

# CHECK SHEET Short Change

(To be completed and attached to each application)

File No. 27630

Field Office No. 4

GMD No. 3

1. **Plugging agreement obtained for GMD?** Yes  No  Non Applicable
2. **Is Landowner correct as currently shown in WRIS?** Yes  No  **Address Change?** NO  
If applicable, list Place of Use Overlap File Nos. \_\_\_\_\_
3. **Is Water Use Correspondent correct as currently shown in WRIS?** Yes  No  **Address Change?** NO  
Name of Former WUC \_\_\_\_\_ Name of New WUC \_\_\_\_\_
4. a. **Point of diversion computer ID No(s).** 1 **for point(s) being changed.**
- b. **Show feet distances from the** SE **corner of the section for the new point(s) of diversion:**

Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	County	Qualifiers
ENT			31	30	33w	2320	5145	Haskell	NWSW LOT3
DEL	52302								

- c. **If multiple points of diversion exist and rates and quantities are individually assigned, show:**
- | Old PDIV ID | Authorized Rate | Additional Rate | Authorized Quantity | Additional Quantity |
|-------------|-----------------|-----------------|---------------------|---------------------|
| _____       | _____ gpm       | _____ gpm       | _____ af            | _____ af            |
| _____       | _____ gpm/cfs   | _____ gpm/cfs   | _____ af/mgy        | _____ af/mgy        |
| _____       | _____ gpm/cfs   | _____ gpm/cfs   | _____ af/mgy        | _____ af/mgy        |
- d. **Name of Drainage Basin** cimaron **Is this correctly shown in WRIS?**  Yes  No
- e. **Formation Name & No.** 211/331 oglala dakota **Special Use Area** na

5. **Distances from the original p/d:** 280 ' S 55 ' E

**6. WATER RIGHT ACTION TRAIL COMMENTS**

11/20/17 Change Application Received (date accepted for priority)  
11/29/17 Change Approved  
 Notice and Proof by 12/31/18  
 \_\_\_\_\_ Completion Requirement Removed (Change No. C. \_\_\_\_\_)

**7. METER ACTION TRAIL COMMENTS**

11/29/17 DWR Meter Required by 12/31/18

8. Base Acres \_\_\_\_\_ Year \_\_\_\_\_ Minimum Reasonable Quantity \_\_\_\_\_

Date Created 11/22/17 by tpm  
 Date Entered \_\_\_\_\_ by \_\_\_\_\_

CHECK SHEET ATTACHMENT

File Number 27630

9. Changes to the place of use will be:

Action	Owner Person ID	Place Use ID #	Sec.	Twp.	Range	NE 1/4			NW 1/4			SW 1/4			SE 1/4			TOTAL ACRES		
						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			
NO CHG																				

Names and Address:

1. _____ _____	Person ID # _____	2. _____ _____	Person ID # _____	3. _____ _____	Person ID # _____
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GENERAL INSTRUCTIONS

- Give to Applicant:
    - Original application/approval
    - Original receipt (one for each application)
    - Information packet containing:
      - Notice and Proof form
      - Water Meter Specifications
      - Acceptable Meter list
      - Water level measurement tube specifications
      - Check Valve specifications
      - Pink Sheet - K.S.A. 82a-728 letter
      - Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)
  - Send to headquarters:
    - Good, microfilmable copy of application and/or approval and this check sheet
    - Original check and copy of receipt
    - Test hole log
    - GMD recommendation, if any
    - Map or aerial photograph, if any
  - Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well. 

CONDITIONS

    - Insert notice and proof date.
    - Type or print applicant's/owner's name on line.
    - Complete notary statement.
  - Date stamp received and approved.
  - Complete ownership and WUC change information.
- ADDITIONAL PHOTOCOPIES
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_



Garden City Field Office  
2508 Johns Street  
Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Michael A. Meyer, Water Commissioner

Phone: (620) 276-2901  
Fax: (620) 276-9315  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

November 29, 2017

CHARLES L & CAROLYN J WITHERS  
6655 LAMAR RD  
RENO TX 75462-7110

RE: Change in Point of Diversion Water Right, File No 27630

Dear Mr. Withers:

Enclosed you will find a *Summary Order Approving Application for Change in Points of Diversion* for the above referenced file. This order modifies the authorized well location under the referenced file. This order modifies the original document; it should be recorded at the County Register of Deeds.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this order. The diversion works should be completed and reported to the Division of Water Resources **by December 31, 2018**. Enclosed is a form for this purpose, along with other information for reference.

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report.

This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order. The date of service is the date listed on the enclosed *Certificate of Service*.

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,

A handwritten signature in black ink, appearing to read "T. P. Makens", with a long horizontal flourish extending to the right.

Thomas P. Makens  
Assistant Water Commissioner

TPM:tpm  
Enclosures  
GMD#3

**CERTIFICATE OF SERVICE**

On this 30<sup>th</sup> day of November 2017, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 27630 dated November 29, 2017 was mailed postage prepaid, first class, US mail to the following:

CHARLES L & CAROLYN J WITHERS  
6655 LAMAR RD  
RENO TX 75462-7110

Copy provided to GMD#3

  
\_\_\_\_\_  
Division of Water Resources

Submit completed application to:  
 Kansas Department of Agriculture  
 Division of Water Resources  
 Field Office for your area.

Call for address:

Topeka -- (785) 862-6300  
 Stafford -- (620) 234-5311  
 Stockton -- (785) 425-6787  
 Garden City -- (620) 276-2901  
[www.ksda.gov/dwr](http://www.ksda.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. 27,630

RECEIVED  
 9:35  
 NOV 20 2017

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use                       Point of Diversion

Garden City Field Office  
 Division of Water Resources

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: CHARLES WITHERS

6655 LAMAR ROAD RENO, TEXAS 75462

Phone Number: (903)249-3481

Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: CHARLES L. & CAROLYN J. WITHERS

6655 LAMAR ROAD RENO, TEXAS

Phone Number: (620)657-2040

Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: CHARLES L. WITHERS & CAROLYN J. WITHERS

ADDRESS: 6655 LAMAR RD. RENO, TEXAS 75462

(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	
31	30	33W					40	39.65	39.75	40	40	39.85	38	40					317.25

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	
<del> </del>																			

For Office Use Only: Code \_\_\_\_\_ Fee \$ 100 TR # \_\_\_\_\_ Receipt Date 11/20/17 Check # 5388

5. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the LOT 3 Quarter  
 of Section 31, Township 30 South, Range 33 (W),  
 in HASKELL County, Kansas, 2600 feet North 5200 feet West of Southeast corner of section.  
 Authorized Rate 1360 GPM Authorized Quantity 635 AF Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. 1 GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the NW LOT 3 Quarter of the SW Quarter of the \_\_\_\_\_ Quarter  
 of Section 31, Township 30 South, Range 33 (W),  
 in HASKELL County, Kansas, 2320 feet North 5145 feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) 630 603  
 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 \_\_\_\_\_ (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:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (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. Why do you need a new point of diversion? Lack of  
production on current PD

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

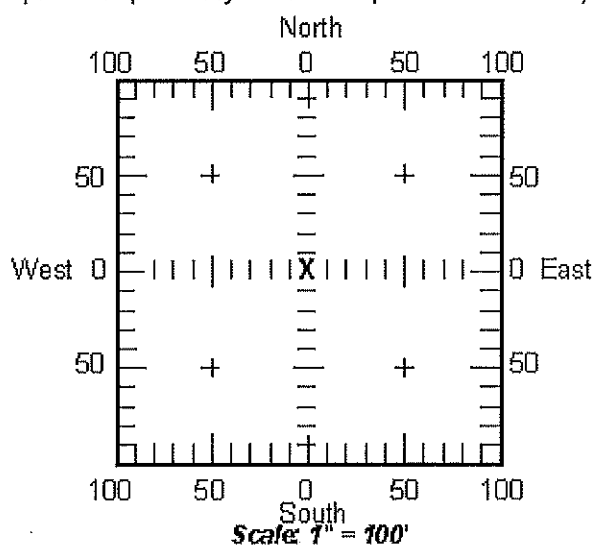
9. When do you propose to complete the new point of diversion?  
December 13<sup>th</sup> 2017

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
to be plugged  
 (b) When will this be done? December 13<sup>th</sup> 2017

11. Groundwater Management District recommendation attached?  Yes  No

12. Assisted by CAC

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

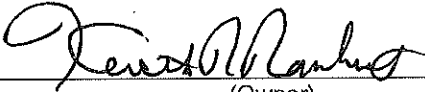
14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:

- (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 regard 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 20<sup>th</sup> day of NOVEMBER, 2017.

	
(Owner)	(Spouse)
<u>KENNETH R. RANNUT HYDRORESOURCES</u>	
(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 20<sup>th</sup> day of NOV, 2017.



  
 Notary Public

My Commission Expires 9-14-18

**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. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 *et. seq.* With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 27630.

1. A change application was received on November 20, 2017 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use.  Applicable  Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 50 foot radius of the authorized point(s) of diversion.  Applicable  Not Applicable
4. The point(s) of diversion authorized herein shall not actually be located more than 300 feet from the previously authorized point(s) of diversion.  Applicable  Not Applicable
5. 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
6. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2018, 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
7. Installation of the works for diversion of water shall be completed on or before December 31, 2018, or within any authorized extension of time. By March 1, 2019 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
8. The completed well log shall be submitted with the required notice.  Applicable  Not Applicable
9. 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
10. Additional Conditions are attached.  Yes  No
11. 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**

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the **Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 109 SW 9<sup>th</sup> Street, Topeka, Kansas 66612**, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15<sup>th</sup> day after the date shown on the Certificate of Service.

*For Use by Register of Deeds*

FOR OFFICE USE ONLY  
**APPLICATION APPROVED AND  
SUMMARY ORDER ISSUED**

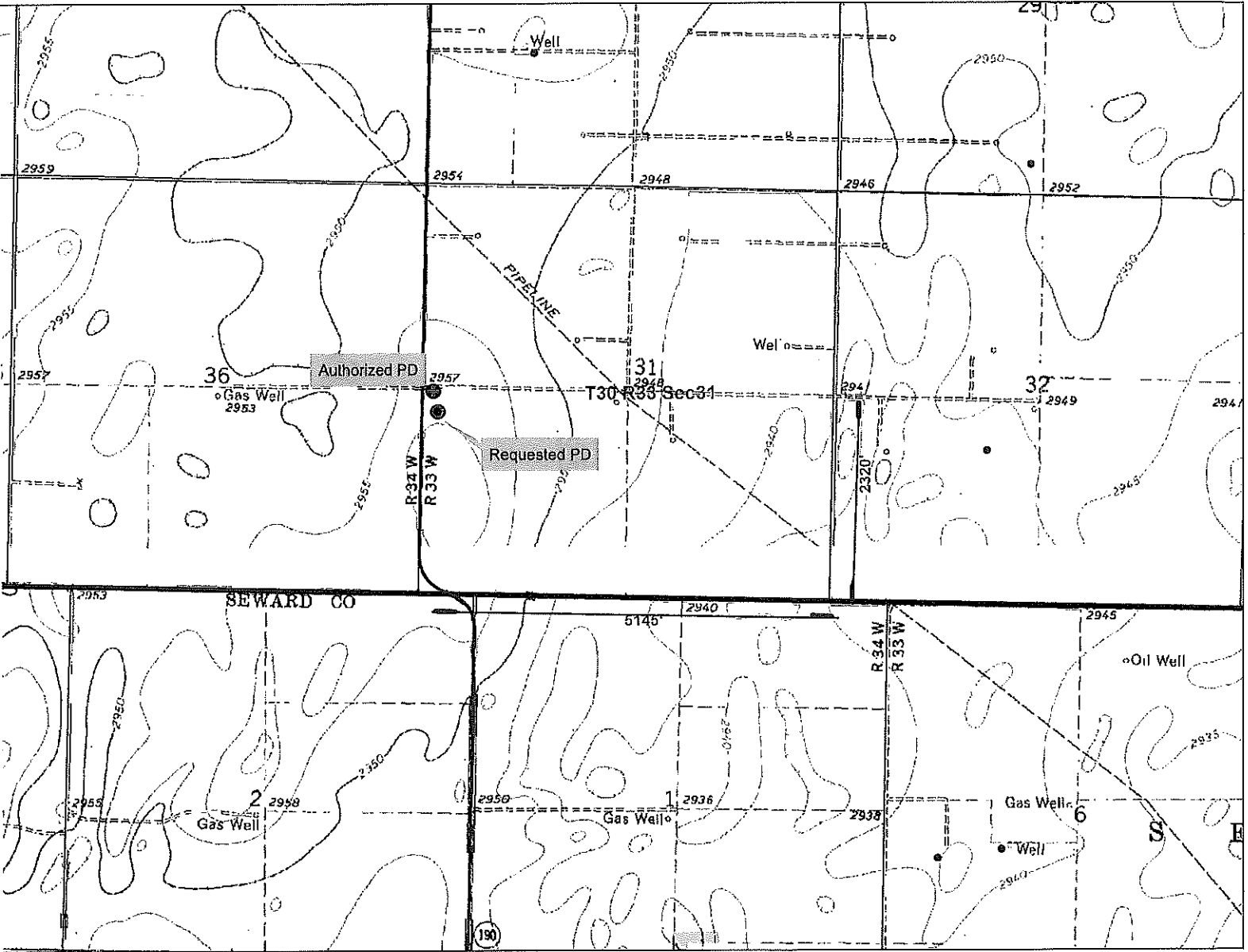
By: [Signature]  
Duly Authorized Designee of the Chief Engineer  
(Print Name): THOMAS P. MAKENS  
Division of Water Resources - Kansas Department of Agriculture  
Date of Issuance: NOVEMBER 29, 2017  
State of Kansas )  
County of Finney ) SS  
Acknowledged before me on November 29, 2017  
by Thomas P. Makens  
Signature: [Signature]  
Notary Public



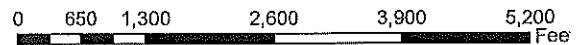
My commission expires: \_\_\_\_\_  
(Notary Seal)



Point of Diversion Change  
 File No(s). 27,630  
 T30 R33 Haskell Co.



(2006 Scaled air photo)



- Authorized PD
- Requested PD
- Point of Diversion



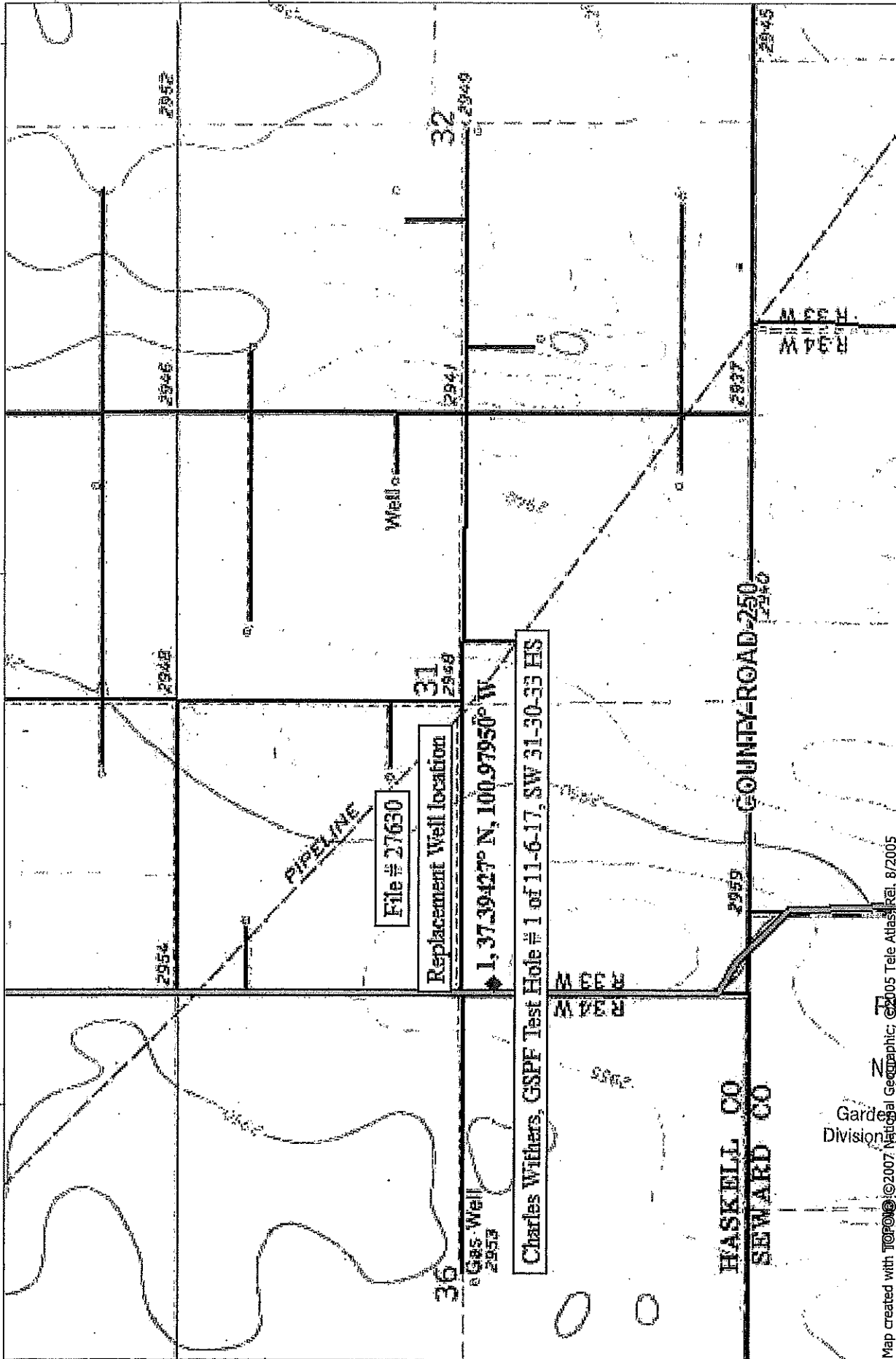
TOPO! map printed on 11/10/17 from "Untitled.tpo"

100.96667° W

100.98333° W

37.40000° N

37.40000° N



File # 27630

Replacement Well location

1, 37.39427° N, 100.97950° W

Charles Withers, GSPF Test Hole # 1 of 11-6-17, SW 31-30-33 HS

a Gas Well 2953

HASKELL CO  
SEWARD CO

COUNTY ROAD 250

R34 W  
R34 W

RECEIVED

NOV 13 2017

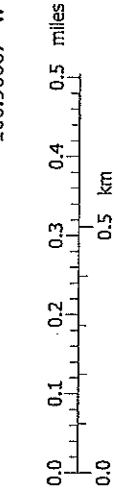
Gardner City Field Office  
Division of Water Resources

NATIONAL  
GEOGRAPHIC

Map created with TOPO! ©2007 National Geographic; ©2005 Tele Atlas; Rel. 8/2005

100.96667° W

NAD27 100.95000° W



TN 17 MN

57.2°

11/10/17

CHARLES WITHERS  
CELL 903-849-3481

**GSPF IRRIGATION SERVICE**  
710 W Taylor Jones Rd  
Holcomb, KS 67851  
Phone: 620-277-2503  
Fax: 620-277-2581

HYDRO RESOURCES

KEN 277-2389

260-7356

x	

Customer Name: Charles Withers Date: 11/6/17  
 Address: 6655 LAMAR ROAD Test # 1 E Log  
 City & state: RENO, TEXAS 75462 Driller: Dana Vogt  
 County: Haskell Quarter SW Section: 31 Township: 30 Range: 33  
 Location: 37.39427 N 100.97950 W Elev:  
280' SOUTH & 55' EAST of EXISTING WELL RIG# 1 WELL LOCATION

%	From	Pay	To	Description of Strata	Static Water Level	Proposed Well Depth
	0		2	Top Soil	347	603
	2		5	Silty clay	20' SUMP	
	5		12	Sandy clay		
	12		23	clay		
	23		76	Brown sandy clay		
	76		84	Sand F-M		
	84		112	Tan sandy clay		
	112		116	Sand F-M		
	116		124	Tan Sandy clay		
	124		138	Sand FMC		
	138		170	Sand FMC small gravel		
	170		175	Cemented sand		
	175		193	Sandy clay w/few sand strips		
	193		195	Cemented sand		
	195		207	Sand FMC small gravel		
	207		239	Sand F-C small-med gravel w/few thin clay strips		
	239		243	Sandy clay		
	243		296	Sand F-C, s-m gravel few clay strips		
	296		302	Sluffy clay		
	302		314	Sand Fine + clay		

Continued

RECEIVED

NOV 13 2017

