NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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 1-121 (Revised 04/5/2018)

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.

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1.	Applicat	ion is he	ereby i	made f	or app	roval o	of the (Chief E	Ingine	er to cl	nange Point	the (ch	neck of ersion	ne or b	ooth):	DEP	OFA	44 GRICI	JLTURE
	under th	e water	right v	which i	s the s	ubject	of this	applic	cation i	in acco	ordanc	e with	the co	ndition	s desc	ribed	below.		
	The sou	rce of s	upply i	is:		\boxtimes	Pround	lwater			Surfa	ce wat	er						
	Name a				_			AND P											
	Phone N	lumber:	()															
	Name ar	nd addr	ess of	Water	Use C	orresp	onder	nt: <u>CL</u>	<u>AWSO</u>	N LAN	ID PAI	RTNEF	RSHIP						
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	Phone N	lumber:	()					Email	addre	ss:				•				· · · · · · · · · · · · · · · · · · ·
	The pres																		
	Owner of Land NAME: see supplemental page																		
																			
	(If there is	s more th	nan one	landov	wner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								<u> </u>
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	If this ap Owner o	f Land -	NA	AME:	see su	pplem	ental p	page			•	ace of			~				**************************************
	(If there is	more th	an one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)				,				
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Page 1

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File No. ___

5.	Presently authorized point of diversion:		_			
- 1	One in the Quarter of the	Quarter of the	Quarter			
	of Section Township	South, Range	(E/W),			
	in County, Kansas, fe	et North feet West of Southeast corner	of section.			
1	Authorized Rate Authorized Quantity	Depth of well (feel	1)			
- 1	(DWR use only: Computer ID No GPS _	feet North feet Wes	st)			
l	☐ This point will not be changed ☐ This point will be changed as	s follows: 🔲 No change, point better described with GPS	as follows:			
	Proposed point of diversion: (Complete only if change is	requested or if existing point is better describe	d by GPS)			
ı	One in the Quarter of the	Quarter of the	Quarter			
ı	of Section Township	South, Range	(E/W),			
ŀ	in County, Kansas, fe	et North feet West of Southeast corner	of section.			
ı	Proposed Rate Proposed Quantity	Proposed well depth (feet)	·			
	This point is: Additional Well Geo Center List other	water rights that will use this point	·			
٠						
6.	Presently authorized point of diversion:					
١.	One in the Quarter of the	Quarter of the	Quarter			
	of Section . Township	South, Range	(E/W),			
- 1	in County, Kansas, fe	et 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 We	st)			
ı	☐This point will not be changed ☐This point will be changed as	s follows: No change, point better described with GPS	as follows:			
ı	Proposed point of diversion: (Complete only if change is					
١	One in the Quarter of the					
	of Section, Township	South, Range	(E/W),			
ı	in County, Kansas, fe	et North feet West of Southeast corner	of section.			
	Proposed Rate Proposed Quantity					
1	This point is: Additional Well Geo Center List other					
L	This point is. Traditional trois G eee center Lieu en					
7.	The changes herein are desired for the following reasons?					
••	(please be specific) no chnage to wells, want	North				
	to overlap the place off use for the hitch trust rights	300 200 100 0 100 200 201100011001100110012001100110011001	300 111114			
			'∄			
8	If a well, is the test hole log attached? Yes No		.]			
٠.		200 + 1 + 1 = 1 + 1 +				
9.	The change(s) (was)(will be) completed by?		킠			
	upon approval	100 = 1 + 1 + 1 = 1 + 1 +	1 - 100			
10.	If the point of diversion is a well:		. 🖥			
	(a) What are you going to do with the old well?	West 0 $\overline{\mathbb{H}^{H}}$ is the first of the fi	니+별 0 East			
		<u> </u>	4			
		100E1+1+1=1+1+	100			
	(b) When will this be done?		'∄'''			
		West 0 + + + + + + + + +	1			
11.	Groundwater Management District recommendation attached?	200 = + + = + + +	1 -= 200			
	☐ Yes No		4			
		<u> </u>				
12.	Assisted by tpm	300 200 100 0 100 200	300			
13a	. If the proposed point of diversion will be relocated more than 300	South Scale: 1 hashmar	k=10 ft			
	feet but within 2,640 feet of the existing point of diversion, attach	13b. If the proposed point of diversion will be relocated	within 300 feet			
	a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile	of the existing point of diversion, indicate its lo diagram shown above in relation to the exi	sting point of			
	of the proposed point of diversion and the names and mailing	diversion. (PLEASE NOTE: The "X" in cent	er of diagram			
	addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile	above represents the presently authoriz diversion.)	ea point of			
	downstream and one-half mile upstream from your property					
	lines	WATER RESOURCES				
		RECEIVED				
DW	R 1-121 (Revised 04/5/2018) Pag	e 2 AUG 1 0 2018 File No	•			
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APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO. 22215_

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3. C	Continue Owner o	ed: The of Land	N/	AME:	HENR	Y C H	ITCH	RANCI	H TRU	ST (
		4	ADDR	ESS:	BOX .	1308	GUYN	ION O	K 739	42									
NE%							NW¼			SW%			SE¼				TOTAL ACRES		
Sec.	Twp.	Range	NE%	NW%	SW1/4	SE1/4	NE%	NW1/4	SW%	SE1/4	NE%	T			NE%	†	SW1/4	SE¼	
25	32	34w	<u> </u>	40	40	 	40	ļ	<u> </u>	40	40	40	40	40		40	├		360
26	32	34w	40	40	40	40	}	 	 	<u> </u>		 	 	 	 	 	 		160
Owner of Land NAME:ADDRESS:																			
			NE½ NW½ SW½ SE½				TOTAL												
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C	wner o	f Land -																	
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Sec.	Twp.	Range	NE%	NW%	SW1/4	SE%	NE%	NW%	SW1/4	SE½	NE%	NW%	SW%	SE¼	NE%	NW%	SW1/4	SE%	ACRES
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4. C	ontinue	d: If th	is appl	ication	is for	a chai	nge in	place	of use,	it is p	ropose	d that	the pla	ce of	use be	chan	ged to:		
O	Owner of Land NAME: HENRY C HITCH RANCH TRUST ADDRESS: BOX 1308 GUYMON OK 73942																		
											TOTAL								
Sec.	Twp.	Range	NE%	NW%	E% SW%	SE%	NE1/4	NW%		SE%	NE%	NW%		SE1/4	NE1/4	NW%	sw ₁ / ₄	SE%	ACRES
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24	32	34w					40	40	40	40	40	40	40	40					320
25	32	34w		40	40		40			40	40	40	40	40		40			360
0	wner o	f Land -	NA	ME:	HENR	YCH	ІТСН І	RANCI	1 TRU	ST									
			ADDRI	ESS:	BOX 1	308	GUYM	ON O	K 739	42									
				NI	E%			NV	N%			SV	V%			SI	E%		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE%	NW1/4	SW1/4	SE1/4	NE%	NW%	SW1/4	SE%	NE%	NW%	SW1/4	SE%	ACRES
26_	32	34w	40	40	40	40	<u> </u>								40	40	40	40	320
35	32	34w	40	40	40	40	ļ		ļ										160
36_	32	34w	40	40	40	40	40	40	40	40_									320
0	wner o	f Land -																	
			ADDRE	-55:			,												
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Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE%	NW1/4	SW1/4	SE%	NE%	NW1/4	SW1/4	SE1/4	
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AUG 1 0 2018

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	s Summary Order is issued under authority of K.S.A. 82 visions of the <i>Kansas Water Appropriation Law, K.S.A.</i> 8 the exception of those conditions expressly contained hattions of File No. 22215	82a-701 e	et. sea and rules a	nd requiations (promuigated thereunder
1.	A change application was received on diversion authorized under the above-referenced file r	number be	requestine changed as descri	g that the place bed in the appli	e of use and / or point o
2.	On and after the effective date of this summary order, the topographic map accompanying the application to	e authoriz	ed place(s) of use st	nall be located s	ubstantially as shown or
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	rights an	d shall be limited to summary order sha	the same source	e or sources of water as
4.	The point(s) of diversion described herein is administr Positioning System (GPS), as described in the application	ratively co	rrected to be more Applicable Not Applicable Not Appl	accurately des	scribed using the Globa
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion.	ıally be loı ☐ Not Ap	cated more than plicable	·	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	ements sl	th a diversion rate o nall be installed, ope	f 100 gallons per rated and maint	er minute or more, a tube ained 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 through 5-3-5e, the owner shall maintain records and report the annually to the Chief Engineer by March 1 following the Applicable Not Applicable	rhichever o ugh 5-1-12 e reading o	occurs first. The wat 2. As required by K of the water flow met	er flow meter sh .S.A. 82a-732, er and the total	iall be installed, operated as amended, and K.A.R
8.	Installation of the works for diversion of water shall authorized extension of time. By March 1, 20 works for diversion has been completed, on the form Applicable	the appli	cant shall notify the	Chief Engineer	r that construction of the
€.	The completed well log shall be submitted with the re	equired r	otice.	cable 🔲 No	ot Applicable
10.	All diversion works into which any type of chemical or otl with an in-line, automatic, quick-closing check valve c check valve(s) shall be installed, operated and maintain	capable of	preventing pollution	of the source (of the water supply. The
11.	Additional Conditions are attached.	0			
12.	In accordance with K.S.A. 82a-708a, as amended, and water appropriated under the above-referenced file n 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 ar Summary romulgate s amende	e responsible for co Order, and with ap d thereunder. Failu d, and/or the suspe	mpliance with i plicable provision re to comply w	ts terms, conditions and ons of the <i>Kansas Watel</i> ith these provisions may
	Administrative Appeal and Effective Date of Order			R OFFICE USE OI	
lf v	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,			TION APPRO	
you Eng Agr Agr Aday revi File Lec 665	may request an evidentiary hearing before the Chief gineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be it within 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30 pursuant to K.S.A. 77-531. Any request for administrative ew must state a basis for review pursuant to K.S.A. 77-527. any request with Kansas Department of Agriculture, all Division, 1320 Research Park Drive, Manhattan, KS 602. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	e By: Dat Sta	Duly Authori (Print Name): Division of Water Reise of Issuance: te of Kansas		ne Chief Engineer Department of Agriculture
	For Use by Register of Deeds	Co	unty of)
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		by.			•
		Si	gnature:		
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		IVI	y commission expire WATER RES	OURCES	Notary Seal)
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KS DEPT OF AGRICULTURE

STATE OF KANSAS

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

CLAWSON LAND PARTNERSHIP PO BOX 279 PLAINS, KS 67869 August 13, 2018

Dear Sir or Madam:

RE: File No 22215

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

and I Juney

BAT: DLW

pc: GARDEN CITY Field Office GMD3