

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

1. File Number: <b>30668</b>	2. Status Change Date: <i>1/08/2021</i>	3. Change Num: <b>C1</b>	4. Field Office: <b>4</b>	5. GMD: <b>3</b>
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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>11/08/2021</b>
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8a. Applicant(s)/Landowner, New to system <input type="checkbox"/> Person ID <b>8932</b> Add Seq# _____  <b>DON &amp; MARY JOSSERAND TRUST</b> <b>Attn: ESTA BUCHER</b> <b>8122 16 RD</b> <b>MEADE, KS 67864-9409</b>	8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
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8b. Landowner(s), WUC New to system <input type="checkbox"/> Person ID 24076 Add Seq# _____  <b>GARY &amp; VERNICE JANTZ</b> <b>3703 Y RD</b> <b>MONTEZUMA, KS 67867-9018</b>	8d. WUC/ Landowner New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
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9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/2022**     N & P Date to Comply: **3/1/2023**

Anti-Reverse Meter     Meter Seal     Check Valve     N & P Form     Water Tube     Driller Copy     H & E Letter

Conservation Plan    Date Required: \_\_\_\_\_    Date Approved: \_\_\_\_\_    Date to Comply: \_\_\_\_\_

10. Use Made of Water    From: \_\_\_\_\_    To: \_\_\_\_\_

Date Prepared: **11/08/2021**    By: **MAM**  
 Date Entered: \_\_\_\_\_    By: \_\_\_\_\_



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

November 8, 2021

DON & MARY JOSSERAND TRUST  
Attn: ESTA BUCHER  
8122 16 RD  
MEADE, KS 67864-9409

RE: Filed Office Application for Change  
Water Right, File No. 30668

Dear Sir or Madam:

Enclosed is the 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 this approval for change. A condition of this approval is 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: GARY & VERNICE JANTZ  
GROUNDWATER MANAGEMENT DISTRICT NO. 3

**CERTIFICATE OF SERVICE**

On this 8<sup>th</sup> day of November 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 30,668 dated 8<sup>th</sup> day of November 2021 was mailed postage prepaid, first class, US mail to the following:

DON & MARY JOSSERAND TRUST  
Attn: ESTA BUCHER  
8122 16 RD  
MEADE, KS 67864-9409

Pc:

GARY & VERNICE JANTZ  
3703 Y RD  
MONTEZUMA, KS 67867-9018

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.

**RECEIVED**  
 11:35 pm  
 NOV 08 2021

Garden City Field Office  
 Division of Water Resources

File No. 30668

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

JOSERRAND

2. Name and address of Applicant: DON JOSERRAND

8122 16 RD MEADE, KS. 67864

Phone Number: ( ) \_\_\_\_\_

Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: GARY & VERNICE JANTZ

3703 Y RD MONTEZUMA, KS. 67867

Phone Number: (620) 668 0081

Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land --- NAME: NO CHANGE

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: NO CHANGE

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 \$ 100.00 TR # \_\_\_\_\_ Receipt Date 11-8-21 Check # visa payment

5. **Presently authorized point of diversion:**  
 One in the SW Quarter of the SW Quarter of the NE Quarter of Section 5, Township 28 South, Range 30 W, in GRAY County, Kansas, 3055 feet North 2442 feet West of Southeast corner of section.  
 Authorized Rate 1,800 GPM Authorized Quantity 266 AF Depth of well 443 (feet)  
 (DWR use only: Computer ID No. 2 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 SW Quarter of the SW Quarter of the NE Quarter of Section 5, Township 28 South, Range 30 (E/W), in GRAY County, Kansas, 2973 feet North 2553 feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) 500  
 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) lack of production on current location

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

9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_

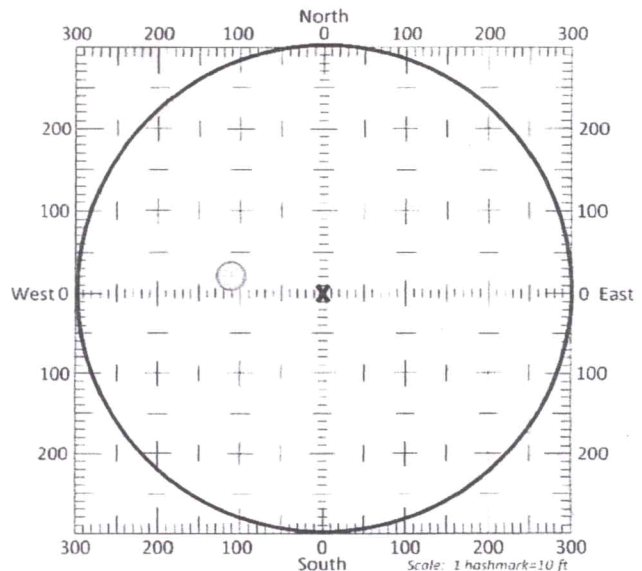
10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
To be plugged

(b) When will this be done? \_\_\_\_\_

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by CAC

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 Meade, Kansas, this 2nd day of November, 2021.

Don Josseland by Está Bucher (POA)  
(Owner) (Spouse)

Don Josseland by Está Bucher (POA)  
(Please Print) (Please Print)

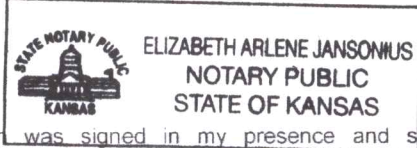
\_\_\_\_\_  
(Owner) (Spouse)

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

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

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

State of Kansas }  
County of Meade } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 2nd day of November, 2021.

Elizabeth Arlene Jansonius  
Notary Public

My Commission Expires August 24, 2024

**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. 30,468.

1. A change application was received on November 8, 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 50 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 300 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, 2022, 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, 2022 or within any authorized extension of time. By March 1, 2023 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: November 8, 2021

State of Kansas )

) SS

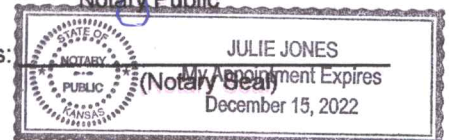
County of Tinney )

Acknowledged before me on November 8, 2021

by Michael A. Meyer

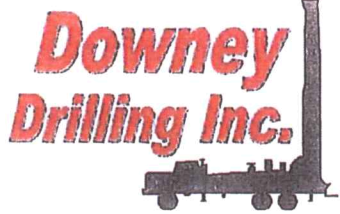
Signature: Julie Jones  
Notary Public

My commission expires:





WELL LOG



82'S / 111' W

TW: 30668  
 - 2973' N / 2553' W  
 DATE: 10/22/2021

CUSTOMER NAME: DON JOSSERAND TH#1

SWSWNE

LEGAL: SWNE 5-28S-30W

COUNTY: GRAY CO. KS

GPS: N 37.642892

W -100.624864

LOGGER:

DRILLER: ROCKY

WO: 21-1479

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	2	TOPSOIL	SOFT	DARK BROWN	FAST		SMOOTH
	2	10	BROWN SILTY CLAY	SOFT	BROWN BROWN & WHITE	FAST SEMI-SLOW		SMOOTH
	10	29	BROWN CLAY W/ CALICHE	FIRM	BROWN			SMOOTH
	29	54	BROWN CLAY	FIRM				SMOOTH
	54	70	FINE-MED SAND	FIRM		FAST		CHOPPY
	70	93	SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		SMOOTH & VIBRATION
	93	113	FINE-MED SAND	FIRM		FAST		VIBRATION
	113	133	FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		FAST CHATTER
	133	136	SANDY CLAY W/ CEMENTED SAND		WHITE	SLOW		SMOOTH & CHOPPY
	136	177	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	177	196	SANDY CLAY W/ FINE-MED SAND & CEMENTED SAND	FIRM	TAN & WHITE	FAST		CHOPPY & CHATTER AT TIMES
	196	215	SANDY CLAY W/ FINE SAND	SOFT	BROWN	FAST		SMOOTH & VIBRATION
	215	249	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	249	271	SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		
	271	282	FINE-MED SAND W/ LIMEROCK	STIFF		FAST		FAST CHATTER
	282	290	LIMEROCK W/ FINE SAND	STIFF	WHITE	FAST		CHATTER
	290	327	SANDY CLAY W/ FINE-MED SAND & LIMEROCK	SOFT	TAN & BROWN	REALLY FAST		SMOOTH CHATTER
	327	339	SANDY CLAY W/ FINE SAND	FIRM		REALLY FAST		CHOPPY
	339	367	FINE-MED SAND W/ LIMEROCK & SANDY CLAY LEDGES	FIRM	WHITE & TAN	FAST		FAST CHATTER
	367	389	FINE-MED-COARSE SAND W/ BROWN ROCK	STIFF	BROWN	FAST		FAST CHATTER
	389	442	FINE-MED-COARSE SAND W/ FINE GRAVEL, BROWN ROCK & HARD SANDSTONE	STIFF	BROWN & YELLOW	FAST		CHATTER
	442	460	WEATHERED SHALE W/ BROWN ROCK	FIRM	YELLOW & BROWN	SEMI-SLOW		SMOOTH & CHOPPY
	460	500	SHALE	SOFT	BLUE & RED	SLOW		SMOOTH
			QUIKGEL - 15					
			WATER LOADS - 2-1/2					
			SODA ASH - 1					
			QUICK TROLL LV - 2 BAGS					
			EZ MUD GOLD - 1 BAG					
			BRAN - 2					
			HOLE PLUG - 2					
			CASING SEAL - 1					

326'  
 STATIC