

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

1. File Number: <b>30636</b>	2. Status Change Date:	3. Change Num: <b>2</b>	4. Field Office: <b>02</b>	5. GMD: <b>05</b>
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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: <b>3/22/19</b>
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8a. Applicant(s) New to system <input type="checkbox"/>	Person ID _____ Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/>	Person ID _____ Add Seq# _____
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8b. Landowner(s) New to system <input type="checkbox"/>  <b>CARMEN SCHMITT</b> <b>PO BOX 47</b> <b>GREAT BEND KS 67530-0047</b>	Person ID <b>23897</b> Add Seq# <b>1</b>	8d. WUC New to system <input type="checkbox"/>  <b>CARMEN SCHMITT</b> <b>PO BOX 47</b> <b>GREAT BEND KS 67530-0047</b>	Person ID <b>23897</b> Add Seq# <b>1</b>
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9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/19</b> <input checked="" type="checkbox"/> N & P Date to Comply: <b>12/31/19</b>	
<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: _____
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Date Prepared: <b>4/30/19</b>	By: <b>TJS</b>
Date Entered: _____	By: _____

File No. **30636**      11. County: **STAFFORD**      Basin: **Arkansas River**      Stream: **---**      Formation Code: **180 (Undiff Kansan/Nebraskan)**      Special Use: **---**

12. Points of Diversion										Rate and Quantity						
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	Overlap PD Files
DEL				<b>83458</b>				<b>4</b>								<b>None</b>
ENT					<b>NE SE SE</b>	<b>31</b>	<b>21S</b>	<b>14W</b>	<b>---</b>	<b>1135</b>	<b>57</b>	<b>No change to rate or quantity</b>			<b>None</b>	

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								
ENT					<b>31</b>	<b>21S</b>	<b>14W</b>	<b>---</b>										<b>29</b>				<b>29</b>	<b>3.5</b>	<b>35.5</b>	<b>35.5</b>	<b>3.5</b>	<b>136</b>	<b>8b.</b>	<b>Yes</b>	<b>21303</b>			
ENT					<b>6</b>	<b>22S</b>	<b>14W</b>	<b>---</b>		<b>Lot 1 15.7</b>	<b>Lot 2 37.6</b>	<b>38.9</b>	<b>16.5</b>	<b>Lot 3 34.6</b>	<b>Lot 4 1.2</b>	<b>1.3</b>	<b>35.6</b>									<b>181.4</b>	<b>8b.</b>	<b>Yes</b>	<b>21303</b>				

Base Acres: **120**    Year: **Multiple**    Minimum Reasonable Quantity: **1.21 AF/acre**  
 Comments:

Stafford Field Office  
300 S. Main Street  
Stafford, KS 67578-1521



Phone: 620-234-5311  
Fax: 620-234-6900  
www.agriculture.ks.gov

Mike Beam, Interim Secretary

Laura Kelly, Governor

May 1, 2019

Carmen Schmitt  
PO Box 47  
Great Bend, KS 67530-0047

Re: Water Right, File No(s). 30636

Dear Water Right Owner:

Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number(s).

Your attention is directed to the enclosures and to the terms, conditions and limitations specified in this approval for change. An acceptable water flow meter must be installed on your well before any water is applied as authorized under this change approval. A copy of the approved list of Certified Water Flowmeters as well as the regulations regarding the installation of flowmeters, measurement tubes and check valves can be found at <http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters>. If you do not have access to the internet, please contact this office and we will send you a paper copy of the referenced information.

Since this order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

This order requires that a notice and completion of works form be submitted once the diversion works are completed, including a properly installed flowmeter. This form is available at the referenced website.

Any abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

Should you have any questions, please feel free to contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Lanterman".

Jeff Lanterman  
Water Commissioner

Enclosures

pc: Water Rights Section  
Groundwater Management District No.5

# THE STATE OF KANSAS



**KANSAS DEPARTMENT OF AGRICULTURE**  
Mike Beam, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**  
David W. Barfield, Chief Engineer

## APPROVAL OF APPLICATION FOR CHANGE IN POINT OF DIVERSION AND PLACE OF USE WATER RIGHT FILE NO. 30,636

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Carmen & Debbie S. Schmitt, PO Box 47, Great Bend, Kansas 67530-0047, received on March 22, 2019, for approval of a change in the point of diversion and place of use under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer dated July 24, 2014, approving the application to change the point of diversion, finds that the change is reasonable and will not impair existing rights, that the change relates to the same local source of supply and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the point of diversion shall be:

one (1) well located in Northeast Quarter of the Southeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 31, more particularly described as being near a point 1,135 feet North and 57 feet West of the Southeast corner of said section, in Township 21 South, Range 14 West, Stafford County, Kansas,

after which the authorized location of the place of use shall be:

Sec. Range	Twp.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
		NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
31	21S 14W									29.00			29.00	3.50	35.50	35.50	3.5	136.0
6	22S 14W	Lot 1 15.70	Lot 2 37.60	38.90	16.50	Lot 3 34.60	Lot 4 1.20	1.30	35.60									181.4

a total of 136.0 acres in Section 31, Township 21 South, and a total of 181.4 acres in Section 6, Township 22 South, all in Range 14 West, Stafford County, Kansas,

located substantially as shown on the topographic map accompanying the application to change the point of diversion and place of use.

The completed well will be no more than 2,640 feet from the well previously authorized by Water Right, File No. 30,636, determined to be located near the center of the West side of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section 5, more particularly described as being near a point 3,886 feet North and 5,201 feet West of the Southeast corner of said section, in Township 22 South, Range 14 West, Stafford County, Kansas.

The completed well authorized by this change application shall meet the minimum spacing requirements to all nearby wells. Specifically, the well authorized herein shall maintain a minimum of 1,320 feet of spacing to the well authorized by the Appropriation of Water, File No. 44,564.

All wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this order shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

Installation of the works for diversion of water shall be completed on or before December 31, 2019, or within any authorized extension of time. The applicant shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 30,636 permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated May 8, 1992, as modified and amended by the aforementioned order.

Ordered this 1<sup>st</sup> day of May, 2019, in the City of Stafford, Stafford County, Kansas.

Jeff Lanterman  
Jeff Lanterman  
Water Commissioner Stafford Field Office  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas        )  
                                  ) SS  
County of Stafford    )

The foregoing instrument was acknowledged before me this 1<sup>st</sup> day of May, 2019, by Jeff Lanterman, Water Commissioner Safford Field Office, Division of Water Resources, Kansas Department of Agriculture.

Faith Curtis  
Notary Public



### RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

### CERTIFICATE OF SERVICE

On this 1<sup>st</sup> day of May, 2019, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, and Place of Use, Water Right, File No. 30,636, dated \_\_\_\_\_ 2019, was mailed postage prepaid, first class, US mail to the following:

Carmen & Debbie S. Schmitt  
PO Box 47  
Great Bend KS 67530-0047

With photocopies to:

Groundwater Management District No. 5



Division of Water Resource

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**



State of Kansas

RECEIVED

APR 17 2019

*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

- Place of Use  
 Point of Diversion  
 Use Made of Water

(Check one or more)

File No. 30636

Water Resources  
Received  
MAR 22 2019  
11:17  
KS Dept Of Agriculture

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@schmittinc.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@schmittinc.net

3. The change(s) proposed herein are desired for the following reasons (please be specific): Moving the point of diversion

north to authorize a new well in Section 31 . Also, the application proposes to create a complete place of use

overlap with File No. 21303 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 conjunction with a PD/PU application proposed under File No. 21303

The change(s) (was) (will be) completed by ASAP

(Date)

For Office Use Only:

F.O. 2 GMD 9 Meets K.A.R. 5-5-1 (YES / NO) Use IRR Source G / S County SF By DAW Date 3/22/19  
Code C-2 Fee \$ 400 TR # \_\_\_\_\_ Receipt Date 3/22/19 Check # 2474

- 6. The presently authorized point(s) of diversion is One (1) well with diversion works  
(Provide description and number of points)
- 7. The proposed point(s) of diversion is One (1) existing well with diversion works  
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the CW NW Quarter  
 of Section 5, Township 22 South, Range 14 W,  
 in Stafford County, Kansas, 3860 feet North 5180 feet West of Southeast corner of section.  
 Authorized Rate 1465 GPM Authorized Quantity 180 AF  
 (DWR use only: Computer ID No. 4 GPS 4006 feet North 3033 feet West)  
 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 NE Quarter of the SE Quarter of the SE Quarter  
 of Section 31, Township 21 South, Range 14 W,  
 in Stafford County, Kansas, 1093 feet North 418 feet West of Southeast corner of section.  
 Proposed Rate No Change Proposed Quantity 1,135\*\* No Change 57\*\*  
 This point is:  Additional Well  Geo Center List other water rights that will use this point None

9. **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 \_\_\_\_\_  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 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 \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

10. **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 \_\_\_\_\_  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 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 \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

RECEIVED  
 APR 17 2019  
 Stafford Field Office  
 Division of Water Resources

- 11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. A corresponding application will be filed under File No. 21303 to authorize this existing well for irrigation use.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

\* WS-SFFO

*Handwritten:*  
 DWR 4-10-19  
 AS PER E-MAIL DATED 4-10-19



4. The presently authorized place of use is:

Owner of Land — NAME: Carmen Schmitt

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

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	
5	22S	14W					Lot 3 25	Lot 4 27	40	28									120

List any other water rights that cover this place of use. 21303

Owner of Land — NAME: ---

ADDRESS: ---

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	

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

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		
31	21S	14W	*	*			*	*			29				29	3.5	35.5	35.5	3.5	136
6	22S	14W	Lot 1	Lot 2			Lot 3	Lot 4			34.6	1.2	1.3	35.6						181.4
																				Total: 317.4

List any other water rights that cover this place of use. 21303

Owner of Land — NAME: ---

ADDRESS: ---

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		

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Received  
APR 17 2019  
MAR 22 2019  
Stafford Field Office  
Division of Water Resources  
KS Dept Of Agriculture

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

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

*\*BAT/DWR  
4-10-19*

**SCANNED**

12. The presently authorized use of water is for Irrigation purposes.  
It is proposed that the use be changed to N/A - No Change purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.  
When considering the place of use overlap with File No. 21303, the application does not propose to exceed the base acreage of both water rights by more than 10 acres or 10 percent. Therefore, an increase in consumptive use is not anticipated.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to N/A (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to N/A gallons per minute (\_\_\_\_ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 ([www.usgs.gov](http://www.usgs.gov)). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
  - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
  - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
  - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

It is understood that the proposed well location will be located less than 2,640 feet from the currently authorized point of diversion in order to maintain the same source of supply.

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

No waivers anticipated.

RECEIVED  
 Water Resources  
 Received  
 APR 17 2019  
 MAR 22 2019  
 Stafford Field Office  
 Division of Water Resources KS Dept Of Agriculture

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

SCANNED

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 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 Great Bend, Kansas, this 20 day of March, 2019.

Carmen Schmitt (Owner)

[Signature] (Spouse)

Carmen Schmitt (Please Print)

Debbie S. Schmitt (Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

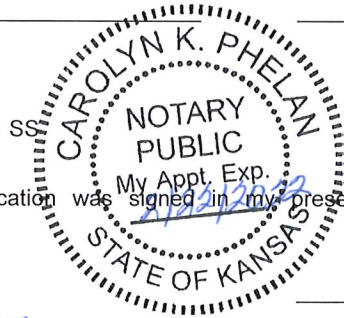
(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Barton }



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 20 day of March, 2019.

[Signature] Notary Public

My Commission Expires 2/22/2022

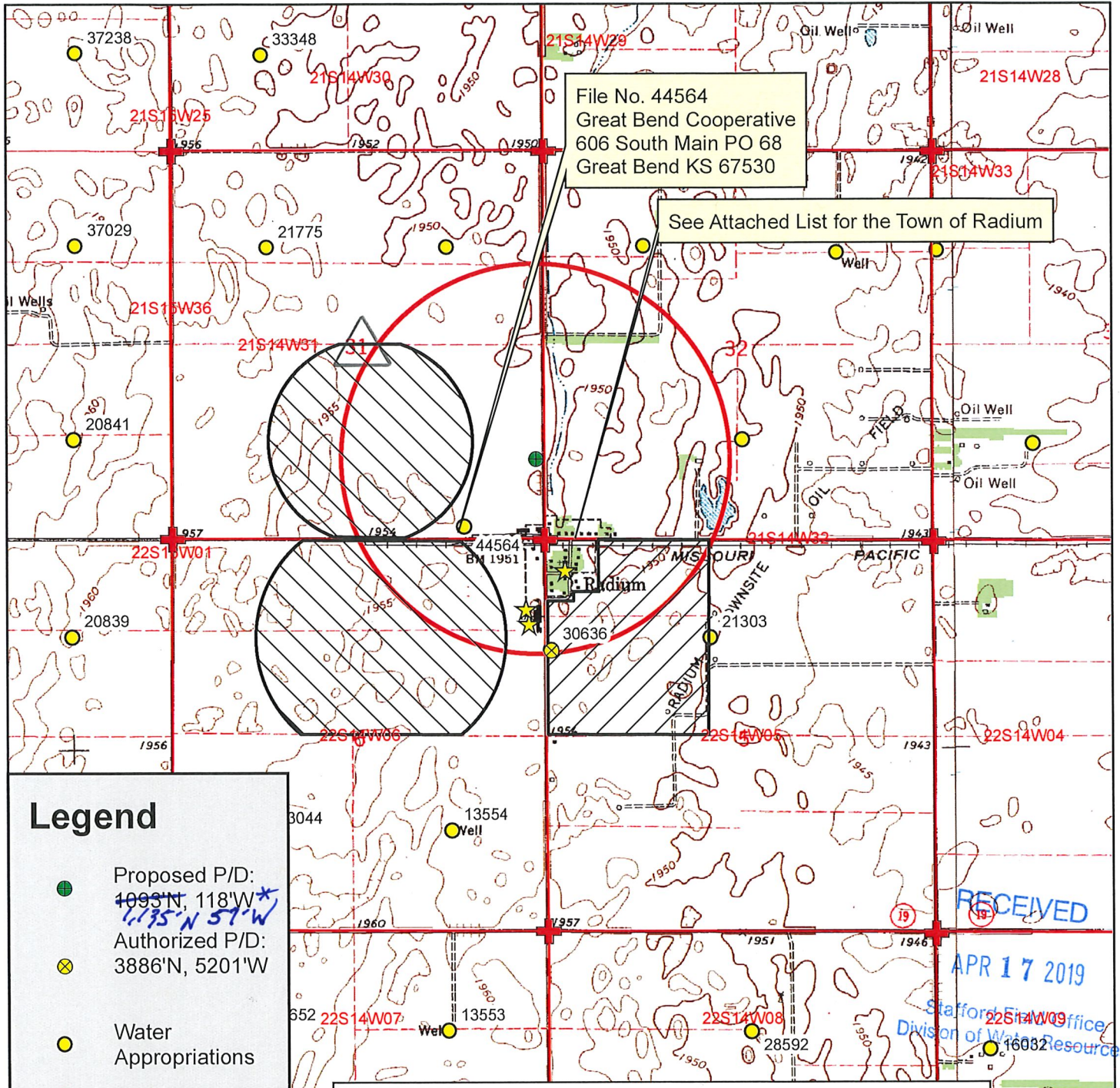
FEE SCHEDULE

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 . . . . . \$100
(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.

APR 17 2019
Staff Field Office
Division of Water Resources

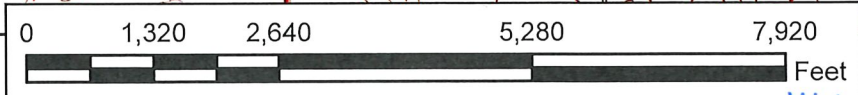


File No. 44564  
Great Bend Cooperative  
606 South Main PO 68  
Great Bend KS 67530

See Attached List for the Town of Radium

**Legend**

- Proposed P/D:  
4093'N, 118'W\*  
*1,195' N 51' W*
- ⊗ Authorized P/D:  
3886'N, 5201'W
- Water Appropriations
- + Section Corner
- Section Line
- ★ Domestic Well
- 1/2 Mile Buffer
- Place of Use**
- / / Authorized
- \ \ Proposed



**Water Right, File No. 30,636**

Change in Point of Diversion/Place of Use  
Application Map

31-21S-14W, 5/6-22S-14W // Stafford County

To the best of my knowledge, all water wells including domestic, within 1/2 mile of the proposed point of diversion have been shown.

**SCANNED**

Signature *Loanne S. ...*

*\*BAT/DWR  
4-10-19 AS PER EMAIL 4-10-19*

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  
DEATHERAGE, 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

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Water Resources  
Received  
MAR 22 2019  
KS Dept Of Agriculture

3/13/2019 TJS - SFFO  
SCANNED

## Turney, Brent [KDA]

---

**From:** Saryerwinnie, Tyler [KDA]  
**Sent:** Wednesday, April 10, 2019 7:27 AM  
**To:** Turney, Brent [KDA]  
**Cc:** Lanterman, Jeff [KDA]; Conant, Cameron [KDA]  
**Subject:** Carmen Schmitt Apps  
**Attachments:** Schmitt information.pdf

Good Morning Brent,

I spoke to Jeff last night about the plan for the Carmen Schmitt apps. If you guys are going to prepare an order, then I wanted to be sure you have some updated information that we were preparing to include in our FO apps should they be needed.

-First off, Carmen has provided a survey which shows the location of the new well proposed under File No. 30636. This will be the most accurate GPS that we have received so far and we did not have it when the HQ apps were filled out. I attached the survey and a leobase with the footage descriptions.

-We were planning on including additional conditions which ensures the pd move under File No. 30636 will meet spacing back to File No. 44564 (Coop well) and that the move will not be over 2640'. I attached the page we had prepared in case it may help.

In the meantime, if you need anything just let me know.

Thank you,  
Tyler

**Tyler Saryerwinnie**, Environmental Scientist  
Kansas Department of Agriculture  
Division of Water Resources  
Stafford Field Office  
Phone: (620)234-5311

Water Resources  
Received  
APR 10 2019  
KS Dept Of Agriculture

RECEIVED  
APR 17 2019  
Stafford Field Office  
Division of Water Resources

**Saryerwinnie, Tyler [KDA]**

---

**From:** Lanterman, Jeff [KDA]  
**Sent:** Monday, April 01, 2019 8:52 AM  
**To:** Saryerwinnie, Tyler [KDA]  
**Subject:** FW: 20190329 Test Well Log.pdf, Replacement Irrigation Well Plat (#30636).pdf  
**Attachments:** 20190322 Test Well Log.pdf; Replacement Irrigation Well Plat (#30636).pdf

FYI

-----Original Message-----

From: Carmen Schmitt <[carmen@schmittinc.net](mailto:carmen@schmittinc.net)>  
Sent: Friday, March 29, 2019 6:46 PM  
To: Lanterman, Jeff [KDA] <[Jeff.Lanterman@ks.gov](mailto:Jeff.Lanterman@ks.gov)>  
Cc: Alan Crane <[Alanusp@yaho.com](mailto:Alanusp@yaho.com)>; Carmen Schmitt <[carmen@schmittinc.net](mailto:carmen@schmittinc.net)>  
Subject: 20190329 Test Well Log.pdf, Replacement Irrigation Well Plat (#30636).pdf

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.

Jeff Lanterman,  
Attached is a Irrigation Well Plat and Test Well Log related to the File No.  
30636 Application to change point of diversion.  
Carmen Schmitt

Water Resources  
Received

APR 10 2019

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APR 17 2019

Stafford Field Office  
Division of Water Resources

INPUTS	
Target Section Definition	
Section	31
Township	21
Range	14
Range Direction	w
Target Point Coordinates ( <i>NAD27</i> or <i>NAD83</i> )	
Target Longitude	-98.894547
Target Latitude	38.177585

Load Data and Compute

**Instructions**

1. Enter values for section, township, range and range direction.
2. Enter *NAD27* or *NAD83* longitude and latitude of target point.
3. Click "Load Data and Compute" button.
4. Use feet distances corresponding to datum of target point.

File No. 30636 - Proposed P/D  
"Survey" Coordinates

GPS coordinates provided by applicant on a survey dated 3/22/19  
NAD 27

Loaded Section Data From LEOBASE using <i>NAD83</i>		
Corner	Corner Latitudes	Corner Longitudes
SW	38.17454384	-98.91234375
NW	38.18896373	-98.91232850
NE	38.18893255	-98.89473371
SE	38.17448282	-98.89471896
Degrees Longitude per Foot		3.47875873E-06
Degrees Latitude per Foot		2.74600638E-06
Target Point Distances from Corners using <i>NAD83</i>		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	1107	-5116
NW	-4144	-5111
NE	-4132	-54
SE	1130	-49

Loaded Section Data From LEOBASE using <i>NAD27</i>		
Corner	Corner Latitudes	Corner Longitudes
SW	38.17453000	-98.91197200
NW	38.18895000	-98.91195700
NE	38.18891900	-98.89436300
SE	38.17446900	-98.89434800
Degrees Longitude per Foot		3.47875808E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using <i>NAD27</i>		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	1113	-5009
NW	-4139	-5005
NE	-4127	53
SE	1135	57

Water Resources  
Received

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APR 17 2019

Stafford Field Office  
Division of Water Resources



## Saryerwinnie, Tyler [KDA]

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**From:** Lanterman, Jeff [KDA]  
**Sent:** Monday, April 01, 2019 8:52 AM  
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FYI

-----Original Message-----

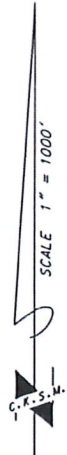
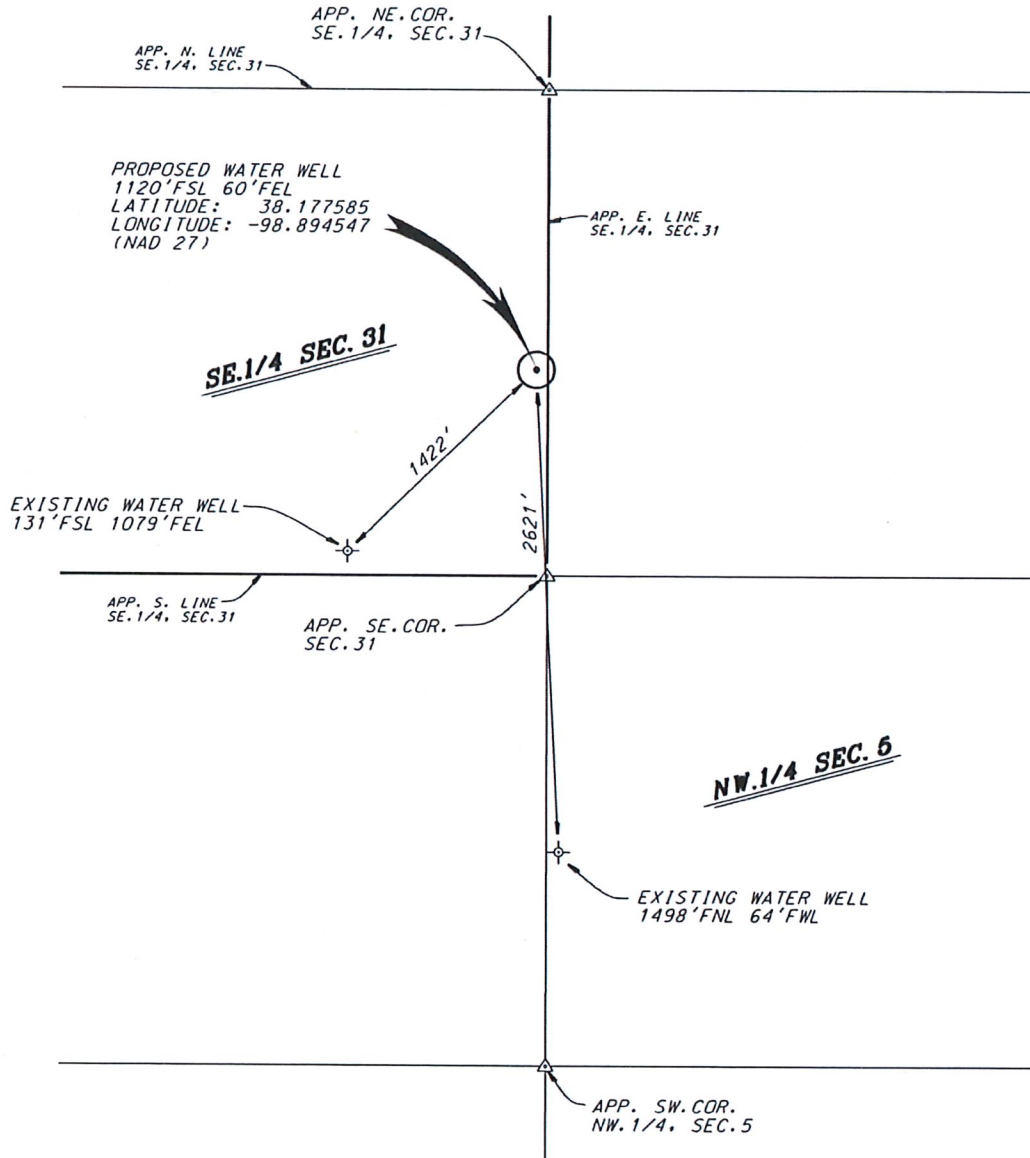
From: Carmen Schmitt <[carmen@schmittinc.net](mailto:carmen@schmittinc.net)>  
Sent: Friday, March 29, 2019 6:46 PM  
To: Lanterman, Jeff [KDA] <[Jeff.Lanterman@ks.gov](mailto:Jeff.Lanterman@ks.gov)>  
Cc: Alan Crane <[Alanuspx@yahoo.com](mailto:Alanuspx@yahoo.com)>; Carmen Schmitt <[carmen@schmittinc.net](mailto:carmen@schmittinc.net)>  
Subject: 20190329 Test Well Log.pdf, Replacement Irrigation Well Plat (#30636).pdf

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.

Jeff Lanterman,  
Attached is a Irrigation Well Plat and Test Well Log related to the File No.  
30636 Application to change point of diversion.  
Carmen Schmitt

# WATER WELL STAKING

IN SE.1/4, SECTION 31, T21S, R14W  
STAFFORD COUNTY, KANSAS



"CARMEN SCHMITT"

Date March 22, 2019

CENTRAL KANSAS OILFIELD SERVICES, INC. (620)792-1977

# DRILLER'S TEST LOG

Customer Name: Carmen Schmitt Date: 3/22/2019  
 Address \_\_\_\_\_ Test No: #1-19  
 County: Stafford Quarter: SE Section: 31 Township: 21 Range: 14

Drilled Footage		Description of Strata	Indicate Test Location by an X			
From	To					
0	2	Top soil				
2	14	Tan clay				
14	35	Silty clay				
35	71	Gravel- small, med w/ clay streaks				
71	80	Tan clay				
80	90	Small gravel				
90	104	Tan clay				
104	121	Small gravel				
121	142	Tan clay w/ caliche				
142	155	Small gravel w/ small clay streaks				✕
155	181	Med gravel w/ small clay streaks				
181	185	Tan clay				
185	214	Gravel- small to med	Static Water Level: <u>38</u> Ft			
214	218	Tan clay	Remarks: <u>Well depth: 118ft</u>			
218	224	Gravel- med, coarse, ironated, clean				
224	235	Gray shale				
			<b>Garmin GPS: NAD 83</b>			
			Latitude: <u>38.17767 N</u>			
			Longitude: <u>98.89492 W</u>			
			Elevation: _____			
			Driller: <u>Benjamin Moses</u>			
			Spot Location: <u>NE/ SE/ SE</u>			

**ROSENCRANTZ-BEMIS EQUIPMENT CO., INC**  
 Telephone (620) 792-2488 or (620) 793-5512  
 P.O. Box 713, Great Bend, KS 67530



WATER WELL RECORD

Form WWC-5

Division of Water Resources App. No.

30,636

1 LOCATION OF WATER WELL: County: Stafford Fraction 1/4 1/4 CW 1/4 NW 1/4 Section Number 5 Township No. T 22 S Range Number R 14 [ ]E [x]W Street/Rural Address of Well Location; if unknown, distance & direction from nearest town or intersection: If at owner's address, check here [ ] 1/4 South of Radium Global Positioning System (GPS) information: Latitude: Longitude: Elevation: Datum: [ ] WGS 84, [ ] NAD 83, [ ] NAD 27 Collection Method: [ ] GPS unit (Make/Model: ) [ ] Digital Map/Photo, [ ] Topographic Map, [ ] Land Survey Est. Accuracy: [ ] <3 m, [ ] 3-5 m, [ ] 5-15 m, [ ] >15 m

2 WATER WELL OWNER: William Estes RR#, Street Address, Box #: 8609 Brookhollow City, State, ZIP Code : Wichita, KS 67206 3 LOCATE WELL WITH AN "X" IN SECTION BOX: N W E S [ ] NW [ ] NE [ ] SW [ ] SE [x] NW [ ] NE [ ] SW [ ] SE 1 mile 4 DEPTH OF COMPLETED WELL 207 ft. Depth(s) Groundwater Encountered (1)..... ft. (2)..... ft. (3)..... ft. WELL'S STATIC WATER LEVEL 40 ft. below land surface measured on mo/day/yr. 10-2-14: Pump test data: Well water was 61.5 ft. after 3 hours pumping 1130 gpm EST. YIELD 1474 gpm. Well water was 66.5 ft. after 3 1/2 hours pumping 1474 gpm Bore Hole Diameter 30 in. to 207 ft., and in. to ft. WELL WATER TO BE USED AS: [ ] Public water supply [ ] Geothermal [ ] Injection well [ ] Domestic [ ] Feedlot [ ] Oil field water supply [ ] Dewatering [ ] Other (Specify below) [x] Irrigation [ ] Industrial [ ] Domestic-lawn & garden [ ] Monitoring well Was a chemical/bacteriological sample submitted to Department? [ ] Yes [x] No If yes, mo/day/yr sample was submitted: Water well disinfected? [x] Yes [ ] No

5 TYPE OF CASING USED: [ ] Steel [x] PVC [ ] Other CASING JOINTS: [x] Glued [ ] Clamped [ ] Welded [ ] Threaded Casing diameter 16 in. to 207 ft., Diameter in. to ft., Diameter in. to ft. Casing height above land surface 18 in., Weight 5.4 x 40 lbs./ft., Wall thickness or gauge No. TYPE OF SCREEN OR PERFORATION MATERIAL: [ ] Steel [ ] Stainless Steel [x] PVC [ ] Brass [ ] Galvanized Steel [ ] None used (open hole) [ ] Other (Specify) SCREEN OR PERFORATION OPENINGS ARE: [ ] Continuous slot [ ] Mill slot [ ] Gauze wrapped [ ] Torch cut [ ] Drilled holes [ ] None (open hole) [ ] Louvered shutter [ ] Key punched [ ] Wire wrapped [x] Saw cut [ ] Other (specify) SCREEN-PERFORATED INTERVALS: From 207 ft. to 107 ft., From ft. to ft. GRAVEL PACK INTERVALS: From 207 ft. to 20 ft., From ft. to ft. From ft. to ft., From ft. to ft.

6 GROUT MATERIAL: [ ] Neat cement [ ] Cement grout [x] Bentonite [ ] Other Grout Intervals: From ft. to ft., From 20 ft. to 0 ft., From ft. to ft. What is the nearest source of possible contamination: [ ] Septic tank [ ] Lateral lines [ ] Pit privy [ ] Livestock pens [ ] Insecticide storage [x] Other (specify below) [ ] Sewer lines [ ] Cesspool [ ] Sewage lagoon [ ] Fuel storage [ ] Abandoned water well [ ] Watertight sewer lines [ ] Seepage pit [ ] Feedyard [ ] Fertilizer storage [ ] Oil well/gas well Building Direction from well West Distance from well 200ft.

Table with 6 columns: FROM, TO, LITHOLOGIC LOG, FROM, TO, LITHO. LOG (cont.) or PLUGGING INTERVALS. Rows include soil types like Top soil, Brown & gray clay, Sand & gravel, Brown clay, Sand & gravel- clean, coarse, loose, etc.

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was [x] constructed, [ ] reconstructed, or [ ] plugged under my jurisdiction and was completed on (mo/day/year) 10-31-14 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) 11-26-14 under the business name of Rosencrantz- Bemis Ent Inc by (signature) Dawn Alety

INSTRUCTIONS: Use typewriter or 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 Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5524. Send one copy to WATER WELL OWNER and retain one for your records. I include fee of \$5.00 for each constructed well. Visit us at http://www.kdheks.gov/waterwell/index.html.

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 **30636**

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  
Water Appropriation Program

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APR 17 2019

Stafford Field Office  
Division of Water Resources

BAT: DLW5

SCANNED

**KANSAS DEPARTMENT OF AGRICULTURE  
Division of Water Resources**

**M E M O R A N D U M**

**TO:** Files

**DATE:** April 23, 2019

**FROM:** Tyler Saryerwinnie

**RE:** Water Right File No(s). 21303 & 30636  
Proposed Change Applications  
Nearby Owner Notification / Comments

On March 22, 2019, KDA Manhattan Headquarters Office received a point of diversion/ place of use change application for each of the water rights referenced above. These applications were initially submitted to the Manhattan Office, along with a regulation waiver request and two (2) domestic consent forms for nearby domestic wells which were located less than 660 feet from the proposed point of diversion under File No. 21303 (as outlined in a memorandum written on 3/14/2019). In an email dated 4/9/2019, the applicant informed DWR that one well had been misidentified and was not present. He also stated that the other nearby domestic well (located at the schoolhouse) had been plugged and he provided a plugging report for said well. After discussion amongst DWR staff it was decided that since a waiver of regulation was no longer applicable, the applications could be forwarded on to the Stafford Field Office for processing.

On 4/10/2019, twenty-five (25) notification letters were mailed to the nearby well owners who were identified on each application map and corresponding list. Since File Nos. 21303 & 30636 both identified the same well owners on each map, these owners were notified of the place of use / point of diversion change for each file using the same letter. The nearby well owners were given a fifteen (15) day comment period. Several comments were received in the Stafford Field Office via phone. An outline of each conversation has been documented below:

-On 4/12/19, Jeff Lanterman received multiple calls from Sam Spieth regarding the PD/PU change applications filed by Carmen Schmitt. Jeff gave Mr. Spieth an explanation of the proposed changes and informed him that he had received a letter because it is a requirement that all landowners within one-half mile of each proposed point of diversion be notified. Mr. Spieth was trying to decide if the proposed changes will affect him and was also inquiring about getting a well on his own land. Jeff informed him that GMD #5 was closed to new appropriations and that the proposed changes were filed under existing water rights that Mr. Schmitt owned. Mr. Spieth gave a legal description of SW 32-21-14 which he owned to see if it had any existing water rights. Jeff informed him it did not appear to be covered by any water right and he explained the process of filing for a new water permit. They also discussed some topics regarding domestic/stock water wells. At the end of their conversations, Mr. Spieth told Jeff that he did not own a well there he did not think that the proposed changes would affect him.

-Joann Clark called the Stafford Field Office and spoke to Tyler Saryerwinnie on 4/16/19 to discuss the nearby notification letter she received. Ms. Clark wanted an explanation of the proposed changes. We also discussed some topics of aquifers, the High Plains Aquifer/Great Bend Prairie Aquifer, groundwater table, and the potential drawdown effects a well may have on these. I explained that the water rights were already in place and that as proposed, it appeared

**File Nos. 21303 & 30636**

Change Applications

Nearby Well Owner Comments, Cont.

that the changes met applicable regulations such as move distance and spacing. After our discussion, Ms. Clark was satisfied and did not have any objections with the proposed changes as long as it did not negatively affect her domestic well. Joanne had also mentioned that she thought a well was already drilled north of town. I told her it may have been the test hole and she said that may have been the case.

-Lacey Cummins called the Stafford Field Office and spoke to Tyler Saryerwinnie on 4/16/19 to discuss the nearby notification letter she received. She wanted to ensure the proposed changes will not dry up her domestic well. She said that she has recently invested quite a bit of money into her well and was told that this proposed change has the potential to dry it up. After I gave an explanation of the proposed changes and the spacing regulations that are in place, Lacey said she felt more comfortable about the scenario and she did not have any other questions or comments. I told her that if she so desired, she could submit any other comments or concerns that she has in writing to the Stafford Field Office by the comment deadline.

No other comments were submitted to the Stafford Field Office and it appears that these applications can be forwarded on to Groundwater Management District #5 for review and recommendation.

Tyler Saryerwinnie  
Environmental Scientist - SFFO



## Saryerwinnie, Tyler [KDA]

---

**From:** Conant, Cameron [KDA]  
**Sent:** Thursday, April 25, 2019 8:49 AM  
**To:** Feril, Orrin (oferil@gmd5.org)  
**Cc:** Saryerwinnie, Tyler [KDA]  
**Subject:** FW: GMD Recommendation Request - File Nos. 21303 & 30636  
**Attachments:** 21303.30636.Cover Letter + base + memo.pdf; 21303.PD PU Change App.pdf; 30636.PD PU Change App.pdf

Hello Orrin, Tyler is out of the office today but he wanted to make sure these applications keep moving forward so I am forwarding the recommendation request on to you. Please let us know if you have any questions.

### **Cameron R. Conant**

Assistant Water Commissioner  
Kansas Department of Agriculture-DWR  
Stafford Field Office  
(620) 234-5311

---

**From:** Saryerwinnie, Tyler [KDA]  
**Sent:** Tuesday, April 23, 2019 5:07 PM  
**To:** Conant, Cameron [KDA] <[Cameron.Conant@ks.gov](mailto:Cameron.Conant@ks.gov)>  
**Subject:** GMD Recommendation Request - File Nos. 21303 & 30636

Orrin,

I have attached a cover letter and copies of two (2) point of diversion / place of use change applications for GMD recommendation. Please note that the applications were originally filed at our Manhattan Headquarters Office requesting a waiver of spacing for two (2) nearby domestic wells. Information has been submitted to DWR which states that one of these nearby wells was miss-identified and the other well has been plugged (WWC5P included w/21303 application). Since it appears that a waiver is no longer necessary, the applications were forwarded to the Stafford Field Office for processing. Twenty-five (25) notification letters were sent; three (3) responses were received and they have been documented in the attached memorandum. Please provide the GMD recommendation by no later than May 15, 2019.

Please let me know if you are needing anything else or have any questions.

Thank you,  
Tyler

**Tyler Saryerwinnie**, Environmental Scientist  
Kansas Department of Agriculture  
Division of Water Resources  
Stafford Field Office  
Phone: (620)234-5311



Stafford Field Office  
300 S. Main Street  
Stafford, KS 67578-1521

Phone: 620-234-5311  
Fax: 620-234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

April 25, 2019

Orrin Feril  
Big Bend – GMD No. 5  
125 S Main St.  
Stafford, KS 67578

RE: Point of Diversion/Place of Use Change Applications, File Nos. 21303 & 30636

Dear Mr. Feril,

We are enclosing a copy of each application, as referenced above, for your review and recommendation. At this time the applications appear to be in proper form. Notification letters were sent to all nearby well owners shown on the application maps. These owners were given a 15 day comment period; three (3) responses were received.

This office will delay any further action on these files for a period of 15 business days from the date of this letter to allow you time to submit your recommendation concerning the applications. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please feel free to contact the office.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Saryerwinnie".

Tyler Saryerwinnie  
Environmental Scientist  
Stafford Field Office  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

Enclosure

## Saryerwinnie, Tyler [KDA]

---

**From:** Orrin Feril <oferil@gmd5.org>  
**Sent:** Monday, April 29, 2019 10:02 AM  
**To:** Saryerwinnie, Tyler [KDA]  
**Subject:** Application for Change, Water Right, File No. 30636  
**Attachments:** 30636 2019-04-29 Rec.pdf

**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.

Tyler,  
I'm attaching the recommendation requested by your office in a letter dated April 25, 2019. Please let me know if you have any questions.

Thank you for your consideration in this matter,

Orrin

--

*Orrin Feril*

Manager

Big Bend GMD#5

Email: [oferil@gmd5.org](mailto:oferil@gmd5.org)

Phone: (620) 234-5352

Mobile: (620) 388-0172

Fax: (620) 234-5718

[www.gmd5.org](http://www.gmd5.org)

Facebook/Twitter: @BigBendGMD5

Darrell Wood - Edwards (Pres.)  
Fred Grunder - Pratt (V Pres.)  
John Janssen - Kiowa (Treas.)  
Jerry Cullop - Rice (Sec.)  
Justin Gatz - Reno  
Marlyn Spare - Stafford  
Phil Martin - Barton  
Kerry Froetschner - Pawnee  
Tom Taylor - At-Large



Orrin Feril, Manager  
125 South Main Street  
Stafford, Kansas 67578  
ph: (620) 234-5352  
fx: (620) 234-5718  
gmd5@gmd5.org  
www.gmd5.org

April 29, 2019

Tyler Saryerwinnie  
Division of Water Resources  
Kansas Department of Agriculture  
300 S. Main Street  
Stafford, Kansas 67578-1342

RE: Water Right File No. 30636  
Change in the Point of Diversion &  
Change in the Place of Use

Dear Mr. Saryerwinnie,

The Big Bend Groundwater Management District #5 reviewed the above referenced application to change the point of diversion and place of use. It is the understanding of the District that these changes are intended to create an overlap of the place of use with Water Right File No. 21303 and to modify the point of diversion to a new well in the SE $\frac{1}{4}$  of Section 31. The District shares concern that the proposed well maintain proper spacing to nearby wells and stay within the 2640 ft distance from the currently authorized location. Based upon information received in the District office, the application appears to be consistent with 5-25-20(b) and is therefore recommended for approval.

The application to change is subject to the District's well equipment regulation K.A.R. 5-25-5 for required flow meter.

Please feel free to give me a call if you have any questions.

Sincerely,

Orrin Feril  
Manager

RECEIVED

APR 29 2019

Stafford Field Office  
Division of Water Resources

## Saryerwinnie, Tyler [KDA]

---

**From:** Orrin Feril <oferil@gmd5.org>  
**Sent:** Monday, April 29, 2019 9:29 AM  
**To:** Conant, Cameron [KDA]  
**Cc:** Saryerwinnie, Tyler [KDA]  
**Subject:** RE: 30636 & 21303 (Schmitt changes)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**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.

Cameron,  
Thanks for doing some leg work on this. This explanation does help with this situation. Thanks again.

--

Orrin Feril  
Manager  
Big Bend GMD#5

---

**From:** Conant, Cameron [KDA] <[Cameron.Conant@ks.gov](mailto:Cameron.Conant@ks.gov)>  
**Sent:** Monday, April 29, 2019 9:25 AM  
**To:** Orrin Feril <[oferil@gmd5.org](mailto:oferil@gmd5.org)>  
**Cc:** Saryerwinnie, Tyler [KDA] <[Tyler.Saryerwinnie@ks.gov](mailto:Tyler.Saryerwinnie@ks.gov)>  
**Subject:** 30636 & 21303 (Schmitt changes)

Hey Orrin, I spoke with Rosencrantz-Bemis about your question on the test log and proposed well depth for 30636.

When they drilled this test hole, they completed the "formation search" down to 235'...they are planning to drill the irrigation well to stop at the shale as shown on the test log, so we are satisfied the source will not be changing. After they finished the test hole drilling formation search, they reamed out the test hole and cased down to 118' to have a water supply well when they drill the irrigation well. They said this was pretty standard practice and they will pull the temporary casing they installed and plug this supply well as soon as drilling it complete.

I think this should explain the "Well depth: 118ft" on the test log. There are no quality concerns. The proposed irrigation well will be completed to the shale and the 118' deep temporarily cased supply well will be plugged as soon as drilling is complete.

Please let me know if anything else pops up on this one. Thanks,

**Cameron R. Conant**  
Assistant Water Commissioner  
Kansas Department of Agriculture-DWR  
Stafford Field Office  
(620) 234-5311

Stafford Field Office  
300 S. Main Street  
Stafford, KS 67578-1521



Phone: 620-234-5311  
Fax: 620-234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

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

RE: Water Right, File No(s). 21303 & 30636

Dear Water-User,

This is to advise you that Carmen Schmitt has filed two (2) applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion and the place of use under the above referenced file number(s). You are being notified of the proposed change because it appears you have a groundwater well within one-half mile of the proposed point of diversion. As such, you may provide this office any comments or other information you may want to submit regarding the proposed change. Such comments or other information must be received in this office within 15 days of the date of this letter, or any authorized extension of time.

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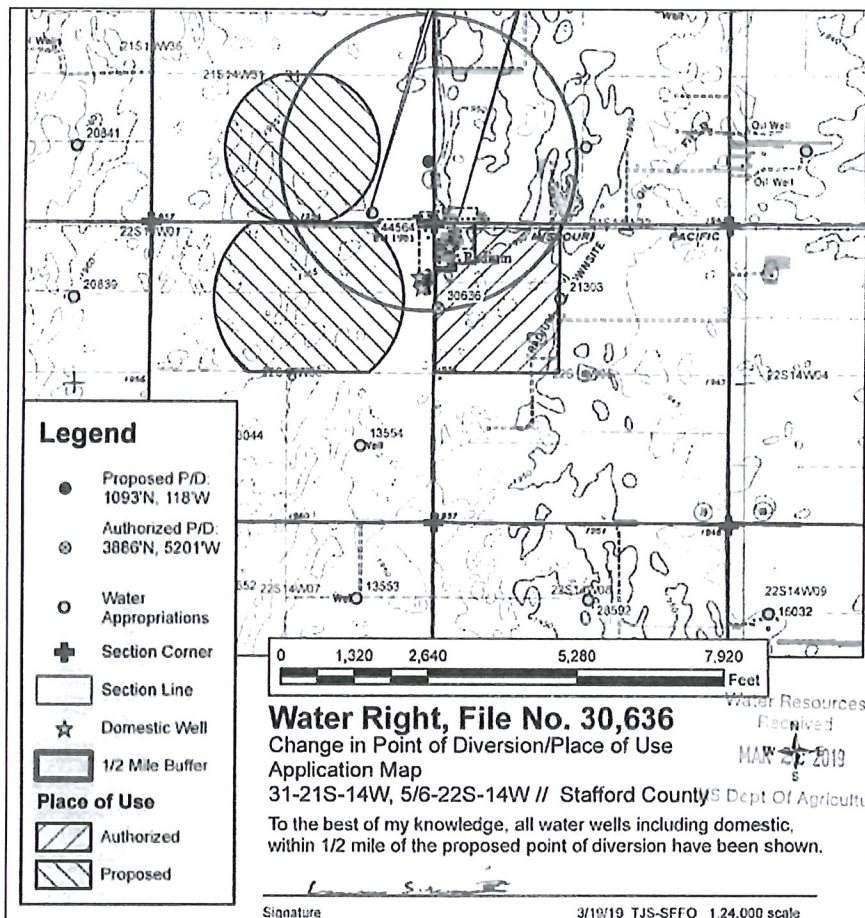
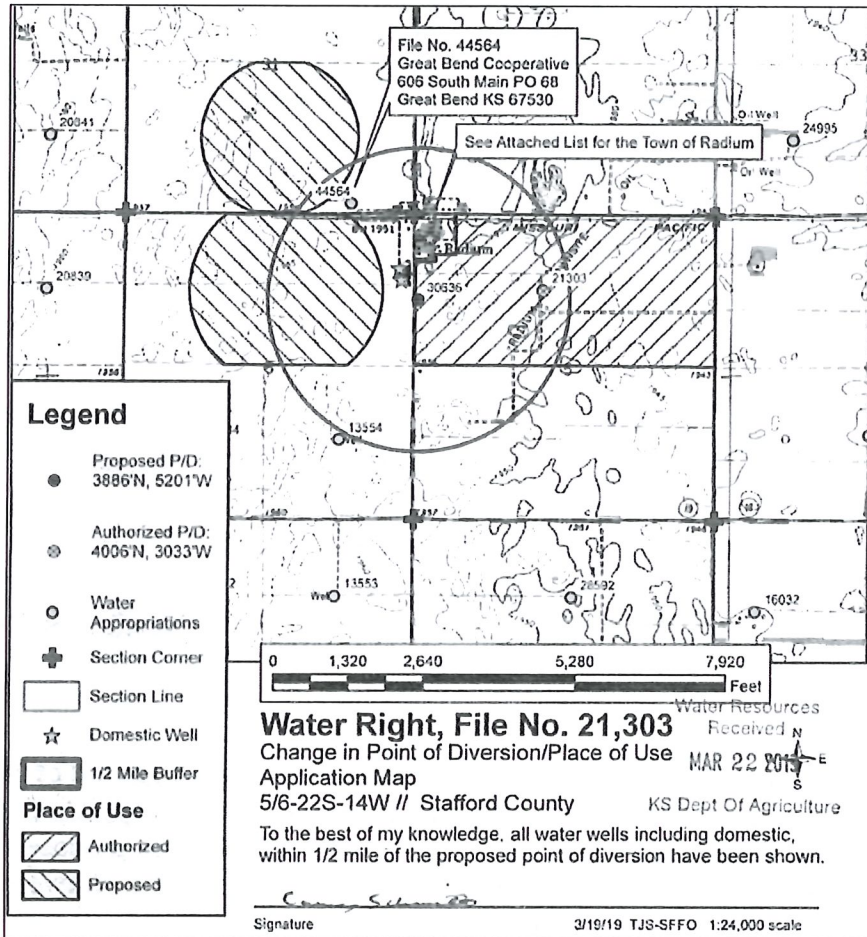
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Tyler Saryerwinnie  
Environmental Scientist  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

pc: GMD #5

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Fax: 620-234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

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

RE: Water Right, File No(s). 21303 & 30636

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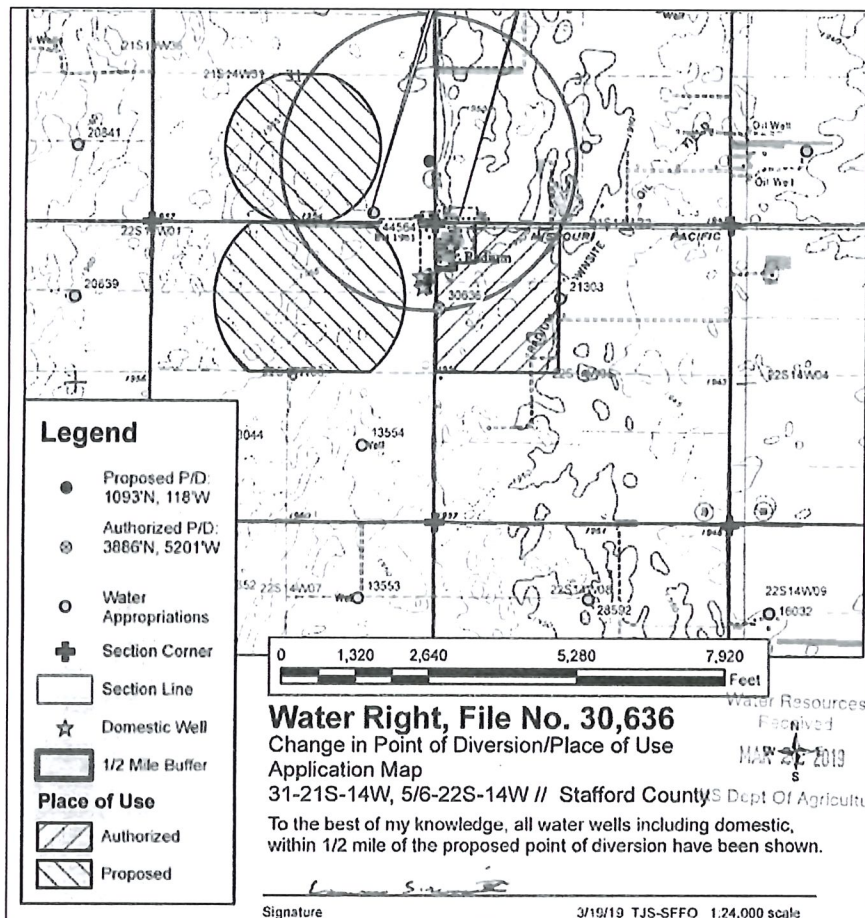
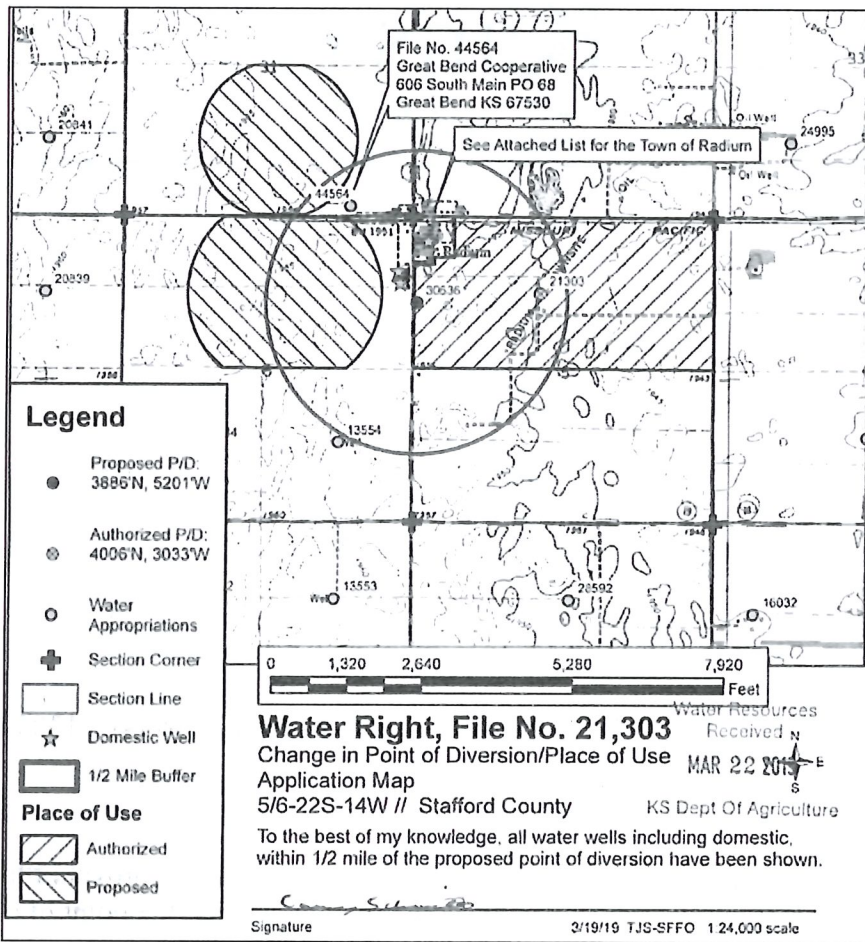
A handwritten signature in black ink, appearing to read "Tyler Saryerwinnie", with a horizontal line extending to the right.

Tyler Saryerwinnie  
Environmental Scientist  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

pc: GMD #5

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Stafford Field Office  
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Fax: 620-234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

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


RE: Water Right, File No(s). 21303 & 30636

Dear Water-User,

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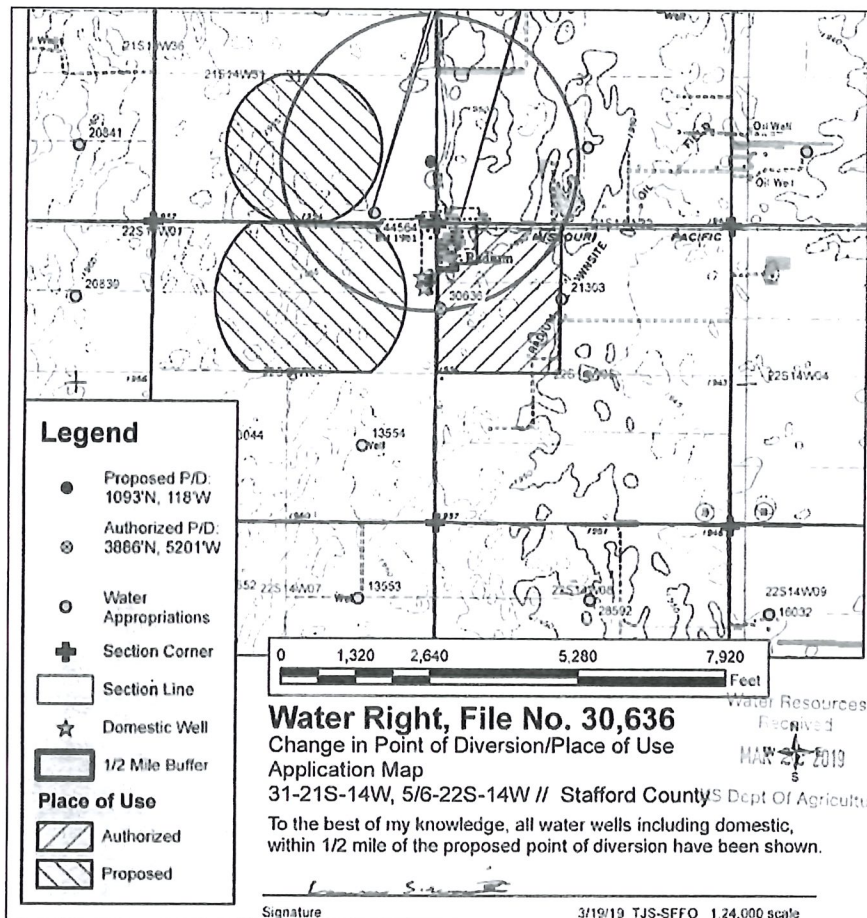
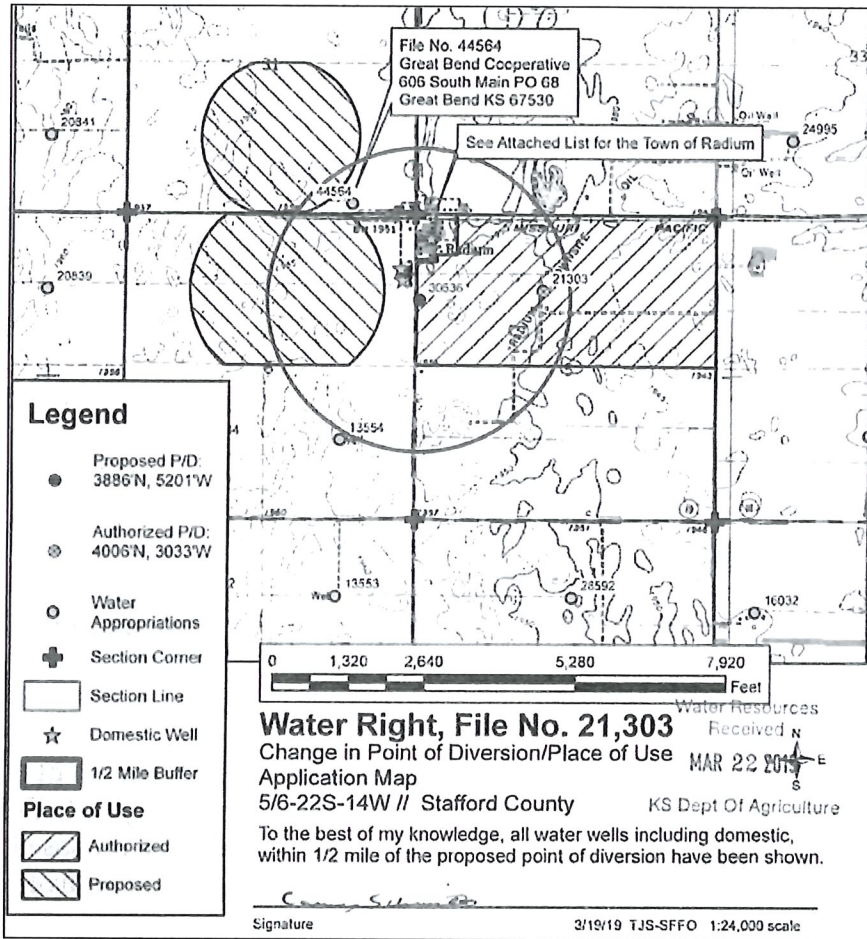
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Sincerely,

  
Tyler Saryerwinnie  
Environmental Scientist  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

pc: GMD #5

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Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

MARY JOANN CLARK  
112 STATION RD  
RADIUM, KS 67550

RE: Water Right, File No(s). 21303 & 30636

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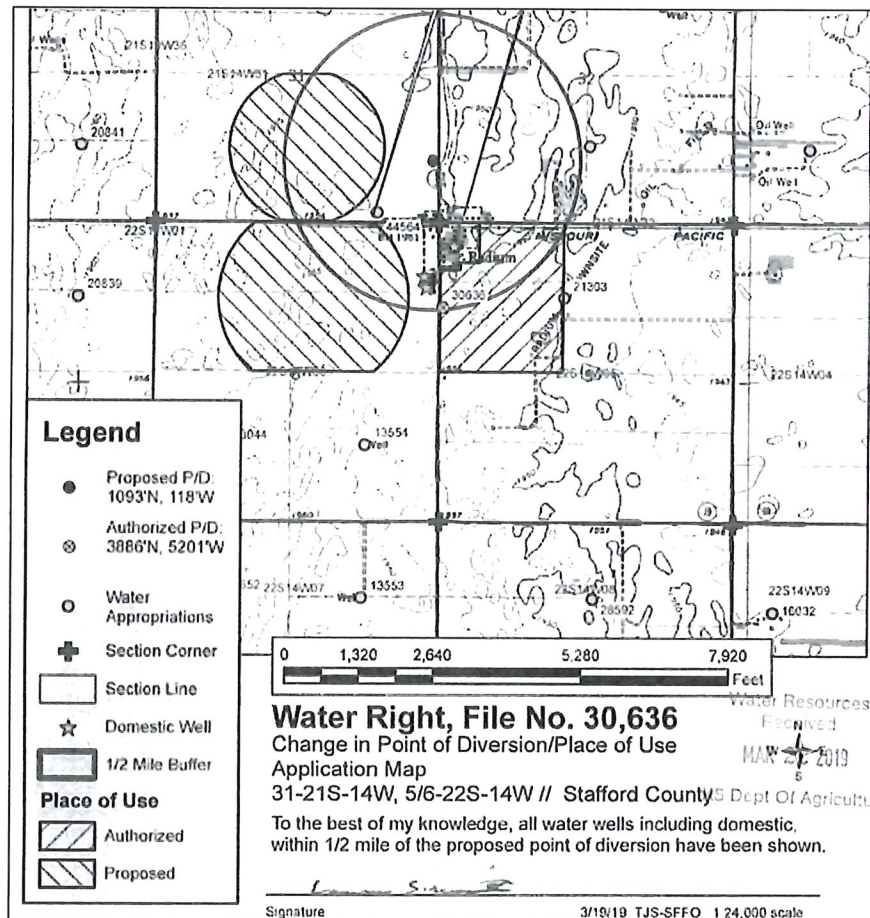
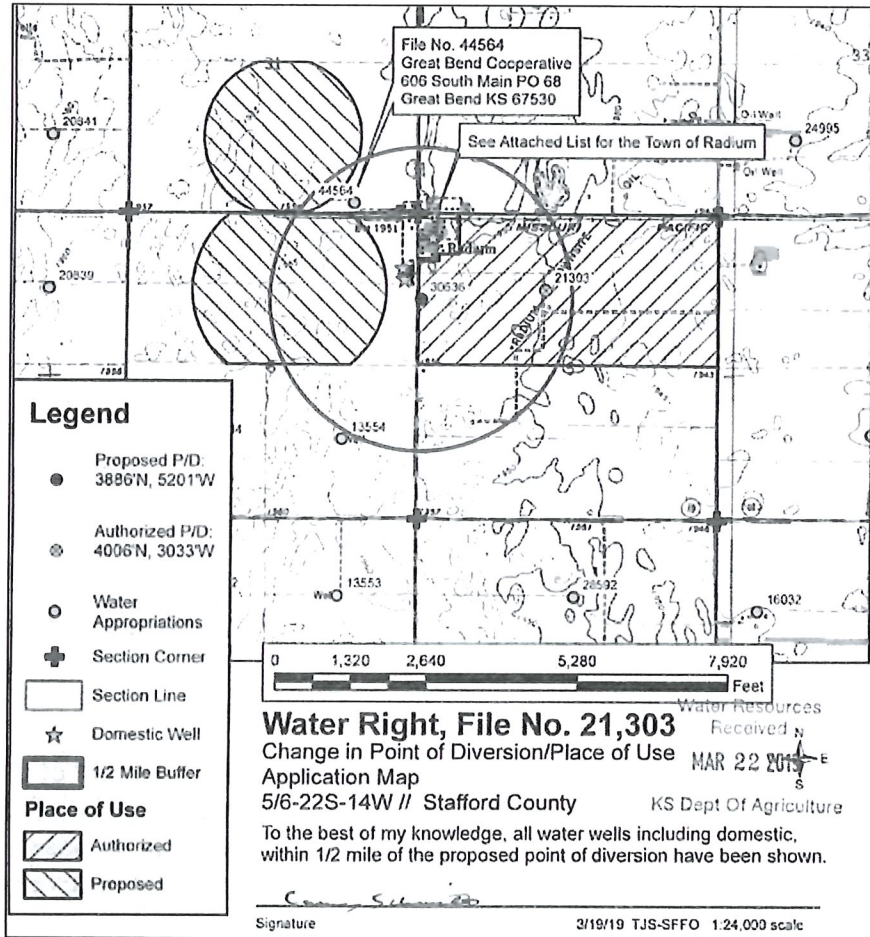
Sincerely,

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Tyler Saryerwinnie  
Environmental Scientist  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

pc: GMD #5

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Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

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

RE: Water Right, File No(s). 21303 & 30636

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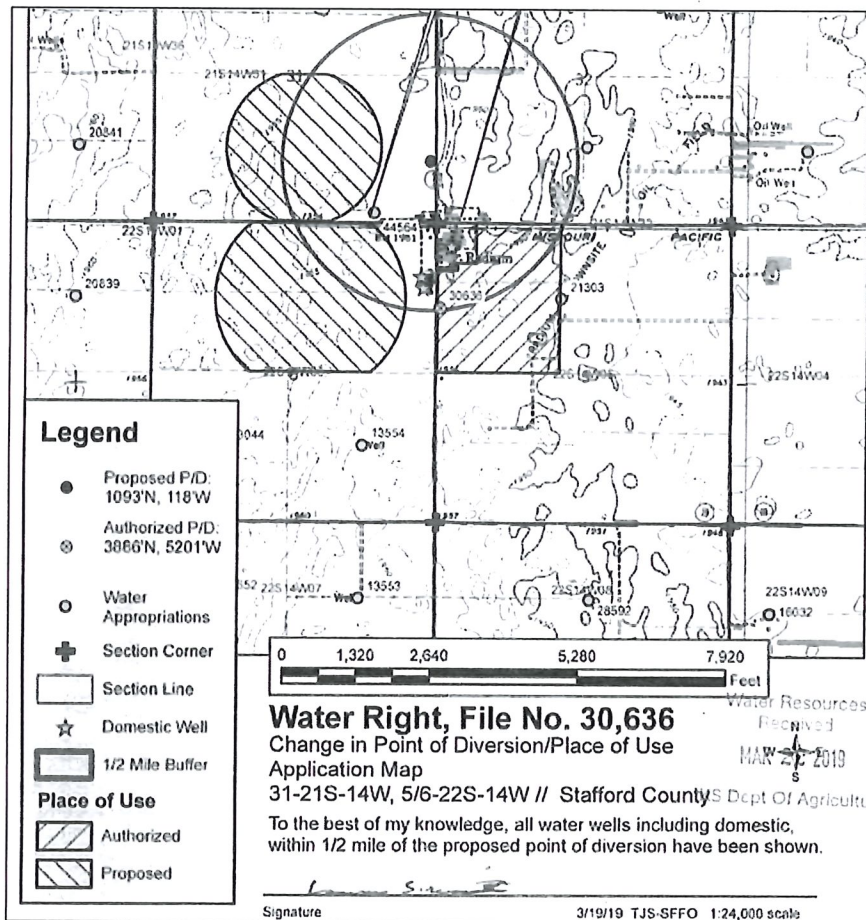
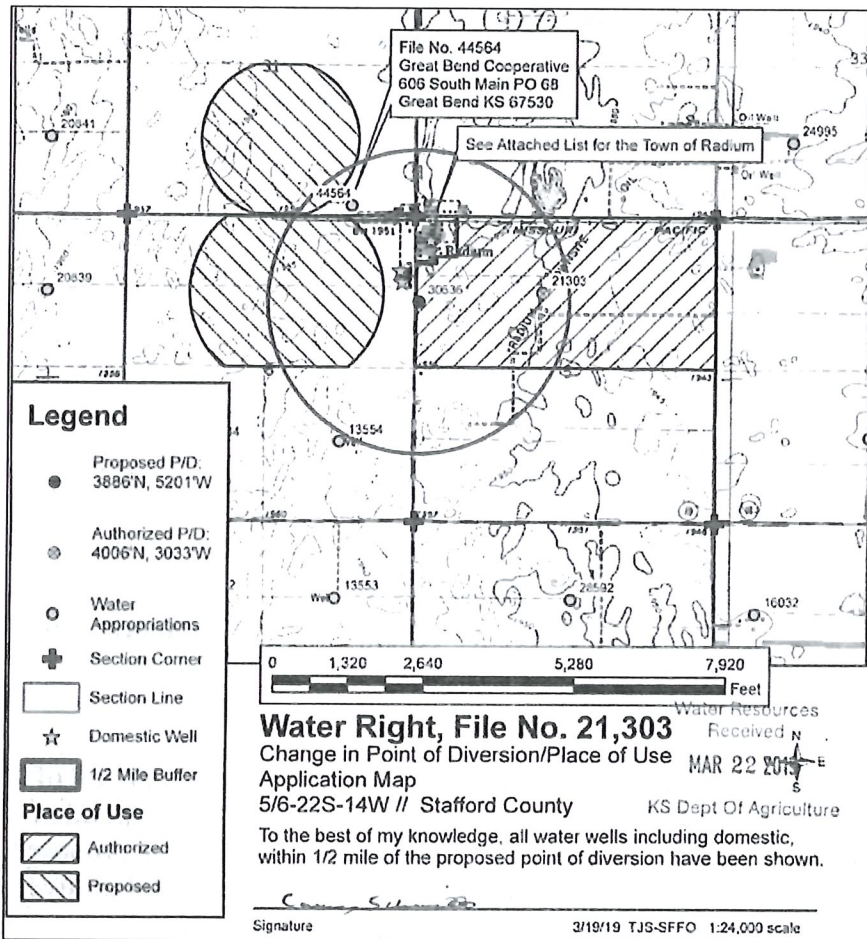
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Tyler Saryerwinnie  
Environmental Scientist  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

pc: GMD #5

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Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

GARY LYNN GRAY  
206 STATION RD  
RADIUM, KS 67550

RE: Water Right, File No(s). 21303 & 30636

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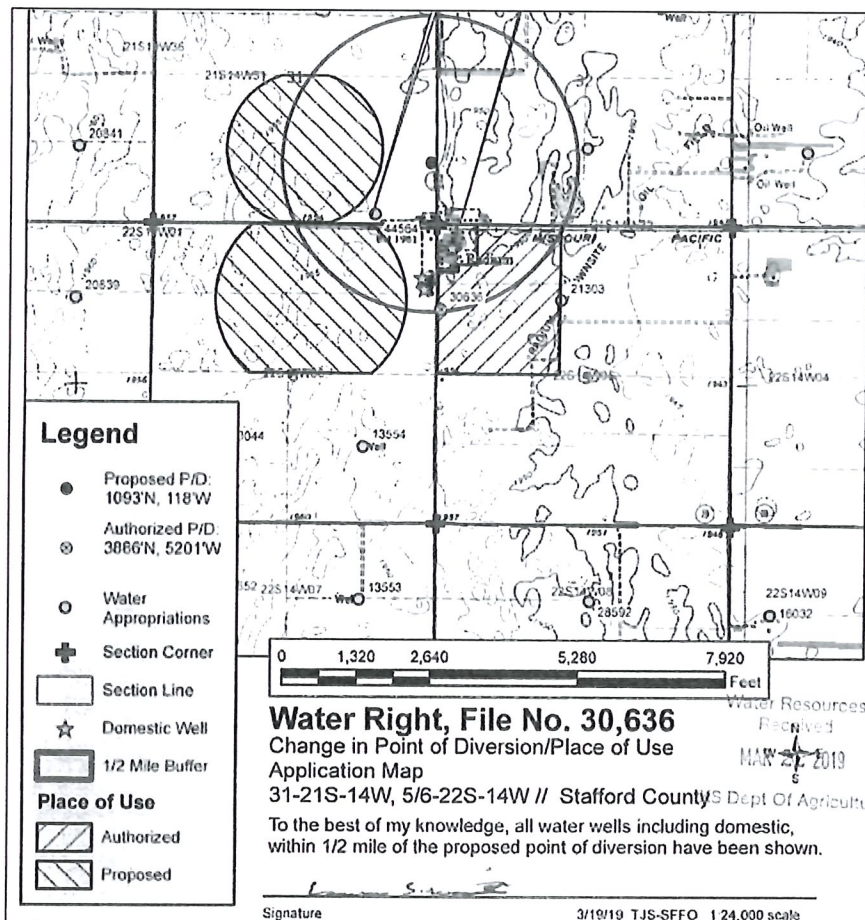
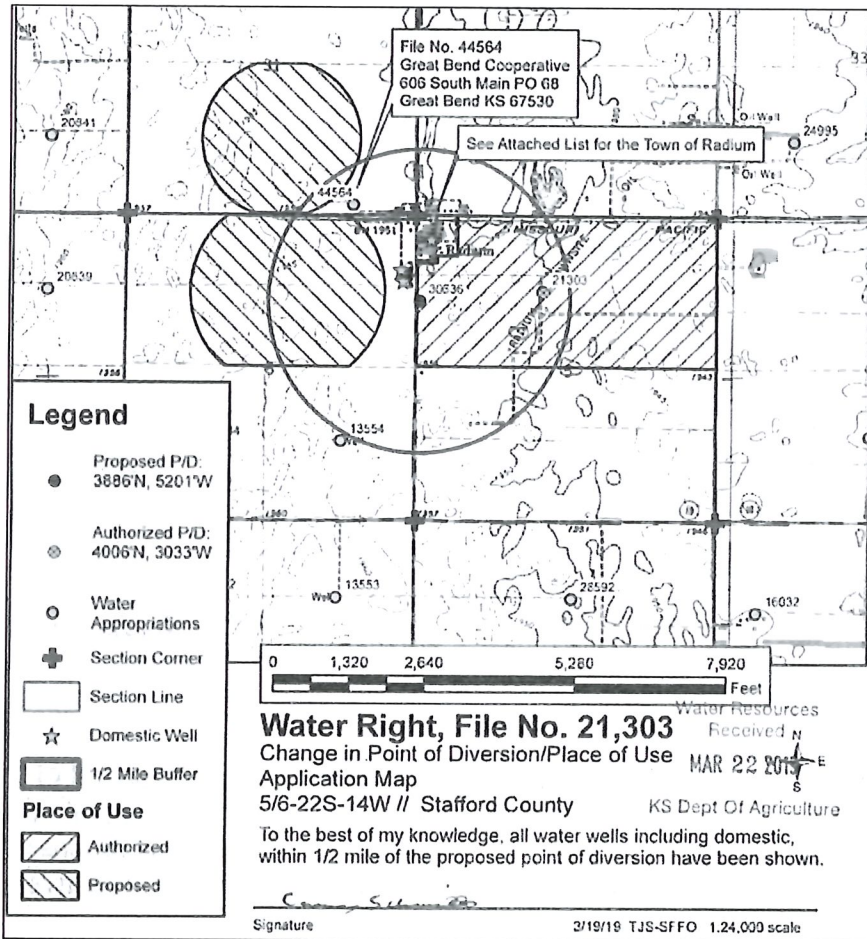
Sincerely,

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Tyler Saryerwinnie  
Environmental Scientist  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

pc: GMD #5





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Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

AGATA N FOSTER  
648 EMERALD COVE DR  
CHARLOTTE, NC 28262

RE: Water Right, File No(s). 21303 & 30636

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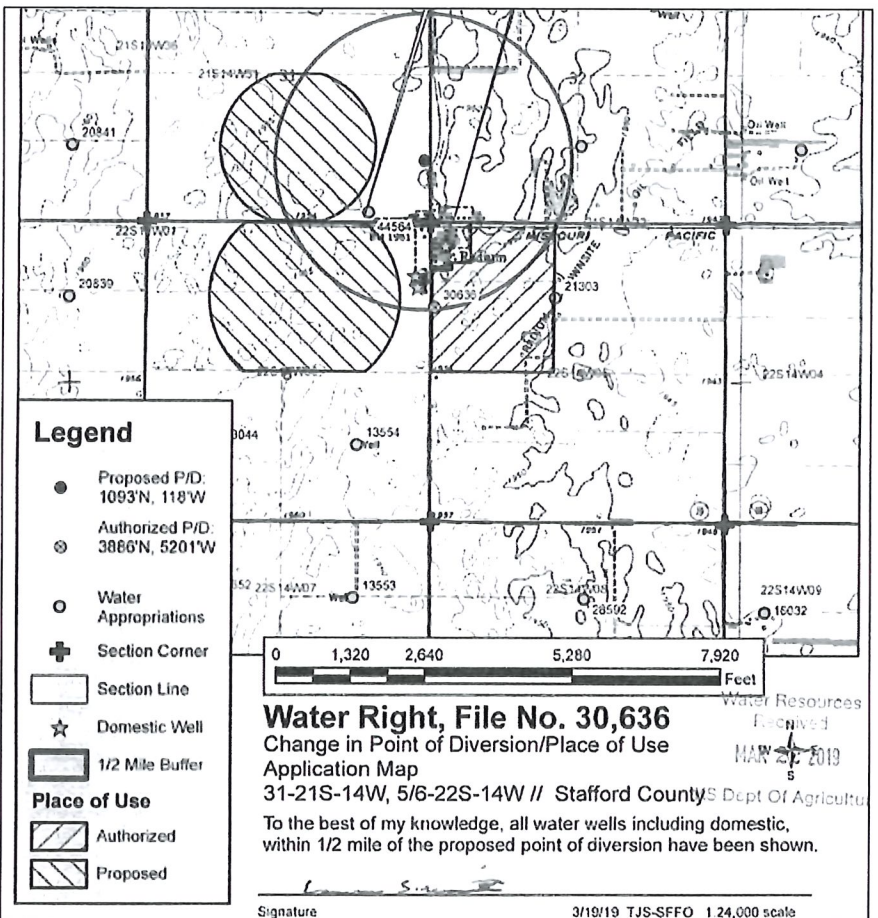
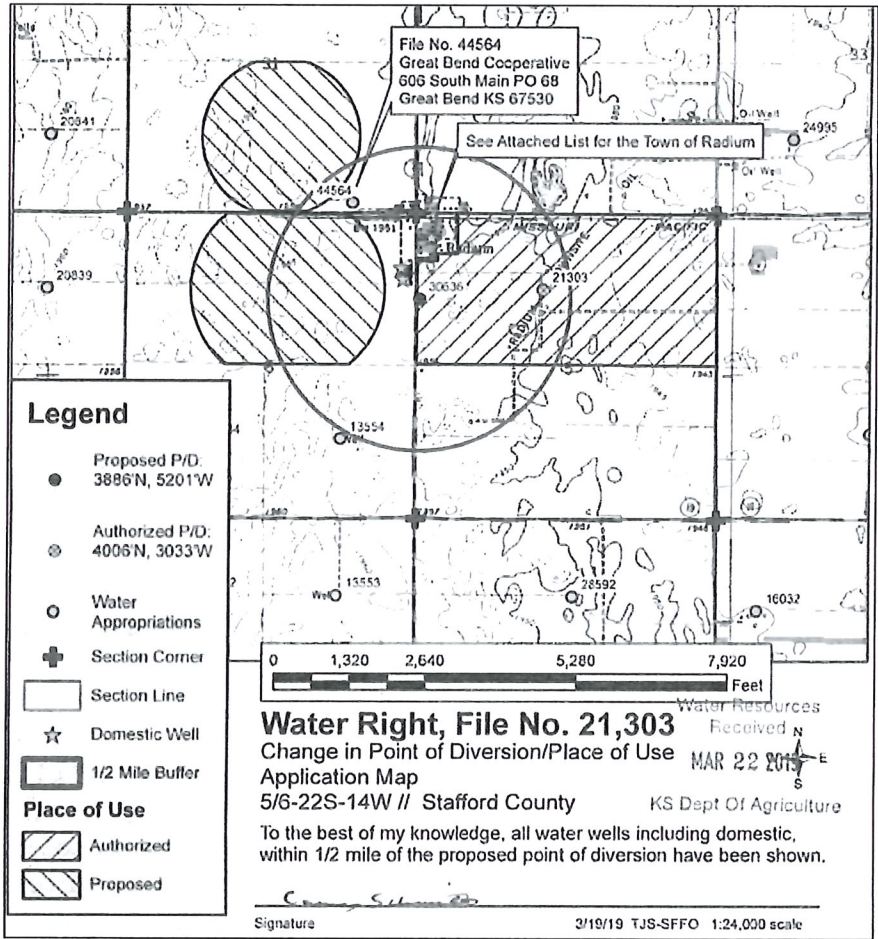
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Tyler Saryerwinnie  
Environmental Scientist  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

pc: GMD #5

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Stafford Field Office  
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Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

PAUL B SPICER  
220 STATION RD  
RADIUM, KS 67550

RE: Water Right, File No(s). 21303 & 30636

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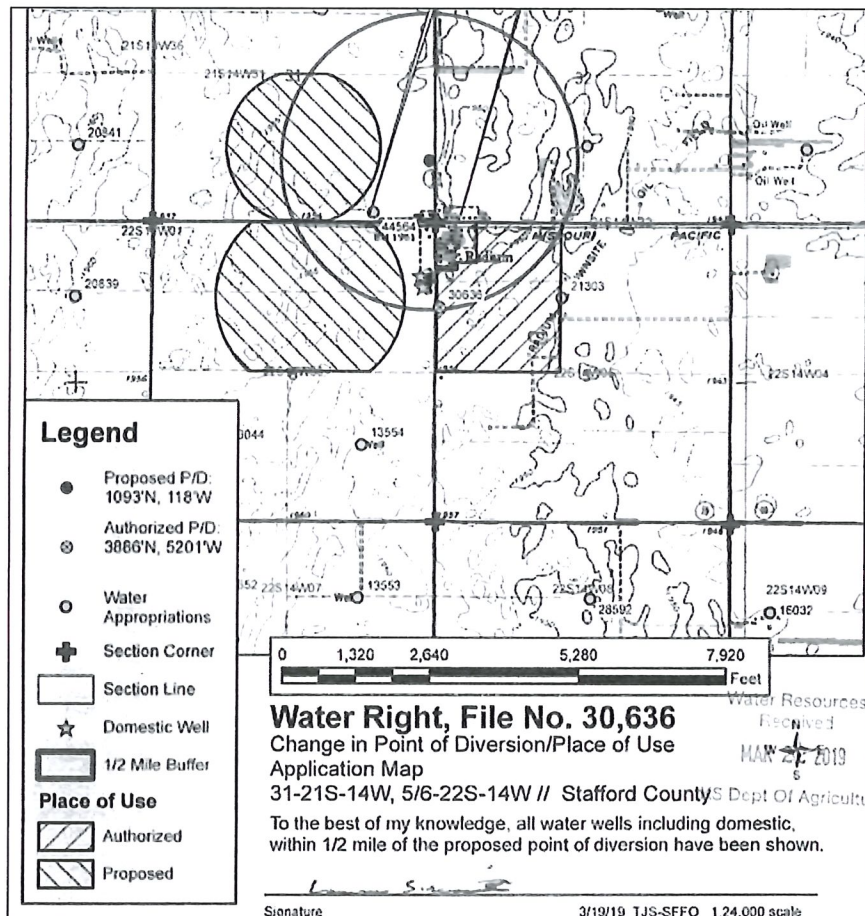
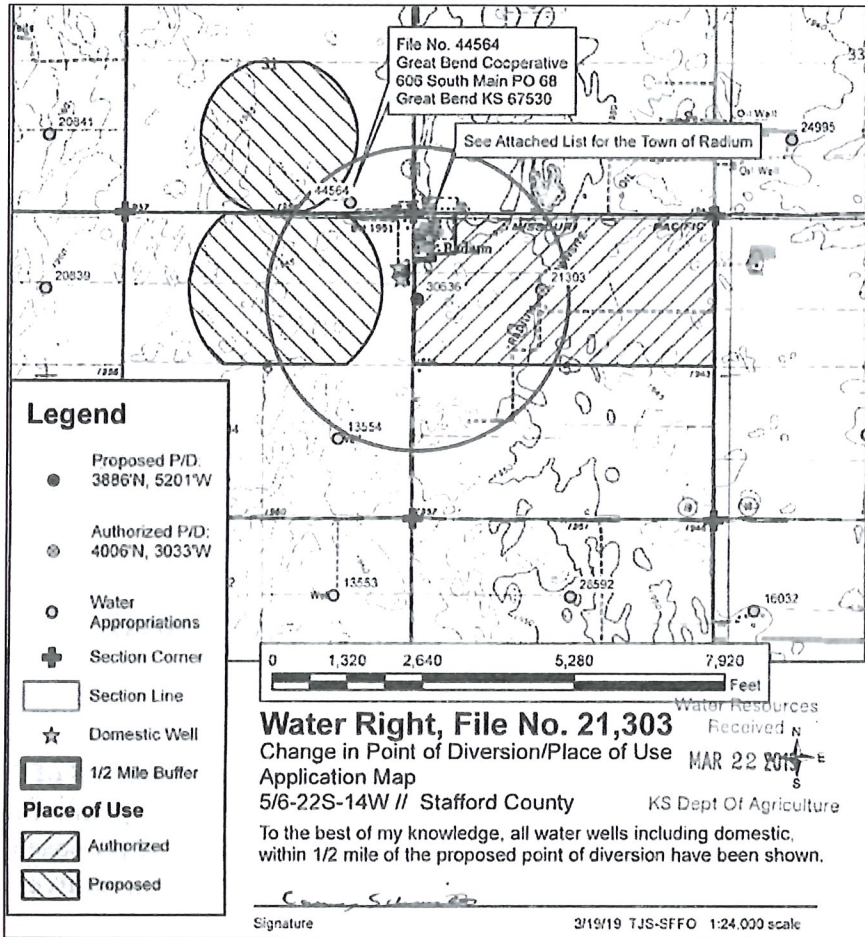
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Tyler Saryerwinnie  
Environmental Scientist  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

pc: GMD #5



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[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

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


RE: Water Right, File No(s). 21303 & 30636

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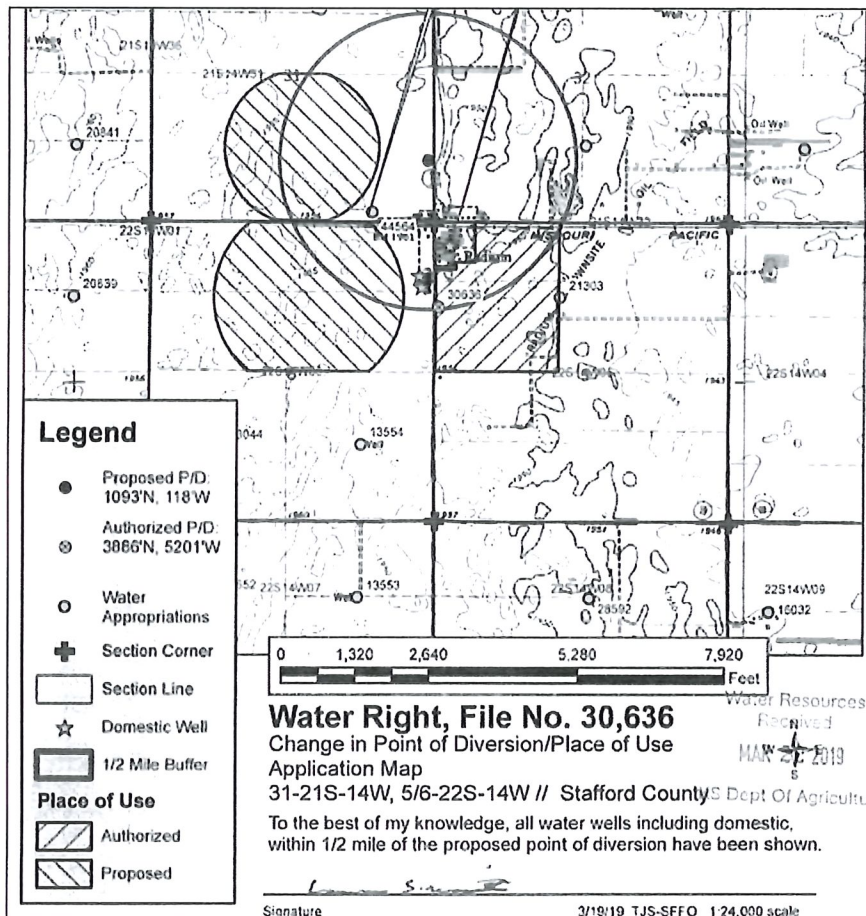
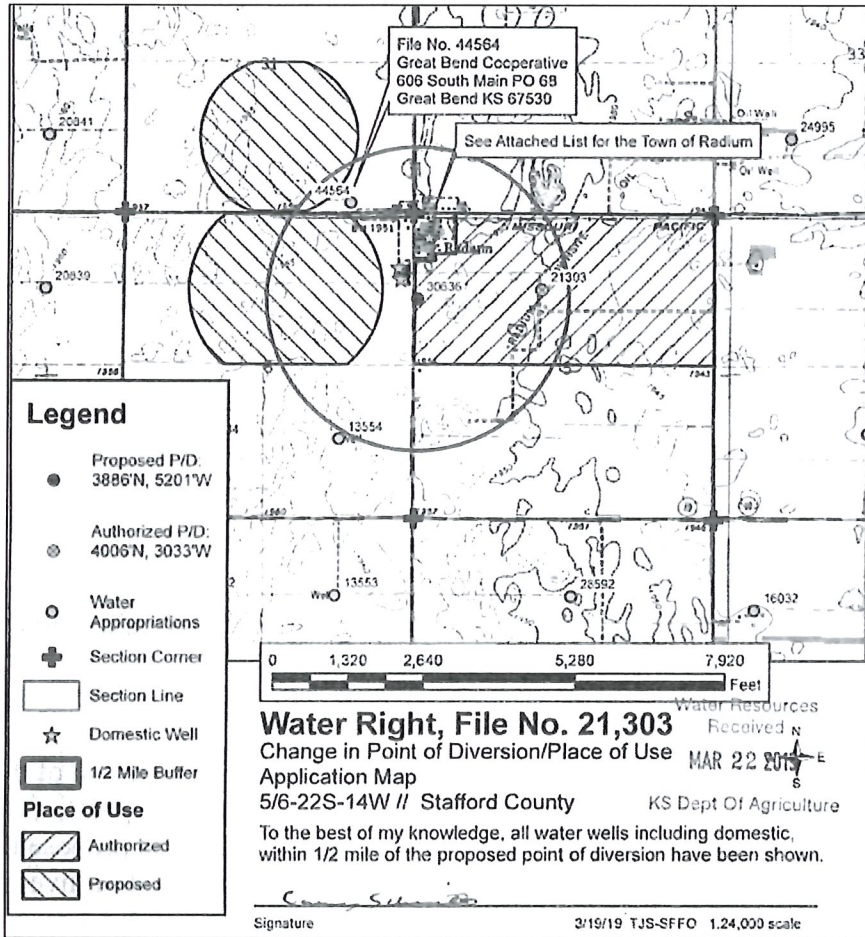
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Sincerely,

  
Tyler Saryerwinnie  
Environmental Scientist  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

pc: GMD #5

SCANNED





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Stafford, KS 67578-1521

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Fax: 620-234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

SUSAN M BATTIN  
309 RADIUM RD  
RADIUM, KS 67550


RE: Water Right, File No(s). 21303 & 30636

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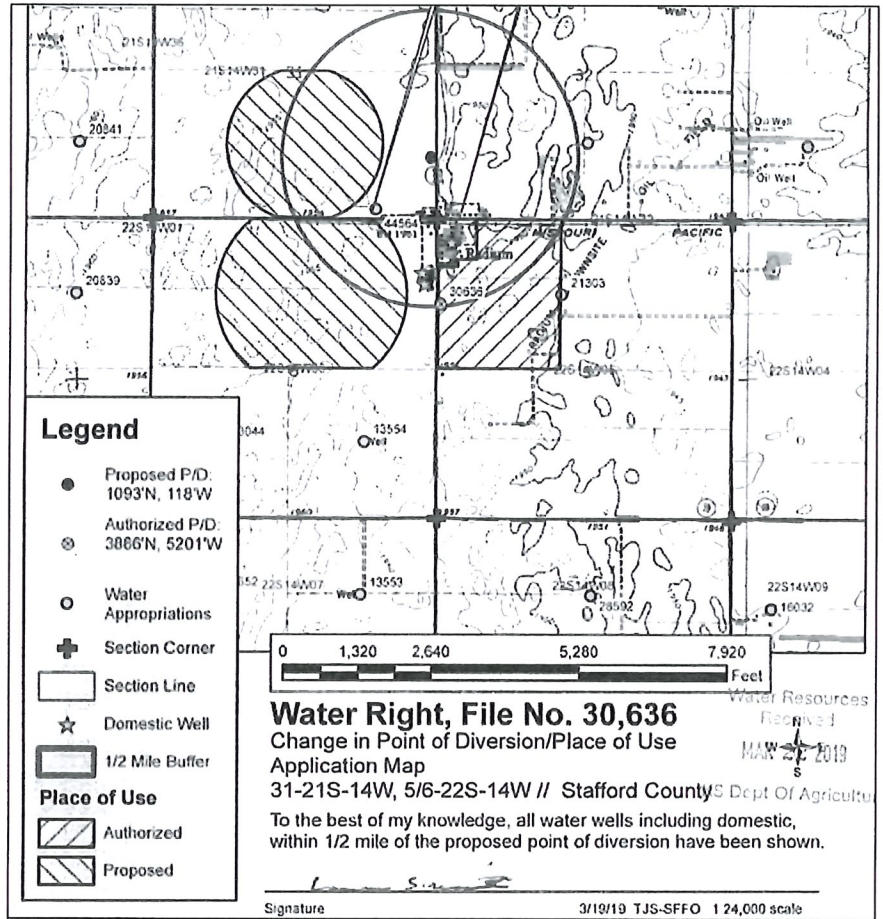
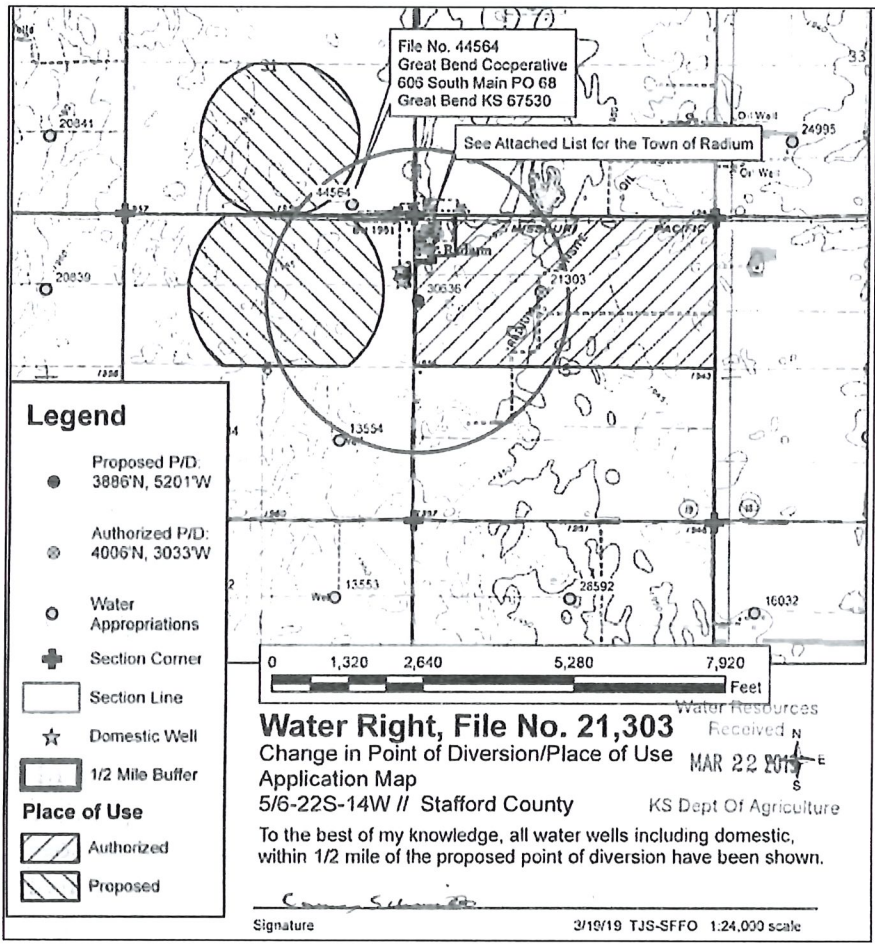
Sincerely,

  
Tyler Saryerwinnie  
Environmental Scientist  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

pc: GMD #5

SCANNED





AD ASTRA PER ASPERA  
**Kansas**  
Department of Agriculture  
Division of Water Resources

Stafford Field Office  
300 S. Main Street  
Stafford, KS 67578-1521

Phone: 620-234-5311  
Fax: 620-234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

THERESA M DETHERAGE  
321 ESTES AVE  
RADIUM, KS 67550

RE: Water Right, File No(s). 21303 & 30636

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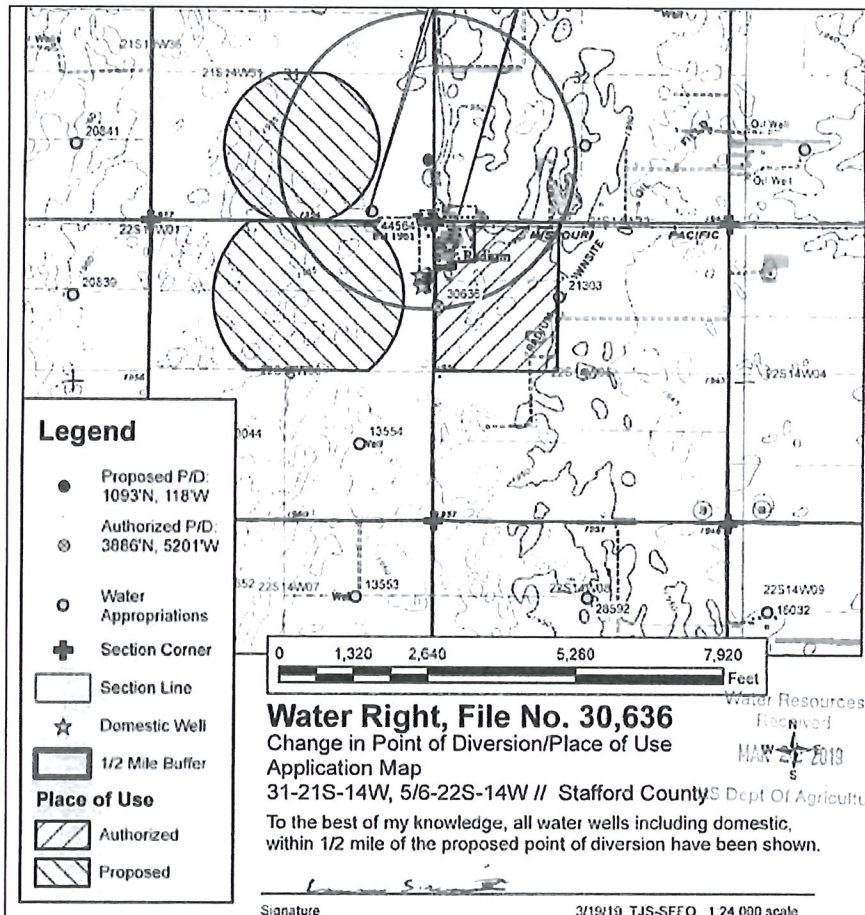
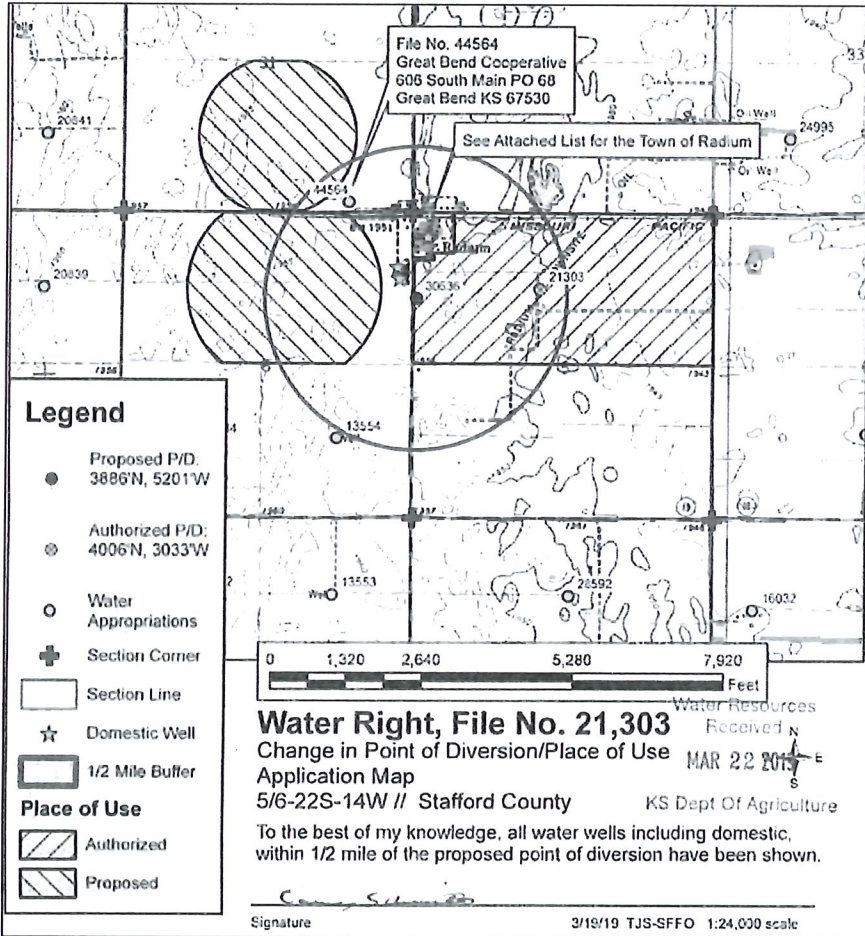
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Environmental Scientist  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

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Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

GERALD W BROWN ET AL  
309 RADIUM RD  
RADIUM, KS 0

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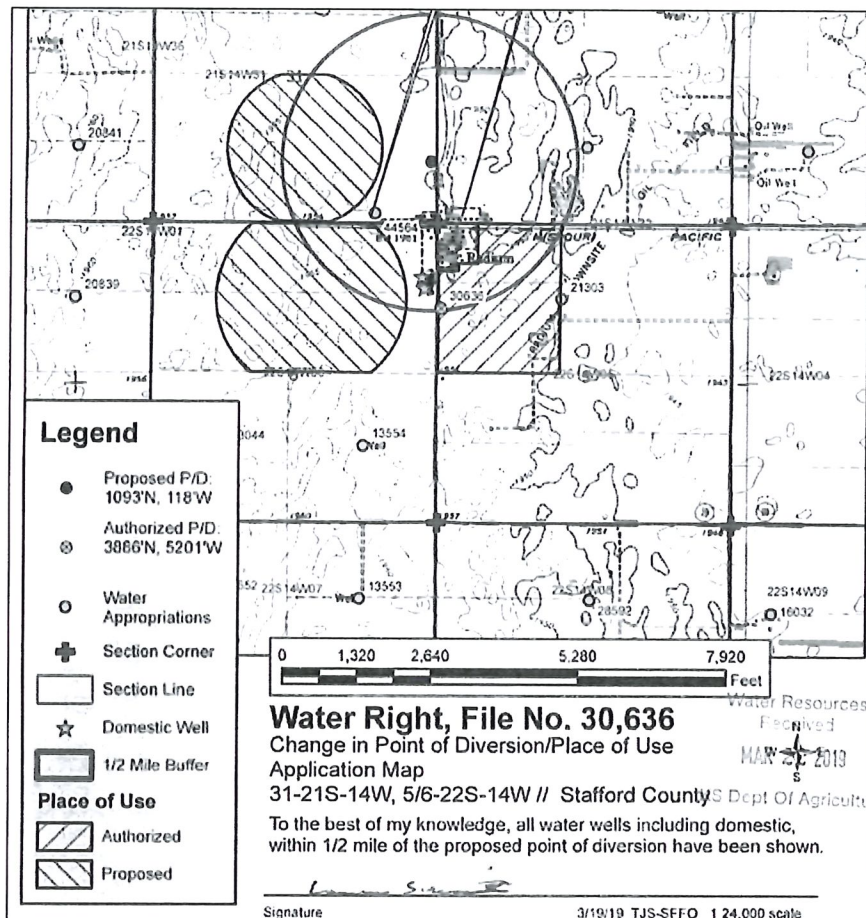
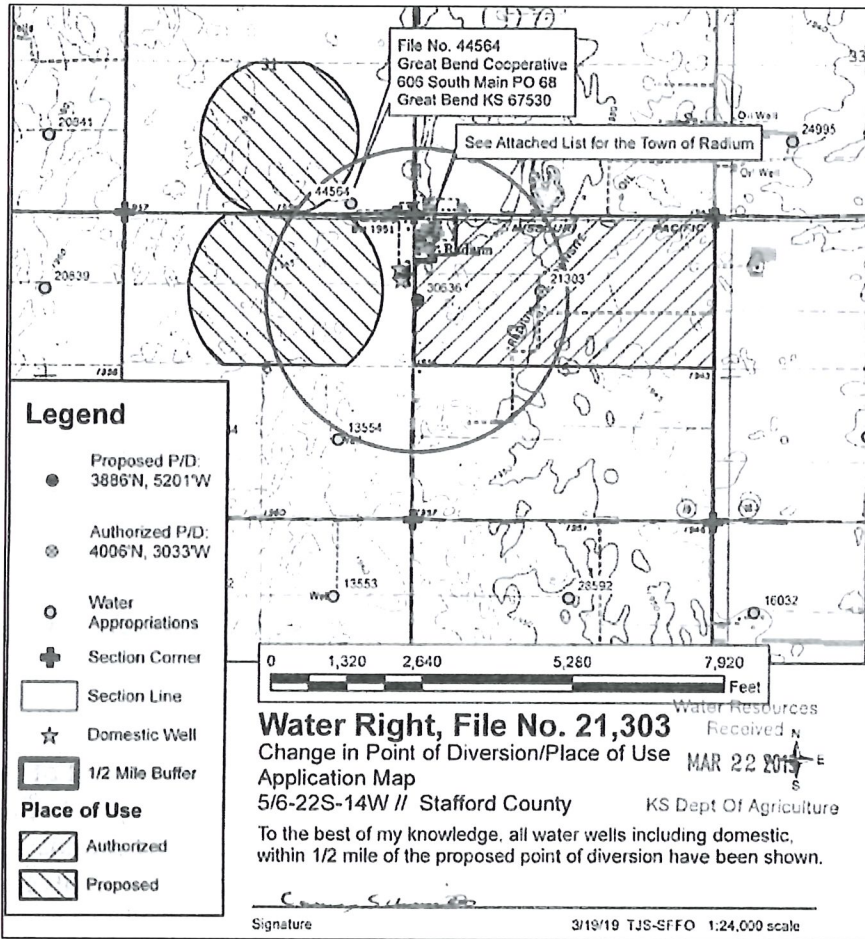
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Tyler Saryerwinnie  
Environmental Scientist  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

pc: GMD #5

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Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

TREY MOSIER  
301 ESTES AVE  
RADIUM, KS 67550

RE: Water Right, File No(s). 21303 & 30636

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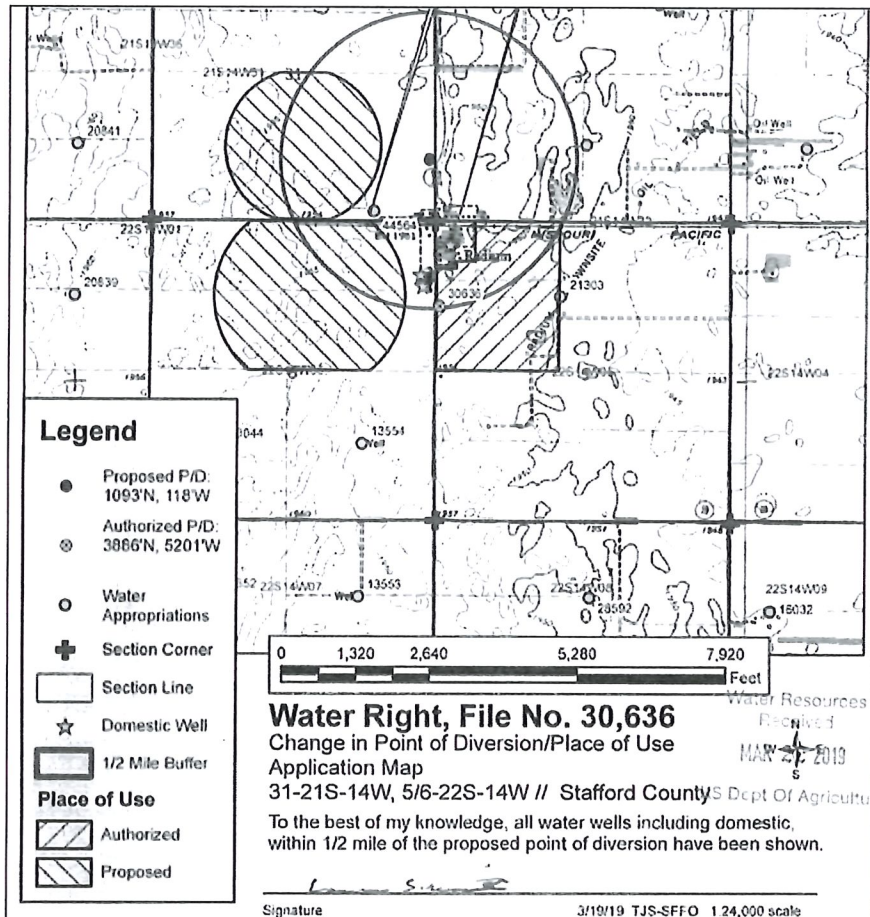
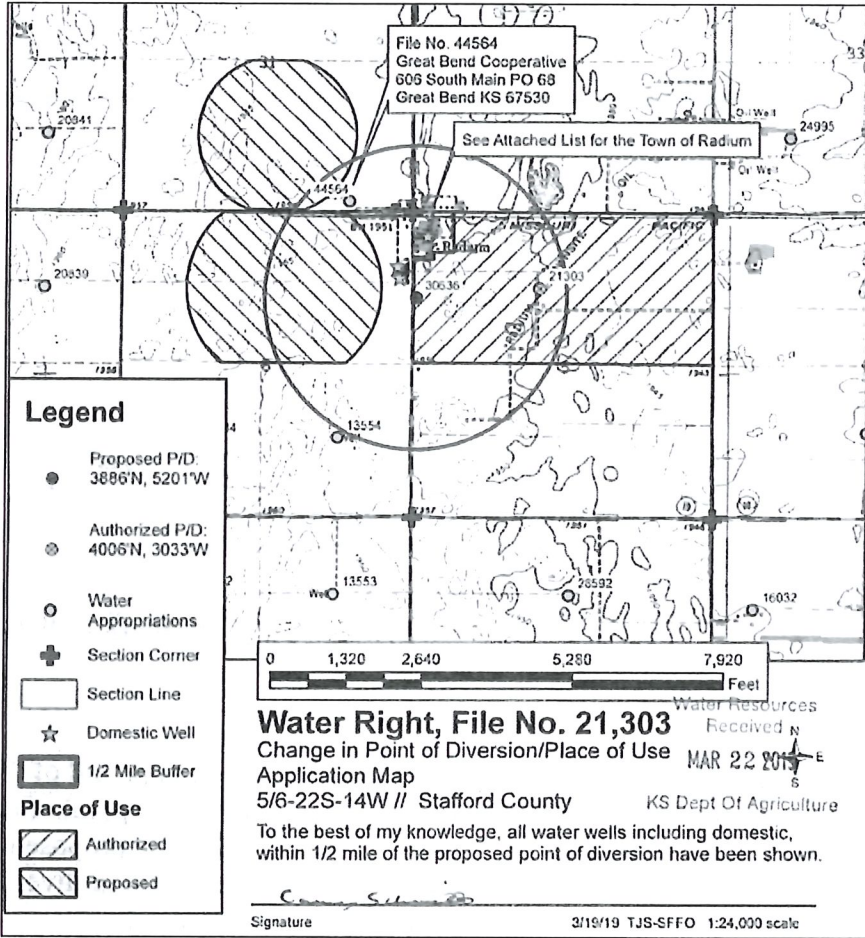
Sincerely,

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Tyler Saryerwinnie  
Environmental Scientist  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

pc: GMD #5

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Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

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

RE: Water Right, File No(s). 21303 & 30636

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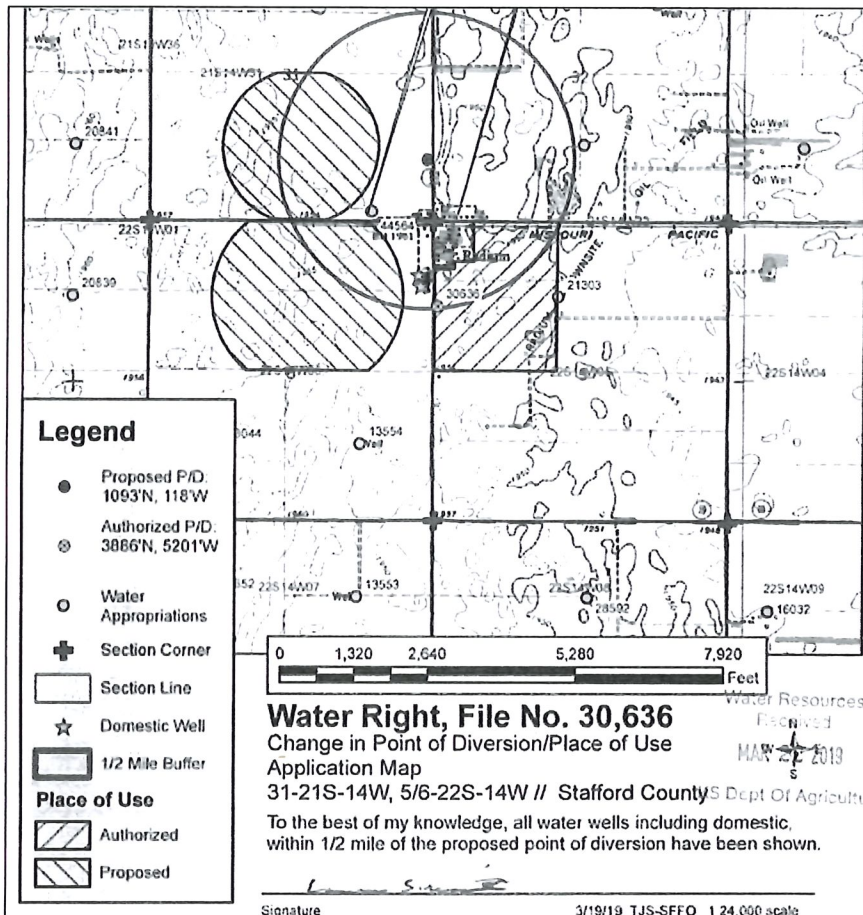
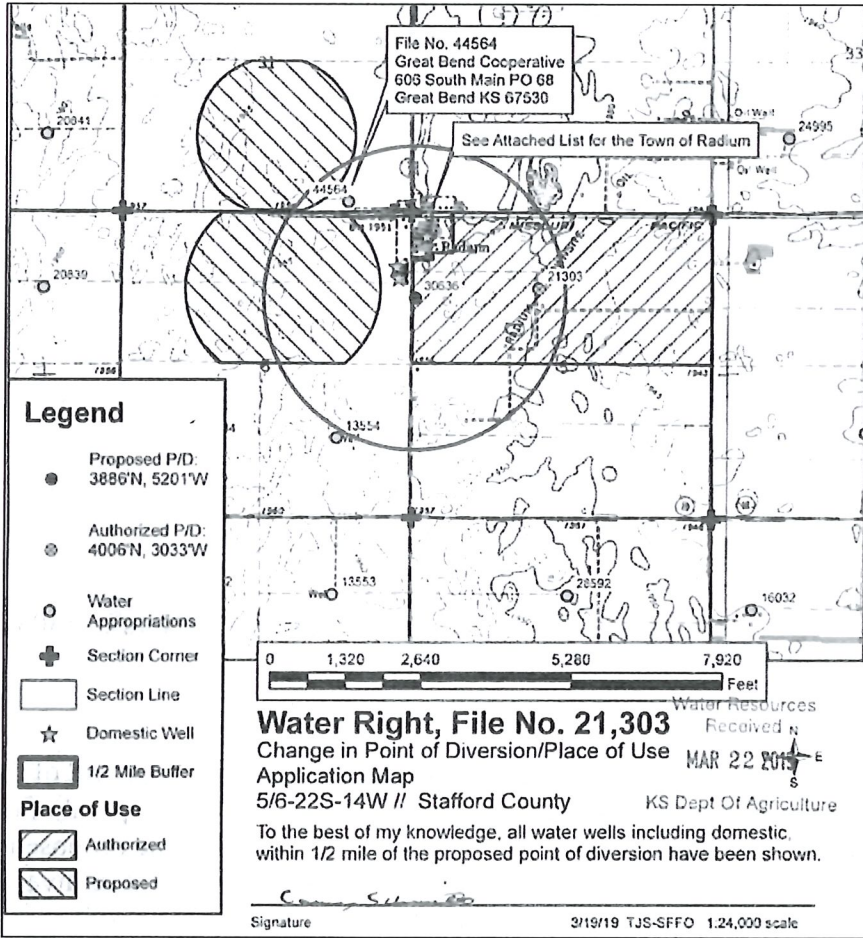
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Environmental Scientist  
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Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

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

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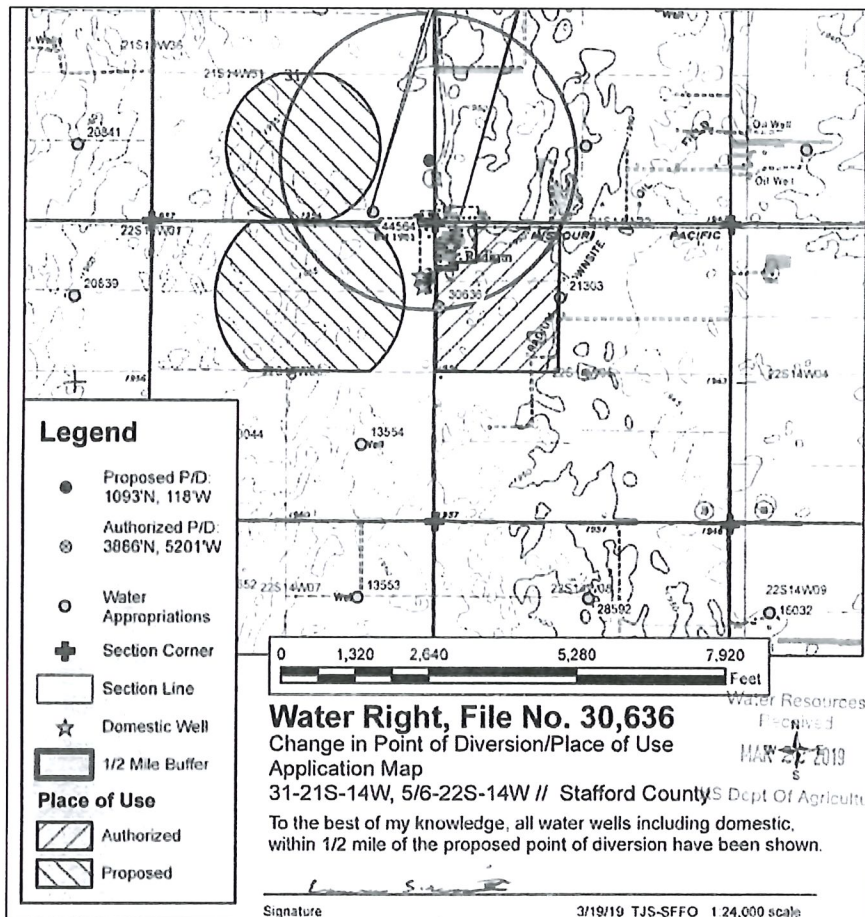
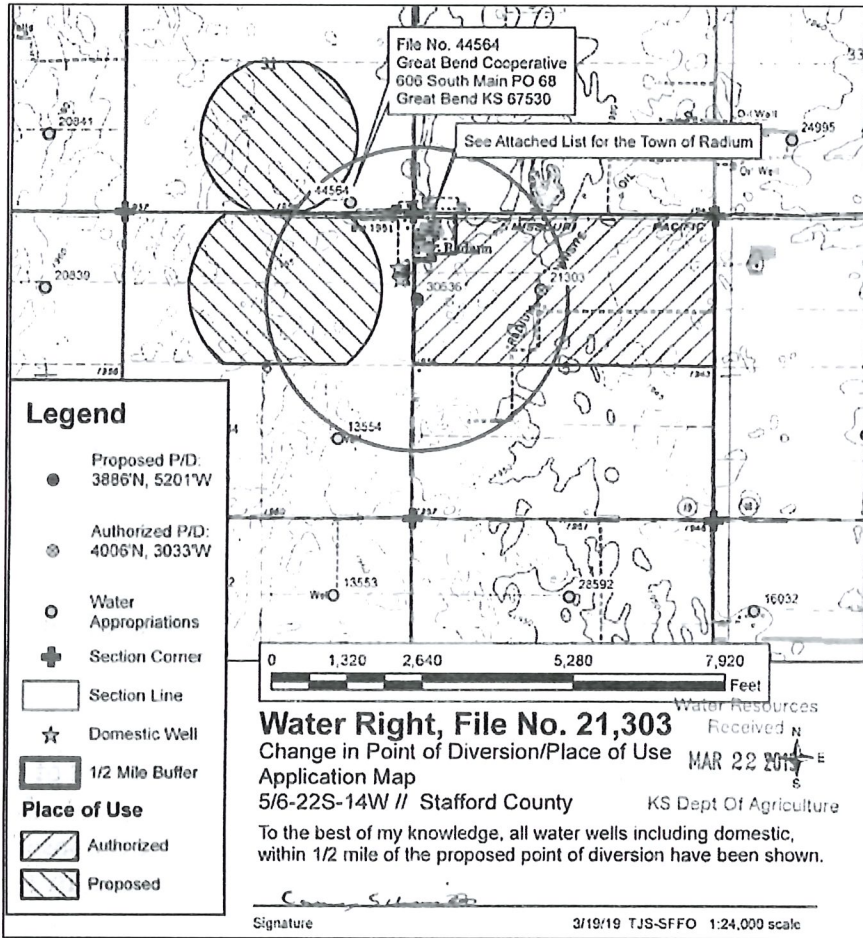
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Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019.

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

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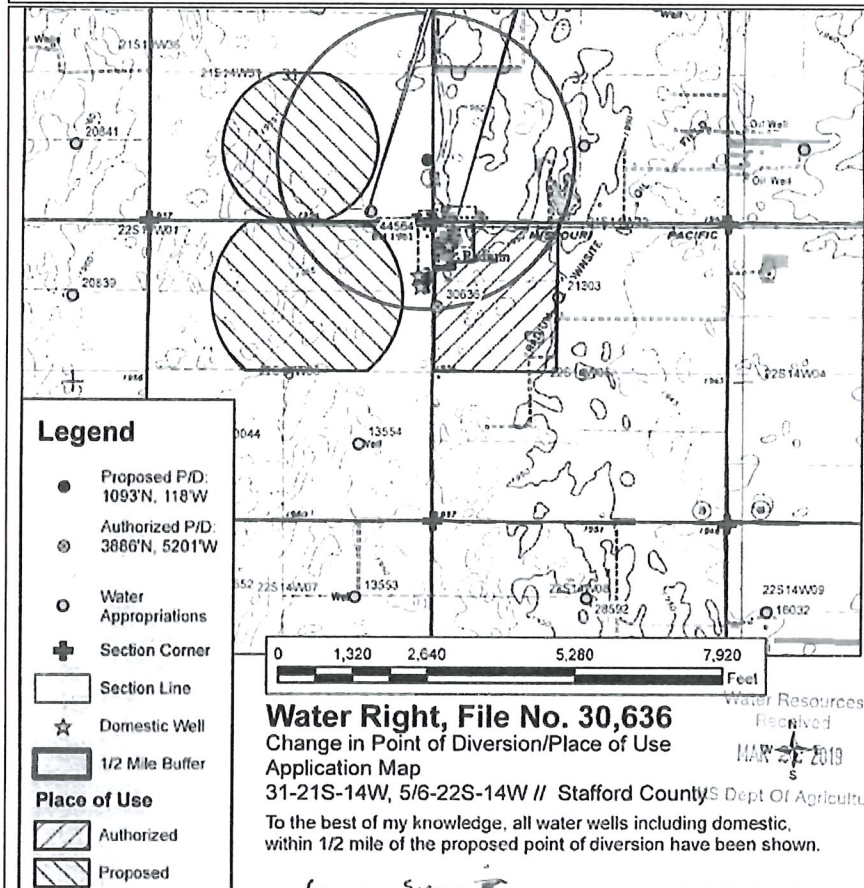
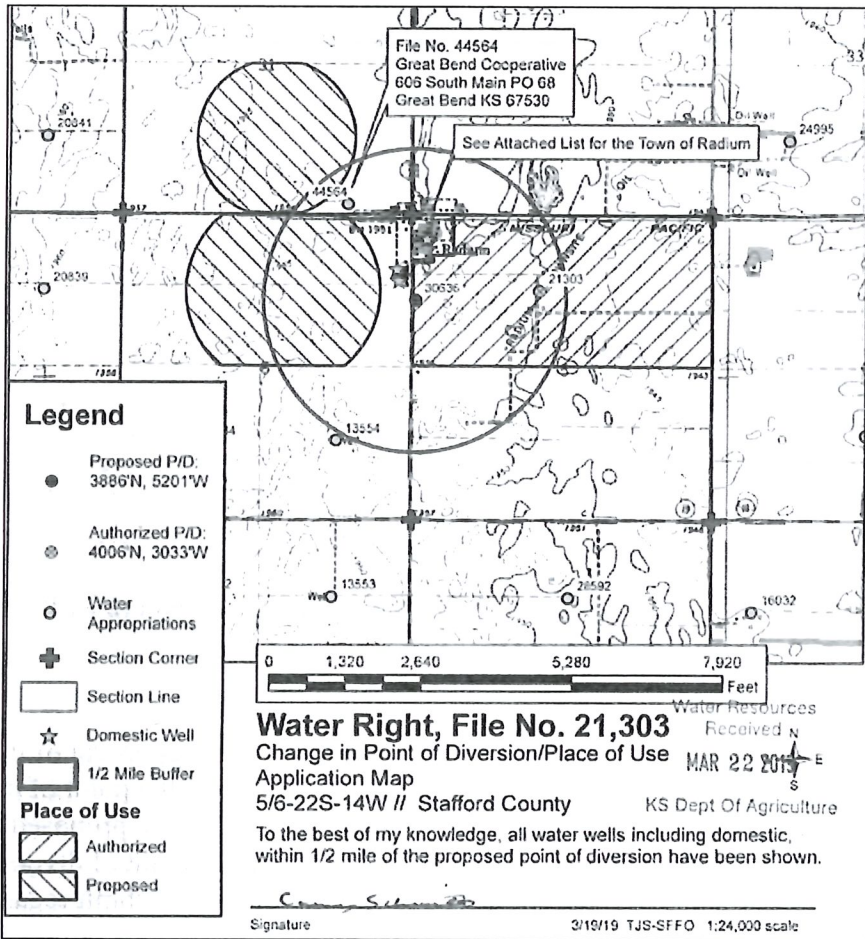
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Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

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

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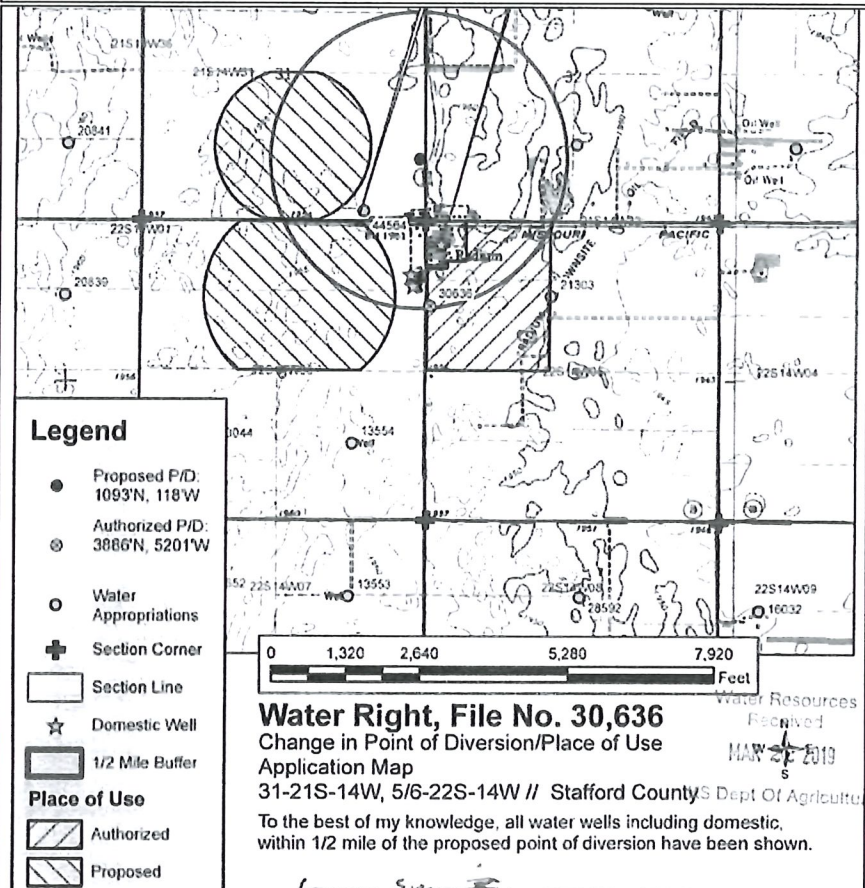
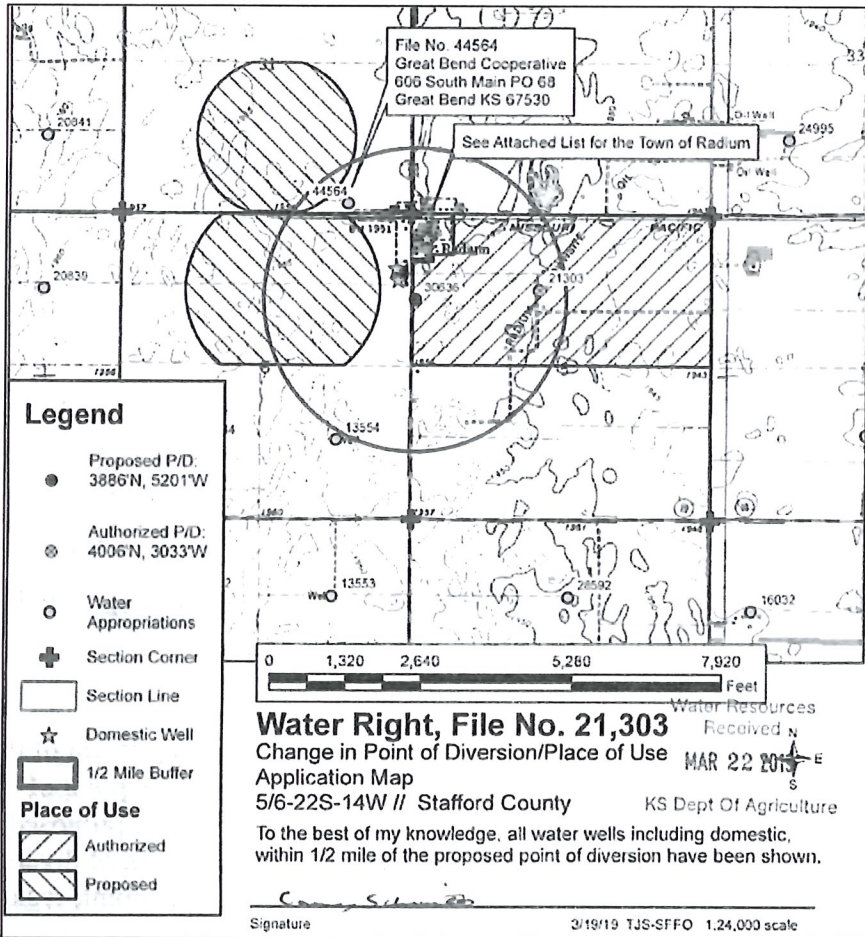
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Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

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

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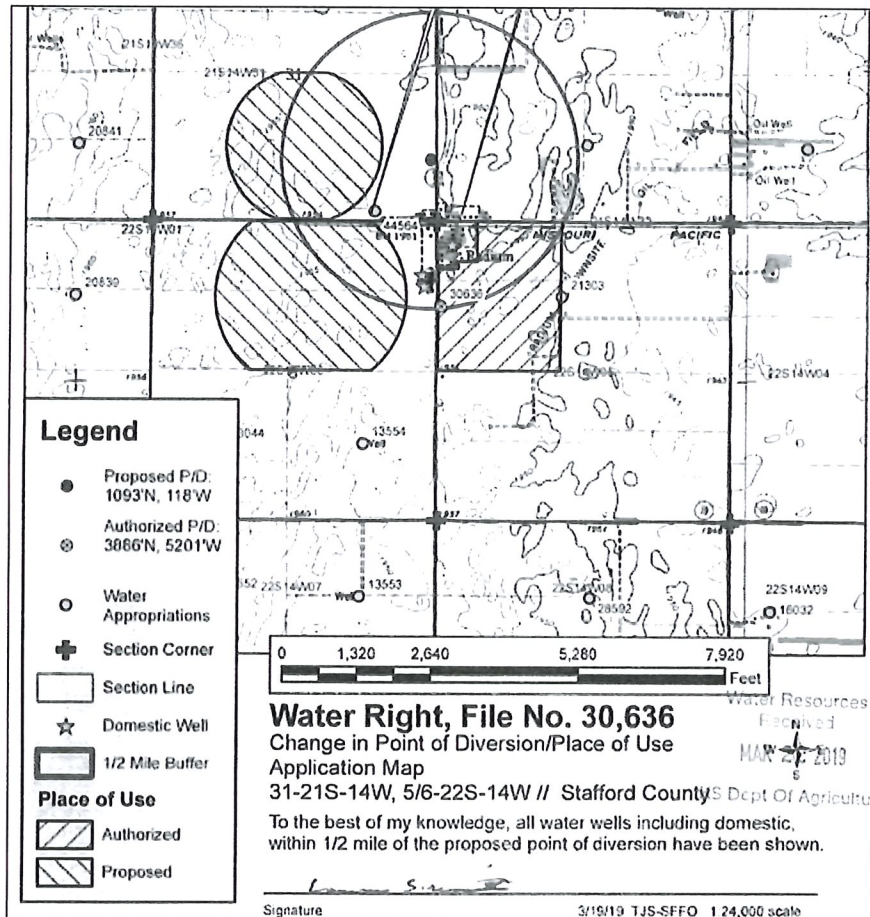
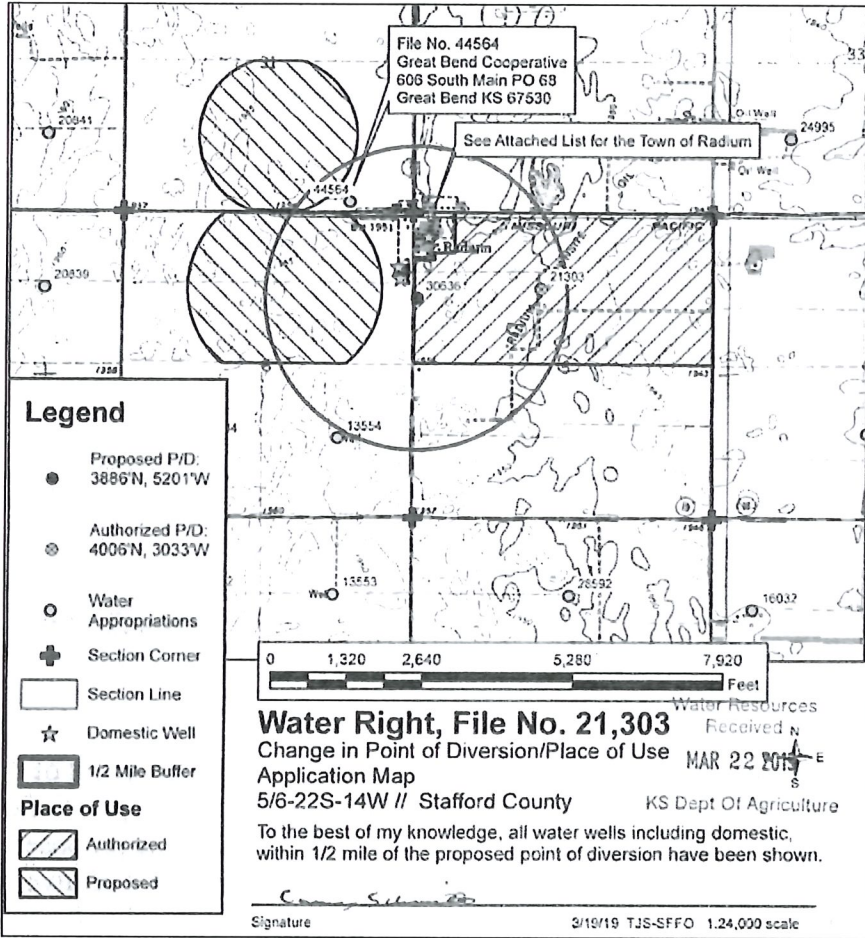
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Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

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

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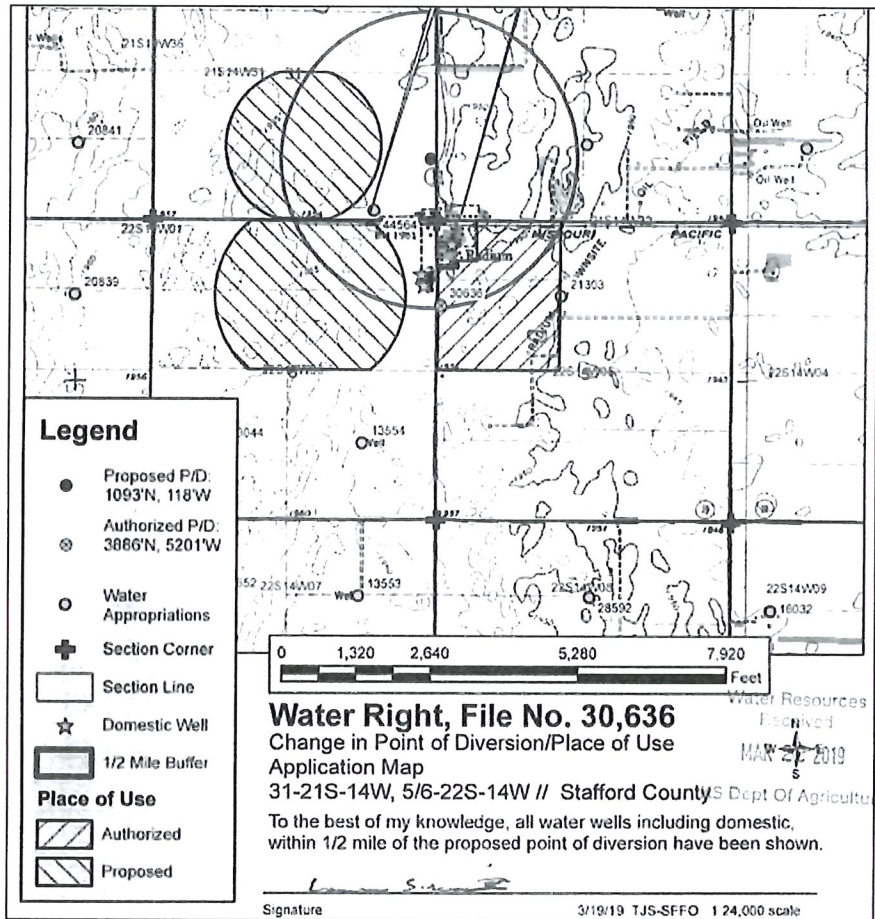
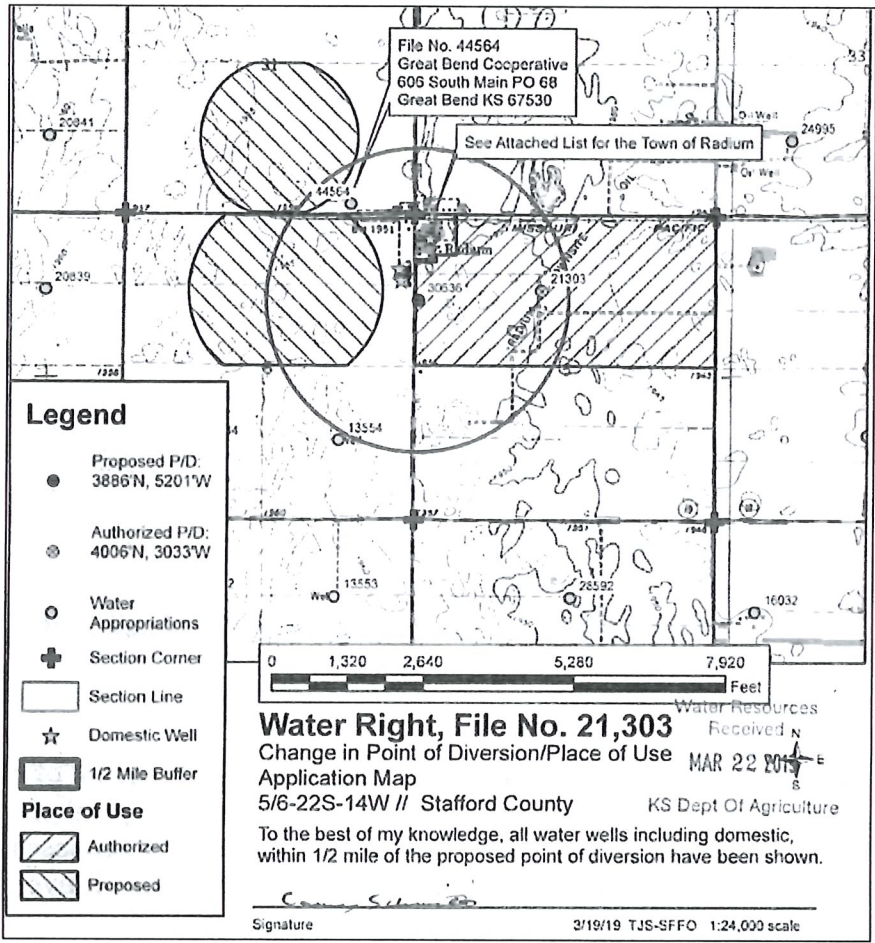
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Department of Agriculture  
Division of Water Resources

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Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

JOSHUA GALES  
211 ESTES DR  
RADIUM, KS 67550-5505

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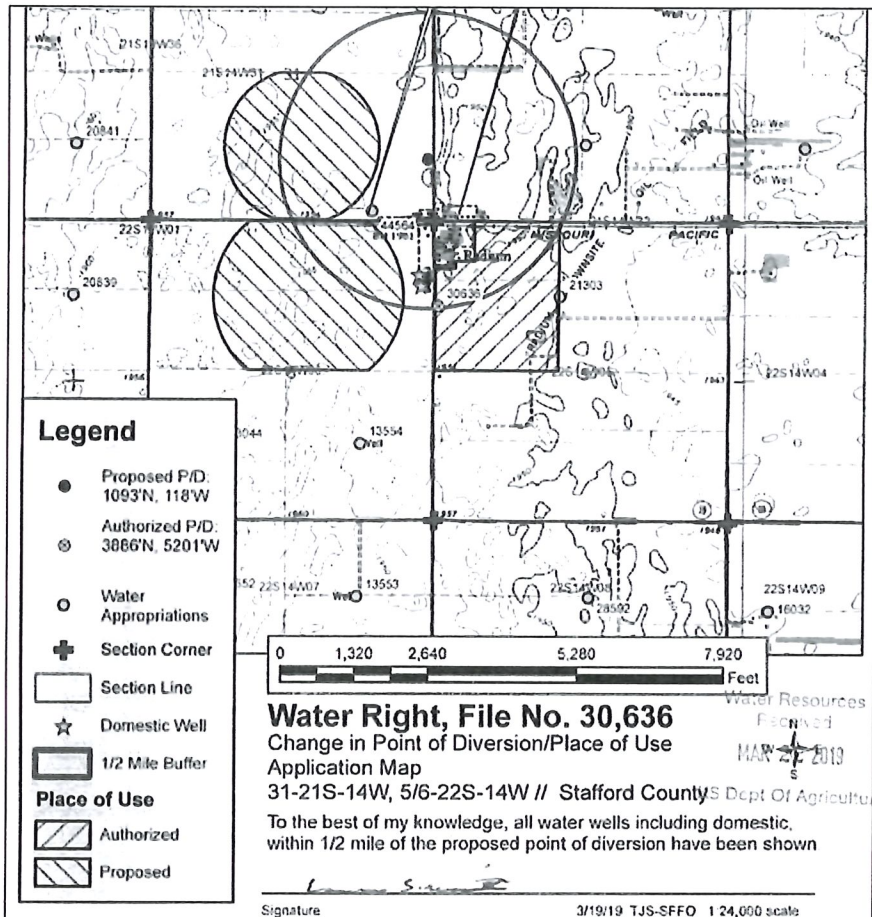
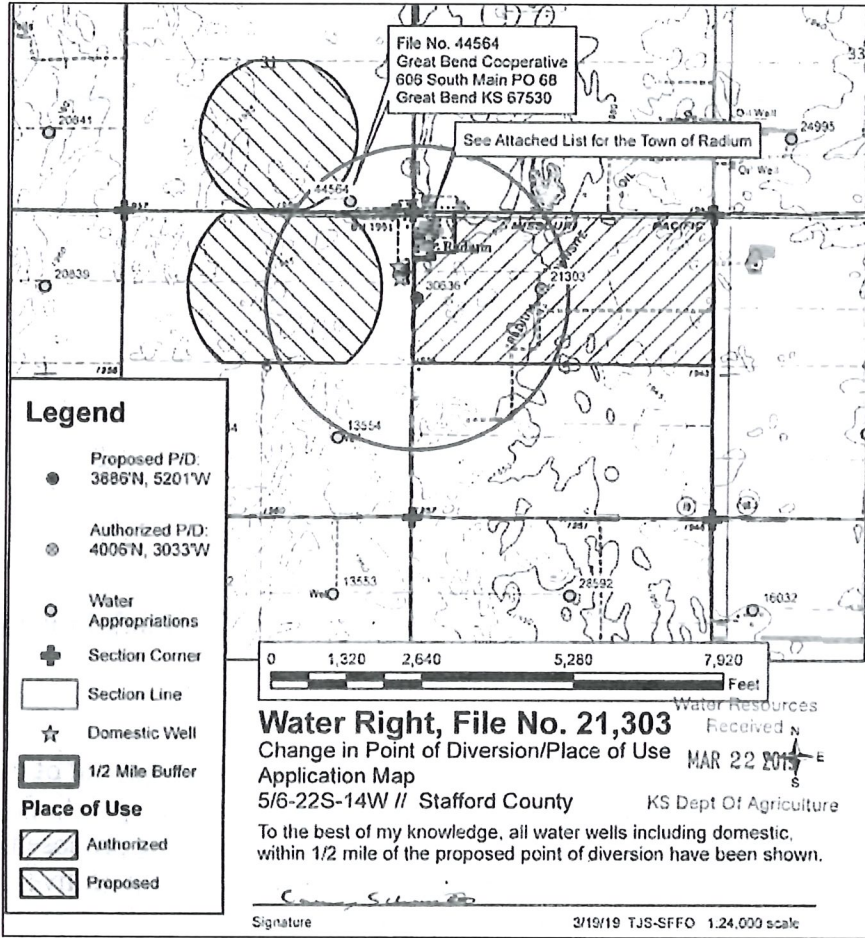
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Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

LACY J CUMMINS  
215 ESTES AVE  
RADIUM, KS 67550

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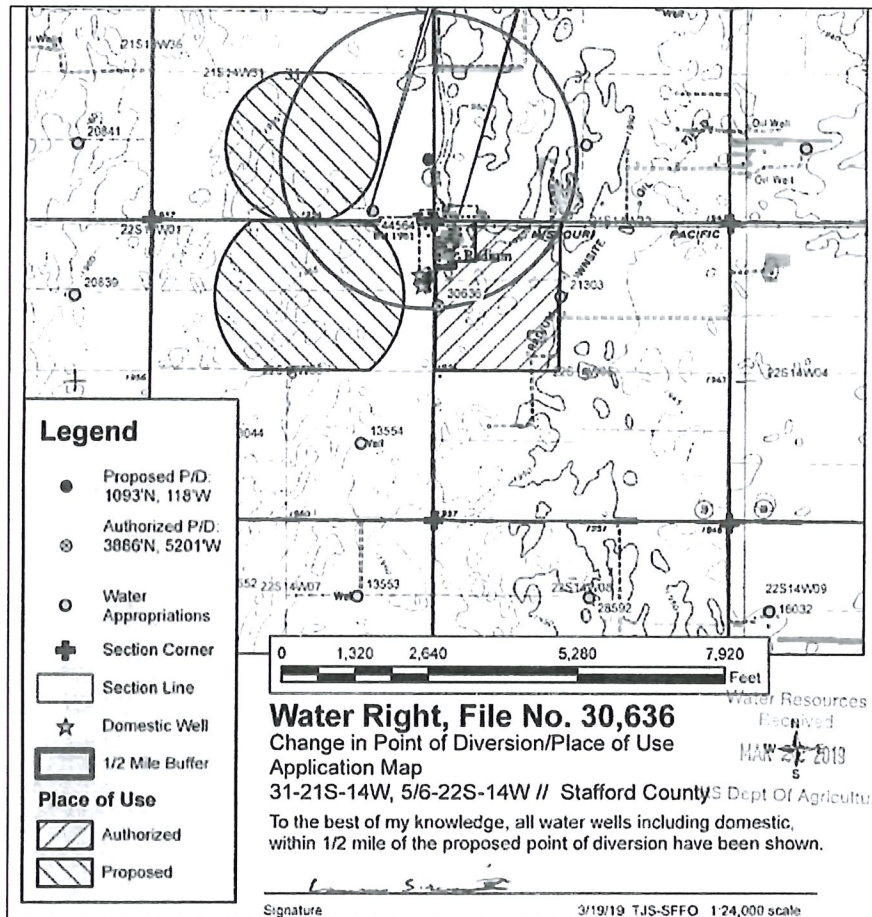
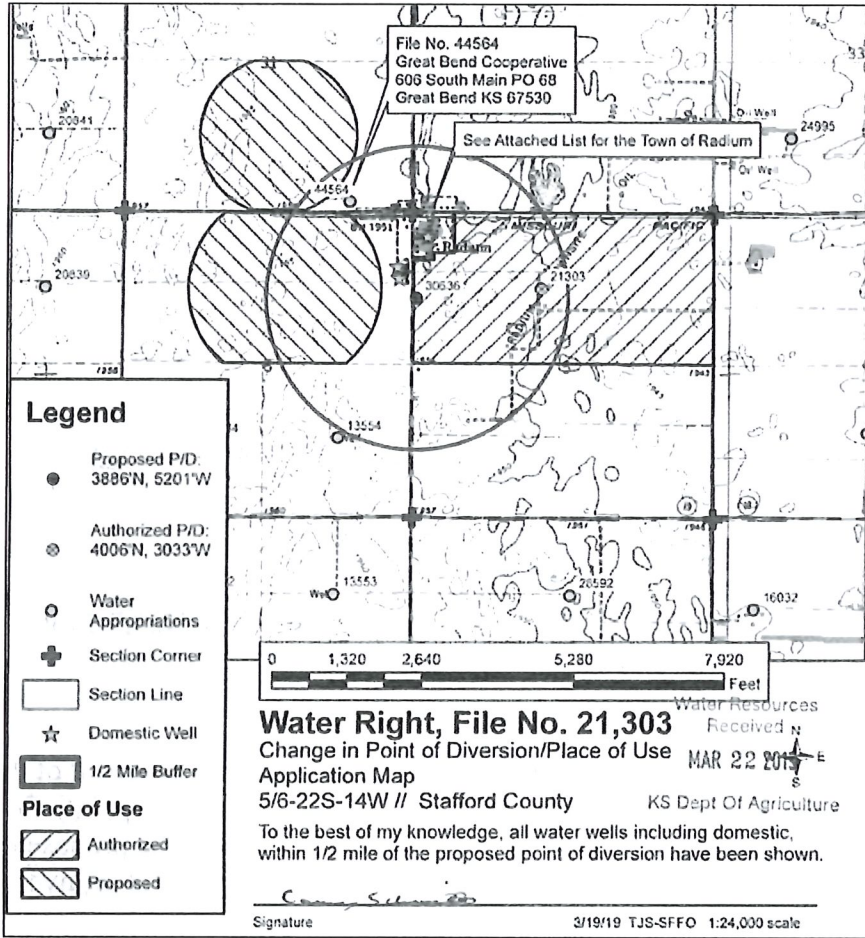
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Phone: 620-234-5311  
Fax: 620-234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

ZACHARY J BAUMAN  
214 ESTES AVE  
RADIUM, KS 67550

RE: Water Right, File No(s). 21303 & 30636

Dear Water-User,

This is to advise you that Carmen Schmitt has filed two (2) applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion and the place of use under the above referenced file number(s). You are being notified of the proposed change because it appears you have a groundwater well within one-half mile of the proposed point of diversion. As such, you may provide this office any comments or other information you may want to submit regarding the proposed change. Such comments or other information must be received in this office within 15 days of the date of this letter, or any authorized extension of time.

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Sincerely,

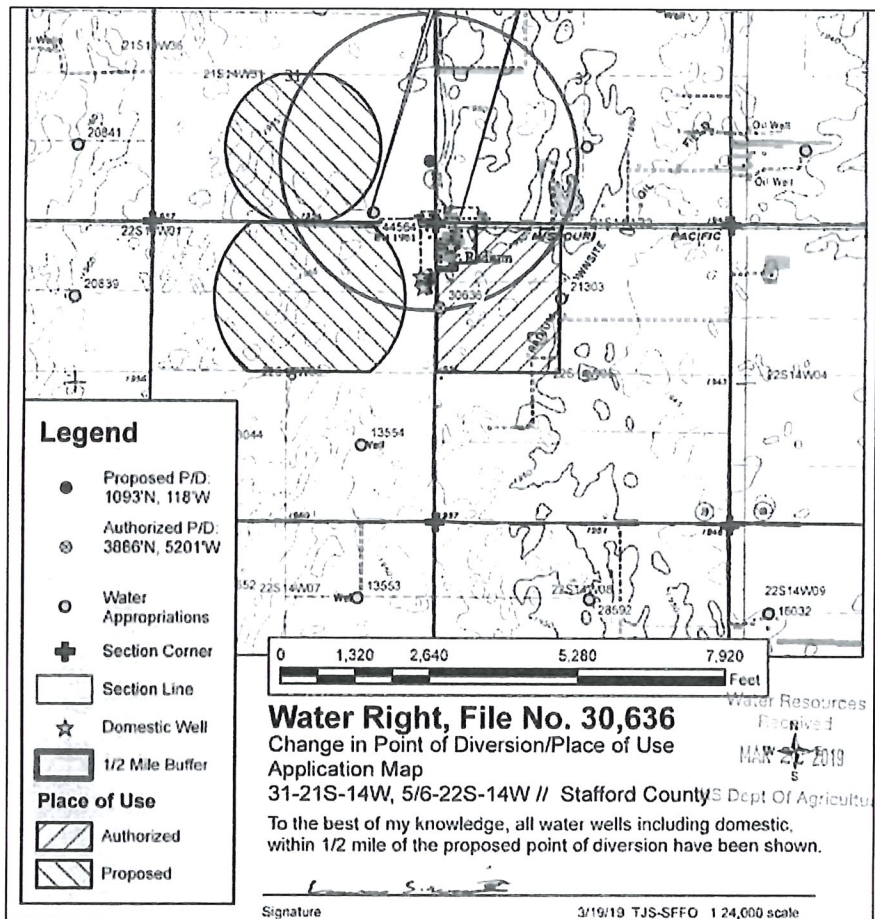
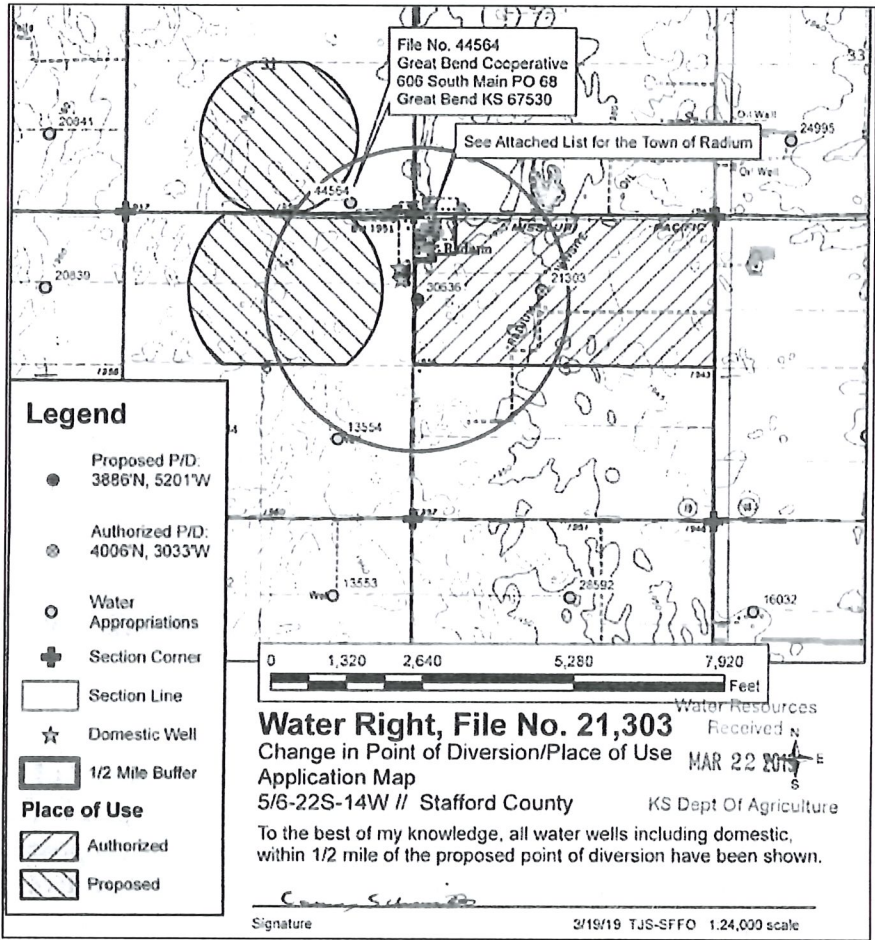
A handwritten signature in black ink, appearing to read "Tyler Saryerwinnie".

Tyler Saryerwinnie  
Environmental Scientist  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

pc: GMD #5

SCANNED





Stafford Field Office  
300 S. Main Street  
Stafford, KS 67578-1521



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Fax: 620-234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

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204 ESTES AVE  
RADIUM, KS 67550

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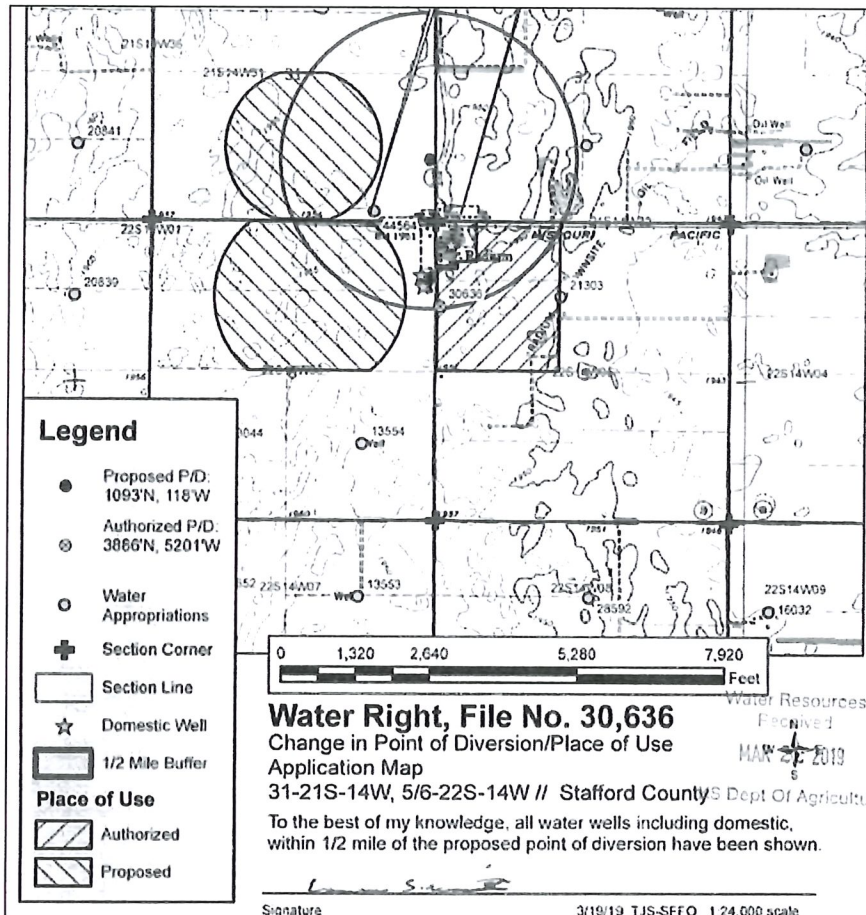
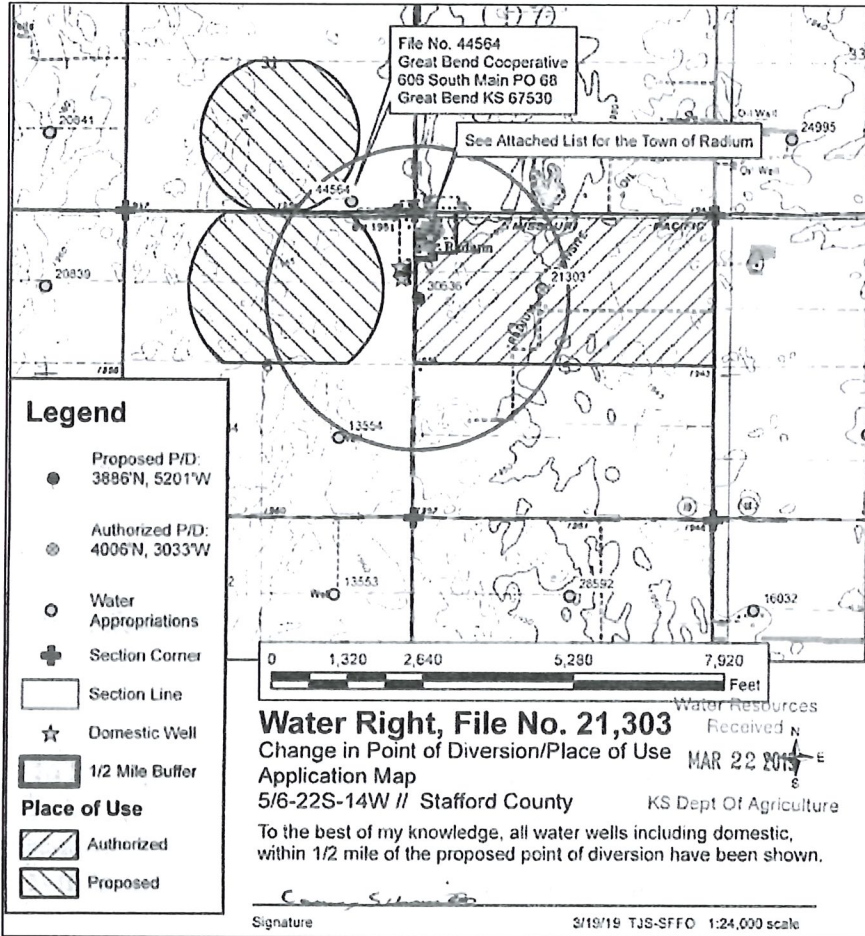
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Mike Beam, Secretary

Laura Kelly, Governor

April 10, 2019

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

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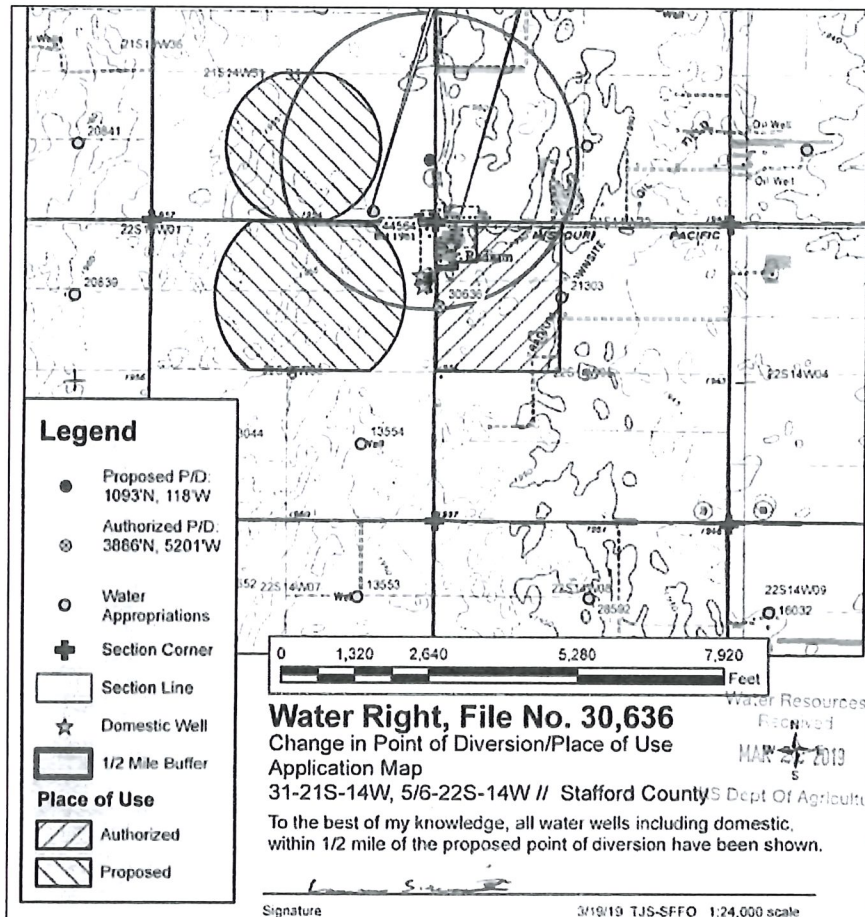
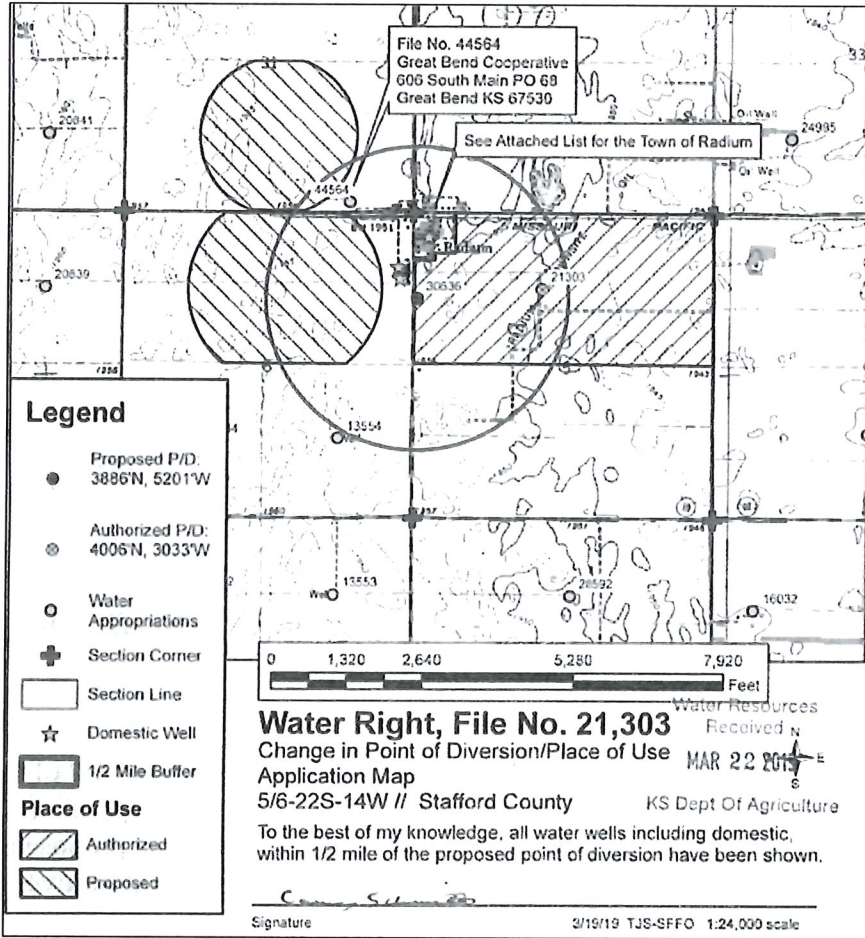
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309 RADIUM RD  
RADIUM, KS 67550

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