

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

1. File Number: <b>12130</b>	2. Status Change Date: <b>8-20-21</b>	3. Change Num: <b>C1</b>	4. Field Office: <b>4</b>	5. GMD: <b>3</b>
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: <b>8/6/2021</b>
8a. Landowner, New to system <input type="checkbox"/>  <b>PERRY B &amp; FRIEDA M KOEHN 2328 20TH RD COPELAND, KS 67837</b>		Person ID <b>38927</b> Add Seq# _____		
8b. Landowner(s), correspondent New to system <input type="checkbox"/>  <b>NICHOLAS C &amp; CARLA J KOEHN 2304 W RD COPELAND, KS 67837-8016</b>		Person ID <b>67153</b> Add Seq# _____		
		8c. Landowner(s) New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____		
		8d. WUC New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/2021</b> <input checked="" type="checkbox"/> N & P Date to Comply: <b>3/1/2022</b>				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan    Date Required: _____    Date Approved: _____    Date to Comply: _____				
10. Use Made of Water    From: _____    To: _____				
<div style="display: flex; justify-content: space-between;"> <span>See attached deed</span> <span>Date Prepared: <b>8/17/2021</b>    By: <b>MAM</b></span> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span></span> <span>Date Entered: _____    By: _____</span> </div>				

File No. **12130**      11. County: HS      Basin: ARKANSAS RIVER      Stream:      Formation Code: 211      Special Use:

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

**DEL      14074**  
**ENT      SESWSW      26      27S      31W      66      4523      900      384      900      384      NONE**

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) \_\_\_\_\_  
 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				
<b>CHK 2803</b>																		<b>8a, 8b</b>	<b>yes</b>	<b>No</b>

Base Acres:      Year:      Minimum Reasonable Quantity:  
 Comments:

Garden City Field Office  
4532 W. Jones, Suite B  
Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

August 20, 2021

NICHOLAS C & CARLA J KOEHN  
2304 W RD  
COPELAND, KS 67837-8016

RE: Water Right, File No. 12130

Dear Sir and Madam:

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

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approval for change. Conditions of these approval are that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

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

The abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment

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

Sincerely,

A blue ink signature of Michael A. Meyer, written in a cursive style.

Michael A. Meyer  
Water Commissioner

MAM  
enclosures  
pc: Perry and Frieda Koehn Trust  
GMD3

**CERTIFICATE OF SERVICE**

On this 20<sup>th</sup> day of August 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 12,130 dated 20<sup>th</sup> day of August 2021 was mailed postage prepaid, first class, US mail to the following:

NICHOLAS C & CARLA J KOEHN  
2304 W RD  
COPELAND, KS 67837-8016  
Pc:

PERRY B & FRIEDA M KOEHN  
2328 20TH RD  
COPELAND, KS 67837

GROUNDWATER MANAGEMENT DISTRICT NO. 3

  
\_\_\_\_\_  
Division of Water Resources Staff



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. 12130

**RECEIVED**  
 4:00pm  
 JUN 18 2021

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: Perry Koehn

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

Name and address of Water Use Correspondent: Helen Mae Dale                      Nicholas Koehn

1825 Road 5, Protection, KS, 67127-5409                      2304 W Ad, Copeland KS 67837-8016

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: Nicholas & Carla Koehn                      Perry & Freda Koehn Trust et al

ADDRESS: 2304 W Ad Copeland KS                      2328 20th Rd

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

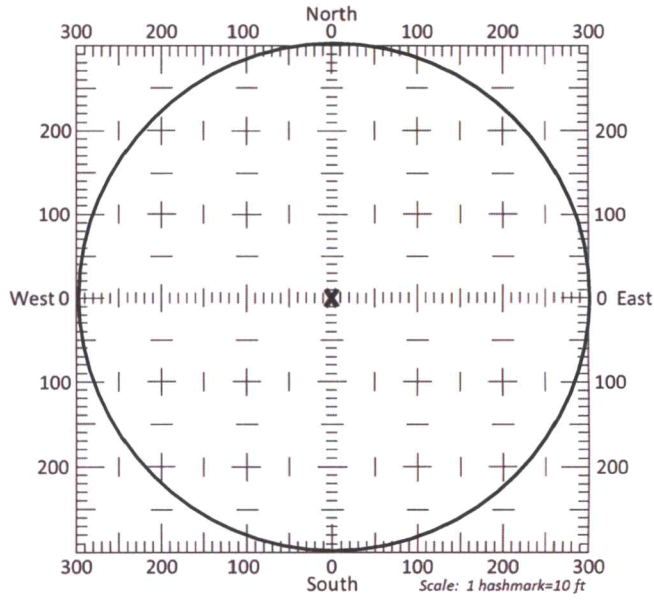
Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date 6-18-21 Check # 1032

5. **Presently authorized point of diversion:**  
 One in the SE Quarter of the SE Quarter of the SW Quarter of Section 26, Township 27 South, Range 31 (W), in Haskell County, Kansas, 54 feet North 2735 feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well 335 (feet)  
 (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:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the SE Quarter of the SW Quarter of the SW Quarter of Section 26, Township 27 South, Range 31 (W), in Haskell County, Kansas, 66 feet North 4523 feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) 560  
 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:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

7. The changes herein are desired for the following reasons?  
 (please be specific) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
8. If a well, is the test hole log attached?  Yes  No
9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_
10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
 \_\_\_\_\_  
 (b) When will this be done? \_\_\_\_\_
11. Groundwater Management District recommendation attached?  
 Yes  No
12. Assisted by Alex Torrance \_\_\_\_\_



- 13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines
- 13b. If the proposed point of diversion will be relocated within a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)



14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?  
 Yes     No    (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?  
 Yes     No    (If yes, all owners must sign this application.)
- (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?  
 Yes     No    (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Warden City, Kansas, this 18<sup>th</sup> day of June, 2021.

Perry Koehn  
 \_\_\_\_\_  
 (Owner)

Perry Koehn  
 \_\_\_\_\_  
 (Please Print)

John Koehn  
 \_\_\_\_\_  
 (Owner)

Nicholas Koehn  
 \_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Owner)

\_\_\_\_\_  
 (Please Print)

Frieda Koehn  
 \_\_\_\_\_  
 (Spouse)

FRIEDA KOEHN  
 \_\_\_\_\_  
 (Please Print)

Chelaf Koehn  
 \_\_\_\_\_  
 (Spouse)

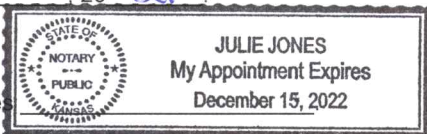
Carla Koehn  
 \_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Spouse)

\_\_\_\_\_  
 (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 18<sup>th</sup> day of June, 2021.



Julie Jones  
\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

**FEE SCHEDULE**

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (1) Application to change a point of diversion 300 feet or less ..... \$100
- (2) Application to change a point of diversion more than 300 feet ..... \$200
- (3) Application to change the place of use ..... \$200

**SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS**

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, *et seq.* and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 12130.

1. A change application was received on June 18, 2021 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use.  Applicable  Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 300 foot radius of the authorized point(s) of diversion.  Applicable  Not Applicable
4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.  Applicable  Not Applicable
5. The point(s) of diversion authorized herein shall not actually be located more than \_\_\_\_\_ feet from the previously authorized point(s) of diversion.  Applicable  Not Applicable
6. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13.  Applicable  Not Applicable
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2021**, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.  Applicable  Not Applicable
8. **Installation of the works for diversion of water shall be completed on or before December 31, 2021**, or within any authorized extension of time. By March 1, 2022 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.  Applicable  Not Applicable
9. **The completed well log shall be submitted with the required notice.**  Applicable  Not Applicable
10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c.  Applicable  Not Applicable
11. Additional Conditions are attached.  Yes  No
12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

**Administrative Appeal and Effective Date of Order**

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

*For Use by Register of Deeds*

FOR OFFICE USE ONLY  
**APPLICATION APPROVED AND SUMMARY ORDER ISSUED**

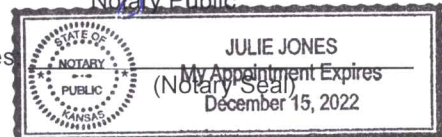
By: Michael A. Meyer  
Duly Authorized Designee of the Chief Engineer  
(Print Name): Michael A. Meyer  
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: August 20, 2021  
State of Kansas )  
County of Stinson ) SS

Acknowledged before me on August 20, 2021  
by Michael A. Meyer.

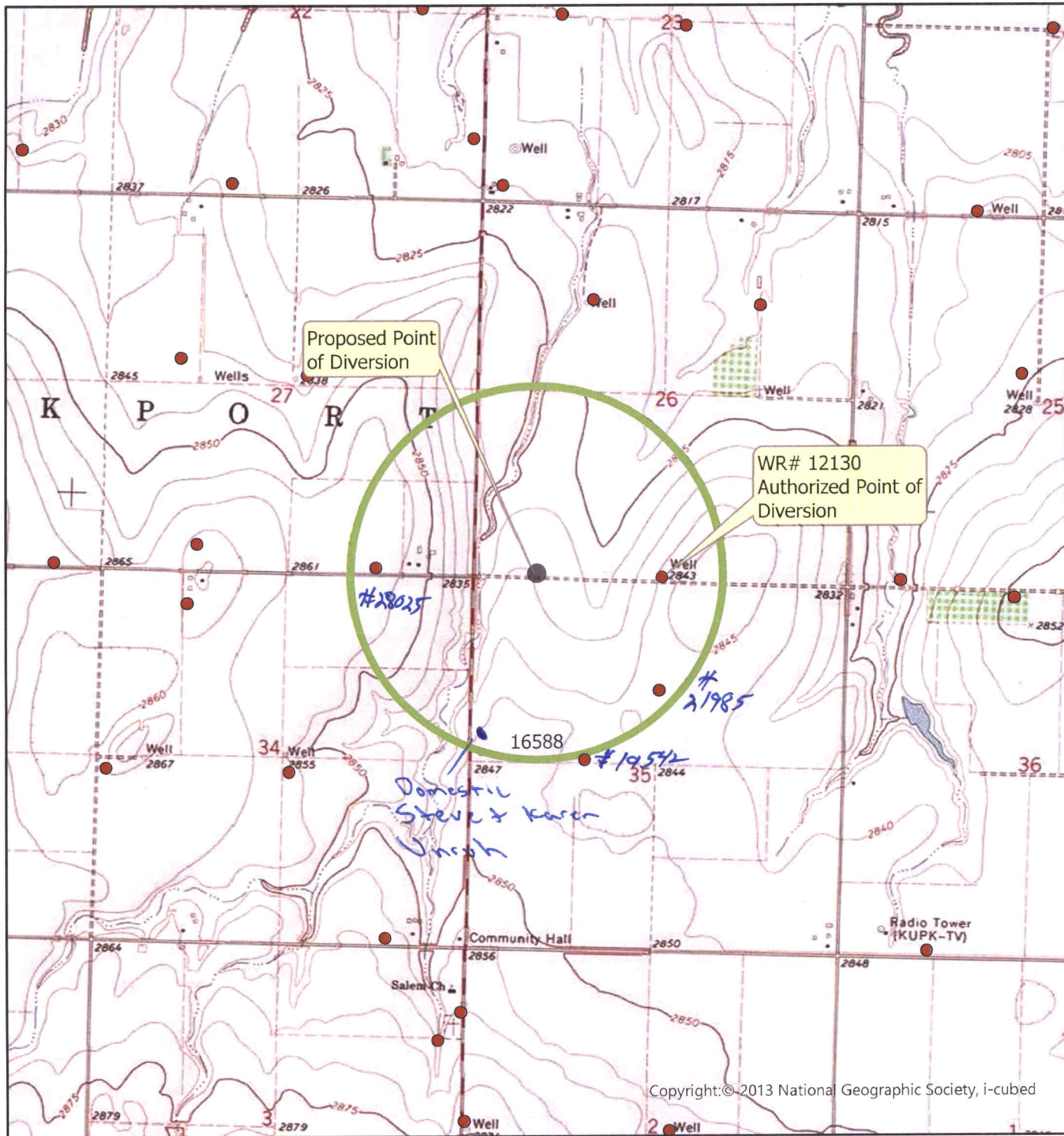
Signature: Julie Jones  
Notary Public

My commission expires \_\_\_\_\_  
JULIE JONES  
My Appointment Expires  
(Notary Seal)  
December 15, 2022





# CHANGE IN POINT OF DIVERSION 12130



Township 27 South Range 31 West  
HS County

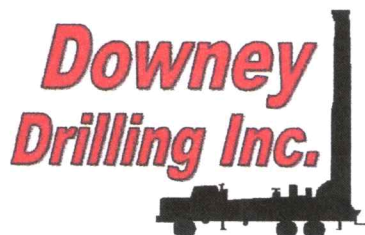


All wells of any kind within a half mile of the proposed point of diversion are shown:



# WELL LOG

DATE: 6/9/2021



*For Permit*

CUSTOMER NAME: PERRY KOEHN TH#1

LEGAL: SW 26-27S-31W

COUNTY: HASKELL CO, KS

GPS: 37.663886

-100.685892

LOGGER:

DRILLER: ROCKY

WO: 21-291

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	2	TOPSOIL	SOFT	DARK BROWN	FAST		SMOOTH
	2	17	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
	17	35	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	35	67	FINE SAND W/ SANDY CLAY	SOFT	TAN	FAST		VIBRATION & SMOOTH
	67	82	GREEN & WHITE CLAY	SOFT	GREEN & WHITE	FAST		SMOOTH
	82	101	SANDY CLAY W/ FINE SAND	SOFT		FAST		SMOOTH & VIBRATION
	101	114	FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		FAST CHATTER
	114	155	FINE-MED-LARGE GRAVEL W/ BIG ROCKS	HARD		SLOW		CHATTER
	155	168	FINE-MED-COARSE SAND W/ FINE-MED GRAVEL	HARD		FAST		CHATTER
	168	178	FINE-MED-COARSE SAND W/ FINE-MED-LARGE & BIG ROCKS	HARD		SLOW		CHATTER
	178	219	FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		CHATTER
	219	220	*KELLY FREE FELL*					
	220	223	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	223	227	YELLOW SOAPSTONE	SOFT	YELLOW	FAST		VIBRATION
	227	235	FINE-MED-COARSE SAND W/ FINE-MED GRAVEL & CEMENTED SAND	HARD		SLOWER		CHATTER
	235	248	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	248	269	FINE-MED-COARSE SAND W/ FINE-MED GRAVEL	STIFF		FAST		CHATTER
	269	276	FINE SAND W/ CLAY	SOFT		FAST		VIBRATION & SMOOTH
	276	282	FINE-MED-COARSE SAND W/ FINE GRAVEL	FIRM		FAST		CHOPPY & VIBRATION
	282	285	WHITE CLAY	HARD	WHITE	SLOW		FAST CHATTER
	285	288	CLAY	STIFF	BLACK	SLOW		SMOOTH
	288	304	FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		FAST CHATTER
	304	314	SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
	314	326	FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		FAST CHATTER
	326	331	SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
	331	351	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	351	355	SANDY CLAY W/ FINE SAND	SOFT		FAST		CHATTER
	355	393	FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		CHATTER
	393	477	SANDY CLAY W/ FINE SAND	SOFT		FAST		SMOOTH
	477	495	FINE-MED-COARSE SAND W/ FINE-MED GRAVEL	HARD		FAST		CHATTER
X	495	502	BROWN ROCK W/ FINE-MED GRAVEL	HARD	BROWN	FAST		CHATTER
	502	520	WEATHERED SHALE	SOFT	YELLOW	SEMI-SLOW		SMOOTH
	520	538	SHALE	SOFT	BLUE	SLOW		SMOOTH
	538	545	SOAPSTONE	FIRM	GRAY	SLOW		SMOOTH
	545	560	SHALE	SOFT	BLUE	SLOW		SMOOTH

*FSI  
STATIC*

*12*

*20*

*2*

*30*

*18*

*7*

*97*



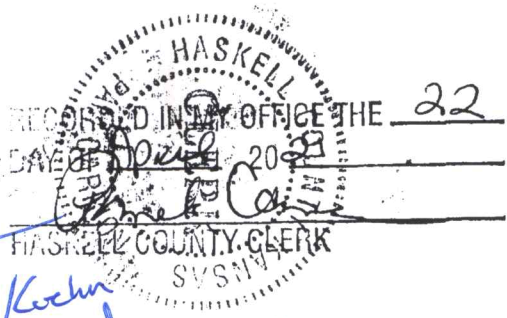
STATE OF KANSAS, HASKELL COUNTY

This instrument was filed for record on  
April 22, 2021 3:31 PM and  
Recorded in Book 250 Page 7-8

Fees: \$38.00 202100266



*Candy Huffine*  
Candy Huffine, Register of Deeds



*WUC*  
*Nicholas Koehn*  
*2304 W Rd*  
*Copeland KS 67837*  
*620-640*  
*4934*

**TRUSTEE'S DEED**

This deed is made on April 13, 2021 between Helen M. Dale, Trustee of the Helen M. Dale Living Trust dated March 3, 1997, as Grantor; and, Nicholas Colten Koehn and Carla Jane Koehn, husband and wife, as joint tenants with right of survivorship and not as tenants in common, an undivided one-half interest; and, Perry B. Koehn and Frieda M. Koehn, Trustees of the Perry and Frieda Koehn Trust under Agreement dated 12/06/2012, an undivided one-half interest, as Grantees.

Grantor represents and warrants that:

1. Helen M. Dale is Trustee of the Helen M. Dale Living Trust dated March 3, 1997. The Trust has not been revoked and remains in effect.
2. The Trust owns the interest in real property described in this deed. The terms of the Trust authorize the Trustee to sell and convey real estate included in the trust estate without limitation or qualification.

For valuable consideration, Grantor hereby grants, bargains, sells and conveys the undivided interest of the Helen M. Dale Living Trust dated March 3, 1997 in the real estate located in Haskell County, Kansas described as:

The South Half (S/2) of Section Twenty-six (26),  
Township Twenty-seven (27) South, Range  
Thirty-one (31) West of the Sixth Principal Meridian,  
Haskell County, Kansas, including mineral and water  
rights,

an undivided one-half (1/2) to Nicholas Colten Koehn and Carla Jane Koehn, husband and wife, as joint tenants with right of survivorship and not as tenants in common; and, an undivided one-half (1/2) to Perry B. Koehn and Frieda M. Koehn, as Trustees of the Perry and Frieda Koehn Trust under Agreement dated 12/06/2012.

To have and hold the above granted real estate with all privileges and appurtenances thereto belonging to the Trust conveyed to Grantees, subject to oil and gas leases, easements, right of ways and restrictions of record.

RECEIVED

AUG 20 2021

Garden City Field Office  
Division of Water Resources



Trustee's Deed – Helen M. Dale Living Trust/Koehn, et al.  
Page 2.

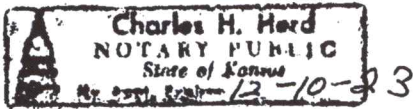
HELEN M. DALE LIVING TRUST  
DATED MARCH 3, 1997

By: *Helen M. Dale*  
Helen M. Dale, Trustee

STATE OF KANSAS, COUNTY OF COMANCHE, SS:

On April 13, 2021, before me, the undersigned, a Notary Public in and for the State of Kansas came Helen M. Dale, personally known to me to be the same person who executed the within instrument of writing "Trustee's Deed", and she signed and duly acknowledged execution of the writing as Trustee of the Helen M. Dale Living Trust dated March 3, 1997.

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



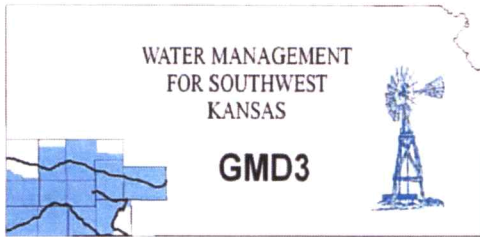
*[Signature]*  
Notary Public

My appointment expires: December 10, 2023

RECEIVED

AUG 20 2021

Garden City Field Office  
Division of Water Resources



**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

August 12, 2021

Mike A Meyer  
Division of Water Resources  
4532 W Jones Ave., Suite B  
Garden City, Kansas 67846

RE: Application for Change in Point of Diversion  
Water Right, File No. 12130

Dear Mike:

We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to minimum spacing to neighboring wells and distance moved.

Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the draft revised management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. The enclosed report is an analysis performed by the GMD on behalf of our membership. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (dependent on the sections saturated thickness), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. The attached review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

Every neighboring well within 1 mile of the proposed move was evaluated. Evaluations showed that several of the neighboring wells exceeded the net effect above the maximum allowable threshold and needed further evaluation. The evaluations from our data showed that the effects could be mitigated with limitations to the proposed well. We did not receive any comments from neighbor notices. Therefore, GMD3 sees this move as meeting current rules and would recommend approval with possible limitations or better information given to ensure that neighboring wells are not adversely affected. If aquifer conditions change or there is a change to the water right in the future, we would be happy to evaluate the effects at that 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

## GMD3 Change Review

---

File No(s): 12130. DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Perry Koehn.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS?   .

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-23-3

Point of diversion ID No(s) 03 being changed.

	ft. North	ft. West	
Authorized PD	54	2735	Sect 26-27-31
Proposed PD	66	4523	
Difference	-12 n	-1788 w	
$a^2 + b^2 = c^2$	144	3196944	1788.04 foot move NW

GPS for proposed PD: Lat: 37.663886 Long: -100.685892.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified:   .

Name Orvill L Williams (1207).

Address 11304 BB RD.

Zip Montezuma, KS 67867.

Email: osjtbmks@ucom.net. Phone: 620-846-0260.

Name Samuel Unruh Jr (3384, 16349).

Address 105 South Apache Dr.

Zip Montezuma, KS 67867.

Email: samjanfarm@gmail.com. Phone: 620-272-1398.

Name G&L Fund %Jeff Unruh (3582, 28025).

Address 3051 A RD.

Zip Copeland, KS 67837.

Email: rocku@ucom.net. Phone: 620-668-5469.

Name Cottonwood Tree Farms LLC (9327, 41445).

Address PO Box 307.

Zip Smith Center, KS 66967.

Email: gnewdigger@thepeoplesbank.net. Phone: 620-933-2318.





1207: Saturated Thickness = 159 ft  
Drawdown allowance = 3.5 ft  
Drawdown from current location = 0.12 ft  
Drawdown from proposed location = 1.19 ft  
Net drawdown = **1.1 ft**

3582: Saturated Thickness = 197 ft  
Drawdown allowance = 3.5 ft  
Drawdown from current location = 0.08 ft  
Drawdown from proposed location = 1.21 ft  
Net drawdown = **1.1 ft**

28025: Saturated thickness = 213 ft  
Drawdown allowance = 4.0 ft  
Drawdown from current location = 0.12 ft  
Drawdown from proposed location = 2.00 ft  
Net drawdown = **1.9 ft**

12763: Saturated thickness = 224 ft  
Drawdown allowance = 4.0 ft  
Drawdown from current location = 0.09 ft  
Drawdown from proposed location = 1.31 ft  
Net drawdown = **1.2 ft**

25275: Saturated thickness = 117  
Drawdown allowance = 2.5 ft  
Drawdown from current location = 0.14 ft  
Drawdown from proposed location = 1.16 ft  
Net drawdown = **1.0ft**

9327 & 41445: Saturated thickness = 193 ft  
Drawdown allowance = 3.5 ft  
Drawdown from current location = 0.08 ft  
Drawdown from proposed location = 1.19 ft  
Net drawdown = **1.1 ft**

15049 & 29566: Saturated thickness = 250 ft  
Drawdown allowance = 4.0 ft  
Drawdown from current location = 0.09 ft  
Drawdown from proposed location = 1.27 ft  
Net drawdown = **1.2 ft**

21985: Saturated thickness = 231 ft  
Drawdown allowance = 4.0 ft  
Drawdown from current location = 0.27 ft  
Drawdown from proposed location = 1.94 ft  
Net drawdown = **1.7 ft**

19542: Saturated thickness = 231 ft  
Drawdown allowance = 4.0 ft  
Drawdown from current location = 0.16 ft  
Drawdown from proposed location = 1.80 ft  
Net drawdown = **1.6 ft**

Domestic 1: Saturated thickness = 213 ft  
Drawdown allowance = 4.0 ft  
Drawdown from current location = 0.13 ft  
Drawdown from proposed location = 2.36 ft  
Net drawdown = **2.2 ft**

Domestic 2: Saturated thickness = 108 ft  
Drawdown allowance = 2.5 ft  
Drawdown from current location = 0.10 ft  
Drawdown from proposed location = 1.20 ft  
Net drawdown = **1.1 ft**

Domestic 3: Saturated thickness = 222 ft  
Drawdown allowance = 4.0 ft  
Drawdown from current location = 0.13 ft  
Drawdown from proposed location = 1.69 ft  
Net drawdown = **1.6 ft**

Domestic 4: Saturated thickness = 193 ft  
Drawdown allowance = 3.5 ft  
Drawdown from current location = 0.15 ft  
Drawdown from proposed location = 3.04 ft  
Net drawdown = **2.9 ft**

Domestic 5: Saturated thickness = 267 ft  
Drawdown allowance = 4.0 ft  
Drawdown from current location = 0.10 ft  
Drawdown from proposed location = 1.40 ft  
Net drawdown = **1.3 ft**

Domestic 6: Saturated thickness = 231 ft  
Drawdown allowance = 4.0 ft  
Drawdown from current location = 0.09 ft  
Drawdown from proposed location = 1.18 ft  
Net drawdown = **1.1 ft**

Domestic 7: Saturated thickness = 231 ft  
Drawdown allowance = 4.0 ft  
Drawdown from current location = 0.14 ft  
Drawdown from proposed location = 1.94 ft  
Net drawdown = **1.8 ft**

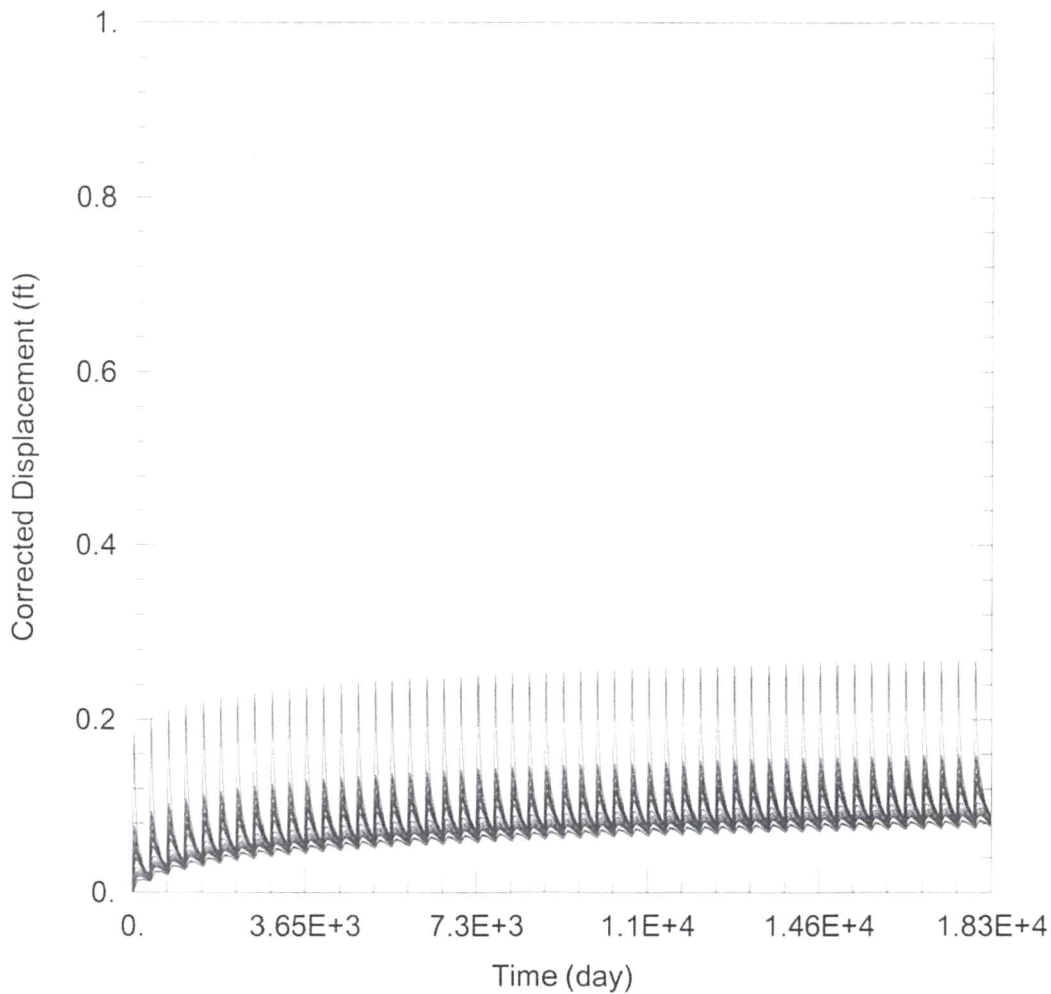
Domestic 8: Saturated thickness = 177 ft  
Drawdown allowance = 3.5 ft  
Drawdown from current location = 0.15 ft  
Drawdown from proposed location = 1.21 ft  
Net drawdown = **1.1 ft**

Net drawdown does not exceed the drawdown allowance for wells within 1 mile of the proposed change. Critical well analysis is not necessary.

**Conclusion:**

The proposed well location is within an area that the GMD3 model predicts will have large water level declines over the next 25 years. This regional decline is likely to significantly reduce the pumping capacity of some neighboring wells. Aquifer conditions, including remaining saturated thickness, transmissivity, and specific yield, appear to vary in the area, making a reliable evaluation difficult to conduct. The effects estimated in this report are based on the aquifer characteristics identified in the driller's log at the proposed well location. The evaluation shows that the well operated under its proposed conditions will likely have minimal interaction effects on neighboring wells, so GMD3 staff recommends approval of the application. Concerned neighbors should contact either GMD3 at (620) 275-7147 or the Division of Water Resources at (620) 276-2901 if they would like to put their concerns on record. Otherwise, the application may be approved as proposed.





### WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021\_Moves\12130\12130 Current Updated T.aqt  
 Date: 08/20/21 Time: 11:30:21

### PROJECT INFORMATION

Company: GMD 3  
 Project: 12130  
 Location: Haskell County

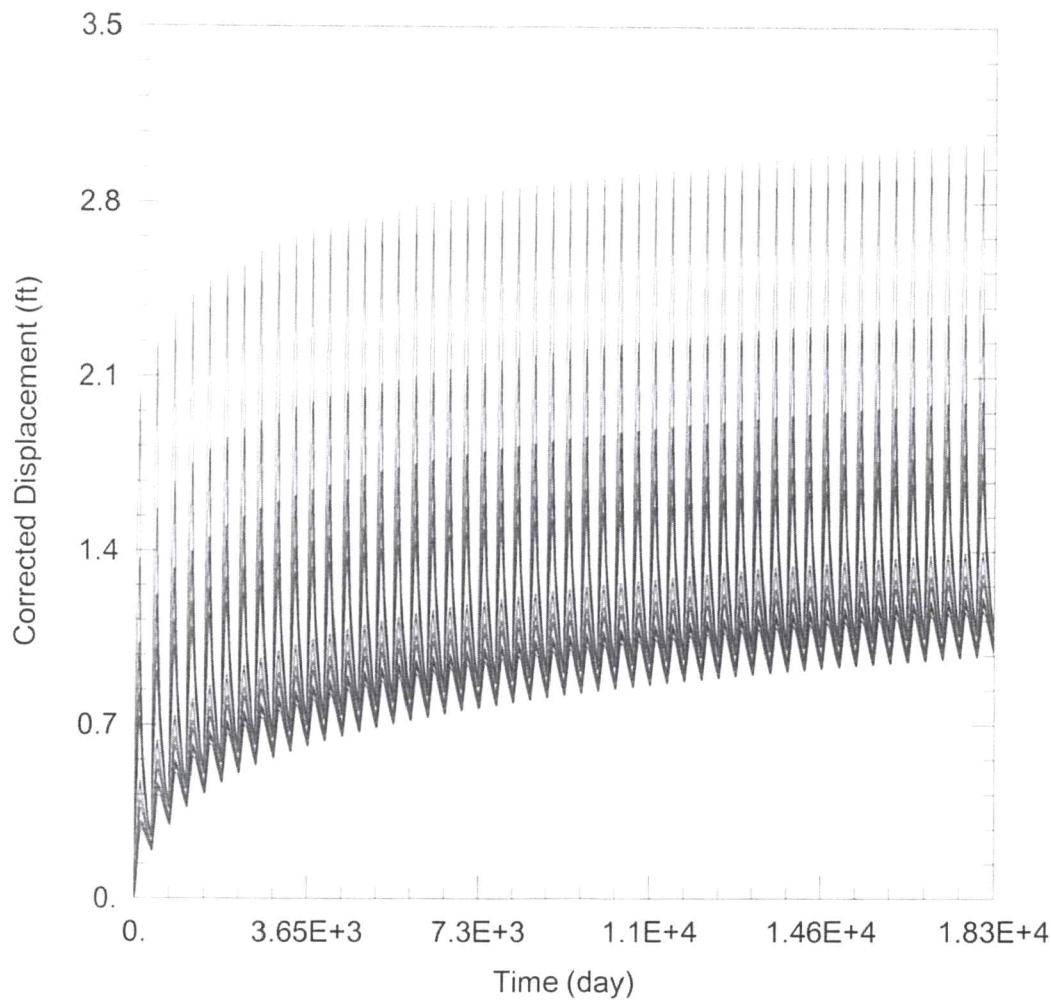
### WELL DATA

#### Pumping Wells

Well Name	X (ft)	Y (ft)
Proposed_PD	34662	287251

#### Observation Wells

Well Name	X (ft)	Y (ft)
□	34662	287251
□ 3384 & 16349	33586	291161
□ 1207	35960	291142
□ 3582	28033	287561
□ 28025	30581	287283
□ 12763	29536	289987
□ 25275	38049	287292
□ 9327 & 41445	27918	286712
□ 15049 & 29566	29426	284350
□ 21985	34664	285638
□ 19542	33624	284628
□ Domestic 1	31079	287546
□ Domestic 2	32987	292186
□ Domestic 3	32353	290203



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2021\_Moves\12130\12130 Proposed Updated T.aqt  
 Date: 08/20/21 Time: 11:30:10

PROJECT INFORMATION

Company: GMD 3  
 Project: 12130  
 Location: Haskell County

WELL DATA

Pumping Wells			Observation Wells		
Well Name	X (ft)	Y (ft)	Well Name	X (ft)	Y (ft)
Proposed_PD	32870	287262	□	32870	287262
			□ 3384 & 16349	33586	291161
			□ 1207	35960	291142
			□ 3582	28033	287561
			□ 28025	30581	287283
			□ 12763	29536	289987
			□ 25275	38049	287292
			□ 9327 & 41445	27918	286712
			□ 15049 & 29566	29426	284350
			□ 21985	34664	285638
			□ 19542	33624	284628
			□ Domestic 1	31079	287546
			□ Domestic 2	32987	292186
			□ Domestic 3	32353	290203

>  
> 105 SOUTH APACHE DR  
> MONTEZUMA KS 67867

3384 ✓

-----  
> G & J FUND  
> JEFF UNRUH  
> 3051 A RD  
> COPELAND KS 67837

3582 ✓

-----  
> COTTONWOOD TREE FARMS LLC  
> HASKELL CO/SHON UNRUH  
> PO BOX 307  
> SMITH CENTER KS 66967

9327 ✓

-----  
> HELEN MAE DALE  
>  
> 1825 ROAD 5  
> PROTECTION KS 67127

12130 ✕ Application

-----  
> WILDHAWK FARMS  
> JARVIS GARETSON  
> 695 RD XX  
> COPELAND KS 67837

12763 ✓

-----  
> HIGH PLAINS RANCH LLC  
>  
> 12225 E HIGHWAY 160  
> SATANTA KS 67870

15049 ✓

-----  
> SAMUEL UNRUH JR  
>  
> 105 SOUTH APACHE DR  
> MONTEZUMA KS 67867

16749 ✓

-----  
> WILDHAWK FARMS  
> JARVIS GARETSON  
> 695 RD XX  
> COPELAND KS 67837

19542 ✓

-----  
> WILDHAWK FARMS  
> JARVIS GARETSON  
> 695 RD XX  
> COPELAND KS 67837

21985 ✓

-----  
> MICHAEL T & JUDITH K OBRATE  
>  
> 1325 HINEMAN  
> GARDEN CITY KS 67846

25275 ✓

-----  
> G & J FUND  
> JEFF UNRUH  
> 3051 A RD  
> COPELAND KS 67837

25025 ✓

-----  
> HIGH PLAINS RANCH LLC  
>  
> 12225 E HIGHWAY 160  
> SATANTA KS 67870

29566 ✓

-----  
> COTTONWOOD TREE FARMS LLC  
> HASKELL CO/SHON UNRUH  
> PO BOX 307  
> SMITH CENTER KS 66967

411445 ✓

-----  
=====

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

July 26, 2021

SOUTHWEST KANSAS GROUNDWATER  
MANAGEMENT DISTRICT NO. 3  
409 CAMPUS DRIVE, SUITE 106  
GARDEN CITY KS 67846

Re: Water Right File No. 12130

Dear Mr. Norquest;

This is to advise you that Perry Koehn has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion for the above referenced file.

We are delaying action on the change application to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days.

Thank you and as always feel free to contact this office at any time.

Sincerely,

Michael A. Meyer  
Water Commissioner

MAM  
Enclosures

D. Engelhaupt  
7/23/2021

**This analysis of change in point of diversion, File No. 12,130**

A Theis analysis was used to evaluate the potential impacts of a change in point of diversion. The application proposes moving the point of diversion authorized by File No. 12,130 approximately 1,800 feet west. The 2068 projected saturated thickness (150 feet) from the GMD No. 3 groundwater model was used in conjunction with stratigraphic logs to estimate the transmissivity (6,891 ft<sup>2</sup>/day). The specific storage was assumed to be 10<sup>-5</sup>, which results in a storage coefficient of 0.0015. Drawdown resulting from pumping at the proposed rate and quantity at the new was evaluated at the point of diversion authorized by File No. 28,025. With these assumptions, the drawdown at File No. 28,025 increases by 12.8 feet, or 8.5% of the projected future saturated thickness (Table 1).

**Table 1:** Theis analysis of drawdown at File No. 28,025; T = 6,891 ft<sup>2</sup>/day; S = 0.0015

Scenario	Distance (Feet)	Quantity (Acre-Feet)	Rate (GPM)	Drawdown (Feet)	Drawdown (%ST)
Proposed	2278	384	900	12.8	8.5%



Garden City Field Office  
4532 W. Jones, Suite B  
Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

June 23, 2021

JAMES R GARETSON TRUST  
Attn: MARTHA GARETSON  
695 RD XX  
COPELAND, KS 67837

RE: Water Right, File No. 12130

Dear Sir or Madam:

This is to advise you that Perry Keohn has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced applications. An irrigation well is proposed to be relocated to the SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 26, Township 27 South, Range 31 West, Haskell County.

You can find the complete applications posted by water right file number as referenced above at: [www.Agriculture.ks.gov/DWRNotices](http://www.Agriculture.ks.gov/DWRNotices)

You are notified on this proposed point of diversion (well) so that you may furnish this office with any comments or other information you 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 contact this office. If you would prefer, you could arrange an appointment 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 "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc:  
GROUNDWATER MANAGEMENT DISTRICT NO. 3

Garden City Field Office  
4532 W. Jones, Suite B  
Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

June 23, 2021

G & J FUND  
Attn: JEFF UNRUH  
3051 A RD  
COPELAND, KS 67837-0125

RE: Water Right, File No. 12130

Dear Sir or Madam:

This is to advise you that Perry Keohn has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced applications. An irrigation well is proposed to be relocated to the SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 26, Township 27 South, Range 31 West, Haskell County.

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Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc:  
GROUNDWATER MANAGEMENT DISTRICT NO. 3

**SCANNED**

Garden City Field Office  
4532 W. Jones, Suite B  
Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

June 23, 2021

STEVE & KAREN UNRUH  
650 WW RD  
COPELAND, KS 67837

RE: Water Right, File No. 12130

Dear Sir or Madam:

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Sincerely,

A handwritten signature in black ink that reads "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc:  
GROUNDWATER MANAGEMENT DISTRICT NO. 3

SCANNED

## Meyer, Mike [KDA]

---

**From:** Engelhaupt, David [KDA]  
**Sent:** Friday, July 23, 2021 1:48 PM  
**To:** Meyer, Mike [KDA]  
**Cc:** McColloch, Austin [KDA]  
**Subject:** RE: 12130 theis  
**Attachments:** Theis\_12130.pdf

Mike,

This evaluation for 12,130 is attached. The well hasn't been used in years, so I treated it like a new app and did not evaluate drawdowns at the current location.

The new well is drilled to 560 feet, but there is little transmissivity below 502 feet. Some of the surrounding wells encounter bed rock at around 420-450 feet. The Theis drawdown is well above even the shallower bed rock, because of this I believe our usual analysis remains appropriate without any additional adjustments for the variations in depth to bed rock.

Regards,

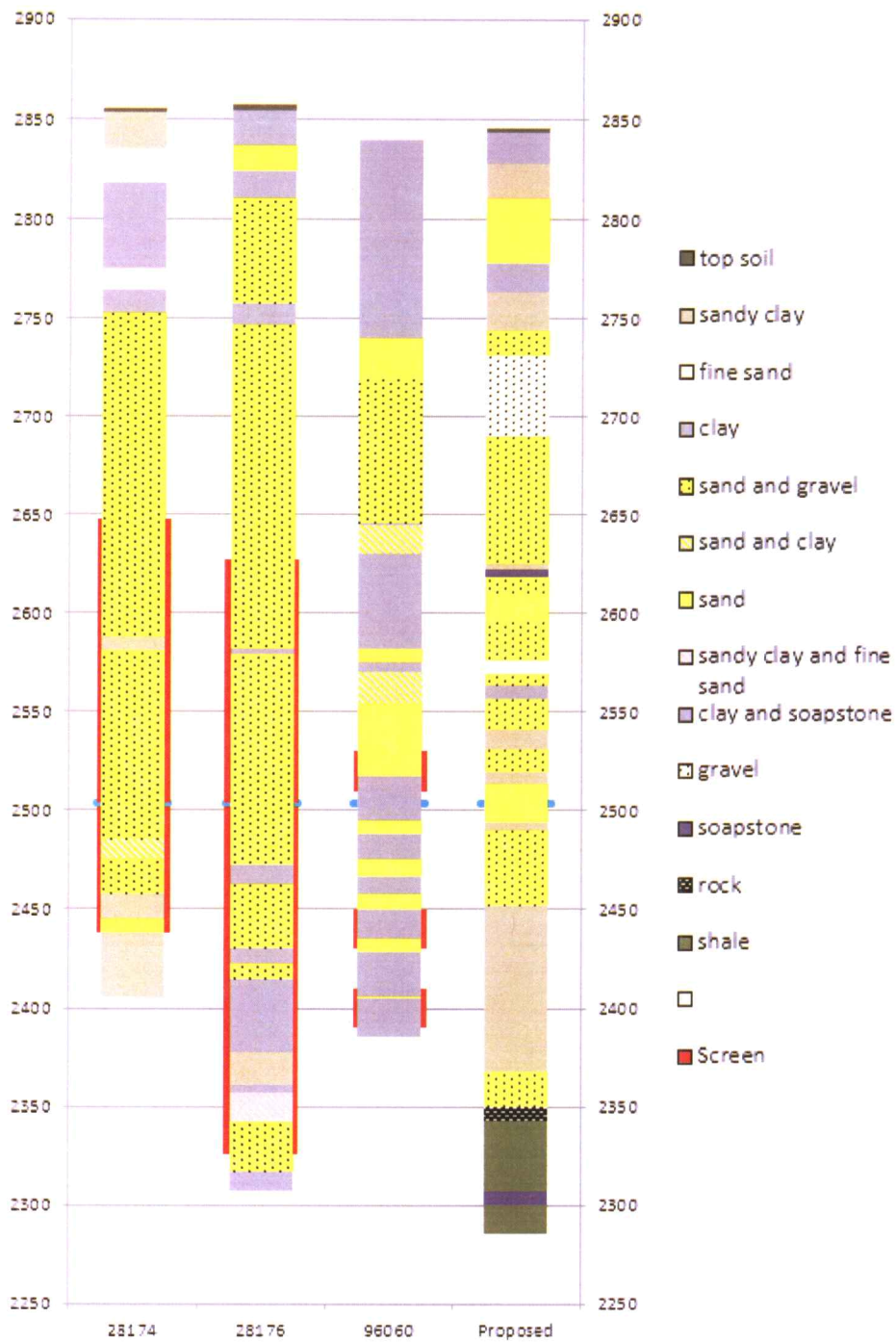
David Engelhaupt, P.E.  
Technical Services Supervisor  
Kansas Department of Agriculture  
Division of Water Resources  
(785) 564-6680

**From:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>  
**Sent:** Thursday, July 22, 2021 11:54 AM  
**To:** Engelhaupt, David [KDA] <David.Engelhaupt@ks.gov>  
**Subject:** 12130 theis

David, the applicant called about this change app, where are we at with the report? just checking in.

thanks

*Mike*





# Hydraulic Conductivity (Ft/day)

