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

1. File Number: 27805	2. Status Change Date:	3. Change Num: C1	4. Field Office: 4	5. GMD: 3		
6. Status: 🛛 Approved	Denied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: 5/20/2019		
 8a. Applicant(s) New to system □ JAMES W & ANNE PO BOX 367 SATANTA KS 6783 		8c. Landown New to sy		Person ID Add Seq#		
8b. Landowner(s) New to system CULLISON ET AL PO BOX 367 SATANTA KS 6787	Person ID <u>64717</u> Add Seq#	8d. WUC New to sy 8a	rstem 🗌	Person ID Add Seq#		
9. Documents and Enclosure(s)	: 🛛 DWR Meter(s) Date to Comp	ly: 12/31/201 9) ⊠ N & P Date t	to Comply: <u>12/31/2020</u>		
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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

May 30, 2019

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

RE: Water Right, File No. 27805

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.

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

Sincerely,

Austin J. McColloch Assistant Water Commissioner

AM: enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 30th day of May, 2019, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 27,805 dated 30th day of May, 2019 was mailed postage prepaid, first class, US mail to the following:

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

Pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

Division of Water Resources Staff

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

Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended. Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

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File No. 27805

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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

diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

File No. 27865

- 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? 2 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 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? T 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. 14.

Dated at Darden City,	Kansas, this 20 day of May, 20 19.
J. W. Cullison	
(Owner)	(Spouse)
(Please Print)	(Please Print)
J. W. Cullison	
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas	
of	signed in my presence and sworn to before me this $\underline{\lambda 0}$ day
My Commission Expires	Julie Jones Notary Public

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
il est	(3)	Application to change the place of use	\$200

My Appointment Expires



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. <u>27805</u>

- 1. A change application was received on <u>5/20/19</u> requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
- 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
- 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
- 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, 2019, 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.
- 8. Installation of the works for diversion of water shall be completed on or before December 31, 2019, or within any authorized extension of time. By March 1, 2020 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.
- 9. The completed well log shall be submitted with the required notice.
- 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 I 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

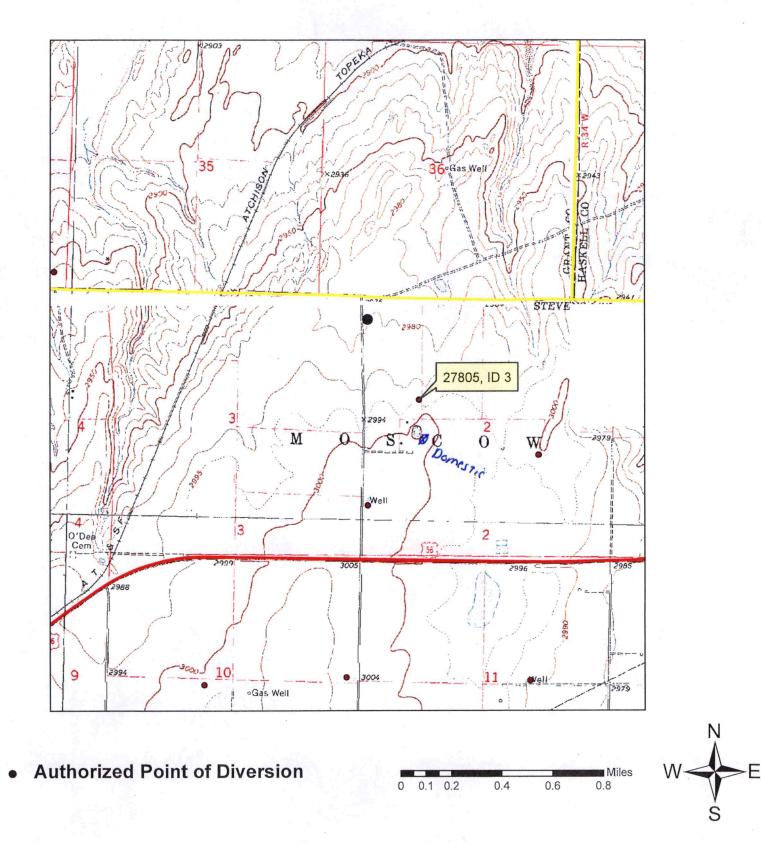
If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and 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: Anth. J. M. heller
Duly Authorized Designee of the Chief Engineer
(Print Name): Austin J McColloch
Division of Water Resources - Kansas Department of Agriculture
Date of Issuance: May 30, 2019
State of Kansas)
) SS
County of <u>tinney</u>)
Acknowledged before me on May 30, 2019
by Austin J. McColloch
Signature:
My commission expires:
My commission expires: My Appointment Expires (Notative Real) 5, 2022
4 File No. 27605
4 File No. 27001

Sec	Blk		
Survey		EVENS CHydro No. 2	5367
N.37.386	45 W10	1.10411' resources P.O. Box 784	
	4	Sunray, Texas 79086 (806) 948-4421	
		JIM CULLISC	(A)
		WW2	
		Test 🗹 Waterwell 🗆	
DATE 5	17/19	NO. <u>2-19</u>	
FROM	то	Problem w Greation 462 DESCRIPTION	SAND
0	60	top soil, sandy clay + sticky clay 15' to 60'	
60	320	fine, med + course sand al clay strips.	
320	340	fine med + loane sand	20
340	360	fine, med + coarse fairly loose sand	20
360	380	fine medand ware fairly how sand	20
380	400	fine to ned fairly love said stitle clay mix	20
400	420	fine to used fairly loose short whelay strips.	19
420	440	med fine fairly loose sand	- 201
440	460	five to used five fairly fight sand w Rockstrip 1+ Clay	165
460	480	fine little tight b fight saved	20 2
480	500	Fine little tight yellow sand	20 5
500	520	Fine fairly tight sand	20 8
520	540	fine lettle tight sand w/ clay strips.	- 18 0
540	560	fine little fight sand	20-5
560	580	finelittle tight sand to Red Clay	18
580	600	Red Clay withard shale	
		dragbit RECEIVED	
	(1973) 	MAY 15 2019	
		14 SK 6611V Garden City Field Office Division of Water Resources	
		Division of water roots	

DUMAS PRINTING CO. FORM WL218 Change in Point of Diversion for water right 27805 Section 2, Township 31 South, Range 35 West, Stevens County



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

Proposed Point of Diversion

X J.w. Cuckinon



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

May 29, 2019

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

RE:

2: Application for Change in Point of Diversion Water Right, File Nos. 27805

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 distance moved and minimum spacing to neighboring wells.

Well evaluations were 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 draft revised management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. The enclosed report is an analysis performed by the GMD on behalf of our membership. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (4 ft in cases where saturated thickness is greater than 200 ft), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. The attached review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

Every neighboring well within 1 mile of the proposed move was evaluated. Evaluations showed that in no case did the net effect on neighboring wells exceed the 4.0 ft maximum allowable threshold. Noted that 2 of the domestics in section 36 were found in WWC5, but no current records of ownership or if they are still intact. These wells also had low effect from the proposed move. All other wells owned by the applicant. Therefore, GMD3 sees this move as reasonable and unlikely to impair neighboring wells. It is therefore recommended that the applications be approved.

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

Working Water Conservation Every Day Since 1976

GMD3 Change Review

File No(s).: 27805.

DWR office: GC.

App filed to cha	nge: PD			<u>1987</u> - 18	
Is Landowner(s)	correct in WI	RIS: James	& Anne C	ullison.	
If NO, is	documentatio	on included?			
Is Water Use Co	rrespondent c	orrect in WF	US? Yes.		
If NO, is	documentatio	on included?			
Regulation(s) Re	eviewed: KAF	2 5-23-3			
Point of diversio	on ID No(s) (03 being ch	anged.		
Free castoriana	ft. North	ft. West	400	18	
Authorized PD	3200	4040	Sect 2-31-	25	
Proposed PD	4870	5285	Ject 2-31-	55	
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Is proposed PD	The second se			<u>01.10111</u> .	
Is Proposed PU	-	-	a the second second	nge.	
Land Owner(s)		anothing witho	. <u></u>	<u></u>	
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Address		Address			
Zip		Zip			
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Address .		Address .			
Zip		Zip			
Domestic well(s					
Name		Name _			
Address		Address	ad a sis		
Zip		Zip _	- The source		
Base Acres:					
Perfected Acres:					
Irr. Return-Flow	%				

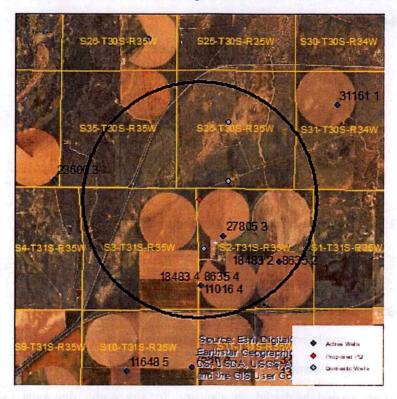
Is a waiver needed: <u>Move is less than half mile and minimum spacing to neighboring</u> wells is met. Analysis shows all neighboring wells well below the allowable effect threshold. The domestic wells in section 36, to the north, are shown in WWC5, put no indication that they are still operating or completed. Each appears to be at a depth at or below static currently.

Recommendation: <u>It appears that all current area rules are met</u>. All located active wells in the area are the applicants and the analysis shows shows effects to be within limits. Staff therefore recommends approval of the application.

10

Evaluation of proposed additional well for Water Right No 27805

Proposed: Move the well authorized under water right no. 27805 a distance of 1989 ft to the northwest.



Wells within 1 mile: 8635 & 11016 & 18483 ID2, 8635 & 11016 & 18483 ID4, a domestic well in section 2-31-35, a domestic well in the south half of section 36-30-35, and a domestic well in the north half of section 36-30-35.

The saturated thickness at the proposed well location is estimated to be 268 ft, based upon a monitoring well in section 31-30-34 and the driller's log. For saturated thicknesses greater than 200 ft, the maximum allowable Theis drawdown to neighboring critical wells is 4.0 ft.

50 year Theis Analysis: The following values were used to run the analysis:

S = 0.2997, T = 30,076 ft²/day, tp_{current} = 64 days (based upon observed rate and reported quantity), Q_{current} = 619 gpm (observed during 2012 field inspection), tp_{proposed} = 134 days, Q_{proposed} = 1590 gpm.

Theis drawdowns were calculated as follows:

8635 & 11016 & 18483 ID 2:

Drawdown from current location = 0.53 ft Drawdown from proposed location = 1.83 ft Net drawdown = 1.3 ft

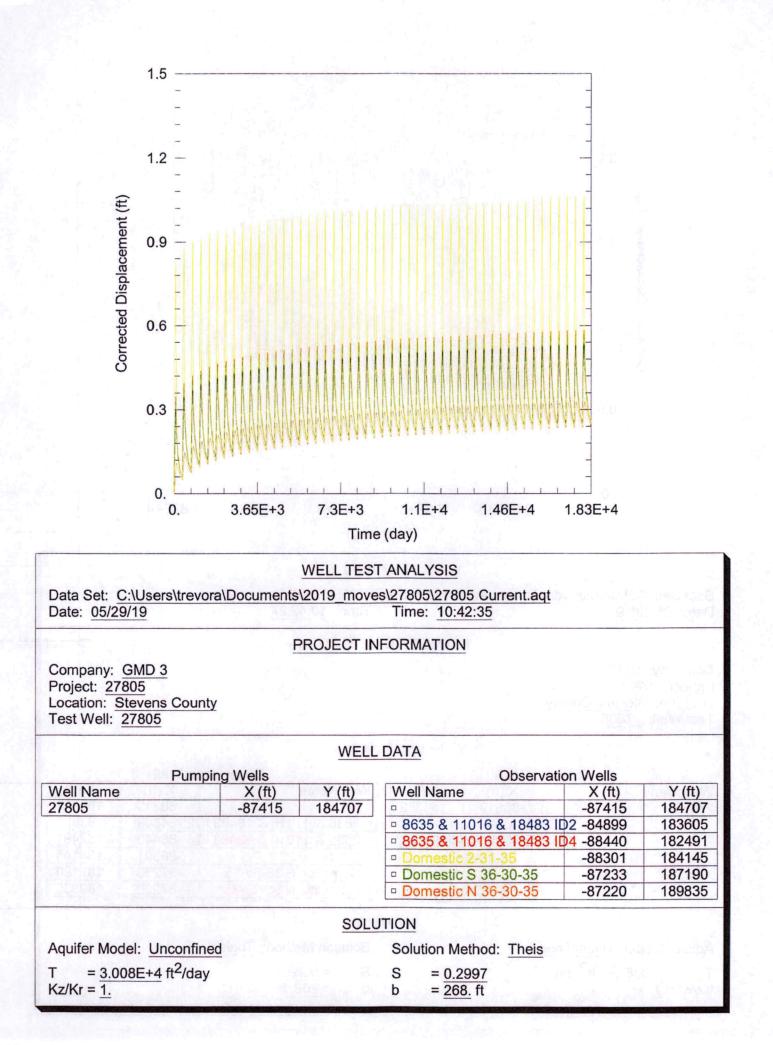
8635 & 11016 & 18483 ID4:

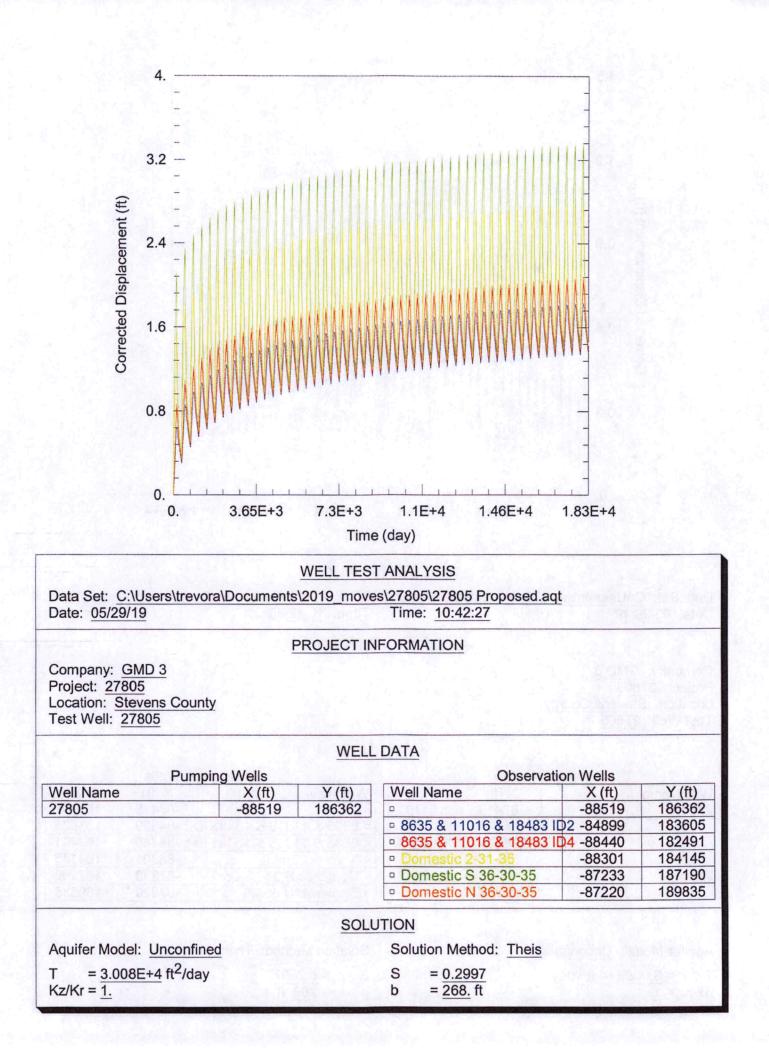
	Drawdown from current location = 0.58 ft
	Drawdown from proposed location = 2.03 ft
	Net drawdown = 1.4 ft
Domestic 2-31-35:	Drawdown from current location = 1.06 ft
	Drawdown from proposed location = 2.78 ft
	Net drawdown = 1.7 ft
Domestic S 36-30-35:	Drawdown from current location = 0.58 ft
	Drawdown from proposed location = 3.36 ft
	Net drawdown = 2.8 ft
Domestic N 36-30-35:	Drawdown from current location = 0.33 ft
	Drawdown from proposed location = 2.08 ft
	Net drawdown = 1.8 ft

Net drawdown does not exceed the drawdown allowance for any neighboring wells, so critical well evaluation evaluation is not necessary.

Conclusion:

Given the current saturated thickness, this proposed change is unlikely to create noticeable effects on neighboring wells.





11

Water Rights and Points of Diversion Within 1.00 miles of point defined as: 4870 ft N and 5285 ft W of the SE Corner of Section 2, T 31S, R 35W Located at: 101.104110 West Longitude and 37.386452 North Latitude GROUNDWATER ONLY

GROUNDWATER ONLY										-	300	1	. 11	
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A 8635 00 IRR NK G	4659	NE	NW	SE	2120	1530	2	31	35W	2		460.00	460.00	AF
Same	3886	NW	SW	SW	985	5090	2	31	35W	4		472.00	472.00	AF
A 11016 00 IRR NK G	4659	NE	NW	SE	2120	1530	2	31	35W	2		354.00	354.00	AF
Same	3886	NW	SW	SW	985	5090	2	31	35W	4		363.00	363.00	AF
A 18483 00 IRR NK G	4659	NE	NW	SE	2120	1530	2	31	35W	2		128.00	128.00	AF
Same	3886	NW	SW	SW	985	5090	2	31	35W	4		223.00	223.00	AF
A 27805 00 IRR NK G*	2071	SE	SW	NW	3200	4040	2	31	35W	3		943.00	.00	AF
Total Net Quantities Authoriz	ed:	Direc	t		Ste	orage								
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Total Permitted Amount (AF) =		. 0				.00								
Total Inspected Amount (AF) =		. 0				.00								
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Garden City Field Office 4532 W. Jones, Suite B Garden City, KS 67846

Mike Beam, Secretary

Kansas Department of Agriculture Division of Water Resources

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

Laura Kelly, Governor

May 20, 2019

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

Change Application, File No. 27805

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

Austin McColloch Assistant Water Commissioner Water Appropriation Program

Enclosure pc: