



Garden City Field Office
2508 Johns Street
Garden City, Kansas 67846-2804
Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Michael A. Meyer, Water Commissioner

Phone: (620) 276-2901
Fax: (620) 276-9315
www.agriculture.ks.gov
Sam Brownback, Governor

December 20, 2016

TRACY J COX
295 WESKAN AVE
WESKAN KS 67762

RE: Change in Point of Diversion Water Right, File No 20422

Dear Mr. Cox:

Enclosed you will find a *Summary Order Approving Application for Change in Point of Diversion* for the above referenced file. This order modifies the authorized well location under the referenced file. This order modifies the original document; it should be recorded at the County Register of Deeds.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this order. The diversion works should be completed and reported to the Division of Water Resources by **December 31, 2017**. Enclosed is a form for this purpose, along with other information for reference.

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report.

This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order. The date of service is the date listed on the enclosed *Certificate of Service*.

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

Sincerely,

A handwritten signature in black ink, appearing to read "T. P. Makens", written over a horizontal line.

Thomas P. Makens
Assistant Water Commissioner

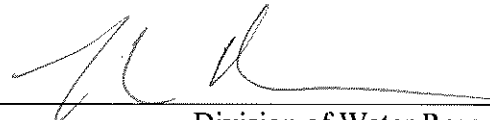
TPM:tpm
Enclosures
GMD#1

CERTIFICATE OF SERVICE

On this 20 day of December 2016, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 20422 dated December 20, 2016 was mailed postage prepaid, first class, US mail to the following:

TRACY J COX
295 WESKAN AVE
WESKAN KS 67762

Copy provided to GMD#1



Division of Water Resources

Submit completed application to:
 Kansas Department of Agriculture
 Division of Water Resources
 Field Office for your area.
 Call for address:
 Topeka -- (785) 862-6300
 Stafford -- (620) 234-5311
 Stockton -- (785) 425-6787
 Garden City -- (620) 276-2901
www.ksda.gov/dwr

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

**Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.
 Fee Schedule is on the third page of this application form.**

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

File No. 20422

RECEIVED
 3:15 p.m.
 NOV 28 2016

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

Place of Use Point of Diversion

Garden City Field Office
 Division of Water Resources

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: TRACYJ. & SHELLY J. COX
295 WESKAN AVE., WESKAN, KS 67762

Phone Number: () _____ Email address: _____

Name and address of Water Use Correspondent: SAME AS ABOVE

Phone Number: () _____ Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: NC

ADDRESS: _____

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

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				

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: NC

ADDRESS: _____

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

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					

For Office Use Only: Code _____ Fee \$ <u>100.00</u> TR # _____ Receipt Date <u>11-28-16</u> Check # <u>1168</u>

5. **Presently authorized point of diversion:**
 One in the W2 Quarter of the SE Quarter of the SE Quarter of Section 12, Township 14 South, Range 42 W, in WALLACE County, Kansas, 690 feet North 840 feet West of Southeast corner of section. Authorized Rate 395 1020 Authorized Quantity 1020 395 Depth of well _____ (feet)
 (DWR use only: Computer ID No. 3 GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the SW Quarter of the SE Quarter of the SE Quarter of Section 12, Township 14 South, Range 42 W, in WALLACE County, Kansas, 399 feet North 840 feet West of Southeast corner of section. Proposed Rate 395 1020 Proposed Quantity 1020 395 Proposed well depth (feet) 342.
 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 _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ 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:
Proposed point of diversion: (Complete only if change is requested)
 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 _____.

7. Why do you need a new point of diversion? _____
OLD WELL NEEDS REPLACED

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

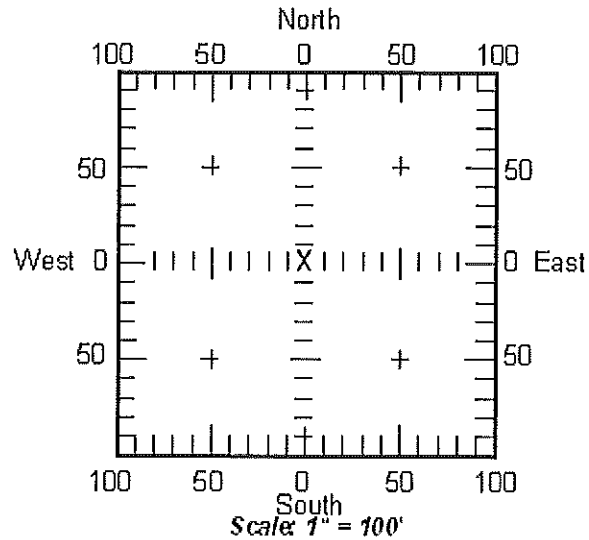
9. When do you propose to complete the new point of diversion?
ASAP

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
CAP OR PLUG
 (b) When will this be done? _____

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by BSC

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 regard 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 Warden City, Kansas, this 28th day of November, 2016.

<p style="font-size: 2em; margin: 0;"><i>Tracy J. Cox</i></p> <p style="margin: 0;">(Owner)</p>	<p style="text-align: center;">(Spouse)</p>
<p style="font-size: 1.5em; margin: 0;"><i>Tracy J. Cox</i></p> <p style="margin: 0;">(Please Print)</p>	<p style="text-align: center;">(Please Print)</p>
<p style="text-align: center;">(Owner)</p>	<p style="text-align: center;">(Spouse)</p>
<p style="text-align: center;">(Please Print)</p>	<p style="text-align: center;">(Please Print)</p>
<p style="text-align: center;">(Owner)</p>	<p style="text-align: center;">(Spouse)</p>
<p style="text-align: center;">(Please Print)</p>	<p style="text-align: center;">(Please Print)</p>

State of Kansas }
 County of Finney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 28th day of November, 2016.



Julie Jones
 Notary Public

My Commission Expires _____

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

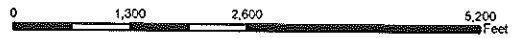
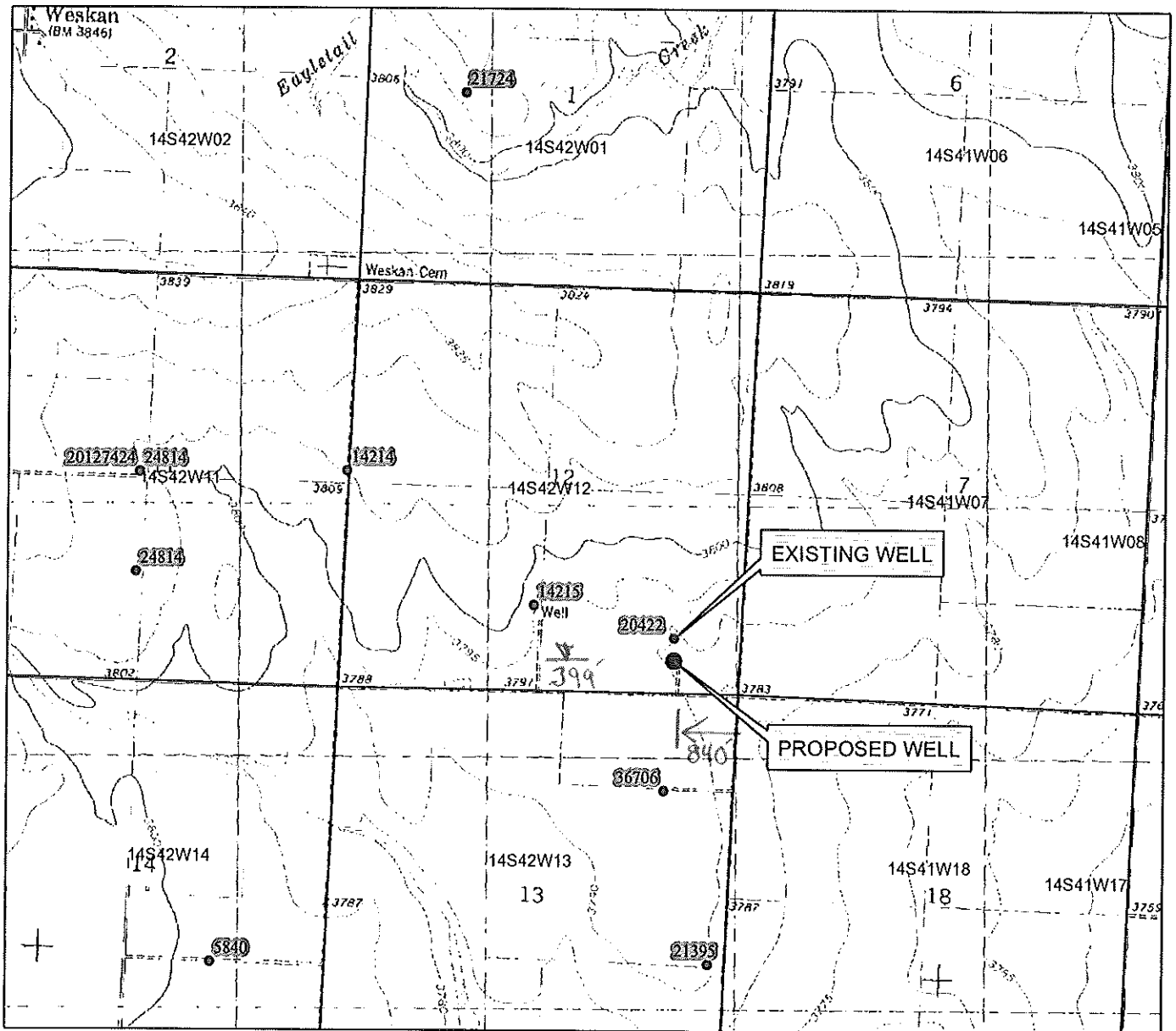
Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (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



Change in the Place of Use File No. 20422 Wallace County

Section 12 Township 14 Range 42 W

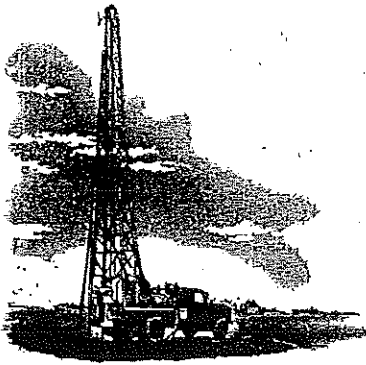


Scale 1:24,000



WR 20422

785-821-4147



DMW WELL & PUMP SERVICE
A DIVISION OF DUERST MACHINE WORKS
P.O. BOX 99 * BURLINGTON, CO 80807
719-346-5348 * FAX 719-346-7029
COLORADO LIC. #1136 & #1278
KANSAS LIC. #633

Tracy Coy

4-13-16

SE 1/4 - sec 12 - T14S - R42W Wallace Cty. KS.

Well

NAD 83 zone 14

0245726 E

3772' ele

4303659 N

N 38° 50.700'

W 101° 55.700'

Test Hole

0245718 E

3778' ele

4303574 N

N 38° 50.653'

W 101° 55.764'

DMW WELL & PUMP SERVICE

A DIVISION OF DUERST MACHINE WORKS

PO BOX 99 463-13TH STREET

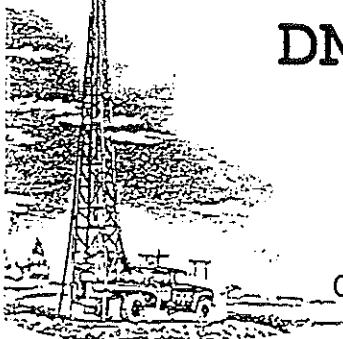
BURLINGTON CO 80807-0099

PHONE 719-346-5348

FAX 719-346-7029

CO LICENSE #1136 & 1278

KS LICENSE #633



CUSTOMERS NAME: Bo Cox
 STREET ADDRESS: _____
 CITY & STATE: _____
 COUNTY Wallace QUARTER SE 1/4 SECTION 12 TOWNSHIP 14S RANGE 42W

DATE: 4-13-14
 TEST# 6 E. LOG yes
 DRILLER Greg

LOCATION: 97 yds. South of Existing East Well (291'S)

FOOTAGE		DESCRIPTION OF STRATA	WELL LOCATION
N 39° 50.653' W 101° 53.764' 3778' ELE. <td></td> <td>STATIC WATER LEVEL <u>242'</u></td>			STATIC WATER LEVEL <u>242'</u>
14S 0245718E 4303574N <td></td> <td>PROPOSED WELL DEPTH <u>SHALE</u></td>			PROPOSED WELL DEPTH <u>SHALE</u>
FROM	TO	DESCRIPTION OF STRATA	
0	2	TOPSOIL	
2	22	BROWN SILTY CLAY, SANDSTONE LAST 2'	
22	42	BROWN SILTY CLAY	
42	62	BROWN CLAY	
62	82	SAND, GRAVEL WITH BROWN SANDY CLAY LAST 6'	
82	102	SAND WITH CLAY & SANDSTONE LAYERS	
102	122	GREEN & WHITE SANDY CLAY WITH SANDSTONE LAST 7'	
122	142	BROWN & GREEN SANDY CLAY, SANDSTONE STREAKS	
142	162	SAND WITH SANDY CLAY & SANDSTONE STREAKS LAST 9'	
162	182	SAND, GRAVEL FEW ROCK LAYERS	
182	202	SAND, GRAVEL FIRST 9' - BROWN SANDY CLAY REST	
202	222	SAND, SANDY CLAY, ROCK LAYERS LAST 6'	
222	242	SAND, SANDY CLAY, SANDSTONE LAYERS	
242	252	FINE TO COARSE SAND, SMALL GRAVEL, SOME SANDY CLAY	
252	262	FINE TO COARSE SAND, SMALL GRAVEL, BROWN SANDY CLAY	
262	272	FINE TO COARSE SAND, SOME SMALL GRAVEL	
272	282	FINE TO COARSE SAND, SOME SANDY CLAY, ROCK LAYERS	
282	292	FINE TO COARSE SAND, LITTLE SANDY CLAY	
292	302	FINE TO COARSE SAND, GRAVEL, SOME SANDY CLAY	
302	312	FINE TO COARSE SAND, SANDY CLAY, SANDSTONE LAYERS	
312	322	FINE SAND, SANDY CLAY, ROCK STREAKS	
322	332	FINE TO COARSE SAND SMALL GRAVEL	
332	342	FINE TO COARSE SAND, SOME SMALL GRAVEL TO 340'	
		BLACK SHALE 340' - 342'	

DMW WELL & PUMP SERVICE

A DIVISION OF DUERST MACHINE WORKS
PO BOX 99 * BURLINGTON, CO 80807
719-346-5348

SE 1/4-12

ELECTRO LOG

#16

LOCATION: 97' S. OF EXISTING (EAST) OWNER: BO COX

MEASURING POINT: 0 feet above/below ground level DATE: 4-13-14

DRILLER: GREG BOREHOLE DEPTH: 342 feet, DIAMETER 5 1/2 inches

CASING DEPTH: _____ feet, DIAMETER _____ inches OPERATOR GREG

Spontaneous Potential (millivolts)					Depth (ft)	Resistivity (ohm-ft)				
-400	-200	0	200	400		(ohm-ft)				
-100	-50	0	50	100	SP	(Circle one)				
						1"=10'	8000	16000	24000	32000
						1"=20'	2000	4000	6000	8000
						1"=40'	200	400	600	800
						(25)	100	200	300	400
						SWL 248' 11-14-16				
						(Normal) - Lateral 0				
						2.5	10			
					232	179				
					237	210				
					242	208				
					247	238				
					252	165				
					257	182				
					262	235				
					267	243				
					272	284				
					277	312				
					282	373				
					287	308				
					292	168				
					297	228				
					302	252				
					307	183				
					312	206				
					317	178				
					322	162				
					327	191				
					332	190				
					337	188				
					342	184				

