Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number: 20990	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD: 03
6. Status: Approved Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: 8/10/18
8a. Applicant(s) New to system □	Person ID 57020 Add Seq#	8c. Landown New to sy	` '	Person ID 22519 Add Seq#
CLAWSON LAND PARTI PO BOX 279 PLAINS KS 67869	NERSHIP	309 NO GUYMO Addres	ENTERPRISES I ORTHRIDGE CIR ON OK 73942 SS UPDATE	NC
8b. Landowner(s) New to system □	Person ID 28750 Add Seq#	8d. WUC	vstem □	Person ID <u>57020</u> Add Seq#
HENRY C HITCH RANCH BOX 1308 GUYMON OK 73942 Address NAME UPDATE	I TRUST	РО ВО	SON LAND PART X 279 S KS 67869	(NERSHIP
9. Documents and Enclosure(s): 🛛 D\	VR Meter(s) Date to Comp	oly: 12/31/ 2018	N & P Date to	Comply:
☐ Anti-Reverse Meter ☐ Meter☐ Conservation Plan Date Requi		N & P Form		oriller Copy
10. Use Made of Water From:		To:		
			Date Prepared: 10/5/ Date Entered: 10/26	

File No. 20990	11. County: S	SW B	asin: CIN	MARRO	N RIVEF	₹		S	tream:							Fo	rmation Code	e: 211	Special Use: NA
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NO CHANGE																			
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Limitation:	af/yr at			gpi	m (·	cfs) wl	hen co	mbine	ed with	file nu	ımber(s)					
15. 5YR Allocation: Allocation	Туре	Start Yea	ar	5	YR Amo	unt	-	Amo	unt Ur	nit	_	Base	Ácres		_ Co	mment _			
16. Place of Use CHK		N	IE¼		N	W1⁄4			sv	V 1⁄4			s	E¼		Total	Owner	Chg?	Overlap Files
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ENT 69159 24 32 34	w							40			40					80	8C	YES	**
ENT 16012 23 32 34	W 1											40	40	40	40	160	8B	NO	. **
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ENT 24644 25 32 34	W 1	40	40	4	40		40	40	40	40	40		40			400	8B	NO	**
ENT 33475 26 32 34	W 3	40 40	40	40						_		40	40	40	40	320	8B	NO	**
MOD 9508 24 32 34	W 1			4	40 40	40	40									160	8B & 8C	YES	**
ENT 38609 35 32 34	W 2	40 40	40	40												160	8B	NO	**
ENT 26638 36 32 34	lw 1	40 40	40	40 4	40 40	40	40									320	8B	NO	**
Base Acres: Year: Comments:	Min	nimum Rea	sonable	Quantit	y:														

KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources

<u>MEMORANDUM</u>

TO: File DATE: October 8, 2018

FROM: Leslie Ireland RE: Water Right, File Nos. 20,986; 20,990; 20,991;

20,992; 22,214; 22,215; 22,216 & 22,218

Christina G. Staufenberger represented as Trustee of the Henry C. Hitch Ranch Trust and Jason Hitch, CEO, on behalf of Hitch Enterprises Inc., submitted applications on August 1, 2018, to change the irrigated place of use. The applications were completed on filed office approvable forms, but request to overlap 2,120 acres of irrigated land in Seward County. The applications were submitted by the water use correspondent, Clawson Land Partnership.

The referenced water rights appear to be in compliance with K.S.A. 82a-732 and the additional requested signature and submitted maps indicate the owners are requesting a complete overlap in the place of use without any modifications so it would appear the applications comply with K.A.R. 5-5-2a.

The referenced files are authorized to irrigate 2,120 acres from a total of 13 wells authorized a combined total of 3,250 acre-feet at an average rate of 867 gallons per minute. The acres are located in Sections 23, 24, 25, 26, 35 & 36 of Township 32 Range 34 West, Seward County. The rights are not located within a special use area but are within the boundaries of Southwest Kansas Groundwater Management District No. 3. The proposed changes are to make a complete overlap of the authorized acres without any modifications to the irrigated acres. The applications will be processed by Part b(1) of K.A.R. 5-5-11 Applications for change in place of use for irrigation purposes. The rights are all certified and the applications were filed to make an **identical place of use with each right**. It appears the determination of base acres is not necessary per the regulation.

The changes should help with the historical pumping above authorized in the 1990's under the junior rights. It will also resolve the incomplete overlap between File Nos. 20,992 & 22,215. The total combined quantity will provide 1.53 acre-foot acre, complying with K.A.R. 5-3-23, *Maximum reasonable annual quantity approvable for irrigation use for an application for change in place of use and a request to reduce a water right*. As detailed in K.A.R. 5-5-12, *Net irrigation requirements*, at an 80% chance of rainfall, Seward County irrigation requires 1.37 acre-foot per acre. It appears the combined quantity is reasonable and sufficient for the irrigation of corn and a conservation or operational plan will not be needed for the proposed changes. As the place of use will not be increasing, the changes should not result in an increase in the consumptive use, thus complying with K.A.R. 5-5-3, *Change in consumptive use*.

Compliance Investigations on the points of diversion under File Nos. 22,215; 22,216 & 22,218 were completed by the area field office. The locations were determined to be within 300 feet of authorized with the exception of ID 4 under Water Right, File No. 22,216, determined to be 359 feet from the authorized. The actual location complies with part (b) of K.A.R. 5-5-6, *Failure to construct diversion works at authorized location*, the right was approved in 1975, after construction, at a location approvable today. The locations will be updated by the approvals.

In a letter dated October 8, 2018, Jason Norquest, Assistant Manager, Southwest Kansas Groundwater Management District No. 3, recommend approval of the applications.

Michael Meyer, Water Commissioner of the Garden City Field Office area reviewed the proposed applications. In an email dated October 8, 2018, he recommended their approval.

Water flowmeters will be required for the change approvals pursuant to K.A.R. 5-5-11(e)(2) indicating 3,417 acre-feed is needed to be exempt from metering. Check valves will be required, if chemigating. As no new wells will be drilled a water level measurement tube and WWC-5 will not be a condition of the approvals.

Based on the above discussion, that the changes will create a place of use that is reasonable, and the historical consumptive use will not be increased, that impairment to existing water rights are unlikely, and that no change in the local source of supply will occur, it is recommended that the referenced applications be approved.

Leslie Ireland

Environmental Scientist

Helie Ireland

Water Appropriation Program

DEPARTMENT OF AGRICULTURE 1320 RESEARCH PARK DRIVE MANHATTAN, KS 66502 PHONE: (785) 564-6700 FAX: (785) 564-6777



900 SW Jackson, Room 456 Topeka, KS 66612 Phone: (785) 296-3556 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

FILE COPY

CLAWSON LAND PARTNERSHIP DAVID CLAWSON PO BOX 279 PLAINS KS 67869

October 29, 2018

RE: Water Right, File Nos. 20,986; 20,990; 20,991; 20,992; 22,214; 22,215; 22,216 & 22,218

Dear Mr. Clawson:

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

Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

Your attention is directed to the enclosures and to the terms and conditions specified in these approvals for change. A condition of the approvals is that an acceptable water flowmeter must be installed on the diversion works authorized under the referenced files.

Please be reminded that reports of water usage must be submitted to this office annually. Records indicating the amount of water used should be furnished to the Chief Engineer by March 1 following the end of the previous calendar year so that the continued use of water becomes a matter of record in this office. The owner, or his or her legally designated agent, is held responsible for submitting annual water use reports. If an annual water use report is not received by the deadline, a fine may be assessed and all water use under such right may be suspended. For your convenience, reports may be filed online at www.kswaterusereport.org.

If you have any questions, please contract Leslie Ireland, Environmental Scientist, at (785) 566-6633. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent A. Turney, P.G.

Change Applications Unit Supervisor

BAT:LI:li Enclosures

pc: Garden City Field Office

Groundwater Management District No. 3 Hitch Enterprises, Inc., Jason Hitch CEO

KANSAS DEPARTMENT OF AGRICULTURE Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCESDavid W. Barfield, Chief Engineer

APPROVAL OF APPLICATION FOR CHANGE IN PLACE OF USE WATER RIGHT, FILE NO. 20,990

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Christina G. Staufenberger on behalf of Henry C. Hitch Ranch Trust, Box 1308, Guymon, Oklahoma 73942, and Jason Hitch, Corporate Executive Officer, Hitch Enterprises, Incorporated, 309 Northridge Circle, Gymon, Oklahoma 73942, received in the office of the Chief Engineer on August 10, 2018, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer dated April 4, 2016, approving the application to change the place of use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the place of use shall be:

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a total of 2,120 acres in Sections 23, 24, 25, 26, 35 and 36, all in Township 32 South, Range 34 West, Seward County, Kansas,

located substantially as shown on the topographic map accompanying the application to change the place of use.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 20,990, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated June 29, 1987.

Ordered this 23¹⁰day of Ordered this 23¹⁰

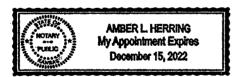
Lane P. Letourneau, P.G.
Program Manager
Division of Water Resources
Kansas Department of Agriculture

State of Kansas

SS

County of Riley

The foregoing instrument was acknowledged before me this 33 day of Cottober 1, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Mlu & Herring
Notary Public

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 18 days after this Order was mailed to you), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 33 days after this Order was mailed to you), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

CERTIFICATE OF SERVICE

On this day October, 2018, I hereby certify that the attached Approval of Application for Change in Place of Use, Water Right, File No. 20,990 dated, October 30,800 was mailed postage prepaid, first class, US mail to the following:

CLAWSON LAND PARTNERSHIP DAVID CLAWSON PO BOX 279 PLAINS KS 67869

With a True & Correct copy sent to:

HITCH ENTERPRISES INC JASON HITCH CEO 309 NORTHRIDGE CIRCLE GYMON OKLAHOMA 73942

With photocopies sent to:

Garden City Field Office

Groundwater Management District No. 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.

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APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

DITTACHMENT A

FILE NO.20990 MAKE ADDITIONAL COPIES AS NECESSARY

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O Sec. 23 24 25 O Sec. 26	Twp. 32 32 32 wner o	Range 34w 34w 34w f Land	NE%	NME AND AME: NW1/4 40 AME: ESS: NIII NW1/4	HENR BOX 1 5W/2 40 40 HENR BOX 1	SE% 40 Y C H 308 Y C H 308	NE% 40 40 ITCH F	NW% 40 40 RANCI	H TRU	SE½ 42 40 40 40 ST 42	NE% 40, 740, 40	SV NW½ 40 40 40	v% SW% 40 40 40	SE% 40 40 40	NE%	SI NW% 40 40 SI NW%	SW1/40 S	SE1/4 40 SE1/4 40	TOTAL ACRES 640 320 360 TOTAL ACRES 320 160
O Sec. 23 24 25 O Sec. 26 35	Twp. 32 32 32 wner o	Range 34w 34w 34w f Land -	NE½ 40 NE½ ADDRI NE½ ADDRI NE½ 40	NME AND AME: ESS: NI NW½ 40 40 AME: ESS: NI NW½ 40	## HENR BOX 1 40 ## BOX 1 5 5 5 5 5 6 5 6 6 6 6 6 6 6 6 6 6 6 6	SE½ 40	NE% 40 40 40 40 TCH F GUYM	RANCI ON OI NW¼ 40 40 RANCI ON OI NW¼	H TRU	SE½ 42 40 40 40 ST 42 SE½ 40	NE½ 40, 740,0 40	SV NW½ 40 40 40 8V NW½	5W% 40 40 40 40 5W%	SE% 40 40 40 SE%	NE% 40 NE% 40	SI NW% 40 40 SI NW%	SW1/40 S	SE1/4 40 SE1/4 40	TOTAL ACRES 640 320 360 TOTAL ACRES 320 160
O O O O O O O O O O O O O O O O O O O	Twp. 32 32 wner of Twp. 32 32 32 32 32 32 32	Range 34w 34w 34w f Land Range 34w 34w 34w f Land	NE% 40 NE% 40 40 40	ME AME: NIW AU AME: ESS: NI NW/A AU AME: AU	HENR BOX 1 40 HENR BOX 1 54 SW% 40 40 40 40	Y C H 308 SE½ 40 Y C H 308 SE½ 40 40 40 40	NE% 40 40 40 ITCH F GUYM NE% 40 40 APU	RANCI ON OI NW% 40 40 RANCI ON OI NW%	H TRU	SE½ 40 40 40 40 SE½ 40 40 50 50 50 50	NE½ 40 740 40 NE½	SV NW½ 40 40 40 8V NW½	5W% 40 40 40 40 5W% 5W%	SE% 40 40 40 SE%	NE% 40 NE% 40	SI NW% 40 40 SI NW% 40	SW% 40	SE% 40 SE% 40	TOTAL ACRES 640 320 360 TOTAL ACRES 320 160 320 2170
O O O O O O O O O O O O O O O O O O O	Twp. 32 32 wner of Twp. 32 32 32 32 32 32 32	Range 34w 34w 34w f Land Range 34w 34w 34w f Land	NE% 40 NE% 40 40 40	ME AME: NIW AU AME: ESS: NI NW/A AU AME: AU	HENR BOX 1 40 HENR BOX 1 5% 40 40 40 40 40	Y C H 308 SE½ 40 Y C H 308 SE½ 40 40 40 40	NE% 40 40 40 40 TCH F GUYM	RANCI ON OI NW% 40 40 RANCI ON OI NW%	H TRU	SE½ 40 40 40 40 SE½ 40 40 50 50 50 50	NE½ 40 740 40 NE½	SV NW½ 40 40 40 8V NW½	5W% 40 40 40 40 5W% 5W%	SE% 40 40 40 SE%	NE% 40 NE% 40	SI NW% 40 40 SI NW% 40	SW% 40	SE% 40 SE% 40	TOTAL ACRES 640 320 360 TOTAL ACRES 320 160
O O O O O O O O O O O O O O O O O O O	Twp. 32 32 wner of Twp. 32 32 32 32 32 32 32	Range 34w 34w 34w f Land Range 34w 34w 34w f Land	NE% 40 NE% 40 40 40	ME NW 40 AME: ESS: NI NW 40 AME: ESS: NI NW 40 AME: ESS: NI NW 40 AME: ESS:	HENR BOX 1 40 HENR BOX 1 5% 40 40 40 40 40	Y C H 308 SE½ 40 Y C H 308 SE½ 40 40 40 40	NE% 40 40 40 ITCH F GUYM NE% 40 40 APU	RANCION OI NW% 40 40 RANCION OI NW% 40 40 986	H TRU	SE½ 40 40 40 40 SE½ 40 40 50 50 50 50	NE½ 40 740 40 NE½	SV NW½ 40 40 40 NW½	5W% 40 40 40 40 5W% 5W%	SE% 40 40 40 SE%	NE% 40 NE% 40	SI NW% 40 40 \$I NW% 40	SW% 40	SE% 40 SE% 40	TOTAL ACRES 640 320 360 TOTAL ACRES 320 160 320 2170 6277218 TOTAL
O: Sec. 23 24 225 O: Sec. 26 335 36 O: Sec. 26 35 36 O: Sec. 26	Twp. 32 32 wner of Twp. 32 32 32 32 32 32 32	Range 34w 34w 34w f Land Range 34w 34w 34w f Land	NE% 40 NE% 40 40 40	ME NW 40 AME: ESS: NI NW 40 AME: ESS: NI NW 40 AME: ESS: NI NW 40 AME: ESS:	HENR BOX 1 5W/4 40 HENR BOX 1 5W/4 40 40 40 40 40 40	Y C H 308 SE½ 40 Y C H 308 Y C H 308 40 40 40 40	NE% 40 40 40 ITCH F GUYM NE% 40 40 APU	RANCION OI NW/A 40 40 RANCION OI NW/A 40 40 NW/A	H TRU (739- V/4 SW/4 40 40 H TRU (739- V/4 SW/4 SW/4 40 40 40 40 40	SE½ 40 40 40 40 SE½ 40 40 50 50 50 50	NE½ 40 740 40 NE½	SV NW½ 40 40 40 8V NW½	SW% 40 40 40 40 50 50 50 50 50 50 50 50 50 50 50 50 50	SE% 40 40 40 SE% 2;22	NE% 40 NE% 40	SI NW% 40 40 81 NW% 40	SW% 40	SE% 40	TOTAL ACRES 640 320 360 TOTAL ACRES 320 160 320 2170 627278
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O Sec. 23 24 25 O Sec. 26 35 36 O	Twp. 32 32 32 wner of 32 32 32 32 wner_o	Range 34w 34w 34w f Land Range 34w 34w 34w 34w	NE½ 40 NE½ 40 NE½ 40 40 40 40 ADDRI	ME NW 40 AME: ESS: NW 40 AME: ESS: NW 40 AME: ESS: NW 40 AME: NW 50 AME:	HENR BOX 1 5W/4 40 40 HENR BOX 1 5W/4 40 40 40 40	Y C H 308 SE½ 40 Y C H 308 Y C H 308 40 40 40 40	NE% 40 40 ITCH FGUYM	RANCION OI NW/A 40 40 RANCION OI NW/A 40 40 NW/A	H TRU	SE1/4 40 40 ST 42 SE1/4 40 40 ST 40 990	NE% 40 P 40	SV NW½ 40 40 40 8V NW½	SW% 40 40 40 40 5W% SW%	SE% 40 40 40 SE% 2;22	NE% 40 NE% 40	SI NW% 40 40 81 NW% 40	SW4 40 SW4 50	SE% 40	TOTAL ACRES 640 320 360 TOTAL ACRES 320 160 320 2170 6277218 TOTAL
Sec. 23 24 25 O	Twp. 32 32 32 wner of 32 32 32 32 wner_o	Range 34w 34w 34w f Land Range 34w 34w 34w 34w	NE½ 40 NE½ 40 NE½ 40 40 40 40 ADDRI	ME NW 40 AME: ESS: NW 40 AME: ESS: NW 40 AME: ESS: NW 40 AME: NW 50 AME:	HENR BOX 1 5W/4 40 40 HENR BOX 1 5W/4 40 40 40 40	Y C H 308 SE½ 40 Y C H 308 Y C H 308 40 40 40 40	NE% 40 40 ITCH FGUYM	RANCION OI NW/A 40 40 RANCION OI NW/A 40 40 NW/A	H TRU	SE1/4 40 40 ST 42 SE1/4 40 40 ST 40 990	NE% 40 P 40	SV NW½ 40 40 40 8V NW½	SW% 40 40 40 5W% SW% SW% SW%	SE% 40 40 40 SE% 2;22	NE% 40 NE% NE%	SI NW% 40 40 SI NW% 40 SI NW%	SW4 40 SW4 50	SE% 40	TOTAL ACRES 640 320 360 TOTAL ACRES 320 160 320 2170 6277218 TOTAL
O Sec. 23 24 25 O Sec. 26 35 36 O	Twp. 32 32 32 wner of 32 32 32 32 wner_o	Range 34w 34w 34w f Land Range 34w 34w 34w 34w	NE½ 40 NE½ 40 NE½ 40 40 40 40 ADDRI	ME NW 40 AME: ESS: NW 40 AME: ESS: NW 40 AME: ESS: NW 40 AME: NW 50 AME:	HENR BOX 1 5W/4 40 40 HENR BOX 1 5W/4 40 40 40 40	Y C H 308 SE½ 40 Y C H 308 Y C H 308 40 40 40 40	NE% A0 A0 A0 A0 A0 A0 A0 A0 A0 A	RANCI ON OI NW% 40 40 RANCI ON OI NW% 40 40 NW%	H TRU (739- V/4 SW/4 40 40 H TRU (739- V/4 SW/4 SW/4 SW/4 SW/4 SW/4 SW/4	SE½ 40 40 40 ST 42 SE½ 40 40 ST 40 SE½ 40 SE½	NE% 40 P 40 P 40 P 40 P 10 P 10 P 10 P 10 P	SV NW½ 40 40 40 8V NW½	SW% 40 40 40 40 SW% SW% SW%	SE% 40 40 40 SE% SE%	NE% 40 VS6 NE%	SI NW% 40 40 SI NW% 40 SI NW% 40	SW4 40 SW4 50	SE% 40	TOTAL ACRES 640 320 360 TOTAL ACRES 320 160 320 2170 6277218 TOTAL
Sec. 23 24 25 O	Twp. 32 32 32 wner of Twp. 32 32 32 32 Twp. Twp. Twp.	Range 34w 34w 34w f Land Range 34w 34w 34w 34w	NE% 40 NE% 40 ADDRI NE% 40 40 40 ADDRI NE%	ME AME AME AME AME AME AME AME AME AME A	HENR BOX 1 5W/4 40 40 HENR BOX 1 5W/4 40 40 40 40	Y C H 308 SE½ 40 Y C H 308 Y C H 308 40 40 40 40	NE% A0 A0 A0 A0 A0 A0 A0 A0 A0 A	RANCI ON OI NW% 40 40 RANCI ON OI NW% 40 40 NW%	H TRU (739- V/4 SW/4 40 40 H TRU (739- V/4 SW/4 SW/4 SW/4 SW/4 SW/4 SW/4	SE½ 40 40 40 ST 42 SE½ 40 40 ST 40 SE½ SE½	NE% 40 P 40 P 40 P 40 P 10 P 10 P 10 P 10 P	SV NW½ 40 40 40 8V NW½	SW% 40 40 40 5W% SW% SW% SW%	SE% 40 40 40 SE% SE% SE% RECE	NE% 40 VS6 NE%	SI NW% 40 40 SI NW% 40 SI NW%	SW4 40 SW4 50	SE% 40 SE% 40 SE% 40	TOTAL ACRES 640 320 360 TOTAL ACRES 320 160 320 2170 6277218 TOTAL
Sec. 23 24 25 O	Twp. 32 32 32 wner of Twp. 32 32 32 32 Twp. Twp. Twp.	Range 34w 34w 34w f Land Range 34w 34w 34w Range	NE% 40 NE% 40 ADDRI NE% 40 40 40 ADDRI NE%	ME AME AME AME AME AME AME AME AME AME A	HENR BOX 1 5W/4 40 40 HENR BOX 1 5W/4 40 40 40 40	Y C H 308 SE½ 40 Y C H 308 Y C H 308 40 40 40 40	NE% A0 A0 A0 A0 A0 A0 A0 A0 A0 A	RANCI ON OI NW% 40 40 RANCI ON OI NW% 40 40 NW%	H TRU (739- V/4 SW/4 40 40 H TRU (739- V/4 SW/4 SW/4 SW/4 SW/4 SW/4 SW/4	SE1/4 40 40 ST 42 SE1/4 40 40 ST 40 990	NE% 40 P 40 P 40 P 40 P 10 P 10 P 10 P 10 P	SV NW½ 40 40 40 8V NW½	SW% 40 40 40 5W% SW% SW% SW%	SE% 40 40 40 SE% SE% SE%	NE% 40 VS6 NE%	SI NW% 40 40 SI NW% 40 SI NW 40 SI	SW% 40 SW% 40 SW% 40 SW% S	SE% 40 SE% 40 SE% File N	TOTAL ACRES 640 320 360 TOTAL ACRES 320 160 320 2170 6, 27218 TOTAL ACRES

5.	Presently authorized point of diversion:			
-	One in the Quarter of the		Quarter of the	Quarter
1	of Section, Township			
	in County, Kansas, fe			
l	Authorized Rate Authorized Quantity			
- 1	(DWR use only: Computer ID No GPS_		feet North	feet West)
ı	☐This point will not be changed ☐This point will be changed as	s follows:	No change, point better d	lescribed with GPS as follows:
- 1	Proposed point of diversion: (Complete only if change is			
l	One in the Quarter of the			
	of Section, Township		South, Range	(E/W),
	in County, Kansas, fe	et 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			
_		_	· · · · · · · · · · · · · · · · · · ·	
6. T	Presently authorized point of diversion:			
	One in the Quarter of the		Quarter of the	Quarter
	of Section, Township		South, Range	(E/W).
- 1	in County, Kansas, fe			
1	Authorized Rate Authorized Quantity			
	(DWR use only: Computer ID No GPS _			
	☐ This point will not be changed ☐ This point will be changed as			
	Proposed point of diversion: (Complete only if change is		= : -	
1	One in the Quarter of the			
ļ	of Section, Township			
	in County, Kansas, fe			
	Proposed Rate Proposed Quantity			
	This point is: Additional Well Geo Center List other			
7.	The changes herein are desired for the following reasons? (please be specific) no chnage to wells, want to overlap the place off use for the hitch trust rights	300 E	North 200 100 0	100 200 300 111111111111111111111111111111111
8.	If a well, is the test hole log attached?	200		- - - - -
9.	The change(s) (was)(will be) completed by?	E	=	=
	upon approval	100	-1 + 1 + 1 =	- - - 100
10	If the point of diversion is a well:	Ē		=
10.		Most 0		iliiiiliiiiliiiliiiliii
	(a) What are you going to do with the old well?	Westo	#	thurling and a gast
		E	· =	=
	(h) \Alban will this be done?	100 E	-1 + 1 + 1 =	+ + - 1 100
	(b) When will this be done?	E		<u> </u>
	Constitution Management District assessment dation attacks 10	E		
11.	Groundwater Management District recommendation attached?	200	-1 + 1 + 1 =	1 十 1 十 1 量 200
	Li res 🖾 No	E	=	
12.	Assisted by tpm			
		300	200 100 0 South	100 200 300 Scale: 1 hashmark=10 ft
13a	If the proposed point of diversion will be relocated <u>more than 300 feet but within 2,640 feet</u> 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 of th diagr diver abov diver	e existing point of diversi am shown above in rel sion. (PLEASE NOTE:	n will be relocated within 300 feet on, indicate its location on the ation to the existing point of The "X" in center of diagram sently authorized point of
DWF	R 1-121 (Revised 04/5/2018) Pag	e 2	WATER RESOURCES RECEIVED	File No.

AUG 1 0 2018

14. If the proposed groundwater point of diversion is 300 c	or fewer feet fro	m the existing point of	diversion, complete	the following:
(a) Does the undersigned represent all owners of the ☐ Yes ☐ No (If no, all owners must			entified in this appli	cation?
 (b) Will the ownership interest of any owner of the of affected if this application is approved as requested ☐ Yes ☐ No (If yes, all owners must 	ed?		entified in this applic	ation be adversely
(c) If this application is not approved expeditiously, w ☐ Yes ☐ No (If no, all owners must			erty, public health o	r safety?
If the application proposes a surface water change in point or a change in place of use, the application must be signed agent (attach notarized statement authorizing representation)	d by all owners			
I hereby verify, being first duly sworn upon my or age and the owner, the spouse of the owner, or a their behalf, in regards to the water right(s) to we contained in this application are true, correct and Dated at Alexan	duly authori hich this app I complete.	zed agent of the ow	mer(s) to make the further verify the	nis application on
01011		/_//_day of/	1-9101	, 20 / 0
Morantens Truste	<u>e</u>			
Christina G. Stanfenber	1000 1		(Spouse)	
(Please Print)	zer		(Please Print)	
(Owner)			(Spouse)	
(Please Print)			(Please Print)	
(Owner)	-	· · · · · · · · · · · · · · · · · · ·	(Spouse)	
	TERE	8A O. FRENE	L <u></u>	
(Please Print) State of Kansas Maryland County of Mont pomery SS	MONTGO	ARY PUBLIC DMERY COUNTY ARYLAND DN EXPIRES MAY 15, 2019	(Please Print)	,)
I hereby certify that the foregoing application was of 1965 to 2019			orn to before me	this Z day
01		9 -	1000	
My Commission Expires	_		Notary Public	
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To accurate information; maps, if necessary, must be included; signal the appropriate fee must be paid.	be complete, all di lures of all the ap	of the applicable portions of propriate owners' must be	f the application form affixed to the applicat	must be completed with ion and notarized; and
Each application to change the place of use or the point of forth in the schedule below: Make checks payable to: Kar (1) Application to change a point of diversion 300 (2) Application to change a point of diversion more (3) Application to change the place of use	nsas Departme feet or less e than 300 feet	r this section shall be a ent of Agriculture		\$100 \$200
DWR 1-121 (Revised 04/5/2018)	Page 3	WATER RE RECE	SOURCES	File No. 20990

SCANNED

Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> 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.

as specified in sections 14 and 15 of this application. Dated at	his 2444	_day of	eplember	, 20 <i>1</i> 8
		•	•	
138NH172+ for H174 CUTERINSES, INC		7	(Spouse)	
JASSA HITCH CED FOR HITCH ENTERPRISES (Please Print)	·			
(Please Print)			(Please Print)	
(Owner)			(Spouse)	·
(Please Print)			(Please Print)	
(Owner)		. ,	(Spouse)	
(Please Print) NOTARY PU	IBLIC, State of O	klahoma	(Please Print)	
State of Kansas Oklahoma	Texas Cou Texas Cou La Juana Git on Expires: 5-16	unty oson		
I hereby certify that the foregoing application was signed in m	y presence an	d sworn to	before me this	24th day
	Lag	nane 6	Notary Public	
My Commission Expires 5-12-19			Notary Public	
FEE SCH	<u>EDULE</u>			
each application to change the place of use, the point of diversion or the pplication fee set forth in the schedule below:	use made of the	water unde	r this section shall b	e accompanied by th
 (1) Application to change a point of diversion 300 feet or less. (2) Application to change a point of diversion more than 300 fee (3) Application to change the place of use. (4) Application to change the use made of the water. 	et			\$200
lake check payable to Kansas Department of Agriculture.				
$\mathcal{J}_{\mathcal{H}_{-1}}$		Water	Resources	

SCANNED

Received

OCT 04 2018

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro	s Summary Order is issued under authority of K.S.A. 82 visions of the <i>Kansas Water Appropriation Law, K.S.A.</i> th the exception of those conditions expressly contained hitations of File No. 20990	2a-708b, as <i>82a-701 e</i> nerein, this	s amended, and K.A.R t. seq., and rules and r Summary Order does r	 5-5-1, et seq. and other applicable regulations promulgated thereunder not change the terms, conditions and
1.	A change application was received on diversion authorized under the above-referenced file in	number be	requesting the changed as described	at the place of use and / or point of in the application.
2.	On and after the effective date of this summary order, the the topographic map accompanying the application to	e authorize change th	ed place(s) of use shall be place of use.	be located substantially as shown o Applicable □ Not Applicable
3.	The change in point of diversion shall not impair existing previously authorized. The point of diversion authorized radius of the authorized point(s) of diversion. ☐ Appl	ed by this	d shall be limited to the summary order shall be ☐ Not Applicable	same source or sources of water a e located within afoot
4.	The point(s) of diversion described herein is administration Positioning System (GPS), as described in the applications of the second s	ratively cor ation. A	rected to be more ac	curately described using the Globa
5.	The point(s) of diversion authorized herein shall not actual authorized point(s) of diversion.	ually be loc ☐ Not App	ated more than blicable	feet from the previously
6.	As required by K.A.R. 5-3-5d, if the works for diversion is or other device suitable for making water level measur K.A.R. 5-6-13. Applicable Not Applica	rements sh	h a diversion rate of 10 all be installed, operate	0 gallons per minute or more, a tube d and maintained in accordance with
7.	The owner of the authorized place(s) of use shall December 31, 2018, or before the first use of water, w and maintained in accordance with K.A.R. 5-1-4 throws 5-3-5e, the owner shall maintain records and report the annually to the Chief Engineer by March 1 following the Applicable ☐ Not Applicable	/hichever o ugh 5-1-12 e reading o	ccurs first. The water fl . As required by K.S.A f the water flow meter a	ow meter shall be installed, operated \. 82a-732, as amended, and K.A.R
8.	Installation of the works for diversion of water shall authorized extension of time. By March 1, 20works for diversion has been completed, on the form Applicable Not Applicable	the applic	ant shall notify the Ch	ief Engineer that construction of the
9.	The completed well log shall be submitted with the r	required n	otice. Applicable	e
10.	All diversion works into which any type of chemical or ot with an in-line, automatic, quick-closing check valve check valve(s) shall be installed, operated and maintai	capable of	preventing pollution of	the source of the water supply. The
11.	Additional Conditions are attached.	lo		
12.	In accordance with K.S.A. 82a-708a, as amended, and water appropriated under the above-referenced file in limitations, as amended and/or supplemented by this Appropriation Law and the Rules and Regulations presult in civil penalties pursuant to K.S.A. 82a-737, as water or appropriation right or any other enforcement.	number are Summary romulgated s amended	e responsible for comp Order, and with applic I thereunder. Failure t I, and/or the suspensio	liance with its terms, conditions and able provisions of the <i>Kansas Wate</i> o comply with these provisions may
	Administrative Appeal and Effective Date of Order		FOR OF	FICE USE ONLY
•	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,			N APPROVED AND
you	may request an evidentiary hearing before the Chief		SUMMARY	ORDER ISSUED
Eng Aar	ineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be	e By:		
filed	I within 15 days of service of this Order and a request for ministrative review by the Secretary must be filed within 30		Duly Authorized	Designee of the Chief Engineer
day	s pursuant to K.S.A. 77-531. Any request for administrative		(Print Name):	
File	ew must state a basis for review pursuant to K.S.A. 77-527. any request with Kansas Department of Agriculture,			ces - Kansas Department of Agriculture
665	pal 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.		e of Issuance: e of Kansas)
	For Use by Register of Deeds	Cou	nty of) SS
		,		on
				·
		Sig	gnature:	Notany Public
		Му	commission expires: _	(Notary Seal)
DWI	R 1-121 (Revised 04/5/2018)	Page 4	WATER RESOL RECEIVE	

AUG 1 0 2018

20990 00 AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A

20990 00 IRR

Water Right and Points of Diversion Within 1.50 miles of point defined as:

GROUNDWATER ONLY

4000 Feet North and 4000 Feet West of the Southeast Corner of Section 24 T 32S R 34W

]	File :	Number		Use	ST	SR	Dist	(ft)	_Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID Batt	: Auth_Quan	Add_Quan	Unit		
7	A	20990	00	IRR	NK	G*		Q	<u> </u>	==	NC	NW	4000	4000	24	32_	34W	1	260.00	260.00	AF	*	
Z	A	20991	00	IRR	NK	G*		3757			ŅC	SE	1250	1300	23	32	34W	1	260.00	260.00	AF	P .	
1	A	22215	00	IRR	NK	G*		6541		NC	S2 :	NE	3295	1340	25	32	34W	6	260.00	260.00	AF	•	
5	Same							5822			NC :	NE	4000	1250	26	32	34W	3 ·	260.00	260.00	AF		
Ž	A	22216	00	IRR	NK	G*		5663		SE	SE	SW	100	2850	23	32	34W	4	260.00	260.00	AF		-
8	Same							2563		NW	SE :	NE	3838	1300	23	32	34W	7	260.00	260.00	AF	- APPLICAN	1
8	Same							5150		NW	SE	NM	3831	3890	23	32	34W	8	260.00	260.00			
Z	A	22218	00	IRR	NK	G _. *		2944			CW	SW	1300	5160	24	32	34W	2 .	130.00	130.00	AF		

Total Net Qua	ntities Au	ıthori	ized:	Direct	Storage
Total Request	ed Amount	(AF)	=	.00	.00
Total Permitt	ed Amount	(AF)	=	.00	.00
Total Inspect	ed Amount	(AF)	==	.00	.00
Total Pro_Cer	t Amount	(AF)	÷	.00	.00
Total Certifi	ed Amount	(AF)	=	1950.00	.00
Total Vested	Amount	(AF)	=	.00	.00
TOTAL AMOUNT		(AF)	=	1950.00	.00

An * after the source of supply indicates a pending application for change under the file number.

An * after the ID indicates a 15 AF exemption was granted under the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery. The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1.50 miles of point defined as:

4000 Feet North and 4000 Feet West of the Southeast Corner of Section 24 T 32S R 34W GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number Use ST SR

20990 00 IRR NK G

CLAWSON LAND PARTNERSHIP

> PO BOX 279

> PLAINS KS 67869

20991 00 IRR NK G

CLAWSON LAND PARTNERSHIP

> PO BOX 279

> PLAINS KS 67869

22215 00 IRR NK G

CLAWSON LAND PARTNERSHIP

> PO BOX 279

> PLAINS KS 67869	
>	
A 22216 00 IRR NK G	
> CLAWSON LAND PARTNERSHIP	
· ·	
> PO BOX 279	
> PLAINS KS 67869	
>	
A 22218 00 IRR NK G	
> CLAWSON LAND PARTNERSHIP	
>	
> PO BOX 279	
> PLAINS KS 67869	
>	
	==

PU OVOLLAP RLE NOS. 209921 22218

Property Details for PID: 08805624000000002000

QuickRef ID: R512 HITCH, HENRY C RANCH TR; HITCH Owner Name: ENTERPRISES, INC Location: 00000 ROAD F, Moscow, KS 67952 Abbreviated Boundary S24, T32, R34, NW4 Description: Owner Information: HITCH, HENRY C RANCH TR; HITCH Owner ENTERPRISES, INC PO BOX 1308 GUYMON, OK 73942-Mailing Address 1308 **Property Information:** Type Agricultural Use Active Status Taxing Unit 020-LIBERAL 209 Neighborhood Code 611

No Secondary Address Details found

Property Details for PID: 08805624000000004000

QuickRef ID :	R514
Owner Name :	HITCH ENTERPRISES INC
Location:	00000 ROAD 18, Moscow, KS 67952
Abbreviated Boundary Description:	S24, T32, R34, E2 SW4 & SW4 SE4
Owner Information:	
Owner	HITCH ENTERPRISES INC
Mailing Address	PO BOX 1308 GUYMON, OK 73942- 1308
Property Information:	
Туре	Agricultural Use
Status	Active
Taxing Unit	020-LIBERAL 209
Neighborhood Code	511

No Secondary Address Details found

Property Details for PID: 0880562400000003000

QuickRef ID:	R513
Owner Name :	HITCH, HENRY C
Location:	00000 ROAD F, Moscow, KS 67952
Abbreviated Boundary Description:	S24, T32, R34, W2 SW4
Owner Information:	
Owner	HITCH, HENRY C
Mailing Address	PO BOX 1308 GUYMON, OK 73942-1308
Property Information:	
Type	Agricultural Use
Status	Active
Taxing Unit	020-LIBERAL 209
Neighborhood Code	511

No Secondary Address Details found

Ireland, Leslie [KDA]

From:

Meyer, Mike [KDA]

Sent:

Monday, October 8, 2018 1:53 PM

To:

Ireland, Leslie [KDA]

Subject:

RE: Recommendation for Change in PU, File Nos. 20986xx22218_Hitch

Approve please

thanks

Mike

From: Ireland, Leslie [KDA]

Sent: Monday, October 8, 2018 1:49 PM

To: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>

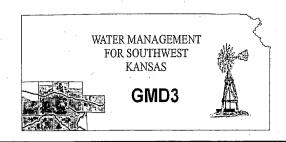
Subject: Recommendation for Change in PU, File Nos. 20986xx22218_Hitch

Mike,

Attached is the GMD review and my summary memo. Complete overlap & PD Updates, File Nos. 22,215 & 22,216. Please let me know if you could recommend these changes.

As always comments and concerns are welcome.

Leslie Ireland, Environmental Scientist II Kansas Department of Agriculture Division of Water Resources - Change Unit (785) 564-6633 Leslie.Ireland@ks.gov www.agriculture.ks.gov



Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street

Garden City, Kansas 67846

(620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

October 8, 2018

Water Resources Received

OCT 15 2018

KS Dept Of Agriculture

Leslie Ireland Kansas Department of Ag Division of Water Resources 1320 Research Park Drive Manhattan, Kansas 66502

RE:

Application for Change in place of Use

Water Right, File Nos. 20986, 20990, 20991, 20992, 22214, 22215, 22216 & 22218

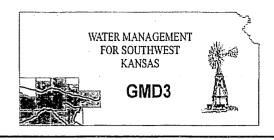
Dear Leslie:

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 request for change in place of use will create a complete overlap and is not requesting any new acres not currently authorized by a water right, in accordance with K.A.R. 5-5-11(b)(1). 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



Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street

Garden City, Kansas 67846 (620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

October 8, 2018

Leslie Ireland Kansas Department of Ag Division of Water Resources 1320 Research Park Drive Manhattan, Kansas 66502

RE:

Application for Change in place of Use

Water Right, File Nos. 20986, 20990, 20991, 20992, 22214, 22215, 22216 & 22218

Dear Leslie:

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 request for change in place of use will create a complete overlap and is not requesting any new acres not currently authorized by a water right, in accordance with K.A.R. 5-5-11(b)(1). 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

Water Resources
Received

OCT 08 2018

KS Dept Of Agriculture

DEPARTMENT OF AGRICULTURE 1320 RESEARCH PARK DRIVE MANHATTAN, KS 66502 PHONE: (785) 564-6700 FAX: (785) 564-6777



900 SW Jackson, Room 456 Topeka, KS 66612 Phone: (785) 296-3556 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

October 5, 2018

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO 3 ATTN MARK RUDE 2009 E SPRUCE GARDEN CITY KS 67846

EMAIL: Norquest@gmd3.org

Re: Change in Place of Use Applications,

Water Right, File Nos. 20,986; 20,990; 20,991; 20,992; 22,214;

22,215; 22,216 & 22,218

Dear Mr. Rude:

Due to the volume of this package which proposes a complete overlap in irrigated acres authorized by the referenced files, we are providing by email an electronic copy of the applications referred to above. The applications appear to be in proper form.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning the applications.

Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

Sincerely,

Leslie Ireland

Environmental Scientist

Water Appropriation Program

LI:li

Enclosures

pc:

Garden City Field Office

DEPARTMENT OF AGRICULTURE 1320 RESEARCH PARK DRIVE MANHATTAN, KS 66502 PHONE: (785) 564-6700 FAX: (785) 564-6777



900 SW Jackson, Room 456 Topeka, KS 66612 Phone: (785) 296-3556 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

October 2, 2018

NIX BROTHERS DAVID NIX 2279 ROAD M HUGOTON KS 67951

RE: Water Right, File Nos. 20,986; 20,990; 20,991; 20,992; 22,214;

22,215; 22,216 & 22,218

Dear Mr. Nix:

This letter is to **provide notice** as required by K.S.A. 82a-1906, which became effective on July 1, 2016. This notice is to inform you that the owners of the referenced appropriations of water have filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

The applications for Water Right, File Nos. 20,986; 20,990; 20,991; 20,992; 22,214; 22,215; 22,216 & 22,218, propose a change in the authorized places of use to overlap all their irrigated acres. These changes will not alter the quantity of water or rate of diversion authorized for irrigation use. The applications will not increase the number of acres authorized for irrigation use, and the place of use as a whole will remain as authorized. The 2,120 acres currently authorized in Sections 23, 24, 25, 26, 35 & 36, all in Township 32 South, Range 34 West, Seward County, Kansas would be authorized by each of the referenced files.

If you have any questions, please contact our office, my desk phone is (785) 564-6633. If you wish to discuss a specific file, please have the file numbers ready so that we may help you more efficiently.

Sincerely,

Leslie Ireland

Environmental Scientist

Keelie Ireland

Water Appropriation Program

pc: Garden City Field Office

Groundwater Management District No. 3

DEPARTMENT OF AGRICULTURE 1320 RESEARCH PARK DRIVE MANHATTAN, KS 66502 PHONE: (785) 564-6700 FAX: (785) 564-6777



900 SW Jackson, Room 456 Topeka, KS 66612 Phone: (785) 296-3556 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

October 2, 2018

CLAWSON LAND PARTNERSHIP DAVID CLAWSON PO BOX 279 PLAINS KS 67869

RE: Water Right, File Nos. 20,986; 20,990; 20,991; 20,992; 22,214;

22,215; 22,216 & 22,218

Dear Mr. Clawson:

This letter is to **provide notice** as required by K.S.A. 82a-1906, which became effective on July 1, 2016. This notice is to inform you that the owners of the referenced appropriations of water have filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

The applications for Water Right, File Nos. 20,986; 20,990; 20,991; 20,992; 22,214; 22,215; 22,216 & 22,218, propose a change in the authorized places of use to overlap all their irrigated acres. These changes will not alter the quantity of water or rate of diversion authorized for irrigation use. The applications will not increase the number of acres authorized for irrigation use, and the place of use as a whole will remain as authorized. The 2,120 acres currently authorized in Sections 23, 24, 25, 26, 35 & 36, all in Township 32 South, Range 34 West, Seward County, Kansas would be authorized by each of the referenced files.

If you have any questions, please contact our office, my desk phone is (785) 564-6633. If you wish to discuss a specific file, please have the file numbers ready so that we may help you more efficiently.

Sincerely,

Leslie Ireland

Environmental Scientist

Redie Ireland

Water Appropriation Program

pc: Garden City Field Office

Groundwater Management District No. 3

DEPARTMENT OF ACRICULTURE 1320 RESEARCH PARK DRIVE Manhattan, KS 66502 PHONE: (785) 564-6700 Fax: (785) 564-6777



900 SW JACKSON, ROOM 456 TOPEKA, KS 66612 PHONE: (785) 296-3556 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D. JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

CLAWSON LAND PARTNERSHIP PO BOX 279

August 13, 2018

PLAINS, KS 67869

RE: File No 20990

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

> place of use PU point of diversion use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor... A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent Tourney, L.G.

Change Applications Unit Supervisor

Water Appropriation Program

Smel A. Juney

BAT: DLW

pc: GARDEN CITY Field Office GMD3

