Kansas Department of Agriculture Division of Water Resources

APPROVAL OF CHANGE APPLICATION WORKSHEET

1. File No.: 44914	2. Status Change Date:		GMD: 0	4. Field Office: 04 - Garden City GMD: 03 - Southwest Structures File No.: Filing/Priority Date: 12/26/2024 Application Complete Date: 1/07/2025					
3. Package File No(s):									
5a. ☐ Applicant ☑ Owner ☐ WUG ☐ Address Change SMGS LLC 250 SEELEY ST #7 BROOKLYNN, NY 11218	C Person ID 69895 Add Seq#	5b. Owner WUC Person ID 29094 Add Seq# MICHAEL W WILLIS 1706 ROAD 14 HUGOTON, KS 67951-5279							
5c. Owner WUC Address Change	Person ID Add Seq#	5d. ☐ Owner ☐ Addres	□ WUC s Change		son ID Seq#				
	☐ UMW asonable Q: ction/Expiration Date:	7. Use of Water ☐ Groundwater ☐ Surface Water UMW: IRR-Irrigation UMW: UMW:							
8. Action Trail									
9. Special Conditions									
10. 5YR Allocation Type: Star Comment:	rt Year: 5YR Quar	ntity: Base A	Acres:		de:				
11. Sand & Gravel Proj ID:	☐ Active ☐ Dredge	☐ IND Evap] Jr Evap 🔲	Other Diversion	☐ Rpt on Sr				
12. Waiver Rule ID: New D Applies: Rule No.: Rule Type: Rule SubType:	ate Requested:	Justification:							
Comments				Processed 01/07/2025	Entered				
				Reviewed					

File N	No. 4	1491	4			13. Co	ounty: S	V Bas	in: CIN	IARRO	N RIV	ER S	tream:												
Structures File No: Aquifer Code: 211												Spec	ial Use	Area:											
14. P	oints c	of Dive	sion, F	Rates & 0	Quant	ities										Oty	ΔF		Rate g	nm	Str	orage Qty	Storac	je Rate	
	PDI	V	Qualifi	er		S	Т	R	ID	'N	'W	Cor	nment (AKA Lir	ne)	Auth			Auth	Add	Au				Overlaps
снк	914	103																							
_																									
15.	Limita	ations	Тур	e:		Quanti	ty:		Rate:		C	ombin	ed with	n file no	o(s):										
		,	Тур			Quanti	-		Rate:	,	c	ombin	ed with	n file no	o(s):										
16.	Mete	ring	\boxtimes	Meterin	ng Re	quired		Anti-Re	verse l	Require	ed [Sea	ıl Requ	ired	Comp	liance	Date:	12/31/2	025						
17. F	Place	of Use																							
			Т	R	ID	NE		E¼ sw	SE	NE	NV NW	V1/4 SW	SE	NE	SV NW	V1/ ₄	SE	NE	SE NW	1/ ₄	SE	Total	Owner(s)	Chg?	Overlaps
снк	2050	5 9	35	37W	01	INE	NVV	SVV	SE .	NE	INVV	SVV	35	NE	INVV	344	35	40	32	32	40	144	8a		*
						-												40	32	32	40		-		*
ENT	5561	19 10	35	37w	03					40	40	40	40									160	8a		*
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18.	Point	of Div	ersior	and Pl	lace o	of Use	Overla																		
*	45	76:	3, 5	1549	5									**											
+														++											
#														##											

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

January 7, 2025

MICHAEL W WILLIS 1706 ROAD 14 HUGOTON, KS 67951-5279

RE:

Field Office Application for Change

Water Right, File Nos. 44914, 45763, 45495

Dear Sir:

Enclosed are orders executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals 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 orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

Michael A. Meyer Water Commissioner

MAM: Enclosures

pc:

SMGS LLC (w/encl)

GMD3

CERTIFICATE OF SERVICE

On this 7th day of January 2025, I hereby certify that the foregoing Approvals of Application for Change in Place of use, Water Right, File Nos. 44914, 45763, 45495 dated 7th day of January 2025 was mailed postage prepaid, first class, US mail to the following:

MICHAEL W WILLIS 1706 ROAD 14 HUGOTON, KS 67951-5279 pc:

SMGS LLC 250 SEELEY ST #7 BROOKLYNN, NY 11218

GMD3

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

or aiv	ersion a	na/or p	lace of	ruse.				45									-	-05	IV/ED
						ı	File No	o. <u>4491</u>	4					-				1:00	IVED pm 5 2024
1. <i>A</i>	Applicati	on is he	ereby r	nade f	or app	roval c	of the C	Chief E	ingine	er to ch	nange	the (ch	neck o	ne or b	oth):				
						⊠ F	Place o	f Use			Point	of Div	ersion				Gard	en City of Wa	Field Office ter Resources
ι	under the	e water	right v	vhich i	s the s	ubject	of this	applic	ation i	n acco	rdance	e with	the co	ndition	s desc				
٦	The sour	ce of si	upply i	s:		\boxtimes 0	Ground	water			Surfa	ce wat	er						
2. 1	2. Name and address of Applicant: MICHAEL W WILLIS 1706 ROAD 14 HUGOTON, KS 67951-5279																		
F	Phone N	umber:	()					Email	addre	ss:								
	Name ar																		
_																			
	Phone N								Email	addre	ss:								
	The pres																		
C	Owner of																		
,,	u da a a a da				250 SE														
	If there is	more to	an one			iach su	ppieme			neces	sary.)								
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Sec.	Twp.		NE¼	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4 40	NW1/4 32	SW1/4 32	SE1/4 40	144
9	35S	37W	\vdash		\vdash	\vdash					-				40	32	32	40	144
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	f this ap	f Land -	NA	AME:	<u>SMGS</u>	LLC						ace of	use be	e chan	ged to	:			
	sely y				250 SE											-			
(If there is	more th	an one	landov	ner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
			<u> </u>		E1/4		-		V1/4	T	<u> </u>		N¹/₄				=1/4		TOTAL ACRES
Sec.	Twp.	Range	NE¼	NW1/4	SW1/4	SE1/4	NE1/4		SW1/4		NE1/4	NW1/4	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	160
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9	35S	37W	 	\vdash	\vdash										40	32	32	40	144
F	or Offic	e Use	 Only <i>:</i>	Code	CPU	Fe	e \$ <u>2</u> (00.00	TR	#		Re	eceipt	Date _	12-7	16-2	Chec	k#_ (0	52

5.	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 S	Southeast corner of section.
		Authorized Quantity			
- 1	(DWR use only: Comp	puter ID No GF	'S	feet North	feet West)
		hanged This point will be change			
- 1	Proposed point of dive	ersion: (Complete only if chan	ge is requeste	d or if existing point is	better described by GPS)
- 1	One in the	Quarter of the		Quarter of the	Quarter
- 1	of Section	, Township		South, Range	(E/W),
		County, Kansas,			
		Proposed Quantity _			
L	This point is: Addition	onal Well	ther water righ	ts that will use this point	
_					
6.	Presently authorized p	point of diversion:			
		Quarter of the			
		, Township			(E/W),
	in	County, Kansas,	_ feet North _	feet West of S	Southeast corner of section.
	Authorized Rate	Authorized Quantity		Depth of well	(feet)
	(DWR use only: Comp	outer ID No GP	\$	feet North	feet West)
		nanged This point will be change			
- 1		<u>ersion: (Complete only if chang</u>			
	One in the	Quarter of the		Quarter of the	Quarter
		, Township			
		County, Kansas,			
	•	Proposed Quantity _			
L	This point is: Addition	onal Well	ther water righ	ts that will use this point	·
7	The change bessin and	desired for the fellowing record	-2		
7.		e desired for the following reason ting a complete overlap	S?	North	
		file # 45763, 44914, 45495	300	200 100 0	100 200 500
			E'		
0	If a wall, in the test halo le	og etteched2 🗆 Vee - 🕅 Ne	E		- \ \
0.	ii a weii, is the test hole it	og attached? Yes No	200	- + =	1 + 1 + 1 = 200
9.	The change(s) (was)(will	be) completed by?	E	/ =	\ =
			100 =	<u> </u>	+ + 100
			100	· · · · · · · · · · · · · · · · · · ·	# 1 1 1 # 1 Page
10.	If the point of diversion is	a well:	‡	-	
	(a) What are you going t	to do with the old well?	West 0 🚻	+dradadadadaha	
			<u>‡</u>	=	
			100	-1 + 1 + 1 =	ı + ı + ı ∄ 100
	(b) When will this be don	ne?	100	\	
			E	/ <u>=</u>	
11.		nt District recommendation attached	d? 200 🗁	-14 1+1=	+ + = 200
	☐ Yes	⊠ No	E		- / =
12	Assisted by PEICCEC		Ē.		
12.	Assisted by PE/GCFO		300	200 100 0 South	100 200 300 Scale: 1 hashmark=10 ft
13a.	If the proposed point of div	version will be relocated more than	300	South	

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 owners. For surface water sources, show the names and addresses of the owners. For surface water sources, show the names and addresses of the owners. For surface water sources, show the names and addresses of the owners. For surface water sources, show the names and addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) are helf miles. names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines

center of diagram above represents the presently authorized point of diversion.)

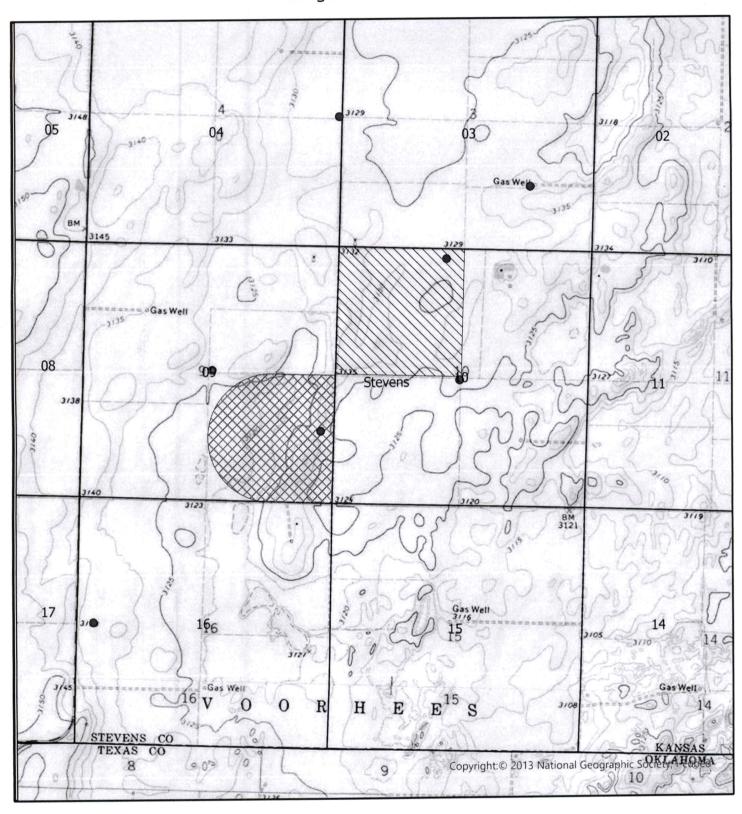
14. If the proposed groundwater point of diversion is 300 or fewer feet	from the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently au Yes No (If no, all owners must sign this app	
 (b) Will the ownership interest of any owner of the currently auth affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this approved in the currently authors.) 	
(c) If this application is not approved expeditiously, will there be so Yes No (If no, all owners must sign this app	
If the application proposes a surface water change in point of diversion or a change in place of use, the application must be signed by all owne agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affir age and the owner, the spouse of the owner, or a duly author their behalf, in regards to the water right(s) to which this a contained in this application are true, correct and complete.	orized agent of the owner(s) to make this application on opplication pertains. I further verify that the statements
Dated at	s 16 day of December, 20 Zy.
$\mathcal{A}_{\mathcal{O}}$	
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print) State of Kansas New Yor/ County of King S	(Please Print)
I hereby certify, that the foregoing application was signed in	my presence and sworn to before me this 6 day
of	Notary Public
My Commission Expires	
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, a accurate information; maps, if necessary, must be included; signatures of all the the appropriate fee must be paid.	Il of the applicable portions of the application form must be completed with appropriate owners' must be affixed to the application and notarized; and
FEE SCHED	ULE
Each application to change the place of use or the point of diversion und forth in the schedule below: Make checks payable to: Kansas Departr (1) Application to change a point of diversion 300 feet or less. (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	nent of Agriculture \$100 et\$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	visions of the Kansas Water Appropriation Law, K.S.A. 82a-	701 et. seq., and rules and regulations promulgated thereunder, n, this Summary Order does not change the terms, conditions and
1.	A change application was received on	requesting that the place of use and / or point of per be changed as described in the application.
2.	On and after the effective date of this summary order, the aut the topographic map accompanying the application to cha	horized place(s) of use shall be located substantially as shown on nge the place of use. Applicable \square Not Applicable
3.	The change in point of diversion shall not impair existing righ previously authorized. The point of diversion authorized b radius of the authorized point(s) of diversion. Applicable	ats and shall be limited to the same source or sources of water as y this summary order shall be located within a foot le Not Applicable
4.	The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application	ely corrected to be more accurately described using the Global . Applicable Not Applicable
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. Applicable No.	be located more than feet from the previously of Applicable
6.		rell with a diversion rate of 100 gallons per minute or more, a tube nts shall be installed, operated and maintained in accordance with
7.	December 31, 20_25 , or before the first use of water, operated and maintained in accordance with K.A.R. 5-1-4 t	operly install an acceptable water flow meter on or before whichever occurs first. The water flow meter shall be installed, through 5-1-12. As required by K.S.A. 82a-732, as amended, and the reading of the water flow meter and the total quantity of watering the end of each calendar year.
8.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 the works for diversion has been completed, on the form provious Applicable Not Applicable	completed on or before December 31, 20, or within any applicant shall notify the Chief Engineer that construction of the ded by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the requi	red notice. Applicable Not Applicable
10.	with an in-line, automatic, quick-closing check valve capal check valve(s) shall be installed, operated and maintained i	oreign substance will be injected into the water shall be equipped ble of preventing pollution of the source of the water supply. The n accordance with K.A.R. 5-3-5c. Applicable \(\square \) Not Applicable
11.	Additional Conditions are attached.	
12.	water appropriated under the above-referenced file numb limitations, as amended and/or supplemented by this Sum Appropriation Law and the Rules and Regulations promu	R. 5-5-14, all of the owners of the authorized place(s) of use of the are responsible for compliance with its terms, conditions and amary Order, and with applicable provisions of the <i>Kansas Water</i> ligated thereunder. Failure to comply with these provisions may ended, and/or the suspension or revocation and dismissal of the ins authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
fvo	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,	APPLICATION APPROVED AND SUMMARY ORDER ISSUED
Engagn Agrilled Aday Eday Eile Leg 665	may request an evidentiary hearing before the Chief ineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be It within 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30 s pursuant to K.S.A. 77-531. Any request for administrative ew must state a basis for review pursuant to K.S.A. 77-527. any request with Kansas Department of Agriculture, all Division, 1320 Research Park Drive, Manhattan, KS 02. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act. For Use by Register of Deeds	By: Duly Authorized Designee of the Chief Engineer (Print Name): Division of Water Resources - Kansas Department of Agriculture Date of Issuance: State of Kansas SS County of Acknowledged before me on by Machael A
		Signature: Notary Public My commission expires
		IVIY CONTINUISSION CAPITOGE SERVEDON HILLE TABLES

December 15, 2026

WR #44914 Change in Place of Use





Authorized Place of Use





Existing Well



Created By: PE/GCFO



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

www.gmd3.org

January 7, 2025

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

RE:

Applications for Change in Place of Use

Water Right, File Nos. 44914, 45495 & 45763

Dear Mike:

We have completed a review of the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use will make a complete overlap in authorized place of use in accordance with K.A.R. 5-5-11(b). At the same time, it will correct an incomplete overlap of several of the water rights. It is therefore recommended that the applications be approved at this 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

JAN 07 2025

Garden City Field Office Divison of Water Resources

GMD3 Change Review

File No(s).: 44914, 4	5495, 45763.		DWR office: <u>GC</u> .						
App filed to change:	PU								
Is Landowner(s) corr	ect in WRIS:	Michael Wi	llis						
If NO, is docu	umentation inc	luded?							
Is Water Use Corresp	ondent correct	t in WRIS?							
	If NO, is documentation included?								
Regulation(s) Review									
Point of diversion ID									
		8							
ft	t. North ft.	. West							
Authorized PD									
Proposed PD									
Difference	0	0							
a2 + b2 = c2	0	0	0						
GPS for proposed PI): Lat:	Long:							
Is proposed PD stack	ing on existing	g WRs? No	Change .						
Is Proposed PU over	lapping existin	ig WRs? Ma	king a complete overlap in current acres						
Neighboring certified	d well(s) notifi	ed:							
Name									
Address									
Zip									
Email: Phone	e:								
Domestic well(s) not	ified:								
Name									
Address									
Zip									
. –									
Base Acres:									
Perfected Acres:		.1							
Irr. Return-Flow	%								
Stevens County									
44914: 288AF @ 1	000gpm								
144acres SE									
45495: 187AF @ 1	000gpm, Limi	ited to 1705g	pm w/44914, overlapping PD w/44914						
	V of 10-35-37								
45763: 320AF @ 1	000gpm, 320A	F/year w/45	495						
Same acres	-								
		rlap in curre	ent acres, no new acres proposed.						
Is a waiver needed:									
		- 15	formation, it appears current area rules						
are met. Staff therefore recommends approval of the applications.									

JA.

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

January 3, 2025

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

Re:

Request for Recommendation

Water Right, File Nos. 44914, 45495, 45763

Dear Mr. Norquest:

This is to advise you that Michael Willis has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use.

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,

Michael A. Meyer

Water Commissioner

MAM Enclosures