		puter ID No.			feet West)					
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	Proposed point of div	ersion: (Complete only if ch	ange is requested)							
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					(E/W),					
					of Southeast corner of section.					
	Proposed Rate	Proposed Quantit	у							
	This point is: Addition	onal Well 🔲 Geo Center Lis	st other water rights th	nat will use this po	int					
,										
9.	Presently authorized	point of diversion:			N E					
	One in the	Quarter of the	<u>56</u>	_ Quarter of the _	ΝΕ Quarter 4.2 (E/W),					
	in Graeley	County, Kansas,	feet North	feet West	of Southeast corner of section.					
		Authorized Quant								
- 1	(DWR use only: Com	puter ID No	GPS	feet North	feet West)					
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File No. 10771

The proposed point(s) of diversion (is) (are) Presently authorized point of diversion: Presently authorized point of diversion: One in the	The presently authorized point(s) of		HOT & O LUCE	(Frovide description and ham	ber of points)	
List all presently authorized point of diversion:	The proposed point(s) of diversion (i	s) (are)	DEPT OF AGRICULT	JR€zovide description and num	per of points)	
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of Section 7Township 6South, Range 41(it in	Presently authorized point of dive	rsion:	. 1			
of Section 7Township 6South, Range 41(it in	One in the CN	Quarter of the 50	ction	Quarter of the		Quar
Authorized Rate DO Authorized Quantity 41.7 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	of Section7	_, Township	16	_ South, Range	41	(E/
County Computer ID No. GPS feet North feet West	in Correlea County,	Kansas, 5250	_ feet North 27.	SO feet West of S	Southeast corner of	of sectio
This point will not be changed	Authorized Rate 1010	Authorized Quantity	417			
Proposed point of diversion: (Complete only if change is requested) One in the	(DWR use only: Computer ID No.	GF	'S	feet North	feet West)
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of Section	Proposed point of diversion: (Con	nplete only if chang	ge is requested)			
County, Kansas,	One in the	Quarter of the		Quarter of the		Qua
Proposed Rate	of Section	_, Township		South, Range		(E/
This point is:					Southeast corner of	of section
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In Greeky County, Kansas, 262€ feet North 1430 feet West of Southeast corner of sect Authorized Rate 88€ Authorized Quantity 40€ (DWR use only: Computer ID No. GPS feet North feet West) This point will not be changed	of Section 7	Township	16	South Pance	41	Qua
Authorized Rate 880 Authorized Quantity 400 GPS feet North feet West) This point will not be changed						
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Authorized Rate Authorized Quantity	of Section	_, Township	16	_ South, Range	41	(E/
(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	in <u>Greeley</u> County,	Kansas, 2,560	_ feet North 3 4	feet West of S	Southeast corner of	of sectio
This point will not be changed						
Proposed point of diversion: (Complete only if change is requested) One in the Quarter of the Quarter					feet West	()
One in the Quarter of the Quarter o	This point will not be changed	☐ This point wil	I be changed as f	ollows:		
of Section, Township South, Range (Ein County, Kansas, feet North feet West of Southeast corner of sect Proposed Rate Proposed Quantity						
in County, Kansas, feet North feet West of Southeast corner of sect Proposed Rate Proposed Quantity	One in the	Quarter of the		_ Quarter of the		Qua
Proposed Rate Proposed Quantity	of Section	_, Township		_ South, Range		(E/
					Southeast corner of	of section
This point is: Additional Well Geo Center List other water rights that will use this point	1					
	This point is: Additional Well	Goo Contor List	other water rights th	ant will use this point		

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

NOV 28 2022

File No. 10771

12. The presently authorized use of water is for ____ purposes. KS DEPT OF AGRICULTURE It is proposed that the use be changed to purposes. 13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased. (Please show any calculations here.) 14. It is requested that the maximum annual quantity of water be reduced to ______ (acre-feet or million gallons). 15. It is requested that the maximum rate of diversion of water be reduced to ______ gallons per minute (_____ c.f.s.). 16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map. a. If a change in the location of the point(s) of diversion is proposed, show: 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application. 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within ½ mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within ½ mile, please indicate so on the map. 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown. b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application. 17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below. 18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

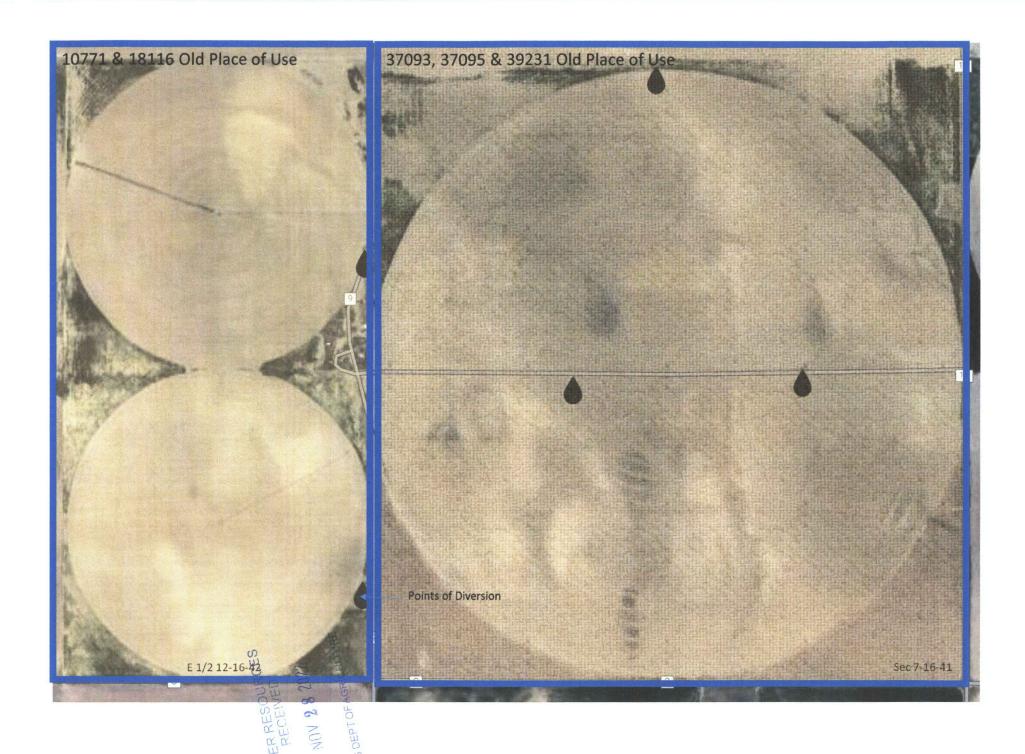
The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

as specified in sections 14 and 15 of this applicated at Sharen Springs K5	, Kansas, this _	16" day of	Nousber	, 20_22
Par PSmet	ation. , Kansas, this _	No.	ne_	
Ray P. Smoth			(Spouse)	
(Please Print)	WATER RESOURCE RECEIVED	DE 5	(Please Print)	
(Owner)	NOV 2 8 202	2	(Spouse)	
(Please Print)	KS DEPT OF AGRICU	LTURE	(Please Print)	
(Owner)			(Spouse)	-
(Please Print)			(Please Print)	
State of Kansas County of WALLACL SS	A NOTA	RY PUBLIC - State of Kanso TAMMY L. ROBBEN y Appl. Exp. 10 -2-2	5	
I hereby certify that the foregoing application	n was signed in my p	presence and sworr	to before me this _	16 day of
		1am	Notary Public	2~
My Commission Expires OCL. 2, 20	25			
	FEE SCHEDU	JLE		
Each application to change the place of use, the po application fee set forth in the schedule below:	oint of diversion or the use	made of the water u	nder this section shall be	accompanied by the
 (1) Application to change a point of divers (2) Application to change a point of divers (3) Application to change the place of use (4) Application to change the use made of 	sion more than 300 feet			\$200 \$200

Make check payable to Kansas Department of Agriculture.



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

Laura Kelly, Governor

Mike Beam, Secretary

December 5, 2022

SMITH LAND COMPANY INC 695 KANSAS 27 SHARON SPRINGS KS 67758

RE:

File No(s). 10771

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,

Kristen Baum

New Applications and Changes Supervisor

Water Appropriation Program

Krister a Baum