## 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)

						File No	. <u>4730</u>				ellur eblio anti	esheli esheli	200 Y					ECEIVED 1:40 Pm MAY 1 9 2022
1.	Application is he under the water	right w	vhich is		☐ P ubject	lace o	f Use applic		⊠ n acco	Point	of Dive	ersion the cor			ribed b		1015101	len City Field Office n of Water Resourd
	Name and addre						DEL				11 10 5/13	STATE OF					- 1	
	Phone Number: Name and addre				orresp	onden			addres ABO\	The state of	nwede	l@gma	ail.com	1				TO SERVICE STATE OF THE SERVIC
	Phone Number: The presently at Owner of Land - (If there is more th	uthoriz NA ADDRI	ed plac AME: <u>s</u> ESS: _	SAME	AS A		– NO (	CHAN				anvol				1,217		
Se				NW1/4				SW1/4			SE1/4				TOTAL			
	Twp. Range	NE¼			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
	If this application Owner of Land -	NA	AME: ESS: Elandow	vner, at			ental sh	eets as		<u></u>			e chan	ged to:		-1/		TOTAL
		NEW.		E1/4	054	NEW	1	N <sup>1</sup> / <sub>4</sub>	051/	NEW		V1/4	051/	NEW	1	E1/4	SE1/4	TOTAL ACRES
	c. 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	NAME	SW1/4	SE1/4	
Se		100000000000000000000000000000000000000									1000		the same of	II	A STATE OF THE STA		1	

5.	Presently authorize											
			Quarter of the									
			, Township									
			ounty, Kansas,									
			Authorized Quantity									
			O No. <u>02</u> G									
	Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)											
	One in the	NE	Quarter of the	NE	Quarter of the		NE	Quarte				
	of Section	21	, Township	29	South, Range		31	(W)				
	in HASKELL	Co	ounty, Kansas, <u>5065</u>	feet North _	538 feet Wes	t of South	east corner	of section.				
			Proposed Quantity									
	This point is: A	dditional We	II ☐ Geo Center List	other water righ	ts that will use this p	oint	2028 (1.070)					
1	<del>mandi</del>											
5.	Presently authorize											
0	One in the		Quarter of the		Quarter of the			Quarte				
2	of Section	1	Quarter of the , Township ounty, Kansas,		South, Range			(W)				
	in	Cč	ounty, Kansas,	feet North _	feet Wes	t of South	east corner	of section.				
	Authorized Rate		Authorized Quantity		Depth of well		(feet)					
			NoG									
			☐This point will be chan									
			(Complete only if char									
			Quarter of the									
			, Township									
	in	Co	ounty, Kansas,	feet North _	feet Wes	t of South	east corner	of section.				
	Proposed Rate		Proposed Quantity		Proposed well de	epth (feet)						
	This point is: A	dditional We	II Geo Center List	other water righ	ts that will use this p	oint						
			d for the following reaso	_ 	200 100	HTITITITE THE	200	300				
	If a well, is the test h	nole log attac	hed? Xes No	200	-141+1	Ī,-	+1+	200				
	The change(s) (was	)(will be) con	npleted by?	100	+ + + + 1	- 1	<b>`</b> - + :	100				
0	If the point of diversi	ion is a well:		1		Ξ.		1				
٥.	(a) What are you g		th the old well?	West 0	- գույլուգուգույր	= • • • • • • • • • • • • • • • • • • •	hindundina	1HH 0 East				
		only to do wi	th the old well?			Ī.						
	PLUG / CAP			- 100	. 1 + 1 + 1	Ξ, .	L I +	100				
	(b) When will this b	e done?		-	\	Ξ'-						
1.	Groundwater Manag		ct recommendation attach	<u> </u>	-1+1	= 1 -	+ + +	200				
2.	Assisted by AM / GO	CFO		- 300 Eu	200 100	0 1	00 200	300				
38	feet but within 2,640 a topographic map sources, show all we	feet of the expense of aerial pells (including int of diversion)	will be relocated <u>more than</u> xisting point of diversion, a hotograph. For ground g domestic) within one-hal on and the names and m	attach 13b.If the water foot ra finite on the ailing divers		oint of divove in rela-	ersion, indication to the ex diversion mu	d within a 3 ate its locat isting point st be locat				

lines

Downey
Drilling Inc.

COPY



CUSTOMER NAME: RICHARD WEDEL

TH #1

LEGAL: NE 21-29S-31W

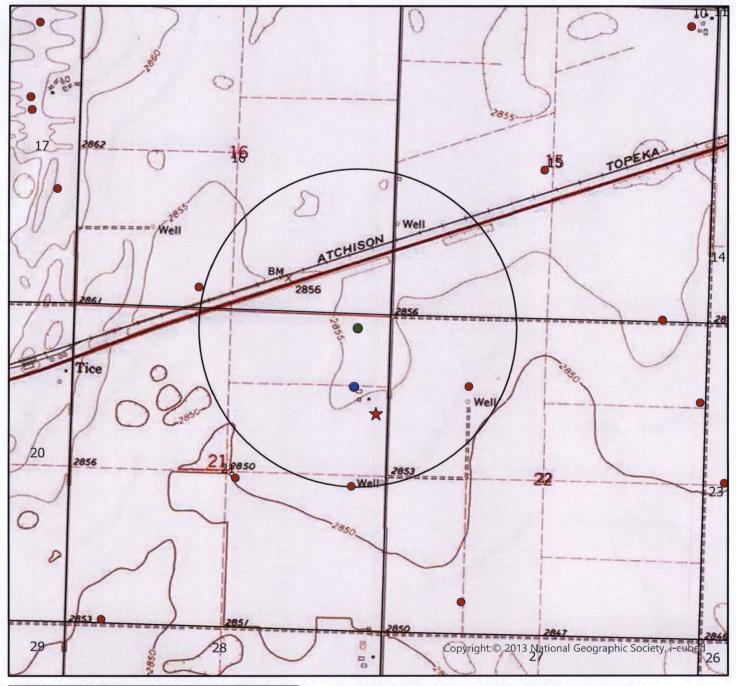
COUNTY: HASKELL CO, KS

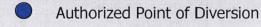
GPS: 37.517871

			DRILLER	DIEGO V			WO:	21-1683
TW	FROM	то	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	4	TOP SOIL	SOFT	DARK BROWN	FAST		SMOOTH
	4	11	BROWN SILTY CLAY	SOFT	BROWN	FAST	T v	SMOOTH
	11	23	SANDY CLAY W/ CALICHE	FIRM	TAN	FAST		SMOOTH & CHOPPY
	23	31	SANDY CLAY	SOFT	ORANGE	FAST		SMOOTH
	31	44	SANDY CLAY W/ WHITE CLAY & CALICHE	SOFT	TAN & WHITE	FAST	- 2	SMOOTH & CHOPP
	44	52	SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		SMOOTH & VIBRATION
A	52	63	SANDY CLAY W/ CEMENTED SAND	FIRM	WHITE	SEMI		SMOOTH & CHOPP
	63	76	BROWN CLAY W/ FINE-MED SAND & CEMENTED SAND	FIRM	BROWN & WHITE	SEMI SLOW		SMOOTH & CHOPP
	76	107	FINE-MED-COARSE SAND W/ FINE GRAVEL	FIRM		FAST		FAST CHATTER
	107	157	FINE-MED-COARSE SAND W/ FINE-MED-COARSE GRAVEL	STIFF		FAST		CHATTER
	157	316	FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		FAST CHATTER
	316	349	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
H	349	358	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	358	368	FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		FAST CHATTER
	368	376	CEMENTED SAND	HARD	WHITE	SLOW	x	CHATTER
	376	392	SANDY CLAY W/ FINE-MED SAND	SOFT	TAN	FAST		SMOOTH & CHOPP
	392	396	WHITE SANDY CLAY W/ LIME ROCK	FIRM	WHITE	FAST		SMOOTH & CHOPP
	396	411	SANDY CLAY W/ TRACE OF BROWN ROCK	FIRM	TAN & BROWN	FAST		SMOOTH & CHOPP
	411	464	SANDSTONE W/ FINE SAND & BROWN ROCK BIG DRINK, WEAK CIRCULATION, NO WATER IN HOLE AFTER EACH CONNECTION UNTIL 480' MIXED 2 BRAN, 5 QG & 1 FULL LOAD OF WATER	STIFF	PURPLE & BROWN	FAST		FAST CHATTER
	464	559	SHALE	SOFT	BLUE	SLOW		SMOOTH
	559	562	HARD SPOT	HARD		SLOW	x	CHATTER
	562	593	SANDSTONE W/ FINE SAND & IRON PYRITE	STIFF	GRAY	FAST		FAST CHATTER
	593	604	SOAPSTONE W/ FINE SAND	STIFF	GRAY	FAST		VIBRATION
	604	615	SHALE	SOFT	BLUE	SLOW		SMOOTH
	615	631	GREENISH WHITE CLAY	HARD	GREEN & WHITE	SLOW	x	CHATTER
	631	640	RED BED	HARD	RED	SLOW	x	CHATTER
			QG-15 BRAN-4 HOLEPLUG-2					
			WATER -3 1/2 CS -1					
			SA - 1					
			EZ MUD - 1/2					

## **CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NO. 4730**

NE 1/4 of Section 21 Township 29 South Range 31 West Haskell County





Proposed Point of Diversion

Permitted Water Right

Domestic Well within 1/2 mile

1/2 mile buffer

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

Domestic: Owned by Applicant

WR 497/18237: Earl Whitaker

2625 S Iris St Denver CO 80227

WR 873/4797/4906: Emery Koehn

805 Rd SS Sublette KS 67877



By signing below I agree that all wells, including domestic, and owners names and addresses within 1/2 mile of the proposed point of diversion have been shown on the map

14. If the proposed groundwater point of diversion is 300 or fe	wer feet from the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the cur  Yes No (If no, all owners must sign	rently authorized place(s) of use identified in this application?  n this application.)
(b) Will the ownership interest of any owner of the curre affected if this application is approved as requested?  ☐ Yes ☐ No (If yes, all owners must significantly in the current of the	ently authorized place(s) of use identified in this application be adversely on this application.)
(c) If this application is not approved expeditiously, will th ☐ Yes ☐ No (If no, all owners must sign	nere be substantial damage to property, public health or safety?  In this application.)
	diversion, a groundwater change in point of diversion greater than 300 feet all owners of the currently authorized place of use, or their duly authorized
age and the owner, the spouse of the owner, or a du their behalf, in regards to the water right(s) to which contained in this application are true, correct and co	or affirmation and under penalty of perjury, that I am of lawfully authorized agent of the owner(s) to make this application or this application pertains. I further verify that the statements mplete.
Dated at	ansas, this day of, 20_22.
Bechard Wedl	the control of the self-definition of the control o
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas )	
County of Jinney SS	al de modern de la companya de la c
	gned in my presence and sworn to before me this 19 day
JULIE JONES	Property of the control of the contr
My Appointment Expires	Notary Public
My Commission Expires December 15, 2022	G Notaly Fable
	omplete, all of the applicable portions of the application form must be completed wit of all the appropriate owners' must be affixed to the application and notarized; and
[18] [18] [18] [18] [18] [18] [18] [18]	E SCHEDULE ersion 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
	an 300 feet \$200 \$200
(-/ - 7	

## 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. 4730 A change application was received on 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 \_\_\_\_\_\_\_foot 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 
Not Applicable 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 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 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 Installation of the works for diversion of water shall be completed on or before December 31, 20 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 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. 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 By: \_\_\_\_ Duly Authorized Designee of the Chief Engineer 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. (Print Name): Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS Date of Issuance: 66502. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act. State of Kansas SS For Use by Register of Deeds County of \_\_\_ Acknowledged before me on \_\_\_\_ by\_ Signature: \_\_\_ Notary Public My commission expires: (Notary Seal)

Page 4

File No.

4730

DWR 1-121 (Revised 09/11/2019)

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

May 23, 2022

EMERY & HELEN KOEHN 805 ROAD SS SUBLETTE, KS 67877-8030

RE: Ap

Application for Change

Water Right, File No. 4730

Dear Sir or Madam:

This is to advise you that Richard Wedel 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 NE¼ NE¼ NE¼ of Section 21, Township 29 South, Range 31 West, Haskell County.

You can find the complete applications posted by water right file number as referenced above at: <a href="https://www.Agriculture.ks.gov/DWRNotices">www.Agriculture.ks.gov/DWRNotices</a>

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,

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

Mike Beam, Secretary

Laura Kelly, Governor

May 23, 2022

EARL C & ELIZABETH WHITAKER TRUSTS 2625 S IRIS ST DENVER, CO 80227

RE: Application for Change

Water Right, File No. 4730

Dear Sir or Madam:

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Sincerely,

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3