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.

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 CHANGE THE PLACE OF USE, THE POINT OF DIVERSION OR THE USE MADE OF THE WATER UNDER AN EXISTING WATER RIGHT



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.

		• • • • • • • • • • • • • • • • • • • •
	<u></u>	Water Resources
1.	Application is hereby made for approval of the Chief Engineer to change the	Received
		MAR 22 2019
	(Check one or more) 🛛 Point of Diversion	11.18
	☐ Use Made of Water	KS Dept Of Agriculture
	File No. <u>21303</u>	
2.	Name of applicant: Carmen Schmitt	
	Address: PO Box 47	
	City, State and Zip: Great Bend KS 67530-0047	
	Phone Number: (620)793-5100 E-mail address: carmen@schmitti	nc.net
	What is your relationship to the water right; ⊠ owner ☐ tenant ☐ agent ☐ other?	If other, please explain.
	Name of water use correspondent: Carmen Schmitt	
	Address: PO Box 47	
	City, State and Zip: Great Bend KS 67530-0047	
	Phone Number: (620) 793-5100 E-mail address: carmen@schmitti	nc.net
3.	The change(s) proposed herein are desired for the following reasons (please be specific	c): Moving the point of diversion west
	to cover an existing well previously authorized by File No. 30636. Also, the application p	proposes to create a complete PU
	overlap with File No. 30636 while authorizing a pivot in the S 1/2 of 31-21S-14W and a	pivot in the N 1/2 of 6-22S-14W.
	This application is intended to be filed in conjuction with a PD/PU application proposed	under File No. 30636
	The change(s) (was) (will be) completed by ASAP	
	(Date)	
F.C	or Office Use Only: 0. 2 GMD Meets K.A.R. 5-5-1 (YES / NO) Use \\ Source \(\text{G} \) S County 0. 2 TR # Receipt Date \(\text{Z} \)	St. By DAW Date 5/22/19 22/19 Check # 24/14

File	Nο	21303

4.	The	presently	authorized	place	of	use	is:
----	-----	-----------	------------	-------	----	-----	-----

Owner of Land — NAME: Carmen Schmitt

ADDRESS: PO Box 47, Great Bend KS 67530-0047

				NE	Ξ1/4		NW¼			SW¼			SE¼				TOTAL		
Sec.	Twp.	Range	NE1⁄4	NW¼	SW1/4	SE1⁄4	NE1⁄4	NW¼	SW1/4	SE¼	NE1/4	NW¼	SW¼	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
5	22S	14W	Lot 1 40	Lot 2 40	40	40	Lot 3 40	Lot 4 36	40	40									316
	-	*																	

List any other water rights that cover this place of use. 30636

Owner of Land — NAME: ---

ADDRESS: ---

				NE	Ξ1/4		NW1⁄4			SW1/4			SE¼				TOTAL		
Sec.	Twp.	Range	NE1⁄4	NW¼	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW¼	SE¼	ACRES
																		ļ	
				i i															
															-				
											1								

List any other water rights that cover this place of use. ---

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: Carmen Schmitt

ADDRESS: PO Box 47, Great Bend KS 67530-0047

				NE	Ξ1/4		NW¼			SW¼			SE1/4				TOTAL		
Sec.	Twp.	Range	NE1⁄4	NW1⁄4	SW1/4	SE¼	NE1/4	NW¼	SW1/4	SE1/4	NE1⁄4	NW1/4	SW¼	SE1/4	NE1⁄4	NW¼	SW1/4	SE¼	ACRES
31	21S	14W									29			29	3.5	35.5	35.5	3.5	136
6	22S	14W	15.7	37.6	38.9	16.5	34.6	1.2	1.3	35.6									181.4
																			Total: 317.4

List any other water rights that cover this place of use. 30636

Owner of Land — NAME: ---

ADDRESS: ---

				NE	Ξ1/4			NW1⁄4			SW¼				SE¼				TOTAL
Sec.	Twp.	Range	NE1⁄4	NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE¼	ACRES
		•																	
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				L	<u> </u>	l	L	l		L	<u> </u>	L		<u> </u>	Wate	r He	courc	es u	L

List any other water rights that cover this place of use. ---

Received

|--|

Ь.	The presently authorized po	int(s) of diversion is <u>one (1</u>) well with divers	(Provide description and numb	er of points)	· · · · · · · · · · · · · · · · · · ·
7.	The proposed point(s) of div	ersion is <u>One (1) existing w</u>	vell with diversio			
	List all presently authorize	ed point(s) of diversion:				
8.	Presently authorized point	t of diversion:				
	One in the NE	Quarter of the	SE	Quarter of the	NW	Quarter
	of Section5	, Township	22	South, Range	14	W,
	in Stafford	County, Kansas, 3845	feet North	3040 feet West of S	outheast corner o	f section.
	Authorized Rate1600 GP	M Authorized Quantity	270 AF			
	(DWR use only: Computer	r ID No. 4 GI	PS 4006	feet North3033	get West)
	☐ This point will not be ch					
	Proposed point of diversion	on: (Complete only if chan	nge is requeste	d)		
	One in theNW	Quarter of the	SW	Quarter of the	NW	Quarter
	of Section5					
	in Stafford					
	Proposed Rate No Chang					
	This point is: Additional \				None	
Э.	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 S	outheast corner o	f section.
	Authorized Rate	Authorized Quantity				
	(DWR use only: Computer	r ID No GI	PS	feet North	feet West)
	☐ This point will not be ch		ill be changed a			
		nanged 🔲 This point wi	-	as follows:		
	☐ This point will not be ch	nanged ☐ This point wi on: (Complete only if chan	ige is requeste	as follows: <u>d)</u>		
	☐ This point will not be ch	nanged ☐ This point wi on: (Complete only if chan Quarter of the	ige is requeste	as follows: <u>d)</u> Quarter of the		Quarter
	This point will not be cheronome point of diversion One in the of Section	nanged	ige is requeste	as follows: d) Quarter of the South, Range		Quarter (E/W),
	This point will not be chemosed point of diversion One in the of Section in	nanged	ge is requeste	as follows: d) Quarter of the South, Range feet West of S		Quarter (E/W),
	This point will not be checked proposed point of diversion One in the of Section in Proposed Rate	nanged	ge is requested	as follows: d) Quarter of the South, Range feet West of S	outheast corner o	Quarter (E/W),
	This point will not be chemosed point of diversion One in the of Section in	nanged	ge is requested	as follows: d) Quarter of the South, Range feet West of S	outheast corner o	Quarter (E/W),
0.	This point will not be checked proposed point of diversion One in the of Section in Proposed Rate	nanged	ge is requested	as follows: d) Quarter of the South, Range feet West of S	outheast corner o	Quarter (E/W),
0.	This point will not be chemosed point of diversion One in the of Section in	nanged	ge is requested feet North other water righ	as follows: d) Quarter of the South, Range feet West of S ts that will use this point _	outheast corner o	Quarter (E/W), f section.
0.	This point will not be chere in the	nanged	ge is requested feet North other water righ	as follows: d) Quarter of the South, Range feet West of S ts that will use this point _ Quarter of the South, Range	outheast corner o	Quarter (E/W), f section. Quarter (E/W),
0.	☐ This point will not be checked. Proposed point of diversion. One in the	nanged	ge is requested feet North other water righ	as follows: d) Quarter of the South, Range feet West of S ts that will use this point _ Quarter of the South, Range	outheast corner o	Quarter (E/W), f section. Quarter (E/W),
0.	This point will not be check the Proposed point of diversion one in the of Section in	nanged	feet North feet North feet North	as follows: d) Quarter of the South, Range feet West of S ts that will use this point _ Quarter of the South, Range feet West of S	outheast corner o	Quarter (E/W), f section Quarter (E/W), f section.
0.	☐ This point will not be checked Proposed point of diversion One in the	nanged	feet North feet North feet North	as follows: d) Quarter of the South, Range feet West of S ts that will use this point _ Quarter of the South, Range feet West of S	outheast corner o	Quarter (E/W), f section Quarter (E/W), f section.
0.	This point will not be check the Proposed point of diversion one in the of Section in	nanged	feet North other water righ	as follows: d) Quarter of the South, Range feet West of S ts that will use this point _ Quarter of the South, Range feet West of S feet North	outheast corner o	Quarter (E/W), f section Quarter (E/W), f section.
0.	Presently authorized point One in the of Section in Proposed Rate This point is: Additional V Presently authorized point One in the of Section in Authorized Rate (DWR use only: Computer	nanged	feet North the feet North feet North feet North feet North feet North	as follows: d) Quarter of the South, Range feet West of S ts that will use this point _ Quarter of the South, Range feet West of S feet North as follows:	outheast corner o	Quarter (E/W), f section Quarter (E/W), f section.
0.	Presently authorized point One in the of Section in Proposed Rate This point is: Additional V Presently authorized point One in the of Section in U Presently authorized point One in the One in the Of Section In Authorized Rate (DWR use only: Computer This point will not be che Proposed point of diversion	nanged	feet North feet North feet North feet North feet North	as follows: d) Quarter of the South, Range feet West of S ts that will use this point _ Quarter of the South, Range feet West of S feet North as follows: d)	outheast corner o	Quarter (E/W), f section Quarter (E/W), f section.
0.	Proposed Rate This point is: Additional in Authorized Rate [DWR use only: Computer in This point will not be cheme]	nanged	feet North feet North other water righ feet North feet North feet North	as follows: d) Quarter of the South, Range feet West of S ts that will use this point _ Quarter of the South, Range feet West of S feet North as follows: d) Quarter of the	outheast corner o outheast corner o feet West	Quarter (E/W), f section Quarter (E/W), f section.
0.	☐ This point will not be cheroposed point of diversion One in the	nanged	feet North tell other water righ feet North feet North feet North feet North feet North	as follows: d) Quarter of the South, Range feet West of S ts that will use this point _ Quarter of the South, Range feet West of S feet North as follows: d) Quarter of the South, Range	outheast corner o	Quarter (E/W), f section Quarter (E/W), f section.
0.	This point will not be cheroposed point of diversion One in the of Section in Proposed Rate This point is: Additional Version One in the Additional Version of Section Authorized Rate (DWR use only: Computer This point will not be cheroposed point of diversion One in the of Section in in of Section in in in in in in	nanged	feet North	as follows: d) Quarter of the South, Range feet West of S ts that will use this point _ Quarter of the South, Range feet West of S feet North as follows: d) Quarter of the South, Range feet West of S feet West of S	outheast corner o	Quarter (E/W), f section Quarter (E/W), f section.
0.	This point will not be cheroposed point of diversion One in the of Section in Proposed Rate This point is:	nanged	feet North	as follows: d) Quarter of the South, Range feet West of S ts that will use this point _ Quarter of the South, Range feet West of S feet North as follows: d) Quarter of the South, Range feet West of S	outheast corner o outheast corner o feet West) outheast corner o	Quarter (E/W), f section. Quarter (E/W), f section. Quarter (E/W), f section.
	This point will not be cheroposed point of diversion One in the of Section in Proposed Rate This point is: Additional Version One in the Additional Version of Section Authorized Rate (DWR use only: Computer This point will not be cheroposed point of diversion One in the of Section in in of Section in in in in in in	nanged	feet North other water righ feet North feet North feet North feet North other water righ	as follows: d) Quarter of the South, Range feet West of S ts that will use this point _ Quarter of the South, Range feet West of S feet North as follows: d) Quarter of the South, Range feet West of S ts that will use this point	outheast corner o outheast corner o feet West) outheast corner o	Quarter (E/W), f section. Quarter (E/W), f section. Quarter (E/W), f section.

				File No. <u>21303</u>
12.	The pre	esently authorized use of water is for <u>Irrigation</u>	purpose	es.
	It is pro	posed that the use be changed to N/A - No Change		purposes.
13.	If chang	ging the place of use and/or use made of water, describe h	now the consumptive use w	ill not be increased.
		considering the place of use overlap with File No. 30636, t	•	
		e of both water rights by more than 10 acres or 10 percent		
	anticipa	•		
	(Please	show any calculations here.)		
14.	It is req	uested that the maximum annual quantity of water be redu	uced to <u>N/A</u>	(acre-feet or million gallons).
15.	It is req	uested that the maximum rate of diversion of water be red	uced to N/A	gallons per minute (c.f.s.).
16.	1:24,00 Kansas Distand should	plication must include either a topographic map or detailed, is available through the Kansas Geological Survey, 666047-3726 (www.usgs.gov). The map should show the South and West of the Southeast corner of the sectionals be shown. Identify the center of the section, the section, township, and range numbers on the map. In addition the	1930 Constant Avenue, Use location of the presently on must be shown. The protion lines and the section co	Iniversity of Kansas, Lawrence, authorized point(s) of diversion esently authorized place of use orners and show the appropriate
	a. If a	change in the location of the point(s) of diversion is propo		
	1)	The location of the proposed point(s) of diversion. Dista must be shown. Please be certain that the information Paragraph Nos. 9, 10 and 11 of the application.		
	2)	If the source of supply is groundwater, please show the domestic wells, within $\frac{1}{2}$ mile of the proposed well or with mailing address of the property owner or owners. If there	ells. Identify each well as	to its use and furnish name and
	3)	If the source of supply is surface water, the names and and $\frac{1}{2}$ mile upstream from your property lines must be sh		ndowner(s) ½ mile downstream
		a change in the place of use is desired, show the propostain that the information shown on the map agrees with the	e, information shown in Para	
17.	local so well log made b	documentation to show the change(s) proposed herein wource of supply as to which the water right relates. This igs, test hole logs, and other information as necessary information.	ill not impair existing wate nformation may include statement to show the above	tements, plats, geology reports, e. Additional comments may be
	This ap	plication proposes to cover an existing well which has bee	n authorized under File No	. 30636. The existing well
	appear	s to maintain the same local source of supply.	<u> </u>	Water Resources Received
	See att	ached "Domestic Well Spacing Consent" forms and well lo	ng an	
				MAR 22 2019
18.	identify request	roposed change(s) does not meet all applicable rules and the rules and regulations for which you request a waive t should be granted. Attach documentation showing that of prejudicially and unreasonably affect the public interest.	er. State the reason why a	waiver is needed and why the
	As prop	posed, the existing well does not meet spacing to two (2) n	earby wells which are locat	ed on an abandoned school
	house r	oroperty. (See attached "Domestic Well Spacing Consent"	forms which have been sig	ned by the nearby well owner.
	The ap	plicant has provided GPS locations for the wells (memo or	<u>ı file dated 3/14/19). A waiv</u>	er of 5-25-2 is requested.

File No). j	21303
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Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

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

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

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

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Greet Bend	Kansas, this _	20 day of March	, 20 9
Carry School The		Authin X I chuift	
(Owner)		(Spouse)	
(Please Print)		Pebbia S. Sebmitt (Please Print)	
(Owner)		(Spouse)	
(Please Print)		(Please Print)	
(Owner)		(Spouse)	·
(Please Print)		(Please Print)	
State of Kansas County of Barton SS	K. PH.	4,	
I hereby certify that the foregoing application was sign	TARY BUILD	resence and sworn to before me this	20 day of
My Commission Expires $\frac{3 32 2022}{47E}$	OF KAN	SEANOLYN K Philan Notary Public	
	441815		-
<u>I</u>	FEE SCHEDU	<u>ILC</u>	

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

(1)	Application to change a point of diversion 300 feet or less	
(2)	Application to change a point of diversion more than 300 feet	.\$200
(3)	Application to change the place of use	\$200
(4)	Application to change the use made of the water	\$300

Make check payable to Kansas Department of Agriculture.

VATER WE	LL RECORD	Form W	WC-5	Di	ivision of Water	r Resources App. No	21303			
	NOF WATER WELL:	Fraction			on Number	Township No.	Range Num	ber		
County: Sta	offord	1/4 NE 1/4 SE			5	T 22 S		JE ₹ W		
Street/Rural Address of Well Location; if unknown, distance & direction Global Positioning System (GPS) information:										
from nearest	town or intersection: If at		Latitude: (in decimal degrees)							
1/8 South, 1/8 East of Radium					Longitude: (in decimal degrees)					
			Elevation:							
2 WATER W	ELL OWNER: William		Collection Method:							
2 WATER WELL OWNER: William & Karl Estes RR#, Street Address, Box #: 8609 Brookhollow					GPS unit (Make/Model:)					
City, State,	ZIP Code : Wichita.	KS 67206				oto, 🔲 Topographic				
<u>Est. Accuracy</u> :										
3 LOCATE W		COMPLETED WELL	r 225		ft					
	WITH AN "X" IN SECTION BOX: N Depth(s) Groundwater Encountered (1)									
N	WELL'S STAT	IC WATER LEVEL	36f	t. below	land surface n	neasured on mo/da	ay/yr10-23-	12		
Pump test data: Well water was 62' 6"ft. after 2.1/2 hours pumping 1.162 gpm										
NW	NW SIE EST. YIELD. 2173. gpm. Well water was. 82'									
Bore Hole Diameter 30 in. to .225 ft., and in. to										
								1		
SWSE ☐ Domestic ☐ Feedlot ☐ Oil field water supply ☐ Dewatering ☐ Other (Specify below) ☐ Irrigation ☐ Industrial ☐ Domestic-lawn & garden ☐ Monitoring well										
	Was a chemical/	hacteriological sample	submitted t	o Denari	tment?	Yes 🔽 No				
Was a chemical/bacteriological sample submitted to Department? Yes V No If yes, mo/day/yr sample was submitted										
1 mile		fected? Yes								
5 TVPF OF C	ASING USED:									
						••••				
CASING JOINTS: Glued Clamped Welded Threaded ft., Diameter f										
Casing height above land surface 18 in., Weight Sch 40 lbs./ft., Wall thickness or gauge No.										
TYPE OF SCREEN OR PERFORATION MATERIAL:										
☐ Steel	Stainless Steel	₽ PVC] Other (Specify)					
Brass Galvanized Steel None used (open hole)										
SCREEN OR PERFORATION OPENINGS ARE: Continuous slot Mill slot Gauze wrapped Torch cut Drilled holes None (open hole)										
Louvered shutter Key punched Wire wrapped Saw cut Other (specify)										
SCREEN-PERFORATED INTERVALS: From										
		From 1	ft. to		ft., From	ft. t	o	ft.		
GRAV	EL PACK INTERVALS:									
COOUTM		From								
Grout Intervals	TERIAL: Neat ceme From ft. to	ent Cement grout	20 Bento	ft to 0	_] Other	From	ff to			
	rest source of possible conta			11. 10		1 10111	. 11. 10			
Septic t			Livestock	pens	☐ Insecticide	storage Othe	er (specify belo	ow)		
Sewer l			Fuel stora		Abandoned					
Waterti	ght sewer lines Seepage p	•	Fertilizer		Oil well/ga		••••••			
	m well North LITHOLOG	IC LOG	FROM	TO TO		OG (cont.) or PLU				
FROM TO 1	 	IC LOG	111	131	Sandy clay		TINI DNIIDD	ERVALS		
1 14	Sandy clay Clay		131	141	Sand	1	Resources	5		
14 22	Fine sand		141	162	Sandy clay	Water	ceived			
22 46	Sand		162	166	Fine sand			,		
46 61	Sandy clay	<u> </u>	166	176	Sandy clay	DAAD	22 2019			
61 62	Clay	17.00	176	190	Sand & gra	IVAI				
62 76	Sand		190	191	Clay		Of Agricu	Iture		
76 84	Clay		191	225	Gravel	KS Debr	017.5			
84 98	Sandy clay									
98 111	111 Fine sand									
	7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was ✓ constructed, ☐ reconstructed, or ☐ plugged									
under my jurisdiction and was completed on (mo/day/year) .12-7-12 and this record is true to the best of my knowledge and belief.										
Kansas Water Well Contractor's License No. 134 This Water Well Record was completed on (mo/day/year) 12-14-12										
under the business name of Rosencrantz-Bemis by (signature). Superinterior ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks and check the correct answers. Send three copies										
(white, blue, pink)	to Kansas Depar tment of Health	and Environment, Bureau	of Water, Geo	logy Section	on, 1000 SW Jac	kson St., Suite 420, T	Topeka, Kansas (66612-1367.		
Telephone 785-296-5524. Send one copy to WATER WELL OWNER and retain one for your records. Include fee of \$5.00 for each constructed well. Vi sit us at										
http://www.kdheks.gov/waterwell/index.html. KSA 82a-1212 Check: White Copy, Blue Copy, Pink Copy										
KSA 82a-1212				CI	INCEN. MI	ine copy, 🗀 Biu	.c copy, ∐	r nin cohy		

CARMEN SCHMITT P.O. BOX 47 GREAT BEND KS 67530

New Wealth Comes From the Land

3-20-19

620-793-5100

Attn: Mr. Brent Turney
CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502

Water Resources Received

MAR 22 2019

Re:

Water Right File Numbers 21303 and 30636

Section 5-22S-14W Stafford County, Kansas KS Dept Of Agriculture

Dear CHIEF ENGINEER:

Overview: Carmen Schmitt presently owns N/2 of Section 5-22S-14W with the related water rights files 21303 and 30636. Historically this land has been flood irrigated; not developed with pivot sprinklers because of the extensive oil production infrastructure on the land. Carmen Schmitt also owns S/2 Section 31-21S-14W and N/2 Section 6-22S-14W, historically not irrigated. The purpose of the enclosed Applications is to pivot irrigate acreage in S/2 Section 31-21W-14W and N/2 Section 6-22S-14W and discontinue the flood irrigation in N/2 Section 5-22S-14W.

Enclosed please find:

- A. Application for Approval to Change the Place of Use and Point of Diversion File #30636.
- B. Application for Approval to Change the Place of Use and Point of Diversion File #21303. Please note paragraph 18. alludes to "Domestic Well Spacing Consent" forms as being attached. The "Consentor" personally gave verbal approval on Friday, March 15 after which I obtained the forms from DWR Stafford. As of today the "Consentor" is away from home and unavailable. As soon as I can again locate the "Consentor" I will send the executed forms to you for attachment to this application.
- C. Check in the amount of \$800.00 for the total application fees.

Please give these applications your prompt attention, as we want to proceed for the upcoming irrigation season. I may be reached at the phone number on this letterhead or my cell number, which is 620.793.0102, or my email address, which is carmen@schmittinc.net.

Sincerely,

Carry Some

Carmen Schmitt

cc:

GMD 5 Jerry Cullop, Secretary

KDA

Kenneth B. Titus, Chief Legal Counsel

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

Mike Beam, Interim Secretary

Laura Kelly, Governor

CARMEN SCHMITT PO BOX 47 GREAT BEND, KS 67530 March 25, 2019

RE: File No 21303

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

☐ place of use PU/PD ☐ point of diversion ☐ use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

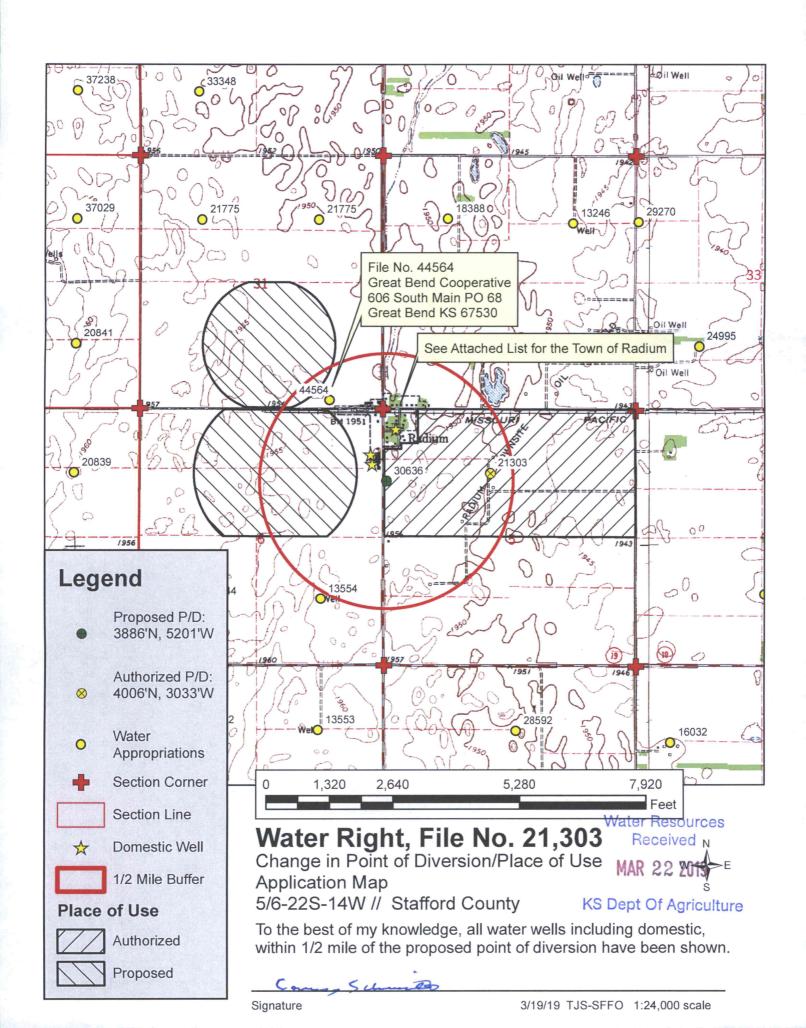
Brent Tourney, L.G.

Change Applications Unit Supervisor

front A. Juney

Water Appropriation Program

BAT: DLW5



Water Right File Nos. 21303 & 30636

Point of Diversion Change Application, Nearby Well Owners - Town of Radium KS

SPECE, SAMUEL M WILLIAM L, 2224 CLEVELAND, GREAT BEND, KS, 67530

CITY OF RADIUM, Attn: JOANN CLARK, 112 STATION RD, RADIUM, KS, 67550

RADIUM RANGER SENIOR CITIZ, Attn: RITA MILLER SECRETARY, 637 NW 90TH ST, ST JOHN, KS 67576

CLARK, MARY JOANN, 112 STATION RD, RADIUM, KS, 67550

GRAY, GARY K & MARY JOANN CLARK, 200 STATION RD, RADIUM, KS, 67550

GRAY, GARY LYNN, 206 STATION RD, RADIUM, KS, 67550

FOSTER, AGATA N, 648 EMERALD COVE DR, CHALOTTE, NC, 28262

SPICER, PAUL B, 220 STATION RD, RADIUM, KS, 67550

SIMMONS REVC TRUST, SUSAN J, 226 STATION RD, RADIUM, KS, 67550

BATTIN, SUSAN M, 309 RADIUM RD, RADIUM, KS, 67550

DETHERAGE, THERESA M, 321 ESTES AVE, RADIUM, KS, 67550

BROWN ET AL, GERALD W, 309 RADIUM RD, RADIUM, KS, 67550-9105

MOSIER, TREY, 301 ESTES AVE, RADIUM, KS, 67550

MCALLISTER, KAREN, 577 80TH AVE, LARNED, KS, 67550-5244

BATES-CALDERWOOD, CLAIR A, 302 ESTES AVE, RADIUM, KS, 67550-9128

NORMAGENE ROWLEY, Attn: MICHAEL E BURKS, 2542 20TH ST, GREAT BEND, KS, 67530

NELLIE ACKERMAN ET AL, Attn: NORMAGENE ROWLEY, 2542 20TH ST, GREAT BEND, KS, 67530

GERALYN FRANCES KELLY SCHARTZ FAMILY TRUST, , 25610 W 69TH TER, SHAWNEE, KS, 66226-3385

RAYBERN JTWROS, LEWIS & AMANDA, 494 NW 150TH ST, SEWARD, KS, 67576

GALES, JOSHUA, 211 ESTES DR, RADIUM, KS, 67550-5505

CUMMINS, LACY J, 215 ESTES AVE, RADIUM, KS, 67550

BAUMAN, ZACHARY J, 214 ESTES AVE, RADIUM, KS, 67550

NEELAND, ROBERT D, 204 ESTES AVE, RADIUM, KS, 67550

GREAT BEND COOPERATIVE ASSOCIATION, , PO BOX 68, GREAT BEND, KS, 67530-0068

BROWN, SUSAN M, 309 RADIUM RD, RADIUM, KS, 67550

Water Resources Received

MAR 22 2019

KS Dept Of Agriculture 3/13/2019 TJS - SFFO