

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

1. File Number: 17052	2. Status Change Date: 6-24-2020	3. Change Num: C3	4. Field Office: 4	5. GMD: 3
---------------------------------	--	-----------------------------	------------------------------	---------------------

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: 5/26/2020
--	---

8a. Applicant/Landowner New to system <input type="checkbox"/> J & L FARMS INC 9170 EAST ROAD 2 ULYSSES, KS 67880	8c. Landowner(s) New to system <input type="checkbox"/> RICHARD T PETRO 112 EGRET CV GEORGETOWN, TX 78628-4808
--	---

8b. Landowner(s) New to system <input type="checkbox"/> GOLDEN GRAIN FARMS INC Attn: ROBERT K & BARBARA PETRO 4400 SW COLLY CREEK DR TOPEKA, KS 66610	8d. WUC/Landowner New to system <input type="checkbox"/> LARRY K SMITH 8569 E ROAD 2 ULYSSES, KS 67880-8020
--	--

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/2020** N & P Date to Comply: **3/1/2021**

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **6/24/2020** By: **AM**
 Date Entered: _____ By: _____

File No. **17052** 11. County: GT Basin: ARKANSAS RIVER Stream: Formation Code: 211/311 Special Use:

12. Points of Diversion										Rate and Quantity						
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
CHK				SE SW SE	6	27S	35W	1	90	1390		1020	493	0	0	12008; 12010
DEL																
ENT				NE NW SE	6	27S	35W		2262	2392		1160	598	850	598	17884

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at **1020** gpm (_____ cfs) when combined with file number(s) **12008 & 12010 ON WELL ID#1**
 Limitation: **598** af/yr at _____ gpm (_____ cfs) when combined with file number(s) **WATER RIGHT LIMITED TO 598AF**

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			
CHK				771																									
CHK				8940																									
CHK				37774																									
CHK				53531																									
CHK				53532																									

Base Acres: Year: Minimum Reasonable Quantity:
 Comments:

Garden City Field Office
4532 W. Jones, Suite B
Garden City, KS 67846



Phone: 620-276-2901
Fax: 620-276-9315
www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

June 24, 2020

J & L SMITH FARMS INC
9170 E ROAD 2
ULYSSES, KS 67880-8151

RE: Water Right, File Nos. 17052 & 17884

Dear Sir or Madam:

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM:am
enclosures

pc: Larry K. Smith
GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

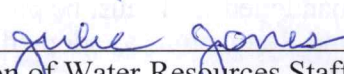
On this 24th day of June, 2020, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 17,052 & 17,884 dated 24th day of June, 2020 was mailed postage prepaid, first class, US mail to the following:

J & L SMITH FARMS INC
Attn: BRYAN SMITH
9170 E ROAD 2
ULYSSES, KS 67880-8151

Pc:

LARRY K SMITH
8569 E ROAD 2
ULYSSES, KS 67880-8020

GROUNDWATER MANAGEMENT DISTRICT NO. 3



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.

File No. 17052

RECEIVED
 4:05 PM
 MAY 26 2020

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: J & L FARMS INC

9170 EAST ROAD 2, ULYSSES, KS 67880

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: LARRY K SMITH

8569 E ROAD 2, ULYSSES, KS 67880-8020

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land --- NAME: See Supplemental sheet

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 \$ 200.00 TR # _____ Receipt Date 5-26-20 Check # 003147

5. **Presently authorized point of diversion:**
 One in the SE Quarter of the SW Quarter of the SW Quarter of Section 6, Township 27 South, Range 35 (W), in GT County, Kansas, 210 feet North 3845 feet West of Southeast corner of section.
 Authorized Rate No change Authorized Quantity No change Depth of well _____ (feet)
 (DWR use only: Computer ID No. 4 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 NE NW Quarter of the NW Quarter of the SE Quarter of Section 6, Township 27 South, Range 35 (W), in GT County, Kansas, 2262 feet North 2392 feet West of Southeast corner of section.
 Proposed Rate No change Proposed Quantity No Change Proposed well depth (feet) 780
 This point is: Additional Well Geo Center List other water rights that will use this point 17884

6. **Presently authorized point of diversion:**
 One in the SE Quarter of the SW Quarter of the SE Quarter of Section 6, Township 27 South, Range 35 (W), in GT County, Kansas, 90 feet North 1390 feet West of Southeast corner of section.
 Authorized Rate No change Authorized Quantity No change Depth of well _____ (feet)
 (DWR use only: Computer ID No. 1 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) _____

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

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

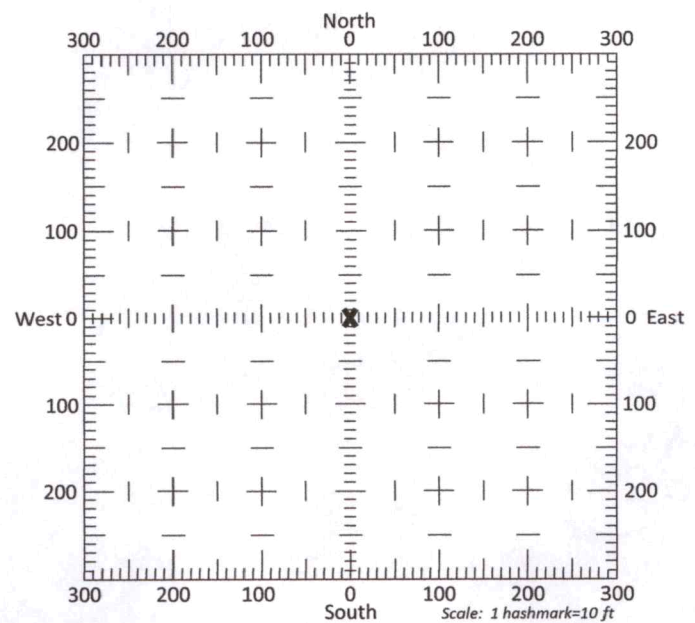
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by mf/GCFO _____

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.)

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 17052
MAKE ADDITIONAL COPIES AS NECESSARY

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

Owner of Land --- NAME: GOLDEN GRAIN FARMS INC. Attn: ROBERT K & BARBARA PETRO
ADDRESS: 4400 SW COLLY CREEK DR, TOPEKA, KS 66610

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			

Owner of Land --- NAME: RICHARD T PETRO
ADDRESS: 112 EGRET CV, GEORGETOWN, TX 78628-4808

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				

Owner of Land --- NAME: LARRY K SMITH
ADDRESS: 8569 E ROAD 2, ULYSSES, KS 67880-8020

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: _____
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						

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							

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								

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 17052
MAKE ADDITIONAL COPIES AS NECESSARY

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

Owner of Land --- NAME: GOLDEN GRAIN FARMS INC, Attn: ROBERT K & BARBARA PETRO
ADDRESS: 4400 SW COLLY CREEK DR, TOPEKA, KS 66610

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			

Owner of Land --- NAME: RICHARD T PETRO
ADDRESS: 112 EGRET CV, GEORGETOWN, TX 78628-4808

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				

Owner of Land --- NAME: LARRY K SMITH
ADDRESS: 8569 E ROAD 2, ULYSSES, KS 67880-8020

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: _____
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						

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							

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 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 _____, Kansas, this _____ day of _____, 20_____.

Larry Smith

 (Owner)
 LARRY SMITH

 (Please Print)

 (Owner)

 (Please Print)

 (Owner)

 (Please Print)

 (Spouse)

 (Please Print)

 (Spouse)

 (Please Print)

 (Spouse)

 (Please Print)

State of Kansas }
County of Grant } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 11th day of June, 2020.

Heather R. Mowrer

Notary Public

NOTARY PUBLIC - STATE OF KANSAS
 HEATHER R. MOWRER
 My Commission Expires 5-17-2022

My Commission Expires 5-17-2022

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

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 LAWRENCE, Kansas, this 14 day of MAY, 2020.

Relda Grain Farms, Inc. David Petro, President

(Owner) (Spouse)

GOLDEN GRAIN FARMS, INC. DAVID R PETRO, PRESIDENT

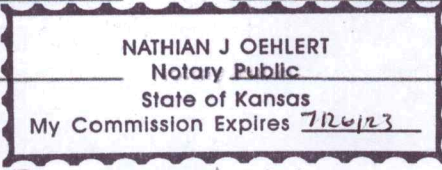
(Please Print) (Please Print)

(Owner) (Spouse)

(Please Print) (Please Print)

(Owner) (Spouse)

(Please Print) (Please Print)



State of Kansas }
County of DOUGLAS } SS

For DAVID Petro only

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 14th day of May, 2020.

Notary Public

My Commission Expires 7/26/20

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

FOR Richard Petro Deceased
W.R. 17052 App

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 Williamson County, ~~Kansas~~ ^{Texas}, this 20th day of May, 2020.

Diana K. Wilbanks
(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

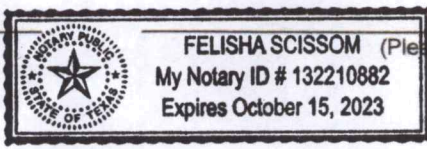
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)



State of ~~Kansas~~ ^{Texas} }
County of Williamson } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 20th day of May, 2020.

Felisha Scissom
Notary Public

My Commission Expires 10-15-23

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

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 _____, Kansas, this _____ day of _____, 20_____.

X JLL Smith owned by
Larry Smith owner

(Please Print)

(Owner)

(Please Print)

(Owner)

(Please Print)

(Spouse)

(Please Print)

(Spouse)

(Please Print)

(Spouse)

(Please Print)

State of Kansas }
County of _____ } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 11th day of June, 2020.

My Commission Expires 5-17-2022

Heather R. Mowrer
Notary Public
NOTARY PUBLIC - STATE OF KANSAS
HEATHER R. MOWRER
My Commission Expires 5-17-2022

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. 17052

- 1. A change application was received on May 26, 2020 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 2640 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, 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
- 8. 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. 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.

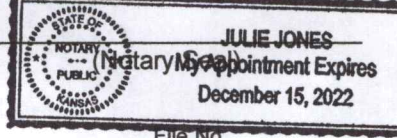
Administrative Appeal and Effective Date of Order

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.

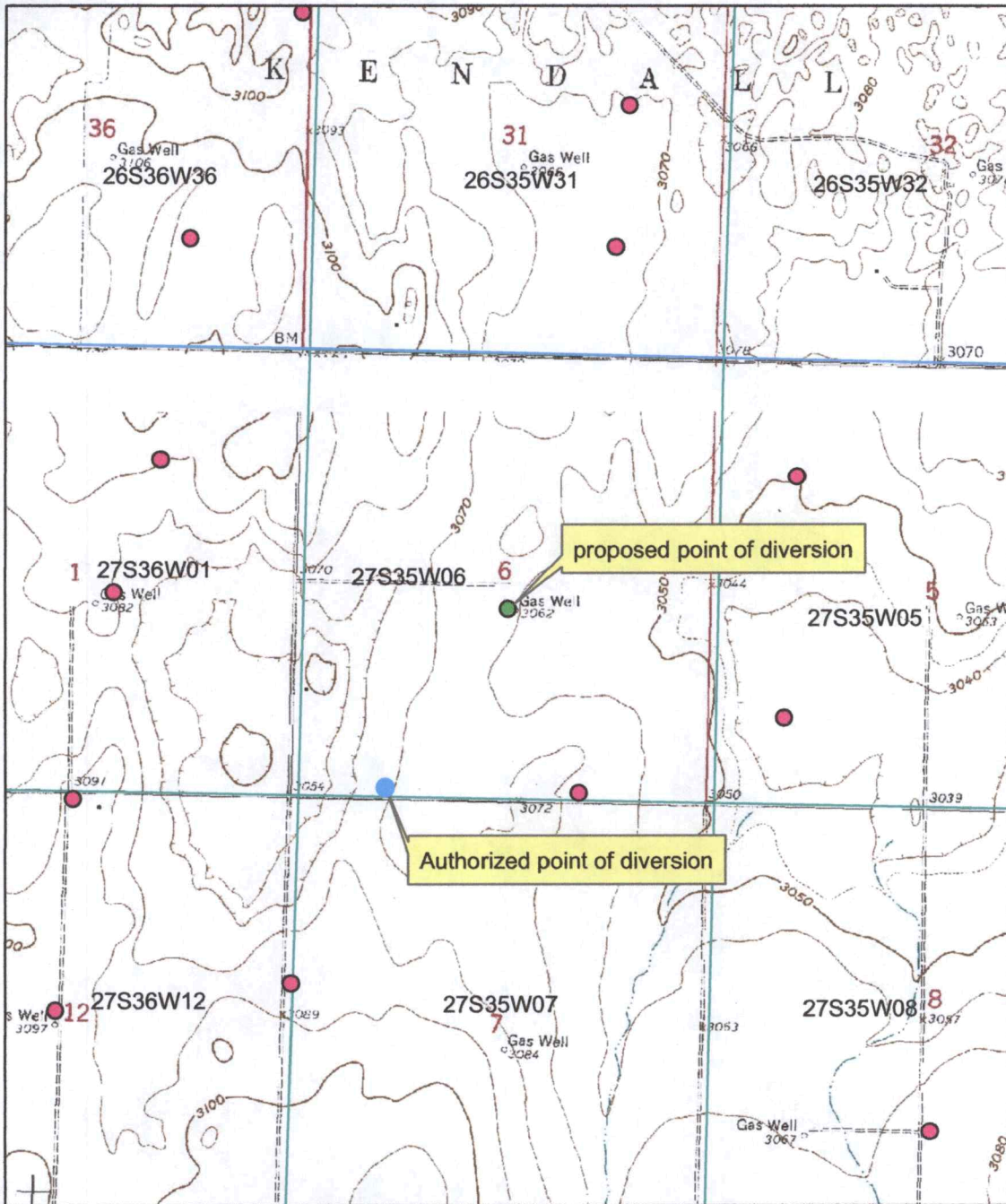
For Use by Register of Deeds

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: JUNE 24, 2020
State of Kansas)
) SS
County of Tinney)
Acknowledged before me on June 24, 2020
by Michael A. Meyer
Signature: Julie Jones
Notary Public

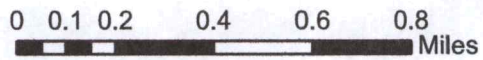
My commission expires: _____
 JULIE JONES
Notary Public
Appointment Expires
December 15, 2022

Change in Point of Diversion for Water Right 17052



● Authorized point of diversion

● Proposed point of diversion

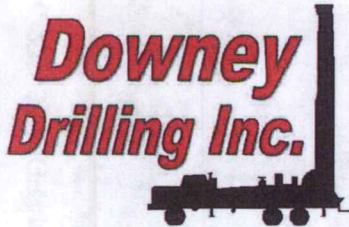


All wells within 1/2 mile are on this map.

X _____

WELL LOG

DATE: 3/17/2020



CUSTOMER NAME: J&L SMITH FARMS

TEST HOLE #1

LEGAL: SW 6-27S-35W

WEST OF PIVOT POINT

COUNTY: GRANT COUNTY

GPS: 37.72788

-101.18972

DRILLER: DALE

WO: 20-20 073

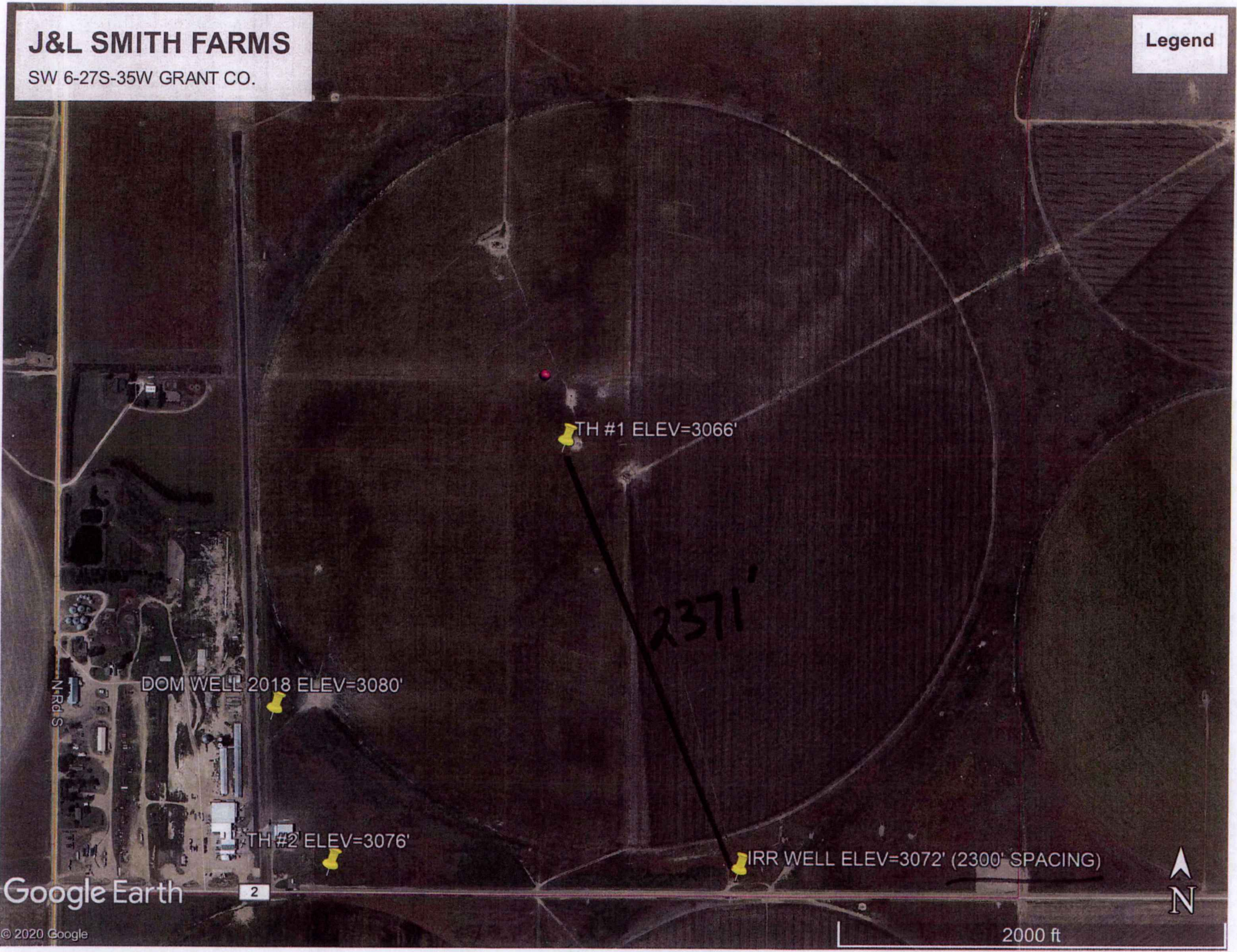
TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	20	SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
	20	32	FINE SAND	SOFT		FAST		SMOOTH
	32	71	FINE SAND W/SANDY CLAY LENSES	SOFT		FAST		SMOOTH
	71	96	FINE-MEDIUM-COARSE SAND, FINE GRAVEL	SOFT		FAST		CHATTER ROUGH AND CHATTER
	96	140	FINE-MEDIUM-COARSE SAND, FINE - MED GRAVEL	SOFT		FAST		CHATTER ROUGH AND CHATTER
	140	159	FINE-MEDIUM-COARSE SAND, FINE GRAVEL	SOFT		FAST		CHATTER ROUGH AND CHATTER
	159	301	FINE-MEDIUM-COARSE SAND, FINE-MEDIUM GRAVEL	SOFT		FAST		CHATTER AND CHATTER
	301	316	FINE-MEDIUM-COARSE SAND, TR. SANDY CLAY LENSE	SOFT		NOT AS FAST		CHATTER AND SMOOTH
	316	321	SANDY CLAY	SOFT	TAN	SEMI SLOW		SMOOTH AND CHOPPY
	321	348	FINE, MED, TR. COARSE SAND	SOFT	TAN	FAST		SOME CHATTER VIBRATION AND CHOPPY
	348	364	SANDY CLAY, W/FINE SAND LENSES	SOFT	TAN	FAST		LT CHATTER
	364	378	FINE - MED SAND	SOFT	TAN	FAST		SMOOTHER LT CHATTER AT TIMES
	378	384	SANDY CLAY	SOFT	TAN	NOT AS FAST		MOSTLY SMOOTH VIBRATION AND CHOPPY
	384	406	FINE SAND TR. SANDY CLAY	SOFT	TAN	LITTLE FASTER		SMOOTH CHOPPY
	406	439	CLAY, SANDY CLAY, TR. SAND	SOFT	TAN	NOT AS FAST		W/SOME VIBRATION
	439	471	SANDSTONE AND BROWN ROCK WITH A FEW SOAPSTONE LAYERS	SOFT	BROWN	NOT AS FAST		CHOPPY
	471	474	SHALE	STIFF	BLUE	SLOW		SMOOTH
	474	506	SANDSTONE W/TR. SHALE LENSES	SOFT	BROWN / TAN	FASTER		CHOPPY W/SOME VIBRATION
	506	511	SHALE	TIGHT	BLUE	SLOW		CHOPPY
	511	594	SHALE, SANDSTONE @ 572' - 574'	TIGHT		SLOW		CHOPPY
	594	634	SANDSTONE, TR. BROWN ROCK	FIRM IN PLACES	BROWN	NOT AS SLOW		ROUGH AND CHOPPY
	634	655	SHALE	TIGHT	BLUE	SLOW		CHOPPY
	655	675	SANDSTONE	FAIRLY LOOSE		SLOW		VIBRATION
	675	700	SOAPSTONE AND SANDSTONE STRIPS	LITTLE TIGHT	WHITE	SLOW		CHOPPY
	700	719	SANDSTONE	FAIRLY LOOSE		SEMI SLOW		VIBRATION CHOPPY AND VIBRATION
	719	725	SANDSTONE AND SOAPSTONE	LITTLE TIGHT		SEMI SLOW		VIBRATION
	725	760	SANDSTONE	FAIRLY LOOSE		SEMI SLOW		VIBRATION
	760	780	RED BED	TIGHT	RED	SLOW		CHOPPY
			STARTED PDC BIT AT 460'					
			QUIK GEL - 36					
			WATER USAGE - 8500 GALLONS					
			HOLE PLUG - 2					
			CASING SEAL - 1					

STATIC
 15
 27
 6
 14
 14
 5
 32
 35
 149
 2
 40
 20
 25
 19
 6
 35
 147
 149
 147
 296

J&L SMITH FARMS

SW 6-27S-35W GRANT CO.

Legend

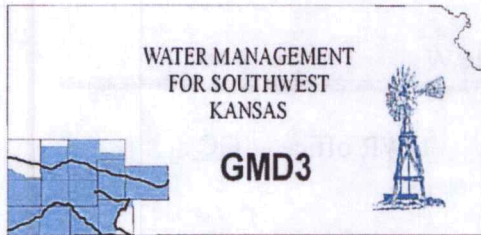


Google Earth

© 2020 Google



2000 ft



Southwest Kansas
Groundwater Management District No. 3
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone (620) 275-1431 fax
www.gmd3.org

June 22, 2020

Michael A. Meyer
Division of Water Resources
4532 W Jones Ave., Suite B
Garden City, Kansas 67846

RE: Application for Change in Point of Diversion
Water Right, File Nos. 17052 & 17884

Dear Mike:

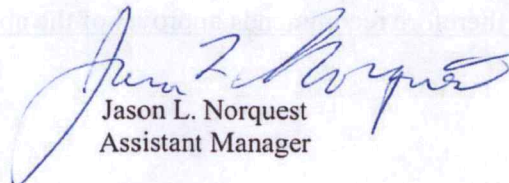
We have completed a review of the applications for the above referenced water rights. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the draft revised management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. The enclosed report is an analysis performed by the GMD on behalf of our membership. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (3.5 ft in cases where saturated thickness range is between 150-200 ft), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. The attached review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

Every neighboring well within 1 mile of the proposed move was evaluated. Evaluations showed that none of the neighboring wells exceeded the net effect above the maximum allowable threshold. Our office received no comments from neighboring well owners. Therefore, GMD3 sees this move as reasonable and therefore recommend that the application be approved. If aquifer conditions change or there is a change to the water right in the future, we would be happy to evaluate the effects at that time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,


Jason L. Norquest
Assistant Manager

RECEIVED

JUN 22 2020

Garden City Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 17052 & 17884.

DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: J & L Farms Inc.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? .

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-23-3

Point of diversion ID No(s) 04 being changed.

	ft. North	ft. West	
Authorized PD	210	3845	Sect. 6-27-35
Proposed PD	2262	2392	
Difference	-2052 n	1453 e	
$a^2 + b^2 = c^2$	4210704	2111209	2514.341 foot move NE

GPS for proposed PD: Lat: 37.72788 Long: -101.18972.

Is proposed PD stacking on existing WRs? Already has there two WRs stacked.

Is Proposed PU overlapping existing WRs? No change.

Neighboring certified well(s) notified: .

Name Syracuse Dairy LLC (21640 & 23320).

Address 751 SE CR 36.

Zip Syracuse, KS 67878.

Domestic well(s) notified: .

Name Tri-Rotor Spray & Chemical.

Address 9170 E RD 2.

Zip Ulysses, KS 67880.

Base Acres: .

Perfected Acres: .

Irr. Return-Flow %

Lose of production in current well.

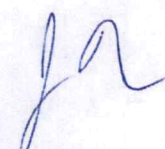
Is a waiver needed: Distanced proposed is less than half mile. Minimum spacing to neighboring wells appears met also. Analysis shows no critical wells, all came out under the first criteria of 3.5ft effect allowed.

Recommendation: After review of all available information, it appears current area rules are met. Analysis shows effects well within the range for the area. No response from neighbors. Staff therefore recommends approval of the applicaitons.

RECEIVED

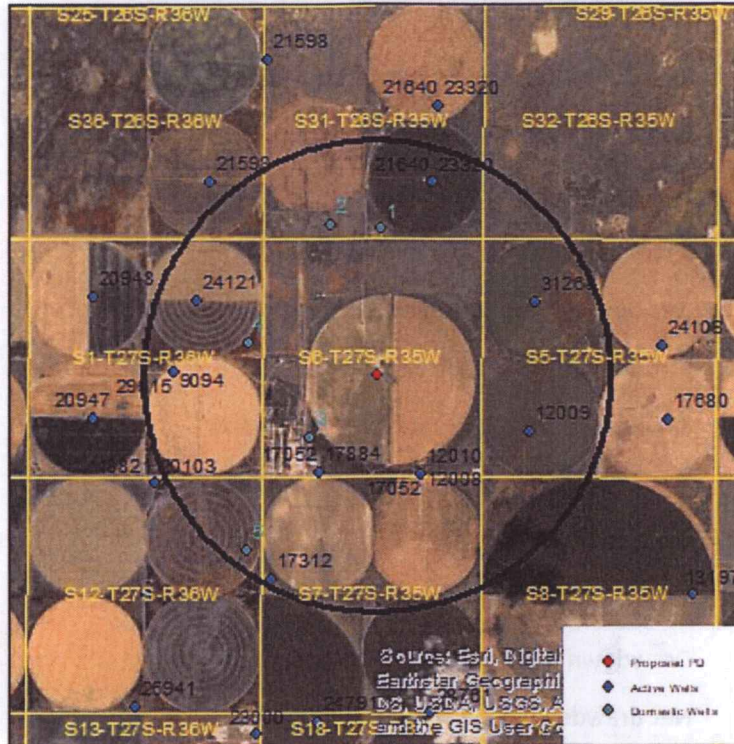
JUN 8 2020

Garden City Field Office
Division of Water Resources



Evaluation of proposed move for Water Right Nos 17052 & 17884

Proposed: Move water right nos. 17052 & 17884 a distance of 2,532 ft to the northeast.



Wells within 1 mile: 12008 & 12010 & 17052, 12009, 31268, 21640 & 23320, 24121, 9094 & 29615, 17312, and 5 domestic wells, numbered on the map above.

The saturated thickness at the proposed well location is estimated to be 159 ft, based upon an observation well in section 1-27-36 and the driller's log at the proposed well location. For saturated thickness between 150 ft and 200 ft, the drawdown allowance is 3.5 ft.

50 year This Analysis: The following values were used to run the analysis:

$S = 0.2308$, $T = 13,011 \text{ ft}^2/\text{day}$, $tp_{\text{current}} = 365 \text{ days}$ (based upon average use and minimum required rate),
 $Q_{\text{current}} = 88 \text{ gpm}$ (based upon rate required to reach average use), $tp_{\text{proposed}} = 117 \text{ days}$,
 $Q_{\text{proposed}} = 1160 \text{ gpm}$

This drawdowns were calculated as follows:

12008 & 12010 & 17052: Drawdown from current location = 0.63 ft

Drawdown from proposed location = 3.39 ft

Net drawdown = **2.8 ft**

RECEIVED

JUN 22 2020

Garden City Field Office
Division of Water Resources

12009: Drawdown from current location = 0.48 ft
Drawdown from proposed location = 2.59 ft
Net drawdown = **2.1 ft**

31268: Drawdown from current location = 0.43 ft
Drawdown from proposed location = 2.49 ft
Net drawdown = **2.1 ft**

21640 & 23320: Drawdown from current location = 0.40 ft
Drawdown from proposed location = 2.29 ft
Net drawdown = **1.9 ft**

24121: Drawdown from current location = 0.48 ft
Drawdown from proposed location = 2.33 ft
Net drawdown = **1.8 ft**

9094 & 29615: Drawdown from current location = 0.52 ft
Drawdown from proposed location = 2.27 ft
Net drawdown = **1.8 ft**

17312: Drawdown from current location = 0.61 ft
Drawdown from proposed location = 2.11 ft
Net drawdown = **1.5 ft**

Domestic 1: Drawdown from current location = 0.44 ft
Drawdown from proposed location = 2.80 ft
Net drawdown = **2.4 ft**

Domestic 2: Drawdown from current location = 0.45 ft
Drawdown from proposed location = 2.66 ft
Net drawdown = **2.2 ft**

Domestic 3: Drawdown from current location = 0.84 ft
Drawdown from proposed location = 3.80 ft
Net drawdown = **3.0 ft**

RECEIVED

JUN 2 2020

Domestic 4: Drawdown from current location = 0.55 ft
Drawdown from proposed location = 2.99 ft
Net drawdown = **2.4 ft**

Domestic 5: Drawdown from current location = 0.62 ft
Drawdown from proposed location = 2.18 ft
Net drawdown = **1.6 ft**

Net drawdown does not exceed the drawdown allowance of 3.5 ft for any wells within 1 mile of the proposed location. Therefore, critical well analysis is not necessary.

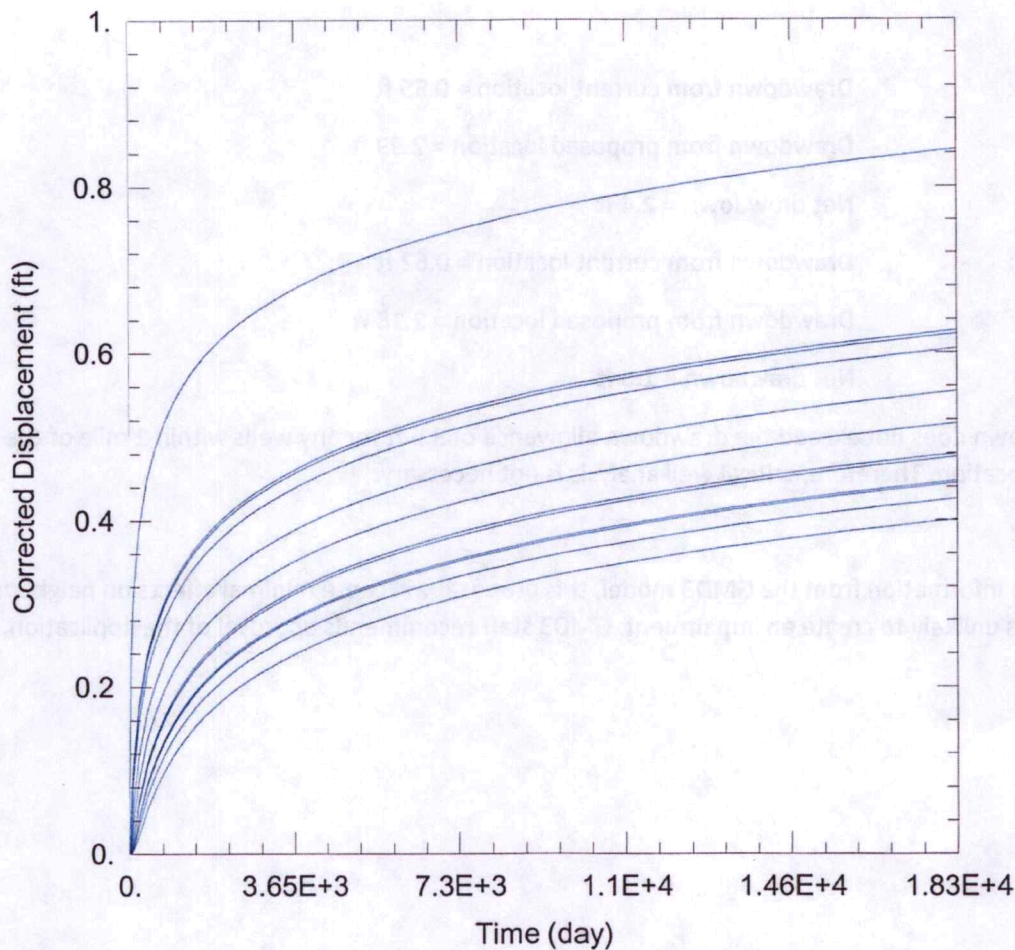
Conclusion:

Based upon information from the GMD3 model, this proposal will cause minimal effects on neighboring wells, and is unlikely to create an impairment. GMD3 staff recommends approval of the application.

RECEIVED

JUN 22 2020

Garden City Field Office
Division of Water Resources



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2020_moves\17052_17884\17052 & 17884 Current.aqt

Date: 06/15/20

Time: 15:52:37

PROJECT INFORMATION

Company: GMD 3

Project: 17052 & 17884

Location: Grant County

Test Well: 17052 & 17884

WELL DATA

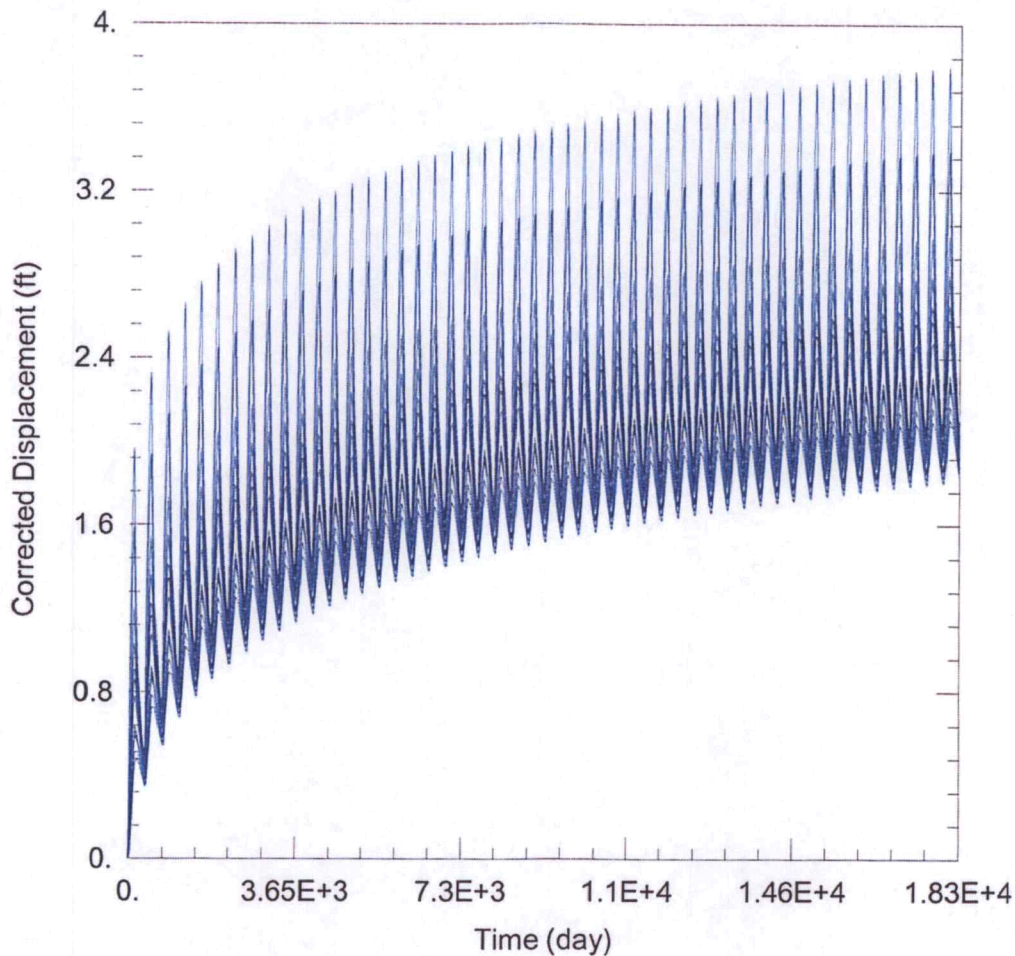
Pumping Wells

Well Name	X (ft)	Y (ft)
17052 & 17884	-114178	308608

Observation Wells

Well Name	X (ft)	Y (ft)
□	-114178	308608
□ 12008 & 12010 & 17052	-111843	308584
□ 12009	-109416	309528
□ 31268	-109309	312423
□ 21640 & 23320	-111614	315109
□ 24121	-116938	312487
□ 9094 & 29615	-117459	310887
□ 17312	-115241	306242
□ Domestic 1	-112755	314068
□ Domestic 2	-113887	314172
□ Domestic 3	-114356	309406
□ Domestic 4	-115775	311518
□ Domestic 5	-115806	306870

RECEIVED
 JUN 15 2020
 Grant County Field Office
 Division of Water Resources



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2020_moves\17052_17884\17052 & 17884 Proposed.aqt
 Date: 06/15/20 Time: 15:52:29

PROJECT INFORMATION

Company: GMD 3
 Project: 17052 & 17884
 Location: Grant County
 Test Well: 17052 & 17884

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
17052 & 17884	-112876	310780

Observation Wells

Well Name	X (ft)	Y (ft)
□	-112876	310780
□ 12008 & 12010 & 17052	-111843	308584
□ 12009	-109416	309528
□ 31268	-109309	312423
□ 21640 & 23320	-111614	315109
□ 24121	-116938	312487
□ 9094 & 29615	-117459	310887
□ 17312	-115241	306242
□ Domestic 1	-112755	314068
□ Domestic 2	-113887	314172
□ Domestic 3	-114356	309406
□ Domestic 4	-115775	311518
□ Domestic 5	-115806	306870

RECEIVED

JUN 22 2020

Garden City Field Office
 Division of Water Resources

Meyer, Mike [KDA]

From: Meyer, Mike [KDA]
Sent: Monday, June 15, 2020 10:27 AM
To: 'Norquest, Jason (Norquest@gmd3.org)'
Subject: request for recommendation, File Nos. 17052 & 17884
Attachments: 20200615101638465.pdf

good morning

attached are requests for a recommendation for a change in point of diversion for J & L Smith Farms.
please review and provide a recommendation within 15 days.

thank you and have a great day

Mike

Garden City Field Office
4532 W. Jones, Suite B
Garden City, KS 67846



Phone: 620-276-2901
Fax: 620-276-9315
www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

June 15, 2020

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO. 3
2009 E SPRUCE ST
GARDEN CITY KS 67846

Re: Water Right, File Nos. 17052 & 17884

Dear Mr. Norquest:

This is to advise you that J & L Farms Inc, has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion for the above referenced files. The applications are proposing a to move the current authorize point of diversion that meets regulations.

We are delaying action on the change applications to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM
Enclosures