Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area.

Call for address:

Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF **USE AND/OR THE** POINT OF DIVERSION



STATE OF KANSAS

WATER METER REQUIRED

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended. Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use. RECEIVED 1:46 pm DEC 1 6 2019 File No. 31972 Stafford Field Office 1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Division of Water Resources ☐ Place of Use Point of Diversion under the water right which is the subject of this application in accordance with the conditions described below. Surface water The source of supply is: Name and address of Applicant: Bronson Smith ILS Land LLC, 551A SW 30 Rd, Great Bend KS 67530 Phone Number: (620)792-6166 Email address: bronson.smith@ilsbeef.com Name and address of Water Use Correspondent: ILS Land LLC 551A SW 30 Rd, Great Bend KS 67530 Phone Number: (620)792-6166 Email address: The presently authorized place of use is: Owner of Land ---- NAME: ILS Land LLC ADDRESS: PO Box 1506, Great Bend KS 67530 (If there is more than one landowner, attach supplemental sheets as necessary.) NE1/4 NW1/4 SW1/4 SE1/4 TOTAL ACRES Range NE14 NW14 SW14 SE14 NW1/4 SW1/4 SE1/4 NW1/4 SW1/4 NW1/4 SW1/4 Twp. No Change If this application is for a change in place of use, it is proposed that the place of use be changed to: Owner of Land ---- NAME: ADDRESS: (If there is more than one landowner, attach supplemental sheets as necessary.) SW1/4 NW1/4 SE1/4 **TOTAL** NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 Sec. Twp. Range NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4

For Office Use Only: Code _____ Fee \$ 200 TR # ____ Receipt Date ____ Check # 2102

	One in the Quarter of the Quarter of the Quarter of the NC SE	
	of Section36, Township23South, Range16	W,
	in Pawnee County, Kansas, 1,320 feet North 1,320 feet West of Southeast corner	
	Authorized Rate 900 gpm (limited) Authorized Quantity 70 AF Depth of well 89 (feet)
	(DWR use only: Computer ID No. <u>06</u> GPS <u>1,289</u> feet North <u>1,312</u> feet Wes	st)
	☐This point will not be changed ☐This point will be changed as follows: ☐ No change, point better described with GPS	
	Proposed point of diversion: (Complete only if change is requested or if existing point is better describe	d by GPS)
	One in the Quarter of the NE Quarter of the SE	Quarter
	of Section36, Township23South, Range16	W,
	in Pawnee County, Kansas, 1,289 feet North 2,162 feet West of Southeast corner	
	Proposed Rate <u>no change</u> Proposed Quantity <u>no change</u> Proposed well depth (feet) <u>~9</u>	8
	This point is: Additional Well Geo Center List other water rights that will use this point 25406	
_		
6.	Presently authorized point of diversion:	
•	One in the Quarter of the Quarter of the	Quarter
	of Section, Township South, Range	(E/W).
	in County, Kansas, feet North feet West of Southeast corner	
-	Authorized Rate Authorized Quantity Depth of well (feet	
	(DWR use only: Computer ID No GPS feet North feet Wes	
	☐ This point will not be changed ☐ This point will be changed as follows: ☐ No change, point better described with GPS	
	Proposed point of diversion: (Complete only if change is requested or if existing point is better described	
	One in the Quarter of the Quarter of the	
	of Section, Township South, Range	
	in County, Kansas, feet North feet West of Southeast corner	of section
	Proposed Rate Proposed Quantity Proposed well depth (feet)	or coolion.
	This point is: Additional Well Geo Center List other water rights that will use this point	
7.	7. The changes herein are desired for the following reasons? (please be specific) Current well failing 300 200 100 0 100 200	300
8.	200 - 1	200
9.	ASAP See attached map See attached map 100 + + = + +	4
	ASAP 100^{-} $+$ $+$ $+$ $+$ $+$ $+$ $+$ $+$	1 = 100
		1 3
10.	10. If the point of diversion is a well:	1
	(a) What are you going to do with the old well? West 0 + + + + + + + + + + + + + + + + + +	니버크 0 East
		킠
	Plug it (b) When will this be done? When new well drilled 100	100
	(b) When will this be done? When new well drilled	
		1
11.	I1. Groundwater Management District recommendation attached? 200 ⊨ I + I + I = I + I + I +	1 ─ 200
	☐ Yes ☐ No ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	4
12	12 Assisted by EKE/SEEO	Lud
12.	2. Assisted by <u>EKF/SFFO </u>	300
13a	Is a lift the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion, indicate its look of the proposed point of diversion, indicate its look diagram shown above in relation to the exist diversion. (PLEASE NOTE: The "X" in center above represents the presently authorized diversion.)	within 300 feet ocation on the sting point of er of diagram

5. Presently authorized point of diversion:

14. If the proposed groundwater point of diversion is 300 or fewer feet from the e	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.) 	lace(s) of use identified in this application?
 (b) Will the ownership interest of any owner of the currently authorized planaffected 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 cagent (attach notarized statement authorizing representation).	lwater 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 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>
Som South VP Farning _	(0,)
(Owner)	(Spouse)
Bronson Smith	(Please Print)
(Please Print)	(Flease Fillity
(Owner)	(Spouse)
(Owner)	(Spans)
(Please Print)	(Please Print)
	tradicionis abeli de acciónes magneres a <u>l 11</u>
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas	
County of <u>Stafford</u>	
I hereby certify that the foregoing application was signed in my pre of, 20	esence and sworn to before me this //// day
JESSICA ENGELBRECHT My Appointment Expires	Issua Lygidshull
My Commission Expires Public August 11, 2021.	Nogry Pasilo
ONLY COMPLETE APPLICATIONS WILL 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.	pplicable portions of the application form must be completed wit te 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 seems forth in the schedule below: Make checks payable to: Kansas Department of (1) Application to change a point of diversion 300 feet or less	Agriculture

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. 31972 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 feet from the previously authorized point(s) of diversion. Applicable \(\subseteq \) Not Applicable 5. 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 \sum 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. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.

☑ Applicable ☐ Not Applicable 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. ☐ 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 Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative (Print Name): review must state a basis for review pursuant to K.S.A. 77-527. 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)

