Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

| 1. File Number: 17680 | 2. Status Change Date: | 3. Change Num: | 4. Field Office: | 5. GMD: |
|---|------------------------|---------------------------|--|---|
| 6. Status: Approved Deni | ed by DWR/GMD | Dismiss by Reques | t/Failure to Return | 7. Filing Date of Change: |
| 8a. Applicant(s) New to system □ J & L SMITH FARMS INC Attn: BRYAN SMITH 9170 E ROAD 2 ULYSSES, KS 67880-815 | | 8c. Landowne New to sy | | Person IDAdd Seq# |
| 8b. Landowner(s) New to system □ 8a | Person IDAdd Seq# | 8d. WUC New to sy | stem □ | Person IDAdd Seq# |
| 9. Documents and Enclosure(s): ☑ DV ☐ Anti-Reverse Meter ☐ Meter : ☐ Conservation Plan Date Require | Seal | | ☑ Water Tube ☐ [| o Comply: 3/1/2023 Driller Copy H & E Letter o Comply: |
| 10. Use Made of Water From: | V 044 | To: _ | | |
| | | | Date Prepared: 6/17/ Date Entered: | 2022 By: AM By: |

| File No. 17680 | 11. Coun | ty: GT | Bas | sin: AR | KANSA | AS RIV | /ER | | | Stream | | | | | | | | rmation Co 1/331 | ode: | Special Use: |
|-------------------------------|----------|-----------|-----------|---------|---------|--------|------|-----------|----------|-----------|---------|-----------|----------------|-----------|--------------------|---------|---------------|---------------------|-------|------------------|
| 12. Points of Diversion | | | | | | | | | | | | | Rate a | and Qu | uantity | V | | | | |
| MOD DEL PDIV | | | | | | | | | | | | | Α | uthori | zed | | A | dditional | | |
| ENT Qualifier | S | Т | R | ID | 'N | | 'W | Co | mment | (AKA | Line) | | Rate gpm/c | | Quantity af/mgy | | Rate gpm/c | | , | Overlap PD Files |
| HK 18445 | | | | | | | | | | | W | | | | | | | | | |
| HK 76337 | | | 19 | | | | | | | | | | | | | | | | | |
| | | | | | | | | | l ni lle | | | | | | | | | | | |
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| | | | | | Fa | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |
| 3. Storage: Rate | | _NF | Quan | ntity | de la | H. | | ac/ | ft A | Addition | nal Rat | e | L | | | _ NF | Addi | tional Quar | ntity | ac/ |
| 4. Limitation: | af/v | r at | 2/8- | | ap | om (| | | cfs) v | vhen co | ombine | ed with | file nu | umber | (s) | | | | | |
| Limitation: | | | | | | | | | | | | | | | | | | | | |
| 5. 5YR Allocation: Allocation | | | | | 4 - 12 | SAIL T | | | 101 | 1.00 | 18. | | | | 1000 | de 34.5 | | | | |
| 6. Place of Use | | F | NE | 1/4 | | | NW1/ | /4 | | SI | N¹/4 | | | s | E1/4 | | Total | Owner | Chg? | Overlap Files |
| MOD DEL ENT PUSE S T | R ID | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | | | SW SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | | | | |
| HK 1109 5 27S3 | | 34 | 34 | 34 | 34 | 34 | 34 | 34 34 | | | | | 35 | 35 | 35 | 35 | 412 | 8a | N | MULTIPLE |
| HK 7886 4 27S3 | 5W 4 | | | | | 34 | 34 | 34 34 | 35 | 35 | 35 | 35 | 34 | 34 | 34 | 34 | 412 | 8a | N | MULTIPLE |
| HK 14480 27 26S3 | 5W 3 | | | | | | | | | | | | 34 | 34 | 34 | 34 | 136 | 8a | N | MULTIPLE |
| HK 34748 33 26S3 | 5W 2 | | | | | | | | | | Tib | | 40 | 40 | 40 | 40 | 160 | 8a | N | MULTIPLE |
| NT 616 34 26S3 | 5W 3 | | | | | | | | | | | | 34 | 34 | 34 | 34 | 136 | 8a | N | MULTIPLE |
| | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | and the second | | | | | | | |
| Base Acres: Year | | Minimun | n Reas | nable | Quantit | ity: | | | | | | | | 9.0 | | | | | | |

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 21, 2022

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

RE:

Filed Office Application for Change

Water Right, File Nos. 17680; 21508; 24108; 24122-D2; 31268; 33603 & 33851

Dear Sir or Madam:

Enclosed is the 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 numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter 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/or installation of the required meter 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.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 21st day of June, 2022, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 17,680, 21,508, 24,108, 24,122-D2, 31,268, 33,603 and 33,851 dated 17th day of June, 2022 was mailed postage prepaid, first class, US mail to the following:

J & L SMITH FARMS INC Attn: 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.

| File No. 17680 JUN 1 4 2022 Application is hereby made for approval of the Chief Engineer to change the (check one or both): Place of Use | than | | , or if pla | ace of | use wi | | | | | | | | | | | | authori | ized ar | nd prop | osed point(s VED |
|--|------|--------------------------------|------------------------------|------------------------|------------------------|------------------------------|---------------------------|----------------|-----------------|----------------|----------------|------------------------|---------|-------------------|--------|--------|---------|---------|------------------|-------------------------|
| Paper | | | | | | | F | ile No | . <u>1768</u> | 0 | | | | | | | | JUN | 14 | 2022 |
| 9170 E ROAD 2 ULYSSES KS 67880 - 8151 Phone Number: (| | under the | e water | right v | vhich is | | ☑ P ubject | lace o | f Use applic | | n acco | Point ordance | of Dive | ersion the cor | | | Divis | ion of | City Fi Water | eld Office Resources |
| 3. The presently authorized place of use is: Owner of Land NAME: J & L SMITH FARMS INC; BRYAN SMITH ADDRESS: 9170 E ROAD 2 ULYSSES KS 67880 - 8151 (If there is more than one landowner, attach supplemental sheets as necessary.) NE½ NW½ SW½ SE½ NE½ NW½ SE½ Fig. 1 NP. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NE½ NW½ SE½ Sec. 1 NP. Range NE½ NW½ SW½ SE½ NE½ NE½ NW½ SE½ ACRES 1 NP. Range NE½ NW½ SW½ SE½ NE½ NE½ NE½ NE½ NE½ NE½ NE½ NE½ NE½ N | | 9170 E F Phone N Name ar | ROAD 2 umber: nd addre | ULYS (ess of |) Water | VS 678 | orresp | 151 onden | t: <u>SA</u> I | Email ME AS | addre: | ss: /E | | | | | | | | |
| Sec. Twp. Range NE½ NW½ SE½ NE½ | 3. | The pres Owner o | ently au f Land - | uthoriz NA ADDRI | ed pla AME: ESS: | ce of u J & L : 9170 E | ise is: SMITH E ROA | FARN D 2 UI | IS INC | ; BRY | AN SN 67880 | <u>/IITH</u> - 8151 | | | | | | | | |
| 5 27S 35W 34 <t< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>0.00</td><td></td><td></td></t<> | | | | | | | | | | | | | | | | | | 0.00 | | |
| 4 27\$ 35W 34 34 34 34 34 34 35 35 35 35 34 34 34 34 34 31 36 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; BRYAN SMITH ADDRESS: 9170 E ROAD 2 ULYSSES KS 67880 - 8151 (If there is more than one landowner, attach supplemental sheets as necessary.) NE¼ NW¼ SW¼ SE½ NE½ NE½ NW⅓ SW⅓ SE⅓ NE⅓ NE⅓ NW⅓ SW⅓ SE⅓ NE⅓ NE⅓ NW⅓ SW⅓ SE⅓ NE⅓ NE⅓ NE⅓ NW⅓ SW⅓ SE⅓ NE⅓ NE⅓ NW⅓ SW⅓ SE⅓ NE⅓ NE⅓ NW⅓ SW⅓ SE⅓ NE⅓ NE⅓ NE⅓ NW⅓ SW⅓ SE⅓ NE⅓ NE⅓ NW⅓ SW⅓ SE⅓ NE⅓ NE⅓ NW⅓ SW⅓ SE⅓ NE⅓ NE⅓ NE⅓ NW⅓ SW⅓ SE⅓ NE⅓ NE⅓ NW⅓ SW⅓ SE⅓ NE⅓ NE⅓ NW⅓ SW⅓ SE⅓ NE⅓ NE⅓ NE⅓ NW⅓ SW⅓ SE⅓ NE⅓ NE⅓ NW⅓ SW⅓ SE⅓ NE⅓ NE⅓ NW⅓ SW⅓ SE⅓ NE⅓ NE⅓ NE⅙ NW⅓ SW⅓ SE⅓ NE⅓ NE⅙ NW⅓ SW⅓ SE⅓ NE⅙ NE⅙ NW⅙ SE⅙ NE⅙ NW⅙ SW⅓ SE⅙ NE⅙ NW⅙ SW⅙ SE⅙ NE⅙ NW⅙ SE⅙ NE⅙ NE⅙ NE⅙ NE⅙ NE⅙ NE⅙ NE⅙ NE⅙ NE⅙ N | | 1023 | | | | | | | | | | NE¼ | NVV/4 | SW/4 | SE1/4 | | | | | 412 |
| 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; BRYAN SMITH ADDRESS: 9170 E ROAD 2 ULYSSES KS 67880 - 8151 (If there is more than one landowner, attach supplemental sheets as necessary.) NE¼ NW¼ SW¼ SE¾ NE¾ NW¾ SW¼ SE¾ NE¾ NW¾ SW¾ SE¾ NE¾ NW¾ SW¾ SE¾ NE¾ NW¾ SW¾ SE¾ NE¾ NW¾ SW¾ SE¾ ACRES 5 27S 35W 34 34 34 34 34 34 34 34 34 34 34 34 34 | | | | | | | | | | | | 35 | 35 | 35 | 35 | | | | | |
| Owner of Land NAME: J & L SMITH FARMS INC; BRYAN SMITH ADDRESS: 9170 E ROAD 2 ULYSSES KS 67880 - 8151 (If there is more than one landowner, attach supplemental sheets as necessary.) NE¼ NW¼ SW¼ SE¼ NE½ NW½ SW¼ SE¼ NE½ NW½ SW¼ SE¼ NE½ NW½ SW¼ SE½ NE½ NW½ SW¼ SE½ NE½ NW½ SW½ SE½ NW½ SE½ | 27 | 26S | 35W | | | | | | | | | | | | | 34 | 34 | 34 | 34 | 136 |
| Sec. Twp. Range NE½ NW½ SE¾ NE½ NW½ SE¾ NE½ NW½ SE½ NE½ NE½ NW½ SE¾ NE½ NW½ SE¾ NE½ NW½ SE¾ NE½ NE½ NE½ NE½ NW½ SE¾ SE¾ ACRES 5 27S 35W 34 | | Owner o | f Land - | NA ADDRI | AME: ESS: | J & L S 9170 E | SMITH E ROA | FARN D 2 UI | IS INC | S KS | AN SN 67880 | /IITH - 8151 | | use be | e chan | ged to | : | | | |
| Sec. Twp. Range NE½ NW½ SE½ NW½ SE½ NE½ NW½ SE½ NE½ NW½ SE½ NE½ NW½ | | | | | | | | | | | | | | | | | | | | |
| 4 27S 35W 34 34 34 35 35 35 34 34 34 34 412 | | | | | | | | | | 100 | | NE1/4 | NW1/4 | SW1/4 | SE1/4 | | | 100 | | |
| | | | Table 1 | 34 | 34 | 34 | 34 | | | | | 25 | 25 | 25 | 25 | | | | | |
| 21 203 3399 | | | | | | | | 34 | 34 | 34 | 34 | 35 | 35 | 35 | 35 | | | | | |
| | | 205 | 3377 | | | | | | | | | | | | | | J4 | J4 | J4 | 130 |

For Office Use Only: Code _____ Fee \$ 200.00 TR # _

Receipt Date 6-14-27 Check # 010106

| 5. | Presently authorized poi | int of diversion: | | | |
|-----|---------------------------------|---------------------------------------|-----------------|---|-----------------------------------|
| | One in the | Quarter of the | | Quarter of the | Quarter |
| -6 | of Section | , Township | | South, Range | (E/W), |
| | in | County, Kansas, | _ feet North _ | feet West of | Southeast corner of section. |
| | | Authorized Quantity _ | | | |
| | | ter ID No GP | | | |
| 4 | | nged This point will be change | | | |
| | | sion: (Complete only if change | | | |
| | One in the | Quarter of the | | Quarter of the | Quarter |
| | | , Township | | | |
| | in | County, Kansas, | _ feet North _ | feet West of | Southeast corner of section. |
| | Proposed Rate | Proposed Quantity _ | | Proposed well depth | (feet) |
| L | This point is: Additiona | al Well Geo Center List o | ther water rig | hts that will use this point | |
| _ | | | | | |
| 6. | Presently authorized poi | | | | |
| | | Quarter of the | | | |
| | 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) |
| | | ter ID No GP | | | |
| | ☐This point will not be chan | iged ☐This point will be change | d as follows: [| ☐ No change, point better d | escribed with GPS as follows: |
| | | sion: (Complete only if chang | | | |
| | One in the | Quarter of the | | Quarter of the | Quarter |
| | of Section | , Township | 11 | South, Range | (E/W), |
| | | County, Kansas, | | | |
| | Proposed Rate | Proposed Quantity | | Proposed well depth | (feet) |
| L | This point is: Additiona | al Well Geo Center List of | ther water rig | hts that will use this point | |
| _ | | | | | |
| 7. | | esired for the following reasons | 5? | | |
| | | te complete | 30 | | 100 200 300 |
| | | | E | | |
| | | | | -/- | |
| 8. | If a well, is the test hole log | attached? Yes No | 200 | -1/+1= | 1 + 1 + 1 = 200 |
| 9. | The change(s) (was)(will be |) completed by? | | | |
| Э. | The change(s) (was)(will be |) completed by : | | / | + + |
| | | | 100 | | 1 + 1 + 1 1 100 |
| 10. | If the point of diversion is a | well: | 1 | | |
| | (a) What are you going to o | | West 0 | | |
| | (a) What are you going to t | do with the old well? | | | |
| | | | P | Ī | |
| | (b) When will this be done? | ? | 100 | + + + + = | + + 100 |
| | () | 1 | | -\ = | / ∃ |
| 11. | Groundwater Management I | District recommendation attached | d? 200 | -1+1= | 1 + 1 + 1 = 200 |
| | ☐ Yes ☐ | | | | |
| | | | | - = | |
| 12. | Assisted by | | 30 | | 100 200 300 |
| 13a | .If the proposed point of diver | rsion will be relocated more than | | South | |
| | feet but within 2,640 feet of t | the existing point of diversion, atta | ach 13b.If the | e proposed point of diversion | on will be relocated within a 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

3b. If the proposed point of diversion will be relocated within a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. (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. <u>17680, 21508, 24108, 24122-D2, 31268, 33603</u> MAKE ADDITIONAL COPIES AS NECESSARY

| | | | ADDRI | AME: | 9170 E | ROA | D 2 UL | YSSE | SKS | 0/880 | - 8151 | | | | | | | П | |
|-----------------|------------------------------|-------------------------------|--------------------------------|--|-------------------------------------|----------------|--------|-------------------------------|---------------------------------|----------------|-----------------------|-----------|--------------------|-------|-----------------|-----------------------------------|-------------------|-----------------|----------------|
| | Twp | Range | | NE | 1/4 | | | | V1/4 | | | | V1/4 | | | | 1/4 | - | TOTAL ACRES |
| ec. | Twp. | Range | NE1/4 | NW¼ | SW1/4 | SE1/4 | NE¼ | NW1/4 | SW1/4 | SE1/4 | NE¼ | NW¼ | SW1/4 | SE¼ | NE¼ | NW¼ | SW1/4 | SE¼ | |
| 33 | 26S | 35W | | | | | | | | | | | | | 40 | 40 | 40 | 40 | 160 |
| 0 | wner o | f Land | NA ADDRI | AME: ESS: | | | | | | | | | | | | | | | |
| | | | NE¼ | | | | | NV | V1/4 | | | SV | V1/4 | | | SE | 1/4 | | TOTA |
| ec. | Twp. | Range | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW¼ | SW1/4 | SE1/4 | ACRE |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| 0 | wner o | f Land | | AME: ESS: | | | | | | | | | | | | | | | |
| _ | | | | NI | =1/ | | | M | V1/4 | | | 91 | V1/4 | | | SI | Ξ1/4 | T | TOTA |
| | T | D | NEW | T | E1/4 | CE1/ | NIE1/ | | | CE1/ | NE1/ | | SW1/4 | SE1/4 | NE1/4 | | SW1/4 | SE1/4 | ACRE |
| ec. | Twp. | Range | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NVV/4 | SW1/4 | SE1/4 | NE1/4 | NVV/4 | SVV/4 | SE/4 | NE74 | INVV/4 | SVV/4 | SE/4 | |
| | | | - | | | | | _ | | | | | | - | | | | | |
| | | | - | | | - | | - | | | | | | | | | - | | |
| | | ed: If the | N/ | AME: | J&LS | SMITH | FARM | AS INC | ; BRY | AN SI | /ITH_ | | the pla | ce of | use be | chang | ged to: | | |
| | | f Land | N/ | AME: ESS: | J & L S 9170 E | SMITH | FARM | AS INC LYSSE | S KS | AN SI | /ITH_ | 1 | | ce of | use be | | | | TOTA |
| 0 | wner o | f Land | ADDR | AME: ESS: | J & L S 9170 E E¼ | SMITH E ROA | D 2 UI | AS INC LYSSE | S; BRY | AN SN 67880 | <u>11TH</u> - 8151 | 1 S\ | V½ | | | SI | Ξ¼ | | |
| O'Sec. | wner o | f Land | N/ | AME: ESS: | J & L S 9170 E | SMITH E ROA | FARM | AS INC LYSSE | S KS | AN SN 67880 | <u>11TH</u> - 8151 | 1 S\ | | | NE¼ | SI NW¼ | | SE1/4 40 | TOTA ACRE |
| O sec. | Twp. | Range 35W | ADDR | AME: ESS: | J & L S 9170 E E¼ | SMITH E ROA | D 2 UI | AS INC LYSSE | S; BRY | AN SN 67880 | <u>11TH</u> - 8151 | 1 S\ | V½ | | NE¼ 40 | SI NW1/4 40 | 5W1/4 40 | SE1/4 40 | ACRE 160 |
| O ec. | wner o | f Land | ADDR | AME: ESS: | J & L S 9170 E E¼ | SMITH E ROA | D 2 UI | AS INC LYSSE | S; BRY | AN SN 67880 | <u>11TH</u> - 8151 | 1 S\ | V½ | | NE¼ | SI NW¼ | =½ SW½ | SE1/4 | ACRE 160 |
| ec. 33 | Twp. 26S 26S | Range 35W 35W | NE1/4 | AME: ESS: NI NW4 | J & L S 9170 E 5% SW% | SMITH E ROA | D 2 UI | AS INC LYSSE | S; BRY | AN SN 67880 | <u>11TH</u> - 8151 | 1 S\ | V½ | | NE¼ 40 | SI NW1/4 40 | 5W1/4 40 | SE1/4 40 | ACRE |
| ec. 33 | Twp. 26S 26S | Range 35W 35W | NE1/4 | AME: ESS: NW/4 NW/4 | J & L S 9170 F = 1/4 SW1/4 | SMITH E ROA | D 2 UI | MS INC _YSSE N\ NW'4 | S; BRYY S KS W/4 SW/4 | AN SN 67880 | <u>11TH</u> - 8151 | SI NW¼ | V¼ SW¼ | | NE¼ 40 | SI NW¼ 40 34 | SW¼ 40 34 | SE1/4 40 | 160 136 |
| O eec. 333 | Twp. 26S 26S wner o | Range 35W 35W | NE½ | AME: ESS: NII NW'/4 AME: ESS: | J & L S 9170 E 5/4 SW/4 | SMITHE ROA | NE% | NW/A | S; BRYY S KS SW/4 SW/4 | AN SN 67880 | NE% | SI NW'/ | V/4 SW/4 | SE¼ | NE¼ 40 34 | SI NW4 40 34 | 5W¼ 40 34 | SE½ 40 34 | 160 136 |
| O Sec. 333 | Twp. 26S 26S wner o | Range 35W 35W | NE½ | AME: ESS: NII NW'/4 AME: ESS: | J & L S 9170 E 5/4 SW/4 | SMITHE ROA | D 2 UI | MS INC _YSSE N\ NW'4 | S; BRYY S KS SW/4 SW/4 | AN SN 67880 | <u>11TH</u> - 8151 | SI NW'/ | V¼ SW¼ | SE¼ | NE¼ 40 | SI NW4 40 34 | SW¼ 40 34 | SE½ 40 34 | 160 136 |
| O Sec. 333 34 O | Twp. 26S 26S wner o | Range 35W 35W | NE½ | AME: ESS: NII NW'/4 AME: ESS: | J & L S 9170 E 5/4 SW/4 | SMITHE ROA | NE% | NW/A | S; BRYY S KS SW/4 SW/4 | AN SN 67880 | NE% | SI NW'/ | V/4 SW/4 | SE¼ | NE¼ 40 34 | SI NW4 40 34 | 5W¼ 40 34 | SE½ 40 34 | 160 136 |
| O 6ec. 333 O O | Twp. 26S 26S wner o | Range 35W 35W | NE½ | AME: ESS: NII NW'/4 AME: ESS: | J & L S 9170 E 5/4 SW/4 | SMITHE ROA | NE% | NW/A | S; BRYY S KS SW/4 SW/4 | AN SN 67880 | NE% | SI NW'/ | V/4 SW/4 | SE¼ | NE¼ 40 34 | SI NW4 40 34 | 5W¼ 40 34 | SE½ 40 34 | ACRE 160 |
| O Sec. O Sec. | Twp. 26S 26S wner o | Range 35W 35W f Land | NE½ NE½ NE½ | AME: ESS: NIII NW¼ AME: ESS: NIII NW¼ | J & L S 9170 E 54 SW4 | SMITHE ROA | NE% | NW/A | S; BRYY SW/4 SW/4 SW/4 | SE1/4 | NE% | SI NW'/ | V/4 SW/4 | SE¼ | NE¼ 40 34 | SI NW4 40 34 | 5W¼ 40 34 | SE½ 40 34 | 160 136 |
| O eec. 333 34 O | Twp. 26S 26S wner o | Range 35W 35W f Land Range | NE½ NE½ NE½ NE½ | AME: ESS: NIII NW¼ AME: ESS: NIII NW¼ | J & L S 9170 E 54 SW4 | SMITHE ROA | NE% | NW/A | S; BRYY SW/4 SW/4 SW/4 | SE1/4 | NE% | SI NW'/ | V/4 SW/4 | SE¼ | NE¼ 40 34 | SI NW4 40 34 | 5W¼ 40 34 | SE½ 40 34 | 160 136 |
| O Sec. | Twp. 26S 26S wner o | Range 35W 35W f Land Range | NE½ NE½ NE½ NE½ | AME: ESS: NIII NW/4 AME: ESS: NIII NW/4 | J & L S 9170 E 5% SW% | SMITHE ROA | NE% | NW/A | S; BRYY SW/4 SW/4 SW/4 | SE1/4 | NE% | SI NW¼ | V/4 SW/4 | SE¼ | NE¼ 40 34 | SI NW¼ 40 34 SI NW¼ | 5W¼ 40 34 | SE½ 40 34 | TOTA ACRE |
| O Sec. | Twp. 26S 26S wner o | Range 35W 35W f Land Range | NE% NE% NE% ADDR NE% ADDR | AME: ESS: NIII NW/4 AME: ESS: NIII NW/4 | J & L S 9170 E SW% | SMITHE ROA | NE% | NW/4 | S; BRYY SW/4 SW/4 SW/4 | SE% | NE% | SI NW1/4 | V/4 SW/4 V/4 SW/4 | SE¼ | NE¼ 40 34 | SI NW1/4 40 34 SI NW1/4 SSI NW1/4 | 5W/4 40 34 | SE¼ 40 34 SE¼ | TOTA |
| O Sec. | Twp. 26S 26S wner o | Range 35W 35W f Land Range | NE% NE% NE% ADDR NE% ADDR | AME: ESS: NIII NW/4 AME: ESS: NIII NW/4 | J & L S 9170 E 5% SW% | SMITHE ROA | NE% | NW/4 | S; BRYY SW/4 SW/4 SW/4 | SE% | NE% | SI NW1/4 | V/4 SW/4 V/4 SW/4 | SE¼ | NE¼ 40 34 NE½ | SI NW1/4 40 34 SI NW1/4 SSI NW1/4 | 5W¼ 40 34 SW¼ SW¼ | SE¼ 40 34 SE¼ | TOTA |
| O | Twp. 26S 26S wner o | Range 35W 35W f Land Range | NE% NE% NE% ADDR NE% ADDR | AME: ESS: NIII NW/4 AME: ESS: NIII NW/4 | J & L S 9170 E SW% | SMITHE ROA | NE% | NW/4 | S; BRYY SW/4 SW/4 SW/4 | SE% | NE% | SI NW1/4 | V/4 SW/4 V/4 SW/4 | SE¼ | NE¼ 40 34 NE½ | SI NW1/4 40 34 SI NW1/4 SSI NW1/4 | 5W¼ 40 34 SW¼ SW¼ | SE¼ 40 34 SE¼ | 160 136 |
| O Sec. | Twp. 26S 26S wner o | Range 35W 35W f Land Range | NE% NE% NE% ADDR NE% ADDR | AME: ESS: NIII NW/4 AME: ESS: NIII NW/4 | J & L S 9170 E SW% | SMITHE ROA | NE% | NW/4 | S; BRYY SW/4 SW/4 SW/4 | SE% | NE% | SI NW1/4 | V/4 SW/4 V/4 SW/4 | SE¼ | NE¼ 40 34 NE½ | SI NW1/4 40 34 SI NW1/4 SSI NW1/4 | 5W¼ 40 34 SW¼ SW¼ | SE¼ 40 34 SE¼ | TOTA |

| 14. If the proposed groundwater point of diversion is 300 or fewer feet from t | the existing point of diversion, complete the following: |
|---|--|
| (a) Does the undersigned represent all owners of the currently authorized Yes No (If no, all owners must sign this application | |
| (b) Will the ownership interest of any owner of the currently authorized affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this applicated) | |
| (c) If this application is not approved expeditiously, will there be substanding the substantial of the sub | |
| If the application proposes a surface water change in point of diversion, a groor a change in place of use, the application must be signed by all owners of tagent (attach notarized statement authorizing representation). | |
| I hereby verify, being first duly sworn upon my oath or affirmatic age and the owner, the spouse of the owner, or a duly authorized their behalf, in regards to the water right(s) to which this applic contained in this application are true, correct and complete. | d agent of the owner(s) to make this application on |
| Dated at Kansas, this / | O day of <u>June</u> , 20 22. |
| Al Smith Farms by Busht | |
| Ray (Owner) | (Spouse) |
| (Please Print) | (Please Print) |
| (issues i may | (1000011111) |
| (Owner) | (Spouse) |
| (Please Print) | (Please Print) |
| (Owner) | (Spouse) |
| (Please Print) | (Please Print) |
| State of Kansas County of Grant SS | |
| of, 20_22 | presence and sworn to before me this/O day |
| My Commission Expires 1/9/24 | Notary Public |
| ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the accurate information; maps, if necessary, must be included; signatures of all the appro | |
| the appropriate fee must be paid. | |
| FEE SCHEDULE | |
| Each application to change the place of use or the point of diversion under th forth in the schedule below: Make checks payable to: Kansas Department (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use | of Agriculture \$100 \$200 |
| | |

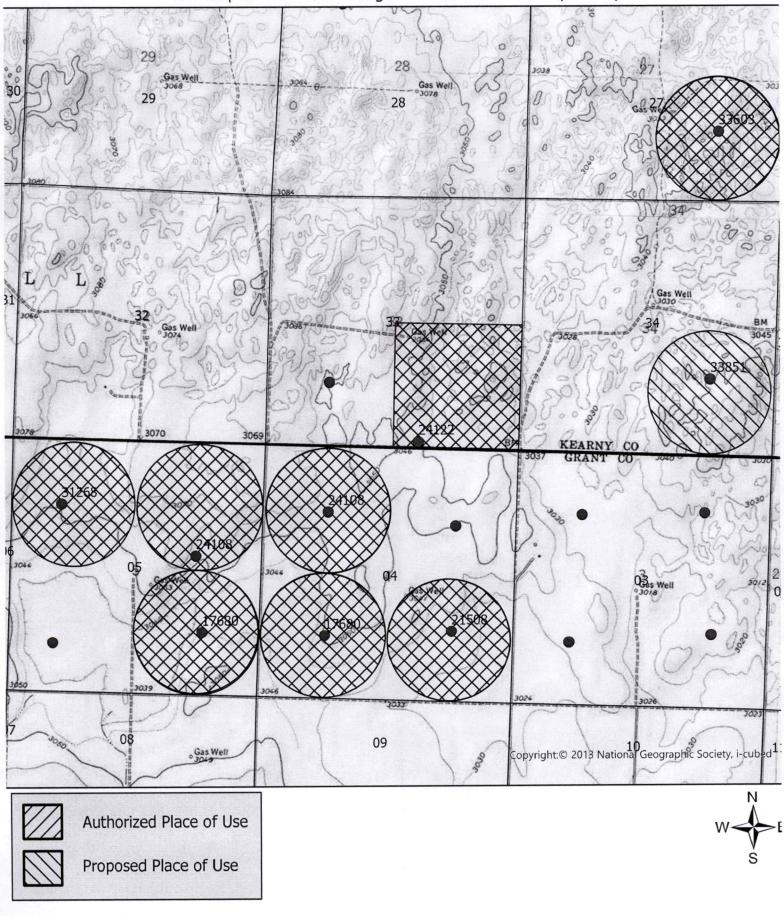
SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

| pro Wit | s 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 visions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, in the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and tations of File No |
|------------|---|
| 1. | A change application was received on 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 \sum 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 foot radius of the authorized point(s) of diversion. 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, 20 , 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, 20 22, or within any authorized extension of time. By March 1, 20 23 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 <i>Kansas Water Appropriation Law</i> and the <i>Rules and Regulations</i> 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 FOR OFFICE USE ONLY |
| If yo | bu are aggrieved by this order, pursuant to K.S.A. 82a-1901, APPLICATION APPROVED AND SUMMARY ORDER ISSUED |
| you | may request an evidentiary hearing before the Chief ineer or request administrative review by the Secretary of |
| Agr | culture. A request for hearing by the Chief Engineer must be By: |
| adn | within 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30 spursuant to K.S.A. 77-531. Any request for administrative (Print Name): (Print Name) |
| revi | ew must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture |
| File | any request with Kansas Department of Agriculture, al Division, 1320 Research Park Drive, Manhattan, KS |
| 665 | 02. Failure to timely request a hearing or review may State of Kansas |
| pred | For Use by Register of Deeds County of |
| | Acknowledged before me on |
| | by Austin McCollech |
| | Signature: |
| | My commission expires: My Appointment Expires (Notary Seal of 15, 2022 |

File No. <u>17680</u>

CHANGE IN PLACE OF USE WATER RIGHT, FILE NO(5). 1/680, 21508, 24108, 24122-D2, 31268 & 33603

Township 26 & 27 South Range 42 West Grant & Kearny County



Date: 6/6/22 HH/GCF