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.

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

Docket No. 17-SUBW- 265_-COC

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.

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

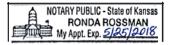
STATE OF KANSAS, COUNTY OF FRANKLIN, ss:

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

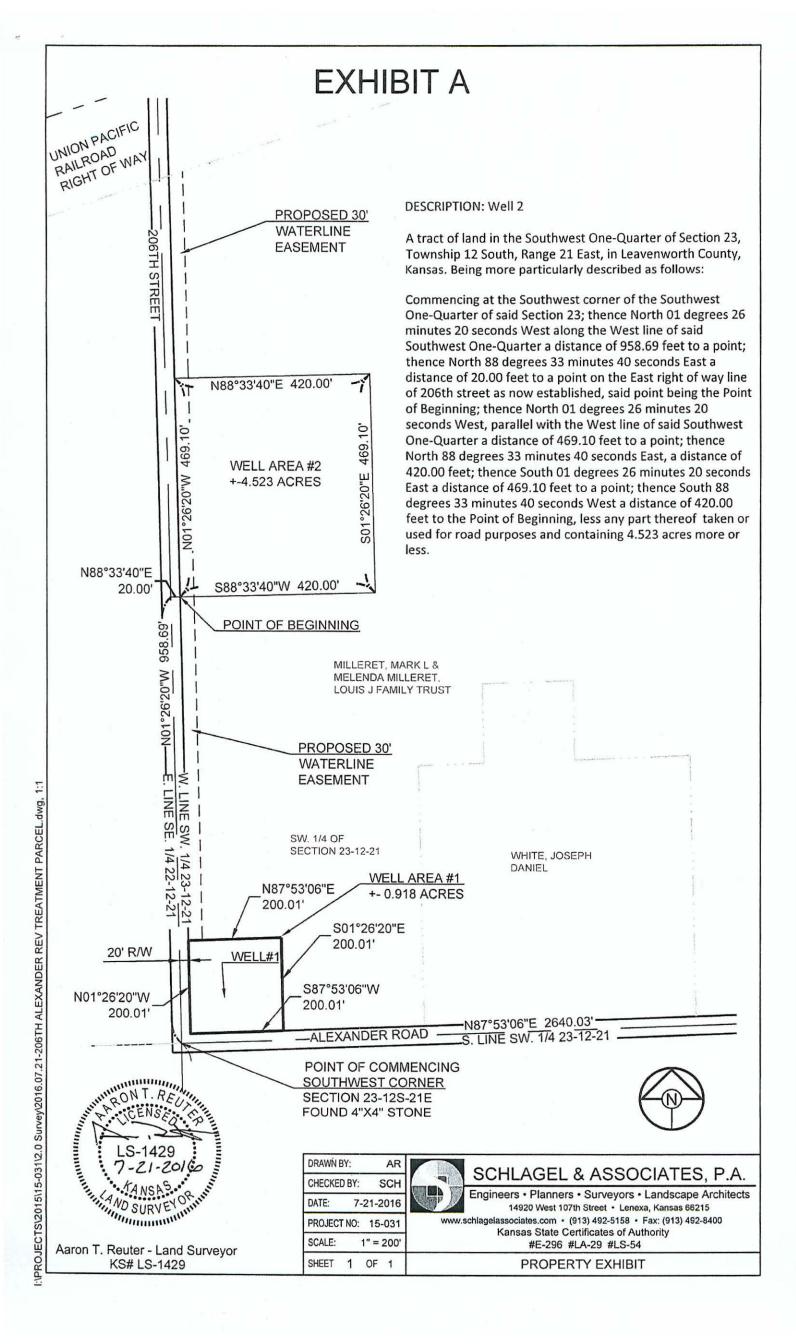
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SUBSCRIBED AND SWORN to before me this 27th day of December, 2016.



Notary Public

Appointment/Commission Expires:



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

EXHIBIT C THE STATE OF CENTRY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE OFFICE OF THE CALL SALVORY RECORDED AT A WAY IN THAT BOOK THAT SALVOR THOSE OFFICE OF THE OFFICE OF THE OFFICE OF THE OFFICE OFFICE OFFICE OFFICE OFFI HEREBY CERTINY THAT THIS PLAT WEETS THE REQURESYENTS OF K S.A.543-2005 THE FACE OF THIS PLAT WAS REVIENED FOR COMPLANCE WITH ANALYSIS MIGHORIS STORE OR THE REVIEW IS TORSERVE? A SUBDIVISION IN THE CITY OF BASEHOR, LEAVENWORTH THE CITY ENGINEERS PLAT REVIEW IS ONLY FOR GENERAL CONTRIBANCE WITH THE STRENGING REGULATIONS AS ACCOPTED BY THE CITY OF EASEDON. THE CITY IS NOT RESPONSING FOR THE ACCURACY OF THE DESIGN EXPENSIVE, ELEVATIONS, AND CAUST NE 1/4, SEC. 2-T11S-R22E BASEHOR COUNTY, KANSAS SOUTH TRACT 1 A REPLAT OF COUNTY SURVEYOR CERTIFICATION: PLANNING COMMISSION APPROVAL: SURVEYOR'S CERTIFICATION: CITY ENGINEER APPROVAL LEAVENMORTH COUNTY SURVEYOR WAYNE MALACOF CITY COUNCIL APPROVAL APPROVED THIS DAY OF LEAVENING MAINTY, KANSAS APPROVED THIS DAY OF STATE OF KANSAS COUNTY OF LEAVERNORTH FILING RECORD: THE UNDERSIGNED OWNER STATES THAT ALL TAXES ON THE ABOVE DESCRIBED LAND HAVE ELES PALO AND THAT THAVE CAUSED THE SAVE TO BE SUBOXIDED IN THE VANNER SHOWN ON THE ACCOUNTANT PLAT. RYMTHESS WHEREOF, I HAVE HEREUNTO SET MY HAVIO AND AFFIXED MY SEAL ON THE DAY AND YEARLASS WHITTEN ABOVE. ALL THAT PART OF TRACT 16, SOUTH BASENOR, A RECORDED SUBDIVISION IN THE CITY OF LLANDRING LLANDROWN HOUSEN, ZMARLA, SECORDED NEDOCH, AT PAGE 31, FILED JULY 19, 1524, BESTO UNDER PARTICULARIZY DESCRIBED AS FOLLOWS: BE IT REALEMBERGO THAT ON THIS DAY OF THE PROPERTY OF THE CASE OF SUBJECT PROPERTY LIES WITHIN ZONE "X" (MEA DETERMAND TO BE OUTS'DE 0 YN ANNUA, CHWICE MODO BOUNDED I COOD STRAWLE MILE LOOD BOUNDARY THE SIS FORBANDING BETAND IN FOUR TEAL MADOUGD IN COOR STRAWLE IN RE-LAN HAUBER SOOIDDOXES AND 2010/COSTIO WITH AN EFFECTIVE DATE JAY 18, 2015 ALI THAT PART OF THACT IS SOCIFIA MASSIORA, A RECOUNDED SUBMYSSIONIN THE CUTY OF MASSIONIN CHARLEN WAS RECORDED IN BOOK 4 AT PAGE 31. FLED AXY 18; 134, 8BAND MORE PARTICULARLY DESCRIBED AS FOLLOWS THERE IS GO FOOT WIDE ACCESS EASEWENT DEDICATED FER THIS PLAT, BEING ADJACENT TO THE EASTERLY LINE OF PARCEL 2, AS SHOWN CERTIFICATION AND DEDICATION: IN TESTIMONY WHEREOF STREETS SHOWN ON THE ACCOU **ACKNOWLEDGEMENT:** NOTARY PUBLIC NOTES D SET: 14" X 24" IR 2N BAR W PS 689" FOUND MOMUMENT AS NOTED. LOCATION MAP: SCALE: 1" = 60" NAV RIGHT-OF-WAY SB BULDING SETBACK MONUMENTATION NS COR. OF LOT 28 -FOUND 12" HON SUR WITJ STORY CAP 101 = 247 C (NOT TO SCALE) LEGEND 27 RESERVED AREA, PER SOUTH BASEHOR PLAT AS RECORDED IN BOOK 4. PAGE 31 TRACT - 247 0 CRAIG ST. (60' RW) POS PARCEL 1 10.53 (A) '9.878" (P) (P) (A) (P) (P) CHESTNUT ST, (RAW VARIES)
N88*05'01*E 247.00' (M & P) CURRENT OWNER OF RECORD.
MARY J. & STEVEN C. COLE AT CL INTERSECTION OF 1915T ST. AND CRAIG ST. S88°56'47"W 247.02" (M) 247.0' (P) (M) '88.878 W"80'54° FN (9) '1.878 TRACT = 247.00 RACT = 247.0 COR OF TRACT 11, SOUTH BASENCH DIVISION FOUND 55" BOW BAR NO W SWCOR, OF TRACT IS SOUTH BASENOR SUBDINSON FOUND ST BON BASENING CAP TRACI - 247.07 TRACT = 247.00