## 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, 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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										Point of Diversion						Garden City Field O Division of Water Reso		
	under the water	right w	hich is	the s	ubject	of this	applic	ation i	n acco	rdance	with t	he cor	ditions	s desc	ribed b			
	The source of su	pply is	s:		⊠ G	round	water			Surfac	ce wate	er						
	Name and address of Applicant: KENNETH COX																	
	1111 ROAD 90 SUBLETTE KS 67877 - 8033																	
	Phone Number:	(	)	91.11				Email	addres	ss:								
	Name and addre	ss of \	Water	Use C	orresp	onden												
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		ADDRE					331.											
	(If there is more th	an one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)		\						
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				South, Range									
				5120 feet West of S									
				Depth of well									
(DWR use only: Computer ID No. 03 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:													
	The second secon			ed or if existing point is									
				Quarter of the									
				South, Range									
				5194 feet West of S									
				Proposed well depth (									
				nts that will use this point									
Presently author	ized point of	diversion:											
One in the	NE	Quarter of the	NE	Quarter of the	SE	Quart							
of Section	14	, Township	27	South, Range	33	(M							
in HASKELL	Col	unty, Kansas, 2383	feet North	248 feet West of S	Southeast corne	er of section							
Authorized Rate Authorized Quantity Depth of well (feet)  (DWR use only: Computer ID No. 05 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:													
				ed or if existing point is									
				Quarter of the		Total Control of the							
				South, Range									
				feet West of S									
Proposed Rate Proposed Quantity Proposed well depth (feet)													
This point is: Additional Well Geo Center List other water rights that will use this point													
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		for the following reason	s?										
(please be specific	LOSS OF PR	ODUCTION	300	200 100 North	100 200	300							
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If the point of diver	sion is a wall:		#	=		4							
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(a) What are you going to do with the old well?  West 0 HILLING HILLIN													
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PLUG/ CAP		N COMPLETION	100	+1+1=	1+1+	1 100							
PLUG / CAP	ha danca HDC	(b) When will this be done? <u>UPON COMPLETION</u>											
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(b) When will this			42 200			1 300							
(b) When will this  Groundwater Mana	agement Distric	t recommendation attache	d? 200	-141+1=	1+1+	200							
(b) When will this	agement Distric		d? 200	-1+1==	   +   + 	200							

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 on the diagram shown above in relation to the existing point of the existing point of the diagram shown above in relation to the existing point of the existing 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

on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

14. If the p	proposed groundwater point of diversion is 300	or fewer feet from the exis	sting point o	f diversion, complete	the following:
	oes the undersigned represent all owners of the Yes No (If no, all owners mus	e currently authorized place t sign this application.)	e(s) of use	identified in this appl	ication?
afi	fill the ownership interest of any owner of the fected if this application is approved as request Yes No (If yes, all owners mu		(s) of use i	dentified in this appl	cation be adversely
	this application is not approved expeditiously, v Yes No (If no, all owners mus	will there be substantial da t sign this application.)	mage to pro	operty, public health	or safety?
or a change	cation proposes a surface water change in poin e in place of use, the application must be signe ch notarized statement authorizing representat	ed by all owners of the curr	ater change rently autho	in point of diversion rized place of use, o	greater than 300 feet, r their duly authorized
age and their beha	verify, being first duly sworn upon my on the owner, the spouse of the owner, or a alf, in regards to the water right(s) to we do in this application are true, correct and	a duly authorized ager which this application	nt of the o	wner(s) to make t	his application on
Dated at	GARDEN CITY	_, Kansas, this 3Ro	day of	NAV	, 2021
A He	met Con	, (11525, 1115	_ day or		, 20, 21
SK	ENNEH COX			(Spouse)	
	(Please Print)			(Please Print)	
	(Owner)			(Spouse)	
	(Please Print)			(Please Print)	
	(Owner)			(Spouse)	
	(Please Print)			(Please Print)	
State of Ka County of _	SS SS				
of	20 21	ATHERINE REINERT NOTARY PUBLIC STATE OF KANSAS by App. Exp. Sept. 14, 2022	Alba	sworn to before m	e this 380 day
My Commis	ssion Expires 9-14-22 .	учер. шкр. обрі. 14, 2022	Muru	Notary Public	474
accurate info	PLETE APPLICATIONS WILL BE PROCESSED. To ormation; maps, if necessary, must be included; sign ate fee must be paid.	o be complete, all of the appli atures of all the appropriate o	cable portion wners' must	s of the application form be affixed to the applica	n must be completed with ation and notarized; and
		FEE SCHEDULE			
	cation to change the place of use or the point of	of diversion under this sect		accompanied by the	application fee set
forth in the	schedule below: Make checks payable to Ka Application to change a point of diversion 30	ansas Department of Agr	riculture		\$100
(2)	Application to change a point of diversion mo	re than 300 feet			\$200
(3)	Application to change the place of use				\$200

## 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. 17469 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. 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 

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. 

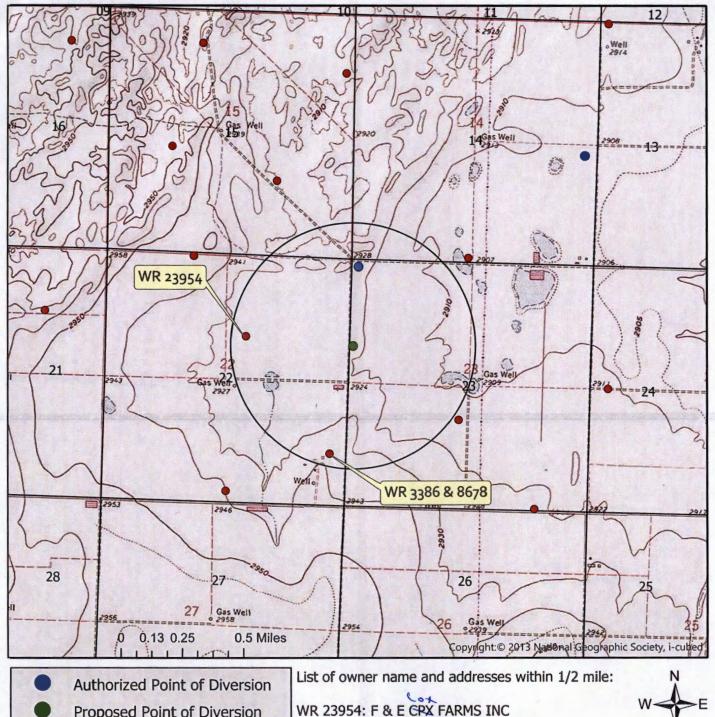
Applicable 

Not Applicable The point(s) of diversion authorized herein shall not actually be located more than \_ feet from the previously authorized point(s) of diversion. ☐ Applicable ☐ Not Applicable 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 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 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 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 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, Legal Division, 1320 Research Park Drive, Manhattan, KS Date of Issuance: 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 County of Acknowledged before me on Signature: **Notary Public** My commission expires: \_\_\_ (Notary Seal)

## **CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NO. 17469**

NW1/4 of Section 23 Township 27 South Range 33 West Haskell County



Proposed Point of Diversion

Permitted Water Right

Domestic Well within 1/2 mile

1/2 mile buffer

1111 RD 90 SUBLETTE KS 67877-8033

WR 3386 & 8678: SOUTHWEST FARMS LLC 15857 BEAR MOUNTAIN BLVD BAKERSFIELD CA 93311



By signing below I agree that all wells, including domestic, and owners names and addresses within 1/2 mile of the proposed point of diversion have been shown on the map

> AM/GCFO 1:24,000 Scale

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

Customer Name: Kenny Cox Farms
Street Address: 450 US HWY 83 WO#: 21419 Date: 4-14-21

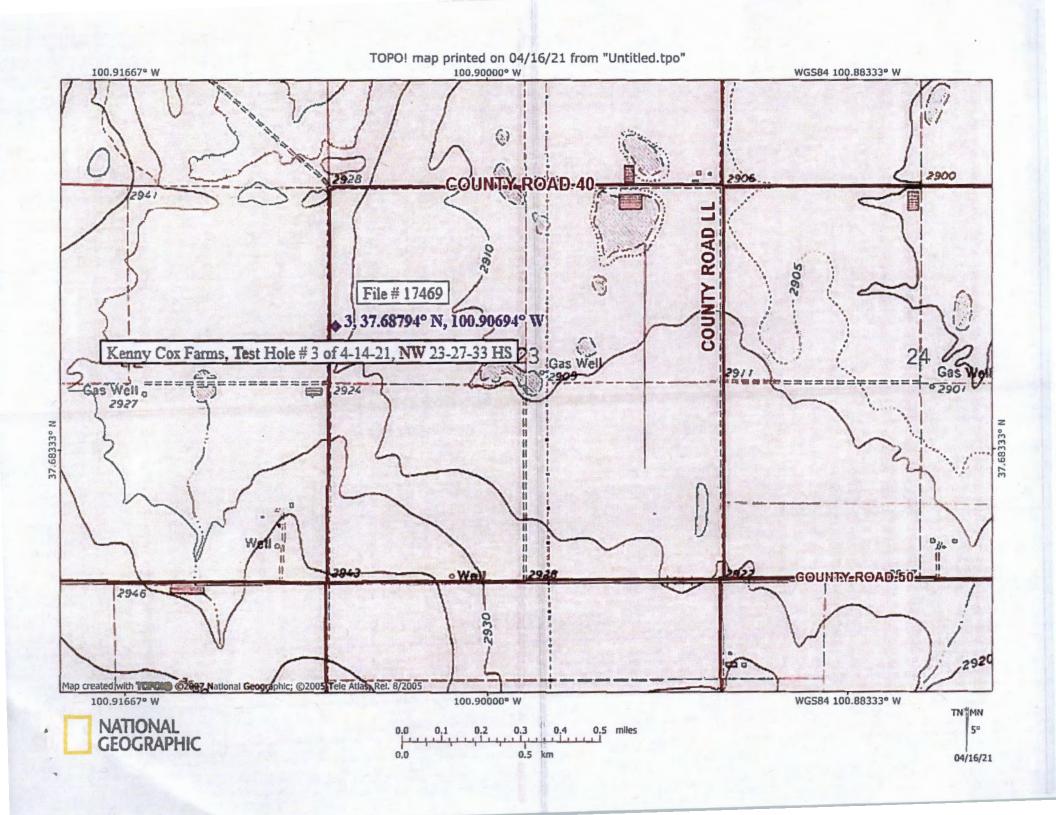
Test #: 3

E LOG: Yes SUBLETTE KS. 67877 City, State: Driller: Dele

Township: 27 County: Haskell Quarter: NW Range: 33 Section: 23 GPS: N37, 68794 W100,90694 Location:

Elevation: 2908' Static WL: 350'
Proposed Well Depth Rig #: 10002

				WELL LOCATION BU'SUMP
		Footage	The state of the s	
%	From	Pay	То	Description of Strata
Para Para	0	NAME AND ADDRESS OF	2	Top Soil
	2		18	Brown Sandy Clay
10000	18		28	Fine Sand or / some Clay Stringers
	28		39	Brown Sandy Clay w / Some Calich & Some Fine Sand Mix
	39		64	Fine Med South in / Few clay Stringers
	64		124	Fine Med Course Sand Small Med Large Gravel
	224		253	Fine Med Course Sand Small Gravel w / Some Clay Lawers
	253		269	Brown South Clay
	269		289	Fine Med Course Sand Some Small Grovel w Isome clay Layer
	289		306	Blue Clay
	306		340	Fire Med Course Sand Small Gravel
Harry Burk	340		348	Brown Sandy Clay
25	348	10	360	Fine Med Course Sand Small Gravel
20	360	11	371	Fine And Course Sand w/ Fow clay Stringers
25	371	29	400	Fire Med Course Sand
	400		409	Brown Sandy Clay
15	409	12	421	Fine Med Sand
	421	A CALL DON'T DESCRIPTION OF THE PARTY OF THE	432	Grown Sneedy Clay
15	432	19	451	Fine Sand
	451	39	490	Sandstone + Socnetone w / Some Brown Book
	490	1/01/27/21/21	495	Shale
5	495	30	325	Sandstone
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War to	20444	Harman Contraction	H. Tubertine	



Garden City Field Office 4532 W. Jones, Suite B Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

May 5, 2021

SOUTHWEST FARMS LLC 15857 BEAR MOUNTAIN BLVD BAKERSFIELD, CA 93311

RE: Water Right, File No. 17469

Dear Sir or Madam:

This is to advise you that Kenneth Cox has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced applications. An irrigation well is proposed to be relocated to the NW¼SW¼NW¼ of Section 23, Township 27 South, Range 33 West, Haskell County.

You can find the complete applications posted by water right file number as referenced above at: <a href="https://www.Agriculture.ks.gov/DWRNotices">www.Agriculture.ks.gov/DWRNotices</a>

You are notified on this proposed point of diversion (well) so that you may furnish this office with any comments or other information you 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 contact this office. If you would prefer, you could arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:

**GROUNDWATER MANAGEMENT DISTRICT NO. 3**