

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/D WORKSHEET

1. File Number: 22383	2. Status Change Date: 4-23-2020	3. Change Num: C2	4. Field Office: 4	5. GMD: 3
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change:
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8a. Applicant(s) New to system <input type="checkbox"/> EARLENE DAVIS 20275 E 1100 ROAD PLEASANTON, KS 66075	8c. Landowner(s) New to system <input type="checkbox"/> Person ID <u>38049</u> Add Seq# _____
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8b. Landowner(s) New to system <input type="checkbox"/> 8a	8d. WUC New to system <input type="checkbox"/> 8a
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9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/2020** N & P Date to Comply: **3/1/2021**

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter
 Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **4/23/2020** By: **AM**
 Date Entered: _____ By: _____

File No. **22383** 11. County: **SV** Basin: **CIMARRON RIVER** Stream: _____ Formation Code: **211** Special Use: _____

12. Points of Diversion
 Rate and Quantity
 Authorized Additional
 Rate Quantity Rate Quantity
 gpm af gpm af Overlap PD Files

CHK	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
DEL	86116																
MOD	23611	NE	NE	SE		8	32S	36W	1	2618	317		1500	580	1500	314	NONE

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: **634** af/yr at _____ gpm (_____ cfs) when combined with file number(s) **7917-D2 *UPDATE D2***
 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	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
CHK	10993																					8a	N	7917-D2	
CHK	31928																					8a	N	NONE	

Base Acres: _____ Year: _____ Minimum Reasonable Quantity: _____
 Comments: **UPDATED FEET DISTANCES ON OLD PD; NEVER COMPLETED NEW WELL LOCATION**

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

April 23, 2020

EARLENE DAVIS
20275 E 1100 ROAD
PLEASANTON, KS 66075

RE: Water Right, File No. 22383

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.

The abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

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 "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM:am
enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

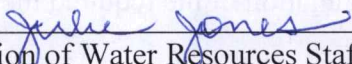
CERTIFICATE OF SERVICE

On this 23rd day of April, 2020, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 22,383 dated 23rd day of April, 2020 was mailed postage prepaid, first class, US mail to the following:

EARLENE DAVIS
20275 E 1100 ROAD
PLEASANTON, KS 66075

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.

File No. 22383

RECEIVED
 8:00 AM
 APR 20 2020

**Garden City Field Office
 DIVISION OF WATER RESOURCES**

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: EARLENE DAVIS, JANICE SCHUBERT POA
20275 E 1100 ROAD, PLEASANTON, KS 66075
 Phone Number: (620) 544-9628 New Email address: janiceschubert@yahoo.com New
 Name and address of Water Use Correspondent: NO CHANGE

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: NO CHANGE
 ADDRESS: _____

(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			

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: NO CHANGE
 ADDRESS: _____

(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				

For Office Use Only: Code _____ **Fee \$** 20000 **TR #** _____ **Receipt Date** 4-20-20 **Check #** 1023

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

One in the NW Quarter of the NE Quarter of the SE Quarter of Section 8, Township 32 South, Range 36 W, in SV County, Kansas, 2624 feet North 860 feet West of Southeast corner of section. Authorized Rate --- Authorized Quantity --- Depth of well --- (feet)

(DWR use only: Computer ID No. 02 GPS --- feet North --- feet West)

This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:

Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)

One in the NE Quarter of the NE Quarter of the SE Quarter of Section 8, Township 32 South, Range 36 W, in SV County, Kansas, 2618 feet North 317 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 _____ (E/W), 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: No change, point better described with GPS as follows:

Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), 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. The changes herein are desired for the following reasons?
(please be specific) MOVE BACK TO OLD LOCATION
NEW WELL DRILLED, BUT NEVER COMPLETED

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

9. The change(s) (was)(will be) completed by?

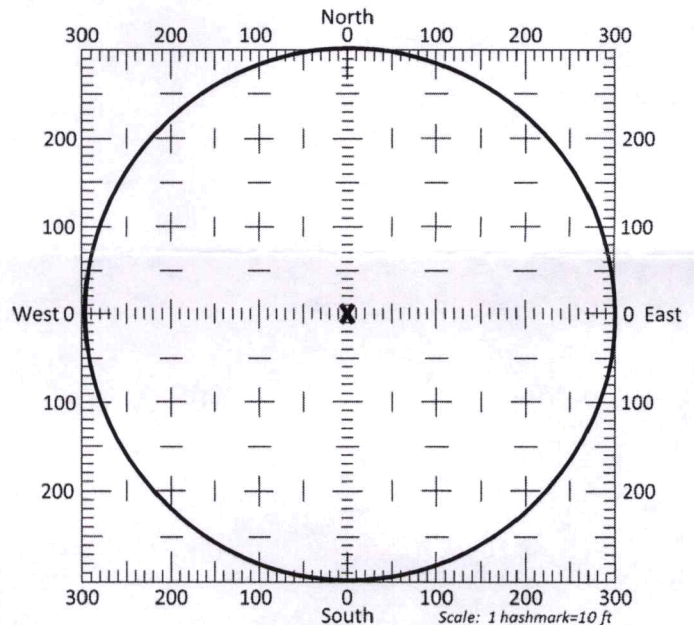
10. If the point of diversion is a well:
(a) What are you going to do with the old well?

(b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by MM

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of 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



13b. If the proposed point of diversion will be relocated within a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

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 Pleasanton, Kansas, this 16th day of April, 2020.

Earlene Davis
(Owner)

(Spouse)

Earlene Davis
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Linn } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 16 day of April, 2020.

My Commission Expires Sept 2, 2021



Susan D. Moylan
Notary Public

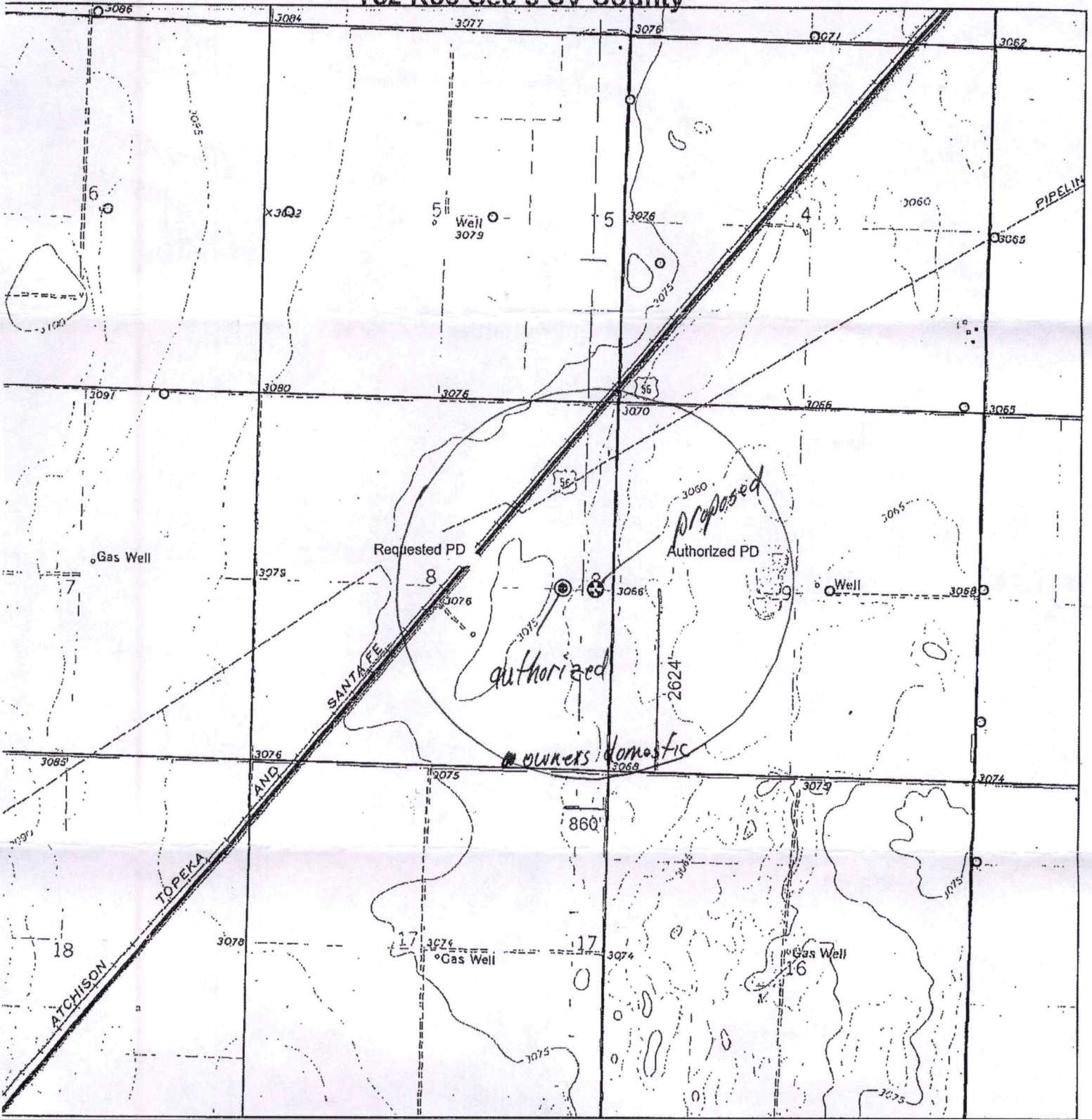
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate 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**

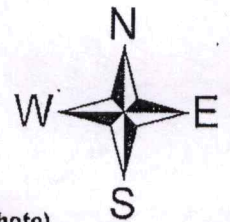
- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200

Point of Diversion Change
 File # 22383
 T32 R36 Sec 8 SV County



- ⊕ REQUEST. PD
- ⊙ AUTHORIZED PD
- ⊙ Point of Diversion

X Earlene Davis
 Applicant signature.
 "No other known wells within
 one-half mile of well"



(2006 Scaled air photo)



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

April 23, 2020

Austin J. 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 No. 22383

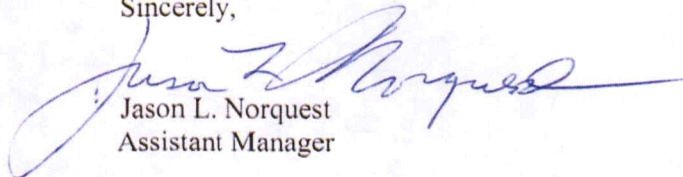
Dear Austin:

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 were not conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the draft revised management program. The current well location was only recently approved in 2017 and records show that it was never actually completed and operated. During that time, the applicant has pumped and reported on the original well and this application is moving the authority back to it officially. It would be hard to show any new effects on the area since they are the same effects for the last several years. The move is reasonably short and meets minimum spacing to neighboring wells. As stated previously, this is correcting the water right to accurately show the well that is being used in the current operation. Staff therefore recommends approval of the application.

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

RECEIVED

APR 23 2020

Garden City Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 22383.

DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Earlene Davis, POA Janice Schubert.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? Same.

If NO, is documentation included?

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

Point of diversion ID No(s) 02 being changed.

	ft. North	ft. West	
Authorized PD	2624	860	Sect 8-32-36
Proposed PD	2618	317	
Difference	6 s	543 e	
$a^2 + b^2 = c^2$	36	294849	543.0331 foot move East

GPS for proposed PD: Lat: Long: .

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified: .

Name .

Address .

Zip .

Domestic well(s) notified: .

Name .

Address .

Zip .

Base Acres: .

Perfected Acres: .

Irr. Return-Flow %

Change app, for PD, was approved in 2017. The new well was drilled but never completed. Since then the original well has been the one used and reported on. This change app is to officially move the authority back to the original location.

Is a waiver needed: Short move, spacing in more than still met to neighboring wells.

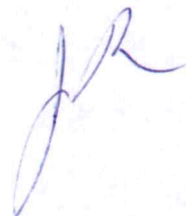
Basically this is correcting the location of a well that was never completed.

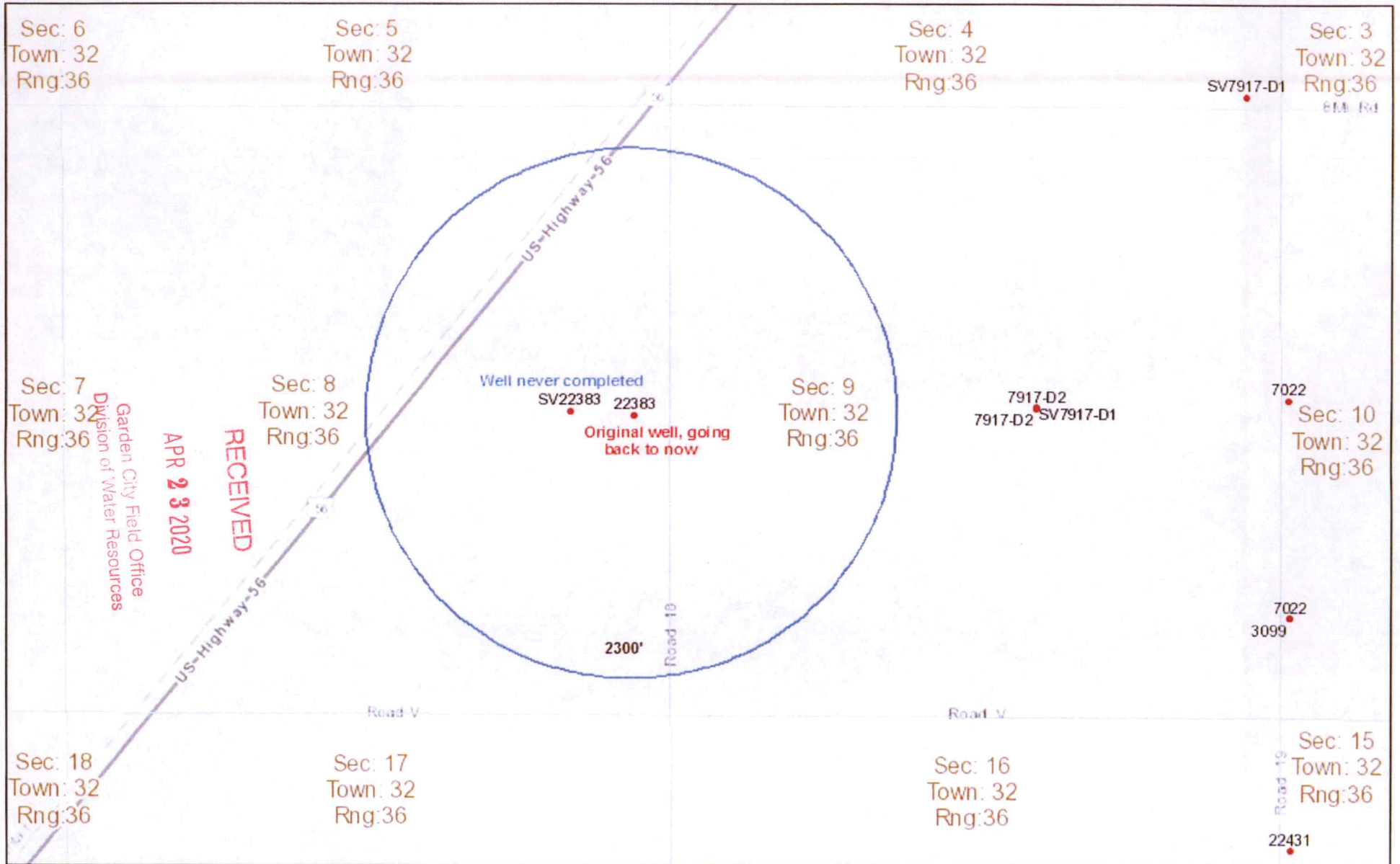
Recommendation: It meets all area rules. The analysis would not show any new effects since the well proposed is the original well and has been the one pumped and reported for years, so no new effects to compare. Staff therefore recommends approval of the application.

RECEIVED

APR 23 2020

Garden City Field Office
Division of Water Resources



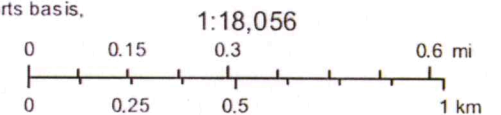


April 22, 2020
16:07 PM

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.

Wells

+	CON	●	FPR	▲	MUN	⚡	THX		
?	Other	⊠	DEW	○	HYD	■	REC	?	Empty
●	IRR	●	DOM	★	IND	⊙	STK	□	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

April 21, 2020

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

Change Application,
File No. 22383

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Janice Schubert POA for Earlene Davis 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

Austin McColloch
Assistant Water Commissioner

by *Michael A. May*

Enclosure
pc: