

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

1. File Number: 25674	2. Status Change Date:	3. Change Num: C1	4. Field Office: 4	5. GMD: 3
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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: 1/18/2022
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8a. Applicant(s) New to system <input type="checkbox"/> Person ID <u>41429</u> Add Seq# <u>01</u> KRAMER ENTERPRISES Attn: JAMES B KRAMER PO BOX K HUGOTON, KS 67951-1210	8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
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8b. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____ 8a	8d. WUC New to system <input checked="" type="checkbox"/> Person ID <u>41429</u> Add Seq# <u>02</u> KRAMER ENTERPRISES Attn: BEN MCCLURE PO BOX K HUGOTON, KS 67951-1210
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9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/2022** N & P Date to Comply: **3/1/2023**

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: **1/19/2022** By: **AM**
 Date Entered: _____ By: _____

File No. **25674** 11. County: **SV** Basin: **COMARRON RIVER** Stream: Formation Code: **200/211** Special Use:

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

DEL 42579
ENT **NE SW SE** **11 35S 39W** **1137 1483** **995 250** **995 250** **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
 Owner Chg? Overlap Files

CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files		
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼						
CHK 6577																									8a	Y	NONE

Base Acres: Year: Minimum Reasonable Quantity:

Comments: **CHANGE OWNERSHIP FROM LIGHT TO KRAMER**

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

January 19, 2022

KRAMER ENTERPRISES
Attn: JAMES B KRAMER
PO BOX K
HUGOTON, KS 67951-1210

RE: Filed Office Application for Change
Water Right, File No. 25674

Dear Sir or Madam:

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 this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number 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 document referred to above, it 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 "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc: GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 19th day of January, 2022, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 25,674 dated 19th day of January, 2022 was mailed postage prepaid, first class, US mail to the following:

KRAMER ENTERPRISES
Attn: JAMES B KRAMER
PO BOX K
HUGOTON, KS 67951-1210

Pc:

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. 25674

RECEIVED

JAN 18 2022

1:41 pm
 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: KRAMER ENTERPRISES

PO BOX K HUGOTON KS 67951-1210

Phone Number: (620) 544-4331

Email address: CLIFFORDKRAMER@MSN.COM

Name and address of Water Use Correspondent: DAVID & RENEE LIGHT Same as Above - Attn: Ben

~~PO BOX 257 ROLLA KS 67954-0257~~

Phone Number: (620) 544-9763

Email address: dlight@pld.com

3. The presently authorized place of use is:

Owner of Land --- NAME: KIRAMER ENTERPRISES - NO CHANGE

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		

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 TR # _____ Receipt Date 1-18-22 Check # 2219

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ NC _____ Quarter of the _____ SE _____ Quarter
 of Section _____ 11 _____, Township _____ 35 _____ South, Range _____ 39 _____ (W),
 in STEVENS County, Kansas, 1300 feet North 1300 feet West of Southeast corner of section.
 Authorized Rate _____ -- _____ Authorized Quantity _____ -- _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 01 GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: 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 _____ NE _____ Quarter of the _____ SW _____ Quarter of the _____ SE _____ Quarter
 of Section _____ 11 _____, Township _____ 35 _____ South, Range _____ 39 _____ (W),
 in STEVENS County, Kansas, 1137 feet North 1483 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 _____ (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 _____ (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 AT
CURRENT WELL

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

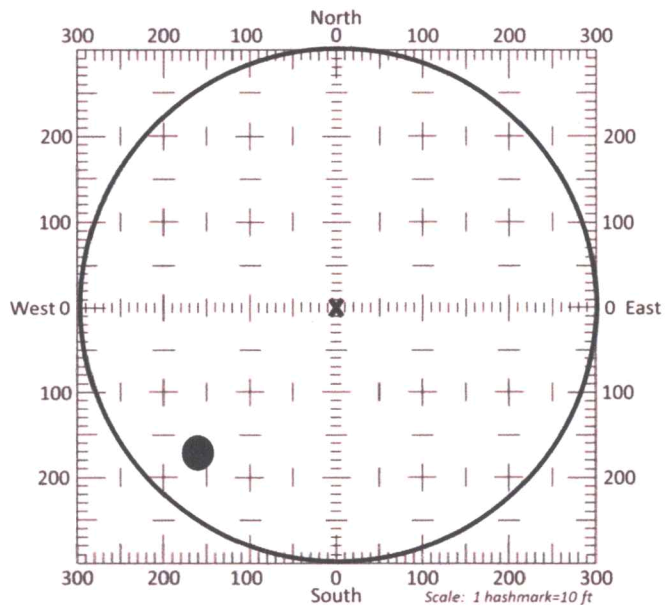
9. The change(s) (was)(will be) completed by?
FEBRUARY 28, 2022

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 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 Stevens, CO, Kansas, this 18th day of January, 2022.

<u>Clifford L. Kramer</u>	
(Owner)	(Spouse)
<u>Clifford L. Kramer</u>	
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of Kansas }
County of Stevens } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 18th day of January, 2022.

Janett Peinado
Notary Public

My Commission Expires 03-05-23

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

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. 25674.

1. A change application was received on January 18, 2022 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, 2022**, 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, 2022**, or within any authorized extension of time. By March 1, 2023 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

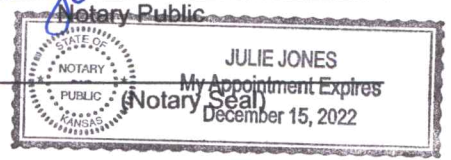
By: Austin McColloch
Duly Authorized Designee of the Chief Engineer
(Print Name): Austin McColloch
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: January 19, 2022
State of Kansas)
County of Atkinney) SS

Acknowledged before me on January 19, 2022
by Austin McColloch

Signature: Julie Jones
Notary Public

My commission expires: _____
(Notary Seal)



Sec. 11 -Blk T-35

Survey R-39 Co. Stevens

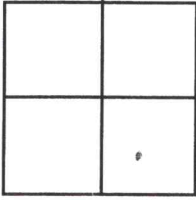
N. 37.01348° W. 101.52430°



No. 28904

PO Box 784
Sunray, TX 79086
(806)948-4421

Kramer Enterprise



Test Waterwell

DATE 12-7-21

NO. 1-21

FROM	TO	DESCRIPTION	SAND
0	20	Surface top Soil brown clay to fine sand	
20	160	Sand w/brown clay strip'	
160	240	Sand w/brown clay strip'	
240	260	Fine fairly loose sand to brown sandy clay	11
260	280	Brown clay to fine fairly loose sand	14
280	300	med to fine fairly loose sand w/some clay mix	20
300	320	fine fairly loose sand to brown sandy clay + clay	5
320	340	Brown sandy clay w/ fine dirty sand strips + clay mix	4
340	360	Brown sandy clay + clay	0
360	380	Brown sandy clay to fine fairly loose sand w/ clay mix	17
380	400	Brown sandy clay w/ fine dirty sand strips + clay mix	7
400	420	fine to med fine fairly loose sand	20
420	440	Fine fairly loose sand w/brown clay mix	20
440	460	Brown sheny clay to fine to med fairly loose sand w/little clay mix	14
460	480	med size fairly loose sand w/coarse strips + little brown clay mix	20
480	500	med fine fairly loose sand w/brown clay mix	20
500	520	med to coarse fairly loose sand w/gravel	20
520	540	med to coarse fairly loose sand w/gravel + little clay mix	20
540	560	med to coarse fairly loose sand w/gravel to brown + red clay	11
560	580	Tight to firm red clay + shale	0

1 Drag bit 1/4 Sn EG-HV

DEED - General Warranty

THIS DEED, Made this 12th day of May, 2004, between

DAVID C. LIGHT and L. RENEE LIGHT, Husband and Wife, party of the first part,

and

KRAMER ENTERPRISES, A PARTNERSHIP, party of the second part.

WITNESSETH, That said party of the first part, in consideration for the sum of Ten and no/100 Dollars, and other good and valuable consideration, the receipt whereof is hereby acknowledged, do by the presents, grant, bargain, sell and convey unto said party of the second part, their heirs and assigns, all the following described real estate situated in the County of Stevens, and the State of Kansas, to wit:

WR
25674

SURFACE AND SURFACE RIGHTS ONLY, INCLUDING WATER RIGHTS, IN AND TO: THE SOUTHEAST QUARTER (SE/4) OF SECTION ELEVEN (11), TOWNSHIP THIRTY-FIVE (35) SOUTH, RANGE THIRTY-NINE (39) WEST OF THE 6TH P.M., STEVENS COUNTY, KANSAS, ACCORDING TO THE GOVERNMENT SURVEY RECORDED THEREOF.

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

And party of the first part, for themselves, their heirs, executors and administrators, does hereby covenant, promise and agree to and with party of the second part 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 and in all and singular the above granted and described premises, 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 what nature or kind soever except and subject to:

Mineral rights owned by others as appears of public record; and further subject to oil and gas leases, unitization agreements, lease modification agreements, and easements of record, if any, insofar as the same are valid.

and that they will warrant and forever defend the same unto party of second part, its heirs and assigns, against party of the first part, their heirs, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, party of the first part has hereunto subscribed their name, the day and year first above written.

David C. Light
DAVID C. LIGHT

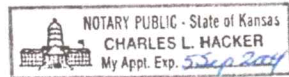
L. Renee Light
L. RENEE LIGHT

STATE OF: } KANSAS
COUNTY OF: }

Subscribed and sworn before me this 12th day of May, 2004 by DAVID C. LIGHT and L. RENEE LIGHT, Husband and Wife, who is personally known to me to be the same persons who executed the foregoing deed, and duly acknowledged the execution of the same.

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

(seal)



Charles L. Hacker
Notary Public
My appointment expires 5 Sep 2004

REGISTER OF DEEDS:



STATE OF KANSAS SS
COUNTY OF STEVENS
This instrument was filed for record on the
12th day of May, A.D. 2004
at 2:00 o'clock P.M. and duly recorded in
Book 217 of page 641 Fee \$ 8.00
Uma A. Schmittke, Deputy
Register of Deeds

TRANSFER RECORD:

Entered in Transfer Record in my office this
12 day of May
A.D. 2004
Jim Bernal



WATER USE CORRESPONDENT CHANGE FORM

ATTENTION LANDOWNER(S): COMPLETE ONLY IF A NON-OWNER IS TO REPORT WATER USE

To: Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502
<http://agriculture.ks.gov/dwr>

Re: Water Use Correspondent for

File No(s) 25674

I am aware that Kansas law (K.S.A. 82a-732) requires the owner of a water right or permit to appropriate water for beneficial use, except for domestic use, to file an annual water use report with the Division of Water Resources, Kansas Department of Agriculture on or before March 1 following the end of the previous calendar year. I understand that the law provides that failure to file the report or submission of an incomplete or inaccurate report could subject me, as owner (or part owner) of the above file number(s) to a civil penalty not to exceed \$1,000 and that any person falsifying the report could be charged with a class C misdemeanor.

I further understand that as water use correspondent my designee will be the only person who will receive an annual water use report from the Division of Water Resources concerning my water use reporting requirement.

Information of the new water use correspondent:

Name: Kramer Enterprises

Address: P.O. Box K

City, State, Zip: Hugoton KS 67951

E-mail: bjmcclure@hotmail.com

Telephone: 620-544-4330

Attn. - Ben McClure

I designate the above as the water use correspondent for the above file number(s) until I rescind this authority in writing.

Clifford L. Kramer
Owner/Agent Signature

Clifford L. Kramer
Print Name

P.O. Box K
Address

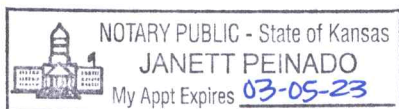
620-544-4330
Telephone

Hugoton, KS 67951
City, State, Zip

State of Kansas)
County of Stevens)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 18th day of January, 2022.

My Commission Expires: 03-05-23



South River
Notary Public

DWR Initials