Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:					
11215	7-23-2021	C2	04	03					
6. Status: Approved Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:					
				4/15/2021					
8a. LANDOWNER, applicant, WUC New to system □	Person ID 30580 Add Seq#		8c. Landowner Person ID						
HUBER SAND INC PO BOX 1359 GARDEN CITY, KS 67846	5								
8b. Landowner(s), New to system ARKANSAS RIVER STATELAND & WATER,	Person ID 40860 Add Seq#	8d. WUC New to sy	stem ⊠	Person IDAdd Seq#					
9. Documents and Enclosure(s): X DV	VR Meter(s) Date to Compl	y: 12/31/2021	N & P Date to C	omply:					
☐ Anti-Reverse Meter ☐ Meter	Seal 🛮 Check Valve	□ N & P Form	☐ Water Tube ☐ Dril	ler Copy					
☐ Conservation Plan Date Require	ed: Da	te Approved:	Date to 0	Comply:					
10. Use Made of Water From:		To: _							
			Date Prepared: 7/22/20 Date Entered:	21 By: MAM By:					

File No. 11215	11. County: I	FI	Basi	in: ARKA	ANSAS	RIVER			St	ream:							Fo	rmation	Code:	Special Use:
12. Points of Diversion												R	late a	and Qu	antity					
CHK MOD													А	uthori	zed		Ad	ditiona		
DEL PDIV ENT Qualifier	S	Т	R	ID	'N	'W		Com	ment (AKA L	ine)		Rate gpm		Quantity af	у	Rate gpm		uantity af	Overlap PD Files
CHK 10846																				
CHK 14220																				
							*:													
13. Storage: Rate	N	F	Quant	ity				ac/ft	Ad	lditiona	al Rate					NF	Addit	ional Q	uantity _	ac/ft
14. Limitation:	14. Limitation: af/yr at gpm (cfs) when combined with file number(s)																			
Limitation:	af/yr at				_ gpm (cfs) wh	en cor	nbined	with f	ile nu	ımber(s)					
15. 5YR Allocation: Allocation	Туре	Star	t Year		_ 5 YR	Amou	nt		Amo	unt Un	it	_ B	ase A	Acres		_ Co	omment _			
16. Place of Use CHK			NE:	/4		NV	V¹/₄			sv	11/4			S	6E1/4		Total	Owner	Chg	? Overlap Files
MOD DEL ENT PUSE S T R	ID	NE 1/4	NW 1/4	SW SI		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				
MOD 30872 13 25 31	W 01					5	1		2			L-2 10.5	34	35	38.5	40	166	8a	yes	FI 014, 8627
MOD 11109 18 25 3	0W 03								16	L-3 25	38.88	40					119.88	8a	yes	FI 014, 8627
MOD 20087 19 25	30W 03				L-2 37	L-1 25	5	L-2 4									71	8a	yes	FI 014, 8627
ENT 19 25 3	80W					12		1									13	8b	yes	FI 014, 8627
Base Acres: Year: Comments: RIVER LOTS	Mi	nimum	Reaso	nable Qu	uantity:															

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

July 23, 2021

HUBER SAND INC PO BOX 1359 GARDEN CITY, KS 67846

RE:

Vested Right, File No. FI 014

Water Right, File Nos. 8627 & 11215

Dear Sir:

Enclosed are orders executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

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

Since the orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

Should you have any questions, please feel free to call this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

Michael A. Meyer

Water Commissioner

MAM:

enclosures

pc:

GMD3



KANSAS DEPARTMENT OF AGRICULTURE Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCESEarl D. Lewis Jr., Chief Engineer

APPROVAL OF APPLICATION FOR CHANGE IN PLACE OF USE WATER RIGHT, FILE NO. 11,215

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Robin Huber on behalf of Huber Sand Inc., 1395 Industrial Road, Garden City, Kansas 67846, received in the office of the Chief Engineer on April 15, 2021, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the place of use shall be:

500	Twp. F	Pango		NE	=1/4		NW1/4				SW1/4				SE1/4				
Sec.	rwp. r	varige	NE1/4	NW1/4	SW1/4	SE1/4	TOTAL												
13	25S	31W												Lot 2			Lot 3		
					5.00	1.00					2.00			10.50	34.00	35.00	38.50	40.00	166.00
18	25S	30W											Lot 4						
		0 2 2 2									16.00	25.00	38.88	40.00					119.88
19	25S	30W						Lot 1		Lot 2									
							37.00	25.00	5.00	4.00									71.00
19	25S	30W																	
	200	0000						12.00		1.00									13.00

a total of 369.88 acres, in Township 25 South, Range 30 West and Range 31 West, Finney County and Gray County, Kansas,

located substantially as shown on the topographic map accompanying the application to change the place of use.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year

In all other respects, the certificate of appropriation, is as stated and set forth in the water right order executed by the Chief Engineer on September 13, 1984, is as stated and set forth in the Approval of Application, dated April 22, 2015.

Ordered this 33 day of July , 2021, in Garden City, Finney County, Kansas.

Michael A. Meyer, P.G. Water Commissioner Division of Water Resources Kansas Department of Agriculture

State of Kansas

SS

County of Finney

The foregoing instrument was acknowledged before me this 3 day of July Michael A. Meyer, P.G., Water Commissioner, Division of Water Resources, Kahsas Department of Agriculture.

JULIE JONES My Appointment Expires December 15, 2022

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 18 days after this Order was mailed to you), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 33 days after this Order was mailed to you), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

CERTIFICATE OF SERVICE

On this 23 day July , 2021, I hereby certify that the attached Approval of Application for Change in Place of Use, Water Right, File No. 11,217 dated, 33 day July, 2021 was mailed postage prepaid, first class, US mail to the following:

HUBER SAND INC PO BOX 1359 GARDEN CITY, KS 67846

With a photocopy to:

Groundwater Management District No. 3

Division of Water Resources

KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources

<u>MEMORANDUM</u>

TO:

Files

DATE:

July 23, 2021

FROM:

Michael A. Meyer

Water Commissioner

RE: Change in Place

of Use,

File Nos. FI 014, GY 024, 3563, 8627, 11215, 19001,

22414

Applications to Change the Place of Use to separate the ownership interested between WR Renick and Huber Sand. This process could have been done also with requests to reduce a portion of an existing water right, but staff at GMD3 elected to use change applications as they assisted the applicant. GMD3 also recommend approval of these applications. These files were originally incompletely overlapped in place of use, but majority was completely overlapped.

The total authorized acres and quantity combined prior to these applications were 1027.88 acres and 2260 acre feet. With the separation of interested, the following will be authorized:

WR Renick, File Nos. GY 024, 3563, 19001, 22414 will be authorized a total of 657 acres (increase in base acres by no more than 10 acres) and a total of 1642 AF as his previous water rights were already authorized at 2.5 acre feet per acre, he requested to keep that acre feet per acre ratio. In fact, he voluntarily reduced his authorized quantity under File No. 19,001 from 436 acre feet to 390 acre feet in order not to exceed the total authorized quantity of the 2.5 acre feet per acre or 1642 acre feet.

Huber Sand, File Nos. FI 014, 8627, 11215 will be authorized a total of 369.88 acres and a total of 572 acre feet, or 1.54 acre feet per acre, which is reasonable on all standards. No reduced quantity or acres took place with the request.

The authorized acres were adjusted to be property described in the River Lots and Arkansas River boundary described in the Kansas Land Survey Plat Maps document in the late 1880s that are on file with the Division. WRIS database will properly show acres described as acres within the Arkansas River Stateland & Water person id. No new acres were approved within this boundary.

These requests are reasonable and recommend approval of the applications.

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



/H

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.

						F	ile No	. <u>1121</u>	5								F	11 3	EIVED 17 Am 1 5 2021
1. A	pplication	on is he	reby n	nade fo	or appi	roval o	f the C	hief E	nginee	er to ch	nange 1	he (ch	eck or	ne or b	oth):			1	City Field Office
							Place				Point						Divis	arden (sion of	Water Resources
u	nder the	e water	right w	hich is	s the s	ubject	of this	applic	ation i	n acco	rdance	with t	the cor	ndition	s desc	ribed b	pelow.		
Т	he sour	ce of su	apply is	s:		$X \square$	Groun	dwateı	r		Surfac	e wate	er						
2. N	ame an	id addre	ess of	Applica	ant: H	uber S	and In	c %F	Robin F	Huber									
	Name and address of Applicant: Huber Sand Inc., %Robin Huber [395 Industrial Road, Garden City, KS 67846]																		
	Phone Number: () Email address:																		
N	Name and address of Water Use Correspondent: WR Renick (currently)																		
<u>C</u>	hange t	to appli	cant																
Р	hone N	umber:	()					Email	addres	ss:								
3. T	he pres	ently a	uthoriz	ed pla	ce of u	se is:													
C	Owner of Land NAME: Huber Sand Inc., %Robin Huber																		
		1	ADDRE	ESS: (395 In	dustria	l Road	l, Gard	len Cit	y, KS	67846								
(1	f there is	more th	an one	landov	vner, at	tach su	ppleme	ntal sh	eets as	neces	sary.)								
														TOTAL					
Sec.	Twp.	Range	NE¼	NW¼	SW1/4	SE¼	NE¼	NW¼	SW¼	SE¼	NE1/4	NW¼	SW1/4	SE¼	NE¼	NW¼	SW¼	SE¼	ACRES
13	25s	31w			5.0	1.0					2.0			10.5	34.0	35.0	38.5	40.0	166.0
18	25s	30w									16.0	25.0	38.88	40.0					119.88
19	25s	30w					37.0	37.0	5.0	5.0									84.0
С	this apply the second	f Land -	NA ADDRI	AME: ESS: I	Huber 395 In	Sand dustria	Inc., %	Robin I, Gard	Huber Ien Cit	r :y, KS	67846	ace of	use be	e chan	ged to	:			
				NE	Ε1/4			NV	V1/4			SV	V1⁄4			SE	=1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE¼	NE¼	NW1/4		SE¼	ACRES
13	25s	31w			5.0	1.0					2.0			10.5	34.0	35.0	38.5	40.0	166.0
18	25s	30w									16.0	25.0	38.88	40.0					119.88
19	25s	30w					37.0	37.0	5.0	5.0									84.0
AI	VER	LOTS					62	L-1		レン					î				
F	or Offic	ce Use	Only:	Code		Fe	e \$ <u> </u>	00.00	TR	#		Re	eceipt	Date _	-15-	al	Chec	k# <u>4</u> 2	21186

5.	Presently author	rized point of d	iversion:				
	One in the	SE	Quarter of the	NE	Quarter of the	SW	Quarter
	of Section	18	, Township	25	South, Range	30	W,
	in GRAY	Cou	nty, Kansas, <u>1800</u>	feet North _	2800 feet West of S	Southeast corner	of section.
	Authorized Rate	910gpm	_ Authorized Quantity _	121AF	Depth of well	(feet))
	(DWR use only:	Computer ID	No GPS	5	feet North	feet Wes	it)
	X☐This point will	not be changed	☐This point will be chang	ed as follows:	☐ No change, point better	described with GP	S as follows:
	Proposed point	of diversion: (0	Complete only if chang	e is requeste	ed or if existing point is	better described	l by GPS)
	One in the		Quarter of the		Quarter of the		Quarter
	of Section		, Township		South, Range		(E/W),
	in	Cou	nty, Kansas,	feet North _	feet West of S	Southeast corner	of section.
	Proposed Rate _		Proposed Quantity		Proposed well depth	(feet)	
	This point is:	Additional Well	☐ Geo Center List ot	her water rigl	hts that will use this point		
_					y **		
6.	Presently autho	rized point of d	liversion:				
Ŭ.	One in the	SE	Quarter of the	NE	Quarter of the	SE	Quarter
					South, Range		
	in FINNEY	Cou	ntv. Kansas. 1900	feet North	100 feet West of S	Southeast corner	of section.
					Depth of well		
					feet North		
					☐ No change, point better		
					ed or if existing point is		
					Quarter of the		
					South, Range		
					feet West of S		
					Proposed well depth		
					hts that will use this point		
L	This point is.	Additional Well		ilei watei rigi	nto triat will use triis point		
7.	The changes her	ein are desired	for the following reasons	s?			
	(please be specific				North		
	Separate land for	new ownership			0 200 100 0	100 200	300
				Ē	Ī		1,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
8	If a well is the tes	t hole log attach	ed? 🗌 Yes 🔲 No				=
0.	ii a weii, is the tes	it flote log attacht	5d:165110	200	-1/-1 + 1 =	+++	200
9.	The change(s) (wa	as)(will be) comp	leted by?		-/ =		\=
	As soon as appro	ved		100	$I_{1} + I_{2} + I_{3} = I_{3}$	1 + 1 +	100
	710 00011 do appro	VOU		100		1 1 1 1	# 100
10.	If the point of dive	rsion is a well:		#	_		1
	(a) What are you	going to do with	the old well?	West 0		400400400400	H ← O East
				1			4
				100	\	1 1 1	1 100
	(b) When will this	s be done?		100	1 + 1 =	T T T	7 7 100
					-\ =		/=
11.	Groundwater Man	agement District	recommendation attached	d? 200 E		1 + 1 +/	200
	Χ	Yes No					=
					Ī		E
12.	Assisted by GMD3	3/JLN		300		100 200	300
120	If the proposed so	int of divorcion	ill he relocated more than '		South		
138	feet but within 2.6	40 feet of the exis	ill be relocated <u>more than (</u>	ach 13b.If the	proposed point of diversion	on will be relocate	d within a 30

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

b.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.)

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO.

MAKE ADDITIONAL COPIES AS NECESSARY

3. Co		Land -	NA	AME:		enick	Inc.		alls, K	S 678	53								
				NE	Ξ1/4			NV	V1⁄4			SV	V1⁄4			SE	=1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW1/4	SE¼	ACRES
18	25s	30w			1.3	Law									1.0	1.0	34.0	34.0	70.0
19	25s	30w	36.0	31.0	30.0	40.0			-			_			27.0	13.0			177.0
20	255	30 N			^ 4	1			8			3							11.0
O	wner of	Land -	NA ADDRI	AME: ESS:	KIVE	TR LO	75		1-4										
				N	E1⁄4		NW1/4			4		SV	SW1/4		SE ¹ / ₄				TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW¼	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE¼	ACRES
O	wner of	f Land -																	
				N	E¼			NV	V1/4			SV	N¹⁄4			SI	Ε¼		TOTAL
Sec.	Twp.	Range	NE1/4		SW1/4	SE1/4	NE¼	NW1/4		SE1/4	NE¼	NW1/4		SE¼	NE1/4	NW1/4		SE¼	ACRES
		· ton igo																	
4. Co	ontinue wner o	ed: If th f Land	N/	AME:	n is for		nge in	place	of use,	it is p	ropose	ed that	the pla	ace of	use be	chan	ged to	:	
				N	E¼			NV	N¹/4			SI	N¹/4		SE1/4				TOTAL
Sec.	Twp.	Range	NE¼	NW1/4	SW1/4	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW1/4	SE¼	NE¼	NW1/4	SW1/4	SE¼	ACRES
																	_		
																_			
0	wner o	f Land																	
				N	E1/			NI	N1/4			SI	N1/4			S	E¼		TOTAL
Sec	Twn	Range	NE1/4		E¼ SW¼	SE1/4	NE¼		SW1/4	SE1/4	NE¼	T	SW1/4	SE1/4	NE¼		SW1/4	SE¼	ACRES
	. тр.	, ango	1/4		2.1.74	/-	1												
	wner o	f Land	N	AME:					•										
				N	E¼			N\	N1/4			SI	W1⁄4			S	E¼		TOTAL
Sec.	Twp.	Range	NE1/4	T	T	SE1/4	NE¼		SW1/4	SE1/4	NE¼	T	SW1/4	SE¼	NE¼		SW1/4	SE1/4	ACRES
																	_		

Page____

DWR 1-121-2 (Rev. 04/24/2018)

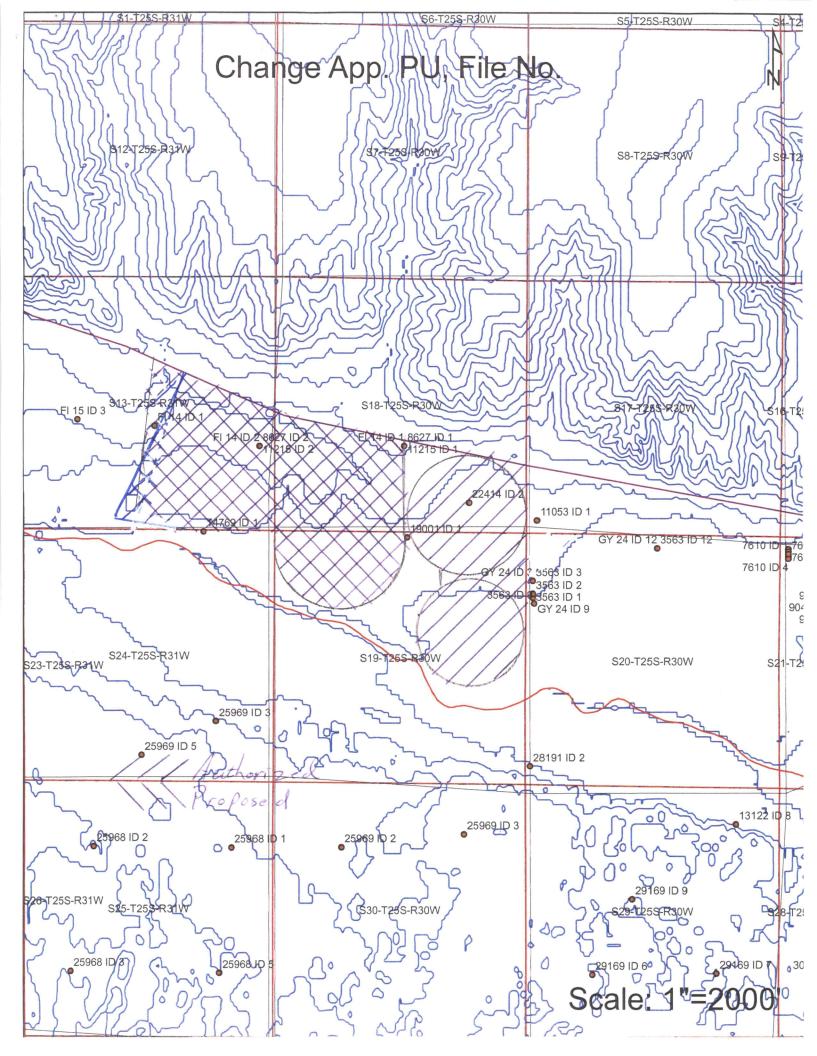
File No. _____

14. If the proposed groundwater point of diversion	is 300 or fewer feet fro	om the existing	ng point of div	ersion, complet	e the following:
(a) Does the undersigned represent all owners ☐ Yes ☐ No (If no, all owners)	s of the currently authors must sign this applic		s) of use iden	tified in this app	olication?
(b) Will the ownership interest of any owner of affected if this application is approved as rule affected if the subject of t	of the currently author equested? ers must sign this appl) of use ident	ified in this app	lication be adversely
(c) If this application is not approved expedition ☐ Yes ☐ No (If no, all owner)	ously, will there be sub rs must sign this applic		age to proper	ty, public health	or safety?
If the application proposes a surface water change or a change in place of use, the application must be agent (attach notarized statement authorizing repre	e signed by all owners				
I hereby verify, being first duly sworn upon age and the owner, the spouse of the owne their behalf, in regards to the water right(s contained in this application are true, corre	r, or a duly author to which this app	ized agent olication pe	of the owner ertains. I fu	er(s) to make urther verify t	this application on hat the statements
			day of		, 20
WR Renick Inc by David L. Re (Owner) WR Renick Inc by David L. Re (Please Print)	Remedols			(Spouse)	
WR Renick Fre by David L. Re	ynold3			(Please Print)	
(Flease Fillit)			(riease riiit)	
(Owner)				(Spouse)	
(Please Print)			((Please Print)	Animate transfer of the Control of t
(Owner)			**************************************	(Spouse)	
(Please Print)			((Please Print)	
State of Kansas County of SS I hereby certify that the foregoing application	Notary Pu My Appt. Expi	ORIA TREV	INO Kansas 2022		22
of hereby certify that the foregoing application of 20 2 .	on was signed in r	ny presence	e and sworr	i to before m	ne this of day
,	_	Clic	toria	Jan Cultic	U
My Commission Expires July 22,2023	·			stary r dono	
ONLY COMPLETE APPLICATIONS WILL BE PROCESSI accurate information; maps, if necessary, must be included the appropriate fee must be paid.	E <u>D</u> . To be complete, all d; signatures of all the ap	of the applicat opropriate own	ole portions of the ders' must be af	ne application form fixed to the applic	m must be completed with ation and notarized; and
	FEE SCHEDU				
Each application to change the place of use or the plotted in the schedule below: Make checks payable (1) Application to change a point of diversion (2) Application to change a point of diversion (3) Application to change the place of use	to: Kansas Departme on 300 feet or less on more than 300 feet	ent of Agric	ulture		\$100 \$200
		F	RECEIV	'ED	
DWR 1-121 (Revised 04/5/2018)	Page 3		APR 3 0 2	021	File No

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 au ☐ Yes ☐ No (If no, all owners must sign this app	
 (b) Will the ownership interest of any owner of the currently auth affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this approved in the currently authors.) 	
(c) If this application is not approved expeditiously, will there be s ☐ Yes ☐ No (If no, all owners must sign this app	
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 owner agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affir age and the owner, the spouse of the owner, or a duly author their behalf, in regards to the water right(s) to which this a contained in this application are true, correct and complete	orized agent of the owner(s) to make this application on application pertains. I further verify that the statements
Dated at, Kansas, th	is, 20
Roll boll	
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas ; County of Finney SS	
I hereby beating application was signed in of Notary Public - State, or gransas by .	my presence and sworn to before me this $\frac{12}{4}$ day
My Commission Expires $8/19/25$.	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, accurate information; maps, if necessary, must be included; signatures of all the the appropriate fee must be paid.	
FEE SCHEI	DULE
Each application to change the place of use or the point of diversion unforth in the schedule below: Make checks payable to: Kansas Depart (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	ment of Agriculture \$100 eet \$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit Iimi	visions of the Kansas Water Appropriation Law, K.S.A. 82a h the exception of those conditions expressly contained here tations of File No	708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable a-701 et. seq., and rules and regulations promulgated thereunder, sin, this Summary Order does not change the terms, conditions and
1.	A change application was received on diversion authorized under the above-referenced file number 1.5 cm.	requesting that the place of use and / or point of nber be changed as described in the application.
2.	On and after the effective date of this summary order, the at the topographic map accompanying the application to ch	uthorized place(s) of use shall be located substantially as shown on lange the place of use. Applicable Not Applicable
3.	The change in point of diversion shall not impair existing rice previously authorized. The point of diversion authorized radius of the authorized point(s) of diversion. ☐ Application	ghts and shall be limited to the same source or sources of water as by this summary order shall be located within a foot able Not Applicable
4.	The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application	vely corrected to be more accurately described using the Global on. Applicable Not Applicable
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. Applicable	y be located more than feet from the previously Not Applicable
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a or other device suitable for making water level measurem K.A.R. 5-6-13. ☐ Applicable ☐ Not Applicable	well with a diversion rate of 100 gallons per minute or more, a tube nents shall be installed, operated and maintained in accordance with
7.	December 31, 20, or before the first use of wate operated and maintained in accordance with K.A.R. 5-1-	roperly install an acceptable water flow meter on or before ir, whichever occurs first. The water flow meter shall be installed, 4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and out the reading of the water flow meter and the total quantity of water wing the end of each calendar year.
8.	authorized extension of time. By March 1, 20 the	e completed on or before December 31, 20, or within any e applicant shall notify the Chief Engineer that construction of the ovided by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the req	uired notice. Applicable Not Applicable
10.	with an in-line, automatic, quick-closing check valve cap	r foreign substance will be injected into the water shall be equipped bable of preventing pollution of the source of the water supply. The d in accordance with K.A.R. 5-3-5c. ☐ Applicable ☐ Not Applicable
11.	Additional Conditions are attached.	
12.	water appropriated under the above-referenced file nun limitations, as amended and/or supplemented by this Suappropriation Law and the Rules and Regulations prom	A.R. 5-5-14, all of the owners of the authorized place(s) of use of other are responsible for compliance with its terms, conditions and ummary Order, and with applicable provisions of the <i>Kansas Water</i> nulgated thereunder. Failure to comply with these provisions may mended, and/or the suspension or revocation and dismissal of the tions authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
If yo	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,	APPLICATION APPROVED AND SUMMARY ORDER ISSUED
Eng	may request an evidentiary hearing before the Chief pineer or request administrative review by the Secretary of	
filed	iculture. A request for hearing by the Chief Engineer must be divition within 15 days of service of this Order and a request for	By: Duly Authorized Designee of the Chief Engineer
adn day	ninistrative review by the Secretary must be filed within 30 pursuant to K.S.A. 77-531. Any request for administrative	
revi	ew must state a basis for review pursuant to K.S.A. 77-527. any request with Kansas Department of Agriculture ,	(Print Name):
Lec	gal Division, 1320 Research Park Drive, Manhattan, KS 02. Failure to timely request a hearing or review may	Date of Issuance:
pre	clude review under the Kansas Judicial Review Act.	State of Kansas)) SS
	For Use by Register of Deeds	County of)
		Acknowledged before me on
		by
		Signature:
		Signature:Notary Public
		My commission expires:(Notary Seal)
		(Notary Seal)





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

July 7, 2021

Michael A. Meyer Division of Water Resources 4532 W Jones Ave., Suite B Garden City, Kansas 67846

RE: Applications for Change in Place of Use

Vested Right, File Nos. FI 14 & GY 24

Water Right, File Nos. 3563, 8627, 11215, 19001 & 22414

Dear Mike:

We have reviewed the applications for the above referenced water rights. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use will separate the acres to suit the new ownership for the western acres, Water Rights FI 14, 8627 & 11215. At the same time the east acres will then overlap more water rights under that ownership, Water Rights 19001 & 22414 overlapped with GY 24 & 3563. In order to maintain current authority ratios, water right 19001 will be reduced by 46 acre feet. The changes appear to meet the criteria in accordance with K.A.R. 5-5-11. It is therefore recommended that the applications, with the reduction, be approved at this 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

RECEIVED

JUL 07 2021

Garden City Field Office Division of Water Resources

GMD3 Change Review

File No(s).: <u>FI14, GY24, 3563, 8627, 11215, 19001 & 22414</u> . DWR office: <u>GC</u> .	
App filed to change: <u>PU</u> .	
Is Landowner(s) correct in WRIS: Renick/Huber.	
If NO, is documentation included?	
Is Water Use Correspondent correct in WRIS?	
If NO, is documentation included?	
Regulation(s) Reviewed: KAR 5-5-11	
Point of diversion ID No(s) being changed.	
ft. North ft. West	
Authorized PD	
Proposed PD	
Difference 0 0	
a2 + b2 = c2 0 0	
GPS for proposed PD: Lat: Long:	
Is proposed PD stacking on existing WRs? <u>No Change</u> .	
Is Proposed PU overlapping existing WRs? Splitting some of the WRs and overlap w	ith
others.	
Neighboring certified well(s) notified:	
Name	
Address	
Zip	
Email: Phone:	
Domestic well(s) notified:	
Name	
Address	
Zip	
Base Acres:	
Perfected Acres:	
Irr. Return-Flow%	
FI14, 8627, 11215 (these 3 will still overlap PU) will be separated from 19001 &	
22414. Those files will be under Huber (new owner)	
19001 & 22414 will then be overlapped in PU with GY24 & 3563. These all will be	3
Renick ground.	
State came back with needing to reduce part of a water right on the Renick portion	n
so it wouldn't exceed the 205AF/acre.	
Applicant agreed to add another 10 acres while also reduction WR 19004 from	
436AF to 390AF (46AF reduction).	
Is a waiver needed: After adjustments, waiver is not needed to satisfy the State.	

GMD3 Change Review

Recommendation: <u>The proposed changes seem reasonable and meeting current area rules.</u> Staff therefore recommends approval of the applications.

RECEIVED

JUL 07 2021

Garden City Field Office Division of Water Resources