



Garden City Field Office  
2508 Johns Street  
Garden City, Kansas 67846-2804  
Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Michael A. Meyer, Water Commissioner

Phone: (620) 276-2901  
Fax: (620) 276-9315  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

December 6, 2016

FORREST L CROUSE TRUSTEE  
PO BOX 107  
JEWELL KS 66949-0107

RE: Change in Point of Diversion Water Right, File No 33052

Dear Mr. Crouse:

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

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

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "T. Makens".

Thomas P. Makens  
Assistant Water Commissioner

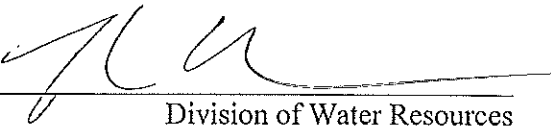
TPM:tpm  
Enclosures  
GMD#3

CERTIFICATE OF SERVICE

On this 7<sup>th</sup> day of December 2016, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 33052 dated December 6, 2016 was mailed postage prepaid, first class, US mail to the following:

FORREST L CROUSE TRUSTEE  
PO BOX 107  
JEWELL KS 66949-0107

Copy provided to GMD#3

  
Division of Water Resources

Submit completed application to:  
 Kansas Department of Agriculture  
 Division of Water Resources  
 Field Office for your area.  
 Call for address:

Topeka -- (785) 296-5733  
 Stafford -- (620) 234-5311  
 Stockton -- (785) 425-6787  
 Garden City -- (620) 276-2901  
<http://agriculture.ks.gov/dwr>

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



**STATE OF KANSAS**

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

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

RECEIVED  
 11:11 AM  
 NOV 09 2016

File No. 33052

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: CLINTON C CROUSE TRUST  
PO BOX 107 JEWELL KS 66949-0107  
 Phone Number: (     )                      Email address: \_\_\_\_\_  
 Name and address of Water Use Correspondent: GARETSON BROTHERS LLC  
PO BOX 947 SUBLETTE KS 67877  
 Phone Number: (     )                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:  
 Owner of Land ---- NAME: CLINTON C CROUSE TRUST  
 ADDRESS: PO BOX 107 JEWELL KS 66949-0107  
 (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		

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: no change in place of use.  
 ADDRESS: \_\_\_\_\_  
 (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		

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 11/9/16 Check # 1015

5. **Presently authorized point of diversion:**  
 One in the se Quarter of the sw Quarter of the ne Quarter  
 of Section 30, Township 26 South, Range 32 W,  
 in Finney County, Kansas, 2650 feet North 1485 feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. 3 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 nw Quarter of the nw Quarter of the ne Quarter  
 of Section 30, Township 26 South, Range 32 W,  
 in Finney County, Kansas, 4664 feet North 2617 feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) 572  
 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 \_\_\_\_\_ (EW),  
 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:  
**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 \_\_\_\_\_ (EW),  
 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. Why do you need a new point of diversion? \_\_\_\_\_  
old well needs replacement

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

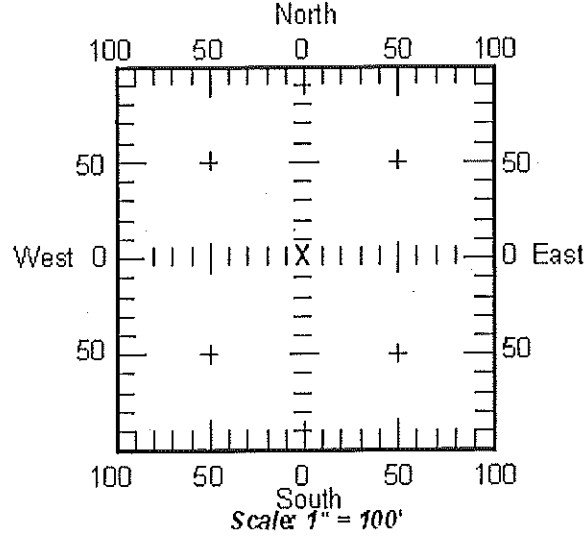
9. When do you propose to complete the new point of diversion?  
December 1, 2016

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
plug  
 (b) When will this be done? 2016

11. Groundwater Management District recommendation attached?  Yes  No

12. Assisted by tpm

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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 regard 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 GARDEN CITY, Kansas, this 9<sup>th</sup> day of NOVEMBER, 2016.

Clinton Crouse Trust  
Yvonne Crouse (Owner) \_\_\_\_\_ (Spouse)

\_\_\_\_\_  
(Please Print) \_\_\_\_\_ (Please Print)

\_\_\_\_\_  
(Owner) \_\_\_\_\_ (Spouse)

\_\_\_\_\_  
(Please Print) \_\_\_\_\_ (Please Print)

\_\_\_\_\_  
(Owner) \_\_\_\_\_ (Spouse)

\_\_\_\_\_  
(Please Print) \_\_\_\_\_ (Please Print)

State of Kansas }  
County of FINNEY } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 9<sup>TH</sup> day of NOV, 2016.



Catherine Reinert  
\_\_\_\_\_  
Notary Public

My Commission Expires 9-14-18

**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. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 *et. seq.* With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 33052.

1. A change application was received on November 9, 2016 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 300 foot radius of the authorized point(s) of diversion.  Applicable  Not Applicable
4. 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
5. 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
6. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before **December 31, 2017**, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.  Applicable  Not Applicable
7. Installation of the works for diversion of water shall be completed on or before **December 31, 2017**, or within any authorized extension of time. By March 1, 2018 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
8. The completed well log shall be submitted with the required notice.  Applicable  Not Applicable
9. 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
10. Additional Conditions are attached.  Yes  No
11. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

**Administrative Appeal and Effective Date of Order**

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Topeka, Kansas 66502, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15<sup>th</sup> day after the date shown on the Certificate of Service.

*For Use by Register of Deeds*

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

By: [Signature]  
Duly Authorized Designee of the Chief Engineer

(Print Name): Thomas P Makens  
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: DECEMBER 6, 2016

State of Kansas )  
County of Stinson ) SS

Acknowledged before me on December 6, 2016  
by Thomas P. Makens

Signature: [Signature]  
Notary Public



My commission expires: \_\_\_\_\_  
(Notary Seal)



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



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

FROSTY CROUSE CELL, 620-272-6085  
 JARVIS GARRETTSON CELL 620-668-0045

Customer Name: Clinton Crouse Trust WO#: 11255 Date: 11-1-16  
 Street Address: P.O. Box 107 Test #: 4 E LOG: \_\_\_\_\_  
 City, State: JEWELL, KS. 66949 Driller: Dale Guinn  
 County: Finney Quarter: NE Section: 30 Township: 26 Range: 32  
 Location: \_\_\_\_\_ GPS: N37.76409 W100.86147  
 Rig #: 10002 Elevation: 2903' Static WL: 300' Estimated?   
 Proposed Well Depth 592  
 WELL LOCATION

%	Footage			Description of Strata
	From	Pay	To	
	0		2	Top Soil
	2		30	Fine sand
	30		37	Brown sandy clay
	37		52	Fine sand
	52		56	Brown sandy clay
	56		109	Sand fine to med course small med large gravel
	109		131	Brown sandy clay w/ some sand beds
	131		138	Sand fine to med course small gravel
	138		162	Brown clay w/ few sand strips
	162		174	Sand fine to med course
	174		181	Brown sandy clay
	181		199	Sand fine to med course
	199		204	Brown sandy clay
	204		223	Sand fine to med course small gravel
	223		254	Sand fine to med course w/ many clay ledges
	254		267	Blue clay
25	267	27	327	Sand fine to med course small gravel - Tight in places -
	327		338	Brown sandy clay
10	338	20	358	Sand fine to med w/ many clay ledges
25	358	22	380	Sand fine to med course
10	380	20	400	Sand fine few med w/ some clay ledges
5	400	10	410	Brown clay w/ some sand strips
15	410	14	424	Fine sand
20	424	15	439	Sand fine to med
	439		450	Brown sluffy clay
5	450	20	470	Brown sluffy clay w/ some sand strips & couple sand beds
25	470	20	490	Sand fine to med course w/ some brown & tan vac. la.
	490		503	Brown sluffy clay
	503		511	Soapstone
5	511	17	528	Soapstone & sandstone
20	528	14	542	Brown Rock & Sandstone - Drilled loose in places -
	542		545	Soapstone
	545		560	Shale
				Super Gal X -3
				Grout -5
				Best Plug 3/4 -6
				Perma Plug -1

33052



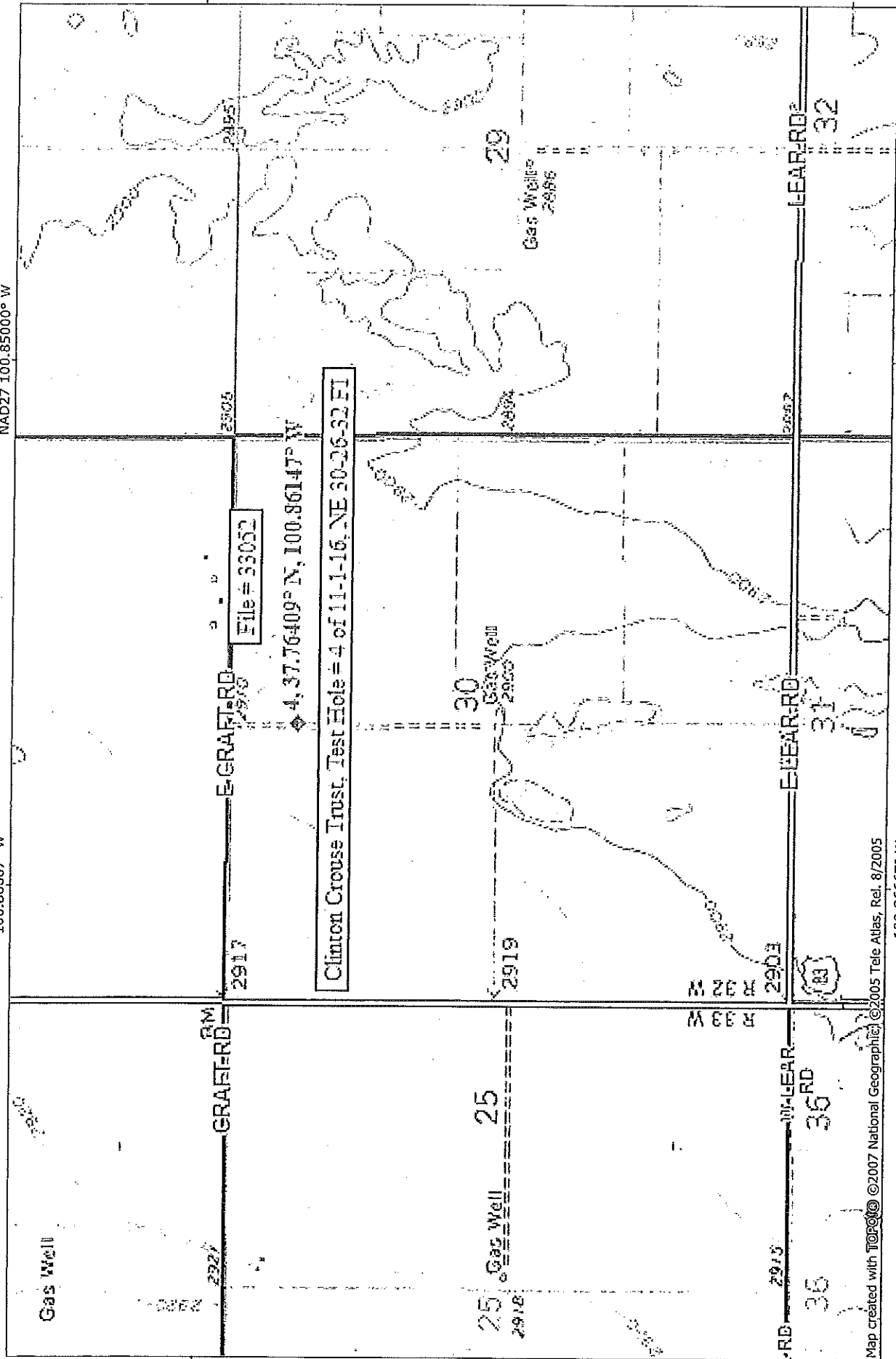
100.86667° W

NAD27 100.85000° W

37.76667° N

37.75000° N

37.75000° N



File # 33032

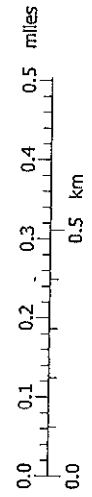
4, 37.76409° N, 100.86147° W

Clinton Crouse Trust, Test Hole = 4 of 11-1-15, NE 30-26-32 FI

Map created with TOPO! ©2007 National Geographic ©2005 Tele Atlas, Rel. 8/2005

NAD27 100.85000° W

NATIONAL GEOGRAPHIC



TNTM N

6°

11/02/16

