

# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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

Call for address:

Topeka -- (785) 296-5733  
 Stafford -- (620) 234-5311  
 Stockton -- (785) 425-6787  
 Garden City -- (620) 276-2901  
<http://agriculture.ks.gov/dwr>

## DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



**STATE OF KANSAS**

**Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.**  
 Fee Schedule is on the third page of this application form.

**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. 22633

RECEIVED  
 11:46 AM  
 MAR 07 2019  
 Garden City Field Office  
 DIVISION OF WATER RESOURCES

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use                       Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is:                       Groundwater                       Surface water

2. Name and address of Applicant: DUANE E & KATHLEEN A KOSTER TRUSTS

PO BOX 897 GARDEN CITY KS 67846-0897

Phone Number: (620)271-4493                      Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: \_\_\_\_\_

Phone Number: (     ) \_\_\_\_\_                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date 3-7-19 Check # 2516

4. The presently authorized place of use is:

Owner of Land — NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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			

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

Owner of Land — NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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				

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: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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					

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

Owner of Land — NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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						

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

6. The presently authorized point(s) of diversion are 4 wells  
(Provide description and number of points)
7. The proposed point(s) of diversion are 4 wells  
(Provide description and number of points)

**List all presently authorized point(s) of diversion:**

8. **Presently authorized point of diversion:**  
One in the NC N2 Quarter of the S2 Quarter of the SE Quarter of Section 27, Township 25 South, Range 35 (W), in KE County, Kansas, 955 feet North 1405 feet West of Southeast corner of section.  
Authorized Rate 855 gpm Authorized Quantity 272 af  
(DWR use only: Computer ID No. 03 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 SW Quarter of the NC NE Quarter of the SE Quarter of Section 27, Township 25 South, Range 35 (W), in KE County, Kansas, 1451 feet North 1255 feet West of Southeast corner of section.  
Proposed Rate 855 gpm Proposed Quantity 272 af  
This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

9. **Presently authorized point of diversion:**  
One in the NC Quarter of the S2 Quarter of the SW Quarter of Section 27, Township 25 South, Range 35 W, in KE County, Kansas, 650 feet North 4055 feet West of Southeast corner of section.  
Authorized Rate 920 gpm Authorized Quantity 272 af  
(DWR use only: Computer ID No. 04 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 \_\_\_\_\_  
This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

10. **Presently authorized point of diversion:**  
One in the SW Quarter of the SE Quarter of the NE Quarter of Section 34, Township 25 South, Range 35 W, in KE County, Kansas, 2805 feet North 820 feet West of Southeast corner of section.  
Authorized Rate 915 gpm Authorized Quantity 272 af  
(DWR use only: Computer ID No. 07 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 \_\_\_\_\_  
This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. \_\_\_\_\_

Existing well will be capped

6. The presently authorized point(s) of diversion are 4 wells  
(Provide description and number of points)

7. The proposed point(s) of diversion are 4 we  
(Provide description and number of points)

**List all presently authorized point(s) of diversion:**

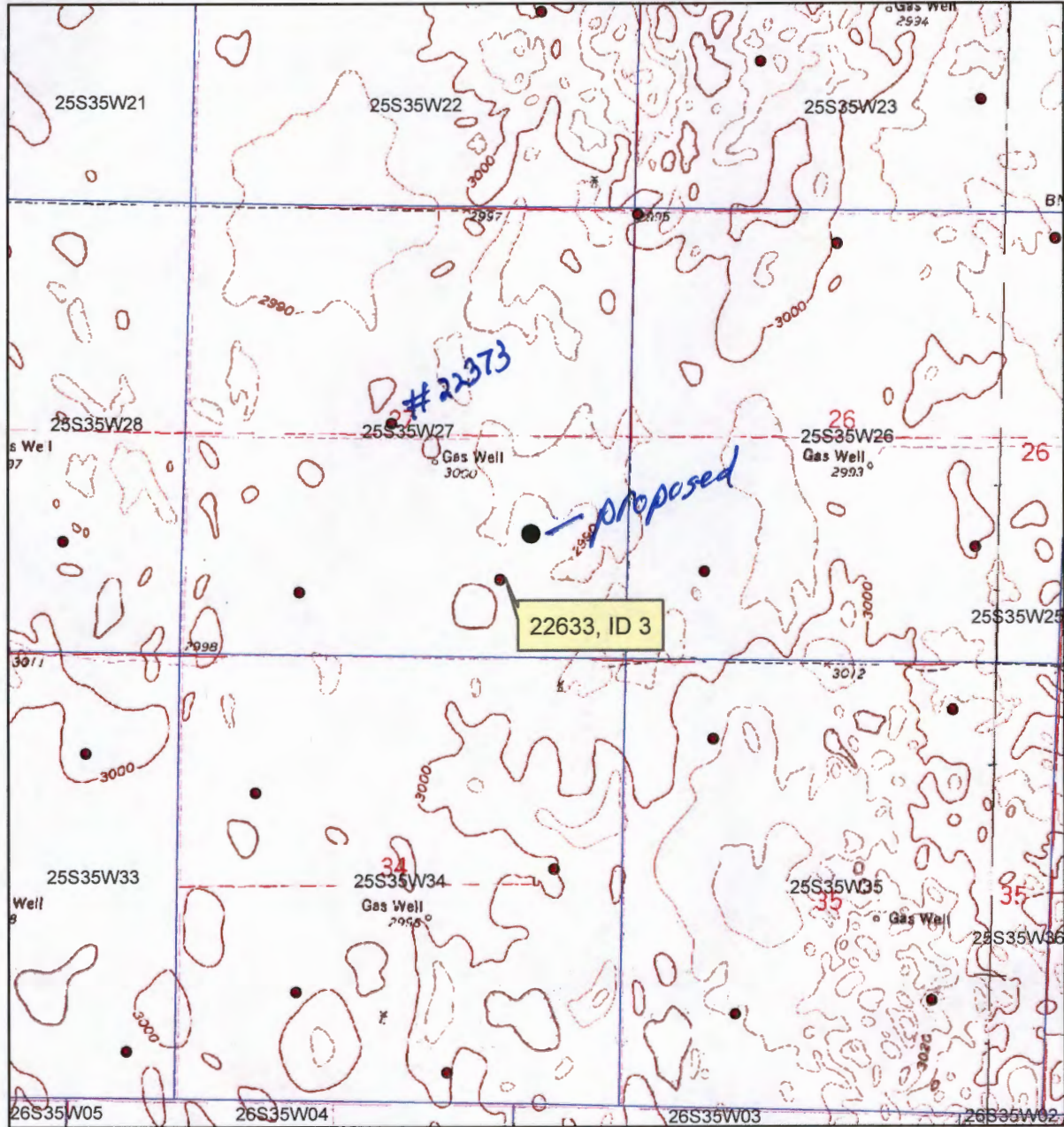
8. **Presently authorized point of diversion:**  
One in the NE Quarter of the SW Quarter of the NW Quarter  
of Section 34, Township 25 South, Range 35 W,  
in KE County, Kansas, 3622 feet North 4394 feet West of Southeast corner of section.  
Authorized Rate 950 gpm Authorized Quantity 272 af  
(DWR use only: Computer ID No. 09 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 \_\_\_\_\_  
This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

9. **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 \_\_\_\_\_  
(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 \_\_\_\_\_  
This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

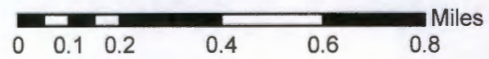
10. **Presently authorized point of diversion:**  
One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_  
(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 \_\_\_\_\_  
This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. \_\_\_\_\_

# Change in Point of Diversion for Water Right 22633



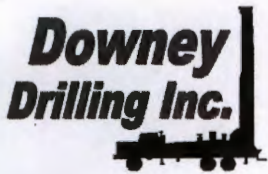
● Authorized Point of Diversion



● Proposed Point of Diversion

All wells within 1/2 miles are on this map.

X



# Well Design & Construction

WR 22633

M-26

Customer Name: SOUTHWEST AG

Legal: SE 27-25S-35W County: KEARNY

GPS: 37.84723 Date: \_\_\_\_\_

-101.14439 WO #: 19-129

DRILLER: \_\_\_\_\_ WATER SUPPLY: NEARBY IRRIGATION WELL

HELPER(S): \_\_\_\_\_ DRILLING RIG: TBD

BOREHOLE DIAMETER: 30" DRILLING METHOD: REVERSE CIRCULATION

CASING DIAMETER: 16" QUIKGEL: TBD HOLE PLUG: 20'

TOTAL WELL DEPTH: 625' GRAVEL: 130 TONS OF #1 COARSE & #1 FINE MIX

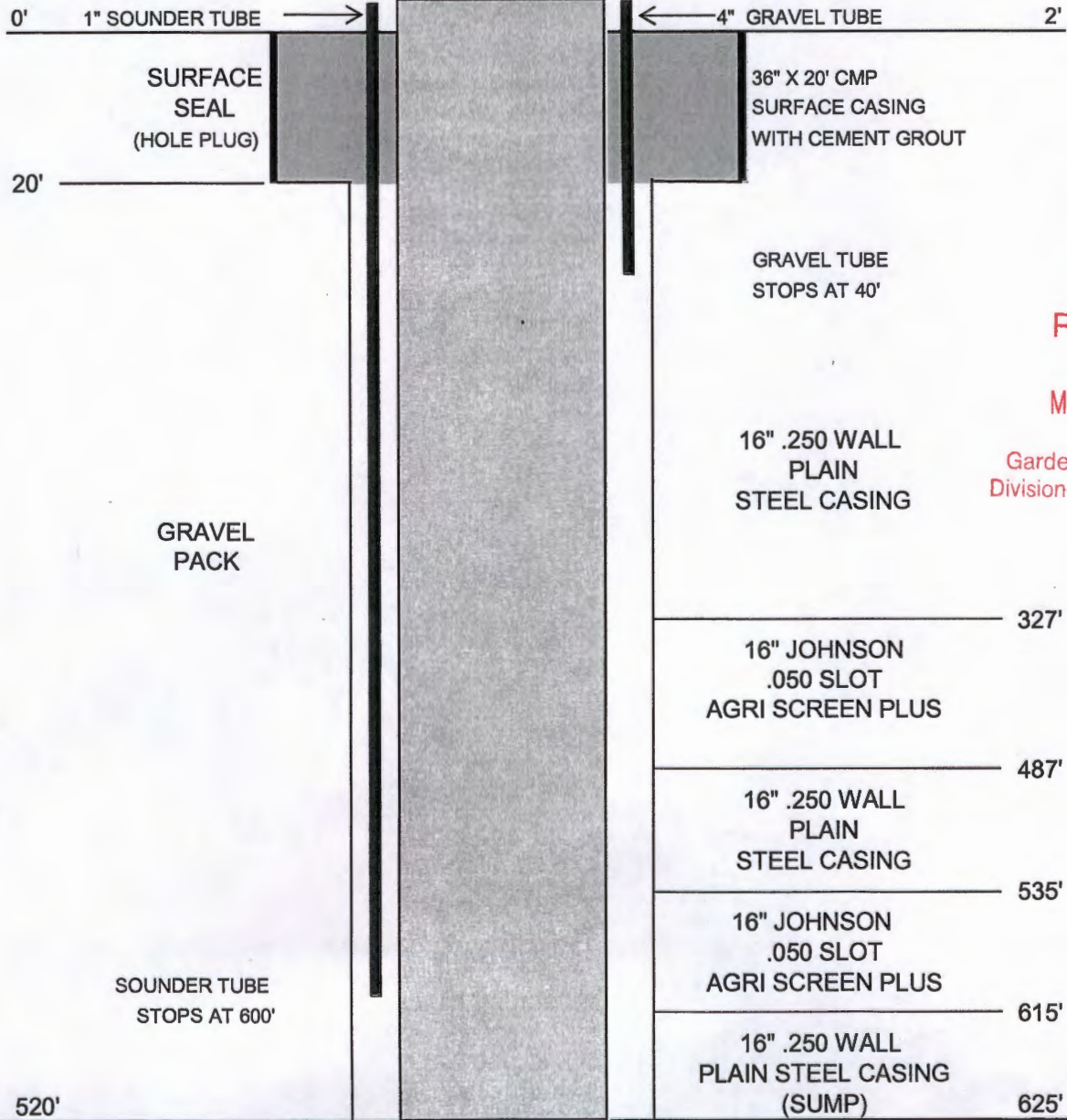
DRILLING FLUID: TBD GRAVEL SUPPLIER: TBD

ADDITIONAL INFO: \_\_\_\_\_

GROUT AND GRAVEL

SCREEN AND CASING

IRRIGATION WELL



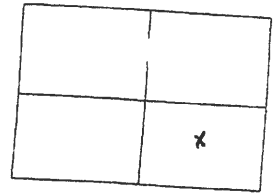
RECEIVED

MAR 01 2019

Garden City Field Office  
Division of Water Resources

**GSPF IRRIGATION SERVICE**

710 W Taylor Jones Rd  
 Holcomb, KS 67851  
 Phone: 620-277-2503  
 Fax: 620-277-2581



Customer Name: Southwest Ag M-26 Date: 1-4-19

Address: \_\_\_\_\_ Test # 2 E Log \_\_\_\_\_

City & state \_\_\_\_\_ Driller: Dennis Vogts

County Kearny Quarter SE Section: 27 Township: 25 Range: 35

Location: GPS N 37.84723 W 101.14439 Elev: 2988

Rig# 1 WO# \_\_\_\_\_

%	From	Pay	To	Description of Strata	Static Water Level	Proposed Well Depth
	453	34	487	Brown-Tan Rock cemented sand strips		
	487		494	grey clay		
	494		533	Mixed clays grey, red, white		
	533	59	592	Brown-Tan Rock small mixed w/ loose sandstone		
	592	20	612	Sandstone loose Black-Brown		
	612		620	Hard grey clay		
			206			
				<b>SURFACE CASING</b>		
			325'	+ 2	- 325'	PLAIN
			160'	325'	- 485'	.050 SCREEN
			90'	487'	- 535'	PLAIN
			80'	535'	- 615'	.050 SCREEN
			10'	615'	- 625'	SUMP
				<b>SUMMER TUBE 600'</b>		

RECEIVED  
 MAR 01 2019  
 Garden City Field Office  
 Division of Water Resources

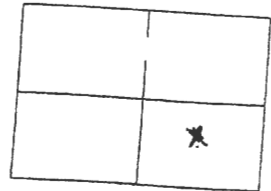
DRILLING FLUID @ \$2000

130 TONS #1 COARSE 50/50  
 #1 FINE MIX



# GSPF IRRIGATION SERVICE

710 W Taylor Jones Rd  
 Holcomb, KS 67851  
 Phone: 620-277-2503  
 Fax: 620-277-2581



Customer Name: Southwest Ag M-26 Date: 1-4-19

Address: \_\_\_\_\_ Test # 2 E Log \_\_\_\_\_

City & state \_\_\_\_\_ Driller: Dana Vagts

County Kearny Quarter SE Section: 27 Township: 25 Range: 35

Location: GPS N 37.84723 W 101.14439 Elev: 2988

Rig# 1 WO# \_\_\_\_\_

%	From	Pay	To	Description of Strata	Static Water Level <u>322</u> Proposed Well Depth
	0		1	Sandy TOP soil	
	1		11	Sand F-M	
	11		101	FMC gravel	<u>SWL 315'-320'</u>
	101		112	Sandy clay	
	112		157	Sandy clay some strips FMC sand + few limestone layer	
	157		186	FMC few strips sandy clay	
	186		205	Sandy clay grey + tan	
	205		209	Sand FMC	
	209		253	Sandy clay grey	
	253		268	Sand F-M	
	268		302	Sandy clay	
	302		326	Caliche	
	326	5	331	Sand F-M	
	331		342	Sandy clay	
	342	30	372	FMC few clay strips	RECEIVED
	372		388	Tan sandy clay	MAR 01 2019
	388	40	428	Sand FMC few clay strips	Garden City Field Office Division of Water Resources
	428		435	Sandy clay	
	435	18	453	F-M sand w/ white rock	

1/2 mile East 7/2010 SW 1/4 Sec 26-25-35W static 240 TD 571  
 1/2 mile NW 5/2018 SE 1/4 Sec 27-25-35W static 325 TD 600 700 RPM

12. The presently authorized use of water is for IRR purposes.  
It is proposed that the use be changed to IRR purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

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(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to \_\_\_\_\_ (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to \_\_\_\_\_ gallons per minute (\_\_\_\_ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 ([www.usgs.gov](http://www.usgs.gov)). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
  - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
  - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
  - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

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18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

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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 Garden City, Kansas, this 6 day of March, 2019.

[Signature]  
(Owner)

[Signature]  
(Spouse)

Duane Koster  
(Please Print)

Kathleen Koster  
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }  
County of Finney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 6<sup>th</sup> day of MARCH, 2019.



[Signature]  
Notary Public

My Commission Expires 4-7-21

**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.**



Garden City Field Office  
2508 Johns Street  
Garden City, KS 67846-2804



Phone: 620-276-2901  
Fax: 620-276-9315  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Interim Secretary

Laura Kelly, Governor

March 11, 2019

GRAHAM FARMS INC  
2150 ROAD 220  
DEERFIELD KS 67838

RE: Water Right, File No. 22633

Dear Madam and Sir:

This is to advise you that DUANE E & KATHLEEN A KOSTER TRUSTS has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to point of diversion under the above referenced application.

You can find the complete application posted by water right file number as referenced above at [www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices)

You are notified on this proposed place of use so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Meyer". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michael A. Meyer  
Water Commissioner

MAM

Pc:

Groundwater Management District No. 3