## **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, than 100 feet, or if pl of diversion and/or p	ace of	use wi													ized a	nd prop	
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Presently author	ized point of	diversion:					
		Quarter of the					
		, Township					
in HASKELL	Co	unty, Kansas, <u>63</u>	feet North	5166	feet West of	f Southeast corn	er of section
		Authorized Quantit					
		No					
		☐This point will be char					
Proposed point of	of diversion:	(Complete only if cha	nge is request	ed or if ex	xisting point i	s better describ	ed by GPS
One in the	NW	Quarter of the	SE	Qu	arter of the	NW	Quart
		, Township					
in HASKELL	Co	unty, Kansas, <u>3708</u>	feet North	3432	feet West of	f Southeast corn	er of section
Proposed Rate	his trough in the	Proposed Quantity		Prop	osed well depth	h (feet)	Set Turk
This point is: A	dditional Well	I ☐ Geo Center Lis	t other water rig	hts that w	ill use this poir	nt	A Justine
Carlotte Carlotte				-		1	ar in all discount of
Presently author				and the second			
		Quarter of the					
		, Township					
IN HASKELL	Col	unty, Kansas, <u>5230</u>	feet North _	700	feet West of	Southeast corn	er of section
		Authorized Quantit					
		No (					
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		(Complete only if cha					
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of Section		, Township		So	uth, Range	NAME OF STREET	(E/V
in	Cou	unty, Kansas,	feet North _		feet West of	f Southeast corn	er of section
Proposed Rate		Proposed Quantity		Prop	osed well depth	h (feet)	MAPERO : :
This point is: 🔲 A	dditional Well	I ☐ Geo Center Lis	t other water rig	hts that w	ill use this poir	nt	
		KISTING WELL		200	100 Nort	th 100 200	300
If a well, is the test	hole log attach	ned? Yes No	200	-1+	1+1=	1+1+	200
The change(s) (wa	s)(will be) com	pleted by?			4- <u>-</u>		4
UPON APPROVAL		The second second second	100		11 1	Section 1	100
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If the point of divers	sion is a well:				4. <b>7</b> 4 . Ē		= =
(a) What are you	going to do with	h the old well?	West 0	<del>m</del> dun m	dan hada 🕱	ակավավավ	
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PLUG OR CAP					1+1-	1111	100
(b) When will this	be done? <u>UPC</u>	ON COMPLETION	_		Ē		1 100
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feet but within 2,640 a topographic may sources, show all word the proposed posed posed posed posed addresses of the organism and addresses an	Ofeet of the exiconor aerial physical p	vill be relocated more the isting point of diversion, notograph. For ground domestic) within one-han and the names and rface water sources, she landowner(s) one-hal upstream from your pr	attach 13b.If the dwater of the alf mile diag mailing dive ow the about f mile dive	ne existing ram show rsion. (PL	point of diver n above in re LEASE NOTE:		ed within 300 location on existing poin

14. If the proposed groundwater point of diversion is 300 or fewer feet fro	om the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently author ☐ Yes ☐ No (If no, all owners must sign this application)	
(b) Will the ownership interest of any owner of the currently author affected if this application is approved as requested?  ☐ Yes ☐ No (If yes, all owners must sign this appli	
(c) If this application is not approved expeditiously, will there be sub ☐ Yes ☐ No (If no, all owners must sign this applic	
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affirmage and the owner, the spouse of the owner, or a duly authoritheir behalf, in regards to the water right(s) to which this appropriation are true, correct and complete.	zed agent of the owner(s) to make this application or dication pertains. I further verify that the statements
Dated at GARDEN CITY, Kansas, this	1 ST day of FEBRUARY, 2019.
Dated at GARDEN City, Kansas, this	and vernati vest discussioned in the first term of the control of
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas	
County of PINNEX SS	Direction of the second of the
I hereby certify that the foregoing application was signed in n	by presence and sworn to before me this $15T$ day
of	of Kansas ENERT  Atherre Record
My Commission Expires 914-22 My Appt. Exp. 92	Wotary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all caccurate information; maps, if necessary, must be included; signatures of all the apthe appropriate fee must be paid.	
FEE SCHEDU	<u>LE</u>
Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Departme (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	ent of Agriculture \$100\$200
Qa-S çûn di Santa in Artico de de yiv	

#### 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. 28195 requesting that the place of use and / or point of A change application was received on diversion authorized under the above-referenced file number be changed as described in the application. 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 \_\_\_\_\_\_
radius of the authorized point(s) of diversion. 

Applicable 

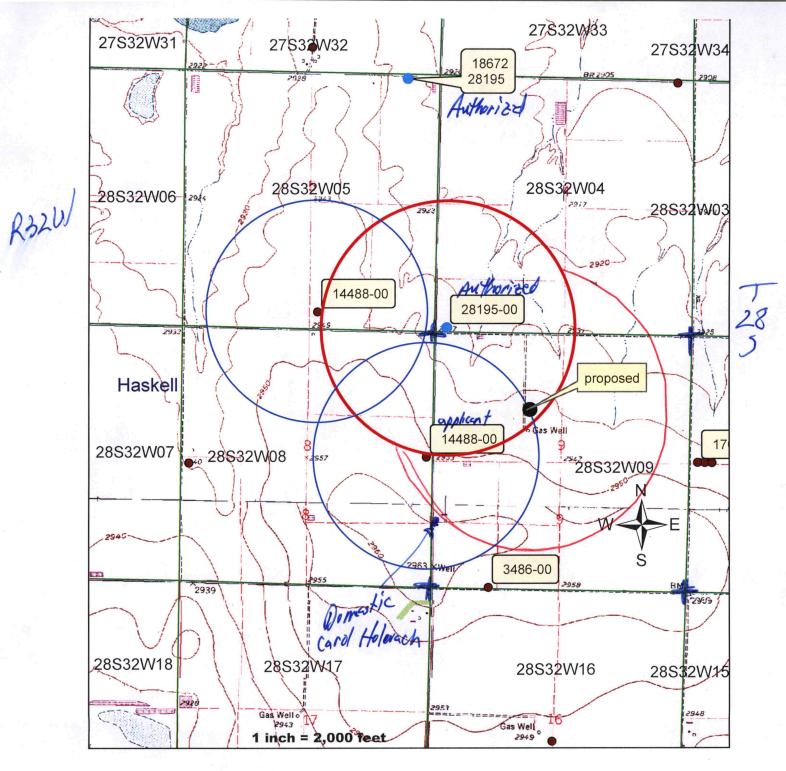
Not Applicable The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. 

Applicable 
Not Applicable The point(s) of diversion authorized herein shall not actually be located more than \_\_authorized point(s) of diversion. ☐ Applicable ☐ Not Applicable feet from the previously 5. 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 ☐ Not Applicable 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\_\_\_\_\_, or within any 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. ☐ Not Applicable Applicable 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 ☐ Yes ☐ No 11. Additional Conditions are attached. 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 filed within 15 days of service of this Order and a request for By: Duly Authorized Designee of the Chief Engineer 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. (Print Name): Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS Date of Issuance: **66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act. State of Kansas ) SS For Use by Register of Deeds County of Acknowledged before me on \_\_\_\_ Signature: Notary Public My commission expires: (Notary Seal)

Page 4

DWR 1-121 (Revised 04/5/2018)

File No. \_\_\_



File No. 28195 Change Application to Change Point of Diversion

No other wells within 1/2 mile

	INPUTS		FileNo.
	Longitude	Latitude	e e en el
Point 1	-100.834900	37.627780	- 14488
Point 2	-100.827600	37.630330	-28/95

Degrees Longitude per Foot Degrees Latitude per Foot 3.45283795E-06 2.74626757E-06

**Distance Between Points (ft)** 

2309

### **Compute Distance Betw**

#### Instructions

1. Enter Longitudes and Latitudes of the two points (both must be in the same datum, NAD27 or NAD83).

2. Click "Compute Distance Between Points" button.

3795 W. Jones Ave. Garden City, KS 67846 PH: 620-277-2389

Street Address:

City, State:

Location:

Rig#:



GPS:

PO Box 639 Garden City, KS 67846 Fax: 620-277-0224

KENNY COX. 620-272-1671

Section:

Elevation: 2942

SUBLETTE KS 67877

	14847		Date:	12-19	-18
Test #: Driller:	Dale Gu	inn	E LOG:		
Township: N37.63033		0.00	Range:	32	
Static WL:			nated?		

REPLACES WELL IN SW, SW, SW 4-28-32 HS

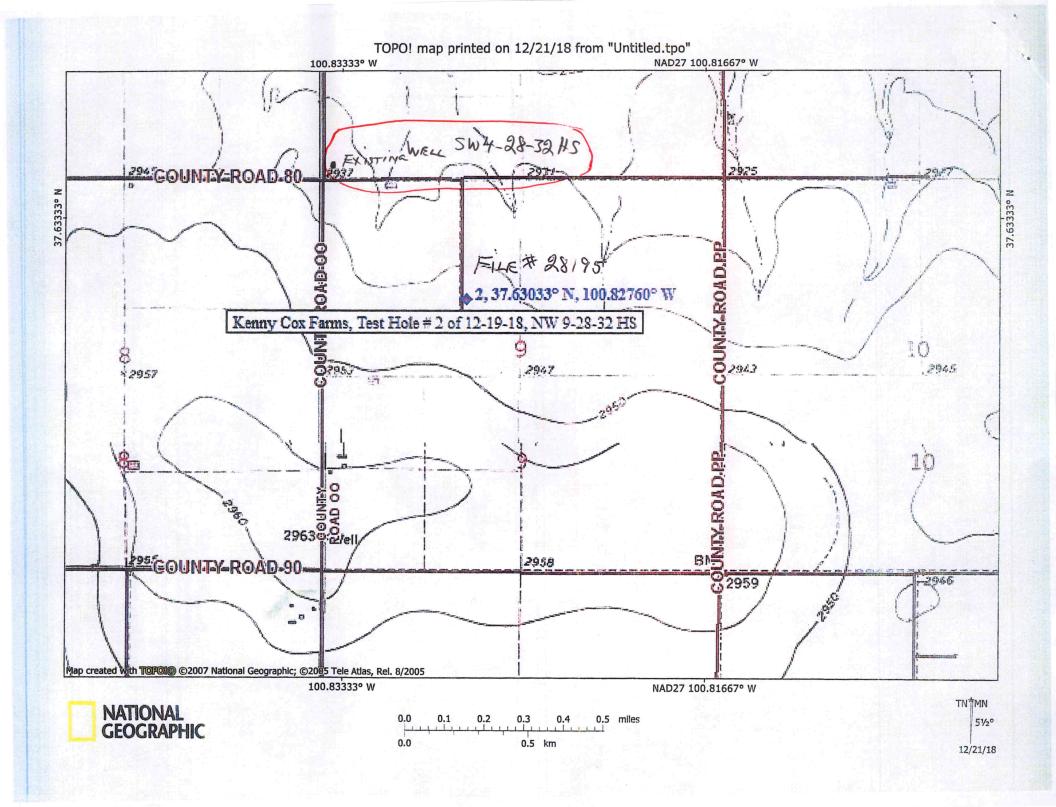
Customer Name: Kenny Cox Farms

County: Haskell Quarter: NW

10002

Proposed Well Depth 663
WELL LOCATION 10'Sunat

Footage				WELL LOCATION 10' SWAMP			
%	From	Pay	То	Description of Strata			
	0		2	Top Soil			
Marie L	2		28	Brown Sandy Clay			
	28		49	Fine Sand			
	49		60	Brown Sandy clay			
	60		76	Sand fine to med			
	76		120	Brown Sandy Clay			
	120		157	Sand fine to med course small few med gravel			
-	157		167	Brown Clay			
	167	100 F	238	Sand fine to med course small gravel			
	238		243	Brown Clay			
	243		261	Sand fine to med course small gravel			
	261		279	Brown Clay			
771	279		324	Blue Clay			
	324		357	Sand fine to med some course w/some clay stringers			
25	357	92	462	Sand fine to med course few small grave I wifew this clay s			
10	462	18	480	Fine Sand w/some clay stringers			
15	480	21.	501	Sand fine to med w /some clay ledges			
5	501	19	520	Fine Sand w I many clay Stringers + few line vock strips			
	520	N. DELT	540	Brown Sandy Clay w/few sand strips			
15	540	14	554	Fine Sand			
30	554	21	575	Sand fine to med course w/brown & tan rock			
7	575		599	Soupstone			
	599		630	Shale - Very Hard in places -			
5	630	23	653	Sonestone & Sandstone			
	653		778	Shale			
	778		780	Possible Sandstone -lost circ -			
	111						
			The state of				
			THE STATE OF	Super Gel X - 2			
				Grout -5			
				13-nt. 12/m3/4 -6			
				Perma Plug -1			
				43/4 Drag Blade -2			
			J., v				
		Sept of the last					
		CHARL					



Garden City Field Office 2508 Johns Street Garden City, KS 67846-2804



Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Mike Beam, Interim Secretary

Laura Kelly, Governor

February 4, 2019

CAROL HOLOVACH HC BOX 17 SUBLETTE KS 67877

RE:

Water Right, File No. 28195

Dear Madam:

This is to advise you that Kenny Cox has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to point of diversion under the above referenced application.

You can find the complete application posted by water right file number as referenced above at <a href="www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices">www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices</a>

You are notified on this proposed place of use 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,

Michael A. Meyer Water Commissioner

**MAM** 

Pc:

Groundwater Management District No. 3