

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

1. File Number: 45403	2. Status Change Date: 9-23-2021	3. Change Num: C2	4. Field Office: 4	5. GMD: 3
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: 9/17/2021
8a. Applicant(s) New to system <input type="checkbox"/> CLAWSON LAND PARTNERSHIP PO BOX 279 PLAINS, KS 67869		8c. Landowner(s) New to system <input type="checkbox"/> CLAWSON MEADE CO #6 PO BOX 279 PLAINS, KS 67869-0279		
8b. Landowner(s) New to system <input type="checkbox"/>		8d. WUC New to system <input type="checkbox"/>		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/2021 <input checked="" type="checkbox"/> N & P Date to Comply: 3/1/2022				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input 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: 9/20/2021 By: MAM Date Entered: _____ By: _____				

File No. **45403** 11. County: **ME** Basin: **CROOKED CREEK** Stream: Formation Code: **210** Special Use:

12. Points of Diversion
 CHK
 MOD
 DEL PDIV
 ENT Qualifier S T R ID 'N 'W Comment (AKA Line) Rate gpm/cfs Quantity af/mgy Rate gpm/cfs Quantity af/mgy Overlap PD Files

CHK 68326

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
						NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				
ENT		8	32	28W				9						3			5	40	30	25	38	150	8a	N	45405
CHK	55453	9	32	28W	1						9			28	40	40	40			13		170	8a	N	45405
ENT	55455	16	32	28W		31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25									250	8a	N	45405

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

Mike Beam, Secretary

Laura Kelly, Governor

September 10, 2021

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

RE: Field Office Application for Change
Water Right, File Nos. 43403 & 45405

Dear Sir:

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

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file numbers 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 these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

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:

CLAWSON LAND PARTNERSHIP
GMD3

CERTIFICATE OF SERVICE

On this 23rd day of September 2021, I hereby certify that the foregoing Approval of Applications for Change in Place of Use, Water Right, File Nos. 45,403 and 45,405 dated the 23rd day of September 2021 was mailed postage prepaid, first class, US mail to the following:

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

CLAWSON LAND PARTNERSHIP
PO BOX 279
PLAINS, KS 67869

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. 45403

RECEIVED
 2:05 pm
 SEP 17 2021

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

**Garden City Field Office
 Division of Water Resources**

2. Name and address of Applicant: CLAWSON LAND PARTNERSHIP / DAVID CLAWSON
PO BOX 279 PLAINS KS 67869

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: _____

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: CLAWSON LAND PARTNERSHIP /

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	
9	32	28W						9			28	40	40	40			13		170

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: CLAWSON LAND PARTNERSHIP /

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	
9	32	28W						9			28	40	40	40			13		170
16	32	28W	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25									250
8	32	28W				9					3			5	40	30	25	38	150

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 9-17-21 Check # 17053

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) _____

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

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

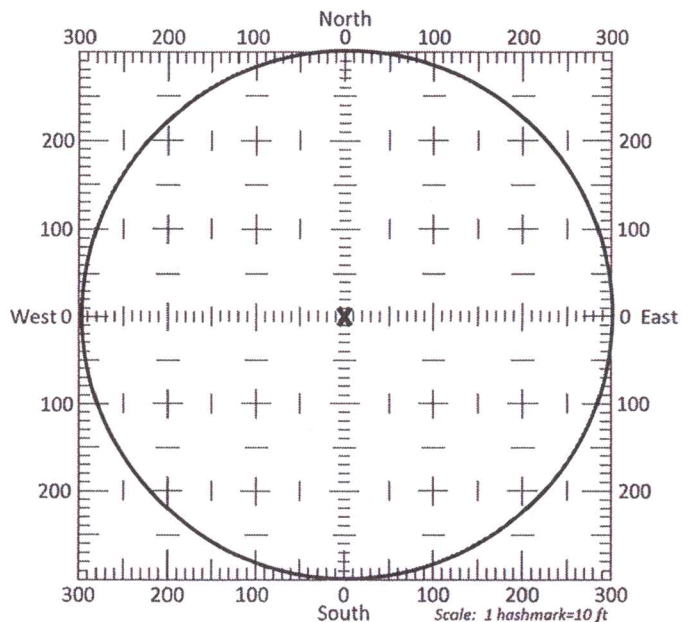
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by _____

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 a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. **(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 Plano, Kansas, this 22 day of September, 2021

<u>Daniel Lehman</u> (Owner)	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Please Print)
_____	_____	(Owner)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Please Print)
_____	_____	(Owner)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Please Print)

State of Kansas }
County of Meade } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 22nd day of September, 2021.

My Commission Expires 5-19-2024

Ryan Reimer
Notary Public - State of Kansas
Expires 5-19-2024

Notary Public

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

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

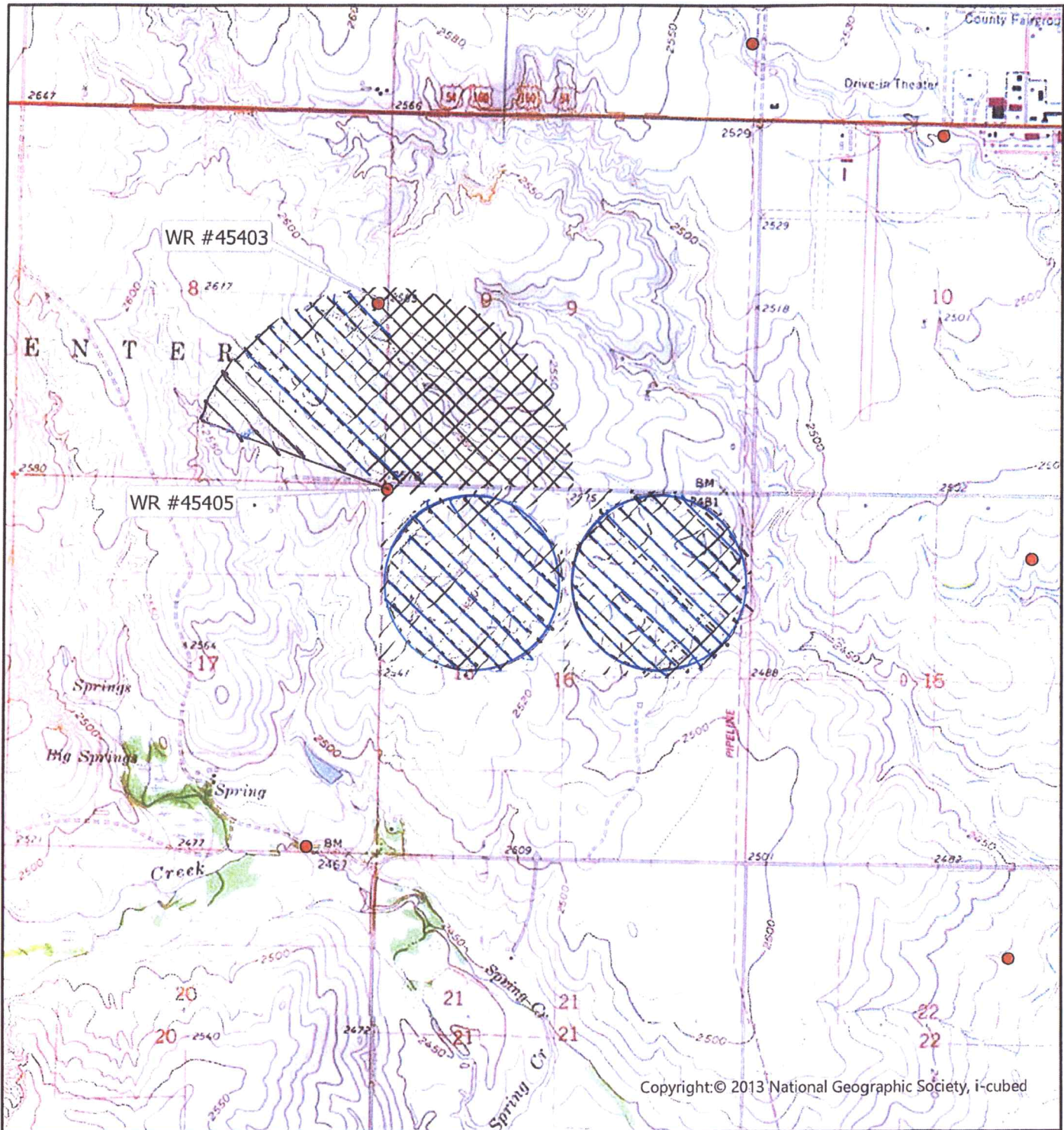
(1) Application to change a point of diversion 300 feet or less	\$100
(2) Application to change a point of diversion more than 300 feet	\$200
(3) Application to change the place of use	\$200

RECEIVED

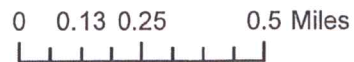
SEP 23 2021

Garden City Field Office
Division of Water Resources

CHANGE IN USE PLACE OF USE 45403



Township 32 South Range 28 West
ME County



AUTHORIZED PLACE OF USE



POINT OF DIVERSION



PROPOSED PLACE OF USE



Created By: AT/GCFC

Meyer, Mike [KDA]

From: Jeanne Clawson <jeanne@clawsonoffice.com>
Sent: Thursday, September 23, 2021 11:28 AM
To: Meyer, Mike [KDA]
Subject: RE: Requested Paperwork

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Seed Sowers, LLC is Dan and David - same ownership as Clawson Ranch Partnership. Seed Sowers is their land holding company and Clawson Ranch is the operating company.

-----Original Message-----

From: Meyer, Mike [KDA] [mailto:Mike.Meyer@ks.gov]
Sent: Thursday, September 23, 2021 11:13 AM
To: Jeanne Clawson
Subject: RE: Requested Paperwork

so seed sowers is daniel?

Mike

-----Original Message-----

From: Jeanne Clawson <jeanne@clawsonoffice.com>
Sent: Thursday, September 23, 2021 10:47 AM
To: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>
Subject: Requested Paperwork

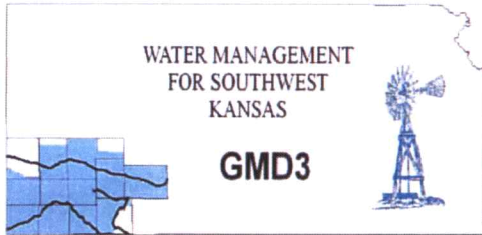
EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Mike,

Attached, please find the requested signatures for Seed Sowers, LLC. Also attached is the deed wherein the SW 16-32-28 was transferred from KMC AG, LLC to Seed Sowers, LLC.

Please let me know if there are other documents that are required.

Thank you,
Jeanne Clawson



Southwest Kansas
Groundwater Management District No. 3
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone (620) 275-1431 fax
www.gmd3.org

September 20, 2021

Michael A. Meyer
Division of Water Resources
4532 W Jones Ave., Suite B
Garden City, Kansas 67846

RE: Applications for Change in Place of Use
Water Appropriations, File Nos. 45403 & 45405

Dear Mike:

We have reviewed the applications for the above referenced water appropriations. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use well rearrange the acres to better suit the operation. The combined base and net acres are being increase by 10 acres, which is within the guidelines with K.A.R. 5-5-11. It is therefore recommended that the applications be approved at this time.

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

Sincerely,

Jason L. Norquest
Assistant Manager

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SEP 20 2021
Garden City Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 45403 & 45405.

DWR office: GC.

App filed to change: PU.

Is Landowner(s) correct in WRIS: Clawson Land Partnership.

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? .

Neighboring certified well(s) notified: .

Name .

Address .

Zip .

Email: Phone: .

Domestic well(s) notified: .

Name .

Address .

Zip .

Base Acres: 160 (45403) + 400 (45405) = 560.

Perfected Acres: .

Irr. Return-Flow %

45403 authorized: 306AF @ 1500gpm

WR is not perfected yet, original 160acres are the base.

Change app for PU approved June 3, 2021 that made authorized acres 170, which used the +10 over base.

45405 authorized: 720AF @ 1600gpm

WR not perfected yet, original 400 arces are the base acres.

Proposal would authorize 570 acres and make a complete overlap in proposed place of use with new acres.

Is a waiver needed: Since neither WR is perfected, the original authorized acres are base. As mentioned above, 45403 already had the +10acres on a previous change app.

Current total acres authorized is 570 acres, proposed is also 570 acres rearranged.

GMD3 Change Review

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



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SEP 20 2021

Garden City Field Office
Division of Water Resources

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

Mike Beam, Secretary

Laura Kelly, Governor

September 17, 2021

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO. 3
2009 E SPRUCE ST
GARDEN CITY KS 67846

Re: Request for Recommendation
Appropriation of Water, File Nos. 45403 and 45405

Dear Mr. Norquest:

This is to advise you that Clawson Land Partnership, has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use.

We are delaying action on the change applications to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Michael A. Meyer
Water Commissioner

MAM
Enclosures



21.00 Photocopied

STATE OF KANSAS, Meade County

This instrument was filed for record on the 29 day of June, A.D. 2021 at 3:40 P.M. and duly recorded in Book 100 on Page(s) 292. Anna Cleaniz Register of Deeds

Entered in Transfer Record in my office this 30 day of June 20 21

Janitha Clerk

Pursuant to KSA 79-1437, a Real Estate Validation Questionnaire is not required due to Exception No. 4.

CORPORATION DEED-General Warranty

123

THIS DEED made this 29 day of June, 2021, between KMC AG, LLC, a Kansas limited liability company, organized and existing under and by virtue of the laws of the State of Kansas, as First Party, and Seed Sowers, LLC, a Kansas limited liability company, organized and existing under and by virtue of the laws of the State of Kansas, as Second Party;

WITNESSETH, That First Party, in consideration of the sum of ONE DOLLAR (\$1.00) AND LIKE-KIND EXCHANGE OF PROPERTY, the receipt of which is hereby acknowledged, does by these presents convey and warrant unto Second Party, its successors and assigns, all the following described real estate situated in Meade County, State of Kansas, to-wit:

**** The Southwest Quarter (SW/4) of Section Sixteen (16), Township Thirty-two (32) South, Range Twenty-eight (28) West of the 6th P.M.; and

The East Half of the Southeast Quarter (E/2 SE/4) of Section Seventeen (17), and the Southeast Quarter of the Northeast Quarter (SE/4 NE/4) of Section Seventeen (17); all in Township Thirty-two (32) South, Range Twenty-eight (28) West of the 6th P.M. ****

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise pertaining, forever.

And said First Party, for itself, its successors and assigns, does hereby covenant, promise and agree to and with said Second Party that at the delivery of these presents it is lawfully seized in its own right of an absolute and indefeasible estate of inheritance, in fee simple, of all the above-described real estate, with the appurtenances; that the same are free, clear, discharged and unincumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and incumbrances of whatever nature and kind soever, except and subject to:

existing easements, rights-of-way, oil and gas leases, mineral conveyances, mineral reservations, and other restrictions of record, if any,

and that it will warrant and forever defend the same unto said Second Party, its successors and assigns, against said First Party, its successors and assigns, and all and every person or persons whomsoever lawfully claiming or to claim the same.

IN WITNESS WHEREOF, First Party has hereunto subscribed its name, the day and year first above written.

KMC AG, LLC

By: Kirby B. Clawson KIRBY B. CLAWSON, Member

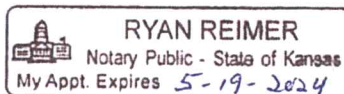
STATE OF KANSAS, COUNTY OF MEADE, ss:

BE IT REMEMBERED, That on this 18th day of June, 2021, before me, the undersigned, a notary public in and for the County and State aforesaid, came Kirby B. Clawson, Member of KMC AG, LLC, a Kansas limited liability company, organized and existing under and by virtue of the laws of the State of Kansas, who is personally known to me to be such Member, and who is personally known to me to be the same person who executed, as such Member, the foregoing deed on behalf of said limited liability company, and such person duly acknowledged the execution of the same to be the act and deed of said limited liability company.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above mentioned.

Ryan Reimer Notary Public

(My Appt. Expires: 5-19-2024)



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RECEIVED SEP 23 2021

Garden City Field Office Division of Water Resources