# Kansas Department of Agriculture Division of Water Resources

**CHANGE: P/D WORKSHEET** 

1. File Number: <b>28330</b>	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
6. Status: 🛛 Approved	☐ Denied by DWR/GMD ☐	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: <b>12/12/2019</b>
8a. Applicant(s) New to system □	Person ID 30923 Add Seq#	8c. Landown New to sy		Person IDAdd Seq#
WAYNE & EVALI TRUSTS 601 W CITY LIMI HUGOTON, KS 6				
8b. Landowner(s) New to system   8a	Person ID Add Seq#	8d. WUC New to sy	rstem □	Person IDAdd Seq#
☐ Anti-Reverse Meter	e(s): ☑ DWR Meter(s) Date to Compl ☐ Meter Seal ☑ Check Valve Date Required: Da	⊠ N & P Form	☑ Water Tube ☐ [	Driller Copy ☐ H & E Letter  Comply:
10. Use Made of Water F	From:	To: _		di v
			Date Prepared: <b>12/17</b> Date Entered:	<b>7/2019</b> By: <b>AM</b> By:

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Limitation:		af/yr at	at				) mdg			ਠ	cfs) when combined with file number(s)	r comb	ined w	ith file	numbe	(s)					al.	
15. 5YR Allocation:	Allocation Type	Type	St	Start Year	<u>ا</u>		5 YR.	5 YR Amount	+		Amount Unit	t Unit		Bask	Base Acres		Ī	Comment	int			
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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 17, 2019

WAYNE & EVALENA REYNOLDS LIVING TRUSTS 601 W CITY LIMITS ST HUGOTON, KS 67951-2247

RE: Water Right, File No. 28330

Dear Sir or Madam:

Enclosed is the order 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 number.

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

Since the order modifies the original document referred to above, it 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,

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

### CERTIFICATE OF SERVICE

On this 17<sup>th</sup> day of December, 2019, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 28,330 dated 17<sup>th</sup> day of December, 2019 was mailed postage prepaid, first class, US mail to the following:

WAYNE & EVALENA REYNOLDS LIVING TRUSTS 601 W CITY LIMITS ST HUGOTON, KS 67951-2247

Pc:

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.

File No. 28330    Sec. Twp. Range   NEX   NWX   SEX   NEX   NWX	than 1	00 feet		ace of	use wi														nd prop	ion is greater osed point(s)
File No. 28330  Garden City Field Office DIVISION OF WATER RESOURD  Application is hereby made for approval of the Chief Engineer to change the (check one or both):    Place of Use   Point of Diversion																				
Application is hereby made for approval of the Chief Engineer to change the (check one or both):    Place of Use   Point of Diversion																			DEC :	<b>2</b> 2019
Application is hereby made for approval of the Chief Engineer to change the (check one or both):    Place of Use   Point of Diversion								File No	. <u>2833</u>	0			art R	EMP.				C	landon Cir	r. Field Office
Under the water right which is the subject of this application in accordance with the conditions described below.  The source of supply is:							71				;··.			ALANC		41.5		DIVIS	ION OF W	ATER RESOURCE
under the water right which is the subject of this application in accordance with the conditions described below.  The source of supply is:	1. A	pplicati	on is he	ereby r	nade f	or app				ngine			and the same of		ne or b	oth):				
The source of supply is: S Groundwater Surface water  2. Name and address of Applicant: WAYNE & EVALENA REYNOLDS LIVING TRUSTS 601 W CITY LIMITS ST HUGOTON, KS 67951 - 2247 Phone Number: (620)544-6600 Email address: Name and address of Water Use Correspondent: WAYNE & EVALENA REYNOLDS LIVING TRUSTS 601 W CITY LIMITS ST HUGOTON, KS 67951 - 2247 Phone Number: ( ) Email address:  3. The presently authorized place of use is: Owner of Land NAME: ADDRESS: (If there is more than one landowner, attach supplemental sheets as necessary.)  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: ADDRESS: (If there is more than one landowner, attach supplemental sheets as necessary.)							☐ P	lace o	f Use		$\bowtie$	Point	of Dive	ersion						
2. Name and address of Applicant: WAYNE & EVALENA REYNOLDS LIVING TRUSTS 601 W CITY LIMITS ST HUGOTON, KS 67951 - 2247 Phone Number: (620)544-6600	uı	nder the	e water	right v	vhich is	s the s	ubject	of this	applic	ation i	n acco	ordanc	e with	the co	ndition	s desc	ribed l	pelow.		
Phone Number: (620)544-6600	TI	he sour	ce of s	upply i	s:		$\boxtimes$ G	Ground	water			Surfa	ce wat	er						
Phone Number: (620)544-6600																				
Phone Number: (620)544-6600 Email address:  Name and address of Water Use Correspondent: WAYNE & EVALENA REYNOLDS LIVING TRUSTS 601 W CITY LIMITS ST HUGOTON, KS 67951 - 2247  Phone Number: () Email address:  The presently authorized place of use is:  Owner of Land NAME:  ADDRESS:  (If there is more than one landowner, attach supplemental sheets as necessary.)  NE¼ NW¼ SW¼ SE¼ NE¾ NW¼ SW¼ SE¼ NE¾ NW¼ SW¼ SE½ NE¾ NW¼ SW¼ SE¼ NE¾ NW¼ SE¼ NE¾ NW¼ SW¼ SE¼ NE¾ NW¼ SE¼ N	2. N	ame ar	nd addre	ess of	Applica	ant: <u>W</u>	/AYNE	& EV	ALEN	A REY	NOLD	S LIVI	NG TF	RUSTS		_	_		-	4780
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14. If the proposed groundwater point of diversion is 300 or fewer fee	t from the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently a ☐ Yes ☐ No (If no, all owners must sign this approximation)	
<ul> <li>(b) Will the ownership interest of any owner of the currently aut affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this at the currently automated)</li> </ul>	thorized place(s) of use identified in this application be adversely application.)
(c) If this application is not approved expeditiously, will there be ☐ Yes ☐ No (If no, all owners must sign this applications)	
If the application proposes a surface water change in point of diversion or a change in place of use, the application must be signed by all own agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affi age and the owner, the spouse of the owner, or a duly auth their behalf, in regards to the water right(s) to which this a	norized agent of the owner(s) to make this application on application pertains. I further verify that the statements
Dated at, Kansas, the	State of the state
Wayso Regros Treats	Jovelina Receptor de
Wayne Reynolds (Please Print)	Evalena Reynolds (Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of SS	10510 to strong the strong to
I hereby certify that the foregoing application was signed in of	n my presence and sworn to before me this A day
My Commission Expires  My Commission Expires  December 15, 2022	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	, all of the applicable portions of the application form must be completed with a appropriate owners' must be affixed to the application and notarized; and
FEE SCHE	
Each application to change the place of use or the point of diversion u forth in the schedule below: Make checks payable to: <b>Kansas Depar</b> (1) Application to change a point of diversion 300 feet or less	rtment of Agriculture
<ul><li>(2) Application to change a point of diversion more than 300 (3)</li><li>(3) Application to change the place of use</li></ul>	reet
Westlermenter as the server of the Appointment Expires of the Appointment E	
William II	

Page 3

DWR 1-121 (Revised 04/5/2018)

File No. \_

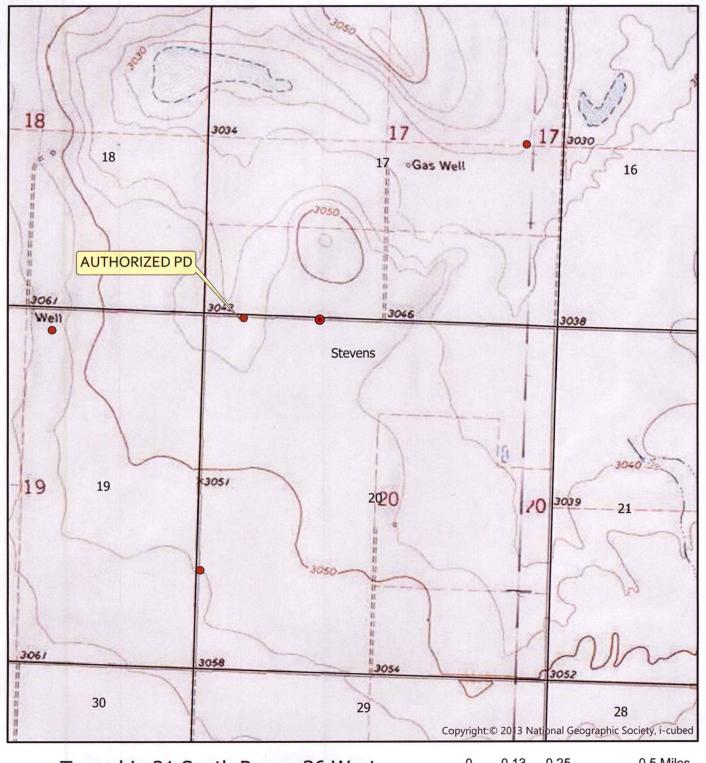
### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

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. 28330 A change application was received on diversion authorized under the above-referenced file number be changed as described in the application. requesting that the place of use and / or point of 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 \_\_\_\_\_\_\_\_\_ 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 feet from the previously authorized point(s) of diversion. Applicable \( \subseteq \text{Not Applicable} \) 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 Applicable K.A.R. 5-6-13. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20 o, 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 divertise annually to the Chief Engineer by March 1 following the end of each calendar year. ☒ Applicable ☐ Not Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20 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 Additional Conditions are attached. ☐ Yes 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 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 Micollock (Print Name): Hustin Division of Water Resources - Kansas Department of Agriculture review must state a basis for review pursuant to K.S.A. 77-527. File any request with Kansas Department of Agriculture, Date of Issuance: December Legal Division, 1320 Research Park Drive, Manhattan, KS 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: DM Notary Public STATE OA JULIE JONES My commission expires NOTARY (Nytappointment Expires

December 15, 2022 File No.

### CHANGE IN POINT OF DIVERSION FILE NO. 28330



Township 31 South Range 36 West STEVENS County

0 0.13 0.25 0.5 Miles



AUTHORIZED PLACE OF USE

POINT OF DIVERSION

PROPOSED PLACE OF USE

PROPOSED PD



Created By: AM/GCFO



### 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, 2019

Austin McColloch Division of Water Resources 4532 W. Jones Ave., Suite B Garden City, Kansas 67846

RE:

Application for Change in Point of Diversion

Water Right, File Nos. 28330

Dear Austin:

We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells.

Well evaluations are normally provided with a proposed change in point of diversion and at the same time we will notify all wells within a mile of the proposed location. In this case, we did not feel the evaluation would be justified since it is more a correction application and not an actual move. The applicant is proposing to move off of the most current authorized point of diversion that has not been completed. So the move is a matter of record moving back to the original and currently used well location. So there would be no new possible effect to neighboring wells to evaluate. Seeing as how this is reauthorizing the original and currently used well, it is therefore recommended that the application be approved.

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

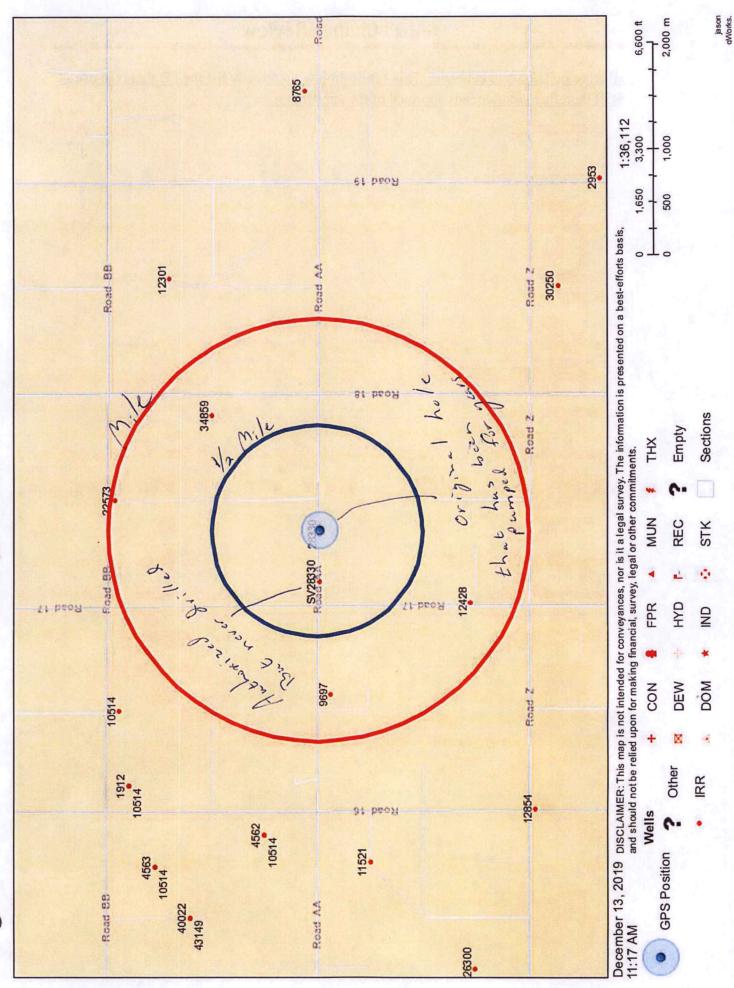
# GMD3 Change Review

App filed to chang	THE PERSON NAMED IN COLUMN TO SERVICE AND ADDRESS OF THE PERSON NAMED IN COLUMN TO SE	IS: Wayne	e & Evalena Reynolds Living Trust.	
the second secon	ocumentation	Marie Committee Contractor	& Evalena Reynolds Elving Trust.	
			102	
Is Water Use Corre			is:	
	ocumentation			
Regulation(s) Rev				
Point of diversion	ID No(s) _0	being ch	anged.	
TO TO STATE OF THE	ft. North	ft. West		
Authorized PD	5269	4687	Sect. 20-31-36	TTAL IN
Proposed PD	5275	3507	5cc. 20 51 50	
Difference	-6 n	1180 e	and the second second second second	
a2+b2=c2	36	1392400	1180.015 foot move East	119
GPS for proposed			Long: -101.26058. 2012 GMD3 in	enection
	Later to the second second		The state of the s	spection
Is proposed PD sta		A STATE OF THE RESERVE OF		
Is Proposed PU ov		isting wks:	No change.	
Land Owner(s) no		W W MILL		
Name		ame		
Address		ddress		
Zip		ip		
Neighboring certif				
Name		ame		
Address	A	ddress		
Zip		ip		
Domestic well(s) r	notified:			
Name	N	lame _		
Address	A	ddress _		
Zip	Z	ip _	<u>.</u>	
Base Acres:				
Perfected Acres:				
Irr. Return-Flow_	%			
The currently au	thorized PD	was appro	ved after a change app on Feb. 6, 2	2017.
After an extension	n to complet	e was appr	oved, the well was not completed.	This
application will n	nove the autl	nority back	to the previous authorized location	n.
Is a waiver needed	: There are	no wells wi	thin half so spacing is more than me	t to any
well. It really is no	ot a move sin	ce the origi	nal well is the only one that has pur	ped for
years and the curre				
	100 100 100 100 100 100 100 100 100 100		would not show much since this wo	uld be a
			along and there would be no change	

## GMD3 Change Review

effect to neighbors to evaluate. This application will correctly list the PD that is in use. Staff therefore recommends approval of the application.

# Change Review 28330



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 13, 2019

GROUNDWATER MANAGEMENT DISTRICT #3 2009 E SPRUCE ST GARDEN CITY KS 67846

Change Application, File No. 28330

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Wayne Reynolds and appears to be in proper form, for your review.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendation concerning this application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (620) 276-2901. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,

Austin McColloch

Assistant Water Commissioner

Enclosure pc: