

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

1. File Number: 31341	2. Status Change Date:	3. Change Num: C4	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: 5/7/2021
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8a. Applicant(s) New to system <input type="checkbox"/> Person ID <u>58065</u> Add Seq# <u>1</u> NATHAN & VANCE KELLS 842 ROAD 60 SATANTA, KS 67870-7010	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 type="checkbox"/> Person ID <u>58065</u> Add Seq# <u>2</u> NATHAN & VANCE KELLS 842 ROAD 60 SATANTA, KS 67870-7010
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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: **5/10/2021** By: **AM**
 Date Entered: _____ By: _____

File No. **31341** 11. County: **HS** Basin: **ARKANSAS RIVER** 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 Additional Rate gpm/cfs Quantity af/mgy Overlap PD Files

DEL 19942

ENT SE NW NE 21 27S 33W 4305 1363 1220 378 1220 378 NONE

CHK 88578 NW NE NW 21 27S 33W 3 5316 3436 1060 200 1060 200 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 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 24457																									

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

May 10, 2021

NATHAN & VANCE KELLS
842 ROAD 60
SATANTA, KS 67870-7010

RE: Water Right, File No. 31341

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 10th day of May, 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 31,341 dated 10th day of May, 2021 was mailed postage prepaid, first class, US mail to the following:

NATHAN & VANCE KELLS
842 ROAD 60
SATANTA, KS 67870-7010

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. 31341

RECEIVED
 9:30 AM
 MAY 07 2021
 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: NATHAN & VANCE KELLS
842 ROAD 60 SATANTA KS 67870-7010

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: NO CHANGE - SAME AS ABOVE

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 \$ 100.00 TR # _____ Receipt Date 5-7-21 Check # 17285

5. **Presently authorized point of diversion:**

One in the _____ Quarter of the _____ NC _____ Quarter of the _____ NE _____ Quarter of Section _____ 21 _____, Township _____ 27 _____ South, Range _____ 33 _____ (W), in HASKELL County, Kansas, 4018 feet North 1377 feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)

(DWR use only: Computer ID No. 02 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 _____ SE _____ Quarter of the _____ NW _____ Quarter of the _____ NE _____ Quarter of Section _____ 21 _____, Township _____ 27 _____ South, Range _____ 33 _____ (W), in HASKELL County, Kansas, 4305 feet North 1363 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 _____ NW _____ Quarter of the _____ NE _____ Quarter of the _____ NW _____ Quarter of Section _____ 21 _____, Township _____ 27 _____ South, Range _____ 33 _____ (W), in HASKELL County, Kansas, 5316 feet North 3436 feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)

(DWR use only: Computer ID No. 03 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

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

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

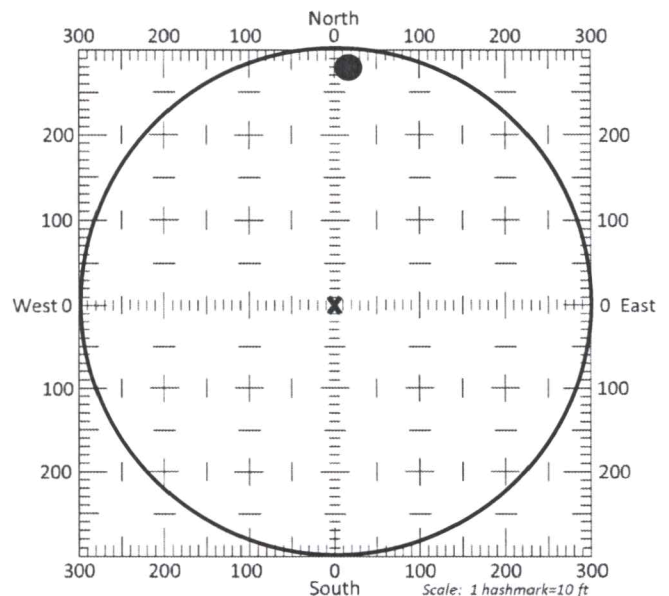
10. If the point of diversion is a well:
(a) What are you going to do with the old well? PLUG / CAP

(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 Satanta, Kansas, this 6th day of May, 2021.

[Signature]

 (Owner)
Platham Kells

 (Please Print)
[Signature]

 (Owner)
Vance Kells

 (Please Print)

 (Owner)

 (Please Print)

[Signature]

 (Spouse)
Sarah Kells

 (Please Print)

 (Spouse)

 (Please Print)

 (Spouse)

 (Please Print)

State of Kansas }
 County of HASKELL } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 6th day of MAY, 2021.

My Commission Expires _____

[Signature]

 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

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. 31341.

1. A change application was received on May 7, 2021 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, 2021 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

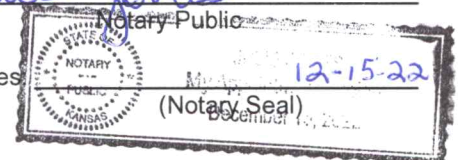
If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and 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



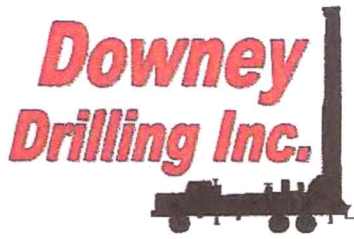
FOR OFFICE USE ONLY
APPLICATION APPROVED AND SUMMARY ORDER ISSUED

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: May 10, 2021
State of Kansas)
County of Finney) SS
Acknowledged before me on May 10, 2021
by Austin McColloch
Signature: Julie Jones
Notary Public
My commission expires 12-15-22
(Notary Seal)



WELL LOG

DATE: 5/4/2021



CUSTOMER NAME: NATHAN KELLS TH#2

LEGAL: NE 21-27S-33W

COUNTY: HASKELL CO. KS

GPS: 37.690315

-100.930036

LOGGER:

DRILLER: DIEGO VALLE

WO: 21-513

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
0	2		TOPSOIL	SOFT	DARK BROWN	FAST		SMOOTH
2	15		BROWN SILTY CLAY	SOFT	BROWN	FAST		SMOOTH
15	70		FINE SAND W/ CLAY LEDGES	SOFT	TAN	FAST		VIBRATION
70	75		SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		SMOOTH & VIBRATION
75	90		FINE-MED-COARSE SAND	FIRM		FAST		CHOPPY & VIBRATION
90	110		FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		FAST CHATTER
110	117		FINE-MED GRAVEL	HARD		SLOW		CHATTER
117	119		CEMENTED SAND	HARD		SLOW		CHATTER
119	135		FINE-MED GRAVEL W/ FINE-MED-COARSE SAND & CLAY LAYERS	HARD		FASTER		CHATTER
135	169		FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
169	173		SANDY CLAY	SOFT	YELLOWISH	FAST		SMOOTH
173	210		FINE-MED GRAVEL	STIFF		FAST		CHATTER
210	258		FINE-MED-COARSE SAND	STIFF		FAST		FAST CHATTER
258	269		FINE-MED GRAVEL	HARD		SLOWER		CHATTER
269	270		CEMENTED SAND	HARD		SLOW		CHATTER
270	275		FINE-MED GRAVEL W/ FINE-MED-COARSE SAND	STIFF		FAST		FAST CHATTER
275	277		CEMENTED SAND	HARD		SLOW		CHATTER
277	301		FINE-MED-COARSE SAND W/ FINE GRAVEL & LIMEROCK LEDGES	STIFF		FASTER		FAST CHATTER
301	309		FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
309	313		SANDY CLAY	SOFT	TAN	FAST		SMOOTH
313	316		FINE-MED GRAVEL	HARD		SLOW		CHATTER
316	321		SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		SMOOTH & VIBRATION
321	345		FINE-MED SAND W/ A FEW BLACK ROCK	FIRM		FAST		FAST CHATTER
345	357		SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		SMOOTH & VIBRATION
357	364		FINE-MED-COARSE SAND (STATIC?)	FIRM		FAST		FAST CHATTER
364	370		SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		SMOOTH & VIBRATION
370	385		FINE-MED SAND	FIRM		FAST		FAST CHATTER
385	405		STICKY CLAY	STICKY	BRAN	FAST		SMOOTH
405	419		WHITE CLAY W/ FINE SAND	SOFT	WHITE	FAST		SMOOTH & VIBRATION
419	427		SANDY CLAY	SOFT	TAN	FAST		SMOOTH
427	435		FINE-MED SAND W/ LIMEROCK	STIFF		FAST		FAST CHATTER
435	445		SANDY CLAY	SOFT	TAN	FAST		SMOOTH
445	460		BROWN SILTY CLAY	SOFT	BROWN	FAST		SMOOTH
460	469		SANDY CLAY W/ WHITE CLAY	SOFT	TAN & WHITE	FAST		SMOOTH
469	472		REDISH SOAPSTONE	SOFT		FAST		SMOOTH
472	473		BROWN ROCK	STIFF		FAST		FAST CHATTER

STATIC

NATHAN KELLS

NE 21-27S-33W HASKELL CO.

Legend

TH #2 ELEV=2951'

TEST HOLE LOCATION ELEV=2960'

IRR WELL ELEV=2963' (WR #31341 NE)

Google Earth

© 2021 Google

400 ft



NATHAN KELLS

NE 21-27S-33W HASKELL CO.

Legend

TH #2 ELEV=2949'
(WR #31341-NW)

740

R. BROWN TH #3 ELEV=2950'

KS T27S R33W

TH #2 ELEV=2951'
TEST HOLE LOCATION ELEV=2960'

IRR WELL ELEV=2963' (WR #31341 NE)

Co Rd-JJ

Google Earth

© 2021 Google



2000 ft

INPUTS	
Target Section Definition	
Section	21
Township	27
Range	33
Range Direction	w
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-100.930036
Target Latitude	37.690315

Load Data and Compute

- Instructions**
1. Enter values for section, township, range and range direction.
 2. Enter **NAD27** or **NAD83** longitude and latitude of target point.
 3. Click "Load Data and Compute" button.
 4. Use feet distances corresponding to datum of target point.

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	37.67855209	-100.94366647
NW	37.69318489	-100.94359053
NE	37.69324591	-100.92537079
SE	37.67849107	-100.92532469
Degrees Longitude per Foot		3.45546992E-06
Degrees Latitude per Foot		2.74624163E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	4283	-3945
NW	-1045	-3923
NE	-1067	1350
SE	4305	1363

Target point is In Section

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	37.67852800	-100.94322200
NW	37.69316100	-100.94314600
NE	37.69322200	-100.92492700
SE	37.67846700	-100.92488100
Degrees Longitude per Foot		3.45546880E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	4292	-3816
NW	-1036	-3794
NE	-1059	1479
SE	4315	1492

Target point is In Section

Difference (NAD83 Minus NAD27)		
Corner	Corner Latitudes	Corner Longitudes
SW	0.00002409	-0.00044447
NW	0.00002389	-0.00044453
NE	0.00002391	-0.00044379
SE	0.00002407	-0.00044369
Difference (NAD83 Minus NAD27)		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	-9.17228577	-128.62671760
NW	-8.60250893	-128.64408846
NE	-8.60772000	-128.43163337
SE	-9.16707471	-128.40269803