Stockton Field Office 820 S. Walnut Stockton, KS 67669-0192



Phone: 785-425-6787 Fax: 785-425-6842 www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

February 27, 2020

ARCHIE D MOSS P O BOX 138 HOXIE, KS 67740

Re:

Water Rights, File Nos. 4,481; 16,567; & 24,344

Dear Mr. Moss:

Enclosed are three (3) orders executed by David W. Barfield, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the terms, conditions, and limitations specified in these approvals for change.

Since these orders modify the original certificates, they should be recorded with the Register of Deeds as other instruments affecting real estate.

These documents are summary orders by this agency regarding these matters. These orders shall become final if requests for hearings are not filed with the Chief Engineer within 15 days of the date of service of these orders.

If you have any questions, please feel free to contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

Mark Billinger

Assistant Water Commissioner

Walley

MB:rh Enclosures pc: G.M.D. No. 4

CERTIFICATE OF SERVICE

On this 27th day of February, 2020, I hereby certify that the attached <u>SUMMARY ORDERS</u> <u>APPROVING APPLICATIONS FOR CHANGE in PLACE OF USE</u> for water rights, File Nos. 4,481; 16,567; & 24,344, dated on the 26th day of February, 2020, were mailed postage prepaid, first class, U.S. mail, to the following:

ARCHIE D MOSS P O BOX 138 HOXIE, KS 67740

Leflua Vageman

A copy of this Change Approval was sent to the following:

Groundwater Management District No. 4 P.O. Box 905 Colby, KS 67701

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

APPLICATION COMPLETE

2 26 2020

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

Reviewer____MB

point(s) of diversion and/or place of use. RECEIVED FEB 21 2020 File No. 4,481 Stockton Field Office Application is hereby made for approval of the Chief Engineer to change the (check one or both): Division of Water Resources ☐ Point of Diversion under the water right which is the subject of this application in accordance with the conditions described below. ☐ Surface water □ Groundwater The source of supply is: Name and address of Applicant: _____ Phone Number: () Email address: Name and address of Water Use Correspondent: Phone Number: (_____) Email address: The presently authorized place of use is: Owner of Land ---- NAME: Archie D & Joann Moss ADDRESS: 1340 17th St RR 1 Box 100, Hoxie, KS 67740 (If there is more than one landowner, attach supplemental sheets as necessary.) TOTAL ACRES Sec. Twp. Range NE14 NW14 SW14 SE14 NE¼ NW¼ SW¼ SE¼ NE¼ NW¼ SW¼ SE¼ NE' NW' SW' SE' 20 29W 12 21 34 23 24 8 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: Archie D & Joann Moss ADDRESS: 1340 17th St RR 1 Box 100, Hoxie, KS 67740 (If there is more than one landowner, attach supplemental sheets as necessary.) NE1/4 NW1/4 SW1/4 SE1/4 TOTAL **ACRES** NE¼ NW¼ SW¼ NW1/4 SW1/4 SE1/4 NE¼ NW¼ SW¼ NE1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 Twp. Range 1 8 29 29 25 34 24 20 167 34 1 For Office Use Only: Code _____ Fee \$____ TR # ____ Receipt Date ____ Check # ____

	Presently authorized po				
	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 Sout	heast corner of section.
l	Authorized Rate	Authorized Quantity		Depth of well	(feet)
		uter ID No G			
		anged This point will be chang			
1	Proposed point of dive	rsion: (Complete only if char	ge is requested	l or if existing point is bett	ter described by GPS)
		Quarter of the			
		, Township			
	in	County, Kansas,	feet North	feet West of Sout	heast corner of section.
		Proposed Quantity			
	•	nal Well Geo Center List			
L					
Г	Presently authorized po	oint of diversion:			
'· I		Quarter of the		Quarter of the	Ouarter
	of Costion	Quarter of the , Township		South Range	Qualter
	or Section	, Township County, Kansas,	foot North	foot Most of Sout	heast corner of section
	111	County, Nansas,	ICCLINOILII	Donth of wall	(foot)
	Authorized Rate	Authorized Quantity	ne .	Deptition well	(leet)
	(DWR use only: Comp	uter ID No G	PS	teet North	reet west)
		anged This point will be chang			
		rsion: (Complete only if char			
	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 Sout	heast corner of section.
	•	Proposed Quantity			
	This point is: Addition	nal Well 🔲 Geo Center List	other water right	s that will use this point	
		desired for the following reaso			
	(please be specific)		300	North 200 100 0	100 200 300
			Ēπ	<u>doolloon fandag</u>	1000000
			·	<u>_</u> _	
3 .	If a well, is the test hole lo	g attached? 🔲 Yes 🔲 No	200	1+1+1=1.	+ + = 200
			200 E		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
}.	The change(s) (was)(will b	oe) completed by?	E	<u></u>	
	Upon Approval	·	100		+ + = 100
			Ē		
0.	If the point of diversion is	a well:	E		.1
	(a) What are you going to	o do with the old well?	West 0		
			E		=
			- 100		+ + + + = 100
	(b) When will this be don	e?	- E		· ' ' =================================
			Ē		
11.	Groundwater Manager	nent District recommenda	tion 200 📒	1 + 1 + 1 = 1	+ + = 200
] No	E		
			E.		JJ
2.	Assisted by Shannon Ken	yon, GMD 4	- 300 FTT	200 100 0	100 200 300
o -	If the proposed weight of	liversian will be releasted mare		South	Scale: 1 hashmark=10 ft
за.	in the proposed point of 0 300 feet but within 2.640	liversion will be relocated <u>more</u> feet of the existing point of diver	<u>ਾਗ।</u> rsion, 13b.lf the	proposed point of diversion v	will be relocated within 30
	attach a topographic	map or aerial photograph.	For <u>feet</u> of	the existing point of diversion	, indicate its location on th

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

3b.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	e 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 affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign the currently affected in the currently a	nis application.)				
(c) If this application is not approved expeditiously, will there ☐ Yes ☐ No (If no, all owners must sign this	be substantial damage to property, public health or s s application.)	afety?			
If the application proposes a surface water change in point of diversor a change in place of use, the application must be signed by all cagent (attach notarized statement authorizing representation).	rsion, a groundwater change in point of diversion gre owners of the currently authorized place of use, or th	ater than 300 feet, eir duly authorized			
I hereby verify, being first duly sworn upon my oath or age and the owner, the spouse of the owner, or a duly a their behalf, in regards to the water right(s) to which the contained in this application are true, correct and comp	authorized agent of the owner(s) to make this application pertains. I further verify that plete.	s application on the statements			
Dated at, Kansa	as, this 19 day of Hebruary	, 20 <u>20</u>			
(Owner)	auchey mass by Rik (Spouse)	Mass P.O.A.			
Pick muss (Please Print)	Quarry moss by Rick (Please Print)	Moss P.OA.			
Non moss	Wiahn Moss by W	n Moss			
Oon Moss	A ,	PaA. n Moss			
(Please Print) Sheila Dranmawatten (Owner)	Ruhard Kramantta (Spouse)	- 1000			
Sheila Krannawitter (Please Print)	Richard Krannawith	er			
State of Kansas County of Thamas	SHANNON L. KENYON State of Kansas My Appt. Expline 11, 20	1 John			
I hereby certify that the foregoing application was signed of February, 20 7.0.	ed in my presence and sworn to before me	this 19 day			
	dil	1/			
My Commission Expires Cluquet 11, 2020	Notary Public				
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be compacturate information; maps, if necessary, must be included; signatures of the appropriate fee must be paid.	plete, all of the applicable portions of the application form manual all the appropriate owners' must be affixed to the application	ust be completed wit n and notarized; and			
	CHEDULE				
Each application to change the place of use or the point of diversi forth in the schedule below: Make checks payable to: Kansas D (1) Application to change a point of diversion 300 feet or (2) Application to change a point of diversion more than 3 (3) Application to change the place of use	epartment of Agriculture less	\$100 \$200			
RANGER CASCAR HOGENS	RECEIVED				
DWR 1-121 (Revised 04/5/2018)	Page 3 FEB 2 1 2020 F	ile No. 4,481			

Stockton Field Office Division of Water Resources

File No. 4,481_

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro	visions of the Kansas Water Appropriation Law K.S.A. 8	a-708b, as amended, and K.A.R. 5-5-1, <i>et seq.</i> and other applicable 82a-701 et. seq., and rules and regulations promulgated thereunder, herein, this Summary Order does not change the terms, conditions
1.	A change application was received on	requesting that the place of use and / or point of number be changed as described in the application.
2.	On and after the effective date of this summary order, the on the topographic map accompanying the application	ne authorized place(s) of use shall be located substantially as shown to change the place of use. Applicable Not Applicable
3.	The change in point of diversion shall not impair existing previously authorized. The point of diversion authorize radius of the authorized point(s) of diversion. Appli	rights and shall be limited to the same source or sources of water as ed by this summary order shall be located within a foot cable
4.	The point(s) of diversion described herein is administrated Positioning System (GPS), as described in the application	atively corrected to be more accurately described using the Global tion. Applicable Not Applicable
5.	The point(s) of diversion authorized herein shall not actual authorized point(s) of diversion.	ally be located more than feet from the previously Not Applicable
6.	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
7.	December 31, 20, or before the first use of wa operated and maintained in accordance with K.A.R. (properly install an acceptable water flow meter on or before ter, whichever occurs first. The water flow meter shall be installed, 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and report the reading of the water flow meter and the total quantity of a 1 following the end of each calendar year.
8.	Installation of the works for diversion of water shall authorized extension of time. By March 1, 20 works for diversion has been completed, on the form particular applicable Not Applicable	be completed on or before December 31, 20, or within any the applicant shall notify the Chief Engineer that construction of the rovided by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the re	equired notice. Applicable Not Applicable
10.	with an in-line, automatic, quick-closing check valve ca	ner foreign substance will be injected into the water shall be equipped apable of preventing pollution of the source of the water supply. The ntained in accordance with K.A.R. 5-3-5c. Applicable \(\Boxed{\text{Not}}\) Applicable
11.	Additional Conditions are attached. Yes	
12.	water appropriated under the above-referenced file no limitations, as amended and/or supplemented by this same appropriation Law and the Rules and Regulations pro	K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of umber are responsible for compliance with its terms, conditions and Summary Order, and with applicable provisions of the <i>Kansas Water</i> browning thereunder. Failure to comply with these provisions may amended, and/or the suspension or revocation and dismissal of the actions authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
you Eng Agr filed adn day revi File Leg 665	may request an evidentiary hearing before the Chief inneer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be within 15 days of service of this Order and a request for hinistrative review by the Secretary must be filed within 30 s pursuant to K.S.A. 77-531. Any request for administrative ew must state a basis for review pursuant to K.S.A. 77-527. any request with Kansas Department of Agriculture, al Division, 1320 Research Park Drive, Manhattan, KS 02. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act. For Use by Register of Deeds	APPLICATION APPROVED AND SUMMARY ORDER ISSUED By: Division of Water Resources - Kansas Department of Agriculture Date of Issuance: State of Kansas County of Rooks Acknowledged before me on 2-26-2020 by Mark Billinger
		Signature: Notary Public Notary Public My commission expires Notary Public REBECCA F. HAGEMAN My Appointment Expires Public Public Public Notary Public
DWI	R 1-121 (Revised 04/5/2018)	Page 4 PM99789, 20281

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO. 4,481 MAKE ADDITIONAL COPIES AS NECESSARY

FEB 2 1 2020

RECEIVED

Stockton Field Office

Division of Water Resources Continued: The presently authorized place of use is: Owner of Land ---- NAME: Archie D Moss ADDRESS: PO Box 138, Hoxie, KS 67740 SW1/4 SE1/4 NW1/4 TOTAL **ACRES** NW14 SW14 SE14 SW1/4 SE1/4 NE¼ NW¼ SW¼ SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 Sec. Twp. Range NE1/4 NW1/4 30 29 19 104 8 28 6 Owner of Land ---- NAME: ADDRESS: NW1/4 SW1/4 SE1/4 TOTAL NE1/4 **ACRES** NW1/4 SW1/4 SE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NE1/4 Sec. Twp. Range Owner of Land ---- NAME: ADDRESS: NE1/4 NW1/4 SW1/4 SE1/4 TOTAL **ACRES** SE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 NE1/4 Sec. Twp. Range Continued: 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: Archie D Moss ADDRESS: PO Box 138, Hoxie, KS 67740 SE1/4 NE1/4 NW1/4 SW1/4 TOTAL **ACRES** NW14 SW14 SE14 NW1/4 SW1/4 SE1/4 NE1/4 NW14 SW14 SE14 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 Range Twp. 6 8 28 29 73 Owner of Land ---- NAME: ADDRESS: NW1/4 SW1/4 **TOTAL ACRES** SW1/4 NW1/4 SW1/4 NE1/4 NW1/4 SW1/4 NW1/4 Sec. Twp. Range NW1/4 SW1/4 SE1/4 NE1/4 SE1/4 Owner of Land ---- NAME: ADDRESS: NW1/4 SW1/4 **TOTAL ACRES** NW1/4 SW1/4 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

#4481, 16,567, & 24,344 OVLP Change P/U

