## 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 28 2022

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 EPT OF AGRICULTURE 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  (Check one or more) Point of Diversion  Use Made of Water
	File No. 37095
2.	Name of applicant: 5KR Land LLC
	Address: 695 Kausas 27
	City, State and Zip: Sharon Springs KS 67758
	Phone Number: 620) 376-8258 (cell) E-mail address: vay: 5 mith@smithlandinc.com
	What is your relationship to the water right; ⋈ owner □ tenant □ agent □ other? If other, please explain
	Name of water use correspondent: SKR Land LLC
	Address: Same
	City, State and Zip:
	Phone Number: (785) 852-4653 (work) E-mail address: Same
3.	The change(s) proposed herein are desired for the following reasons (please be specific):  To increase efficiency of water use and provide but up wells in case of break downs,
	The change(s) (was) (will be) completed by Mag 202 3
F.	or Office Use Only: O. GMD Meets K.A.R. 5-5-1 (YES / NO) Use IRR Source G S County GL By ALB Date 11/29/2 ode CPU Fee \$ 205 TR # Receipt Date 1/1/2/2 Check # 10322
DV	12/7/2022 LMoody VR 1-120 (Revised 06/16/2014) Assisted by:

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5. The presently authorized poin				File No. 37095
. The presently authorized poin	W-N-6-12	DE	CEINEN	File No. 37095 WATER RESOURCES
	t(s) of diversion (is) (are) _		(Provide description and nur	nber of points) RECEIVED
. The proposed point(s) of diver	rsion (is) (are)			nber of points) V 2 8 2022
			(Provide description and laur	iber of points)
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Presently authorized point of	of diversion:			K3 DELT OF HOME
One in theCN	Quarter of the 5-	dion	Quarter of the	Quarte
of Section7				
in Correley C				Southeast corner of section.
Authorized Rate 1010				
(DWR use only: Computer I				feet West)
This point will not be cha	nged 🗌 This point wil	l be changed	as follows:	
Proposed point of diversion	: (Complete only if change	ge is requeste	<u>d)</u>	
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of Section				
inC				Southeast corner of section.
Proposed Rate	Proposed Quantity _			
This point is: Additional W	ell Geo Center List o	other water righ	nts that will use this point	
Presently authorized point of				_
One in the <u>NE</u> of Section 7	Quarter of the	iw .	Quarter of the _5	Quarte
of Section/	, Township	16	South, Range	41 (E/W)
in Greeley C				Southeast corner of section.
Authorized Rate 880				
(DWR use only: Computer I				feet West)
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Proposed point of diversion	: (Complete only if change	ne is renueste	TV.	
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			File No.						
6.	The presently authorized point(s) of diversion (is) (are)	NOV 1 Provide description and number 16 2022	WATER RESOURCES						
7.	The proposed point(s) of diversion (is) (are)	NOV 1 6 2022  (Provide description and num							
	List all presently authorized point(s) of diversion:								
8. [	Presently authorized point of diversion:	Ду	KS DEPT OF AGRICULTURE						
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	One in the $NE$ Quarter of the $SE$								
	of Section 12 , Township 16	South, Range	7 Z (E/VV),						
	in Greatey County, Kansas, fee	t North feet West of	Southeast corner of section.						
	Authorized Rate 1490 Authorized Quantity 64								
	(DWR use only: Computer ID No GPS								
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 Quarter of the	Quarter of the	Quarter						
	of Section, Township								
	in County, Kansas, fee								
	Proposed Rate Proposed Quantity								
	This point is: Additional Well Geo Center List other								
L		3							
9. [	Presently authorized point of diversion:								
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	One in the $NE$ Quarter of the $SE$ of Section $12$ , Township $16$	South, Range	42 (E/W),						
	in Graele q County, Kansas, fee	t North feet West of	Southeast corner of section.						
	Authorized Rate 1490 Authorized Quantity 6								
- 1			1						
	(DWR use only: Computer ID No GPS	feet North	feet West)						
	(DWR use only: Computer ID No GPS This point will not be changed ☐ This point will be done.		feet West)						
	This point will not be changed  This point will be c	hanged as follows:	feet West)						
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	This point will not be changed  This point will be converted to the conver	changed as follows:  requested)  Quarter of the  South, Range  t North feet West of	Quarter (E/W),						
	This point will not be changed  This point will be converted to the proposed point of diversion: (Complete only if change is the proposed point of diversion: (Complete only if change is the proposed point of diversion: (Complete only if change is the proposed point of diversion: (Complete only if change is the proposed point of diversion: (Complete only if change is the proposed point of diversion: (Complete only if change is the proposed point of diversion: (Complete only if change is the proposed point of diversion: (Complete only if change is the proposed point of diversion: (Complete only if change is the proposed point of diversion: (Complete only if change is the proposed point of diversion: (Complete only if change is the proposed point of diversion: (Complete only if change is the proposed point of diversion: (Complete only if change is the proposed point of diversion: (Complete only if change is the proposed point of diversion: (Complete only if change is the proposed point of the propose	changed as follows:  requested)  Quarter of the South, Range t North feet West of	Quarter (E/W), Southeast corner of section.						
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110.	Proposed point of diversion: (Complete only if change is One in the	Phanged as follows:  requested)  Quarter of the South, Range t North feet West of  water rights that will use this poin  Quarter of the South, Range t North feet West of  requested)  Quarter of the Shanged as follows:  requested)  Quarter of the South, Range	Quarter (E/W), Southeast corner of section.  tQuarter (E/W), Southeast corner of section. feet West)  Quarter (E/W),						
110.	Proposed point of diversion: (Complete only if change is One in the	changed as follows:  requested)  Quarter of the South, Range t North feet West of  Quarter of the South, Range t North feet West of  Quarter of the South, Range t North feet West of  requested)  Quarter of the South, Range changed as follows:  requested)  Quarter of the South, Range changed as follows:  requested)  Quarter of the South, Range et North feet West of	Quarter (E/W), Southeast corner of section.  tQuarter (E/W), Southeast corner of section. feet West)  Quarter (E/W),						
10.	Proposed point of diversion: (Complete only if change is One in the	changed as follows:  requested)  Quarter of the South, Range t North feet West of  Quarter of the South, Range t North feet West of  requested)  Quarter of the South, Range thanged as follows:  requested)  Quarter of the South, Range thanged as follows:  requested)  Quarter of the South, Range that North feet West of	Quarter (E/W), Southeast corner of section.  tQuarter (E/W), Southeast corner of section.  feet West)  Quarter (E/W), Southeast corner of section.						
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					ECE	EIVEN	FILE INO	37095
12.	The p	ores	esently authorized use of water is for		NOV 1	6 2022 purpose	S.	
			posed that the use be changed to		ı u		purposes	i
13.	If cha	ingi	ging the place of use and/or use made of water, de		ow the cons	umptive use wi	II not be incurred RECE	500100
							NOV 2	8 2022
						+	(S DEPT OF	AGRICULTURE
	(Pleas	e sh	show any calculations here.)					
14.	It is re	equ	uested that the maximum annual quantity of water	be redu	iced to		(acre-fee	et or million gallons).
15.	It is re	equ	uested that the maximum rate of diversion of water	r be red	uced to	9	allons per n	ninute ( c.f.s.).
16.	1:24,0 Kansa Distar shoul	000 as nce ld a	plication must include either a topographic map or 10, is available through the Kansas Geological S 66047-3726 ( <a href="www.usgs.gov">www.usgs.gov</a> ). The map should stee North and West of the Southeast corner of the also be shown. Identify the center of the section, township, and range numbers on the map. In additional contents on the map. In additional contents on the map.	Survey, show the e section the sect	1930 Constant of location of must be so ion lines and	ant Avenue, Un the presently a hown. The pre- tithe section co	niversity of authorized p esently auth rners and s	Kansas, Lawrence, point(s) of diversion. norized place of use show the appropriate
	a. If	fa	change in the location of the point(s) of diversion i	is propo	sed, show:			
	1		The location of the proposed point(s) of diversion must be shown. Please be certain that the info Paragraph Nos. 9, 10 and 11 of the application.					
	2		If the source of supply is groundwater, please domestic wells, within ½ mile of the proposed we mailing address of the property owner or owners.	ell or we	ells. Identify	each well as to	o its use ar	nd furnish name and
	3		If the source of supply is surface water, the name and $\frac{1}{2}$ mile upstream from your property lines mu			resses of all lar	ndowner(s)	½ mile downstream
			a change in the place of use is desired, show the tain that the information shown on the map agrees					
17.	local well lo	sou ogs	documentation to show the change(s) proposed hource of supply as to which the water right relates. gs, test hole logs, and other information as necess below.	. This i	nformation n	nay include stat	tements, pla	ats, geology reports,
18.	identi reque	ify t	roposed change(s) does not meet all applicable ru the rules and regulations for which you request a t should be granted. Attach documentation showin prejudicially and unreasonably affect the public into	a waive	r. State the	reason why a	waiver is r	needed and why the

GEIWEN File No. 37095

\$100 .\$200 .\$200

\$300

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, executive, conservator), it will be necessary to attach proper documents showing such authority.

(Please Print)  (Owner)  (Please Print)  (Please Print)  (Please Print)  (Please Print)  (Something the print)	pouse) ase Print) pouse) ase Print)
(Please Print)  (Please Print)	pouse)
(Owner)  (Please Print)	pouse)
(Please Print)	
(Please Print)  (Owner)  (Please Print)	ase Print)
(Please Print)  (Ple State of Kansas  County of)  I hereby certify that the foregoing application was signed in my presence and sworn to before	
State of Kansas  County of)  I hereby certify that the foregoing application was signed in my presence and sworn to before	pouse)
County of) SS	ase Print)
	re me this day of
My Commission Expires	rry Public
FEE SCHEDULE	

Application to change a point of diversion 300 feet or less.

Application to change the use made of the water . .

Application to change the place of use .

Make check payable to Kansas Department of Agriculture.

Application to change a point of diversion more than 300 feet . . . . . . . .

12.	The	pre	sently authorized use	of water is for		_ purposes.	
				changed to			poses.
13.	If ch	nang	ging the place of use a	nd/or use made of water, d	escribe how the consumpt	ive use will not	be increased.
					L AT FIVED		
				1	2 8 2022		Ry
					- GR!CULTURE	/	
	(Plea	ase s	show any calculations here	1.)			
14.	It is	requ	uested that the maxim	um annual quantity of wate	er be reduced to	(a	acre-feet or million gallons).
15.	It is	requ	uested that the maxim	um rate of diversion of wat	er be reduced to	gallon	s per minute ( c.f.s.).
16.	1:24 Kan Dist	4,00 sas tanc uld	0, is available throug 66047-3726 ( <u>www.us</u> es North and West of also be shown. Identi	sgs.gov). The map should fithe Southeast corner of t	Survey, 1930 Constant A show the location of the phe section must be shown, the section lines and the	venue, Universoresently authors.  The present section corners	sity of Kansas, Lawrence, orized point(s) of diversion. tly authorized place of use s and show the appropriate
	a.	If a	change in the location	n of the point(s) of diversion	n is proposed, show:		
		1)	must be shown. Ple		formation shown on the m		theast corner of the section the information shown in
		2)	domestic wells, within	n 1/2 mile of the proposed v	well or wells. Identify each	well as to its	ells of any kind, including use and furnish name and ase indicate so on the map.
		3)		oly is surface water, the na ofrom your property lines m		s of all landow	ner(s) ½ mile downstream
	b.			of use is desired, show the nap agree			
17.	loca wel	al so I log	ource of supply as to v	w the change(s) proposed which the water right relate other information as neces	s. This information may in	clude stateme	ts and relates to the same nts, plats, geology reports, Iditional comments may be
		-					
	-						
	-				_		
18.	ider req	ntify uest	the rules and regulat should be granted. A	ions for which you request	t a waiver. State the reas ring that granting the reque	on why a waiv	or Appropriation Act, please yer is needed and why the air existing water rights and
			/				
		+	,				
	_						

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

File No. 37095

Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or divil/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

Dated at	s 14 and 15 of this appli	ication.  Superior Kansas, this _	16 ** day of	November	, 20 22
Pey	Sant		No	)ne	
Rag	(Owner) PSmith			(Spouse)	
	(Please Print)	WATER RESOUR		(Please Print)	
	(Owner)	NOV 28 20		(Spouse)	
	(Please Print)	KS DEPT OF AGRI	OULTURE	(Please Print)	
	(Owner)			(Spouse)	
	(Please Print)			(Please Print)	
State of Kansas County of WALLA		9	ARY FUBLIC - State of Kans. TAMMY L. ROBBEN BY Appl. Exp. 10-2-2	as	
I hereby certify that	t the foregoing applica , 20	tion was signed in my p	presence and sworr	n to before me this _	day of
My Commission Expires	Oct.2,2	<u>025</u>	- 1an	Notary Public	's -
		FEE SCHEDU	JLE		
Each application to char application fee set forth	nge the place of use, the in the schedule below:	point of diversion or the use	made of the water u	inder this section shall be	accompanied by the
(3) Application	to change the place of u	ersion 300 feet or less ersion more than 300 feet se			\$200

Make check payable to Kansas Department of Agriculture.



PECEIVED

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

SKR LAND LLC 695 KANSAS 27 SHARON SPRINGS KS 67758

RE:

File No(s). 37095

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