

Kansas Department of Agriculture  
Division of Water Resources  
**CHANGE: P/U WORKSHEET & ORDER IN THE MATTER OF THE PD**

1. File Number: <b>22218</b>	2. Status Change Date: <b>10/23/2018</b>	3. Change Num: <b>ETC</b>	4. Field Office: <b>04</b>	5. GMD: <b>03</b>
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: <b>8/10/18</b>
8a. Applicant(s) New to system <input type="checkbox"/>  <b>CLAWSON LAND PARTNERSHIP PO BOX 279 PLAINS KS 67869</b>		Person ID <b>572020</b> Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/>  <b>HITCH ENTERPRISES INC 309 NORTHRIDGE CIR GUYMON OK 73942</b>	
<b>NAME UPDATE ADDRESS</b>		<b>NAME UPDATE ADDRESS</b>		
8b. Landowner(s) New to system <input type="checkbox"/>  <b>HENRY C HITCH RANCH TRUST BOX 1308 GUYMON OK 73942</b>		Person ID <b>28750</b> Add Seq# _____	8d. WUC New to system <input type="checkbox"/>  <b>CLAWSON LAND PARTNERSHIP PO BOX 279 PLAINS KS 67869</b>	
<b>NAME UPDATE ADDRESS</b>		<b>NAME UPDATE ADDRESS</b>		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/2018</b> <sup>2019</sup> <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: <b>10/5/18</b> By: <b>LI</b> Date Entered: <b>10/26/2018</b> By: <b>UM</b>				

File No. **22218**      11. County: **SW**      Basin: **CIMARRON RIVER**      Stream:      Formation Code: **211**      Special Use: **NA**

12. Points of Diversion										Rate and Quantity						
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate	Quantity	Rate	Quantity	Overlap PD Files
ENT												gpm/cfs	af/mgy	gpm/cfs	af/mgy	
MOD	4205		CWSW		24	32	34W	2	1297	5170	GPS UPDATE					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										NE¼								NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
CHK	MOD	DEL	ENT	PUSE	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	NE ¼	NW ¼	SW ¼	SE ¼								
MOD	6237			24	32	34W	2											40	40							80	8B	NO	**				
ENT	69159			24	32	34W								40								40				80	8C	YES	**				
MOD	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	40					480	8B	NO	**				
ENT	24644			25	32	34W	1			40	40			40				40	40	40	40		40		<del>480</del> 360	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	**				
ENT	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	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-feed 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

FILE COPY

CLAWSON LAND PARTNERSHIP  
DAVID CLAWSON  
PO BOX 279  
PLAINS KS 67869

October 29, 2018

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.

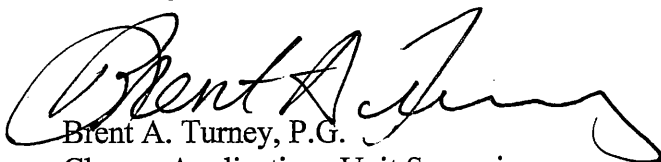
Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

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](http://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  
AND  
ORDER IN THE MATTER OF THE AUTHORIZED POINT OF DIVERSION  
WATER RIGHT, FILE NO. 22,218**

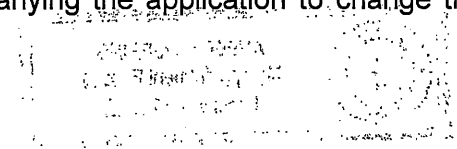
The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Christina G. Staufenberger on behalf of Henry C. Hitch Ranch Trust, Box 1308, Guymon, Oklahoma 73942, and Jason Hitch, Corporate Executive Officer, Hitch Enterprises, Incorporated, 309 Northridge Circle, 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, as modified and amended by the Orders of the Chief Engineer dated April 21, 1988 and April 4, 2016, approving the applications to change the place of 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.



That information in the office of the Chief Engineer finds that the point of diversion would more accurately be defined as:

one (1) well located near the center of the West Side of the Southwest Quarter (CW SW¼) of Section 24, more particularly described as being near a point 1,297 feet North and 5,170 feet West of the Southeast corner of said section, in Township 32 South, Range 34 West, Seward County, Kansas.

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.

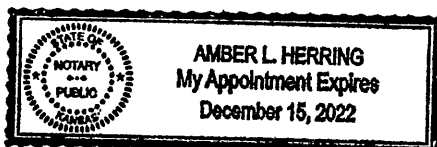
In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 22,218, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated June 29, 1987, as modified and amended by the aforementioned orders.

Ordered this 23<sup>rd</sup> 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 23<sup>rd</sup> 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 29th day October, 2018, I hereby certify that the attached Approval of Application for Change in Place of Use and Order in the Matter of the Authorized Point of Diversion, Water Right, File No. 22,218 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 a True & Correct copy sent to:

HITCH ENTERPRISES INC  
JASON HITCH CEO  
309 NORTHRIDGE CIRCLE  
GYMON OKLAHOMA 73942

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

*ORDER IN THE MATTER OF THE POINT OF DIVERSION*

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

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

WATER RESOURCES  
 RECEIVED

File No. 22218

AUG 10 2018  
 12:48

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

KS DEPT OF AGRICULTURE

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 \_\_\_\_\_ Fee \$ \_\_\_\_\_ TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # \_\_\_\_\_

*4 3 IRR SW 6*

*LI/DWR*

APPLICATION COMPLETE  
 10/8/18  
 Reviewer *LI*

*9/5/18*

*8/14/18 JAW*

SCANNED

APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
FILE NO. 20991 22218  
MAKE ADDITIONAL COPIES AS NECESSARY

ATTACHMENT A

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

Owner of Land — NAME: HENRY C HITCH RANCH TRUST ~~██████████~~ b) HITCH ENTERPRISES INC (EY2 SW¼)  
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	
23	32	34w													40	40	40	40	160
24	32	34w									40 <sup>b</sup>	40	40	40	40 <sup>b</sup>				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 ~~██████████~~ b) HITCH ENTERPRISES INC  
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	
23	32	34w	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
24	32	34w					40 <sup>q</sup>	40	40	40 <sup>q</sup>	40 <sup>b</sup>	40	40	40 <sup>b</sup>					320
25	32	34w		40	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 TOTAL: 2120 A \*  
ADDRESS: FILE NOS. 20986, 20990 20991 20992 22214 22215 22216 | 22218

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

\* LE/Over 9/5/18

PW NO. 22218

5. **Presently authorized point of diversion:**

One in the \_\_\_\_\_ Quarter of the CW Quarter of the SW Quarter of Section 24, Township 32 South, Range 34W (E/W), in SEWARD County, Kansas, 1300 feet North 5160 feet West of Southeast corner of section.

Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet) COMPLIANT

(DWR use only: Computer ID No. 2 GPS 1299 feet North 5170 feet West) 8/6/18

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 NONE \*

CHECK UPDATE

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

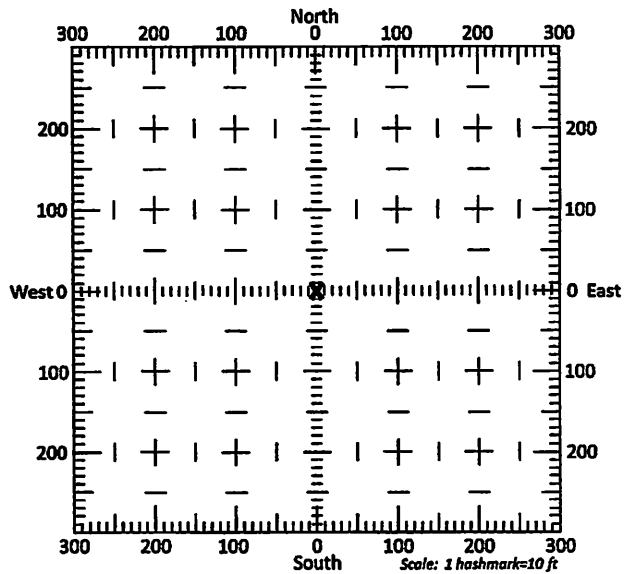
9. The change(s) (was)(will be) completed by?  
upon approval

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.)

\* LI/Owner  
 Page 2  
 9/5/18

WATER RESOURCES RECEIVED

AUG 10 2018

File No. \_\_\_\_\_

KS DEPT OF AGRICULTURE **SCANNED**

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.

<u>Ch. Staufenberger, Trustee</u>	
(Owner)	(Spouse)
<u>Christine G. Staufenberger</u>	
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

TERESA S. FRENE  
 NOTARY PUBLIC  
 MONTGOMERY COUNTY  
 MARYLAND  
 MY COMMISSION EXPIRES MAY 15, 2019

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

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 Guymon, Oklahoma, this 24<sup>th</sup> day of September, 2018

Jason Hitch, CEO for HITCH ENTERPRISES, INC  
(Owner) \_\_\_\_\_ (Spouse) \_\_\_\_\_

JASON HITCH, CEO HITCH ENTERPRISES, INC  
(Please Print) \_\_\_\_\_ (Please Print) \_\_\_\_\_

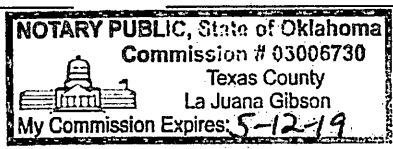
\_\_\_\_\_  
(Owner) \_\_\_\_\_ (Spouse) \_\_\_\_\_

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

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

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

State of ~~Kansas~~ Oklahoma }  
County of Texas } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 24<sup>th</sup> day of September, 2018

La Juana Gibson  
Notary Public

My Commission Expires 5-12-19

**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.

FILE COPY

**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. 22218.

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

WATER RIGHT INFORMATION REPORT FOR : 22218 00

RIGHT TYPE: Appropriation

SOURCE: Groundwater USE: IRR

CURRENT STATUS: Certificate Issued

PRIORITY DATE: 05-APR-74

CURRENT COMPLETE BY DATE: 31-DEC-76

COMPLETION ACKNOWLEDGED DATE: 30-DEC-75

CURRENT PERFECT BY DATE: 31-DEC-80

YEAR PERFECTED:

CERTIFICATE ISSUED DATE: 29-JUN-87

::::::::::::::::::

APPLICANT(S):

> HENRY C HITCH TRUST BILL MILLER BOX 1308 GUYMON OK 73942

> PERSON ID (Old Address Code): 7757

> CORRESPONDENT SEQUENCE NUMBER: 1

>-----

::::::::::::::::::

WATER USE CORRESPONDENT(S):

> CLAWSON LAND PARTNERSHIP PO BOX 279 PLAINS KS 67869

> PERSON ID (Old Address Code): 57020

> CORRESPONDENT SEQUENCE NUMBER: 1

>-----

::::::::::::::::::

ACTION TRAIL:

- 05-APR-74 Pending Initial Review
- 12-AUG-75 Approved Pending Completion N+P BY 31-DEC-76 PERF BY 31-DEC-80
- 30-DEC-75 Completed Pending Inspection
- 29-JAN-82 F & O 10 Ac Tr
- 19-FEB-82 Land Owner Chg
- 19-FEB-82 Wur From H C Hitch Jr To Hitch Enterprises Inc
- 27-OCT-86 Fir Cont Bv Rec'D
- 30-APR-87 Inspected Pending Perfection
- 04-JUN-87 Change Application For Place Of Use
- 29-JUN-87 Certificate Issued
- 29-JUN-87 Land Owner Chg - Henry C Hitch Ranch Trust
- 29-JUN-87 Record Yr 1980: 928gpm Norm
- 18-MAR-88 Change Application For Place Of Use
- 21-APR-88 Change Approved
- 01-JUN-88 Change Dismissed Prior To Approval
- 05-AUG-92 Sc-Overpump 1991 Wur
- 20-MAR-06 Summary Compliance Order
- 03-MAR-16 C1 Fo Change App Pu Filed
- 04-APR-16 C1 Fo Change Pu Approved
- 26-MAY-16 Wur From Hitch Enterprises Inc To Clawson Land Partnership
- 24-APR-18 Compliance Check/In Comp Id 2 Pdiv Id 4205
- 10-AUG-18 C2 Change App Pu Filed

::::::::::::::::::

CONSERVATION CONTRACT ACTION TRAIL:

::::::::::::::::::

CONSERVATION PLAN ACTION TRAIL:

::::::::::::::::::

SPECIAL CONDITIONS:

.....

QUANTITIES:

>AUTHORIZED 130.000 AF ADDITIONAL 130.000 AF

.....

RATES:

>AUTHORIZED 930.000 gpm ADDITIONAL 930.000 gpm

.....

LIMITATIONS: None

.....

STORAGE QUANTITIES: No active storage quantities associated with IRR use under this water right

STORAGE RATES: No active storage rates associated with IRR use under this water right

.....

AUTHORIZED POINTS(S) OF DIVERSION

Section 24 T 32, R 34W, ID 2 (Internal Point Code= 4205)

QUALIFIERS: CW SW

DIST. FROM SE CORNER: 1300 ft North 5160 ft West

NUMBER OF WELLS: 1

COMMENT: WELL #6

OLD LONGITUDE: 100.976262 OLD LATITUDE: 37.247474

NEW LONGITUDE: 100.976670 NEW LATITUDE: 37.245917

GPS LONGITUDE: 100.989300 GPS LATITUDE: 37.234330

~~GPS POINT NORTH: 1386 GPS POINT WEST: 5496~~

COUNTY: SEWARD

FIELD OFFICE: GARDEN CITY FIELD OFFICE

GMD : 3

BASIN: CIMARRON RIVER

STREAM:

SPECIAL\_USE\_AREA(S):

AQUIFER(S):

TEST INFORMATION:

> 21-JUL-86 928 gpm Field Inspection Test

METER ACTION TRAIL:

> 21-APR-88 Meter Required Change Place of Use Install by: 31-DEC-89

> 11-NOV-92 Meter Required GWMD Order Install by: 01-JUL-96

METER INFORMATION:

Date Installed : Currently Installed? Y

> Manufacturer: MCCROMETER Model: MO308-1300

> Type: Propellor Serial No.: 03-8-1288

> Meter Unit: Acre-feet Meter Size: 5 Inch Multiplier: .001

> Portable Pump Installation? N Multiple PDs? N Straightening Vanes? Y

> Measuring Chamber? Y Meter Comment: 4-24-18 CMP CK, MTR SZ 7.731" ID

METER INFORMATION:

Date Installed : Currently Installed? N

> Manufacturer: WATER SPECIALTIES Model: 2000

> Type: Not Available Serial No.: 11780

> Meter Unit: N/A Meter Size: 8 Inch Multiplier: 00

> Portable Pump Installation? N Multiple PDs? N Straightening Vanes? N

> Measuring Chamber? Meter Comment:

OVERLAPS:

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.....

AUTHORIZED PLACE(S) OF USE

*File # 22218*



Section 24, T 32, R 34W, ID 2 (Internal PUSE\_ID = 6237)

OWNER: HENRY C HITCH RANCH TRUST

Address: BILL MILLER

\*\* BOX 1308

\*\* GUYMON OK 73942

Total acres authorized = 160.00 Acres

NE				NW				SW				SE			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
.00	.00	.00	.00	.00	.00	.00	.00	.00	40.00	40.00	40.00	40.00	.00	.00	.00

COMMENT:

OVERLAPS:

> A 20991 00 IRR

Section 23, T 32, R 34W, ID 1 (Internal PUSE\_ID = 16012)

OWNER: HENRY C HITCH RANCH TRUST

Address: BILL MILLER

\*\* BOX 1308

\*\* GUYMON OK 73942

Total acres authorized = 160.00 Acres

NE				NW				SW				SE			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	40.00	40.00	40.00

COMMENT:

OVERLAPS:

> A 20991 00 IRR

.....

WATER USE INFORMATION:

Year	Qualifiers	SC	ID	Date Rcvd	Hours	GPM	Acra-feet	Code	Ac_Irr	Date Msrd	Wtr_Dp	Well_Dp	Reel	Blip
2017	1300N	5160W	24	2 22-FEB-18		600	111.0	A	130		N/A	N/A	1	4794
2016	1300N	5160W	24	2 23-FEB-17		600	116.0	A	130		N/A	N/A	97	117
2015	1300N	5160W	24	2 29-FEB-16		600	118.0	A	130		N/A	N/A	93	902
2014	1300N	5160W	24	2 02-MAR-15		600	124.0	A	130		N/A	N/A	89	817
2013	1300N	5160W	24	2 28-FEB-14		127.0	A	130		N/A	N/A	84	400	
2012	1300N	5160W	24	2 01-MAR-13		127.0	A	130	09-FEB-13	219	N/A	79	2124	
2011	1300N	5160W	24	2 27-FEB-12		127.0	A	130		220	N/A	73	1085	
2010	1300N	5160W	24	2 04-FEB-11		127.0	A	130	28-JAN-11	206	N/A	66	203	
2009	1300N	5160W	24	2 04-FEB-10		700	124.0	A	130	02-FEB-10	205	N/A	60	211
2008	1300N	5160W	24	2 24-FEB-09		700	120.0	A	130		200	N/A	55	524
2007	1300N	5160W	24	2 08-FEB-08		700	125.0	A	130		210	N/A	48	421
2006	1300N	5160W	24	2 26-FEB-07		700	121.0	A	130		214	N/A	42	2907
2005	1300N	5160W	24	2 23-FEB-06		700	201.0	A	130		215	N/A	37	296
2004	1300N	5160W	24	2 25-FEB-05		700	227.0	A	130		215	N/A	31	1059
2003	1300N	5160W	24	2 02-MAR-04	1350	700	201.0	G	130	18-FEB-04	215	N/A	26	514
2002	1300N	5160W	24	2 27-FEB-03	1600	700	55.0	A	130	05-FEB-03	216	N/A	19	1917
2001	1300N	5160W	24	2 27-FEB-02		750	258.0	A	130	21-FEB-02	214	386	13	2054
2000	1300N	5160W	24	2 28-FEB-01	1500	750	207.1	G	130	23-FEB-01	215	386	7	1770
1999	1300N	5160W	24	2 24-JAN-00	1660	750	229.2	G	130	19-JAN-00	217	386	1	1861
1998	1300N	5160W	24	2 22-FEB-99	2160	750	298.3	G	130	15-FEB-99	229	386	93	2793
1997	1300N	5160W	24	2 02-MAR-98		750	204.0	A	130	20-FEB-98	216	386	89	462
1996	1300N	5160W	24	2 03-MAR-97		750	83.0	A	130	28-FEB-97	215	386	83	353
1995	1300N	5160W	24	2 29-FEB-96	0	0	88.0	7	130	01-FEB-96	213	386	76	2789

1994	1300N	5160W 24	2	08-FEB-95	0	0	.0	T	130 01-JAN-95	211	386	70	1071
1994	1300N	5160W 24	2	08-FEB-95	Comment: MALFUNCTION								
1993	1300N	5160W 24	2	24-FEB-94	2300	750	317.6	G	130 01-FEB-94	210	386	65	641
1992	1300N	5160W 24	2	01-MAR-93	0	800	5.8	8	130 01-FEB-93	209	386	59	2641
1991	1300N	5160W 24	2	02-MAR-92	3200	800	471.4	G	130 01-FEB-92	207	386	54	1915
1990	1300N	5160W 24	2	28-FEB-91	0	0	227.1	8	130 01-FEB-91	203	386	47	2014
1990	1300N	5160W 24	2	28-FEB-91	Comment: 154-HRS, 800-GPM								
1989	1300N	5160W 24	2	02-MAR-90	700	800	103.1	G	130 01-FEB-90	196	386	41	2760
1988	1300N	5160W 24	2		2400	927	409.7	G	130 23-FEB-89	199	386	35	574
1987	1300N	5160W 24	2		2400	927	409.7	G	130	N/A	386	29	785
1986	1300N	5160W 24	2		2200	900	364.6	G	130	N/A	386	25	2106
1985	1300N	5160W 24	2		2150	900	356.3	G	130	N/A	386	22	1682
1984	1300N	5160W 24	2		2150	900	356.3	G	130	N/A	386	18	1379
1983	1300N	5160W 24	2		2300	950	402.3	G	130	N/A	386	13	857
1982	1300N	5160W 24	2		2160	900	358.0	G	130	210	386	5	1026
1981	1300N	5160W 24	2		2000	1000	368.3	G	130	N/A	396	1	1922
1980	1300N	5160W 24	2		1900	0	.0	F	130	N/A	N/A	99	9999
1979	1300N	5160W 24	2		1750	0	.0	F	130	N/A	N/A	99	9999
1978	1300N	5160W 24	2		2160	0	.0	F	130	N/A	N/A	99	9999
1977	1300N	5160W 24	2		1920	0	.0	F	130	N/A	N/A	99	9999
1976	1300N	5160W 24	2		1920	0	.0	F	130	N/A	N/A	99	9999

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 22218 00

#####

-KOA-  
82A-1906

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 22218 00 IRR

Water Right and Points of Diversion Within 3.00 miles of point defined as:

NOTIFICATION OF

1300 Feet North and 5160 Feet West of the Southeast Corner of Section 24 T 32S R 34W

NEARBY LANDOWNERS

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__ 1400	00	IRR	NK	G	9025	--	NW	NE	SW	-----	-----	22	32	34W	1	749.00	749.00	AF
A__ 3760	00	IRR	NK	G	13175	--	NW	SW	NE	-----	-----	21	32	34W	1	320.00	320.00	AF
A__ 7250	00	IRR	NK	G	13130	--	NE	NE	SE	2440	495	10	32	34W	6	302.00	302.00	AF
A__ 8890	00	IRR	NK	G	13130	--	NE	NE	SE	2440	495	10	32	34W	6	582.00	280.00	AF
Same					12370	--	NW	NW	SW	2071	4663	11	32	34W	2			
A__ 9224	00	IRR	NK	G	10376	--	NC	N2	SW	1925	3986	27	32	34W	1	1120.00	1120.00	AF
A__ 10576	00	IRR	NK	G	14930	--	NE	NE	NW	5170	2800	33	32	34W	1	729.00	729.00	AF
A__ 12111	00	IRR	NK	G	13130	--	NE	NE	SE	2440	495	10	32	34W	6	894.00	312.00	AF
Same					12370	--	NW	NW	SW	2071	4663	11	32	34W	2			
A__ 16613	00	IRR	NK	G	10745	--	NE	NE	NE	5000	300	19	32	33W	1	292.00	292.00	AF
A__ 17668	00	IRR	NK	G	15808	--	NC	W2	NE	3800	2100	17	32	33W	1	210.00	210.00	AF
Same					14782	--	SW	NW	SE	1450	2100	17	32	33W	2	235.00	235.00	AF
A__ 19536	00	IRR	NK	G	5628	--	NW	NE	SW	2280	3600	26	32	34W	1	457.00	457.00	AF
A__ 20986	00	IRR	NK	G*	8010	--	--	NC	NE	3950	1320	35	32	34W	1	260.00	260.00	AF
A__ 20990	00	IRR	NK	G*	2944	--	--	NC	NW	4000	4000	24	32	34W	1	260.00	260.00	AF
A__ 20991	00	IRR	NK	G*	1379	--	--	NC	SE	1250	1300	23	32	34W	1	260.00	260.00	AF
A__ 20992	00	IRR	NK	G*	5449	--	--	NC	SE	1300	1300	26	32	34W	2	260.00	260.00	AF
A__ 21343	00	IRR	NK	G	10792	--	NC	E2	W2	2630	3240	15	32	34W	1	544.00	544.00	AF
A__ 22214	00	IRR	NK	G*	7942	--	--	NC	NW	3950	4050	36	32	34W	1	260.00	260.00	AF
Same					8770	--	--	NC	NE	3950	1350	36	32	34W	2	260.00	260.00	AF
A__ 22215	00	IRR	NK	G*	5416	--	--	NC	SW	1300	3900	25	32	34W	2	260.00	260.00	AF
Same					5069	--	NC	S2	NE	3295	1340	25	32	34W	6	260.00	260.00	AF
Same					2880	--	--	NC	NE	4000	1250	26	32	34W	3	260.00	260.00	AF
A__ 22216	00	IRR	NK	G*	3163	--	SE	SE	SW	100	2850	23	32	34W	4	260.00	260.00	AF
Same					2882	--	NW	SE	NE	3838	1300	23	32	34W	7	260.00	260.00	AF
Same					4704	--	NW	SE	NW	3831	3890	23	32	34W	8	260.00	260.00	AF
A__ 22218	00	IRR	NK	G*	0	--	--	CW	SW	1300	5160	24	32	34W	2	130.00	130.00	AF
A__ 22963	00	IRR	NK	G	11053	--	--	--	--	2600	4300	31	32	33W	1	780.00	780.00	AF
A__ 24267	00	IRR	NK	G	12782	--	--	--	--	4310	100	2	33	34W	2	339.00	339.00	AF
A__ 26150	00	IRR	NK	G	14246	--	--	CS	SE	200	1500	20	32	33W	1	260.00	260.00	AF
A__ 26620	00	IRR	NK	G	11653	--	NW	SW	NE	3900	2000	18	32	33W	1	272.00	272.00	AF
A__ 26815	00	IRR	NK	G	14765	--	NE	NE	SW	2500	2800	1	33	34W	1	477.00	477.00	AF
A__ 27292	00	IRR	NK	G	14106	--	--	NC	NW	3960	3950	32	32	33W	1	272.00	272.00	AF
Same					15727	--	--	NC	SW	1310	3960	32	32	33W	3	272.00	272.00	AF
A__ 28114	00	IRR	NK	G	15543	--	SW	SW	SW	350	5150	34	32	34W	1	450.00	450.00	AF
A__ 28115	00	IRR	NK	G	14329	--	NE	NE	SE	2560	390	33	32	34W	4	443.00	443.00	AF
A__ 28117	00	IRR	NK	G	8303	--	NE	NE	NW	5160	2900	27	32	34W	2	450.00	450.00	AF
A__ 28407	00	IRR	NK	G	11945	--	--	NC	SE	1300	1340	21	32	34W	2	260.00	260.00	AF
A__ 31467	00	IRR	NK	G	8816	--	--	NC	NW	3960	3940	35	32	34W	3	250.00	250.00	AF
A__ 31468	00	IRR	NK	G	10614	--	--	NC	SE	1320	1340	35	32	34W	4	250.00	250.00	AF
A__ 31469	00	IRR	NK	G	9769	--	NE	NE	SW	2560	3030	35	32	34W	8	260.00	260.00	AF
A__ 39707	00	IRR	NK	G	12782	--	--	--	--	4310	100	2	33	34W	2	310.00	.00	AF
A__ 40061	00	IRR	NK	G	12350	--	SE	SE	SW	45	2732	10	32	34W	4	262.00	262.00	AF
A__ 41286	00	IRR	NK	G	14024	--	NE	SW	NE	3880	1920	20	32	33W	4	240.00	240.00	AF

owner

owner

well

A\_\_ 41471 00 IRR NK G 13397 -- NE NE NE 4680 120 1 33 34W 4 250.00 250.00 AF

```

=====
Total Net Quantities Authorized:   Direct      Storage
Total Requested Amount (AF) =      .00          .00
Total Permitted Amount (AF) =      .00          .00
Total Inspected Amount (AF) =      .00          .00
Total Pro_Cert Amount (AF) =      .00          .00
Total Certified Amount (AF) =    14587.00        .00
Total Vested Amount (AF) =        .00          .00
TOTAL AMOUNT (AF) =    14587.00        .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 3.00 miles of point defined as:  
 1300 Feet North and 5160 Feet West of the Southeast Corner of Section 24 T 32S R 34W  
 GROUNDWATER ONLY  
 WATER USE CORRESPONDENTS:

```

=====
File Number   Use ST SR
A__ 1400 00 IRR NK G
> HITCH LAND & CATTLE CO
>
> PO BOX 76
> GUYMON OK 73942
>-----
    
```

```

A__ 3760 00 IRR NK G
> SEED SOWERS LLC
> DANIEL F CLAWSON
> PO BOX 279
> PLAINS KS 67869
>-----
    
```

```

A__ 7250 00 IRR NK G
> BOLES LAND & CATTLE LP
>
> PO BOX 1595
> LIBERAL KS 67905
>-----
    
```

```

A__ 8890 00 IRR NK G
> BOLES LAND & CATTLE LP
>
> PO BOX 1595
> LIBERAL KS 67905
>-----
    
```

```

A__ 9224 00 IRR NK G
> HITCH LAND & CATTLE CO
>
> PO BOX 76
> GUYMON OK 73942
>-----
    
```

```

A__ 10576 00 IRR NK G
    
```

**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*

---

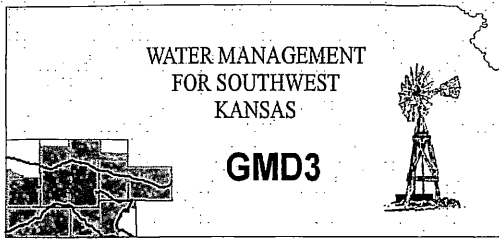
**From:** Ireland, Leslie [KDA]  
**Sent:** Monday, October 8, 2018 1:49 PM  
**To:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>  
**Subject:** Recommendation for Change in PU, File Nos. 20986xx22218\_Hitch

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](mailto:Leslie.Ireland@ks.gov)  
[www.agriculture.ks.gov](http://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**

KS Dept Of Agriculture

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

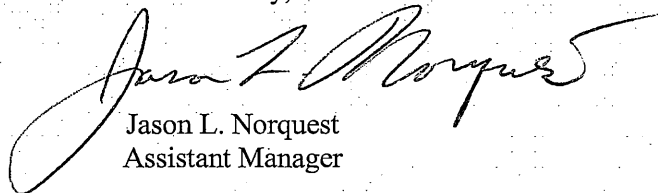
RE: Application for Change in place of Use  
Water Right, File Nos. 20986, 20990, 20991, 20992, 22214, 22215, 22216 & 22218

Dear Leslie:

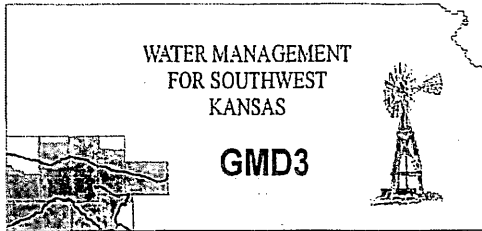
We have completed a review of the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The request for change in place of use will create a complete overlap and is not requesting 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,

A handwritten signature in black ink, appearing to read "Jason L. Norquest".

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

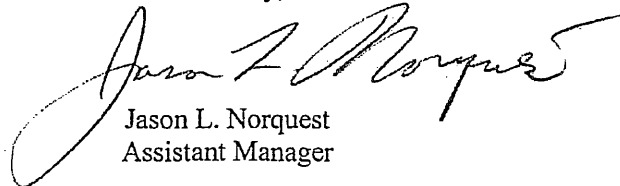
RE: Application for Change in place of Use  
Water Right, File Nos. 20986, 20990, 20991, 20992, 22214, 22215, 22216 & 22218

Dear Leslie:

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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

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](mailto: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



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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



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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

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.

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

DIVISION OF WATER RESOURCES-KANSAS DEPARTMENT OF AGRICULTURE  
COMPLIANCE INVESTIGATION

Field Office No. 04 G.M.D. No. 03 County SW

File No. 22218 Overlap None File No(s). \_\_\_\_\_

Agency DWR Inspector Mitch French

In Compliance/ Date	
<input checked="" type="checkbox"/>	Yes <u>4/24/18</u>
<input type="checkbox"/>	No, see comments _____
<input type="checkbox"/>	Re-investigation _____

Reason:  New Application  Regular P/D Change  P/U Change  
 Meter Installed  Short Move P/D Change  Other Random

Date of Order \_\_\_\_\_ Date of N of C Ack \_\_\_\_\_ Chg No. C \_\_\_\_\_ Date completed \_\_\_\_\_ If PD chg, old PD ID \_\_\_\_\_

Current Landowner HENRY C HITCH RANCH TRUST, BILL MILLER Phone No. \_\_\_\_\_

Address BOX 1308, GUYMON OK 73942  
Additional landowners and addresses identified in remarks section.

Water Use Correspondent CLAWSON LAND PARTNERSHIP Phone No. \_\_\_\_\_

Authorized Water Use Classification:  Domestic  Industrial  Irrigation  Municipal  Hydraulic Dredging  
 Recreation  Stockwatering  Water Power  Artificial Recharge  Contamination Remediation  
 Dewatering  Fire Protection  Thermal Exchange  Sediment Control  Other \_\_\_\_\_

Water currently being used for Irr

Source:  Groundwater  Surface Water Basin Cimarron River

Authorized Point of Diversion: CW SW Sec. 24, T. 32S, R. 34W ID No. 2

Approximately 1300 ft. North and 5160 ft. West of SE corner of Sec 24.

Actual Point of Diversion: CW SW Sec. 24, T. 32S, R. 34W

Approximately <sup>1297</sup>~~4386~~ ft. North and <sup>5170</sup>~~5196~~ ft. West of SE corner of Sec 24.  
Latitude 37.24592 Longitude 100.97067

How were distances determined? GPS (+/- 14') & File NAD 27 Latitude 37.23433 Longitude 100.98930

Distance from old pd \_\_\_\_\_ ft (N/S) and \_\_\_\_\_ ft (EW) Old well: plugged  capped  equipped  other: \_\_\_\_\_?

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

Comments: \_\_\_\_\_

*Corrected Lat/Long & foot distances m/9/6/18*

WATER RESOURCES  
RECEIVED

SEP 06 2018

KS DEPT OF AGRICULTURE

DIVISION OF WATER RESOURCES—KANSAS DEPARTMENT OF AGRICULTURE  
COMPLIANCE INVESTIGATION

Field Office No. 04 G.M.D. No. 03 County SW

File No. 22218 Overlap None File No(s). \_\_\_\_\_

Agency DWR Inspector Mitch French

In Compliance/ Date	
<input checked="" type="checkbox"/>	Yes <u>4/24/18</u>
<input type="checkbox"/>	No, see comments _____
<input type="checkbox"/>	Re-investigation _____

Reason:  New Application  Regular P/D Change  P/U Change  
 Meter Installed  Short Move P/D Change  Other Random

Date of Order \_\_\_\_\_ Date of N of C Ack \_\_\_\_\_ Chg No. C \_\_\_\_\_ Date completed \_\_\_\_\_ If PD chg, old PD ID \_\_\_\_\_

Current Landowner HENRY C HITCH RANCH TRUST, BILL MILLER Phone No. \_\_\_\_\_

Address BOX 1308, GUYMON OK 73942  
Additional landowners and addresses identified in remarks section.

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Authorized Water Use Classification:  Domestic  Industrial  Irrigation  Municipal  Hydraulic Dredging  
 Recreation  Stockwatering  Water Power  Artificial Recharge  Contamination Remediation  
 Dewatering  Fire Protection  Thermal Exchange  Sediment Control  Other \_\_\_\_\_

Water currently being used for Irr

Source:  Groundwater  Surface Water Basin Cimarron River

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Actual Point of Diversion: CW SW Sec. 24, T. 32S, R. 34W

~~Approximately 1386 ft. North and 5196 ft. West of SE corner of Sec 24.~~

How were distances determined? GPS (+/- 14') & File NAD 27 Latitude 37.23433 Longitude 100.98930

Distance from old pd \_\_\_\_\_ ft (N/S) and \_\_\_\_\_ ft (E/W) Old well: plugged  capped  equipped  other: \_\_\_\_\_?

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

Comments: \_\_\_\_\_

*See 9/6/18 update*

NEARBY NOTIFICATIONS FOR WELLS LOCATED WITHIN ONE-HALF MILE OF WELLS AUTHORIZED FOR  
REQUESTED PU CHANGE

Nearby Owner Letter List

File No. 19,536

NIX BROTHERS  
DAVID NIX  
2279 ROAD M  
HUGOTON KS 67951

File Nos. 31467 & 31468

CLAWSON LAND PARTNERSHIP  
DAVID CLAWSON  
PO BOX 279  
PLAINS KS 67869

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  
PO BOX 279  
PLAINS, KS 67869

August 13, 2018

RE: File No 22218

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.

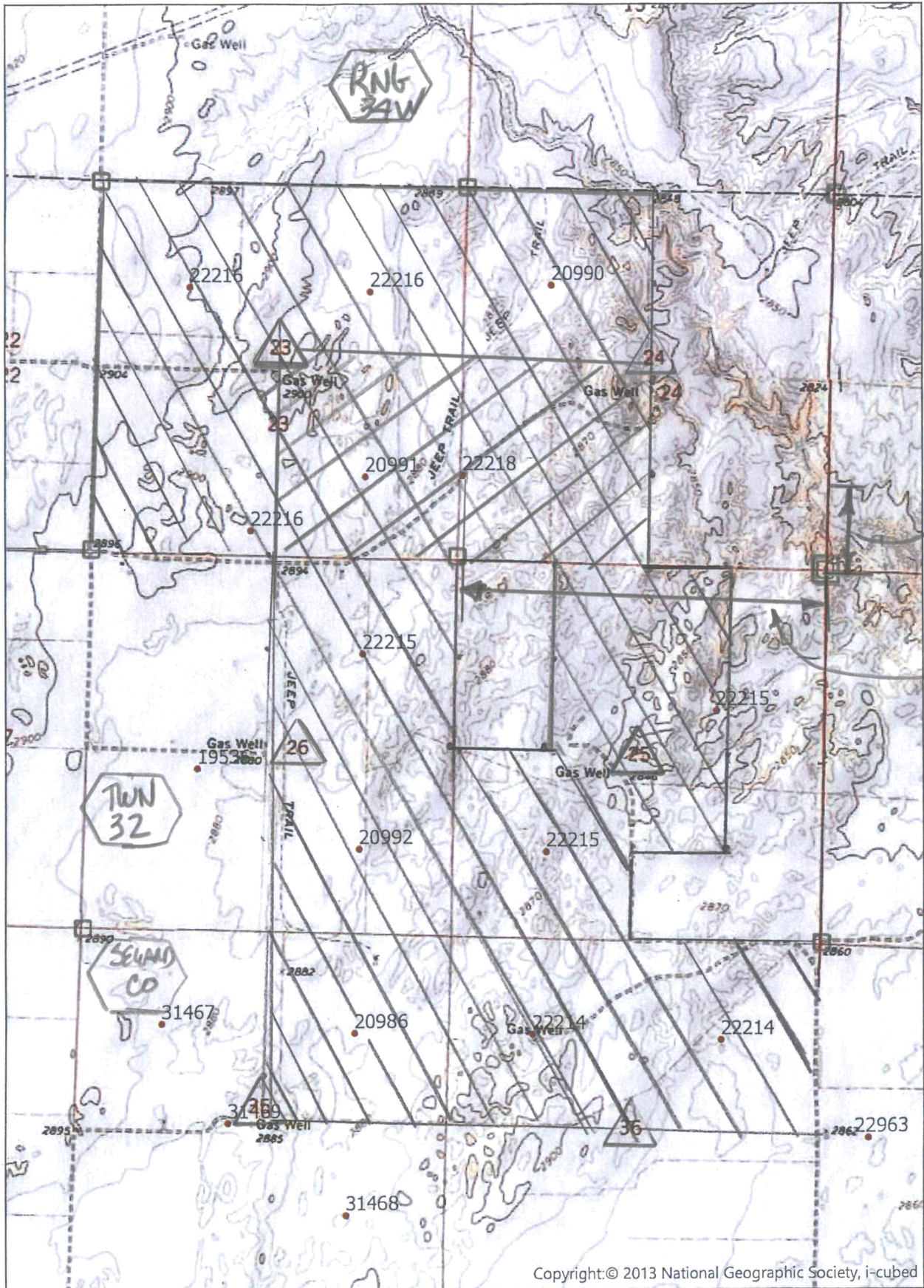
Sincerely,

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

BAT: DLW  
pc: GARDEN CITY Field Office    GMD3




SCANNED

CHANGE IN PLACE OF USE WATER RIGHT FILE NO. 22,218



0 0.2 0.4 0.8 Miles

★ G\_IND  
● G\_IRR

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