

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

1:20pm
 JAN 24 2025

Stafford Field Office
 Division of Water Resources

File No. 23164

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: Kinsley Feeders LLC

1278 P Rd, Kinsley, KS 67548

Phone Number: (620) 397-6752 Email address: dmartin@kinsleyfeeders.com

Name and address of Water Use Correspondent: James J & Tammy M McClaren

1345 US Highway 50, Kinsley, KS 67547-4735

Phone Number: (620) 546-5166 Email address: ckmccclaren@gmail.com

3. The presently authorized place of use is:

Owner of Land ---- NAME: Herman R Kastner Trust Attn: Chuck Lyman

ADDRESS: 4415 Kauffman Dr., Manhattan, KS 66503

(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	
25	25	19W	40	40	40	40													160

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 <u>UPI</u> Fee \$ <u>200</u> TR # _____ Receipt Date _____ Check # <u>44505</u>

5. **Presently authorized point of diversion:**
 One in the --- Quarter of the --- Quarter of the NC NE Quarter
 of Section 25, Township 25 South, Range 19 WEST,
 in Edwards County, Kansas, 3930 feet North 1385 feet West of Southeast corner of section.
 Authorized Rate 850 GPM Authorized Quantity 197 AF Depth of well 73 (feet)
(DWR use only: Computer ID No. 5 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 SW Quarter of the SE Quarter of the NE Quarter
 of Section 25, Township 25 South, Range 19 WEST,
 in Edwards County, Kansas, 3257 feet North 1204 feet West of Southeast corner of section.
 Proposed Rate 850 GPM Proposed Quantity 197 AF Proposed well depth (feet) 110.
 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 and applicant desires to
move the well 673 feet South, 181 feet East of current
authorized location.

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

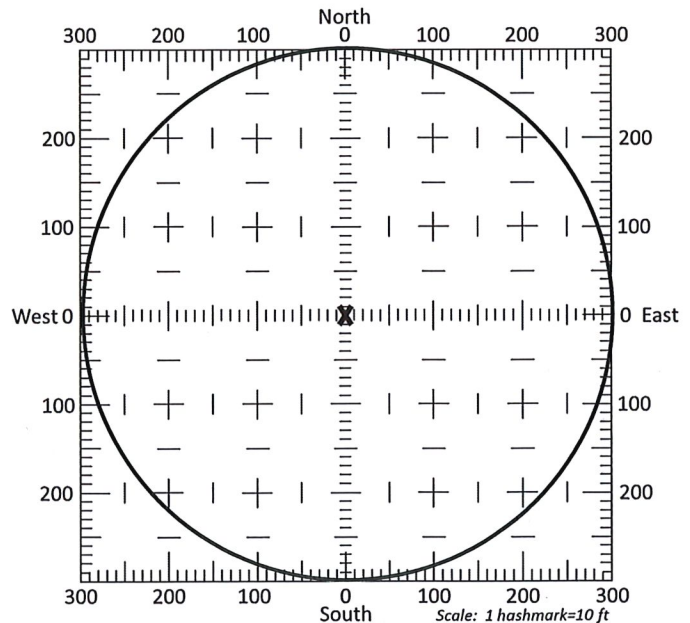
9. The change(s) (was)(will be) completed by?
as soon as approved

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 new well is drilled

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 24 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 Stafford, Kansas, this 24th day of February, 2025.

[Signature]

(Owner)

(Spouse)

Derek A. Martin

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

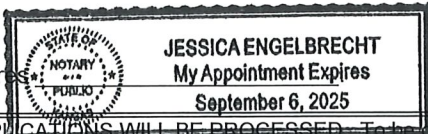
(Please Print)

(Please Print)

State of Kansas }
County of STAFFORD } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 24 day of February, 2025.

My Commission Expires



Jessica Engelbrecht

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

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JAN 24 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. 23,164.

1. A change application was received on February 24, 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. 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 997 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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JAN 24 2025

DRILLER'S TEST LOG

Customer Name: Kinsley Feeders Date: 1/24/2025
 Address _____ Test No: #1-25
 County: Edwards Quarter: NE Section: 25 Township: 25 Range: 19

Drilled Footage		Description of Strata	Indicate Test Location by an X			
From	To					
0	3	Top soil				
3	15	Soft, sandy clay				
15	20	Brown clay/ soft, sandy clay				
20	30	Sand & gravel - small to some med, clean				
30	49	Sand & gravel - small, med, clean			✳	
49	52	Gray & tan clay				
52	60	Sand & gravel - fine to small w/ pea size				
		& tan clay mix 60/40				
60	70	Sand & gravel - small, med, clean				
70	80	White & tan clay w/ fine sand mixed				
80	85	Brown clay & caliche				
85	89	Sand & gravel - small , med, clean				
89	99	Tan clay w/ cemented sand	Static Water Level: <u>45</u> Ft			
99	104	Fine sand	Remarks: <u>Plugged 6" test hole.</u>			
104	110	Yellow shale				
			Garmin GPS: NAD 83			
			Latitude: 37.84914 N			
			Longitude: 99.35527 W			
			Elevation:			
			Driller: <u>Luis Luna</u>			
			Spot Location: <u>SW/ SE/ NE</u>			

INPUTS	
Target Section Definition	
Section	25
Township	25
Range	19
Range Direction	W
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-99.355270
Target Latitude	37.849140

Load Data and Compute

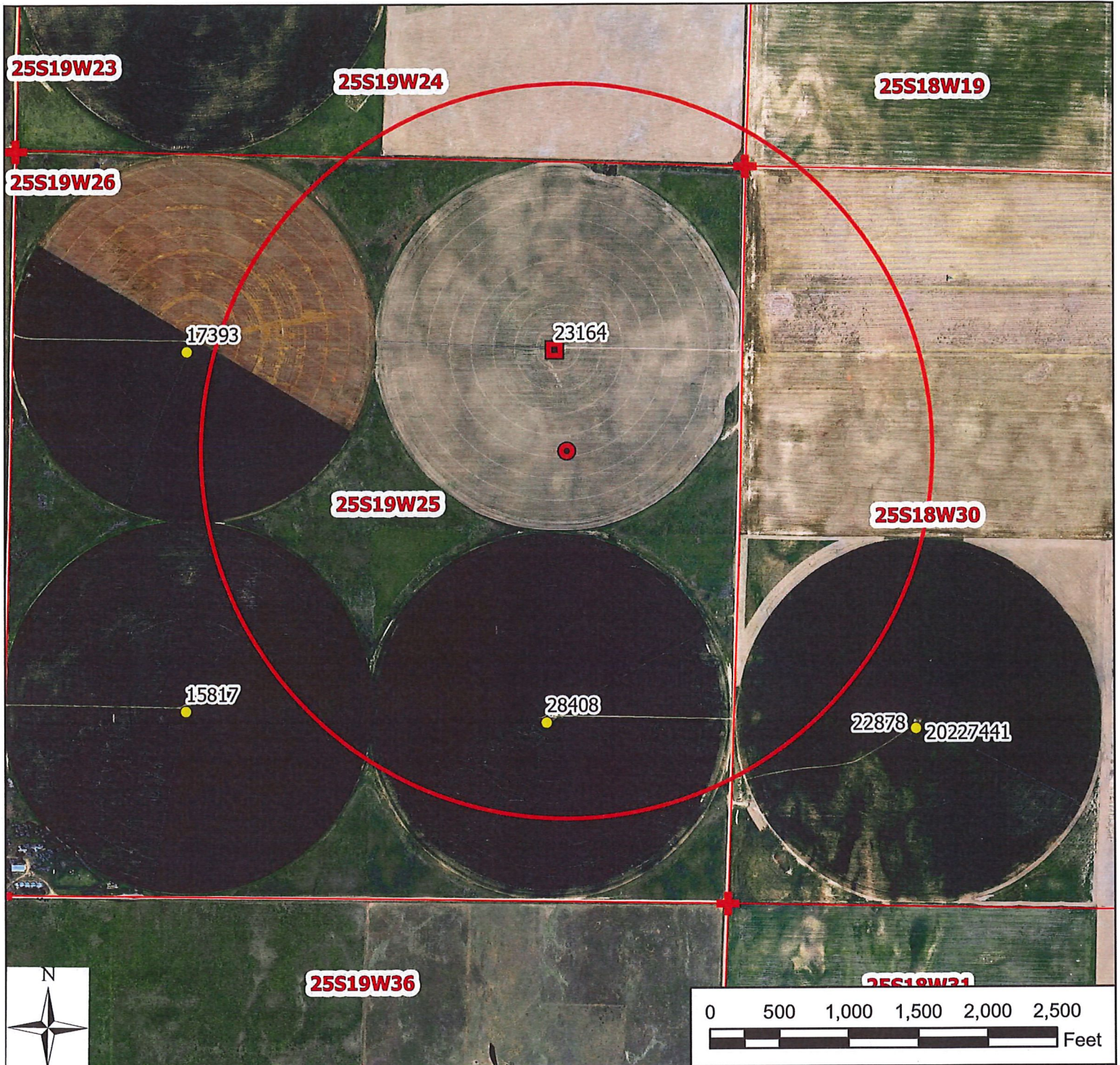
- Instructions**
1. Enter values for section, township, range and range direction.
 2. Enter **NAD27** or **NAD83** longitude and latitude of target point.
 3. Click "Load Data and Compute" button.
 4. Use feet distances corresponding to datum of target point.

Point of Diversion Change, File No. 23,164
Proposed Well Location

	Feet N	Feet W
Currently Authorized Location	3930	1385
Proposed Location	3257	1204
	673	181
Distance:	696.9 feet	
	0.131716865 mile	

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	37.84022677	-99.36938111
NW	37.85496685	-99.36921297
NE	37.85481363	-99.35084151
SE	37.84019576	-99.35110051
Degrees Longitude per Foot		3.46300061E-06
Degrees Latitude per Foot		2.74616370E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	3246	-4075
NW	-2122	-4026
NE	-2066	1279
SE	3257	1204

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	37.84021000	-99.36898800
NW	37.85495000	-99.36882000
NE	37.85479700	-99.35044900
SE	37.84017900	-99.35070800
Degrees Longitude per Foot		3.46299983E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	3252	-3961
NW	-2116	-3913
NE	-2060	1392
SE	3263	1317



Legend

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

Water Appropriation, File No. 23,164

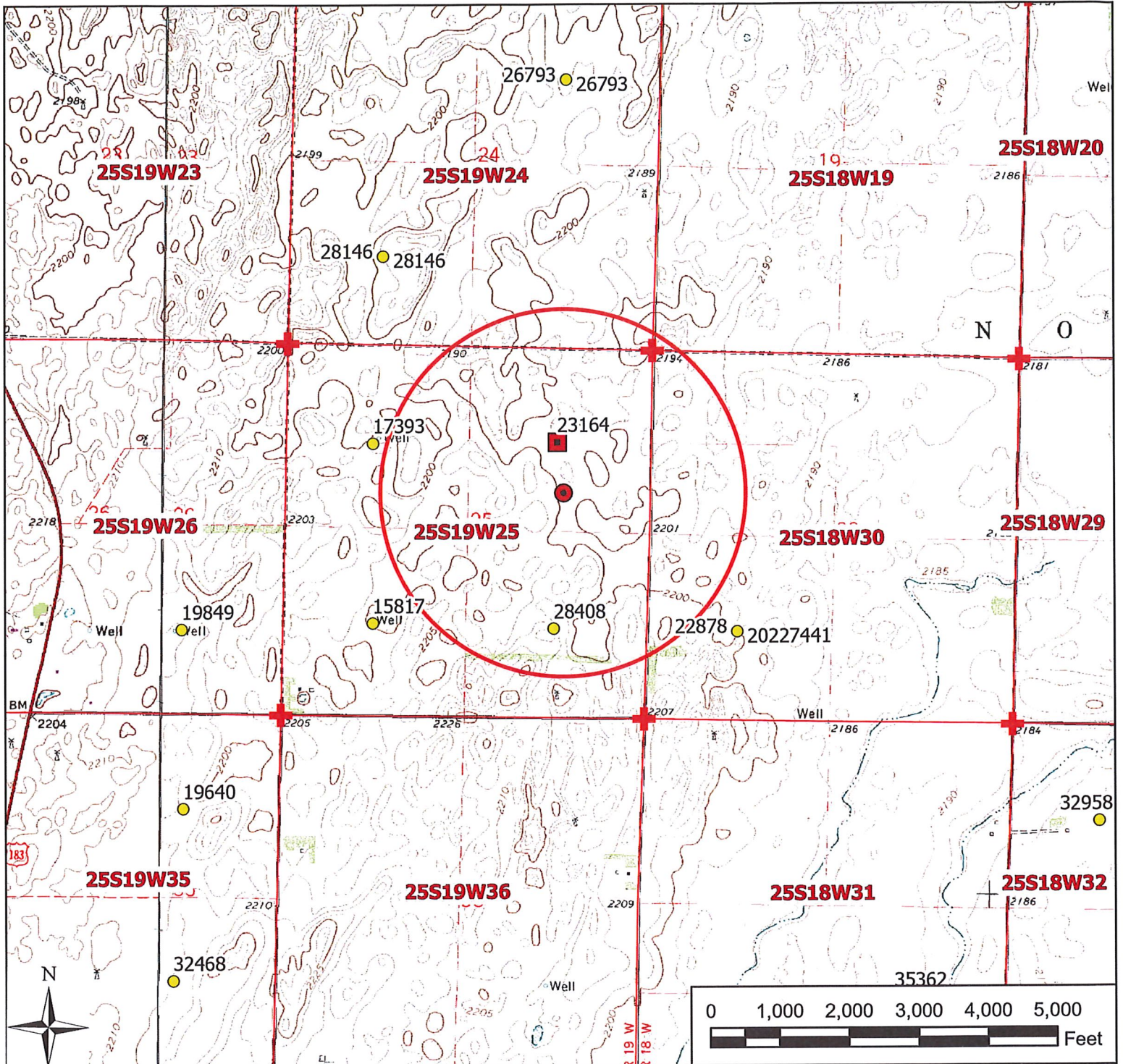
**Change in Point of Diversion
25-25-19W // Pawnee County**

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

[Handwritten Signature] 2-24-2005

Signature / Date

02/21/2005 JNE/SFFO 1:12,000 scale



Legend

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

Water Appropriation, File No. 23,164

**Change in Point of Diversion
25-25-19W // Pawnee County**

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

[Handwritten Signature]

Signature / Date

2-24-2005

02/21/2005 JNE/SFFO 1:24,000 scale