

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.

FEB 08 2023

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

50962

File Number

This item to be completed by the Division of Water Resources.

APPLICATION FOR PERMIT TO
APPROPRIATE WATER FOR BENEFICIAL USE

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,
1320 Research Park Drive, Manhattan, Kansas 66502:

1. Name of Applicant (Please Print): KENDALL KOEHN
Address: 10018 E ROAD 5
City: ULYSSES State KS Zip Code 67880-8034
Telephone Number: (620) 353-0440

2. The source of water is: surface water in _____ (stream)
OR groundwater in ARKANSAS RIVER (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 10 acre-feet OR 3258510 gallons per calendar year, to be diverted at a maximum rate of 50 gallons per minute OR 0.11 cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):
- (a) Artificial Recharge
 - (b) Irrigation
 - (c) Recreational
 - (d) Water Power
 - (e) Industrial
 - (f) Municipal
 - (g) Stockwatering
 - (h) Sediment Control
 - (i) Domestic
 - (j) Dewatering
 - (k) Hydraulic Dredging
 - (l) Fire Protection
 - (m) Thermal Exchange
 - (n) Contamination Remediation

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:
F.O. 4 GMD 3 Meets K.A.R. 5-3-1 (YES/NO) Use IND Source S County GT By ALB Date 2/10/23
Code REG Fee \$ 200 TR # _____ Receipt Date 2/8/23 Check # 13297

2/14/2023
L Moody

5. The location of the proposed wells, pump sites or other works for diversion of water is:

Note: For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

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(A) One in the NE quarter of the SW quarter of the SE quarter of Section 20, more particularly described as being near a point 1117 feet North and 2657 feet West of the Southeast corner of said section, in Township 27 South, Range 35 West, GT County, Kansas. *WILL PROVIDE AT LATER DATE

(B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

(C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

(D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print):

SAME AS APPLICANT
(name, address and telephone number)

(name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on 2-3, 2023. [Signature]
Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of ONE WELL, PUMP, MOTOR
(number of wells, pumps or dams, etc.)
and (will be) completed (by) 2023
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be 6/4/2023
(Mo/Day/Year)

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- 9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
 Yes No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

- 10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources? Yes No

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required _____

- 11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

- 12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

OVERLAP PLACE OF USE TEMPORARY WITH FILE NO. 26906

REQUEST WAIVER OF KAR 5-23-3, JUSTIFICATION AS THE PROPOSED WELL WILL NOT

MEET SPACING TO MY OWN IRRIGATION WELL UNDER FILE NO. 26906

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13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from: Test holes Well as completed Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	<u>8-2-2021</u>	<u>REQUEST</u>	<u>60</u>	<u>DAYS</u>
Total depth of well	<u>650</u>	<u>FOR</u>	<u>LOCATE</u>	<u>AND</u>
Depth to water bearing formation	_____	<u>TEST</u>	<u>LOG</u>	_____
Depth to static water level	<u>387</u>	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

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14. The relationship of the applicant to the proposed place where the water will be used is that of

OWNER
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

SAME
(name, address and telephone number)

(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at Wyers, Kansas, this 3 day of Feb, 2023.
(month) (year)



(Applicant Signature)

04/14/2023

Water Resources
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By _____
(Agent or Officer Signature)

KS Dept Of Agriculture

(Agent or Officer - Please Print)

Assisted by MM _____ GCFO _____ Date: 1-31-2023
(office/title)

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INDUSTRIAL USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): KENDALL KOEHN

- Please describe type of industry or product produced: CHICKENS (LAYING) For Egg Production
 _____ Standard Industrial Classification Code Number: _____
- Please complete the following table to show your past and present water requirements:

PAST PRODUCT PRODUCTION AND WATER DIVERTED, IF APPLICABLE

LAST 5 YEARS	AMOUNT OF PRODUCT	WATER DIVERTED (GALLONS)	GALLONS PER PRODUCT PER DAY
5 years ago		0	
Last year		0	
Present year		0	

- Please complete the following table to show your future water requirements:

ESTIMATED FUTURE PRODUCT PRODUCTION AND WATER DIVERTED

NEXT 5 YEARS	AMOUNT OF PRODUCT	WATER TO BE DIVERTED (GALLONS)	GALLONS PER PRODUCT PER DAY
Year 1	241,500 Dozen Eggs	500,000	3
Year 2	500,000 Dozen Eggs	1,500,000	3
Year 3	500,000 Dozen Eggs	1,500,000	3
Year 4	1,000,000 Dozen Eggs	3,000,000	3
Year 5	1,000,000 Dozen Eggs	3,000,000	3

Number of days of operation of the industry per year is 365 days.

Please attach any tables, curves or additional information showing past, present and estimated future water requirements to substantiate the amount of water requested.

- Please designate the legal description of the location where the water is to be used. Show in the space provided below the Section (S), Township (T), and Range (R), and the number of acres in each forty acre tract or fractional portion thereof.

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20	27	35W									barn	barn							

You may attach any additional information you believe will assist in informing the Division of the need for your request.

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FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

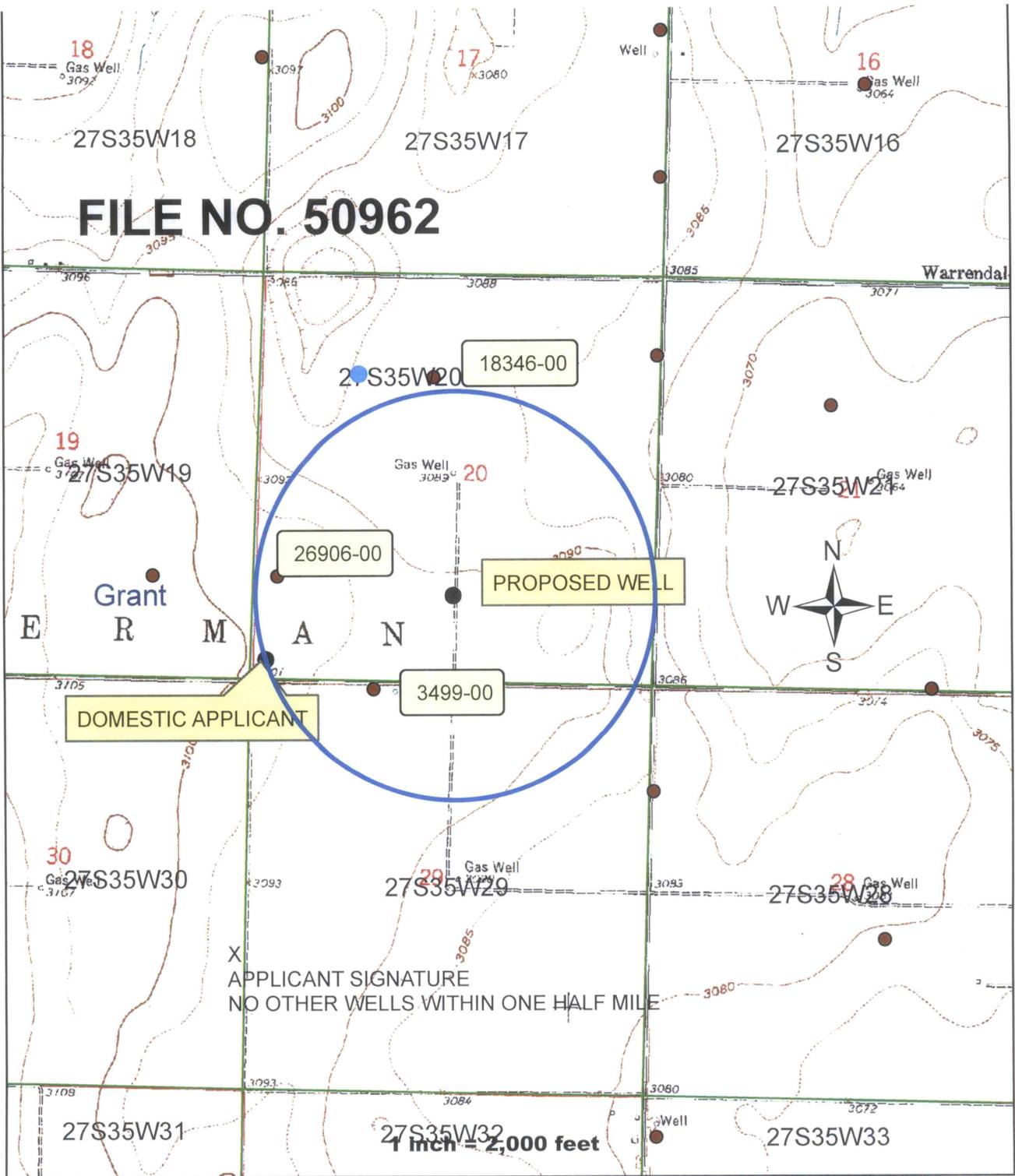
1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

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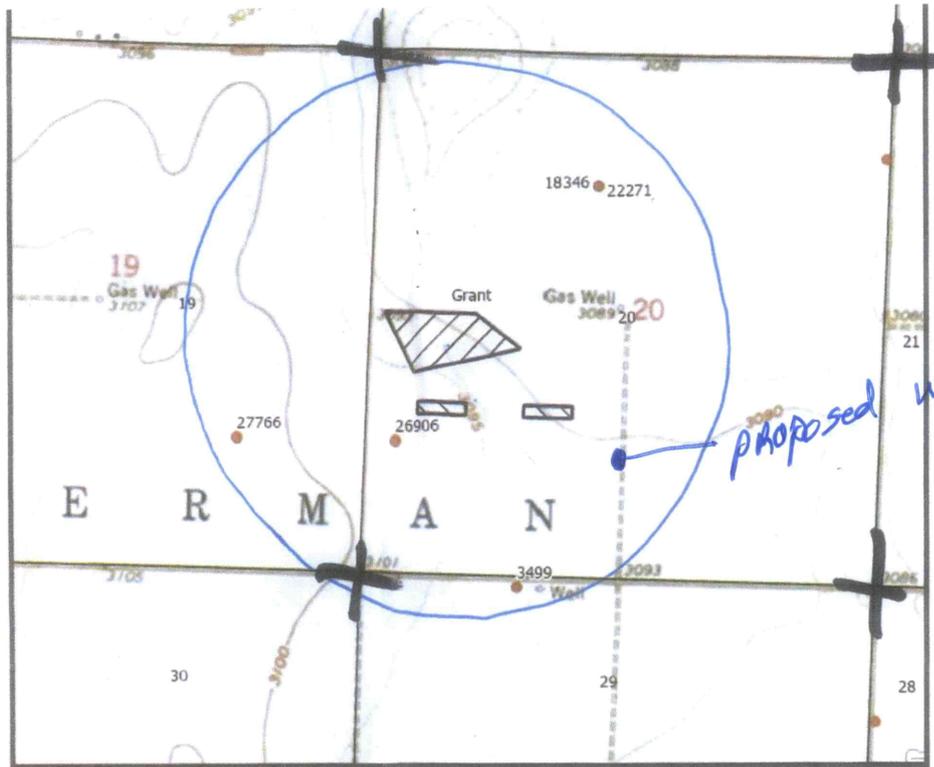
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APPLICATION FOR PERMIT TO APPROPRIATE WATER

//// TEST DRILL AREA FOR PROPOSED POINT OF DIVERSION

\\ PROPOSED PLACE OF USE (BARN TO HOUSE CHICKENS (LAYING))



X 

applicant signature
No other wells within half mile.

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WATER WELL RECORD Form WWC-5

Division of Water Resources App. No.

Well ID

Original Record Correction Change in Well Use

1 LOCATION OF WATER WELL: County: **Grant** Fraction: NE ¼ NE ¼ SE ¼ SW ¼ Section Number: **20** Township Number: T **27** S Range Number: R **35** E W

2 WELL OWNER: Last Name: **Koehn** First: **Kendall** Street or Rural Address where well is located (if unknown, distance and direction from nearest town or intersection): If at owner's address, check here:
 Business Address: **10018 E Rd 5**
 Address: **Ulysess** State: **KS** ZIP: **67880**
 City: **Ulysess** From Intersection from **NT Rd & 5 Rd**
North 1/8 Mile West side 20'

3 LOCATE WELL WITH "X" IN SECTION BOX:
 N

-- NW --	-- NE --		
W	-- SW --	X	-- SE --
			E
	S		

 -----1 mile-----

4 DEPTH OF COMPLETED WELL: **650** ft.
 Depth(s) Groundwater Encountered: 1) **387** ft.
 2) ft. 3) ft., or 4) Dry Well
 WELL'S STATIC WATER LEVEL: **387** ft.
 below land surface, measured on (mo-day-yr) **07/22/2021**
 above land surface, measured on (mo-day-yr)
 Pump test data: Well water was ft.
 after hours pumping gpm
 Well water was ft.
 after hours pumping gpm
 Estimated Yield: **40** gpm
 Bore Hole Diameter: **10.5** in. to **650** ft. and
 in. to ft.

5 Latitude: **37.681190** (decimal degrees)
Longitude: **-101.172629** (decimal degrees)
 Datum: WGS 84 NAD 83 NAD 27
 Source for Latitude/Longitude:
 GPS (unit make/model:)
 (WAAS enabled? Yes No)
 Land Survey Topographic Map
 Online Mapper:
6 Elevation: ft. Ground Level TOC
 Source: Land Survey GPS Topographic Map
 Other

7 WELL WATER TO BE USED AS:

1. Domestic: <input checked="" type="checkbox"/> Household <input type="checkbox"/> Lawn & Garden <input type="checkbox"/> Livestock 2. <input type="checkbox"/> Irrigation 3. <input type="checkbox"/> Feedlot 4. <input type="checkbox"/> Industrial	5. <input type="checkbox"/> Public Water Supply: well ID 6. <input type="checkbox"/> Dewatering: how many wells? 7. <input type="checkbox"/> Aquifer Recharge: well ID 8. <input type="checkbox"/> Monitoring: well ID 9. Environmental Remediation: well ID <input type="checkbox"/> Air Sparge <input type="checkbox"/> Soil Vapor Extraction <input type="checkbox"/> Recovery <input type="checkbox"/> Injection	10. <input type="checkbox"/> Oil Field Water Supply: lease 11. Test Hole: well ID <input type="checkbox"/> Cased <input type="checkbox"/> Uncased <input type="checkbox"/> Geotechnical 12. Geothermal: how many bores? a) Closed Loop <input type="checkbox"/> Horizontal <input type="checkbox"/> Vertical b) Open Loop <input type="checkbox"/> Surface Discharge <input type="checkbox"/> Inj. of Water 13. <input type="checkbox"/> Other (specify):
--	--	---

Was a chemical/bacteriological sample submitted to KDHE? Yes No If yes, date sample was submitted:
 Water well disinfected? Yes No

8 TYPE OF CASING USED: Steel PVC Other CASING JOINTS: Glued Clamped Welded Threaded
 Casing diameter **6** in. to **650** ft., Diameter in. to ft., Diameter in. to ft.
 Casing height above land surface **18** in. Weight lbs./ft. Wall thickness or gauge No. **SDR17**

TYPE OF SCREEN OR PERFORATION MATERIAL:
 Steel Stainless Steel PVC Other (Specify)
 Brass Galvanized Steel None used (open hole)
 SCREEN OR PERFORATION OPENINGS ARE:
 Continuous Slot Mill Slot Gauze Wrapped Torch Cut Drilled Holes Other (Specify)
 Louvered Shutter Key Punched Wire Wrapped Saw Cut None (Open Hole)
 SCREEN-PERFORATED INTERVALS: From **380** ft. to **430** ft., From **450** ft. to **490** ft., From **530** ft. to **570** ft.
 GRAVEL PACK INTERVALS: From **0** ft. to **5** ft., From **80** ft. to **650** ft., From ft. to ft.

9 GROUT MATERIAL: Neat cement Cement grout Bentonite Other
 Grout Intervals: From **5** ft. to **80** ft., From ft. to ft., From ft. to ft.
 Nearest source of possible contamination: No potential source of contamination within 200 ft.
 Septic Tank Lateral Lines Pit Privy Livestock Pens Insecticide Storage
 Sewer Lines Cess Pool Sewage Lagoon Fuel Storage Abandoned Water Well
 Watertight Sewer Lines Seepage Pit Feedyard Fertilizer Storage Oil Well/Gas Well
 Other (Specify) **NOTHING WITHIN 300'**
 Direction from well? Distance from well? ft.

10 FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
					04/14/2023
					Water Resources Received
					Notes: KS Dept Of Agriculture

11 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo-day-year) **07/22/2021** and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. **846** This Water Well Record was completed on (mo-day-year) **08/02/2021** under the business name of **Nash Water Well Service, LLC**

Form	WWC5
Contractor	Nash Water Well Service, LLC
Well Owner	Kendall Koehn
Doc ID	1583855

Lithology

From	To	Lithologic Log
0	20	TOP SOIL BROWN AND TAN CLAY WITH FINE SANDS STREAKS
20	40	FINE SAND WITH BROWN & TAN CLAY
40	60	FINE COARSE SAND
60	120	FINE SAND BROWN CLAY
120	150	FINE COARSE SAND WITH SMALL TO LARGE GRAVEL
150	170	FINE MEDIUM SAND WITH TAN CLAY
170	180	FINE COARSE SAND WITH TAN CLAY & STREAKS OF MEDIUM GRAVEL
180	310	FINE COARSE SAND WITH MEDIUM GRAVEL STREAKS & LAYERS
310	320	FINE COARSE SAND WITH TAN CLAY
320	400	FINE COARSE SAND WITH THIN STREAKS OF TAN CLAY
400	430	FINE SAND WITH TAN CLAY STREAKS & LAYERS
430	440	RED PURPLE BROWN TAN YELLOW CLAY WITH FINE SAND STREAKS
440	460	YELLOW TAN BLUE STICKY CLAY WITH FINE SAND TIGHT SAND STREAKS

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Form	WWC5
Contractor	Nash Water Well Service, LLC
Well Owner	Kendall Koehn
Doc ID	1583855

Lithology

From	To	Lithologic Log
460	490	TAN TIGHT SANDSTONE WITH TAN CLAY STREAKS
490	493	BLUE CLAY
493	498	TAN CLAY WITH FINE SAND STREAKS
498	535	TAN GRAY BLUE CLAY WITH SANDSTONE STREAKS
535	540	BLUE CLAY WITH SANDSTONE STREAKS
540	580	GRAY SANDSTONE
580	600	BLUE CLAY & GRAY SANDSTONE
600	660	GRAY SANDSTONE BLUE CLAY
660	675	LOST CIRCULATION - DRILLED LIKE SANDSTONE MEDIUM
675	680	NO CIRCULATION DRILLED LIKE CLAY MEDIUM

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1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

August 7, 2023

DALE R & MARY BETH KOEHN
640 HONOLULU RD
VANCEBORO, NC 28586-8638

Re: Pending New Application, File No. 50,962

Dear Sir or Madam:

This is to advise you that Kendall Koehn has filed the application referred to above for a permit to appropriate 10 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 50 gallons per minute. The proposed point of diversion is one well located as follows:

One well located in the Northeast Quarter of the Southwest Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 20, in Township 27 South, Range 35 West, Grant County, Kansas.

Records in this office indicate that you may have a well or wells in this vicinity and you are being notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

You can find the application and site map posted by the file number referenced above at:
<http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

A handwritten signature in blue ink, appearing to read "Austin J. McColloch". The signature is fluid and cursive.

Austin J. McColloch
Assistant Water Commissioner
Garden City Field Office

pc: