

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.

File No. 14982

RECEIVED
 3:46 pm
 APR 18 2023

Garden City Field Office
 Division of Water Resources

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: ONDRE V REXFORD
2206 9 RD, MONTEZUMA, KS 67867

Phone Number: (620)640-3984 Email address: _____

Name and address of Water Use Correspondent: Same

Phone Number: () _____ Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: Same

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	
17	30	29W	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	480

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: Same

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	
17	30	29W	32	32	32	32	32	32	32	32	32	32	32	32	32	32	32	32	384
22	30	30W					32	32	32	32									128
15	30	30W									32	32	32	32					128

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 4-18-23 Check # 1112

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of the _____
 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 the _____
 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 _____ Quarter of the _____ Quarter of the _____ Quarter of the _____
 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 the _____
 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) More efficient use of irrigation
resources

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

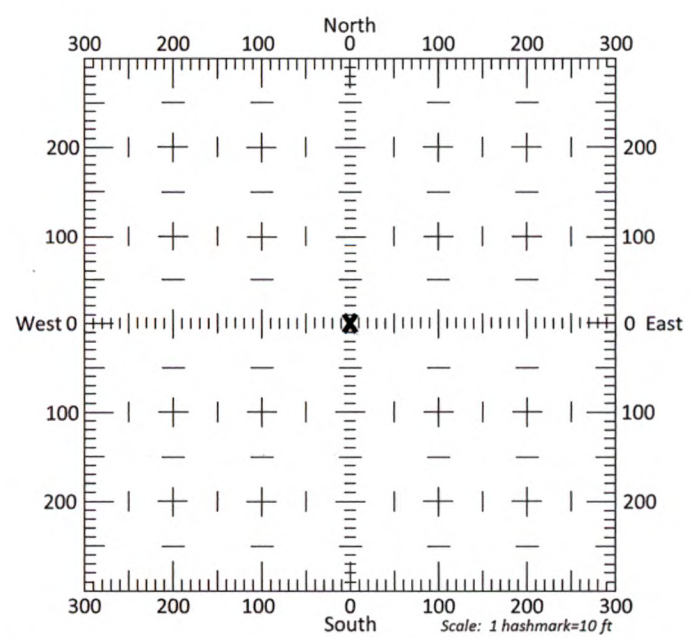
9. The change(s) (was)(will be) completed by?
As soon as approved

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

11. Groundwater Management District recommendation attached?
 Yes No

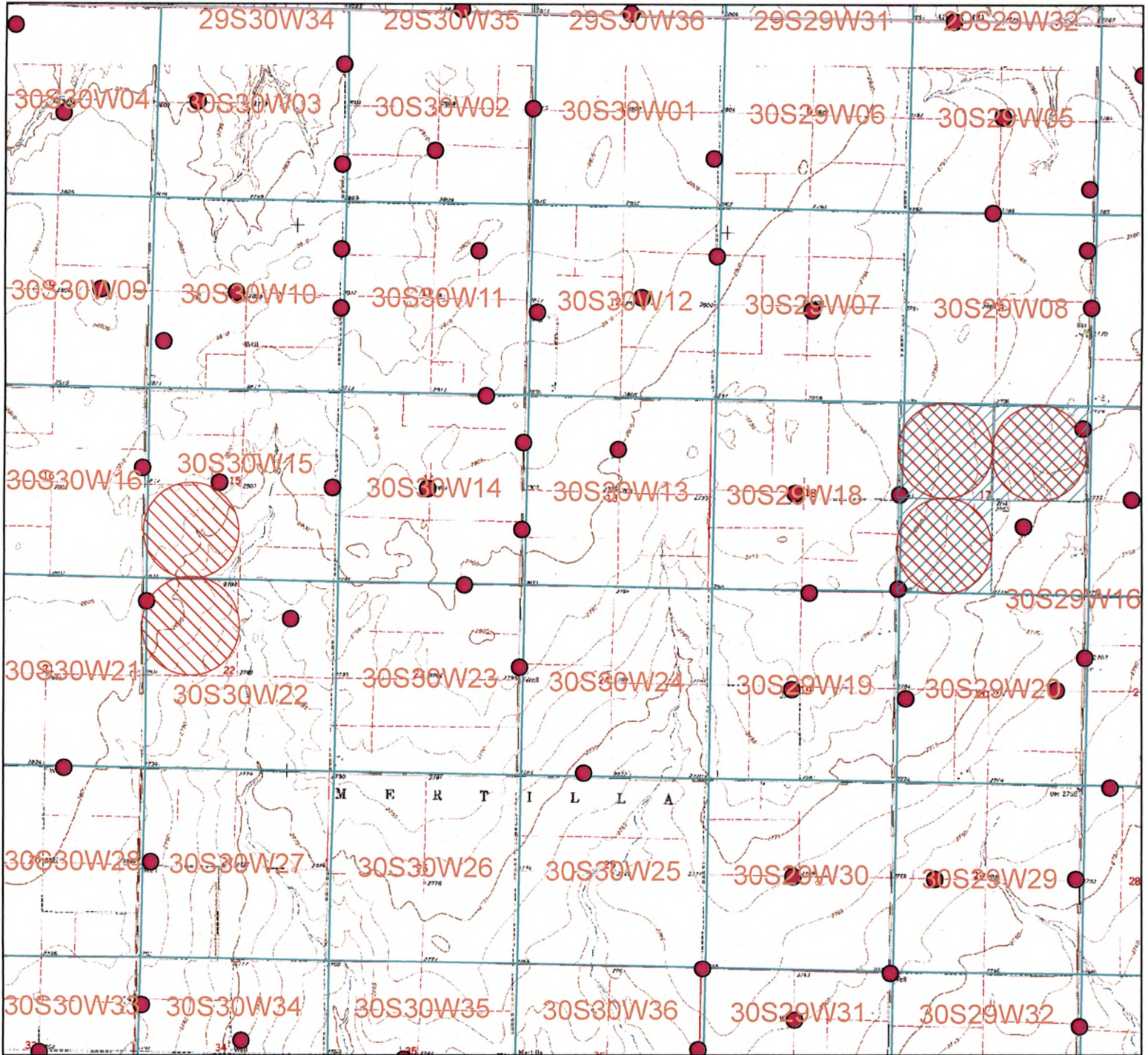
12. Assisted by mdf/GCFO

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.)

Change in Place of Use for water right 14982



● Authorized point of diversion

⊘ Authorized place of use

⊘ Proposed place of use

1:48,000

0 0.2 0.4 0.8 1.2 1.6 Miles



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

X _____

Meade County Public Works
PO Box 604
200 N. Fowler
Meade, KS 67864
Phone: 620-873-8721 FAX 620-873-8724

COPY

Meade County, Kansas
Application No. 4-4-23

APPLICATION FOR APPROVAL OF TEMPORARY OR PERMANENT
CONSTRUCTION ON, UNDER, OR ABOVE COUNTY RIGHT-OF-WAY
AND OCCUPANTS' AGREEMENTS

RECEIVED

APR 17 2023

Garden City Field Office
Division of Water Resources

Applicant:

Andre Rexford

Name of Applicant

2206 9th Montezuma, KS 67867

Address

Andre Rexford

And

Authorized Contact Name

Title

620-640-3984

Telephone Number

Fax Number

Established under the laws of the State of Kansas with its principal place of business in

Meade
City

Kansas
State

COUNTY BOARD OF COMMISSIONERS:

Approval is hereby requested for construction of: irrigation underground line easement to
satisfy the Kansas Water Board to move allotment only from 17-30-29 SW to 15-30-30 NW

said work is located on public right-of-way in, upon or along Meade County road name: D C

Mile Number 84 or located along or crossing Section 10, 13 Township 30 Range 29 East 1/2 Sec

To and Section NW 15 Township 30 Range: 30 in Meade County, Kansas.

(Describe fully work contemplated. Location of proposed construction shall be shown on a County map and attached to each application).

Resolution 6-1-12-1

AGREEMENTS: The Applicant agrees that the following stipulations as adopted by the board of County Commissioners of Meade County, Kansas, Resolution Number 6-1-12-1 dated June 1, 2012 shall govern this permit:

Section 1. Definitions. (a) "Public right-of-way" means only the area of real property in which the County has a dedicated or acquired right-of-way interest in the real property. It shall include the area on, below, or above the present and future streets, alleys, avenues, roads, highways, parkways or boulevards dedicated or acquired as right-of-way. The term does not include the airwaves above a right-of-way with regard to wireless telecommunications or other non-wire telecommunications or broadcast service, easements obtained by utilities or private easements in platted subdivisions or tracts.

(b) "Occupant" means any person, firm, corporation, association, utility, entity or agent, which enters upon the right-of-way of the County, or in any manner establish a physical presence on, upon, in or over the right-of-way of the County for the purpose of installing, construction, maintaining or operating lines, conduits, wires, fiber optic wires, cables, pipes, pipelines, poles, towers, vaults or appliances, or related facilities or appurtenances thereto.

Section 2. Authorization From County Required. (a) No person, firm, corporation, association, utility, entity, agent, contractors or subcontractors shall enter upon the right-of-way of the County or in any manner establish a physical presence on, upon, in or over the right-of-way of the County, for the purpose of installing, construction, maintaining or operating lines, conduits, wires, fiber optic wires, cables, pipes, pipelines, poles, towers, vaults or appliances or related facilities or appurtenances thereto, without the express written permission of the County. The permission of the County may be granted by a franchise agreement or by such other agreement as the governing body determines best protects the public interest in the right-of-way.

(b) Nothing in this permit shall be interpreted as granting an occupant the authority to construct, maintain or operate any facility or related appurtenance on property owned by the County outside of the public right-of-way.

(c) The County shall process each valid and administratively complete application for use of the right-of-way within 30 days.

(d) The only crossings allowed on County roads will be by boring. Trenching without written approval from the County is forbidden as a method of crossing County roads.

(e) Permit rules and regulations are not applicable to non- commercial agricultural uses and activities.

Section 3. Health, Safety and Welfare Regulations. The authority of a provider to use and occupy the public right-of-way shall always be subject and subordinate to the reasonable public health, safety and welfare requirements and regulations of the County.

Section 4. Specific Portions of Right-of-Way Restricted. (a) The County hereby prohibits the use or occupation of the following specific portions of public right-of-way: None

(b) If the County denies a request to use or occupy a specific portion of the public right-of-way, the requester shall be served a notice of such denial by first class mail. The notice shall indicate that the requester shall have 10 days from the date of receipt of the notice to request a public hearing by the County governing body concerning the denial. Failure to make a timely request for a hearing shall constitute a waiver of the person's right to contest the denial before the governing body. The hearing shall be held by the governing body within 30 days after the filing of the request therefore, and the potential occupant shall be advised by the County of the time and place of the hearing. Following the public hearing, if the County governing body denies a potential occupant's request to use or occupy a specific portion of the public right-of-way, such determination may be appealed to district court.

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Garden City Field Office
Division of Water Resources

APR 17 2023

Resolution 6-1-12-1

Garden City Field Office
Division of Water Resources

Section 5. Compliance with Manual on Uniform Traffic Control Devices. Any occupant of the public right-of-way shall comply with the provisions from the most current edition of the Manual on Uniform Traffic Control Devices (MUTCD) adopted by the Kansas Department of Transportation, which is incorporated herein by reference as if fully set forth herein.

Section 6. Emergencies. If there is an emergency necessitating response work or repair, any occupant, which has been granted permission to occupy the public right-of-way may begin that repair or emergency response work or take any action required under the circumstances, provided that the occupant notifies the County within twenty-four (24) hours after beginning the work and timely thereafter meets any permit or other requirement had there not been such an emergency.

Section 7. Repair. Any occupant of the public right-of-way is hereby required to repair all damage to a public right-of-way caused by the activities of that occupant, or of any agent affiliate, employee, or subcontractor of that occupant, while occupying, installing, repairing or maintaining facilities in a public right-of-way and to return the right-of-way to its functional equivalent before the damage pursuant to the reasonable requirements and specifications of the County. If the occupant fails to make the repairs required by the County, the County may affect those repairs and charge the occupant the cost of those repairs. **It is the goal to restore the road to its original condition or better.**

Section 8. Relocation. Whenever requested by the County, in order to accomplish construction and maintenance activities directly related to improvements for the health, safety and welfare of the public, an occupant promptly shall remove its facilities from the public right-of-way or shall relocate or adjust its facilities within the public right-of-way at no cost to the County. Such relocation or adjustment shall be completed as soon as reasonably possible within the time set forth in any request by the County for such relocation or adjustment. Any damages suffered by the County or its contractors as a result of such occupant's failure to timely relocate or adjust its facilities shall be borne by such occupant.

Section 9. The following fees shall be assessed against occupants of the public right-of-way.

(a) A permit fee of \$100.00

(b) An excavation fee of \$100.00 for each street or pavement done by boring

(c) An inspection fee of \$100.00

(d) A permit fee of \$100.00 for any equipment in the right-of-way

(e) Repair and restoration costs associated with repairing and restoring the public right-of-way because of damage caused by the provider, its assigns, contractors and/or subcontractors in the right-of-way and for all damages caused by or arising from the occupant's operations on the easements.

(f) A performance bond, in a form acceptable to the County, from a surety licensed to conduct surety business in the state of Kansas, insuring appropriate and timely performance in the construction and maintenance of facilities located in the public right-of-way.

Section 10. Indemnity. (a) Occupants shall indemnify and hold the County and its officers and employees harmless against any and all claims, lawsuits, judgments, costs, liens, losses, expenses, fees (including reasonable attorney fees and costs of defense), proceedings, actions, demands, causes of action, liability and suits of any kind and nature, including personal or bodily injury (including death), property damage or other

Meade County Road Permit

Resolution 6-1-12-1

harm for which recovery of damages is sought, to the extent that it is found by a court of competent jurisdiction to be caused by the negligence of the occupant, any agent, officer, director, representative, employee, affiliate or subcontractor of the provider, or their respective officers, agents, employees, directors or representatives, while installing, repairing or maintaining facilities in a public right-of-way.

(b) The indemnity provided by this subsection does not apply to any liability resulting from the negligence of the County, its officers, employees, contractors or subcontractors. If an occupant and the County are found jointly liable by a court of competent jurisdiction, liability shall be apportioned comparatively in accordance with the laws of the state without, however, waiving any governmental immunity available to the County under state law and without waiving any defenses of the parties under state or federal law.

(c) This section is solely for the benefit of the county and occupant and does not create or grant any rights, contractual or otherwise, to any other person or entity.

Section 11. Claim Notification. An occupant shall promptly advise the other in writing of any known claim or demand against the provider or the County related to or arising out of the occupant's activities in a public right-of-way.

Section 12. Penalty Provision. Any occupant, contractor or subcontractor or subcontractor thereof, violating any provision of this resolution shall be guilty of a County Resolution offense, and shall upon conviction be subject to a maximum fine of \$500.00. Each day of violation shall constitute a separate and distinct offense.

Section 13. This resolution incorporates and adopts herein the construction requirements and procedures for installation of utilities and pipelines in the public rights-of-way of Meade County, Kansas. Such construction requirements shall be available during regular business hours from the office of the Meade County Public Works.

Further Agreements.

1. FUTURE ADJUSTMENTS: The Applicant will at any time subsequent to construction and, at their own expense, relay, reconstruct or encase their lines as may become necessary to conform to new grades, alignment or widening right-of-way, resulting from maintenance or construction operations by the County irrespective of whether or not additional right-of-way is acquired in connection with such highway improvement. The Applicant agrees to do this promptly on order by the County and without cost to the County. If the Applicant is unable to comply promptly, the County may cause the work to be done, and the Applicant will pay the cost thereof upon receipt of statement.

The County will endeavor to give the Applicant sufficient notice of any proposed construction or maintenance work, on either existing or newly acquired right-of-way that is likely to expose, cover up, or disturb any cables or pipe line belonging to the Applicant, in order that the Applicant may arrange to protect his lines. The County will inform contractors, and others working on the job, of the location of the lines so that reasonable care may be taken to avoid damaging the lines. The County assumes no responsibility, however for failure to give such notice.

2. NOTICE OF INTENT: The Applicant agrees to give the County at least **seven (7) working days** notice of its intention to begin construction on public road right-of-way.
3. MATERIALS AND METHODS: Cables, pipelines and casing pipes in County right-of-way shall be installed with a minimum forty-eight (48) inches of cover material at all locations and located as close to back-slope of ditch as allowed. Cables or pipelines crossing paved roads shall be constructed as follows: Pipelines having an inside diameter of more than 2" which cross under the roadway shall be

Resolution 6-1-12-1

placed in casings so that the pipe may be removed for repair without disturbing the sub grade. The casing shall be of adequate strength to support legal loads and adequate length to extend 2' beyond each edge of the surfaced roadway. Cable casings may be placed through the sub grade by jacking or by boring a hole just large enough to take the line; or, if the County Road Superintendent approves, a tunnel may be dug through, and the cable placed therein. Marker posts or delineators shall be installed over cables, pipelines and casing pipes where they enter or leave County right-of-way and at a maximum interval of ¼ mile where cable or pipelines are located within County right-of-way.

4. PLANS: The Applicant shall furnish two (2) sets of comprehensive plans or sketches, 8 ½" x 11" or larger, of the proposed work. Plans must include a description of the size, type, and method of installation for the proposed facilities to be located within county right-of-way, and adequate sketches to indicate the location of the proposed installation with respect to the traveled way of public roads and right-of-way lines. Applicant shall notify 1-800-DIG-SAFE before beginning construction and shall endeavor to locate all existing underground utilities within the limits of construction activities pursuant to this application.
5. INDEMNITY: The Applicant shall hold the County harmless from any damages done to its power lines, underground lines, pipelines and appurtenance in the course of constructing, repairing and maintaining the public road or the County right-of-way.
6. INSURANCE: The Applicant shall provide insurance and shall furnish a Certificate of Insurance indicating the following coverage:
 - a. Comprehensive Liability: Bodily injury and property damage for which the Contractor is responsible with limits of \$250,000 per person and \$300,000 per occurrence
 - b. Worker's Compensations: \$100,000 to cover claims of the Contractor and the contractor's employees.
7. INITIATION AND COMPLETION OF WORK: The Applicant shall notify the County Road Superintendent at 620-873-8721 before work is initiated and again when the work is completed. An approved signed copy of the Permit shall be on the premises before and during the period any work is performed. All work, including restoration of right-of-way, shall be completed within 120 calendar days of APPROVAL DATE, otherwise this Permit is rescinded. If work has not been started within the completion time, this Permit becomes null and void.
8. PENALTY FOR NON-COMPLIANCE: Should the Applicant not comply with all terms, conditions and stipulations of this Permit, the Permit becomes null and void and the Applicant shall cease activity in County right-of-way and a \$500 fine, per incident, shall apply.

RECEIVED

APR 17 2023

Garden City Field Office
Division of Water Resources

Resolution 6-1-12-1

The provisions of this application are hereby accepted and its provisions agreed to.

Andre Weis
Name of Applicant

2206 9th Montgomery, K 67867
Applicant's Address

Dated

Agent's Signature (Upon signing, I hereby certify that I am authorized to execute this binding Permit Request and Occupants Agreement as afforded unto me.)

Agent's Printed Name

Agent's Phone Number

Please make check out for appropriate amount (see box checked on page 3) made payable to: Meade County Public Works; and return with your completed application.

RECOMMENDED FOR APPROVAL:

By: _____ Dated _____
Meade County Road Superintendent
(In the absence of the Meade County Road Superintendent; this permit may be signed by....)

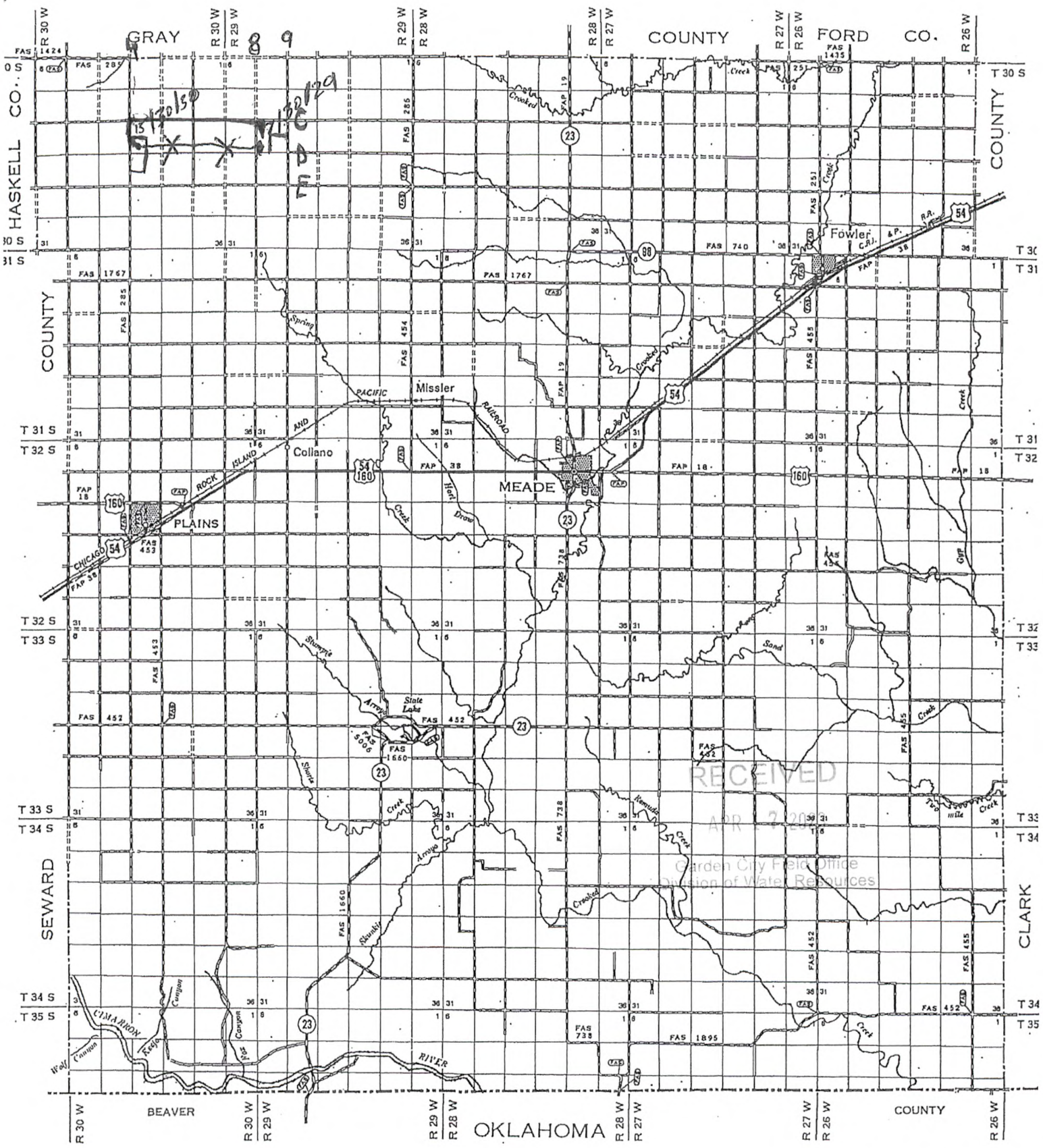
APPROVAL BY BOARD OF COUNTY COMMISSIONERS:

By: Anna Frydendall 4-17-23
Chairman Dated

Attest: James Dale
Meade County Clerk

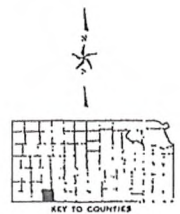
Meade County Road Permit

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Garden City Field Office
Division of Water Resources



LEGEND

ROADS AND ROADWAY FEATURES		ROAD SYSTEM DESIGNATION	
PRIMITIVE ROAD	.....	FEDERAL-AID INTERSTATE HIGHWAY SYSTEM	.....
UNIMPROVED ROAD	.....	FEDERAL-AID PRIMARY HIGHWAY SYSTEM	.....
GRADED AND DRAINED ROAD	.....	FEDERAL-AID SECONDARY HIGHWAY SYSTEM	.....
SOIL SURFACED ROAD	.....	INTERSTATE NUMBERED HIGHWAY	.....
GRAVEL OR STONE ROAD	.....	U S NUMBERED HIGHWAY	.....
NOT GRADED OR DRAINED	.....	STATE HIGHWAY SYSTEM OR	.....
GRAVEL OR STONE ROAD	.....	STATE NUMBERED HIGHWAY	.....
GRADED AND DRAINED	.....	END OF DESIGNATED SYSTEM OR	.....
GRAVEL OR STONE ROAD WITH	.....	MARKED ROUTE	.....
STABILIZED SURFACE	.....	
BITUMINOUS ROAD-LOW TYPE	.....	
PAVED ROAD	.....	
DIVIDED HIGHWAY	.....	
HIGHWAY WITH FULL CONTROL OF	.....	
ACCESS AND INTERCHANGE	.....	



**GENERAL HIGHWAY MAP
MEADE COUNTY
KANSAS**

PREPARED BY THE
KANSAS DEPARTMENT OF TRANSPORTATION
PLANNING AND DEVELOPMENT DEPARTMENT
IN COOPERATION WITH THE
U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

SCALE
1979

FAS SYSTEM REVISED TO OCT. 1, 1981

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

April 19, 2023

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

Re: Request for Recommendation
Water Right, File Nos. 14982, 19565, 22958, 27206

Dear Mr. Norquest:

This is to advise you Ondre Rexford has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use.

We are delaying action on the change application 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,

A handwritten signature in blue ink that reads "Michael A. Meyer". The signature is fluid and cursive.

Michael A. Meyer
Water Commissioner

MAM
Enclosures

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

April 19, 2023

G & J FUND
Attn: JEFF UNRUH
3051 A RD
COPELAND, KS 67837-0125

Re: Water Right, File Nos. 14982, 19565, 22958, 27206,

Dear Sir:

This is to advise you that Ondre Rexford has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, for change in place of use under the above referenced applications.

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 proposal 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,

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM

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

April 19, 2023

RONNIE & JACQUELINE GIBSON
2198 RD 4
COPELAND, KS 67837

Re: Water Right, File Nos. 14982, 19565, 22958, 27206,

Dear Sir:

This is to advise you that Ondre Rexford has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, for change in place of use under the above referenced applications.

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 proposal 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,

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM