## Kansas Department of Agriculture Division of Water Resources

## **CHANGE: P/D WORKSHEET**

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
13815		C3	4	3
6. Status: ☐ Approved ☐ Den	ied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
				11/18/2022
8a. Applicant(s)  New to system □	Person ID <b>14601</b> Add Seq#	8c. Landowne		Person IDAdd Seq#
MERL D REXFORD PO BOX 880 MEADE, KS 67864-0880				
8b. Landowner(s) New to system □	Person ID Add Seq#	8d. WUC New to sy	stem 🗌	Person ID
8a		8a		
9. Documents and Enclosure(s):   DV	VR Meter(s) Date to Compl	y: <b>12/31/2023</b>	N & P Date to €	Comply: <u>3/1/2024</u>
☐ Anti-Reverse Meter ☐ Meter	Seal	⊠ N & P Form	☑ Water Tube ☐ Dri	iller Copy 🔲 H & E Letter
☐ Conservation Plan Date Requir	ed: Da	te Approved:	Date to 0	Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: <b>11/29/</b> Date Entered:	<b>2022</b> Ву: <b>АМ</b> Ву:

File No. 13815		11. County	11. County: ME			E Basin: CROOKED CREEK						Stream:				Formation Code: 211 Special Use:							
	nts of Dive	ersion												1		Rate	and Q	uantity			<u>-</u>		
MOD	PDIV															Authorized			Additional				
DEL	PDIV	Qualifier	S	Т	R	ID		'N	ʻW		Com	ment	(AKA	Line)		Rate		Quantit af	у	Rate		Overlap PD Files	
DEL	88667					,																	
ENT	25760	SW SW NW	25	30S	29W	1	2	686	525	9						1530	0	490	-	4530	490	NONE	
снк	88668	SE NE NW	25	30S	29W	4	4	213	266	0						1470	0	470		1470	0 470	NONE	
13. Storage: RateNF Quantityac/ft Additional RateNF Additional Quantityac/ft												_ ac/ft											
14. Lim	tation:		af/yr	at				gpm (_				cfs) w	hen co	ombine	d with	file n	umber	(s)					
Lim	itation:		af/yr	at				gpm (_				cfs) w	hen co	ombine	d with	file n	umber	(s)					
15. 5YF	Allocation	n: Allocation	Туре	_ s	tart Yea	ar		5 YR	Amou	nt		Amo	ount U	nit		Base	Acres		_ C	omment.			
16. Pla CHK	ce of Use				N	IE¼		NW1/4				SW1/4				SE1/4			Total	Owner Chg	g? Overlap Files		
MOD DEL ENT	PUSE	STR	ID	NE		SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4		-		
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снк 1	4778																						
снк 1	5400																				\[\frac{1}{2}\]		
снк 1	8057																						
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CHK	2863																	5			1		
Base Acres: Year: Minimum Reasonable Quantity:  Comments: REVERTING BACK TO PREVIOUS AUTH. POINT OF DIVERSION. UPDATED FEET DISTANCES W/ GPS																							
Committee	iito. IXL	LICINO	JAOK I	- 1 1	_ + 10	JU /				0.	- I V L	(01	J. 11.	J. D	, , , ,			2.01			0.0		

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

November 29, 2022

MERL D REXFORD PO BOX 880 MEADE, KS 67864-0880

RE:

Filed Office Application for Change

Water Right, File No. 13815

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,

Austin J. McColloch

Assistant Water Commissioner

AM:

enclosures

pc:

GMD 3

#### CERTIFICATE OF SERVICE

On this 29<sup>th</sup> day of November, 2022, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 13,815 dated 29<sup>th</sup> day of November, 2022 was mailed postage prepaid, first class, US mail to the following:

MERL D REXFORD PO BOX 880 MEADE, KS 67864-0880

Pc:

GMD 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

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-	of Section	25	, Township	30	South, Range _	29	V
			ounty, Kansas, 4443				
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	in ME	C	ounty, Kansas, 2666	feet North _	5259 feet West	of Southeast corr	er of section.
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			f diversion:				
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14. If the proposed groundwater point of diversion is 300 or fewer feet from	m the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently author Yes No (If no, all owners must sign this application)	
<ul> <li>(b) Will the ownership interest of any owner of the currently author affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this application)</li> </ul>	
(c) If this application is not approved expeditiously, will there be sub	
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affirm age and the owner, the spouse of the owner, or a duly authori their behalf, in regards to the water right(s) to which this appropriate in this application are true, correct and complete.	zed agent of the owner(s) to make this application or dication pertains. I further verify that the statement
Dated at Catur , Kansas, this	18th day of November, 20 22.
Dated at, Railsas, tills_	day of Typer , 20
Men DRefford	
(Owner)	(Spouse)
Meri D. RexFORD	
(Please Print)	(Please Print)
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(Owner)	(Spouse)
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State of Kansas	
County of Jinney SS	icth
I hereby certify that the foregoing application was signed in not wear per 20 20 .	
December 15, 2022	a
seriqx3 ineminingqA VM	Notary Public
Vy Commission Expires SANOT SIDE TONES SANOT SIDE OF THE TONE SANOT SIDE OF THE SANOT SID	0 0
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all a accurate information; maps, if necessary, must be included; signatures of all the ap the appropriate fee must be paid.	of the applicable portions of the application form must be completed wi propriate owners' must be affixed to the application and notarized; and
EEE SCHEDII	I E
Each application to change the place of use or the point of diversion unde forth in the schedule below: Make checks payable to: Kansas Departme (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	r this section shall be accompanied by the application fee set ent of Agriculture \$100 \$200

Page 3

File No. \_\_\_\_\_

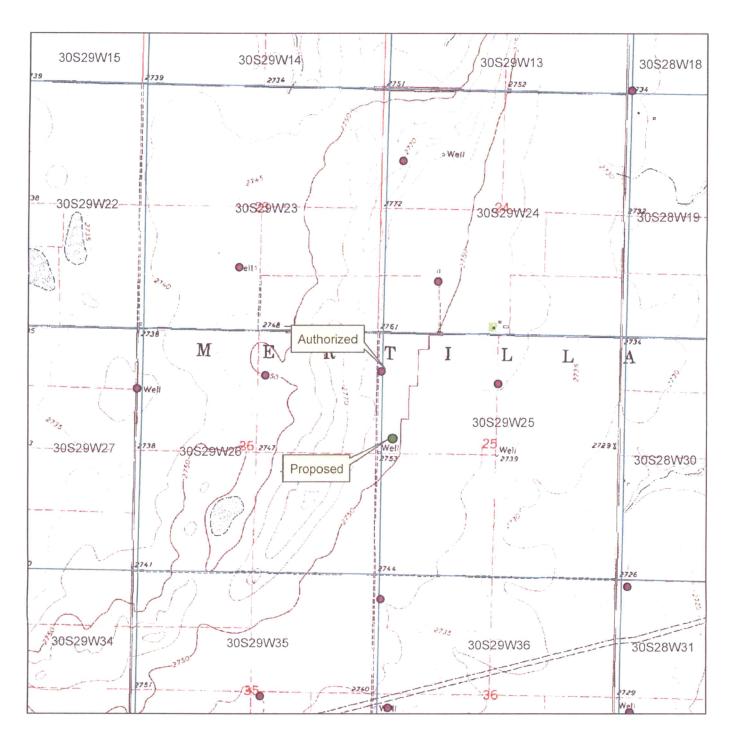
DWR 1-121 (Revised 09/11/2019)

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

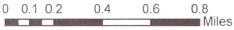
This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 13815 change application was received on <u>November 18, 2022</u> 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. A change application was received on 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 50 foot 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 The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion. ☐ Applicable ☒ Not Applicable feet from the previously 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. M Applicable ☐ Not Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before **December 31, 20\_23**, 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 Installation of the works for diversion of water shall be completed on or before December 31, 20 23, 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. Applicable 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 11. Additional Conditions are attached. No 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, you may request an evidentiary hearing before the Chief SUMMARY ORDER ISSUED 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 Hustin Asolla review must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Date of Issuance 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. State of Kansas SS For Use by Register of Deeds County of Acknowledged before me on Signature: Notary Public JULIE JONES My commission expires: My Appointment Expires (Notary Sealer 15, 2022

# Change in point of diversion for water right 13815



- Authorized point of diversion
- Proposed point of diversion





All wells within 1/2 mile are on this map.



## Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street Garden City, Kansas 67846

(620) 275-7147 phone www.gmd3.org

November 28, 2022

RECEIVEL

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

NOV 2 8 2022

Garden City Field Office Division of Water Resources

RE:

Application for Change in Point of Diversion

Water Right, File No. 13815

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 minimum spacing to neighboring wells and distance moved.

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 management program. In this case, the current point of diversion was approved in 2021 with little pumping in 2022. With such a short time at the current location there is no history to determine effects. Also the proposal is to revert back to the previous location, which would be moving back to recent historic effects in the area. So it was determined that the analysis was not needed in this case.

Therefore, GMD3 sees this move as meeting current area rules and would recommend approval. If aquifer conditions change or there is a change to the water right in the future, we would be happy to evaluate the effects at that time.

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).: 13815			DWR office: <u>GC</u> .
App filed to change			<del></del>
Is Landowner(s) co	rrect in WRIS	S: Merl Re	exford.
If NO, is do	cumentation i	included?	
Is Water Use Corre			S?
	cumentation i		_
Regulation(s) Review			
Point of diversion I			nged.
	( )		
	ft. North	ft. West	
Authorized PD	4443	5205	Sect 25-30-29
Proposed PD	2686	5259	per GMD3 inspection
Difference	1757 n	-54	
a2 + b2 = c2	3087049	2916	1757.83 foot move N
GPS for proposed I	PD: Lat:	Long:_	
Is proposed PD stac	cking on exist	ing WRs?	No .
Is Proposed PU ove	erlapping exis	ting WRs?	No Change .
Neighboring certifi	ed well(s) not	ified:	
Name Stapleton	Farms Inc %F	Ryan Staple	ton (3997, 32177).
Address PO Box 6	<u>55</u> .		
Zip Meade, K	S 67864.		
Email: stapletonfa	rmsinc@gma	il.com	Phone: <u>620-629-1828.</u>
Name Brandon	Unruh (6243)	<u>).</u>	
Address 36206 10	RD.		
Zip Plains, K	S 67869.		
Email: brandonu	nruh.73@gma	ail.com	Phone: <u>620-846-2143</u> .
Domestic well(s) n	otified:		
Name			
Address			
Zip			
Base Acres:			
Perfected Acres: _			
Irr. Return-Flow _	_%		
PD change was ap	proved in 20	21. This ap	oplication is moving the PD back to the
	-	-	oduction from new well was less than the
original well.			
Authorized 490AI	F @ 1530gpm	1	

## **GMD3** Change Review

Current well only pumped in 2021, hard to really determine effects of a move for only one year.

Is a waiver needed: Move is less than half mile. Minimum spacing to neighboring wells appears to be met. Since there is no real pumping history, an analysis would not give true results. The change in the area would not be more than what has been historical since the move has less than a year of pumping.

Recommendation: <u>After review of all information</u>, <u>staff would recommend approval of the application to officially move back to the previous location</u>.

1

Water Rights and Points of Diversion Within 1 mile of point defined as: 2686 Feet N and 5259 Feet W of the Southeast Corner of Section 25 Twp 30S Rng 29W Located at: 100.452217 West Longitude and 37.409225 North Latitude Both SURFACE WATER and GROUNDWATER

BOCII	SURFACE	MATE	\ a	u G		MAILA											
File	Number	Use	e ST	SR	Dist	(ft)	Q4	Q3	02	01	FeetN	FeetW	Sec	Twp	Rng	ID	Batt Auth_Quan Add_Quan
Unit							_	_	~	_				-	_		7, 4, 4
A	3997 (	0 IR	R NK	G		4022	<u> </u>	NW	SE	SW	1193	3930	24	30	29W	3	2300 640.00 640.00
AF																	***
A	6243 (	0 IR	R NK	G		5051	<u></u>	SE	NE	SW	1377	3077	23	30	29W	3	7100 320.00 320.00
AF																	lu N
A	13815 (	0 IR	R NK	G*	2=	>1758		SW	NW	NW	4443	5205	25	30	29W	3	490.00 490.00
AF				,													
Same						3014		SE	NE	NW	4213	2660	25	30	29W	4	9.00470.00 470.00
AF							1										
	18215 (	00 IR	R NK	G		3208		NW	NM	NW	4800	5100	36	30	29W	3	770 826.00 826.00
AF																	
	32177 (	00 IR	R NK	G		3007		SW	NW	NE	4300	2500	26	30	29W	2	270.00 270.00
AF				_			1					0-00					1350.00 .00
	187009 1	IF IR	R GY	G		3007		SW	NW	NE	4300	2500	26	30	29W	2	1350.00 .00
AF																	
Total	N-+ O		 :	A + 1	h a s i -	~~.					C+.						A
	Net Qua										500	orage .00				9.7	Account
	Permit											.00			7	-0	and the same
	Inspect											.00			- 1		be MET.
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	. Certif:											.00		7	1.3	-	be / · · ·
	Vested											.00					
	AMOUNT				AF) =		301					.00					
										pe	nding a	applica	ation	n fo	r ch	ange	ge under the file number.

An \* after the ID indicates a 15 AF exemption was granted under the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1 mile of point defined as: 2686 Feet North and 5259 Feet West of the Southeast Corner of Section 25 Twp 305 Rng 29W Located at: 100.452217 West Longitude and 37.409225 North Latitude Both SURFACE WATER and GROUNDWATER WATER USE CORRESPONDENTS:

File Number Use ST SR 3,997 RYAN STAPLETON - AGENT > PO BOX 655 > MEADE KS 67864 >-----> BRANDON UNRUH > 36206 10 RD > MONTEZUMA KS 67867 13815 Application >-----> MERL D REXFORD > PO BOX 880 > MEADE KS 67864 > MERL D REXFORD 18715 Applicant > PO BOX 880 > MEADE KS 67864

	>-						
	>	STAPLETON FARMS	INC	_			
	>	RYAN STAPLETON -	AGENT	3217/	/		
	>	PO BOX 655		/ - 1			
,	K	MEADE KS 67864		_			
(	>-			<i>)</i>			
	>	STAPLETON FARMS	INC	/			
	>,	RYAN STAPLETON -	AGENT	/			
_	p	PO BOX 655		/			
•	>	MEADE KS 67864					
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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

November 23, 2022

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

Re:

Request for Recommendation,

File No. 13815

#### Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Merl Rexford 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: