

# Kansas

Department of Agriculture  
Division of Water Resources

Garden City Field Office  
2508 Johns Street  
Garden City, Kansas 67846-2804

Jackie McCluskey, 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

May 25, 2017

PELAJO PROPERTIES  
SUSAN B. HUDSON  
1861 RIDGE ROAD  
POTTSTOWN PA 19465

RE: Application to Change the Place of Use  
File Nos. 27993, 27994, 40961, 40979, 40992, 41004.

Dear Ms. Hudson:

Enclosed you will find a *Summary Order Approving Application for Change in Place of Use* for the above referenced files. Since these orders modify the original documents, it should be recorded at the County Register of Deeds.

These orders modify the authorized acres that can be irrigated by these files. The authorized place of use is as shown on the plats within the change approvals.

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 (including the meter reading at the beginning and end of the report year).

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 or arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,



Thomas P. Makens  
Assistant Water Commissioner

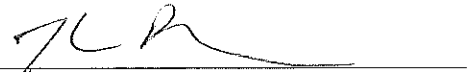
TPM:tpm  
Enclosures  
GMD#3

**CERTIFICATE OF SERVICE**

On this 26<sup>th</sup> day of May 2017, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right, 27993, 27994, 40961, 40979, 40992, 41004 dated May 25, 2017, was mailed postage prepaid, first class, US mail to the following:

PELAJO PROPERTIES  
SUSAN B. HUDSON  
1861 RIDGE ROAD  
POTTSTOWN PA 19465

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.

File No. 27993

RECEIVED  
 10:00 A.M.  
 APR 18 2017

Garden City Field Office  
 DIVISION OF WATER RESOURCES

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

2. Name and address of Applicant: PELAJO PROPERTIES SUSAN B. HUDSON

1861 RIDGE ROAD POTTSTOWN PA 19465

Phone Number: (     )                      Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: PELAJO PROPERTIES SUSAN B. HUDSON

1861 RIDGE ROAD POTTSTOWN PA 19465

Phone Number: (     )                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: PELAJO PROPPPELAJO PROPERTIES SUSAN B. HUDSONERTIES--

ADDRESS: 1861 RIDGE ROAD POTTSTOWN PA 19465

(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	
19	33	37w									34	34	34	34					136
30	33	37w	40	40	40	40	40	37.08	37.2	40	40	37.32	37.44	40	40	40	40	40	629.04
24	33	38w					36	13	36	40	40	36	13	36	34	34	34	34	386

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: PELAJO PROPPPELAJO PROPERTIES SUSAN B. HUDSONERTIES--

ADDRESS: 1861 RIDGE ROAD POTTSTOWN PA 19465

(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	
19	33	37w						<u>21</u>	<u>22</u>		31	<u>31</u>	<u>31</u>	31					124
30	33	37w	13	36	40	36	40	37.08	37.2	40	40	37.32	37.44	37	36	40	36	13	556.04
24	33	38w	13	36	40	36	36	13	36	40	40	36	13	36	31	31	31	31	499

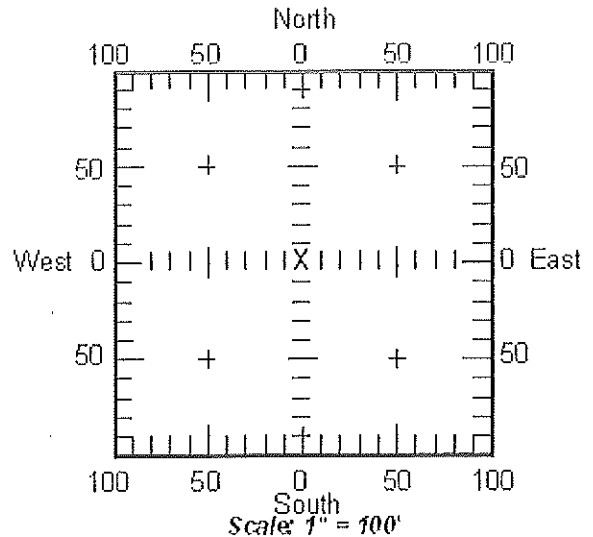
<b>For Office Use Only: Code</b> _____ <b>Fee \$</b> <u>200.00</u> <b>TR #</b> _____ <b>Receipt Date</b> <u>4-18-17</u> <b>Check #</b> <u>1312</u>
--

5. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed     This point will be changed as follows:  
**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 \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well     Geo Center    List other water rights that will use this point \_\_\_\_\_

6. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed     This point will be changed as follows:  
**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 \_\_\_\_\_ 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? \_\_\_\_\_  
 no change to well location \_\_\_\_\_

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.)



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

9. When do you propose to complete the new point of diversion?  
 \_\_\_\_\_

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
 \_\_\_\_\_

(b) When will this be done? \_\_\_\_\_

11. Groundwater Management District recommendation attached?  Yes     No

12. Assisted by tpm \_\_\_\_\_

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.

APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
FILE NO. 27993  
MAKE ADDITIONAL COPIES AS NECESSARY

3. *Continued:* The presently authorized place of use is:  
Owner of Land ---- NAME: PELAJO PROPERTIES SUSAN B. HUDSON  
ADDRESS: 1861 RIDGE ROAD POTTSTOWN PA 19465

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	
25	33	38w					36	13	36	40	40	36	13	36	32	40	40	40	402
35	33	38w													32.5	32.5	32.5	32.5	130
36	33	38w	40	40	40	40	40	31.2	31.2	31.2	31.2	31.2	31.2	31.2	31.2	31.2	31.2	31.2	543.2

Owner of Land ---- NAME: VERNAL & EDWARD C JONES 2995 HWY 50 GRAND JUNCTION CO 81503  
ADDRESS: KENNETH M & MILDRED GREENWOOD PO BOX O HUGOTON KS 67951

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	
25	33	38w	13	36	40	36													125

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	

4. *Continued:* 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: PELAJO PROPERTIES SUSAN B. HUDSON  
ADDRESS: 1861 RIDGE ROAD POTTSTOWN PA 19465

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	
25	33	38w					36	13	36	40	40	36	13	36	28	35	38	36	387
35	33	38w													31	31	31	31	124
36	33	38w	35	37	39.56	40	31.2	31.2	31.2	31.2	31.2	31.2	31.2	31.2	31.2	31.2	31.2	31.2	525.96

Owner of Land ---- NAME: VERNAL & EDWARD C JONES 2995 HWY 50 GRAND JUNCTION CO 81503 ~~PELAJO~~  
ADDRESS: KENNETH M & MILDRED GREENWOOD PO BOX O HUGOTON KS 67951

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	
25	33	38w	13	36	40	36													125

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	



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 Pottstown 9-29-14, Kansas, this 29 day of September, 2014.

X Aaron B. Hudson  
 (Owner)  
Susan B. Hudson  
 (Please Print)

Pelajo Properties LLP  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)

X Mildred Greenwood  
 (Owner)  
 Mildred Greenwood Revocable Trust  
 (Please Print)

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

X Mildred Greenwood  
 (Owner)  
 Kenneth M. Greenwood Revocable Trust  
 (Please Print)

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

State of Kansas }  
County of Chester } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 29 day of September, 2014.

My Commission Expires July 5, 2019

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Robert M. Rowland, Notary Public
South Coventry Twp., Chester County
My Commission Expires July 5, 2019
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

Robert M. Rowland  
Notary Public

**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. 27993.

1. A change application was received on April 18, 2017 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use.  Applicable  Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a \_\_\_\_\_ foot radius of the authorized point(s) of diversion.  Applicable  Not Applicable
4. The point(s) of diversion 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. 5-3-3-5e, 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, 2016, or within any authorized extension of time. By March 1, 2017 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

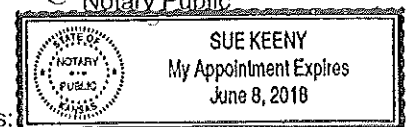
(Print Name): THOMAS P. MAKENS  
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: MAY 25, 2017

State of Kansas )  
County of Finney ) SS

Acknowledged before me on May 25, 2017  
by Thomas P. Makens

Signature: [Signature]  
Notary Public



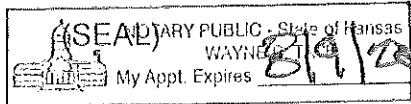
My commission expires: \_\_\_\_\_  
(Notary Seal)



STATE OF KANSAS, STEVENS COUNTY, ss:

BE IT REMEMBERED, that on this 17<sup>th</sup> day of April, 2017, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came MILDRED GREENWOOD, as Trustee of the MILDRED GREENWOOD REVOCABLE TRUST DATED DECEMBER 6, 2007, who is personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

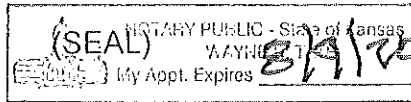


Wayne R. Tate  
Notary Public

STATE OF KANSAS, STEVENS COUNTY, ss:

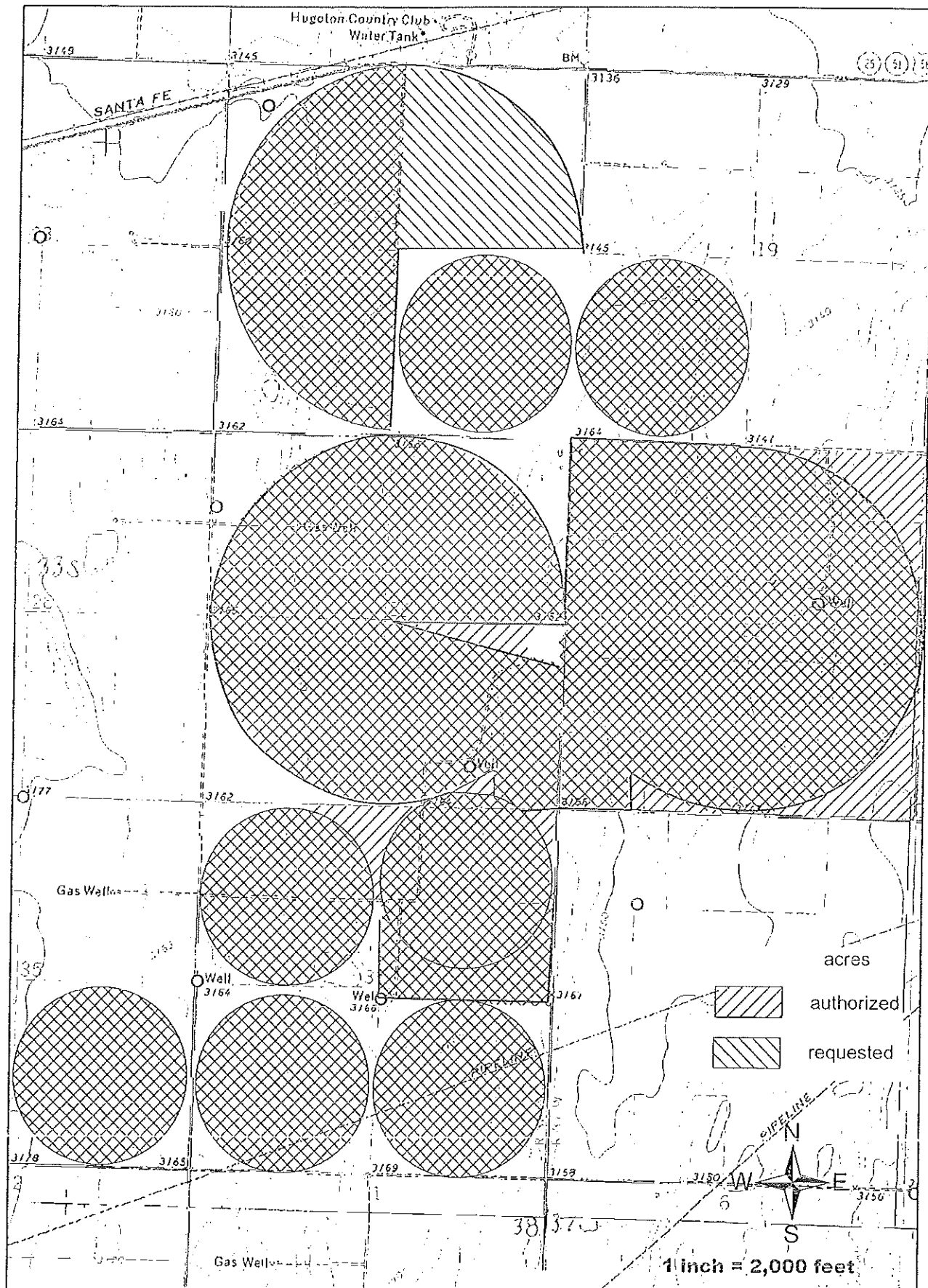
BE IT REMEMBERED, that on this 17<sup>th</sup> day of April, 2017, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came MILDRED GREENWOOD, as Trustee of the KENNETH M. GREENWOOD REVOCABLE TRUST DATED NOVEMBER 6, 2007, who is personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.



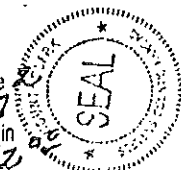
Wayne R. Tate  
Notary Public

# Pelajo place of use





STATE OF KANSAS SS  
COUNTY OF STEVENS



Book 313 Page 448

This instrument was filed for record on the  
day of March A.D. 2017  
at 3:30 o'clock P.M. and duly recorded in  
Book 313 on page 448 Fee \$ 32.00

Zilpha Rosel  
Register of Deeds

**GENERAL WARRANTY DEED**

JANE CLEVINGER a/k/a V. JANE CLEVINGER a/k/a VERNA  
JANE CLEVINGER, a single person;

CONVEYS AND WARRANTS TO

PELAJO PROPERTIES, LLP;

all of the following described real estate, in the County of Stevens, State of Kansas, to wit:

The surface and surface rights only, including all water rights, in and to an undivided one-sixth (1/6) interest in the Northeast Quarter (NE/4) of Section Twenty-five (25), Township Thirty-three (33) South, Range Thirty-eight (38) West of the 6<sup>th</sup> P.M., Stevens County, Kansas EXCEPT and LESS the following described two tracts:

Tract 1: A tract of land located in the Northeast Quarter (NE/4) of Section Twenty-five (25), Township Thirty-three (33) South, Range Thirty-eight (38) West of the 6<sup>th</sup> P.M., Stevens County, Kansas, more particularly described as follows: Beginning at a point 330.09 feet South (assumed bearing) and 45 feet South 89 degrees 53 minutes West of said Northeast corner of said Section 25; thence South 89 degrees 53 minutes West parallel with the North line of said Section a distance of 215 feet; thence South 00 degrees 00 minutes East parallel with the East line of said Section a distance of 205 feet; thence North 89 degrees 53 minutes East parallel with the North line a distance of 215 feet; thence North 00 degrees 00 minutes East along the West right-of-way line of said Section a distance of 205 feet to the point of the beginning.

Tract 2: A tract of land located in the Northeast Quarter (NE/4) of Section Twenty-five (25), Township Thirty-three (33) South, Range Thirty-eight (38) West of the 6<sup>th</sup> P.M., Stevens County, Kansas, more particularly described as follows: Beginning at a point 30.09 feet South (assumed bearing) and 45 feet S 89°53'W of said Northeast Corner of said Section Twenty-five (25); thence S 89°53'W along the South right-of-way of said section, a distance of 195 feet; thence S 00°00'E parallel with the East line of said section a distance of 300 feet; thence N 89°53'E parallel with the North line of said section a distance of

Entered in Transfer Record by my office this  
3<sup>rd</sup> day of March  
A.D. 2017  
Steph Rich, Deputy  
County Clerk



195 feet; thence N 00°00' E along the West right-of-way line of said section a distance of 300 feet to the point of beginning.

for the sum of Ten Dollars and No/100 (\$10.00), and other valuable consideration, receipt of which is hereby acknowledged.

EXCEPT and SUBJECT TO: oil, gas and other minerals owned by others, oil and gas leases, unitization agreements and easements and restrictions of record, if any, insofar as the same are valid.

Dated: February 6, 2017.

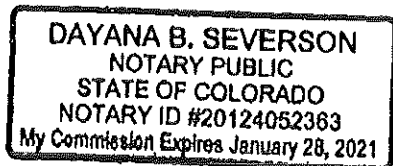
*Jane Clevinger*  
*a/k/a V. Jane Clevinger*  
*a/k/a Verna Jane Clevinger*  
\_\_\_\_\_  
Jane Clevinger  
a/k/a V. Jane Clevinger  
a/k/a Verna Jane Clevinger

STATE OF COLORADO, MESA COUNTY, ss:

BE IT REMEMBERED, that on this 6 day of February, 2017, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came JANE CLEVINGER a/k/a V. JANE CLEVINGER a/k/a VERNA JANE CLEVINGER, a single person, who is personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

(SEAL)



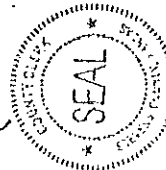
*[Signature]*  
\_\_\_\_\_

Notary Public





STATE OF KANSAS SS  
COUNTY OF STEVENS



This instrument was filed for record on the 2  
day of *March* A.D. 2017  
at 3:30 o'clock P.M. and duly recorded in  
Book 313 on page 452 Fee \$32.00

Book 313 Page 452

*Jilpha Rosel*  
Register of Deeds

GENERAL WARRANTY DEED

NORMA JEAN SILKEY a/k/a NORMA JEAN ROSE a/k/a  
NORMAL JEAN ROSE-SILKEY and TIMOTHY R. SILKEY;  
wife and husband;

Entered in Transfer Record by my office this  
3rd day of *March*

A.D. 2017  
*Angie Rich, Deputy*  
County Clerk

CONVEY AND WARRANT TO

PELAJO PROPERTIES, LLP;

all of the following described real estate, in the County of Stevens, State of Kansas, to wit:

The surface and surface rights only, including all water rights, in and to an undivided one-sixth (1/6) interest in the Northeast Quarter (NE/4) of Section Twenty-five (25), Township Thirty-three (33) South, Range Thirty-eight (38) West of the 6<sup>th</sup> P.M., Stevens County, Kansas EXCEPT and LESS the following described two tracts:

Tract 1: A tract of land located in the Northeast Quarter (NE/4) of Section Twenty-five (25), Township Thirty-three (33) South, Range Thirty-eight (38) West of the 6<sup>th</sup> P.M., Stevens County, Kansas, more particularly described as follows: Beginning at a point 330.09 feet South (assumed bearing) and 45 feet South 89 degrees 53 minutes West of said Northeast corner of said Section 25; thence South 89 degrees 53 minutes West parallel with the North line of said Section a distance of 215 feet; thence South 00 degrees 00 minutes East parallel with the East line of said Section a distance of 205 feet; thence North 89 degrees 53 minutes East parallel with the North line a distance of 215 feet; thence North 00 degrees 00 minutes East along the West right-of-way line of said Section a distance of 205 feet to the point of the beginning.

Tract 2: A tract of land located in the Northeast Quarter (NE/4) of Section Twenty-five (25), Township Thirty-three (33) South, Range Thirty-eight (38) West of the 6<sup>th</sup> P.M., Stevens County, Kansas, more particularly described as follows: Beginning at a point 30.09 feet South (assumed bearing) and 45 feet S 89°53'W of said Northeast Corner of said Section Twenty-five (25); thence S 89°53'W along the South right-of-way of said section, a distance of 195 feet; thence S 00°00'E parallel with the East line of said section a distance of 300 feet; thence N 89°53'E parallel with the North line of said section a distance of



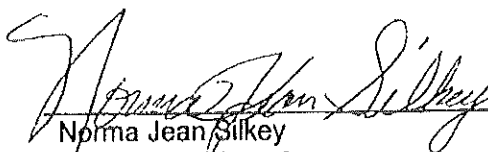


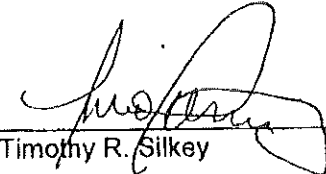
195 feet; thence N 00°00' E along the West right-of-way line of said section a distance of 300 feet to the point of beginning.

for the sum of Ten Dollars and No/100 (\$10.00), and other valuable consideration, receipt of which is hereby acknowledged.

EXCEPT and SUBJECT TO: oil, gas and other minerals owned by others, oil and gas leases, unitization agreements and easements and restrictions of record, if any, insofar as the same are valid.

Dated: February 6, 2017.

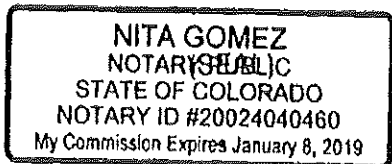
  
\_\_\_\_\_  
Norma Jean Silkey  
a/k/a Norma Jean Rose  
a/k/a Normal Jean Rose-Silkey

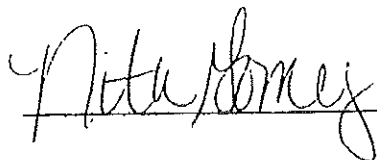
  
\_\_\_\_\_  
Timothy R. Silkey

STATE OF COLORADO, MESA COUNTY, ss:

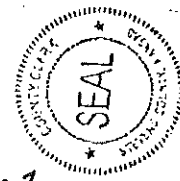
BE IT REMEMBERED, that on this 6<sup>th</sup> day of February, 2017, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came NORMA JEAN SILKEY f/k/a NORMA JEAN ROSE a/k/a NORMAL JEAN ROSE-SILKEY and TIMOTHY R. SILKEY, wife and husband, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.



  
\_\_\_\_\_  
Notary Public





STATE OF KANSAS SS  
COUNTY OF STEVENS

This instrument was filed for record on the 2  
day of March A.D. 2017  
at 9:36 o'clock P.M. and duly recorded in  
Book 313 on page 450 Fee \$ 32.00

Book 313 Page 450

Jelphaw Noel  
Register of Deeds

GENERAL WARRANTY DEED

EDDIE C. JONES and FLORA JONES, husband and wife;

CONVEY AND WARRANT TO

PELAJO PROPERTIES, LLP;

all of the following described real estate, in the County of Stevens, State of Kansas, to wit:

The surface and surface rights only, including all water rights, in and to an undivided one-sixth (1/6) interest in the Northeast Quarter (NE/4) of Section Twenty-five (25), Township Thirty-three (33) South, Range Thirty-eight (38) West of the 6<sup>th</sup> P.M., Stevens County, Kansas EXCEPT and LESS the following described two tracts:

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Entered in Transfer Record by my office this  
3rd day of March

A.D. 20 17  
Amy Beck DeWitt  
County Clerk



for the sum of Ten Dollars and No/100 (\$10.00), and other valuable consideration, receipt of which is hereby acknowledged.

EXCEPT and SUBJECT TO: oil, gas and other minerals owned by others, oil and gas leases, unitization agreements and easements and restrictions of record, if any, insofar as the same are valid.

Dated: February 6, 2017.

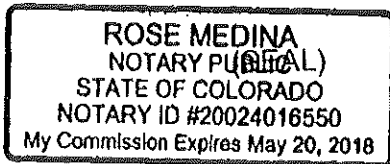
Eddie C. Jones  
Eddie C. Jones

Flora Jones  
Flora Jones

STATE OF COLORADO, MESA COUNTY, ss:

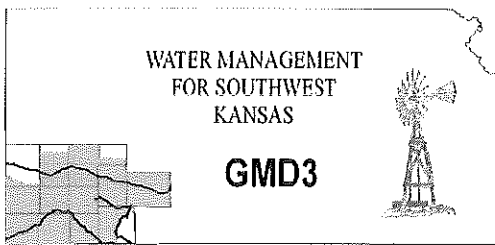
BE IT REMEMBERED, that on this 6 day of February, 2017, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came EDDIE C. JONES and FLORA JONES, husband and wife, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.



Rose Medina  
Notary Public





**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

April 27, 2017

Thomas P. Makens  
Division of Water Resources  
2508 N Johns Street  
Garden City, Kansas 67846

RE: Application for Change in Place of Use  
Water Right, File Nos. 27993, 27994, 40961, 40979, 40991 & 41004

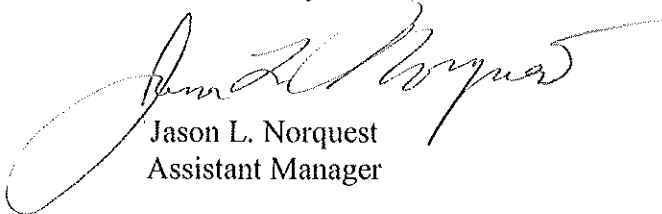
40992 T<sup>PM</sup>

Dear Thomas:

We have completed a review of the applications for the above referenced water rights. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use is in accordance with K.A.R. 5-5-11(b). It is therefore recommended that the applications be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,



Jason L. Norquest  
Assistant Manager

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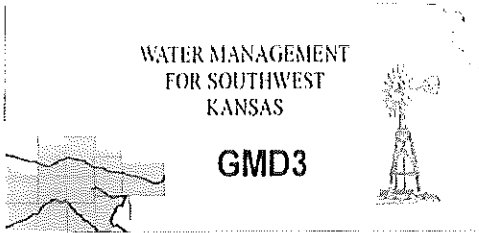
MAY 08 2017

Serving Southwest Kansas Since 1976

Garden City Field Office  
DIVISION OF WATER RESOURCES







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

April 27, 2017

RECEIVED

Thomas P. Makens  
Division of Water Resources  
2508 N Johns Street  
Garden City, Kansas 67846

MAY 03 2017

Garden City Field Office  
Division of Water Resources

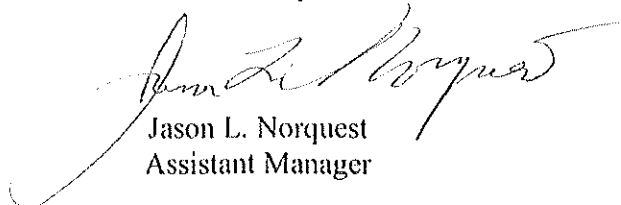
RE: Application for Change in Place of Use <sup>40992 T<sup>PM</sup></sup>  
Water Right, File Nos. 27993, 27994, 40961, 40979, 40991 & 41004

Dear Thomas:

We have completed a review of the applications for the above referenced water rights. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use is in accordance with K.A.R. 5-5-11(b). It is therefore recommended that the applications be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

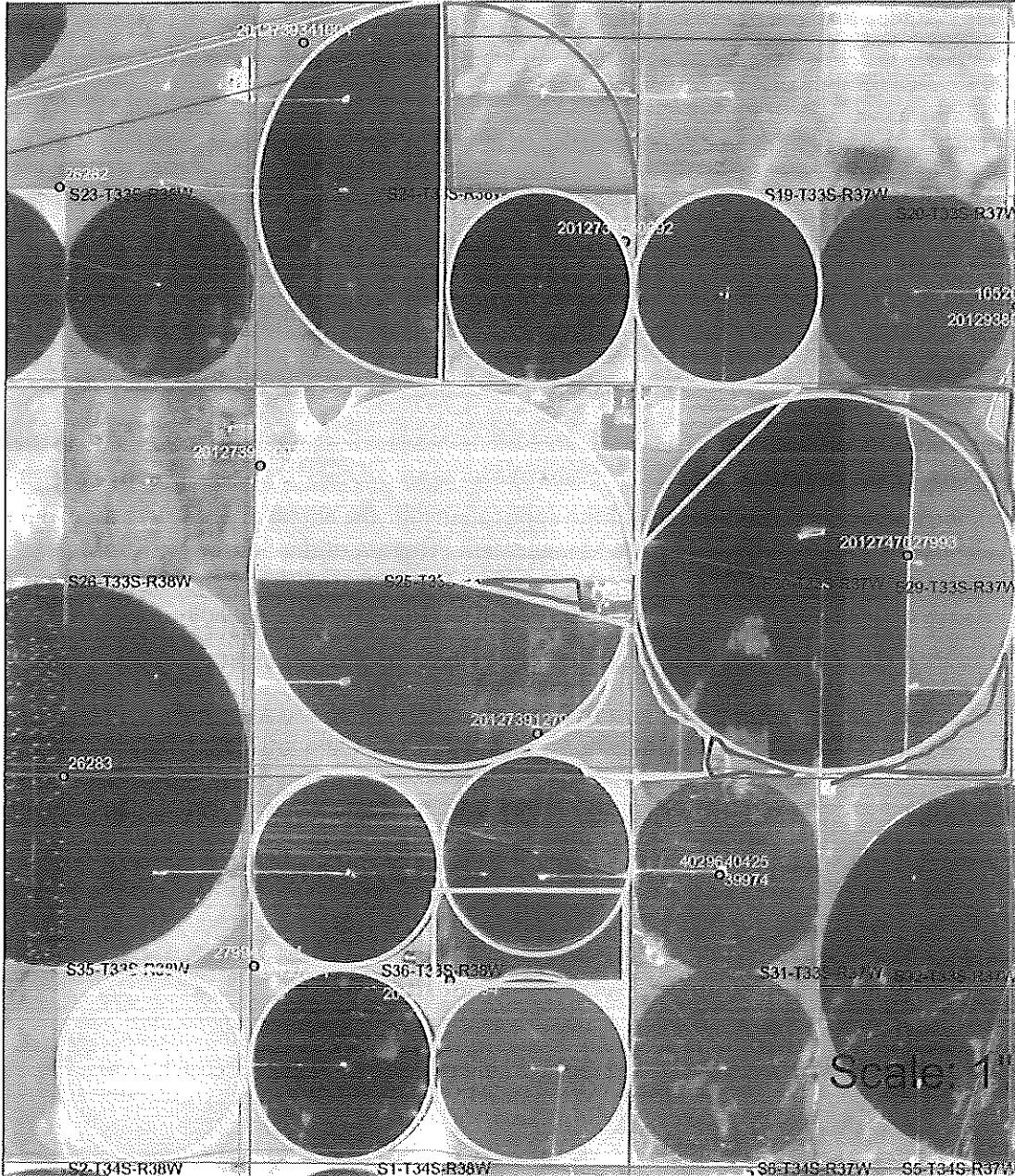


Jason L. Norquest  
Assistant Manager

# GMD3 Change Review

Change Application(s); PU

File No(s). 27993, 27994, 40961, 40979, 40992 & 41004; Pelajo Properties



Base acres (confirmed with DWR) = 2351

Currently authorized acres = 2351.24

Proposed acres = 2341

Area in yellow will remain authorized, area in red is new acres added and green area is acres proposed to be taken out.

AF Allocations:

27993=750+645+1395      27994=451+591+1042      40961=320\*\*2757AF Limit

40979=361    40992=462    41004=500

Total = 4080AF => 1.7AF/Acre proposed.

RECEIVED

MAY 03 2017

Garden City Field Office  
Division of Water Resources

## GMD3 Change Review

---

Neighboring wells: NA

Domestic wells: NA

Regulation(s) Reviewed: KAR 5-5-11

Board Review Date: NA

Board Recommendation: NA

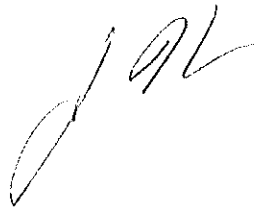
Waiver Reason: NA

**Final Recommendation:** After review of all available information, it appears the current area rules are met. Staff therefore recommends approval of the applications.

RECEIVED

MAY 03 2017

Garden City Field Office  
Division of Water Resources

A handwritten signature in black ink, appearing to be 'JAL', is written over the stamp area.

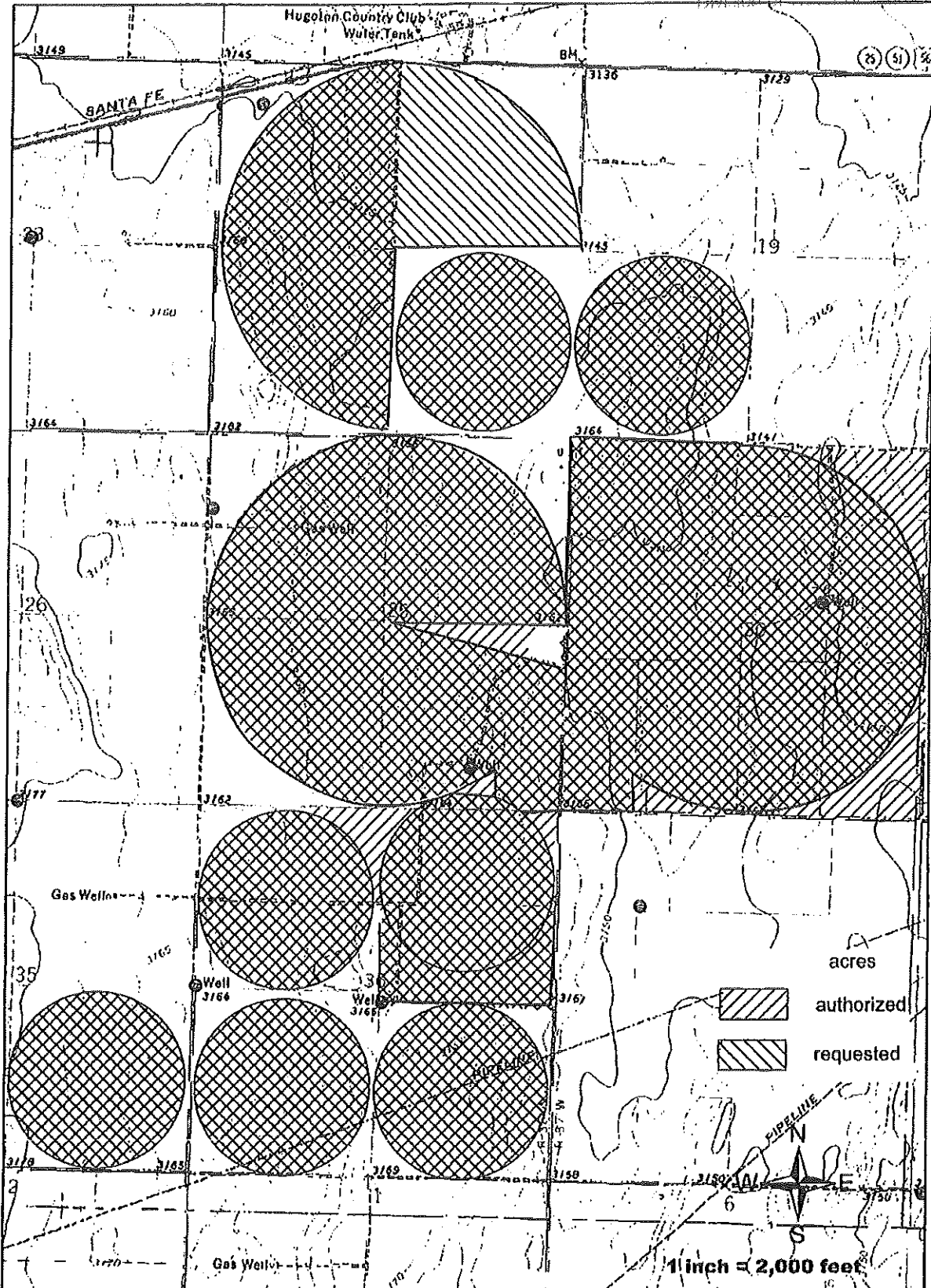
Base Acres = 2751

RECEIVED

MAY 03 2017

# Pelajo place of use

Garden City Field Office  
Division of Water Resources





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

April 25, 2017

Southwest Kansas Groundwater  
Management District No 3  
409 Campus Drive, Suite 106  
Garden City KS 67846

Re: Water Right file number 27993, 27994, 40961, 40979,  
40992, 41004.

Dear Mr. Norquest;

Pelajo has applied to alter the acres authorized and relocate a partial pivot. The base acres are 2351.

We are delaying action for 15 days on the change application to allow you time to review and provide a recommendation if you feel one is warranted. I have enclosed a copy of the change for your perusal.

Thank you and as always feel free to call or write us at any time.

Sincerely;

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

Thomas P Makens

encs.

