

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

1. File Number: 3563	2. Status Change Date: 7-23-2021	3. Change Num: C2	4. Field Office: 04	5. GMD: 03
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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: 4/9/2021
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8a. LANDOWNER, applicant, WUC Person ID **31701**
 New to system Add Seq# _____

W R RENICK INC
6514 US HIGHWAY 50
INGALLS, KS 67853-9209

8c. Landowner Person ID _____
 New to system Add Seq# _____

8b. Landowner(s), Person ID **40860**
 New to system Add Seq# _____

ARKANSAS RIVER
STATELAND & WATER, IN 00000

8d. WUC Person ID _____
 New to system Add Seq# _____

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/2021** N & P Date to Comply: _____

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: **7/7/21** By: **MAM**
 Date Entered: _____ By: _____

File No. **3563** 11. County: **GY** Basin: **ARKANSAS RIVER** Stream: Formation Code: Special Use:

12. Points of Diversion Rate and Quantity
CHK Authorized Additional
MOD Rate Rate
DEL Quantity Quantity
ENT gpm gpm af af Overlap PD Files

PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate	Quantity	Rate	Quantity	Overlap PD Files
CHK 14614													
CHK 19891													
CHK 37517													
CHK 48161													
CHK 52550													
CHK 73310													

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

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 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					
MOD 7994	20	25	30	W	01	32.8	40	40	40	40	40	L-4 45.8	L-3 56.2					L-1 40	L-2 35.2			410	8a	no	GY 024, 19001, 22414	
ENT ?	18	25	30	W														1	1	34	34	70	8a	no	GY 024, 19001, 22414	
MOD 6466	19	25	30	W	04	36	31	L-3 24	L-4 40													131	8a	no	GY 024, 19001, 22414	
ENT	19	25	30	W				6										27	13			46	8b	yes	GY 024, 19001, 22414	

Base Acres: Year: Minimum Reasonable Quantity:
 Comments: **river lots section 19 & 20.**

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

W R RENICK INC
6514 US HIGHWAY 50
INGALLS, KS 67853-9209

RE: Vested Right, File No. GY 024
Water Right, File Nos. 3563, 19001, 22414

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. Also please note the condition that referenced File No. 19,001 has been reduced in annual authorized quantity.

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


THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN PLACE OF USE
WATER RIGHT, FILE NO. 3,563**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of W R Renick Inc., 6514 U.S. Highway 50, Garden City, Kansas 67846, received in the office of the Chief Engineer on April 9, 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:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
20 25S 30W	32.80	40.00	40.00	40.00	40.00	40.00	Lot 4 45.80	Lot 3 56.20					Lot 1 40.00	Lot 2 35.2			410.00
18 25S 30W													1.00	1.00	34.00	34.00	70.00
19 25S 30W	36.00	31.00	Lot 3 24.00	Lot 4 40.00													131.00
19 25S 30W			6.00										27.00	13.00			46.00

a total of 657 acres, in Township 25 South, Range 30 West, 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 water right order, is as stated and set forth in the Certificate of Appropriation executed by the Chief Engineer on May 26, 1958, is as stated and set forth in the Approval of Application, dated May 24, 1995, is as stated in the Approval of Application, dated November 1, 2006.


Ordered this 23rd 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 23rd day of July, 2021, by Michael A. Meyer, P.G., Water Commissioner, Division of Water Resources, Kansas Department of Agriculture.




Notary Public

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 *23rd* day *July*, 2021, I hereby certify that the attached Approval of Application for Change in Place of Use, Water Right, File No. 3,563 dated, *23rd day July, 2021* was mailed postage prepaid, first class, US mail to the following:

W R RENICK INC
6514 US HIGHWAY 50
INGALLS, KS 67853-9209

With a photocopy to:

Groundwater Management District No. 3

Jessie Jones

Division of Water Resources

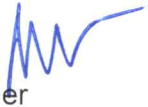
KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

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.

Meyer, Mike [KDA]

From: Meyer, Mike [KDA]
Sent: Tuesday, May 25, 2021 10:29 AM
To: Kyle AverHoff
Subject: david reynolds

kyle

good morning

I spoke with David this morning, I told him I would relay the same information to you for you all to talk and understand what we further need to process these applications to separate from Huber etc.

today, David has 2.5 AF per acre on his section 20 wells. (1000 AF on 400 acres)
the other ground on 18, 19, and hubers combined has 2.0 AF per acre (1260 AF on 627.88 acres...

with the applications filed, and combining section 18 and 19 with section 20 for David, those wells all added together for those acres would give him over 2.6 AF per acre (1688 AF on 647 acres)

we cant allow that as we just now increased his overall water rights.

what we need to do is reduce 71 AF off of the proposal of his wells to end up with 1617 AF o n 647 acres , thus 2.5 AF / acre.

I suggested to him we don't touch section 20 wells/ water rights as they are vested and senior

I recommended to him to reduce the well on section 19 from 436 AF to 365 AF

but however he wishes to remove 71 AF overall, it doesn't matter to us, but the reduction would need to take place

let me know if you have questions

thanks

Mike

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
 10:46 AM
 APR 09 2021

File No. 3563

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: W R Renick Inc.

6514 US Highway 50, Ingalls, KS 67853

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: SAME

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: W R Renick Inc

ADDRESS: 6514 US Highway 50, Ingalls, KS 67853

(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			
20	25s	30w	28.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	22.0			40.0	30.0			400.0

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: W R Renick Inc

ADDRESS: 6514 US Highway 50, Ingalls, KS 67853

(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		
20	25s	30w	28.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	22.0			40.0	30.0			400.0
18	25s	30w														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

RIVER Lots

L3 L4

x (45.8) L-4, (56.2) L-3

*L-2
x 35.2*

For Office Use Only: Code _____ **Fee \$** 200.00 **TR #** _____ **Receipt Date** 4-9-21 **Check #** 011494

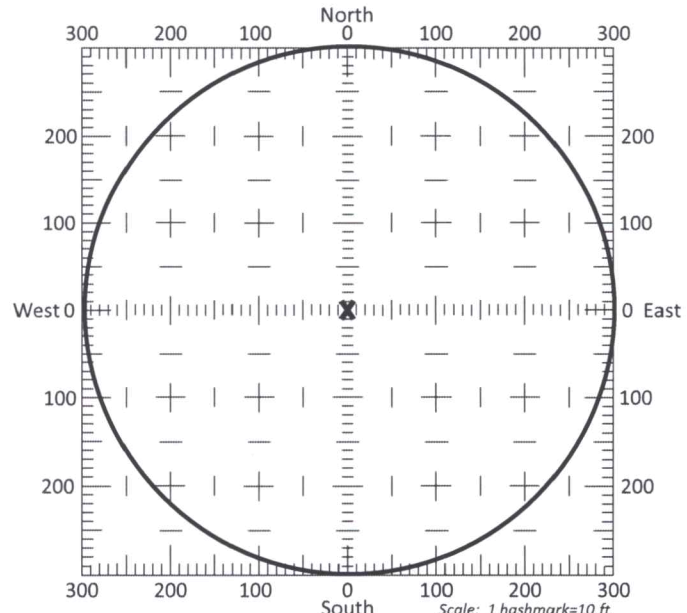
x David L. Reynolds 7-6-2021

5. **Presently authorized point of diversion:**
 One in the NE Quarter of the NE Quarter of the NW Quarter of Section 20, Township 25 South, Range 30 W, in GRAY County, Kansas, 5030 feet North 2650 feet West of Southeast corner of section.
 Authorized Rate *5000gpm Authorized Quantity *800AF ^{1000 AF} 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 _____

6. **Presently authorized point of diversion:**
 One in the SW Quarter of the NW Quarter of the NW Quarter of Section 20, Township 25 South, Range 30 W, in GRAY County, Kansas, 4106 feet North 5243 feet West of Southeast corner of section.
 Authorized Rate *5000gpm Authorized Quantity *800AF ^{1000 AF} 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 GEO Center

7. The changes herein are desired for the following reasons?
 (please be specific) _____
Rearrange overlap to match new ownership
8. If a well, is the test hole log attached? Yes No
9. The change(s) (was)(will be) completed by?
As soon as approved
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 GMD3/JLN



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.)

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

FILE NO. _____
MAKE ADDITIONAL COPIES AS NECESSARY

3. Continued: The presently authorized place of use is:

Owner of Land ---- NAME: Huber Sand Inc., %Robin Huber
ADDRESS: 395 Industrial Road, Garden City, KS 67846

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			
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

Owner of Land ---- NAME: (RIVER LOTS) 2 L-1
ADDRESS: _____

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					

Owner of Land ---- NAME: _____
ADDRESS: _____

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. Continued: 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: _____

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							

Owner of Land ---- NAME: _____
ADDRESS: _____

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								

Owner of Land ---- NAME: _____
ADDRESS: _____

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									

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 22nd day of April, 2021.

Robin L Hoyer

 (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 certify that the foregoing application was signed in my presence and sworn to before me this 23 day of April, 2021.

Donna J Meinert

 Notary Public

My Comm. Expires 8-19-25
 DONNA J. MEINERT
 Notary Public - State of Kansas

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

RECEIVED

APR 30 2021

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 25th day of March, 2021.

WR Renick Inc by David L. Reynolds
(Owner)

(Spouse)

WR Renick Inc by David L. Reynolds
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Gray } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 25 day of March, 2021.

Victoria Trevino
Notary Public

My Commission Expires July 22, 2023.

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. 3563.

1. A change application was received on April 9, 2021 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 _____ 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 _____ 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, 20____, 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, 20____, or within any authorized extension of time.** By March 1, 20____ the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.
 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: _____
 Duly Authorized Designee of the Chief Engineer

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

Date of Issuance: _____

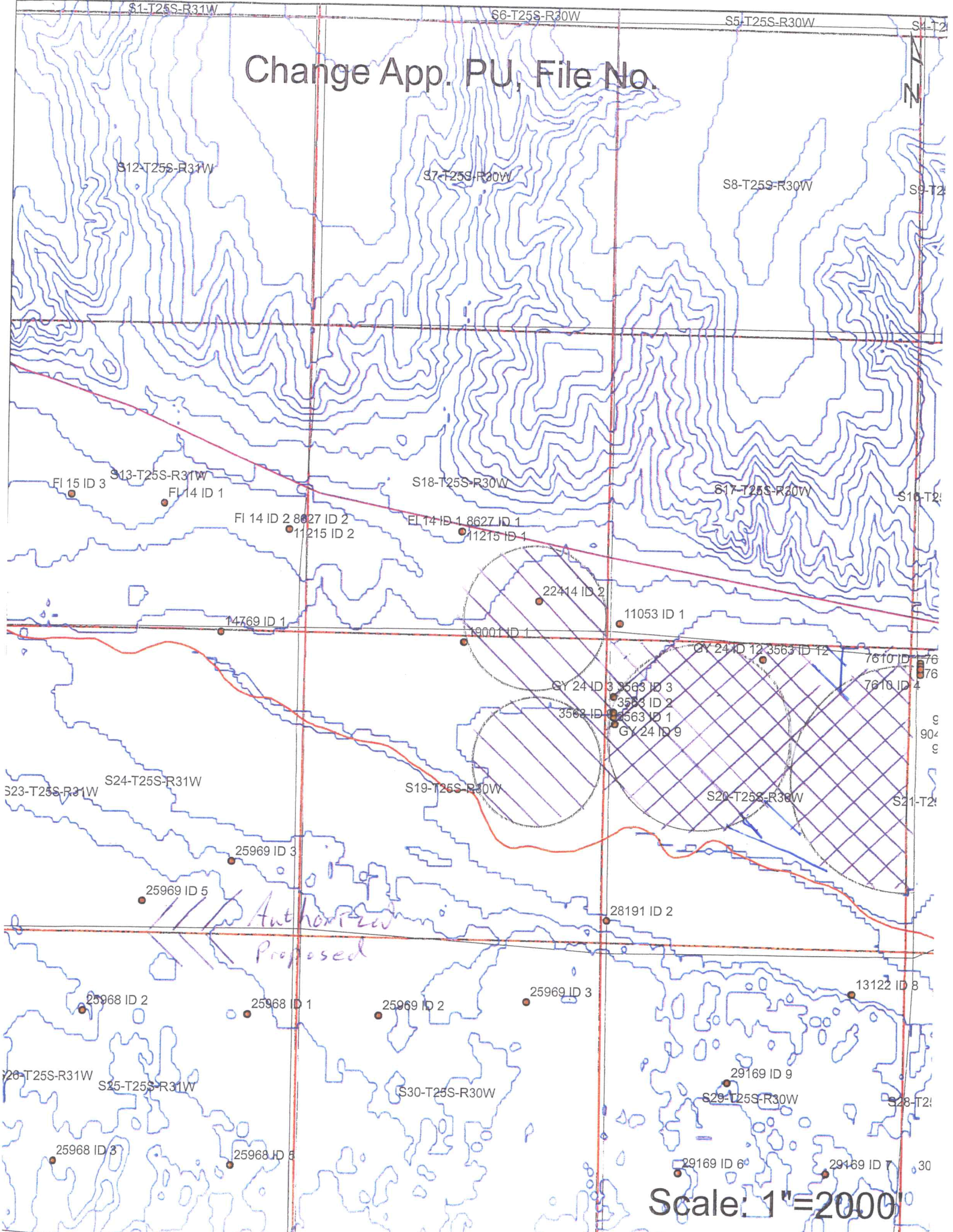
State of Kansas)
) SS
 County of _____)

Acknowledged before me on _____
 by _____.

Signature: _____
 Notary Public

My commission expires: _____
 (Notary Seal)

Change App. PU, File No.



*Authorized
Proposed*

Scale: 1"=2000'

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

March 25, 2021

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO. 3
2009 E SPRUCE ST
GARDEN CITY KS 67846

Re: Vested Right, File Nos. FI 014 and GY 024
Water Right, File Nos. 3563, 8627, 11215, 19001 & 22414

Dear Mr. Norquest:

This is to advise you that WR Renick and Huber Sand Inc, has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use.

We are delaying action on the change application to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM
Enclosures