

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

Document Signature _____

1. File Number: 45405	2. Status Change Date: <i>12/29/2016</i>	3. Change Num: C1	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: 28-JUL-2016
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8a. Applicant(s) <input type="checkbox"/> New to system <input type="checkbox"/> Person ID <u>57020</u> Add Seq# <u>1</u> CLAWSON LAND PARTNERSHIP PO BOX 279 PLAINS KS 67869-0279	8d. Landowner(s) <input type="checkbox"/> New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
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8b. Landowner(s) <input type="checkbox"/> New to system <input type="checkbox"/> Person ID <u>57020</u> Add Seq# <u>1</u> CLAWSON LAND PARTNERSHIP PO BOX 279 PLAINS KS 67869-0279	8e. Landowner(s) <input type="checkbox"/> New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
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8c. Landowner(s) <input type="checkbox"/> 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 <input type="checkbox"/> New to system <input type="checkbox"/> Person ID <u>39661</u> Add Seq# <u>1</u> NO CHANGE CLAWSON MEADE CO #6 PO BOX 279 PLAINS KS 67869-0279
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9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/17</u> <input checked="" type="checkbox"/> N & P Date to Comply: <u>12/31/17</u>	
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter	
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____	

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

	Date Prepared: 12/15/16 By: RAK
	Date Entered: <i>1/3/2017</i> By: <i>LLM</i>

File No. 45405	11. County: ME	Basin: CROOKED CREEK	Stream:	Formation Code: 210	Special Use:
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12. Points of Diversion										Rate and Quantity				
MOD DEL ENT	P D I V	Qualifier	S	T	R	ID	'N	'W	Comment	Authorized		Additional		Overlap PD Files
										Rate gpm	Quantity af	Rate gpm	Quantity af	
DEL	68328	NW¼ NW¼ SW¼	16	32S	28W	1	2635	5175						NO
ENT	85815	NW¼ NW¼ NW¼	16	32S	28W		5242	5344		1600 g.p.m.	720 AF	1600 g.p.m.	720 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 ENT	P U S E	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
✓	55455	16	32	28W	1	40	40	40	40	40	40	40	40					320	8B	NO	NO
	MOD 60620	16	32	28W	2									40	40			80	8C	YES	NO
Ownership change only																					

Comments: **SPECIAL CONDITIONS Y**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
MEMORANDUM

TO: Files

DATE: December 15, 2016

FROM: Richelle A. Krueger

RE: Appropriation of Water
File No. 45,405

Daniel Clawson, etal, owners of the referenced water right, has 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 appropriation does not appear to be abandoned as per K.S.A. 82a-718.

The referenced file is authorized 720 acre-feet and 1,600 gallons per minute from one well located 2,635 feet North and 5,175 feet West of the Southeast corner of Section 16, Township 32 South, Range 28 West, Meade County, for irrigation use on 400 acres in the same Section 16. There are no overlaps in the authorized point of diversion or place of use. The presently authorized well has not been drilled, and the applicant proposes to move the well to a point 5,242 feet North and 5,344 feet West of the Southeast corner of the aforementioned Section 16, approximately 2,612 feet northwest of the currently authorized location. Paragraph No. 17 of the application indicates that the proposed well location meets current rules and regulations and meets criteria when the original permit was filed; that no other junior water rights were filed in the two-mile radius since permit approval; and that several junior rights under common ownership are proposed to be dismissed in the area.

According to WRIS and the application map there is one irrigation well authorized by Appropriation of Water, File No. 45,403 and one domestic well both under common ownership located within one-half mile of the proposed well.

It appears that the proposed well will remain in the same local source of supply, previously determined to be Ogallala Aquifer (210).

In a letter dated September 16, 2016, Jason L. Norquest, Assistant Manager of Southwest Kansas Groundwater Management District No. 3 indicated that the referenced application meets their requirements. They also verified that the proposed location would have met the criteria for a new application at the time of the original filing, and recommended that the change application be approved at this time.

In an e-mail dated December 15, 2016, Michael Meyer, Water Commissioner of the Garden City Field Office, indicated that he recommends approval of the referenced change application.

A water flow meter is required. A check valve is required if any chemical or foreign substance is injected into the water through the diversion works. The special conditions on the original approval will be modified with a Findings and Order.

Based on the above discussion, that the change is reasonable, that impairment to existing water rights is unlikely, and that no change in the local source of supply will occur, it has been recommended that the referenced application be approved.


Richelle A. Krueger
Environmental Scientist



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

January 4, 2017

CLAWSON MEADE CO #6
CLAWSON LAND PARTNERSHIP/KMC AG LLC
ATTN DANIEL CLAWSON
PO BOX 279
PLAINS KS 67869-0279

FILE COPY

RE: Appropriation of Water, File No. 45,405

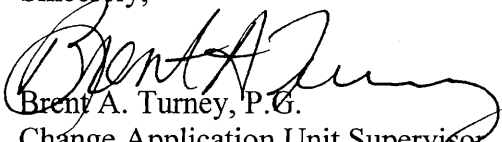
Dear Mr. Clawson:

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

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

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
Water Appropriation Program

Enclosures

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



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
APPROPRIATION OF WATER
FILE NO. 45,405**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Daniel Clawson, on behalf of Clawson Meade County #6, Clawson Land Partnership and KMC AG L.L.C., PO Box 279, Plains, Kansas, 67869-0279, received in this office on July 28, 2016, for approval of a change in the location of the point of diversion under Approval of Application, File No. 45,405, for permit to appropriate water for beneficial use, as modified and amended by the Findings and Order of the Chief Engineer dated December 27, 2016, modifying the monitoring plan, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

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

one (1) well located in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 16, more particularly described as being near a point 5,242 feet North and 5,344 feet West of the Southeast corner of said section,

in Township 32 South, Range 28 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, 2017, 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.

The water right owner shall submit to the Chief Engineer a copy of the well log required by the Kansas Department of Health and Environment under the authority of K.S.A. 82a-1212, currently form WWC-5, within 30 days following the drilling of the well at the location authorized herein.

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.

In all other respects, the Approval of Application, File No. 45,405, for permit to appropriate water for beneficial use, is as stated and set forth in the approval dated August 20, 2009, as modified and amended by the aforementioned order.

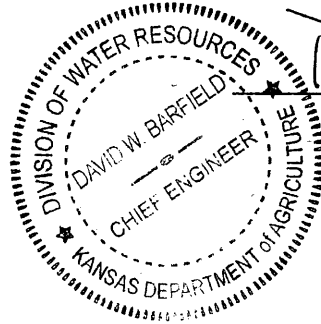
This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

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 29th day of December, 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)
) SS
 County of Riley)

The foregoing instrument was acknowledged before me this 29th day of December, 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 4th day of January, 2017, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, File No. 45,405, dated December 29, 2016 was mailed postage prepaid, first class, US mail to the following:

CLAWSON MEADE CO #6
CLAWSON LAND PARTNERSHIP/KMC AG LLC
ATTN DANIEL CLAWSON
PO BOX 279
PLAINS KS 67869-0279

With photocopies to:

Garden City Field Office
Groundwater Management District No 3



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

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JUL 28 2016
11:59
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File No. 45405

2. Name of applicant: CLAWSON MEADE CO #6

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Address: PO BOX 279

OCT 24 2016

City, State and Zip: PLAINS KS 67869-0279

KS DEPT OF AGRICULTURE

Phone Number: () E-mail address: _____

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

Name of water use correspondent: same no change

Address: _____

City, State and Zip: _____

Phone Number: () E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): TO RELOCATE

THE AUTHORITY TO DRILL THE PERMITTED POINT OF DIVERISON

The change(s) (will be) completed by FALL 2016

(Date)

For Office Use Only:															
F.O.	<u>4</u>	GMD	<u>3</u>	Meets K.A.R. 5-5-1	(YES/NO)	Use	<u>ERR</u>	Source	<u>G/S</u>	County	<u>ME</u>	By	<u>ADW</u>	Date	<u>7/29/16</u>
Code	<u>CGT</u>			Fee \$	<u>200</u>	TR #		Receipt Date	<u>7/29/16</u>	Check #	<u>15062</u>				

SCANNED

4. The presently authorized place of use is:

Owner of Land — NAME: NO CHANGE

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: NO CHANGE

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		

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JUL 28 2016

OCT 24 2016

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

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

- 6. The presently authorized point(s) of diversion (is) (are) ONE WELL
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) ONE WELL
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the NW Quarter of the N / Quarter of the SW Quarter of Section 16, Township 32 South, Range 28 W, in ME County, Kansas, 2635 feet North 5175 feet West of Southeast corner of section. Authorized Rate --- Authorized Quantity ---
 (DWR use only: Computer ID No. 01 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 NW Quarter of Section 16, Township 32 South, Range 28 W, in ME County, Kansas, 5242 feet North 5344 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 _____

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 _____ 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 _____

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. _____

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY
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 JUL 28 2016
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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.

NA

(Please show any calculations here.)

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

15. It is requested that the maximum rate of diversion of water be reduced to NA 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.

MEETS CURRENT RULES AND REGULATIONS. PROPOSED LOCATION MEETS CRITERIA WHEN ORIGINAL PERMIT WAS FILED. NO OTHER JUNIOR WATER RIGHTS IN THE 2 MILE RADIUS SINCE PERMIT APPROVAL SEVERAL JUNIOR RIGHTS ARE PROPOSED TO BE DISMISSED THAT WE OWN IN THE 2 MILE RADIUS

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.

NA

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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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 25 day of July, 2016.

Daniel Clawson
(Owner)

(Spouse)

Daniel 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 25th day of July, 2016.



Ryan R.
Notary Public

My Commission Expires 5-19-2020

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.**

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OCT 24 2016

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JUL 28 2016

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Property Detail Information

Generated: 9/6/2016 11:51:38 AM

Report for Parcel No. 060-135-16-0-00-00-001.00-0

(Quick Ref. ID R3036)

Property Physical (Situs) Address	
00000, Meade, KS 67864	

Owner(s)	Owner Mailing Address
CLAWSON LAND PARTNERSHIP - (P)	PO BOX 279 PLAINS, KS 67869

Property Factors	
Topography	Level - 1 Rolling - 4
Utilities	None - 8
Access	Dirt Road - 3
Fronting	Secondary Street - 3
Location	Neighborhood or Spot - 6
Parking Type	Off Street - 1
Parking Quantitiy	Adequate - 2
Parking Proximity	On Site - 3
Covered Parking	Not Available
Uncovered Parking	Not Available

Tract (Legal) Description
S16 , T32 , R28 , ACRES 318.4 , N2 LESS R/W



Land-Based Classification	
Function	Farming / ranch land (no improvements)
Activity	Farming, plowing, tilling, harvesting, or related activities
Ownership	Private-fee simple
Site	Dev Site - crops, grazing etc - no structures

General Property Information	
Property Class	Agricultural Use - A
Living Units	Not Available
Zoning	Not Available
Neighborhood	415
Tax Unit Group	025

Appraisal Information

Tax Year 2016

Tax Year

Class	Land	Building	Total
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Property Detail Information

Generated: 9/6/2016 11:49:37 AM

Report for Parcel No. 060-135-16-0-00-002.00-0

(Quick Ref. ID R3037)

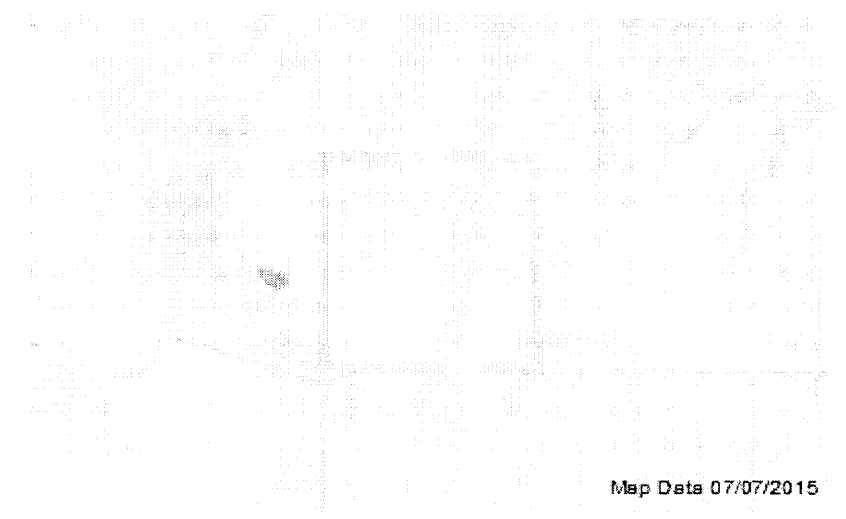
Property Physical (Situs) Address

16018 P RD, Meade, KS 67864

Tract (Legal) Description

S16 , T32 , R28 , ACRES 161.4 , SW4 LESS R/W

Owner(s)	Owner Mailing Address
KMC AG LLC - (P)	PO BOX 279 PLAINS, KS 67869



Map Data 07/07/2015

Property Factors

Topography	Level - 1 Rolling - 4
Utilities	Well - 5 Septic - 6 Gas - 7
Access	Dirt Road - 3
Fronting	Secondary Street - 3
Location	Neighborhood or Spot - 6
Parking Type	Off Street - 1
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Covered Parking	Not Available
Uncovered Parking	Not Available

Land-Based Classification

Function	Farming / ranch land (no improvements)
Activity	Farming, plowing, tilling, harvesting, or related activities
Ownership	Private-fee simple
Site	Dev Site - crops, grazing etc - no structures

General Property Information

Property Class	Agricultural Use - A
Living Units	Not Available
Zoning	Not Available
Neighborhood	415
Tax Unit Group	025

Krueger, Richelle

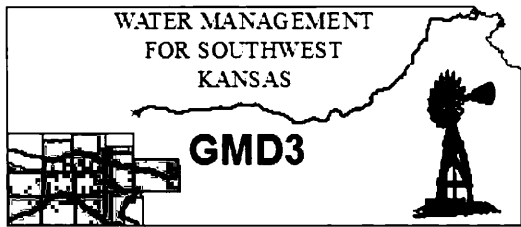
From: Meyer, Mike
Sent: Thursday, December 15, 2016 4:29 PM
To: Krueger, Richelle
Subject: RE: Request for Recommendation Change in PD File No. 45405 Clawson

Approve with an updated monitoring plan
thanks

Mike

From: Krueger, Richelle
Sent: Thursday, December 15, 2016 4:23 PM
To: Meyer, Mike <Mike.Meyer@ks.gov>
Cc: Makens, Thom <Thom.Makens@ks.gov>; Turney, Brent <Brent.Turney@ks.gov>; McColloch, Austin <Austin.McColloch@ks.gov>
Subject: Request for Recommendation Change in PD File No. 45405 Clawson

Hi Mike,
Attached is a draft memorandum 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

September 16, 2016

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

**WATER RESOURCES
RECEIVED**

SEP 19 2016

RE: Change Application,
Water Appropriation, File No. 45,405

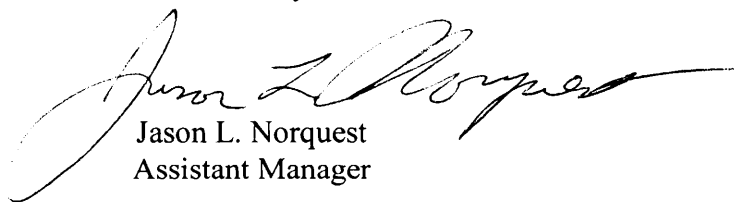
KS DEPT OF AGRICULTURE

Dear Richelle:

We have completed a review of the application for the above referenced water appropriation. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in point of diversion for meets the criteria set forth in K.A.R. 5-23-2. Since this is an appropriation for a well that has not been drilled yet, we also verified that the new location would have met the criteria for a new application at the time of the original filing. It is therefore recommended that the change 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,

A handwritten signature in cursive script, which appears to read "Jason L. Norquest".

Jason L. Norquest
Assistant Manager

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

September 7, 2016

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

Re: Appropriation of Water, File No. 45,405

Dear Jason:

We are enclosing a copy of the application to change the point of diversion for the referenced file number. Since the diversion works have not been completed, please determine whether File No. 45,405 could have been approved as a new application at the proposed new well location based on the rules and regulations effective January 13, 2003 (the priority date of File No. 45,405).

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

SCANNED

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

September 7, 2016

CLAWSON MEADE CO #6
ATTN DANIEL CLAWSON
PO BOX 279
PLAINS KS 67869-0279

RE: Appropriation of Water, File No. 45,405

Dear Mr. Clawson,

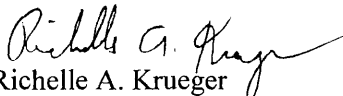
Reference is made to the application for approval of the Chief Engineer to change the point of diversion under the referenced file number which was received in the office of the Chief Engineer on July 28, 2016. Upon review of the application, we find that additional information is needed.

Please find enclosed the original application for File No. 45,405. Effective July 1, 2016, Senate Bill No. 337 enacted by the Legislature of the State of Kansas requires the Division of Water Resources to notify all water right owners with a point of diversion within half a mile of a water right pending a request to change the water right. Please indicate on the enclosed map the location of all water wells of any kind (including domestic wells) within one-half mile of the proposed point of diversion and provide well owner names and mailing addresses on the map. In addition, you must sign where indicated on the application map certifying that all water wells of any kind located within one-half mile of the requested point of diversion have been plotted on the map.

I am returning the referenced application 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, to this office on or before October 7, 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.**

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor, Brent Turney, 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,


Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK

Enclosures

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

SCANNED



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

CLAWSON MEADE CO #6
PO BOX 279
PLAINS, KS 67869-0279

July 29, 2016

FILE COPY

RE: File No. 45405

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 GMD 3

SCANNED

Application to Change the Point of Diversion

File No. 45,405

* 1/2 mile circle
proposed well location
File No 45405



All wells of any kind within 1/2 mile of the requested point of diversion have been plotted.

X *David Claus*

□ Section Line

⊗ Point of Diversion

WATER RESOURCES RECEIVED

OCT 24 2016

KS DEPT OF AGRICULTURE



1:24,000

* Paklow 9/7/16