

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 **WATER METER REQUIRED**



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.

RECEIVED
 9:30am
 JAN 13 2025

File No. 13,560

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: Kevin Kohls

76 27th Ave, Moundridge, KS 67107-7467

Phone Number: (316) 680-2186

Email address: kohlskevinn@outlook.com

Name and address of Water Use Correspondent: Kohls Trust

76 27th Ave, Moundridge, KS 67107-7467

Phone Number: (316) 680-2186

Email address: kohlskevinn@outlook.com

3. The presently authorized place of use is:

Owner of Land ---- NAME: Kohls Trust

ADDRESS: 76 27th Ave, Moundridge, KS 67107-7467

(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	
34	21S	1W					40.0	34.0	40.0	40.0									154.0

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: NO CHANGE

ADDRESS: NO CHANGE

(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 CGT Fee \$ 2000 TR # _____ Receipt Date _____ Check # 1148

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the NC NW Quarter
 of Section 34, Township 21 South, Range 1 WEST,
 in McPherson County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate 110 GPM Authorized Quantity 43 AF Depth of well 56 (feet)
(DWR use only: Computer ID No. 1 GPS 3988 feet North 3943 feet West) **GPS Aerial View**

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 NE Quarter of the NE Quarter of the NW Quarter
 of Section 34, Township 21 South, Range 1 WEST,
 in McPherson County, Kansas, 5327 feet North 2641 feet West of Southeast corner of section.
 Proposed Rate 110 GPM Proposed Quantity 43 AF Proposed well depth (feet) 50.
 This point is: Additional Well Geo Center List other water rights that will use this point NONE.

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) Well is failing. Applicant desires to
move the well 1,339' North, 1302' East of current location.

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

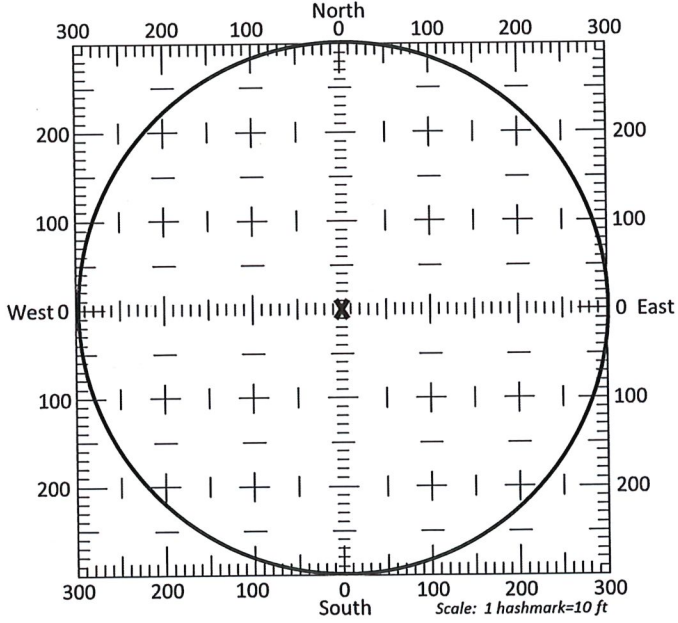
9. The change(s) (was)(will be) completed by?
As soon as possible.

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
Plug it
 (b) When will this be done? as soon as approved.

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by 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 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.)

JAN 13 2025

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 Newton, Kansas, this 3rd day of January, 2025.

Kevin N. Kohls
(Owner)

Kim C Kohls
(Spouse)

Kevin N. Kohls
(Please Print)

Kim C Kohls
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Harvey } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 3rd day of January, 2025.

Rebecca Detrich
Notary Public

My Commission Expires 6-25-2025.

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

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JAN 13 2025

REBECCA DETRICH
Notary Public - State of Kansas
My Appt. Expires 6-25-2025

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. 13,560.

1. A change application was received on January 13, 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 300 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 2,168 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: _____
Duly Authorized Designee of the Chief Engineer

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

Date of Issuance: _____

State of Kansas)
) SS
County of _____)

Acknowledged before me on _____
by _____

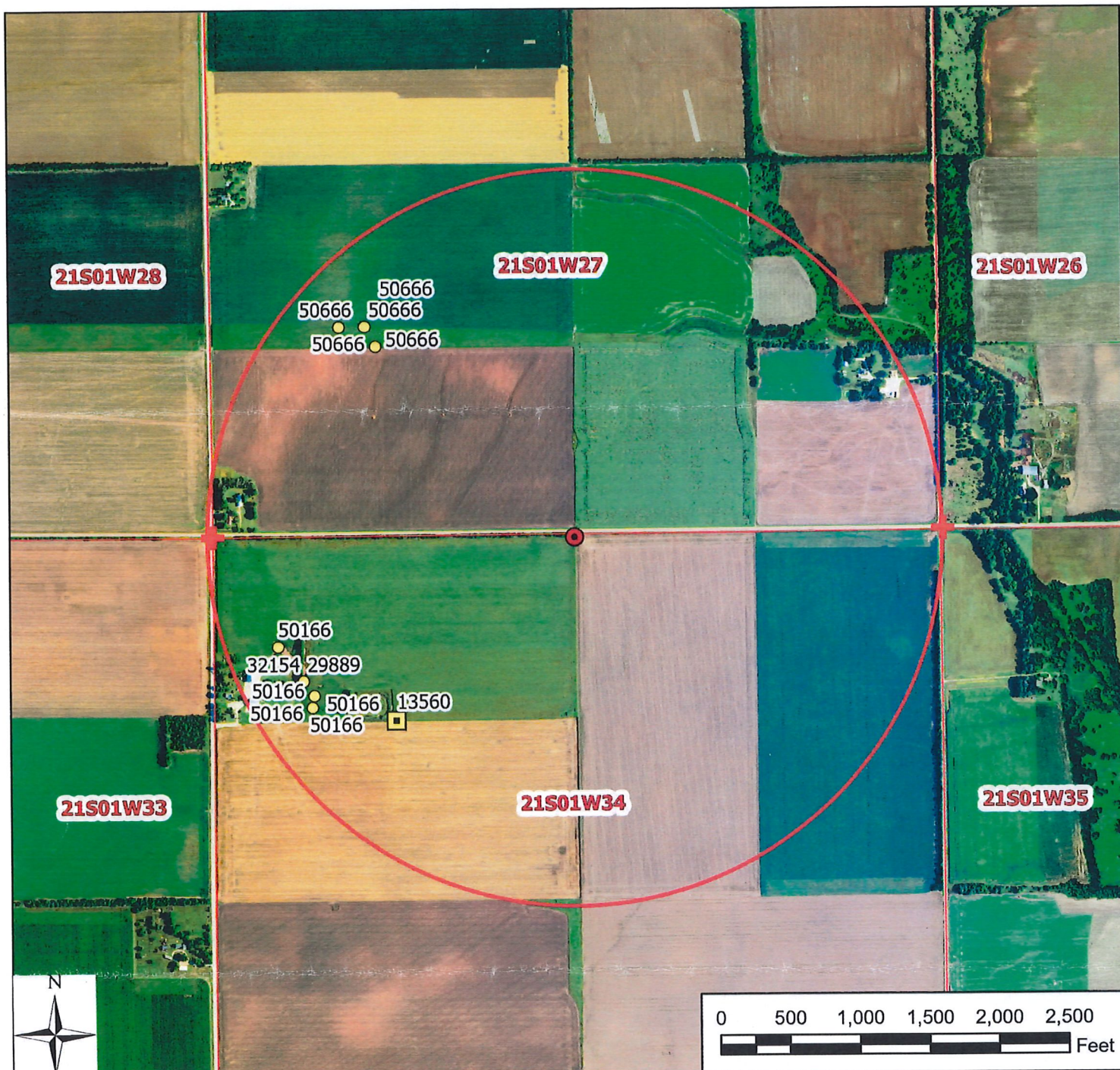
Signature: _____
Notary Public

My commission expires: _____
(Notary Seal)

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Stafford Field Office
Division of Water Resources



Legend

- Water Appropriations
- ★ Domestic Well
- ◻ Authorized Point of Diversion
- Proposed Point of Diversion
- ✚ Section Corner
- ▭ Section Line
- Half Mile

Water Right, File No. 13,560

**Change in Point of Diversion
34-21-01W // McPherson County**

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Division of Water Resources

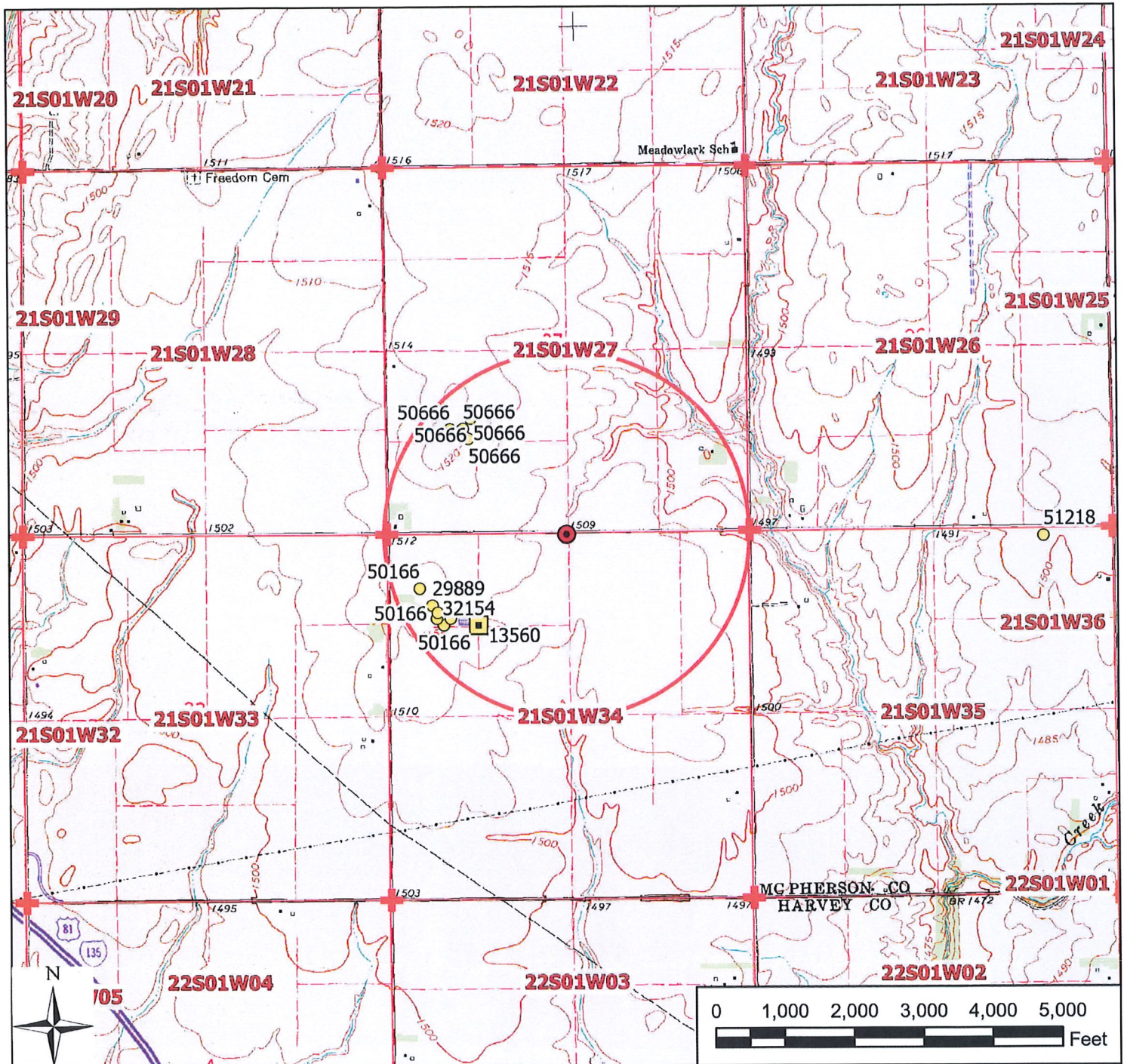
To the best of my knowledge, all points of diversion within one-half mile of the proposed point of diversion have been shown.

Kevin N. Kohl

05-JAN-2025

Signature / Date

12/18/2024 JNE/SFFO 1:12,000 scale



Legend

- Water Appropriations
- ★ Domestic Well
- Authorized Point of Diversion
- Proposed Point of Diversion
- ⊕ Section Corner
- Section Line
- Half Mile

Water Right, File No. 13,560

**Change in Point of Diversion
34-21-01W // McPherson County**

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JAN 13 2025

Stafford Field Office
Division of Water Resources

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

Kevin N. Kohl

05-JAN-2025

Signature / Date

12/18/2024 JNE/SFFO 1:24,000 scale

INPUTS	
Target Section Definition	
Section	34
Township	21
Range	1
Range Direction	W
Target Point Coordinates (<i>NAD27</i> or <i>NAD83</i>)	
Target Longitude	-97.422249
Target Latitude	38.184515

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. 13560
Current P/D Locaiton

Loaded Section Data From LEOBASE using <i>NAD83</i>		
Corner	Corner Latitudes	Corner Longitudes
SW	38.17368620	-97.42689013
NW	38.18821204	-97.42678301
NE	38.18819729	-97.40845648
SE	38.17356332	-97.40853276
Degrees Longitude per Foot		3.47871994E-06
Degrees Latitude per Foot		2.74600678E-06
Target Point Distances from Corners using <i>NAD83</i>		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	3943	-1334
NW	-1346	-1303
NE	-1341	3965
SE	3988	3943

Loaded Section Data From LEOBASE using <i>NAD27</i>		
Corner	Corner Latitudes	Corner Longitudes
SW	38.17367600	-97.42657500
NW	38.18820200	-97.42646800
NE	38.18818700	-97.40814200
SE	38.17355300	-97.40821800
Degrees Longitude per Foot		3.47871945E-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	3947	-1244
NW	-1343	-1213
NE	-1337	4055
SE	3992	4033

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JAN 13 2025

Stafford Field Office
Division of Water Resources

INPUTS	
Target Section Definition	
Section	34
Township	21
Range	1
Range Direction	W
Target Point Coordinates (<i>NAD27</i> or <i>NAD83</i>)	
Target Longitude	-97.417720
Target Latitude	38.188190

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. 13560
Proposed Well Locaiton

Loaded Section Data From LEOBASE using <i>NAD83</i>		
Corner	Corner Latitudes	Corner Longitudes
SW	38.17368620	-97.42689013
NW	38.18821204	-97.42678301
NE	38.18819729	-97.40845648
SE	38.17356332	-97.40853276
Degrees Longitude per Foot		3.47871994E-06
Degrees Latitude per Foot		2.74600678E-06
Target Point Distances from Corners using <i>NAD83</i>		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	5282	-2636
NW	-8	-2605
NE	-3	2663
SE	5327	2641

Loaded Section Data From LEOBASE using <i>NAD27</i>		
Corner	Corner Latitudes	Corner Longitudes
SW	38.17367600	-97.42657500
NW	38.18820200	-97.42646800
NE	38.18818700	-97.40814200
SE	38.17355300	-97.40821800
Degrees Longitude per Foot		3.47871945E-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	5286	-2545
NW	-4	-2515
NE	1	2753
SE	5330	2731