## Kansas Department of Agriculture Division of Water Resources

## **CHANGE: P/U WORKSHEET**

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:							
21767		C4	4	3							
6. Status: ☐ Approved ☐ Der	ied by DWR/GMD	Dismiss by Reques	miss by Request/Failure to Return 7. Filing Date of Change:								
				3/29/2022							
8a. Applicant(s) New to system □	Person ID 34535 Add Seq#	8c. Landowne		Person ID							
DUANE E & KATHLEEN PO BOX 897 GARDEN CITY, KS 6784		S									
8b. Landowner(s)  New to system □	Person IDAdd Seq#	8d. WUC New to sy	stem 🗌	Person ID Add Seq#							
8a		8a									
9. Documents and Enclosure(s): 🛛 D	WR Meter(s) Date to Compl	y: <b>12/31/2022</b>	N & P Date to	Comply: 3/1/2023							
☐ Anti-Reverse Meter ☐ Meter	Seal	⊠ N & P Form	⊠ Water Tube □ D	riller Copy							
☐ Conservation Plan Date Requi	red: Da	te Approved:	Date to	Comply:							
10. Use Made of Water From:		To: _									
			Date Prepared: <b>3/30/2</b> Date Entered:	8 <b>022</b> By: <b>AM</b> By:							

File No	21767	7		11. (	County:	KE	Basi	n: <b>ARK</b>	ANSAS	RIVER	2	Stream: Formation Code: Special Use:							ecial Use:					
12. Points of Diversion Rate and Quantity																								
CHK MOD DEL																Autho	Authorized Additional							
ENT	PDIV	Qı	ualifier	S	Т	R	ID	N	\	W Comment (AKA Line)				ine)	Ra gpi		Quantity Rate af gpm			Quantity af		Overlap PD Files		
CHK	17541																							
CHK	70224																	_						
CHK	70265									-					-					_		-		
CHK	76047				+				+	-						-						+		
									_	$\neg$								$\neg$						
						1																		
COMM	COMMENT:																							
13. Sto	13. Storage: RateNF Quantityac/ft Additional RateNF Additional Quantityac/ft																							
14. Lin	14. Limitation: af/yr at gpm ( cfs) when combined with file number(s)																							
	Limitation:af/yr atgpm (cfs) when combined with file number(s)																							
	R Allocation																							
,	ace of Use	9																						
CHK						NF	1/4			NW	1/4			SW	1/4	4 SE 1/4 Total Owner Chg? Overla						Overlap Files		
DEL					NE	NW	SW	SE	NE	NW	sw	SE	NE	NW	SW	SE	NE	NW	sw	SE	70 tai	O WHO!	ong.	0 vo.iap v iioo
ENT	PUSE	S	T R	ID	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4				
				, -	0.1.55	0.1.55	0.1.05	04.55	04.00	L-1	L-2	04.00	04.00	L-3	L-4	24.00	24.00	24.22	24.22	24.00	0 544	0-	N	MULTIPLE
ENT	12607 26062		25S 34W 25S 35W		34.00	34.00					34.00	34.00 34.00	34.00			34.00 34.00		34.00 34.00	34.00	34.00	544	8a 8a	N	MULTIPLE
ENT	25766		25S 35W		34.00	34.00	34.00	34.00	34.00		34.00	34.00	34.00			34.00		34.00	34.00	34.00	544	8a	N	MULTIPLE
CHK	19197		25S 35W			34.00		34.00			34.00	_	34.00	34.00		34.00			34.00	34.00	544	8a	N	MULTIPLE
																					0			
					-																0			
											l											1		
COMMENT:																								
Base A	Base Acres: Year: Minimum Reasonable Quantity:																							
Comm	ents: <b>OV</b> I	ERL	APPIN	G W	/Rs O	N PU	: 217	65; 2 <sup>-</sup>	1766;	2176	7; 23	454-[	02 & 2	26082	2									

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

March 30, 2022

DUANE E & KATHLEEN A KOSTER TRUSTS PO BOX 897 GARDEN CITY, KS 67846-0897

RE:

Filed Office Application for Change

Water Right, File Nos. 21765; 21766; 21767; 23454-D2 & 26082

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 numbers.

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/or 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.

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

Sincerely,

Austin J. McColloch

ant. Minh

Assistant Water Commissioner

AM:

enclosures

pc: GROUNDWATER MANAGEMENT DISTRICT NO. 3

## CERTIFICATE OF SERVICE

On this 30<sup>th</sup> day of March, 2022, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 21,765; 21,766; 21,767; 23,454-D2 & 26,082 dated 30<sup>th</sup> day of March, 2022 was mailed postage prepaid, first class, US mail to the following:

DUANE E & KATHLEEN A KOSTER TRUSTS PO BOX 897 GARDEN CITY, KS 67846-0897

Pc:

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

of c	liversion	and/or p	lace o	f use.		-	File No	. 2176	57								3	:08	VED 2022
1.	Applicat	ion is he	ereby r	nade f	or app	roval c		Chief E		er to ch	nange		neck o	ne or b	ooth):	Div	arder	n City I	Field Office er Resources
	under th				s the s		of this Ground		ation i			e with the		ndition	s desc	ribed I	oelow.		
2.	Name and address of Applicant: DUANE E & KATHLEEN A KOSTER TRUSTS  PO BOX 897 GARDEN CITY KS 67846-0897  Phone Number: Email address:																		
	Name a	nd addr	ess of	Water	Use C	orresp	onden	it: <u>SAI</u>	ME AS	ABO\	/E								
3.	Phone No. The presonant of the present of the presonant of the present of the pres	sently a of Land -	uthoriz NA ADDRI	ed pla AME: ESS:	ce of u DUAN PO BO	ise is: E E & DX 897	KATH GAR	LEEN DEN C	A KOS	STER S 6784	TRUS 16-089	ΓS							
					Ξ1/4				N1/4			SV	V½			SI	Ξ1/4		TOTAL
_Se	ec. Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1⁄4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
3	6 25S	35W	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	544
4.	If this ap Owner of	f Land -	NA ADDRI	AME: ESS:	SEE A	TTAC	HED S	SUPPL	EMEN	ITAL S	HEET		use be	chan	ged to				
			-		=1/4				N¼			I	V½			Г	Ξ½ [		TOTAL ACRES
Se	ec. Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACINES
	For Offi	ce Use	Only:	Code		Fe	e \$ <u>2</u> 0	00.00	TR	#	II	Re	eceipt	Date _	3/29	122	Chec	k # (X	00263

5.	Presently authorized point of diversion:		
	One in the Quarter of the	Quarter of the	Quarter
	of Section, Township	South, Range	(W),
	in County, Kansas, fe	et North feet West of Southeast	corner of section.
-1	Authorized Rate Authorized Quantity	Depth of well	(feet)
	(DWR use only: Computer ID No GPS _	feet North fe	eet West)
- 1	☐This point will not be changed ☐This point will be changed as		
	Proposed point of diversion: (Complete only if change is	requested or if existing point is better de	escribed by GPS)
- 1	One in the Quarter of the	Quarter of the	Quarter
- 1	of Section, Township	South, Range	(W),
	in County, Kansas, fe		
- 1	Proposed Rate Proposed Quantity	Proposed well depth (feet)	
	This point is: Additional Well Geo Center List other	water rights that will use this point	
-	-		
a [	Presently authorized point of diversion:		
Ŭ.		Quarter of the	Quarter
- 1	One in the Quarter of the of Section, Township	South, Range	(W).
	in County, Kansas, fe	eet North feet West of Southeast	corner of section.
- 1	Authorized Rate Authorized Quantity	Depth of well	(feet)
- 1	(DWR use only: Computer ID No GPS _	feet North fe	eet West)
	☐This point will not be changed ☐This point will be changed as		
	Proposed point of diversion: (Complete only if change is		
	One in the Quarter of the		
-1	of Section, Township		
- 1	in County, Kansas, fe		
	Proposed Rate Proposed Quantity		
	This point is: Additional Well Geo Center List other		
L	This point is. Thankellar their Good contain Electronia	water righte that will dee the point	
7.	The changes herein are desired for the following reasons?		
	(please be specific) CREATE A COMPLETE PLACE OF	North	
	USE OVERLAP UNDER FILE NUMBERS	300 200 100 0 100 PHILITHIAN THE PROPERTY OF T	200 300
	21765; 21766; 21767; 23454-D2 & 26082		
8.	If a well, is the test hole log attached? $\square$ Yes $\square$ No	200 + + + + + + + + +	200
9.	The change(s) (was)(will be) completed by?		-\-
	UPON APPROVAL	100 -   +   +   =   +	l + l ₹100
10.	If the point of diversion is a well:	<b>₽</b> <del>=</del> -	
	(a) What are you going to do with the old well?	West 0	0 East
	<u>N</u> / A		
	(b) When will this be done? N / A		1 + 1 100
11.	Groundwater Management District recommendation attached?	200 + 1 + 1 = 1 + 1	200
	∐ Yes ⊠ No		<u>-</u>
12.	Assisted by AM / GCFO	300 200 100 0 100	200 300
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	13b.If the proposed point of diversion will be foot radius of the existing point of diversion on the diagram shown above in relation diversion. The proposed point of diverwithin the circle shown above. (PLEASI center of diagram above representations)	on, indicate its location to the existing point of sion must be located E NOTE: The "X" in

lines

# APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE

## SUPPLEMENTAL SHEET

## FILE NO. 21765; 21766; 21767; 23454-D2 & 26082

MAKE ADDITIONAL COPIES AS NECESSARY

3. Q	ontinue wher of	f Land -	NA	AME:																	
		\ /	ADDR	ESS:																	
				NE	Ξ1/4			NV	NW1/4			SW¼				SE	TOTAL ACRES				
Sec.	Twp.	Range	NE½	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES		
				-				_	-		-										
				_																	
0	wporot	f Land -	N/	\								L	I			L					
0	whero			ESS:																	
				NI	-1/			A.III	A.T.(			CV	NH/				-1/				
Sec.	Twp.	Range	NE1/4	NW1/4	5W1/4	SE1/4	NE1/4		N <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	SE1/4	NE1/4		V1/4 SW1/4	SE1/4	NE1⁄4		5W1/4	SE1/4	TOTAL ACRES		
O	Owner of Land NAME:																				
		/	ADDR	ESS:											_						
				NE	Ξ1⁄4			NV	N <sup>1</sup> / <sub>4</sub>			SV	V1/4			St	14		TOTAL		
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES		
								-													
				-														$\vdash$			
		<i>d:</i> If th f Land -	NA	AME:	DUAN	EE&	<b>KATH</b>	LEEN	A KOS	STER	TRUS	ΓS	the pla	ace of	use be	chanç	ged to:				
		/	ADDR	ESS:	PO BO	)X 89 /	GAR	DEN C	HYK	5 6 / 84	16-089	/									
				N	Ξ1/4	,		N	N1/4	,		SV	V1/4		SE <sup>1</sup> / <sub>4</sub>				TOTAL		
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	ACRES		
								L-1	L-2			L-3	L-4								
30	25S	34W	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	544		
24	25S	35W	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	544		
25	25S	35W	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	544		
36	25S	35W	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	544		
0	wner o	f Land -	NA ADDR	AME: ESS:																	
				NI	E1/4			N\	N1/4			SV	N <sup>1</sup> / <sub>4</sub>			SI	Ξ1/4	TOTAL			
Sec.	Twp.	Range	NE1/4	$\overline{}$	T	SE1/4	NE1/4		SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES		

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 au ☐ Yes ☐ No (If no, all owners must sign this ap	
<ul> <li>(b) Will the ownership interest of any owner of the currently authorized affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this approved as requested?)</li> </ul>	
(c) If this application is not approved expeditiously, will there be s ☐ Yes ☐ No (If no, all owners must sign this ap	
If the application proposes a surface water change in point of diversion or a change in place of use, the application must be signed by all owner agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affir age and the owner, the spouse of the owner, or a duly authories behalf, in regards to the water right(s) to which this a contained in this application are true, correct and complete	orized agent of the owner(s) to make this application on pplication pertains. I further verify that the statements
Dated at, Kansas, th	is ZG day of Merch , 20 ZZ.
(Owner)	Marken C. Kosue (Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas  County of Finney	
I hereby certify that the foregoing application was signed in of	my presence and sworn to before me this 24th day tate of Kansas KOPPER COMBER TO Notary Public
My Commission Expires 12-21-24	Trotally Fubility
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, accurate information; maps, if necessary, must be included; signatures of all the the appropriate fee must be paid.	all of the applicable portions of the application form must be completed with appropriate owners' must be affixed to the application and notarized; and
FEE SCHE	DULE
Each application to change the place of use or the point of diversion unforth in the schedule below: Make checks payable to: Kansas Depart  (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	ment of Agriculture \$100 eet \$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. 21767 A change application was received on March 29, 2022 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. 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 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 \_\_\_\_\_\_radius of the authorized point(s) of diversion. 

Applicable Not Applicable 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 The point(s) of diversion authorized herein shall not actually be located more than \_\_\_\_\_ authorized point(s) of diversion. ☐ Applicable ☒ Not Applicable feet from the previously 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 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. ☐ Not Applicable 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. ☐ Not Applicable Applicable ☐ Applicable Not Applicable The completed well log shall be submitted with the required notice. 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 \(\sigma\) 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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 Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 (Print Name): Hostin 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. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, 30 Date of Issuance: 202 Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Acknowledged before me on Signature: Notary Public NOTARY JULIE JONES My commission expires ent Expires \* PUBLIC

## **CHANGE IN PLACE OF USE WATER RIGHT, FILE NO. 21767**

