

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

| | | | | |
|---|---|--|---|---|
| 1. File Number: 20986 | 2. Status Change Date: <i>10/23/2018</i> | 3. Change Num: C1 | 4. Field Office: 04 | 5. GMD: 03 |
| 6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return | | | | 7. Filing Date of Change: 8/10/18 |
| 8a. Applicant(s) New to system <input type="checkbox"/> CLAWSON LAND PARTNERSHIP PO BOX 279 PLAINS KS 67869 | | Person ID 57020 Add Seq# _____ | 8c. Landowner(s) New to system <input type="checkbox"/> HITCH ENTERPRISES INC 309 NORTHRIDGE CIR GUYMON OK 73942 NAME UPDATE Address | |
| 8b. Landowner(s) New to system <input type="checkbox"/> HENRY C HITCH RANCH TRUST BOX 1308 GUYMON OK 73942 NAME UPDATE Address | | Person ID 28750 Add Seq# _____ | 8d. WUC New to system <input type="checkbox"/> CLAWSON LAND PARTNERSHIP PO BOX 279 PLAINS KS 67869 | |
| 9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/2019 <input type="checkbox"/> N & P Date to Comply: _____ | | | | |
| <input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input 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: 10/8/18 By: LI Date Entered: <i>10/26/2018</i> By: <i>UM</i> | | | | |

File No. **20896-20986** 11. County: **SW** Basin: **CIMARRON RIVER** Stream: Formation Code: **211** Special Use: **NA**

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

NO CHANGE

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

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

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

| 16. Place of Use CHK MOD DEL ENT | PUSE | S | T | R | ID | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | Total | Owner | Chg? | Overlap Files |
|--|-------|----|----|-----|----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------------|---------|------|---------------|
| | | | | | | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | | | | |
| ENT | 6237 | 24 | 32 | 34W | 2 | | | | | | | | | 40 | 40 | | | | | | | 80 | 8B ✓ | NO | ** |
| ENT | 69159 | 24 | 32 | 34W | 4 | | | | | | | | | 40 | | | 40 | | | | | 80 | 8C | YES | ** |
| ENT | 16012 | 23 | 32 | 34W | 1 | | | | | | | | | | | | | 40 | 40 | 40 | 40 | 160 | 8B ✓ | NO | ** |
| ENT | 2318 | 23 | 32 | 34W | 2 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | | | | | 480 | 8B ✓ | NO | ** |
| ENT | 24644 | 25 | 32 | 34W | 1 | | 40 | 40 | | 40 | | | | 40 | 40 | 40 | 40 | | 40 | | | 360 400 | 8B ✓ | NO | ** |
| ENT | 33475 | 26 | 32 | 34W | 3 | 40 | 40 | 40 | 40 | | | | | | | | | 40 | 40 | 40 | 40 | 320 | 8B ✓ | NO | ** |
| ENT | 9508 | 24 | 32 | 34W | 1 | | | | | 40 | 40 | 40 | 40 | | | | | | | | | 160 | 8B & 8C | YES | ** |
| MOD | 38609 | 35 | 32 | 34W | 2 | 40 | 40 | 40 | 40 | | | | | | | | | | | | | 160 | 8B ✓ | NO | ** |
| ENT | 26638 | 36 | 32 | 34w | 1 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | | | | | | | | | 320 | 8B ✓ | NO | ** |

Base Acres: Year: Minimum Reasonable Quantity:
 Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: File

DATE: October 8, 2018

FROM: Leslie Ireland

RE: Water Right, File Nos. 20,986; 20,990; 20,991;
20,992; 22,214; 22,215; ~~22,216~~ & 22,218

Christina G. Staufenberger represented as Trustee of the Henry C. Hitch Ranch Trust and Jason Hitch, CEO, on behalf of Hitch Enterprises Inc., submitted applications on August 1, 2018, to change the irrigated place of use. The applications were completed on filed office approvable forms, but request to overlap 2,120 acres of irrigated land in Seward County. The applications were submitted by the water use correspondent, Clawson Land Partnership.

The referenced water rights appear to be in compliance with K.S.A. 82a-732 and the additional requested signature and submitted maps indicate the owners are requesting a complete overlap in the place of use without any modifications so it would appear the applications comply with K.A.R. 5-5-2a.

The referenced files are authorized to irrigate 2,120 acres from a total of 13 wells authorized a combined total of 3,250 acre-feet at an average rate of 867 gallons per minute. The acres are located in Sections 23, 24, 25, 26, 35 & 36 of Township 32 Range 34 West, Seward County. The rights are not located within a special use area but are within the boundaries of Southwest Kansas Groundwater Management District No. 3. The proposed changes are to make a complete overlap of the authorized acres without any modifications to the irrigated acres. The applications will be processed by Part b(1) of K.A.R. 5-5-11 *Applications for change in place of use for irrigation purposes*. The rights are all certified and the applications were filed to make an **identical place of use with each right**. It appears the determination of base acres is not necessary per the regulation.

The changes should help with the historical pumping above authorized in the 1990's under the junior rights. It will also resolve the incomplete overlap between File Nos. 20,992 & 22,215. The total combined quantity will provide 1.53 acre-foot acre, complying with K.A.R. 5-3-23, *Maximum reasonable annual quantity approvable for irrigation use for an application for change in place of use and a request to reduce a water right*. As detailed in K.A.R. 5-5-12, *Net irrigation requirements*, at an 80% chance of rainfall, Seward County irrigation requires 1.37 acre-foot per acre. It appears the combined quantity is reasonable and sufficient for the irrigation of corn and a conservation or operational plan will not be needed for the proposed changes. As the place of use will not be increasing, the changes should not result in an increase in the consumptive use, thus complying with K.A.R. 5-5-3, *Change in consumptive use*.

Compliance Investigations on the points of diversion under File Nos. 22,215; 22,216 & 22,218 were completed by the area field office. The locations were determined to be within 300 feet of authorized with the exception of ID 4 under Water Right, File No. 22,216, determined to be 359 feet from the authorized. The actual location complies with part (b) of K.A.R. 5-5-6, *Failure to construct diversion works at authorized location*, the right was approved in 1975, after construction, at a location approvable today. The locations will be updated by the approvals.

In a letter dated October 8, 2018, Jason Norquest, Assistant Manager, Southwest Kansas Groundwater Management District No. 3, recommend approval of the applications.

Michael Meyer, Water Commissioner of the Garden City Field Office area reviewed the proposed applications. In an email dated October 8, 2018, he recommended their approval.

Water flowmeters will be required for the change approvals pursuant to K.A.R. 5-5-11(e)(2) indicating 3,417 acre-feet is needed to be exempt from metering. Check valves will be required, if chemigating. As no new wells will be drilled a water level measurement tube and WWC-5 will not be a condition of the approvals.

Based on the above discussion, that the changes will create a place of use that is reasonable, and the historical consumptive use will not be increased, that impairment to existing water rights are unlikely, and that no change in the local source of supply will occur, it is recommended that the referenced applications be approved.



Leslie Ireland
Environmental Scientist
Water Appropriation Program

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

CLAWSON LAND PARTNERSHIP
DAVID CLAWSON
PO BOX 279
PLAINS KS 67869

October 29, 2018
FILE COPY

RE: Water Right, File Nos. 20,986; 20,990; 20,991; 20,992; 22,214; 22,215; 22,216 & 22,218

Dear Mr. Clawson:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

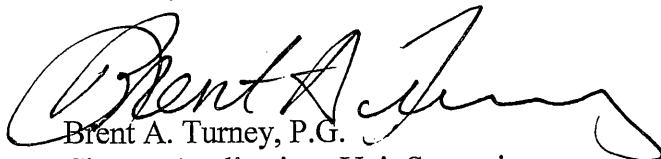
Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

Your attention is directed to the enclosures and to the terms and conditions specified in these approvals for change. A condition of the approvals is that an acceptable water flowmeter must be installed on the diversion works authorized under the referenced files.

Please be reminded that reports of water usage must be submitted to this office annually. Records indicating the amount of water used should be furnished to the Chief Engineer by March 1 following the end of the previous calendar year so that the continued use of water becomes a matter of record in this office. The owner, or his or her legally designated agent, is held responsible for submitting annual water use reports. If an annual water use report is not received by the deadline, a fine may be assessed and all water use under such right may be suspended. For your convenience, reports may be filed online at www.kswaterusereport.org.

If you have any questions, please contact Leslie Ireland, Environmental Scientist, at (785) 566-6633. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,


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

BAT:LI:li

Enclosures

pc: Garden City Field Office
Groundwater Management District No. 3
Hitch Enterprises, Inc., Jason Hitch CEO



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN PLACE OF USE
WATER RIGHT, FILE NO. 20,986**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Christina G. Staufenberger on behalf of Henry C. Hitch Ranch Trust, Box 1308, Guymon, Oklahoma 73942, received in the office of the Chief Engineer on August 10, 2018, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use 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 place of use shall be:

| Sec. Twp. Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL |
|-----------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|
| | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 23 32 34W | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 640 |
| 24 32 34W | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | | | | 320 |
| 25 32 34W | | 40.0 | 40.0 | | 40.0 | | | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | 40.0 | | | 360 |
| 26 32 34W | 40.0 | 40.0 | 40.0 | 40.0 | | | | | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 320 |
| 35 32 34W | 40.0 | 40.0 | 40.0 | 40.0 | | | | | | | | | | | | | 160 |
| 36 32 34W | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | | | | | | | | 320 |

a total of 2,120 acres in Sections 23, 24, 25, 26, 35 and 36, all in Township 32 South, Range 34 West, Seward County, Kansas,

located substantially as shown on the topographic map accompanying the application to change the place of use.

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.

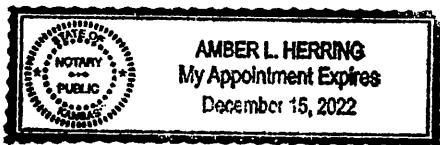
In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 20,986, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated June 17, 1987.

Ordered this 23rd day of October, 2018, at Manhattan, Riley County, Kansas.

Lane P. Letourneau
Lane P. Letourneau, P.G.
Program Manager
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 23rd day of October, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Amber L. Herring
Notary Public

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

CERTIFICATE OF SERVICE

On this 27th day October, 2018, I hereby certify that the attached Approval of Application for Change in Place of Use, Water Right, File No. 20,986 dated, October 23rd, 2018 was mailed postage prepaid, first class, US mail to the following:

CLAWSON LAND PARTNERSHIP
DAVID CLAWSON
PO BOX 279
PLAINS KS 67869

With photocopies sent to:

Garden City Field Office
Groundwater Management District No. 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 point(s) of diversion and/or place of use.

RECEIVED
 AUG 10 2018
 10:41
 KS DEPT OF AGRICULTURE

File No. 20986

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: CLAWSON LAND PARTNERSHIP

PO BOX 279 PLAINS KS 67869

Phone Number: () _____ Email address: _____

Name and address of Water Use Correspondent: CLAWSON LAND PARTNERSHIP

PO BOX 279 PLAINS KS 67869

Phone Number: () _____ Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: see supplemental page

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 | | |
| | | | | | | | | | | | | | | | | | | | | |
| SEE ATTACHMENT A | | | | | | | | | | | | | | | | | | | | |

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: see supplemental page

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 | | |
| | | | | | | | | | | | | | | | | | | | | |
| SEE ATTACHMENT A | | | | | | | | | | | | | | | | | | | | |

| | | | | |
|--------------------------------------|--------------|------------|--------------------|---------------|
| For Office Use Only: Code <u>CPU</u> | Fee \$ _____ | TR # _____ | Receipt Date _____ | Check # _____ |
|--------------------------------------|--------------|------------|--------------------|---------------|

FO: 4 AMD: 3 USE: DRP SW A

SCANNED

8/14/18 DAW

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 20986
MAKE ADDITIONAL COPIES AS NECESSARY

APPENDIX A

3. Continued: The presently authorized place of use is:

Owner of Land — NAME: HENRY C HITCH RANCH TRUST
ADDRESS: BOX 1308 GUYMON OK 73942

| 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 | |
| 35 | 32 | 34w | 40 | 40 | 40 | 40 | | | | | | | | | | | | | 160 |

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 | |
| | | | | | | | | | | | | | | | | | | | |

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: HENRY C HITCH RANCH TRUST
ADDRESS: BOX 1308 GUYMON OK 73942

HITCH ENTERPRISES INC.

| 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 | |
| 23 | 32 | 34w | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 640 |
| 24 | 32 | 34w | | | | | 40 | 40 | 40 | 40 | 40 | 40 | 40 | | | | | | 320 |
| 25 | 32 | 34w | | 40 | 40 | | 40 | | | 40 | 40 | 40 | 40 | | | 40 | | | 360 |

Owner of Land — NAME: HENRY C HITCH RANCH TRUST
ADDRESS: BOX 1308 GUYMON OK 73942

| 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 | |
| 26 | 32 | 34w | 40 | 40 | 40 | 40 | | | | | | | | 40 | 40 | 40 | 40 | | 320 |
| 35 | 32 | 34w | 40 | 40 | 40 | 40 | | | | | | | | | | | | | 160 |
| 36 | 32 | 34w | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | | | | | | | | | 320 |

Owner of Land — NAME: *COMPLETE OVERLAP IN PLACE OF USE
ADDRESS: FILE NOS. 20986, 20990, 20991, 20992, 22214, 22215, 22216, 22218

TOTAL 2120 A*

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES |
|------|------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| | | | | | | | | | | | | | | | | | | | |

WATER RESOURCES RECEIVED

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: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

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

7. The changes herein are desired for the following reasons?
 (please be specific) no change to wells, want
to overlap the place off use for the hitch trust rights

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

9. The change(s) (was)(will be) completed by?
upon approval

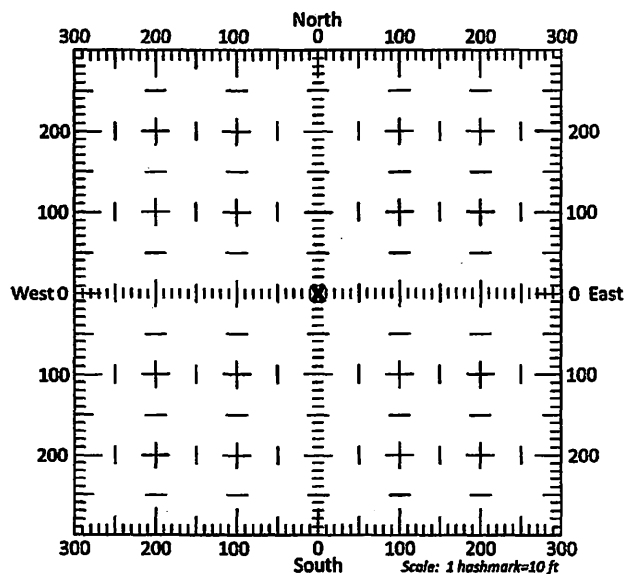
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by tpm

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



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

WATER RESOURCES
 RECEIVED

AUG 10 2018

File No. _____

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
- (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Bethesda, MD, Kansas, this 7th day of August, 2018.

Chr Staufenberger, Trustee
 _____ (Owner) _____ (Spouse)
Christina G. Staufenberger
 _____ (Please Print) _____ (Please Print)

 _____ (Owner) _____ (Spouse)
 _____ (Please Print) _____ (Please Print)

 _____ (Owner) _____ (Spouse)
 _____ (Please Print) _____ (Please Print)

 _____ (Please Print) _____ (Please Print)



State of Kansas Maryland }
 County of Montgomery } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 7th day of August, 2018.

Teresa S. Frene

 Notary Public

My Commission Expires 5/15/2019

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

WATER RESOURCES
 RECEIVED

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, *et seq.* and other applicable provisions of the *Kansas Water Appropriation Law*, K.S.A. 82a-701 *et seq.*, and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 20986

1. A change application was received on _____ requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a _____ foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. Applicable Not Applicable
5. The point(s) of diversion authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion. Applicable Not Applicable
6. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable Not Applicable
7. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2018, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.
 Applicable Not Applicable
8. Installation of the works for diversion of water shall be completed on or before December 31, 20____, or within any authorized extension of time. By March 1, 20____ the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.
 Applicable Not Applicable
9. The completed well log shall be submitted with the required notice. Applicable Not Applicable
10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
11. Additional Conditions are attached. Yes No
12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

Administrative Appeal and Effective Date of Order

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

For Use by Register of Deeds

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

By: _____
Duly Authorized Designee of the Chief Engineer

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

Date of Issuance: _____

State of Kansas)
County of _____) SS

Acknowledged before me on _____

by _____

Signature: _____
Notary Public

My commission expires: _____

(Notary Seal)
WATER RESOURCES
RECEIVED

AUG 10 2018

KS DEPT OF AGRICULTURE
SCANNED

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 20986 00

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 20986 00 IRR

Water Right and Points of Diversion Within 1.50 miles of point defined as:

3950 Feet North and 1320 Feet West of the Southeast Corner of Section 35 T 32S R 34W

JAN 9/15/14 - 20986

GROUNDWATER ONLY

| File Number | Use | ST | SR | Dist | (ft) | Q4 | Q3 | Q2 | Q1 | FeetN | FeetW | Sec | Twp | Rng | ID | Batt | Auth_Quan | Add_Quan | Unit |
|-------------|-----|-----|----|------|------|----|----|----|----|-------|-------|-----|-----|-----|----|------|-----------|----------|------|
| A__ 19536 | 00 | IRR | NK | G | 4272 | -- | NW | NE | SW | 2280 | 3600 | 26 | 32 | 34W | 1 | | 457.00 | 457.00 | AF |
| A__ 20986 | 00 | IRR | NK | G* | 0 | -- | NC | NE | | 3950 | 1320 | 35 | 32 | 34W | 1 | | 260.00 | 260.00 | AF |
| A__ 20991 | 00 | IRR | NK | G* | 7846 | -- | NC | SE | | 1250 | 1300 | 23 | 32 | 34W | 1 | | 260.00 | 260.00 | AF |
| A__ 20992 | 00 | IRR | NK | G* | 2616 | -- | NC | SE | | 1300 | 1300 | 26 | 32 | 34W | 2 | | 260.00 | 260.00 | AF |
| A__ 22214 | 00 | IRR | NK | G* | 2520 | -- | NC | NW | | 3950 | 4050 | 36 | 32 | 34W | 1 | | 260.00 | 260.00 | AF |
| Same | | | | | 5219 | -- | NC | NE | | 3950 | 1350 | 36 | 32 | 34W | 2 | | 260.00 | 260.00 | AF |
| A__ 22215 | 00 | IRR | NK | G* | 3742 | -- | NC | SW | | 1300 | 3900 | 25 | 32 | 34W | 2 | | 260.00 | 260.00 | AF |
| Same | | | | | 6973 | -- | NC | S2 | NE | 3295 | 1340 | 25 | 32 | 34W | 6 | | 260.00 | 260.00 | AF |
| Same | | | | | 5317 | -- | NC | NE | | 4000 | 1250 | 26 | 32 | 34W | 3 | | 260.00 | 260.00 | AF |
| A__ 22216 | 00 | IRR | NK | G* | 6883 | -- | SE | SE | SW | 100 | 2850 | 23 | 32 | 34W | 4 | | 260.00 | 260.00 | AF |
| A__ 22963 | 00 | IRR | NK | G | 7565 | -- | -- | -- | -- | 2600 | 4300 | 31 | 32 | 33W | 1 | | 780.00 | 780.00 | AF |
| A__ 24267 | 00 | IRR | NK | G | 5031 | -- | -- | -- | -- | 4310 | 100 | 2 | 33 | 34W | 2 | | 339.00 | 339.00 | AF |
| A__ 26815 | 00 | IRR | NK | G | 7653 | -- | NE | NE | SW | 2500 | 2800 | 1 | 33 | 34W | 1 | | 477.00 | 477.00 | AF |
| A__ 31467 | 00 | IRR | NK | G | 2623 | -- | NC | NW | | 3960 | 3940 | 35 | 32 | 34W | 3 | | 250.00 | 250.00 | AF |
| A__ 31468 | 00 | IRR | NK | G | 2628 | -- | NC | SE | | 1320 | 1340 | 35 | 32 | 34W | 4 | | 250.00 | 250.00 | AF |
| A__ 31469 | 00 | IRR | NK | G | 2203 | -- | NE | NE | SW | 2560 | 3030 | 35 | 32 | 34W | 8 | | 260.00 | 260.00 | AF |
| A__ 39707 | 00 | IRR | NK | G | 5031 | -- | -- | -- | -- | 4310 | 100 | 2 | 33 | 34W | 2 | | 310.00 | .00 | AF |
| A__ 41471 | 00 | IRR | NK | G | 7852 | -- | NE | NE | NE | 4680 | 120 | 1 | 33 | 34W | 4 | | 250.00 | 250.00 | AF |

APPLICANT

APPLICANT

*NIX BROTHERS
- CLAWSON
- CLAWSON*

| Total Net Quantities Authorized: | Direct | Storage |
|----------------------------------|---------|---------|
| Total Requested Amount (AF) = | .00 | .00 |
| Total Permitted Amount (AF) = | .00 | .00 |
| Total Inspected Amount (AF) = | .00 | .00 |
| Total Pro_Cert Amount (AF) = | .00 | .00 |
| Total Certified Amount (AF) = | 5403.00 | .00 |
| Total Vested Amount (AF) = | .00 | .00 |
| TOTAL AMOUNT (AF) = | 5403.00 | .00 |

An * after the source of supply indicates a pending application for change under the file number.
 An * after the ID indicates a 15 AF exemption was granted under the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1.50 miles of point defined as:

3950 Feet North and 1320 Feet West of the Southeast Corner of Section 35 T 32S R 34W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

```

File Number      Use ST SR
A__ 19536 00 IRR NK G
> NIX BROTHERS
> DAVID NIX
> 2279 ROAD M
> HUGOTON KS 67951
>-----

```

A__ 20986 00 IRR NK G
> CLAWSON LAND PARTNERSHIP
>
> PO BOX 279
> PLAINS KS 67869
>-----

A__ 20991 00 IRR NK G
> CLAWSON LAND PARTNERSHIP
>
> PO BOX 279
> PLAINS KS 67869
>-----

A__ 20992 00 IRR NK G
> CLAWSON LAND PARTNERSHIP
>
> PO BOX 279
> PLAINS KS 67869
>-----

A__ 22214 00 IRR NK G
> CLAWSON LAND PARTNERSHIP
>
> PO BOX 279
> PLAINS KS 67869
>-----

A__ 22215 00 IRR NK G
> CLAWSON LAND PARTNERSHIP
>
> PO BOX 279
> PLAINS KS 67869
>-----

A__ 22216 00 IRR NK G
> CLAWSON LAND PARTNERSHIP
>
> PO BOX 279
> PLAINS KS 67869
>-----

A__ 22963 00 IRR NK G
> ARDEN L WEBB
>
> 110 W 3RD ST
> LIBERAL KS 67901
>-----

A__ 24267 00 IRR NK G
> TOM L LAHEY
>
> 2711 ROAD Z
> MOSCOW KS 67952
>-----

A__ 26815 00 IRR NK G
> TOM L LAHEY
>
> 2711 ROAD Z

Ireland, Leslie [KDA]

From: Meyer, Mike [KDA]
Sent: Monday, October 8, 2018 1:53 PM
To: Ireland, Leslie [KDA]
Subject: RE: Recommendation for Change in PU, File Nos. 20986xx22218_Hitch

Approve please
thanks

Mike

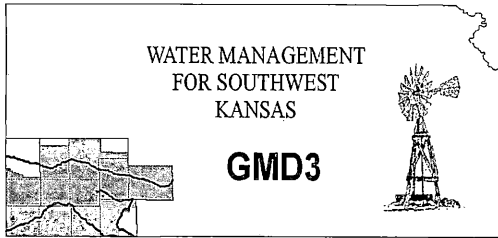
From: Ireland, Leslie [KDA]
Sent: Monday, October 8, 2018 1:49 PM
To: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>
Subject: Recommendation for Change in PU, File Nos. 20986xx22218_Hitch

Mike,

Attached is the GMD review and my summary memo. Complete overlap & PD Updates, File Nos. 22,215 & 22,216.
Please let me know if you could recommend these changes.

As always comments and concerns are welcome.

Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov



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

October 8, 2018

Water Resources
Received

OCT 15 2018

Leslie Ireland
Kansas Department of Ag
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

KS Dept Of Agriculture

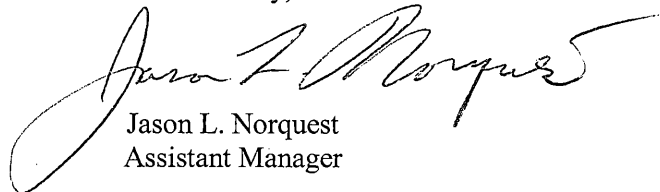
RE: Application for Change in place of Use
Water Right, File Nos. 20986, 20990, 20991, 20992, 22214, 22215, 22216 & 22218

Dear Leslie:

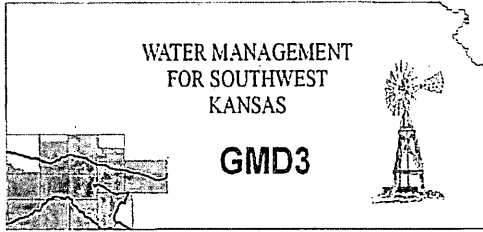
We have completed a review of the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The request for change in place of use will create a complete overlap and is not requesting any new acres not currently authorized by a water right, in accordance with K.A.R. 5-5-11(b)(1). 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



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

October 8, 2018

Leslie Ireland
Kansas Department of Ag
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

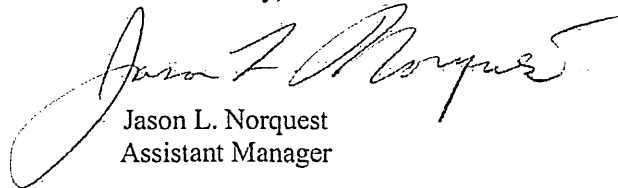
RE: Application for Change in place of Use
Water Right, File Nos. 20986, 20990, 20991, 20992, 22214, 22215, 22216 & 22218

Dear Leslie:

We have completed a review of the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The request for change in place of use will create a complete overlap and is not requesting any new acres not currently authorized by a water right, in accordance with K.A.R. 5-5-11(b)(1). 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

Water Resources
Received

OCT 08 2018

KS Dept Of Agriculture

GMD3 Change Review

File No(s): 20986, 20990, 20991, 20992, 22214, 22215, 22216 & 22218.

DWR office: HQ/GC.

App filed to change: PU.

Is Landowner(s) correct in WRIS: Yes.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? ___.

If NO, is documentation included?

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

Point of diversion ID No(s) ___ being changed.

| | ft. North | ft. West |
|---------------|-----------|----------|
| Authorized PD | | |
| Proposed PD | | |
| Difference | 0 | 0 |
| a2 + b2 = c2 | 0 | 0, 0 |

GPS for proposed PD: Lat: ___ Long: ___.

Is proposed PD stacking on existing WRs? ___.

Is Proposed PU overlapping existing WRs? Proposed creating a complete overlap in PU, not new acres to be brought in.

Land Owner(s) notified: ___.

Name ___. Name ___.

Address ___. Address ___.

Zip ___. Zip ___.

Neighboring certified well(s) notified: ___.

Name ___. Name ___.

Address ___. Address ___.

Zip ___. Zip ___.

Domestic well(s) notified: ___.

Name ___. Name ___.

Address ___. Address ___.

Zip ___. Zip ___.

Base Acres: ___.

Perfected Acres: ___.

Irr. Return Flow ___%

All water rights requesting to have complete overlap in PU. No new acres being proposed that are not already covered by one of the the water rights.

The applications also have corrections to the PDs after GPS corrected their locations, there is no change in PDs proposed.

Is a waiver needed: NO.

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

ja

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777

STATE OF KANSAS



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

October 5, 2018

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO 3
ATTN MARK RUDE
2009 E SPRUCE
GARDEN CITY KS 67846

EMAIL: Norquest@gmd3.org

Re: Change in Place of Use Applications,
Water Right, File Nos. 20,986; 20,990; 20,991; 20,992; 22,214;
22,215; 22,216 & 22,218

Dear Mr. Rude:

Due to the volume of this package which proposes a complete overlap in irrigated acres authorized by the referenced files, we are providing by email an electronic copy of the applications referred to above. The applications appear to be in proper form.

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

Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li
Enclosures

pc: Garden City Field Office

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
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PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

October 2, 2018

NIX BROTHERS
DAVID NIX
2279 ROAD M
HUGOTON KS 67951

RE: Water Right, File Nos. 20,986; 20,990; 20,991; 20,992; 22,214;
22,215; 22,216 & 22,218

Dear Mr. Nix:

This letter is to **provide notice** as required by K.S.A. 82a-1906, which became effective on July 1, 2016. This notice is to inform you that the owners of the referenced appropriations of water have filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

The applications for Water Right, File Nos. 20,986; 20,990; 20,991; 20,992; 22,214; 22,215; 22,216 & 22,218, propose a change in the authorized places of use to overlap all their irrigated acres. These changes will not alter the quantity of water or rate of diversion authorized for irrigation use. The applications will not increase the number of acres authorized for irrigation use, and the place of use as a whole will remain as authorized. The 2,120 acres currently authorized in Sections 23, 24, 25, 26, 35 & 36, all in Township 32 South, Range 34 West, Seward County, Kansas would be authorized by each of the referenced files.

If you have any questions, please contact our office, my desk phone is (785) 564-6633. If you wish to discuss a specific file, please have the file numbers ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

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

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

October 2, 2018

CLAWSON LAND PARTNERSHIP
DAVID CLAWSON
PO BOX 279
PLAINS KS 67869

RE: Water Right, File Nos. 20,986; 20,990; 20,991; 20,992; 22,214;
22,215; 22,216 & 22,218

Dear Mr. Clawson:

This letter is to **provide notice** as required by K.S.A. 82a-1906, which became effective on July 1, 2016. This notice is to inform you that the owners of the referenced appropriations of water have filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

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If you have any questions, please contact our office, my desk phone is (785) 564-6633. If you wish to discuss a specific file, please have the file numbers ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

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

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
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900 SW JACKSON, ROOM 456
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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

CLAWSON LAND PARTNERSHIP
PO BOX 279
PLAINS, KS 67869

August 13, 2018

RE: File No 20986

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 PU
- 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.

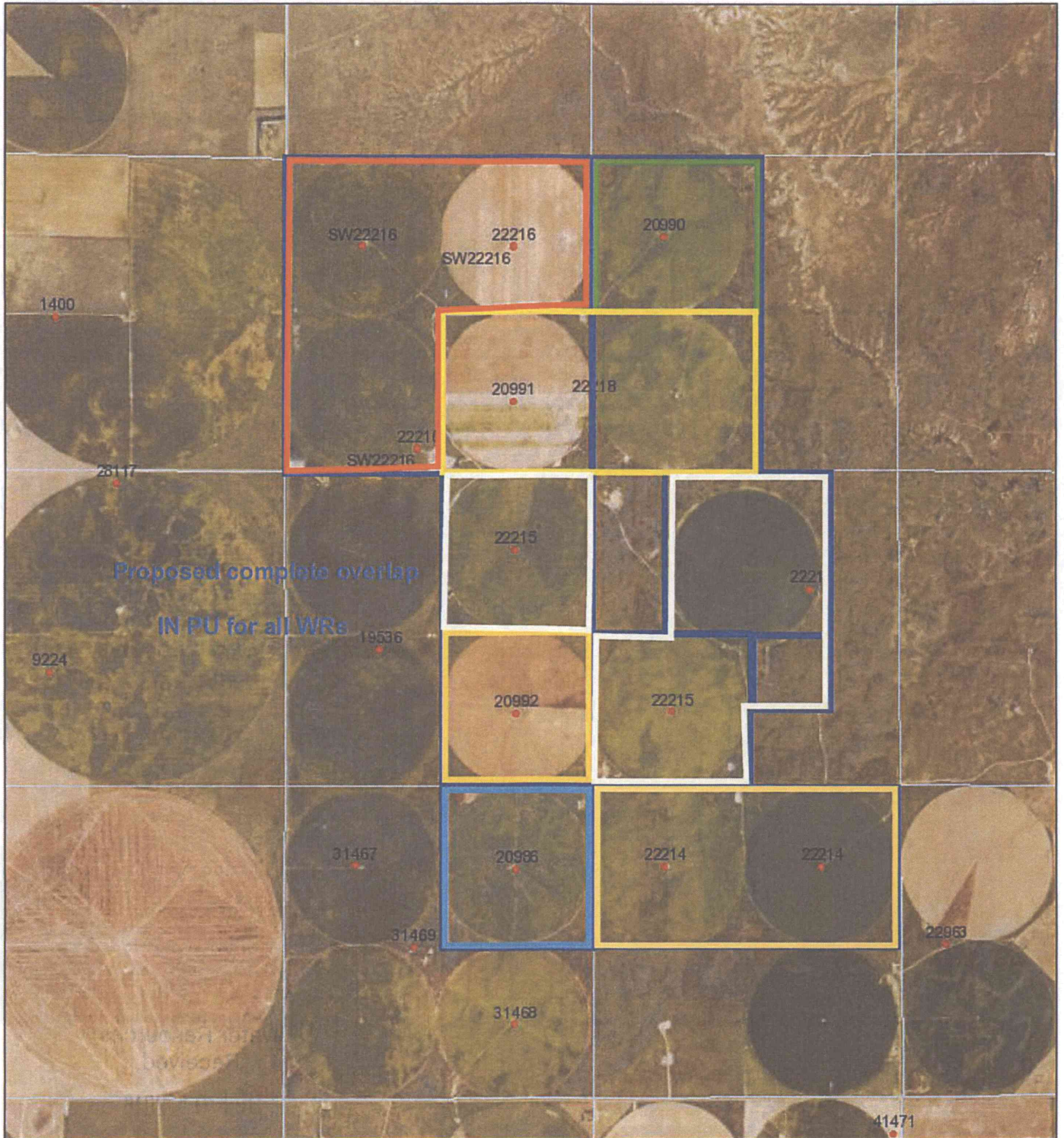
If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent Tourney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: DLW
pc: GARDEN CITY Field Office GMD3

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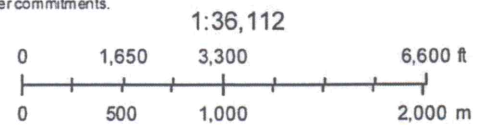
October 8, 2018

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

Legend

Wells

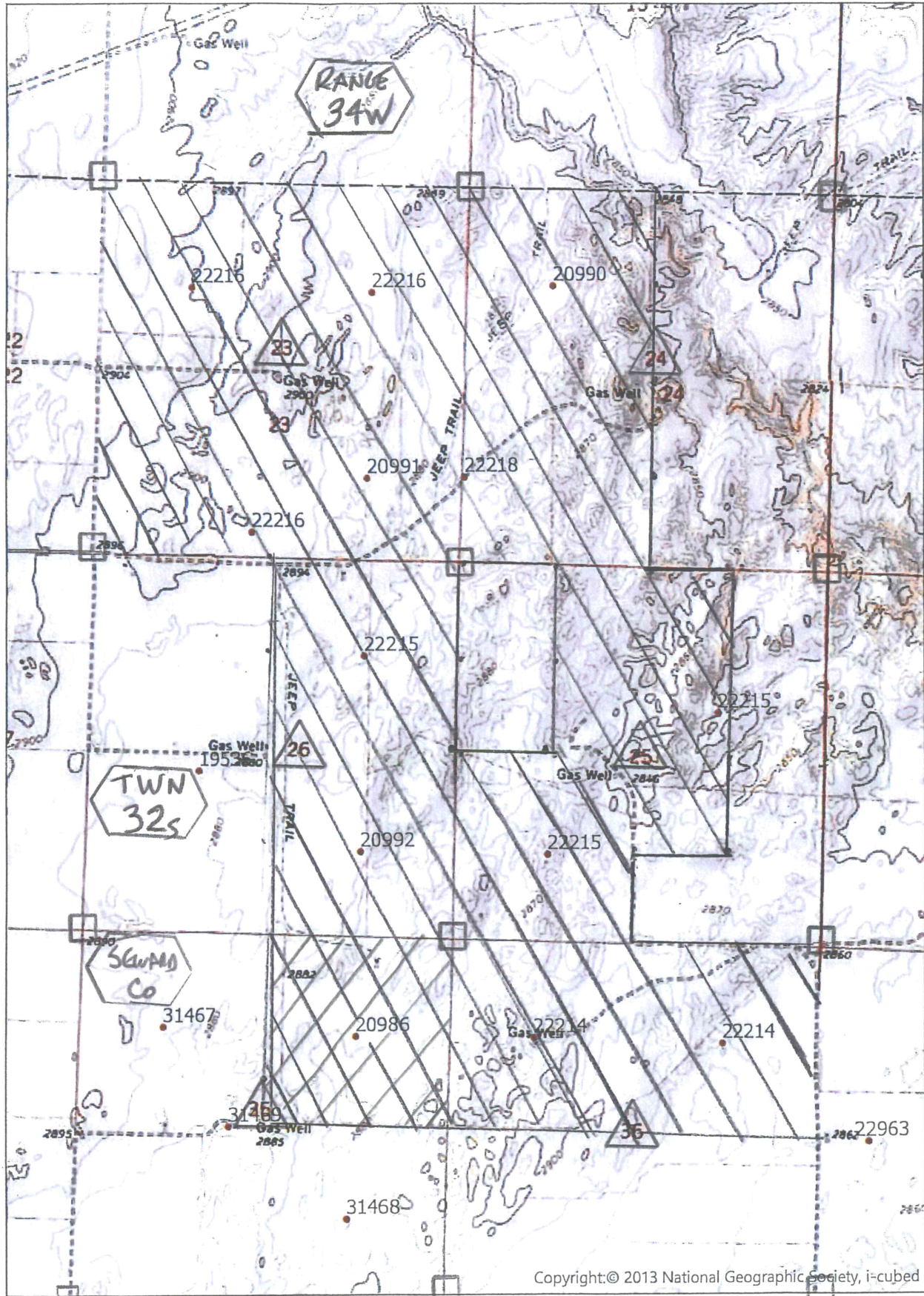
- | | | | | | |
|---|-------|---|-----|---|----------|
| ? | Other | + | FPR | + | STK |
| • | IRR | + | HYD | + | THX |
| + | CON | + | IND | ? | Empty |
| + | DEW | + | MUN | □ | Sections |
| + | DOM | + | REC | | |



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0 0.2 0.4 0.8 Miles

- ★ G_IND
- G_IRR

-  Authorized Place of Use
-  Proposed Place of Use
-  Authorized and Proposed