

Kansas Department of Agriculture / Division of Water Resources
Stockton Field Office

TO: HEADQUARTERS

RE Vested Right; Water Right; Appropriation of Water; Application

File No(s). 17,221 + 33464

County SA

Enclosed are the following checked items:

- A _____ FIR Full Partial Inspection Return to Field Office
 Proposed Certificate to deliver to Certificate Unit
- Meter Order: GMD#4
 Lower Smoky
 Other _____
- A Compliance Check Inspection on _____
 Meter Install New App Chg App Other _____
 In Compliance Not in Compliance, why _____
Modify Point of Diversion No Yes, document attached
Indicate all overlapping p/d files _____

An application and judgment sheet with recommendation.

A memorandum dated _____

A request for an extension of time to perfect or complete.

A verified report.

A closure request.

A field investigation report.

Notice of Non-Compliance _____

Violation

Date

An ownership change (name(s) and address(es) below).

A water use report for _____

A letter dated _____

A copy of an Approval to Change the place of use and/or point of diversion,

Filing Fee attached. ~~\$6677~~
\$400.00

An Advanced copy of a change application and the filing fee, to be processed at the field office.

An original field office change application and the filing fee needing headquarters office review and further processing.

Other: _____

William Steub
Water Commissioner

5-19-17
Date

CHECK SHEET Short Change

File No. 33,464

Field Office No. 3

GMD No. _____

1. **Plugging agreement obtained for GMD?** Yes No Non Applicable
2. **Is Landowner correct as currently shown in WRIS?** Yes No **Address Change?** NO
If applicable, list Place of Use Overlap File Nos. 17,221
3. **Is Water Use Correspondent correct as currently shown in WRIS?** Yes No **Address Change?** NO
Name of Former WUC _____ Name of New WUC _____
4. a. **Point of diversion computer ID No(s).** n/a for point(s) being changed.
- b. **Show feet distances from the** SE **corner of the section for the new point(s) of diversion:**

Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	County	Qualifiers

c. **If multiple points of diversion exist and rates and quantities are individually assigned, show:**

Old PDIV ID	Authorized Rate	Additional Rate	Authorized Quantity	Additional Quantity
_____	_____ gpm/cfs	_____ gpm/cfs	_____ af/mgy	_____ af/mgy
_____	_____ gpm/cfs	_____ gpm/cfs	_____ af/mgy	_____ af/mgy
_____	_____ gpm/cfs	_____ gpm/cfs	_____ af/mgy	_____ af/mgy

d. **Name of Drainage Basin** _____ **Is this correctly shown in WRIS?** Yes No

e. **Formation Name & No.** _____ **Special Use Area** _____

5. **Distances from the previous/original p/d:** _____ ' N / S _____ ' E / W

6. **WATER RIGHT ACTION TRAIL COMMENTS**

05/17/2017 Change Application Received (date accepted for priority)

05/19/2017 Change Approved
Notice and Proof by ____/____/____

____/____/____ Completion Requirement Removed (Change No. C____)

7. **METER ACTION TRAIL COMMENTS**

____/____/____ DWR Meter Required by ____/____/____

8. **Base Acres** _____ **Year** _____ **Minimum Reasonable Quantity** _____

Date Created **5/19/17** by **BILLINGER**
Date Entered _____ by _____

CHECK SHEET ATTACHMENT

9. Changes to the place of use will be:

File Number 17,221

Action	Owner Person ID	Place Use ID #	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		
MOD	3376	23350	18	16S	02W	Acres Authorized										LOT 1 28	LOT 2 7	LOT 2 3	LOT 1 18.5		1.5			58
						New Acres																		
DEL	3376	17184	19	16S	02W	Acres Authorized								9	16									25
						New Acres																		
MOD	3376	4516	19	16S	02W	Acres Authorized			27						LOT 1 23.5	LOT 1 20.5					17			88
						New Acres																		
						Acres Authorized																		
						New Acres																		

Names and Address:

1. Person ID # <u>3376</u> <u>FRED D COX JR</u> <u>8920 S SIMPSON RD</u> <u>ASSARIA, KS 67416-8710</u>	2. Person ID # _____ _____ _____ _____ _____	3. Person ID # _____ _____ _____ _____ _____
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GENERAL INSTRUCTIONS

- | | | |
|---|---|--|
| 1. Give to Applicant: <ul style="list-style-type: none"> a. <u>Original</u> application/approval b. Original receipt (one for <u>each</u> application) c. Information packet containing: <ul style="list-style-type: none"> • Notice and Proof form • Water Meter Specifications • Acceptable Meter list • Water level measurement tube specifications • Check Valve specifications • Pink Sheet - K.S.A. 82a-728 letter • Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED) | 2. Send to headquarters: <ul style="list-style-type: none"> a. Good, <u>microfilmable</u> copy of application and/or approval and this check sheet b. Original check and copy of receipt c. Test hole log d. GMD recommendation, if any e. Map or aerial photograph, if any 3. Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well. <input type="checkbox"/> | 3. Complete notary statement.
4. Date stamp received and approved.
5. Complete ownership and WUC change information. |
|---|---|--|

ADDITIONAL PHOTOCOPIES

CONDITIONS

1. Insert notice and proof date.
2. Type or print applicant's/owner's name on line.


Kansas
Department of Agriculture
Division of Water Resources

Stockton Field Office
820 S. Walnut
Stockton, Kansas 67669-0192
Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Kelly Stewart, Water Commissioner

Phone: (785) 425-6787
Fax: (785) 425-6842
www.agriculture.ks.gov
Sam Brownback, Governor

May 19, 2017

FRED D COX JR
8920 S SIMPSON RD
ASSARIA KS 67416-8710

Re: Water Rights, File Nos. 17,221 & 33,464

Dear Mr. Cox:

Enclosed are two (2) orders executed by David W. Barfield, 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,



Kelly C. Stewart
Water Commissioner

KCS:rfh
Enclosures

CERTIFICATE OF SERVICE

On this 19th day of March, 2017, I hereby certify that the attached **SUMMARY ORDERS APPROVING APPLICATIONS FOR CHANGE in PLACE OF USE** for water right, File Nos. 17,221 & 33,464, dated on the 19th day of March, 2017, were mailed postage prepaid, first class, U.S. mail, to the following:

FRED D COX JR
8920 S SIMPSON RD
ASSARIA KS 67416-8710


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

APPLICATION COMPLETE

5/19/17

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. 33,464

RECEIVED

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

MAY 17 2017
 4:35 pm.

Stockton Field Office
 Division of Water Resources

2. Name and address of Applicant: Fred D. Cox Jr.

8920 S. Simpson Rd Assaria, KS 67416-8710

Phone Number: (785)667-6712

Email address: _____

Name and address of Water Use Correspondent: Fred D. Cox Jr.

8920 S. Simpson Rd Assaria, KS 67416-8710

Phone Number: (785)667-6712

Email address: _____

3. The presently authorized place of use is:

Owner of Land --- NAME: Fred D. Cox Jr.

ADDRESS: 8920 S. Simpson Rd Assaria, KS 67416-8710

(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					
18	16	2 W											Lot 1 17				Lot 1 20		7				44
19	16	2 W				27							Lot 1 27	Lot 1 26					17				97

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: Fred D. Cox Jr.

ADDRESS: 8920 S. Simpson Rd Assaria, KS 67416-8710

(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					
18	16	2 W											Lot 1 28	Lot 2 7	Lot 2 3	Lot 1 18.5			1.5				58
19	16	2 W				27							Lot 1 23.5	Lot 1 20.5					17				88

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

5. **Presently authorized point of diversion:**

One in the SE Quarter of the SE Quarter of the NW Quarter of Section 19, Township 16 South, Range 2 WEST, in Saline County, Kansas, 3,130 feet North 2,910 feet West of Southeast corner of section.

Authorized Rate 625 gpm Authorized Quantity 122 AF Depth of well _____ (feet)

(DWR use only: Computer ID No. 5 GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ WEST, 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 _____ WEST, 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:

Proposed point of diversion: (Complete only if change is requested)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ WEST, 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. Why do you need a new point of diversion? n/a

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

9. When do you propose to complete the new point of diversion?

n/a

10. If the point of diversion is a well:

(a) What are you going to do with the old well?

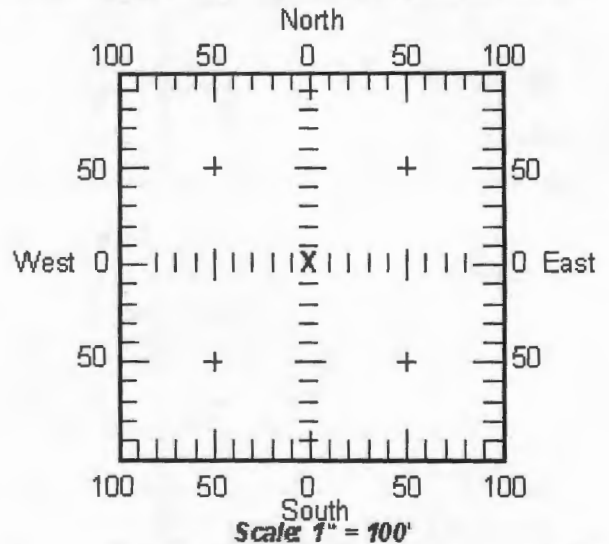
n/a

(b) When will this be done? n/a

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by DLM

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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 regard 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 Lindsborg, McPherson County, Kansas, this 12 day of May, 2017.

Fred D. Cox Jr.
(Owner)

Doris C. Cox
(Spouse)

Fred D Cox Jr.
(Please Print)

Doris C. Cox
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of _____ } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 12 day of May, 2017.

Elaine I. Bean
Notary Public

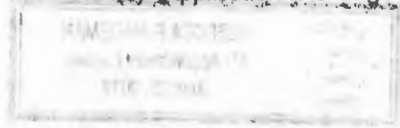
My Commission Expires 7-29-2019

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**

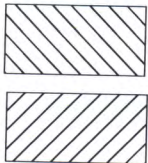
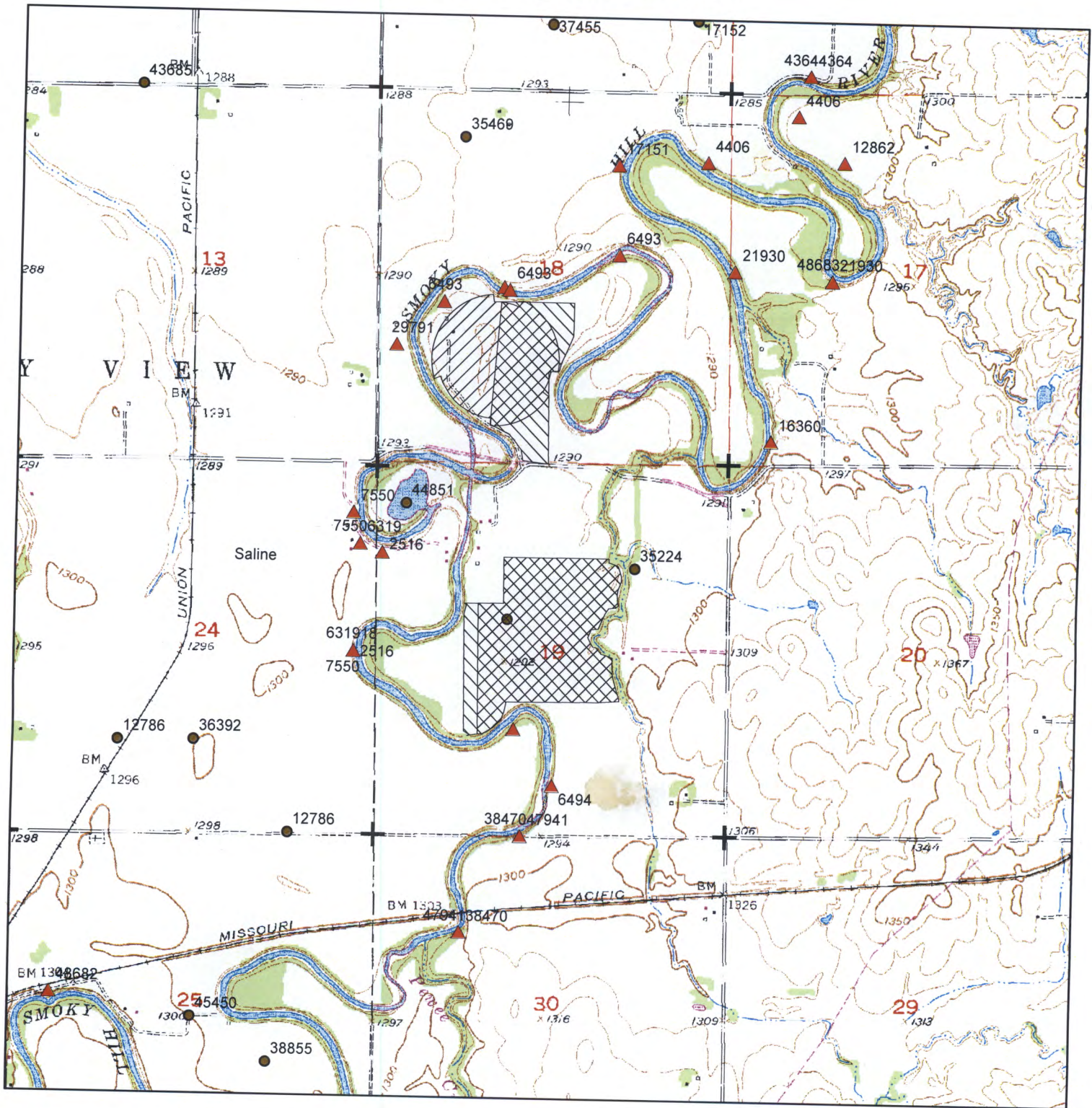
- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200



RECEIVED

MAY 17 2017

Application to Change the Place of Use For Water Right File # 33,464



Authorized Place of Use

Proposed Place of Use

▲ Surface Water Point of Diversion

● Groundwater Point of Diversion

1:24,000



RECEIVED

MAY 17 2017

Stockton Field Office