

Kansas Department of Agriculture
Division of Water Resources
 APPROVAL OF CHANGE APPLICATION WORKSHEET

1. File No.: 27638	2. Status Change Date:	4. Field Office: 04 - Garden City GMD: 03 - Southwest Structures File No.: Filing/Priority Date: 02/10/2025 Application Complete Date: 02/11/2025
3. Package File No(s):		
5a. <input type="checkbox"/> Applicant <input checked="" type="checkbox"/> Owner <input checked="" type="checkbox"/> WUC Person ID 9535 <input type="checkbox"/> Address Change Add Seq#	5b. <input checked="" type="checkbox"/> Owner <input type="checkbox"/> WUC Person ID 28310 <input type="checkbox"/> Address Change Add Seq#	
KLEYTEUBER & GILLEN INC 13060 S COUNTY RD 20 GARDEN CITY, KS 67846-9711	IRSIK & DOLL FEED SERVICES INC ATTN: ELEVATOR PO BOX 2059 GARDEN CITY, KS 67846	
5c. <input type="checkbox"/> Owner <input type="checkbox"/> WUC Person ID <input type="checkbox"/> Address Change Add Seq#	5d. <input type="checkbox"/> Owner <input type="checkbox"/> WUC Person ID <input type="checkbox"/> Address Change Add Seq#	
6. Change No.: 3 <input checked="" type="checkbox"/> PD <input type="checkbox"/> PU <input type="checkbox"/> UMW Base Acres: Year: Min Reasonable Q: Previous UMW: MDS Gauge: Active Admin? <input type="checkbox"/> Completion/Start Date: 3/01/2026 Perfection/Expiration Date:		7. Use of Water <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water UMW: IRR-Irrigation UMW: UMW:
8. Action Trail		
9. Special Conditions		
10. 5YR Allocation Type: Start Year: 5YR Quantity: Base Acres: Comment:		
11. Sand & Gravel Proj ID: <input type="checkbox"/> Active <input type="checkbox"/> Dredge <input type="checkbox"/> IND Evap <input type="checkbox"/> Jr Evap <input type="checkbox"/> Other Diversion <input type="checkbox"/> Rpt on Sr		
12. Waiver Rule ID: <input type="checkbox"/> New Date Requested: Applies: Rule No.: Justification: Rule Type: Rule SubType:		
Comments add condition to limit deth of well (aquifer cond).	Processed 02/11/2025 MAM	Entered
	Reviewed	

File No. **18144** 13. County: **FI** Basin: **ARKANSAS RIVER** Stream:
 Structures File No: Aquifer Code: **211** Special Use Area:

14. Points of Diversion, Rates & Quantities											Qty AF		Rate gpm		Storage Qty		Storage Rate	
PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Auth	Add	Auth	Add	Auth	Add	Auth/Add	Overlaps		
DEL	10017																	
ENT	SENWNW	21	26	31W	4030	4091			306	306	735	735						

15. Limitations Type: Quantity: Rate: combined with file no(s):
 Type: Quantity: Rate: combined with file no(s):

16. Metering Metering Required Anti-Reverse Required Seal Required Compliance Date: 12/31/2025

17. Place of Use											NE¼		NW¼		SW¼		SE¼		Total	Owner(s)	Chg? Overlaps			
PUSE	S	T	R	ID	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Total	Owner(s)	Chg? Overlaps	
CHK	7472																							<input type="checkbox"/>
CHK	29654																							<input type="checkbox"/>
CHK	31551																							<input type="checkbox"/>
																								<input type="checkbox"/>
																								<input type="checkbox"/>
																								<input type="checkbox"/>

18. Point of Diversion and Place of Use Overlaps

<p>* + # ^</p>	<p>** ++ ## ^^</p>
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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

February 11, 2025

KLEYSTEUBER & GILLEN INC
13060 S COUNTY RD 20
GARDEN CITY, KS 67846-9711

RE: Filed Office Application for Change
Water Right, File No. 18144

Dear Sir:

Enclosed is an 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 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 files number and meet current specifications. An additional condition is required to limit the depth of the well.

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.

The abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

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

Sincerely,


Michael A. Meyer
Water Commissioner

MAM
Enclosures

pc: IRSIK & DOLL FEED SERVICES INC

CERTIFICATE OF SERVICE

On this 11th day of February 2025, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 18,144 dated 11th day of February 2025 was mailed postage prepaid, first class, US mail to the following:

KLEYTEUBER & GILLEN INC
13060 S COUNTY RD 20
GARDEN CITY, KS 67846-9711

pc:

IRSIK & DOLL FEED SERVICES INC
ATTN: ELEVATOR
PO BOX 2059
GARDEN CITY, KS 67846



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. 18144

RECEIVED
 11:35 AM
 FEB 10 2025

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

Garden City Field Office
 Division of Water Resources

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: JOHNKLEYTEUBER

13060 S COUNTY RD 20 GARDEN CITY KS 67846

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: NO CHANGE

Phone Number: () Email address: _____

3. The presently authorized place of use is:

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			

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

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 CLT Fee \$ 100.00 TR # _____ Receipt Date 2-10-25 Check # 001375

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ NC Quarter of the _____ NW Quarter of the _____ Quarter of Section _____ 21 _____, Township _____ 26 _____ South, Range _____ 31 _____ W, in FI _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____ Depth of well _____ 368 _____ (feet)
(DWR use only: Computer ID No. 02 GPS 3945 feet North 3864 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 _____ NW Quarter of Section _____ 21 _____, Township _____ 26 _____ South, Range _____ 31 _____ W, in FI _____ County, Kansas, _____ 4030 _____ feet North _____ 4091 _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____ 380' MAX _____.
 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) LOW PRODUCTION

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

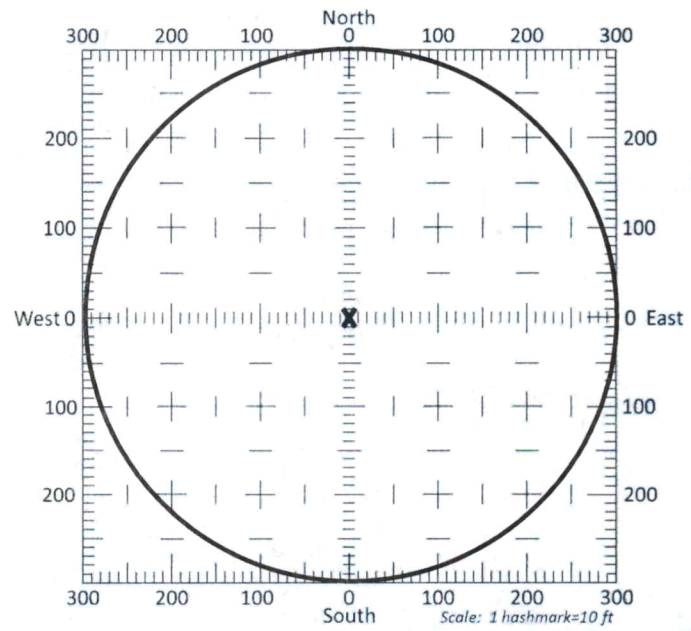
9. The change(s) (was)(will be) completed by?
2025

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? 2025

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by MM/DWR

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 Garden City, Kansas, this 10th day of February, 20 25.

[Signature]

(Owner)

(Spouse)

Jana Kleistebel

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

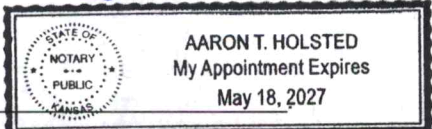
(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Linney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 10th day of February, 20 25.



Aaron Holsted

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. 18144.

1. A change application was received on February 10, 2025 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, 2025**, 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, 2025**, or within any authorized extension of time. By March 1, 2026 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: Michael A. Meyer
Duly Authorized Designee of the Chief Engineer

(Print Name): MICHAEL A. MEYER
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: February 11, 2025

State of Kansas)
) SS

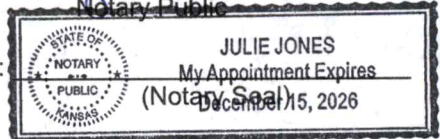
County of Ginnery)

Acknowledged before me on February 11, 2025

by Michael A. Meyer

Signature: Julie Jones
Notary Public

My commission expires: _____
(Notary Seal) December 15, 2026



ADDITIONAL CONDITIONS TO
SUMMARY ORDER APPROVING APPLICATION FOR CHANGE
AND IMPOSING CONDITIONS,
Water Right, File No. 18,144

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the following condition is included as a condition of the approval of this application for change in point of diversion.

That the well authorized shall be screened no deeper than 380' below land surface, which is considered to be the bottom of the Ogallala aquifer at this location. Any casing placed below 380' below land surface shall not be screened and the annular space outside of the casing below 380' below land surface shall be grouted according to rules and regulations promulgated by the Kansas Department of Health and Environment Article 30 to not allow production of water from underlying Cretaceous Aquifers.

By: Michael A. Meyer
(Duly Authorized Designee of the Chief Engineer)

(Print Name): MICHAEL A. MEYER
Division of Water Resources Kansas Department of Agriculture

Dated of Issuance: February 11, 2025

State of Kansas)
) SS
County of Finney)

Acknowledged before me on the 11th day of February 2025

By Michael A. Meyer

Signature Julie Jones
Notary Public

My Commission expires:



NW 21-26-31 Finney

NASH WATER WELL SERVICE, LLC
PO Box 1388
710 W AVE A
CIMARRON KS 67835
620-277-5657

OWNER: JOHN KLEYSTUBER

LATITUDE: 37.776915
LONGITUDE: 100.720826

DEPTH OF TEST HOLE DRILLED: 640'
JOB NAME: TEST HOLE #2
DATE: 08/19/2024

LITHOLOGIC LOG INFORMATION:

FROM	To	LITHOLOGIC LOG	
0	40	FINE MEDIUM SAND	
40	60	FINE COURSE SAND WITH TAN/BROWN CLAY STREAKS	
60	80	FINE COURSE SAND WITH SMALL GRAVEL STREAKS	
80	100	FINE COURSE SAND WITH SMALL TO LARGE GRAVEL WITH TAN CLAY STREAKS	
100	110	TAN/WHITE/BROWN CLAY WITH FINE SAND	
110	140	FINE COURSE SAND WITH SMALL GRAVEL	
140	160	FINE COURSE SAND WITH CEMENTED SAND STREAKS AND LAYERS	
160	240	FINE COURSE SAND	
240	260	FINE COURSE SAND WITH SMALL GRAVEL STREAKS	
260	280	FINE COURSE SAND WITH SMALL GRAVEL STREAKS	MEDIUM/LOOSE 95%
280	300	FINE MEDIUM SAND WITH TAN STREAKY CLAY SHALE	MEDIUM 85%
300	320	FINE SAND WITH TAN/YELLOW STICKY CLAY STREAKS	MEDIUM/TIGHT 65%
320	340	FINE MEDIUM SAND	MEDIUM 75%
340	360	FINE COURSE SAND	MEDIUM/LOOSE 90%
360	380	FINE COURSE SAND WITH SMALL TO MEDIUM GRAVEL	LOOSE 95%
380	400	TIGHT FINE SAND WITH TAN/YELLOW/GRAY/BLUE CLAY AND ROCK LAYERS	TIGHT 40%
400	420	FINE SAND WITH TAN/GRAY CLAY STREAKS	MEDIUM 70%
420	440	TAN SANDSTONE WITH TAN CLAY	MEDIUM 95%
440	460	TAN SANDSTONE WITH TAN CLAY	MEDIUM 95%
460	480	TAN TIGHT SANDSTONE WITH GRAY/TAN CLAY STREAKS	TIGHT 85%
480	500	TAN TIGHT SANDSTONE WITH GRAY CLAY STREAKS	TIGHT 70%
500	520	TAN SANDSTONE WITH TAN/BROWN/GRAY CLAY	MEDIUM/TIGHT 80%
520	560	TAN SANDSTONE WITH TAN/BROWN/GRAY CLAY	MEDIUM 95%
560	580	TAN SANDSTONE WITH TAN/BROWN/GRAY CLAY	TIGHT 70%
580	600	TIGHT HARD TAN SANDSTONE WITH BLUE/GRAY CLAY	TIGHT 60%
600	620	GRAY/BLUE CLAY/SHALE WITH GRAY SANDSTONE	TIGHT 30%
620	640	BLUE CLAY/SHALE WITH THIN THIN STREAK OF GRAY SANDSTONE	TIGHT 15%

330'
1000
410
410-050
410-050
2100
5100-050
600-0100
610' SUMP

WIR#
18144

mm/swr
Hold depth to 380' b/s. Bottom of HPA.