

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

Document Signature _____

1. File Number: 18,181	2. Status Change Date: 7/21/2016	3. Change Num: C2	4. Field Office: 04	5. GMD: 03
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6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 20-JUL-2015
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8a. Applicant(s) New to system <input type="checkbox"/> Person ID <u>57020</u> Add Seq# <u>1</u> CLAWSON LAND PARTNERSHIP PO BOX 279 PLAINS KS 67869	8d. Landowner(s) New to system <input type="checkbox"/> Person ID <u>242</u> Add Seq# <u>1</u> E G AMERIN 9041 4 RD PLAINS KS 67869
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8b. Landowner(s) New to system <input type="checkbox"/> Person ID <u>57020</u> Add Seq# <u>1</u> CLAWSON LAND PARTNERSHIP PO BOX 279 PLAINS KS 67869	8e. Landowner(s) New to system <input type="checkbox"/> Person ID <u>35935</u> Add Seq# <u>1</u> LOLA DAVIS 8149 N GIBRALTAR DR TUCSON AZ 85704
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8c. Landowner(s) New to system <input type="checkbox"/> Person ID <u>63761</u> Add Seq# <u>1</u> KMC AG LLC P O BOX 279 PLAINS KS 67869-0279	8f. WUC New to system <input type="checkbox"/> Person ID <u>37462</u> Add Seq# <u>1</u> NO CHANGE CLAWSON MEADE-SEWARD #2 PO BOX 279 PLAINS KS 67869-0279
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9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: 12/31/16 N & P Date to Comply: 12/31/16

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: **7/21/16** By: **RAK**
 Date Entered: **7/21/2016** By: **CM**

File No. 18,181		11. County: ME		Basin: CROOKED CREEK		Stream:		Formation Code: 211/331		Special Use:	
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12. Points of Diversion										Rate and Quantity					
										Authorized		Additional			
MOD	DEL	PDIV	Qualifier	S	T	R	ID	N	W	Comment	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
MOD		84443	SW¼ SW¼ NE¼	7	31S	30W	2	2887	2165	Keep PU Comment 346' N & 926' E OF PREV P/D	356 g.p.m.	474 AF	356 g.p.m.	474 AF	NO
ENT		51617	NE¼ NE¼ SW¼	7	31S	30W	1	2560	3080	ADDITIONAL WELL	356 g.p.m.	500 AF	356 g.p.m.	500 AF	NO

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

14 Limitation: _____ 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		NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
MOD	DEL	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
ENT	PUSE	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼				

Comments: **SPECIAL CONDITIONS Y ADDITIONAL WELL(REVIEW AFTER 5-10YRS)**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
MEMORANDUM

TO: Files

DATE: July 21, 2016

FROM: Richelle A. Krueger

RE: Water Right
File No. 18,181

Daniel and David Clawson, etal, owners of the referenced water right, have filed an application for approval to change the authorized point of diversion under the above referenced file number, authorized groundwater for irrigation use in the Crooked Creek Subbasin.

The above referenced water right does not appear to be abandoned as per K.S.A. 82a-718.

The referenced water right is authorized 1,236 acre-feet and 2,450 gallons per minute from one well located 2,906 feet North and 2,154 feet West (g.p.s. 2,887'N, 2,165'W) of the Southeast corner of Section 7, Township 31 South, Range 30 West, Meade County, for irrigation use on 5,404.49 acres located in Meade and Seward Counties. There is no overlap in the authorized point of diversion but the place of use overlaps Water Right, File Nos. 6,749; 7,938; 9,689; 12,246; 12,361; 15,465; 16,593; 18,744; 26,286; 32,158; 32,294; 33,205; 33,251; 33,401; 33,424; 33,551; 33,566 and 40,280. The water right owners propose to add the previously authorized well as an additional well pursuant to K.A.R. 5-5-16 *Additional wells*. The proposed additional well is located 2,560 feet North and 3,080 feet West of the Southeast corner of the aforementioned Section 7, so that a total of two wells will be authorized for irrigation use. The proposed additional well is located approximately 989 feet southwest of the presently authorized well.

To comply with the K.A.R. 5-5-16 (a)(2)(C)(i) calculation the overall quantity of File No. 18,181 will be reduced to 974 acre-feet and the overall diversion rate will be reduced to 712 gallons per minute based on the pump test.

According to WRIS and the application map, there are no other wells within one-half mile of the proposed additional well.

It appears that the proposed well will remain in the same local source of supply, which was previously determined to be Ogallala Formation (211)/Dakota Formation (331).


Approval of the application will be subject to the condition that for the sole purpose of administering wells concerning direct impairment, the additional well shall be considered to have the priority of the date the application was filed (July 20, 2015) to add the additional well.

In a letter dated July 15, 2016, Jason L. Norquest, Assistant Manager of Southwest Kansas Groundwater Management District No. 3 indicated that the Board of Directors recommended a waiver of K.A.R. 5-23-3(a)(1) because the current well and proposed additional well do not meet well spacing regulations to each other. K.A.R. 5-5-16 (c)(1) which also pertains to well spacing will be waived since the Board has recommended a waiver of K.A.R. 5-23-3(a)(1).

In an e-mail dated July 18, 2016, Mike Meyer, Water Commissioner of the Garden City Field Office, indicated that he recommends approval of the referenced change application.

Water flow meters are required. Check valves are required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion, that the change is reasonable, that impairment to existing water rights is unlikely, that no change in the local source of supply will occur, and if the Chief Engineer waives of K.A.R. 5-5-16 (c)(1) and K.A.R. 5-23-3(a)(1) it has been recommended that the referenced application be approved.


Richelle A. Krueger
Environmental Scientist



KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Acting Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

**WAIVER OF REGULATION
K.A.R. 5-5-16(c)(1) and K.A.R. 5-23-3(a)(1)
Well Spacing Requirements**

Date: 7/21/16

Re: Water Right, File No. 18,181

1. That K.A.R. 5-5-16(c)(1) states in part that a proposed additional well must meet the well spacing requirements to all other wells with a priority earlier than the date the change application was filed.
2. That K.A.R. 5-23-3(a)(1) states in part that the minimum well spacing shall be based on the maximum annual quantity of water in acre-feet either authorized and requested for the proposed well, or authorized and requested by a senior application, permit, or water right for the nontemporary, nondomestic well to which the spacing is being measured, whichever is greater.
3. That the application to change the point of diversion for Water Right, File No. 18,181 received in the office of the Chief Engineer on July 20, 2015, requests to add the previously authorized well as an additional well pursuant to K.A.R. 5-5-16 *Additional wells* so that a total of two wells will be authorized for irrigation use.
4. The proposed additional well is located approximately 989 feet southwest of the presently authorized well and will not meet well spacing requirements of K.A.R. 5-23-3(a)(1) *Minimum well spacing requirements: high plains aquifer* back to the presently authorized well. No new wells will be drilled and the wells are under common ownership.
5. That in a letter dated July 15, 2016, Jason L. Norquest, Assistant Manager of Southwest Kansas Groundwater Management District No. 3, indicated that the Board of Directors of Southwest Kansas Groundwater Management District No. 3 reviewed the application, and has recommended a waiver of the spacing requirement of K.A.R. 5-23-3(a)(1) for the referenced change application for File No. 18,181. The wells in question are under common ownership, and the most interaction would be between the two wells. The proposed wells meet spacing to all other nearby wells and there was no response from neighboring well owners opposing the change.
6. That the referenced application for File No. 18,181 should be approved with a waiver of the well spacing requirement of K.A.R. 5-5-16(c)(1) and with a waiver of K.A.R. 5-23-3(a)(1).
7. That waivers of K.A.R. 5-5-16(a)(1) and K.A.R. 5-23-3(a)(1) will neither prejudicially nor unreasonably affect the public interest and it will not impair an existing water right.

Comments:

A handwritten signature in cursive script, reading "David W. Barfield", written over a horizontal line.

David W. Barfield, P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

Kansas Department of Agriculture
 Division of Water Resources
WAIVER REQUEST & WAIVER RULE WORKSHEET

File Number: 18,181

FO: 4

GMD: 3

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
IRR	07/20/15	27		Well Spacing	Well to Well Spacing
Rule Number	Date Granted	Date Denied	Justification:	GMD No. 3 recommends a waiver of well spacing regulations since the wells in question are under common ownership and spacing regulations are met to all other nearby wells.	
K.A.R. 5-23-3(a)(1)	7/21/2016				

WAIVER RULE:

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive

Date Prepared 07/21/16 By RAK

Date Entered 7/21/2016 By UM

Kansas Department of Agriculture
 Division of Water Resources
WAIVER REQUEST & WAIVER RULE WORKSHEET

File Number: 18,181

FO: 4

GMD: 3

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
IRR	07/20/15	147		Well Spacing	Change Approval
Rule Number	Date Granted	Date Denied	Justification:	K.A.R. 5-5-16(c)(1) should be waived since GMD No. 3 recommends a waiver of K.A.R. 5-23-3(a)(1) well spacing regulation.	
K.A.R. 5-5-16(c)(1)	7/21/2016				

WAIVER RULE:

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive

Date Prepared 07/21/16 By RAK

Date Entered 7/21/2016 By UM

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

July 22, 2016

FILE COPY

CLAWSON LAND PARTNERSHIP
KMC AG LLC
ATTN DAVID DANIEL AND KIRBY CLAWSON
PO BOX 279
PLAINS KS 67869

RE: Water Right, File No. 18,181

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.

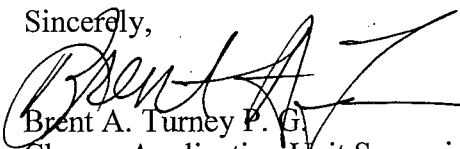
Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals is that acceptable water flow meters must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the diversion works and installation of the required meters as soon as these actions are completed.

Please note that the application for File No. 18,181 is approved subject to the condition that for the sole purpose of administering wells concerning direct impairment, the additional well shall be considered to have the priority of the date the application was filed (July 20, 2015) to add the additional well. In addition, the Chief Engineer specifically retains jurisdiction in this matter with authority to review the approval of the additional well at intervals of no fewer than five years, and no more than ten years to determine if the total annual quantity of water actually being withdrawn by all wells authorized by the approval of application for change is exceeding the total annual quantity of water that could have been physically withdrawn if the additional well had not been approved, and based on the review, the Chief Engineer retains authority to make a reasonable reduction in the authorized quantity of water as may be deemed to be in the public interest.

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

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,


Brent A. Turney, P. G.
Change Application Unit Supervisor

BAT:rak

pc: Garden City Field Office
Groundwater Management District No. 3
Lola Davis Trust, Attn Bill Boaldin, Trustee
E.G. Amerin



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN
POINT OF DIVERSION
AND ORDER REDUCING THE
AUTHORIZED QUANTITY AND DIVERSION RATE
WATER RIGHT
FILE NO. 18,181**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of David Clawson, on behalf of Clawson Land Partnership, P.O. Box 279, Plains, Kansas, 67869, Kirby Clawson, on behalf of KMC Ag, L.L.C., P.O. Box 279, Plains, Kansas, 67869-0279, Bill Boaldin, Trustee, on behalf of Lola Davis Trust, 8149 North Gibraltar Drive, Tucson, Arizona, 85704, and E.G. Amerin, 9041 4 Road, Plains, Kansas, 67869, received in this office on July 20, 2015, for approval of a change in the location of the point of diversion under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the Orders of the Chief Engineer dated May 11, 1992 and November 29, 1994, approving applications to change the place of use, by the Correctional Order of the Chief Engineer dated September 15, 2000, correcting an error in the description of the authorized place of use, and by the Order of the Chief Engineer dated June 15, 2015, approving the application to change the point of diversion, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

This order effectively reduces the authorized quantity to 974 acre-feet of water per calendar year and the authorized diversion rate to 712 gallons per minute (1.58 c.f.s.) in accordance with the Application for Approval to Change the Point of Diversion received in this office on July 20, 2015.

The application, therefore, is approved subject to the condition that for the sole purpose of administering wells concerning direct impairment, the additional well shall be considered to have the priority of the date the application was filed (July 20, 2015) to add the additional well.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized locations of the points of diversion shall be:

one (1) well located in the Southwest Quarter of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 7, more particularly described as being near a point 2,887 feet North and 2,165 feet West of the Southeast corner of said section, at a diversion rate not in excess of 356 gallons per minute (0.79 c.f.s.) and in a quantity not to exceed 474 acre-feet of water per calendar year, and

one (1) well located in the Northeast Quarter of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 7, more particularly described as being near a point 2,560 feet North and 3,080 feet West of the Southeast corner of said section, at a diversion rate not in excess of 356 gallons per minute (0.79 c.f.s.) and in a quantity not to exceed 500 acre-feet of water per calendar year,

both in Township 31 South, Range 30 West, Meade County, Kansas,

located substantially as shown on the map accompanying the application to change the point of diversion.

Installation of the works for diversion of water shall be completed on or before December 31, 2016, or within any authorized extension of time. The water right owner shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

All wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this order shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

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.

The Chief Engineer specifically retains jurisdiction in this matter with authority to review the approval of the additional well at intervals of no fewer than five years, and no more than ten years to determine if the total annual quantity of water actually being withdrawn by all wells authorized by the approval of application for change is exceeding the total annual quantity of water that could have been physically withdrawn if the additional well had not been approved, and based on the review, the Chief Engineer retains authority to make a reasonable reduction in the authorized quantity of water as may be deemed to be in the public interest.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 18,181, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated May 7, 1992, as modified and amended by the aforementioned orders.

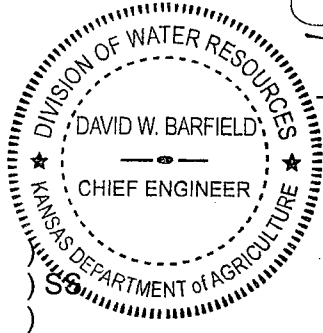
This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. Any person aggrieved by this Order may petition for administrative review, pursuant to K.S.A. 82a-708b(a) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this 21st day of July, 2016, in Topeka, Shawnee County, Kansas.



David W. Barfield

David W. Barfield P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

State of Kansas

County of Riley

The foregoing instrument was acknowledged before me this 21st day of July, 2016, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

Karen Hunter
Notary Public



CERTIFICATE OF SERVICE

On this 22 day of July, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, File No. 18,181, dated July 21, 2016 was mailed postage prepaid, first class, US mail to the following:

CLAWSON LAND PARTNERSHIP
KMC AG LLC
PO BOX 279
PLAINS KS 67869

With true and correct copies to:

LOLA DAVIS TRUST
ATT BILL BOALDIN TRUSTEE
8149 N GIBRALTAR DR
TUCSON AZ 85704

E G AMERIN
9041 4 RD
PLAINS KS 67869

With photocopies to:

Garden City Field Office
Groundwater Management District No. 3

Danielle Wilson
Division of Water Resources

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO
CHANGE THE PLACE OF USE, THE
POINT OF DIVERSION OR THE USE
MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT**



State of Kansas

*Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)*

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
- (Check one or more) Point of Diversion
- Use Made of Water

WATER RESOURCES
RECEIVED

MAY 23 2016

1:19
KS DEPT OF AGRICULTURE

WATER RESOURCES
RECEIVED

JUL 20 2015

1:21 P
KS DEPT OF AGRICULTURE

File No. 18181

2. Name of applicant: Daniel Clawson

Address: PO Box 279

City, State and Zip: Plains, KS 67869

Phone Number: (620)563-6112

E-mail address: Dan@Clawsonoffice.com

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: Clawson Meade-Seward #2

Address: PO Box 279

City, State and Zip: Plains, KS 67869

Phone Number: () _____

E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): To add an additional well (add the old well) to the new redrilled well that does not produce well.

The change(s) (will be) completed by 2015

(Date)

For Office Use Only:

F.O. 1 GMD 3 Meets K.A.R. 5-5-1 (YES/NO) Use IR Source G/S County ME By LI Date 7/20/15
Code CGT Fee \$ 200.00 TR # _____ Receipt Date 7/20/15 Check # 14742

1600 2652

4. The presently authorized place of use is:

Owner of Land — NAME: _____

ADDRESS: _____

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			

List any other water rights that cover this place of use. _____

Owner of Land — NAME: _____

ADDRESS: _____

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				

List any other water rights that cover this place of use. _____

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: _____

ADDRESS: _____

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					

List any other water rights that cover this place of use. _____

Owner of Land — NAME: _____

ADDRESS: _____

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						

WATER RESOURCES RECEIVED

JUL 20 2015

WATER RESOURCES RECEIVED

KS DEPT OF AGRICULTURE

List any other water rights that cover this place of use. _____

MAY 23 2016

6. The presently authorized point(s) of diversion is SW SW NE Sect. 7 T31 R30W *one well*
(Provide description and number of points)

7. The proposed point(s) of diversion is SW SW NE Sect. 7 T31 R30W & NE NE SW Sect. 7 T31 R30W *two wells*
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the SW Quarter of the SW Quarter of the NE Quarter of Section 7, Township 31 South, Range 30 (W), in Meade County, Kansas, 2906 feet North 2154 feet West of Southeast corner of section.
 * * Authorized Rate 2450 gpm Authorized Quantity 1236 af
 (DWR use only: Computer ID No. 02 GPS 2887 feet North 2165 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the SW Quarter of the SW Quarter of the NE Quarter of Section 7, Township 31 South, Range 30 (W), in Meade County, Kansas, 2906 feet North 2154 feet West of Southeast corner of section.
 * * Proposed Rate 350 356 gpm Proposed Quantity 479
 This point is: Additional Well Geo Center List other water rights that will use this point _____

9. **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 _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the NE Quarter of the NE Quarter of the SW Quarter of Section 7, Township 31 South, Range 30 (W), in Meade County, Kansas, 2560 feet North 3080 feet West of Southeast corner of section.
 * * Proposed Rate 400 356 gpm Proposed Quantity 500 *Additional well*
 This point is: Additional Well Geo Center List other water rights that will use this point _____

10. **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 _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. JUL 20 2015

*** per 5-25-16 compliance investigation * rate modified per 12/17/15 & 12/14/15 emails Mike Meyer/Thom Makers GCFD*
*** per 7/18/16 * Rate/Am 12/17/15*

DIVISION OF WATER RESOURCES—KANSAS DEPARTMENT OF AGRICULTURE
COMPLIANCE INVESTIGATION

Field Office No. 04 G.M.D. No. 03 County Meade
 File No. 18181 Overlap P/D File No(s). _____
 Agency DWR Inspector Rachel Duran

In Compliance/ Date	
<input checked="" type="checkbox"/> Yes	<u>5-25-16</u>
<input type="checkbox"/> No, see comments	_____
<input type="checkbox"/> Re-investigation	_____

Reason: New Application Regular P/D Change P/U Change
 Meter Installed Short Move P/D Change Other _____
 Date of Order 6/15/15 Date of N of C Ack 1-8-16 Chg No. C 1 Date completed _____ If PD chg, old PD ID 1
 Current Landowner Clawson Land Partnership Phone No. _____
 Address PO Box 279 Plains KS 67869
 Additional landowners and addresses identified in remarks section.

Water Use Correspondent Same Phone No. _____

- Authorized Water Use Classification
- | | | | | |
|-------------------------------------|--|--|--|--|
| <input type="checkbox"/> Domestic | <input type="checkbox"/> Industrial | <input checked="" type="checkbox"/> Irrigation | <input type="checkbox"/> Municipal | <input type="checkbox"/> Hydraulic Dredging |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Stockwatering | <input type="checkbox"/> Water Power | <input type="checkbox"/> Artificial Recharge | <input type="checkbox"/> Contamination Remediation |
| <input type="checkbox"/> Dewatering | <input type="checkbox"/> Fire Protection | <input type="checkbox"/> Thermal Exchange | <input type="checkbox"/> Sediment Control | <input type="checkbox"/> Other _____ |

Water currently being used for Irr.

Source: Groundwater Surface Water Basin Crooked Creek
 Authorized Point of Diversion: SW SW NE Sec. 7, T. 31 S, R. 30 W ID No. 2

Approximately 2906 ft. North and 2154 ft. West of SE corner of Sec 7.

Actual Point of Diversion: SW SW NE Sec. 7, T. 31 S, R. 30 W

Approximately 2887 ft. North and 2165 ft. West of SE corner of Sec 7.

How were distances determined? GPS & File / NAD 27 (+13') Latitude 37.36645 Longitude 100.62360

Distance from old pd 346 ft (N) S) and 926 ft (E) W) Old well: plugged capped equipped other: _____?

Location (site) map attached? NO Sketch or Map below

Comments: Add'l landowner: Kirby & Mary Clawson / Lola Davis

old well (10#1) still equipped & running (+12') 37.36572 -100.62687
No Power unit connected to well @ time of inspection

POWER UNIT INFORMATION:

Manufacturer Not Present Model _____ HP _____ Serial No. _____ Fuel _____ Rated RPM _____

PUMP INFORMATION:

Manufacturer Johnston Model _____ No. Stages _____ Serial No. _____ Size/Type _____ Rated RPM _____

GEAR HEAD INFORMATION:

Manufacturer Randolph Model F150 Serial No. 151792 Drive Right Angle Ratio 5:6

WELL INFORMATION:

Date Drilled 6-19-15 Original Depth 519 ft. Static Water Level When Drilled 285 ft.

Water level measurement tube required? Y N Water level measurement tube present? Y N

Static Water Level Y/N _____ Depth to water _____ ft. below LSD Location of M.P. NW of PB

If source of supply is a surface water reservoir, is a stage-measuring device installed? Y/N _____

METER REQUIREMENTS:

Required? **YES** Date Installed _____ Reading when installed _____

Manufacturer McCrometer Model No. M0308-1200 Type Propeller

Serial No. 15-06968-8 Units: AF Multiplier factor 0.001 Size 8.625/8.356

Acceptable? Y N Comparative test? Y N Installed properly? Y N If no, explain below. 8.65(M)

Security Seal Installed? Y N Security Seal Stamp labeled GPM (manufacturer's seal name)

Distance upstream: 79" (-15) = 64" (Y) downstream: 29" (+15) = 44" (Y)

Reading 000.000 Instantaneous Rate: off GPM (_____) CFS Other _____

Flow measurement chamber required? Y N Chamber present? Y N Straightening Vanes? Y N Strainer? Y N

Portable pump? Y N More than one pd? Y N Low pressure drain present? Y N Vacuum breaker present? Y N

Injection port present? Y N Injection system being operated? Y N Check valve? Y N

Replacement meter? Y/N If yes identify previous meter: Make: _____ Model: _____ Serial No.: _____

Reading at replacement time: _____ Date old meter removed: _____

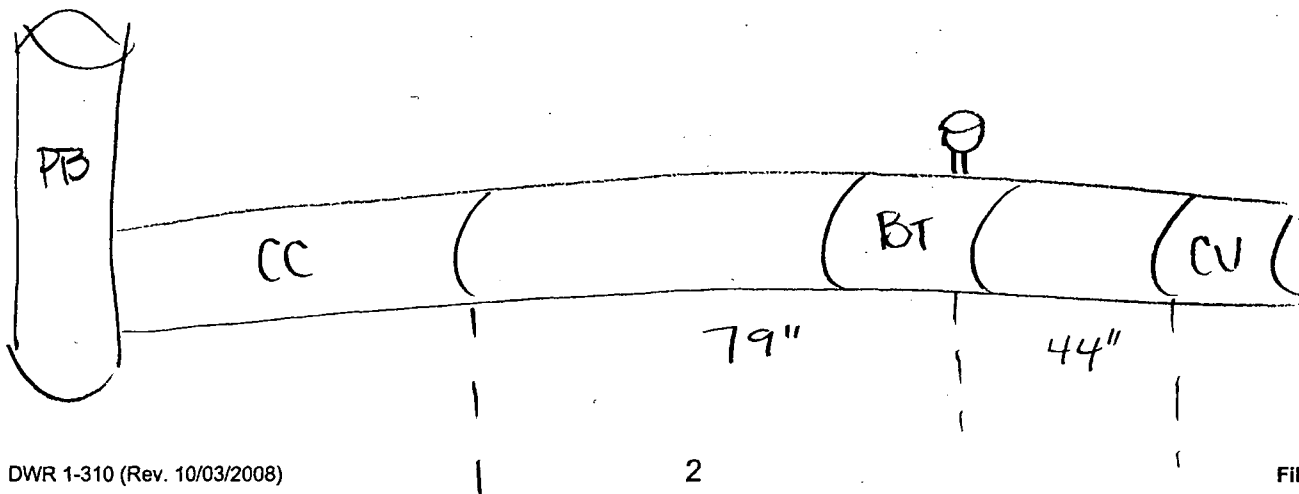
ADDITIONAL REQUIREMENTS:

Chemigation equipment required? Y/N

Have conservation plans been followed? Y/N If no, explain: _____

Meter @ well / ARV - N / DWK Seal - N

Well Head Illustration:



12. The presently authorized use of water is for IRR purposes.
It is proposed that the use be changed to NO CHANGE purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

K.A.R. 5-5-16 - additional wells.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to 974 (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to * 712 780 gallons per minute (____ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
 - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

see file
same local source of supply

	WATER RESOURCES RECEIVED
WATER RESOURCES RECEIVED	JUL 20 2015
MAY 23 2016	

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18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

request waiver of KAR 5-5-16 (c)(1), KAR 5-23-3(a)

* per 12/17/15 & 12/4/15 emails Mike Meyer / Thom Matens GCFO
* RAK/DWA 12/12/15

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

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Plains, Kansas, this 16th day of July, 2015.

David Clawson (Owner)

(Spouse)

David Clawson (Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Meade } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 16th day of July, 2015.

RYAN REIMER
Notary Public - State of Kansas
My Appt. Expires 5-19-2016

Ryan R.
Notary Public

My Commission Expires 5-19-2016

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
(4) Application to change the use made of the water \$300

Make check payable to Kansas Department of Agriculture.

WATER RESOURCES RECEIVED

MAY 23 2016

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

JUL 20 2015

KS DEPT OF AGRICULTURE

Any use of water that is not as authorized by the water right or permit to authorize water **before** 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.

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Dated at May 26, 2016, Kansas, this _____ day of _____, 20____.

E. G. Amerin
(Owner)

-deceased
(Spouse)

E.G. Amerin
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Meade } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 16th day of May, 2016.



Ryan Reimer
Notary Public

My Commission Expires 5-19-2020

FEE SCHEDULE

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WATER RESOURCES
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MAY 23 2016

KS DEPT OF AGRICULTURE

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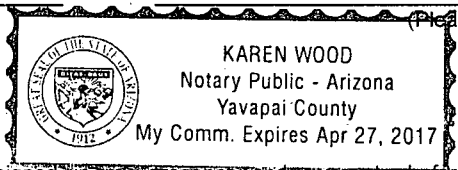
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Dated at Prescott, ^{any} any Kansas, this 4 day of 2, 2016

<u>Bill Boaldin trustee</u> (Owner)	_____	(Spouse)
<u>Lola Davis Trust</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of ~~Kansas~~ ^{Arizona} }
County of Yavapai } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 2nd day of April, 2016

[Signature]
Notary Public

My Commission Expires 4/27/2017

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

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- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
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**WATER RESOURCES
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MAY 23 2016
KS DEPT OF AGRICULTURE**

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Dated at Plains, Kansas, this 8 day of April, 2016

Kirby B. Clawson
(Owner)

(Spouse)

KMC AG, LLC
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)


(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Meade } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 8th day of April, 2016

 **RYAN REIMER**
Notary Public - State of Kansas
My Appt. Expires 5-19-2020

Ryan R
Notary Public

My Commission Expires 5-19-2020

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- (4) Application to change the use made of the water \$300

Make check payable to Kansas Department of Agriculture.

**WATER RESOURCES
RECEIVED**

MAY 23 2016

KS DEPT OF AGRICULTURE

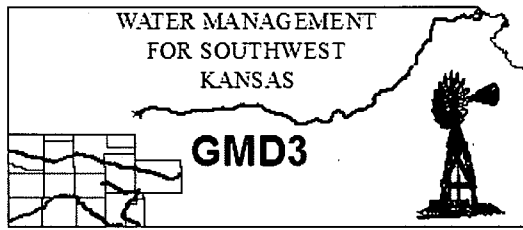
Krueger, Richelle

From: Meyer, Mike
Sent: Monday, July 18, 2016 3:08 PM
To: Krueger, Richelle
Subject: RE: Request for Recommendation Change in PD File No. 18181 Clawson

Yes I recommend approval

From: Krueger, Richelle
Sent: Monday, July 18, 2016 2:26 PM
To: Meyer, Mike <Mike.Meyer@ks.gov>
Cc: Makens, Thom <Thom.Makens@ks.gov>
Subject: Request for Recommendation Change in PD File No. 18181 Clawson

Hi Mike,
Attached is a draft memo for the referenced change in pd, do you recommend approval?
Thanks,
Richelle



**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

July 15, 2016

**WATER RESOURCES
RECEIVED**

JUL 18 2016

KS DEPT OF AGRICULTURE

Richelle A. Krueger
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

RE: Change Application,
Water Right, File No. 18,181

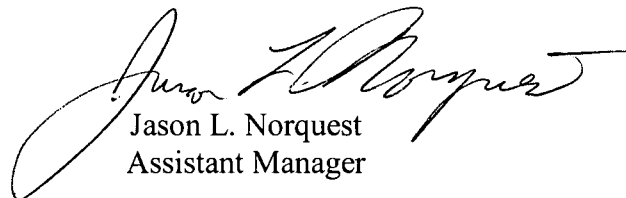
Dear Richelle:

We have completed a review of the application for the above referenced water right. The proposal is in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). While the proposal is for an additional well, it is not in accordance with K.A.R. 5-23-3, specifically the spacing to the two proposed wells. We were able to review this application with the Board at our July 13, 2016 monthly board meeting.

The applicant was unable attend the meeting to answer questions for the Board to consider. A review was presented of the application and the rules that were reviewed for the change. It was noted that both proposed wells have more than enough spacing to other neighboring wells, they just do not meet spacing between each other. There was also debate about exactly what would be the effect of the draw down in the area with two wells pumping instead of just the one. So the most interaction would be between themselves. Discussion also pertained to the fact that the applicant would be restricted to a lower combined rate and quantity in accordance with K.A.R. 5-5-16. Our office did not receive any negative response from any of the notice letters that were sent out. By a vote of 4 in favor and 2 opposed, it is recommended that a waiver to K.A.R. 5-23-3(a)(1) be granted and that the application 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

Krueger, Richelle

From: Jason Norquest <norquest@gmd3.org>
Sent: Friday, July 15, 2016 9:42 AM
To: Krueger, Richelle
Subject: 18181
Attachments: 18181_ReviewMat_AddWell_071516.pdf

Good morning Richelle0. As I start to type this I remember that you general have Friday off. But it is best that I send it anyway instead of forgetting to later. Here is the review material for WR18181 and the letter. I will send a hard copy of the letter in the mail today for you. If you have any questions, just let me know.

Have a great weekend and will talk to you soon I hope.

Jason Norquest

Assistant Manager, GMD3

Office: 620-275-7147 Cell: 620-271-1289

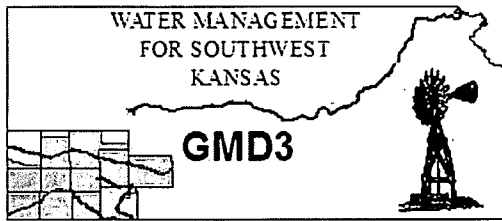
norquest@gmd3.org

www.gmd3.org

WATER RESOURCES
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JUL 18 2016

KS DEPT OF AGRICULTURE



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

July 15, 2016

Richelle A. Krueger
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

RE: Change Application,
Water Right, File No. 18,181

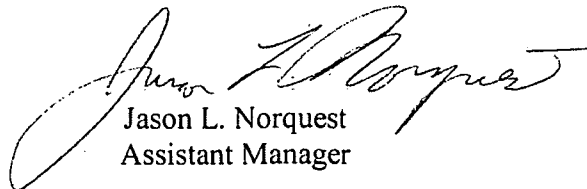
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The applicant was unable attend the meeting to answer questions for the Board to consider. A review was presented of the application and the rules that were reviewed for the change. It was noted that both proposed wells have more than enough spacing to other neighboring wells, they just do not meet spacing between each other. There was also debate about exactly what would be the effect of the draw down in the area with two wells pumping instead of just the one. So the most interaction would be between themselves. Discussion also pertained to the fact that the applicant would be restricted to a lower combined rate and quantity in accordance with K.A.R. 5-5-16. Our office did not receive any negative response from any of the notice letters that were sent out. By a vote of 4 in favor and 2 opposed, it is recommended that a waiver to K.A.R. 5-23-3(a)(1) be granted and that the application 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,

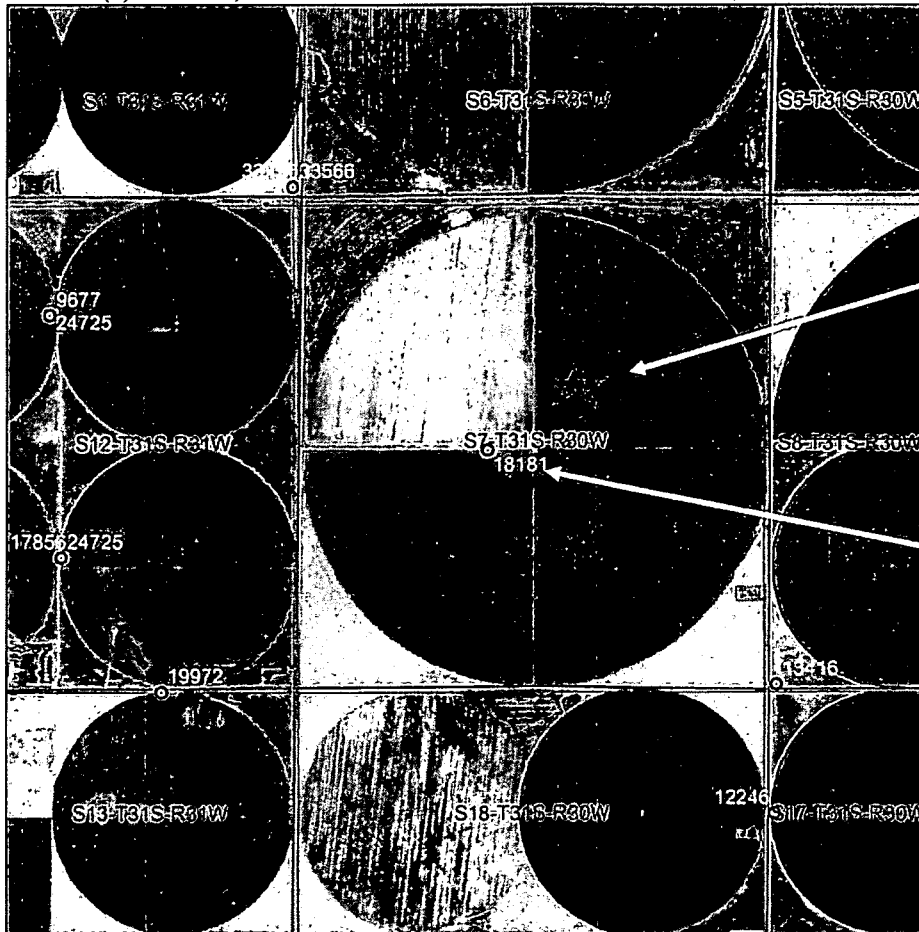

Jason L. Norquest
Assistant Manager

Serving Southwest Kansas Since 1976

WATER RESOURCES
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WATER RESOURCES
JUL 18 2016
KS DEPT OF AGRICULTURE
ENR0100:RFA 20160725

GMD3 Change Review

Change Application(s); PD, Additional Well
 File No(s). 18181; David Clawson



Currently authorized location. Proposed to 474AF @ 356gpm.

Proposed location of additional well, same location as prior to 2015 change. Proposed 500AF @ 356gpm.

Change app approved in June 2015 to relocate well to NE location. Then this application was filed to add the old site as an additional well.

	ft. North	ft. West	
Authorized P/D	2906	2154	Original well
Proposed P/D	2560	3080	Additional well
Difference	346	-926	
a ² + b ² = c ²	119716	857476	988.5 feet between wells

Neighboring wells: Spacing is MET to neighboring wells. However, the spacing between the two proposed wells is NOT met. Requires minimum 2100' and would only have 989'.

Domestic wells: None found in area of concern
 Regulation(s) Reviewed: KAR 5-23-3 & KAR 5-5-16
 Board Review Date: July 13, 2016

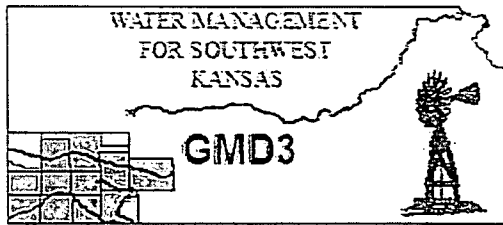
Board Recommendation: Recommend waiver
 Waiver Reason: The applicant will be reducing the rate and quantity and the only wells that don't meet spacing or the 2 for this application, all others have more than enough spacing.

Final Recommendation: No Response from our notice letter to well owners within 1 mile. After review and discussion with the Board, staff recommends waiver of spacing and approval of the

WATER RESOURCES RECEIVED

ja

JUL 18 2016
 KS DEPT OF AGRICULTURE



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

June 14, 2016

Daniel Clawson
PO Box 279
Plains, KS 67869

RE: Water Right, File No. 18,181

WATER RESOURCES
RECEIVED
JUL 18 2016
KS DEPT OF AGRICULTURE

Dear Mr. Clawson and Neighbors,

This is to advise you that your application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to add an additional point of diversion under the above referenced application requires a waiver of a rule, specifically, K.A.R. 5-23-3(a) and K.A.R. 5-5-16(c)(1) as it pertains to spacing to neighboring wells.

The application proposes to add an additional well so there will be two points of diversion. The current well described as being 2,906 feet North and 2,154 feet West of the SE corner and the additional well proposed to be described as 2,560 feet North and 3,080 feet West of the SE corner. Both wells located in Section 7, Township 31s, Range 30w, in Meade County. Both wells would proportionately share a quantity less than currently authorized. A plat and groundwater resource review information is enclosed for your reference.

Changing a water right in a local aquifer area can affect the water supply to the project and to other water rights and users. Kansas law (K.S.A. 82a-708b (2)) requires a demonstration that any change is reasonable and will not impair existing rights. Spacing rules provide a standard for implementing this requirement. Conversely, not meeting the spacing standard creates a presumption that impairment will occur

To meet the need for added due process beyond the ½ mile courtesy notice from the state, the GMD3 Board passed Resolution 2013-6, adopted December 17, 2013. This resolution established a process of seeking more information from you and the neighboring water right owners whose wells are located within a mile of a proposed location requiring a rule waiver.

Accordingly, local resource information is included with this letter and you are requested to provide information in response to the following questions:

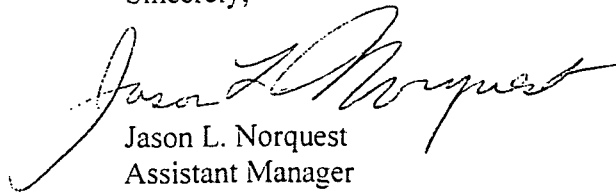
- 1) Can the aquifer yield a similar water supply at both the present well location and at the proposed well location(s)? In other words, how might the well yield differ in the proposed location from the present location?
- 2) Can the addition of infrastructure, such as pipelines or purchase of neighboring wells with water rights, meet the need without a rule waiver?
- 3) How do the specifics of the proposal conserve energy and/or water over other alternatives?

The GMD3 board supports the pursuit of high value water use, through reasonable changes that don't have an unreasonable affect to other water rights. We request that any response you or your,

neighbors wish to provide should occur within 15 days from the date of this letter or any extension of time granted. If no response is received from you, the applicant, and concerns of merit are received from the area water right owners, within that time, we may recommend that the rule be upheld and the application denied. We will consider information from the neighbors responding to their copy of this letter.

Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the water right file number when you contact us.

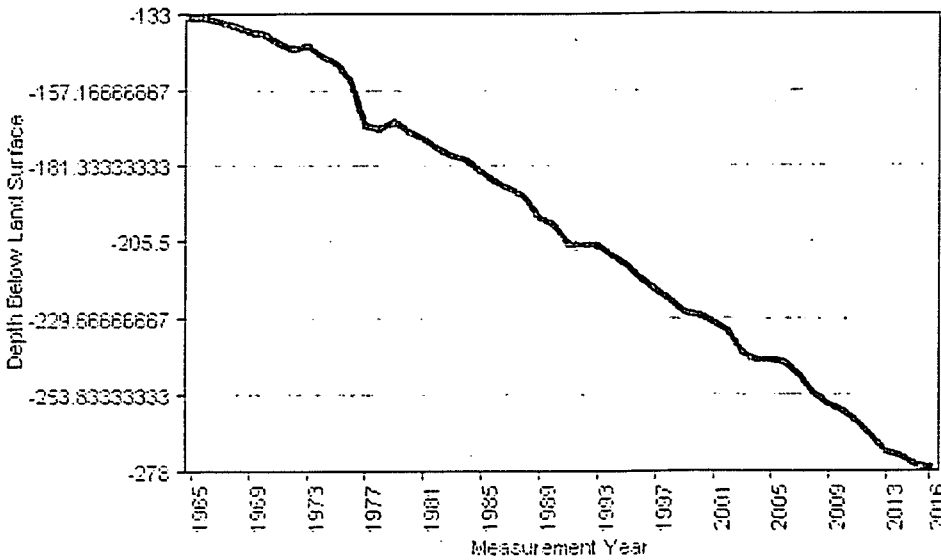
Sincerely,



Jason L. Norquest
Assistant Manager

Attachment: GMD3 General Groundwater Resource Review, File No: 18,181
Copy to: Marcella Thorson ET Al
David Stanton
Victor Stanton

Regional Average Tend, from
<http://hercules.kgs.ku.edu/geohydro/wizard/wizardregional.cfm>



WATER RESOURCES
RECEIVED
JUL 18 2016
KS DEPT OF AGRICULTURE

Water Rights and Points of Diversion Within 1.00 miles of point defined as:
 2560 ft N and 3080 ft W of the SE Corner of Section 7, T 31S, R 30W
 Located at: 100.626747 West Longitude and 37.365552 North Latitude
 GROUNDWATER ONLY

Proposed Additional well

500 AF

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit	
A_ 9677	00	IRR	NK	G	4956	--	--	CW	NE	3950	2600	12	31	31W	1	968.00	968.00	AF	
A_ 12246	00	IRR	NK	G	4985	--	--	CW	NW	3960	5200	17	31	30W	3	320.00	320.00	AF	
A_ 13416	00	IRR	NK	G	4011	--	--	SW	SW	80	5200	8	31	30W	1	320.00	320.00	AF	
A_ 17856	00	IRR	NK	G	4956	--	--	CW	NE	3950	2600	12	31	31W	1	72.00	72.00	AF	
Same					4759	--	--	CW	SE	1360	2480	12	31	31W	3	488.00	488.00	AF	
A_ 18181	00	IRR	NK	G*	989	--	--	SW	SW	NE	2906	2154	7	31	30W	2	1236.00 479	877.00	AF
A_ 19972	00	IRR	NK	G	4383	--	--	CN	NE	5200	1320	13	31	31W	2	640.00	640.00	AF	
A_ 24725	00	IRR	NK	G	4956	--	--	CW	NE	3950	2600	12	31	31W	1	14.00	14.00	AF	
Same					4759	--	--	CW	SE	1360	2480	12	31	31W	3	13.00	13.00	AF	
A_ 33205	00	IRR	NK	G	3525	--	--	SE	SE	SE	60	30	1	31	31W	2	320.00	320.00	AF
A_ 33566	00	IRR	NK	G	3525	--	--	SE	SE	SE	60	30	1	31	31W	2	571.00	465.00	AF

23"

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	4497.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	4497.00	.00

*Spacing MET
 Except between the
 2 wells proposed*

An * after the source of supply indicates a pending application for change for the file number.
 An * after the ID indicates a 15 AF exemption was granted for 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 1.00 miles of point defined as:
 100.626747 West Longitude and 37.365552 North Latitude
 GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

- File Number Use ST SR
- A_ 9677 00 IRR NK G
- > DAVID STANTON
- >
- > PO BOX 375
- > PLAINS KS 67869
-
- A_ 12246 00 IRR NK G
- > CLAWSON MEADE CO #5
- >
- > PO BOX 279
- > PLAINS KS 67869
-
- A_ 13416 00 IRR NK G
- > MARCELLA THORSON ET AL
- >

Applicant's

✓

WATER RESOURCES RECEIVED

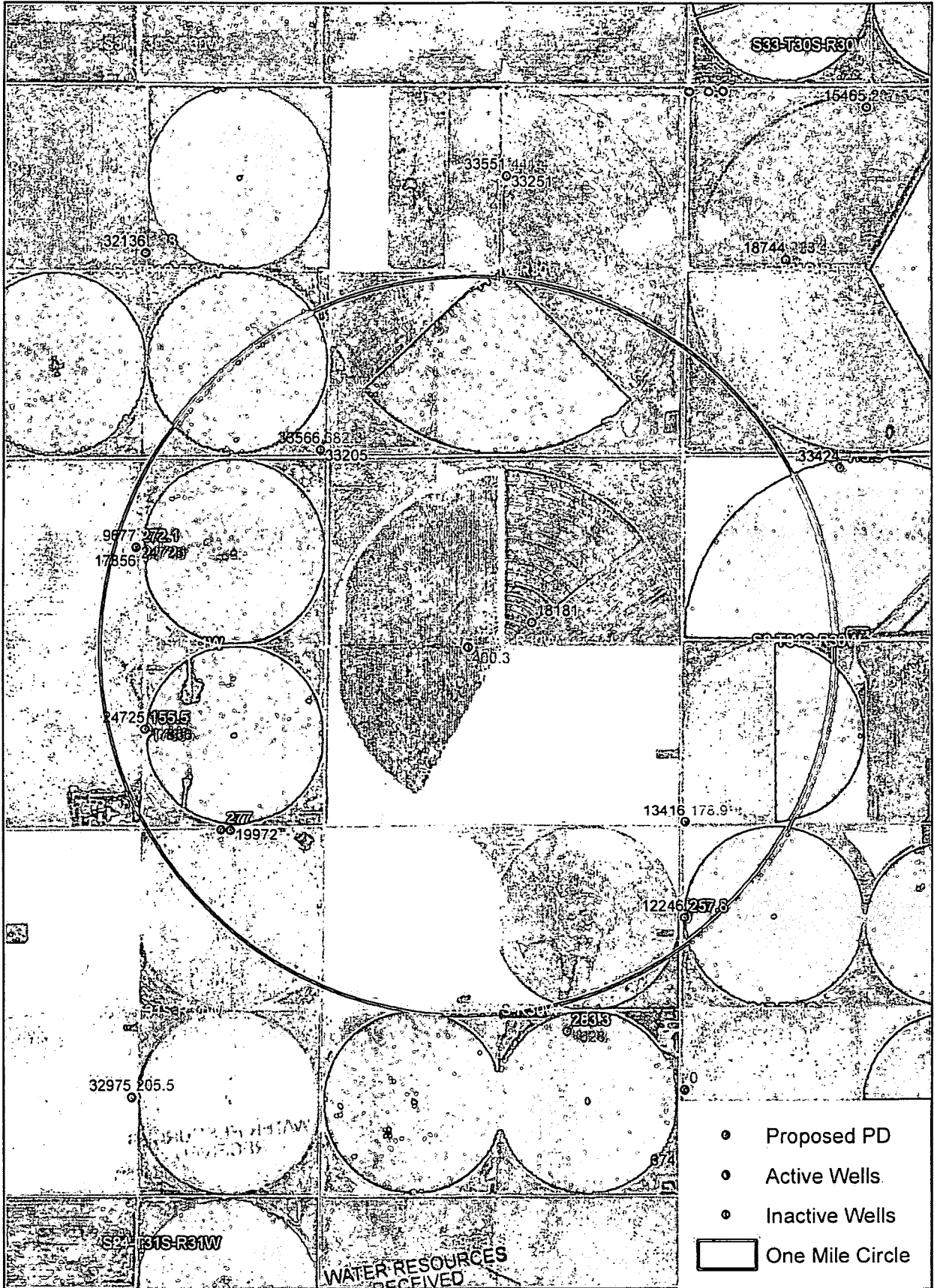
JUL 18 2016

KS DEPT OF AGRICULTURE

RECEIVED
 DIVISION OF WATER RESOURCES

KS DEPT OF AGRICULTURE

Proposed Additional Well and 1 Mile Circle for WR No 18181



1:24,000

JUL 18 2016

KS DEPT OF AGRICULTURE

> 9848 E 84TH ST
> TULSA OK 74133

A_ 17856 00 IRR NK G
> DAVID STANTON
>
> PO BOX 375
> PLAINS KS 67869

A_ 18181 00 IRR NK G
> CLAWSON MEADE-SEWARD #2
>
> PO BOX 279
> PLAINS KS 67869

A_ 19972 00 IRR NK G
> CLAWSON MEADE-SEWARD #1
>
> PO BOX 279
> PLAINS KS 67869

Applicant's

A_ 24725 00 IRR NK G
> DAVID STANTON
>
> PO BOX 375
> PLAINS KS 67869

A_ 33205 00 IRR NK G
> CLAWSON MEADE-SEWARD #2
>
> PO BOX 279
> PLAINS KS 67869

A_ 33566 00 IRR NK G
> CLAWSON MEADE-SEWARD #2
>
> PO BOX 279
> PLAINS KS 67869

Applicant's

WATER RESOURCES RECEIVED
JUL 18 2016
KS DEPT OF AGRICULTURE

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 18181 00

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 18181 00 IRR

Water Right and Points of Diversion Within 1.00 miles of point defined as:

2906 Feet North and 2154 Feet West of the Southeast Corner of Section 7 T 31S R 30W

Authorized well

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 12246	00	IRR	NK	G	4771	--	--	CW	NW	3960	5200	17	31	30W	3	320.00	320.00	AF
A__ 13416	00	IRR	NK	G	3600	--	SW	SW	SW	80	5200	8	31	30W	1	320.00	320.00	AF
A__ 18181	00	IRR	NK	G*	0	--	SW	SW	NE	2906	2154	7	31	30W	2	1236.00	877.00	AF
A__ 33205	00	IRR	NK	G	3919	--	SE	SE	SE	60	30	1	31	31W	2	320.00	320.00	AF
A__ 33424	00	IRR	NK	G	4946	--	NE	NE	NW	5100	2980	8	31	30W	2	540.00	540.00	AF
A__ 33566	00	IRR	NK	G	3919	--	SE	SE	SE	60	30	1	31	31W	2	571.00	465.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	2842.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2842.00	.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.
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Water Rights and Points of Diversion Within 1.00 miles of point defined as:

2906 Feet North and 2154 Feet West of the Southeast Corner of Section 7 T 31S R 30W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number Use ST SR

A__ 12246 00 IRR NK G
 > CLAWSON MEADE CO #5
 >
 > PO BOX 279
 > PLAINS KS 67869

Applicant

A__ 13416 00 IRR NK G
 > MARCELLA THORSON ET AL
 >
 > 9848 E 84TH ST
 > TULSA OK 74133

✓

A__ 18181 00 IRR NK G
 > CLAWSON MEADE-SEWARD #2
 >
 > PO BOX 279
 > PLAINS KS 67869

Applicant

WATER RESOURCES
 RECEIVED BY STATE
 JUL 18 2016
 KS DEPT OF AGRICULTURE
 DIVISION OF WATER

A__ 33205 00 IRR NK G
> CLAWSON MEADE-SEWARD #2
>
> PO BOX 279
> PLAINS KS 67869

A__ 33424 00 IRR NK G
> CLAWSON MEADE-SEWARD #2
>
> PO BOX 279
> PLAINS KS 67869

A__ 33566 00 IRR NK G
> CLAWSON MEADE-SEWARD #2
>
> PO BOX 279
> PLAINS KS 67869

3 Applicant's

=====
#####

WATER RESOURCES
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JUL 18 2016
KS DEPT OF AGRICULTURE



Scan of WWC5 Form

*Domestic Well
Small letter*

WATER WELL RECORD Form WWC-5 KSA 62a-1212 ID No.

1) LOCATION OF WATER WELL: Fraction: <u>NE 1/4 NE 1/4 NE 1/4</u> Section Number: <u>12</u> Township Number: <u>T 31 S</u> Range Number: <u>R 31 E</u>																																																																																											
County: <u>Seward</u> Distance and direction from nearest town or city street address of well if located within city? <u>1 1/2 mi + 4 E from Kismet</u>																																																																																											
2) WATER WELL OWNER: <u>Victor Stanton</u> RFB, St. Address, Box #: <u>HCI Box 24</u> Board of Agriculture, Division of Water Resources City, State, ZIP Code: <u>Plains, KS 67869</u> Application Number:																																																																																											
3) LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX: <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 5px; margin-right: 10px;"> <p style="text-align: center;">N</p> <table border="1" style="width: 100%; text-align: center;"> <tr><td>NW</td><td>NE</td></tr> <tr><td>SW</td><td>SE</td></tr> </table> <p style="text-align: center;">S</p> </div> <div> <p>DEPTH OF COMPLETED WELL: <u>490</u> ft. ELEVATION: _____</p> <p>Dip(s) Groundwater Encountered: 1. _____ ft. 2. _____ ft. 3. _____ ft.</p> <p>WELL'S STATIC WATER LEVEL: <u>2.49</u> ft. below land surface measured on (mo/day/yr) <u>8-1-00</u></p> <p>Pump test data: Well water was <u>2.49</u> ft. after _____ hours pumping <u>30</u> gpm</p> <p>Est. Yield <u>50</u> gpm; Well water was _____ ft. after _____ hours pumping _____ gpm</p> <p>Bore Hole Diameter: <u>8.25</u> in. to _____ ft. and _____ in. to _____ ft.</p> <p>WELL WATER TO BE USED AS: <input checked="" type="checkbox"/> Domestic <input type="checkbox"/> Feedlot <input type="checkbox"/> Oil field water supply <input type="checkbox"/> Dewatering <input type="checkbox"/> 11 Injection well <input type="checkbox"/> 2 Irrigation <input type="checkbox"/> 4 Industrial <input type="checkbox"/> 7 Domestic (lawn & garden) <input type="checkbox"/> 10 Monitoring well <input type="checkbox"/> 12 Other (Specify below)</p> <p>Was a chemical/bacteriological sample submitted to Department? Yes _____ No <u>✓</u> If yes, (mo/day/yr) sample was submitted _____ Water Well Disinfected? Yes <u>✓</u> No _____</p> </div> </div>		NW	NE	SW	SE																																																																																						
NW	NE																																																																																										
SW	SE																																																																																										
5) TYPE OF BLANK CASING USED: <input checked="" type="radio"/> 1 Steel <input type="radio"/> 3 RMP (SR) <input type="radio"/> 6 Asbestos-Cement <input type="radio"/> 9 Other (specify below) <input type="checkbox"/> CASING JOINTS: <input checked="" type="checkbox"/> Girded <input type="checkbox"/> Clamped <input type="radio"/> PVC <input type="radio"/> 4 ABS <input type="radio"/> 7 Fiberglass <input type="checkbox"/> Threaded Blank casing diameter: <u>5</u> in. to <u>3.80</u> in. Dia. _____ in. to _____ in. Dia. _____ in. to _____ in. Dia. Casing height above land surface: <u>1.8</u> in. weight _____ lbs./ft. Wall thickness or gauge No. <u>2.00</u> in.																																																																																											
TYPE OF SCREEN OR PERFORATION MATERIAL: <input type="radio"/> 1 Steel <input type="radio"/> 3 Stainless steel <input type="radio"/> 5 Fiberglass <input checked="" type="radio"/> PVC <input type="radio"/> 10 Asbestos-cement <input type="radio"/> 2 Brass <input type="radio"/> 4 Galvanized steel <input type="radio"/> 6 Concrete tile <input type="radio"/> 8 RMP (SR) <input type="radio"/> 11 Other (specify) _____ <input type="radio"/> 0 ABS <input type="radio"/> 12 Mono used (open hole)																																																																																											
SCREEN OR PERFORATION OPENINGS ARE: <input type="radio"/> 1 Continuous slot <input type="radio"/> 5 Gauzed wrapped <input type="radio"/> 8 Saw cut <input type="radio"/> 11 None (open hole) <input type="radio"/> 2 Louvered shutter <input checked="" type="radio"/> 3 Key slot <input type="radio"/> 6 Wire wrapped <input type="radio"/> 9 Drilled holes <input type="radio"/> 4 Key punched <input type="radio"/> 7 Torch cut <input type="radio"/> 10 Other (specify) _____																																																																																											
SCREEN-PERFORATED INTERVALS: From: <u>380</u> ft. to <u>400</u> ft. From: <u>440</u> ft. to <u>480</u> ft. From: _____ ft. to _____ ft. From: _____ ft. to _____ ft. GRAVEL PACK INTERVALS: From: <u>250</u> ft. to <u>490</u> ft. From: _____ ft. to _____ ft. From: _____ ft. to _____ ft. From: _____ ft. to _____ ft.																																																																																											
8) GROUT MATERIAL: <input type="radio"/> 1 Neat cement <input type="radio"/> 2 Cement grout <input checked="" type="radio"/> Bentonite <input type="radio"/> 4 Other _____ Grout Intervals: From: <u>4</u> ft. to <u>20</u> ft. From: <u>240</u> ft. to <u>250</u> ft. From: _____ ft. to _____ ft. What is the nearest source of possible contamination: <input type="radio"/> 1 Septic tank <input type="radio"/> 4 Lateral lines <input type="radio"/> 7 Pit privy <input type="radio"/> 11 Fuel storage <input type="radio"/> 14 Abandoned water well <input checked="" type="radio"/> 2 Sewer lines <input type="radio"/> 5 Cess pool <input type="radio"/> 8 Sewage lagoon <input type="radio"/> 12 Fertilizer storage <input type="radio"/> 15 Oil well/Gas well <input type="radio"/> 3 Watertight sewer lines <input type="radio"/> 6 Searpage pit <input type="radio"/> 9 Feedyard <input type="radio"/> 13 Insecticide storage <input type="radio"/> 16 Other (specify below) _____ Direction from well? <u>F</u> How many feet? <u>150</u>																																																																																											
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>FROM</th> <th>TO</th> <th>LITHOLOGIC LOG</th> <th>FROM</th> <th>TO</th> <th>PLUGGING INTERVALS</th> </tr> </thead> <tbody> <tr><td>1</td><td>2</td><td>topsoil</td><td>745</td><td>776</td><td>sand & gravel</td></tr> <tr><td>2</td><td>14</td><td>tan & sandy clay</td><td>376</td><td>390</td><td>gravel w/ brown clay streaks</td></tr> <tr><td>14</td><td>26</td><td>tan clay</td><td>396</td><td>417</td><td>brown clay w/ sandstone</td></tr> <tr><td>26</td><td>72</td><td>tan & yellow sandy clay</td><td>417</td><td>450</td><td>tan clay w/ sandstone</td></tr> <tr><td>72</td><td>97</td><td>red sandy clay & sandstone</td><td>450</td><td>458</td><td>pink sandy clay</td></tr> <tr><td>97</td><td>112</td><td>sand & gravel</td><td>458</td><td>482</td><td>white clay w/ sandstone</td></tr> <tr><td>112</td><td>134</td><td>tan & yellow clay</td><td>482</td><td>490</td><td>sandstone</td></tr> <tr><td>134</td><td>168</td><td>sand & gravel</td><td></td><td></td><td></td></tr> <tr><td>168</td><td>195</td><td>brown clay & gravel streaks</td><td></td><td></td><td></td></tr> <tr><td>195</td><td>253</td><td>sand & gravel w/ tan & brown clay</td><td></td><td></td><td></td></tr> <tr><td>253</td><td>287</td><td>sand & gravel</td><td></td><td></td><td></td></tr> <tr><td>287</td><td>325</td><td>beige clay</td><td></td><td></td><td></td></tr> <tr><td>325</td><td>337</td><td>sand & gravel</td><td></td><td></td><td></td></tr> <tr><td>337</td><td>345</td><td>pink sandy clay</td><td></td><td></td><td></td></tr> </tbody> </table>		FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS	1	2	topsoil	745	776	sand & gravel	2	14	tan & sandy clay	376	390	gravel w/ brown clay streaks	14	26	tan clay	396	417	brown clay w/ sandstone	26	72	tan & yellow sandy clay	417	450	tan clay w/ sandstone	72	97	red sandy clay & sandstone	450	458	pink sandy clay	97	112	sand & gravel	458	482	white clay w/ sandstone	112	134	tan & yellow clay	482	490	sandstone	134	168	sand & gravel				168	195	brown clay & gravel streaks				195	253	sand & gravel w/ tan & brown clay				253	287	sand & gravel				287	325	beige clay				325	337	sand & gravel				337	345	pink sandy clay			
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7) CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was <input checked="" type="radio"/> constructed, <input type="radio"/> reconstructed, or <input type="radio"/> plugged under my jurisdiction and was completed on (mo/day/year) <u>8-1-00</u> and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. <u>101</u> . This Water Well Record was completed on (mo/day/yr) <u>8-1-00</u> under the business name of <u>Bentley Well Drilling Inc</u> by (signature) <u>Rebecca J Bentley</u>																																																																																											

*37.3722326
-100.6350591*

WATER RESOURCES RECEIVED

Kansas Geological Survey
Comments to webadmin@kgs.ku.edu

JUL 18 2016
KS DEPT OF AGRICULTURE

INPUTS		
	Longitude	Latitude
Point 1	-100.623560	37.366500
Point 2	-100.635059	37.372233

18181

Domestic in Sect. 12

Degrees Longitude per Foot 3.44090178E-06
 Degrees Latitude per Foot 2.74638994E-06

Distance Between Points (ft) 3940

Compute Distance Between Points

Instructions
 1. Enter Longitudes and Latitudes of the two points (both must be in the same datum, NAD27 or NAD83).
 2. Click "Compute Distance Between Points" button.

WATER RESOURCES
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JUL 18 2016

KS DEPT OF AGRICULTURE

Krueger, Richelle

From: Krueger, Richelle
Sent: Wednesday, June 08, 2016 5:08 PM
To: Meyer, Mike
Subject: RE: 18181

Hi Mike,
As I remember we had settled this issue back in December, looks like they want 356 g.p.m. for each well.
Have a good one!
Richelle

From: Meyer, Mike
Sent: Wednesday, June 08, 2016 4:16 PM
To: Krueger, Richelle
Subject: 18181

Richelle, we have a flow test and are good, correct on the diversion rates.

Mike

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

June 8, 2016

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO 3
ATTN JASON NORQUEST
2009 E SPRUCE ST
GARDEN CITY KS 67846

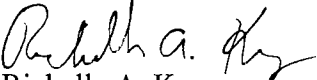
Re: Water Right, File No. 18,181

Dear Jason:

In accordance with your June 7, 2016 e-mail, the Chief Engineer has extended until July 15, 2016, the time in which to submit your recommendations concerning the Application for Approval to Change the Point of Diversion for Water Right, File No. 18,181.

If you have any questions, please contact me at (785) 564-6635. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,


Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

Enclosures

pc: Garden City Field Office

Krueger, Richelle

From: Krueger, Richelle
Sent: Tuesday, June 07, 2016 4:02 PM
To: 'Jason Norquest'
Cc: Mark Rude; Meyer, Mike
Subject: RE: 18181

Hi Jason,
You can send some rain our way, my garden could use a little, ha ha! I will get that extension in the mail to you.
Thanks!
Richelle

From: Jason Norquest [mailto:norquest@gmd3.org]
Sent: Tuesday, June 07, 2016 2:28 PM
To: Krueger, Richelle
Cc: Mark Rude; Meyer, Mike
Subject: 18181

Good afternoon Richelle. Temps are on the rise our here with some scattered showers every now and then.

I need to formally request an extension for the change app on WR 18,181. They are needing a waiver to spacing to the proposed additional well and the current well. We just received the review request last week and did not have time to fully go through our waiver process. I will have it on the Board agenda at our July monthly meeting. So an extension to July 15 should provide enough time for the Board to hear the request and for our office to write the response.

Thanks for your time and talk to you soon.

Jason Norquest

Assistant Manager, GMD3
Office: 620-275-7147 Cell: 620-271-1289
norquest@gmd3.org
www.gmd3.org

WATER RESOURCES
RECEIVED
JUN 07 2016
KS DEPT OF AGRICULTURE

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

May 24, 2016

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO 3
ATTN JASON NORQUEST
2009 E SPRUCE ST
GARDEN CITY KS 67846

Re: Water Right, File No. 18,181

Dear Jason:

We are enclosing a copy of the application to change the point of diversion for File No. 18,181.

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

Please submit your recommendations within the allowed time, or any authorized extension of time thereof. If you have any questions, please contact me at (785) 564-6635. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Richelle A. Krueger".

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

Enclosures

pc: Garden City Field Office

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

May 4, 2016

DANIEL CLAWSON/DAVID CLAWSON
PO BOX 279
PLAINS KS 67869

RE: Water Right, File No. 18,181


Dear Mr. Clawson,

In response to your conversation with Mike Meyer, Water Commissioner of the Garden City Field Office, the Chief Engineer has extended until **June 6, 2016**, the time in which to return the original Application to Change the Point of Diversion, Water Right, File No. 18,181, received in the office of the Chief Engineer on July 20, 2015, along with the requested additional information.

If you do not return the referenced original application and attachments, along with the requested additional information by that date or do not request more time on or before June 6, 2016, or if your request is not granted, the application will be dismissed and its priority forfeited.

If you have any questions, please contact me at (785) 564-6635. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,


Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

Enclosure

pc: Garden City Field Office
Groundwater Management District No. 3

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

March 17, 2016

DANIEL CLAWSON/DAVID CLAWSON
PO BOX 279
PLAINS KS 67869

RE: Water Right, File No. 18,181

Dear Mr. Clawson,

Reference is made to the application for approval of the Chief Engineer to change the point of diversion under the referenced file number which was received in the office of the Chief Engineer on July 20, 2015. Upon review of the application, we find that additional information is needed.

Please find enclosed the original application for File No. 18,181. K.A.R. 5-5-5 *Signatures required on change applications* requires in part that if the extent of each owner's interest in the water right has not been legally determined, then all landowners holding an undetermined portion of the water right must sign the change application. Therefore we will need the notarized signatures of all landowners and spouses of the authorized place of use. Information in this office indicates that the following own portions of the authorized place of use of File No. 18,181:

- Lola Davis Trust owns a portion of the authorized place of use in the North Half (N½) of Section 19, Township 31 South, Range 30 West, Meade County;
- E.G. Amerin owns a portion of the authorized place of use in the Northeast Quarter (NE¼) of Section 17, Township 31 South, Range 30 West, Meade County;
- KMC AG LLC owns a portion of the authorized place of use in Sections 6, 17, 20, Township 31 South, Range 30 West, Meade County, and Section 1, Township 31 South, Range 31 West, Seward County.

Therefore we will need the authorized notarized signatures of the Lola Davis Trust; E.G. Amerin and spouse; and the authorized representative of KMC AG LLC. Enclosed are an additional signature forms so that you may obtain the original notarized signatures. If this ownership information is not correct, please submit a copy of the recorded deed to clearly indicate the owners so that our records may be updated.

I am returning the referenced application and additional signature pages so that you may provide the requested information. **In order that the application will retain its priority of filing, the original application and attachments must be returned, along with the requested additional information and original notarized signatures, to this office on or before April 19, 2016, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments as outlined above, within the time allowed, shall constitute forfeiture of the priority date and dismissal of the application for failure to return the application and failure to meet K.A.R. 5-5-5.**

(OVER→)

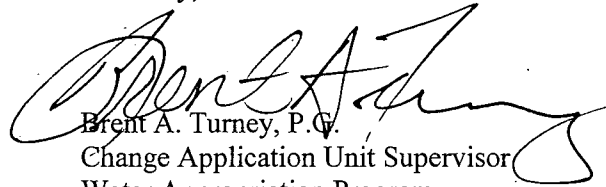
SCANNED

RE: Water Right, File No. 18,181

Page No. 2

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 A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT:rak
Enclosures

pc: Garden City Field Office
Groundwater Management District No. 3

Krueger, Richelle

From: Krueger, Richelle
Sent: Monday, November 30, 2015 10:34 AM
To: Meyer, Mike; Turney, Brent
Subject: RE: 18181

Hi Mike,

When they call you back, would you mind reminding them to get us all of the signatures of the owners of all of the authorized place of use?

Richelle

From: Meyer, Mike
Sent: Monday, November 30, 2015 10:28 AM
To: Krueger, Richelle; Turney, Brent
Subject: RE: 18181

Attached are the flow tests. The test to use is the march test at 712 GPM as a final max rate. There are some notes to explain.

See June 15, 2015 change app for current signatures (along with current ownership change). Yes David can sign for partnership

See attached email for perfected acres.

I have a call into David Clawson on how to spit the rate

Mike

From: Krueger, Richelle
Sent: Monday, November 30, 2015 9:43 AM
To: Meyer, Mike; Turney, Brent
Subject: RE: 18181

Hi Mike,

Yes, I have been waiting for the rate test and how they will assign the rate, and I guess I need the max acres irrigated number for the K.A.R 5-5-16 calculation....looks like they are asking for waivers of K.A.R. 5-5-16(c)(1) and K.A.R. 5-23-3(a).

Richelle

From: Meyer, Mike
Sent: Monday, November 30, 2015 9:37 AM
To: Turney, Brent
Cc: Krueger, Richelle
Subject: RE: 18181

The well has been tested for a rate for the additional well. where are we at with the application? Are you waiting on the rate test?

Mike

From: Turney, Brent
Sent: Monday, November 30, 2015 9:36 AM
To: Meyer, Mike
Cc: Krueger, Richelle
Subject: RE: 18181

Looks like the lucky winner is Richelle. Can't ask for anyone better to work it!

Brent A. Turney, P.G.
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan Kansas 66502
(785) 564-6645
Brent.Turney@kda.ks.gov
www.agriculture.ks.gov

From: Meyer, Mike
Sent: Wednesday, November 25, 2015 10:47 AM
To: Turney, Brent
Subject: 18181

Who Is working this file?

Mike

Krueger, Richelle

From: Meyer, Mike
Sent: Monday, September 28, 2015 11:25 AM
To: Krueger, Richelle
Subject: RE: Change in PD File No. 18181 Additional Well Clawson

618 perfected acres
They tested 712 GPM, but we need a retest. It was not a good test

I called them today, and they will set up another test soon.

So give me a reminder for two weeks to see if they got it tested again

thanks

Mike

From: Krueger, Richelle
Sent: Monday, September 28, 2015 11:03 AM
To: Meyer, Mike
Cc: Makens, Thom
Subject: Change in PD File No. 18181 Additional Well Clawson

Hi Mike,

I have begun reviewing the referenced pd change which is proposing to add the old well to the newly redrilled well that does not produce well.

Do you have the max acres legally irrigated during the perfection period number for the K.A.R. 5-5-16 calculation ?

Also, they reduced the rate but did not submit a current pump test with the application. Do you guys want to contact them to set that up or should I return the application to them or how do you want me to proceed?

Thanks,
Richelle

Richelle Krueger, Environmental Scientist
Kansas Department of Agriculture
Water Appropriation Program
(785) 564-6635
Richelle.Krueger@kda.ks.gov
www.ksda.gov/dwr



1320 Research Park Drive
Manhattan, Kansas 66502

Jackie McClaskey, Secretary

Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

DANIEL CLAWSON
PO BOX 279
PLAINS KS 67869

July 22, 2015

RE: File No. 18181

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 PD
- 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 A Turney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: GARDEN CITY Field Office
3

Meyer, Mike

From: Chris Law <claw@gmd3.org>
Sent: Monday, July 06, 2015 10:04 AM
To: Meyer, Mike
Cc: Mark Rude; Norquest, Jason
Subject: RE: 18181

Good morning Mike

While it was discussed that the meter may be over-registering and may need service, no letter was sent due to the test being at the tail water pit and this well being piped together with many others. Some water was being lost along the way and it is possible that the well was pumping closer to 800, so not a good test for installed meter accuracy.

From: Meyer, Mike [<mailto:Mike.Meyer@KDA.KS.GOV>]
Sent: Monday, July 06, 2015 9:13 AM
To: Chris Law
Cc: Jason Norquest; Mark Rude
Subject: 18181

Good morning chris

This well was tested by you on March 25, 2015.

It appears the meter was not accurate. Did you send a letter to Mr. Clawson informing him of the non compliant meter?

He called and is wanting to add a well, and referenced this test. I have to call him back, and before I do, I need to know the follow up on the non compliant meter so I can follow up if need to be.

Thanks for any information you may have

Mike



18181

GM03

11-23-15

Meyer, Mike

From: Chris Law <claw@gmd3.org>
Sent: Wednesday, November 25, 2015 10:43 AM
To: David Clawson; Meyer, Mike
Cc: Mark Rude; Norquest, Jason
Subject: 18181 flow test
Attachments: 18181 Flow test report 11-23-15.xlsx; 18181 flow test 11-23-15.JPG

Good morning Dave and Mike

Attached is the flow test report from Monday.

The ten minute flow test was at the end of an hour of system filling and tweaking to get what George thought was as close to all water and max flow as possible, 622 gpm. Not surprising it was less than March since the aquifer has probably not fully recovered.

The timing of the installed meter was ongoing throughout this time and as stated on the report may not be an accurate representation of actual rate.

Let me know if you have any questions.

Have a great Thanksgiving.

Chris Law
Director, Field Services
GMD3
620.275.7147
www.gmd3.org

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT

FLOWMETER TEST REPORT

FILE(S) 18181 COUNTY: Meade TEST CONDUCTED BY:

DATE November 23, 2015 TIME: 1:40

GPS N: 37.36565 W: 100.62669 Taken at: Well

WELL LOCATION Section: 7 Township: 31 Range: 30
 ID: 1 QUARTER: SW

Distance from SE corner: 2560 feet North 3080 feet West

METER LOCATION Well

METER INFORMATION

Serial Number: 92-10-1143N Model: MD310-2600
 Manufacturer: McCrometer Meter Type: Propeller
 Pipe Size: OD: 10.000 ID: 9.731
 Totalizer units: Gallons Multiplier: 1000
 Manufacturer Seal & ID: MS GMD3 Seal: No
 DWR Chain & Seal & ID: No
 Remarks:

METER INSTALLATION

Full pipe flow: Yes
 Straightening vanes: Yes
 Straight Run (inches) Upstream: 76 Downstream: 38 *Measuren*

PUMP INFORMATION

Power: Natural Gas
 Manufacturer: De'Ran Horsepower: 200 Ratio: 10:11
 Engine rpm: Pump rpm:
 Pressure (psi): Measured at:

INSTALLED METER TIME TEST

Visual Rate: 700 - 750 gpm
 Calculated rate:
 End Read 617088 End Time 1:13:11
 Begin Read 617041 Begin Time 0
 Difference 47 Time (min.) 73:11
 Diff. Gal. 47,000 Time (.00) 73.18
 Installed Meter gpm 642.3
 Because adjustments were made in this test, the results may not be representative of actual

NON-INTRUSIVE FLOWMETER TEST

Manufacturer: FUJI
 Model: PORTAFLOW Serial number:
 Pipe OD: 10.00 Thickness: 0.035 Material: Aluminum
 Test location: Pit in the SE quarter, aluminum pipe, 25' downstream of pot
 Transducer spacing: 7.538
 Signal Strength: 4 bars, normal
 Sound Speed (ft/s): 4665 Velocity (ft/s): 2.6

RESULT Standard meter rate: 622.6 gpm Installed meter rate:
 Remarks: 10 minute flow test resulted in 6,226 total gallons at test site. Likely not all the water was measured.
 Installed gpm - Standard gpm = #VALUE! gpm difference
 GPM Difference + Standard gpm = calculated % difference
 Calculated % difference #VALUE! GMD3 seal # NA

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT FLOWMETER TEST REPORT

FILE(S) 18181 COUNTY: Meade TEST CONDUCTED BY:

DATE March 25, 2015 TIME: 2:00

GPS N: 37.36565 W: 100.62669 Taken at: Well

WELL LOCATION Section: 7 Township: 31 Range: 30

ID: 1 QUARTER: SW

Distance from SE corner: 2560 feet North 3080 feet West

METER LOCATION Well

METER INFORMATION

Serial Number: 92-10-1143N Model: MD310-2600
 Manufacturer: McCrometer Meter Type: Propeller
 Pipe Size: OD: 10.000 ID: 9.731
 Totalizer units: Gallons Multiplier: 1000
 Manufacturer Seal & ID: MS GMD3 Seal: No
 DWR Chain & Seal & ID: No
 Remarks:

METER INSTALLATION

Full pipe flow: Yes
 Straightening vanes: Yes
 Straight Run (inches) Upstream: 76 Downstream: 38 *Measuren*

PUMP INFORMATION

Power: Natural Gas
 Manufacturer: De'Rand Horsepower: 200 Ratio: 10:11
 Engine rpm: Pump rpm:
 Pressure (psi): Measured at:

INSTALLED METER TIME TEST

Visual Rate: 700 - 750 gpm
 Calculated rate:
 End Read 581117 End Time 35:36
 Begin Read 581088 Begin Time 0
 Difference 29 Time (min.)
 Diff. Gal. 29,000 Time (.00) 35.6
Installed Meter gpm 814.6

NON-INTRUSIVE FLOWMETER TEST

Manufacturer: FUJI
 Model: PORTAFLOW Serial number:
 Pipe OD: 10.00 Thickness: 0.040 Material: Aluminum
 Test location: Pit in the SE quarter, aluminum pipe, 23' downstream of pot
 Transducer spacing: 7.551
 Signal Strength: 4 bars, normal
 Sound Speed (ft/s): 4722 Velocity (ft/s): 2.9

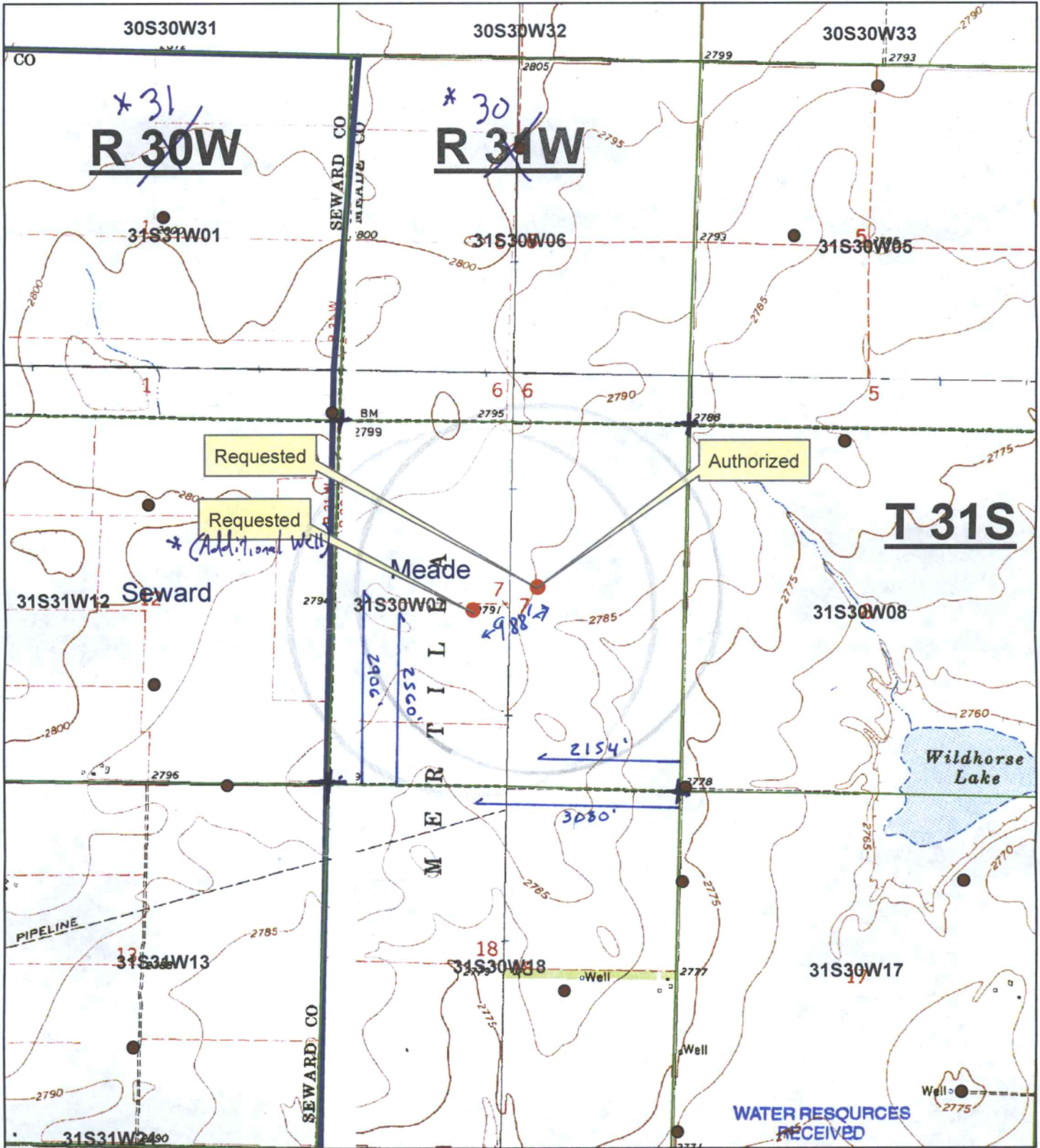
RESULT Standard meter rate: **712 gpm** Installed meter rate: 814.6
 Remarks: 10 minute flow test resulted in 7,120 total gallons at test site. Likely not all the water
 Installed gpm - Standard gpm = 102.6 gpm difference
 GPM Difference + Standard gpm = calculated % difference
 Calculated % difference 14.4% GMD3 seal # NA



#18181

GMD3

File No. 18181



● P/D's under File No. 18181

● Surrounding Wells

— Section Boundaries

+ Section Corners*
* RAIL/om 5/24/16

JUL 20 2015

WATER RESOURCES RECEIVED

KS DEPT OF AGRICULTURE

MAY 23 2016

KS DEPT OF AGRICULTURE

1 inch = 2,000 feet



WATER RESOURCES RECEIVED