## NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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.

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of Section 35 Township 25 South, Range 35 (W. In KEARNY County, Kansas, 1200 feet North 3960 feet West of Southeast corner of section Authorized Rate Authorized Quantity (feet) Depth of well (feet) (Town use only: Computer ID No. 3 GPS feet North 1960 feet West) (Town use only: Computer ID No. 3 GPS feet North 1960 feet West) (Town use only: Computer ID No. 3 GPS feet North 1960 feet West) (Town use only: Computer ID No. 3 GPS feet North 1960 feet West) (Town use only: Computer ID No. 3 GPS feet North 1960 feet North 1960 feet North 1960 feet West) (Town use only: Computer of No. 3 GPS feet North 1960 feet North 1960 feet West) (Town use only: Computer of No. 7 GPS feet North 1960 feet West) (Town use only: Computer ID No. 7 GPS feet North 1960 feet West of Southeast corner of section 1960 feet West only: Computer ID No. 7 GPS feet North 1960 feet West of Southeast corner of section 2 GPS feet North 1960 feet West of Southeast corner of section 3 GPS feet North 1960 feet West of Southeast corner of section 3 GPS feet North 1960 feet West of Southeast corner of section 3 GPS feet North 1960 feet West of Southeast corner of section 3 GPS feet North 1960 feet West of Southeast corner of section 3 GPS feet North 1960 feet West of Southeast corner of section 3 GPS feet North 1960 feet West of Southeast corner of section 3 GPS feet North 1960 feet West of Southeast corner of section 3 GPS feet North 1960 feet West of Southeast corner of section 3 GPS feet North 1960 feet West of Southeast corner of section 3 GPS feet North 1960 feet West of Southeast corner of section 3 GPS feet North 1960 feet West of Southeast corner of section 3 GPS feet North 1960 feet West of Southeast corner of section 3 GPS feet North 1960 feet West of Southeast corner of section 3 GPS feet North 1960 feet West of Southeast corner of section 3 GPS feet North 1960 feet West of Southeast corner of section 3 GPS feet North 1960 feet West of Southeast corner of section 3 GPS feet North 1960 feet West of Southeast corner of section 3 GPS feet North		0. 0000.011			20		outil, Ital	ige		30	10000	(aa)
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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 diversion. (PLEASE NOTE: The "X" in center of diagram.	8.	If a well, is the test The change(s) (was UPON APPROVAL If the point of divers (a) What are you g	hole log attach	ned? Yes N	30 200 100 West 0	-   + -   + -   + -   -	+   +   +   -  -	= = = = = = = = = = = = = = = = =	- - - - - - - -	+   +   +   +	-  - -  - -  -	200 100 0 East
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addresses of the owners. For surface water sources, show the above represents the presently authorized point	8. 9. 10.	If a well, is the test The change(s) (was UPON APPROVAL If the point of divers (a) What are you go PLUG/CAP (b) When will this to Groundwater Manage Ye Assisted by AM/GC If the proposed point feet but within 2,640 a topographic map sources, show all well.	hole log attach s)(will be) com sion is a well: going to do with the dome to be done? UPO gement District s No FO t of diversion well for a gerial phells (including	ned? Yes No Pleted by?  The the old well?  ON COMPLETION  It recommendation attacking point of diversion totograph. For ground domestic) within one	30 No 200 100 West 0 100 tached? 200 than 300 on, attach 13b.lf thundwater of t	I +	+		-   +		-   -   -   -     -	200  100  0 East  100  200  in 300 fe on on th
names and addresses of the landowner(s) one-half mile diversion.)	8. 9. 10.	If a well, is the test The change(s) (was UPON APPROVAL If the point of divers (a) What are you g PLUG/CAP (b) When will this to Groundwater Manage Ye Assisted by AM/GC If the proposed point feet but within 2,640 at opographic manages ources, show all wo of the proposed point feet proposed point feet but within 2,640 at opographic management of the proposed point feet but within 2,640 at opographic management of the proposed point feet but within 2,640 at opographic management of the proposed point feet but within 2,640 at opographic management of the proposed point feet but within 2,640 at opographic management of the proposed point of the proposed po	hole log attach s)(will be) com sion is a well: going to do with the done? UPC gement District s No FO t of diversion well of the exit of the exit of the exit of the including int of diversion to find the diversion of diversion.	ned? Yes No Pleted by?  The the old well?  ON COMPLETION  It recommendation attacking point of diversion to domestic) within one on and the names and the na	do 200  No 200  100  West 0  tached? 200  than 300 on, attach 13b.lf thundwater of the chalf mile diagon dive	I + I + I + I + I + I + I + I + I + I +	+ +		h 100 h son will be sion, indelation to The "X	200 ale: 1 hash	o 3 mark=10 f ed with s locati existing	200  100  0 East  100  200  in 300 ference on on the point of diagram
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One in the \_\_\_\_\_ Quarter of the \_\_\_\_ NC \_\_\_ Quarter of the \_\_\_\_ SW

Presently authorized point of diversion:

Quarter

14. If tl	he proposed groundwater point of diversion is 300 or f	fewer feet from the existing point of diversion, complete the following:
(a)	Does the undersigned represent all owners of the cult Yes No (If no, all owners must sign	urrently authorized place(s) of use identified in this application? gn this application.)
(b)	Will the ownership interest of any owner of the curr affected if this application is approved as requested?  ☐ Yes ☐ No (If yes, all owners must size.)	
(c)	If this application is not approved expeditiously, will t ☐ Yes ☐ No (If no, all owners must sig	there be substantial damage to property, public health or safety? gn this application.)
or a cha		diversion, a groundwater change in point of diversion greater than 300 feet, yall owners of the currently authorized place of use, or their duly authorized to the currently authorized by the current
age an	d the owner, the spouse of the owner, or a dependent, in regards to the water right(s) to which ned in this application are true, correct and contact the correct and correct	th or affirmation and under penalty of perjury, that I am of lawful uly authorized agent of the owner(s) to make this application on the chis application pertains. I further verify that the statements omplete.  Sansas, this
	1 Mark 12	Kaith Lagar
	(Owner)	(Spouse)
	N. V. J.	K. Holan Voda
	(Please Print)	(Please Print)
	(Flease Fillity	(11000011111)
	(0)	(Chausa)
	(Owner)	(Spouse)
	(Please Print)	(Please Print)
10-11		
2/16 3 1	(Owner)	(Spouse)
	(Please Print)	(Please Print)
State of	Kansas )	
County	SS	
County		13
of her	Teby certify that the foregoing application was s	signed in my presence and sworn to before me this 13 day
	Note My Appt. E.	ISA A. CHESTER ary Public - State of Kansas  xpires 4 - 1 - 21  Notary Public
My Con	nmission Expires 4 - 7 - 2021	to a distribution of the company of
accurate		complete, all of the applicable portions of the application form must be completed witles of all the appropriate owners' must be affixed to the application and notarized; and
	E	EE SCHEDULE
Each ar		version under this section shall be accompanied by the application fee set
forth in	the schedule below: Make checks payable to: Kansa	as Department of Agriculture
		et or less
		han 300 feet
	(-)	42.00

#### 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. 22560-D2 A change application was received on requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application. 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 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 radius of the authorized point(s) of diversion. 

Applicable 

Not Applicable 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 The point(s) of diversion authorized herein shall not actually be located more than \_ feet from the previously 5. authorized point(s) of diversion. ☐ Applicable ☐ Not Applicable 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. 

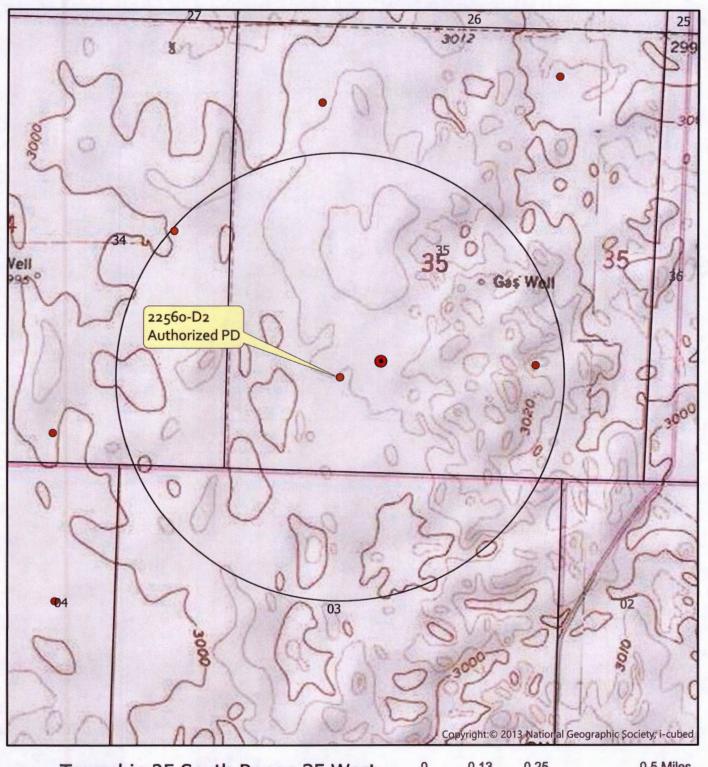
Applicable Not Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20\_\_\_\_, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with 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 Installation of the works for diversion of water shall be completed on or before December 31, 20\_ authorized extension of time. By March 1, 20\_\_\_\_ the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. ☐ Not Applicable Applicable ■ Not Applicable The completed well log shall be submitted with the required notice. Applicable 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 Additional Conditions are attached. ☐ Yes 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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 By: \_ filed within 15 days of service of this Order and a request for Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative (Print Name): review must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Date of Issuance: Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of \_ Acknowledged before me on \_\_\_ Signature: Notary Public My commission expires: (Notary Seal)

Page 4

DWR 1-121 (Revised 04/5/2018)

File No.

#### CHANGE IN POINT OF DIVERSION FILE NO. 22560-D2



Township 25 South Range 35 West Kearny County 0 0.13 0.25 0.5 Miles

POINT OF DIVERSION

All wells within a 1/2 mile are shown:

W

PROPOSED PD

Created By: AM/GCFO

TEST HOLE #2

Downey Drilling Inc.

CUSTOMER NAME: SOUTHWEST AG

G-53

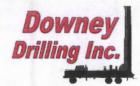
LEGAL: SW 35-25S-35W

COUNTY: KEARNY

GPS: 37.832234

-101.13429

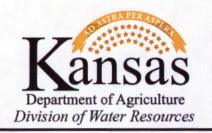
47 90 122 189 199 216 228 261 314	FINE SAND  FINE-MEDIUM-COARSE SAND AND SMALL-MEDIUM-LARGE GRAVEL  FINE-MEDIUM-COARSE SAND, SMALL GRAVEL, AND A FEW CLAY LAYERS  SANDY CLAY WITH A FEW SAND STRIPS	LOOSE HARD IN PLACES +		FAST		
122 189 199 216 228 261	FINE-MEDIUM-COARSE SAND, SMALL GRAVEL, AND A FEW CLAY LAYERS	HARD IN				SMOOTH
189 199 216 228 261				FAST		CHATTER AND ROUGH SMOOTH AND A
199 216 228 261	SANDY CLAY WITH A FEW SAND STRIPS			SLOW		LITTLE CHATTER SMOOTH AND A
216 228 261		FAIR	BROWN	SLOW		LITTLE CHATTER
228 261	FINE-MEDIUM-COARSE SAND AND SMALL GRAVEL	FAIR		FAST		CHATTER SMOOTH AND A
261	SANDY CLAY WITH A COUPLE SAND STRIPS	FAIR	BROWN	SLOW		LITTLE CHATTER
	FINE-MEDIUM-COARSE SAND	FAIR STICKY IN		FAST		CHATTER
314	SANDY CLAY STATIC ,	PLACES	BROWN	SLOW		SMOOTH VIBRATION AND
ALCOHOLD STREET	FINE-MEDIUM SAND WITH MANY CLAY LAYERS	STIFF	BROWN	SLOW		SMOOTH
320	FINE-MEDIUM-COARSE SAND	FAIR		FAST		CHATTER
348	CLAY	STICKY	TAN	SLOW		SMOOTH
371	FINE-MEDIUM SAND	FAIR		FAST		VIBRATION
376	FINE-MEDIUM-COARSE SAND	FAIR		FAST		CHATTERY
385	CLAY	STICKY	TAN	SLOW		SMOOTH
407	FINE-MEDIUM SAND	FAIR		FAST		VIBRATION
415	CLAY	STICKY	TAN	SLOW		SMOOTH
440	FINE-MEDIUM SAND	LOOSE		FAST		VIBRATION
461	SOAPSTONE	STICKY	YELLOW	SLOW		SMOOTH VIBRATION AND
480		TIGHT	YELLOW	SLOW		СНОРРУ
490	Control of the Contro	STICKY	AND GRAY	SLOW		SMOOTH
493		HARD	BLUEISH	SLOW		ROUGH
526 650		FAIRLY LOOSE	GRAY	SLOW LITTLE FAST		VIBRATION AND CHOPPY
653		LITTLE	BLUE	SLOW		СНОРРУ
660		FAIRLY		LITTLE		VIBRATION
680	SHALE	HARD	BLUE	SLOW		СНОРРУ
	OUR OF LAN					
		1 1 1 1 1				
	9000 GAL. WATER					
		QUIK GEL - 24  EZ MUD - 1 GAL.  CASING SEAL - 1  HOLE PLUG - 2  9000 GAL. WATER	EZ MUD - 1 GAL.  CASING SEAL - 1  HOLE PLUG - 2	EZ MUD - 1 GAL.  CASING SEAL - 1  HOLE PLUG - 2	EZ MUD - 1 GAL.  CASING SEAL - 1  HOLE PLUG - 2	EZ MUD - 1 GAL.  CASING SEAL - 1  HOLE PLUG - 2



### Well Design & Construction "PROPOSED"

Customer Name: SOUTHWEST AG	M-53
Legal: SW 35-25S-35W	County: KEARNY
GPS: 37.832234	Date:
-101.13429	WO #:
DRILLER: ISAAC AND CREW	WATER SUPPLY: NEARBY IRRIGATION WELL
ELPER(S):	DRILLING RIG: M-100
BOREHOLE DIAMETER: 30"	DRILLING METHOD: REVERSE CIRCULATION
CASING DIAMETER: 16"	QUIKGEL: TBD HOLE PLUG: 20'
TOTAL WELL DEPTH: 675'	GRAVEL: 135+ T. 3 LOADS #1 COARSE
DRILLING FLUID: TBD	GRAVEL SUPPLIER: HUBER 2 LOADS #1 C #1 F 70/30 MIX
ADDITIONAL INFO:	
GROUT	1
AND	SCREEN AND
GRAVEL	CASING
	ATION WELL
1" SOUNDER TUBE>	d* GRAVEL TUBE 2'
SURFACE	36" X 20' CMP
SEAL	SURFACE CASING
(HOLE PLUG)	WITH CEMENT GROUT
0'	
	GRAVEL TUBE
	STOPS AT 40'
	OTOF GAT 40
	16" .250 WALL
	PLAIN
	STEEL CASING
GRAVEL	
PACK	
	305'
	16" JOHNSON
	.080 SLOT
	AGRI SCREEN PLUS
	465'
	16" .250 WALL
	.060 X104
	PERF CASING
	545'
	16" JOHNSON
	.050 SLOT
SOUNDER TUBE	AGRI SCREEN PLUS
STOPS AT 660'	665'
	16" .250 WALL
	PLAIN STEEL CASING
675'	(SUMP) 675'

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

March 16, 2020

DAVID KRAUSE PO BOX 252 PLAINS, KS 67869-0252

RE: Water Right, File No. 22560-D2

Dear Sir or Madam:

This is to advise you that Duane & Kathleen Koster has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced applications. An irrigation well is proposed to be relocated to the NE½SE½SW¼ of Section 35, Township 25 South, Range 35 West, Kearny County.

You can find the complete applications posted by water right file number as referenced above at: <a href="https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices">https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices</a>

You are notified on this proposed point of diversion (well) so that you may furnish this office with any comments or other information you want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3