

Kansas Department of Agriculture
Division of Water Resources
PERMIT OF NEW APPLICATION WORKSHEET

1. File Number: <p style="text-align: center; font-size: 1.2em;">49,632</p>	2. Status Change Date: <p style="text-align: center; font-size: 1.2em;">9/2/2016</p>	3. Field Office: <p style="text-align: center; font-size: 1.2em;">2</p>	4. GMD:
5. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return			
6. Enclosures: <input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N of C Form <input checked="" type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> Meter			
<p>7a. Applicant(s) Person ID <u>61272</u> New to system <input type="checkbox"/> Add Seq# <u>1</u></p> <p style="text-align: center; font-weight: bold; margin-top: 20px;">WELDON & MELVA KOEHN 2486 DAKOTA RD CANTON KS 67428</p>	<p>7c. Landowner(s) Person ID <u>61272</u> New to system <input type="checkbox"/> Add Seq# <u>1</u></p> <p style="text-align: center; font-weight: bold; margin-top: 20px;">WELDON & MELVA KOEHN 2486 DAKOTA RD CANTON KS 67428</p>		
<p>7b. Landowner(s) Person ID <u>61273</u> New to system <input type="checkbox"/> Add Seq# <u>1</u></p> <p style="text-align: center; font-weight: bold; margin-top: 20px;">ROBERT & CONNIE JANTZ 2175 CHEYENNE RD MOUNDRIDGE KS 67107</p>	<p>7d. Misc. Person ID _____ New to system <input type="checkbox"/> Add Seq# _____</p>		
<p>8. WUR Correspondent Person ID _____ New to system <input type="checkbox"/> Add Seq# _____ Overlap File (s) WUC Notarized WUC Form <input type="checkbox"/> Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="font-weight: bold; margin-top: 20px;">7a.</p>	<p>9. Use of Water: Changing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water</p> <p><input checked="" type="checkbox"/> IRR <input type="checkbox"/> REC <input type="checkbox"/> DEW <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK <input type="checkbox"/> SED <input type="checkbox"/> DOM <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG <input type="checkbox"/> WTR PWR <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____ <input type="checkbox"/> OTHER: _____</p>		
10. Completion Date: <u>12/31/2017</u> 11. Perfection Date: <u>12/31/2021</u> 12. Exp Date: _____			
13. Conservation Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Required: _____ Date Approved: _____ Date to Comply: _____			
14. Water Level Measuring Device? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date to Comply: _____ Date WLMD Installed: _____			
Date Prepared: 8/9/2016 By: AM Date Entered: 9/6/2016 By: UM			

File No. **49,632** 15. Formation Code: Drainage Basin: LITTLE ARKANSAS RIVER County: MP Special Use: Stream:

16. Points of Diversion										17. Rate and Quantity				
MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W		Authorized	Additional			
										Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
CHK	85275	SE NW SW	34	20S	2W	6	1432	4054	Geo	800	162.5	800	162.5	
CHK	85276	SW NE SW	34	20S	2W	7	1658	3957	Ball of 4					
CHK	85277	SE NW SW	34	20S	2W	8	1487	4166	Ball of 4					
CHK	85278	NE SW SW	34	20S	2W	9	1290	4157	Ball of 4					
CHK	85279	NE SW SW	34	20S	2W	10	1294	3936	Ball of 4					

18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

20. Meter Required? Yes No To be installed by 12/31/2017 Date Acceptable Meter Installed _____

21. Place of Use										NE¼								NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
MOD DEL ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼								
CHK	61397	34	20S	2W	1																							64	7a	NO			
CHK	61398	34	20S	2W	2									32	29													61	7b	NO			

Comments: File No. 47,597 to be dismissed in conjunction with this approval.

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files

DATE: August 25, 2016

FROM: Austin McColloch

RE: Appropriation of Water,
File Nos. 49,632

The referenced new application has been filed by Weldon & Melva Koehn to appropriate 162.5 acre-feet of groundwater per calendar year, to irrigate 125 acres at a diversion rate not to exceed 800 gallons per minute. The application will essentially replace Appropriation of Water, File No. 47,597, which was not drilled in the authorized location. The applicant has agreed to dismiss this current file in conjunction with the approval of the new application. The proposed appropriation is located in the Little Arkansas River drainage basin and is subject to minimum desirable stream flow regulations.

Appropriation of Water, File No. 47,597 was approved on December 29, 2010, approving the development of a battery of four (4) wells with a geographic center located in the Near Center of the West-half of the East-half of the Southwest Quarter (W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 34, more particularly described as being near a point 1,320 feet North and 3,695 feet West of the Southeast corner of said section, in Township 20 South, Range 2 West, McPherson County, Kansas. In a compliance investigation conducted by DWR staff on April 5, 2016 it was determined that the actual geographic center drilled was 376 feet from the authorized point of diversion. Due to this finding the division found File No. 47,597 to be out of compliance. The applicant has requested the dismissal of File No. 47,597 and submitted new application, File No. 49,632 with the correct well locations and geographic center to make the diversion works in compliance. The new and correct diversion works include a battery of four (4) wells with a geographic center located in the Near Center of the West-half of the East-half of the Southwest Quarter (W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 34, more particularly described as being near a point 1,432 feet North and 4,054 feet West of the Southeast corner of said section, in Township 20 South, Range 2 West, McPherson County, Kansas.

The requested quantity of 162.5 acre-feet appears to be reasonable to irrigate 125 acres in McPherson County, Kansas, as provided by K.A.R. 5-3-24, which allows 1.3 acre-feet per acre. The requested rate of 800 gallons per minute also appears reasonable based on the area of the place of use and the proposed irrigation system, which is a center pivot system.

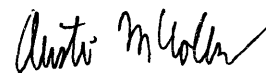
There are three (3) wells located within one-half ($\frac{1}{2}$) mile of the proposed point of diversion. Nearby letters notifying of the diversion works were sent out on July 20, 2016. No response expressing concern were received. The proposed diversion works meets minimum well spacing requirements.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 and K.A.R. 5-1-12.

If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. A rate greater than 100 gallons per minute has been proposed, so a water level measurement tube will be required.

In an e-mail message, dated August 25, 2016, Jeff Lanterman, Water Commissioner of the Stafford Field Office, indicated he had no objection to the approval of the referenced application.

Based on the above discussion, the area is open to new appropriations, and it complies with the approval criteria listed in K.A.R. 5-5-6(d), and well spacing requirements, it is recommended that the referenced application be approved in conjunction with the dismissal of Appropriation of Water, File No. 47,597.



Austin McColloch
Environmental Scientist



1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700

900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

WELDON & MELVA KOEHN
2486 DAKOTA RD
CANTON KS 67428

September 6, 2016

FILE COPY

RE: Appropriation of Water, File No. 49,632

Dear Mr. or Mrs. Koehn:

There is enclosed a permit to appropriate water authorizing you to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit. A water meter is required and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

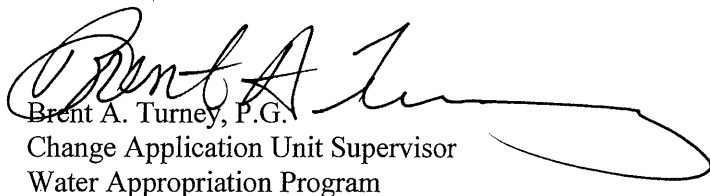
Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed. All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time set forth in the permit to complete diversion works or to perfect an appropriation.

For any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which establish the extent of your water right.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready to that we may help you more efficiently.

Sincerely,


Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT:am

Enclosures

pc: Stafford Field Office
Robert & Connie Jantz

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

APPROVAL OF APPLICATION
and
PERMIT TO PROCEED

FILE COPY

(This is not a Certificate of Appropriation)

This is to certify that I have examined Application **File No. 49,632** of the applicant

**WELDON & MELVA KOEHN
2486 DAKOTA RD
CANTON KS 67428**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **May 5, 2016**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL																
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼																	
34	20S	2W																		32	29	32	32												125

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of four (4) wells with a geographic center located in the Southeast Quarter of the Northwest Quarter of the Southwest Quarter (SE¼ NW¼ SW¼), of Section 34, more particularly described as being near a point 1,432 feet North and 4,054 feet West of the Southeast corner of said section, in Township 20 South, Range 2 West, McPherson County, Kansas, located substantially as shown on the topographic map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **162.5 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2017** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400:00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2021** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

15. That the applicant identified in this order shall install an anti-reverse totalizing water flowmeter which meets or exceeds specifications adopted by the Chief Engineer.

16. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

17. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

18. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer, or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. The applicant, if aggrieved by this Order, may petition for administrative review, pursuant to K.S.A. 82a-711(c) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564-6777.

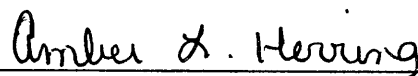
Ordered this *2nd* day of *September*, 2016, in Topeka, Shawnee County, Kansas.



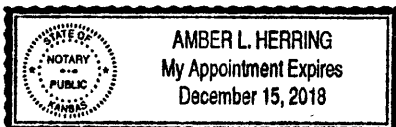
Lane P. Letourneau, P.G.
Program Manager
Water Appropriation Program
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this *2nd* day of *September*, 2016, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Notary Public



CERTIFICATE OF SERVICE

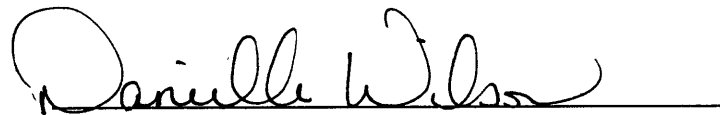
On this 6th day of September, 2016, I hereby certify that the foregoing Approval of Application, File No. 49,632, dated September 2nd, 2016 was mailed postage prepaid, first class, US mail to the following:

WELDON & MELVA KOEHN
2486 DAKOTA RD
CANTON KS 67428

With photocopies to:

ROBERT & CONNIE JANTZ
2175 CHEYENNE RD
MOUNDRIDGE KS 67107

Stafford Field Office



Division of Water Resources

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 491632
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED

MAY 05 2016
8:13
KS DEPT OF AGRICULTURE

APPLICATION COMPLETE
5/25/16
Reviewer AM

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): Weldon & Melva Koehn
Address: 2486 Dakota Rd
City: Canton State KS Zip Code 67428
Telephone Number: (620) 345-6568

2. The source of water is: surface water in _____ (stream)
OR groundwater in Little 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 162.5 acre-feet OR --- gallons per calendar year, to be diverted at a maximum rate of 800 gallons per minute OR --- 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. <u>2</u>	GMD <input type="checkbox"/>	Meets K.A.R. 5-3-1 <input checked="" type="checkbox"/> (YES) <input type="checkbox"/> (NO)	Use <u>IRI2</u>	Source <u>G/S</u>	County <u>MP</u>	By <u>ASW</u>	Date <u>5/5/16</u>
Code <u>162</u>		Fee \$ <u>300</u>	TR # _____	Receipt Date <u>5/5/16</u>	Check # <u>7143</u>		

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 491632

Name of Applicant (Please Print): Weldon & Melva Koehn

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: Weldon & Melva Koehn

ADDRESS: 2486 Dakota Rd, Canton KS 67428

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
34	20S	2W											32	32					64

Landowner of Record NAME: Robert & Connie Jantz

ADDRESS: 2175 Cheyenne Rd, Moundridge KS 67107

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
34	20S	2W										32	29						61

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

**WATER RESOURCES
RECEIVED**

** GEO CENTER 1432'N + 4054'W SE NW SW 34-20-20*

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.
- (A) One in the SW quarter of the NE quarter of the SW quarter of Section 34, more particularly described as being near a point 1,658 feet North and 3,957 feet West of the Southeast corner of said section, in Township 20 South, Range 2 West, McPherson County, Kansas.
 - (B) One in the SE quarter of the NW quarter of the SW quarter of Section 34, more particularly described as being near a point 1,487 feet North and 4,166 feet West of the Southeast corner of said section, in Township 20 South, Range 2 West, McPherson County, Kansas.
 - (C) One in the NE quarter of the SW quarter of the SW quarter of Section 34, more particularly described as being near a point 1,290 feet North and 4,157 feet West of the Southeast corner of said section, in Township 20 South, Range 2 West, McPherson County, Kansas.
 - (D) One in the NE quarter of the SW quarter of the SW quarter of Section 34, more particularly described as being near a point 1,294 feet North and 3,936 feet West of the Southeast corner of said section, in Township 20 South, Range 2 West, McPherson 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):
Robert & Connie Jantz, 2175 Cheyenne Rd, Moundridge KS 67107
 (name, address and telephone number)
- Weldon & Melva Koehn (applicant)
 (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 4-29, 2016. Weldon Koehn
 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 a battery of four (4) wells
 (number of wells, pumps or dams, etc.)
 and were completed (by) May 31, 2011
 (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 5/31/11
 (Mo/Day/Year)

WATER RESOURCES RECEIVED

** BHT 8-29-16 AS PER MAP*

MAY 05 2016

- 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.

File No. 47597 (to be dismissed pending approval of this new application)

**WATER RESOURCES
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MAY 05 2016

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>4/18/12</u>	<u>5/10/11</u>	<u>5/11/11</u>	<u>3/15/11</u>
Total depth of well	<u>60</u>	<u>58</u>	<u>54</u>	<u>60</u>
Depth to water bearing formation	<u>19</u>	<u>16</u>	<u>17</u>	<u>8</u>
Depth to static water level	<u>31</u>	<u>14</u>	<u>16</u>	<u>14</u>
Depth to bottom of pump intake pipe	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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):

Applicant
(name, address and telephone number)

Robert & Connie Jantz, 2175 Cheyenne Rd, Moundridge KS 67107
(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 4-29-2016, Kansas, this _____ day of _____, _____
(month) (year)

Weldon Koeh
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by EKF _____ SFFO/ESII _____ Date: 4/12/16
(office/title)

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2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
<u>Crete</u>	<u>80</u>	<u>0.5</u>	<u>3</u>
<u>Ladysmith</u>	<u>20</u>	<u>0.1</u>	<u>1</u>
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): 2 %

Estimate the maximum land slope in the field(s): 5 %

c. Type of irrigation system you propose to use (check one):

- Center pivot _____ Center pivot - LEPA _____ "Big gun" sprinkler
 _____ Gravity system (furrows) _____ Gravity system (borders) _____ Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater: Dirt berm - worked w/ John Roth @ SFFD

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: 40 psi

(2) What is the sprinkler package design rate? 800 gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? 100 feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

wheat, bean, corn rotation

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

Crop Quest consultant

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

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*~~2~~ SFFD
4/29/16

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

WATER RESOURCES
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MAY 05 2016

4-29-2016
(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
1320 Research Park Drive
Manhattan, Kansas 66502

Re: Application File No. 49,632

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Weldon Koehn
Signature of Applicant

State of Kansas)
County of Stafford) ss

Weldon Koehn
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 29th day of April, 2016, by Weldon Koehn.

Elizabeth K. Fitch
Notary Public

My Commission Expires:



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MAY 05 2016

**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River

McColloch, Austin

From: Lanterman, Jeff
Sent: Thursday, August 25, 2016 3:30 PM
To: McColloch, Austin
Cc: Conant, Cameron
Subject: FW: Recommendation File No. 49,632
Attachments: 49632-memo.doc; 49632 map.jpg

Austin;

Lets go ahead and approve this one. No concerns about it here.

Thanks

Jeff

From: Conant, Cameron
Sent: Thursday, August 25, 2016 3:28 PM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Subject: FW: Recommendation File No. 49,632

Jeff, this is a replacement battery of wells for an existing file that completed the wells more than 300' from authorized. The old file will be voluntarily dismissed if this is approved. The old file was approved in 2010 and was pumped from 2011-present. This is located in that little area of development between the GMD dog ears in McPherson County (see attached map).

We have good GPS on the actual wells so the application has been filled out to reflect the correct location of the wells.

We have no applicable water level data in this area that goes to present time for a hydrograph review.

Spacing is good to everything around. The wells have been in operation for 5 years now with no written complaints that I know of. I think this can be recommended for approval to fix the original error of incorrectly locating the battery of wells.

Please pass on to Austin if you agree.

Cameron

From: McColloch, Austin
Sent: Monday, August 08, 2016 2:27 PM
To: Lanterman, Jeff
Cc: Conant, Cameron
Subject: Recommendation File No. 49,632

Good afternoon,

I would like your recommendation on the referenced file. Attached is my memo.

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

July 20, 2016

LYLE RATZLAFF
2166 CHISHOLM ROAD
GALVA KS 67443

RE: Application, File No. 49,632

FILE COPY

Dear Mr. Ratzlaff:

This is to advise you that Weldon Koehn has filed the application referred to above for permit to appropriate 162.5 acre-feet of water per calendar year for Irrigation use to be diverted at a maximum rate of 800 gallons per minute from a battery of wells located as follows:

Battery of four (4) wells with a geographic center located in the Southeast Quarter of the Northwest Quarter of the Southwest Quarter (SE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$) of Section 34, more particularly described as being near a point 1,432 feet North and 4,054 feet West of the Southeast corner of said section, in Township 20 South, Range 2 West, McPherson County, Kansas.

Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposal locations 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.

If you have any questions, please contact myself or the Water Commissioner at (620) 234-5311. If you wish to discuss a specific file, please have the file number ready to that we may help you more efficiently.

Sincerely,

Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT:am

Enclosures

pc: Stafford Field Office

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

July 20, 2016

JUSTIN WEDEL
638 21ST AVE
GALVA KS 67443

FILE COPY

RE: Application, File No. 49,632

Dear Mr. Wedel:

This is to advise you that Weldon Koehn has filed the application referred to above for permit to appropriate 162.5 acre-feet of water per calendar year for Irrigation use to be diverted at a maximum rate of 800 gallons per minute from a battery of wells located as follows:

Battery of four (4) wells with a geographic center located in the Southeast Quarter of the Northwest Quarter of the Southwest Quarter (SE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$) of Section 34, more particularly described as being near a point 1,432 feet North and 4,054 feet West of the Southeast corner of said section, in Township 20 South, Range 2 West, McPherson County, Kansas.

Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposal locations 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.

If you have any questions, please contact myself or the Water Commissioner at (620) 234-5311. If you wish to discuss a specific file, please have the file number ready to that we may help you more efficiently.

Sincerely,

Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT:am

Enclosures

pc: Stafford Field Office

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

July 20, 2016

SAM S & MARCIA D GOERING TRUSTS
190 21ST AVE
MOUNDRIDGE KS 67107

FILE COPY

RE: Application, File No. 49,632

Dear sir or Madam:

This is to advise you that Weldon Koehn has filed the application referred to above for permit to appropriate 162.5 acre-feet of water per calendar year for Irrigation use to be diverted at a maximum rate of 800 gallons per minute from a battery of wells located as follows:

Battery of four (4) wells with a geographic center located in the Southeast Quarter of the Northwest Quarter of the Southwest Quarter (SE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$) of Section 34, more particularly described as being near a point 1,432 feet North and 4,054 feet West of the Southeast corner of said section, in Township 20 South, Range 2 West, McPherson County, Kansas.

Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposal locations 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.

If you have any questions, please contact myself or the Water Commissioner at (620) 234-5311. If you wish to discuss a specific file, please have the file number ready to that we may help you more efficiently.

Sincerely,



Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT:am

Enclosures

pc: Stafford Field Office



1320 Research Park Drive
Manhattan, Kansas 66502
Jackie McClaskey, Secretary

Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

May 5, 2016

WELDON & MELVA KOEHN
2486 DAKOTA RD
CANTON KS 67428

RE: Application
File No. 49632

Dear Sir or Madam:

Your application for permit to appropriate water in 34-20S-2W in McPherson County, was received and has been assigned the file number noted above.

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor . . .

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

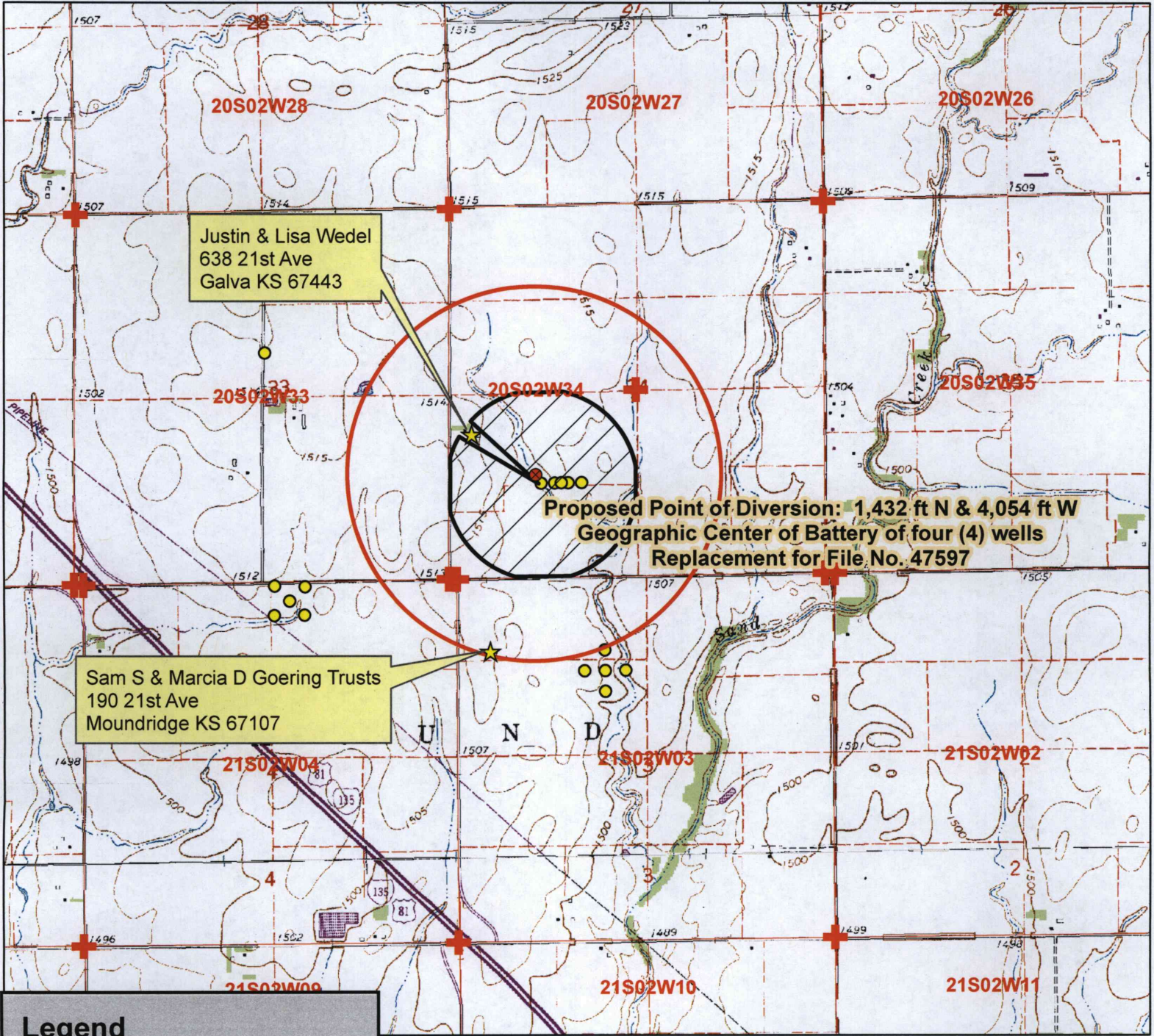
If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent A Turney, L.G.
New Application Unit Supervisor
Water Appropriation Program

KAK: DLW
pc: STAFFORDField Office
GMD

SCANNED



**Proposed Point of Diversion: 1,432 ft N & 4,054 ft W
Geographic Center of Battery of four (4) wells
Replacement for File No. 47597**

Sam S & Marcia D Goering Trusts
190 21st Ave
Moundridge KS 67107

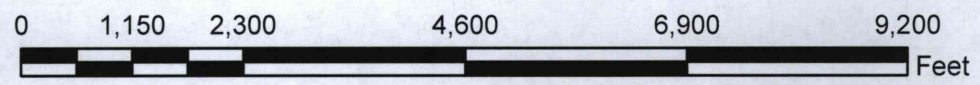
Justin & Lisa Wedel
638 21st Ave
Galva KS 67443

Legend

- Water Appropriations
- ⊗ Proposed Point of Diversion
- ★ Domestic Well
- + Section Corner
- Half Mile Circle
- Section Line

Place of Use

- Proposed



Water Appropriation, File No.

New Application Map

34-20S-2W McPherson County

WATER RESOURCES RECEIVED

MAY 05 2016

KS DEPT OF AGRICULTURE



To the best of my knowledge, all of the domestic wells within 1/2 mile of the proposed point of diversion have been shown.

Weldon Koch
Signature

SCANNED