

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/U WORKSHEET

1. File Number: 33699	2. Status Change Date: <u>1-4-2021</u>	3. Change Num: C1	4. Field Office: 04	5. GMD: 03
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 12/4/2020
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8a. LANDOWNER, applicant, WUC
 New to system Person ID **3326**
 Add Seq# _____

WILLIAM R & TERESA M COTTRELL JR
PO BOX 309
MEADE, KS 67864-0309

8c. Landowner
 New to system Person ID **54976**
 Add Seq# _____

MARION KNOTT IRREV TRUST
ATTN: ELSIE COTTRELL TRUSTEE
PO BOX 309
MEADE, KS 67864

8b. Landowner(s),
 New to system Person ID **38224**
 Add Seq# _____

ELSIE E COTTRELL
PO BOX 309
MEADE, KS 67864

8d. landowner
 New to system Person ID **? 67635**
 Add Seq# _____

REX COTTRELL ET AL
C/O WILLIAM R COTTRELL JR
PO BOX 309
MEADE KS 67864

8e. landowner
 New to system X Person ID **67636**
 Add Seq# _____

COTTRELL FARMS LLC
PO BOX 309
MEADE KS 68764

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/2021** N & P Date to Comply: _____

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **12/28/2020** By: **MAM**
 Date Entered: **1/7/2021** By: **LMoody**

File No. **33699** 11. County: **ME** Basin: **CROOKED CREEK** Stream: Formation Code: Special Use:

12. Points of Diversion
CHK Rate and Quantity
MOD Authorized Additional
DEL PDIV Qualifier S T R ID 'N 'W **Comment (AKA Line)** Rate Quantity Rate Quantity
ENT gpm af gpm af Overlap PD Files

CHK 26243

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity **267** ac/ft

14. Limitation: **3890** af/yr at **---** gpm (**---** cfs) when combined with file number(s) **8315, 8317, 12748, 18474**
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
MOD 502	1	32	30W	02																145	8e	yes	8315, 8317, 12748, 18474		
MOD 1264	36	31	30W	01																320	8d	yes	8315, 8317, 12748, 18474		
MOD 11892	11	32	30W	01					40	40	40	40								160	8a	yes	8315, 8317, 12748, 18474		
MOD 11968	2	32	30W	01		L-1 39.85	L-2 39.72	40	40	L-3 39.58	L-4 39.45	40	40	40	40	30	38	23.48	37.4	40	23.48	591	8e	No	8315, 8317, 12748, 18474
MOD 21737	12	32	38W	04					28	38	33	26									127	8c	No	8315, 8317, 12748, 18474	
MOD 22022	3	32	30W	01		L-1 39.40	L-2 39.60	40	40									40	40	40	40	319	8e	No	8315, 8317, 12748, 18474

Base Acres: **1935** Year: Minimum Reasonable Quantity:

Comments: **limitation added to limit to 2.0 acre feet per acre as per regulation.**

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

Mike Beam, Secretary



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

Laura Kelly, Governor

January 4, 2021

WILLIAM R & TERESA M COTTRELL JR
PO BOX 309
MEADE, KS 67864-0309

RE: Water Right, File Nos. 8315, 8317, ¹²⁷⁴⁸~~12478~~, 18474, 33699

Dear Sir and Madam:

Enclosed is are orders executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approvals for change. Conditions of these approvals are that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file numbers and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meters as soon as these actions are completed.

Please note an additional condition was added to File No. 33,699 to limit the total overall quantity to a reasonable annual combined quantity on the total authorized acres.

Since the orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

Michael A. Meyer
Water Commissioner

MAM
enclosures
pc:

ELSIE E COTTRELL
MARION KNOTT IRREV TRUST
REX COTTRELL ET AL
COTTRELL FARMS LLC

GMD3

ERTIFICATE OF SERVICE

On this 4th day of January 2021, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 8315, 8317, 12748, 18474, 33699 dated 4th day of January 2021 was mailed postage prepaid, first class, US mail to the following:

WILLIAM R & TERESA M COTTRELL JR
PO BOX 309
MEADE, KS 67864-0309

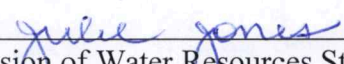
Pc:
ELSIE E COTTRELL
PO BOX 309
MEADE, KS 67864

MARION KNOTT IRREV TRUST
ATTN: ELSIE COTTRELL TRUSTEE
PO BOX 309
MEADE, KS 67864

REX COTTRELL ET AL
C/O WILLIAM R COTTRELL JR
PO BOX 309
MEADE KS 67864

COTTRELL FARMS LLC
PO BOX 309
MEADE KS 68764

GROUNDWATER MANAGEMENT DISTRICT NO. 3



Division of Water Resources 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

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.

RECEIVED
 3:04 pm
DEC 04 2020

Garden City Field Office
 DIVISION OF WATER RESOURCES

File No. 33699

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: WILLIAM R & TERESA M COTTRELL JR

PO BOX 309, MEADE, KS 67864-0309

Phone Number: (620)873-5405 Email address: Cottrell inc @ yahoo.com

Name and address of Water Use Correspondent: Same

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land --- NAME: See Supplemental sheet Same as applicant

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	
1	32	30W									40	40	40	40					160
2	32	30W	39.85	39.72	40	40	39.85	39.45	40	40	40	40	40	40	40	40	40	40	638.60
3	32	30W	39.45	39.60	40	40									40	40	40	40	319.05

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: See Supplemental sheet same as applicant Cottrell Farms LLC

ADDRESS: PO Box 309 Meade KS 67864

(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	
1	32	30W									32.5	40	40	32.5					145
2	32	30W	39.85	39.72	40	40	39.85	39.45	40	40	40	40	40	40	23.48	40	40	23.48	591
10x	32	30W	39.40	39.60	40	40									40	40	40	40	319 160

L-1 L-2 L-3 L-4

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 12-4-20 Check # 2172

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET

FILE NO. 33699

MAKE ADDITIONAL COPIES AS NECESSARY

3. *Continued:* The presently authorized place of use is:
Owner of Land ---- NAME: WR & ELSIE COTTRELL
ADDRESS: BOX 309, MEADE, KS 67864

Sec.	Twp.	Range	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTAL ACRES
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
10	32	30W	40	40	40	40													160
11	32	30W					40	40	40	40									160

Owner of Land ---- NAME: ELSIE E COTTRELL
ADDRESS: BOX 309, MEADE, KS 67864

Sec.	Twp.	Range	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTAL ACRES
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
36	31	30W										40	40	40	40	40	40	40	320

Owner of Land ---- NAME: MARION KNOTT IRREV TRUST, Attn: ELSIE COTTRELL TRUSTEE
ADDRESS: BOX 309, MEADE, KS 67864

Sec.	Twp.	Range	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTAL ACRES
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
11	32	30W	40	40	40	27													147
12	32	30W					20	40	20										80

4. *Continued:* 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: WILLIAM R & TERESA M COTTRELL JR
ADDRESS: PO BOX 309, MEADE, KS 67864

Sec.	Twp.	Range	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTAL ACRES
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
11	32	30W					40	40	40	40									160

Owner of Land ---- NAME: REX COTTRELL ET AL, C/O WILLIAM R COTTRELL JR
ADDRESS: PO BOX 309, MEADE, KS 67864

Sec.	Twp.	Range	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTAL ACRES
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
36	31	30W										40	40	40	40	40	40	40	320

Owner of Land ---- NAME: MARION KNOTT IRREV TRUST, ATTN ELSIE COTTRELL TRUSTEE
ADDRESS: PO BOX 309, MEADE KS 67864

Sec.	Twp.	Range	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTAL ACRES
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
11	32	30W	21.5	40	40	21.5													123
12	32	30W					28	38	33	28									127

MORE ON BACK SIDE

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, _____ 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 _____

6. **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 _____

7. The changes herein are desired for the following reasons?
 (please be specific) _____

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

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

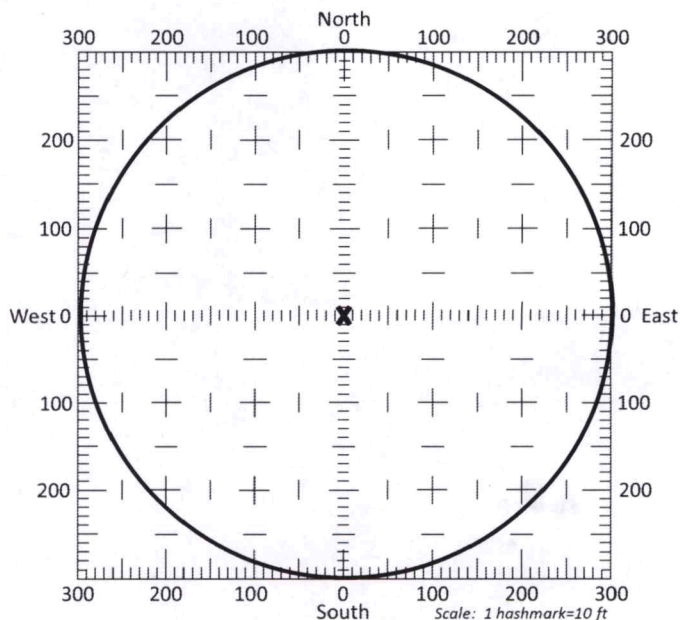
10. If the point of diversion is a well:
(a) What are you going to do with the old well?

(b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by _____

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 a 300 foot radius of the existing point of diversion, indicate its location 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.)**

Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Meade, Kansas, this 15 day of December, 2020.

Elsie E Cottrell Trustee
(Owner)

(Spouse)

Elsie E Cottrell, Trustee
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Meade } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 15th day of December, 2020.

DEBBY REIMER
Notary Public - State of Kansas
My Appt. Expires 1-5-24

Debby Reimer
Notary Public

My Commission Expires _____

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water \$300

Make check payable to Kansas Department of Agriculture:

RECEIVED
DEC 18 2020
Garden City Field Office
DIVISION OF WATER RESOURCES

LIMITED GENERAL DURABLE POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS, That I, Elsie E. Cottrell, individually, and as Trustee of the C. Marian Knott Trust, the undersigned principal, of Meade County, Kansas, hereby makes, constitutes, and appoints William R. Cottrell, Jr., my true and lawful attorney-in-fact for me and in my name, place and stead, and to my use, to do and perform the following acts and deeds:

1. To take charge of, manage, operate and control any farm ground which the undersigned principal now owns or hereafter acquires, including but not limited to the transaction of all business transactions of any kind in which the undersigned principal now or hereafter may become interested, including any capacity the undersigned may have as a sole proprietor, partner, shareholder, officer, director, or trustee of any trust, concerning as well all such transactions deemed necessary or appropriate by my herein appointed attorney-in-fact regarding water rights and such transactions related thereto in anywise or nature dealt with or in any manner associated with the Kansas Division of Water Resources.

2. To do any and all other acts and things that may be either necessary or proper in the handling and managing of the undersigned's affairs with the said Kansas Division of Water Resources.

Any questions which may arise concerning the power or authority of my attorney-in-fact to act for me as authorized herein shall be interpreted and construed in favor of my attorney-in-fact having such power and authority.

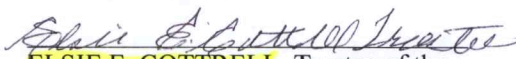
This power may be accepted and relied upon by anyone to whom it is presented until such person either receives written notice of revocation by the undersigned or by a fiduciary of my estate or has actual knowledge of the death of the undersigned.

The rights, powers, and authority of such attorney-in-fact herein granted shall commence and be in full force and effect on the date of execution of this instrument, and such rights, powers, and authority shall remain in full force and effect thereafter, except as provided in the immediately preceding paragraph. This power of attorney shall not be affected by the subsequent disability or incapacity of either of the undersigned.

This instrument is to be construed and interpreted as a limited general durable power of attorney. This instrument is executed pursuant to the Uniform Durable Power of Attorney Act of the State of Kansas, Sec. 58-610, et seq. K.S.A. and is delivered in the State of Kansas, and the laws of the State of Kansas shall govern all questions as to validity of the power and constructions of its provisions.

WITNESS MY HAND this 14th day of December, 2020.


ELSIE E. COTTRELL


ELSIE E. COTTRELL, Trustee of the
C. Marian Knott Trust

RECEIVED

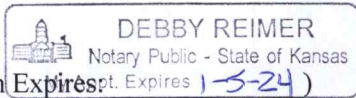
DEC 18 2020

Garden City Field Office
DIVISION OF WATER RESOURCES

STATE OF KANSAS, COUNTY OF KANSAS, ss:

On this 14th day of December, 2020, before me, a Notary Public, personally appeared to me Elsie E. Cottrell, individually, and Elsie E. Cottrell, Trustee of the C. Marian Knott Trust, who is known to me to be the person above named, and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed individually and as Trustee of the C. Marian Knott Trust.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at the day and year last above written.



Debby Reimer

Notary Public

Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Meade, Kansas, this 29 day of December, 2020.

William R Cottrell
(Owner)

Lisa M Cottrell
(Spouse)

William R. Cottrell, Jr.
(Please Print)

Teresa Cottrell
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Meade } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 29th day of December, 2020.



Richelle Axtell
Notary Public

My Commission Expires _____

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Meade, Kansas, this 22nd day of December, 2020.

Rex Cattrell
(Owner)

(Spouse)

Rex Cattrell
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

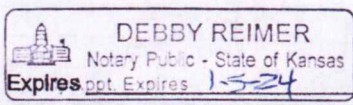
(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of MEADE } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 22nd day of December, 2020.

 DEBBY REIMER
Notary Public - State of Kansas
My Commission Expires 1-5-24

Debby Reimer
Notary Public

FFF SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Meade, Kansas, this 22nd day of December, 2020.

[Signature]

(Owner)

(Spouse)

Rex Cottrell

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of MEADE } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 22nd day of December, 2020.

 DEBBY REIMER
Notary Public - State of Kansas
My Appt. Expires 1-5-24

[Signature]

Notary Public

My Commission Expires _____

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water \$300

Make check payable to Kansas Department of Agriculture.

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 Meade, Kansas, this 1 day of December, 20 20.

William R Cottrell
(Owner)

(Spouse)

William Cottrell, Jr. POA
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

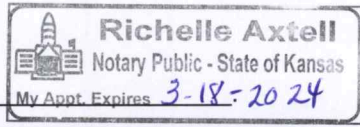
(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Meade } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 1st day of December, 20 20.



Richelle Axtell
Notary Public

My Commission Expires _____

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

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. 33699

- 1. A change application was received on December 4, 2020 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 _____ 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, 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
- 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: Michael A. Meyer
Duly Authorized Designee of the Chief Engineer

(Print Name): MICHAEL A. MEYER
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: January 4, 2021

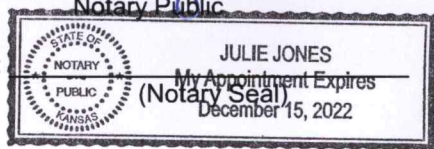
State of Kansas _____)
County of Finney) SS

Acknowledged before me on January 4, 2021

by Michael A. Meyer

Signature: Julie A. Jones
Notary Public

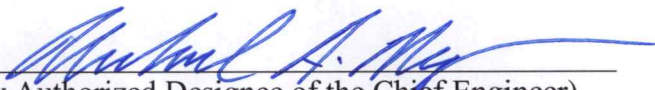
My commission expires: _____
JULIE JONES
My Appointment Expires
(Notary Seal)
December 15, 2022



ADDITIONAL CONDITION TO
SUMMARY ORDER APPROVING APPLICATION FOR CHANGE
AND IMPOSING CONDITIONS,
Water Right, File Nos. 33,699

The effective date of the change shall be the date the attached order is executed by the Chief Engineer, after which the following condition is included as a condition of the approval of the attached application for change in place of use.

The quantity of water authorized under this file number is further limited to the quantity of water which combined with Water Right, File Nos. 8,315, 8317, 12,748, 18474, will provide a total quantity not to exceed 3,890 acre-feet per calendar year for irrigation use on the land described herein.

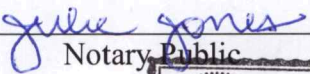
By: 
(Duly Authorized Designee of the Chief Engineer)

(Print Name): MICHAEL A. MEYER
Division of Water Resources Kansas Department of Agriculture

Dated of Issuance: January 4, 2021

State of Kansas)
) SS
County of Finney)

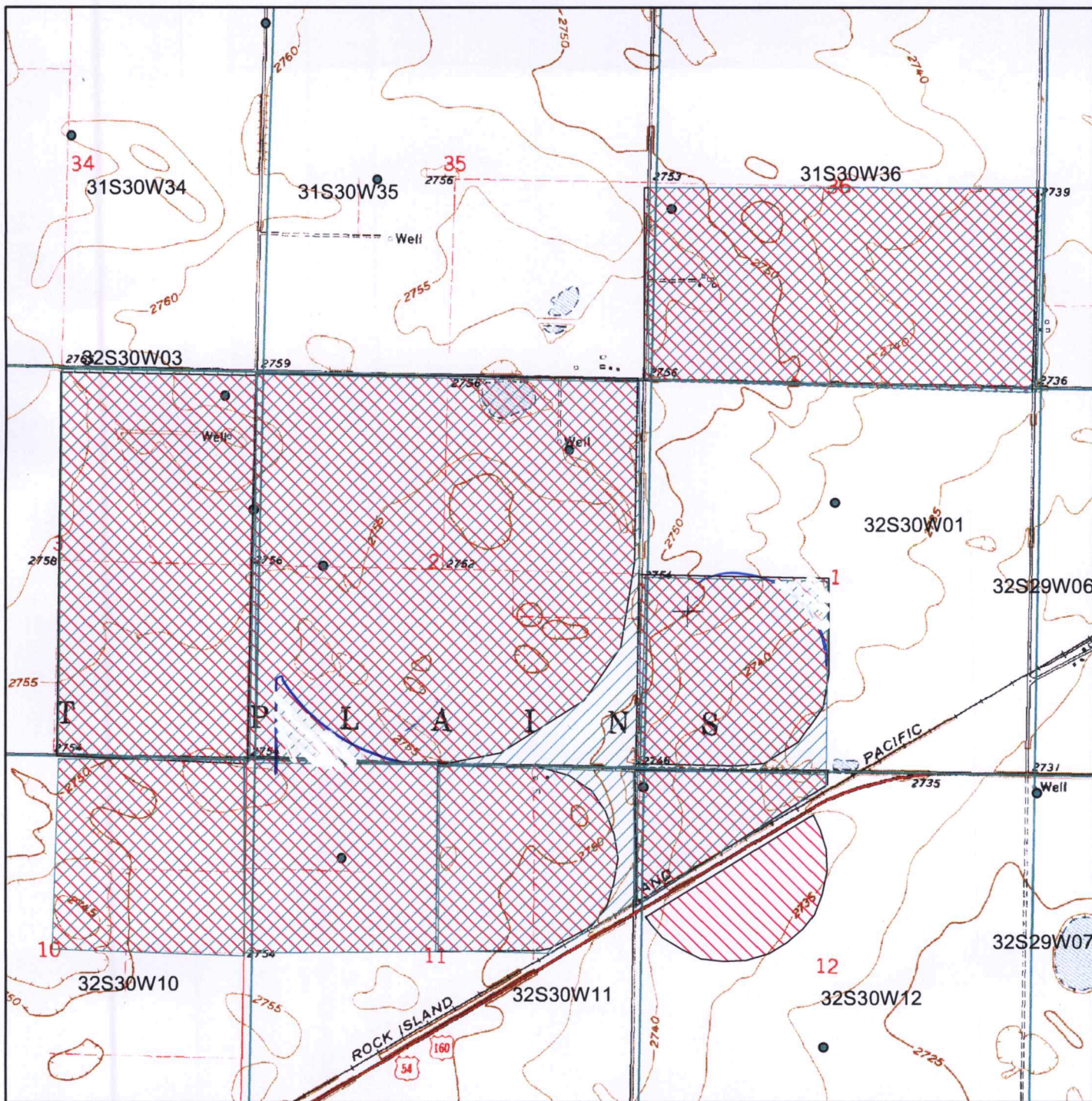
Acknowledged before me on the **4th** day of January 2021

By Michael A. Meyer
Signature 
Notary Public

My Commission expires: _____



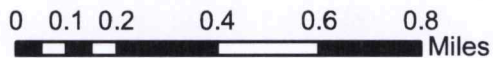
Change in place of use application for water right 33699



Authorized place of use

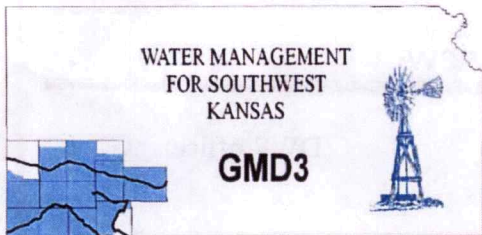


Proposed place of use



All wells within 1/2 mile are on this map.

X *William R. Stetson*



Southwest Kansas
Groundwater Management District No. 3
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone (620) 275-1431 fax
www.gmd3.org

December 16, 2020

Michael A. Meyer
Division of Water Resources
4532 W Jones Ave., Suite B
Garden City, Kansas 67846

RE: Applications for Change in Place of Use
Water Right, File Nos. 8315, 8317, 12748, 18474 & 33699

Dear Mike:

We have reviewed the applications for the above referenced water rights. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use will rearrange the acres to better suit the operation and is in accordance with K.A.R. 5-5-11 and does not increase the combined base acres by more than 10 acres. It is therefore recommended that the applications be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

Jason L. Norquest
Assistant Manager

RECEIVED

DEC 16 2020

Garden City Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 8315, 8317, 12748, 18474 & 33699.

DWR office: GC.

App filed to change: PU.

Is Landowner(s) correct in WRIS: Cottrell.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? .

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-5-11

Point of diversion ID No(s) being changed.

	ft. North	ft. West			
Authorized PD					
Proposed PD					
Difference	0	0			
a2 + b2 = c2	0	0	0		

GPS for proposed PD: Lat: Long: .

Is proposed PD stacking on existing WRs? .

Is Proposed PU overlapping existing WRs? .

Neighboring certified well(s) notified: .

Name .

Address .

Zip .

Email: Phone: .

Domestic well(s) notified: .

Name .

Address .

Zip .

Base Acres: 1935 acres combined.

Perfected Acres: .

Irr. Return-Flow %

Currently 1984.65 acres authorized.

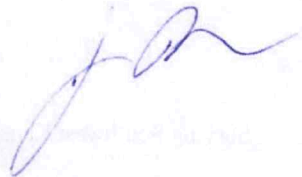
Proposing 1945 acres. That would be 10 acres over the combined base, within the rules.

Adding a half pivot in the SE of NW section 12 .

Eliminating corners in SE of 2, NE of 11 and SE SW of 1.

Is a waiver needed: Rearranging the acres and bringing in new acres, but keeping it at 10 acres above the base.

Recommendation: After review of all available information, it appears current area rules are met. Staff therefore recommends approval of the applications.





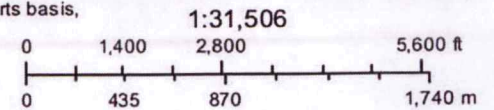
December 15, 2020
15:58 PM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

Wells	+	CON	●	FPR	▲	MUN	⚡	THX
?	Other	⊠	DEW	+	HYD	⚡	REC	? Empty
●	IRR	⋄	DOM	★	IND	⊠	STK	□ Sections

RECEIVED

DEC 16 2020
Garden City Field Office
Division of Water Resources



Meyer, Mike [KDA]

From: Meyer, Mike [KDA]
Sent: Monday, December 14, 2020 10:22 AM
To: 'Norquest, Jason (Norquest@gmd3.org)'
Subject: request for recommendation, File Nos. 8315 et al
Attachments: 20201214073256589.pdf

good morning

attached are place of use application to re organize authorized and base acres for Bill Cotrell. please note that Bill is working on getting us power attorneys for 2 tracts of land that his mother owns, that he needs to supply. he is working on that now. I wanted to go ahead and get this to you pending those signatures. just a time issue.

Total base acres are 1935 acres

please review and let me know if you have any questions.

please provide a recommendation within 15 days.

Mike

-----Original Message-----

From: kda.fax@ks.gov <kda.fax@ks.gov>
Sent: Monday, December 14, 2020 7:33 AM
To: Meyer, Mike [KDA] <Mike.Meyer@ks.gov>
Subject: Message from "GardenCity-Savin-Color"

This E-mail was sent from "GardenCity-Savin-Color" (MP C3004ex).

Scan Date: 12.14.2020 07:32:56 (-0600)

Queries to: kda.fax@ks.gov

This E-Mail was sent from the Kansas Department of Agriculture.

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

December 14, 2020

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO. 3
2009 E SPRUCE ST
GARDEN CITY KS 67846

Re: Water Right, File Nos. 8315, 8317, 18474, 12748, 33699

Dear Mr. Norquest:

This is to advise you that William Cottrell Jr, has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use for the above referenced files.

We are delaying action on the change applications to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM
Enclosures