

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

1. File Number: 18821	2. Status Change Date:	3. Change Num: C5	4. Field Office: 4	5. GMD: 3
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: 6/20/2022
8a. Applicant(s) / Landowner / WUC New to system <input type="checkbox"/> J & L SMITH FARMS INC Attn: BRYAN SMITH 9170 E ROAD 2 ULYSSES, KS 67880-8151		Person ID 55420 Add Seq# _____		8c. Landowner(s) New to system <input type="checkbox"/> LARRY K SMITH 8569 E ROAD 2 ULYSSES, KS 67880-8020
8b. Landowner(s) New to system <input type="checkbox"/> IDA PUCKET TRUST Attn: DARYL M PUCKET 1360 E ARIZONA AVE ULYSSES, KS 67880-8422		Person ID 51985 Add Seq# _____		8d. Landowner(s) New to system <input type="checkbox"/> ROY & PAULA WILLIAMS 5621 S RD M ULYSES, KS 67880
				8e. Landowner(s) New to system <input type="checkbox"/> JOE & SANDRA KENNEDY 293 S BARTON CTY RD GREAT BEND, KS 67530
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/2022 <input checked="" type="checkbox"/> N & P Date to Comply: 3/1/2023				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
				Date Prepared: 6/24/2022 By: AM Date Entered: _____ By: _____

File No. **18821** 11. County: GT Basin: ARKANSAS RIVER Stream: Formation Code: Special Use:

12. Points of Diversion
 CHK
 MOD
 DEL PDIV
 ENT Qualifier S T R ID 'N 'W Comment (AKA Line) Rate gpm/cfs Quantity af/mgy Authorized Additional Rate gpm/cfs Quantity af/mgy Overlap PD Files

CHK 72104

CHK 78603

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				
CHK	7025	1	27S	36W	1													30	30	30	30	120	8e	Y	MULTIPLE
CHK	10011	13	27S	36W	1	20	30	40	40									40	40	40	40	290	8a	N	MULTIPLE
CHK	10795	12	27S	36W	5					30	30	30	30									120	8b	Y	MULTIPLE
CHK	16121	12	27S	36W	1	30	30	30	30													120	8c	N	MULTIPLE
CHK	35872	18	27S	35W	1	40	40	40	40					29	L-3 29	L-4 29	29	32	32	32	32	404	8a	N	MULTIPLE
CHK	36916	1	27S	36W	4	L-1 34	L-2 34	34	34													136	8d	N	MULTIPLE
CHK	54011	12	27S	36W	4													30	30	30	30	120	8a	N	MULTIPLE
ENT	28389	24	27S	36W	1	40	40	40	40									40	40	40	40	320	8a	Y	MULTIPLE

Base Acres: Year: Minimum Reasonable Quantity:
 Comments: **OVERLAPPING WR ON PU: 9217; 365; 803; 9094-02; 17884; 18821; 20103; 22269; 24121 & 29615**

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 28, 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. 365; 803; 9217; 9094-02; 17884; 18821; 20103; 22269;
24121 & 29615

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,

A handwritten signature in blue ink that reads "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc: Daryl Pucket
Larry Smith
Roy Williams
Joe Kennedy
GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 28th day of June, 2022, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 365, 803, 9,217, 9,094-02, 17,884, 18,821, 20,103, 22,269, 24,121 and 29,615 dated 28th 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:

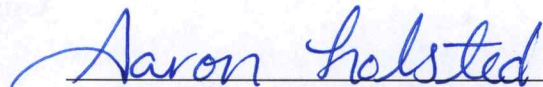
IDA PUCKET TRUST
Attn: DARYL M PUCKET
1360 E ARIZONA AVE
ULYSSES, KS 67880-8422

LARRY K SMITH
8569 E ROAD 2
ULYSSES, KS 67880-8020

ROY & PAULA WILLIAMS
5621 S RD M
ULYSES, KS 67880

JOE & SANDRA KENNEDY
293 S BARTON CTY RD
GREAT BEND, KS 67530

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.

RECEIVED

JUN 20 2022
 9:42 am
 Garden City Field Office
 Division of Water Resources

File No. 18821

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: J & L SMITH FARMS INC

9170 E ROAD 2 ULYSSES KS 67880-8151

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: LARRY K SMITH

8569 E ROAD 2 ULYSSES KS 67880-8020

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: SEE ATTACHED SUPPLEMENTAL SHEET

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: SEE ATTACHED SUPPLEMENTAL SHEET

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 \$ 200.00 TR # _____ Receipt Date 6-20-22 Check # 010107

5. **Presently authorized point of diversion:**
 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 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 _____ (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 _____

6. **Presently authorized point of diversion:**
 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 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 _____ (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) CREATE A COMPLETE OVERLAP
IN PLACE OF USE WITH ALL FILES INVOLVED

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

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

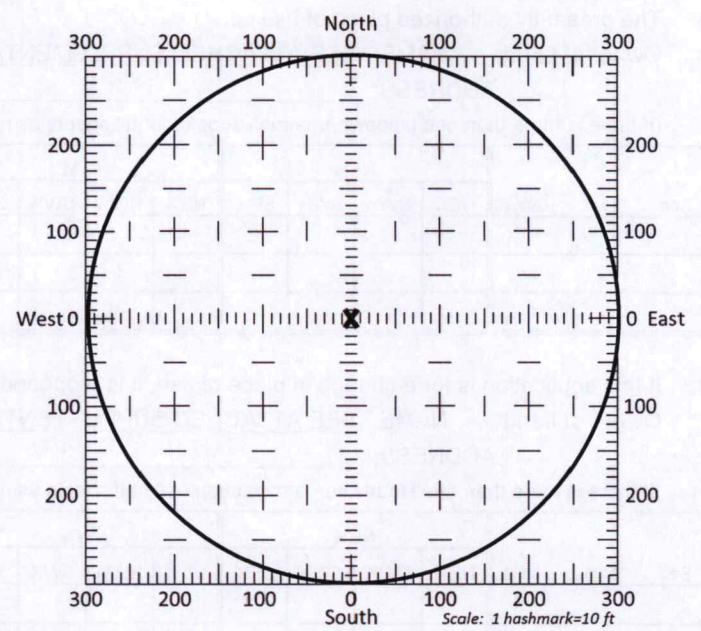
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by AM / GCFO

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 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. 365; 803; 9094-02; 17884; 18821; 20103; 22269; 24121 & 29615
MAKE ADDITIONAL COPIES AS NECESSARY

3. Continued: The presently authorized place of use is:

Owner of Land ---- NAME: J & L SMITH FARMS INC
ADDRESS: 9170 E ROAD 2 ULYSSES KS 67880-8151

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		
18	27S	35W	40	40	40	40					29	L-3 29	L-4 29	29	29	32	32	32	32	404
12	27S	36W														30	30	30	30	120
13	27S	36W	20	30	40	40										40	40	40	40	290

Owner of Land ---- NAME: LARRY K SMITH
ADDRESS: 8569 E ROAD 2 ULYSSES KS 67880 - 8020

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			
12	27S	36W	30	30	30	30															120

Owner of Land ---- NAME: DARYL M PUCKET REV INT VIV TR ETAL
ADDRESS: 1360 E ARIZONA AVE ULYSSES, KS 67880

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			
12	27S	36W					30	30	30	30											120

Owner of Land ---- NAME: ROY & PAULA WILLIAMS (DECEASED) ATTN: MORAL, JULIE
ADDRESS: 816 N JOYCE ULYSSES KS 67880

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			
1	27S	36W	L-1 34	L-2 34	34	34															136

Owner of Land ---- NAME: JOE & SANDRA KENNEDY
ADDRESS: 293 S BARTON CTY RD GREAT BEND KS 67530

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			
1	27S	36W														30	30	30	30		120

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 365; 803; 9094-02; 17884; 18821; 20103; 22269; 24121 & 29615
MAKE ADDITIONAL COPIES AS NECESSARY

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

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	
18	27S	35W	40	40	40	40					29	L-3 29	L-4 29	29	32	32	32	32	404
12	27S	36W													30	30	30	30	120
13	27S	36W	20	30	40	40									40	40	40	40	290
24	27S	36W	40	40	40	40									40	40	40	40	320

Owner of Land ---- NAME: LARRY K SMITH
ADDRESS: 8569 E ROAD 2 ULYSSES KS 67880 - 8020

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	
12	27S	36W	30	30	30	30													120

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ADDRESS: 1360 E ARIZONA AVE ULYSSES, KS 67880

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	
12	27S	36W					30	30	30	30									120

Owner of Land ---- NAME: ROY & PAULA WILLIAMS (DECEASED) ATTN: MORAL, JULIE
ADDRESS: 816 N JOYCE ULYSSES KS 67880

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	
1	27S	36W	L-1 34	L-2 34	34	34													136

Owner of Land ---- NAME: JOE & SANDRA KENNEDY
ADDRESS: 293 S BARTON CTY RD GREAT BEND KS 67530

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	
1	27S	36W													30	30	30	30	120

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 Ulysses, Kansas, this 13 day of June, 2022.

JL Smith Farms Inc by Baudert
(Owner) (Spouse)

JL Smith Farms Inc by Bryan Smith
(Please Print) (Please Print)

(Owner) (Spouse)

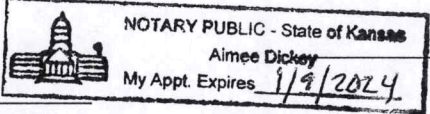
(Please Print) (Please Print)

(Owner) (Spouse)

(Please Print) (Please Print)

State of Kansas }
County of Grant } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 13 day of June, 2022.

My Commission Expires 1/9/2024  Aimee Dickey
Notary Public

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

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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 Ulysses, Kansas, this 9 day of June, 2022.

Julie Moral

 (Owner)
Julie Moral

 (Please Print)

 (Owner)

 (Please Print)

 (Owner)

 (Please Print)

 (Spouse)

 (Please Print)

 (Spouse)

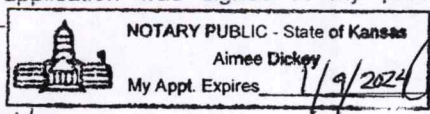
 (Please Print)

 (Spouse)

 (Please Print)

State of Kansas }
 County of Grant } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 9 day of June, 2022.



Aimee Dickey

 Notary Public

My Commission Expires 1/9/2024.

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Dated at Ulysses, Kansas, this 3 day of June, 2022.

Larry A Smith
 (Owner)
LARRY SMITH
 (Please Print)

 (Spouse)

 (Please Print)

 (Owner)

 (Please Print)

 (Spouse)

 (Please Print)

 (Owner)

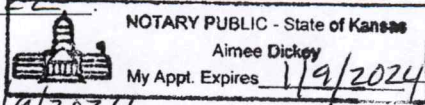
 (Please Print)

 (Spouse)

 (Please Print)

State of Kansas }
County of Grant } SS

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Aimee Dickey
Notary Public

My Commission Expires 1/9/2024.

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- (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 Grant, Kansas, this 8th day of June, 2022.

Revocable Inter Vivos Trust of Dan M Picket
REVOCABLE INTER VIVOS TRUST OF DANIEL M PICKET Dan Picket Trustee
(Owner) (Spouse)

REVOCABLE INTER VIVOS TRUST OF DANIEL M PICKET
(Please Print) (Please Print)

Revocable Inter Vivos Trust of Janet L Picket
REVOCABLE INTER VIVOS TRUST OF JANET L PICKET Dan Picket Trustee
(Owner) (Spouse)

REVOCABLE INTER VIVOS TRUST OF JANET L PICKET Dan Picket Trustee
(Please Print) (Please Print)

(Owner) (Spouse)

(Please Print) (Please Print)

State of Kansas }
County of Grant } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 8th day

of 22
NOTARY PUBLIC - STATE OF KANSAS
VANESSA ZUEGE
MY COMM. EXPIRES 5/13/24

Vanessa Zuege
Notary Public

My Commission Expires 5/13/24.

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. 18821.

1. A change application was received on June 20, 2022 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 _____ 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, 2022**, 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, 2022**, or within any authorized extension of time. By March 1, 2023 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: Austin McColloch
Duly Authorized Designee of the Chief Engineer

(Print Name): Austin McColloch
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: June 28, 2022

State of Kansas)
County of Finney) SS

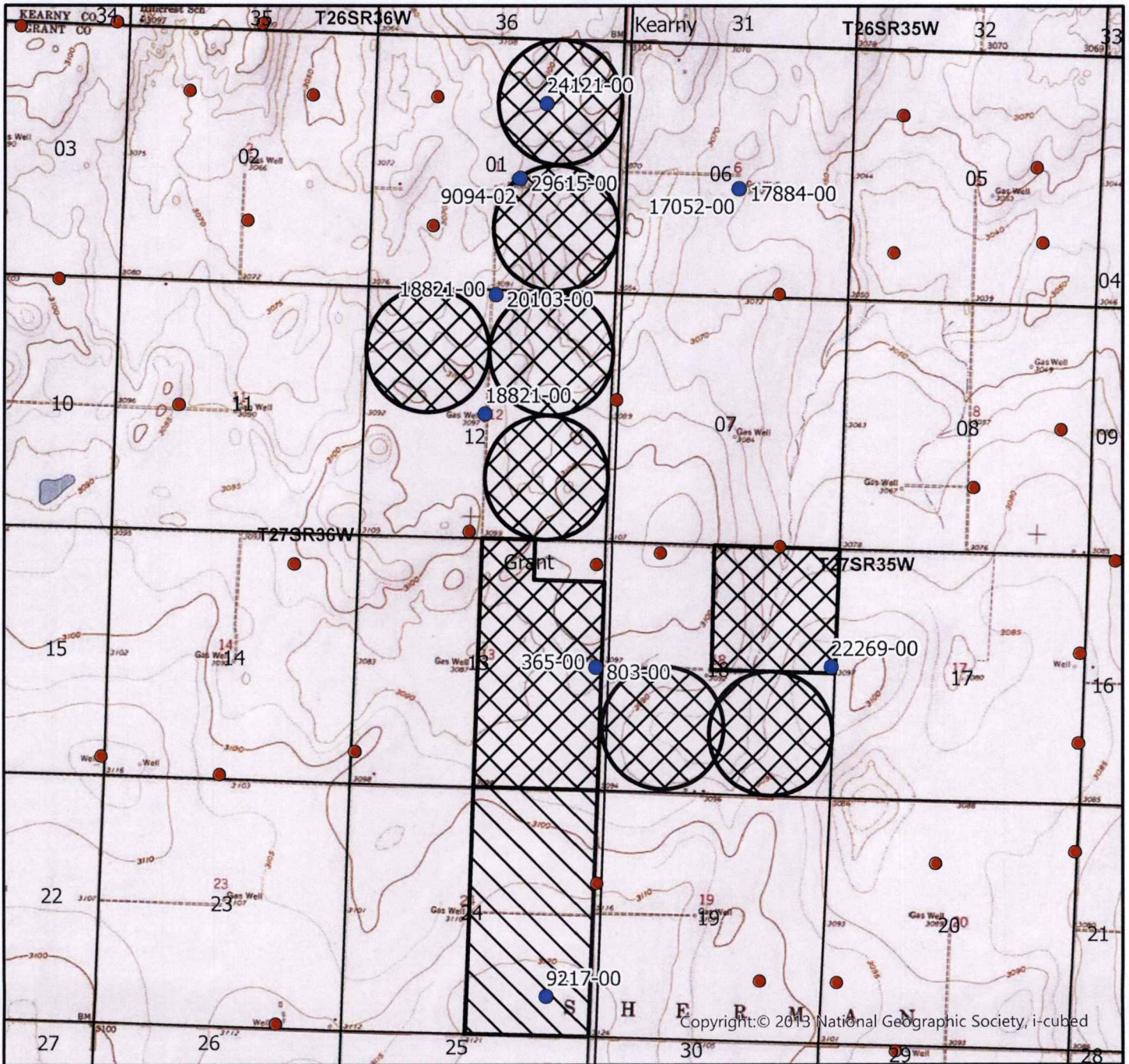
Acknowledged before me on June 28, 2022
by Austin McColloch

Signature: Julie Jones
Notary Public

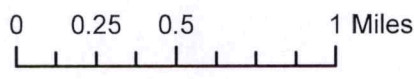
My commission expires: _____
(Notary Seal)



CHANGE IN PLACE OF USE WATER RIGHT, FILE NOS. 365; 803; 9094-02; 17884; 18821; 20103; 22269; 24121 & 29615



	Authorized Point of Diversion
	Permitted Water Right
	Domestic Well within 1/2 mile
	Authorized Place of Use
	Proposed Place of Use



McColloch, Austin [KDA]

From: Wanda Desselle-Dahna <wdrobichaux1030@yahoo.com>
Sent: Monday, June 20, 2022 9:37 PM
To: McColloch, Austin [KDA]
Subject: Notarized paper Daryl Pucket

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

I Daryl Pucket trustee give permission to have 9 copies of the paperwork that was notarized.
Thanks Daryl Pucket
620-353-9515

Sent from my iPhone

McColloch, Austin [KDA]

From: Bryan Smith <vortex@pld.com>
Sent: Tuesday, June 14, 2022 3:27 PM
To: McColloch, Austin [KDA]
Subject: Place of use application

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Austin,

I understand that there are ten files involved in the place of use application pertaining to addition of file 9217 to our system and that I only signed one application page but I am in agreement on all the other files being changed.

This has been sent in lieu of obtaining nine more notarized forms and you have my permission to copy the one you have and use on all files involved.

I have asked all parties involved to contact you accordingly and thanks for your help today.

Thanks

Bryan Smith - owner and V.P. @ J&L Smith Farms

McColloch, Austin [KDA]

From: Sandy Kennedy <joe.sandy.ken@gmail.com>
Sent: Tuesday, June 14, 2022 3:21 PM
To: McColloch, Austin [KDA]
Cc: Bryan Smith
Subject: J&L Smith Farms - Water

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Austin:

I understand that there are 10 files involved and I only signed one application page but I am in agreement on all the other files involved being changed.

Sandra L. Kennedy
685 W Barton County Rd
Great Bend KS 67530
(620) 793-0548

McColloch, Austin [KDA]

From: Julie Moral <jmoral1@pld.com>
Sent: Tuesday, June 14, 2022 4:48 PM
To: McColloch, Austin [KDA]
Cc: vortex@pld.com
Subject: Notarized Pages

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hello! This is Julie Moral. Bryan Smith talked to me about the page I signed and had notarized earlier. I understand that there are 10 files involved and I only signed one application page but I am in agreement on all the other files involved being changed.

Thank you so much for your help and reach out to me if you have questions.
Julie Moral

Sent from my iPad

McColloch, Austin [KDA]

From: Larry Smith <larrysm@pld.com>
Sent: Tuesday, June 14, 2022 4:03 PM
To: McColloch, Austin [KDA]
Cc: Bryan Smith
Subject: Application for change of use by J&L Smith Farms

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Afternoon Austin,

I understand that there are ten file numbers involved in the recent application and I only signed one signature page but I agree to all the other files being changed as well.

Sincerely,
Larry Smith