

File No. 26951	11. County: GRANT	Basin: N F cimarron	Stream:	Formation Code: 211/331	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	Additional	Overlap PD Files					
ent	sw	se	22	28	35w	441	2603											
del	11592																	
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	NE 1/4		NW 1/4		SE 1/4		SW 1/4		Total	Owner	Chg?	Overlap Files	
inc						NE 1/4	NW 1/4	SE 1/4	NW 1/4	NE 1/4	SE 1/4	NW 1/4	SW 1/4	SE 1/4				
Base Acres: _____ Year: _____ Minimum Reasonable Quantity: _____																		
Comments: _____																		

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
GARDEN CITY FIELD OFFICE
2508 JOHNS STREET
GARDEN CITY, KS 67846-2804



PHONE: (620) 276-2901
FAX: (620) 276-9315
www.agriculture.ks.gov

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

April 25, 2018

ROBERT D & DEBRA K KOEHN
14286 E ROAD 11
ULYSSES KS 67880-8145

RE: Change in Point of Diversion Water Right, File No 26951

Dear Mr & Mrs Koehn:

Enclosed you will find a *Summary Order Approving Application for Change in Points of Diversion* for the above referenced file. This order modifies the authorized well location under the referenced file. This order modifies the original document; it should be recorded at the County Register of Deeds.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this order. The diversion works should be completed and reported to the Division of Water Resources by **December 31, 2018**. Enclosed is a form for this purpose, along with other information for reference.

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report.

This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order. The date of service is the date listed on the enclosed *Certificate of Service*.

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

Sincerely,

Thomas P. Makens
Assistant Water Commissioner

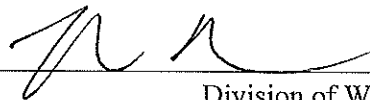
TPM:tpm
Enclosures
GMD#3

CERTIFICATE OF SERVICE

On this ^{26th} day of April 2018, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 26951 dated April 25, 2018 was mailed postage prepaid, first class, US mail to the following:

ROBERT D & DEBRA K KOEHN
14286 E ROAD 11
ULYSSES KS 67880-8145

Copy provided to GMD#3

A handwritten signature in black ink, consisting of stylized, cursive letters, positioned above a horizontal line.

Division of Water Resources

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

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

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



STATE OF KANSAS

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

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

 File No. 26951

RECEIVED
 10:46 AM
 MAR 29 2018

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: ROBERT D & DEBRA K KOEHN
14286 E ROAD 11 ULYSSES KS 67880-8145
 Phone Number: () Email address: _____
 Name and address of Water Use Correspondent: ROBERT D & DEBRA K KOEHN
14286 E ROAD 11 ULYSSES KS 67880-8145
 Phone Number: () Email address: _____

3. The presently authorized place of use is:
 Owner of Land ---- NAME: ROBERT D & DEBRA K KOEHN & KOEHN FAMILY LLC
ADDRESS: 14286 E ROAD 11 ULYSSES KS 67880-8145
 (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: no change to acres irrigated
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 3/29/18 Check # 3632

5. **Presently authorized point of diversion:**
 One in the nw Quarter of the sw Quarter of the se Quarter of Section 22 , Township 28 South, Range 35 W, in Grant County, Kansas, 900 feet North 2540 feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 2 GPS 689 feet North 2613 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 SW Quarter of the sw Quarter of the se Quarter of Section 22 , Township 441 28 South, Range 35 W, in Grant County, Kansas, 702 feet North 2603 2621 feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) 700
 This point is: Additional Well Geo Center List other water rights that will use this point ALT PWT Downst

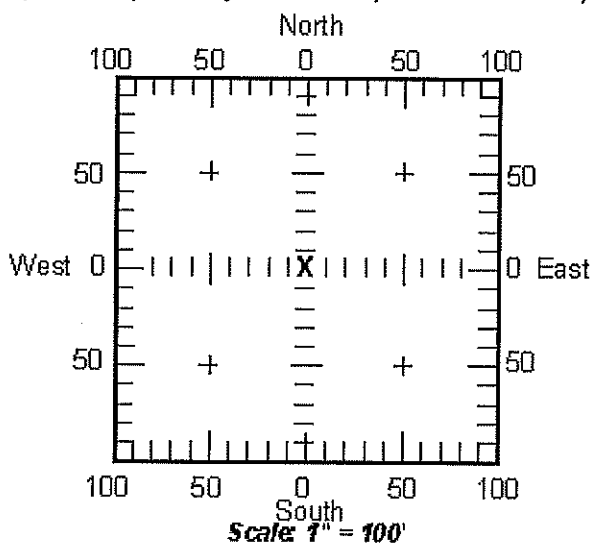
4/11/18

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) _____

old well needs to be replaced

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



8. If a well, is the test hole log attached? Yes No
 9. The change(s) (was)(will be) completed by?
April 15, 2018
 10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
plug
 (b) When will this be done? 2018

13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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 29th day of March, 2018.

X Robert Cochran

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

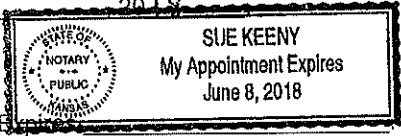
(Spouse)

(Please Print)

(Please Print)

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 29th day of March, 2018.



Sue Keeny

Notary Public

My Commission Expires _____

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. 26951

1. A change application was received on MARCH 29, 2018 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 authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion. Applicable Not Applicable
5. 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
6. 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
7. Installation of the works for diversion of water shall be completed on or before December 31, 2018, or within any authorized extension of time. By March 1, 2019 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
8. The completed well log shall be submitted with the required notice. Applicable Not Applicable
9. 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
10. Additional Conditions are attached. Yes No
11. 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: [Signature]
Duly Authorized Designee of the Chief Engineer

(Print Name): THOMAS P. MAKENS
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: APRIL 25, 2018

State of Kansas _____)

County of Finney) SS

Acknowledged before me on April 25, 2018
by Thomas P. Makens

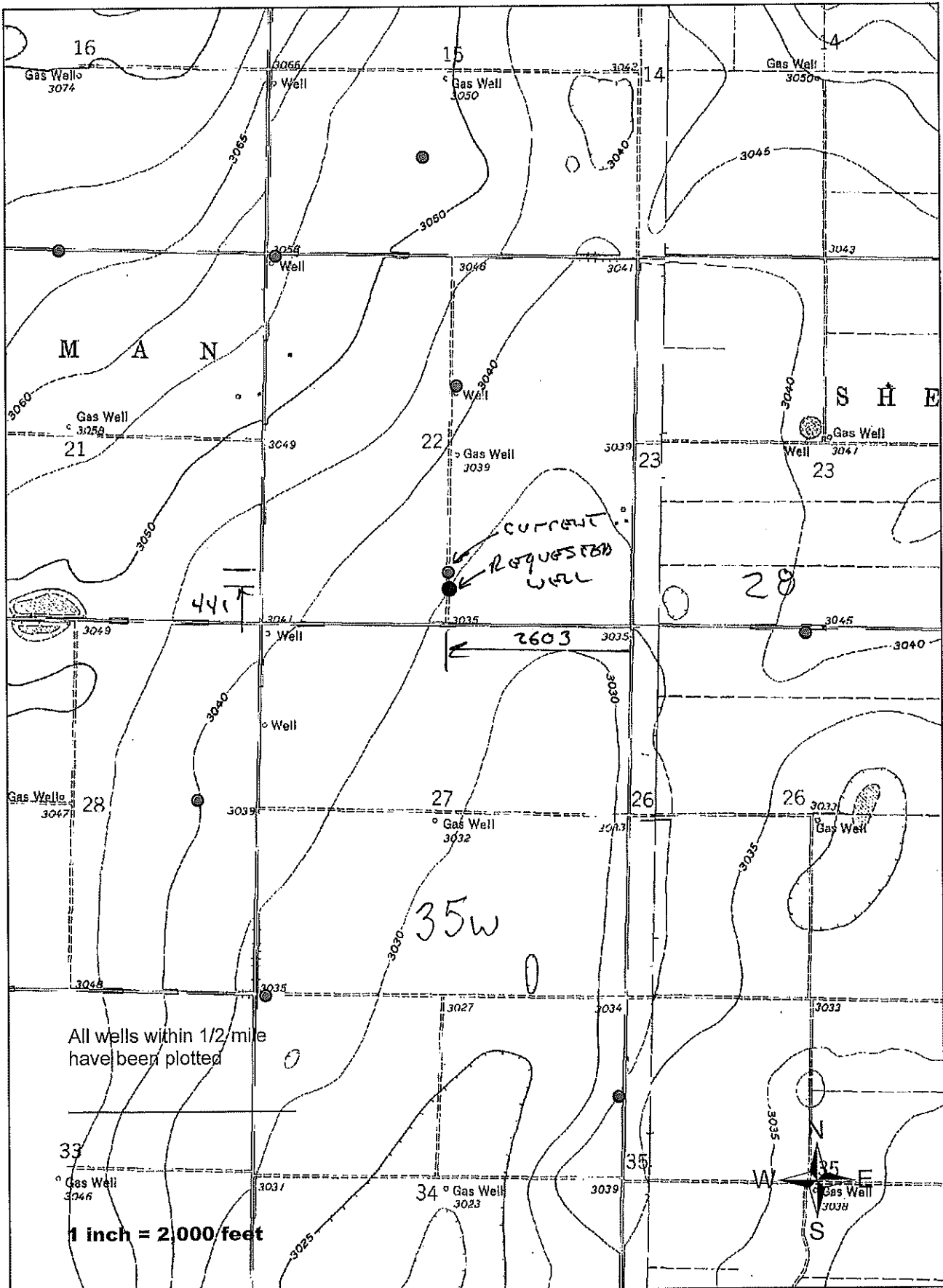
Signature: [Signature]



My commission expires: _____

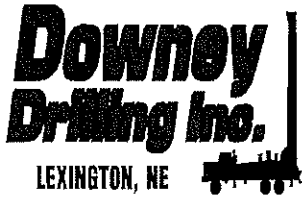
(Notary Seal)
File No. _____

26951



WELL LOG

DATE: 9/14/2017



RECEIVED

CUSTOMER NAME: ROBERT & DEBRA KOEHN

APR 11 2018

LEGAL: SE 22-28S-35W

COUNTY: GRANT

Garden City Field Office
Division of Water Resources

GPS: 37 35' 32" N 37.592272

-101 08' 08.68" W -101.13574

DRILLER: JERRY

WO#: 17-572

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	20	CLAY		BROWN / TAN			
	20	36	CLAY					
	36	40	COARSE SAND AND FINE GRAVEL					VIBRATION
	40	60	FINE-MEDIUM-SOME COARSE GRAVEL			FAST		CHOPPY
	60	71	CLAY			SLOW		SMOOTH
	71	80	COARSE SAND, FINE GRAVEL, LIME, AND CLAY STRIPS		BROWN / WHITE			VIBRATION
	80	100	FINE-MEDIUM-COARSE GRAVEL			FAST		CHOPPY
	100	120	MEDIUM-COARSE GRAVEL (ROCKS)					CHOPPY
	120	122	MEDIUM-COARSE GRAVEL					
	122	126	CLAY		YELLOW			
	126	138	FINE-MEDIUM GRAVEL (SOME ROCKS)					CHATTER / VIBRATION
	138	140	CLAY		YELLOW			
	140	145	MEDIUM-COARSE GRAVEL					CHOPPY
	145	150	CLAY (SANDY)		TAN			
	150	160	FINE-MEDIUM GRAVEL			FAST		CHATTER
	160	180	FINE-MEDIUM-COARSE GRAVEL			FAST		CHATTER
	180	182	FINE GRAVEL					CHATTER
	182	185	CLAY					SMOOTH
	185	197	FINE GRAVEL			FAST		CHATTER
	197	200	SANDY CLAY		TAN			
	200	207	COARSE SAND AND FINE GRAVEL					CHATTER
	207	210	CLAY					SMOOTH
	210	220	COARSE SAND AND FINE GRAVEL			FAST		CHATTER
	220	240	COARSE SAND, FINE GRAVEL, AND CLAY STRINGERS					
	240	247	COARSE SAND AND FINE GRAVEL					CHATTER
	247	250	CEMENTED SAND					
	250	260	COARSE SAND, FINE GRAVEL, AND TRACES OF LIME					CHATTER
	260	278	COARSE SAND, FINE GRAVEL, AND CLAY STRINGERS			FAST		VIBRATION
	278	280	CLAY		TAN			SMOOTH
	280	290	CLAY (SANDY CLAY)		TAN	SLOW		SMOOTH
	290	300	CLAY, COARSE SAND STRINGERS, AND SANDY CLAY					
	300	309	CLAY			SLOW		SMOOTH
	309	320	COARSE SAND AND A TRACE OF CLAY					CHATTER
	320	331	CLAY					
	331	337	COARSE SAND					

26951

