

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

|   |  |   |  |  |
|---|--|---|--|--|
| 1. File Number:<br><b>8307</b>  | 2. Status Change Date:<br><b>5/21/18</b> | 3. Change Num:<br><b>C1</b>                 | 4. Field Office:<br><b>04</b>  | 5. GMD:<br><b>01</b>                       |
| 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:<br><b>4/2/18</b> |
| 8a. Applicant(s)<br>New to system <input type="checkbox"/><br><br><b>ECLIPSE INC<br/>A BRADFORD SMITH<br/>695 KANSAS HWY 27<br/>SHARON SPRINGS KS 67758-6029</b>  |  | Person ID <b>61594</b><br>Add Seq# <b>1</b> | 8c. Landowner(s)<br>New to system <input type="checkbox"/><br><br><b>SMITH LAND CO INC<br/>695 KANSAS 27<br/>SHARON SPRINGS KS 67758</b> |  |
| 8b. Landowner(s)<br>New to system <input type="checkbox"/><br><br><b>ECLIPSE INC<br/>A BRADFORD SMITH<br/>695 KANSAS HWY 27<br/>SHARON SPRINGS KS 67758-6029</b>  |  | Person ID <b>61594</b><br>Add Seq# <b>1</b> | 8d. WUC<br>New to system <input type="checkbox"/><br><br><b>A BRADFORD SMITH<br/>P O BOX 547<br/>SHARON SPRINGS KS 67758</b>             |  |
| 9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/18</b> <input type="checkbox"/> N & P Date to Comply: _____  |  |   |  |  |
| <input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input 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<br><input type="checkbox"/> Conservation Plan    Date Required: _____    Date Approved: _____    Date to Comply: _____ |  |   |  |  |
| 10. Use Made of Water    From: _____    To: _____   |  |   |  |  |
| Date Prepared: <b>5/17/18</b> By: <b>TPM</b><br>Date Entered: _____    By: _____  |  |   |  |  |

File No. **8307** 11. County: **GREELY** Basin: **ladder** Stream: \_\_\_\_\_ Formation Code: \_\_\_\_\_ Special Use: \_\_\_\_\_

12. Points of Diversion  
 CHK \_\_\_\_\_ Rate and Quantity  
 MOD \_\_\_\_\_ Authorized \_\_\_\_\_ Additional \_\_\_\_\_  
 DEL PDIV \_\_\_\_\_ Rate \_\_\_\_\_ Quantity \_\_\_\_\_  
 ENT \_\_\_\_\_ Comment (AKA Line) \_\_\_\_\_ 'W \_\_\_\_\_ 'N \_\_\_\_\_ 'S \_\_\_\_\_ 'T \_\_\_\_\_ 'R \_\_\_\_\_ 'D \_\_\_\_\_ 'I \_\_\_\_\_ 'O \_\_\_\_\_ 'V \_\_\_\_\_  
 Rate \_\_\_\_\_ Quantity \_\_\_\_\_  
 gpm/cfs \_\_\_\_\_ af/mgy \_\_\_\_\_  
 Rate \_\_\_\_\_ Quantity \_\_\_\_\_  
 gpm/cfs \_\_\_\_\_ af/mgy \_\_\_\_\_  
 Overlap PD Files \_\_\_\_\_

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<br>CHK<br>MOD<br>DEL<br>ENT | PUSE  | S  | T  | R   | ID | NE 1/4 |        |        | NW 1/4 |        |        | SW 1/4 |        |        | SE 1/4 |        |        | Total | Owner | Chg? | Overlap Files        |                       |
|--|-------|----|----|-----|----|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|-------|------|----------------------|-----------------------|
|  |       |    |    |     |    | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |       |       |      |                      |                       |
| NC   | 27946 | 3  | 16 | 40W |    |        |        |        |        |        |        |        |        |        |        |        |        |       |       | 130  | 8b no<br>15283 29985 | 8307 8308 10323 11161 |
| MOD  | 33012 | 9  | 16 | 40W |    |        |        |        |        |        |        |        |        |        |        |        |        |       |       | 195  | 8b no                |                       |
| MOD  | 30153 | 10 | 16 | 40W |    |        |        |        |        |        |        |        |        |        |        |        |        |       |       | 310  | 8b no                |                       |
| NC   | 25692 | 16 | 16 | 40W |    |        |        |        |        |        |        |        |        |        |        |        |        |       |       | 260  | 8b no                |                       |
| MOD  | 16199 | 21 | 16 | 40W |    |        |        |        |        |        |        |        |        |        |        |        |        |       |       | 260  | 8b no                |                       |
| ENT  | NEW   | 21 | 16 | 40W |    |        |        |        |        |        |        |        |        |        |        |        |        |       |       | 130  | 8c yes               |                       |

Base Acres: **1275** Year: \_\_\_\_\_ Minimum Reasonable Quantity: \_\_\_\_\_  
 Comments: **delete puid# 36822**

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

May 21, 2018

ECLIPSE INC  
A BRADFORD SMITH  
695 KANSAS HWY 27  
SHARON SPRINGS KS 67758-6029

RE: Change the Place of Use, File Nos 8307, 8308, 10323  
11161, 15283, 29985, 39752

Dear Mr. Smith;

Enclosed you will find a *Summary Order Approving Application for Change in Place of Use* for the above referenced files. Since these orders modify the original documents, it should be recorded at the County Register of Deeds.

These orders modify the authorized acres that can be irrigated by these files. The authorized place of use is as shown on the plats within the change approvals.

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report (including the meter reading at the beginning and end of the report year).

This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order. The date of service is the date listed on the enclosed *Certificate of Service*.

Should you have any questions, please feel free to call this office or arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas P. Makens".

Thomas P. Makens  
Assistant Water Commissioner

TPM:tpm

Enclosures  
GMD#1

**CERTIFICATE OF SERVICE**

On this 22<sup>NO</sup> day of May 2018, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right File 8307, 8308, 10323, 11161, 15283, 29985, 39752 dated May 21, 2018, was mailed postage prepaid, first class, US mail to the following:

ECLIPSE INC  
A BRADFORD SMITH  
695 KANSAS HWY 27  
SHARON SPRINGS KS 67758-6029

Copy provided to GMD#1



---

Division of Water Resources

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

Topeka -- (785) 862-6300  
 Stafford -- (620) 234-5311  
 Stockton -- (785) 425-6787  
 Garden City -- (620) 276-2901  
[www.ksda.gov/dwr](http://www.ksda.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

File No. 8307

APR 2 2018

4:11 pm

Garden City 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: ECLIPSE INC, A BRADFORD SMITH  
695 KANSAS HWY 27, SHARON SPRINGS KS 67758-6029                      419 S. Gardner  
 Phone Number: (     )                      Email address: \_\_\_\_\_  
 Name and address of Water Use Correspondent: A BRADFORD SMITH  
P O BOX 547, SHARON SPRINGS KS 67758  
 Phone Number: (     )                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:  
 Owner of Land ---- NAME: ECLIPSE INC, A BRADFORD SMITH  
 ADDRESS: 695 KANSAS HWY 27, SHARON SPRINGS KS 67758-6029  
 (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  |             |
| 3    | 16   | 40    |     |     |     |     |     |     | 32.5 | 32.5 | 32.5                 | 32.5 |      |      |      |      |      |      | 130         |
| 8    | 16   | 40    |     |     |     |     |     |     |      |      | <u>OWNER T BAR</u> → |      |      |      | 40   | 40   |      |      |             |
| 9    | 16   | 40    |     |     |     |     |     |     |      |      | 32.5                 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 195         |

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: Same  
 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  |             |
| 3    | 16   | 40    |     |     |     |     |     |     | 32.5 | 32.5 | 32.5 | 32.5 |      |     |      |      |      |      | 130         |
| 9    | 16   | 40    |     |     |     |     |     |     |      |      | 15   | 17.5 | 17.5 | 15  | 32.5 | 32.5 | 32.5 | 32.5 | 195         |

|                                 |              |            |                    |                     |
|---------------------------------|--------------|------------|--------------------|---------------------|
| For Office Use Only: Code _____ | Fee \$ _____ | TR # _____ | Receipt Date _____ | Check # <u>2631</u> |
|---------------------------------|--------------|------------|--------------------|---------------------|

5. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ 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:  
**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 \_\_\_\_\_ 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 \_\_\_\_\_

6. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ 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:  
**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 \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

7. Why do you need a new point of diversion? NC  
 \_\_\_\_\_  
 \_\_\_\_\_

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

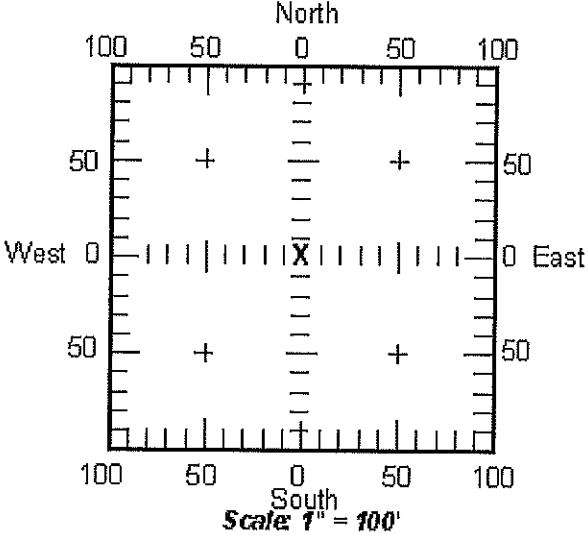
9. When do you propose to complete the new point of diversion?  
 \_\_\_\_\_

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

11. Groundwater Management District recommendation attached?  Yes  No

12. Assisted by mdf/GCFO

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
FILE NO. 8307  
MAKE ADDITIONAL COPIES AS NECESSARY

3. *Continued:* The presently authorized place of use is:

Owner of Land ---- NAME: ECLIPSE INC, A BRADFORD SMITH

ADDRESS: 695 KANSAS HWY 27, SHARON SPRINGS KS 67758-6029

| 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  |             |
| 10   | 16   | 40    |      |      |      |      |      |      |      |      | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 260         |
| 16   | 16   | 40    | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 |      |      |      |      |      |      |      |      | 260         |
| 21   | 16   | 40    | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 |      |      |      |      |      |      |      |      | 260         |

Owner of Land ---- NAME: RAY P SMITH

ADDRESS: 695 KANSAS HWY 27, SHARON SPRINGS KS 67758-6029

| 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 |             |
| 21   | 16   | 40    |     |     |     |     |     |     |     |     | 32.5 | 32.5 | 32.5 | 32.5 |     |     |     |     | 130         |

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 |             |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |

4. *Continued:* 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: ECLIPSE INC, A BRADFORD SMITH

ADDRESS: 695 KANSAS HWY 27, SHARON SPRINGS KS 67758-6029

| 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  |             |
| 10   | 16   | 40    |      |      | 25   | 25   |      |      |      |      | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 310         |
| 16   | 16   | 40    | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 |      |      |      |      |      |      |      |      | 260         |
| 21   | 16   | 40    | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 | 32.5 |      |      |      |      |      |      |      |      | 260         |

Owner of Land ---- NAME: RAY P SMITH *SMITH LAND Co Inc*

ADDRESS: 695 KANSAS HWY 27, SHARON SPRINGS KS 67758-6029

| 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 |             |
| 21   | 16   | 40    |     |     |     |     |     |     |     |     | 32.5 | 32.5 | 32.5 | 32.5 |     |     |     |     | 130         |

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 |             |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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.)

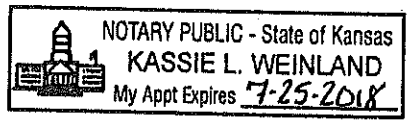
If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized 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 regard 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 Tribune, Kansas, this 16 day of March, 2018.

|  |  |
|--|--|
| <u>T Bag S Land Investments LLC</u><br>(Owner) |  |
| <u>Klee Klee</u><br>(Please Print)             |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |

State of Kansas }  
 County of Greene } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 16 day of March, 2018.

Kassie L. Weinland  
Notary Public

My Commission Expires 7-25-2018.

**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  
 MAR 26 2018  
 Garden City Field Office  
 DIVISION OF WATER RESOURCES

File No. 39752



14. If the proposed groundwater point of diversion is 300 or fewer feet from 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 regard 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 SHARON SPRINGS, Kansas, this 20 day of MARCH, 2018.

|  |                         |
|--|-------------------------|
| <u>Al Smith Per Eclips Inc.</u><br>(Owner) | _____<br>(Spouse)       |
| <u>Ab Smith</u><br>(Please Print)          | _____<br>(Please Print) |
| <u>Ray Smith</u><br>(Owner)                | _____<br>(Spouse)       |
| <u>Ray P. Smith</u><br>(Please Print)      | _____<br>(Please Print) |
| _____<br>(Owner)                           | _____<br>(Spouse)       |
| _____<br>(Please Print)                    | _____<br>(Please Print) |

State of Kansas }  
 County of WALLACE } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 20 day of MARCH, 2018.



Steven B. Paul  
 Notary Public

My Commission Expires 2/3/2019

**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. 8307

1. A change application was received on April 2, 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 \_\_\_\_\_ 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 \_\_\_\_\_ 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, 2018, 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, 20\_\_\_\_, or within any authorized extension of time. By March 1, 20\_\_\_\_ 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: Thomas P. Makens  
 Duly Authorized Designee of the Chief Engineer

(Print Name): Thomas P Makens  
 Division of Water Resources - Kansas Department of Agriculture

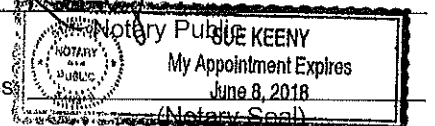
Date of Issuance: MAY 21, 2018

State of Kansas )  
 ) SS  
 County of Finney )

Acknowledged before me on May 21, 2018

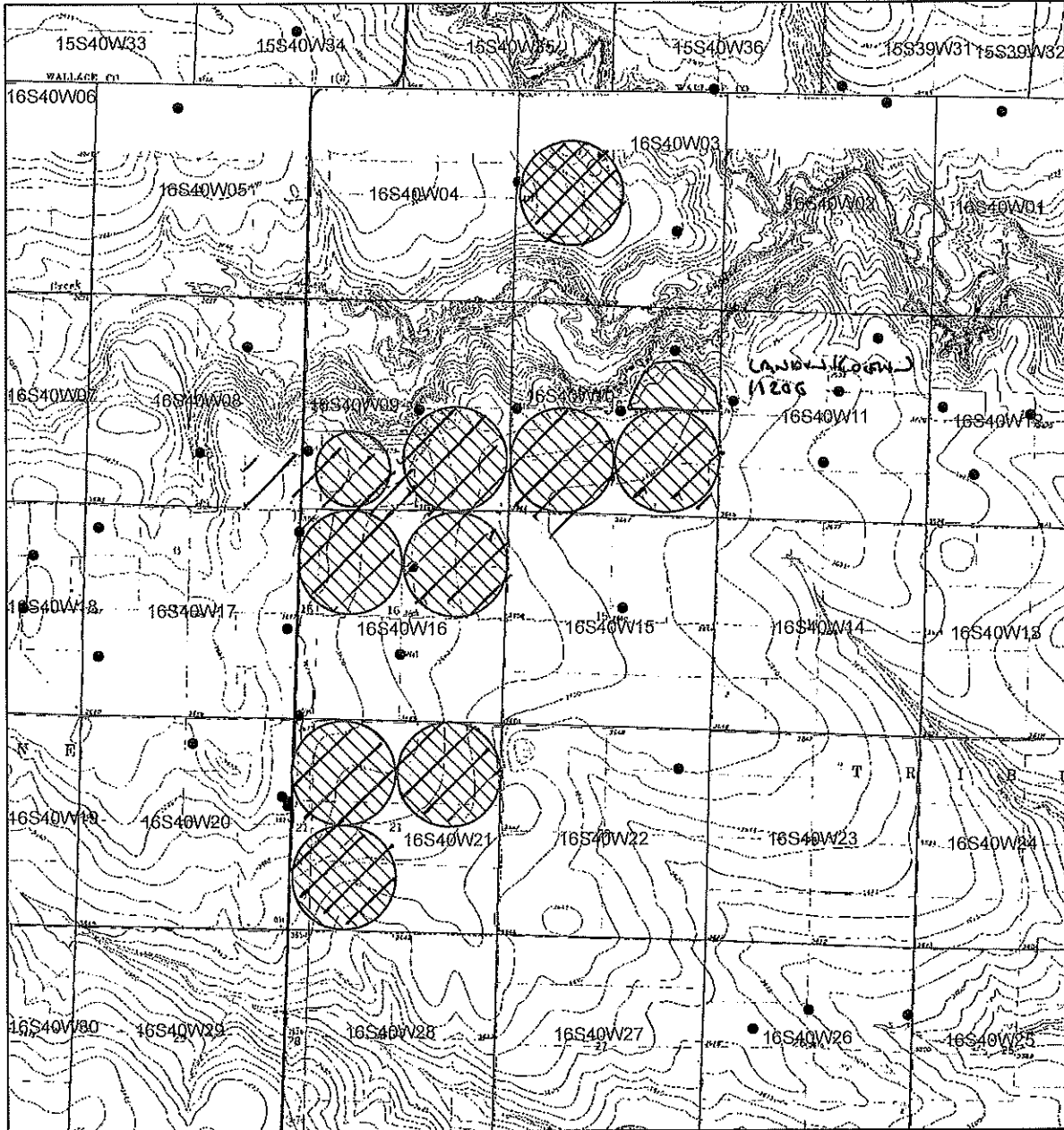
by Thomas P Makens

Signature: Sue Keeny



My commission expires

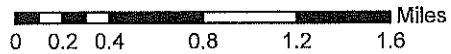
**Change in Place of Use  
for Water Right Number 8307  
All in Township 16 S, Range 40 West, Greeley County**



**Authorized Place of Use**



**Requested Place of Use**



**All wells within 1/2 mile have been identified.**

x *Al Smith*



# Property Details for PID: 0360252100000001010

QuickRef ID : R152  
Owner Name : SMITH LAND CO INC  
Location: 00000 COUNTY RD  
Abbreviated Boundary Description: S21 , T16 , R40W , ACRES 317.0 , S2 LESS CO RD ROW

## Owner Information:

Owner SMITH LAND CO INC  
Mailing Address 695 KS HWY 27 SHARON SPRINGS,  
KS 67758

## Property Information:

Type Agricultural Use  
Status Active  
Taxing Unit TRIBUNE TWP  
Neighborhood Code 031

No Secondary Address Details found

## Market Land Details:

|               |   |
|---------------|---|
| Actual Width: | 0 |
| Eff. Width    | 0 |
| Eff. Depth    | 0 |
| Acres         | 0 |
| Square Feet   | 0 |

No Permit Details found

No Orion Deed Book Page Details found

## Additional Deed Book Page Details

Deed Book/Page 133 /292 125 /304 95 /70 71 /107 71 /105

## Value Details

**Current Final Value (Agricultural) Year** 2017

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

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

April 4, 2018

LANDON KOEHN  
1050 E COUNTY RD E  
MARIENTHAL KS 67863

RE: Water Right file no. 8307 8308 10323 11161 15283 29985 39752

This is to advise you that the Eclipse Inc has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use under the above referenced application.

You are notified on this proposed change in place of use so that you may furnish this office with any comments or other information you may want to submit.

You can find the complete application posted by water right file number as referenced above at [www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices) Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas P. Makens".

Thomas P. Makens  
Environmental Scientist III

pc: GMD#1





STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

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

April 20, 2018

Western Kansas Groundwater  
Management District No 1  
PO Box 604  
Scott City KS 67861-0604

Re: Water Right file no. 8307, 8308, 10323, 11161, 15283, 29985, 39752

Dear Mr. Spencer;

Eclipse Inc has applied to correct the acres due to added pivots. The base acres are 1275.

We are delaying action for 15 days on the change application to allow you time to review and provide a recommendation if you feel one is warranted

Thank you and as always feel free to call or write us at any time.

Sincerely;

A handwritten signature in black ink, appearing to read "Thomas P Makens", written over a horizontal line.

Thomas P Makens

enc





---

WESTERN KANSAS GROUNDWATER MANAGEMENT DISTRICT NO.1

April 20, 2018

RECEIVED

Mr. Thom Makens  
Assistant Water Commissioner  
Division of Water Resources  
Garden City Field Office  
2508 Johns Street  
Garden City, KS 67846

APR 23 2018

Garden City Field Office  
Division of Water Resources

RE: Water Right File Nos: 8307, 8308, 10323, 11161,  
15283, 29985, & 39752

Dear Mr Makens:

After reviewing the change application involving  
the above water rights, GMD#1 recommends approval.

Sincerely,

Kyle Spencer  
District Manager

ks/vr

