

# CHECK SHEET Short Change

(To be completed and attached to each application)

File No. 11303

Field Office No. 2

GMD No. 5

1. **Plugging agreement obtained for GMD?** Yes  No  Non Applicable
2. **Is Landowner correct as currently shown in WRIS?** Yes  No  **Address Change?** NO  
If applicable, list Place of Use Overlap File Nos. ---
3. **Is Water Use Correspondent correct as currently shown in WRIS?** Yes  No  **Address Change?** NO  
Name of Former WUC CARMEN SCHMITT INC Name of New WUC CARMEN SCHMITT
4. a. **Point of diversion computer ID No(s).** 1 **for point(s) being changed.**  
b. **Show feet distances from the** SE **corner of the section for the new point(s) of diversion:**

Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	County	Qualifiers
NO CHG	36315	NO							

- c. **If multiple points of diversion exist and rates and quantities are individually assigned, show:**
- | Old PDIV ID | Authorized Rate | Additional Rate | Authorized Quantity | Additional Quantity |
|-------------|-----------------|-----------------|---------------------|---------------------|
| _____       | _____ gpm/cfs   | _____ gpm/cfs   | _____ af/mgy        | _____ af/mgy        |
| _____       | _____ gpm/cfs   | _____ gpm/cfs   | _____ af/mgy        | _____ af/mgy        |
| _____       | _____ gpm/cfs   | _____ gpm/cfs   | _____ af/mgy        | _____ af/mgy        |
- d. **Name of Drainage Basin** --- **Is this correctly shown in WRIS?**  Yes  No
- e. **Formation Name & No.** --- **Special Use Area** ---

5. **Distances from the previous/original p/d:** \_\_\_\_\_ ' N / S \_\_\_\_\_ ' E / W

**6. WATER RIGHT ACTION TRAIL COMMENTS**

10/31/2016 Change Application Received (date accepted for priority)  
11 / 18 / 16 Change Approved  
 Notice and Proof by \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
 \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Completion Requirement Removed (Change No. C \_\_\_\_\_)

**7. METER ACTION TRAIL COMMENTS**

11 / 18 / 16 DWR Meter Required by 12/31/2017  
 Anti-Reverse Meter Required by \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
 Meter Seal Required by \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

8. Base Acres 138 Year 1977 Minimum Reasonable Quantity 1.13 *change allows 1.53 AF/ac*

Date Created **11/17/16** by **TJS**  
 Date Entered by

CHECK SHEET ATTACHMENT

9. Changes to the place of use will be:

File Number 11303

Action	Owner Person ID	Place Use ID #	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	
MOD	23897	27723	33	21S	9W	Acres Authorized							20.5	20	39	39.5	12	7					138
						New Acres							20.5	20	39	39.5	12	7					138
						Acres Authorized																	
						New Acres																	
						Acres Authorized																	
						New Acres																	
						Acres Authorized																	
						New Acres																	

Names and Address:

1. Person ID # <u>23897</u> CARMEN SCHMITT PO BOX 47 GREAT BEND KS 67530-0047	2. Person ID # _____ _____ _____ _____	3. Person ID # _____ _____ _____ _____
--	---	---

**GENERAL INSTRUCTIONS**

1. Give to Applicant:
  - a. Original application/approval
  - b. Original receipt (one for each application)
  - c. Information packet containing:
    - Notice and Proof form
    - Water Meter Specifications
    - Acceptable Meter list
    - Water level measurement tube specifications
    - Check Valve specifications
    - Pink Sheet - K.S.A. 82a-728 letter
    - Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)

2. Send to headquarters:
  - a. Good, **scannable** copy of application and/or approval and this check sheet
  - b. Original check and copy of receipt
  - c. Test hole log
  - d. GMD recommendation, if any
  - e. Map or aerial photograph, if any
3. Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well.

4. Date stamp received and approved.
5. Complete ownership and WUC change information.

ADDITIONAL PHOTOCOPIES

HQ \_\_\_\_\_

GMD #5 \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CONDITIONS

1. Insert notice and proof date.
2. Type or print applicant's/owner's name on line.
3. Complete notary statement.

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**



**WATER METER REQUIRED**

STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.  
 Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

RECEIVED

File No. 11303

OCT 31 2016  
 10:24 am  
 Stafford 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: Daniel Shanelec

Bush Bush & Shanelec, 111 East Avenue North, Lyons KS 67554

Phone Number: (620)257-2374

Email address: djs@bbslawyers.net

Name and address of Water Use Correspondent: Carmen Schmitt

PO Box 47, Great Bend KS 67530

Phone Number: (620) 793-5100

Email address: Carmen@schmittinc.net

3. The presently authorized place of use is:

Owner of Land --- NAME: Carmen Schmitt

ADDRESS: PO Box 47, Great Bend KS 67530

(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	
33	21	9W							25	25	37	37	7	7					138

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: Carmen Schmitt

ADDRESS: PO Box 47, Great Bend KS 67530

(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	
33	21	9W							20.5	20	39	39.5	12	7					138

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200 TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # 1122

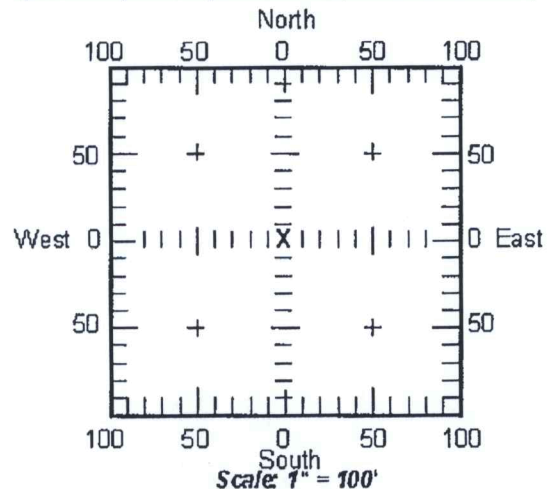
5. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the NC N2 SW Quarter  
 of Section 33, Township 21 South, Range 9 W,  
 in Rice County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate 905 gpm Authorized Quantity 211 AF Depth of well 87 (feet)  
 (DWR use only: Computer ID No. 01 GPS N/A feet North N/A feet West)  
 This point will not be changed  This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

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:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

7. Why do you need a new point of diversion? N/A

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

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



9. When do you propose to complete the new point of diversion?  
N/A

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

(b) When will this be done? N/A

11. Groundwater Management District recommendation attached?  Yes  No

12. Assisted by EKF/SFFO

13b. If the proposed point of diversion will be relocated more than 100 feet but within 2640 feet from the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines.

14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?  
 Yes     No    (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?  
 Yes     No    (If yes, all owners must sign this application.)
- (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?  
 Yes     No    (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regard to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

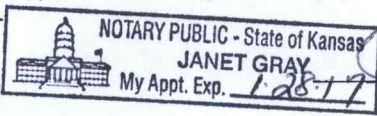
Dated at Great Bend, Kansas, this 27 day of October, 2016.

<u>Carmen Schmitt</u> (Owner)	<u>Debbie S. Schmitt</u> (Spouse)
<u>Carmen Schmitt</u> (Please Print)	<u>Debbie S. Schmitt</u> (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)

State of Kansas }  
County of Barton } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 27 day of Oct, 2016

My Commission Expires 1-28-17



Janet Gray  
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

OCT 31 2016

Stafford Field Office  
DIVISION OF WATER RESOURCES

**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. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 et. seq. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 11303.

1. A change application was received on 10/31/16 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use.  Applicable  Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a \_\_\_\_\_ foot radius of the authorized point(s) of diversion.  Applicable  Not Applicable
4. The point(s) of diversion authorized herein shall not actually be located more than \_\_\_\_\_ feet from the previously authorized point(s) of diversion.  Applicable  Not Applicable
5. 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
6. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2017, 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
7. Installation of the works for diversion of water shall be completed on or before December 31, 20\_\_\_\_, or within any authorized extension of time. By March 1, 20\_\_\_\_ the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.  Applicable  Not Applicable
8. The completed well log shall be submitted with the required notice.  Applicable  Not Applicable
9. 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
10. Additional Conditions are attached.  Yes  No
11. 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**

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Topeka, Kansas 66502, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15<sup>th</sup> day after the date shown on the Certificate of Service.

*For Use by Register of Deeds*

FOR OFFICE USE ONLY  
**APPLICATION APPROVED AND  
SUMMARY ORDER ISSUED**

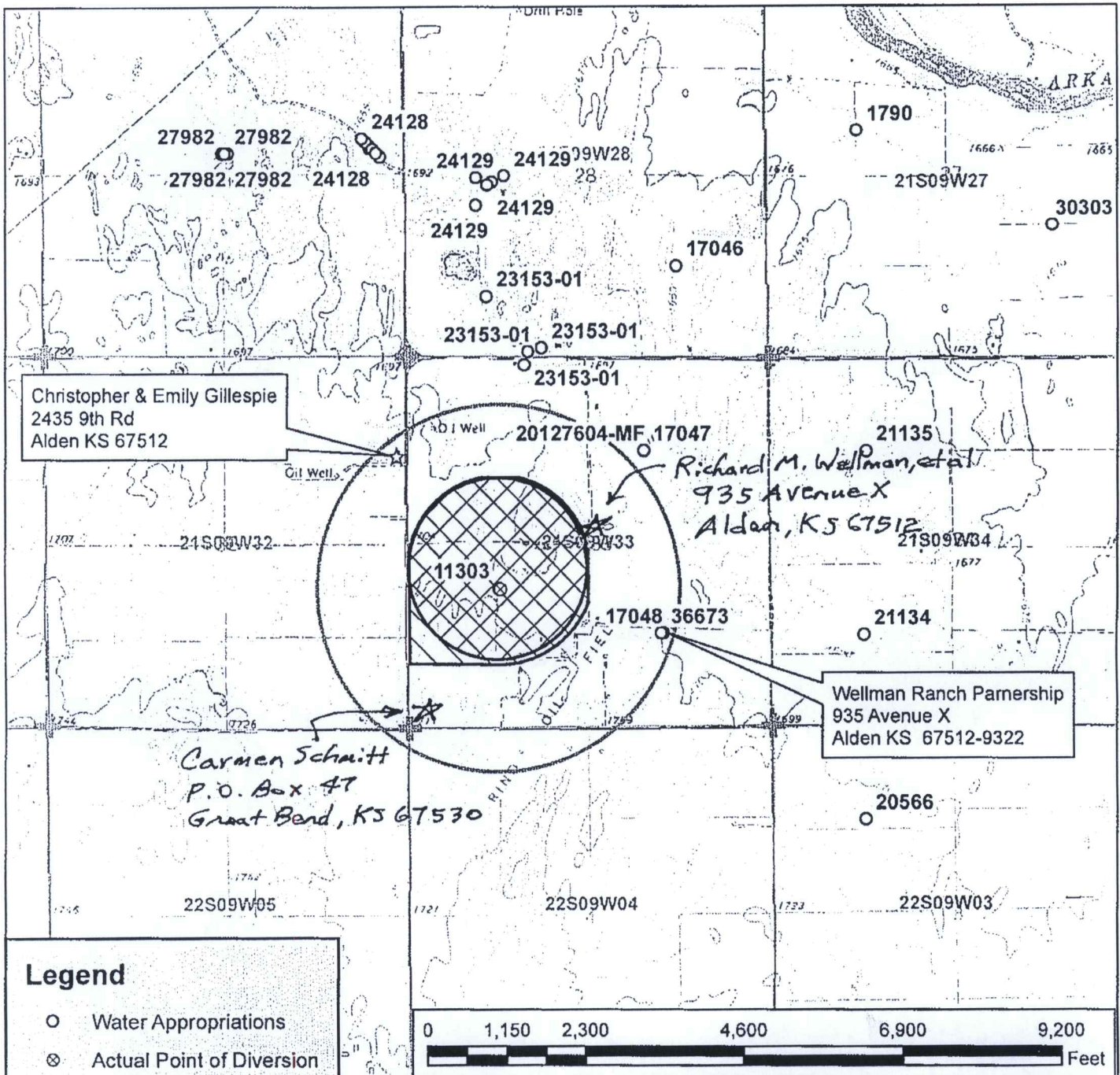
By: Cameron R. Conant  
Duly Authorized Designee of the Chief Engineer  
(Print Name): Cameron R. Conant  
Division of Water Resources - Kansas Department of Agriculture  
Date of Issuance: 11/18/16  
State of Kansas )  
County of Stafford ) SS  
Acknowledged before me on 11/18/16  
by Cameron Conant  
Signature: Michela Kirmir  
My commission expires: \_\_\_\_\_  
(Notary Seal)



RECEIVED

OCT 31 2016

Stafford Field Office  
DIVISION OF WATER RESOURCES



**Legend**

- Water Appropriations
- ⊗ Actual Point of Diversion
- ☆ Domestic Well
- ⊕ Section Corner

Half Mile Circle

Section Line

**Place of Use**

- Authorized
- Proposed

**Water Right, File No. 11303**

Change in Place of Use Application Map  
 33-29S-9W // Rice County

To the best of my knowledge, all of the domestic wells within 1/2 mile of the proposed point of diversion have been shown.

*Carmen Schmitt*  
 Signature

RECEIVED

10/12/16 EKF-SFFO 1:24,000 scale

\*TSS-SFFO

OCT 31 2016



Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311  
Fax: (620) 234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

November 18, 2016

Daniel Shanelec  
Bush Bush & Shanelec  
111 East Avenue North  
Lyons KS 67554

Re: Water Right, File No(s). 11303

Dear Water Right Owner:

Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number(s).

Your attention is directed to the enclosures and to the terms, conditions and limitations specified in this approval for change. An acceptable water flow meter must be installed on your well before any water is applied as authorized under this change approval. A copy of the approved list of Certified Water Flowmeters as well as the regulations regarding the installation of flowmeters, measurement tubes and check valves can be found at <http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters>. If you do not have access to the internet, please contact this office and we will send you a paper copy of the referenced information.

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

Should you have any questions, please feel free to contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Lanterman".

Jeff Lanterman  
Water Commissioner

Enclosures

pc: Water Rights Section  
Groundwater Management District No. 5  
Carmen Schmitt



## CERTIFICATE OF SERVICE

On this **18 November 2016**, I hereby certify that the attached Change in Place of Use, File No. 11303 dated November 18, 2016 was mailed to the following:

Daniel Shanelec  
Bush Bush & Shanelec  
111 East Avenue North  
Lyons, KS 67554

pc: Water Rights Section  
GMD #5  
Carmen Schmitt

A handwritten signature in blue ink, reading "Mikula Kinn", is written over a horizontal dashed line.

Staff

# Kansas

Department of Agriculture  
Division of Water Resources

Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311  
Fax: (620) 234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

November 1, 2016

Christopher & Emily Gillespie  
2435 9<sup>th</sup> Rd  
Alden KS 67512


RE: Water Right, File No(s). 11,303

Dear Water User,

This is to advise you that Daniel Shanelec, on behalf of Carmen Schmitt, has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use under the above referenced file number(s). You are being notified of the proposed change because it appears you have a groundwater well within one-half mile of the authorized point of diversion(s). As such, you may provide this office any comments or other information you may want to submit regarding the proposed change. Such comments or other information must be received in this office within 15 days of the date of this letter, or any authorized extension of time.

You can find the complete application posted by the water right file number(s) as referenced above at [www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices). If you do not have access to the internet and would like a copy of the application, please contact the Stafford Field Office. If you have any additional questions about the application, please contact the Stafford Field Office at (620) 234-5311.

Sincerely,



Tyler Saryerwinnie  
Environmental Scientist  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

pc: GMD #5

# Kansas

Department of Agriculture  
Division of Water Resources

Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311  
Fax: (620) 234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

November 1, 2016

Wellman Ranch Partnership  
935 Avenue X  
Alden KS 67512-9322

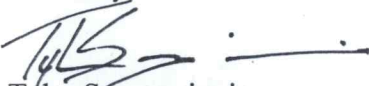
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You can find the complete application posted by the water right file number(s) as referenced above at [www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices). If you do not have access to the internet and would like a copy of the application, please contact the Stafford Field Office. If you have any additional questions about the application, please contact the Stafford Field Office at (620) 234-5311.

Sincerely,

  
Tyler Saryerwinnie  
Environmental Scientist  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

pc: GMD #5

SCANNED

**Kansas**  
Department of Agriculture  
*Division of Water Resources*

Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521  
Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311  
Fax: (620) 234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

November 1, 2016

Richard M. Wellman, et al.  
935 Avenue X  
Alden KS 67512

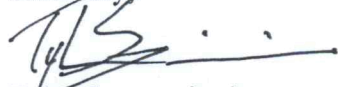
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Sincerely,



Tyler Saryerwinnie  
Environmental Scientist  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

pc: GMD #5

CARMEN SCHMITT  
P.O. BOX 47  
GREAT BEND KS 67530  
New Wealth Comes From the Land  
620-793-5100

10-27-16

Ms. Elizabeth K. Fitch  
Stafford Field Office—Division of Water Resources  
Kansas Department of Agriculture  
300 South Main Street  
Stafford, KS 67578-1521

Re: File No. 11,303

Dear Ms. Fitch:

Enclosed is an application to change the place of use related to the above captioned appropriated water right, which was prepared by Daniel Shanelec, Attorney with Bush Bush & Shanelec, for Carmen Schmitt as owner of the land related to the water right. Also enclosed is a check for the \$200 application fee.

If you have questions or there is an omission in the application, please call the undersigned at the phone number on this letterhead.

Sincerely,



Carmen Schmitt

RECEIVED

OCT 31 2016

Stafford Field Office  
DIVISION OF WATER RESOURCES

## Saryerwinnie, Tyler

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**From:** Saryerwinnie, Tyler  
**Sent:** Wednesday, November 16, 2016 11:38 AM  
**To:** Orrin Feril (oferil@gmd5.org)  
**Cc:** Conant, Cameron  
**Subject:** GMD Recommendation Request - File No. 11303  
**Attachments:** 11303.cover letter.pdf; 11303.Change App.pdf; 11303.base acre review.pdf

Orrin,

I have attached a cover letter and a copy of one (1) place of use change application for GMD recommendation. I have also included a copy of the base acre review. Three notification letters were sent with no responses received. Please provide the GMD recommendation by no later than December 8th, 2016.

Please let me know if you are needing anything else, or have any questions.

Thank you,

Tyler

**Tyler Saryerwinnie**, Environmental Scientist  
Kansas Department of Agriculture  
Division of Water Resources  
Stafford Field Office  
Phone: (620)234-5311



Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521  
Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311  
Fax: (620) 234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

November 16, 2016

Orrin Feril  
Big Bend – GMD No. 5  
125 S Main St.  
Stafford, KS 67578

RE: Place of Use Change Application, File No. 11,303

Dear Mr. Feril,

We are enclosing a copy of the application, as referenced above, for your review and recommendation. At this time the application appears to be in proper form. Notification letters were sent to all nearby well owners shown on the application map. These owners were given a 15 day comment period; no responses of any kind were received.

This office will delay any further action on this file for a period of 15 business days from the date of this letter to allow you time to submit your recommendations concerning the application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please feel free to contact the office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tyler Saryerwinnie".

Tyler Saryerwinnie  
Environmental Scientist  
Stafford Field Office  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

Enclosure

## Saryerwinnie, Tyler

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**From:** Orrin Feril <oferil@gmd5.org>  
**Sent:** Wednesday, November 16, 2016 2:05 PM  
**To:** Saryerwinnie, Tyler  
**Subject:** Applications for Change, Water Right File Nos. 11303, 20506, 27517, 36789  
**Attachments:** 20506 2016-11-16 Rec.pdf; 27517 36789 2016-11-16 Rec.pdf; 11303 2016-11-16 Rec.pdf

I'm attaching the recommendations requested by your office. Please let me know if you have any questions.

Thank you for your consideration in this matter,

Orrin

--

Orrin Feril  
Manager  
Big Bend GMD#5  
Email: [oferil@gmd5.org](mailto:oferil@gmd5.org)  
Phone: (620) 234-5352  
Mobile: (620) 388-0172  
Fax: (620) 234-5718  
[www.gmd5.org](http://www.gmd5.org)



Darrell Wood - Edwards (Pres.)  
Fred Grunder - Pratt (V Pres.)  
John Janssen - Kiowa (Treas.)  
Curtis Tobias - Rice (Sec.)  
Justin Gatz - Reno  
Kent Lamb - Stafford  
Phil Martin - Barton  
Bob Standish - Pawnee  
Tom Taylor - At-Large



Orrin Feril, Manager  
125 South Main Street  
Stafford, Kansas 67578  
ph: (620) 234-5352  
fx: (620) 234-5718  
gmd5@gmd5.org  
www.gmd5.org

November 16, 2016

Tyler Saryerwinnie  
Division of Water Resources  
Kansas Department of Agriculture  
300 S. Main Street  
Stafford, Kansas 67578-1342

RE: Water Right File No. 11303  
Change in the Place of Use

Dear Mr. Saryerwinnie,

Big Bend Groundwater Management District #5 has reviewed the above referenced application to change the place of use. It is the understanding of the District that the resulting number of irrigated acres will be identical to the presently authorized place of use. Therefore, the application appears to be consistent with 5-25-20(b) and is recommended for approval.

The application to change is subject to the District's well equipment regulation K.A.R. 5-25-5 for a required flow meter.

Please feel free to give me a call if you have any questions.

Sincerely,

Orrin Feril  
Manager

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NOV 16 2016  
Stafford Field Office  
Division of Water Resources