

# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

Submit completed application to:  
 Kansas Department of Agriculture  
 Division of Water Resources  
 Field Office for your area.

Call for address:

Topeka -- (785) 296-5733  
 Stafford -- (620) 234-5311  
 Stockton -- (785) 425-6787  
 Garden City -- (620) 276-2901  
<http://agriculture.ks.gov/dwr>

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



**STATE OF KANSAS**

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

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

**RECEIVED**  
 8:30 AM  
**FEB 04 2019**

File No. 28195

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

Garden City Field Office  
 Division of Water Resources

2. Name and address of Applicant: Kenneth Cox

Phone Number: (    )                      Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: KENNETH COX

1111 ROAD 90 SUBLETTE KS 67877-8033

Phone Number: (    )                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: SAME - NO CHANGE

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: \_\_\_\_\_

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 \$ 200.00 TR # \_\_\_\_\_ Receipt Date 2-4-19 Check # 5643

5. **Presently authorized point of diversion:**  
 One in the SW Quarter of the SW Quarter of the SW Quarter of Section 4, Township 28 South, Range 32 (W), in HASKELL County, Kansas, 63 feet North 5166 feet West of Southeast corner of section.  
 Authorized Rate          Authorized Quantity          Depth of well          (feet)  
 (DWR use only: Computer ID No. 02 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 NW Quarter of the SE Quarter of the NW Quarter of Section 9, Township 28 South, Range 32 (W), in HASKELL County, Kansas, 3708 feet North 3432 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 CN Quarter of the NE Quarter of the NE Quarter of Section 5, Township 28 South, Range 32 (W), in HASKELL County, Kansas, 5230 feet North 700 feet West of Southeast corner of section.  
 Authorized Rate          Authorized Quantity          Depth of well          (feet)  
 (DWR use only: Computer ID No. 03 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         .

7. The changes herein are desired for the following reasons?  
 (please be specific) REPLACE EXISTING WELL

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

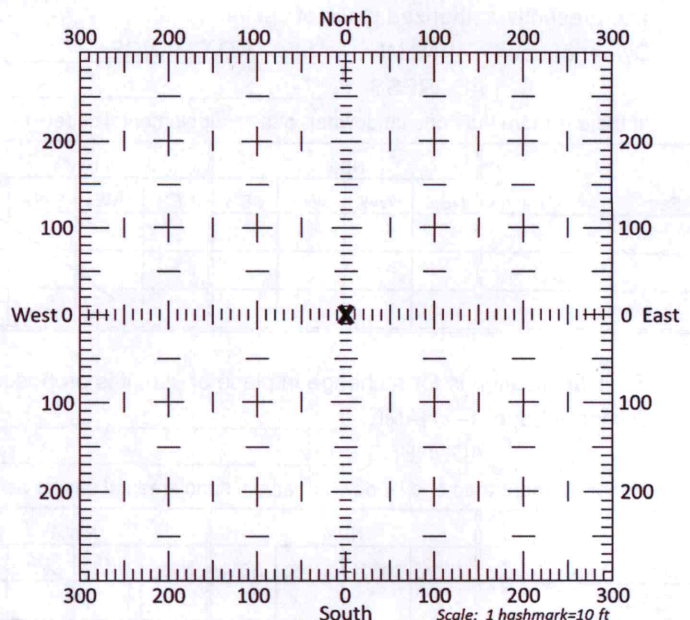
9. The change(s) (was)(will be) completed by?  
UPON APPROVAL

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

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by AM/GCFO

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of 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



13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

14. If the proposed groundwater point of diversion is 300 or fewer feet from the 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 GARDEN CITY, Kansas, this 1<sup>ST</sup> day of FEBRUARY, 2019.

Kenneth Caf  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

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 1<sup>ST</sup> day of FEB, 2019.



Catherine Reinert  
Notary Public

My Commission Expires 9-14-22

**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**

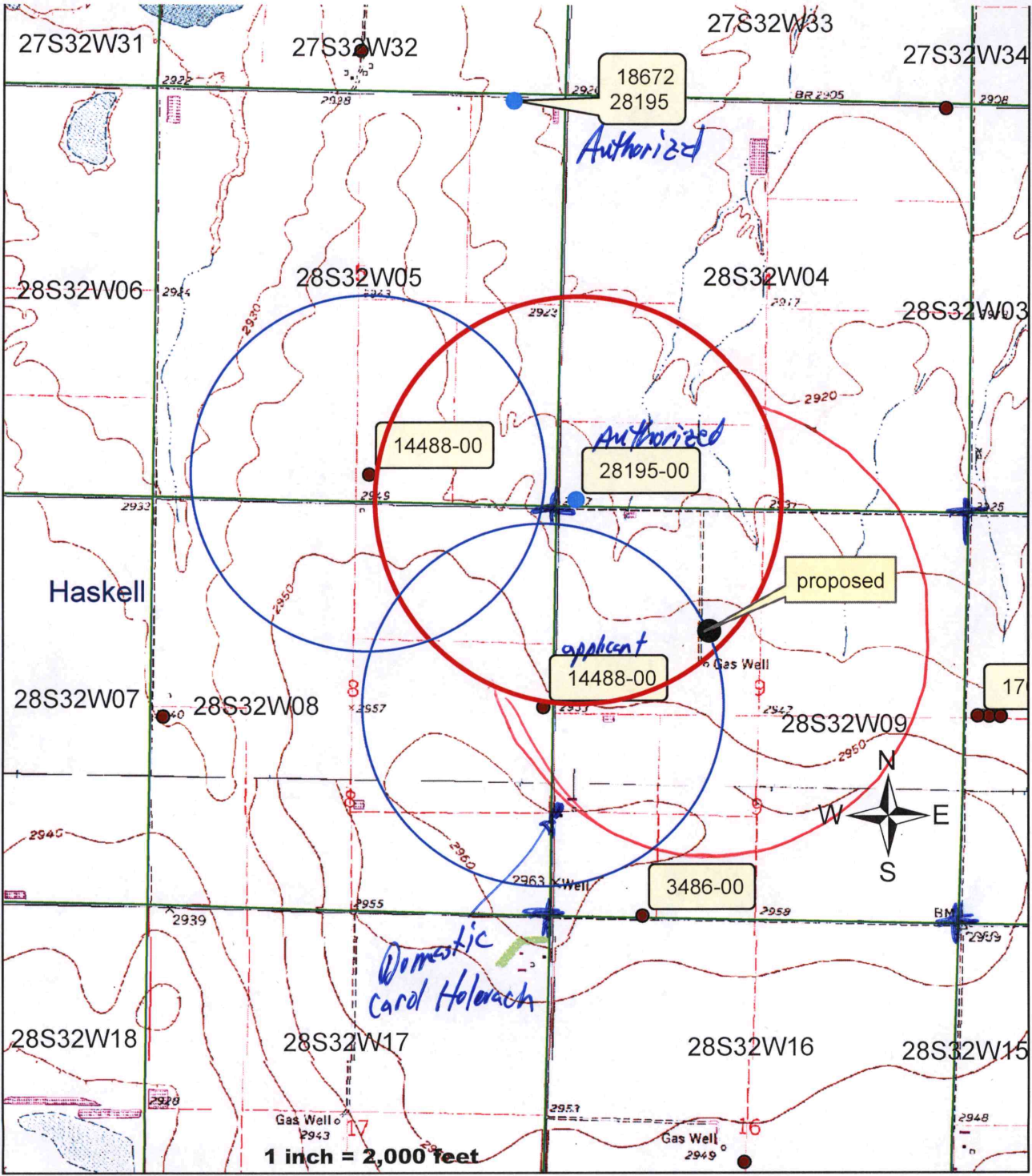
Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (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



R32W

T28  
S



File No. 28195  
 Change Application to Change  
 Point of Diversion

X \_\_\_\_\_  
 No other wells within 1/2 mile

INPUTS		
	Longitude	Latitude
Point 1	-100.834900	37.627780
Point 2	-100.827600	37.630330

*File No.*

*-14488*

*-28195*

Degrees Longitude per Foot 3.45283795E-06

Degrees Latitude per Foot 2.74626757E-06

Distance Between Points (ft) 2309

**Compute Distance Betw**

**Instructions**

1. Enter Longitudes and Latitudes of the two points (both must be in the same datum, NAD27 or NAD83).
2. Click "Compute Distance Between Points" button.

3795 W. Jones Ave.  
Garden City, KS 67846  
PH: 620-277-2389



PO Box 639  
Garden City, KS 67846  
Fax: 620-277-0224

Kenny Cox, 620-272-1671

DEC 21 2018

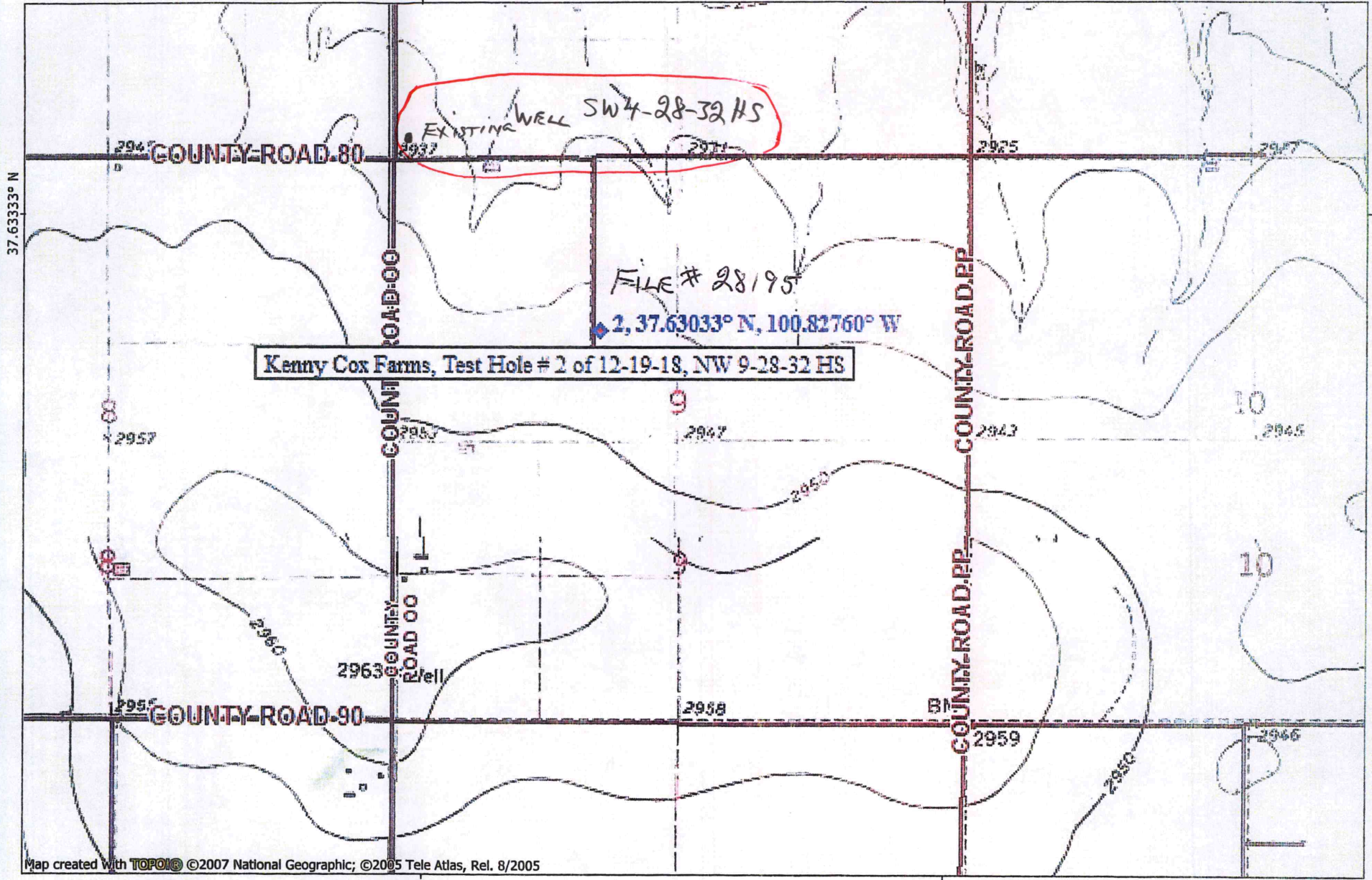
Customer Name: Kenny Cox Farms WO#: 14847 Date: 12-19-18  
 Street Address: 450 US HWY 83 Test #: 2 E LOG: \_\_\_\_\_  
 City, State: SURLETTE, KS 67877 Driller: Dale Guinn  
 County: Haskell Quarter: NW Section: 9 Township: 28 Range: 32  
 Location: \_\_\_\_\_ GPS: N37.63033 W100.82760  
 Rig #: 10002 Elevation: 2942' Static WL: 370' Estimated? \_\_\_\_\_

REPLACES WELL IN SW, SW, SW 4-28-32 HS

Proposed Well Depth 663  
WELL LOCATION 10' SW MP

%	Footage			Description of Strata
	From	Pay	To	
	0		2	Top Soil
	2		28	Brown Sandy Clay
	28		49	Fine Sand
	49		60	Brown Sandy clay
	60		76	Sand fine to med
	76		120	Brown Sandy Clay
	120		157	Sand fine to med course small few med gravel
	157		167	Brown Clay
	167		238	Sand fine to med course small gravel
	238		243	Brown Clay
	243		261	Sand fine to med course small gravel
	261		279	Brown Clay
	279		324	Blue Clay
	324		357	Sand fine to med some course w/some clay stringers
25	357	92	462	Sand fine to med course few small gravel w/few thin clay stringers
10	462	18	480	Fine Sand w/some clay stringers
15	480	21	501	Sand fine to med w/some clay ledges
5	501	19	520	Fine Sand w/many clay stringers & few lime rock strips
	520		540	Brown Sandy Clay w/few sand strips
15	540	14	554	Fine Sand
30	554	21	575	Sand fine to med course w/brown & tan rock
	575		599	Soapstone
	599		630	Shale - Very Hard in places -
5	630	23	653	Soapstone & Sandstone
	653		778	Shale
	778		780	Possible Sandstone - lost circ. -
				Super Gel X - 2
				Grout - 5
				Bent. Plug 3/4 - 6
				Perma Plug - 1
				4 3/4 Drag Blade - 2





Kenny Cox Farms, Test Hole # 2 of 12-19-18, NW 9-28-32 HS

COUNTY ROAD 00

COUNTY ROAD 99

COUNTY ROAD 80

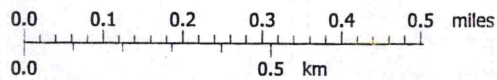
COUNTY ROAD 90

8

9

10

10



Garden City Field Office  
2508 Johns Street  
Garden City, KS 67846-2804



Phone: 620-276-2901  
Fax: 620-276-9315  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Interim Secretary

Laura Kelly, Governor

February 4, 2019

CAROL HOLOVACH  
HC BOX 17  
SUBLETTE KS 67877

RE: Water Right, File No. 28195

Dear Madam:

This is to advise you that Kenny Cox has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to point of diversion under the above referenced application.

You can find the complete application posted by water right file number as referenced above at [www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices)

You are notified on this proposed place of use so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Michael A. Meyer  
Water Commissioner

MAM

Pc:

Groundwater Management District No. 3