

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

1. File Number: <b>20730</b>	2. Status Change Date: <b>12-9-2020</b>	3. Change Num: <b>C1</b>	4. Field Office: <b>04</b>	5. GMD: <b>03</b>
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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: <b>12/9/2020</b>
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8a. LANDOWNER,  
 New to system

Person ID **2866**  
 Add Seq# **1**

**SCOTT CLARK JR GST TRUST  
 Attn: SCOTT J CLARK TRUSTEE  
 4601 WINGED FOOT DR APT 4  
 HUTCHINSON, KS 67502-8064**

8c. Applicant, Correspondent  
 New to system

Person ID **50021**  
 Add Seq# \_\_\_\_\_

**TRIPLE C FARM  
 ATTN: KEN CLAAR  
 7424 KELTY TR  
 FRANKTOWN, CO 80116**

8b. Landowner(s),  
 New to system

Person ID \_\_\_\_\_  
 Add Seq# \_\_\_\_\_

8d. correspondent  
 New to system

Person ID \_\_\_\_\_  
 Add Seq# \_\_\_\_\_

9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/2021**     N & P Date to Comply: **3/1/2022**

Anti-Reverse Meter     Meter Seal     Check Valve     N & P Form     Water Tube     Driller Copy     H & E Letter

Conservation Plan    Date Required: \_\_\_\_\_    Date Approved: \_\_\_\_\_    Date to Comply: \_\_\_\_\_

10. Use Made of Water    From: \_\_\_\_\_    To: \_\_\_\_\_

Date Prepared: **12/9/2020**    By: **MAM**  
 Date Entered: \_\_\_\_\_    By: \_\_\_\_\_

File No. **20730**      11. County: **KE**      Basin: **ARKANSAS RIVER**      Stream: \_\_\_\_\_      Formation Code: **211**      Special Use: \_\_\_\_\_

12. Points of Diversion  
**CHK**      Rate and Quantity  
**MOD**      Authorized      Additional  
**DEL**      PDIV      Qualifier      S      T      R      ID      'N      'W      **Comment (AKA Line)**      Rate      Quantity      Rate      Quantity  
**ENT**      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_  
 gpm      af      gpm      af      Overlap PD Files

**DEL 40047**  
**ENT**      **NWNWSW**      **22 23 35W**      **1099 1725**      **2380 480**      **2380 480**      **NONE**

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 <b>CHK</b> <b>MOD</b> <b>DEL</b> <b>ENT</b>	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				
<b>CHK 15644</b>																									

**Base Acres:** \_\_\_\_\_      **Year:** \_\_\_\_\_      **Minimum Reasonable Quantity:** \_\_\_\_\_  
 Comments: \_\_\_\_\_



Garden City Field Office  
4532 W. Jones, Suite B  
Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

December 9, 2020

TRIPLE C FARM  
Attn: KEN CLAAR  
7424 KELTY TR  
FRANKTOWN, CO 80116

RE: Water Right, File No. 20730

Dear Sir:

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

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

Since the order modifies the original documents referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

The abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael A. Meyer".

Michael A. Meyer  
Water Commissioner

MAM  
enclosures  
pc:

SCOTT CLARK JR GST TRUST

GMD3

## CERTIFICATE OF SERVICE

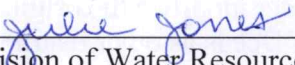
On this 9<sup>th</sup> day of December 2020, I hereby certify that the foregoing Approvals of Application for Change in Point of Diversion, Water Right, File No. 20,730 dated 9<sup>th</sup> day of December 2020 was mailed postage prepaid, first class, US mail to the following:

TRIPLE C FARM  
Attn: KEN CLAAR  
7424 KELTY TR  
FRANKTOWN, CO 80116

Pc:

SCOTT CLARK JR GST TRUST  
Attn: SCOTT J CLARK TRUSTEE  
4601 WINGED FOOT DR APT 4  
HUTCHINSON, KS 67502-8064

GROUNDWATER MANAGEMENT DISTRICT NO. 3

  
\_\_\_\_\_  
Division of Water Resources Staff



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

Call for address:

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

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



**STATE OF KANSAS**

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

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

File No. 20730

RECEIVED  
 9:40 AM  
 DEC 09 2020

Garden City Field Office  
 DIVISION OF WATER RESOURCES

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use                       Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is:                       Groundwater                       Surface water

2. Name and address of Applicant: TRIPLE C FARM

7424 KELTY TR FRANKTOWN CO 80116

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

Name and address of Water Use Correspondent: SAME AS ABOVE

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

3. The presently authorized place of use is:

Owner of Land ---- NAME: SCOTT CLARK JR GST TRUST

ADDRESS: 4601 WINGED FOOT DR UNIT 4 HUTCHINSON, KS 67502

(If there is more than one landowner, attach supplemental sheets as necessary.)

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

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

(If there is more than one landowner, attach supplemental sheets as necessary.)

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

**For Office Use Only:** Code \_\_\_\_\_ Fee \$ 100.00 TR # \_\_\_\_\_ Receipt Date 12-9-20 Check # 1628



5. **Presently authorized point of diversion:**  
 One in the NC Quarter of the NW Quarter of the SW Quarter  
 of Section 22, Township 23 South, Range 35 (W),  
 in KEARNY County, Kansas, 4100\* feet North 3750\* feet West of Southeast corner of section.  
 Authorized Rate 2380 GPM Authorized Quantity 480 AF Depth of well 367 (feet)  
**(DWR use only: Computer ID No. 03 GPS 2013\*\* feet North 4429\*\* 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 NW Quarter of the NW Quarter of the SW Quarter  
 of Section 22, Township 23 South, Range 35 (W),  
 in KEARNY County, Kansas, 1997 feet North 4649 feet West of Southeast corner of section.  
 Proposed Rate 2380 GPM Proposed Quantity 480 AF Proposed well depth (feet) 392'  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

\*WRIS FEET DISTANCES \*\*BASED ON FIR DURING THE CERTIFICATE - CORRECT FEET DISTANCES

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) LOSS OF PRODUCTION

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

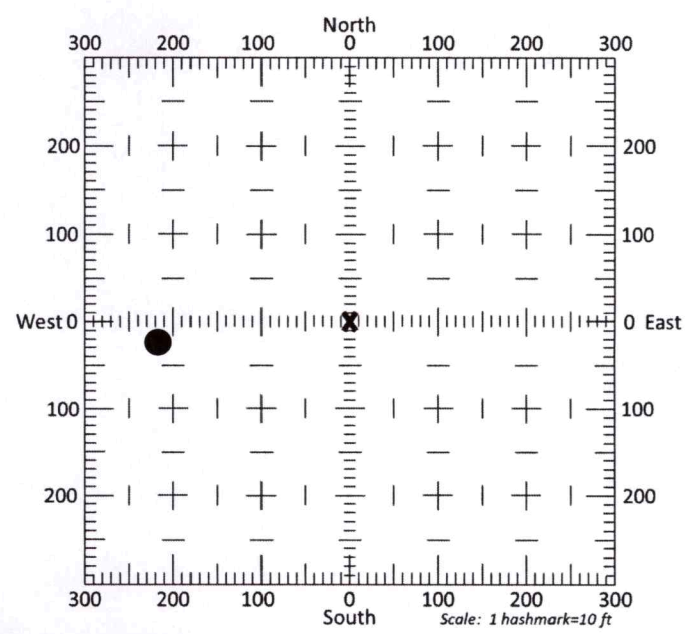
9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_

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

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by AM/GCFO

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.)



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.)

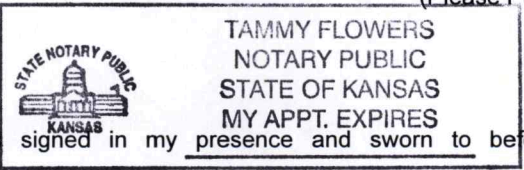
If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized 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 GARDEN CITY, Kansas, this 8<sup>th</sup> day of DECEMBER, 2020.

<p><u>Ronald Clear (Farming Per Clark)</u>          (Owner)</p> <p>_____          (Please Print)</p> <p>_____          (Owner)</p> <p>_____          (Please Print)</p> <p>_____          (Owner)</p> <p>_____          (Please Print)</p>	<p>_____          (Spouse)</p> <p>_____          (Please Print)</p> <p>_____          (Spouse)</p> <p>_____          (Please Print)</p> <p>_____          (Spouse)</p> <p>_____          (Please Print)</p>
--	---

State of Kansas }  
 County of Finney } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 8 day of December, 2020.

Tammy Flowers  
 Notary Public

My Commission Expires 5-28-2021.

**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.

**FFF SCHEDULE**

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

(1) Application to change a point of diversion 300 feet or less	\$100
(2) Application to change a point of diversion more than 300 feet	\$200
(3) Application to change the place of use	\$200



**SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS**

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, 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. 20730

- 1. A change application was received on December 9, 2020 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 50 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 300 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, 2021, 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, 2021, or within any authorized extension of time. By March 1, 2022 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: Michael A. Meyer  
Duly Authorized Designee of the Chief Engineer

(Print Name): MICHAEL A. MEYER  
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: December 9, 2020

State of Kansas )

) SS

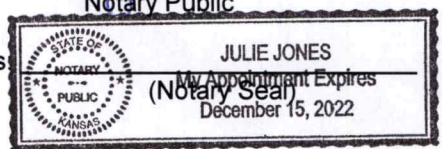
County of Lincoln )

Acknowledged before me on December 9, 2020

by Michael A. Meyer

Signature: Julie Jones  
Notary Public

My commission expires:





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



RUN CLARK  
620-272-7815

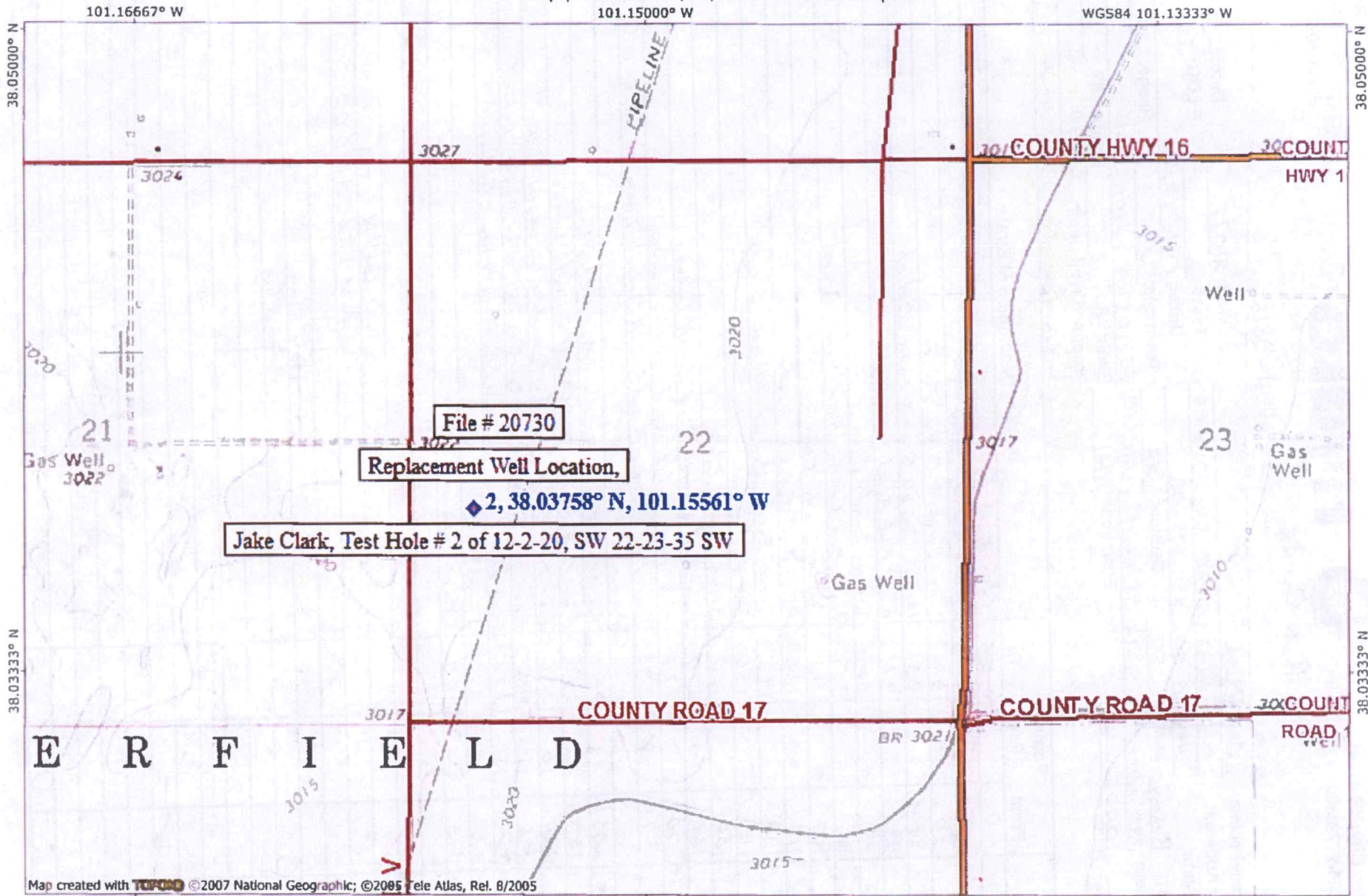
PO Box 639  
Garden City, KS 67846  
Fax: 620-277-0224

JEC 03 2021

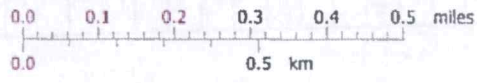
Customer Name: Jake Clark WO#: 21078 Date: 12-2-20  
 Street Address: 4601 WINGED FOOT DR. UNIT #4 Test #: 2 E LOG: Yes  
 City, State: Hutchinson, KS 67502 Driller: Dale Guinn  
 County: Kearny Quarter: SW Section: 22 Township: 23 Range: 35  
 Location: 238' West + 11' South of Existing Well GPS: N38.03758 W101.15561  
 Rig #: 10003 Elevation: 3021' Static WL: 155' Estimated? \_\_\_\_\_  
 Proposed Well Depth 392  
 WELL LOCATION 20' SUMP

%	Footage			Description of Strata
	From	Pay	To	
	0		2	Top Soil
	2		20	Brown Sandy Clay
	20		34	Fine Sand & Clay Mixed
	34		43	Brown Sandy Clay + some Caliche
	43		47	Fine Med Sand
	47		56	Brown Sandy Clay
	56		107	Fine Med Course Sand Small Gravel
	107		112	Brown Sandy Clay
	112		130	Fine Med Course Sand
	130		149	Brown Sandy Clay w/ Few Sand Strips
	149		156	Fine Med Sand
	156		160	Brown Sandy Clay
30	160	10	170	Fine Med Course Sand Small Gravel
20	170	7	177	Fine Med Course Sand w/ Clay Layers
35	177	58	235	Fine Med Course Sand Small Gravel "Loose" Couple Clay Layers Between 214' & 219'
10	235	24	259	Fine Med Course Sand w/ Many Clay Layers
35	259	21	280	Fine Med Course Sand Small Gravel "Loose"
30	280	16	296	Fine Med Course Sand w/ Couple Clay Layers "Loose"
35	296	41	337	Fine Med Course Sand Small Gravel + Tan Rock "Loose"
30	337	35	372	Fine Med Course Sand w/ Tan Rock + Few Clay Layers
	372		375	Soapstone
	375		400	Black Shale
				Super Gel X -3
				Deerfield Land Out \$10.00
				Grout -3
				Hole Plug -6
				Perma Plug -1

TOPO! map printed on 12/03/20 from "Untitled.tpo"



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



TN \* MN  
5 1/2°  
12/03/20