

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

WATER METER REQUIRED

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. 13,519

RECEIVED
 9:45 AM
 SEP 20 2023
 Stafford 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: Phillip A Derstein Attn: Derstein Brothers
PO Box 147, Ford, KS 67842

Phone Number: (620)369-2282 Email address: derstein@ucom.net

Name and address of Water Use Correspondent: Phillip A Derstein Attn: Derstein Brothers
PO Box 147, Ford, KS 67842

Phone Number: (620)369-2282 Email address: derstein@ucom.net

3. The presently authorized place of use is:

Owner of Land ---- NAME: Jean M Koelling Testamentary TR Attn: Fidelity State Bank Co, CO TTEE
 ADDRESS: PO Box 1120, Dodge City, KS 67801-1120

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Tw p.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
																			0
																			0
																			0

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.	Tw p.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
																			0
																			0
																			0

For Office Use Only: Code _____ Fee \$ _____ TR # _____ Receipt Date _____ Check # _____
--

pd via cc to HQ

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

One in the NW Quarter of the NW Quarter of the NW Quarter of Section 6, Township 29 South, Range 21 W, in Ford County, Kansas, --- feet North --- feet West of Southeast corner of section. Authorized Rate 260 GPM Authorized Quantity 82 AF Depth of well 169 (feet)

(DWR use only: Computer ID No. 1 GPS 5,159 feet North 5,144 feet West) Based on aerial review and Leobase.

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 Lot 4 Quarter of Section 6, Township 29 South, Range 21 W, in Ford County, Kansas, 4,056 feet North 5,227 feet West of Southeast corner of section. Proposed Rate 540 GPM Proposed Quantity 169 AF Proposed well depth (feet) ~169'

This point is: Additional Well Geo Center List other water rights that will use this point N/A

6. **Presently authorized point of diversion: SOUTH WELL**

One in the SW Quarter of the NE Quarter of the NW Quarter of Section 6, Township 29 South, Range 21 W, in Ford County, Kansas, --- feet North --- feet West of Southeast corner of section. Authorized Rate 540 GPM Authorized Quantity 169 AF Depth of well ~169 (feet)

(DWR use only: Computer ID No. 2 GPS 4,056 feet North 5,227 feet West) Based on aerial review and Leobase.

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 Lot 4 Quarter of Section 6, Township 29 South, Range 21 W, in Ford County, Kansas, 5,159 feet North 5,144 feet West of Southeast corner of section. Proposed Rate 260 GPM Proposed Quantity 82 AF Proposed well depth (feet) 169'

This point is: Additional Well Geo Center List other water rights that will use this point N/A

7. The changes herein are desired for the following reasons?
 (please be specific) No new wells being drilled. This change is a flip-flop of rates and quantities to better reflect how the wells are operated presently.

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

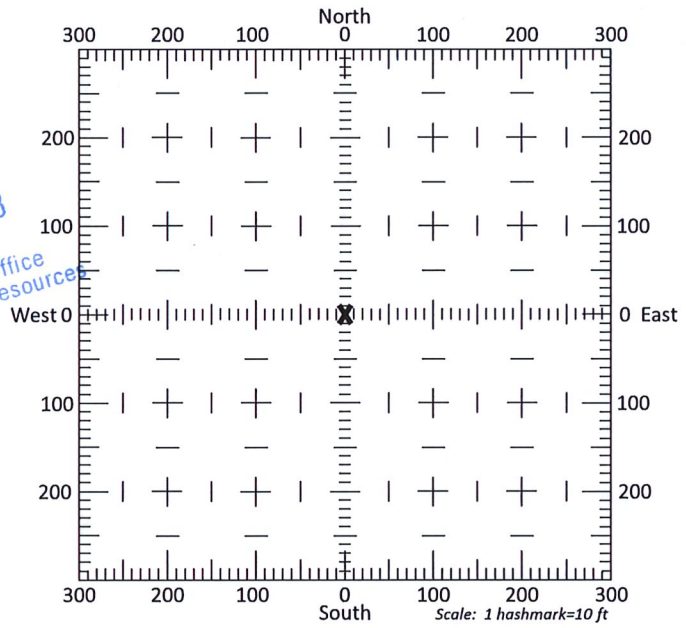
9. The change(s) (was)(will be) completed by?
as soon as approved

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
The old wells will still be used under the water right.
 (b) When will this be done? December 31, 2023

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by CRC/JNE // SFFO

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 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (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.)

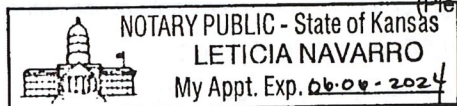
If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized 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 Dodge City, Kansas, this 19th day of September, 2023.

<u>Lori Bone</u> <u>TTEE</u>	
(Owner)	(Spouse)
<u>Lori Bone</u> <u>TTEE</u>	
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of Kansas }
 County of Stafford Ford } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 19th day of September, 2023.

[Signature]
 Notary Public

My Commission Expires 06-06-2024.

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.

SEE 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

RECEIVED

SEP 20 2023

Stafford Field Office
 Division of Water Resources

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. 13,519.

- 1. A change application was received on September 20, 2023 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 _____ 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 _____ 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, 2023**, 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, 2023**, or within any authorized extension of time. By March 1, 2024 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: _____
Duly Authorized Designee of the Chief Engineer

(Print Name): _____
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: _____

State of Kansas)
County of _____) SS

Acknowledged before me on _____
by _____

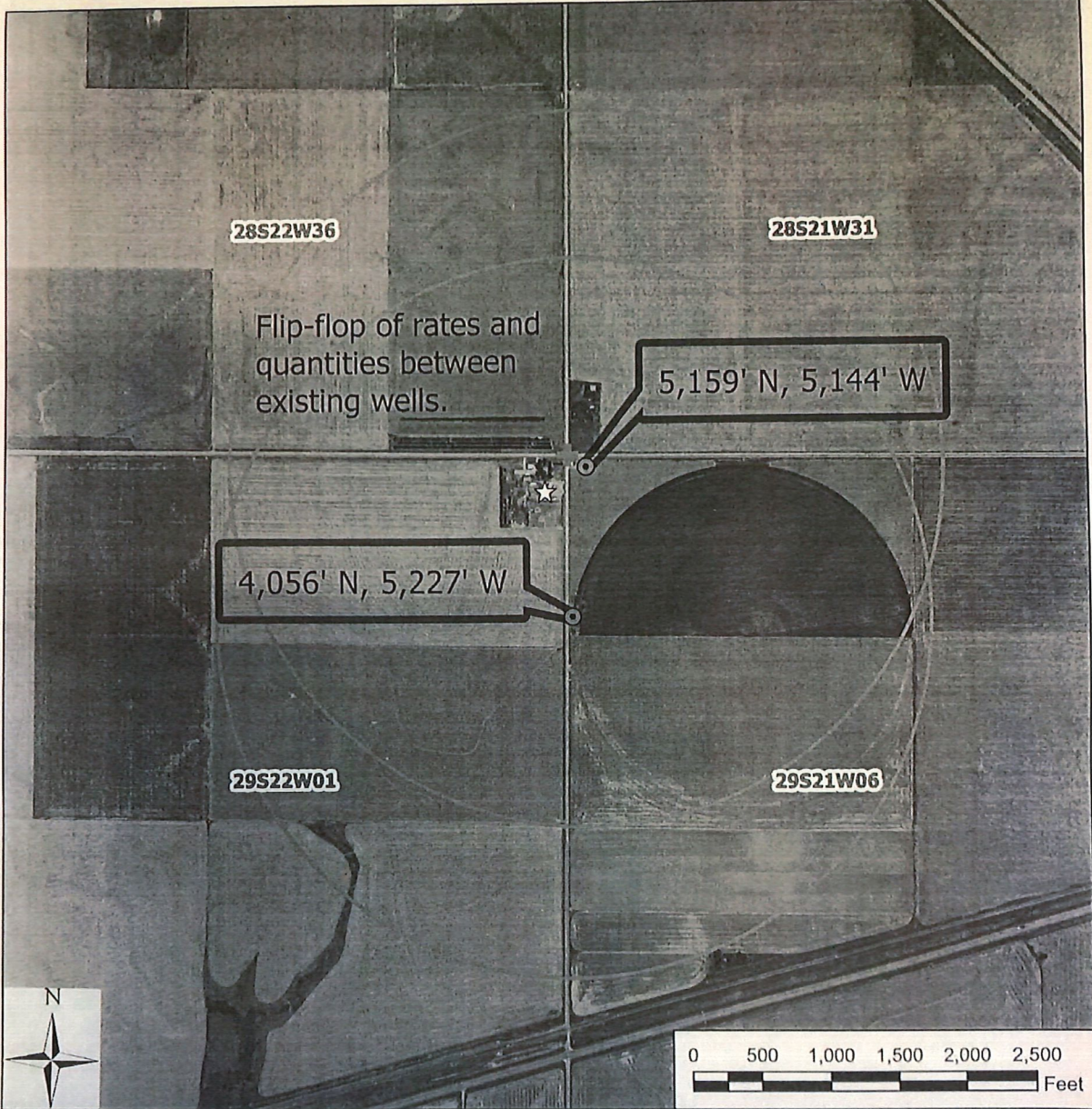
Signature: _____
Notary Public

My commission expires: _____
(Notary Seal)

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SEP 20 2023

Stafford Field Office
Division of Water Resources



28S22W36

28S21W31

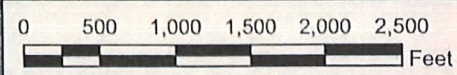
Flip-flop of rates and quantities between existing wells.

5,159' N, 5,144' W

4,056' N, 5,227' W

29S22W01

29S21W06



- Legend**
- ☆ Domestic Well
 - Current and Proposed North Well
 - Current and Proposed South Well
 - ⊕ Section Corner
 - ▭ Section Line
 - ▭ Half-Mile

P/D Change Application, File No. 13,519
 6-29-21W // Ford County

To the best of my knowledge, all points of diversion within one-half mile of the proposed point of diversion have been shown.

Spencer 9-20-2023

Signature / Date 09/20/2023 JNE/SFFO 1:12,000

INPUTS	
Target Section Definition	
Section	6
Township	29
Range	21
Range Direction	W
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-99.666305
Target Latitude	37.553275

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.

File No. 13,519
South Well

*Based on Google Earth
imagery review*

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	37.54167696	-99.66628019
NW	37.55653975	-99.66649426
NE	37.55664569	-99.64839673
SE	37.54213478	-99.64827469
Degrees Longitude per Foot		3.44915355E-06
Degrees Latitude per Foot		2.74630457E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	4223	7
NW	-1189	-55
NE	-1227	5192
SE	4056	5227

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	37.54165600	-99.66587800
NW	37.55651900	-99.66609200
NE	37.55662500	-99.64799500
SE	37.54211400	-99.64787300
Degrees Longitude per Foot		3.44915259E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	4231	124
NW	-1181	62
NE	-1220	5309
SE	4064	5344

INPUTS	
Target Section Definition	
Section	6
Township	29
Range	21
Range Direction	W
Target Point Coordinates (<i>NAD27</i> or <i>NAD83</i>)	
Target Longitude	-99.666017
Target Latitude	37.556303

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.

File No. 13,519
North Well

*Based on Google Earth
imagery review.*

Loaded Section Data From LEOBASE using <i>NAD83</i>		
Corner	Corner Latitudes	Corner Longitudes
SW	37.54167696	-99.66628019
NW	37.55653975	-99.66649426
NE	37.55664569	-99.64839673
SE	37.54213478	-99.64827469
Degrees Longitude per Foot		3.44915355E-06
Degrees Latitude per Foot		2.74630457E-06
Target Point Distances from Corners using <i>NAD83</i>		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	5326	-76
NW	-86	-138
NE	-125	5109
SE	5159	5144

Loaded Section Data From LEOBASE using <i>NAD27</i>		
Corner	Corner Latitudes	Corner Longitudes
SW	37.54165600	-99.66587800
NW	37.55651900	-99.66609200
NE	37.55662500	-99.64799500
SE	37.54211400	-99.64787300
Degrees Longitude per Foot		3.44915259E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using <i>NAD27</i>		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	5334	40
NW	-79	-22
NE	-117	5225
SE	5167	5260

Property Details for PID: 029253060000002000

Shareable link to Property Information : <https://www.kansasgis.org/orka/permalinkprop.cfm?parcelid=029253060000002000>

Shareable link to Map: <https://www.kansasgis.org/orka/permalink.cfm?parcelid=029253060000002000>

QuickRef ID : R14541

Owner Name : KOELLING TESTAMENTARY TR, JEAN M

Location: 00000 130 RD, Bucklin, KS 67834

Abbreviated Boundary Description: S06, T29, R21, ACRES 220, NW4; SW4 LYG N RR ROW; LESS ROW

Owner Information:

Owner KOELLING TESTAMENTARY TR, JEAN M

Mailing Address Attn: FIDELITY STATE BANK CO, CO TTEE PO BOX 1120 DODGE CITY, KS 67801-1120

Property Information:

Type Agricultural Use

Status Active

Taxing Unit 086-BUCKLIN-USD 459

Neighborhood Code 418

No Secondary Address Details found

Market Land Details:

Actual Width:	0
Eff. Width	0
Eff. Depth	0
Acres	0
Square Feet	0

Permit Details

Number	Date	Amount	Purpose
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A 13519

No Orion Deed Book Page Details found

Value Details

	Year	2023
Current Final Value (Agricultural)	Land	\$73,910.00
	Building	\$0.00
	Total	\$73,910.00

No Dwelling Details found

No Manufactured Home Details found