

**Kansas Department of Agriculture**  
**Division of Water Resources**  
 APPROVAL OF CHANGE APPLICATION WORKSHEET

1. File No.: <b>19356</b>	2. Status Change Date:	4. Field Office: <b>04 - Garden City</b> GMD: <b>03 - Southwest</b> Structures File No.: Filing/Priority Date: <b>11/13/2024</b> Application Complete Date:
3. Package File No(s):		
5a. <input checked="" type="checkbox"/> Applicant <input checked="" type="checkbox"/> Owner <input checked="" type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID <b>19777</b> Add Seq#	5b. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID Add Seq#	
<b>CHARLES L &amp; CAROLYN J WITHERS</b> <b>6655 LAMAR RD</b> <b>RENO, TX 75462-7110</b>		
5c. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID Add Seq#	5d. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID Add Seq#	
6. Change No.: <b>C9</b> <input checked="" type="checkbox"/> PD <input type="checkbox"/> PU <input type="checkbox"/> UMW Base Acres: <b>307.46</b> Year: Min Reasonable Q: Previous UMW: <b>Not changing</b> MDS Gauge: Active Admin? <input type="checkbox"/> Completion/Start Date: <b>12/31/2025</b> Perfection/Expiration Date:	7. Use of Water <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water UMW: <b>IRR-Irrigation</b> UMW: UMW:	
8. Action Trail		
9. Special Conditions		
10. 5YR Allocation Type: Start Year: 5YR Quantity: Base Acres: Comment:		
11. Sand & Gravel Proj ID: <input type="checkbox"/> Active <input type="checkbox"/> Dredge <input type="checkbox"/> IND Evap <input type="checkbox"/> Jr Evap <input type="checkbox"/> Other Diversion <input type="checkbox"/> Rpt on Sr		
12. Waiver Rule ID: <input type="checkbox"/> New Date Requested: Applies: Rule No.: Justification: Rule Type: Rule SubType:		
Comments <b>REMOVE COMPLETION REQUIREMENT FOR C8</b>	Processed <b>12/3/2024 AM</b>	Entered
	Reviewed	

File No. **19356**      13. County: **HS** Basin: **CIMARRON RIVER** Stream:  
 Structures File No:      Aquifer Code: **211 / 331**      Special Use Area:

14. Points of Diversion, Rates & Quantities																
PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Qty AF		Rate gpm		Storage Qty		Storage Rate	
									Auth	Add	Auth	Add	Auth	Add	Auth/Add	Overlaps
<b>DEL</b>	<b>91223</b>															
<b>ENT</b>	<b>NE NE SW</b>	<b>1</b>	<b>30S</b>	<b>34W</b>		<b>2324</b>	<b>3038</b>		<b>320</b>	<b>314</b>	<b>945</b>	<b>945</b>				

15. Limitations Type: Quantity Quantity: **364 AF** Rate:      combined with file no(s): **4300**      **(NO CHANGE)**  
 Type:                    Quantity:                    Rate:      combined with file no(s):

16. Metering     Metering Required     Anti-Reverse Required     Seal Required    Compliance Date: 12/31/2025

17. Place of Use										Total	Owner(s)	Chg?	Overlaps												
PUSE	S	T	R	ID	NE¼				NW¼					SW¼				SE¼							
					NE	NW	SW	SE	NE					NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<b>CHK</b>	<b>34419</b>																							<input type="checkbox"/>	<b>**</b>
<b>CHK</b>	<b>38175</b>																							<input type="checkbox"/>	<b>**</b>
																							<input type="checkbox"/>		
																							<input type="checkbox"/>		
																							<input type="checkbox"/>		
																							<input type="checkbox"/>		

18. Point of Diversion and Place of Use Overlaps

<p>* + # ^</p>	<p>** 4300 ++ ## ^^</p>
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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

December 3, 2024

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

RE: Filed Office Application for Change  
Water Right, File No. 19356

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 that reads "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc: GMD 3

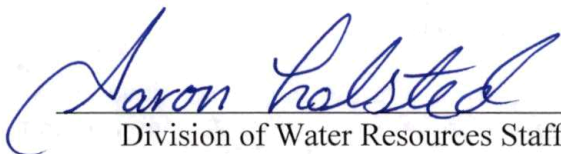
## CERTIFICATE OF SERVICE

On this 3<sup>rd</sup> day of December, 2024, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 19,356 dated 3<sup>rd</sup> day of December, 2024 was mailed postage prepaid, first class, US mail to the following:

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

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. 19356

**RECEIVED**  
 1:00 pm  
 NOV 13 2024

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: CHARLES L & CAROLYN J WITHERS

6655 LAMAR RD, RENO, TX 75462-7110

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: Same

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 CGT Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date 11-13-24 Check # 12209

5. **Presently authorized point of diversion:**  
 One in the NW Quarter of the SW Quarter of the SW Quarter of Section 1, Township 30 South, Range 34 W, in HS          County, Kansas, 1411 feet North 5182 feet West of Southeast corner of section.  
 Authorized Rate No change Authorized Quantity No change Depth of well 660 (feet)  
 (DWR use only: Computer ID No. 2 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 NE Quarter of the NE Quarter of the SW Quarter of Section 1, Township 30 South, Range 34 W, in HS          County, Kansas, 2324 feet North 3038 feet West of Southeast corner of section.  
 Proposed Rate No change Proposed Quantity No change Proposed well depth (feet) 660.  
 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          (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 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         .

7. The changes herein are desired for the following reasons?  
 (please be specific)           
          
        

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

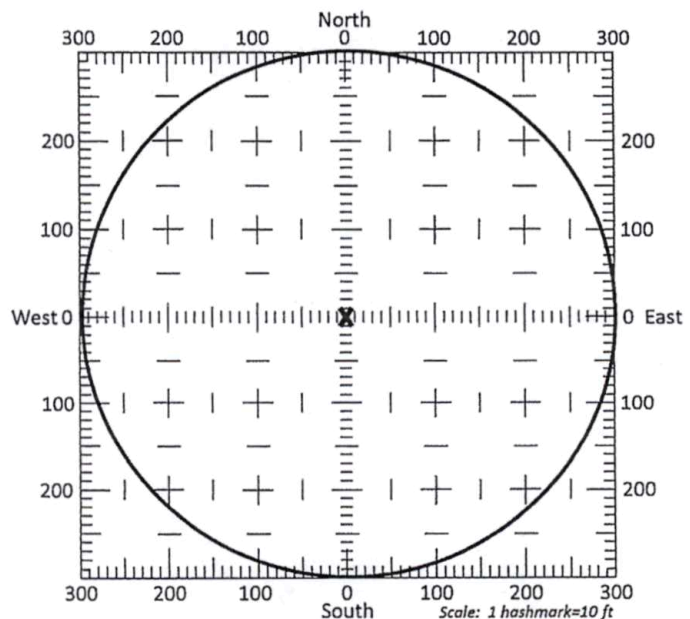
9. The change(s) (was)(will be) completed by?  
ASAP

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 mdf/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.)



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 Lamar National Bank Paris TX, Kansas, this 6<sup>th</sup> day of Nov., 2024.

[Signature]  
(Owner)

[Signature]  
(Spouse)

Charlie Withers  
(Please Print)

Carolyn Withers  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

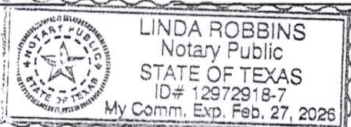
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)



State of ~~Kansas~~ Texas }  
County of Lamar } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 6<sup>th</sup> day of Nov., 2024.

[Signature]  
Notary Public

My Commission Expires 2/27/26.

**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. 19356.

1. A change application was received on November 13, 2024 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 300 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 2640 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, 2025, 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, 2025, or within any authorized extension of time. By March 1, 2026 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: Austin McColloch  
Duly Authorized Designee of the Chief Engineer

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

Date of Issuance: December 3, 2024

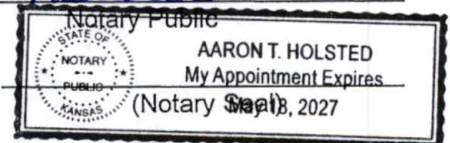
State of Kansas )

County of Linney ) SS

Acknowledged before me on December 3, 2024  
by Austin McColloch

Signature: Aaron Holsted

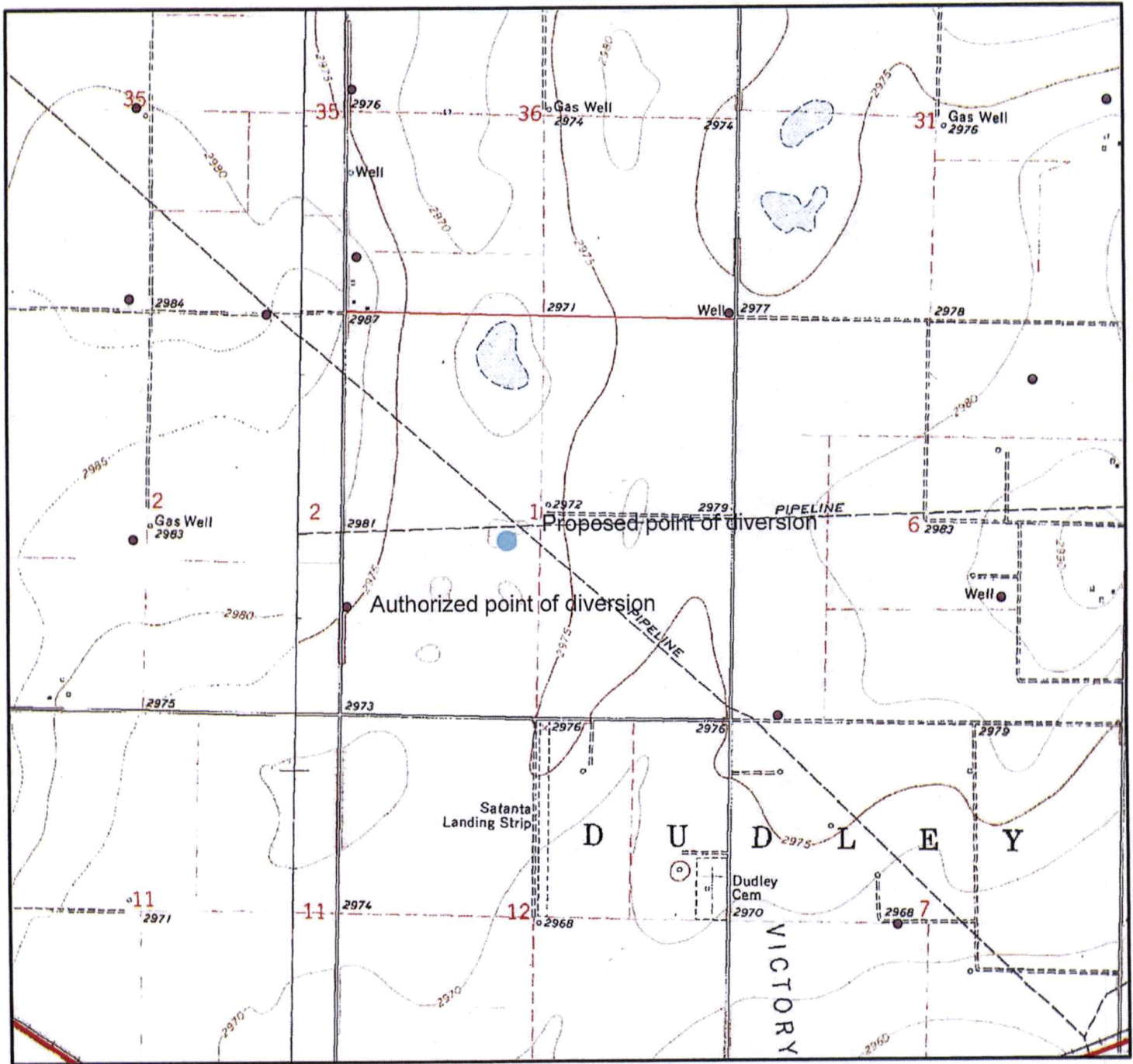
My commission expires: \_\_\_\_\_  
(Notary State, 2027)





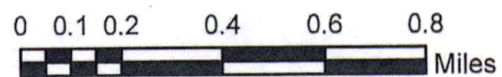
# CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NO. 19356

SW 1/4 of Section 1, Township 30 South, Range 34 West, HS County



● Authorized Point of Diversion

● Proposed Point of Diversion



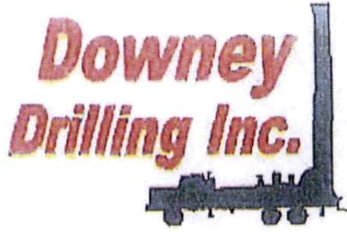
All wells of any kind within 1/2 mile of the requested point of diversion have been plotted.

(Signature)

Date

mdf/GCFO  
11/4/2024





**RECEIVED**  
 NOV 04 2024  
 Garden City Field Office  
 Division of Water Resources

CUSTOMER NAME: CHARLES WITHERS

TH#2-24

LEGAL: W 1/2 1-30S-34W

COUNTY: HASKELL CO. KS

GPS: 37.466809

-100.990695

DRILLER: ROCKY

WO: 24-566

V	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	2	TOP SOIL	SOFT	BROWN	FAST		SMOOTH
	2	7	BROWN SILTY CLAY	SOFT	BROWN	FAST		SMOOTH
	7	14	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
	14	21	CALICHE	FIRM	WHITE	SEMI SLOW		CHOPPY
	21	34	SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
	34	48	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	48	59	SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
	59	71	FINE-MED SAND	SOFT		FAST		CHOPPY
	71	92	FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		FAST CHATTER
	92	115	SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
	115	136	CEMENTED SAND W/ SANDY CLAY	FIRM		SEMI SLOW		SLIGHT CHATTER
	136	253	FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		FAST CHATTER
	253	259	SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
	259	354	FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		FAST CHATTER
	354	358	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
	358	366	BLUE CLAY	SOFT	BLUE	SLOW		SMOOTH
	366	399	FINE-MED-COARSE SAND W/ FINE GRAVEL	STIFF		FAST		FAST CHATTER
	399	414	SANDY CLAY W/ LIME ROCK & FINE SAND	FIRM	TAN & WHITE	FAST		SMOOTH & CHOPPY
	414	433	FINE SAND	SOFT		FAST		VIBRATION
	433	440	SANDY CLAY W/ FINE SAND	SOFT	TAN	FAST		SMOOTH & VIBRATION
	440	465	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	465	488	FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
	488	519	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
	519	561	SHALE W/ SANDSTONE TRACE	SOFT	BLUE	SLOW		SMOOTH
	561	578	SANDSTONE W/ FINE SAND	STIFF		FAST		FAST CHATTER
	578	595	SANDSTONE W/ FINE SAND & WHITE SOAPSTONE	FIRM	WHITE	FAST		FAST CHATTER
	595	627	SANDSTONE W/ FINE SAND & YELLOW SOAPSTONE	FIRM	YELLOW	FAST		FAST CHATTER
	627	648	SANDSTONE W/ FINE SAND	STIFF		FAST		FAST CHATTER
	648	660	RED BED	HARD	RED	SLOW		CHATTER
			QG - 6					
			WATER LOADS - 2					
			SA - 1/2					
			HOLE PLUG - 2					
			CS - 1					



# Century GEOPHYSICAL CORP.

CHARLES WITHERS

COMPANY : DOWNEY DRILLING INC  
WELL : CHARI FS WITHER  
LOCATION/FIELD : TH#2-24  
COUNTY : HASKELL  
LOCATION : W 1/2 AS  
SECTION : 1

OTHER SERVICES:



TOWNSHIP : 30S RANGE : 34W

DATE : 10/30/24  
DEPTH DRILLER : 660  
LOG BOTTOM : 662.70  
LOG TOP : 1.00

PERMANENT DATUM : GL  
LOG MEASURED FROM: GL  
DRL MEASURED FROM: GL

KB :  
DF :  
GL : 2820

CASING DIAMETER : 10.  
CASING TYPE : SURFACE  
CASING THICKNESS:

LOGGING UNIT : 2310  
FIELD OFFICE : O'DRISCOL  
RECORDED BY : DIEGO

BIT SIZE : 6.25  
MAGNETIC DECL. : 0  
MATRIX DENSITY : 2.71  
NEUTRON MATRIX : LIMESTON

BOREHOLE FLUID : MUD  
RM : .179  
RM TEMPERATURE : 68.5  
MATRIX DELTA T : 49

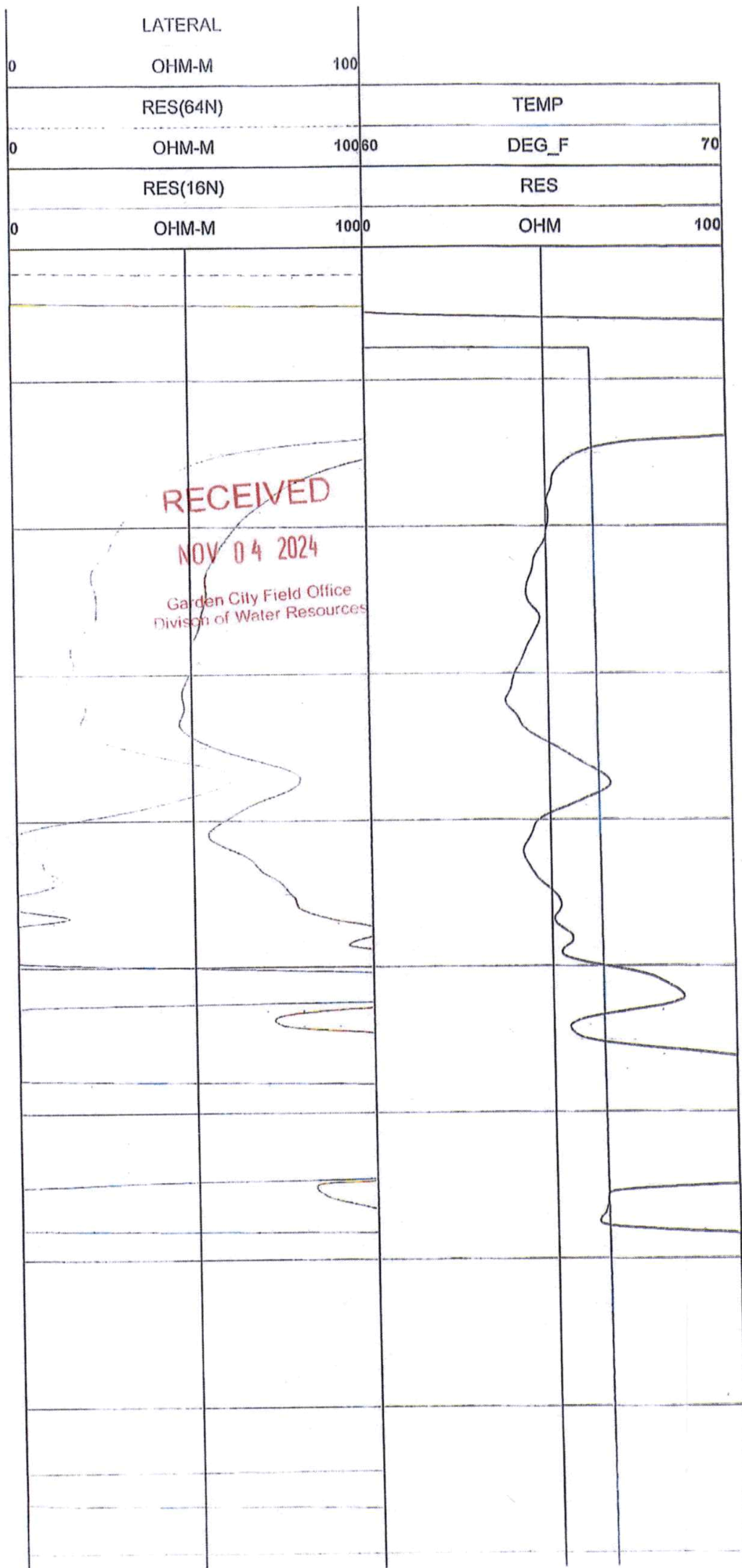
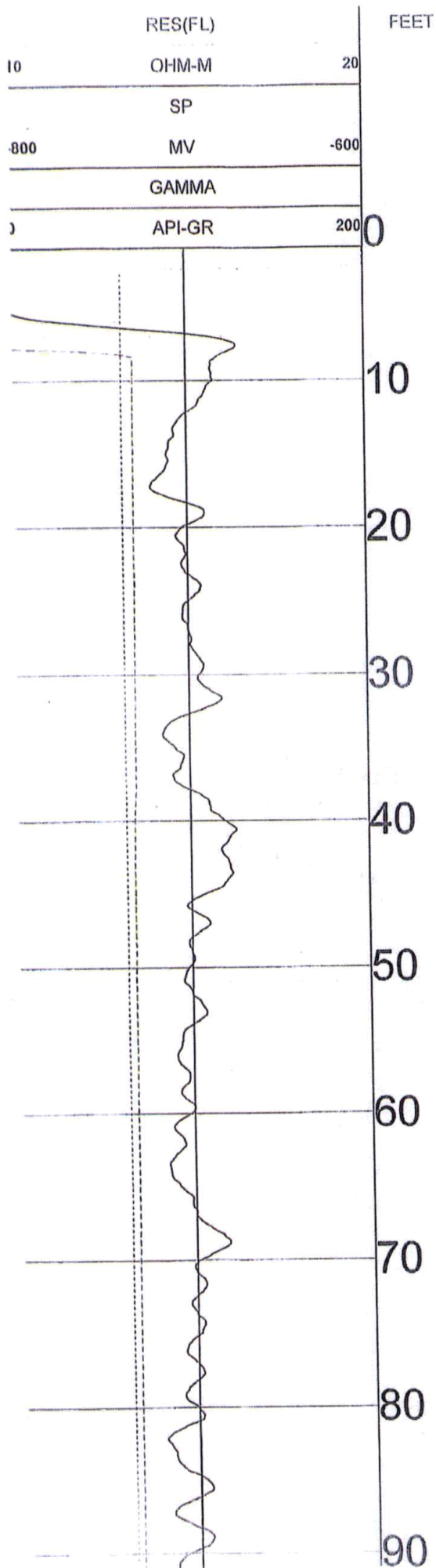
FILE : ORIGINAL  
TYPE : 8144A  
LGDATE: 10/30/24  
LGTIME : 19:47:  
THRESH: 99999

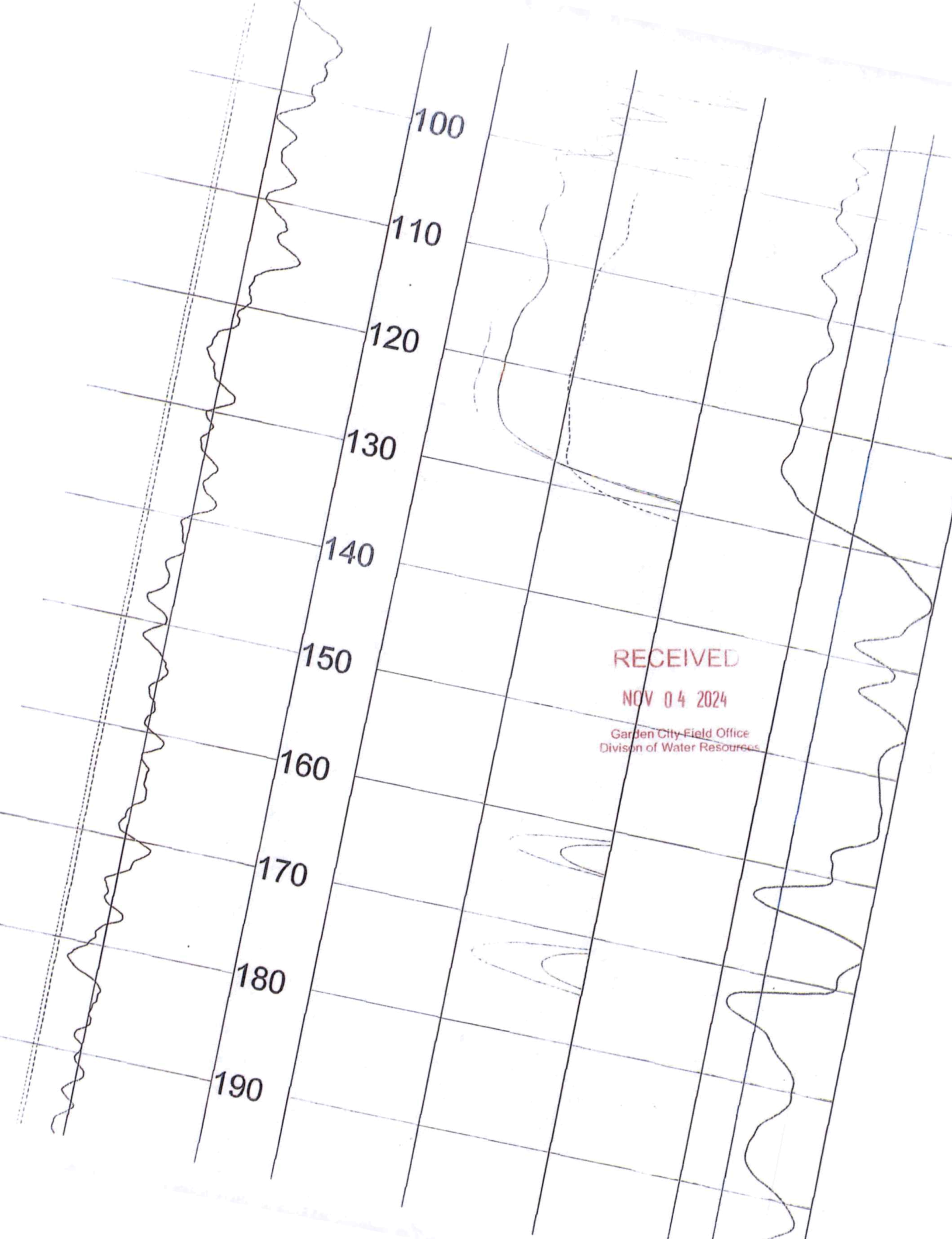
GPS 37.466809, -100.99069

ALL SERVICES PROVIDED SUBJECT TO STANDARD TERMS AND CONDITIONS

RECEIVED  
NOV 04 2024  
Garden City Field Office  
Division of Water Resources







100

110

120

130

140

150

160

170

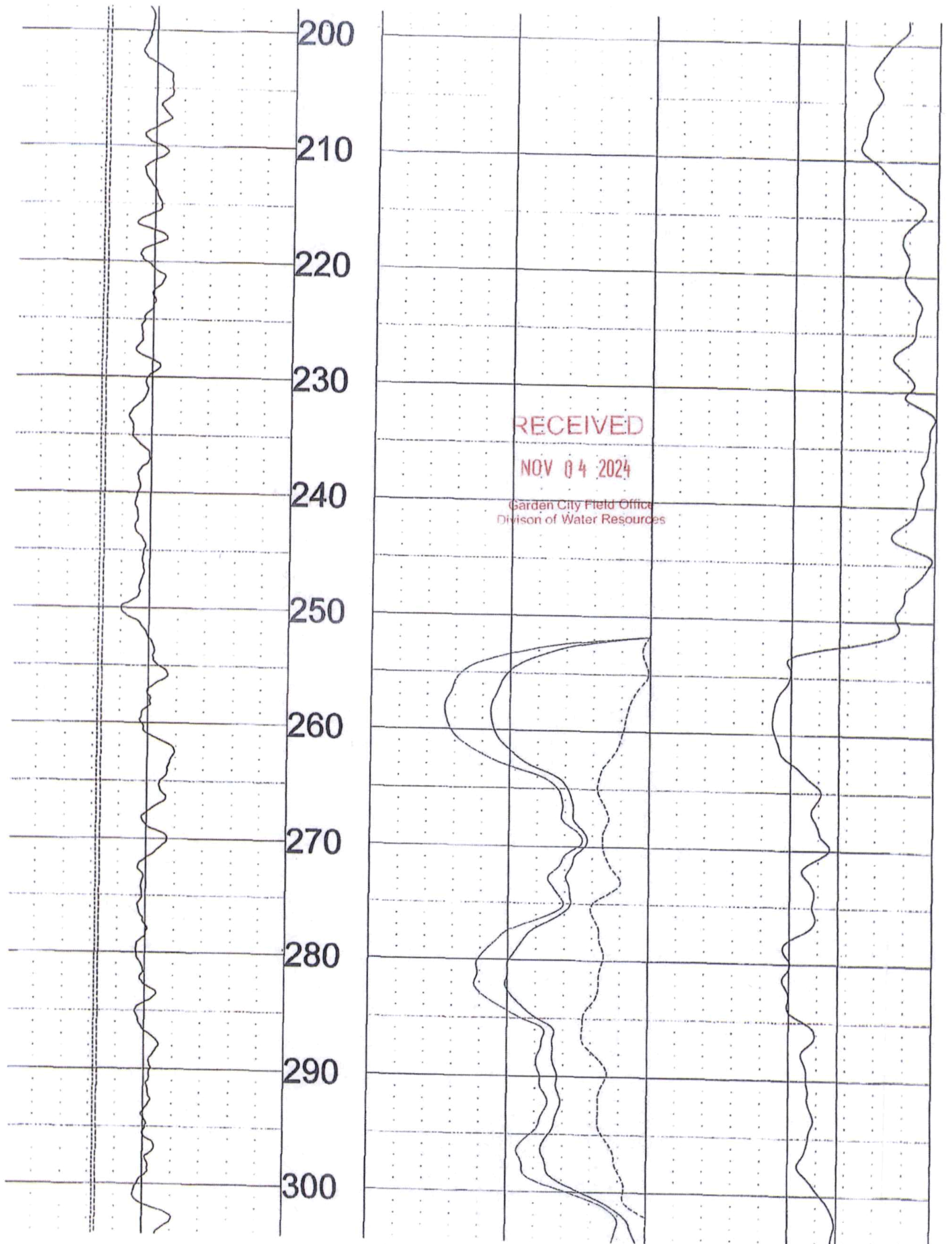
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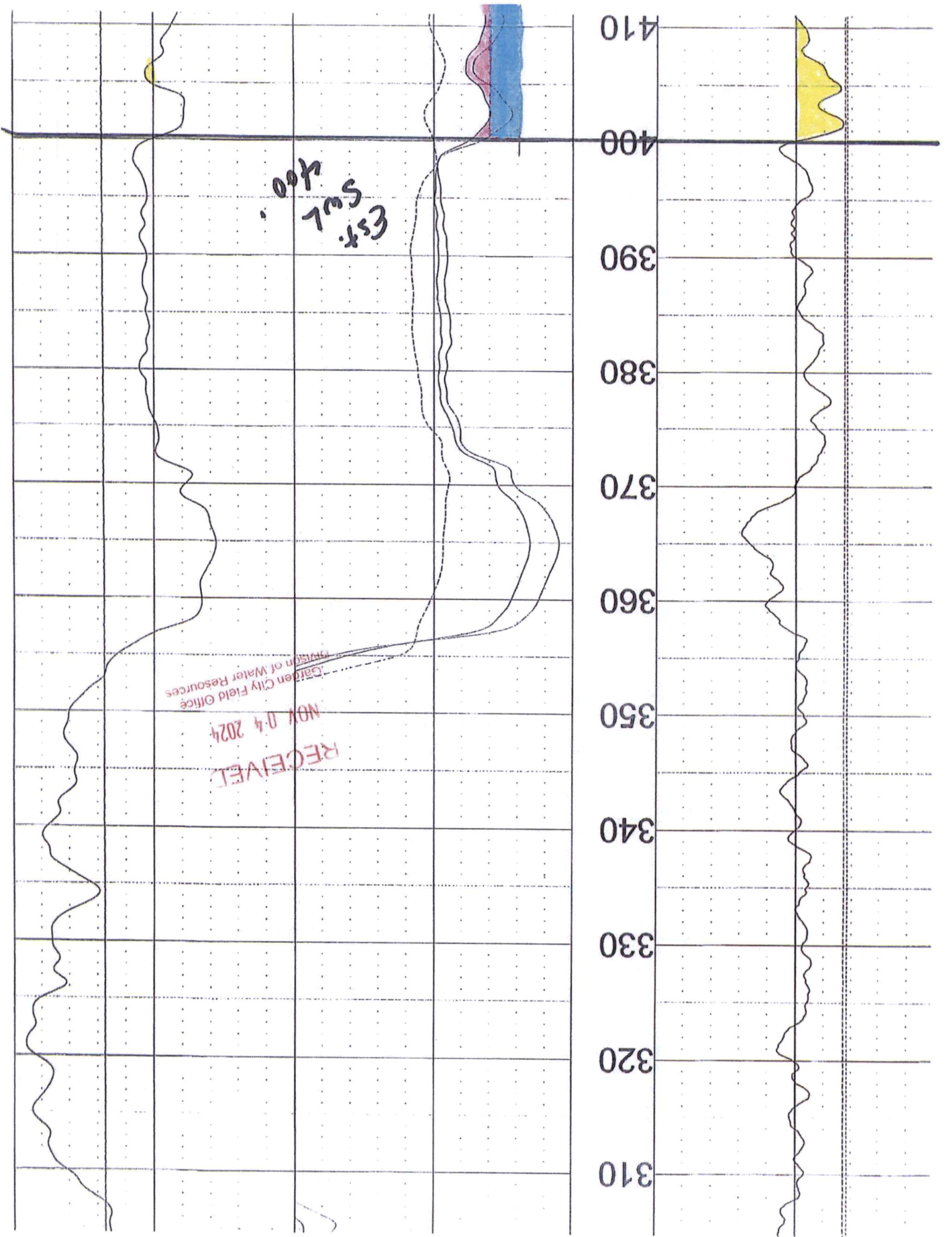
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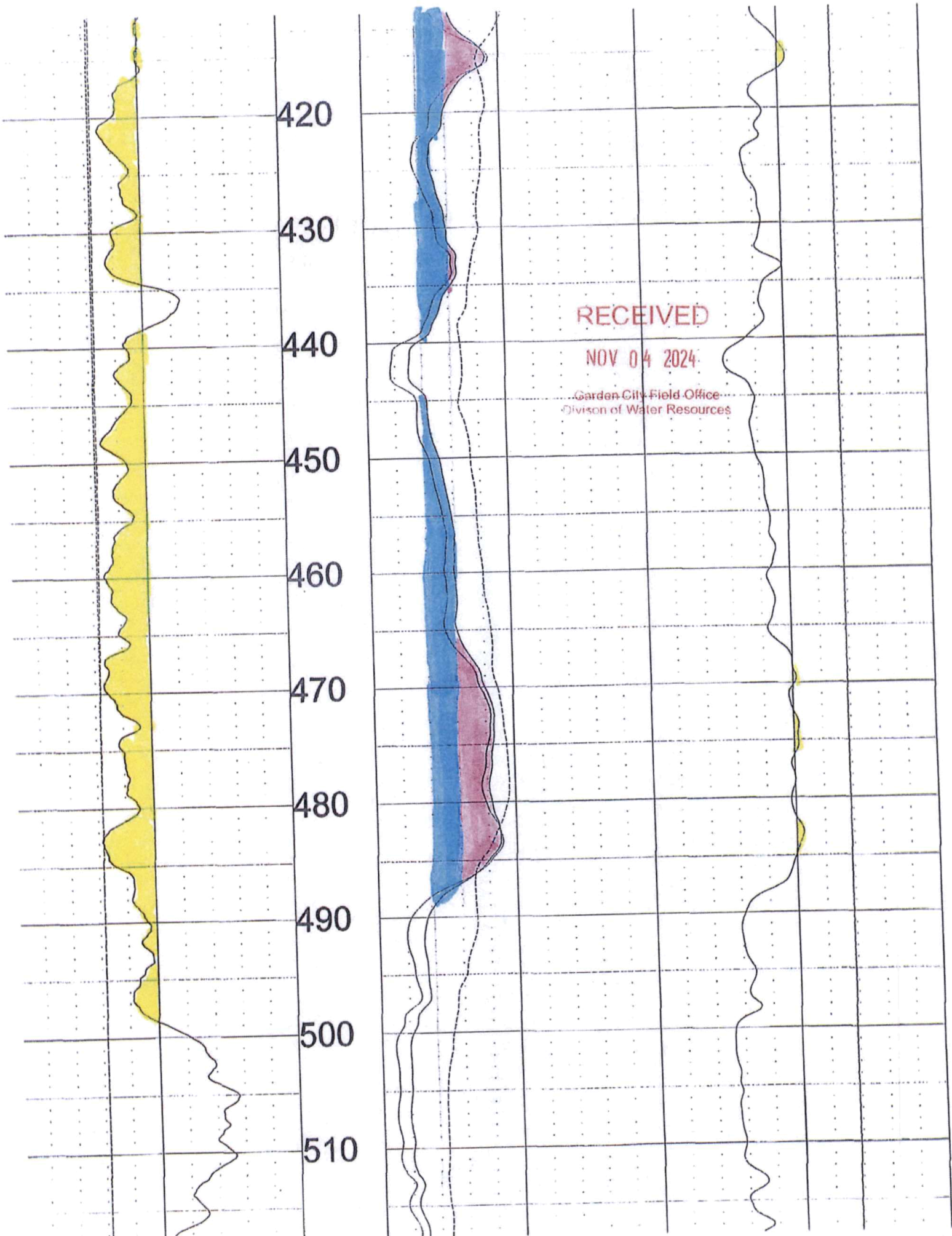
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Garden City Field Office  
Division of Water Resources









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Division of Water Resources

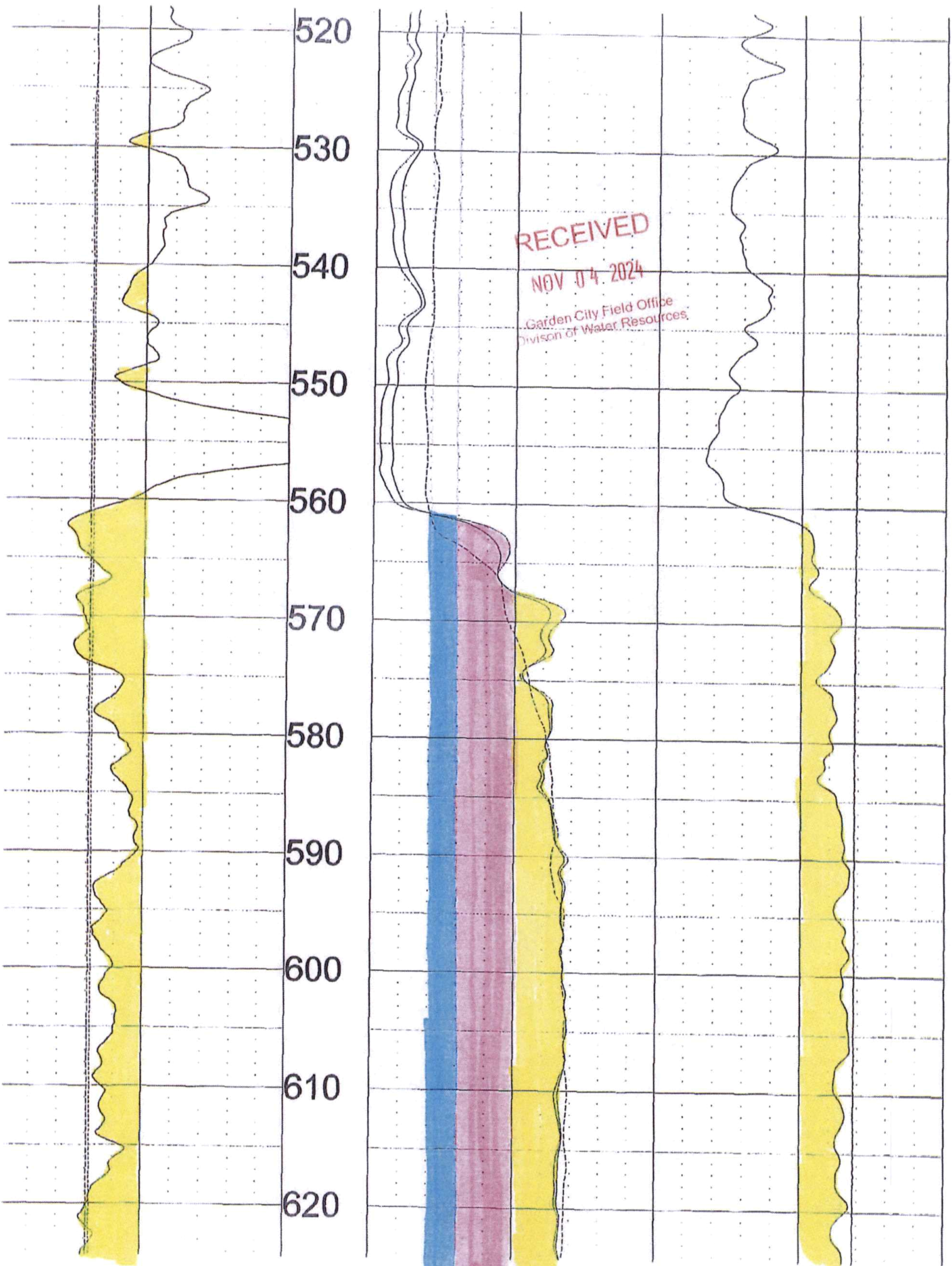


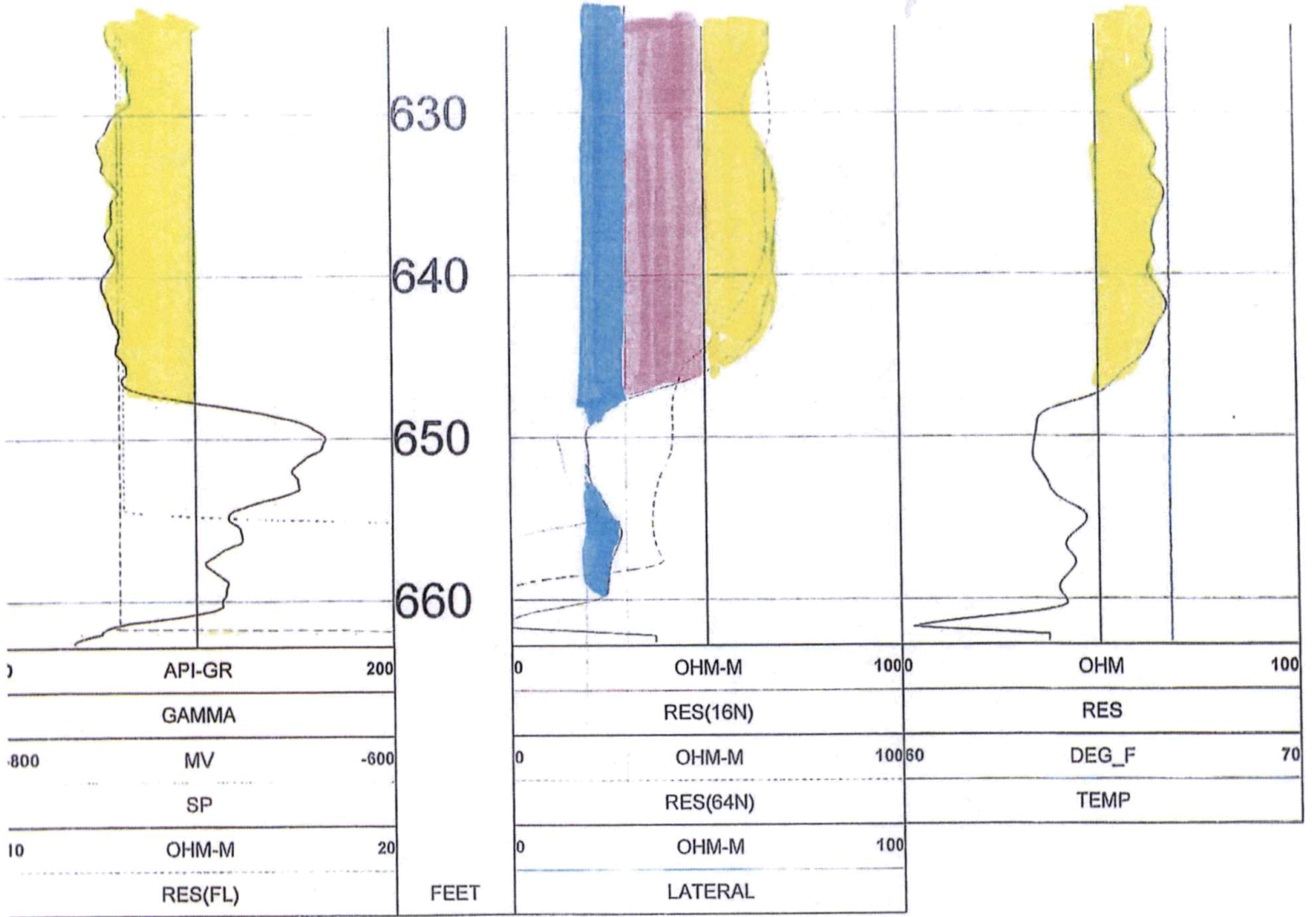
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NOV 04 2024

Garden City Field Office  
Division of Water Resources

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RECEIVED

NOV 04 2024

Garden City Field Office  
 Division of Water Resources

TOOL CALIBRATION CHARLES WITHERS 10/30/24 19:47  
TOOL 8144A TM VERSION 3002  
SERIAL NUMBER 365

	DATE	TIME	SENSOR	STANDARD	RESPONSE
1	Feb08,18	07:51:35	GAMMA	1.000 [API-GR ]	4.000 [CPS]
	Feb08,18	07:51:35	GAMMA	340.000 [API-GR ]	290.000 [CPS]
2	Jul12,17	13:24:17	RES(FL)	1.330 [OHM-M ]	7595.000 [CPS]
	Jul12,17	13:24:17	RES(FL)	42.700 [OHM-M ]	64820.000 [CPS]
3	Jan14,22	08:32:51	SP	0.000 [MV ]	327768.000 [CPS]
	Jan14,22	08:32:51	SP	381.500 [MV ]	164650.000 [CPS]
4	Jan14,22	08:33:01	RES(16N)	0.000 [OHM-M ]	3453.000 [CPS]
	Jan14,22	08:33:01	RES(16N)	1951.500 [OHM-M ]	448089.000 [CPS]
5	Jan14,22	08:33:10	RES(64N)	0.000 [OHM-M ]	3163.000 [CPS]
	Jan14,22	08:33:10	RES(64N)	1994.000 [OHM-M ]	449170.000 [CPS]
6	Jul12,17	13:17:49	TEMP	33.400 [DEG_F ]	66910.000 [CPS]
	Jul12,17	13:17:49	TEMP	102.200 [DEG_F ]	270930.000 [CPS]
7	Jan14,22	08:33:36	RES	0.000 [OHM ]	21285.000 [CPS]
	Jan14,22	08:33:36	RES	944.000 [OHM ]	190148.000 [CPS]

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Division of Water Resources



# CHARLES WITHERS

NE/SW 1-30S-34W HASKELL CO.

Legend

WITHERS WR #19356 ELEV=2985'

C. WITHERS TH #2-24 ELEV=2975'

C WITHERS TH #1-24 ELEV=2980'

Rd 199

Rd 199

Rd 199

Rd 200

2000

Google Earth

200

Image © 2024 Airbus

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NOV 9 4 2024  
Seward, NE, Haskell Office  
www.haskell.org

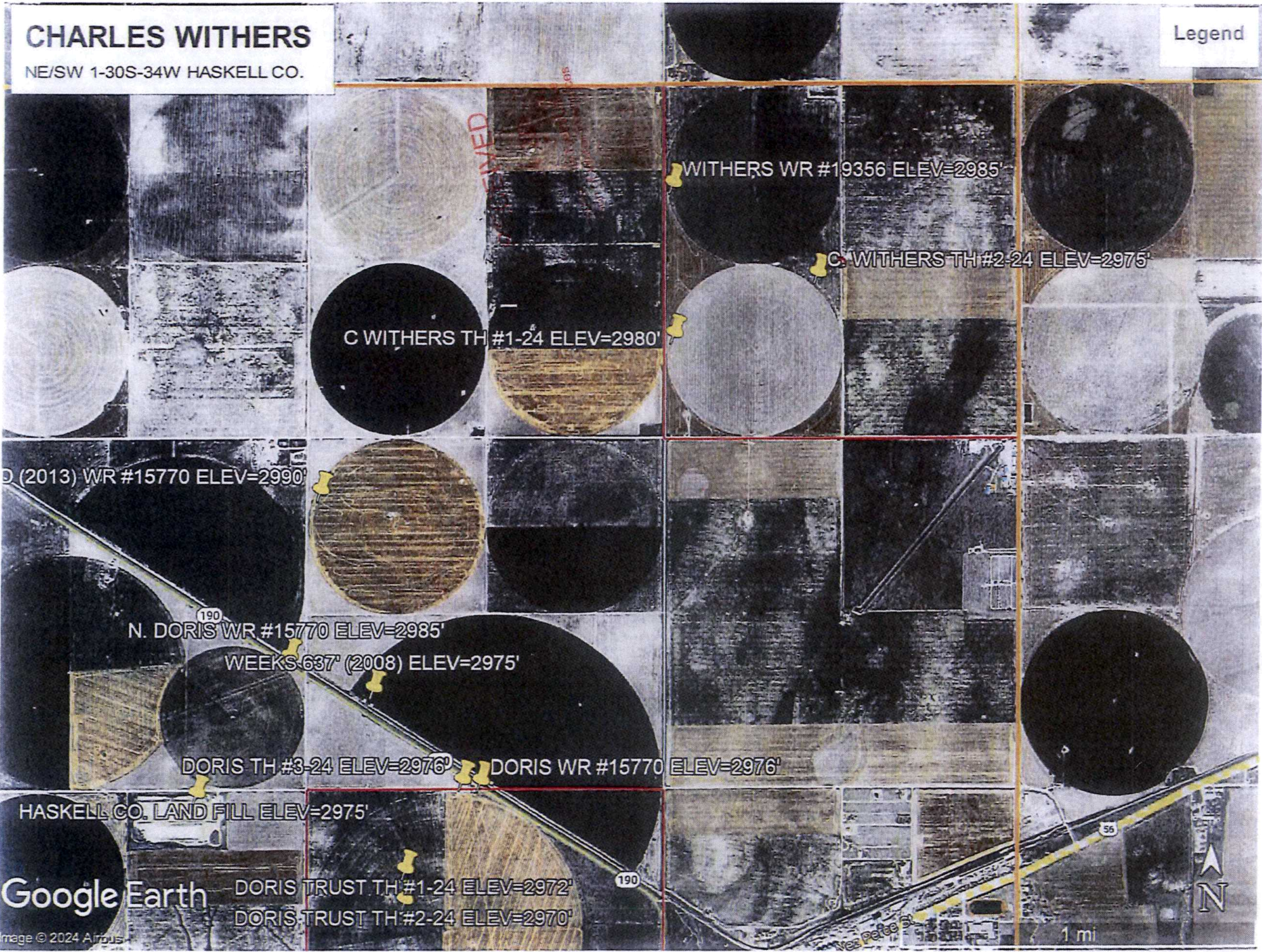




# CHARLES WITHERS

NE/SW 1-30S-34W HASKELL CO.

Legend



WITHERS WR #19356 ELEV=2985'

C. WITHERS TH #2-24 ELEV=2975'

C WITHERS TH #1-24 ELEV=2980'

D (2013) WR #15770 ELEV=2990'

N. DORIS WR #15770 ELEV=2985'

WEEKS 637' (2008) ELEV=2975'

DORIS TH #3-24 ELEV=2976'

DORIS WR #15770 ELEV=2976'

HASKELL CO. LAND FILL ELEV=2975'

DORIS TRUST TH #1-24 ELEV=2972'

DORIS TRUST TH #2-24 ELEV=2970'

Google Earth

Image © 2024 Airbus



1 mi





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

December 2, 2024

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

**RECEIVED**

**DEC 02 2024**

RE: Application for Change in Point of Diversion  
Water Right, File No. 19356

Garden City Field Office  
Division of Water Resources

Dear Austin:

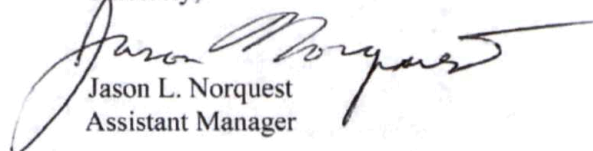
We have completed a review of the application for the above referenced water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to minimum spacing to neighboring wells and distance moved.

Well evaluations were 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. 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 (4.0 ft with saturated thickness is greater than 200ft), 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 none of the neighboring wells exceeded the net effect above the maximum allowable threshold and needed no further evaluation. No critical wells were determined in the area. We did not receive any comments from neighboring well owners. 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,

A handwritten signature in black ink, appearing to read "Jason L. Norquest".

Jason L. Norquest  
Assistant Manager

## GMD3 Change Review

---

File No(s): 19356. DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Charles Whithers.

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) 02 being changed.

	ft. North	ft. West	
Authorized PD	1411	5182	Sect 1-30-34
Proposed PD	2324	3038	
Difference	-913 n	2144 e	
$a^2 + b^2 = c^2$	833569	4596736	2330.301 foot move NE

GPS for proposed PD: Lat: 37.466809 Long: -100.990695.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs? No Change.

Neighboring certified well(s) notified:   .

Name KP Land Company LLC (3458).

Address 263 RD 140.

Zip Satanta, KS 67870.

Email: [paige.a.clawson@gmail.com](mailto:paige.a.clawson@gmail.com) Phone:   .

Name Grant & Rhesa Webber (17630).

Address 924 Road 190.

Zip Sublette, KS 67877.

Email: [crazy\\_house@hotmail.com](mailto:crazy_house@hotmail.com) Phone:   .

Name Light Investment LLC %Phillip Light (7422).

Address PO Box 2797.

Zip Liberal, KS 67905.

Email: [grfarmz@gmail.com](mailto:grfarmz@gmail.com) Phone:   .

Domestic well(s) notified:   .

Name   .

Address   .

Zip   .

Base Acres:   .

Perfected Acres:   .

Irr. Return-Flow   %

## GMD3 Change Review

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Haskell County

Authorized 320AF @ 945gpm. Limited to 634AF w/4300

Avg reported use (2014-2023): 225.7AF/year

450gpm reported on 2017 WUR

Well not running during most recent GMD3 inspection

Proposed depth: 660'

**This current PD location was approved in August of this year. This proposed location would be 2500' from the original location on the previous application.**

Is a waiver needed: Move is less than half mile. Minimum spacing to neighboring wells appears met. Analysis shows possible effects well within guidelines, no critical wells.

Recommendation: After review of available information, it appears current area rules are met. Staff therefore recommends approval of the application.

A handwritten signature in black ink, appearing to be the initials 'JR' or similar, located on the right side of the page.



Water Rights and Points of Diversion Within 1 mile of point defined as:

2324 Feet N and 3038 Feet W of the Southeast Corner of Section 1 Twp 30S Rng 34W  
 Located at: 100.990694 West Longitude and 37.466810 North Latitude  
 Both SURFACE WATER and GROUNDWATER

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	
A__ AF	3458 00	IRR	NK	G	5038	--	NE	NE	SW	2260	2805	2	30	34W	8	2300	640.00	640.00
A__ AF	4300 00	IRR	NK	G	4300	--	NW	SW	SW	755	5150	36	29	34W	6	1400	320.00	320.00
A__ AF	7422 00	IRR	NK	G	3946	--	--	--	--	5150	525	2	30	34W	6	2300	640.00	640.00
A__ AF	15545 00	IRR	NK	G	4263	--	SE	SE	SE	65	84	36	29	34W	2	2300	632.00	341.00
A__ AF	17630 00	IRR	NK	G	4274	--	SW	SW	SW	42	4655	6	30	33W	7	2300	557.00	.00
A__ AF	19356 00	IRR	NK	G*	2330	--	NW	SW	SW	1411	5182	1	30	34W	2	↔	320.00	314.00

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	2255.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2255.00	.00

*Minimum Spacing  
Appears MET*

An \* after the source of supply indicates a pending application for change under the file number.  
 An \* after the ID indicates a 15 AF exemption was granted under the file number.  
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.  
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1 mile of point defined as:

2324 Feet North and 3038 Feet West of the Southeast Corner of Section 1 Twp 30S Rng 34W  
 Located at: 100.990694 West Longitude and 37.466810 North Latitude  
 Both SURFACE WATER and GROUNDWATER

WATER USE CORRESPONDENTS:

- > KP LAND COMPANY LLC
- > 263 RD 140
- > SATANTA KS 67870
- > CHARLES L & CAROLYN J WITHERS
- > 6655 LAMAR RD
- > RENO TX 75462
- > LIGHT INVESTMENT LLC
- > % PHILIP LIGHT OPER MGR
- > PO BOX 2797
- > LIBERAL KS 67905
- > ERNEST L GROTH
- > 1701 WILLOW LN
- > GARDEN CITY KS 67846
- > GRANT E & RHESA J WEBBER

*3458*

*4300 Applicant*

*7422*

*15545*

*17630 need the 1st*

>  
> 924 ROAD 190  
> SUBLETTE KS 67877

>-----  
> CHARLES L & CAROLYN J WITHERS

>  
> 6655 LAMAR RD  
> RENO TX 75462  
>-----

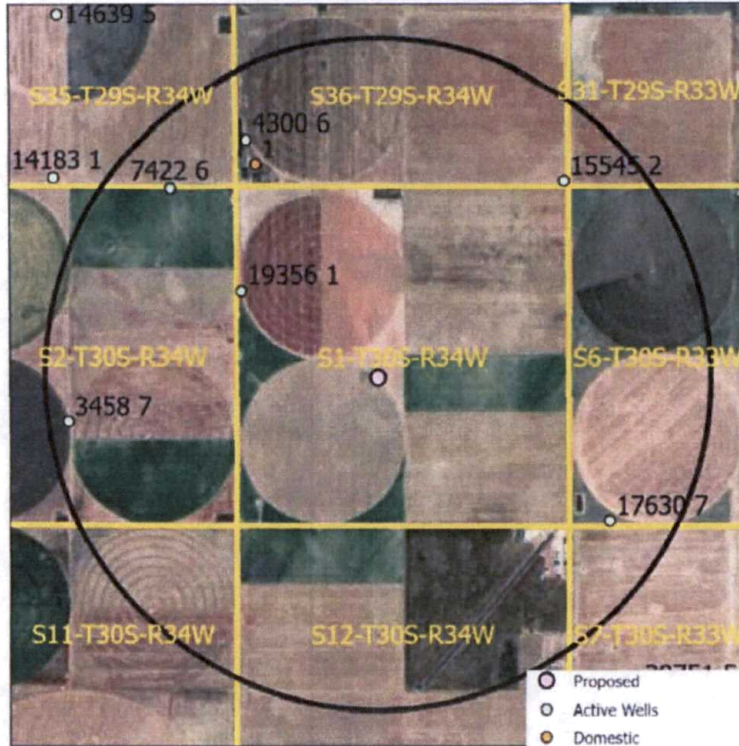
19356

Application

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### Evaluation of proposed move for Water Right No. 19356

Proposed: Move water right no. 19356 a distance of 777 ft to the southeast to a new location.



Wells within 1 mile: 7422, 4300, 15545, 3458, 17630 and one domestic well in S36-29-34.

The saturated thickness at the proposed well location is estimated to be 233.87 ft, based upon the GMD3 model. For saturated thickness greater than 200 ft, the drawdown allowance is 4.0 ft.

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

$S = 0.063$ ,  $T = 51,751 \text{ ft}^2/\text{day}$ ,  $t_{p_{\text{current}}} = 114 \text{ days}$  (based on average use and observed rate),

$Q_{\text{current}} = 450 \text{ gpm}$  (based on 2017 water use report),  $t_{p_{\text{proposed}}} = 77 \text{ days}$ ,  $Q_{\text{proposed}} = 945 \text{ gpm}$

Theis drawdowns were calculated as follows:

7422: Drawdown from current location = 0.71 ft  
Drawdown from proposed location = 1.27 ft  
Net drawdown = **0.6 ft**

7422: Drawdown from current location = 0.66 ft  
Drawdown from proposed location = 1.16 ft  
Net drawdown = **0.5 ft**



15545: Drawdown from current location = 0.50 ft  
Drawdown from proposed location = 0.73 ft  
Net drawdown: 0.3

3458: Drawdown from current location = 0.56 ft  
Drawdown from proposed location = 0.96 ft  
Net drawdown: 0.4

17630: Drawdown from current location = 0.39 ft  
Drawdown from proposed location = 0.61 ft  
Net drawdown: 0.2

Domestic S36-29-34: Drawdown from current location = 0.71 ft  
Drawdown from proposed location = 1.26 ft  
Net drawdown = **0.6 ft**

Net drawdown does not exceed the drawdown allowance of 4.0 ft for any well within 1 mile of the proposed location. Therefore, critical well analysis is not necessary.

**Conclusion:**

The proposed move is likely to create minimal effects on neighboring wells and appears unlikely to cause impairment. Any concerned neighbors should contact GMD3 at (620) 275-7147 or the Division of Water Resources at (620) 276-2901.

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](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

November 18, 2024

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

Re: Request for Recommendation,  
File No. 19356

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Charles Withers 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: