Garden City Field Office 2508 Johns Street Garden City, Kansas 67846-2804 Ransas

Department of Agriculture

Division of Water Resources

Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

Sam Brownback, Governor

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner

March 10, 2017

OSIE MARIE KOEHN TRUST 1901 HARDING AVE GARDEN CITY KS 67846-4743

RE: Change in Point of Diversion Water Right, File No 23059

Dear Ms. Koehn:

Enclosed you will find a *Summary Order Approving Application for Change in Point of Diversion* for the above referenced file. This order modifies the authorized well location under the referenced file. This order modifies the original document; it should be recorded at the County Register of Deeds.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this order. The diversion works should be completed and reported to the Division of Water Resources by December 31, 2017. Enclosed is a form for this purpose, along with other information for reference.

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report.

This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order. The date of service is the date listed on the enclosed *Certificate of Service*.

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

Sincerely,

Thomas P. Makens

Assistant Water Commissioner

TPM:tpm Enclosures GMD#3

CERTIFICATE OF SERVICE

On this / day of March 2017, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 23059 dated March 10, 2017 was mailed postage prepaid, first class, US mail to the following:

OSIE MARIE KOEHN TRUST 1901 HARDING AVE GARDEN CITY KS 67846-4743

Copy provided to GMD#3

Division of Water Resources

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.

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							grownings/yes	well known gryswill sk	······································	en e	ter programme							
						File N	o. <u>230</u> :	59								FEE	:39 309	ምሚ 2017
1	Application is hereby made for approval of the Chief Engineer to change the (check one or both):												Garden City Field Office					
	☐ Place of Use									⊠ Point of Diversion						Division of Water Resources		
,	under the wate	r riaht '	which i	is the s	subject	of this	s appli	cation	in acc	ordanc	e with	the co	ndition	ns desc	cribed	below.		
	The source of s	-			-	3rounc					ice wal							
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2. `	Name and add	ress of	Applic	ant: <u>k</u>	ELSE	Y UNF	RUH											
-	1901 HARDING	3 AVE	GAR	DEN C	ITY K	S 678	46-47	43										
	Phone Number	-																
	Name and add								RIE K	<u>OEHN</u>	TRUS	<u>T</u>						
-	1901 HARDING			DEN C	ITY K	S 678	<u>46-47</u> 4											
	Phone Number							Email	addre	ss: _								***************************************
	The presently authorized place of use is:																	
(Owner of Land NAME: OSIE MARIE KOEHN TRUST ADDRESS: 1901 HARDING AVE GARDEN CITY KS 67846-4743																	
,	If there is more t										57846-	4/43						
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F	or Office Use	Only:	Code		Fe	e \$ <u>\</u>	00	_ TR	#		<i>R</i> e	ceipt	Date _	4/9	<u>/17</u>	Chec.	k#\	<u> </u>

5.	Presently authorized	d point of dive	ersion:			_			<u>,</u> .				
	One in the		_ Quarter of the	nc		Quarter of t	he	<u>nw</u>	Quarter				
	of Section	Section 25 Township		25		South, Range		32	W,				
.	in Finney County, Kansas, 3960				rth39	9 <u>60</u> feet W	est of Sou	theast co	rner of section.				
	Authorized Rate			Depth of well			(feet)						
	(DWR use only: Co						3902	feet	West)				
	☐ This point will not be changed												
	Proposed point of d												
	One in the	nw	_ Quarter of the	se		Quarter of t	he	nw	Quarter				
	of Section	25	, Township	25		South, Ran	ge	32	W,				
	in Finney	County	, Kansas, <u>3776</u>	feet No	rth39	<u>947</u> feet W	est of Soul	theast co	rner of section.				
	Proposed Rate												
Į	This point is: Addi	itional Well	Geo Center List o	other wate	r rights t	hat will use thi	s point		•				
_	- Management of the Control of the C	***************************************		2-1000000000000000000000000000000000000	Vermo/0000								
6.	Presently authorized												
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	in	County	, Kansas,	feet No	rth	feet W	est of Soul	theast co	east corner of section.				
	Authorized Rate		Authorized Quantity			Depth of well			(feet)				
	(DWR use only: Cor	mputer ID No.	GF.	'S		_ feet North _		feet	West)				
ı	☐ This point will no					follows:							
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	of Section		, Township			_ South, Ran	ge		(E/W),				
}	in	County	, Kansas,	_ feet No	rth	teet W	est of Soul	heast co	rner of section.				
	Proposed Rate		Proposed Quantity _			Proposed wel	depth (fee	1)					
L	This point is: Addi	tional Well	Geo Center List o	other wate	r rights t	hat will use thi	s point		•				
7	Miles de seus mond a no	u point of divor	rolon?	13a	If the no	ronosed point o	of diversion	will be re	located within 100				
7.	Why do you need a ne	w point of diver	510111	700.	feet of t	the existing po	int of divers	sion, indic	ate its location on				
old well needs to be replaced the diagram below in relation to								ne existing point of diversion. center of diagram below					
					represe	ents presently	authorized	point of	diversion.)				
							North						
8.	If a well, is the test hole	e log attached?	⊠ Yes □ No			100 50	0	50					
VI							TIII						
9.	When do you propo	ose to compl	ete the new point	of		_	-						
	diversion?				į	50 - +		+	 				
	February 15, 2017				·		_		∃ ~				
40	If the point of diversion	ile e well:				E	_						
10.	•		والمبيد الما		₩est	0 = 111111	$111\overline{X}11$		I—O East				
	(a) What are you goin	ig to do with the	e old well?			-			_				
	plug				ı	50 E +	=		∃ ₅₀				
					,			+					
	(b) When will this be	done? 2017				- .	_		_				
	• ,							ШШ					
11.	Groundwater Mana	gement Dis	trict recommendat	ion		100 50	_0 ,	50	100				
	attached?					9	South Scale: 1" =	100'					
				13b.	If the pr	roposed point o	of diversion	will be re	located more than				
12.	Assisted by tpm	,,,,			100 fee	et but within	1320 feet	from the	existing point of				
					For are	n, attach a to undwater sourc	pograpnic ces, show a	map or II wells (i	aerial photograph. ncluding domestic)				
					- within o	ne-half mile of	the propose	ed point o	f diversion and the				
					water s	sources, show	the name	es and	ners. For surface addresses of the				
					landowi	ner(s) one-half	mile down	nstream	and one-half mile				
					upstrea	m from your pr	operty lines	•					

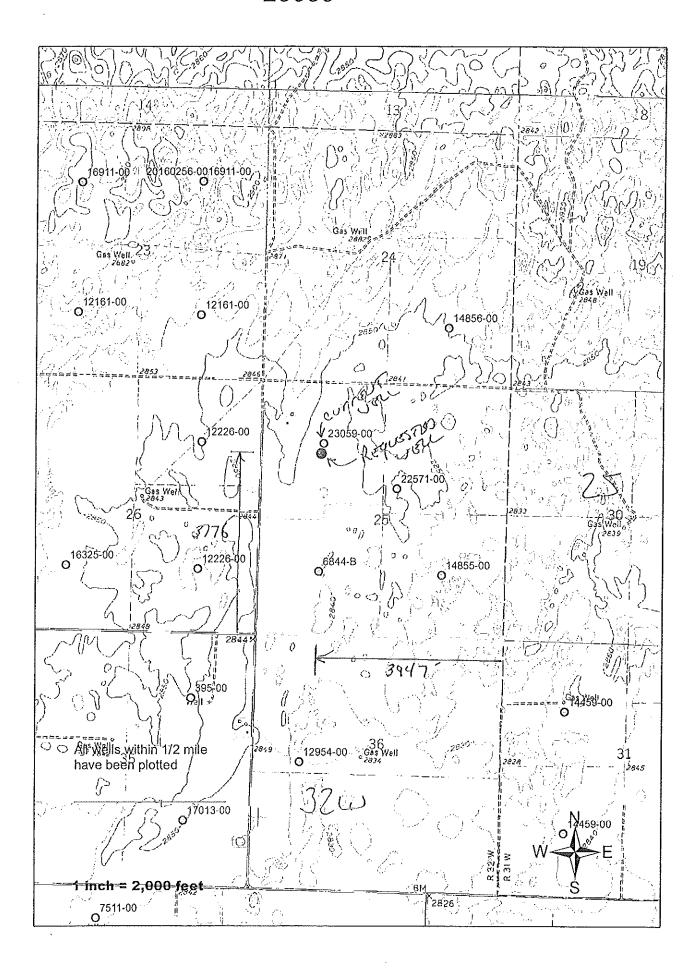
14. If the proposed groundwater point of diversion is 300 or fewer feet fro	m existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently author ☑ Yes ☐ No (If no, all owners must sign this applic	
 (b) Will the ownership interest of any owner of the currently authorisaffected 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 subs ☑ Yes ☐ No (If no, all owners must sign this applic	
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	groundwater change in point of diversion greater than 300 feet, of the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirmating and the owner, the spouse of the owner, or a duly authorize their behalf, in regard to the water right(s) to which this application are true, correct and complete.	zed agent of the owner(s) to make this application on ication pertains. I further verify that the statements
Dated at	Gh day of February, 2017.
X Ame Mare Koch Dorne Lights. (Owner) Pok	(Spouse)
Osie Mary Korhn Durng Lighter Poa (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
County of Tinney	(Please Print) ELLE GUADIAN Public - State of Kansas
I hereby certify that the foregoing application was signed in my ———————————————————————————————————	presence and sworn to before me this 9% day of
My Commission Expires 10/10/20.	Sople Guadre
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all o accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	f the applicable portions of the application form must be completed with propriate owners' must be affixed to the application and notarized; and
Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Departmet (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	this section shall be accompanied by the application fee set nt of Agriculture \$100 / \$200

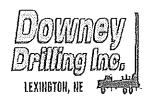
SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 et.seq. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 23059 9, 2017 requesting that the place of use and / or point of A change application was received on <u>FERRUARY 1, 2017</u> requesting that the place of diversion authorized under the above-referenced file number be changed as described in the application. 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 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 <u>50</u> radius of the authorized point(s) of diversion. Applicable 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 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 The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2017, 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 ☑ Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20<u>17</u>, or within any authorized extension of time. By March 1, 20<u>18</u> 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. ☐ Not Applicable Applicable | ☐ Not Applicable The completed well log shall be submitted with the required notice. ☐ Applicable 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 \(\subseteq \text{ Applicable } \subseteq \text{ Not Applicable } \) ☐ Yes No. Additional Conditions are attached. 11. 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND You have the right to a hearing in accordance with K.A.R. 5-14-3 SUMMARY ORDER ISSUED before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Topeka, Kansas 66502, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing Duly Authorized Designee of the Chief Engineer is not requested in accordance with K.A.R. 5-14-3, this Summary 40M45 (Print Name): Order will become effective on the 15th day after the date shown Division of Water Resources - Kansas Department of Agriculture on the Certificate of Service. Date of Issuance: For Use by Register of Deeds State of Kansas SS Acknowledged before me on Manal by Thomas Signature: - Notar∖y Public SUE KEENY NOTARY PUSUO My Appointment Expires June 8, 2018 My commission expires

(Notary Seat)





CUSTOMER NAME:	KELSEY UN	RUH			
IEGAL:	NW 25-255	-32W			
COUNTY:	FINNEY			·*	
GPS:	37	51'	15 1" N	37, 8	5419
	-100	47'	16.7° W	199 , 18	EVAIION:2839'

DRILLER: NORMAN SHELDON WO#: PULL OTHER / DRILLING τw FROM TYPE HARDNESS TO COLOR SPEED DOWN ACTION TOP SOIL AND SAND BROWN SANDY CLAY FINE-MEDIUM-COARSE SAND AND FINE-MED-COARSE GRAVEL 108 30 CHATTER 117 BROWN SANDY CLAY 108 FINE-MEDIUM-COARSE SAND, FINE-MEDIUM GRAVEL 117 123 FINE-MEDIUM-COARSE SAND W/ FEW V. THIN S. CLAY LENSES 123 185 CHATTER 191 BROWN SANDY CLAY 185 MEDIUM-COARSE -VC SAND; F TR MED GRAVEL 191 200 CHATTER BROWN SANDY CLAY 218 200 250 MED - C - VC SAND WIF, GRAVEL 218 CHATTER 335 MEDIUM-COARSE- V COARSE SAND WIF - MED GRAVEL CHATTER SL. CHOPPY @ 250 YELLOW AND WHITE ROCK 335 345 TIMES 345 360 SHALE 6 SACKS QUIKGEL AND 5# OF SODA ASH

23059