Garden City Field Office 2508 Johns Street Garden City, Kansas 67846-2804



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

Sam Brownback, Governor

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner

April 25, 2017

CLAWSON LAND PARTNERSHIP PO BOX 279 PLAINS KS 67869

RE: Change in Point of Diversion Water Right, File No 6846

Dear Mr. Clawson:

Enclosed you will find a *Summary Order Approving Application for Change in Point of Diversion* for the above referenced file. This order modifies the authorized well location under the referenced file. This order modifies the original document; it should be recorded at the County Register of Deeds.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this order. The diversion works should be completed and reported to the Division of Water Resources by December 31, 2017. Enclosed is a form for this purpose, along with other information for reference.

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report.

This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order. The date of service is the date listed on the enclosed *Certificate of Service*.

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

Sincerely,

Thomas P. Makens

Assistant Water Commissioner

TPM:tpm Enclosures GMD#3

CERTIFICATE OF SERVICE

On this 27 day of April 2017, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 6846 dated April 25, 2017 was mailed postage prepaid, first class, US mail to the following:

CLAWSON LAND PARTNERSHIP PO BOX 279 PLAINS KS 67869

Copy provided to GMD#3

Division of Water Resources

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.

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Place of Use								File N	o. <u>684</u> 6	6					_			8:1	2 1 2	١
The source of supply is: Signal Groundwater Surface water 2. Name and address of Applicant: CLAWSON LAND PARTNERSHIP PO BOX 279 PLAINS KS 67869 Phone Number: (620)482-3260 Email address: Name and address of Water Use Correspondent: CLAWSON LAND PARTNERSHIP PO BOX 279 PLAINS KS 67869 Phone Number: () Email address: 3. The presently authorized place of use is: Owner of Land NAME: CLAWSON LAND PARTNERSHIP ADDRESS: PO BOX 279 PLAINS KS 67869 (If there is more than one landowner, attach supplemental sheets as necessary.) NEX NWX SWX SEX NEX NWX SWX	I. A	pplication	s here	eby n	nade t	for app				Engine					ne or l	both):	-9!V(S)	ardan t ION 07 l	ity Freld VALER R	Office ESOURCES
2. Name and address of Applicant: CLAWSON LAND PARTNERSHIP PO BOX 279 PLAINS KS 67869 Phone Number: (620)482-3260	Uf	nder the w	ater riç	ght w	vhich i	s the s	subject	of this	applic	cation	in acc	ordano	e with	the co	nditior	ns des	cribed	below		
PO BOX 279 PLAINS KS 67869 Phone Number: (620)482-3260	TI	he source	of sup	ply is	s:		\boxtimes	Ground	lwater			Surfa	ice wat	ler						
Phone Number: (620)482-3260							LAWS	SON L	AND P	ARTN	ERSH	<u>IP</u>								·
Name and address of Water Use Correspondent: CLAWSON LAND PARTNERSHIP PO BOX 279 PLAINS KS 67869 Phone Number: (
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5.	Presently authorize	d point	of diversion:					Q t		
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	of Section	16		31	South	, Range	32	VV,]		
	in Seward	(County, Kansas, <u>4635</u>	feet No	rth <u>5225</u> f	eet West of So	outneast corn	er of section.		
	Authorized Rate		Authorized Quantity		Depth of	f well	(fe	et)		
	(DWR use only: Co	mputer	ID No. 1 GF	°S	feet No	orth	teet vv	est)		
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	in Seward	(County, Kansas, <u>4375</u>	feet No	rth <u> 5222 </u> f	eet West of So	outheast corn	er of section.		
	Proposed Rate		Proposed Quantity _		Propose	ed well depth (fo	eet)	.		
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3.	Presently authorize	d point	of diversion:			- · ·		0		
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	Proposed point of	<u>diversio</u>	n: (Complete only if chan	<u>ge is requ</u>	iested)			Ouerter		
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	in		County, Kansas,	teet ivo	r(n1	eer west of so	oot)	ei oi section.		
	Proposed Rate		Proposed Quantity		Propose	ea well aepin (1)	eet)			
	This point is:	ditional V	Vell ☐ Geo Center List o	otner wate	r rights that will u	se this point _				
_	Itili	au naint	of divorsion?	13a.	If the proposed p	point of diversion	on will be relo	cated within 100		
7.	why do you need a n	ew hour	of diversion?		feet of the existi	na point of div	ersion, indicat	e its location on		
	old well needs to be r	eplaced		_	the diagram belo	E: The "X" i	n center of	diagram below		
					represents pres	ently authoriz	ed point of d	iversion.)		
				-		Nortl				
8.	If a well, is the test ho	ole log att	ached? 🛛 Yes 🔲 No		10 <u>0</u>	50 0	50	100		
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9.		pose to	complete the new point	of	F		•	-		
	diversion?				50 F	+ =	+ -	750 .		
	April 15, 2017			-		Provide				
40	If the exist of divorcin	n le a wo	41.		<u> </u>	. =				
10.	If the point of diversion				West 0 E I I	111111 <u>X</u> 1		_ U East		
	(a) What are you go	ing to do	with the old well?		-					
	plug			_	50 =	-		50		
	<u> </u>				30 F	-	7			
	(b) When will this be	done? 2	017	_	F		•			
	(-)	_				<u> </u>				
11.	Groundwater Mar	nagement	District recommenda	tion	100	50 0	. 50	100		
		Ŭ⊠ No			South Scale: 1" = 100'					
				13b.	If the proposed	point of diversi	on will be relo	cated more than		
12.	Assisted by tpm			-	100 feet but w	ithin 1320 fee	et from the e	existina point of		
					For aroundwate:	r sources, show	v ali wells (inc	erial photograph. Iuding domestic)		
					within one-half n	nile of the prop	osed point of	diversion and the		
					water sources.	show the na	ames and ac	aresses of the		
					landowner(s) or	ne-half mile di	ownstream ar	nd one-half mile		
					upstream from y	our property lin	ies,			

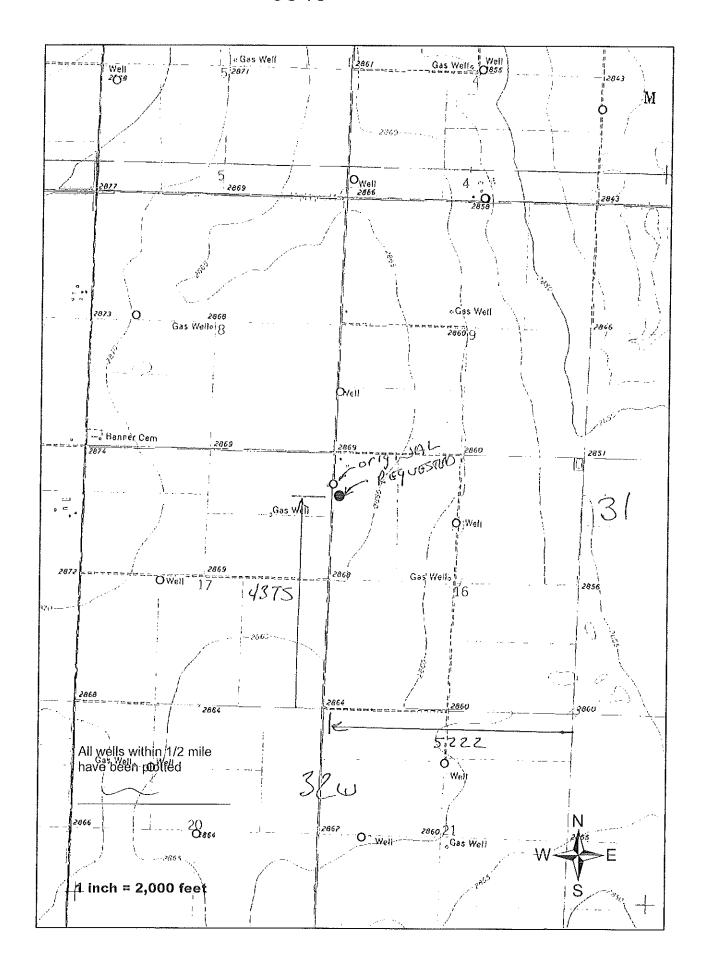
14. If the proposed groundwater point of diversion is 300 or fewer fee	et from existing point of diversion, complete the foll	lowing:
(a) Does the undersigned represent all owners of the currently a ✓ Yes ☐ No (If no, all owners must sign this a		ion?
 (b) Will the ownership interest of any owner of the currently at affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this 	•	ion be adversely
(c) If this application is not approved expeditiously, will there be ☑ Yes ☐ No (If no, all owners must sign this a		afety?
If the application proposes a surface water change in point of diversic or a change in place of use, the application must be signed by all own agent (attach notarized statement authorizing representation).	on, a groundwater change in point of diversion greaners of the currently authorized place of use, or the	ater than 300 feet air duly authorized
I hereby verify, being first duly sworn upon my oath or aff age and the owner, the spouse of the owner, or a duly auti their behalf, in regard to the water right(s) to which this a contained in this application are true, correct and complete	horized agent of the owner(s) to make this application pertains. I further verify that tea.	application on the statements
Dated at CARDEIN CITY , Kansas, t	this 20 th day of MARCH	_, 20 <u>17</u> .
× Danil Elan	y	
(Owner)	··(Spouse)·	
(Please Print)	(Please Print)	· · · · · · · · · · · · · · · · · · ·
(Owner)	(Spouse)	
(Please Print)	(Please Print)	
(Owner)	(Spouse)	
(Please Print)	(Please Print)	· · · · · · · · · · · · · · · · · · ·
State of Kansas County of FINNEY SS		
Thereby certify that the foregoing application was signed in AAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAA	my presence and sworn to before me this since reiners.	20TH day of
My Commission Expires 9-14-13	Notary Public	
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	all of the applicable portions of the application form must e appropriate owners' must be affixed to the application a	be completed with ind notarized; and
Each application to change the place of use or the point of diversion ur orth in the schedule below: Make checks payable to: Kansas Depart (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 fc (3) Application to change the place of use	nder this section shall be accompanied by the appli tment of Agriculture 	(\$100) \$200

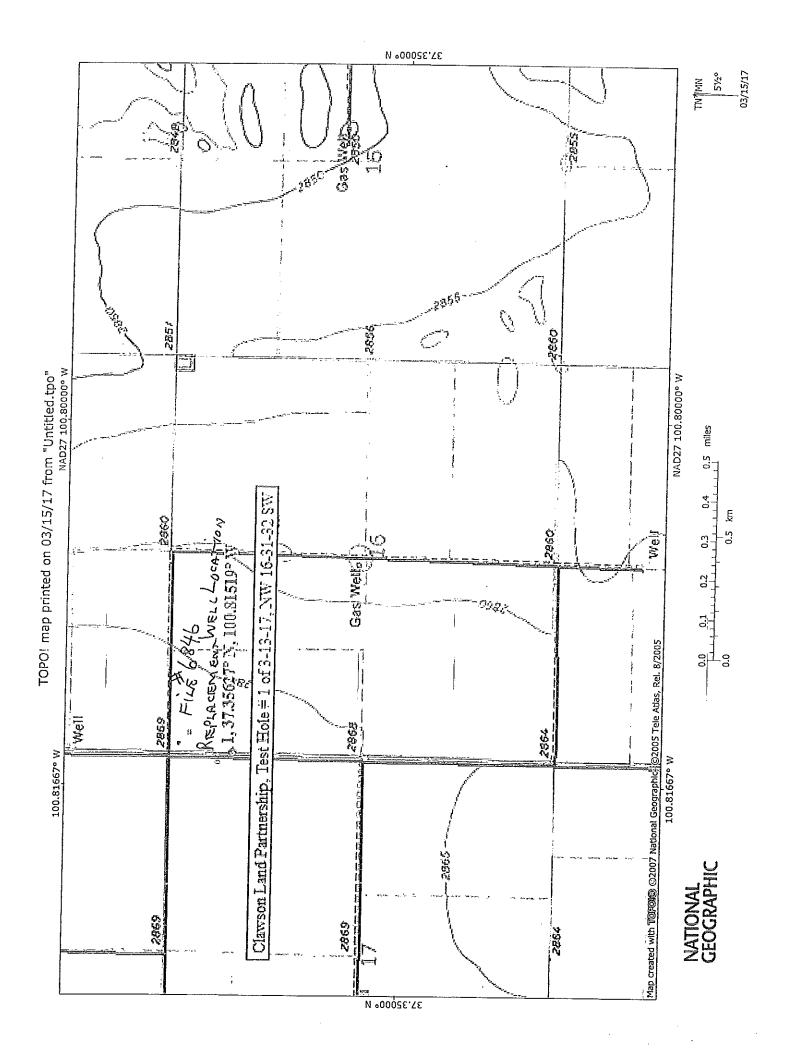
SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-14-3 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. 6846 A change application was received on <u>MARCH 21, 7017</u> requesting that the place of diversion authorized under the above-referenced file number be changed as described in the application. requesting that the place of use and / or point of 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 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 <u>so</u> foot ☐ Not Applicable radius of the authorized point(s) of diversion. Applicable 300 The point(s) of diversion authorized herein shall not actually be located more than feet from the previously ☑ Applicable authorized point(s) of diversion. 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 M Applicable ☐ Not Applicable with K.A.R. 5-6-13. 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 applicable to the Chief Engineer by March 1 (ellevited 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.

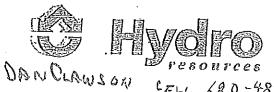
Applicable
Not Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20<u>17</u>, or within any authorized extension of time. By March 1, 20<u>18</u> the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. □ Not Applicable
 ⋈ Applicable ☐ Not Applicable The completed well log shall be submitted with the required notice. Applicable 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 মি No 10. Additional Conditions are attached. ☐ Yes 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND You have the right to a hearing in accordance with K.A.R. 5-14-3 SUMMARY ORDER ISSUED 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 Duly Authorized Designee of the Chief Engineer shown on the Certificate of Service attached hereto. If a hearing THOMAS MAKENS is not requested in accordance with K.A.R. 5-14-3, this Summary (Print Name): Order will become effective on the 15th day after the date shown Division of Water Resources - Kansas Department of Agriculture on the Certificate of Service. Date of Issuance: For Use by Register of Deeds State of Kansas SS Acknowledged before me on _ Signature: elm 'Notar∳,Public SUE KEENY NOTARY . My Appointment Expires June 8, 2018 My commission expires: *143

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3795 W. Jones Ave. Carden City, KS 67846 PH: 620-277-2389



PO Box 639 Garden City, KS 67846 Fax: 620-277-0224

1810 CLAWSON CELL 620-482-3260

Custon	ner Name	: Claws	san Lan	nd Partnership WO#: 11742 Date: 8-12
Street A	Address:	P	0.80	
City, St	ate:	7	Je Brine	
		<u> </u>	ter: Ni	Costions 1/
Locatio	n: 260°	Somthe	30 Enes	/ Section: 16 Township: 31 Range: 32 of Enisting West GPS: N37,35627 W100,81519
Rig#:	1000	22	9 <u>6 88 1</u>	01 2613 Ving Well GIS. N31,33627 W100, 81519
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**************************************	138		-	Fine Sand w/couple clay stringers:
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15	1420	9	1429	
10	1429	55	1484	TOPE SOME WITH CAN STRINGING
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10	300	27	327	
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