

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

1. File Number: 13554	2. Status Change Date: 5/5/23	3. Change Num: C2	4. Field Office: 02	5. GMD: 05	
6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 5/2/23	
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____		8c. Landowner(s) New to system <input type="checkbox"/>	
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID 23897 Add Seq# 1		8d. WUC New to system <input type="checkbox"/>	
CARMEN SCHMITT PO BOX 47 GREAT BEND KS 67530-0047		8B			
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/23 <input type="checkbox"/> N & P Date to Comply: _____					
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter					
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____					
10. Use Made of Water From: --- _____ To: --- _____					
				Date Prepared: 5/5/23 By: TMA	
				Date Entered: _____ By: _____	

File No. **13554** 11. County: **SF** Basin: **ARKANSAS RIVER** Stream: **---** Formation Code: **180** Special Use: **---**

12. Points of Diversion										Rate and Quantity							
CHK	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
MOD	79471				NE SW SE	6	22S	14W	3	1367	1312		975	221	975	221	N

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						
DEL	7881			6	22S	14W	1										40	40	40	40	160	8B	N	N		
ENT	69409			6	22S	14W	3		21.5	40.45	40	25	26			28	36.5	39	37	34	327.45	8B	N	21303, 30636		
ENT	69410			31	21S	14W	3									27.5	27.5	3	37	37	3	135	8B	N	21303, 30636	

Base Acres: **133** Year: **1981** Minimum Reasonable Quantity: **1.21**
 Comments: **L1-(NENE), L2-(NWNE), L3-(NENW)**

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

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

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

File No. 13554

RECEIVED
 2:45
 MAY 02 2023
 Stafford Field Office
 DIVISION OF WATER RESOURCES

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: Carmen Schmitt

PO Box 47, Great Bend KS 67530-0047

Phone Number: (620)793-5100 Email address: carmen@schmittinc.net

Name and address of Water Use Correspondent: Carmen Schmitt

PO Box 47, Great Bend KS 67530-0047

Phone Number: (620)793-5100 Email address: carmen@schmittinc.net

3. The presently authorized place of use is:

Owner of Land ---- NAME: Carmen Schmitt

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

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES				
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					
6	22S	14W																	40	40	40	40	160

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: Carmen Schmitt

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

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES					
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼						
31	21S	14W									27.5				27.5				3	37	37	3	135	
6	22S	14W	Lot 1 21.5	Lot 2 40.45	40	25	Lot 3 26												36.5	39	37	34	327.45	
																							Total	462.45

For Office Use Only: Code CRU Fee \$ 200 TR # _____ Receipt Date _____ Check # 1335

5. **Presently authorized point of diversion:**
 One in the NE Quarter of the SW Quarter of the SE Quarter of Section 6, Township 22 South, Range 14 W, in Stafford County, Kansas, 1,252 feet North 1,339 feet West of Southeast corner of section. Authorized Rate 975 gpm Authorized Quantity 221 AF Depth of well 215 (feet)
(DWR use only: Computer ID No. 3 GPS 1,367 feet North 1,312 feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the SW Quarter of the NE Quarter of the SE Quarter of Section 6, Township 22 South, Range 14 W, in Stafford County, Kansas, 1,367 feet North 1,312 feet West of Southeast corner of section. Proposed Rate no change Proposed Quantity no change Proposed well depth (feet) no change.
 This point is: Additional Well Geo Center List other water rights that will use this point N/A.

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____.
 This point is: Additional Well Geo Center List other water rights that will use this point _____.

7. The changes herein are desired for the following reasons?
 (please be specific) Correct unauthorized place of use and create complete place of use overlap between File No. 13554, 21303 & 30636

8. If a well, is the test hole log attached? Yes No

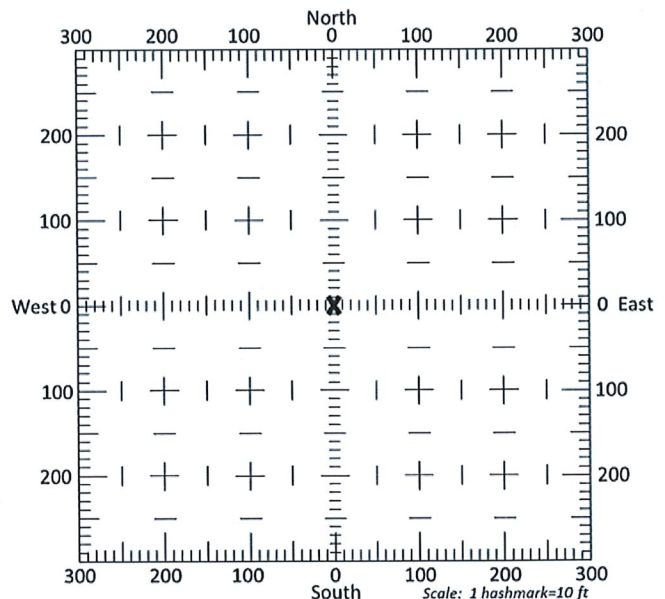
9. The change(s) (was)(will be) completed by?
Upon completion of change

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
N/A
 (b) When will this be done? N/A

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by EKF/SFFO

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines



13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

RECEIVED

MAY 02 2023

File No. 13554

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
 - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
 - (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).


I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Stafford, Kansas, this 2nd day of May, 20 23.

<u>Carmen Schmitt</u>	
(Owner)	(Spouse)
<u>Carmen Schmitt</u>	
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of Kansas }
 County of Stafford } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 2nd day of May, 20 23.

My Commission  Chelsi Snodgrass
 Notary Public

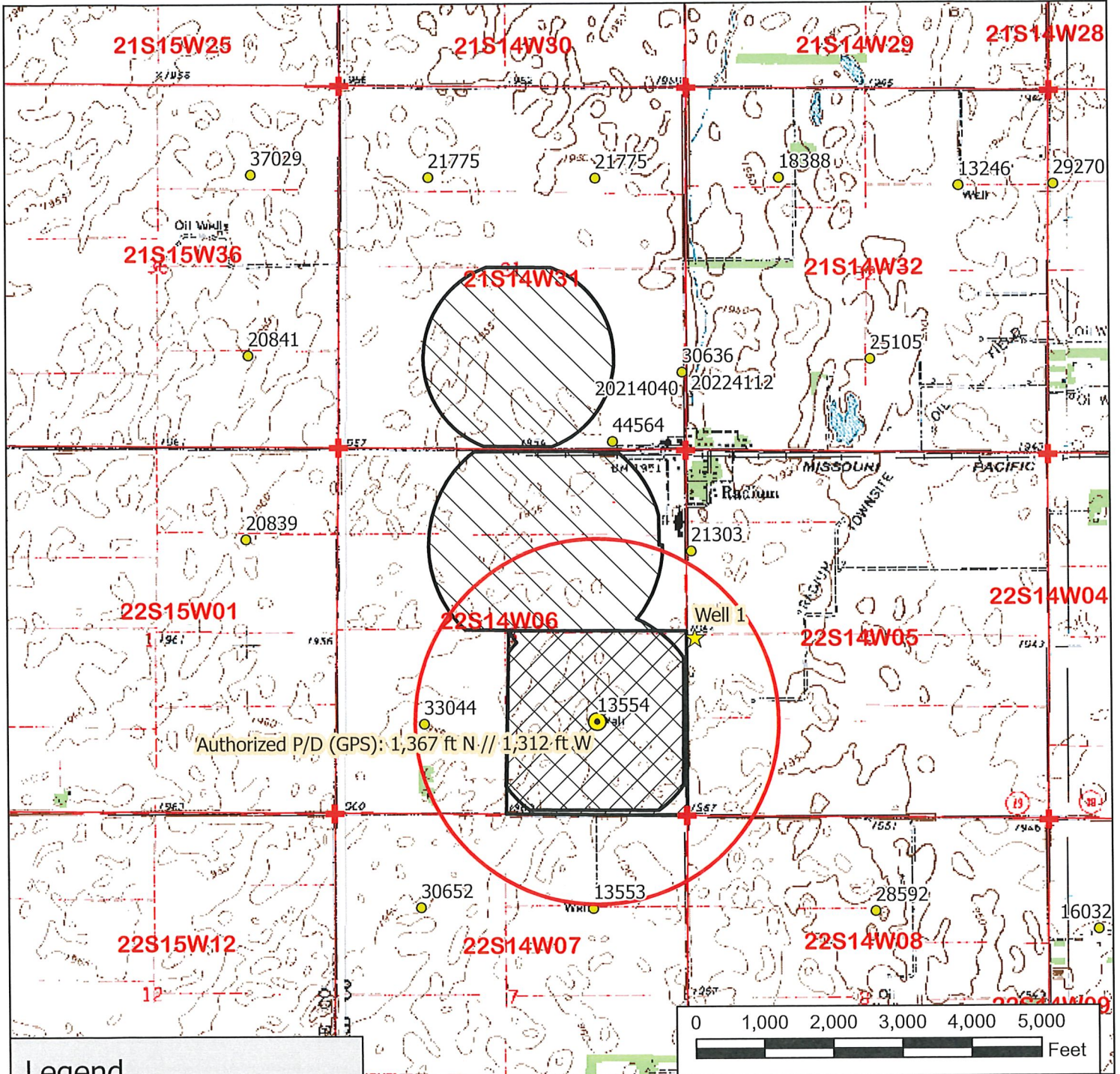
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

(1) Application to change a point of diversion 300 feet or less	\$100
(2) Application to change a point of diversion more than 300 feet	\$200
(3) Application to change the place of use	\$200

RECEIVED
MAY 02 2023 File No. 13554
 Stafford Field Office
 DIVISION OF WATER RESOURCES



Legend

- Water Appropriation
- Proposed Point of Diversion
- Authorized Point of Diversion
- ★ Domestic Well
- ⊕ Section Corner
- Half Mile Circle
- Section Line
- ▨ Authorized Place of Use
- ▧ Proposed Place of Use

Water Right, File No. 13554

Change in Place of Use Application Map
 31-21-14W & 6-22S-14W // Stafford County

To the best of my knowledge, all groundwater wells within one-half mile of the authorized point of diversion have been shown.

Caroline Schmidt 5-2-23
 Signature / Date

8/22/2022 EKF/SFFO 1:24,000 scale



RECEIVED

MAY 02 2023

Stafford County Office
 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

Mike Beam, Secretary

Laura Kelly, Governor

May 5th, 2023

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

Re: Water Right, File No(s). 13554, 21303 & 30636

Dear Water Right Owner:

Enclosed is an order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the 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 <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.

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

CERTIFICATE OF SERVICE

On this **5th** day of **May, 2023**, I hereby certify that the attached Change in Place of Use for Water Right, File No. **30636, 21303 & 13554**, dated **May 5th, 2023** was mailed via First Class U.S. mail to the following:

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

A copy of the letter was sent via electronic mail to the following:

GMD 5

Faith Curtis

Staff

File No. 13554 Change Application Nearby Well Owners

Domestic Well 1

William C & Joni L Bunker
1450 NW 80th Ave
Larned KS 67550-0091

Water Right, File No. 33044

ILS Land LLC
551 SW 30 Rd
Great Bend KS 67530-9730

RECEIVED

MAY 02 2023

Stafford Field Office
DIVISION OF WATER RESOURCES

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: 5/5/2023

FROM: Taylor Arrowood

RE: Water Right, File Nos. 13554, 21303,
30636
Place of Use Change Applications

Change applications were received at the Stafford Field office that was filled out by Elizabeth Fitch of the Stafford Field Office. The applicant of the changes is Carmen Schmitt who was joined in the discussions by Alan Crane. The two were visiting with her and were reminded that these changes needed to be filed to make the irrigated acres legal under the referenced file nos.

The referenced files are in compliance with 82a-732. A review of the application(s) finds that it complies with K.A.R. 5-5-1, *Filing an application for change*. The referenced file does not appear abandoned as per K.S.A 82a-718.

As mentioned before, this change is ultimately desired to modify the place of use slightly to ensure that the acres being irrigated are authorized. Additionally, it was discussed that a swing arm is desired on the large southern pivot. The map details the area the swing arm will extend to. The change will also create a place of use overlap between three file nos. Currently, 13554 is authorized the SE ¼ of 6-22-14W, but will have the same place of use as 21303 and 30636 pending approval of these applications. The place of use in the overlap will cover 462.45 acres.

The points of diversion will be modified to be more accurately described with GPS but are not changing locations.

These approvals will comply with K.A.R. 5-5-3, *Change in consumptive use*. The new proposed acres would be 462.45 acres which would be irrigated with an authorized quantity of less than 1.5 AF/acre even without limitations. Consumptive use is not increased because the total acreage is going down with this change between the three files. The files also are compliant with K.A.R 5-5-11 after the change.

The change application was received at the Stafford Field office on May 2, 2023 along with the proper fee and signatures from all landowners.

Because this is a field office place of use change, nearby well owners, as stated in a previous memo, were not notified of this change. A GMD 5 recommendation request was sent out on May 3, 2023 and received at the Stafford Field office on May 4, 2023 with recommendation for approval.

A water flow meter is required. A check valve is required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion that the change is reasonable, that impairment to existing water rights is unlikely, and that no change in the local source of supply will occur, it has been recommended that the applications be approved.

Taylor Arrowood
Environmental Scientist - SFFO

Tom Taylor - At-Large (Pres.)
Fred Grunder - Pratt (V Pres.)
John Janssen - Kiowa (Treas.)
Marlyn Spare - Stafford (Sec.)
Darrell Wood - Edwards
Craig Zwick - Rice
Joe Schlessiger - Barton
Kerry Froetschner - Pawnee
Gary Hornbaker - Reno



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

May 4, 2023

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

RE: Water Right File No. 13554, 21303, 30636
Change in the Places of Use

Dear Mr. Arrowood,

Big Bend Groundwater Management District #5 has reviewed the above referenced application. The applicant is requesting to modify the place of use to create a complete place of use overlap between the above referenced water right files. Therefore, the application appears to be consistent with 5-25-20(b) and is recommended for approval.

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

Sincerely,

Orrin Feril
Manager

RECEIVED
MAY 04 2023
Stafford Field Office
Division of Water Resources

Arrowood, Taylor [KDA]

From: Arrowood, Taylor [KDA]
Sent: Wednesday, May 3, 2023 10:34 AM
To: Orrin Feril
Subject: Change in Place of Use Application(s) File Nos. 13554, 21303, 30636
Attachments: 13554,21303,30636_GMD5CovLet.pdf; 13554_PUchange_Application.pdf; 21303_PUchange_Application.pdf; 30636_PUchange_Application.pdf

Hello Orrin,

I have attached three (3) change in place of use applications that are ready for your review and recommendation. The proposed changes will fix unauthorized acres being irrigated and create a place of use overlap between all three files, whereas only 21303 and 30636 are overlapped currently. A swing arm will be added to the south pivot here as can be seen on the place of use map.

Please provide a recommendation request on these changes in place of use. Let me know if you have any questions about any of these recommendations. The deadline for the recommendation will be **May 23, 2023**. Please let me know if an extension is needed.

Thank you,

Taylor M. Arrowood

Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources
Stafford Field Office
(620) 234-5311
taylor.arrowood@ks.gov

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, Secretary

Laura Kelly, Governor

May 3, 2023

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

RE: Place of Use Change Application, File No. 13554,21303,30636

Dear Mr. Feril,

We are enclosing a copy of the application, as referenced above, for your review and recommendation. At this time the application appears to be in proper form.

This office will delay any further action on this file for a period of 15 business days from the date of this letter to allow you time to submit your recommendation concerning the application. 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,

Taylor M Arrowood
Environmental Scientist
Stafford Field Office
taylor.arrowood@ks.gov

Enclosure



KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

Stafford Field Office

MEMORANDUM

TO: File

DATE: 5/3/2023

FROM: Taylor M Arrowood

RE: File Nos. 13554, 21303, 30636

This is a memorandum regarding surrounding well owner notification on irrigation field office PU changes and pertains to decisions made during the Water Commissioner meeting which took place on 11/16/2016 with directive from Lane Letourneau, Program Manager.

This is applicable to field office changes to increase the place of use by 10 acres or 10% (whichever is less) or a change in place of use to create a complete overlap in which no new acres are being irrigated.

During that meeting it was determined that no surrounding well owner notification will be sent under this type of Place of Use change. All well rates and quantities will remain unchanged and the referenced change will not cause impairment or impact surrounding well owners.

The change in place of use filed on 5/2/2023 for the above referenced file meets this criteria and surrounding well owners will not be notified.