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Ch# 16289
 9400.00



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
 8/2/23
 Reviewer MB

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. 49,548

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: ROBERT COTT

1977 INDIAN RD CLAY CENTER, KS 67432

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: SAME AS ABOVE

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: KYLE COTT ALLEGRO FARMS ATTN KYLE COTT

ADDRESS: 1471 15 RD CLAY CENTER, KS 67432 970 18TH RD CLAY CENTER KS 67432

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Tw p.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
24	9S	2W					12	39	6	39	39	38	38					211	
																		0	
																		0	

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: A. KYLE COTT B. ALLEGRO FARMS ATTN: KYLE COTT

ADDRESS: 1471 15 RD CLAY CENTER, KS 67432 970 18TH RD CLAY CENTER KS 67432

(If there is more than one landowner, attach supplemental sheets as necessary.)

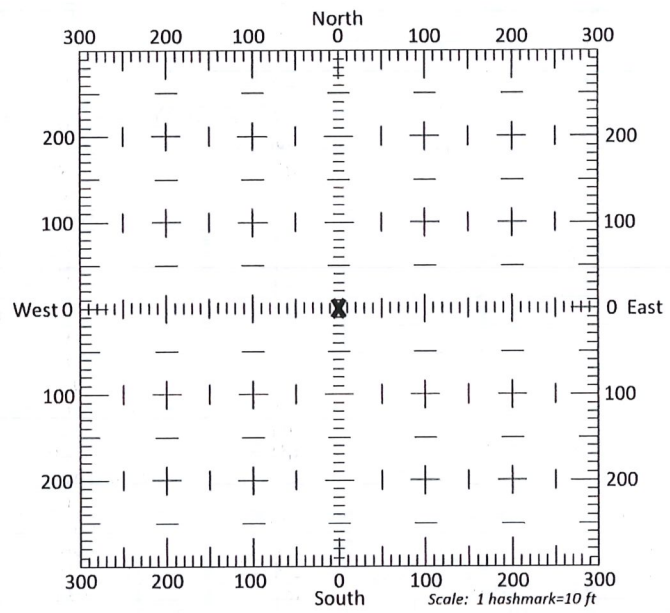
Sec.	Tw p.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
A. 24	9S	2W					25	32.5										57.5	
B. 24	9S	2W							32.5	1	32.5	32.5	32.5	32.5				163.5	
																		0	

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

5. **Presently authorized point of diversion:**
 One in the SE Quarter of the NW Quarter of the NE Quarter of Section 24, Township 9 South, Range 2 W, in OT County, Kansas, 4160 feet North 1500 feet West of Southeast corner of section. Authorized Rate 800 GPM Authorized Quantity 274.3AF IRR / 22.1 MGY STK Depth of well _____ (feet)
(DWR use only: Computer ID No. 1 GPS 4199 feet North 1396 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 SE Quarter of the NW Quarter of the NE Quarter of Section 24, Township 9 South, Range 2 W, in OT County, Kansas, 4199 feet North 1396 feet West of Southeast corner of section. Proposed Rate 800 Proposed Quantity 274.3 AF IRR / 22.1 MGY STK 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 SE Quarter of the NW Quarter of the NE Quarter of Section 24, Township 9 South, Range 2 W, in OT County, Kansas, 4410 feet North 1500 feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 3 GPS 4492 feet North 1394 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 SE Quarter of the NW Quarter of the NE Quarter of Section 24, Township 9 South, Range 2 W, in OT County, Kansas, 4492 feet North 1394 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 CHANGE PLACE OF USE TO ACTUAL IRRIGATED ACRES & TO BETTER DESCRIBE PDS.
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?
N/A
 (b) When will this be done? _____
11. Groundwater Management District recommendation attached?
 Yes No
12. Assisted by MB STKFO



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.)**

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State of Kansas
Division of Water Resources

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the 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 authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
 - (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Clay Center, Kansas, this 18th day of July, 2023.

Kyle Cott

 (Owner)

 (Spouse)

Kyle Cott

 (Please Print)

 (Please Print)

Robert Cott

 (Owner)

Jana Cott

 (Spouse)

Robert Cott

 (Please Print)

Jana Cott

 (Please Print)

 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

State of Kansas }
 County of Clay } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 18th day of July, 2023.

Patti K Adams

 Notary Public

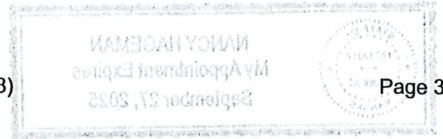
My Commission Expires July 26, 2026

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200



APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET FILE NO. 49,548

Stockton Field Office Division of Water Resources

Presently authorized point of diversion:

One in the NE Quarter of the SW Quarter of the NE Quarter of Section 24, Township 9 South, Range 2 W, in OT County, Kansas, 3910 feet North 1500 feet West of Southeast corner of section. Authorized Rate Authorized Quantity Depth of well (feet) (DWR use only: Computer ID No. 5 GPS 3906 feet North 1397 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 NE Quarter of the SW Quarter of the NE Quarter of Section 24, Township 9 South, Range 2 W, in OT County, Kansas, 3906 feet North 1397 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 SE Quarter of the NW Quarter of the NE Quarter of Section 24, Township 9S South, Range 2 W, in OT County, Kansas, 4285 feet North 1500 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 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 SE Quarter of the NW Quarter of the NE Quarter of Section 24, Township 9S South, Range 2 W, in OT County, Kansas, 4035 feet North 1500 feet West of Southeast corner of section. Authorized Rate Authorized Quantity Depth of well (feet) (DWR use only: Computer ID No. 4 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

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

August 2, 2023

ROBERT J & JANA L COTT
1977 INDIAN RD
CLAY CENTER, KS 67432

Re: water right, File Nos. 49548 and 50540

Dear Sir or Madam:

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,

A handwritten signature in blue ink, appearing to read "Mark Billinger".

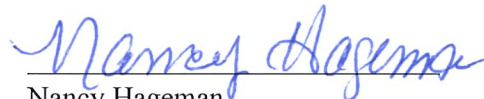
Mark Billinger
Assistant Water Commissioner

MB:ndh

CERTIFICATE OF SERVICE

On this 2nd day of August 2023, I hereby certify that the attached **SUMMARY ORDERS APPROVING APPLICATIONS FOR CHANGE in** Place of Use for water right, File Nos. 49548 and 50540, dated on the 2nd day of August 2023, were mailed postage prepaid, first class, U.S. mail, to the following:

ROBERT J & JANA L COTT
1977 INDIAN RD
CLAY CENTER, KS 67432


Nancy Hageman
Administrative Assistant