

BEFORE THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

In the Matter of the Application of Suburban )  
Water, Inc., d/b/a Suburban Water Company, For )  
A Certificate of Convenience and Authority to )  
Transact the Business of a Water Public Utility in )  
Section 23, Township 12 South, Range 21 East, )  
Leavenworth County, Kansas; and Parcel 2, a )  
Replat of Tract 16, South Basehor, a subdivision )  
in the City of Basehor, Section 2, Township 11 )  
South, Range 22 East, Leavenworth County, )  
Kansas. )

Docket No. 17-SUBW- 265 -COC

(Here describe the territory very briefly, as county, city, section, etc.)

**APPLICATION FOR CERTIFICATES  
OF CONVENIENCE AND AUTHORITY**

Suburban Water, Inc., d/b/a Suburban Water Company ("Suburban Water" or "Applicant"), hereby presents and shows to the Kansas Corporation Commission ("Commission"):

1. Applicant is a Kansas corporation and is engaged in the business of a water public utility in the State of Kansas, pursuant to certificates of convenience and necessity issued by the Commission.

2. On June 30, 2016, the Commission issued Suburban Water a certificate of convenience and authority in order to provide water utility service to Suburban Water's proposed water treatment facility in Docket No. 16-SUBW-438-COC ("438 Docket"). In order to accommodate the landowners, Suburban Water subsequently agreed to move the location of the proposed water treatment facility, and therefore, needs to apply for a certificate covering the revised location. Suburban Water has also filed an application to cease the certificate it was granted in the 438 Docket covering the original location of the proposed water treatment facility.

3. Suburban Water is requesting a certificate of convenience and authority in order to provide water utility service to the revised location of Suburban Water's proposed water treatment facility over and across the real property described as follows, to-wit:


A tract of land in the Southwest One-Quarter of Section 23, Township 12 South, Range 21 East, in Leavenworth County, Kansas. Being more particularly described as follows: Commencing at the Southwest corner of the Southwest One-Quarter of said Section 23; thence North 01 degrees 26 minutes 20 seconds West along the West line of said Southwest One-Quarter a distance of 958.69 feet to a point; thence North 88 degrees 33 minutes 40 seconds East a distance of 20.00 feet to a point on the East right of way line of 206th street as now established, said point being the Point of Beginning; thence North 01 degrees 26 minutes 20 seconds West, parallel with the West line of said Southwest One-Quarter a distance of 469.10 feet to a point; thence North 88 degrees 33 minutes 40 seconds East, a distance of 420.00 feet; thence South 01 degrees 26 minutes 20 seconds East a distance of 469.10 feet to a point; thence South 88 degrees 33 minutes 40 seconds West a distance of 420.00 feet to the Point of Beginning, less any part thereof taken or used for road purposes and containing 4.523 acres more or less. Known as Well 2 on Exhibit A by Schlagel & Associates, P.A.

4. The above-mentioned territory is currently located in an area served by Leavenworth County Rural Water District No. 10 ("RWD No. 10"). However, since the water treatment facility is owned by Suburban Water and Suburban Water has access to a supply for the water treatment facility to provide service to the facility, it is requesting a certificate to serve the facility. A copy of the area to be served is attached as Exhibit A. Suburban Water has informed RWD No. 10 of this request and RWD No. 10 has indicated it has no objection to this request.

5. A copy of this Application has been provided to RWD No. 10, Attention: Gary Bennett - General Manager, P.O. Box 70, Linwood, Kansas 66052, and its attorney, Joseph P. Perry, Perry & Trent, LLC, 13100 Kansas Avenue, Suite C, Bonner Springs, Kansas 66012.

6. Suburban Water has also entered into an agreement with Consolidated Rural Water District No. 1 ("RWD No. 1") whereby Suburban Water will provide service to Parcel 2, a Replat of Tract 16, South Basehor, a subdivision in the City of Basehor, Section 2, Township 11 South, Range 22 East, Leavenworth County, Kansas, and is requesting a certificate to serve this area. A copy of the Agreement with RWD No. 1 is attached hereto as Exhibit B and incorporated herein by reference. A map showing the location of the requested service territory is attached hereto as Exhibit C and incorporated herein by reference. A copy of this Application has also been mailed to RWD No. 1, P.O. Box 419, 15520 Crestwood Dr., Basehor, Kansas 66007.

WHEREFORE, Applicant requests a certificate of convenience and authority to serve the areas described in paragraphs 3 and 6 herein.

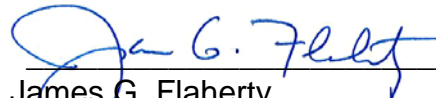


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James G. Flaherty, #11177  
**ANDERSON & BYRD, LLP**  
216 S. Hickory, P. O. Box 17  
Ottawa, Kansas 66067  
(785) 242-1234, telephone  
(785) 242-1279, facsimile  
Attorneys for Applicant

STATE OF KANSAS, COUNTY OF FRANKLIN, ss:

James G. Flaherty, of lawful age, being duly sworn upon oath, deposes and says that he is attorney of the within named applicant, that he has read the above and foregoing Application and the statements contained therein are true.

  
James G. Flaherty

SUBSCRIBED AND SWORN to before me this 27<sup>th</sup> day of December, 2016.





Notary Public

Appointment/Commission Expires:

# EXHIBIT A

UNION PACIFIC  
RAILROAD  
RIGHT OF WAY

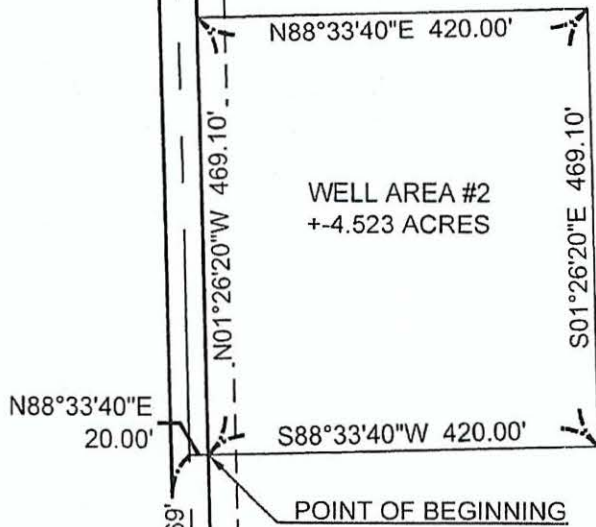
206TH STREET

PROPOSED 30'  
WATERLINE  
EASEMENT

DESCRIPTION: Well 2

A tract of land in the Southwest One-Quarter of Section 23,  
Township 12 South, Range 21 East, in Leavenworth County,  
Kansas. Being more particularly described as follows:

Commencing at the Southwest corner of the Southwest  
One-Quarter of said Section 23; thence North 01 degrees 26  
minutes 20 seconds West along the West line of said  
Southwest One-Quarter a distance of 958.69 feet to a point;  
thence North 88 degrees 33 minutes 40 seconds East a  
distance of 20.00 feet to a point on the East right of way line  
of 206th street as now established, said point being the Point  
of Beginning; thence North 01 degrees 26 minutes 20  
seconds West, parallel with the West line of said Southwest  
One-Quarter a distance of 469.10 feet to a point; thence  
North 88 degrees 33 minutes 40 seconds East, a distance of  
420.00 feet; thence South 01 degrees 26 minutes 20 seconds  
East a distance of 469.10 feet to a point; thence South 88  
degrees 33 minutes 40 seconds West a distance of 420.00  
feet to the Point of Beginning, less any part thereof taken or  
used for road purposes and containing 4.523 acres more or  
less.

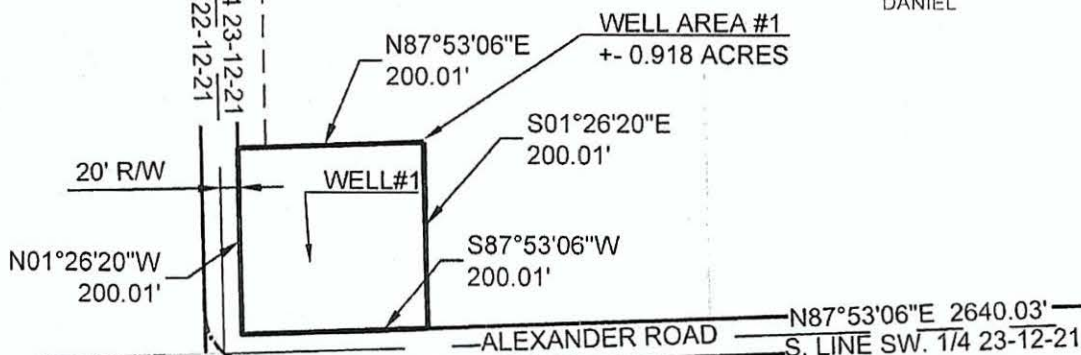


MILLERET, MARK L &  
MELENDIA MILLERET,  
LOUIS J FAMILY TRUST

PROPOSED 30'  
WATERLINE  
EASEMENT

SW. 1/4 OF  
SECTION 23-12-21

WHITE, JOSEPH  
DANIEL



POINT OF COMMENCING  
SOUTHWEST CORNER  
SECTION 23-12S-21E  
FOUND 4"X4" STONE



Aaron T. Reuter - Land Surveyor  
KS# LS-1429

DRAWN BY:	AR
CHECKED BY:	SCH
DATE:	7-21-2016
PROJECT NO:	15-031
SCALE:	1" = 200'
SHEET	1 OF 1



**SCHLAGEL & ASSOCIATES, P.A.**

Engineers • Planners • Surveyors • Landscape Architects  
14920 West 107th Street • Lenexa, Kansas 66215  
www.schlagelassociates.com • (913) 492-5158 • Fax: (913) 492-8400  
Kansas State Certificates of Authority  
#E-296 #LA-29 #LS-54

PROPERTY EXHIBIT

## EXHIBIT B

# AGREEMENT

WHEREAS, Consolidated Rural Water District #1, Lv Co and Suburban Water hereby agree to wit:

Consolidated Rural Water District #1, Lv Co shall release it's territorial rights to Parcel 2, a Replat of Tract 16, South Basehor A subdivision in the City of Basehor, Leavenworth County, Kansas.  
(See attached copy)

If at a later date the current owner of Tract 16, South Basehor decides to replat and/or sell more lots, Consolidated Rural Water District #1, Lv Co reserves the right to evaluate serving water to those parcel.

Both Districts; Consolidated Rural Water District #1, Lv Co and Suburban Water hereby agree that no monies shall change hands for this release of territory.

This Agreement has been entered into this 9 day of November, 2016.



Chairman

Consolidated Rural Water #1, Lv Co



Suburban Water



