

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

1. File Number: 23217	2. Status Change Date:	3. Change Num: C1	4. Field Office: 04	5. GMD: 03
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: 11/9/18
8a. Applicant(s) New to system <input type="checkbox"/> PHILIP W SMITH 31806 4 RD COPELAND KS 67837		Person ID 40799 Add Seq# 1	8c. Landowner(s) New to system <input type="checkbox"/> PHILIP W SMITH 31806 4 RD COPELAND KS 67837	
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____	8d. WUC New to system <input type="checkbox"/> RONNIE GIBSON 2198 RD 4 COPELAND KS 67837	
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/19 <input checked="" type="checkbox"/> N & P Date to Comply: 12/31/20				
<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 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: 11/15/18 By: MAM Date Entered: _____ By: _____				

File No. **23217** 11. County: **ME** Basin: **CROOKED CREEK** Stream: Formation Code: **211/331** Special Use:

12. Points of Diversion										Rate and Quantity						
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
ENT												Rate gpm	Quantity af	Rate gpm	Quantity af	
ENT				NWNWSW	11	30	30	W	2300'	5216'		1490	640	1490	640	NONE
DEL	32303			NWNWSW	11	30	30	W	2550'	5240'		1490	640	1490	640	NONE

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																		Total	Owner	Chg?	Overlap Files									
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID		NE¼				NW¼				SW¼				SE¼								
										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					
NC																														

Base Acres: Year: Minimum Reasonable Quantity:

Comments:

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
GARDEN CITY FIELD OFFICE
2508 JOHNS STREET
GARDEN CITY, KS 67846-2804

STATE OF KANSAS



PHONE: (620) 276-2901
FAX: (620) 276-9315
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

November 15, 2018

PHILIP W SMITH
31806 4 RD
COPELAND KS 67837

RE: Approval of Application to Change the Point of Diversion
Water Right, File No. 23217

Dear Sir:

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

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

Since this order modifies the original documents referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate. Please also submit a copy of the current ownership deed to have our records changed.

The 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 call this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,


Michael A. Meyer
Water Commissioner

MAM:
enclosures

pc:
Groundwater Management District No. 3

CERTIFICATE OF SERVICE

On this 15th day of November, 2018, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 23,217, dated 15th day of November, 2018 was mailed postage prepaid, first class, US mail to the following:

PHILIP W SMITH
31806 4 RD
COPELAND KS 67837

With photocopies to:

GROUNDWATER MANAGEMENT DISTRICT NO. 3



Julie Jones
Division of Water Resources Staff

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

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
 3:25 pm
 NOV 09 2018

File No. 23217

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):
- Garden City Field Office
 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.
- The source of supply is: Groundwater Surface water

2. Name and address of Applicant: PHILIP W. SMITH
31806 4 RD, COPELAND, KS 67837
 Phone Number: () Email address: _____
 Name and address of Water Use Correspondent: _____
 Phone Number: () Email address: _____

3. The presently authorized place of use is:
 Owner of Land ---- NAME: SAME AS ABOVE
 ADDRESS: _____

(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	

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: _____
 ADDRESS: _____

(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	

For Office Use Only: Code _____ Fee \$ 100.00 TR # _____ Receipt Date 11-8-18 Check # 9252

5. **Presently authorized point of diversion:**
 One in the NW Quarter of the NW Quarter of the SW Quarter of Section 11, Township 30 South, Range 30 W, in MEADE County, Kansas, 2550 feet North 5240 feet West of Southeast corner of section. Authorized Rate 1490 GPM Authorized Quantity 640 AF Depth of well _____ (feet)
(DWR use only: Computer ID No. 2 GPS 37.45275 feet North -100.57904 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 NW Quarter of the NW Quarter of the NW SW Quarter of Section 11, Township 30 South, Range 30 W, in MEADE County, Kansas, 2300 feet North 5216 feet West of Southeast corner of section. Proposed Rate 1490 GPM Proposed Quantity 640 AF Proposed well depth (feet) 532'.
 This point is: Additional Well Geo Center List other water rights that will use this point _____.

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) REPLACE EXISTING WELL.

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

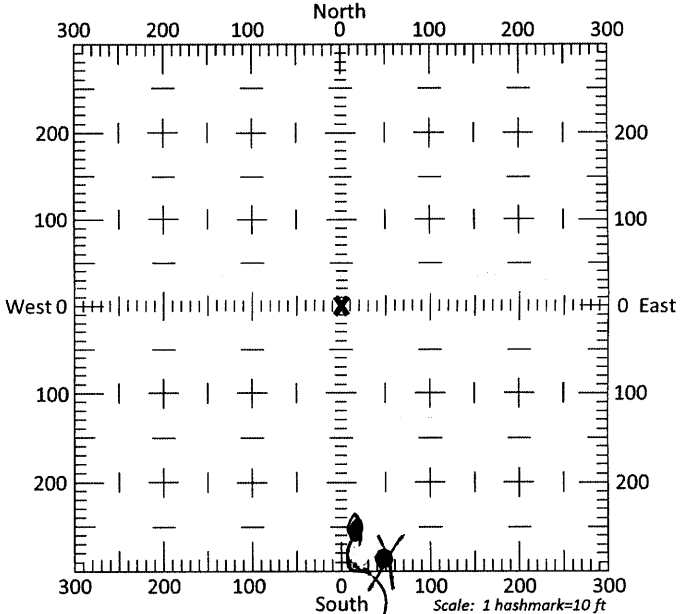
9. The change(s) (was)(will be) completed by?
UPON APPROVAL

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
PLUG OR CAP.
 (b) When will this be done? UPON COMPLETION

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by BSC

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.)

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 Capeland, Kansas, this 7th day of November, 2018.

Philip W. Smith
 (Owner)

Pamella Smith
 (Spouse)

Philip W. Smith
 (Please Print)

Pamella Smith
 (Please Print)

 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

State of Kansas }
 County of Gray } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 7th day of November, 2018.

My Commission Expires 4/22/2022.

Lindie Andreas
 NOTARY PUBLIC - State of Kansas
 LINDIE ANDREAS
 My Appt. Exp. 4/22/2022

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

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. 23217

- 1. A change application was received on November 9, 2018 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.
- 2. 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
- 3. 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 50 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
- 4. 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
- 5. The point(s) of diversion authorized herein shall not actually be located more than 300 feet from the previously authorized point(s) of diversion. Applicable Not Applicable
- 6. 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 Not Applicable
- 7. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2019, 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
- 8. Installation of the works for diversion of water shall be completed on or before December 31, 2019, or within any authorized extension of time. By March 1, 2020 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. Applicable Not Applicable
- 9. The completed well log shall be submitted with the required notice. Applicable Not Applicable
- 10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
- 11. Additional Conditions are attached. Yes No
- 12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

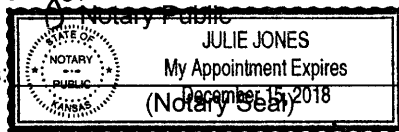
Administrative Appeal and Effective Date of Order

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

For Use by Register of Deeds

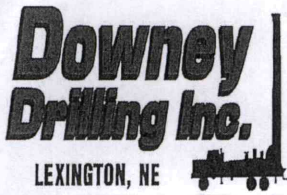
FOR OFFICE USE ONLY
APPLICATION APPROVED AND SUMMARY ORDER ISSUED

By: Michael A. Meyer
Duly Authorized Designee of the Chief Engineer
(Print Name): MICHAEL A. MEYER
Division of Water Resources - Kansas Department of Agriculture
Date of Issuance: November 15, 2018
State of Kansas)
County of Stimney) SS
Acknowledged before me on November 15, 2018
by Michael A. Meyer
Signature: Julie Jones
My commission expires: December 15, 2018



WELL LOG

DATE: 4/27/2017



CUSTOMER NAME: PHIL SMITH

LEGAL: NWSW 11-30S-30W

WR 23217

COUNTY: MEADE

GPS: 37 27' 07.14" N

37.45195

#2 - 280 FEET SOUTH OF EXISTING WELL

-100 34' 45.54" W

-100.57888

DRILLER: NORMAN / ADAM

2300' N 5216' W
WO#: 17-098

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	2	TOP SOIL					
	2	75	BROWN SANDY CLAY AND FINE SAND					
	75	96	FINE-MEDIUM-COARSE SAND					
	96	117	BROWN SANDY CLAY					
	117	204	FINE-MEDIUM-COARSE SAND AND GRAVEL					
	204	440	FINE-MEDIUM-COARSE SAND	<i>SWL</i>				
	440	452	CLAY WITH SOME FINE SAND	<i>298</i>				
	452	465	FINE SAND	LOOSE	142			CHATTER
	465	485	SANDY CLAY AND LIMEROCK LEDGES WITH SOME FINE SAND	TIGHT	10			CHATTER
	485	500	FINE SAND	MED	13			SMOOTH
	500	532	SANDSTONE AND SOAPSTONE	TIGHT	-			
	532	540	SHALE	MED	15			SMOOTH
					6			

102 ?

SOUTH OF 102 WELL #2



Century GEOPHYSICAL CORP.

PHIL SMITH

COMPANY : DOWNEY DRILLING INC.
 WELL : PHIL SMITH
 LOCATION/FIELD :
 COUNTY : MEADE
 LOCATION : NW/SW
 SECTION : 11 TOWNSHIP : 30S RANGE : 30W

OTHER SERVICES:

DATE : 04/27/17 PERMANENT DATUM : GL
 DEPTH DRILLER : 540 KB :
 LOG BOTTOM : 539.50 LOG MEASURED FROM: GL DF :
 LOG TOP : 0.70 DRL MEASURED FROM: GL GL :
 CASING DIAMETER : 10. LOGGING UNIT : 1319
 CASING TYPE : FIELD OFFICE : DDI WELL SE
 CASING THICKNESS: RECORDED BY : ADAM M
 BIT SIZE : 6.25 BOREHOLE FLUID : MUD FILE : ORIGINAL
 MAGNETIC DECL. : 0 RM : TYPE : 8144C
 MATRIX DENSITY : 2.71 RM TEMPERATURE : LGDATE: 04/27/17
 NEUTRON MATRIX : LIMESTONE MATRIX DELTA T : 49 LGTIME : 15:08:
 THRESH: 99999

37 27' 7.14" N
 100 34' 45.54" W

ALL SERVICES PROVIDED SUBJECT TO STANDARD TERMS AND CONDITIONS

RES(FL)	FEET	LATERAL	
OHM-M	15	OHM-M	100
SP		RES(64N)	TEMP
MV	50	OHM-M	100 60 DEG_F 70

270

280

290

300

310

320

330

340

350

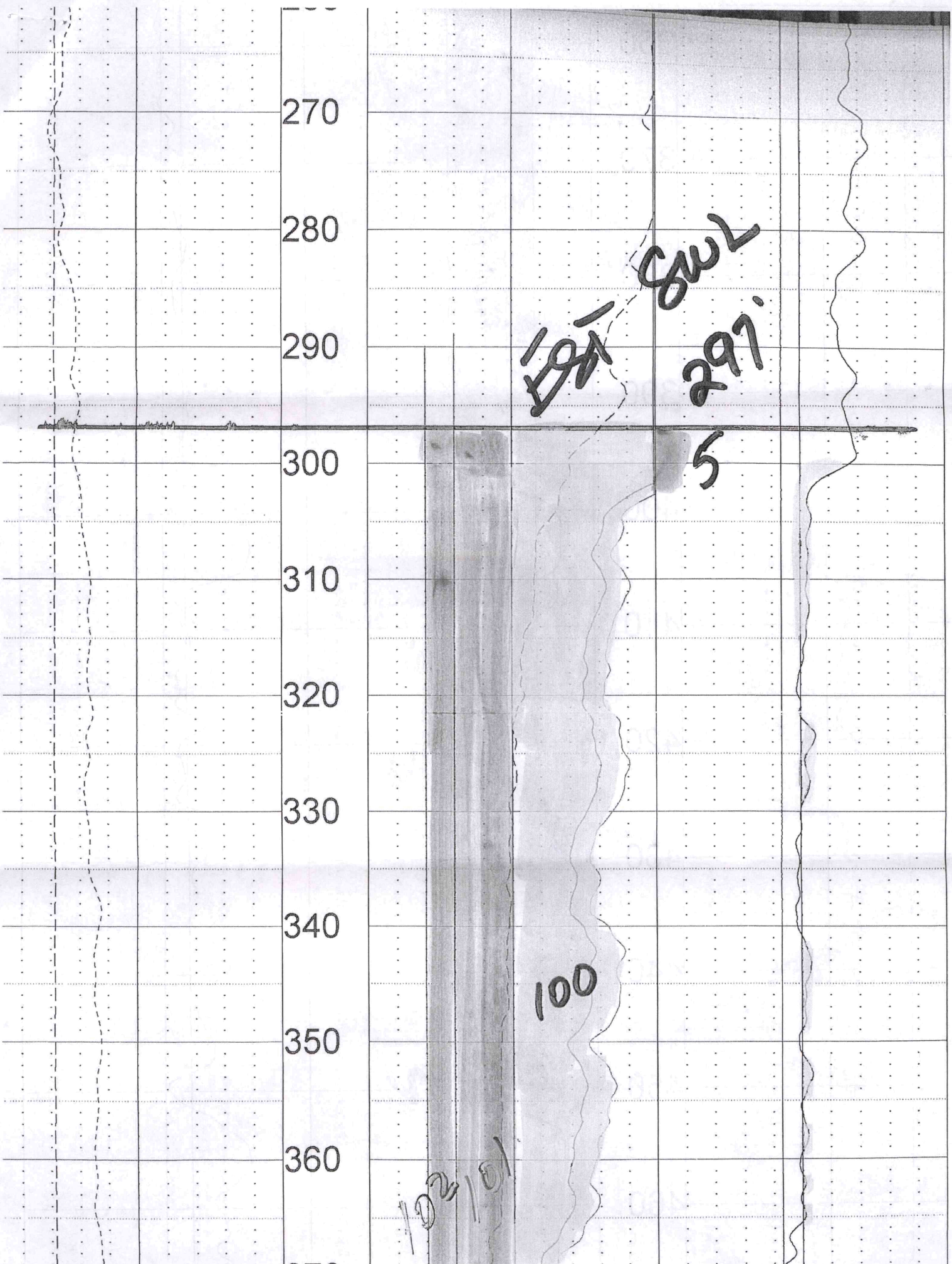
360

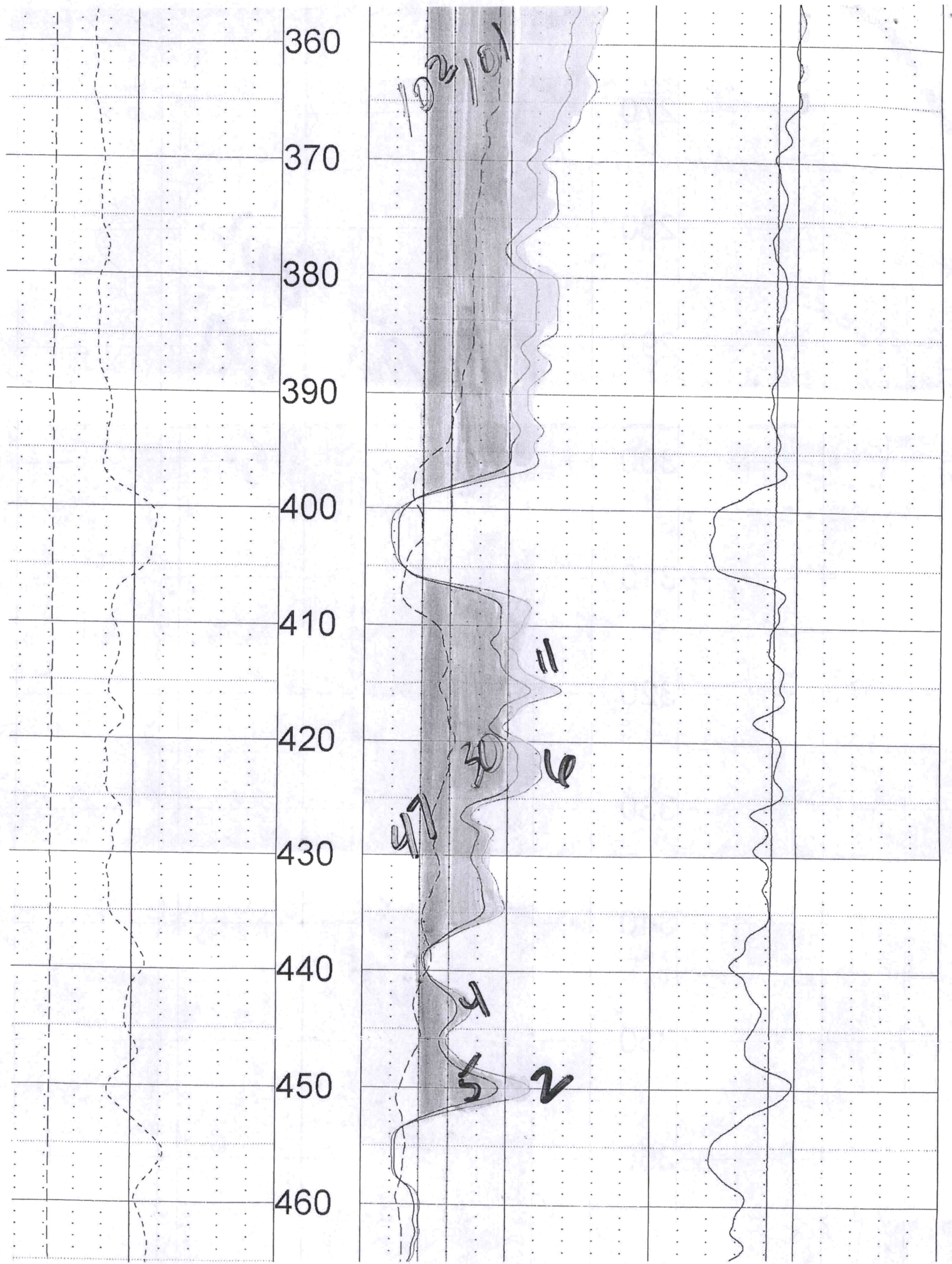
191
191
802
297

5

100

102
101





360

370

380

390

400

410

420

430

440

450

460

102/01

47

4

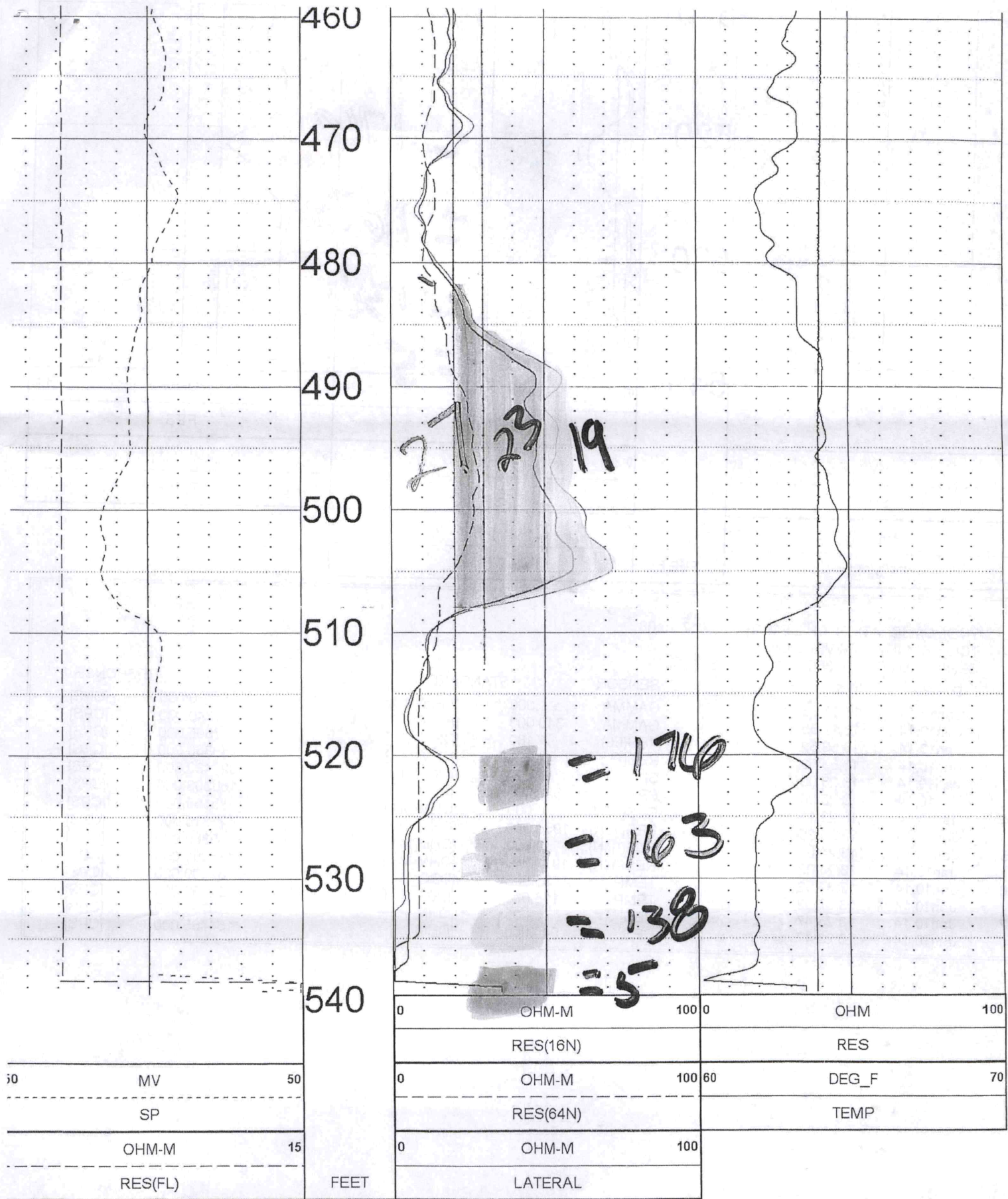
11

30

4

5

2



0	MV	50

SP		

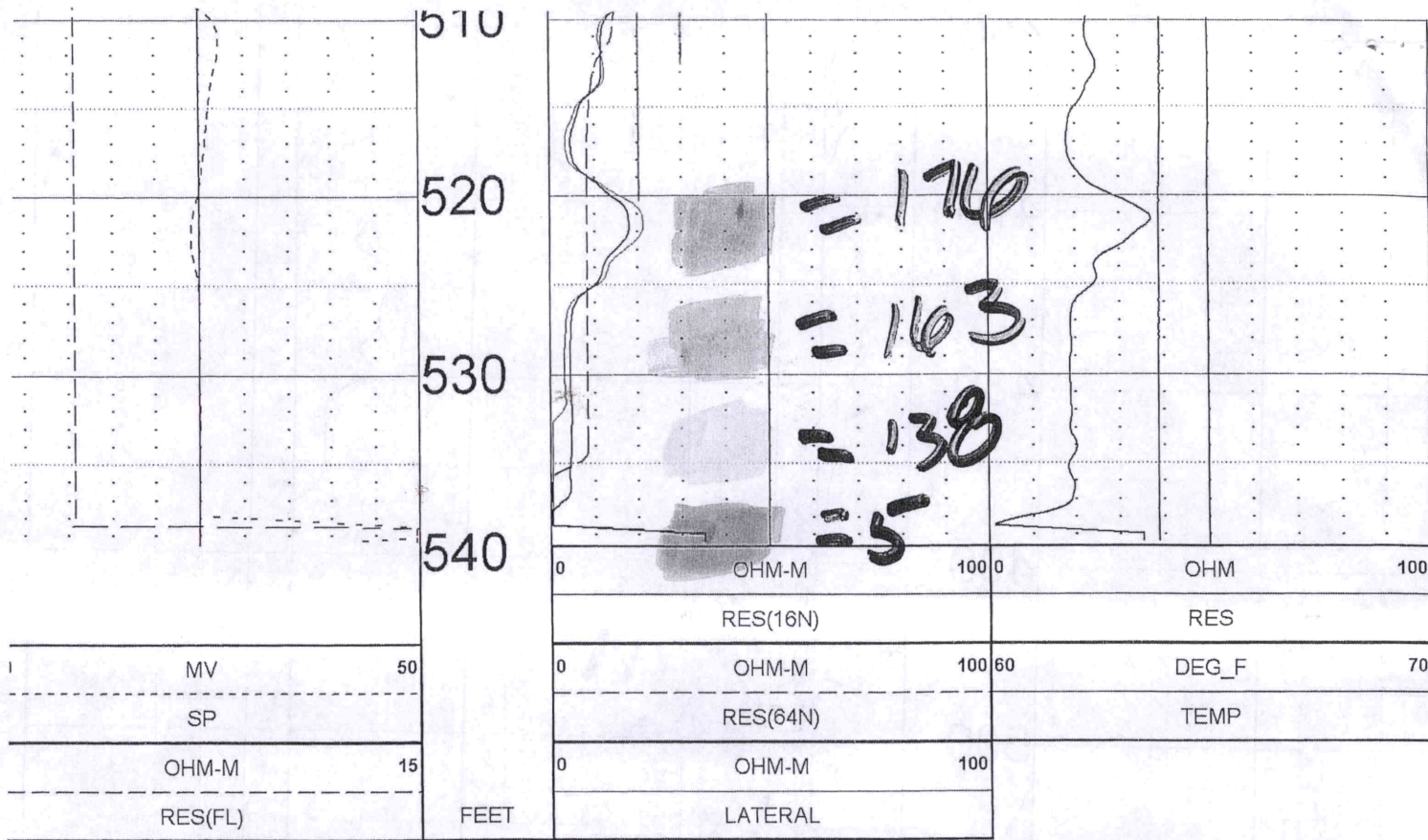
OHM-M		15

RES(FL)		

0	OHM-M	100	0	OHM	100
RES(16N)			RES		
0	OHM-M	100	60	DEG_F	70
RES(64N)			TEMP		
0	OHM-M	100			
LATERAL					

TOOL CALIBRATION PHIL SMITH 04/27/17 15:08
 TOOL 8144C TM VERSION 1
 SERIAL NUMBER 365

	DATE	TIME	SENSOR	STANDARD	RESPONSE
1	Jan10,14	13:17:55	GAMMA	1.000 [API-GR]	0.000 [CPS]



TOOL CALIBRATION PHIL SMITH 04/27/17 15:08
 TOOL 8144C TM VERSION 1
 SERIAL NUMBER 365

	DATE	TIME	SENSOR	STANDARD	RESPONSE
1	Jan10,14	13:17:55	GAMMA	1.000 [API-GR]	0.000 [CPS]
	Jan10,14	13:17:55	GAMMA	340.000 [API-GR]	340.000 [CPS]
2	Jan10,14	13:53:52	RES(FL)	1.180 [OHM-M]	7605.000 [CPS]
	Jan10,14	13:53:52	RES(FL)	47.800 [OHM-M]	86860.000 [CPS]
3	Jan10,14	13:23:06	SP	0.000 [MV]	327430.000 [CPS]
	Jan10,14	13:23:06	SP	329.000 [MV]	166303.000 [CPS]
4	Jan10,14	13:23:15	RES(16N)	0.000 [OHM-M]	5155.000 [CPS]
	Jan10,14	13:23:15	RES(16N)	1955.540 [OHM-M]	427616.000 [CPS]
5	Jan10,14	13:24:02	RES(64N)	0.000 [OHM-M]	5380.000 [CPS]
	Jan10,14	13:24:02	RES(64N)	1987.740 [OHM-M]	415091.000 [CPS]
6	Jan10,14	13:37:52	TEMP	33.500 [DEG_F]	69400.000 [CPS]
	Jan10,14	13:37:52	TEMP	116.000 [DEG_F]	322100.000 [CPS]
7	Jan10,14	13:23:47	RES	0.000 [OHM]	5290.000 [CPS]
	Jan10,14	13:23:47	RES	945.000 [OHM]	164465.000 [CPS]