

File No. 28330	11. County: SV	Basin: CIMARRON RIVER	Stream:	Formation Code: 211/331	Special Use:
12. Points of Diversion CHK MOD DEL ENT					
Qualifier	S	T	R	ID	'N
Comment (AKA Line)	'W				
Rate and Quantity	Authorized				
Rate gpm	Quantity af	Rate gpm	Quantity af	Rate gpm	Quantity af
Additional	Overlap PD Files				
DEL 85905					
ENT 17241 NW NE NW	20	31S 36W	2	5275 3507	1400 786 1400 520 NONE
FEET DISTANCES UPDATED FROM GPS; COMP INV 9/3/15					
13. Storage: Rate _____ NF _____ Quantity _____ ac/ft Additional Rate _____ NF _____ Additional Quantity _____ ac/ft					
14. Limitation: 1600 af/yr at _____ gpm (_____ cfs) when combined with file number(s) 12428					
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	ID
PUSE	S	T	R	ID	Total
CHK 7283	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4
CHK 27973	NW 1/4	SW 1/4	SE 1/4	SW 1/4	NE 1/4
	NE 1/4	NW 1/4	SE 1/4	SW 1/4	SE 1/4
	NW 1/4	SW 1/4	SE 1/4	SW 1/4	SE 1/4
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	NW 1/4	SW 1/4	SE 1/4	SW 1/4	SE 1/4
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	NW 1/4	SW 1/4	SE 1/4	SW 1/4	SE 1/4
	NE 1/4	NW 1/4			

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,

A handwritten signature in blue ink, appearing to read "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc:
GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 17th 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 17th 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.

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
 2:15 pm
DEC 12 2019

Garden City Field Office
 DIVISION OF WATER RESOURCES

File No. 28330

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: 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.)

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL ACRES
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

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.)

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL ACRES
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 12-12-19 Check # 6011

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 Garden City, Kansas, this 12th day of December, 2019.

Wayne Reynolds
 (Owner)

Evalena Reynolds
 (Spouse)

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 Finney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 12th day of December, 2019.



My Commission Expires _____

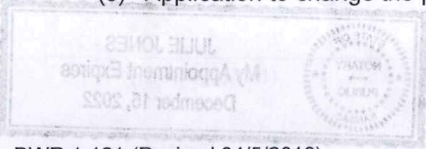
Julie Jones
 Notary Public

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. 28330.

1. A change application was received on December 12, 2019 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 50 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 300 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, 2020**, 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, 2020**, or within any authorized extension of time. By March 1, 2021 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: Austin McColloch
Duly Authorized Designee of the Chief Engineer

(Print Name): Austin McColloch
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: December 17, 2019

State of Kansas)

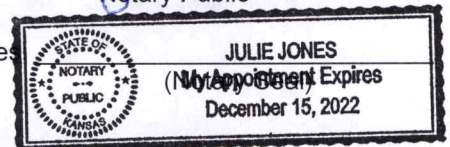
County of Ginney) SS

Acknowledged before me on December 17, 2019

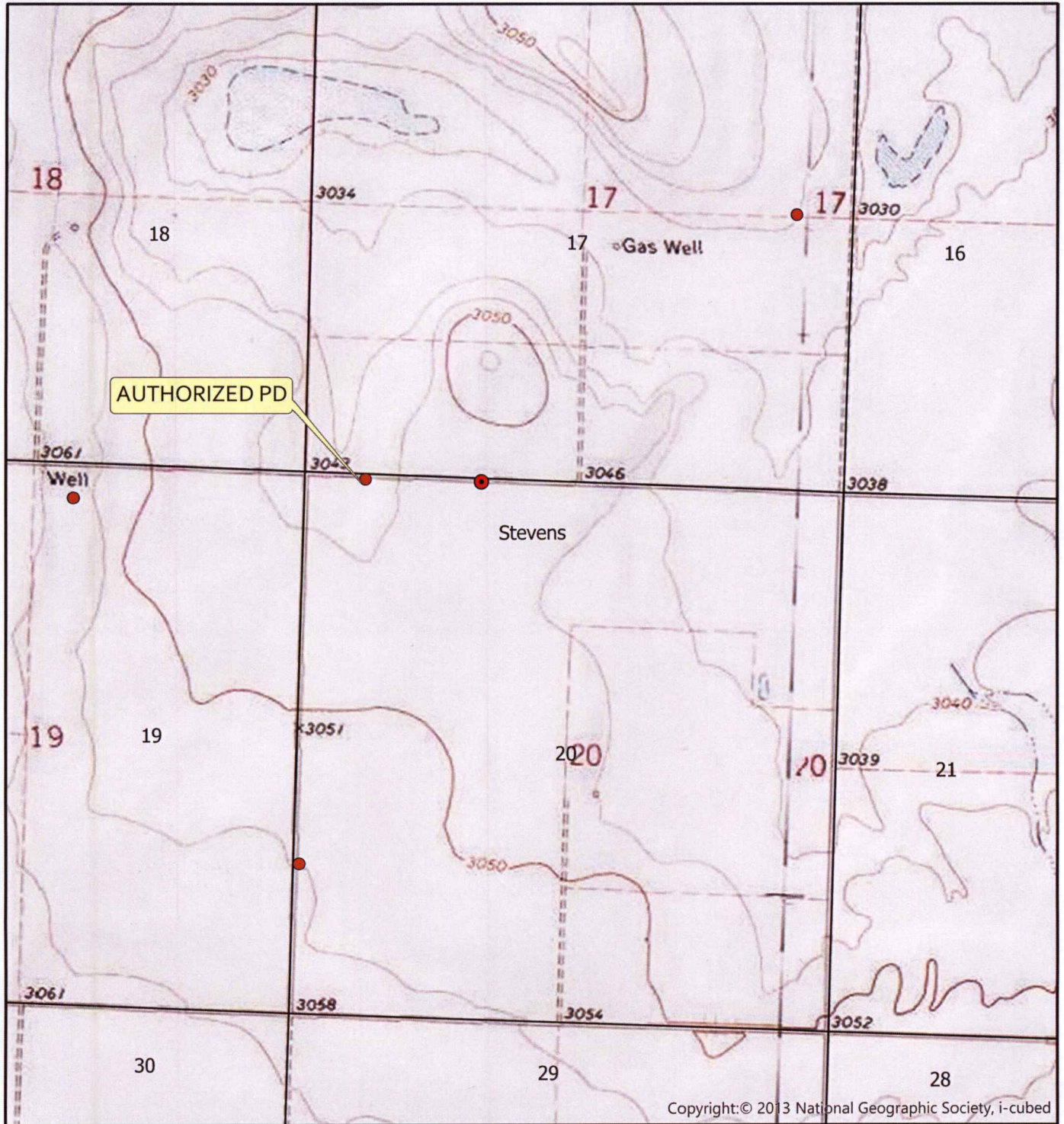
by Austin McColloch

Signature: Julie Jones
Notary Public

My commission expires

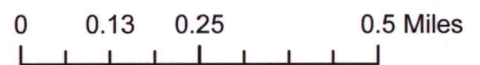


CHANGE IN POINT OF DIVERSION FILE NO. 28330



Copyright: © 2013 National Geographic Society, i-cubed

Township 31 South Range 36 West
STEVENS County



AUTHORIZED PLACE OF USE

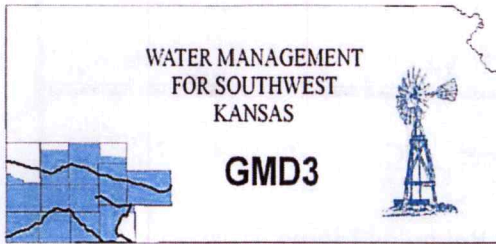
PROPOSED PLACE OF USE

● POINT OF DIVERSION

● 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

File No(s): 28330.

DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Wayne & Evalena Reynolds Living Trust.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? .

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-23-3

Point of diversion ID No(s) 04 being changed.

	ft. North	ft. West	
Authorized PD	5269	4687	Sect. 20-31-36
Proposed PD	5275	3507	
Difference	-6 n	1180 e	
$a^2 + b^2 = c^2$	36	1392400	1180.015 foot move East

GPS for proposed PD: Lat: 37.34410 Long: -101.26058. **2012 GMD3 inspection**

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No change.

Land Owner(s) notified: .

Name .

Name .

Address .

Address .

Zip .

Zip .

Neighboring certified well(s) notified: .

Name .

Name .

Address .

Address .

Zip .

Zip .

Domestic well(s) notified: .

Name .

Name .

Address .

Address .

Zip .

Zip .

Base Acres: .

Perfected Acres: .

Irr. Return-Flow %

The currently authorized PD was approved after a change app on Feb. 6, 2017.

After an extension to complete was approved, the well was not completed. This application will move the authority back to the previous authorized location.

Is a waiver needed: There are no wells within half so spacing is more than met to any well. It really is not a move since the original well is the only one that has pumped for years and the currently authorized well was never completed.

Recommendation: Staff feels the analysis would not show much since this would be a paper move to the well that has pumped all along and there would be no change in any

GMD3 Change Review

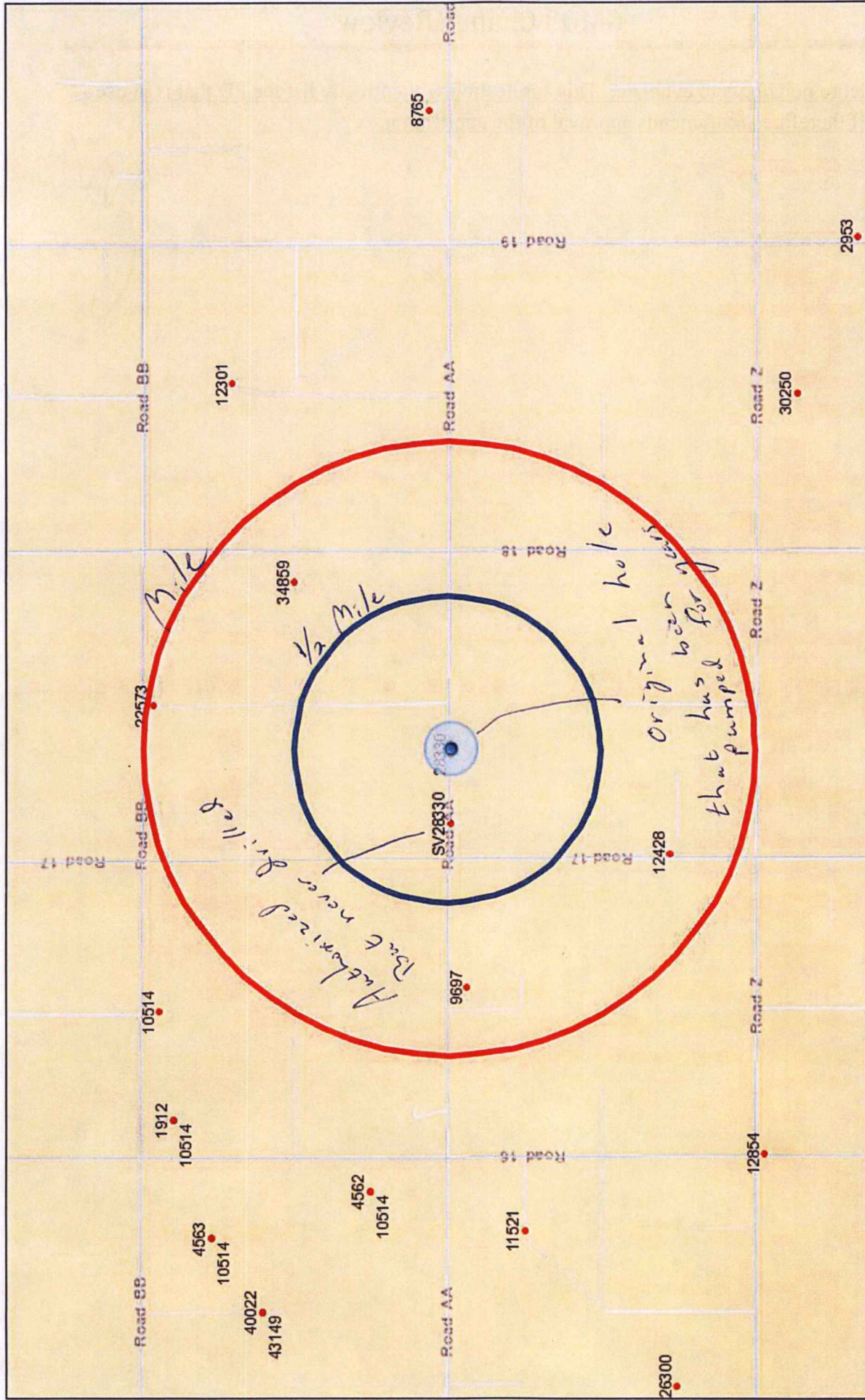
effect to neighbors to evaluate. This application will correctly list the PD that is in use.
Staff therefore recommends approval of the applicaiton.



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Change Review 28330



December 13, 2019 11:17 AM
 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.

GPS Position
 Wells
 Other
 IRR
 CON
 DEW
 DOM
 FPR
 HYD
 IND
 MUN
 REC
 STK
 THX
 Empty
 Sections

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,

A handwritten signature in blue ink that reads "Austin McColloch".

Austin McColloch
Assistant Water Commissioner

Enclosure
pc: