# Kansas Department of Agriculture Division of Water Resources

### CHANGE: P/D WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
40953	8-17-2022	C1	4	3
6. Status:   ☐ Approved ☐ Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
				8/12/2022
8a. Landowner, applicant, WUC New to system □	Person ID 36096 Add Seq#	8c. Landown New to sy		Person Add Seq#
UNITED STATES OF AMI Attn: USDA FOREST SEI PO BOX 300 ELKHART, KS 67950-030	RVICE			
8b. Landowner(s), New to system □	Person IDAdd Seq#	8d. WUC New to sy	stem	Person IDAdd Seq#
9. Documents and Enclosure(s): 🔲 DV	VR Meter(s) Date to Comp	ly:	N & P Date to	Comply: <u>3/1/2023</u>
Anti-Reverse Meter	Seal	⊠ N & P Form	☐ Water Tube ☐ □	riller Copy
☐ Conservation Plan Date Requir	ed: Da	ite Approved:	Date to	Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: <b>8/12/2</b> Date Entered:	<b>022</b> By: <b>MAM</b> By:

File No. 40953	11. County: N	MT	Bas	sin: CII	MARF	RON R	IVER			St	tream:		-					Fo	rmation Co	de: 113	Special Use:	
12. Points of Diversion CHK MOD															and Qu	uantity zed		A	dditional			
DEL PDIV ENT Qualifier	S	Т	R	ID	ı	N	ʻW		Com	ment	(AKA I	Line)		Rate		Quantit af	у	Rate gpm			Overlap PD Files	
DEL 21560																						
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																			-			
13. Storage: Rate	NI	F	Quan	itity					ac/ft	Ad	ddition	al Rat	e				NF	Addi	tional Quan	tity		_ ac/ft
14. Limitation:																						
Limitation:af/yr atgpm (cfs) when combined with file number(s)																						
15. 5YR Allocation: Allocation	Туре	Star	t Year	-		5 YR	Amou	nt		Amo	unt Ur	nit	_	Base	Acres		_ Co	mment _				
16. Place of Use CHK			NE	1/4			NV	V¹/4			SV	V1/4			S	E1⁄4		Total	Owner	Chg?	Overlap Files	
MOD DEL ENT PUSE S T R	ID	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4					
CHK 26064																						
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,																						
Base Acres: Year: Minimum Reasonable Quantity: Comments:																						

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

August 17, 2022

UNITED STATES OF AMERICA Attn: USDA FOREST SERVICE PO BOX 300 ELKHART, KS 67950-0300

RE:

Field Office Application for Change

Water Right, File No. 40953

Dear Sir:

Enclosed is an order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. Please return the required notification of completion of the diversion works and installation when completed.

Since the order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

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

Sincerely,

Michael A. Meyer / Water Commissioner

MAM: enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

#### **CERTIFICATE OF SERVICE**

On this 17<sup>th</sup> day of August 2022, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 40,953 dated 17<sup>th</sup> day of August 2022 was mailed postage prepaid, first class, US mail to the following:

UNITED STATES OF AMERICA Attn: USDA FOREST SERVICE PO BOX 300 ELKHART, KS 67950-0300

Pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

Division of Water Resources Staff

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

						ı	File No	. 4095	3	apoderesional propagaci								4 AUG	1 2 2022
1.	Applicat	ion is he	ereby r	nade f	or app		of the C		nginee		nange Point			ne or b	oth):		Ga Divis	rden (	City Field Office Water Resource
	under th	a water	right v	vhich i	e the e				ation i					ndition	e daer	rihad			
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	Name a							TES O	F AME	RICA,	Attn:	USDA	FORE	ST SE	RVIC	=			
	Phone N	lumber:	(	)					Email	addre	ss:								
	Name a	nd addr	ess of	Water	Use C	orresp	onder	it: <u>Sar</u>	ne	1									
	Phone N	lumber:	(	)					Email	addre	ss:								
	The pres																		
	Owner o																		
			ADDR																
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	R 1-121 (R									Page 1									), 40953

5.	Presently authorized po					
	One in theNW	Quarter of the	NE	Quarter of the	NE	Quarter
	of Section21	, Township	34	South, Range	43	W,
		County, Kansas,5000				
	Authorized Rate NO ch	ange Authorized Quantity	No change	Depth of well	62 (f	eet)
1		ter ID No. 4 G				
		nged  This point will be chang				
	Proposed point of diver	sion: (Complete only if char	nge is requeste	d or if existing point is	better descri	bed by GPS)
	One in theSE	Quarter of the	SE	Quarter of the	SE	Quarter
- 1		Township				
		County, Kansas, 147				
		ange Proposed Quantity				
	This point is: Additiona	al Well Geo Center List	other water righ	its that will use this point	t	
L				/		
a [	Presently authorized po	int of diversion:	***********************************			
٠.		Quarter of the		Quarter of the		Quarter
	of Section	, Township		South Range		(E/W)
	in	County, Kansas,	feet North	feet West of	Southeast corr	ner of section.
	Authorized Rate	Authorized Quantity		Depth of well	(fe	eet)
	(DWR use only: Compu	Authorized Quantity ter ID No G	PS	feet North	feet V	lest)
	This point will not be char	nged This point will be chang	ged as follows:	No change, point better d	lescribed with G	PS as follows:
		sion: (Complete only if char				
		Quarter of the				
	of Section	, Township		South Range		(E/W)
	in	County, Kansas,	feet North	feet West of	Southeast corr	er of section.
	Proposed Rate	Proposed Quantity		Proposed well depth	(feet)	
		al Well Geo Center List				
L	Samuel Section 1	Income of the control				
7.	The changes herein are of	lesired for the following reaso	ns?			
	(please be specific) Correc	ting location of the existing		North	1	
	point of diversion		- F1	200 100 0	100 200	) 300 TTTTTT
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8.	If a well, is the test hole log	attached? Yes No	200	I I I I I I	1 1 ( 1	= = = = = = = = = = = = = = = = = = = =
			200 E	-1+1+1=	1. + 1. +	200
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	As soon as approved		100	-   +   +   =	1+1+	1-= 100
	(for the form of the form)		E_			
10.	If the point of diversion is a		E	=	r	=
	(a) What are you going to	do with the old well?	West U	+1)1111   1111	i i li i i i li i i li i i li i i li	East
	No old well				-	
		?	100	-   +   +   =	1 + 1 +	1 = 100
	(b) When will this be done					
11	CraundwaterManagement	District recommendation attache	200 =	<del>-</del> <del>-</del> <del>-</del> <del>-</del> <del>-</del> <del>-</del> <del>-</del> <del>-</del> <del>-</del>	T -1- t -1-	1 = 200
11.	Yes		ed? 200 E			= 200
		140	E		1 1	$\equiv$
12.	Assisted by mdf/GCFO					
			300		100 200 Scale: 1 hashn	300 nark=10 ft
13a	.If the proposed point of dive feet but within 2 640 feet of	rsion will be relocated <u>more thar</u> the existing point of diversion, a	<u>1300</u> ttach 13b lf the i	proposed point of diversion	n will be relocate	ed within 300 feet
	a topographic map or ae	rial photograph. For groundy	water of the	existing point of diversi	ion, indicate its	location on the
	sources, show all wells (inc	luding domestic) within one-half version and the names and ma	mile diagra	am shown above in rel	ation to the e	xisting point of
	addresses of the owners.	For surface water sources, show	w the above	ion. (PLEASE NOTE: represents the pre	sently author	ized point of
	names and addresses of	f the landowner(s) one-half	mile divers		,	4.
	lines	mile upstream from your pro	heira			

14. If the proposed groundwater point of div	ersion is 300 or fewer feet from the	existing point of diversion, complete	e the following:
(a) Does the undersigned represent all ☐ Yes ☐ No (If no, all	owners of the currently authorized lowners must sign this application.		olication?
(b) Will the ownership interest of any of affected if this application is approved  ☐ Yes ☐ No (If yes, a			dication be adversely
(c) If this application is not approved ex Yes No (If no, al	xpeditiously, will there be substanti I owners must sign this application		or safety?
If the application proposes a surface water cor a change in place of use, the application ragent (attach notarized statement authorizing	nust be signed by all owners of the		
I hereby verify, being first duly sworn age and the owner, the spouse of the their behalf, in regards to the water r contained in this application are true,	owner, or a duly authorized a right(s) to which this applicate correct and complete.	agent of the owner(s) to make ion pertains. I further verify t	this application on hat the statements
Dated at PUEBLO	, Colorado, this 2	ST day of JULY	, 2022
Dated at PUEBLO  - Wiana M. Trujil  (Owner)	l <sub>er</sub>		
Diana M. Trujillo		(Spouse)	
(Please Print)		(Please Print)	
(Owner)		(Spouse)	
(Please Print)		(Please Print)	
(Owner)		(Spouse)	
		LAWLESS	
(Please Print)  State of Colorado	STATE OF NOTARY ID 2	Y PUBLIC (Please Print) COLORADO 20214011506 PRES MARCH 23, 2025	
County of Pueblo }			ne this 21 day
of July , 20 2 2	10	iled, Cerula	
My Commission Expires March 23	2025	Notary Public	
ONLY COMPLETE APPLICATIONS WILL BE PRO accurate information; maps, if necessary, must be the appropriate fee must be paid.	OCESSED. To be complete, all of the included; signatures of all the appropri	applicable portions of the application forr ate owners' must be affixed to the applic	n must be completed with ation and notarized; and
Each application to change the place of use forth in the schedule below: Make checks pa	ayable to: Kansas Department of	Agriculture	
<ul><li>(1) Application to change a point of</li><li>(2) Application to change a point of</li><li>(3) Application to change the place</li></ul>	diversion more than 300 feet		\$200
DWR 1-121 (Revised 04/5/2018)	Page 3		File No. <u>40953</u>

#### 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. seg., 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. 40953 A change application was received on AUGUST 12, 2022 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 change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a <u>50</u> radius of the authorized point(s) of diversion. 

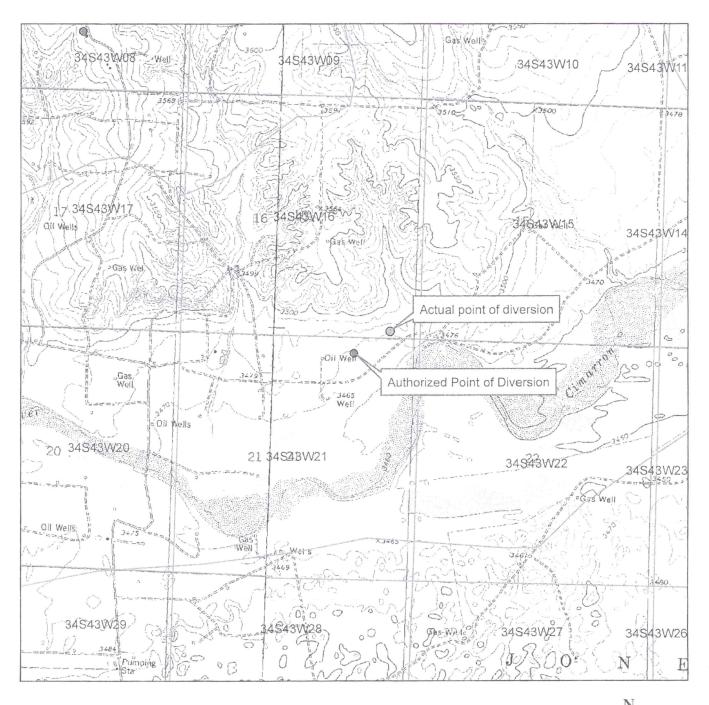
Applicable 

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 feet from the previously 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 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. Not Applicable Applicable Installation of the works for diversion of water shall be completed on or before December 31, 2022, or within any authorized extension of time. By March 1, 2023 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 9. 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 11. Additional Conditions are attached. ☐ Yes ⊠ 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 Agriculture. A request for hearing by the Chief Engineer must be filed within 15 days of service of this Order and a request for Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 (Print Name): MICHAEL A. MEYER 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. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Date of Issuance: Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Acknowledged before me on Signature: agn Notary Public JULIE JONES NOTARY My commission expires: My Appointment Expires PUBLIC (Notareye Siesali)5, 2022

# Change in point of diversion for water right 40953





Proposed point of diversion



All wells within 1/2 mile are on this map.

× Deana M. Trujillo

			WAI	EH WELL HECCHU	Form www-5	KSA 82	a-1212		
LOCATI	ON OF WAT	ER WELL:	Fraction			ion Number		Number	Range Number
	Morton			1/4 NE 1/4 NW	14	2 1	т 34	S	R 43 EW
Distance a	and direction 5 miles	from nearest too north 5½	wn or city street west of E	address of well if located Lkhart, Kansas	d within city?				
WATER	R WELL OW	NER: US	SDA Forest	Service					
_	Address, Box		imarron Na	tional Grasslan	d		Board (	of Agriculture. (	Division of Water Resources
	, ZIP Code			Elkhart, Kansa				ition Number:	
AN "X"	IN SECTION	BOX:							
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M .	1	E							. to
2	-	!			5 Public water			ning 11	•
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	S		mitted				ater Well Disinfe		
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1_St		3 RMP (S	R)	6 Asbestos-Cement	9 Other (		ow) rive		ed
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	ontinuous slot		Mill slot		wrapped		9 Drilled hol		
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and and a second									ft. toft.
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	from well?	0, 111,00 0 000	bago pit	o i coayara			any feet?		
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18	32			e sand & gravel					
32	60	Sandy cla	ay w/fine	to medium sand					
60	75	Red bed						in the second	
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							L		
7 CONT	RACTOR'S	OR LANDOWNE	R'S CERTIFICA	TION: This water well w	as (1) construc	cted, (2) red	constructed, or (	(3) plugged und	der my jurisdiction and was
									nowledge and belief. Kansas
				This Water W					
	business na			Drilling Co.		by (sign		2. Bear	
INSTRU	JCTIONS: Use tv			S FIRMLY and PRINT clearly. Ple	ase fill in blanks. u			ers. Send top three	copies to Kansas Department
of Heal	th and Environm	ent, Bureau of Water	r, Topeka, Kansas 66	620-0001. Telephone: 913-296-5	545. Send one to	WATER WELL	OWNER and retain of	one for your records	S.



## Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street Garden City, Kansas 67846

(620) 275-7147 phone www.gmd3.org

August 16, 2022

Mike A Meyer Division of Water Resources 4532 W Jones Ave., Suite B Garden City, Kansas 67846

RE:

Application for Change in Point of Diversion

Water Right, File No. 40953

Dear Mike:

We have completed a review of the application for the above referenced water right. The proposed changed in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to minimum spacing to neighboring wells and distance moved.

Well evaluations were not conducted for this application. There is no new well being proposed. This application is needed to accurately correct the location of the well has always been used. We found no neighboring wells in the area that needed an analysis on we such a small authority that we are dealing with on this water right. Therefore, GMD3 sees this move as meeting current rules and would recommend approval of the applications.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

Jason L. Norquest Assistant Manager

RECEIVED

Garden City Field Office Division of Water Resources

# GMD3 Change Review

File No(s).: 4095	53.	]	DWR office: _GC.								
App filed to change: PD (Correction of current PD).											
Is Landowner(s) correct in WRIS: <u>USDA Forest Service</u> .											
If NO, is documentation included?											
Is Water Use Correspondent correct in WRIS?											
If NO, is documentation included?											
Regulation(s) Reviewed: KAR 5-23-3											
Point of diversion	ID No(s) b	eing change	d.								
	ft. North	ft. West									
Authorized PD	5000	1300	Sect 21-34-43								
Proposed PD	147	490	Sect 16-34-43								
Difference	427	810									
a2 + b2 = c2	182329	656100	915.6577 foot correction								
GPS for proposed		<u> </u>	_								
Is proposed PD sta											
Is Proposed PU ov	erlapping exis	ting WRs?	No Change .								
Neighboring certif	fied well(s) not	ified:									
Name											
Address											
Zip											
Email: Pho	one:										
Domestic well(s)	notified:										
Name											
Address											
Zip											
Base Acres:											
Perfected Acres:	<u>_</u> .										
Irr. Return-Flow _	%										
Authorized 0.012	AF @ 8gpm,	domestic use									
Application is con	rrect the locat	ion of the wo	ell.								
This is not a redr	ill or new well	l, simply mo	re accurately locating the PD.								
Is a waiver needed	l: Properly mo	ore accurately	y describing the location for the	PD. No							
neighboring wells	in area, so mir	nimum well s	pacing is met.								
Recommendation:	Recommendation: After review available information, current area rules are met. Staff										
recommends appro											

AM

Water Rights and Points of Diversion Within 1 mile of point defined as: 147 Feet N and 490 Feet W of the Southeast Corner of Section 16 Twp 34S Rng 43W Located at: 101.991599 West Longitude and 37.083281 North Latitude Both SURFACE WATER and GROUNDWATER File Number Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth\_Quan Add\_Quan Unit 40953 00 DOM NK G\* 937 -- NW NE NE 5000 1300 21 34 43W 4 AF Total Net Quantities Authorized: Direct Storage Total Requested Amount (AF) = .00 Total Permitted Amount (AF) = .00 .00 .00 .00 Total Inspected Amount (AF) = Total Pro\_Cert Amount (AF) = Total Certified Amount (AF) = .01 Total Vested Amount (AF) = .00 (AF) = TOTAL AMOUNT .01 .00 An \* after the source of supply indicates a pending application for change under the file number. An  $\star$  after the ID indicates a 15 AF exemption was granted under the file number. A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the The number in the Batt column is the number of wells in the battery. Water Rights and Points of Diversion Within 1 mile of point defined as: 147 Feet North and 490 Feet West of the Southeast Corner of Section 16 Twp 34S Rng 43W Located at: 101.991599 West Longitude and 37.083281 North Latitude Both SURFACE WATER and GROUNDWATER WATER USE CORRESPONDENTS: File Number Use ST SR > UNITED STATES OF AMERICA

- USDA FOREST SERVICE
- > PO BOX 300
- > ELKHART KS 67950

No other wells in Area

RECEIVED

AUG 16 2022

Garden City Field Office Division of Water Resources 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

August 14, 2022

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 3 2009 E SPRUCE ST GARDEN CITY KS 67846

Re:

Request for Recommendation Water Right, File No. 40953

Dear Mr. Norquest:

This is to advise you that the Forest Service filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion. The applications meet all rules and regulations.

We are delaying action on the change applications to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,

Michael A. Meyer

Water Commissioner

MAM Enclosures