

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/U WORKSHEET

1. File Number: 13330	2. Status Change Date: <i>017/2018</i>	3. Change Num: C1	4. Field Office: 4	5. GMD: 3
6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 12/28/16
8a. Applicant(s) Person ID 64770 New to system <input type="checkbox"/> Add Seq# _____ TRAVIS COULTER 1200 S ADAMS HUGOTON KS 67951-2924 ZIP +4 UPDATE		8c. Landowner(s) Person ID 41551 New to system <input type="checkbox"/> Add Seq# _____ REX & ROGLENDIA COULTER 1165 ROAD 7 HUGOTON KS 67951-5144 Address & NAME UPDATE		
8b. Landowner(s) Person ID 23772 New to system <input type="checkbox"/> Add Seq# _____ JEAN COULTER 1199 ROAD 8 HUGOTON, KS 67951-5227 ADDRESS UPDATE		8d. WUC Person ID 64770 New to system <input type="checkbox"/> Add Seq# _____ 8A		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/18 <input type="checkbox"/> N & P Date to Comply: _____ <input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 5/15/18 By: LI Date Entered: <i>6/26/2018</i> By: <i>LLM</i>				

File No. **13330** 11. County: **SV** Basin: **CIMARRON RIVER** Stream: **NA** Formation Code: **211** Special Use:

12. Points of Diversion Rate and Quantity
 CHK Authorized Additional
 MOD Rate Quantity Rate Quantity
 DEL gpm/cfs af/mgy gpm/cfs af/mgy
 ENT PDIV Qualifier S T R ID 'N 'W Comment (AKA Line) Overlap PD Files

NO CHANGE

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) **NONE NO CHANGE**
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
MOD	14419	27	33	38W	1		8.5	40.0	9.5	13.5			40.0					9.5	40.0	8.5		169.5	8b	YES	NONE
ENT	68943	27	33	38W									40.0	13.5				9.5				63.0	8a	YES	NONE
ENT	68944	27	33	38W								13.5										13.5	8c	YES	NONE

Base Acres: Year: Minimum Reasonable Quantity:
 Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

MEMORANDUM

TO: Files **DATE:** May 18, 2018
FROM: Leslie Ireland **RE:** Water Right, File No. 13,330

Travis Coulter water use correspondent for the referenced water right filed an application for approval to change the place of use. The application was received in the Garden City Field Office on December 28, 2016, and forwarded to the office of the Chief Engineer on February 6, 2017, for issues with the ownership of the right.

The referenced water right appears not to be abandoned as per K.S.A. 82a-718, and in compliance with K.S.A. 82a-732.

The right had been enrolled in a Crop Reserve Program for the majority of its operational existence, resulting in portions of the Southwest Quarter of the authorized place of use to be sold for small farmsteads. The deeds to the new owners did not withhold the water right. One landowner, David Batie wanted his own well and irrigation right. A fifteen (15) acre-foot right was determined to meet his needs, but due to well to well spacing constraints the application under File No. 49,863 will be dismissed as it was recommended for denial by the Southwest Kansas Groundwater Management District No. 3. He did not want to further delay the change so Ginny and David Batie signed the application for change on May 14, 2018. On May 17, 2018, the application was received with all of the needed signatures, and appears to comply with K.A.R 5-5-2a, *Complete change application*.

It was determined that File No. 13,330 has 236 acres that were developed for the base acres. The proposal will take the right from 240 acres of flood or roller irrigation in the West Half (W½) of Section 27, to pivot irrigation of 243 acres centrally located in Section 27, all in Township 33, Range 38 West, Stevens County. The new place of use will not irrigate the farmsteads located in the Southwest corner of the section.

The 243 acres proposed by the change is 7 acres above the base acres, but comply with part (b) of K.A.R. 5-5-11, *Applications for change in place of use for irrigation purposes*, as it is less than 10 acres or 10 percent of the determined base acres. It would appear that the proposed change meets the requirements for a change in place of use. Compliance with this portion of the regulation should assure there will be no significant increase in consumptive use and the proposal complies with K.A.R. 5-5-3, *Consumptive use*.

The 420 AF authorized will irrigate 243 acres providing 1.72 acre-foot per acre. This irrigation ratio appears to be reasonable for the irrigation of corn as at an 80% chance of rain Stevens County is found to need only 1.40 acre-foot per acre as detailed in K.A.R. 5-5-12, *Net irrigation requirements*.

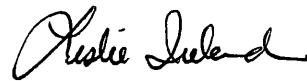
The notification of nearby owners of a domestic well located in the Northeast Quarter of Section 33, Township 33 South, Range 38 West, Stevens County, was completed by letter dated July 3, 2017. Both owners of the property called to inquire about the change but no written comments were received.

The application appears to comply with the rules and regulations of the Southwest Kansas Groundwater Management District No. 3. In a letter dated November 13, 2017, and received on November 20, 2017, Jason Norquest, Assistant Manager, recommended approval.

Michael Meyer, Water Commissioner of the Garden City Field Office was contacted for a comment on the proposed change. In an email dated May 17, 2018, he indicated that he recommended approval,

The change approval will require a water flowmeter per Part (e) of K.A.R. 5-5-11, and check a valve will also be required if chemigation occurs per K.A.R. 5-3-5c, *Check valves*.

Based on the above discussion, that the change is reasonable, that impairment to existing water rights is unlikely and that no change in the local source of supply should occur, it is recommended that the referenced application be approved.



Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

TRAVIS COULTER
1200 S ADAMS
HUGOTON KS 67951

June 28, 2018

FILE COPY

RE: Water Right, File No. 13,330

Dear Mr. Coulter:

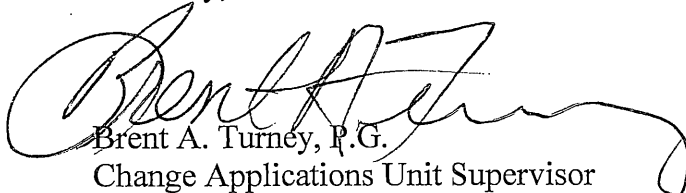
Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the referenced file.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approval for change. A condition of the approval is that an acceptable water flowmeter must be installed on the diversion works authorized. Please return the required notification of installation of the meter as soon as this action is completed.

Since this order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact Leslie Ireland, Environmental Scientist, at (785) 564-6633. Should you have questions regarding the water flowmeter please contact our staff at the Garden City Field Office, (620) 276-2901. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,


Brent A. Turney, P.G.
Change Applications Unit Supervisor

BAT:LI:li

Enclosures

pc: Garden City Field Office
Groundwater Management District No. 3
Jean Coulter



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN PLACE OF USE
WATER RIGHT, FILE NO. No. 13,330**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Travis Coulter, 1200 S Adams, Hugoton, Kansas 67951 along with Rex and Ro Glenda Coulter, 1165 Road 7, Hugoton Kansas 67951-5144; and Jean Coulter, 1199 Road 8, Hugoton, Kansas 67951-9046, including David and Ginny Batie, 1108 Road 7, Hugoton, Kansas 67951; Craig and Liz A. Hathaway, 1114 Road 7, Hugoton Kansas 67951 owners of the currently authorized place of use, received in the Garden City Field Office of the Chief Engineer on December 28, 2016, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the place of use shall be:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
31 27S 38W		8.5	40.0	9.5	13.5		13.5	40.0	40.0	13.5		9.5	9.5	40.0	8.5		243.0

a total of 243.0 acres, in Section 27, Township 33 South, Range 38 West, Stevens County, Kansas,

located substantially as shown on the topographic map accompanying the application to change the place of use.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. No. 13,330, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated January 7, 1988.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Ordered this 7th day of June, 2018, at Topeka, Shawnee County, Kansas.

Lane P. Letourneau

Lane P. Letourneau, P.G.

Program Manager

Division of Water Resources

Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 7th day of June, 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson
Notary Public

CERTIFICATE OF SERVICE

On this 28th day June, 2018, I hereby certify that the attached Approval of Application for Change in Place of Use, Water Right, File No. No. 13,330 dated, June 7th, 2018 was mailed postage prepaid, first class, US mail to the following:

TRAVIS COULTER
1200 S ADAMS
HUGOTON KS 67951


With true & correct copies to:

REX & RO GLENDA COULTER
1165 ROAD 7
HUGOTON KS 67951-9045

JEAN COULTER
1199 ROAD 8
HUGOTON KS 67951-9046

With photocopies sent to:

Garden City Field Office
Groundwater Management District No. 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) 368-8251
 Stafford -- (620) 234-5311
 Stockton -- (785) 425-6787
 Garden City -- (620) 276-2901
 www.ksda.gov

**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. 13,330

RECEIVED
 JUN 30 2017

RECEIVED
 1:58 p.m.
 DEC 28 2016

1. Application is hereby made for approval of the Chief Engineer to change the (check one) 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: TRAVIS COULTER
1200 S. ADAMS HUGOTON, KS
 Phone Number: (620) 544-5916 Email address: Water Resources Received
 Name and address of Water Use Correspondent: Same as above Received
 Phone Number: () Email address: MAY 17 2018 2:50

3. The presently authorized place of use is:
 Owner of Land --- NAME: TRAVIS COULTER KS Dept Of Agriculture
 ADDRESS: 1200 S. ADAMS HUGOTON, KS
 (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	
<u>27</u>	<u>33</u>	<u>R38W</u>									<u>40</u>	<u>40</u>	<u>20</u>	<u>40</u>					<u>140</u>
																			<u>120*</u>

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: TRAVIS COULTER
 ADDRESS: 1200 S. ADAMS HUGOTON, KS
 (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	
<u>27</u>	<u>33</u>	<u>38W</u>									<u>40</u>	<u>14</u>		<u>10</u>					<u>64</u>
												<u>13.5</u>							<u>60</u>

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 12-28-16 Check # 1889

* FO4-6M03 - CPU - *

* LI/AWR 3/15/17
 APPLICATION COMPLETE
5/18/18
 Reviewer LI

4. The presently authorized place of use is:

Owner of Land — NAME: REX AND ROGLEND A COULTER
 ADDRESS: 1165 RD 7 HUGOTON, KS

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	
<u>27</u>	<u>33</u>	<u>38W</u>					<u>40</u>	<u>40</u>										<u>80</u>	

List any other water rights that cover this place of use.

Owner of Land — NAME: DAVID AND GINNY BATIE ^{(620)-453-1569*} 23.5A SWSW ^{(620) 544-7104*} CRAIG & GREWELI & HATHAWAY
 ADDRESS: 1108 RD 7 HUGOTON, KS 1114 ROAD 7, HUGOTON, KS 67591

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	
<u>a</u> <u>27</u>	<u>33</u>	<u>38W</u>										<u>20</u>						<u>20</u>	
<u>b</u> <u>27</u>	<u>33</u>	<u>38W</u>										<u>20</u>						<u>20</u>	
																		<u>TOTAL 40*</u>	

List any other water rights that cover this place of use. NONE

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: REX AND ROGLEND A COULTER
 ADDRESS: 1165 RD 7 HUGOTON, KS

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	
<u>27</u>	<u>33</u>	<u>38W</u>					<u>13.5</u> <u>14</u>			<u>13.5</u> <u>14</u>		<u>40</u>						<u>68 67</u>	

List any other water rights that cover this place of use.

Owner of Land — NAME: JEAN COULTER
 ADDRESS: 1199 RD 8 HUGOTON, KS

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	
<u>27</u>	<u>33</u>	<u>38W</u>		<u>8.5</u> <u>9</u>	<u>40</u>	<u>9.5</u> <u>10</u>								<u>9.5</u> <u>10</u>	<u>40</u>	<u>8.5</u> <u>9</u>		<u>118 116</u>	

Water Resources Received
MAY 17 2018

List any other water rights that cover this place of use.

KS Dept Of Agriculture
 IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

WATER RESOURCES RECEIVED

JUN 29 2017 80 * LI/DWN 3/15/17

FEB 06 2017

TOTAL 243A

KS DEPT OF AGRICULTURE PAGE 2 OF 9 KS DEPT OF AGRICULTURE SCANNED

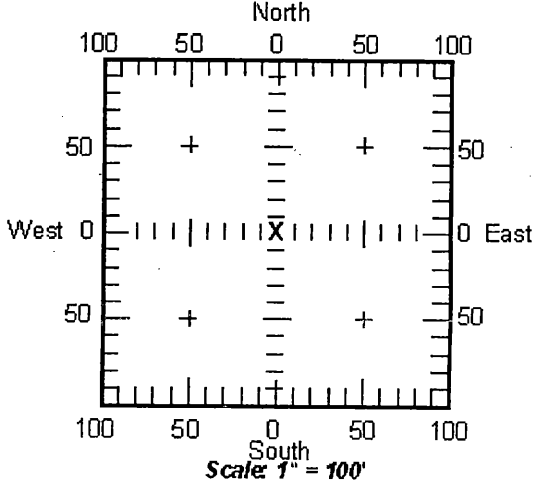
5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the NC E2 SW Quarter
 of Section 27, Township 33 South, Range 38W (E/W),
 in Stevens County, Kansas, 1160 feet North 3330 feet West of Southeast corner of section.
 Authorized Rate 1600 gpm Authorized Quantity 420 AF 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:
Proposed point of diversion: (Complete only if change is requested)
 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 _____

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:
Proposed point of diversion: (Complete only if change is requested)
 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. Why do you need a new point of diversion? NA

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)

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



9. When do you propose to complete the new point of diversion?
NA

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
NA

(b) When will this be done? NA

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by GLB Services

13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

**Water Resources
 Received
 MAY 17 2018**

**KS Dept Of Agriculture
 WATER RESOURCES
 RECEIVED**

JUN 30 2017

**WATER RESOURCES
 RECEIVED**

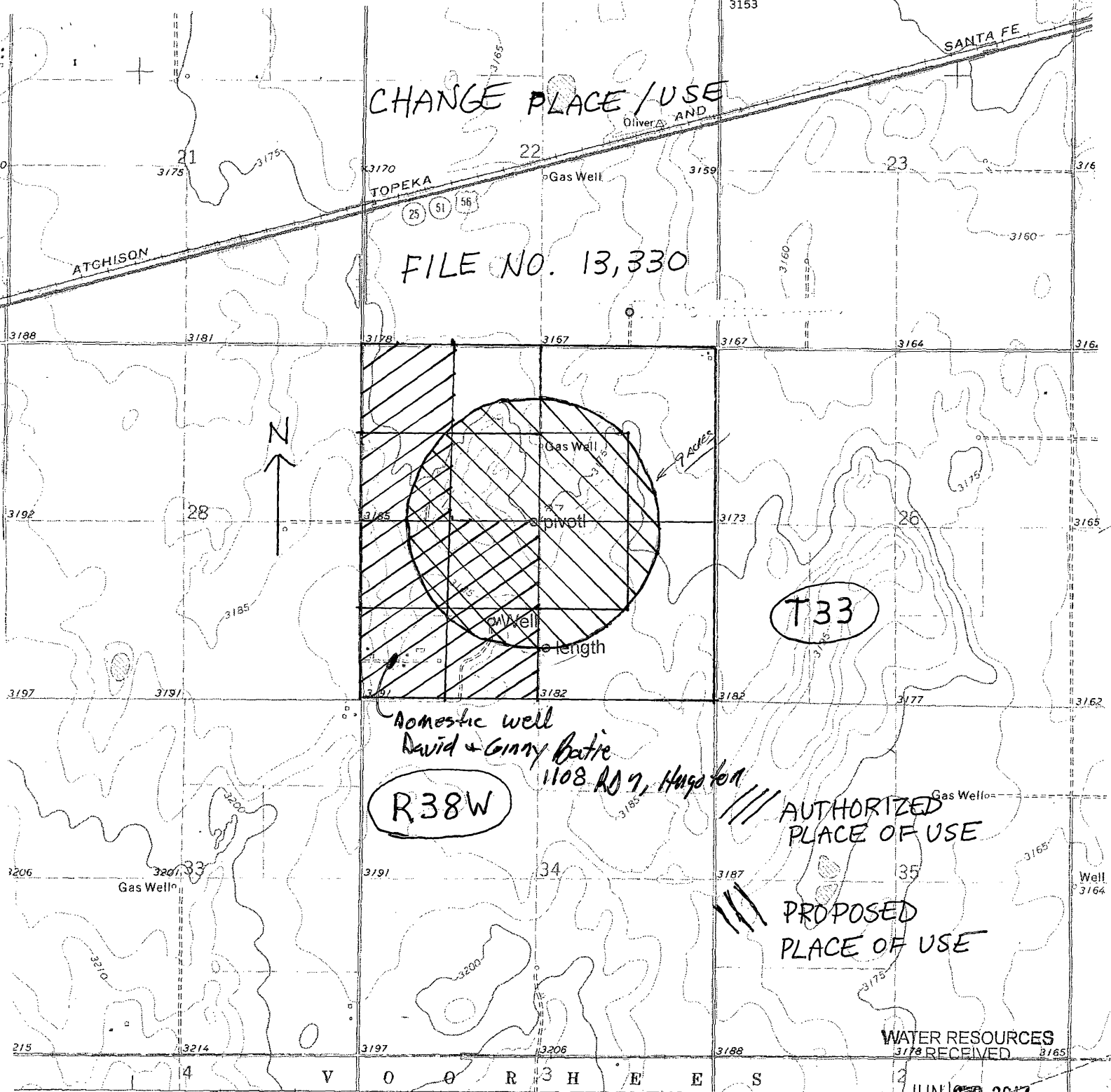
FEB 06 2017

KS DEPT OF AGRICULTURE

KS DEPT OF AGRICULTURE

SCANNED

PAGE 3 of 9



CHANGE PLACE / USE

FILE NO. 13,330

T33

R38W

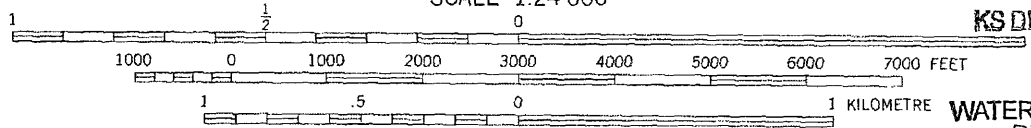
AUTHORIZED PLACE OF USE

PROPOSED PLACE OF USE

Domestic well
David & Ginny Batic
1108 RD 7, Hugoton

WATER RESOURCES RECEIVED

JUN 25 2017



KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

Water Resources Received
MAY 17 2018

FEB 06 2017

KS DEPT OF AGRICULTURE

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092 AND BY THE STATE GEOLOGICAL SURVEY, LAWRENCE, KANSAS 66044 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

KANSAS QUADRANGLE

SCANNED

Page 4 of 9

CHANGE PLACE / USE

FILE NO. 13,330
OWNERSHIP

- ① JEAN COULTER
- ② JEAN COULTER
- ③ TRAVIS COULTER
- ④ DAVID & BONNIE
- ⑤ GENE HATHAWAY
- ⑥ REX COULTER
- ⑦ JEAN COULTER

13330

R38W

AUTHORIZED PLACE OF USE

PROPOSED PLACE OF USE

Domestic well
David & Ginny Botic

1108 RS 7, Hugo

WATER RESOURCES RECEIVED

JUN 29 2017
30

KS DEPT OF AGRICULTURE

Water Resources Received

WATER RESOURCES RECEIVED

MAY 17 2018

FEB 06 2017

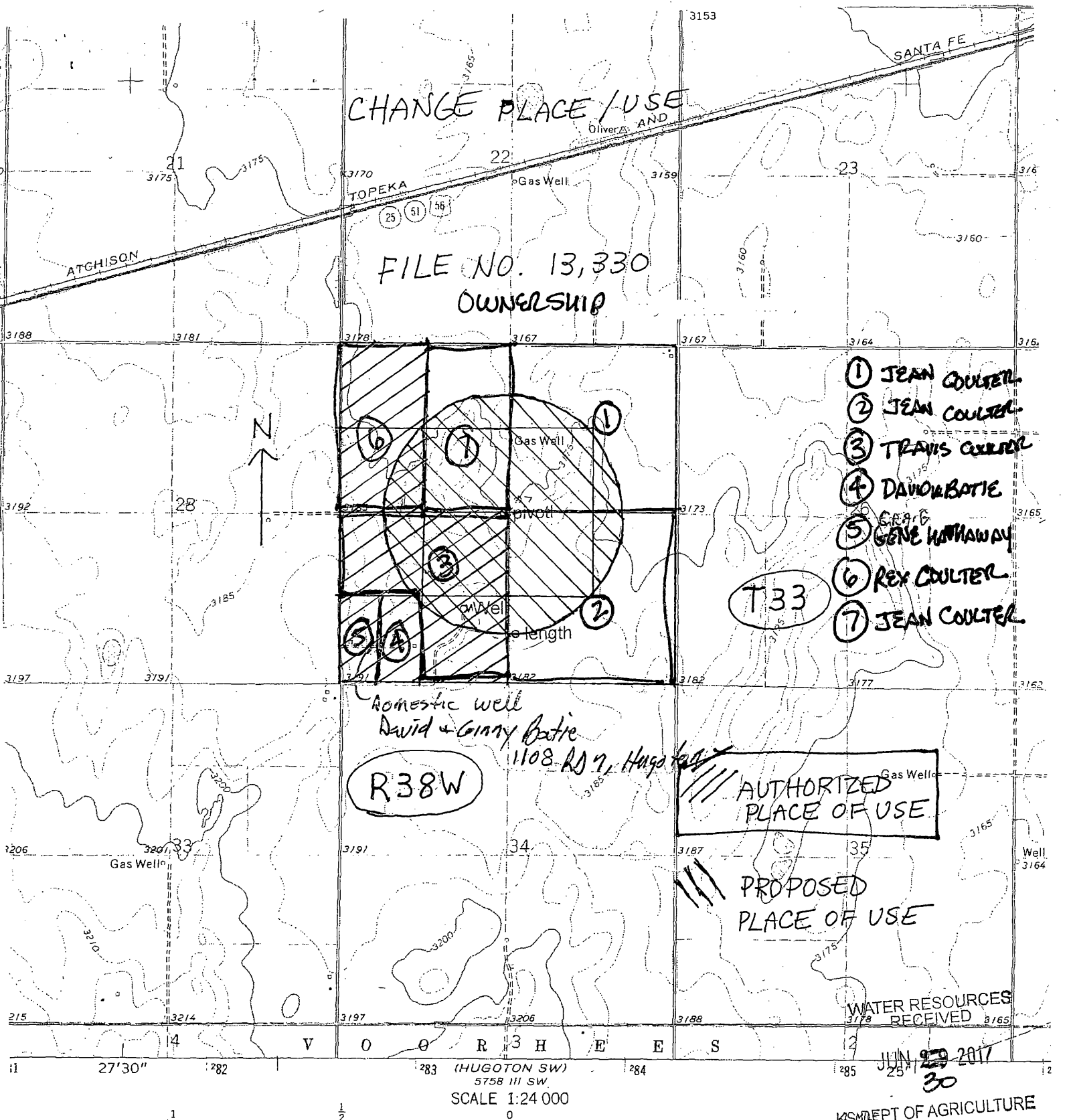
KS Dept Of Agriculture

KS DEPT OF AGRICULTURE

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
 FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
 AND BY THE STATE GEOLOGICAL SURVEY, LAWRENCE, KANSAS 66044
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

SCANNED

PAID 5.00



14. If the proposed groundwater point of diversion is 300 or fewer feet from 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 declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete.

Dated at Hugoton, Kansas, this 20 day of November, 2016.

Rex Coulter
(Owner)

Roberto Coulter
(Spouse)

Rex Coulter
(Please Print)

Roberto Coulter
(Please Print)

Travis Coulter
(Owner)

Glenda Coulter
(Spouse)

Travis Coulter
(Please Print)

Glenda Coulter
(Please Print)

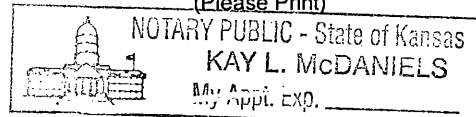
Jean Coulter
(Owner)

Jean Coulter
(Spouse)

JEAN COULTER
(Please Print)

Jean Coulter
(Please Print)

State of Kansas }
County of STEVENS } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 20 day of November, 2016.

Kay L. McDaniels
Notary Public

My Commission Expires March 21, 2018

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 Effective July 1, 2002

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

Any application submitted which requests two of the types of changes set forth above shall be accompanied by a fee of \$300.

Water Resources
Received

JUN 23 2017
30
KS DEPT OF AGRICULTURE

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Hugoton, Kansas, this 21 day of June, 2017.

David W Batie
(Owner)
David W Batie
(Please Print)

Ginny Batie
(Spouse)
Ginny Batie
(Please Print)

(Owner)
(Please Print)

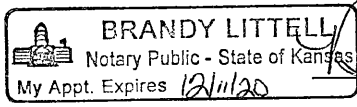
(Spouse)
(Please Print)

(Owner)
(Please Print)

(Spouse)
(Please Print)

State of Kansas }
County of Stevens } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 21 day of June, 2017.



Brandy Littell
Notary Public

My Commission Expires 12/1/20

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

(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
(4) Application to change the use made of the water	\$300

Water Resources
Received
MAY 17 2018

Make check payable to Kansas Department of Agriculture.

KS Dept Of Agriculture

These signatures are provided in conjunction with the David & Ginny Batie application for a well to divert 15 acre-feet of water for irrigation use.

WATER RESOURCES
RECEIVED

JUN 26 2017

SCANNED

PAGE 7 OF 9

KS DEPT OF AGRICULTURE

Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at HUGOTON, Kansas, this 25th day of May, 20 2017

Craig Hathaway
(Owner)

Liz A. Hathaway
(Spouse)

Craig Hathaway
(Please Print)

Liz A. HATHAWAY
(Please Print)

~~(Owner)~~

~~(Spouse)~~

~~(Please Print)~~

~~(Please Print)~~

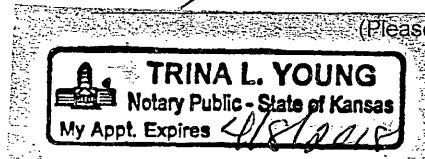
~~(Owner)~~

~~(Spouse)~~

~~(Please Print)~~

~~(Please Print)~~

State of Kansas }
County of Stevens } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 25th day of May, 2017.

Trina L. Young
Notary Public

My Commission Expires 4/8/2018

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water \$300

Make check payable to Kansas Department of Agriculture.

Water Resources Received
 WATER RESOURCES RECEIVED
 MAY 17 2018 JUN 26 2017
 KS Dept Of Agriculture
 PAGE 8 OF 9
 SCANNED

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Hugoton, Kansas, this 14 day of May, 2018.

David Bate
(Owner)
David Bate
(Please Print)

Ginny Bate
(Spouse)
Ginny Bate
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

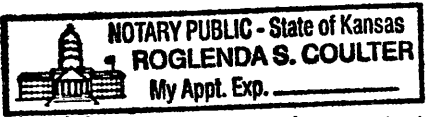
(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Stevens } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 13 day of May, 2018.

Roglenda S Coulter
Notary Public

My Commission Expires 4/10/22

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water \$300

Make check payable to Kansas Department of Agriculture.

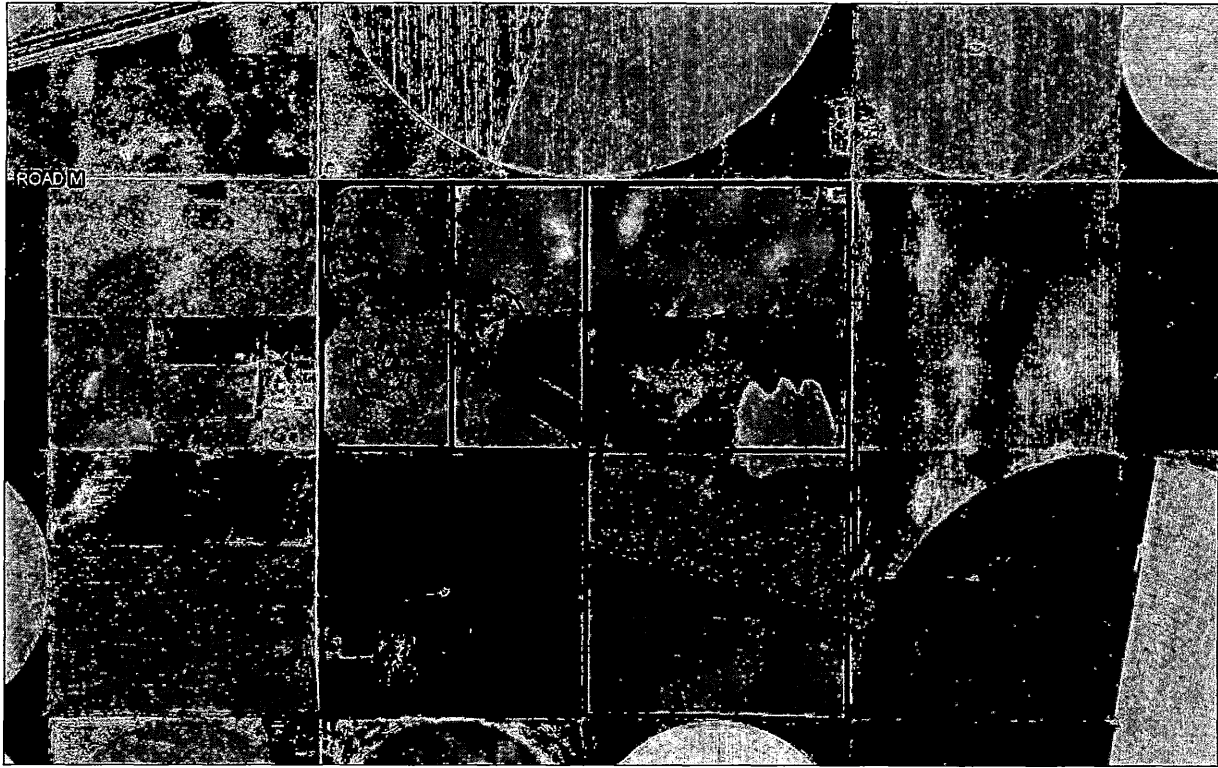
Water Resources
Received

MAY 17 2018

SCANNED

KS Dept Of Agriculture

270000000100A|095148270000000100B|095148270000000100C|0951482700000002000|0951482

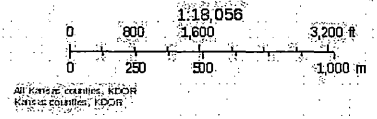


700
33

March 16, 17

- Parcels Green: Band 2
- Parcels:18057 Blue: Band 3
- Red: Band 1

RNG 38 W



Submit completed application to:
 Kansas Department of Agriculture
 Division of Water Resources
 Field Office for your area.

Call for address:

Topeka -- (785) 368-8251
 Stafford -- (620) 234-5311
 Stockton -- (785) 425-6787
 Garden City -- (620) 276-2901
www.ksda.gov

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.

WATER RESOURCES
RECEIVED

File No. 13,330

JUN 26 2017

11:37

KS DEPT OF AGRICULTURE

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: TRAVIS COULTER

1200 S. ADAMS HUGOTON, KS

Phone Number: (620) 544-5916 Email address: _____

Name and address of Water Use Correspondent: Same as above

Phone Number: () _____ Email address: _____

3. The presently authorized place of use is:

Owner of Land --- NAME: TRAVIS COULTER

ADDRESS: 1200 S. ADAMS HUGOTON, KS

(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	
<u>27</u>	<u>33</u>	<u>R38W</u>									<u>40</u>	<u>40</u>	<u>20</u>	<u>40</u>					<u>140</u>

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: TRAVIS COULTER

ADDRESS: 1200 S. ADAMS HUGOTON, KS

(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	
<u>27</u>	<u>33</u>	<u>38W</u>									<u>40</u>	<u>14</u>		<u>10</u>					<u>64</u>

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

4. The presently authorized place of use is:

Owner of Land — NAME: REX AND ROGLEND A COULTER

ADDRESS: 1165 RD 7 HUGOTON, KS

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	
<u>27</u>	<u>33</u>	<u>38W</u>					<u>40</u>	<u>40</u>										<u>80</u>	

List any other water rights that cover this place of use. _____

Owner of Land — NAME: DAVID AND GINNY BATIE

ADDRESS: 1108 RD 7 HUGOTON, KS

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	
<u>27</u>	<u>33</u>	<u>38W</u>										<u>24</u>	<u>20</u>					<u>20 24</u>	

List any other water rights that cover this place of use. _____

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: REX AND ROGLEND A COULTER

ADDRESS: 1165 RD 7 HUGOTON, KS

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	
<u>27</u>	<u>33</u>	<u>38W</u>					<u>14</u>		<u>14</u>	<u>40</u>								<u>68</u>	

List any other water rights that cover this place of use. _____

Owner of Land — NAME: JEAN COULTER

ADDRESS: 1199 RD 8 HUGOTON, KS

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	
<u>27</u>	<u>33</u>	<u>38W</u>		<u>9</u>	<u>40</u>	<u>10</u>								<u>10</u>	<u>40</u>	<u>9</u>		<u>118</u>	

WATER RESOURCES RECEIVED

List any other water rights that cover this place of use. _____

JUN 26 2017

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the NC E2 SW Quarter
 of Section 27, Township 33 South, Range 38W (E/W),
 in Stevens County, Kansas, 1160 feet North 3330 feet West of Southeast corner of section.
 Authorized Rate 1600 gpm Authorized Quantity 420 AF 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:
Proposed point of diversion: (Complete only if change is requested)
 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 _____

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:
Proposed point of diversion: (Complete only if change is requested)
 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. Why do you need a new point of diversion? NA

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

9. When do you propose to complete the new point of diversion?
NA

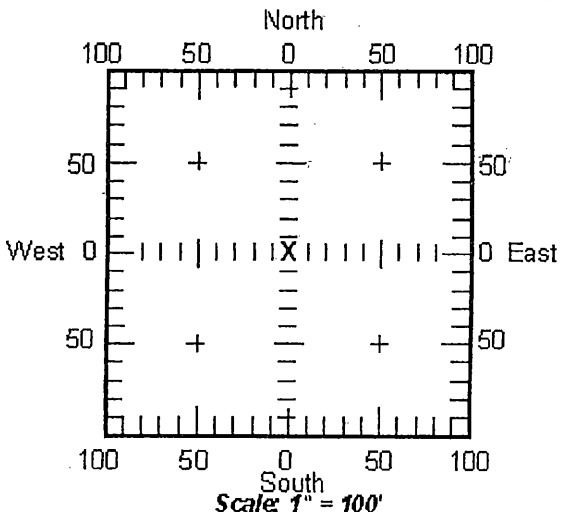
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
NA

(b) When will this be done? NA

11. Groundwater Management District recommendation attached? Yes No

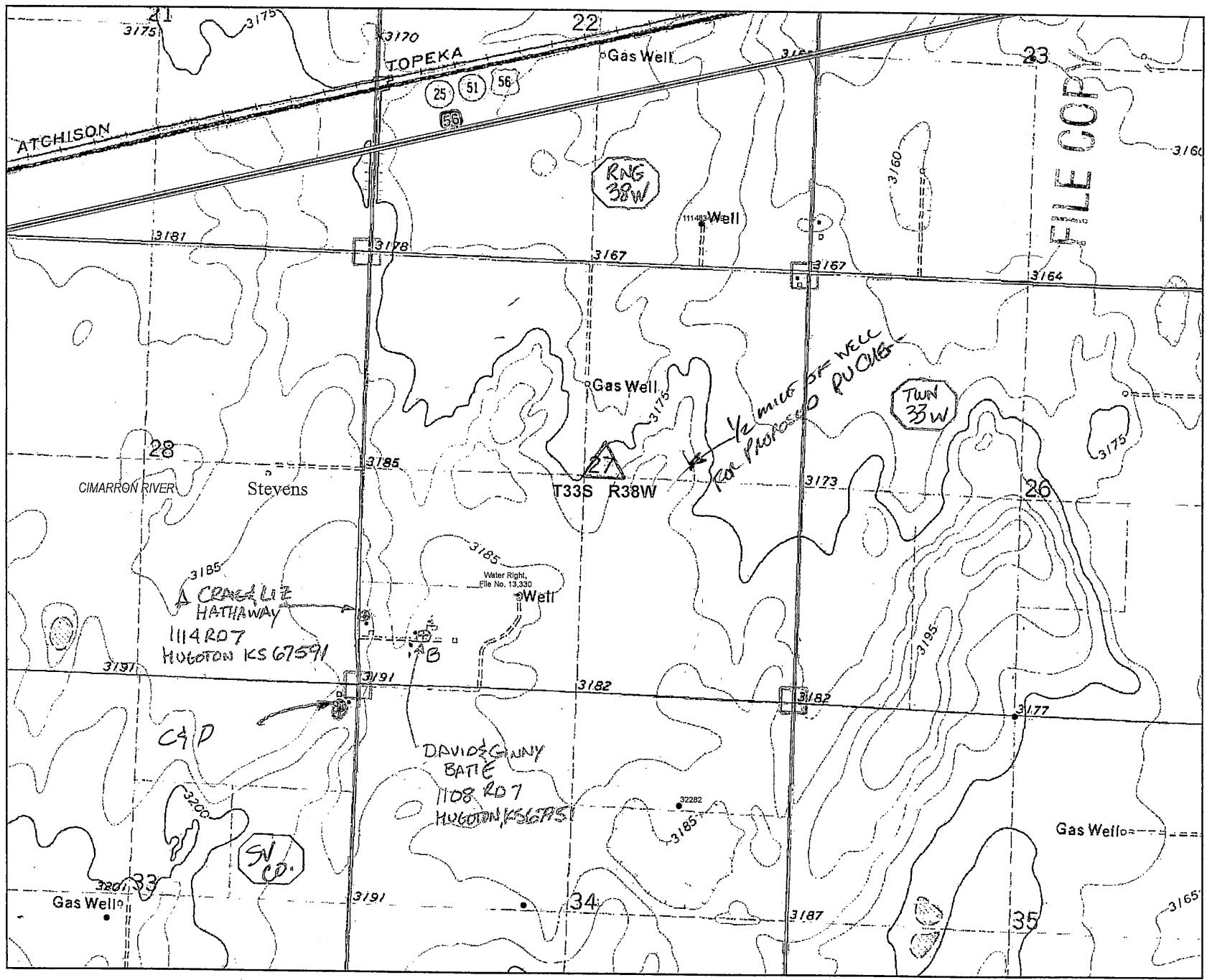
12. Assisted by GLB Services

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

JUN 26 2017



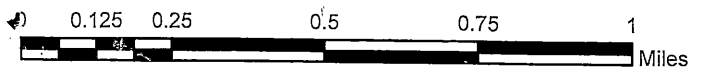
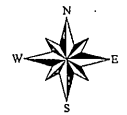
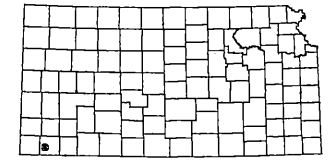
Legend

- S_UMW
- G_IRR
- IRR Place of Use
- ⊕ - DOMESTIC WELL
- A/B LISTED ON MAP.
- C&D DONNA OF JAMES STARBUCK
- CATHY & BILLY D. LIVINGSTON
- 1095 RD 7 HUGOTON KS 67951

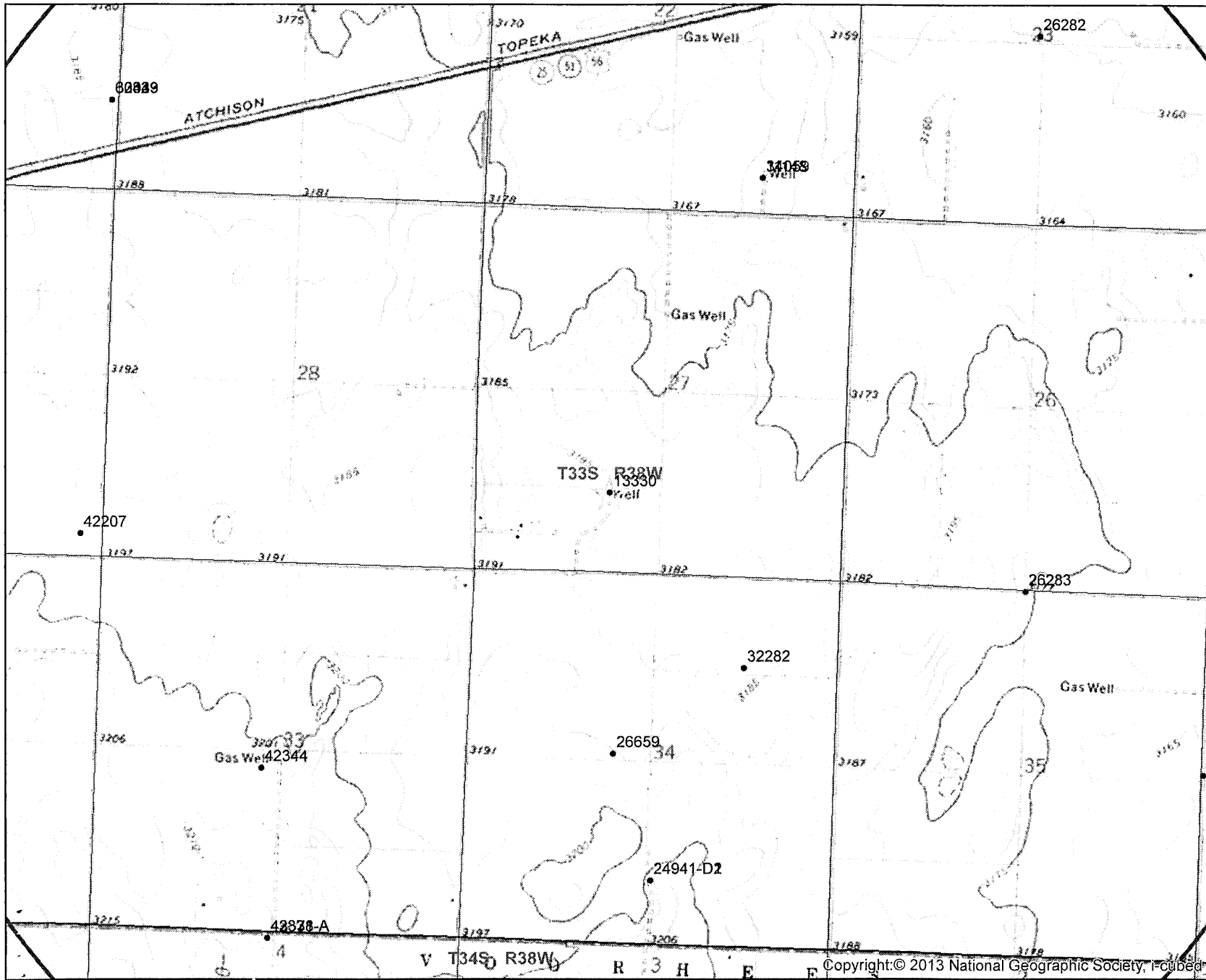
X

ALL NEARBY WELLS HAVE BEEN SHOWN

Index Map



Water Right, File No. 13,330

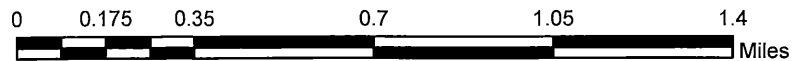
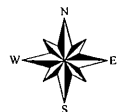
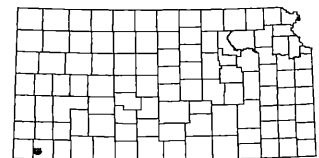


Legend

S_UMW

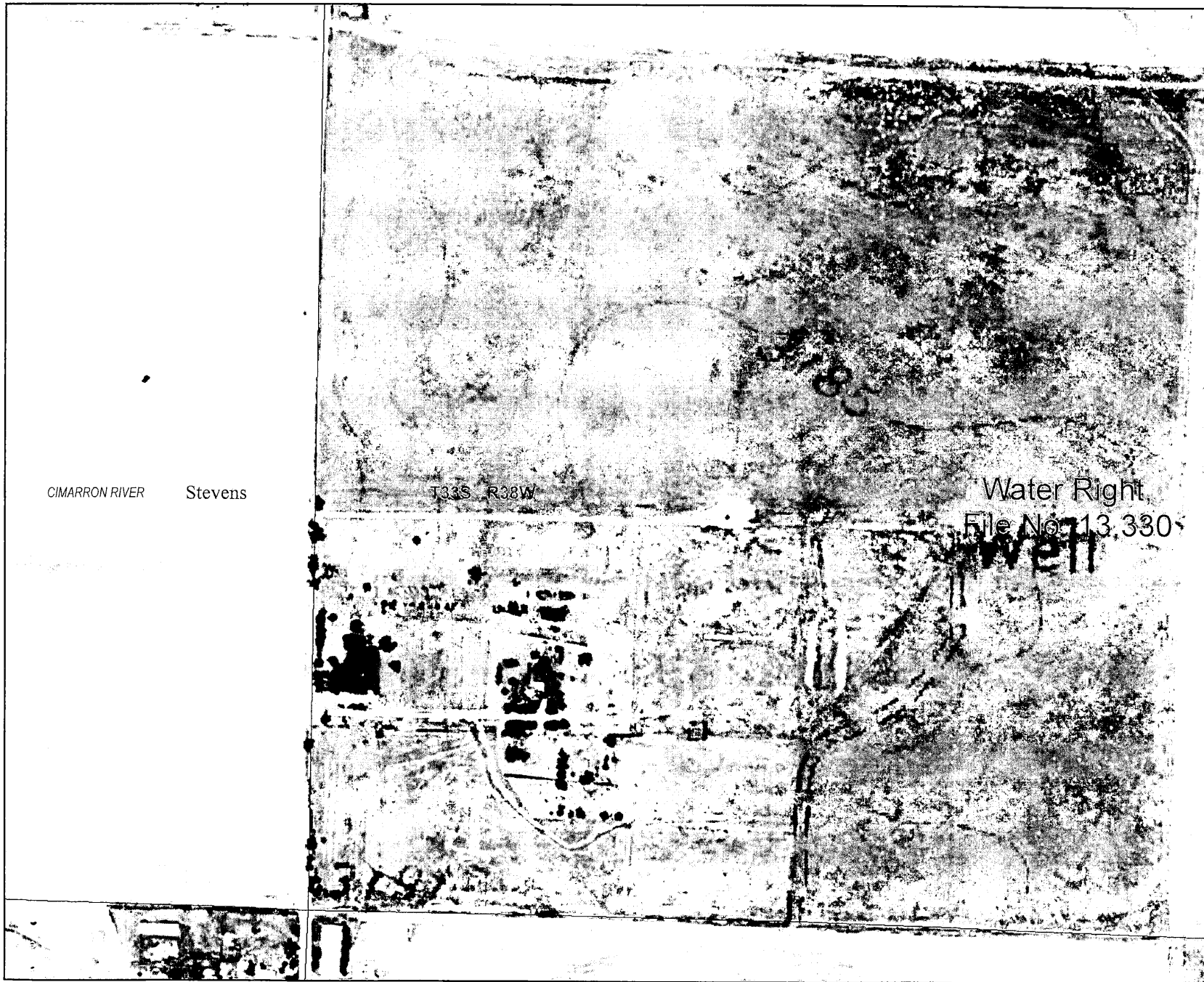
- G_IRR

Index Map



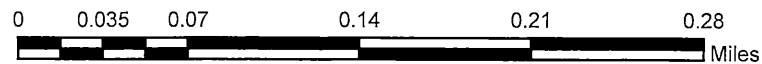
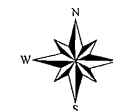
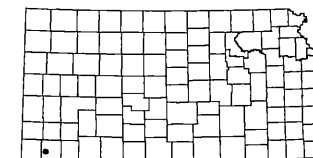
This map was created by WIMAS on 6/26/2017 8:41:03 AM

Proposed Appropriation of Water, File No. _____



 IRR Place of Use

Index Map



This map was created by L. Ireland in WIMAS.
MAP NOT TO STANDARD SCALE

Ireland, Leslie [KDA]

From: Meyer, Mike [KDA]
Sent: Thursday, May 17, 2018 4:20 PM
To: Ireland, Leslie [KDA]
Subject: RE: Recommendation for Change in PU File No. 13330_ Coulter

Approve finally!

Mike

From: Ireland, Leslie [KDA]
Sent: Thursday, May 17, 2018 3:18 PM
To: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>
Subject: Recommendation for Change in PU File No. 13330_ Coulter

Mike,

All of the owners and their spouses of the currently and proposed place of use have signed the application.

Please let me know if you could recommend the change.

As always comments and concerns are welcome.

Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE MCCLASKEY, SECRETARY OF AGRICULTURE

March 12, 2018

FILE COPY

TRAVIS COULTER
1200 S ADAMS
HUGOTON KS 67951

RE: Water Right, File No. 13,330

Dear Mr. Coulter:

Per my conversation with David Batie and Jason Norquest, Assistant Manager, Southwest Groundwater Management District No. 3., the Chief Engineer has extended until March 31, 2018, as the time in which to return your application to change the place of use under the referenced file number

If the application is not returned and information is not supplied by the deadline, of **March 31, 2018**, or any authorized extension of time thereof, the application will be dismissed. According to the law, default in returning the application and supplying the requested information, within the time allowed, shall constitute forfeiture of the priority date and dismissal of the application.

If you wish to request additional time, you must do so in writing, before the period expires. Such a request should state what steps are being taken to supply the requested information.

If you have any questions, please contact our office, my desk phone number is (785) 564-6633. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

pc: Garden City Field Office
Groundwater Management District No. 3

1320 Research Park Drive
Manhattan, Kansas 66502
785-564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
785-296-3556

Secretary Jackie McClaskey

Governor Jeff Colyer, M.D.

February 23, 2018

TRAVIS COULTER
1200 S ADAMS
HUGOTON KS 67951

RE: Water Right, File No. 13,330

Dear Mr. Coulter:

Per my conversation with Rex Coulter, the Chief Engineer has extended until March 17, 2018, as the time in which to return your application to change the place of use under the referenced file number

If the application is not returned and information is not supplied by the deadline, of **March 17, 2018**, or any authorized extension of time thereof, the application will be dismissed. According to the law, default in returning the application and supplying the requested information, within the time allowed, shall constitute forfeiture of the priority date and dismissal of the application.

If you wish to request additional time, you must do so in writing, before the period expires. Such a request should state what steps are being taken to supply the requested information.

If you have any questions, please contact our office, my desk phone number is (785) 564-6633. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

pc: Garden City Field Office
Groundwater Management District No. 3

SCANNED

FILE COPY

1320 Research Park Drive
Manhattan, Kansas 66502
785-564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
785-296-3556

Secretary Jackie McClaskey

Governor Jeff Colyer, M.D.

February 15, 2018

FILE COPY

TRAVIS COULTER
1200 S ADAMS
HUGOTON KS 67951

RE: Water Right, File No. 13,330

Dear Mr. Coulter:

Reference is made to the application for approval of the Chief Engineer to change the place of use under the referenced file number which was received in this office on February 6, 2017.

It is required by K.A.R. 5-5-1(c), that the Division of Water Resources, is require to obtain a notarized signature from each landowner and their spouse, or a duly authorized agent. Review of the application finds the signatures of David W. and Ginny Batie were provided in conjunction with the permitting of the application under File No. 49,863. On November 13, 2017, the Southwest Kansas Groundwater Management District No. 3, recommended denial of the proposed Application for Permit to Appropriate Water for Beneficial Use, File No. 49,863, due to the proposed appropriation not meeting the required well to well spacing as detailed in K.A.R. 5-23-3(a)(1), *Minimum well spacing requirements: high plains aquifer*. Mr. Batie has been informed of the recommendation made by the District and recommended to consult with them. Based on the recommendation made by the District the application referenced above fails to comply with K.A.R. 5-5-1(c), *Filing an application for change*.

It appears the application to change the authorized place of use, under File No. 13,330, cannot be approved as filed, therefor, it will be recommended to the Chief Engineer that the application for change be denied and dismissed for failure to comply with K.A.R. 5-5-1(c).

We are returning the application and advising you of this recommendation in order to allow you the opportunity to modify the application, or submit additional information show why the evaluation should be reconsidered. You have a period of 15 days (until **March 2, 2018**) to either (1) return the application with additional information to our office or (2) to request additional time beyond the 15 days to submit additional information. If you wish to request additional time, you must do so in writing, before the 15 day period expires. Such a request should state what steps are being taken to obtain the information and the amount of time you will need to supply the information to our office.

Should you need to request additional time in which to return the requested information please do so prior to the deadline.

NO FILE COPY OF APP - LDIOW
2/21/18

SCANNED

RE: Water Right, File No. 13,330

Page 2

If you have any questions, please contact me at (785)564-6633 or via email at Leslie.Ireland@KS.GOV. Please reference the water right file number listed above so that I may help you more efficiently.

Sincerely,

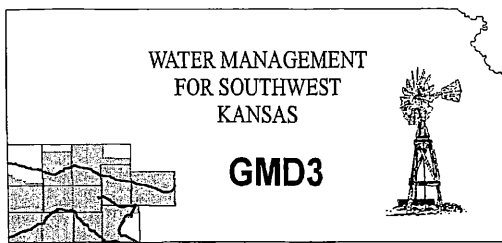


Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

Enclosures

pc: Garden City Field Office
Groundwater Management District No. 3



Southwest Kansas
Groundwater Management District No. 3
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone (620) 275-1431 fax
www.gmd3.org

November 13, 2017

Leslie Ireland
Kansas Department of Ag
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

RE: Application for New Appropriation
Appropriation, File No. 49863

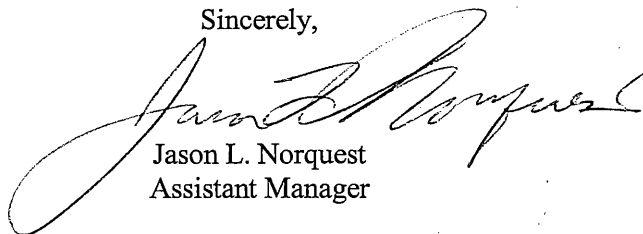
Dear Leslie:

We have completed a review of the application for the above referenced new appropriation. The proposal is in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). More specifically as it pertains to minimum spacing to neighboring wells in accordance with K.A.R. 5-23-3(a). We reviewed this application at our November 6, 2017 Board meeting.

A brief review of the application was given to the Board. This application was in response the change in place of use filed on Water Right, File No. 13330. In order for that application to proceed, Mr. Batie requested his own water right and well. His intentions are to water a small 7 acres pasture when needed. Staff has been in contact with Mr. Batie and the process for perfecting a water right has been explained to him. The proposed location however, does not meet minimum spacing to the well under File No. 13330. In an area that has seen significant decline, the Board believes that every effort should be exhausted to be compliant with the rules and would like the applicant and neighbors involved to look at other possible options that would not require a waiver. The Board does not recommend a waiver to K.A.R. 5-23-3(a) at this time. If the applicant would like to modify the current application or show that the application cannot proceed without a waiver, the Board would be willing to consider it at a future time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,



Jason L. Norquest
Assistant Manager

SCANNED

WATER RESOURCES
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NOV 20 2017

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

October 19, 2017

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO 3
ATTN MARK RUDE
2009 E SPRUCE
GARDEN CITY KS 67846

Re: Water Right, File No. 13,330

Dear Mr. Rude:

In response to the October 17, 2017, email request of Jason Norquest, requesting an extension till November 10, 2017, the Chief Engineer has extended, the time in which to submit the recommendation concerning the above referenced file, due to your October monthly board meeting being rescheduled to November 6, 2017.

The request for comment has been extended and no action will be taken until November 13, 2017, due to the requested date of November 10, 2017, being Veterans Day and our offices will be closed.

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

pc: Garden City Field Office ✓
Travis Coulter

Ireland, Leslie

From: Jason Norquest <norquest@gmd3.org>
Sent: Tuesday, October 17, 2017 3:34 PM
To: Ireland, Leslie
Cc: Mark Rude; Meyer, Mike
Subject: extensions

Good afternoon Leslie. I appreciate the phone call this afternoon reminding me of reviews you are waiting on. Due to our monthly Board meeting being canceled for the late harvest I will need an extension for 39356 & 49863. We moved our November meeting to November 6th so we can attend the Governor's Water Conference, so I would hope I could work on them and have the recommendations back to you by November 10th. I have the review done for 13330, which is tied to the 49863 review.

Also, need an extension on 27188, Belfort/Borth, application. That one is currently getting data collected in connection with Mike's office. So an extension to the end of the year might be needed in that case.

Thanks for your time and have a good day.

Jason Norquest

Assistant Manager, GMD3

Office: 620-275-7147 Cell: 620-271-1289

norquest@gmd3.org

www.gmd3.org

WATER RESOURCES
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OCT 19 2017

KS DEPT OF AGRICULTURE

Ireland, Leslie

File NO. 13330

From: Engelhaupt, David
Sent: Tuesday, October 3, 2017 12:43 PM
To: Ireland, Leslie
Subject: RE: Application File No. 49863
Attachments: Theis_49863.docx

The Theis results are attached. Under the assumed parameters, the proposed file causes a drawdown of 3.1 feet at well 13330 and 3.67 feet at the Hathaway domestic. The assumptions are detailed in the document. Let me know if you have any questions.

David E.

From: Ireland, Leslie
Sent: Wednesday, September 27, 2017 4:27 PM
To: Engelhaupt, David <David.Engelhaupt@ks.gov>
Subject: RE: Application File No. 49863

David,

I called the owner he said he runs a 1 to 1.5 horsepower motor so he thought it would be around 20 gallons per minute. This area of the state has an average gallons per capita per day of 320 gallons (per the KWO) and this data excludes farmsteads using more than 200,000 gallons I did the calculation with the average and came up with 0.36 AF of water so to error on the high side and this is a farmstead with a garden to max them out at twice the farmstead use with some topside so 1.25 AF. The 200000 gallon mark is only 0.61 AF.

The 1.25AF at 20 gpm is just an estimate, but on the high side is better than not in this case.

Leslie

From: Engelhaupt, David
Sent: Wednesday, September 27, 2017 3:51 PM
To: Ireland, Leslie <Leslie.Ireland@ks.gov>
Cc: Baum, Kristen <Kristen.Baum@ks.gov>
Subject: RE: Application File No. 49863

I can do that. To do a Theis run with both the proposed well and domestic well impacting 13330 I will need to know the rate and annual quantity that the domestic well pumps, any idea of reasonable values for that?

David Engelhaupt
Engineering Associate
Kansas Department of Agriculture
Division of Water Resources
(785) 564-6680

From: Ireland, Leslie
Sent: Wednesday, September 27, 2017 11:54 AM
To: Engelhaupt, David <David.Engelhaupt@ks.gov>

Cc: Baum, Kristen <Kristen.Baum@ks.gov>

Subject: Application File No. 49863

David,

I've been told you're the "go to" now for Theis and also somewhat by GMD3 that they don't have the ability to run a Theis. So we need some Theis data for the proposed application per 5-23-3 (e)(4). Attached is the information. The well log is the last page.

The proposed well and right is for 15 AF @ 200 gpm. The domestic well is probably the attached well log,, and is about 600 feet away, so the logs will probably be very similar.

Could you also see what the proposed well would do to the well under File No. 13,330 that is 1217 feet to the NE? It's 420 AF would have it needing to be 2,100 feet away. Actually ,, what would happen to 13330, if the domestic and the referenced application File No. 49,863 both pumped? Would that data be possible?

There is a bit of a time crunch as the GMD 3 Board meets on the 11 and it would be good to get this on their agenda. If I need to do anything for this project please let me know.

Thanks in advance.

Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 13, 2017

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO 3
ATTN MARK RUDE
2009 E SPRUCE
GARDEN CITY KS 67846

Re: Water Right, File No. 13,330

Dear Mr. Rude:

In response to the September 11, 2017, email request of Jason Norquest, the Chief Engineer has extended, the time in which to submit the recommendation concerning the above referenced file.

At your request, we are delaying any further action until October 13, 2017.

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

pc: Garden City Field Office
Travis Coulter

FILE COPY

SCANNED

Ireland, Leslie

From: Jason Norquest <norquest@gmd3.org>
Sent: Monday, September 11, 2017 3:31 PM
To: Ireland, Leslie
Cc: Meyer, Mike
Subject: RE: File Nos. 13330 & 49863

Sorry for the delay in responding. I would like to request an extension. I had a conversation with the applicant and he seemed hesitant that the applications was going to accomplish what he wished or even actually be perfected. I will try to get ahold of him again and get back with you.

Have a good day.

Jason Norquest

Assistant Manager, GMD3
Office: 620-275-7147 Cell: 620-271-1289
norquest@gmd3.org
www.gmd3.org

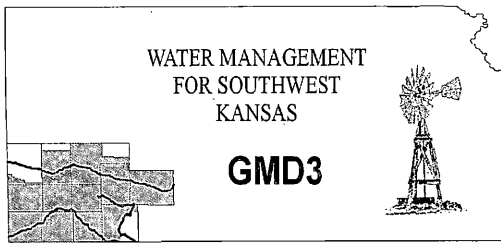
From: Ireland, Leslie [mailto:Leslie.Ireland@ks.gov]
Sent: Friday, September 08, 2017 10:30 AM
To: Jason Norquest <norquest@gmd3.org>
Cc: Meyer, Mike <Mike.Meyer@ks.gov>
Subject: File Nos. 13330 & 49863

Jason,

Were you going to ask for an extension on this package File Nos. 13330 & 49863 (Coulter/Batie) too?

The new app needs a waiver. I sent a letter Aug 1 about the waiver.

Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov



Southwest Kansas
Groundwater Management District No. 3
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone (620) 275-1431 fax
www.gmd3.org

July 14, 2017

Leslie Ireland
Kansas Department of Ag
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

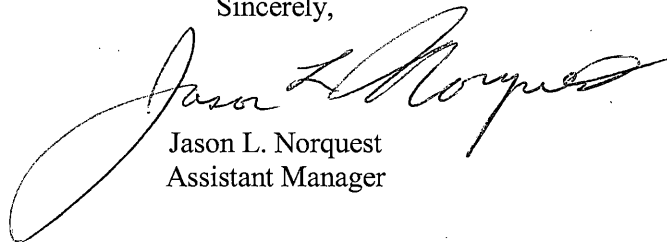
RE: Application for Change in Place of Use
Water Right, File No. 13330

Dear Leslie:

We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The applicant is increasing base acres by 6 acres which is in accordance with K.A.R. 5-5-11. It is therefore recommended that the application be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,



Jason L. Norquest
Assistant Manager

SCANNED

WATER RESOURCES
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NOV 20 2017

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

July 3, 2017

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO 3
ATTN MARK RUDE
2009 E SPRUCE
GARDEN CITY KS 67846

Re: Application for Change, Water Right, File No. 13,330

Dear Mr. Rude:

We are enclosing a copy of the application referred to above which appears to be in proper form.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendation concerning this application.

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

Enclosure

pc: Garden City Field Office
Travis Coulter

FILE COPY

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

July 3, 2017

JAMES E & DONNA D LIVINGSTON
CATHY L & BILLIE D STARR
1290 ROAD 14
HUGOTON KS 67951-5109

RE: Water Right, File No. 13,330

Dear Sir or Madam:

This letter is to **provide notice** as required by Kansas Senate House Bill No. 337, which became effective on July 1, 2016. This notice is to inform you that the owner of the referenced appropriation of water has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

The application for Water Right, File No. 13,330, proposes a change in the place of use. This change will not alter the quantity of water or rate of diversion authorized for irrigation use by the referenced water right. The application proposes to modify the configuration of the irrigated place. The 240 acres currently authorized will increase to 243 acres under a center pivot configuration, but is and will remain located in Section 27 in Township 33 South, Range 38 West, Stevens County, Kansas.

If you have any questions, please contact our office, my desk phone is (785) 564-6633. If you wish to discuss a specific file, please have the file numbers ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Garden City Field Office
Groundwater Management District No. 3
Travis Coulter

FILE COPY

File No. 13,330 CHANGE IN PLACE OF USE
Nearby Owner Letter List

JAMES E & DONNA D LIVINGSTON
CATHY L & BILLIE D STARR
1290 ROAD 14
HUGOTON KS 67951-5109

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

June 9, 2017

DAVID & GINNY BATIE
1114 ROAD 7
HUGOTON KS 67951

RE: Water Right, File No. 13,330
Change Application

Dear Mr. & Mrs. Batie;

Per my June 6, 2017, telephone conversation with Mr. Batie, at the request of the applicant, and Mr. Batie's request for additional time to evaluate the December 28, 2016, application for change, the Chief Engineer has extended the time in which to supply the needed signatures as detailed in my March 16, 2017, letter. Any further action on the application for change will be delayed until June 24, 2017.

Enclosed please find a summary of options for your request to irrigate a portion of your property and the requested map of the Estimated Usable Lifetime for the High Plains Aquifer in Kansas. It would appear that a new application for a new permit as a 15 acre-foot exemption as allowed by K.A.R. 5-3-16, *Safe yield; exemptions for up to 15 acre-feet of groundwater* may be the best option for your irrigation needs. A partially completed application for a permit has also been enclosed for your review and return should you choose this option. To complete the new application please see the highlighted areas. The exact location of the proposed well will need to be added to the application in paragraph No. 5. The information listed for the location of proposed point of diversion and the 7.5 acres that will be irrigated will both need to be plotted on the map as detailed by the map legend. A template has been enclosed to assist you with the plotting of the information on the map. The map will need to be reviewed for the identification of nearby well owners and the statement that all have been identified be signed. The application will need an original signature in paragraph Nos. 6 & 16. The filing fee for this application is \$200.00 must be submitted with the proposed new application. Upon completion of the diversion works under a new permit is subject to a fee of \$400.00 for the Field Inspection.

FILE COPY

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According to law, default in the return the application for change, that is in the possession of the Coulters, along with original notarized signatures of all owners of the authorized place of use by the June 24, 2017 deadline or within the time allowed, shall cause dismissal of the application for change under the above referenced file number.

If you have any questions, please contact me at (785)564-6633 or via email at Leslie.Ireland@KS.GOV. I will be out of the office the week of June 12, 2017, but Thom Makens, Assistant Water Commissioner, Garden City Field Office at (785) 276-2901, will be available for assistance during this time. Please reference the water right file number listed above so that we may help you more efficiently.

Sincerely,



Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

Enclosures

pc: ✓ Garden City Field Office
Groundwater Management District No. 3
Travis Coulter & Rex Coulter

FILE COPY

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

May 4, 2017

CRAIG & LIZ HATHAWAY
1114 ROAD 7
HUGOTON KS 67951

RE: Water Right, File No. 13,330
Change Application

Dear Mr. & Mrs. Hathaway;

Per our telephone conversation of May 2, 2017, and your request for additional time to review the December 28, 2016, application for change, the Chief Engineer has extended the time in which to supply the needed signatures as detailed in my March 16, 2017, letter.

Enclosed please find a file copy of the application for change, correspondence, and information we discussed which includes a copy of the certificate for the referenced file.

We are delaying any further action until May 31, 2017.

According to law, default in the return the application that is in the possession of the Coulters along with original notarized signatures of all owners of the authorized place of use within the time allowed shall cause dismissal of the application for change under the above referenced file number.

If you have any questions, please contact me at (785)564-6633 or via email at Leslie.Ireland@KS.GOV. Please reference the water right file number listed above so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

FILE COPY

LI:li

Enclosures

pc: Garden City Field Office
Groundwater Management District No. 3
Travis Coulter & Rex Coulter

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

April 26, 2017

TRAVIS COULTER
1200 S ADAMS
HUGOTON KS 67951

FILE COPY

RE: Water Right, File No. 13,330
Change Application

Dear Mr. Coulter

Per your telephone call of April 21, 2017 and email of April 25, 2017, regarding the December 28, 2016, application for change, the Chief Engineer has extended the time in which to return to our office the application and needed signatures as detailed in my March 16, 2017, letter.

We are delaying any further action until May 11, 2017.

According to law, default in returning the application and requested information within the time allowed shall cause dismissal of the application for change under the above referenced file number. This extension is a final extension for the returning of the application due to the upcoming 2017 planting and irrigation season.

If you have any questions, please contact me at (785) 564-6633 or via email at Leslie.Ireland@KS.GOV. Please reference the water right file number listed above so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

pc: Garden City Field Office
Groundwater Management District No. 3

SCANNED

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

March 30, 2017

FILE COPY

TRAVIS COULTER
1200 S ADAMS
HUGOTON KS 67951

RE: Water Right, File No. 13,330
Change Application,

Dear Mr. Coulter

Per your telephone request of March 29, 2017, regarding the December 28, 2016, application for change, the Chief Engineer has extended the time in which to return to our office the application and documents as detailed in my March 16, 2017, letter.

We are delaying any further action until April 20, 2017.

According to law, default in returning the application and requested information within the time allowed or any authorized extension of time, shall cause dismissal of the application for change under the above referenced file number.

Should you need to request additional time in which to return the application, and needed information, please do so prior to the deadline. Your request should state what steps are being taken to supply the requested information for a complete application and approximately the time needed. The request may be sent to my attention at the address above or via email.

If you have any questions, please contact me at (785) 564-6633 or via email at Leslie.Ireland@KS.GOV. Please reference the water right file number listed above so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li
pc: Garden City Field Office
Groundwater Management District No. 3

SCANNED



1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700

900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

March 16, 2017

TRAVIS COULTER
1200 S ADAMS
HUGOTON KS 67951

RE: Water Right, File No. 13,330

Dear Mr. Coulter:

Reference is made to the application for approval of the Chief Engineer to change the point of diversion under the referenced file number which was received in this office on February 6, 2017. Upon review of the application, we find that additional information is needed.

It is required by K.A.R. 5-5-1(c) *Filing an application for change*, that the Division of Water Resources, is require to obtain a notarized signature from each landowner and their spouse, or a duly authorized agent. All signing must be done with a notary public present. Should an agent sign on behalf of the owners, please provide legal documentation that grants the agent the authority to sign property documents, specifically water rights.

The records for Stevens County and the application indicate a portion of the authorized place of use is owned by Craig & Grewe, Liz Hathaway and David W. & Ginny Batie.

The application and a new signature pages are enclosed so that you may obtain the needed signatures. In order for the application to retain its priority of filing the signature pages must be completed and returned to this office on or before March 30, 2017. According to law, default in returning requested information as outlined above within the time allowed or any authorized extension of time, shall cause dismissal of the application for change under the above referenced file number.

Should you need to request additional time in which to return the requested information please do so prior to the deadline.

If you have any questions, please contact me at (785) 564-6633 or via email at Leslie.Ireland@KS.GOV. Please reference the water right file number listed above so that I may help you more efficiently.

Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

Enclosures

pc: Garden City Field Office
Groundwater Management District No. 3

FILE COPY

Ireland, Leslie [KDA]

From: Makens, Thom
Sent: Thursday, March 16, 2017 9:05 AM
To: Ireland, Leslie
Subject: RE: File No. 13330 base acres Coulter

good morning, Mike has a note in the file whereby he determined 236 base acres. Since he is the big boss I will go with his number.

From: Ireland, Leslie
Sent: Thursday, March 16, 2017 8:56 AM
To: Meyer, Mike <Mike.Meyer@ks.gov>; Makens, Thom <Thom.Makens@ks.gov>
Subject: File No. 13330 base acres Coulter

Could you please look at the base acres for this file.

It looks to have the year of record 1978 with 210 acres.

Take care,
Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov

Turney, Brent

From: Meyer, Mike
Sent: Friday, February 10, 2017 8:05 AM
To: Turney, Brent
Subject: 13330 CHG PU

Thom forwarded this change to you for lack of signature, but did not send any letters etc trying to obtain the signature...
Ughhh

We need to reach out and request a signature prior to dismissal....

thanks

Mike

NEARBY DOMESTIC WELL -

General Information

Friday June 9 2017 12:14:29 PM

Subject Property: 0951483300000001000

QuickRef ID : R4247 [Click here to locate on Map](#)

Owner Name : LIVINGSTON, JAMES E & DONNA D & STARR, CATHY L & BILLIE D No property photo available

Location : 1095 ROAD 7, HUGOTON, KS 67951.

Legal Desc : S33 , T33 , R38W , ACRES 160.0 , NE LESS ROW.

The legal description displayed above is not adequate for use in legal documents

Owner Information

Owner :	Mailing Address :
LIVINGSTON, JAMES E & DONNA D & STARR, CATHY L & BILLIE D	1290 ROAD 14 HUGOTON, KS 67951-5109

Property Details

Property Type :	Property Status :	Taxing Unit :	Neighborhood Code :
Farm Homesite	Active	030 - WEST CENTER TOWNSHIP	320.0

Market Land Details

Actual Width :	Eff Width :	Eff Depth :	Acres :	Square Feet :
			.4	

No Permit Details found.

Value Details

Current Final Value (Agricultural) :	Year :	2016
	Land :	\$13,250
	Building :	\$9,990
	Total :	\$23,240
Current Final Value (Farm Homesite) :	Year :	2016
	Land :	\$1,000
	Building :	\$28,700
	Total :	\$29,700

Deed Book/Page

Book / Page List and Misc Legal Description Info :

Book/Page 0074/0133 0186/0843 99PR/0028 0201/0291

No Sale Details found. (Please log in to view this data.)

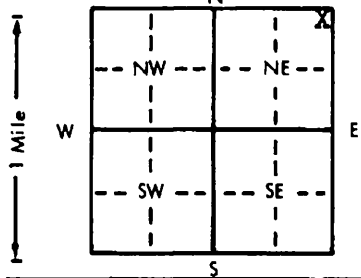
? LIVINGSTON STATE WELL?

WATER WELL RECORD Form WWC-5 KSA 82a-1212

1 LOCATION OF WATER WELL: Fraction NE 1/4 NE 1/4 NE 1/4 Section Number 33 Township Number T 33 S Range Number R 38 E/W
 County: STEVENS
 Distance and direction from nearest town or city street address of well if located within city?
 5 West of Hugoton, Kansas

2 WATER WELL OWNER: Mr. C. P. Brecheisen
 RR#, St. Address, Box #: 926 S. Main Board of Agriculture, Division of Water Resources
 City, State, ZIP Code: Hugoton, Kansas 67951 Application Number: ---

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:



4 DEPTH OF COMPLETED WELL: 385 ft. ELEVATION: Slope
 Depth(s) Groundwater Encountered: 1 Not available ft. 2 ft. 3 ft.
 WELL'S STATIC WATER LEVEL: 160 ft. below land surface measured on mo/day/yr April 3, 1985
 Pump test data: Well water was ft. after hours pumping gpm
 Est. Yield: 20 gpm; Well water was ft. after hours pumping gpm
 Bore Hole Diameter: 9 7/8 in. to 385 ft., and in. to ft.
 WELL WATER TO BE USED AS:
 5 Public water supply 8 Air conditioning 11 Injection well
 XX Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)
 2 Irrigation 4 Industrial 7 Lawn and garden only 10 Observation well
 Was a chemical/bacteriological sample submitted to Department? Yes No XX; If yes, mo/day/yr sample was submitted
 Water Well Disinfected? Yes XX No

5 TYPE OF BLANK CASING USED:
 1 Steel 3 RMP (SR) 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued XX Clamped
 XX PVC 4 ABS 6 Asbestos-Cement 9 Other (specify below) Welded
 7 Fiberglass Threaded

Blank casing diameter: 5 in. to 34.5 ft., Dia. in. to ft., Dia. in. to ft.
 Casing height above land surface: 12 in., weight 2.8 lbs./ft. Wall thickness or gauge No. 265

TYPE OF SCREEN OR PERFORATION MATERIAL:
 1 Steel 3 Stainless steel 5 Fiberglass XX PVC 10 Asbestos-cement
 2 Brass 4 Galvanized steel 6 Concrete tile 8 RMP (SR) 11 Other (specify)
 9 ABS 12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:
 1 Continuous slot 3 Mill slot 5 Gauzed wrapped XX Saw cut 11 None (open hole)
 2 Louvered shutter 4 Key punched 6 Wire wrapped 9 Drilled holes
 7 Torch cut 10 Other (specify)

SCREEN-PERFORATED INTERVALS: From 345 ft. to 385 ft., From ft. to ft.
 GRAVEL PACK INTERVALS: From 14 ft. to 385 ft., From ft. to ft.
 From ft. to ft., From ft. to ft.

6 GROUT MATERIAL: XX Neat cement 2 Cement grout 3 Bentonite 4 Other
 Grout intervals: From 4 ft. to 14 ft., From ft. to ft., From ft. to ft.

What is the nearest source of possible contamination:
 XX Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well
 2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well
 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below)
 13 Insecticide storage

Direction from well? East How many feet? 100

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHOLOGIC LOG
0	5	Clay			
5	55	Fine Sand			
55	60	Med. to Lar. Sand			
60	117	Clay			
117	138	Fine Sand and Dry Gravel			
138	350	Clay w/Streaks of Gravel			
350	380	Clay, Fine Sand and Gravel			
380	385	Med. to Lar. Sand & Gravel			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) April 4, 1985 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 252 This Water Well Record was completed on (mo/day/yr) April 9, 1985 under the business name of FRIESEN WINDMILL & SUPPLY INC. by (signature)

INSTRUCTIONS: Use typewriter or ball point pen, PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Division of Environment, Environmental Geology Section, Topeka, KS 66620. Send one to WATER WELL OWNER and retain one for your records.

5500010040 40

OFFICE USE ONLY
T
R
EW
SEC.

*Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502-5000
http://agriculture.ks.gov/dwr

KANSAS DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES

NOTICE OF COMPLETION OF
DIVERSION WORKS

For Office Use Only:
Code <u>FIS</u>
Fee \$ _____
TR # _____
Rcpt Date _____
Check # _____

Section 1 - Action requiring this form is:

- New application approval and permit to proceed (Fee must be attached. \$400 fee required for all uses made of water, except for sediment control use and groundwater pit for industrial use a \$200 fee is required by K.S.A. 82a-714(d)) **Make check payable to the Kansas Department of Agriculture**
- Change in point of diversion, place of use, or use made of water (no fee)
- Term permit (no fee).
- Other (e.g., Special order of the Chief Engineer).

Section 2 - Location of the Point of Diversion

The location of the point of diversion should be described as actually installed. The description should include the Section, Township, and Range, the 10-acre tract description (¼ ¼ ¼) and the footage from the southeast corner of the section.

1. File No(s): 13,330, _____, _____ [If assisted by DWR: P/D ID _____ By: _____]
2. The date the diversion works were completed: 11/10/76, 20____.
3. The diversion works are located in the NE Quarter of the E2 Quarter of the SW Quarter of (also described as 1160 feet North and 3330 feet West of the southeast corner of ...), Section 27, Township 33 South, Range 38 East / West in STEVENS CO County, Kansas.
4. If an additional point of diversion is involved: NOT
The diversion works are located in the _____ Quarter of the _____ Quarter of the _____ Quarter of (also described as _____ feet North and _____ feet West of the southeast corner of ...), Section _____, Township _____ South, Range _____ East / West, in _____ County, Kansas.

If this is a change in point of diversion (PD), how was the PD being replaced identified? _____

Section 3 - PRINT CLEARLY

Printed Name: _____

Address: _____

City, State, Zip: _____ Telephone/Cell: _____

I, the holder of a permit issued by the Chief Engineer of the Division of Water Resources pursuant to the file(s) referenced in section 2, hereby certify that the information on sections 1-4 of this form is correct to the best of my knowledge.

Signature: _____ Date: _____

If you have further questions on how to fill out this form, please contact the field office in your area:

Topeka Kansas Department of Agriculture 6531 SE Forbes Ave, Ste B Topeka, KS 66619 (785) 296-5733	Stafford Kansas Department of Agriculture 300 South Main St. Stafford, KS 67578 (620) 234-5311	Stockton Kansas Department of Agriculture 820 South Walnut Stockton, KS 67669 (785) 425-6787	Garden City Kansas Department of Agriculture 2508 Johns Street Garden City, KS 67846 (620) 276-2901
--	---	---	--

FILE NO. 13,330 CHANGE IN PLACE OF USE METER REQUIRED

Section 4 - Flowmeter information:

File No(s): 13,330

- Manufacturer of Flowmeter:
Date Flowmeter Installed:
Model Number:
Flowmeter Type: Propeller, Turbine, Multi-jet, Positive Displacement, Electromagnetic, Vortex?, Ultrasonic, Other:
Flowmeter Serial Number:
Flowmeter Units: Gallons, Acre-Feet, Acre-Inches, Other:
Flowmeter Size: 2", 4", 6", 8", 10", 12", Other:
Multiplier Factor: 1000, 100, 10, 1, 0.1, 0.01, 0.001, Other:

(Multiplier factor is normally indicated on flowmeter readout - possibly by printed zeroes)

- Flowmeter totalizer reading when installed:
If the flowmeter is not easily viewed, or not within 100 feet of the point of diversion being metered, please briefly describe its location:
Is flowmeter installed on a portable pump?
Is the flowmeter installed in a manufacturer's measuring chamber?
Are straightening vanes installed?
Is a strainer installed?
Does the meter installation have 5 straight pipe diameters of upstream spacing?
Does the meter installation have 2 straight pipe diameters of downstream spacing?
Does flowmeter serve more than one point of diversion?
Is this a replacement flowmeter?
Any additional information:

K.A.R. 5-1-1(y), defines diversion works as "all well(s), pump(s), power unit(s), power source(s), dam(s) and all other devices necessary to bring water under control for delivery to a distribution system by which the water will be distributed to the proposed use and any other equipment required . . . such as a check valve, water level measurement tube, meter or other measuring device."

If you have completed your diversion works as described above and completed the requirements as set forth in your Approval of Application, please complete this form. If you are unable to meet the requirements stated on your approval, you must submit a request for extension of time (form DWR 1-203.15). K.S.A. 82a-714(e) puts a \$100 fee on an extension of time to complete the diversion works. Failure to notify the Chief Engineer of the completion of the diversion works within the time allotted can result in dismissal of the referenced file(s) and loss of priority date.

If the subject file(s) authorizes multiple new points of diversion (PDs), you may photocopy this form (both sides) and submit one form for each new PD authorized. Form DWR 1-203.14 is an instruction sheet with sample entries.

Water Right, File No. 13,330

Change in Place of Use, Application Date December 28, 2016

Summary Telephone Conversation June 6, 2017 & Action Points & Options

Points

Coulter is wanting to proceed with the proposed change application for File No. 13,330.
Batie is wanting his own irrigation well to irrigate approximately 10 acres.

Option A

Modify Water Right, File No. 13,330 to add an additional well, K.A.R. 5-5-16, *Additional wells*, and divide the right as per K.S.A. 82a-742, *Division of water right; application; fee*. This would result in two separate water rights, and would provide an irrigation well for the Batie property, but would require the currently authorized 420 acre-feet and 240 acres of the irrigated place of use to be reduced. It could also require the 1,600 gallons per minute to be modified to the rate that can be currently produced by the aquifer. The available rate would need to be determined, and assigned between the authorized and proposed well.

A summary of the numbers to process a change in point of diversion for an additional well under Water Right, File No. 13,330, that developed 236 irrigated acres during the perfection period will require the quantity to be reduced to 389 acre-feet. The assignment of 20 acre-feet for irrigation use at the new additional well would leave 369 acre-feet at the well authorized point by File No. 13,330. Following K.A.R. 5-5-11(b)(2)(B)(ii) for the number of acres that could be irrigated, the 369 acre-feet would allow for the irrigation of 234 acres. The 20 acre-feet that would be assigned to the new well would allow the irrigation of 10 acres. The rate of diversion remaining under File No. 13,330, would be the tested rate less than the 100 gallons per minute needed for the additional irrigation well. The additional irrigation well that would be on the Batie property would have the priority date of the date the application to change the point of diversion was filed for reasons of impairment and subject to a review of the approval at five year intervals to assure the originally authorized quantity is not being exceeded.

Additionally, the proposed additional well will need to meet the spacing requirements as detailed in K.A.R. 5-23-3 (a)(1), *Minimum well spacing requirements: high plains aquifer*. The 369 acre-feet that will remain requires 1,900 feet from the currently authorized point of diversion authorized for irrigation use and 660 feet from any domestic wells not owned by either applicant who agrees to the reduced spacing. All well to well spacing is subject to review by the Southwest Kansas Groundwater Management District No. 3.

Please be reminded that applications for this type of change require the signature of all owners as detailed in K.A.R. 5-5-1, *Filing an application for change*.

FILE COPY
SPANNED

Change in Place of Use, Application Date December 28, 2016

Summary Telephone Conversation June 6, 2017 & Action Points & Options

Option B

A new permit as allowed per K.A.R. 5-23-4, *High plains aquifer*, appears to be an option in this area, but requires the review and recommendation for approval by the Southwest Kansas Groundwater Management District No. 3. This permit would allow for a new irrigation well on the Batie property to irrigate 7.5 acres per K.A.R. 5-3-24, *Reasonable quantity for irrigation use*. The owner would still have their domestic well for use as household purposes and the irrigation of a separate 2 acres of garden as detailed in K.S.A. 82a-701, *Definitions*.

The new Batie irrigation well would need to meet well spacing per K.A.R. 5-23-3 (a)(1), *Minimum well spacing requirements: high plains aquifer*, of 2,100 feet from the point of diversion authorized under File No. 13,330, and 660 feet from any domestic wells not owned by either applicant who agrees to the reduced spacing. All well to well spacing is subject to review by the Southwest Kansas Groundwater Management District No. 3.

The submitted new application will need to comply with K.A.R. 5-3-1. *Application acceptable for filing*. It must have an original signature of the applicant in Parts 6 and 16, and the application must be submitted with the filing fee of \$200.00. A Notice of Completion is required when the well has been drilled and metered (Approximately 12/31/2018) accompanied with the Field Inspection Fee of \$400.00 as detailed in K.S.A.82a-714, *Same; completion of works; extensions of time; certificate of appropriation; fees*. A partially completed application and map have been enclosed.

FILE COPY

Domestic Well

WATER WELL RECORD Form WWC-5 KSA 82a-1212

1] LOCATION OF WATER WELL:	Fraction	Section Number	Township Number	Range Number
County: STEVENS	NE 1/4 NE 1/4 NE 1/4	33	T 33 S	R 38 EW
Distance and direction from nearest town or city street address of well if located within city? 5 West of Hugoton, Kansas				

2] WATER WELL OWNER: **Mr. C. P. Brecheisen**
 RR#, St. Address, Box #: **926 S. Main** Board of Agriculture, Division of Water Resources
 City, State, ZIP Code: **Hugoton, Kansas 67951** Application Number: **---**

3] LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:	4] DEPTH OF COMPLETED WELL... 385 ft. ELEVATION: ... Slope
	Depth(s) Groundwater Encountered Not available .ft. 2. ft. 3. ft.
	WELL'S STATIC WATER LEVEL ... 160 ... ft. below land surface measured on mo/day/yr April 3, 1985 ...
	Pump test data: Well water was ft. after hours pumping gpm Est. Yield ... 20 ... gpm: Well water was ft. after hours pumping gpm
	Bore Hole Diameter ... 9 7/8 .in. to ... 385 ft., andin. to ft.
WELL WATER TO BE USED AS:	
<input checked="" type="checkbox"/> Domestic <input type="checkbox"/> Feedlot <input type="checkbox"/> Oil field water supply <input type="checkbox"/> Air conditioning <input type="checkbox"/> Injection well <input type="checkbox"/> Irrigation <input type="checkbox"/> Industrial <input type="checkbox"/> Lawn and garden only <input type="checkbox"/> Dewatering <input type="checkbox"/> Other (Specify below)	
Was a chemical/bacteriological sample submitted to Department? Yes.....No... XX; If yes, mo/day/yr sample was submitted	
Water Well Disinfected? Yes XX No	

5] TYPE OF BLANK CASING USED:

1 Steel	3 RMP (SR)	5 Wrought Iron	8 Concrete tile	CASING JOINTS: Glued XX Clamped
XX PVC	4 ABS	6 Asbestos-Cement	9 Other (specify below)	Welded
		7 Fiberglass		Threaded

Blank casing diameter **5** in. to **345** ft., Dia in. to ft., Dia in. to ft.

Casing height above land surface **12** in., weight **2.8** lbs./ft. Wall thickness or gauge No. ... **265**

TYPE OF SCREEN OR PERFORATION MATERIAL:

1 Steel	3 Stainless steel	5 Fiberglass	XX PVC	10 Asbestos-cement
2 Brass	4 Galvanized steel	6 Concrete tile	8 RMP (SR)	11 Other (specify)
			9 ABS	12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:

1 Continuous slot	3 Mill slot	5 Gauzed wrapped	XX Saw cut	11 None (open hole)
2 Louvered shutter	4 Key punched	6 Wire wrapped	9 Drilled holes	
		7 Torch cut	10 Other (specify)	

SCREEN-PERFORATED INTERVALS: From **345** ft. to ... **385** ft., From ft. to ft.

GRAVEL PACK INTERVALS: From **14** ft. to ... **385** ft., From ft. to ft.

6] GROUT MATERIAL: **XX** Neat cement 2 Cement grout 3 Bentonite 4 Other

Grout Intervals: From ... **4** ft. to ... **14** ft., From ft. to ft., From ft. to ft.

What is the nearest source of possible contamination:

XX Septic tank	4 Lateral lines	7 Pit privy	10 Livestock pens	14 Abandoned water well
2 Sewer lines	5 Cess pool	8 Sewage lagoon	11 Fuel storage	15 Oil well/Gas well
3 Watertight sewer lines	6 Seepage pit	9 Feedyard	12 Fertilizer storage	16 Other (specify below)
			13 Insecticide storage	

Direction from well? **East**

How many feet? **100**

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHOLOGIC LOG
0	5	Clay			
5	55	Fine Sand			
55	60	Med. to Lar. Sand			
60	117	Clay			
117	138	Fine Sand and Dry Gravel			
138	350	Clay w/Streaks of Gravel			
350	380	Clay, Fine Sand and Gravel			
380	385	Med. to Lar. Sand & Gravel			
WATER RESOURCES RECEIVED					
NOV 17 2017					
KS DEPT OF AGRICULTURE					

7] CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) ... **April 4, 1985** and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. **252** This Water Well Record was completed on (mo/day/yr) **April 9, 1985** under the business name of **FRIESEN WINDMILL & SUPPLY INC.** by (signature) *[Signature]*

INSTRUCTIONS: Use typewriter or ball point pen, PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Division of Environment, Environmental Geology Section, Topeka, KS 66620. Send one to WATER WELL OWNER and retain one for your records.

~~North~~
Existing Well? New

Secures the right in case of drought

49863
If not, why not just meet spacing?
2100' spacing We will talk more +
see about relocating

Crop? Grass for
How is this going to be irrigated?
Guns + small pond
2000 gpm is probably

Do you know the full process requirements?
perfection
Water
Reporting

THE STATE



OF KANSAS

STATE BOARD OF AGRICULTURE
Sam Brownback, Secretary

DIVISION OF WATER RESOURCES
David L. Pope, Chief Engineer

**CERTIFICATE OF APPROPRIATION
FOR BENEFICIAL USE OF WATER**

WATER RIGHT, File No. 15,330
PRIORITY DATE April 28, 1967

*Base 236
Proposed 243 + 1000*

WHEREAS, it has been determined by the undersigned that construction of the appropriation diversion works has been completed, that water has been used for beneficial purposes and that the appropriation right has been perfected, all in conformity with the conditions of approval of the application pursuant to the water right referred to above and in conformity with the laws of the State of Kansas,

Now, Therefore, It is known that DAVID L. POPE, the duly appointed, qualified and acting Chief Engineer of the Division of Water Resources of the Kansas State Board of Agriculture, by authority of the laws of the State of Kansas, and particularly K.S.A. 82a-714, does hereby certify that, subject to vested rights and prior appropriation rights, the appropriator is entitled to make use of groundwater in the drainage basin of the Cimarron River to be withdrawn by means of a well located near the center of the East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 1,160 feet North and 3,330 feet West of the Southeast corner of said Section, in Township 33 South, Range 38 West, Stevens County, Kansas, at a diversion rate not in excess of 1,600 gallons per minute (3.56 c.f.s.) and in a quantity not to exceed 420 acre-feet per calendar year for irrigation use on the following described property:

80 acres in the West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$),
160 acres in the Southwest Quarter (SW $\frac{1}{4}$),

a total of 240 acres in Section 27, Township 33 South, Range 38 West,
Stevens County, Kansas.

The appropriator shall maintain in an operating condition, satisfactory to the Chief Engineer, all check valves installed for preventing chemical or other foreign substance pollution of the water supply.

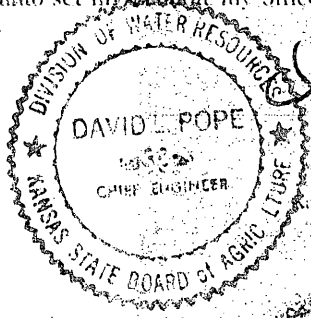
The appropriator shall maintain records from which the quantity of water actually diverted during each calendar year may be readily determined. Such records shall be furnished to the Chief Engineer within 30 days of receipt of the annual water use report form.

The appropriation right as perfected is appurtenant to and severable from the land herein described.

The appropriation right shall be deemed abandoned and shall terminate when without due and sufficient cause no lawful beneficial use is made of water under this appropriation for three (3) successive years.

The right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the stream flow at the appropriator's point of diversion.

IN WITNESS WHEREOF, I have hereunto set my hand at my office at Topeka, Kansas, this 7th day of January, 1988.



David L. Pope
David L. Pope, P.E.
Chief Engineer
Division of Water Resources
Kansas State Board of Agriculture

STATE OF KANSAS, Shawnee COUNTY, ss.

The foregoing instrument was acknowledged before me this 7th day of January 1988 by David L. Pope, P.E., Chief Engineer, Division of Water Resources, Kansas State Board of Agriculture.



Signature: *Denise J. Waters*
Denise J. Waters, Notary Public

My appointment expires March 1, 1990

Record in the Office of Register of Deeds in the county or counties wherein the point of diversion is located)

**WATER APPROPRIATION
CERTIFICATE**

No. 16,771

STATE OF KANSAS

Water Right, File No. 13,330

STATE OF KANSAS,

COUNTY, ss.

Filed for record this _____ day of _____

19____

at _____ o'clock _____ m. and _____

recorded in Book _____ Page _____

Fee \$ _____

Register of Deeds:

Turney, Brent

From: Meyer, Mike
Sent: Friday, February 10, 2017 8:05 AM
To: Turney, Brent
Subject: 13330 CHG PU

Thom forwarded this change to you for lack of signature, but did not send any letters etc trying to obtain the signature....
Ughhh

We need to reach out and request a signature prior to dismissal....

thanks

Mike

5/14/18
LJ/OW

Property Details for PID: 095148270000000100B

QuickRef ID :	R4237
Owner Name :	COULTER, JEAN
Location:	00000, , KS
Abbreviated Boundary Description:	S27 , T33 , R38W , ACRES 79.0 , E/2NW LESS ROW

40 SE NW 13.5 NE NW

Owner Information:

Owner	COULTER, JEAN
Mailing Address	1199 ROAD 8 HUGOTON, KS 67951-5227

Property Information:

Type	Agricultural Use
Status	Active

Ag Land Details

Acre Type :	No Acres :	Map Unit :	Irrig :	Well Depth :
Dry Land - DR	5.90	5209		
Dry Land - DR	40.40	5216		
Dry Land - DR	3.90	5219		
Dry Land - DR	28.60	5220		

No Ag Building Details found



WARRANTY DEED
(Kansas Statutory Form)

STATE OF KANSAS SS
COUNTY OF STEVENS
This instrument was filed for record on the 30th
day of March A.D. 2015
at 3:00 o'clock P.M. and duly recorded in
Book 299 on page 438 Fee \$ 12.00
Whea A Schnitzer, Deputy
Register of Deeds

KRISTINE LIGHT and SAM HERBERT, wife & husband

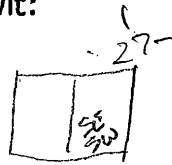
Book 299 Page 438

CONVEY AND WARRANT TO

TRAVIS COULTER

all of the following REAL ESTATE in the County of Stevens, State of Kansas, to wit:

Surface and water rights only in and to the Southeast Quarter of the Southwest Quarter (SE/4 of SW/4) of Section Twenty-seven (27), Township Thirty-three (33) South, Range Thirty-eight (38) West of the 6th P.M., Stevens County, Kansas



for the sum of Ten Dollars and No/100 (\$10.00), and other valuable consideration, receipt of which is hereby acknowledged.

EXCEPT and SUBJECT TO: Oil, gas & other minerals, oil & gas leases, easements, rights of way and restrictions of record, if any, insofar as the same are valid.

Dated: March 15, 2015.

Kristine Light
KRISTINE LIGHT

[Signature]
SAM HERBERT

STATE OF NEW MEXICO, COUNTY OF Bernalillo, ss:

BE IT REMEMBERED, that on this 15 day of March, 2015, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came KRISTINE LIGHT and SAM HERBERT, wife & husband, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

(SEAL)

[Signature]
Notary public

My commission expires: 21 July 2017

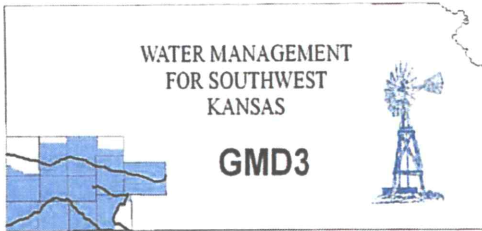


Entered in Transfer Record by my office this
1 day of April
A.D. 2015
[Signature]
County Clerk



OFFICIAL SEAL
FAYE KINGLE
NOTARY PUBLIC - STATE OF NEW MEXICO
My Commission Expires: July 21, 2017
WATER RESOURCES
RECEIVED

FEB 06 2017



Southwest Kansas
Groundwater Management District No. 3
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone (620) 275-1431 fax
www.gmd3.org

July 14, 2017

Leslie Ireland
Kansas Department of Ag
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

RE: Application for Change in Place of Use
Water Right, File No. 13330

Dear Leslie:

We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The applicant is increasing base acres by 6 acres which is in accordance with K.A.R. 5-5-11. It is therefore recommended that the application be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

Jason L. Norquest
Assistant Manager

WATER RESOURCES
RECEIVED

NOV 17 2017

Serving Southwest Kansas Since 1976

KS DEPT OF AGRICULTURE

SCANNED

GMD3 Change Review

Change Application(s); PU

File No(s). 13330;travis Coulter

SEE ATTACHED MAP

Application is to rearrange the irrigated acres to cover the area under the pivot.

Currently Auth. 240 acres

Proposed Auth. 246 acres

Max acres reported prior to 1994 is 240 acres.

This would be an increase in base acres by 6 acres, which is in accordance with rules.

Neighboring wells: NA

Domestic wells: NA

Regulation(s) Reviewed: KAR 5-5-11

Board Review Date: NA

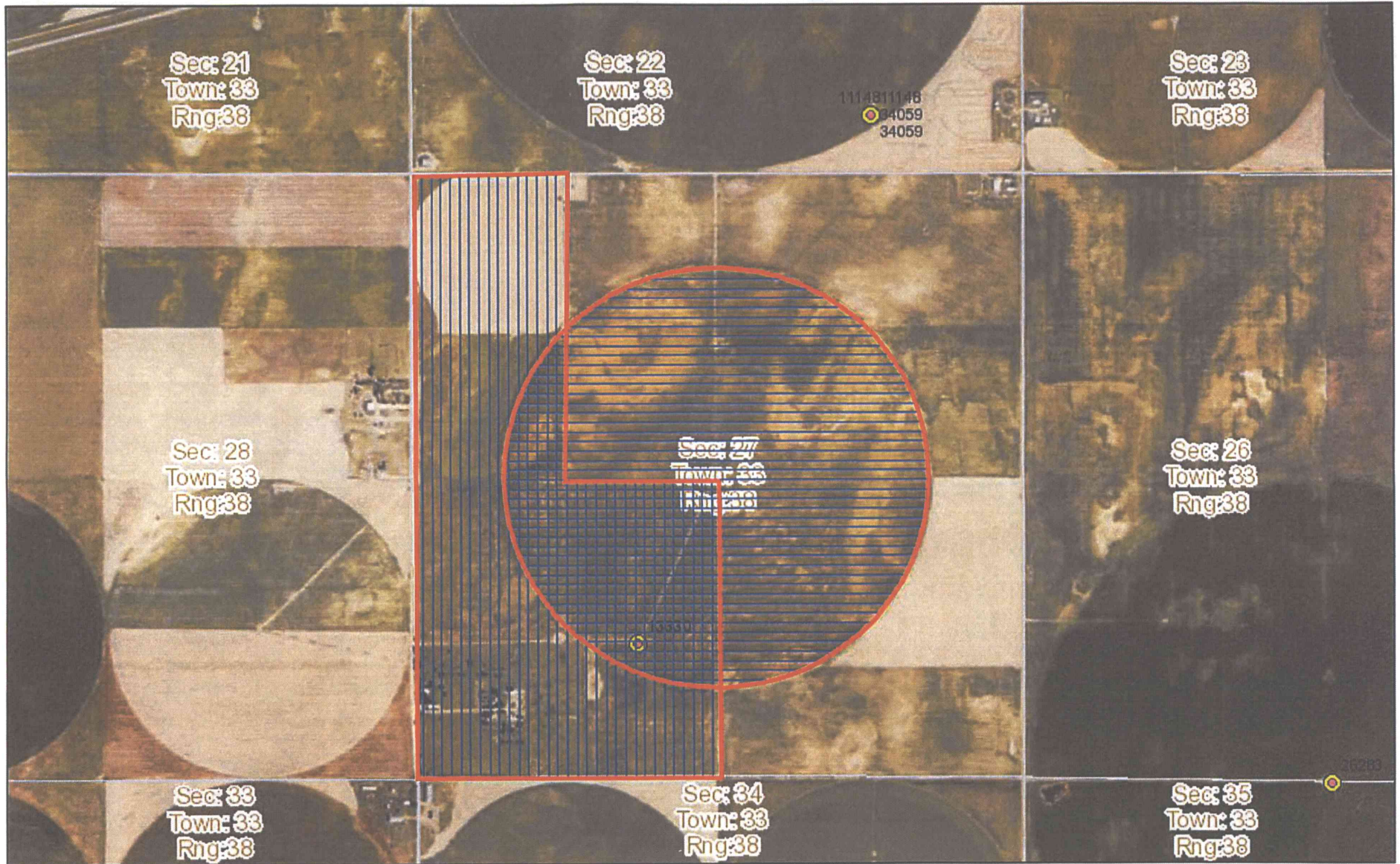
Board Recommendation: NA

Waiver Reason: NA

Final Recommendation: After review of all available information, it appears the current rules are met. Staff therefore recommends approval of the application.



13330 Change App, PU



July 14, 2017

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

- Meters
- Wells
- Sections

SCANNED

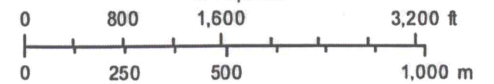
111 Current
≡ Proposed

WATER RESOURCES
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NOV 17 2017

KS DEPT OF AGRICULTURE

1:18,056



WATER RIGHT INFORMATION REPORT FOR : 13330 00

RIGHT TYPE: Appropriation

SOURCE: Groundwater USE: IRR

CURRENT STATUS: Certificate Issued

PRIORITY DATE: 28-APR-67

CURRENT COMPLETE BY DATE: 31-DEC-71

COMPLETION ACKNOWLEDGED DATE: 10-NOV-76

CURRENT PERFECT BY DATE: 31-DEC-71

YEAR PERFECTED:

CERTIFICATE ISSUED DATE: 07-JAN-88

::::::::::::::::::

APPLICANT(S):

> HOWARD HOLCOMB ELSIE HOLCOMB 1013 GUADALUPE CT NW ALBUQUERQUE NM 87114

> PERSON ID (Old Address Code): 7864

> CORRESPONDENT SEQUENCE NUMBER: 1

>-----

::::::::::::::::::

WATER USE CORRESPONDENT(S):

> TRAVIS COULTER 1200 S ADAMS HUGOTON KS 67951

> PERSON ID (Old Address Code): 64770

> CORRESPONDENT SEQUENCE NUMBER: 1

>-----

::::::::::::::::::

ACTION TRAIL:

- 28-APR-67 Pending Initial Review
- 12-JUN-68 Approved Pending Completion N+P BY 31-DEC-71 PERF BY 31-DEC-71
- 10-NOV-76 Completed Pending Inspection
- 26-MAR-80 Change Application For Place Of Use
- 01-AUG-80 Change Approved
- 15-OCT-87 Inspected Pending Perfection
- 15-OCT-87 Fir Cont Se Rec'D
- 07-JAN-88 Certificate Issued
- 07-JAN-88 Record Yr 1978 1840 Gpm Max
- 09-NOV-88 Land Owner Chg-David C Light
- 09-NOV-88 Corres & Wur From Howard Holcomb To David C Light
- 02-DEC-88 Land Owner Chg-Howard Holcomb
- 12-FEB-91 Corres & Wur From David C Light To Howard Holcomb
- 31-MAY-91 Crp Pend Comp 98-12-31 106.1ac
- 09-JUL-91 Corres & Wur From Howard Holcomb To David C Light
- 17-AUG-99 Landowner Chg - Elsie Holcomb
- 12-NOV-99 Crp Extended Through 2008/09/30
- 22-OCT-07 Wur From David & Renee Light To Elsie Holcomb
- 12-JUL-10 Crp Pend Comp 2014/09/30 106.2 Ac
- 13-MAY-13 Name Chg - Elsie Holcomb Rev Trust
- 22-SEP-16 Landowner Chg - Travis Coulter
- 22-SEP-16 Wur From Elsie Holcomb Rev Tr To Travis Coulter
- 28-DEC-16 C1 Fo Change App Pu Filed
- 06-FEB-17 C1 Fo Change App Pu Reassigned To Hq

::::::::::::::::::

CONSERVATION CONTRACT ACTION TRAIL:

::::::::::::::::::

CONSERVATION PLAN ACTION TRAIL:

.....

SPECIAL CONDITIONS:

.....

QUANTITIES:

>AUTHORIZED 420.000 AF ADDITIONAL 420.000 AF

.....

RATES:

>AUTHORIZED 1600.000 gpm ADDITIONAL 1600.000 gpm

.....

LIMITATIONS: None

.....

STORAGE QUANTITIES: No active storage quantities associated with IRR use under this water right

STORAGE RATES: No active storage rates associated with IRR use under this water right

.....

AUTHORIZED POINTS(S) OF DIVERSION

Section 27, T 33, R 38W, ID 1 (Internal PDIV_ID = 31953)

QUALIFIERS: NC E2 SW

DIST. FROM SE CORNER: 1160 ft North 3330 ft West

NUMBER OF WELLS: 1

COMMENT:

OLD LONGITUDE: 101.439182 OLD LATITUDE: 37.145412

NEW LONGITUDE: 101.440175 NEW LATITUDE: 37.144225

GPS LONGITUDE: GPS LATITUDE:

GPS FEET NORTH: GPS FEET WEST:

COUNTY: STEVENS

FIELD OFFICE: GARDEN CITY FIELD OFFICE

GMD : 3

BASIN: CIMARRON RIVER

STREAM:

SPECIAL_USE_AREA(S):

AQUIFER(S):

TEST INFORMATION:

> 28-JUL-87 1840 gpm Field Inspection Test

METER ACTION TRAIL:

> 11-NOV-92 Meter Required GWMD Order Install by: 01-JUL-96

OVERLAPS:

.....

AUTHORIZED PLACE(S) OF USE

Section 27, T 33, R 38W, ID 1 (Internal PUSE_ID = 14419)

OWNER: TRAVIS COULTER

Address:

** 1200 S ADAMS

** HUGOTON KS 67951

Total acres authorized = 240.00 Acres

NE				NW				SW				SE			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
.00	.00	.00	.00	.00	40.00	40.00	.00	40.00	40.00	40.00	40.00	.00	.00	.00	.00

COMMENT:

OVERLAPS:

.....

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WATER USE INFORMATION:

Year	Qualifiers	SC	ID	Date Rcvd	Hours	GPM	Acre-feet	Code	Ac_Irr	Date Msrd	Wtr_Dp	Well_Dp	Reel	Blip
2016	1160N	3330W	27	1 23-FEB-17		1300	331.0	A	246		N/A	N/A	99	2438
2015	1160N	3330W	27	1 16-FEB-16		X	N/A		N/A	N/A	92	4148		
2015	1160N	3330W	27	1 16-FEB-16	Comment: 3-7-2016									
2014	1160N	3330W	27	1 04-MAR-15		3	N/A		N/A	N/A	91	419		
2014	1160N	3330W	27	1 04-MAR-15	Comment: NO WATER USED									
2013	1160N	3330W	27	1 03-FEB-14		L	N/A		N/A	N/A	83	2543		
2012	1160N	3330W	27	1 11-JAN-13		L	N/A		N/A	N/A	77	923		
2011	1160N	3330W	27	1 20-JAN-12		L	N/A		N/A	N/A	71	1599		
2010	1160N	3330W	27	1 28-JAN-11		L	N/A		N/A	N/A	65	2523		
2009	1160N	3330W	27	1 02-APR-10		E	N/A		N/A	N/A	62	1918		
2009	1160N	3330W	27	1 02-APR-10	Comment: WATER NOT ABAILABLE									
2008	1160N	3330W	27	1 30-JAN-09		L	N/A		N/A	N/A	53	2636		
2007	1160N	3330W	27	1 25-FEB-08		E	N/A		N/A	N/A	48	3121		
2007	1160N	3330W	27	1 25-FEB-08	Comment: WATER NOT AVAILABLE FROM SOURCE									
2006	1160N	3330W	27	1 08-FEB-07		L	N/A		N/A	N/A	41	2878		
2005	1160N	3330W	27	1 13-JAN-06		L	N/A		N/A	N/A	35	1042		
2004	1160N	3330W	27	1 21-JAN-05		L	N/A		N/A	N/A	29	1159		
2003	1160N	3330W	27	1 22-JAN-04		L	N/A		N/A	N/A	23	894		
2002	1160N	3330W	27	1 10-FEB-03		L	N/A		N/A	N/A	18	436		
2001	1160N	3330W	27	1 11-FEB-02		L	N/A		N/A	N/A	12	1202		
2000	1160N	3330W	27	1 26-JAN-01		L	N/A		N/A	N/A	5	1969		
1999	1160N	3330W	27	1 28-JAN-00		L	N/A		N/A	N/A	1	2467		
1998	1160N	3330W	27	1 19-FEB-99		L	160		N/A	N/A	93	2436		
1997	1160N	3330W	27	1 26-JAN-98		L	160		N/A	N/A	86	2418		
1996	1160N	3330W	27	1 06-FEB-97		L	N/A		N/A	N/A	81	606		
1995	1160N	3330W	27	1 16-FEB-96	0	0	.0	L			N/A	N/A	75	2074
1994	1160N	3330W	27	1 16-FEB-95	0	0	.0	L			N/A	N/A	70	2309
1993	1160N	3330W	27	1 14-FEB-94	0	0	.0	L			N/A	N/A	64	1909
1992	1160N	3330W	27	1 26-FEB-93	0	0	.0	L			N/A	N/A	59	1805
1991	1160N	3330W	27	1 10-FEB-92	0	0	.0	L			N/A	N/A	52	1470
1990	1160N	3330W	27	1 30-JAN-91	0	0	.0	J			N/A	N/A	45	3643
1990	1160N	3330W	27	1 30-JAN-91	Comment: CRP									
1989	1160N	3330W	27	1 10-JAN-90	0	0	.0	5			N/A	N/A	39	1783
1988	1160N	3330W	27	1	2400	1000	441.9	G	200		N/A	N/A	34	2885
1987	1160N	3330W	27	1	0	0	.0	X			N/A	N/A	34	9
1986	1160N	3330W	27	1	1476	1200	326.1	G	167		N/A	N/A	24	89
1985	1160N	3330W	27	1	1631	1600	480.5	G	240		N/A	N/A	20	2840
1984	1160N	3330W	27	1	0	0	49.9	8	240		N/A	N/A	20	2828
1983	1160N	3330W	27	1	0	0	.0	0			N/A	N/A	0	0
1982	1160N	3330W	27	1	0	0	.0	0			N/A	N/A	0	0
1981	1160N	3330W	27	1	1510	1600	444.9	G	240		N/A	N/A	1	1952
1980	1160N	3330W	27	1	2646	0	.0	F	240		N/A	N/A	99	9999
1979	1160N	3330W	27	1	2268	0	.0	F	210		N/A	N/A	99	9999
1978	1160N	3330W	27	1	2692	0	.0	F	210		N/A	N/A	99	9999
1976	1160N	3330W	27	1	900	0	.0	F	140		N/A	N/A	99	9999

Subject Property: 0951482700000002010

QuickRef ID :	R4240	Click here to locate on Map
Owner Name :	HATHAWAY, CRAIG & GREWE, LIZ	No property photo available
Location :	1114 ROAD 7, HUGOTON, KS 67951.	
Legal Desc :	S27 , T33 , R38W , ACRES 16.5 , TRACT SW BEG SWCORSW N1320', E 544.5', S1320', W544.5' LESS ROW.	

The legal description displayed above is not adequate for use in legal documents

Owner Information

Owner :	Mailing Address :
HATHAWAY, CRAIG & GREWE, LIZ	1114 ROAD 7 HUGOTON, KS 67951-5144

Property Details

Property Type :	Property Status :	Taxing Unit :	Neighborhood Code :
Residential	Active	030 - WEST CENTER TOWNSHIP	320.0

Market Land Details

Actual Width :	Eff Width :	Eff Depth :	Acres :	Square Feet :
			16.5	

No Permit Details found.

Value Details

Current Final Value (Residential) :	Year :	2016
	Land :	\$9,050
	Building :	\$120,190
	Total :	\$129,240

Deed Book/Page

Book / Page List and Misc Legal Description Info :
Book/Page 0220/0839 0229/0306 0137/0611 0205/0389 02PR/0028 0213/0758

No Sale Details found. (Please log in to view this data.)

WATER RESOURCES RECEIVED

JUN 30 2017

KS DEPT OF AGRICULTURE SCANNED

Subject Property: 0951482700000002020

QuickRef ID :	R4241	Click here to locate on Map
Owner Name :	BATIE, DAVID W	No property photo available
Location :	1108 #4 ROAD 7, HUGOTON, KS 67951.	
Legal Desc :	S27 , T33 , R38W , ACRES 23.5 , TRACT SW BEG SWCORSW E544.5' TO POB N1319', E775.3', S1319. 75', W774.61'	

The legal description displayed above is not adequate for use in legal documents

Owner Information

Owner :	Mailing Address :
BATIE, DAVID W	1108 ROAD 7 HUGOTON, KS 67951-5144

Property Details

Property Type :	Property Status :	Taxing Unit :	Neighborhood Code :
Farm Homesite	Active	030 - WEST CENTER TOWNSHIP	320.0

Market Land Details

Actual Width :	Eff Width :	Eff Depth :	Acres :	Square Feet :
			.8	

No Permit Details found.

Value Details

Current Final Value (Agricultural) :	Year :	2016
	Land :	\$220
	Building :	\$3,720
	Total :	\$3,940
Current Final Value (Farm Homesite) :	Year :	2016
	Land :	\$1,200
	Building :	\$41,380
	Total :	\$42,580

Deed Book/Page

Book / Page List and Misc Legal Description Info :

WATER RESOURCES RECEIVED

JUN 30 2017

No Sale Details found. (Please log in to view this data.)

Subject Property: 0951482700000002020

QuickRef ID : R4241 [Click here to locate on Map](#)

Owner Name : BATIE, DAVID W No property photo available

Location : 1108 #4 ROAD 7, HUGOTON, KS 67951.

Legal Desc : S27 , T33 , R38W , ACRES 23.5 , TRACT SW BEG SWCORSW E544.5' TO POB N1319', E775.3', S1319.75', W774.61'

The legal description displayed above is not adequate for use in legal documents

Owner Information

Owner :

Mailing Address :

BATIE, DAVID W

1108 ROAD 7 HUGOTON, KS 67951-5144

Property Details

Property Type :	Property Status :	Taxing Unit :	Neighborhood Code :
Farm Homesite	Active	030 - WEST CENTER TOWNSHIP	320.0

Market Land Details

Actual Width :	Eff Width :	Eff Depth :	Acres :	Square Feet :
			.8	

No Permit Details found.

Value Details

Current Final Value (Agricultural) :	Year :	2016
	Land :	\$220
	Building :	\$3,720
	Total :	\$3,940

Current Final Value (Farm Homesite) :	Year :	2016
	Land :	\$1,200
	Building :	\$41,380
	Total :	\$42,580

Deed Book/Page

Book / Page List and Misc Legal Description Info :

Subject Property: 0951482700000002010

QuickRef ID :	R4240	Click here to locate on Map
Owner Name :	HATHAWAY, CRAIG & GREWE, LIZ	No property photo available
Location :	1114 ROAD 7, HUGOTON, KS 67951.	
Legal Desc :	S27 , T33 , R38W , ACRES 16.5 , TRACT SW BEG SWCORSW N1320', E 544.5', S1320', W544.5' LESS ROW.	

The legal description displayed above is not adequate for use in legal documents

Owner Information

Owner :	Mailing Address :
HATHAWAY, CRAIG & GREWE, LIZ	1114 ROAD 7 HUGOTON, KS 67951-5144

Property Details

Property Type :	Property Status :	Taxing Unit :	Neighborhood Code :
Residential	Active	030 - WEST CENTER TOWNSHIP	320.0

Market Land Details

Actual Width :	Eff Width :	Eff Depth :	Acres :	Square Feet :
			16.5	

No Permit Details found.

Value Details

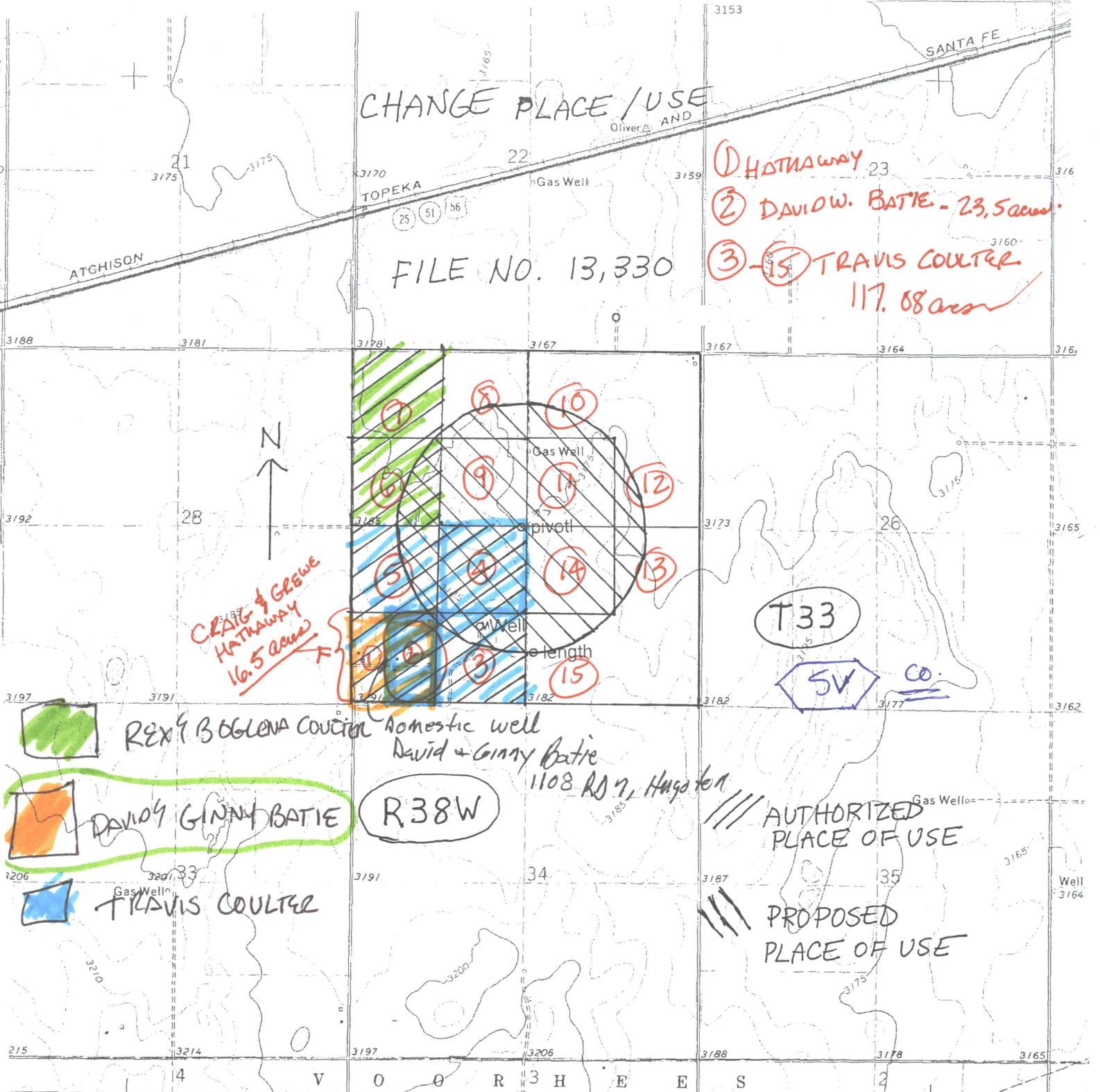
Current Final Value (Residential) :	Year :	2016
	Land :	\$9,050
	Building :	\$120,190
	Total :	\$129,240

Deed Book/Page

Book / Page List and Misc Legal Description Info :

Book/Page 0220/0839 0229/0306 0137/0611 0205/0389 02PR/0028 0213/0758

No Sale Details found. (Please log in to view this data.)



CHANGE PLACE / USE

- ① Hathaway 23
- ② DAVID W. BATTIE - 23.5 acres
- ③ - ⑤ TRAVIS COULTER 117.08 acres

FILE NO. 13,330

CRSIG & GLEWE
HATHAWAY
16.5 acres

REX & BOGLENA COULTER

DAVID & GINNY BATTIE

TRAVIS COULTER

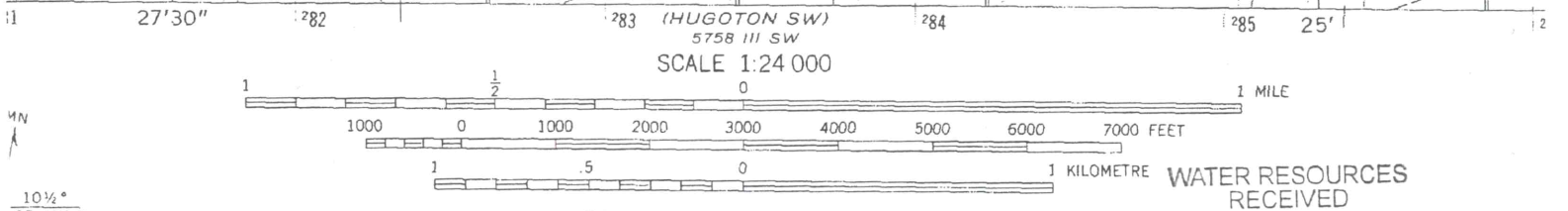
R38W

T33

SV

AUTHORIZED PLACE OF USE

PROPOSED PLACE OF USE



FEB 06 2017

KS DEPT OF AGRICULTURE

10 1/2°
87 MILS

AGNETIC NORTH
FER OF SHEET

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
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AND BY THE STATE GEOLOGICAL SURVEY, LAWRENCE, KANSAS 66044
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