

Stockton Field Office  
820 S. Walnut  
Stockton, KS 67669-0192



Phone: 785-425-6787  
Fax: 785-425-6842  
www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

May 4, 2020

W BENSON KEIL  
1912 UNION RD  
CONCORDIA, KS 66901-9652

Re: Water Rights & Appropriations of Water, File Nos. 5,788; 9,889; 24,336; 30,287; 36,570;  
39,384; 39,813; 39,932; 39,952; 44,297; 49,916; 49,917

Dear Mr. Keil:

Enclosed are twelve (12) orders executed by Chris Beightel, Acting Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the terms, conditions, and limitations specified in these approvals for change.

Since these orders modify the original certificates, they should be recorded with the Register of Deeds as other instruments affecting real estate.

**These documents are summary orders by this agency regarding these matters.** These orders shall become final if requests for hearings are not filed with the Chief Engineer within 15 days of the date of service of these orders.

If you have any questions, please feel free to contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Billinger".


Mark Billinger  
Assistant Water Commissioner

MB:rh  
Enclosures

**CERTIFICATE OF SERVICE**

On this 4<sup>th</sup> day of May, 2020, I hereby certify that the attached **SUMMARY ORDERS APPROVING APPLICATIONS FOR CHANGE in PLACE OF USE** for Water Rights & Appropriations of Water, File Nos. 5,788; 9,889; 24,336; 30,287; 36,570; 39,384; 39,813; 39,932; 39,952; 44,297; 49,916; 49,917, dated on the 4<sup>th</sup> day of May, 2020, were mailed postage prepaid, first class, U.S. mail, to the following:

W BENSON KEIL  
1912 UNION RD  
CONCORDIA, KS 66901-9652

  
Staff

A copy of this Change Approval was sent to the following:

KRISTINE A KOLLATH REV TRUST  
1805 BROADWAY  
CONCORDIA, KS 66901

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**

APPLICATION COMPLETE  
 5/4/2020  
 Reviewer ms

**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.

**RECEIVED**

APR 27 2020  
 2:32 pm  
 Stockton Field Office  
 Division of Water Resources

File No. 36,570

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use       Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is:       Groundwater       Surface water

2. Name and address of Applicant: Kand K land LLC C/O Benson Keil

1912 Union Road, Concordia, KS. 66901

Phone Number: (785)243-4510

Email address: wbensonkeil@gmail.com

Name and address of Water Use Correspondent: Same

Phone Number: (      ) Same

Email address: Same

3. The presently authorized place of use is:

Owner of Land ---- NAME: K and K Land LLC

ADDRESS: 1912 Union Road, Concordia, KS. 66901

(If there is more than one landowner, attach supplemental sheets as necessary.) **See Attached Supplement**

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
30	5	2W					19	40											59

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: K and K Land LLC

ADDRESS: 1912 Union Road

(If there is more than one landowner, attach supplemental sheets as necessary.) **See Attached Supplement**

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
30	5	2W					24	36											54

**For Office Use Only:** Code \_\_\_\_\_ Fee \$ \_\_\_\_\_ TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # \_\_\_\_\_



5. **Presently authorized point of diversion:**  
 One in the NO Quarter of the Change Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

6. **Presently authorized point of diversion:**  
 One in the No Quarter of the Change Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the No Quarter of the Change Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

7. The changes herein are desired for the following reasons?  
 (please be specific) complete the rotation and addition  
of more efficient center pivot operations

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

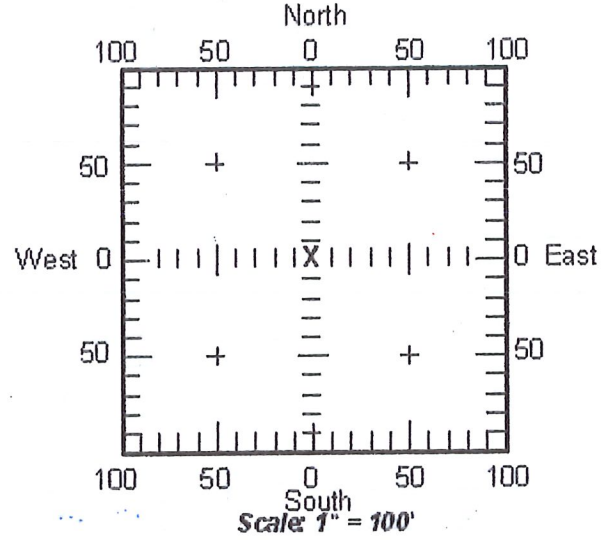
9. The change(s) (was)(will be) completed by?  
No change in PD

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
No new wells  
 (b) When will this be done? No new wells

11. Groundwater Management District recommendation attached?  Yes  No

12. Assisted by Scott Ross - corrected me

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines.



14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?  
 Yes     No    (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?  
 Yes     No    (If yes, all owners must sign this application.)
- (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?  
 Yes     No    (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Concordia, Kansas, this 22 day of April, 20 20.

<u>K+K Land LLC by Dan Keil, member</u> (Owner)	_____	(Spouse)
<u>K+K Land LLC by Benson Keil, member</u> (Please Print)	_____	(Please Print)
<u>W. Benson Keil, trustee</u> (Owner)	_____	(Spouse)
<u>W. Benson Keil, Trustee.</u> (Please Print)	_____	(Please Print)
<u>Kristine A Kollath, Trustee</u> (Owner)	_____	(Spouse)
<u>Kristine A. Kollath, Trustee</u> (Please Print)	_____	(Please Print)

State of Kansas }  
County of Cloud } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 22 day of April, 20 20.

My Commission Expires 10/6/22

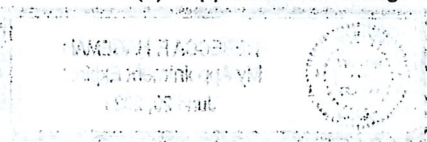
Jeremy  
Notary Public

**ONLY COMPLETE APPLICATIONS WILL BE PROCESSED.** To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

**FEE SCHEDULE**

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (1) Application to change a point of diversion 300 feet or less ..... \$100
- (2) Application to change a point of diversion more than 300 feet ..... \$200
- (3) Application to change the place of use ..... \$200



RECEIVED  
APR 27 2020

Stockton Field Office  
Division of Water Resources





APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
**FILE NO.** \_\_\_\_\_  
MAKE ADDITIONAL COPIES AS NECESSARY

3. *Continued:* The presently authorized place of use is:

Owner of Land ----- NAME: K&K LAND LLC  
ADDRESS: 1912 UNION RD CONCORDIA, KS 66901

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
13	5S	3W					35	29				37.5	31.5	21.5					154.5	
19	5S	2W					0.5	27	36.5	16		14	7	39	40	2	23	40	20	265
23	5S	3W														29.5			36	65.5

Owner of Land ----- NAME: K&K LAND LLC  
ADDRESS: 1912 UNION RD CONCORDIA, KS 66901

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
24	5S	3W					32.5					38.5	38.5		3.5	14	35.5	10	172.5	
25	5S	3W	20	18			29.5	26.5												94
26	5S	3W	30.5																	30.5

Owner of Land ----- NAME: HAZEL E KEIL TRUST #1  
ADDRESS: BENSON W & JUDY A KEIL TTEES 1912 UNION RD CONCORDIA, KS 66901-9652

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
13	5S	3W			31.5	33.25			35.5	38.5										138.75
24	5S	3W					31	30.5	31.5	35.5			39.5							168

4. *Continued:* If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ----- NAME: K&K LAND LLC  
ADDRESS: 1912 UNION RD CONCORDIA, KS 66901-9652

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
13	5S	3W					33	27				35								95
19	5S	2W						27	37	19	5.5	4.5	39	39	0.5	18.5	31	2		223
23	5S	3W													26				35	61

Owner of Land ----- NAME: K&K LAND LLC  
ADDRESS: 1912 UNION RD CONCORDIA, KS 66901-9652

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
24	5S	3W					32					38	38		3	14	35	2		162
25	5S	3W	15			2		24												41
26	5S	3W	31			2														33

Owner of Land ----- NAME: HAZEL E KEIL TRUST #1  
ADDRESS: BENSON W & JUDY A KEIL TTEES 1912 UNION RD CONCORDIA, KS 66901-9652

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
13	5S	3W			36	30			34	40										140
24	5S	3W						32	38.5	38	38.5			39						186
25	5S	3W		17			30	3		2										52

APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
**FILE NO.** \_\_\_\_\_  
MAKE ADDITIONAL COPIES AS NECESSARY

5. *Continued:* The presently authorized place of use is:

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

6. *Continued:* If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: KRISTINE A KOLLATH REVOCABLE TRUST  
ADDRESS: 1805 BROADWAY CONCORDIA, KS 66901

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13	5S	3W	25	32														57	

Owner of Land ---- NAME: BENSON W KEIL TRUST #1  
ADDRESS: 1912 UNION RD CONCORDIA, KS 66901-9652

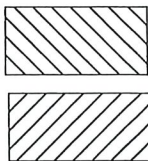
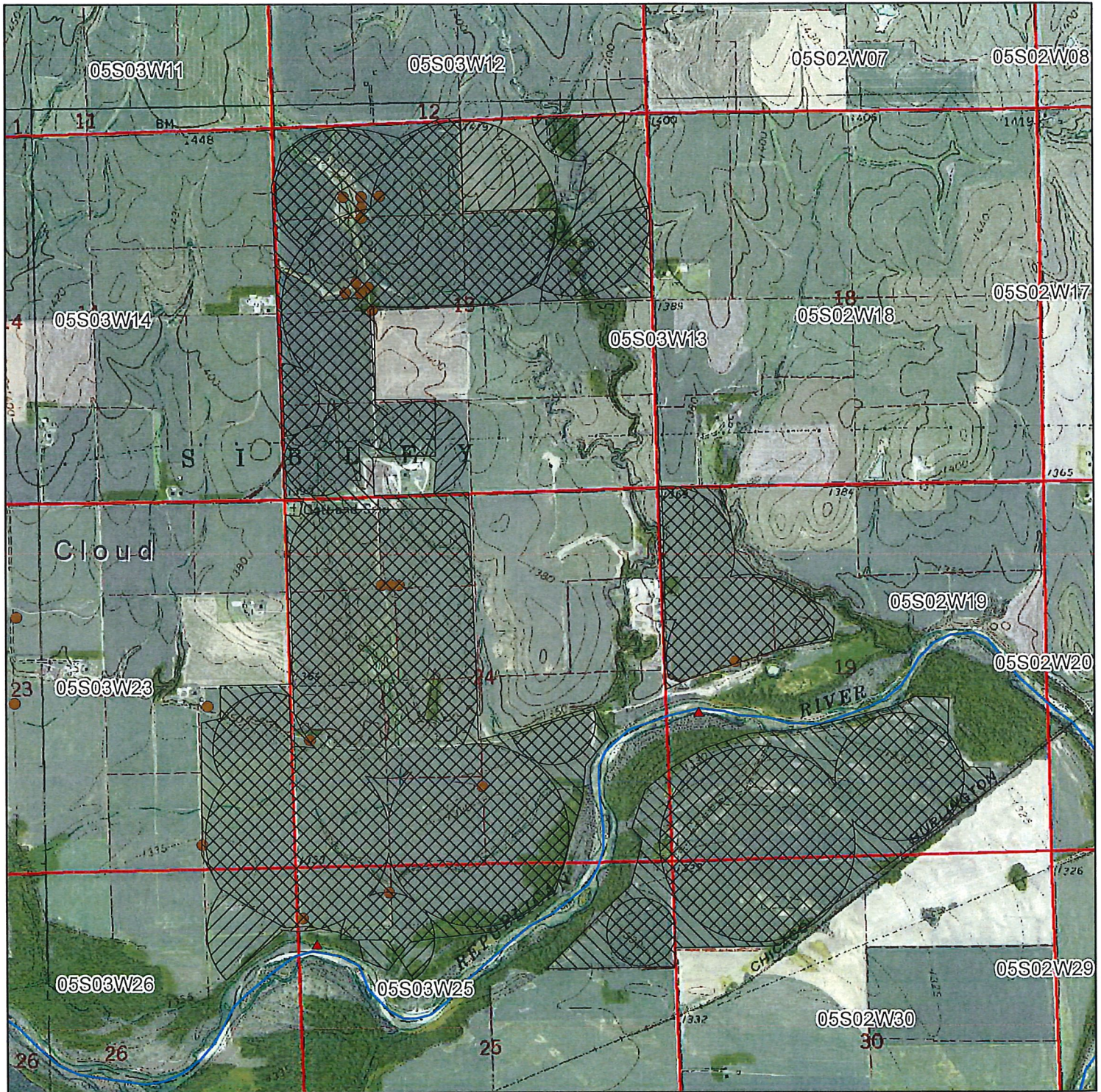
Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13	5S	3W											30	23					53

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	



Application to Change the Place of Use  
For Water Right File # 5788, 9889, 24336, 30287, 36570,  
39384, 39813, 39932, 39952, 44297, 49916 & 49917



Authorized Place of Use

Proposed Place of Use

▲ Surface Water Point of Diversion

● Groundwater Point of Diversion

1:24,000

