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

April 22, 2021

DORIS C COX TRUST 8920 S SIMPSON RD ASSARIA, KS 67416-8710

Re:

Water Rights, File Nos. 17,221 & 33,464

Dear Ms. Cox:

Enclosed are two (2) orders executed by Earl Lewis, 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

Wall Bil

MB:rh Enclosures

CERTIFICATE OF SERVICE

On this 22nd day of April, 2021, 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. 17,221 & 34,464, dated on the 22nd day of April, 2021, were mailed postage prepaid, first class, U.S. mail, to the following:

DORIS C COX TRUST 8920 S SIMPSON RD ASSARIA, KS 67416-8710

Billia Kacifully

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.

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.

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5.	Presently authorized point of diversion:		
	One in the Quarter of the	Quarter of the	Quarter
	of Section , Township	South, Range	(E/W),
	in County, Kansas, fe	eet North feet West of Southeast corn	er of section.
	Authorized Rate Authorized Quantity	Depth of well (fe	et)
	(DWR use only: Computer ID No. GPS _	feet North feet W	/est)
	☐This point will not be changed ☐This point will be changed as	s follows: 🔲 No change, point better described with Gi	PS as follows:
	Proposed point of diversion: (Complete only if change is	<u>s requested or if existing point is better describ</u>	ed by GPS)
	One in the Quarter of the	Quarter of the	Quarter
	of Section, Township	South, Range	(E/W),
	in County, Kansas, fe	eet North feet West of Southeast corn	er of section.
	Proposed Rate Proposed Quantity		
L	This point is: Additional Well Geo Center List other	r water rights that will use this point	•
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6.	Presently authorized point of diversion:	Quarter of the	Quarter
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	of Section, Township	South, Kangeset North	er of section
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	in County, Kansas, fe	oot North feet West of Southeast corn	er of section
	Proposed Rate Proposed Quantity	Proposed well death (feet)	Ci di dedilori.
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7.	The changes herein are desired for the following reasons?		
••	(please be specific) Putting up a new pivot that will cover	North	
	acres not currently authorized.	300 200 100 0 100 200 Empartmentment) 300 TITTITTY
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8.	If a well, is the test hole log attached? Yes No		. -= 200
9.	The change(s) (was)(will be) completed by?	<u> </u>	=
	Already complete.	100 = 1 + 1 + 1 = 1 + 1 +	- - 100
	Alleady complete.		
10.	If the point of diversion is a well:		=
	(a) What are you going to do with the old well?	West () + + + + + + + + + + + + + + + + + +	III IH 0 East
	n/o	100 + + = + + + + + + +	4
	<u>n/a</u>	100 = + + = + +	- = 100
	(b) When will this be done? n/a		. =
			1 = 300
11.	Groundwater Management District recommendation attached?	200	- -= 200
	☐ Yes No		=
12.	Assisted by DLM	5	008 C
		South Scale: 1 hashr	
13a	a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attack 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	of the existing point of diversion will be relocated to the existing point of diversion, indicate its end diagram shown above in relation to the end diversion. (PLEASE NOTE: The "X" in cele above represents the presently authority diversion.)	existing point of nter of diagram

(a)							olete the following:
	⊠ Yes □		owners must sign	this applicat	ion.)		
(b)	affected if this	ship interest of any ov application is approved ☑ No (lf yes, all	vner of the currer d as requested? owners must sign			e identified in this	application be advers
(c)	If this application	on is not approved exp	editiously, will the	ere be substa	antial damage to	property, public he	alth or safety?
	☐ Yes	⊠ No (If no, all o	owners must sign	this applicat	ion.)		
or a cha	ange in place of	ses a surface water ch use, the application m statement authorizing	ust be signed by	iversion, a g all owners of	roundwater char the currently au	ge in point of divers thorized place of us	sion greater than 300 se, or their duly autho
age ar	nd the owner, behalf, in rega	ng first duly sworn the spouse of the c ards to the water ri plication are true,	owner, or a dul ght(s) to which correct and col	y authorize this appli	ed agent of the cation pertain	e owner(s) to ma s. I further veri	ike this application
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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. 17,221 4-21-21 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. 2. 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 ______ foot radius of the authorized point(s) of diversion.

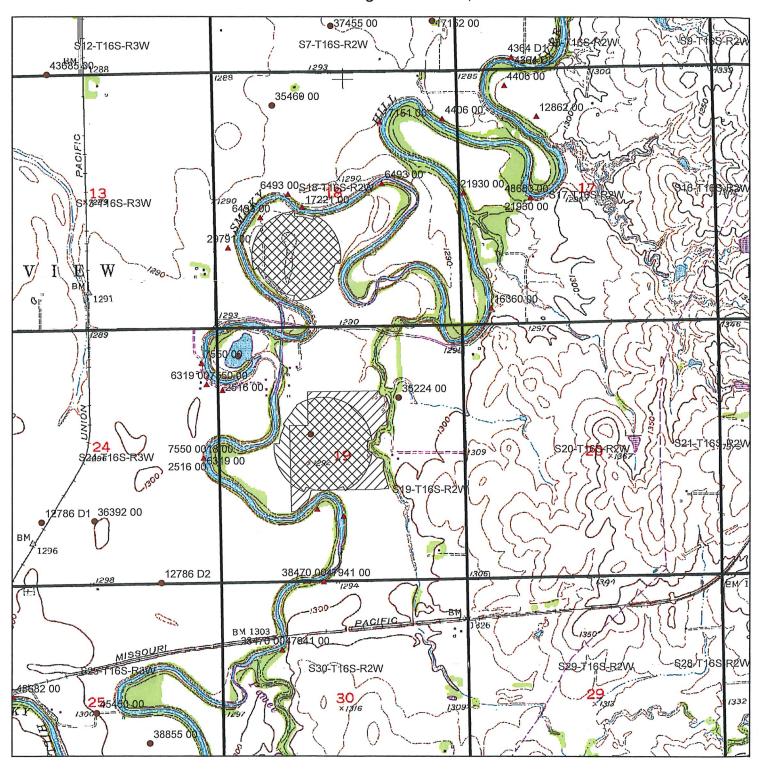
Applicable The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.

Applicable The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion. ☐ Applicable Not Applicable 5. 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, 20 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 Not Applicable The completed well log shall be submitted with the required notice. ☐ 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 No 11. Additional Conditions are attached. ☐ Yes 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order 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 By: 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 MARK BILLINGER days pursuant to K.S.A. 77-531. Any request for administrative (Print Name): 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 Ďivision, 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 Acknowledged before me on Mark Notary Public INSTATE OF REBECCA F. HAGEMAN My commission expires: KUTATY 10-29-23 PUBLIC Notely Appelatment Expires June 29, 2023

File No. 17,221

Application to Change the Place of Use For Water Right File # 17,221





Authorized Place of Use



Proposed Place of Use

- Surface Water Point of Diversion
- Groundwater Point of Diversion

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APR 2 1 2021

Stockton Field Office Division of Water Resources 1:24,000

