

# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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

APR 05 2022  
 9:00 Am  
 Garden City Field Office  
 Division of Water Resources

File No. 25314-D2

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: QUALITY HAY / DARIN SMITH

1707 ROAD 45 LAKIN KS 67860

Phone Number: (     ) \_\_\_\_\_

Email address: qualityhayllc@gmail.com

Name and address of Water Use Correspondent: SAME AS ABOVE

Phone Number: (     ) \_\_\_\_\_

Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: SAME AS ABOVE - NEW OWNERSHIP

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				

<b>For Office Use Only: Code</b> _____ <b>Fee \$</b> <u>200</u> <b>TR #</b> _____ <b>Receipt Date</b> <u>4/5/22</u> <b>Check #</b> <u>40458</u>
---

5. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ SW \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_ 22 \_\_\_\_\_, Township \_\_\_\_\_ 26 \_\_\_\_\_ South, Range \_\_\_\_\_ 36 \_\_\_\_\_ (W),  
 in KEARNY \_\_\_\_\_ County, Kansas, \_\_\_\_\_ 1320 \_\_\_\_\_ feet North \_\_\_\_\_ 3960 \_\_\_\_\_ 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 \_\_\_\_\_ NE \_\_\_\_\_ Quarter of the \_\_\_\_\_ SW \_\_\_\_\_ Quarter of the \_\_\_\_\_ SW \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_ 22 \_\_\_\_\_, Township \_\_\_\_\_ 26 \_\_\_\_\_ South, Range \_\_\_\_\_ 36 \_\_\_\_\_ W,  
 in KEARNY \_\_\_\_\_ County, Kansas, \_\_\_\_\_ 1314 \_\_\_\_\_ feet North \_\_\_\_\_ 4439 \_\_\_\_\_ 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 \_\_\_\_\_ (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) Drilling of new well

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

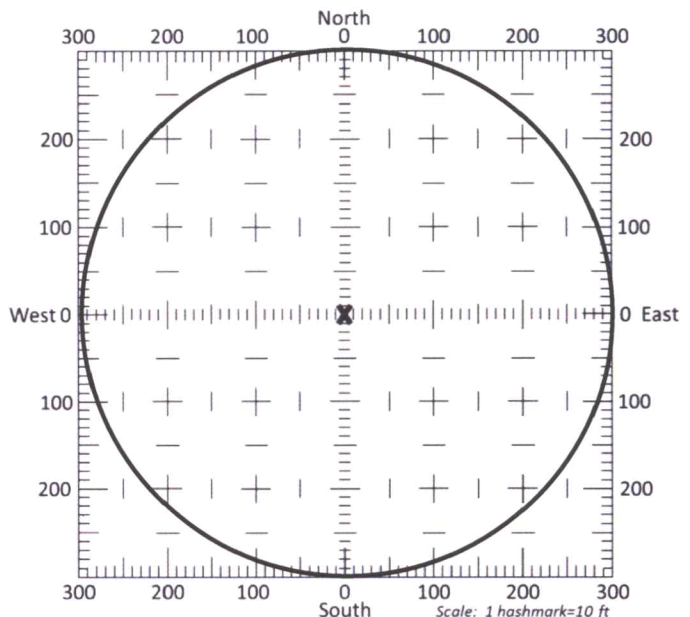
9. The change(s) (was)(will be) completed by?  
Dawn Drilling

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

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by AT/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 a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. **(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 Warden City, Kansas, this 5<sup>th</sup> day of April, 2022.

<u>Quality Hay LLC by Dan I had</u>	
(Owner)	(Spouse)
<u>Darin T Smith</u>	
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of Kansas }  
 County of Linney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 5<sup>th</sup> day of April, 2022.

My Commission Expires \_\_\_\_\_



Julie Jones  
 Notary Public

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

**FEE SCHEDULE**

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

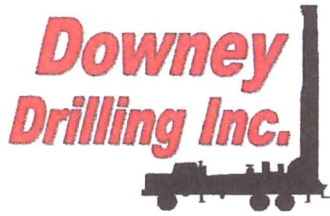
- |   |       |
|---|-------|
| (1) Application to change a point of diversion 300 feet or less .....   | \$100 |
| (2) Application to change a point of diversion more than 300 feet ..... | \$200 |
| (3) Application to change the place of use .....                        | \$200 |





# WELL LOG

DATE: 3/25/2022



CUSTOMER NAME: QUALITY HAY, DARRIN SMITH TH#1

LEGAL: SW 22-265-36W

COUNTY: KEARNY CO, KS

GPS: 37.768558

-101.250357

LOGGER:

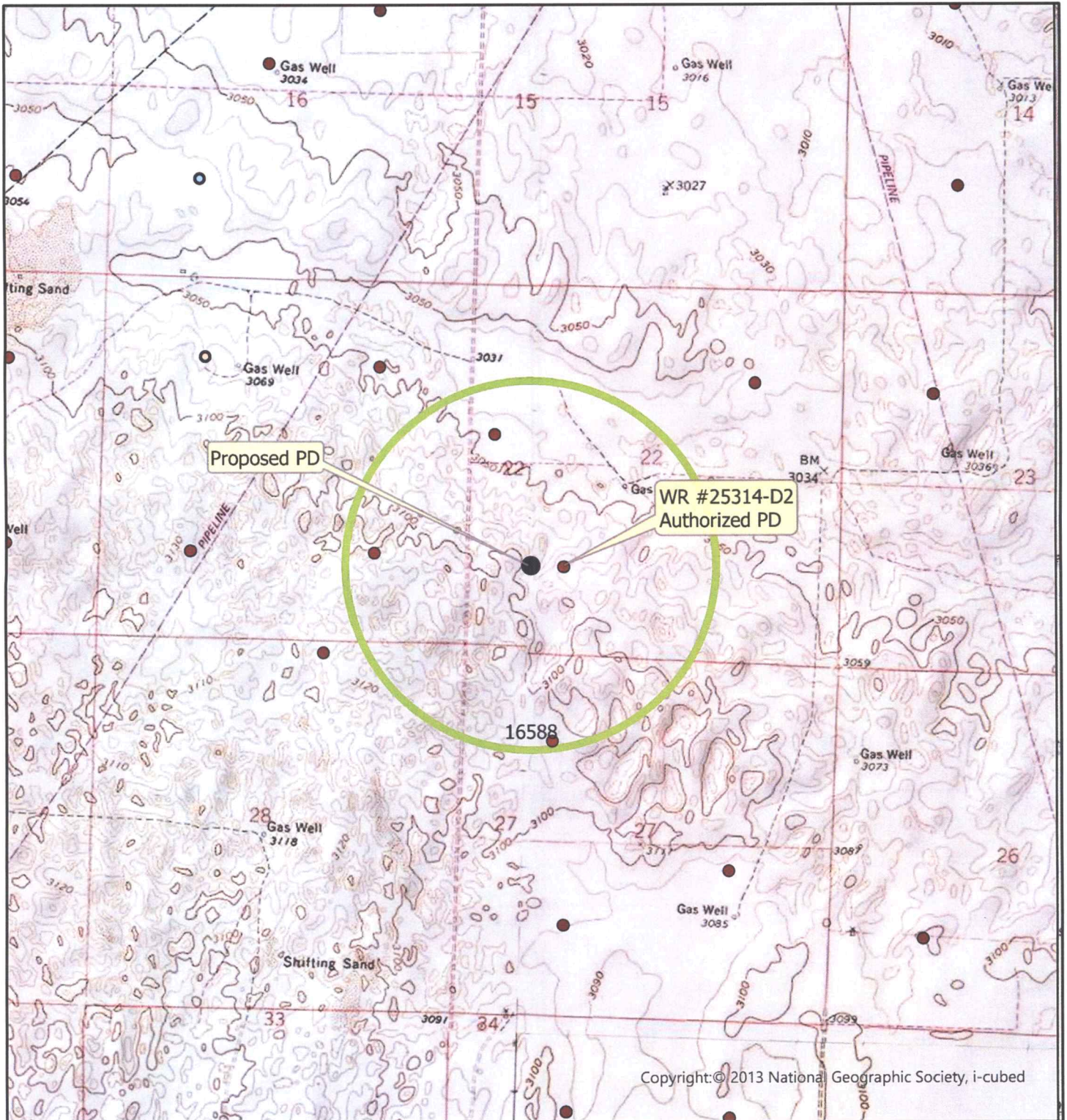
DRILLER: DIEGO VALLE

WO: 21-1675

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	3	SURFACE SAND	SOFT		FAST		SMOOTH
	3	19	BROWN SILTY CLAY W/ FINE SAND	SOFT	BROWN	FAST		SMOOTH
	19	70	FINE SAND	SOFT		FAST		VIBRATION SMOOTH & VIBRATION
	70	99	SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		VIBRATION SMOOTH & VIBRATION
	99	135	FINE-MED-COARSE SAND W/ FINE GRAVEL	FIRM		FAST SEMI- SLOW		FAST CHATTER
X	135	165	LARGE ROCKS W/ FINE-MED-LARGE GRAVEL	HARD				CHATTER SMOOTH & VIBRATION
	165	170	SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		CHATTER SMOOTH & VIBRATION
	170	210	FINE-MED-LARGE GRAVEL	STIFF		FAST		CHATTER
	210	215	SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		SMOOTH
	215	246	FINE-MED-LARGE GRAVEL	STIFF		FAST		CHATTER
	246	251	SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		SMOOTH
	251	350	FINE-MED-LARGE GRAVEL	STIFF		FAST		CHATTER
	350	355	FINE-MED-COARSE SAND W/ FINE GRAVEL & LIMEROCK	STIFF	WHITE	FAST		FAST CHATTER
	355	370	WHITE SANDY CLAY W/ LIMEROCK	FIRM	WHITE	FAST		SMOOTH & CHOPPY SMOOTH & VIBRATION
	370	375	YELLOW CLAY W/ YELLOW SOAPSTONE	SOFT	YELLOW GRAY & RED	FAST		SMOOTH
	375	380	GRAY & RED CLAY	SOFT	BROWN & YELLOW GRAY & YELLOW	FAST		SMOOTH
	380	385	BROWN ROCK W/ SANDSTONE & FINE SAND			FAST		FAST CHATTER
	385	393	GRAY RED & YELLOW CLAY	SOFT	GRAY & YELLOW	FAST		SMOOTH
	393	402	BLUE CLAY	SOFT	BLUE	FAST		SMOOTH
	402	448	GRAY CLAY	SOFT	GRAY GRAY & WHITE	FAST		SMOOTH VIBRATION & CHOPPY
	448	445	SOAPSTONE W/ GRAY CLAY & SOME SANDSTONE	FIRM	BROWN & YELLOW BROWN & WHITE	FAST		FAST CHATTER & VIBRATION
	445	470	SANDSTONE W/ BROWN ROCK, YELLOW SOAPSTONE & FINE SAND	STIFF		FAST		FAST CHATTER & VIBRATION
	470	565	FINE SAND W/ BROWN ROCK, SANDSTONE & LIMEROCK	STIFF SEMI- HARD		FAST		FAST CHATTER SMOOTH & SLIGHT CHATTER @ TIMES
	565	600	SHALE W/ TRACE OF IRON PYRITE		BLUE	SLOW		
			QUIKGEL - 18					
			WATER LOADS - 7400 GALLONS					
			SODA AHS - 3					
			EZ MUD - 1					
			BRAN - 1					
			QUICK TROLL - 1 BAG					
			EZ MUD GOLD - 1/2 A BAG					
			HOLE PLUG - 2					
			CASING SEAL - 1					



# CHANGE IN POINT OF DIVERSION 25314-D2



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Township 26 South Range 36 West  
KE County



All wells of any kind within a half mile of  
the proposed point of diversion are shown:



POINT OF DIVERSION



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](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

May 19, 2022

LV FARMS  
PO BOX C  
LAKIN, KS 67860

RE: Application for Change  
Water Right, File No. 25314-D2

Dear Sir or Madam:

This is to advise you that Darin Smith has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced applications. An irrigation well is proposed to be relocated to the NE $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 22, Township 26 South, Range 36 West, Kearny County.

You can find the complete applications posted by water right file number as referenced above at: [www.Agriculture.ks.gov/DWRNotices](http://www.Agriculture.ks.gov/DWRNotices)

You are notified on this proposed point of diversion (well) so that you may furnish this office with any comments or other information you want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free contact this office. If you would prefer, you could 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 blue ink that reads "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc:  
GROUNDWATER MANAGEMENT DISTRICT NO. 3



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](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

May 19, 2022

SYRACUSE DAIRY LLC  
Attn: SYRACUSE DAIRY & TIMELINE DAIRY  
751 SE CR 36  
SYRACUSE, KS 67878-7822

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Water Right, File No. 25314-D2

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Sincerely,

A handwritten signature in blue ink that reads "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc:  
GROUNDWATER MANAGEMENT DISTRICT NO. 3