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.

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1.	Application	on is he	reby m	nade fo					nginee					e or bo	th):	Di			eld Office er Resource
	☐ 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:																		
2.	Name an											200	1,000	-				197	energe des l
		ILS Land LLC, 551A SW 30 Rd, Great Bend KS 67530																	
	Phone N					r	4.13				ss: <u>bro</u>	nson.	smith@	<u> Dilsbee</u>	f.com			(F) } ()	1 2000
	Name an					200	ndent	: ILS	Land I	_LC	2 10 1	1 - 4 - 3	17,16		<u>leare</u>	13.1.30		21.51	
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3.	The pres																		
	Owner of							. Ta											20
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	(If there is	more th	an one	landowr	ner, atta	ch sup	pleme	ntal sh	eets as	necess	sary.)	100	-	1 11/19	T	LUF I	e le	= 17 21	1 8 8 7 7
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_Se	c. Twp.	Range	e NE½	4 NW1/4	4 SW1/4	SE1/4	NE1/4	4 NW	1/4 SW1	1/4 SE1/	4 NE!	/4 NW	1/4 SW1	4 SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
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_Se	c. Twp.	Range	NE¼	NW¼	SW1/4 3	SE¼	NE¼	NW¼	SW¼	SE1/4	NE1/4	NW1⁄4	SW1/4	SE1/4	NE1/4	NW¼	SW¼	SE¼	
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5.	Presently authorized point of diversion:						
		Quarter of the NC SE Quarter					
		23 South, Range 16 W,					
		eet North1,320 feet West of Southeast corner of section.					
	Authorized Rate 800 gpm Authorized Quantity						
	(DWR use only: Computer ID No. <u>06</u> GPS _	<u>1,289</u> feet North <u>1,312</u> feet West)					
	☐ This point will not be changed ☐ This point will be changed a	as follows: No change, point better described with GPS as follows:					
		is requested or if existing point is better described by GPS)					
		SW Quarter of the SE Quarter					
	of Section, Township	<u>23</u> South, Range <u>16</u> W,					
	in <u>Pawnee</u> County, Kansas, <u>1,289</u> fe	eet North <u>2,162</u> feet West of Southeast corner of section.					
	Proposed Rate <u>no change</u> Proposed Quantity <u>r</u>	no change Proposed well depth (feet)					
	This point is: ☐ Additional Well ☐ Geo Center List other	er water rights that will use this point <u>31972</u> .					
	1415.4						
6.	Presently authorized point of diversion:						
	One in the Quarter of the	Quarter of the Quarter					
		South, Range(E/W),					
		eet North feet West of Southeast corner of section.					
	Authorized Rate Authorized Quantity						
	(DWR use only: Computer ID No GPS _	feet North feet West)					
		as follows: No change, point better described with GPS as follows:					
		is requested or if existing point is better described by GPS)					
		Quarter of the Quarter					
		South, Range (E/W),					
		eet North feet West of Southeast corner of section.					
		Proposed well depth (feet)					
		er water rights that will use this point					
L							
7.	The changes herein are desired for the following reasons?						
	(please be specific) Current well failing	North					
		300 200 100 0 100 200 300 Emiliminiminim I miliminiminimi					
		E' '' '' '' '' '' '' '' '' '' '' '' '' '					
8.	If a well, is the test hole log attached? ⊠ Yes ☐ No	200					
		200 Con attached man					
9.	The change(s) (was)(will be) completed by?	See attached map					
	ASAP	100					
10.	If the point of diversion is a well:						
	(a) What are you going to do with the old well?	West 0 [+++					
		F					
	Plug it	100					
	(b) When will this be done? When new well drilled						
	· ·						
11.	Groundwater Management District recommendation attached?	200 - 1 + 1 + 1 = 1 + 1 + 1 = 200					
	Yes No	E _ E 3					
4.0	A LA LA EKEKEER	[*]					
12.	Assisted by EKF/SFFO	300 200 100 0 100 200 300					
13a	. If the proposed point of diversion will be relocated more than 300	South Scale: 1 hashmark=10 ft					
	feet but within 2,640 feet of the existing point of diversion, attach	n 13b. If the proposed point of diversion will be relocated within 300 feet					
	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 diversion. (PLEASE NOTE: The "X" in center of diversion.						
	addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile	e above represents the presently authorized point of					
	downstream and one-half mile upstream from your property	diversion.)					

lines

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 p ☐ Yes ☐ No (If no, all owners must sign this application.)	place(s) of use identified in this application?
 (b) Will the ownership interest of any owner of the currently authorized pla 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 ☐ Yes ☐ No (If no, all owners must sign this application.)	damage to property, public health or safety?
If the application proposes a surface water change in point of diversion, a ground or a change in place of use, the application must be signed by all owners of the agent (attach notarized statement authorizing representation).	dwater change in point of diversion greater than 300 feet currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirmation age and the owner, the spouse of the owner, or a duly authorized age their behalf, in regards to the water right(s) to which this application on the contained in this application are true, correct and complete.	gent of the owner(s) to make this application on
Dated at Stafford, Kansas, this 16th	day of <u>December</u> , 20 <u>19</u> .
Summer UP Farming	(Onessee)
(Owner)	(Spouse)
Bronson Smith (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas	and the specific program of the control of the specific control of the specifi
County of Stafford	
I hereby certify that the foregoing application was signed in my proof	esence and sworn to before me this //eth day
My Commission Expires August 11, 2021	Notery Public
ONLY COMPLETE APPLICATIONS WIFE BE PROCESSED. To be complete, all of the a accurate information; maps, if necessary, must be included; signatures of all the appropriate appropriate fee must be paid.	applicable portions of the application form must be completed wi ate owners' must be affixed to the application and notarized; and
FEE SCHEDULE	
Each application to change the place of use or the point of diversion under this forth in the schedule below: Make checks payable to: Kansas Department of	section shall be accompanied by the application fee set

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. 25406 A change application was received on December 16, 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. 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 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 300 foot radius of the authorized point(s) of diversion. Applicable 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 The point(s) of diversion authorized herein shall not actually be located more than 1,150 authorized point(s) of diversion.

☐ Applicable ☐ Not Applicable 5. _____feet from the previously 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 \square Not Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2020, 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. Installation of the works for diversion of water shall be completed on or before December 31, 2020, or within any authorized extension of time. By March 1, 2021 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. ☐ Not Applicable 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 FOR OFFICE USE ONLY **APPLICATION APPROVED AND** If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, **SUMMARY ORDER ISSUED** 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. Duly Authorized Designee of the Chief Engineer (Print Name): Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS Date of Issuance: 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act.) SS For Use by Register of Deeds County of ___ Acknowledged before me on _____ Signature: ___ Notary Public My commission expires: _____

(Notary Seal)

