

File No. **6073** 11. County: **SV** Basin: **CIMARRON RIVER** Stream: Formation Code: **211/331** Special Use:

12. Points of Diversion										Rate and Quantity								
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files		
ENT												Rate gpm	Quantity af	Rate gpm	Quantity af			
DEL																		
ENT				79743	NW NW NE			29	31S	35W	4	5206	2168	950	614	950	614	3424; 8059
CHK				21660														
CHK				88413														

BLANKET RATE AND QUANTITY

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				
CHK																									
CHK																									
CHK																									

Base Acres: Year: Minimum Reasonable Quantity:

Comments: **WILL NOT COMPLETE C3 CHANGE; REVERTING BACK TO PREVIOUS WELL; REMOVE COMPLETION DATE FOR C3**

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 18, 2023

JAMES W & ANNE CULLISON
PO BOX 367
SATANTA, KS 67870-0367

RE: Filed Office Application for Change
Water Right, File No. 3424, 6073 & 8059

Dear Sir or Madam:

Enclosed is the order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

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

Since the order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc: Groundwater Management District 3


CERTIFICATE OF SERVICE

On this 18th day of July, 2023, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 3,424, 6,073 and 8,059 dated 18th day of July, 2023 was mailed postage prepaid, first class, US mail to the following:

JAMES W & ANNE CULLISON
PO BOX 367
SATANTA, KS 67870-0367

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.

File No. 6073

RECEIVED
 8:01 Am
 JUL 03 2023

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: JAMES W & ANNE L CULLISON

PO BOX 367, SATANTA, KS 67870

Phone Number: (620)649-2531

Email address: THEFARM@PLD.COM

Name and address of Water Use Correspondent: SAME AS ABOVE

SAME AS ABOVE

Phone Number: ()

Email address:

3. The presently authorized place of use is:

Owner of Land --- NAME: _____

ADDRESS: _____

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES		
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land --- NAME: _____

ADDRESS: _____

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 7-3-23 Check # 20663

5. **Presently authorized point of diversion:**
 One in the NW Quarter of the SW Quarter of the NE Quarter of Section 29, Township 31 South, Range 35 W, in STEVENS County, Kansas, 3510 feet North 2392 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 05 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 NW Quarter of the NW Quarter of the NE Quarter of Section 29, Township 31 South, Range 35 W, in STEVENS County, Kansas, 5206 feet North 2168 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 3424 & 8059

6. **Presently authorized point of diversion:**
 One in the SW Quarter of the SW Quarter of the NW Quarter of Section 27, Township 31 South, Range 35 W, in STEVENS County, Kansas, 2670 feet North 5199 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 03 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 _____ W, in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

7. The changes herein are desired for the following reasons?
 (please be specific) REVERT BACK TO ORIGINAL WELL

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

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

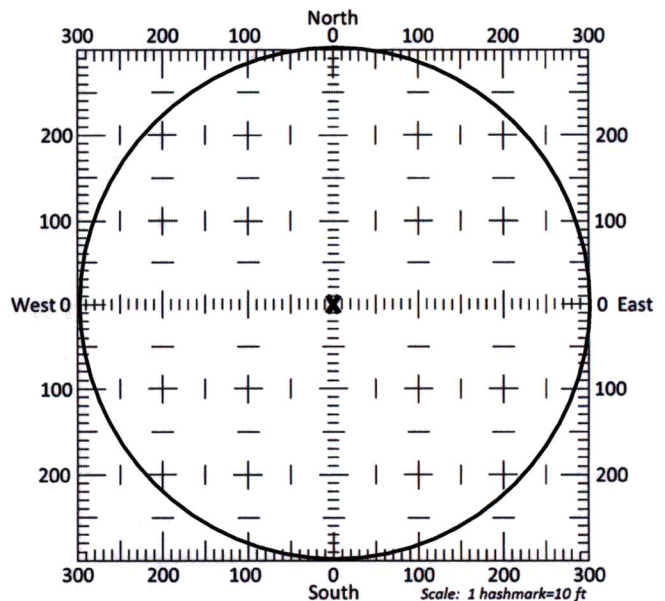
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by AM/GCFO

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. 6073

Presently authorized point of diversion:
One in the SW Quarter of the SW Quarter of the NE Quarter
of Section 28, Township 31 South, Range 35 W,
in STEVENS County, Kansas, 2717 feet North 2294 feet West of Southeast corner of section.
Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 05 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) GEO CENTER
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 _____

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: No change, point better described with GPS 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 _____ (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 _____

Presently authorized point of diversion:
One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (E/W),
in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested)
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 _____

Presently authorized point of diversion:
One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (E/W),
in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested)
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 _____

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 Haskell City, Kansas, this 28 day of June, 2023.

<u>J.W. Cullison</u> (Owner)	_____	(Spouse)
<u>J.W. Cullison</u> (Please Print)	_____	(Please Print)
<u>Anne L. Cullison</u> (Owner)	_____	(Spouse)
<u>Anne L. Cullison</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of Kansas }
County of HASKELL } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 28 day of June, 2023.

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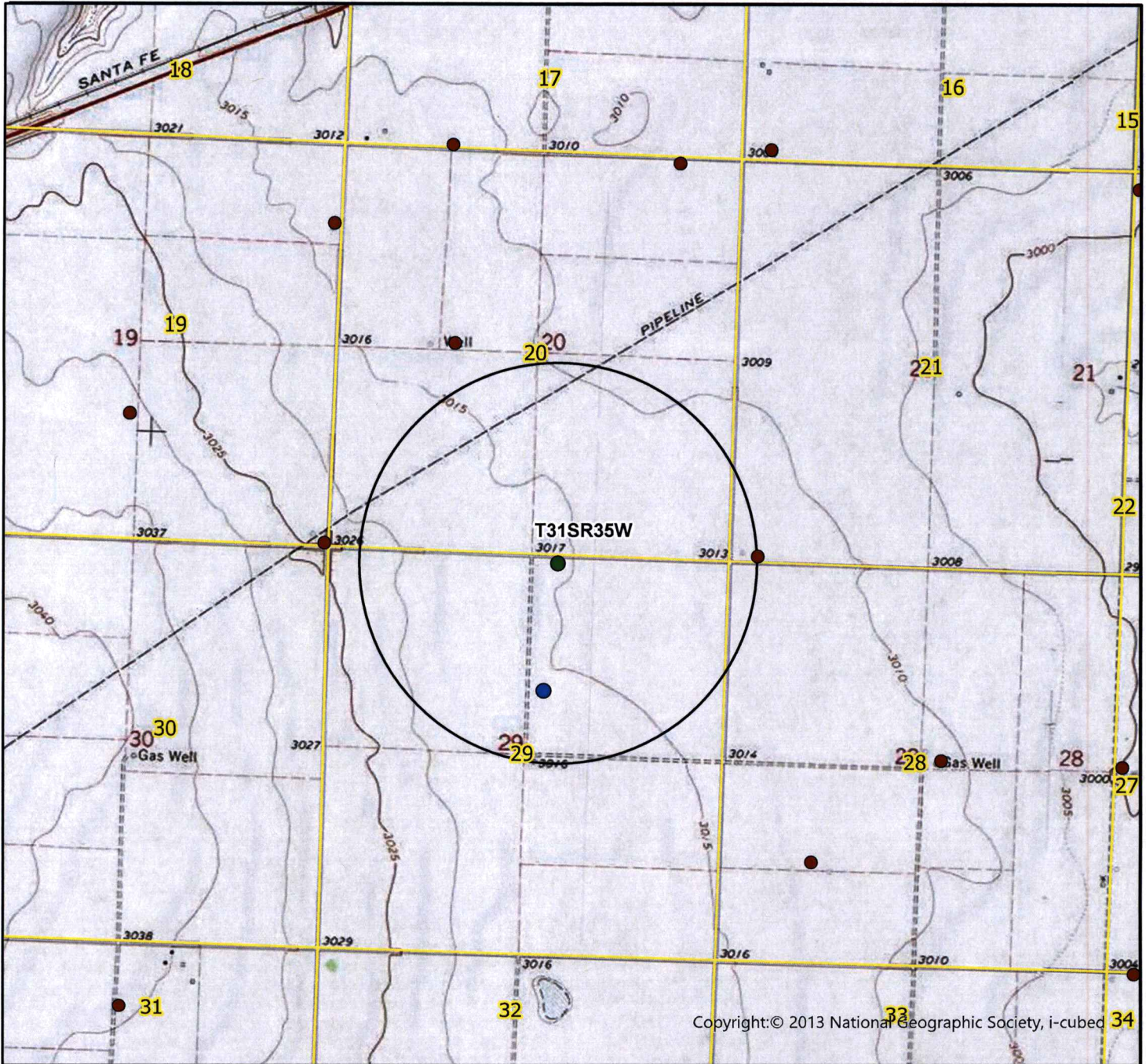
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate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

CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NO. 3424; 6073 & 8059



●	Authorized Point of Diversion
●	Proposed Point of Diversion
●	Permitted Water Right
★	Domestic Well within 1/2 mile
	1/2 mile buffer

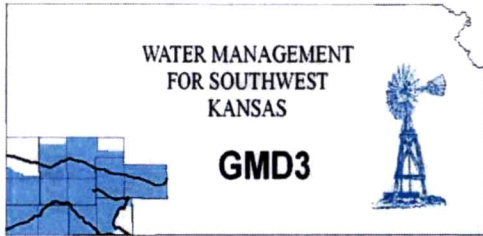
List of owner name and addresses within 1/2 mile:



By signing below I agree that all wells, including domestic, and owners names and addresses within 1/2 mile of the proposed point of diversion have been shown on the map

(Signature) _____ Date _____

Date AM/GCFO
1:24,000 Scale



Southwest Kansas
Groundwater Management District No. 3
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone
www.gmd3.org

July 11, 2023

RECEIVED

JUL 14 2023

**Garden City Field Office
Division of Water Resources**

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

RE: Application for Change in Point of Diversion
Water Right, File Nos. 3424, 6073 & 8059

Dear Austin:

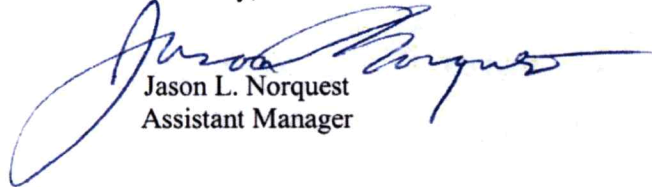
We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to minimum spacing to neighboring wells and distance moved.

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 2023 with little pumping in 2023. 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): 3424, 6073, 8059.

DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: James & Anne Cullison.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? ___.

If NO, is documentation included?

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

Point of diversion ID No(s) 01 being changed.

	ft. North	ft. West	
Authorized PD	3510	2392	Sect 29-31-35
Proposed PD	5206	2168	
Difference	-1696 s	224 w	
a2 + b2 = c2	2876416	50176	1710.728 foot move SW

GPS for proposed PD: Lat: ___ Long: ___.

Is proposed PD stacking on existing WRs? Same overlap as before, all 3 WRs moving.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified: ___.

Name Bill & Linda Harvey (3361).

Address PO Box 26.

Zip Moscow, KS 67952.

Email: tomlahey51@icloud.com Phone: 620-544-9364.

Name Bee Farm LLC (10109).

Address 2030 State Hwy 25.

Zip Hugoton, KS 67951.

Email: miltongillespie@icloud.com Phone: 620-544-7799.

Name Dell A Cullison (12559, 188484).

Address 2345 Road AA.

Zip Moscow, KS 67952.

Email: dellcullison@yahoo.com Phone: 620-582-2583.

Name Wesley & Leslie Randles (13307).

Address PO Box 207.

Zip Moscow, KS 67952.

Email: wsrnl@pld.com Phone: 620-598-2515.

Domestic well(s) notified: ___.

Name ___.

Address ___.

GMD3 Change Review

Zip ____.

Base Acres: ____.

Perfected Acres: ____.

Irr. Return-Flow ____%

Stevens County

3424 authorized 960AF @ 1410gpm blanket on three wells, no limitation

6073 authorized 614AF @ 950gpm blanket on three wells, limited to 640AF with other WRS on 320 acres listed.

8059 authorized 26AF @ 3480gpm blanket of three wells, limited to 3480gpm w/3424 & 6073

Combined 1600AF @ 3480gpm on three wells.

2013-2022 average reported water use: 123.43AF/year

Current well at 522', drilled in 2012 according to logs

Proposed depth around 550'

This well not pumping during last GMD3 inspection.

This proposed change will move the well back to the original location. Since the first app was just approved, no real pumping has accorded so the move back would not be adding any effects that have not already been there.

Is a waiver needed: Move is less than half mile. Minimum spacing to neighboring wells appears to be met.

Recommendation: After review of all available information, it appears current area rules are met. The analysis for this change was not done due to this is moving the authority back to the original location and has no real pumping history at the current location. Staff therefore recommends approval of the application.



Garden City Field Office
4532 W. Jones, Suite B
Garden City, KS 67846

Mike Beam, Secretary



Phone: 620-276-2901
Fax: 620-276-9315
www.agriculture.ks.gov

Laura Kelly, Governor

July 6, 2023

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

Re: Request for Recommendation,
File Nos. 3424; 6073 & 8059

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by James Cullison 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,

A handwritten signature in blue ink that reads "Austin McColloch".

Austin McColloch
Assistant Water Commissioner

Enclosure
pc: