

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 23, 2021

BRADLEY B & ANN M COX
1439 W GRANITE RD
LONG ISLAND, KS 67647

Re: Water Right, File No. 2,147

Dear Mr. & Mrs. Cox:

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

Your attention is directed to the terms, conditions, and limitations specified in this approval for change. Also, the approval of the order requires the installation of a water flow meter(s) on the point(s) of diversion authorized under the above referenced file number by **December 31, 2021**. Please complete and return the enclosed Notice of Completion of Diversion Works when a water flow meter has been installed. A copy of the Chief Engineer's specifications for the water flow meters are found in K.A.R. 5-1-4 through K.A.R. 5-1-12 along with a partial list of those flow meters found to be acceptable for installation in Kansas can be found on our website at the following web address:

<http://agriculture.ks.gov/meters>

Please note that all meters must be installed and maintained in accordance with the specifications for water flow meters referenced above.

The abandoned water well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment (KDHE). If the well is to be retained by the landowner for other purposes, a copy of the legal transfer of responsibility for maintenance of the well must be forwarded to KDHE Geology Section, 1000 SW Jackson, Suite 420, Topeka, Kansas 66612, telephone number (785) 296-5524. More information is available online at: <http://kdheks.gov/waterwell>

Since this order modifies the original certificate, it should be recorded with the Register of Deeds just as other legal documents affecting real estate. Such records are maintained at the Register of Deeds Office in the county wherein the place of use is located.

This document is a summary order by this agency regarding this matter. This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order.

(over)

If you have any questions, please feel free to contact this office at (785)425-6787. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,



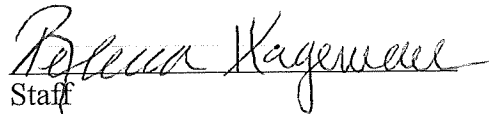
Mark Billinger
Assistant Water Commissioner

MB:rfh
Enclosures

CERTIFICATE OF SERVICE

On this 23rd day of April, 2021, I hereby certify that the attached **SUMMARY ORDER APPROVING APPLICATION FOR CHANGE in POINT OF DIVERSION** for water right, File No. 2,147, dated on the 23rd day of April, 2021, was mailed postage prepaid, first class, U.S. mail, to the following:

BRADLEY B & ANN M COX
1439 W GRANITE RD
LONG ISLAND, KS 67647



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

WATER METER REQUIRED

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.

APPLICATION COMPLETE
 4/23/21
 Reviewer MB

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

APR 01 2021
 3:30 pm
 Stockton Field Office
 Division of Water Resources

File No. 2,147

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: BRADLEY B & ANN M COX

1439 W GRANITE RD LONG ISLAND, KS 67647

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: SAME AS APPLICANT

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: BRADLEY B & ANN M COX

ADDRESS: 1439 W GRANITE RD LONG ISLAND, KS 67647

(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	
32	1S	20W											4	12					16
32	1s	20w													38	22	19	40	119

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: no change

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	

For Office Use Only: Code _____ Fee \$ _____ TR # _____ Receipt Date _____ Check # _____

APR 01 2021

5. **Presently authorized point of diversion:**
 One in the NE Quarter of the SW Quarter of the SE Quarter of the Stockton Field Office Quarter
 of Section 32, Township 1 South, Range 20 Division of Water Resources W,
 in PL County, Kansas, 2290 feet North 1550 feet West of Southeast corner of section.
 Authorized Rate 1000 GPM Authorized Quantity 119 AF Depth of well _____ (feet)
(DWR use only: Computer ID No. 1 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 NC Quarter of the SE Quarter of the SW Quarter
 of Section 32, Township 1 South, Range 20 W,
 in PL County, Kansas, 720 feet North 3160 feet West of Southeast corner of section.
 Proposed Rate 1000 GPM Proposed Quantity 119 AF Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point 5,249

6. **Presently authorized point of diversion:**
 One in the NW Quarter of the SW Quarter of the SE Quarter
 of Section 32, Township 1 South, Range 20 W,
 in PL County, Kansas, 1110 feet North 2250 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 2 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 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) TO REDUCE TO ONE PUMPSITE
OLAPPED WITH 5249.

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

9. The change(s) (was)(will) be completed by?
UPON APPROVAL

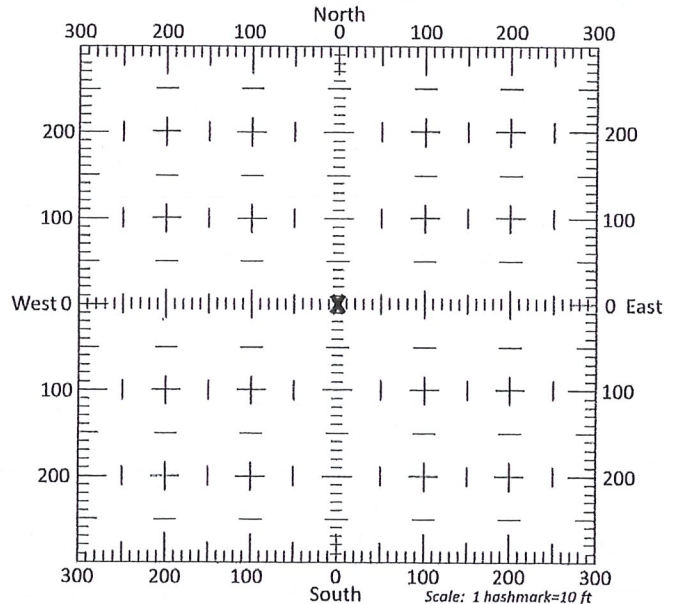
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by M BILLINGER

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.)**

APR 01 2021

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET FILE NO. 2,147

Stockton Field Office Division of Water Resources

Presently authorized point of diversion: One in the SW Quarter of the SE Quarter of the SW Quarter of Section 32, Township 1 South, Range 20 W, in PL County, Kansas, 400 feet North 3465 feet West of Southeast corner of section. Authorized Rate Authorized Quantity Depth of well (feet) (DWR use only: Computer ID No. 3 GPS feet North feet West) [] This point will not be changed [X] 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 Section Township South, Range 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

Presently authorized point of diversion: One in the Quarter of the Quarter of the Quarter of Section Township South, Range 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 Section Township South, Range 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

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, 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 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

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, 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 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

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

188-01-1821

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. 2,147.

1. A change application was received on 4-01-21 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
3. 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 300 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. 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
5. The point(s) of diversion authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion. Applicable 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 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, 2021**, 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
8. **Installation of the works for diversion of water shall be completed on or before December 31, 2021**, or within any authorized extension of time. By March 1, 2022 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

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, 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 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 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

For Use by Register of Deeds

FOR OFFICE USE ONLY
APPLICATION APPROVED AND SUMMARY ORDER ISSUED

By: Mark Billinger
Duly Authorized Designee of the Chief Engineer

(Print Name): MARK BILLINGER
Division of Water Resources - Kansas Department of Agriculture

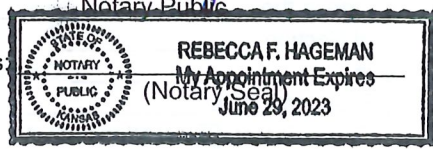
Date of Issuance: 4-23-21

State of Kansas)
County of ROCKS) SS

Acknowledged before me on 4-23-21
by Mark Billinger

Signature: Rebecca F Hageman
Notary Public

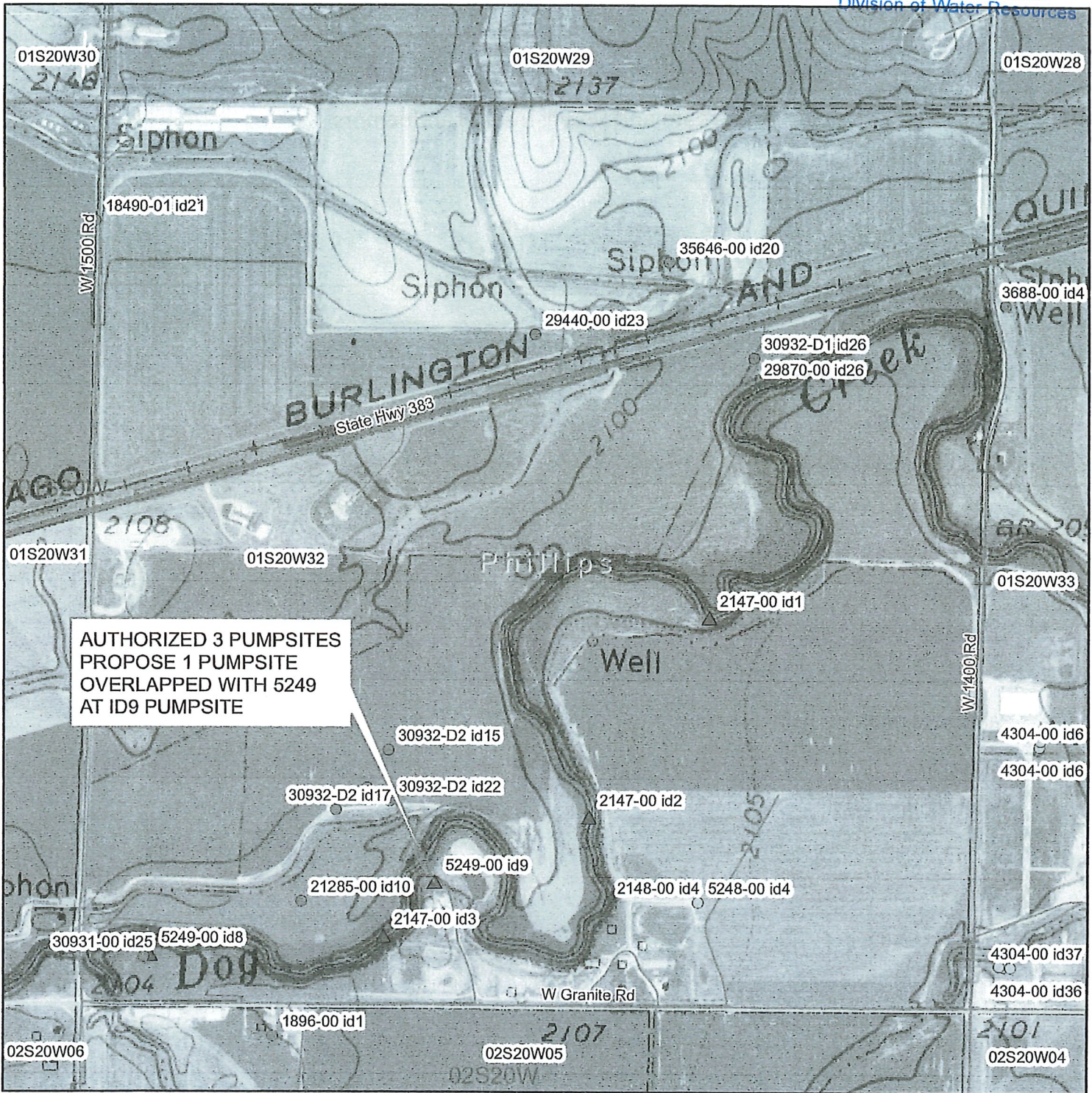
My commission expires: 6-29-23
REBECCA F. HAGEMAN
My Appointment Expires June 29, 2023
(Notary Seal)



Application to Change the Point of Diversion For Water Right File # 2,147

RECEIVED
APR 01 2021

Stockton Field Office
Division of Water Resources



- ▲ Surface Water Point of Diversion
- Groundwater Point of Diversion

1:10,000

Signature Required

Bradley Cox

By signing this, I am stating that to the best of my knowledge that all landowners within 1/2 mile upstream and 1/2 mile downstream of property boundaries are identified on an attachment to this map.



RECEIVED

APR 01 2021

Stockton Field Office
Division of Water Resources

2,147 Change in Point of Diversion
Upstream and Downstream Landowners

ARNOLD K GRAHAM

768 FOREST GREEN DRLA

CANADA, CA 91011

STEVEN L COX TRUST #1

504 W 1500 RD

LONG ISLAND, KS 67647

STEVEN COX ASSOCIATES LLC

1472 HWY 383

LONG ISLAND, KS 67647

REGINA M HALL

BOX 1237

WRIGHT, WY 82732

NELSON FARMS INC

1271 W FOX RD

LONG ISLAND, KS 67647

RECEIVED

APR 01 2021

Family Chasing Office
Division of Water Resources

I, the undersigned owner of this water right or permit declare that: (1) I am freely and voluntarily choosing to reduce the water right listed; and (2) I am waiving any rights to a hearing or an appeal that I may have had regarding the reduction of the water right listed.

I declare that I am an owner, as identified herein, or that I represent an owner, as identified herein, and am authorized to make this request on his or her behalf.

Dated at Long Island, Kansas, this 1 day of April, 2021.
(City) (Month) (Year)

Bradley Cox
(Owner)

Ann Cox
(Spouse)

Bradley Cox
(Please Print)

Ann Cox
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

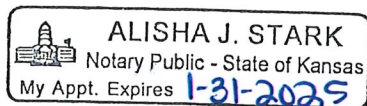
(Please Print)

State of Kansas)
County of Norton) ss

by Bradley Cox and Ann M. Cox

I hereby certify that the foregoing application was signed in my presence and sworn to before me this

1 day of April, 2021.
(Month) (Year)



Alisha J. Stark
Notary Public

My Commission expires 1-31-2025