## **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.

									NATIONAL PROPERTY OF	Territor Metry triconsis		PERSONAL PROPERTY.							
							File No	o. <u>1105</u>	55					-			R	FCF	EIVED
. A	Application is hereby made for approval of the Chief Engineer to change the (check one or both):																		
						F	Place o	f Use		$\boxtimes$	Point	of Div	ersion					NOV 1	<b>6</b> 2021
uı	nder th	e water	right v	which i	s the s	ubject	of this	applio	cation i	in acco	ordanc	e with	the co	ndition	s desc	cribed	below	7:	45 AM Field Office
T	he soui	rce of s	upply i	S:		$\boxtimes$	Ground	water			Surfa	ce wat	er			D	lvisio	n of Wa	iter Resou
N	ame ar	nd addr	ess of	Applic	ant A	ndy M	oser												
14	118	5 1	and s	Applic	St.	Hug	oten	ks	67	951								-	
P	hone N	lumber:	(620	) 59	14 6	585	Adv. L. Windson		Email	addre	ss: _	am	054	Ksn	(a) 9	mail	. 00	m	
Ν	ame ar	nd addre	ess of	Water	Use C	orresp	onder	t:	ame	_ 4	is e	2600	e						
									F						-	-			
		lumber: sently a	- Charles and a second and a second						Email	addre	SS:								
		f Land -																	
O	WHEIO																		
(If	there is	more th														<del></del>			
				N	Ξ1/4			NV	N½			SV	N <sup>1</sup> / <sub>4</sub>			S	E1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
																-	-		
											-							-	
If	this an	plication	n is for	a cha	nae in	place	of use	it is p	ropose	ed that	the pl	ace of	use be	e chan	aed to				
		f Land -																	
				ESS:			_/												
(If	there is	more th	an one	landov	vner, at	tach ec	ppleme	ental sh	eets as	neces	sary.)								
			NE1/s				NW1/4				SW½			SE1/4			TOTAL		
Sec.	Twp.	Range	NE1/4	DAA4.	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	AONEO
				-							-	-					-	-	
						-				-					-			$\vdash$	
_			<u></u>												L				
													-		1/11				
F	or Offic	ce Use	Only:	Code		Fe	e \$	00	TR	#		Re	ceipt	Date <	176	707	Chec	k# 2	29

				*****			
5.	Presently authoriz						
	One in the	NE	Quarter of the	NW	Quarter of the	NE	Quarter
					South, Range		
					1402 feet West of S		
	Authorized Rate		<ul> <li>Authorized Quantity</li> </ul>		Depth of well	(fee	t)
					feet North		
					No change, point better d		
					ed or if existing point is		
					Quarter of the		
	of Section	. 7	, Township	32	South, Range	36	(W),
	in STEVENS	Cour	nty, Kansas, <u>5220</u>	feet North _	99 feet West of S	Southeast corner	r of section.
	Proposed Rate		Proposed Quantity		Proposed well depth	(feet)	l
	This point is: A	Iditional Well	☐ Geo Center List	other water righ	nts that will use this point		
6.	Presently authoriz	ed point of d	iversion:				
	One in the		Quarter of the		Quarter of the		Quarter
					South, Range		
	in	Cour	nty, Kansas,	feet North	feet West of S	Southeast corner	r of section.
	Authorized Rate		Authorized Quantity		Depth of well	(fee	t)
	(DWR use only: C	omputer ID N	loGi	PS	feet North	feet We	st)
					No change, point better de		
					ed or if existing point is		
					Quarter of the		
					South, Range		
					feet West of S		
	Proposed Rate		Proposed Quantity		Proposed well depth (	feet)	.
					nts that will use this point		
ı							
7.	The changes herein	are desired f	or the following reason	162			
	The ondinged heren	are desired i	9	13 1			
0	(please be specific)	Frence W	wher supply	•	North North	100 200	200
	(please be specific)	Frence W	of original capacit	300	200 100 0	100 200	300
	(please be specific)	Frence W	wher supply	300	200 100 0	The summon	mmq
8.	(please be specific)	2 50%	at original capacit	300	200 100 0	The summon	mmq
	(please be specific)	2 50%	t original capacit	300	200 100 0	The summon	mmq
	(please be specific)	2 50%	t original capacit	300	200 100 0	The summon	mmq
	If a well, is the test h	© 50°% Die log attached (will be) comple	d? \ Yes \ No	300	200 100 0	The summon	mmq
9.	If a well, is the test h  The change(s) (was)	ole log attached	t original capacit	300		The summon	mmq
9.	If a well, is the test h	ole log attached	d? \ Yes \ No	200 100	200 100 0	+   +   +	200
9.	If a well, is the test h  The change(s) (was)	on is a well:	d? ⊠ Yes □ No	200 100	200 100 0	+   +   +	200
9.	If a well, is the test he share of the change (s) (was)  If the point of diversion (a) What are you go	on is a well:	d? ⊠ Yes □ No	200 100	200 100 0	+   +   +	200
9.	If a well, is the test he share of the change (s) (was)  If the point of diversion (a) What are you go	on is a well:	The old well?	200 100 West 0	200 100 0 0 1 1 1 1 1 1 1 1 1 1 1 1 1 1	+   +   +	200
9.	If a well, is the test he share of the change (s) (was)  If the point of diversion (a) What are you go	on is a well:	d? ⊠ Yes □ No	200 100 West 0	200 100 0 0 1 1 1 1 1 1 1 1 1 1 1 1 1 1	+   +   +	200 1 100 1 100 East
9.	If a well, is the test he share the change(s) (was)  If the point of diversion (a) What are you go  Cap  (b) When will this be	on is a well:  a done?after	THE DELL IS 185	200 Lange of 100 L	200 100 0 0 1 1 1 1 1 1 1 1 1 1 1 1 1 1	+   +   +	200 1 100 1 100 1 100
9.	If a well, is the test he share of the change (s) (was)  If the point of diversion (a) What are you go to the change (b) When will this be groundwater Manage.	ole log attached (will be) complete on is a well:  and to do with the done?  After the done?	The old well?	200 Lange of 100 L	200 100 0 0 1 1 1 1 1 1 1 1 1 1 1 1 1 1	+   +   +	200 1 100 1 100 East
9.	If a well, is the test he share the change(s) (was)  If the point of diversion (a) What are you go  Cap  (b) When will this be	ole log attached (will be) complete on is a well:  and to do with the done?  After the done?	THE DELL IS 185	200 Lange of 100 L	200 100 0	+   +   +	200 1 100 1 100 1 100
9.	If a well, is the test he share of the change (s) (was)  If the point of diversion (a) What are you go  Cap  (b) When will this be  Groundwater Manage  Yes	ole log attached (will be) complete on is a well: sing to do with the done?  edone?  No	THE DELL IS 185	200 Lange of 200 L			200 1 100 1 100 1 100 1 100
9. 10. 11.	If a well, is the test he share of the change (s) (was)	on is a well:  a done?  After the complete on its a well:  and the complete on its a well:  and the complete on its a well:  No	the old well?	200   100			200 100 100 100 100 100 100 100 100
9. 10. 11.	If a well, is the test he specific of the state of the st	on is a well:  a done?  with the done?  where the done is a well:  and	The old well?  The self is lest be relocated more than	200 Lange of 200 L	200 100 0	100 200 Scale: 1 hoshman	200 1 100 1 100 200 200 300 1 100
9. 10. 11.	If a well, is the test he share of the change (s) (was)  If a well, is the test he share of the change (s) (was)  If the point of diversion (a) What are you go  Cap  (b) When will this be shared or considered by AJT/GCI  a. If the proposed point feet but within 2,640 are topographic map	cole log attached  (will be) complete  on is a well:  ing to do with the done?  ement District re  No  of diversion will  ing to do with the existing of the existing of the existing of aerial photographic desired.	the old well?  The well is lest ecommendation attached by the relocated more than ing point of diversion, at ograph. For groundw	200   100	200 100 0  The proposed point of diversion adius of the existing point of the existing p	+ + + + + + + + + + + + + + + + + + +	200  100  100  100  100  100  100  100
9. 10. 11.	If a well, is the test he sharper of the change of the sharper of the sharper of the sharper of the sharper of the proposed point feet but within 2,640 a sources, show all we	pole log attached  (will be) complete  on is a well:  ing to do with the  endone?after  Mo  of diversion will feet of the existing or aerial photils (including do	the old well?  The secommendation attached by the relocated more than ing point of diversion, at the company of	West 0  100  100  100  200  100  100  100  1	200 100 0  The proposed point of diversion adius of the existing point of ediagram shown above in	100 200 Scale: 1 hashmar	200  100  100  100  100  100  100  100
9. 10. 11.	If a well, is the test he sharper of the change (s) (was)  The cha	pole log attached  (will be) complete  on is a well:  ing to do with the  edone?	the old well?  The commendation attached by the relocated more than ing point of diversion, attached more than ingraph. For groundwards within one-half and the names and ma	West 0  100  100  100  100  100  100  100	200 100 0	100 200 Scale: 1 hashman will be relocate of diversion, indice relation to the export of diversion multiple (PLEASE NOTE)	200  100  100  100  200  200  200  200
9. 10. 11.	If a well, is the test he the change(s) (was)  If a well, is the test he the change(s) (was)  If the point of diversion (a) What are you go  Cap  (b) When will this be described by AJT/GCI  a. If the proposed point feet but within 2,640 a topographic map sources, show all we of the proposed point addresses of the own names and address	cole log attached  (will be) complete  on is a well:  ing to do with the done?  ement District re  No  of diversion will deet of the existion aerial photols (including dot to foliversion alors). For surfaces of the lasses of t	the old well?  The secommendation attached by the relocated more than ing point of diversion, at the company of	west 0 100 100 100 100 100 100 100 100 100	200 100 0  The proposed point of diversion adius of the existing point of ediagram shown above in	100 200 Scale: 1 hashman mild diversion, indice relation to the experimental form of diversion mildication to the experimental form of the experimental form.	200  100  100  100  200  200  200  200

14. If the proposed groundwater point of diversion is 300 or fewer feet	t from the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently at Yes No (If no, all owners must sign this ap	
<ul> <li>(b) Will the ownership interest of any owner of the currently aut affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this a</li> </ul>	chorized place(s) of use identified in this application be adversely application.)
(c) If this application is not approved expeditiously, will there be s ☐ Yes ☐ No (If no, all owners must sign this ap	
If the application proposes a surface water change in point of diversion or a change in place of use, the application must be signed by all own agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affi age and the owner, the spouse of the owner, or a duly auth their behalf, in regards to the water right(s) to which this a contained in this application are true, correct and complete	orized agent of the owner(s) to make this application or application pertains. I further verify that the statements
Dated at Hujotan Kansas, the	nis 4 day of November 2021.
and m	nmose
Andrew 5 Moser (Please Print)	Mallon (Spouse) (Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas  County of Stuff Shart the foregoing application was signed in	ADRIA KAISER  otary Public State of Kansas  participation my presented, and sworn to before me this day
of	Marka"
My Commission Expires 9 2 2 4	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, accurate information; maps, if necessary, must be included; signatures of all the the appropriate fee must be paid.	all of the applicable portions of the application form must be completed with appropriate owners' must be affixed to the application and notarized; and
FEE SCHE	
Each application to change the place of use or the point of diversion unforth in the schedule below: Make checks payable to: Kansas Depart (1) Application to change a point of diversion 300 feet or less	ment of Agriculture \$100
<ul> <li>(2) Application to change a point of diversion more than 300 fe</li> <li>(3) Application to change the place of use</li> </ul>	

#### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 11055 A change application was received on \_ requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. 

Applicable 

Not Applicable The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. ☐ Applicable ☐ Not Applicable The point(s) of diversion authorized herein shall not actually be located more than \_\_authorized point(s) of diversion. \_\_ Applicable \_\_ Not Applicable As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. 

Applicable Not Applicable 7. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20 , or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.

Applicable 

Not Applicable authorized extension of time. By March 1, 20\_\_\_\_\_, the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.

Applicable 

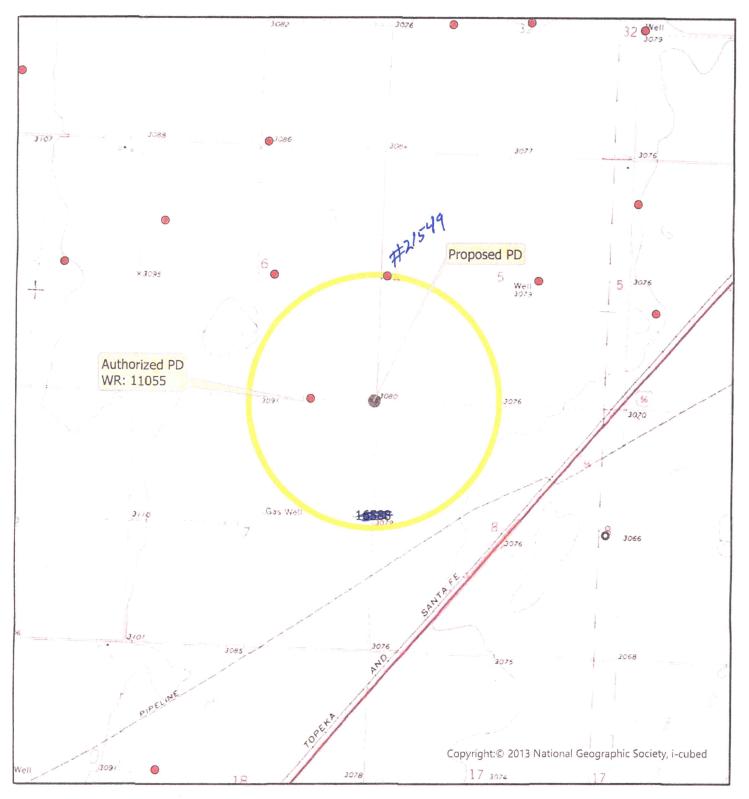
Not Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20 ☐ Applicable The completed well log shall be submitted with the required notice. Applicable ☐ Not Applicable 10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable ☐ Yes 11. Additional Conditions are attached. ☐ No 12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the Kansas Water Appropriation Law and the Rules and Regulations promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law. Administrative Appeal and Effective Date of Order FOR OFFICE USE ONLY APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within 15 days of service of this Order and a request for administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 65502. Failure to timely request a hearing or review may By: \_ Duly Authorized Designee of the Chief Engineer (Print Name): Division of Water Resources - Kansas Department of Agriculture Date of Issuance: \_ 66502. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act. State of Kansas ) SS For Use by Register of Deeds County of \_\_\_ Acknowledged before me on \_\_\_\_ Signature: \_\_\_ Notary Public My commission expires: \_\_\_\_ (Notary Seal)

Page 4

File No.

DWR 1-121 (Revised 09/11/2019)

### CHANGE IN POINT OF DIVERSION 11055



Township 32 South Range 36 West SV County

All wells of any kind within a half mile of the proposed point of diversion are shown: 0 0.13 0.25 0.5 Miles

POINT OF DIVERSION



Garden City Field Office 4532 W. Jones, Suite B Garden City, KS 67846



Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

November 17, 2021

JEFFERY J & JO A COX 1231 ROAD 14 HUGOTON, KS 67951-5109

RE:

Application for Change

Water Right, File No. 11055

Dear Sir:

This is to advise you that Andy Moser has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, for change in 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.

You are notified of this proposed point of diversion (well) 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,

lichael A. Meyer Water Commissioner

MAM

pc: Groundwater Management District No. 3