

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

1. File Number: 17083	2. Status Change Date:	3. Change Num: 1	4. Field Office: 02	5. GMD: 05	
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: 1/28/19	
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____		8c. Landowner(s) New to system <input type="checkbox"/>	
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID 60445 Add Seq# 1		8d. WUC New to system <input type="checkbox"/>	
WFY HOLDING COMPANY PO BOX 1506 GREAT BEND KS 67530		ILS FARMS WFY HOLDING COMPANY INC PO BOX 1506 GREAT BEND KS 67530			
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/19 <input checked="" type="checkbox"/> N & P Date to Comply: 12/31/19					
<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 checked="" type="checkbox"/> Driller Copy <input checked="" 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: 1/29/19 By: EKF Date Entered: _____ By: _____					

File No. **17083** 11. County: **ED** Basin: **Arkansas River** Stream: **---** Formation Code: **180** Special Use: **---**

12. Points of Diversion										Rate and Quantity				
CHK MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
										Rate gpm	Quantity af	Rate gpm	Quantity af	
ENT		NC NW	25	21	16W		3960	3938		920	221	920	221	NONE
DEL		NC NW	25	21	16W	1	3960	3978		920	221	920	221	NONE

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							NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files	
CHK MOD DEL ENT	PUSE	S	T	R	ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
CHK	243	25	21	16W	1																				8b	N	NONE

Base Acres: --- Year: --- Minimum Reasonable Quantity: _____
 Comments: _____

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

WATER METER REQUIRED

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.

File No. 17083

RECEIVED

10:03am
 JAN 28 2019

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

Stafford Field Office
 Division of Water Resources

2. Name and address of Applicant: Bronson Smith
ILS Farms, 551A SW 30th Rd, Great Bend KS 67530

Phone Number: (620)792-6166 Email address: bronson.smith@ilsbeef.com

Name and address of Water Use Correspondent: ILS Farms
WFY Holding Company Inc, PO Box 1506, Great Bend KS 67530

Phone Number: (620)793-9200 Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: WFY Holding Company Inc

ADDRESS: PO Box 1506, Great Bend KS 67530

(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	
25	21	16W																	No Change

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: _____

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 \$ 100 TR # _____ Receipt Date _____ Check # 17312

5. **Presently authorized point of diversion:**
 One in the --- Quarter of the --- Quarter of the NC NW Quarter
 of Section 25, Township 21 South, Range 16 W,
 in Pawnee County, Kansas, 3,960 feet North 3,978 feet West of Southeast corner of section.
 Authorized Rate 920 gpm Authorized Quantity 221 AF Depth of well 37 (feet)
(DWR use only: Computer ID No. 1 GPS N/A feet North N/A 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 NC NW Quarter
 of Section 25, Township 21 South, Range 16 W,
 in Pawnee County, Kansas, 3,960 feet North 3,938 feet West of Southeast corner of section.
 Proposed Rate no change Proposed Quantity no change Proposed well depth (feet) 73' CRC 1/28/19
 This point is: Additional Well Geo Center List other water rights that will use this point none per test log & discussion w/ Bronson.

6. **Presently authorized point of diversion:**
 One in the --- Quarter of the --- Quarter of the --- Quarter
 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)
(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 --- (E/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) current well is failing

8. If a well, is the test hole log attached? Yes No
CRC 1/28/19

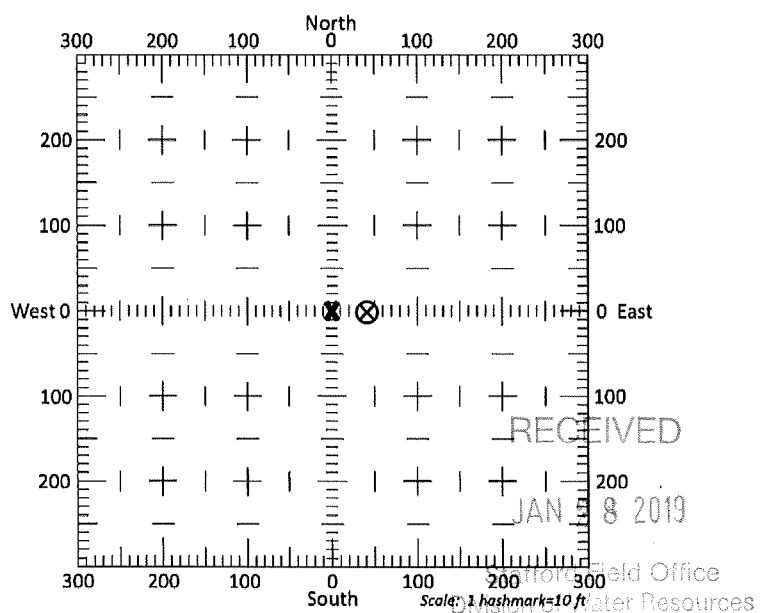
9. The change(s) (was)(will be) completed by?
ASAP

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
Plug it
 (b) When will this be done? when new well drilled

11. Groundwater Management District recommendation attached?
 Yes No CRC 1/28/19

12. Assisted by EKF/SFFO

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 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. **(PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)**

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 Great Bend, Kansas, this 28th day of January, 2019.

<p><u><i>Bronson Smith</i></u> (Owner)</p> <p><u>V.P. Farming - Bronson Smith</u> (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p>	<p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p>
--	---

State of Kansas }
 County of Barton } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 28th day of January, 2019.

NOTARY PUBLIC - STATE OF KANSAS
Heidi JO BURTON
 My Commission Expires 2-7-19

Heidi Jo Burton
 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

RECEIVED

JAN 28 2019

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. 17083.

1. A change application was received on January 28, 2019 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 50 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 90 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, 2019**, 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, 2019**, or within any authorized extension of time. By March 1, 2020 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 JAN 28 2019

By: Cameron R. Couart Stafford Field Office
Division of Water Resources
 Duly Authorized Designee of the Chief Engineer

(Print Name): Cameron R. Couart
 Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: January 28, 2019

State of Kansas)

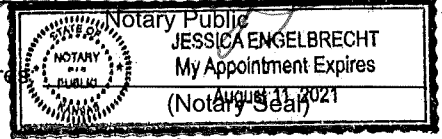
County of Stafford) SS

Acknowledged before me on 01/28/2019

by Cameron Couart

Signature: Jessica Engelbrecht

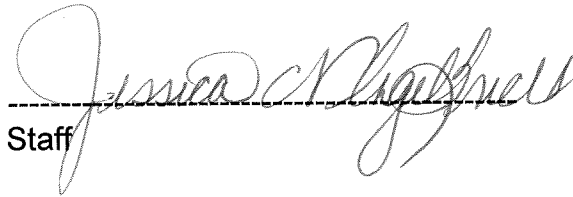
My commission expires August 11, 2021
 (Notary Seal)



CERTIFICATE OF SERVICE

On this **28th** day of **January, 2019**, I hereby certify that the attached Change in Point of Diversion for Water Right, File No. **17083**, dated **January 28, 2019** was hand delivered to the following:

Bronson Smith


Staff

USE TYPEWRITER OR BALL POINT PEN-PRESS FIRMLY, PRINT CLEARLY.

WATER WELL RECORD
KSA 82a-1201-1215

Kansas Department of Health and Environment-Division of Environment (Water well Contractors) Topeka, Kansas 66620

1. Location of well:	County <u>Township</u>	Fraction <u>300ft W of 1/4 C 1/4 NW 1/4</u>	Section number <u>25</u>	Township number <u>T 21 S</u>	Range number <u>R 16 E</u>
2. Distance and direction from nearest town or city: <u>From Larned 2 mi east 3/4 mi north, east into field.</u>			3. Owner of well: <u>Curtis Clutter</u> R.R. or street: <u>531 West 4th St.</u> City, state, zip code: <u>Larned, Ks. 67550</u>		
4. Locate with "X" in section below: N W E S 1 Mile 1 Mile			Sketch map: 		
5. Type and color of material			From	To	6. Bore hole dia. <u>2 1/2</u> in. Completion date <u>5-18-77</u> Well depth <u>37</u> ft.
<u>Sandy top soil</u>			<u>0</u>	<u>9</u>	7. <input type="checkbox"/> Cable tool <input checked="" type="checkbox"/> Rotary <input type="checkbox"/> Driven <input type="checkbox"/> Dug <input type="checkbox"/> Hollow rod <input type="checkbox"/> Jetted <input type="checkbox"/> Bored <input type="checkbox"/> Reverse rotary
<u>Sand and gravel</u>			<u>3</u>	<u>15</u>	8. Use: <input type="checkbox"/> Domestic <input type="checkbox"/> Public supply <input type="checkbox"/> Industry <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Air conditioning <input type="checkbox"/> Stack <input type="checkbox"/> Lawn <input type="checkbox"/> Oil field water <input type="checkbox"/> Other
<u>Black clay</u>			<u>15</u>	<u>18</u>	9. Casing: Material <u>Steel</u> Height: Above or below Threaded <input type="checkbox"/> Welded <input checked="" type="checkbox"/> Surface <u>18</u> in. RMP <input type="checkbox"/> PVC <input type="checkbox"/> Weight <u>11</u> lbs./ft. Dia. <u>1 1/2</u> in. to <u>37</u> ft. depth Wall Thickness: inches or Dia. <u>1 1/2</u> in. to <u>37</u> ft. depth gage No. <u>7</u>
<u>Sand and gravel</u>			<u>18</u>	<u>38</u>	10. Screen: Manufacturer's name <u>Oberns</u> Type <u>steel</u> Dia. <u>1 1/2</u> " Slot/gauze <u>3/16</u> Length <u>11</u> " Set between <u>26</u> ft. and <u>37</u> ft. <u>12</u> ft. and <u>37</u> ft. Gravel pack? <input checked="" type="checkbox"/> Size range of material <u>1/2 to 3/4</u>
					11. Static water level: <u>12</u> ft. below land surface Date <u>2-21-77</u> mo./day/yr.
					12. Pumping level below land surfaces: <u>22</u> ft. after <u>1</u> hrs. pumping <u>400</u> g.p.m. <u> </u> ft. after <u> </u> hrs. pumping <u> </u> g.p.m. Estimated maximum yield <u>600</u> g.p.m.
					13. Water sample submitted: <u>X</u> Yes <u> </u> No Date <u>2-21-77</u> mo./day/yr.
					14. Well head completion: <input type="checkbox"/> Pitless adapter <u> </u> inches above grade
					15. Well grouted? <input checked="" type="checkbox"/> With: <input checked="" type="checkbox"/> Neat cement <input type="checkbox"/> Bentonite <input type="checkbox"/> Concrete Depth: From <u>0</u> ft. to <u>10</u> ft.
					16. Nearest source of possible contamination: ft. <u>400</u> Direction <u>north</u> Type <u>septic</u> Well disinfected upon completion? <input type="checkbox"/> Yes <input type="checkbox"/> No
					17. Pump: <input checked="" type="checkbox"/> Not installed Manufacturer's name <u> </u> Model number <u> </u> HP <u> </u> Volts <u> </u> Length of drop pipe <u> </u> ft. capacity <u> </u> g.p.m. Type: <input type="checkbox"/> Submersible <input type="checkbox"/> Turbine <input type="checkbox"/> Jet <input type="checkbox"/> Reciprocating <input type="checkbox"/> Centrifugal <input type="checkbox"/> Other
					(Use a second sheet if needed)
18. Elevation: Topography: <input type="checkbox"/> Hill <input type="checkbox"/> Slope <input checked="" type="checkbox"/> Upland <input type="checkbox"/> Valley	19. Remarks: 		20. Water well contractor's certification: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. <u>Basencantz-Bemis</u> License No. <u>134</u> Business name <u>Great Bend, Ks 67330</u> Address <u> </u> Signed <u>Sandy Milgore</u> Date <u>2-27-77</u> Authorized representative		

T 21 S 16 E 25 1/4 NW

Forward the white, blue and pink copies to the Department of Health and Environment

Form WWC-5