

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
<http://agriculture.ks.gov/dwr>

**APPLICATION FOR APPROVAL TO
CHANGE THE PLACE OF USE, THE
POINT OF DIVERSION OR THE USE
MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT**



State of Kansas

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

4/9/2024, 1:57 PM

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
(Check one or more) Point of Diversion
 Use Made of Water

Water Resources
Received

RECEIVED
12:30 PM
APR 9 2024
Garden City Field Office
Division of Water Resources

KS Dept Of Agriculture

File No. 27342-D1

2. Name of applicant: QUALITY HAY LLC ATTN: DARIN SMITH

Address: 1707 ROAD 45

City, State and Zip: LAKIN KS 67860

Phone Number: (620) 277-5428 E-mail address: QUALITYHAYLLC@GMAOL.COM

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: SAME AS ABOVE

Address: _____

City, State and Zip: _____

Phone Number: () _____ E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): LOSS OF PRODUCTION AT CURRENT WELL LOCATION

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

(Date)

4/9/2024
KAnderson

For Office Use Only:

F.O. 4 GMD 3 Meets K.A.R. 5-5-1 YES NO Use IRR Source G S County KE By ALB Date 4/9/24
Code CGT Fee \$ 200.00 TR # _____ Receipt Date 4-9-24 Check # 6143

4. The presently authorized place of use is:

Owner of Land — NAME: QUALITY HAY LLC ATTN: DARIN SMITH

ADDRESS: 1707 ROAD 45 LAKIN KS 67860

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	
7	25S	35W					34	34	34	34	34	34	34	34					272
							L-1	L-2					L-3	L-4					

List any other water rights that cover this place of use. 27342-D2

Owner of Land — NAME: GLENN D & LORNA M JOHNSON

ADDRESS: 1407 FIRST ST. S.W ROCHESTER MN 55902

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	
7	25S	35W	34	34	34	34													136

List any other water rights that cover this place of use. 27342-D2

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: NO CHANGE

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	

List any other water rights that cover this place of use. _____

Owner of Land — NAME: NO CHANGE

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	

List any other water rights that cover this place of use. _____

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

6. The presently authorized point(s) of diversion (is) (are) TWO WELLS; PUMPS & MOTORS
(Provide description and number of points)

7. The proposed point(s) of diversion (is) (are) TWO WELLS; PUMPS & MOTORS
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the _____ Quarter of the NC Quarter of the NW Quarter
 of Section 7, Township 25 South, Range 35 (W),
 in KEARNY County, Kansas, 3680 feet North 3800 feet West of Southeast corner of section.
 Authorized Rate 800 GPM Authorized Quantity 260 AF
(DWR use only: Computer ID No. 01 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 SE Quarter of the NW Quarter of the NW Quarter
 of Section 7, Township 25 South, Range 35 (W),
 in KEARNY County, Kansas, 4196 feet North 4561 feet West of Southeast corner of section.
 Proposed Rate 800 GPM Proposed Quantity 260 AF
 This point is: Additional Well Geo Center List other water rights that will use this point _____

9. **Presently authorized point of diversion:**
 One in the NW Quarter of the SE Quarter of the NE Quarter
 of Section 7, Township 25 South, Range 35 (W),
 in KEARNY County, Kansas, 3322 feet North 664 feet West of Southeast corner of section.
 Authorized Rate 800 GPM Authorized Quantity 260 AF
(DWR use only: Computer ID No. 07 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 _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

10. ~~**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 _____
(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 _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____~~

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. PLUG / CAP

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

12. The presently authorized use of water is for IRRIGATION purposes.
It is proposed that the use be changed to NO CHANGE purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
NO CHANGE IN CONSUMPTIVE USE ANTICIPATED

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to _____ (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to _____ gallons per minute (____ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
 - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

NO CHANGE IN SOURCE OF SUPPLY

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

REQUEST WAIVER OF K.A.R. 5-23-3 MINIMUM WELL SPACING REQUIREMENTS
SEE ATTACHED LETTER OF SUPPORT

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Warden City, Kansas, this 9th day of April, 2024.

Da'Imul

(Owner)

Sherilyn R Smith

(Spouse)

Darin T Smith

(Please Print)

Sherilyn R Smith

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Finney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 9th day of April, 2024.



Julie Jones

Notary Public

My Commission Expires _____

FEE SCHEDULE

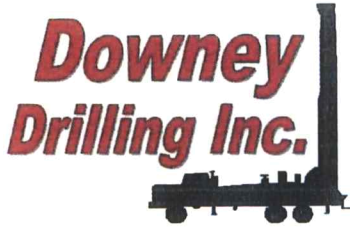
Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

WELL LOG

DATE: 2/16/2024



CUSTOMER NAME: QUALITY HAY

TH#3-24

LEGAL: NW 7-25S-35W

COUNTY: KEARNY CO, KS

GPS: 37.898141

-101.210804

DRILLER: DIEGO

23-1128

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	4	SURFACE SAND	SOFT	LIGHT BROWN	FAST		SMOOTH
	4	10	BROWN SILTY CLAY W/ FINE SAND	SOFT	BROWN	FAST		SMOOTH
	10	15	FINE-MED-GRAVEL	FIRM		FAST		CHATTER
	15	36	FINE-MED-COARSE GRAVEL W/ BIG ROCKS	STIFF		SLOW		CHATTER
	36	37	HARD SPOT	HARD		SLOW		CHATTER
	37	50	SANDY CLAY	SOFT	LIGHT BROWN	FAST		SMOOTH
	50	59	FINE-MED-COARSE SAND W/ FINE GRAVEL	FIRM		FAST		FAST CHATTER
	59	79	SANDY CLAY W/ FINE-MED-COARSE SAND	SOFT	BROWN	FAST		SMOOTH & CHOPPY
	79	111	FINE-MED-COARSE SAND W/ SANDY CLAY	FIRM	BROWN	FAST		CHOPPY & SMOOTH
	111	112	HARD SPOT	HARD		SLOW		CHATTER
	112	148	BLUE CLAY	SOFT	BLUE	FAST		SMOOTH
	148	154	SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
	154	155	CEMENTED SAND	HARD	TAN	SLOW		CHATTER
	155	178	SANDY CLAY W/ BROWN CLAY	SOFT	TAN & BROWN	FAST		SMOOTH
	178	179	CEMENTED SAND	HARD		SLOW		CHATTER
	179	193	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	193	194	HARD SPOT	HARD		SLOW		CHATTER
	194	203	SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
	203	205	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	205	206	HARD SPOT	HARD		SLOW		CHATTER
	206	217	FINE-MED-COARSE SAND W/ LIME ROCK & SANDY LEDGES	FIRM	WHITE & BROWN	FAST		FAST CHATTER & SMOOTH @ TIMES
	217	218	HARD SPOT	HARD		SLOW		CHATTER
	218	233	SANDY CLAY W/ FINE-MED-COARSE SAND	SOFT	TAN	FAST		SMOOTH & CHOPPY
	233	253	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	253	256	WHITE SANDY CLAY	SOFT	WHITE	FAST		SMOOTH
	256	260	LIME ROCK	STIFF	WHITE	SLOW		CHATTER
	260	270	FINE-MED-COARSE SAND W/ LIME ROCK	FIRM	WHITE	FAST		FAST CHATTER
	270	280	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
	280	294	FINE-MED SAND	SOFT		FAST		CHOPPY
	294	300	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
	300	315	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	315	334	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
	334	351	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
X	351	373	BROWN ROCK W/ SANDSTONE / LIME ROCK & FINE SAND	HARD	BROWN, YELLOW & WHITE	SLOW		CHATTER
	373	378	WHITE SANDY CLAY	SOFT	WHITE	FAST		SMOOTH

STATIC 189'

2

11

3
20

10

14

15

7

22



Century GEOPHYSICAL CORP.

QUALITY HAY

COMPANY : DOWNEY DRILLING INC
WELL : QUAI IY HA
LOCATION/FIELD : TH#3-24
COUNTY : KEARNY
LOCATION : NW
SECTION : 7

OTHER SERVICES:

TOWNSHIP : 25S RANGE : 35W

DATE : 02/16/24
DEPTH DRILLER : 600
LOG BOTTOM : 592.50
LOG TOP : 1.00

PERMANENT DATUM : GL

KB :
DF :
GL :

LOG MEASURED FROM: GL
DRL MEASURED FROM: GL

CASING DIAMETER : 10.
CASING TYPE :
CASING THICKNESS:

LOGGING UNIT : 1903
FIELD OFFICE : DDI
RECORDED BY : DIEGO

BIT SIZE : 6.25 "
MAGNETIC DECL. : 0
MATRIX DENSITY : 2.71
NEUTRON MATRIX : LIMESTON

BOREHOLE FLUID : MUD
RM :
RM TEMPERATURE :
MATRIX DELTA T : 49

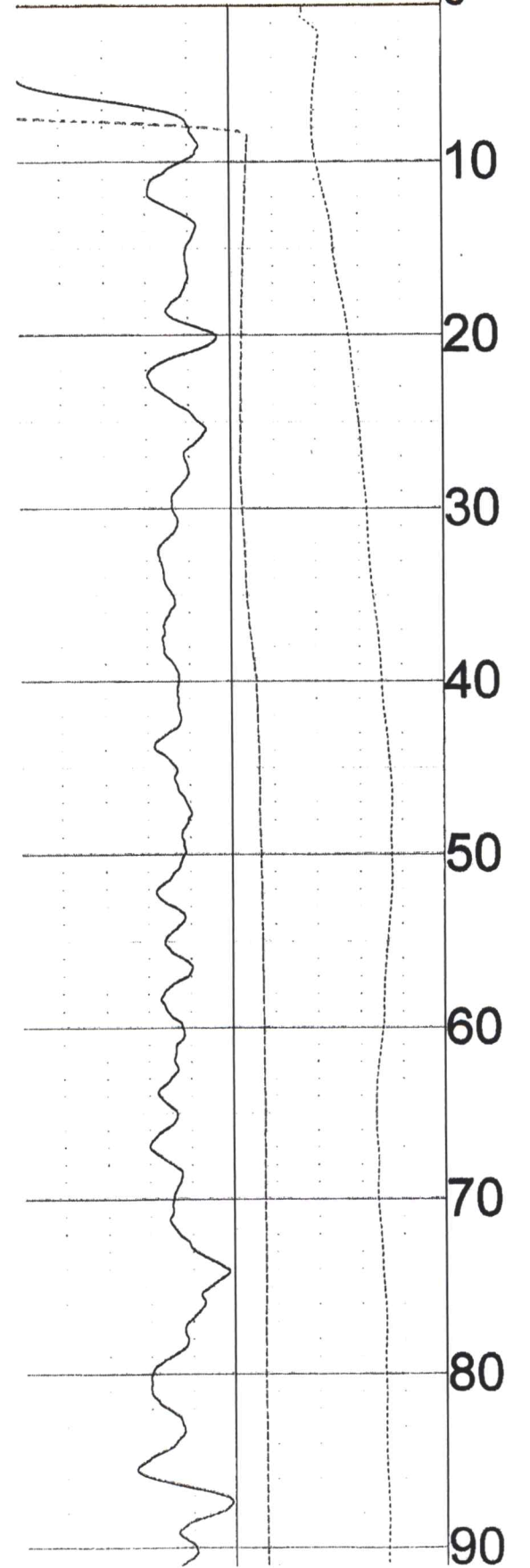
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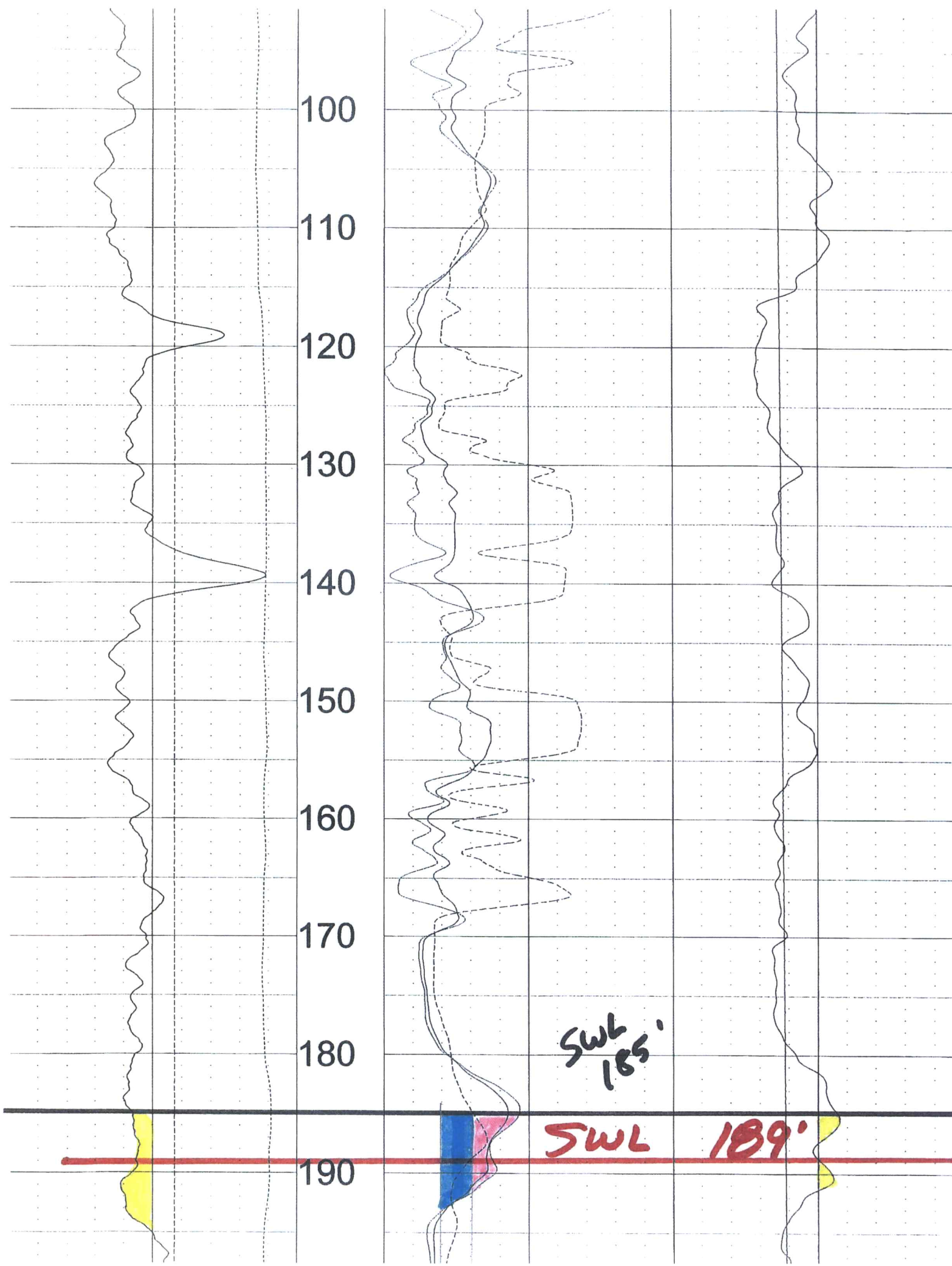
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W -101.21080

ALL SERVICES PROVIDED SUBJECT TO STANDARD TERMS AND CONDITIONS

RES(FL)		
5	OHM-M	15
	SP	
-200	MV	100
	GAMMA	
0	API-GR	200

LATERAL			
0	OHM-M	100	
	RES(64N)		TEMP
0	OHM-M	100	DEG_F
	RES(16N)		RES
0	OHM-M	1000	OHM





100

110

120

130

140

150

160

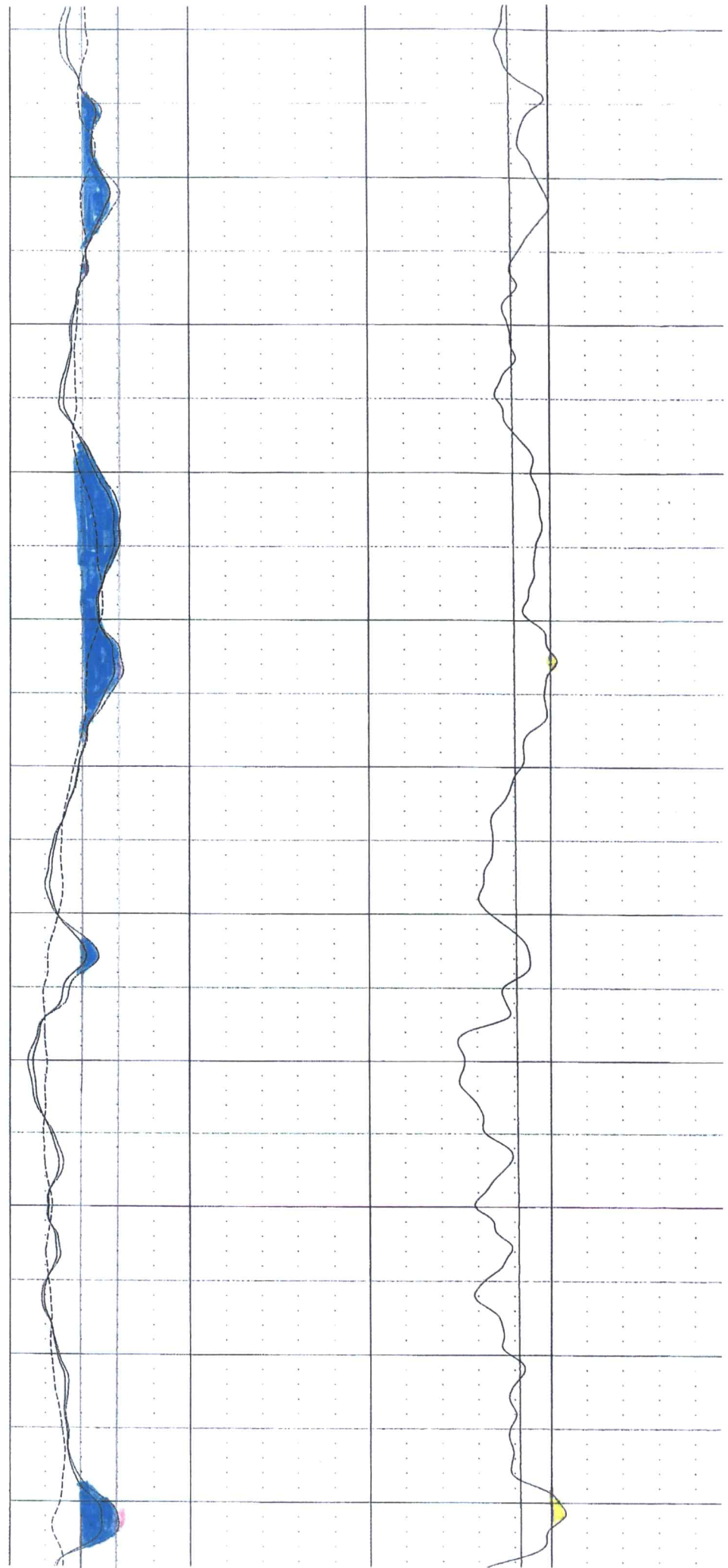
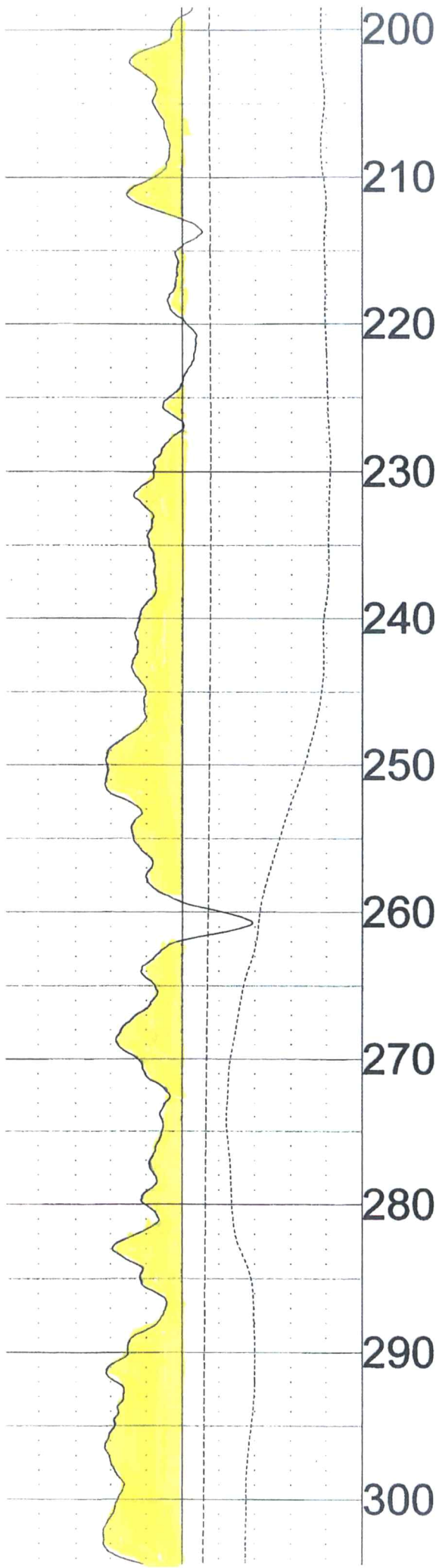
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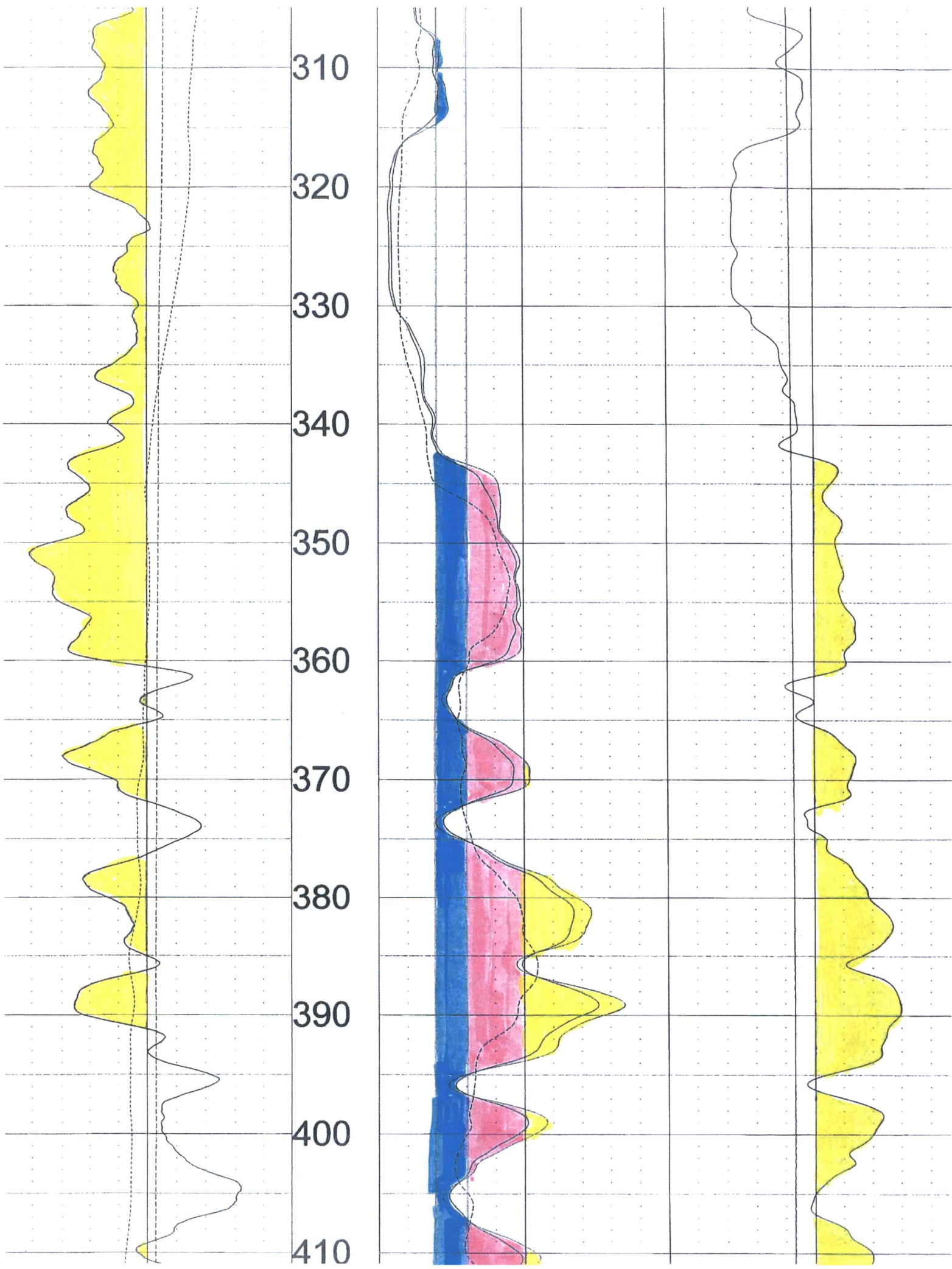
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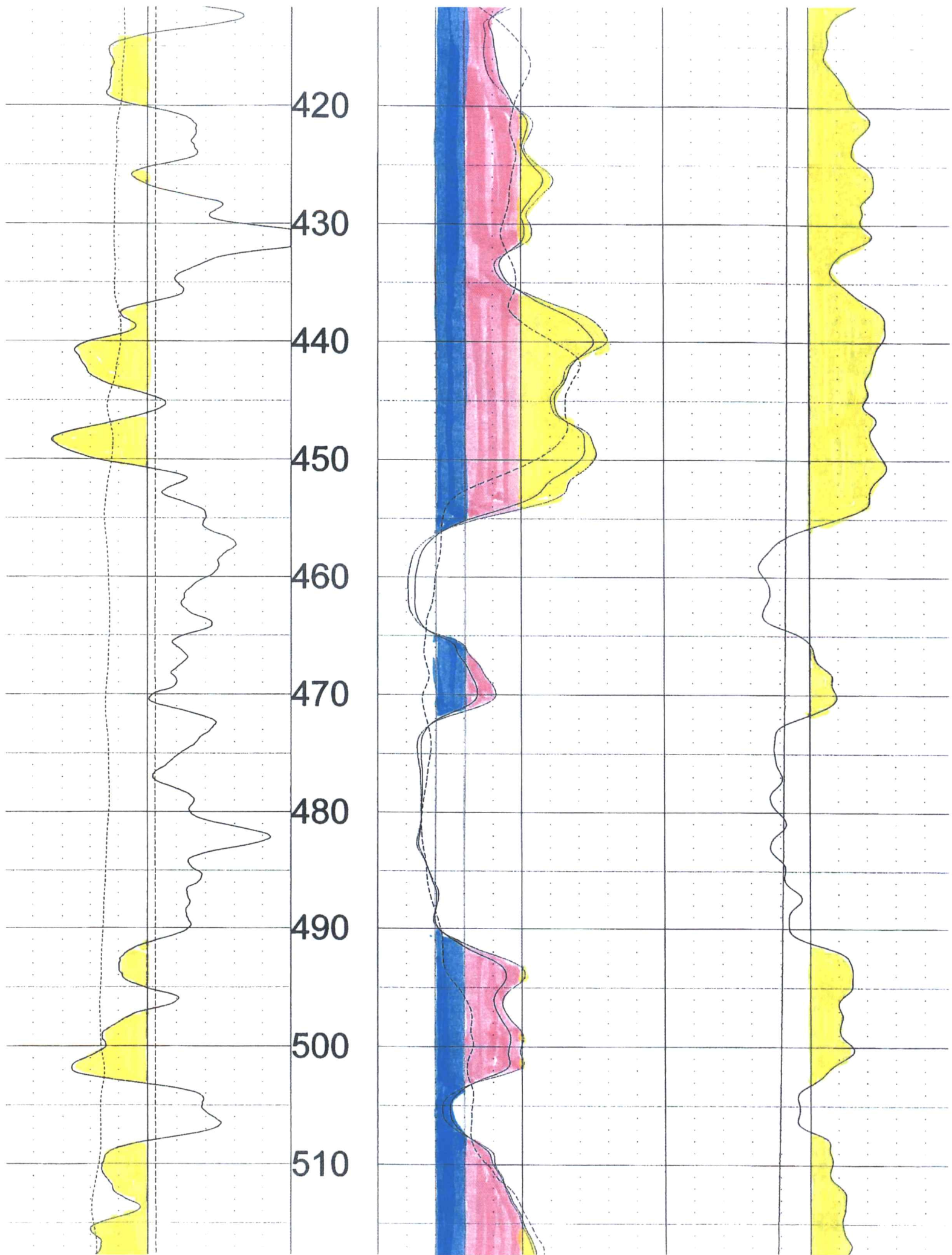
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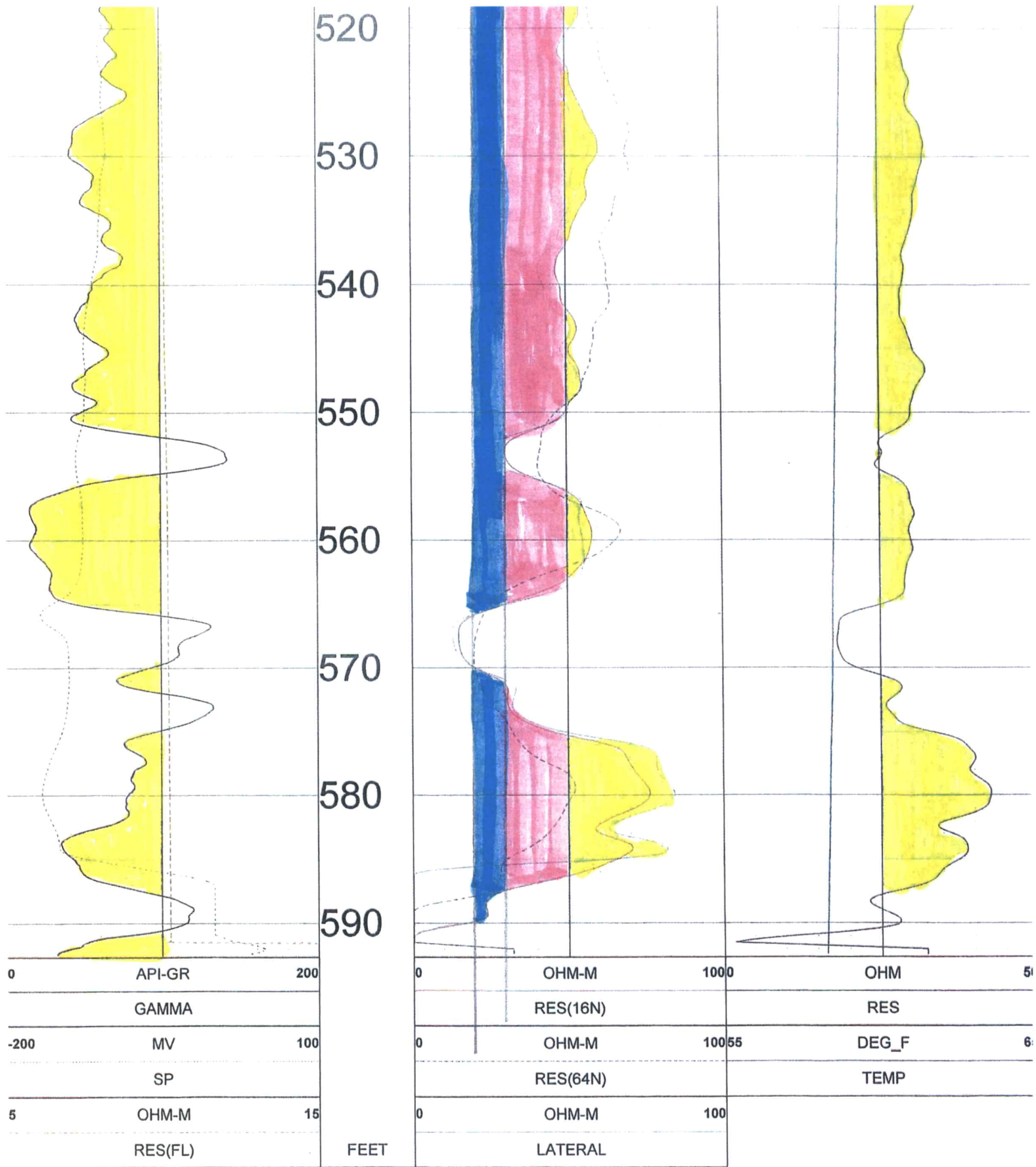
SWL
185'

SWL 189'









TOOL CALIBRATION QUALITY HAY 02/16/24 15:12
TOOL 8144A TM VERSION 1
SERIAL NUMBER 365

	DATE	TIME	SENSOR		STANDARD		RESPONSE
1	Feb08,18	07:51:35	GAMMA	1.000	[API-GR]	4.000	[CPS]
	Feb08,18	07:51:35	GAMMA	340.000	[API-GR]	290.000	[CPS]
2	Jul12,17	13:24:17	RES(FL)	1.330	[OHM-M]	7595.000	[CPS]
	Jul12,17	13:24:17	RES(FL)	42.700	[OHM-M]	64820.000	[CPS]
3	May18,23	15:57:16	SP	0.000	[MV]	327729.000	[CPS]
	May18,23	15:57:16	SP	350.000	[MV]	155368.000	[CPS]
4	May18,23	15:54:50	RES(16N)	0.000	[OHM-M]	3400.000	[CPS]
	May18,23	15:54:50	RES(16N)	1956.000	[OHM-M]	448017.000	[CPS]
5	May18,23	15:56:27	RES(64N)	0.000	[OHM-M]	3000.000	[CPS]
	May18,23	15:56:27	RES(64N)	1991.800	[OHM-M]	446675.000	[CPS]
6	Jul12,17	13:17:49	TEMP	33.400	[DEG_F]	66910.000	[CPS]
	Jul12,17	13:17:49	TEMP	102.200	[DEG_F]	270930.000	[CPS]
7	May18,23	15:55:41	RES	0.000	[OHM]	21264.000	[CPS]
	May18,23	15:55:41	RES	945.000	[OHM]	190131.000	[CPS]

To: Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan, KS 66520
Telephone: (785) 561-6778

Re: Well Spacing
Consent Form

Lakin Mennonite Church
I, *Rolling Hills Christian School Inc.*, own a well in the NW
Quarter of the NW Quarter of the NW Quarter of Section 7 ,
Township 25 South, Range 35 West, Kearny County, Kansas. Water Right,
File No. 32,952.

I understand that an application for Approval to Change the Authorized Point of Diversion, Water Right, File No. 27342-D1, has been filed with the Division of Water Resources and that the applicant seeks to use water from Ogallala Aquifer located closer to my well than allowed by the rules and regulations of the Chief Engineer, in particular K.A.R. 5-23-3. I hereby give my permission to the applicant to install a well at a location approximately 1,000 feet from my well if allowed and permitted by the Chief Engineer.

By giving my permission, I do not waive any right I may have to file a complaint with the Chief Engineer or to make a written request to secure water, pursuant to K.A.R. 5-4-1, if the use of my well becomes impaired such that I am unable to exercise my water right, nor do I waive any other rights I may have under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer.

I acknowledge that my permission has been given freely and voluntarily. I further acknowledge that I have not entered any agreement either oral or in writing with any person(s) including the Applicant, land owner, or any representative or agent of the applicant or land owner that condition my permission on giving up any of my rights under the Kansas Water Appropriation Act or the rules and regulations of the Chief Engineer or that condition my permission on reliance on any person or entity other than the Chief Engineer to investigate any claims of impairment I may make with respect to my well or to secure water to satisfy my domestic water right.

 Ralph Reimer

Signature

PO Box 49

President

Address (please print)

Lakeview KS 67810

City/Town, State (please print)

() 620 640 2857

Phone

State of Kansas

County of Hearny

Signed or attested before me on 4.5.24 by

Ralph Reimer

(Please print name of signatory)



Notary Public



[My appointment expires: 12/12/27]

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

April 12, 2024

QUALITY HAY LLC ATTN: DARIN SMITH
1707 ROAD 45
LAKIN KS 67860

RE: File No(s). **27342**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) to change the place of use, point of diversion or use made of water for the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation(s) Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any other questions, please contact our office at 785-564-6640 or your local Garden City Field Office at 620-276-2901. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen Baum
New Applications and Changes Supervisor
Water Appropriation Program