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

| of di | version a | and/or p | lace o | f use. | | | | | , , | | | | , | | | | | | (-) |
|--|--|--|---------|---------|----------------------------------|--------|--------------|--------------------------------|--------------------------|----------|----------|------------------|--------|---------|--------|--------|--------|------------|--------------------------------|
| | | | | | | | File No | . <u>1640</u> | 06 | | | | | _ | | | | | CEIVED 2:30 pm L 27 2021 |
| 1. | Annlicati | on is he | arehy r | nade f | or ann | rovalo | of the C | `hiof E | naino | or to ol | nango | the (ch | ook o | no or h | oth): | | | JU | L 2 7 2021 |
| 1. | Арріісац | he Chief Engineer to change the (check one or both): ce of Use | | | | | | otri). | Garden City Field Office | | | | | | | | | | |
| | under th | o water | right v | vhich i | s the c | | | | otion i | | | | | ndition | o dooo | الممطا | | | f Water Resources |
| | The sou | | | | s lile s | | Fround | | allon | | | e with ce wat | | naition | s desc | inbea | below. | | |
| | rne sou | ice oi s | ирріу і | S. | | | rouna | water | | Ш | Suпа | ce wat | er | | | | | | |
| 2. | Name and address of Applicant: VYN LAND & CATTLE | | | | | | | | | | | | | | | | | | |
| | PO BOX 1027 LAKIN KS 67860 | | | | | | | | | | | | | | | | | | |
| | Phone Number: () Email address: | | | | | | | | | | | | | | | | | | |
| | Name ar | nd addr | ess of | Water | Use C | orresp | onden | t: SAI | ME AS | ABO\ | /E | | | | | | | | |
| | | | , | | | | | | | 78.0 | | | | | | | | | |
| | Phone Number: () Email address: | | | | | | | | | | | | | | | | | | |
| | The presently authorized place of use is: | | | | | | | | | | | | | | | | | | |
| | Owner of Land NAME: VYN LAND & CATTLE ADDRESS: PO BOX 1027 LAKIN KS 67860 | | | | | | | | | | | | | | | | | | |
| | (If there is | | | | | | | | | | sary.) | | · | 1111 | | | | | |
| (If there is more than one landowner, attach supplemental sheets as necessary.) NE½ NW½ SW½ | | | | | | V1/4 | SE¼ TOTAL | | | | TOTAL | | | | | | | | |
| Sec | . Twp. | Range | NE1/4 | | SW1/4 | SE1/4 | NE1/4 | NW1/4 | | SE1/4 | NE1/4 | | SW1/4 | SE1/4 | NE1/4 | | SW1/4 | SE1/4 | ACRES |
| 2 | 25 | 35 | 31.5 | 31.5 | 31.5 | | | | 31.5 | | | | | 31.5 | | 31.5 | 31.5 | 31.5 | 504 |
| _ | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | If this ap | | | | _ | | | | ropose | ed that | the pla | ace of | use be | e chan | ged to | | | | |
| | Owner o | | | | | | | | 67060 | ١ | | | | | | | | | |
| | (If there is | | | ESS: | | | | | | | sary) | | | | | | | | |
| | (| | | | | | , pp.0 | | | | July 1,7 | SV. | N/1/. | | | | =1/ | | TOTAL |
| Sec | NE½ NW¼ Twp. Range NE¼ NW¼ SW¼ SE½ NE¼ NW¼ SW¼ S | | | SE1/4 | SW1/4 NE1/4 NW1/4 SW1/4 SE1/4 | | | SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 | | | SF1/4 | ACRES | | | | | | | |
| 2 | 25 | 35 | 31.5 | | 31.5 | | | | 31.5 | | | | 31.5 | | | 31.5 | | 31.5 | 504 |
| 34 | 24 | 35 | 34 | 34 | 34 | 34 | 34 | 34 | 34 | 34 | 34 | 34 | 34 | 34 | 34 | 34 | 34 | 34 | 544 |
| 3 | 25 | 35 | 34 | 34 | 34 | 34 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 34 | 34 | 34 | 34 | 272 |
| | | | | | | | | | | | | | | | | | | | |
| | For Offic | ce Use | Only: | Code | | Fe | e \$ <u></u> | 00.0 | O TR | # | | Re | ceipt | Date _ | 7-a | 7-21 | Chec | k# <u></u> | 392 |

| 5. | Presently authori | ized point of | diversion: | | | | | | | | | |
|------|--------------------------|--|-----------------------------|---------------|---|---|-----------------------|--|--|--|--|--|
| | One in the | LOT 4 | Quarter of the | NW | Quarter of the | NW | Quarter | | | | | |
| | | | , Township | | | | | | | | | |
| | | | unty, Kansas, <u>5112</u> | | | | | | | | | |
| | | | Authorized Quantity | | | | | | | | | |
| | | | No GPS | | | | | | | | | |
| | | | ☑This point will be changed | | | | | | | | | |
| | | | (Complete only if change | | | | | | | | | |
| | | | Quarter of the | | | | | | | | | |
| | of Section | 34 | , Township | 2 | South Range | 35 | \ W | | | | | |
| | | | unty, Kansas, <u>1310</u> | | | | | | | | | |
| | | | Proposed Quantity | | | | | | | | | |
| | | | Geo Center List oth | | | | | | | | | |
| L | тио решете. | taattoriai vvoi | | ioi water rig | nto triat will doe trilo point | | · | | | | | |
| ا ء | Presently authori | zed point of | diversion: | | | | | | | | | |
| ٥. | | | Quarter of the | NC | Quarter of the | NIVA/ | Quarter | | | | | |
| | | | , Township | | | | | | | | | |
| | | | unty, Kansas, <u>3960</u> | | | | | | | | | |
| | | | Authorized Quantity | | | | | | | | | |
| | | | No GPS | | | | | | | | | |
| | - | - | | | | | | | | | | |
| | | ☐ 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) | | | | | | | | | | |
| | | | | | | | | | | | | |
| | | | Quarter of the | | | | | | | | | |
| | | | , Township | | | | | | | | | |
| | | | unty, Kansas, | | | | | | | | | |
| | | | Proposed Quantity | | | | | | | | | |
| L | This point is: A | dditional Wel | I ☐ Geo Center List oth | ner water rig | nts that will use this point | | | | | | | |
| 7. | The changes herei | The changes herein are desired for the following reasons? | | | | | | | | | | |
| 1. | (please be specific) | | | | Morth | | | | | | | |
| | (ртошоо по оросиис) | | | 300 | | 100 200 | 300 | | | | | |
| | | | - | | | | | | | | | |
| 2 | Marian III da Maria | | | | | | | | | | | |
| 3. | if a well, is the test i | nole log attacr | ned? 🛛 Yes 🗌 No | 200 | - + = | | 200 | | | | | |
| 9. | The change(s) (was | s)(will be) com | pleted by? | | | | \ <u>_</u> | | | | | |
| | mo onango(o) (was | 5)(11111 50) 50111 | protod by . | | | | \ <u></u> | | | | | |
| | | | | 100 | | | 100 | | | | | |
| 10. | If the point of divers | sion is a well: | | # | AAAA. | | | | | | | |
| | (a) What are you g | | h the old well? | West 0 | ++ | | 1 H O East | | | | | |
| | (a) What are you g | going to do with | if the old well? | 1 | MANUTE CONTRACTOR OF THE PARTY | 1 , 1 | 3 | | | | | |
| | | | | Ē | 5640 5660 | | 7 | | | | | |
| | (b) When will this b | ne done? | | 100 | | | 100 | | | | | |
| | (b) When will this k | oc done: | | **** | TOP ASSESSED VALUE OF ASSESSED ASSESSED. | *************************************** | /= | | | | | |
| 11 | Groundwater Manag | gement Distric | t recommendation attached? | 200 | | | 200 | | | | | |
| ı (. | ☐ Ye | | a recommendation attached | 200 | | | 3200 | | | | | |
| | | | | | | | **** | | | | | |
| 12. | Assisted by HH GC | FO | | 500 | 200 100 0 | 100 200 | 11111 <u>-</u> 300 | | | | | |
| | , | | | 300 |) 200 100 0 South | Scalar 1 hashma | 200 ek-10 fr | | | | | |

13a. If the proposed point of diversion will be relocated more than 300 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

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 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.)

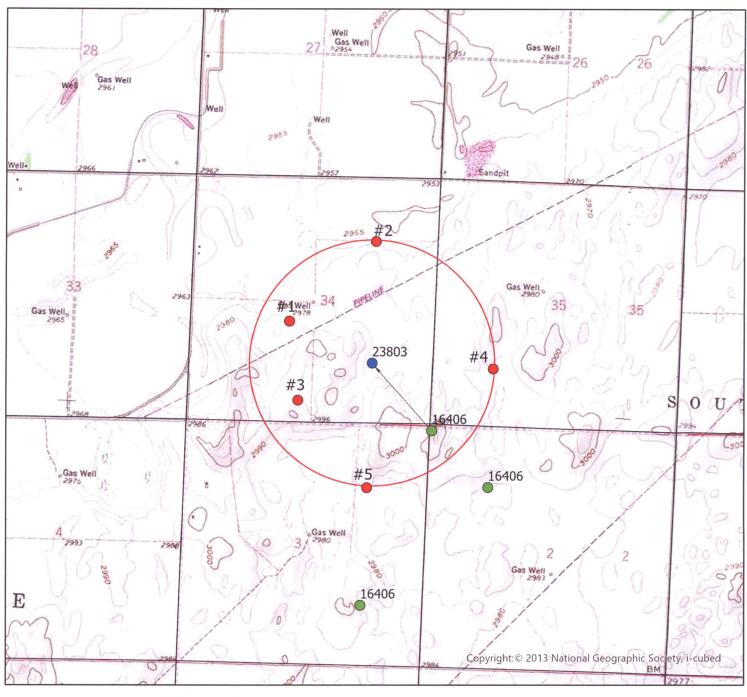
| If the proposed groundwater point of diversion is 300 or fewer feet fro | m the existing point of diversion, complete the following: |
|--|---|
| (a) Does the undersigned represent all owners of the currently author ☐ Yes ☐ No (If no, all owners must sign this applic | prized place(s) of use identified in this application? eation.) |
| (b) Will the ownership interest of any owner of the currently author affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this applied) | |
| (c) If this application is not approved expeditiously, will there be subsided in the subsided | stantial damage to property, public health or safety? ation.) |
| If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation). | |
| I hereby verify, being first duly sworn upon my oath or affirma age and the owner, the spouse of the owner, or a duly authori their behalf, in regards to the water right(s) to which this app contained in this application are true, correct and complete. | zed agent of the owner(s) to make this application on lication pertains. I further verify that the statements |
| Dated at <u>Brandon</u> <u>SD</u> <u>Kansa</u> s, this _ | 22 day of July , 2021 |
| July | |
| (Owner) Tust on I/V | (Spouse) |
| (Please Print) | (Please Print) |
| (Owner) | (Spouse) |
| (Please Print) | (Please Print) |
| (Owner) | (Spouse) |
| (Owner) (Please Print) State of Kansas &D County of Minuhaha | (Please Print) |
| County of MMnuhuhu SS SS SS SIGNED SI | Mende Anna Nevaya |
| My Commission Expires 410 24 | for owner only Notary Public |
| ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all caccurate information; maps, if necessary, must be included; signatures of all the apthe appropriate fee must be paid. | of the applicable portions of the application form must be completed with propriate owners' must be affixed to the application and notarized; and |
| FEE SCHEDU | <u>LE</u> |
| Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Departme (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use | nt of Agriculture \$100\$200 |

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

| prov | visions of the Kansas Water Appropriation Law, K.S.A. 82a- | 8b, as amended, and K.A.R. 5-5-1, <i>et seq.</i> and other applicable 701 et. seq., and rules and regulations promulgated thereunder in this Summary Order does not change the terms, conditions and | | | | | |
|-------------|---|--|--|--|--|--|--|
| 1. | A change application was received on | requesting that the place of use and / or point oper 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 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 Globa 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, 20, 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, 20, or within any authorized extension of time. By March 1, 20 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 requi | red notice. | | | | | |
| 10. | with an in-line, automatic, quick-closing check valve capat | preign substance will be injected into the water shall be equipped ble of preventing pollution of the source of the water supply. The n accordance with K.A.R. 5-3-5c. Applicable Not Applicable | | | | | |
| 11. | Additional Conditions are attached. Yes No | | | | | | |
| 12. | water appropriated under the above-referenced file numb limitations, as amended and/or supplemented by this Sum Appropriation Law and the Rules and Regulations promu | R. 5-5-14, all of the owners of the authorized place(s) of use of the are responsible for compliance with its terms, conditions and mary Order, and with applicable provisions of the <i>Kansas Wate</i> ligated thereunder. Failure to comply with these provisions may ended, and/or the suspension or revocation and dismissal of the ns authorized by law. | | | | | |
| _ | Administrative Appeal and Effective Date of Order | FOR OFFICE USE ONLY | | | | | |
| If yo | u are aggrieved by this order, pursuant to K.S.A. 82a-1901, | APPLICATION APPROVED AND SUMMARY ORDER ISSUED | | | | | |
| you | may request an evidentiary hearing before the Chief ineer or request administrative review by the Secretary of | SUMMARY ORDER ISSUED | | | | | |
| Agri | culture. A request for hearing by the Chief Engineer must be within 15 days of service of this Order and a request for | By: Duly Authorized Designee of the Chief Engineer | | | | | |
| adm | inistrative review by the Secretary must be filed within 30 | | | | | | |
| revi | s pursuant to K.S.Á. 77-531. Any request for administrative ew must state a basis for review pursuant to K.S.A. 77-527. | (Print Name): | | | | | |
| File Leg | any request with Kansas Department of Agriculture, al Division, 1320 Research Park Drive, Manhattan, KS | Date of Issuance: | | | | | |
| 665 | 02. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act. | State of Kansas) | | | | | |
| p. 0 0 | For Use by Register of Deeds |) SS County of) | | | | | |
| | | Acknowledged before me on | | | | | |
| | | by | | | | | |
| | | Signature | | | | | |
| | | Signature:Notary Public | | | | | |
| | | My commission expires:(Notary Seal) | | | | | |
| | | (Notary Seal) | | | | | |

CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NOS. 16406

Section 34 Township 24 South Range 35 West Kearny County



Authorized Point of Diversion

Proposed Point of Diversion

▶ Domestic Wells within 1/2 mile

Permitted Wells within 1/2 mile

1/2 Mile Buffer

List of owner name and addresses within 1/2 mile:

#1 File No. 23803 (9)
VYN LAND & CATTLE
#2 File No. 23803 (5)
VYN LAND & CATTLE
#3 File No. 20926
VYN LAND & CATTLE

#4 File No. 15583 RODGER L & CHERYL KOEHN #5 File No. 20929 VYN LAND & CATTLE



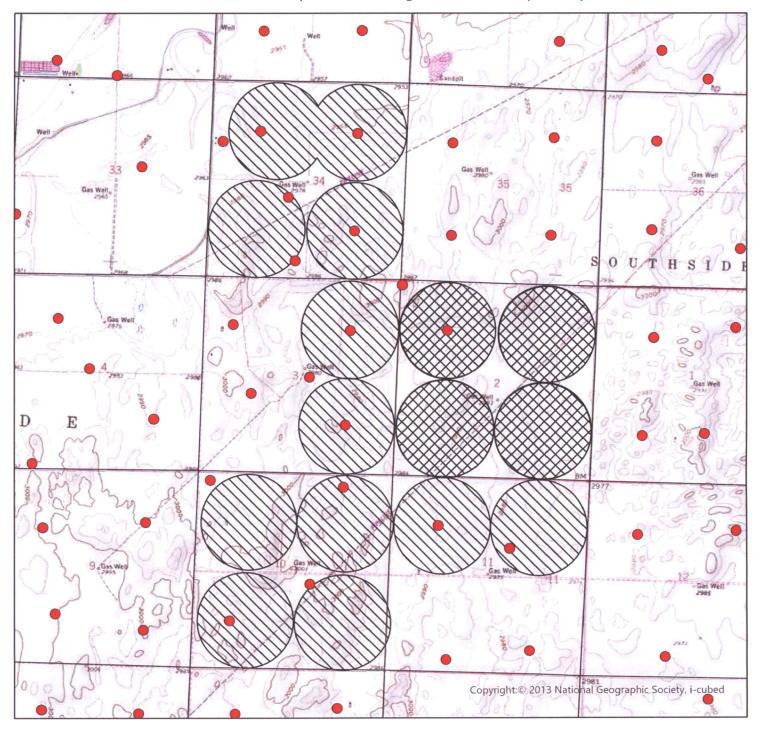
All wells of any kind within 1/2 mile of the proposed point of diversion have been plotted.

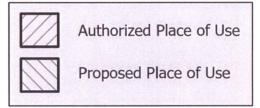
Date: 7/19/21 HH/GCFO Scale: 1:24,000

(Signature)

CHANGE IN PLACE OF USE WATER RIGHT, FILE NO. 16406

Section 2 Township 25 South Range 35 West Kearny County





W

All wells of any kind within 1/2 mile of the requested place of use have been plotted.

Date: HH/GCFO Scale: 1:30,000

(Signature) Date

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

July 28, 2021

RODGER L & CHERYL KOEHN 2350 ROAD 130 LAKIN, KS 67860-6219

RE: Water Right, File Nos. 16406 & 23803

Dear Sir and Madam:

This is to advise you that Vyn Land and Cattle has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, for change in point of diversion (and change in place of use) under the above referenced applications. Please note there are two applications to change the point of diversion that are nearby or within one half mile of some of your water right wells.

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 .

You are notified on this proposed points of diversion (wells) (and change in 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,

Michael A. Meyer

Water Commissioner