

Kansas Department of Agriculture
Division of Water Resources
CHANGE: P/U WORKSHEET

1. File Number: 18588	2. Status Change Date:	3. Change Num: C1	4. Field Office: 4	5. GMD: 3
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 12/17/2021
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8a. Applicant(s) New to system <input type="checkbox"/> DOUGLAS L & MICHELLE K MCCLAREN 23000 C ROAD FOWLER, KS 67844	Person ID 33836 Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/>	Person ID _____ Add Seq# _____
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8b. Landowner(s) New to system <input type="checkbox"/> 8a	Person ID _____ Add Seq# _____	8d. WUC New to system <input type="checkbox"/> 8a	Person ID _____ Add Seq# _____
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9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/2022** N & P Date to Comply: **3/1/2023**

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **12/22/2021** By: **AM**
Date Entered: _____ By: _____

File No. **18588** 11. County: **ME** Basin: **CROOKED CREEK** Stream: Formation Code: **211** Special Use:

12. Points of Diversion
 Rate and Quantity
 Authorized Additional
 Rate Quantity Rate Quantity
 gpm af gpm af Overlap PD Files

CHK	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
CHK				49007	NW NE NW	11	30S	27W	2	5230	3561		1600	640	1600	640	NONE

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
ENT	7224	11	30S	27W	1	32	32	40	40	32	32	40	40	40	40	32	32	40	40	36.5	38	586.5	8a	N	18367
DEL	37199																								

Base Acres: **320** Year: Minimum Reasonable Quantity:
 Comments: **OVERLAPPING/MOD PUSE IDS 7224 (KEEP); 32099 (DELETE) & 37199 (DELETE) – ALL UNDER SAME OWNERSHIP**

Garden City Field Office
4532 W. Jones, Suite B
Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

December 22, 2021

DOUGLAS L & MICHELLE K MCCLAREN
23000 C ROAD
FOWLER, KS 67844

RE: Filed Office Application for Change
Water Right, File Nos. 18367 & 18588

Dear Sir or Madam:

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

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number and meet current specifications. Please return the required notification of completion of the diversion works and/or installation of the required meter as soon as these actions are completed.

Since the 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 contact this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

A handwritten signature in blue ink that reads "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc: GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 22nd day of December, 2021, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 18,367 & 18,588 dated 22nd day of December, 2021 was mailed postage prepaid, first class, US mail to the following:

DOUGLAS L & MICHELLE K MCCLAREN
23000 C ROAD
FOWLER, KS 67844

Pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3



Division of Water Resources Staff

Submit completed application to:
 Kansas Department of Agriculture
 Division of Water Resources
 Field Office for your area.
 Call for address:
 Topeka -- (785) 296-5733
 Stafford -- (620) 234-5311
 Stockton -- (785) 425-6787
 Garden City -- (620) 276-2901
<http://agriculture.ks.gov/dwr>

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

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

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

 File No. 18588

RECEIVED
 2:01 pm
 DEC 17 2021

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

Garden City Field Office
 Division of Water Resources

2. Name and address of Applicant: Douglas L & Michelle K McClaren
23000 C Road, Fowler, KS 67844
 Phone Number: (620)635-5892 Email address: dmmccclaren@outlook.com
 Name and address of Water Use Correspondent: SAME

Phone Number: () Email address: _____

3. The presently authorized place of use is:
 Owner of Land ---- NAME: Douglas L & Michelle K McClaren
 ADDRESS: 23000 C Road, Fowler, KS 67844
 (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	
11	30s	27w	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	320.0

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: Douglas L & Michelle K McClaren
 ADDRESS: 23000 C Road, Fowler, KS 67844
 (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	
11	30s	27w	32.0	32.0	40.0	40.0	32.0	32.0	32.0 40.0	40.0	40.0	40.0	30.0 30.0	40.0	40.0	40.0	40.0	40.0	580.0
								40				32	32			36.5	38		586.5
* Per phone call w/ applicant on 12/17 for total base + 10 acres																			

For Office Use Only: Code _____	Fee \$ <u>200.00</u> TR # _____	Receipt Date <u>12-17-21</u> Check # <u>3022</u>
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5. **Presently authorized point of diversion:**
 One in the NW Quarter of the NE Quarter of the NW Quarter
 of Section 11 , Township 30 South, Range 27 W,
 in Meade County, Kansas, 5230 feet North 3561 feet West of Southeast corner of section.
 Authorized Rate 1600gpm Authorized Quantity 640AF 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: 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 described by GPS)
 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: 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 described by GPS)
 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. The changes herein are desired for the following reasons?
 (please be specific)
 Make a complete overlap in place of use

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

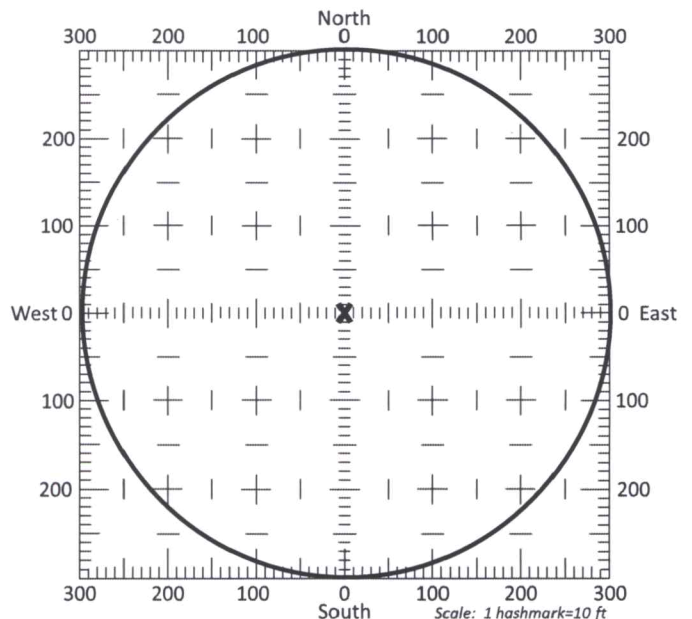
9. The change(s) (was)(will be) completed by?
As soon as approved

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
NA
 (b) When will this be done?

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by GMD3/JLN

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines



13b. If the proposed point of diversion will be relocated within a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. **(PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)**

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently 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 regards 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 WMD's Office, Kansas, this 17th day of December, 20 21.

Doug McLaren

 (Owner)

Michelle McClaren

 (Spouse)

Doug McLaren

 (Please Print)

Michelle McClaren

 (Please Print)

 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

State of Kansas }
 County of Finney } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 17th day of December, 20 21.

Brandi Sneath

 Notary Public

My Commission Expires 11/19/2023.

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

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. 5-5-1, *et seq.* and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 18588.

1. A change application was received on December 17, 2021 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 described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. Applicable Not Applicable
5. 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
6. 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
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2022**, 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
8. **Installation of the works for diversion of water shall be completed on or before December 31, 2022**, or within any authorized extension of time. By March 1, 2023 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
9. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
10. 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
11. Additional Conditions are attached. Yes No
12. 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

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

For Use by Register of Deeds

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

By: Austin McColloch
Duly Authorized Designee of the Chief Engineer

(Print Name): Austin McColloch
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: December 22, 2021

State of Kansas)

County of Winney) SS

Acknowledged before me on December 22, 2021

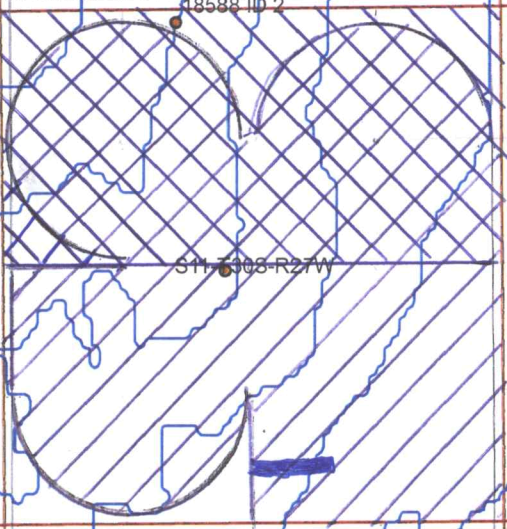
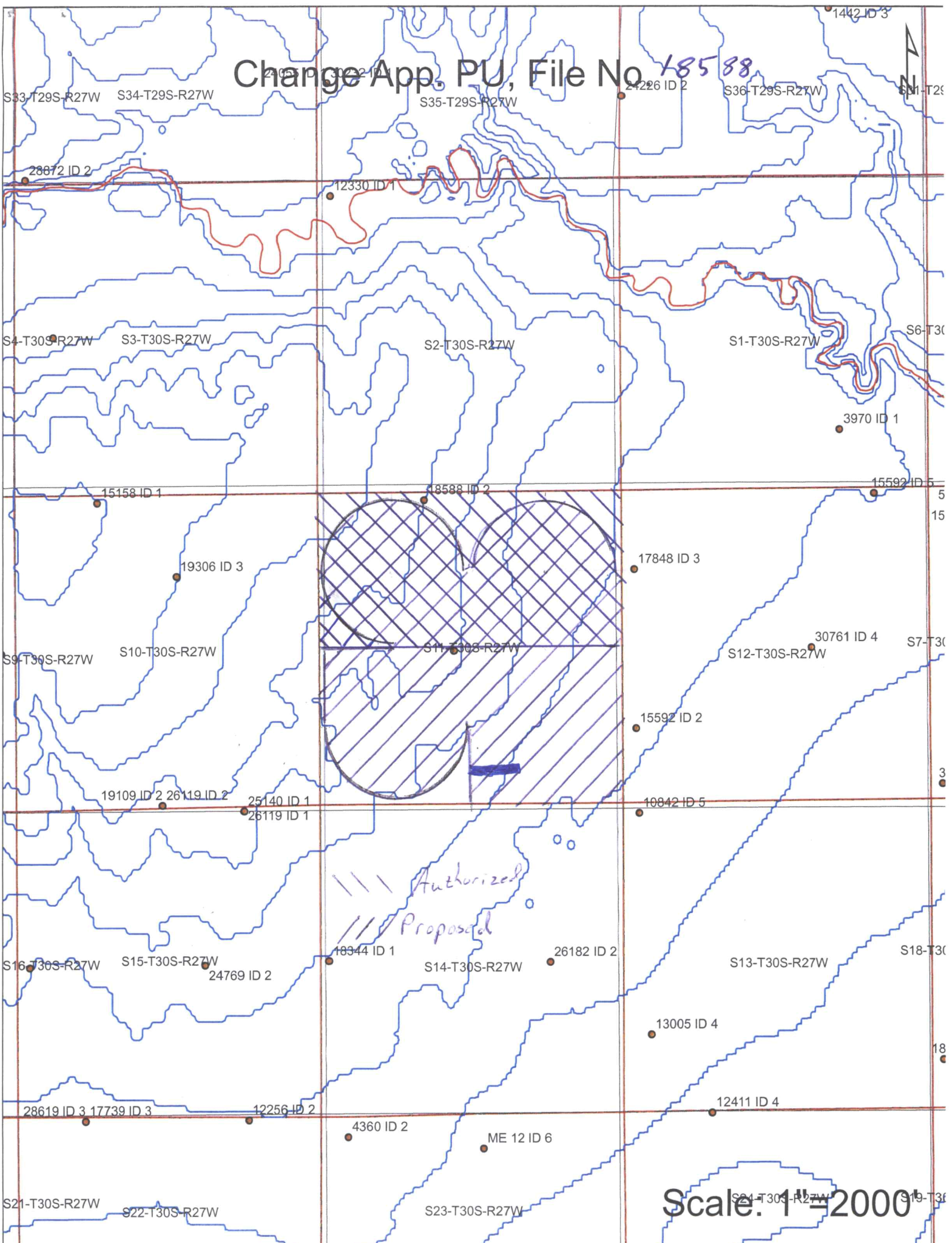
by Austin McColloch

Signature: Julie Jones
Notary Public

My commission expires: _____
(Notary Seal)

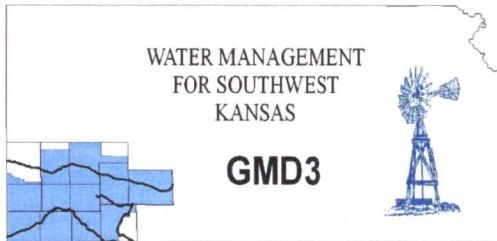


Change App. PU, File No. 18588



Authorized
Proposed

Scale: 1"=2000'



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

December 13, 2021

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

RE: Applications for Change in Place of Use
Water Right, File Nos. 18367 & 18588

Dear Mike:

We have assisted with the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use will rearrange acres to better suit the operation and create a complete overlap in place of use and is in accordance with K.A.R. 5-5-11(b). 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,

A handwritten signature in blue ink, which appears to read "Jason L. Norquest". The signature is fluid and cursive, written over the typed name and title below it.

Jason L. Norquest
Assistant Manager