

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. 3816

RECEIVED
3:34pm
SEP 24 2018

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

Garden City Field Office
 Division of Water Resources

2. Name and address of Applicant: KENNETH & SHIRLEY NICKEL
2356 110TH RD COPELAND KS 67837
 Phone Number: (620)260-7812 Email address: _____
 Name and address of Water Use Correspondent: KENNETH & SHIRLEY NICKEL
2356 110TH RD COPELAND KS 67837
 Phone Number: () Email address: _____

3. The presently authorized place of use is:
 Owner of Land ---- NAME: KENNETH & SHIRLEY NICKEL
 ADDRESS: 2356 110TH RD COPELAND KS 67837
 (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: no change to acres irrigated
 ADDRESS: _____
 (If there is more than one landowner, attach supplemental sheets as necessary.)

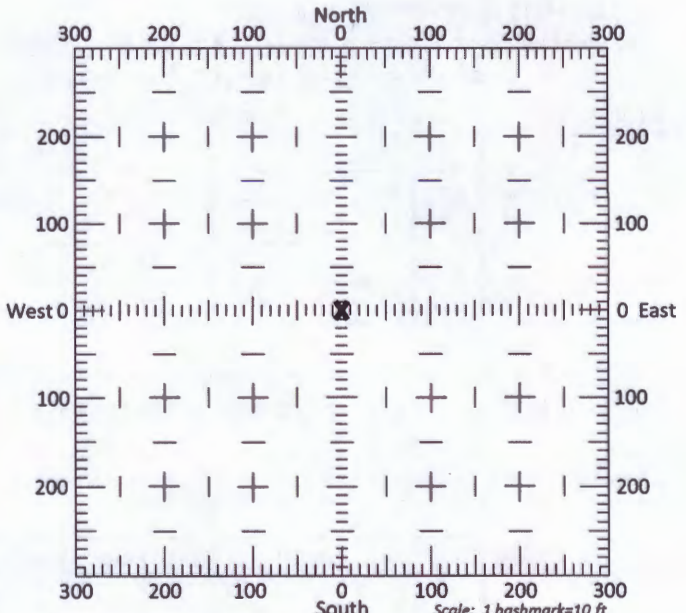
| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES |
|------|------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼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

| | | | | |
|---------------------------------|-------------------|------------|-----------------------------|---------------------|
| For Office Use Only: Code _____ | Fee \$ <u>200</u> | TR # _____ | Receipt Date <u>9/24/18</u> | Check # <u>7239</u> |
|---------------------------------|-------------------|------------|-----------------------------|---------------------|

5. **Presently authorized point of diversion:**
 One in the nw Quarter of the sw Quarter of the ne Quarter
 of Section 31 , Township 28 South, Range 31 W,
 in Haskell County, Kansas, 3885 feet North 2611 feet West of Southeast corner of section.
 Authorized Rate 1319 GPM Authorized Quantity 548 AF Depth of well 720 (feet)
(DWR use only: Computer ID No. 3 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 se Quarter
 of Section 31 , Township 28 South, Range 31 W,
 in Haskell County, Kansas, 2192 feet North 2607 feet West of Southeast corner of section.
 Proposed Rate 1319 GPM Proposed Quantity 548 AF Proposed well depth (feet) 720
 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

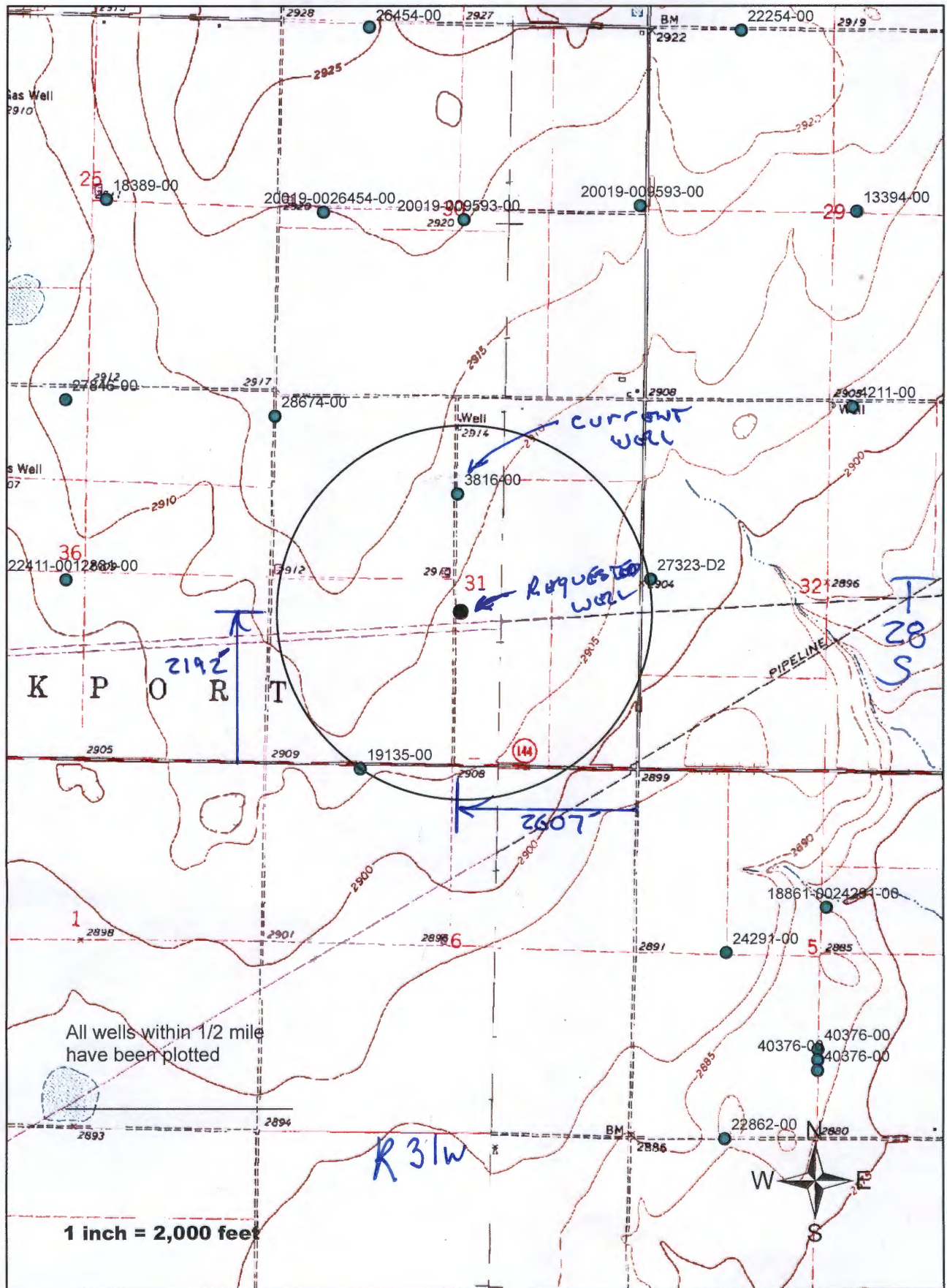
7. The changes herein are desired for the following reasons?
 (please be specific)
would like to redrill for higher flow rate
may apply to add first well back on as additional.
8. If a well, is the test hole log attached? Yes No
9. The change(s) (was)(will be) completed by?
Fall 2018
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
Plug
 (b) When will this be done? 2018
11. Groundwater Management District recommendation attached?
 Yes No
12. Assisted by tpm



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 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

Application to Change Point of Diversion File No. 3816





WELL LOG

DATE: 12/20/2017

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SEP 07 2018

Garden City Field Office
Division of Water Resources

CUSTOMER NAME: KEN NICKEL

LEGAL: NW/SE 31-28S-31W

COUNTY: HASKELL

GPS: 37 34' 05.0" N

37.56805

-100 45' 09.4" W

-100.952611

DRILLER: CHRIS P

WO#:

| TW | FROM | TO | TYPE | HARDNESS | COLOR | SPEED | PULL DOWN | OTHER / DRILLING ACTION |
|----|------|-----|---|----------|-----------------|-------|-----------|--|
| | 0 | 2 | TOP SOIL | SOFT | DARK | FAST | | SMOOTH |
| | 2 | 60 | SILTY CLAY | SOFT | TAN | FAST | | SMOOTH |
| | 60 | 103 | SILTY CLAY, FINE SAND, AND TRACES OF MEDIUM SAND | SOFT | TAN | FAST | | SMOOTH |
| | 103 | 124 | FINE-MEDIUM-COARSE SAND AND FINE-MEDIUM GRAVEL | SOFT | RED | FAST | | CHATTER |
| | 124 | 137 | FINE-MEDIUM SAND AND SANDY CLAY | SOFT | TAN | FAST | | SMOOTH |
| X | 137 | 200 | FINE-MEDIUM-COARSE SAND AND FINE-MEDIUM GRAVEL | SOFT | RED | FAST | | CHATTER |
| X | 200 | 240 | FINE-MEDIUM-COARSE SAND AND FINE-MEDIUM GRAVEL | SOFT | RED | FAST | | CHATTER |
| | 240 | 266 | FINE-MEDIUM-COARSE SAND, FINE-MEDIUM GRAVEL, AND SOME COARSE GRAVEL | SOFT | RED | FAST | | CHATTER |
| | 266 | 284 | SANDY CLAY WITH SOME MEDIUM GRAVEL | SOFT | TAN | FAST | | SMOOTH |
| | 284 | 304 | BLUE CLAY AND SOME SANDY CLAY | FIRM | BLUE | FAST | | SMOOTH |
| | 304 | 305 | CEMENTED SAND | HARD | WHITE | SLOW | X | CHATTER |
| | 305 | 308 | SAND | SOFT | RED | SLOW | | CHATTER |
| | 308 | 309 | CEMENTED SAND | HARD | WHITE | SLOW | X | CHATTER |
| X | 309 | 324 | MEDIUM-COARSE SAND AND FINE-MEDIUM GRAVEL | SOFT | RED | FAST | | CHATTER |
| | 324 | 342 | FINE-MEDIUM SAND | SOFT | RED | FAST | | SMOOTH |
| | 342 | 343 | CEMENTED SAND | FIRM | WHITE | SLOW | | CHOPPY |
| | 343 | 354 | SANDY CLAY AND SAND | SOFT | TAN | FAST | | SMOOTH |
| X | 354 | 362 | COARSE SAND AND FINE-MEDIUM GRAVEL | SOFT | RED | FAST | | CHATTER |
| | 362 | 366 | SAND AND SANDY CLAY LAYERS | SOFT | TAN | FAST | | CHOPPY |
| | 366 | 376 | FINE-MEDIUM GRAVEL | SOFT | RED | FAST | | CHATTER |
| | 376 | 382 | SAND W/SILT LENSES | SOFT | GRAY | FAST | | SMOOTH |
| | 382 | 420 | FINE-MEDIUM SAND, FINE- TR. MEDIUM GRAVEL, W/FEW SILT LENSES | SOFT | RED | FAST | | CHATTER |
| X | 420 | 445 | MEDIUM - COARSE SAND; FINE-TR. MEDIUM GRAVEL | SOFT | RED | FAST | | CHATTER |
| | 445 | 458 | SILT AND SILTY SAND | SOFT | RED | FAST | | CHATTER |
| X | 458 | 464 | MED - COARSE TR. VERY COARSE SAND | SOFT | TAN | FAST | | CHATTER |
| | 464 | 500 | SANDY SILTY CLAY | SOFT | RED | FAST | | SMOOTH |
| | 500 | 535 | F. SAND & SANDY SILTY CLAY | FIRM | TAN | SLOW | | SMOOTH |
| X | 535 | 558 | FINE-MEDIUM-COARSE SAND, FINE GRAVEL, AND TRACES OF BROWN ROCK | SOFT | RED | FAST | | CHATTER |
| | 558 | 600 | SHALE AND OCHRE (WEATHERED SHALE) | FIRM | GRAY/YELL OW | SLOW | | SMOOTH |
| | 600 | 621 | SHALE | FIRM | GRAY | SLOW | | SMOOTH |
| | 621 | 633 | SHALE W/F. SAND LENSES | FIRM | GRAY | FAST | | SMOOTH |
| | 633 | 651 | SHALE | FIRM | GRAY | SLOW | | SMOOTH |
| | 651 | 674 | SHALE WITH F. SAND LENSES | SOFT | GRAY | FAST | | CHOPPY |
| X | 674 | 714 | F. SAND W/TR. SANDSTONE | SOFT | GRAY | FAST | | CHATTER SMOOTHER, SLIGHT CHATTER @ TIMES |
| | 714 | 740 | SHALE W/F. SAND LENSES | SOFT | GRAY | SLOW | | CHATTER @ TIMES |



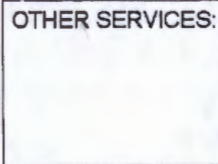
Century GEOPHYSICAL CORP.

KEN NICKEL

RECEIVED

COMPANY : DOWNEY DRILLING INC.
 WELL : KEN NICKEL
 LOCATION/FIELD :
 COUNTY : HASKELL
 LOCATION : E 1/2
 SECTION : 31

OTHER SERVICES:



SEP 07 2018

Garden City Field Office
 Division of Water Resources

TOWNSHIP : 28S RANGE : 31W

DATE : 12/20/17
 DEPTH DRILLER : 740
 LOG BOTTOM : 739.90
 LOG TOP : 0.80

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

KB :
 DF :
 GL :

CASING DIAMETER : 10.
 CASING TYPE :
 CASING THICKNESS:

LOGGING UNIT : 1319
 FIELD OFFICE : DDI
 RECORDED BY : DAVE

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

BOREHOLE FLUID : MUD
 RM :
 RM TEMPERATURE :
 MATRIX DELTA T : 49

FILE : ORIGINAL
 TYPE : 8144A
 LGDATE: 12/20/17
 LGTIME : 18:39:
 THRESH: 99999

N 37-34-05.0
 W-100-45-9.4

ALL SERVICES PROVIDED SUBJECT TO STANDARD TERMS AND CONDITIONS

| RES(FL) | FEET | LATERAL | |
|---------|------------|---------|--------------|
| 5 | OHM-M 15 | 0 | OHM-M 100 |
| | SP | | RES(64N) |
| -50 | MV 100 | 0 | OHM-M 100 60 |
| | GAMMA | | RES(16N) |
| 0 | API-GR 200 | 0 | OHM-M 100 0 |
| | | | OHM 100 |
| | | | TEMP |
| | | | DEG_F 70 |
| | | | RES |
| | | | OHM |

MATRIX DENSITY : 2.71
NEUTRON MATRIX : LIMESTONE

RWI TEMPERATURE :
MATRIX DELTA T : 49

LOGDATE : 12/20/17
LGTIME : 18:39:
THRESH: 99999

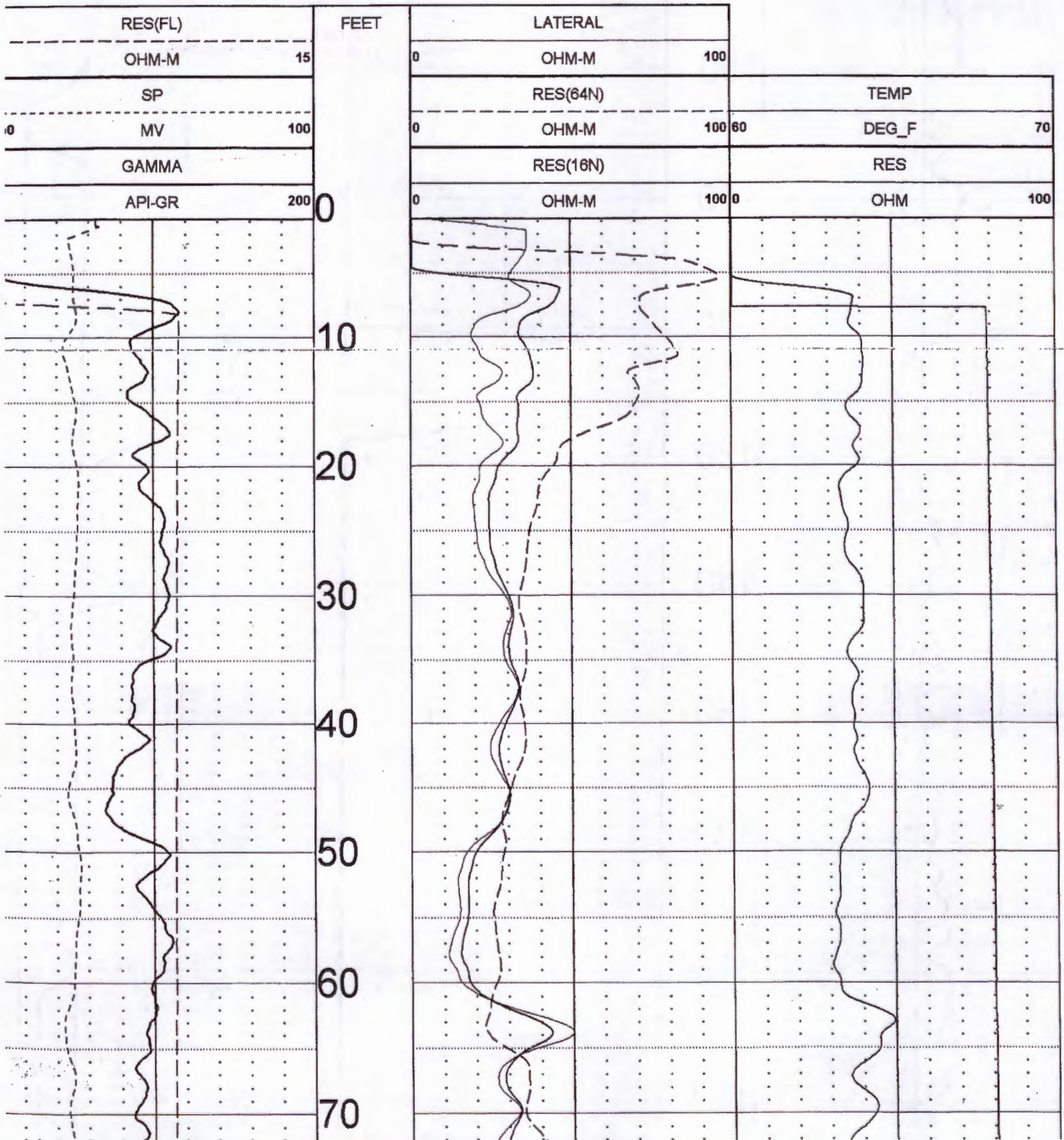
N 37-34-05.0
W-100-45-9.4

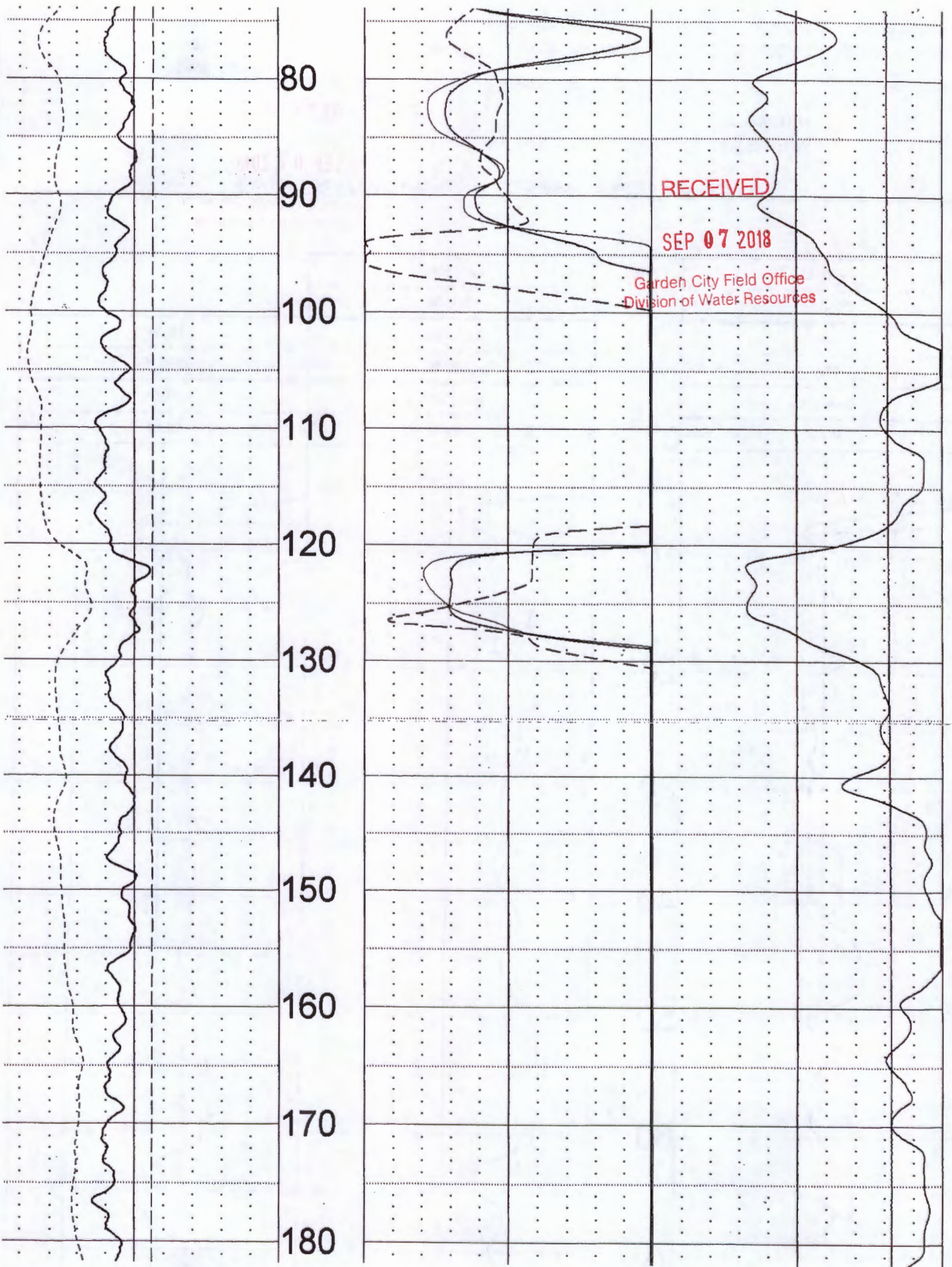
RECEIVED

SEP 07 2018

ALL SERVICES PROVIDED SUBJECT TO STANDARD TERMS AND CONDITIONS

Garden City Field Office
Division of Water Resources





RECEIVED

SEP 07 2018

Garden City Field Office
Division of Water Resources

160

170

180

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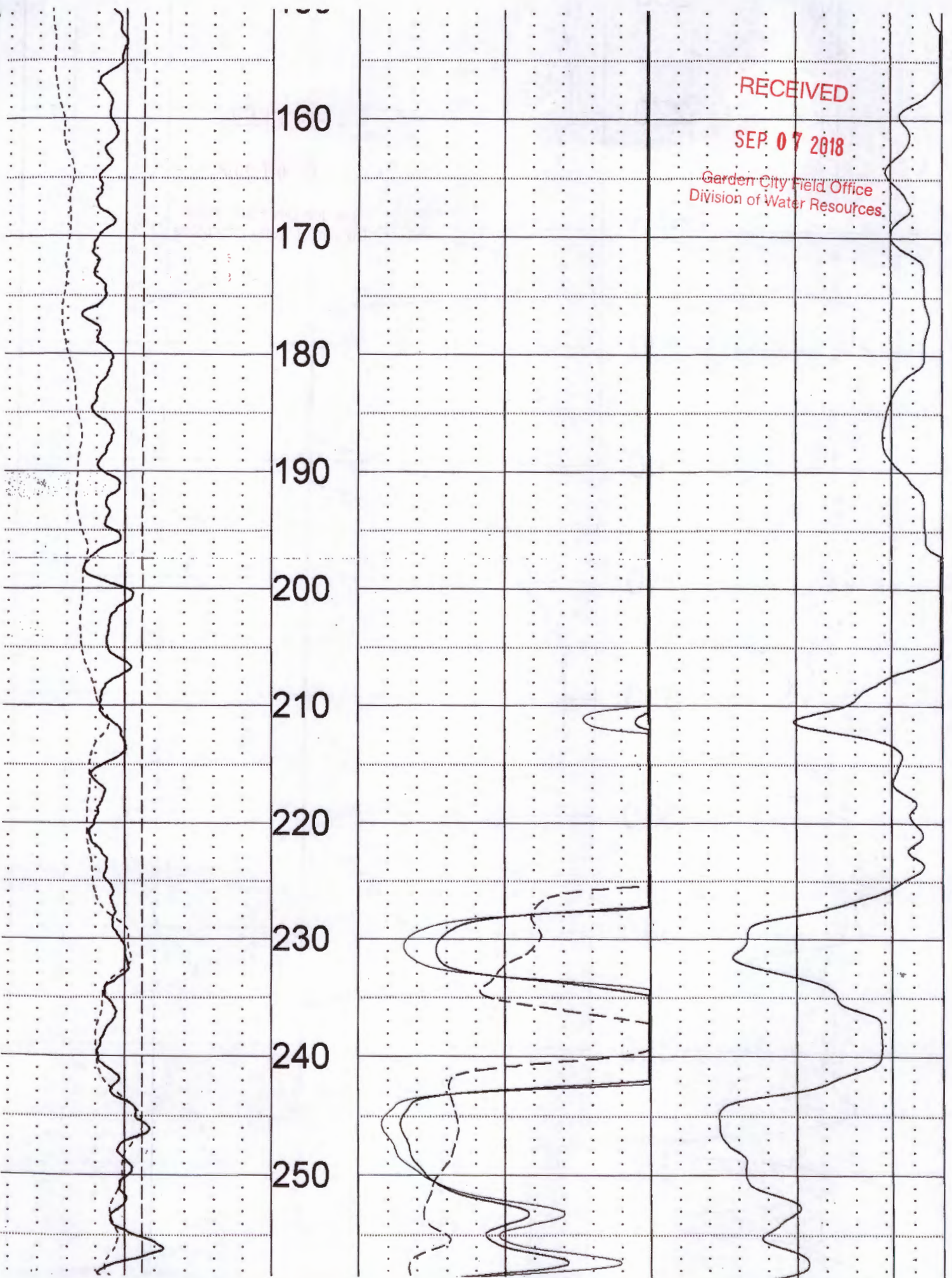
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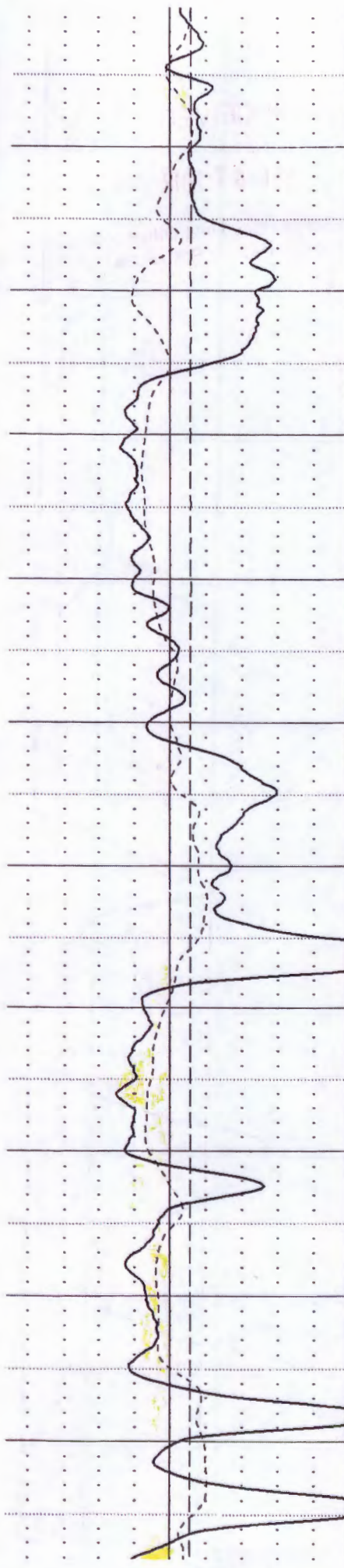
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240

250



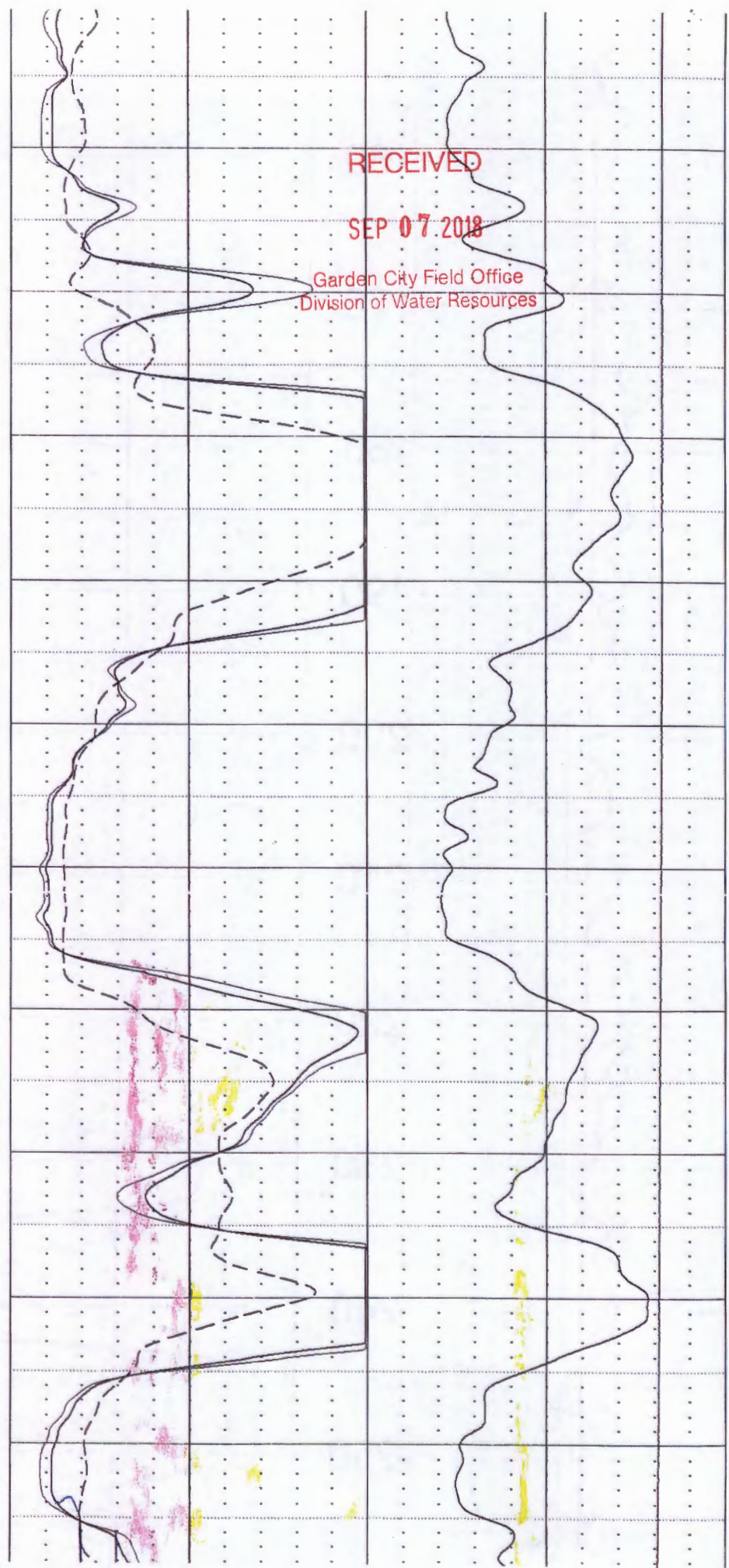
260
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360



RECEIVED

SEP 07 2018

Garden City Field Office
Division of Water Resources



RECEIVED

SEP 07 2018

Garden City Field Office
Division of Water Resources

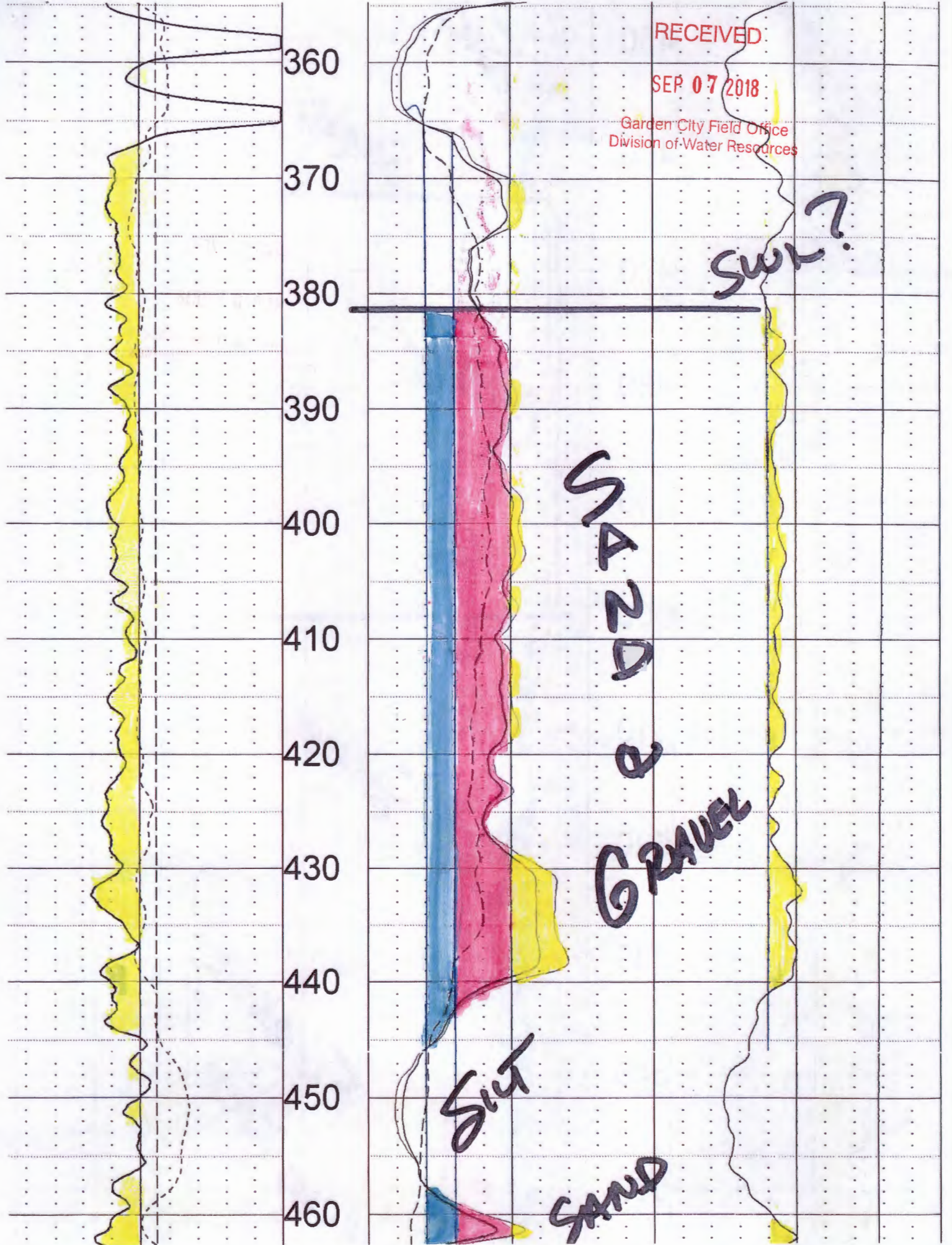
360
370
380
390
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410
420
430
440
450
460

SWR?

SAND & GRAVEL

Silt

SAND



450
460
470
480
490
500
510
520
530
540
550

Silt

SAND

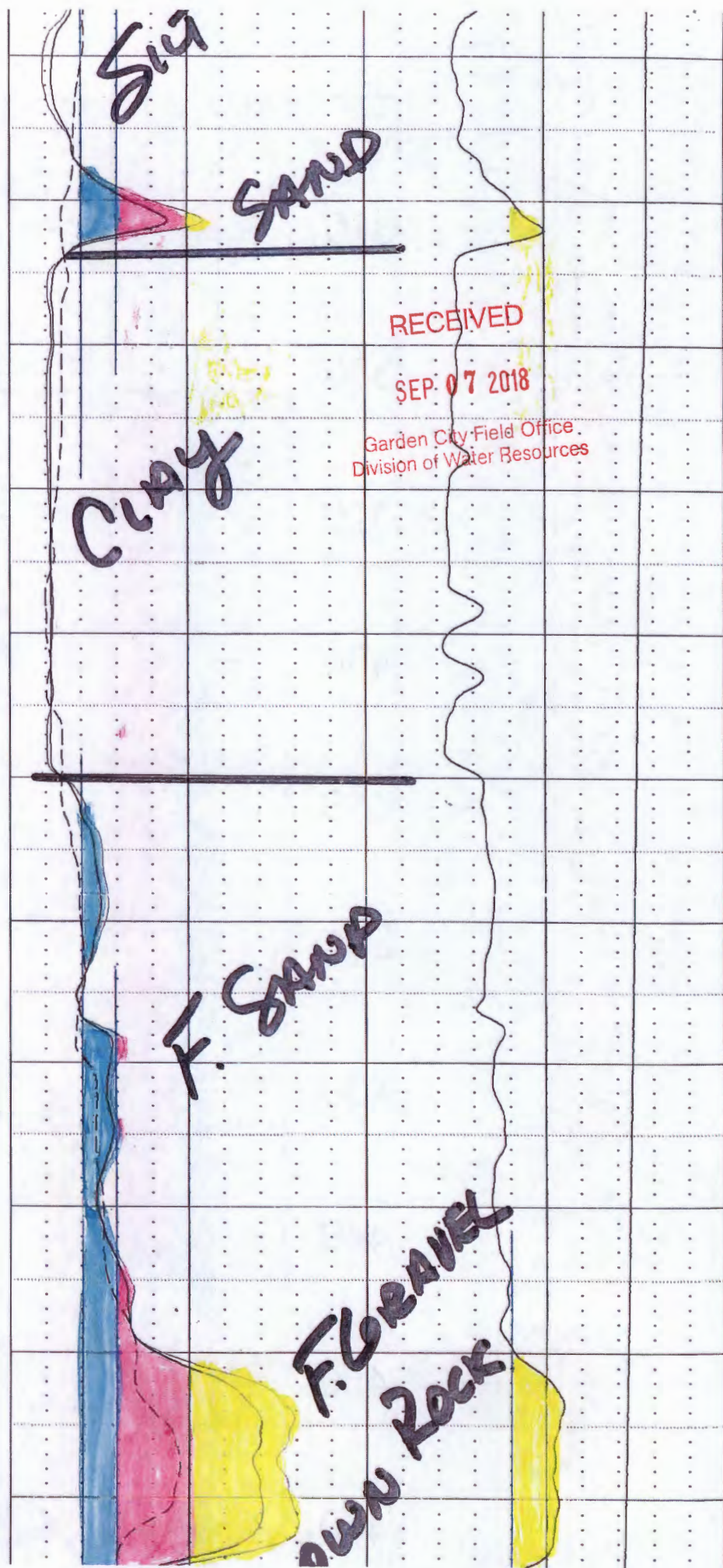
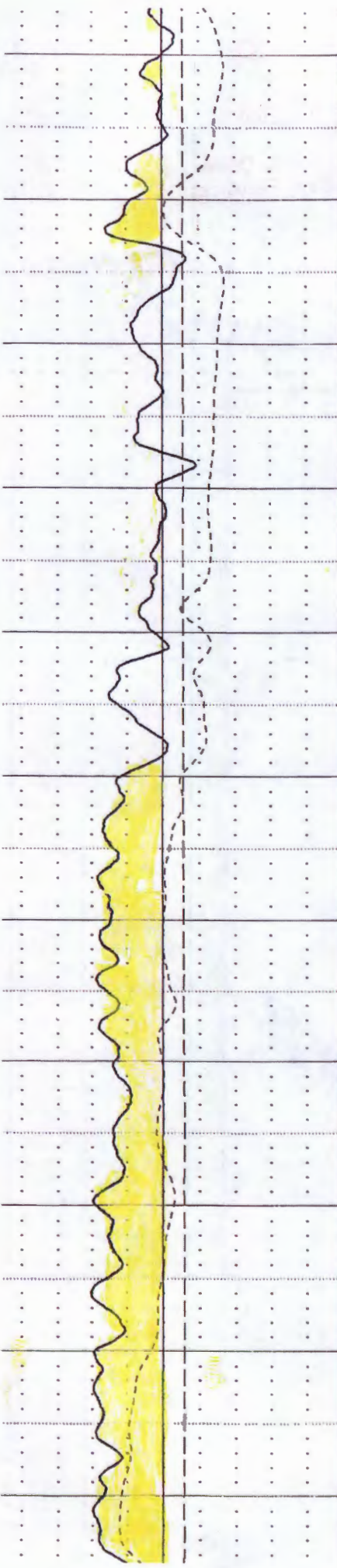
Clay

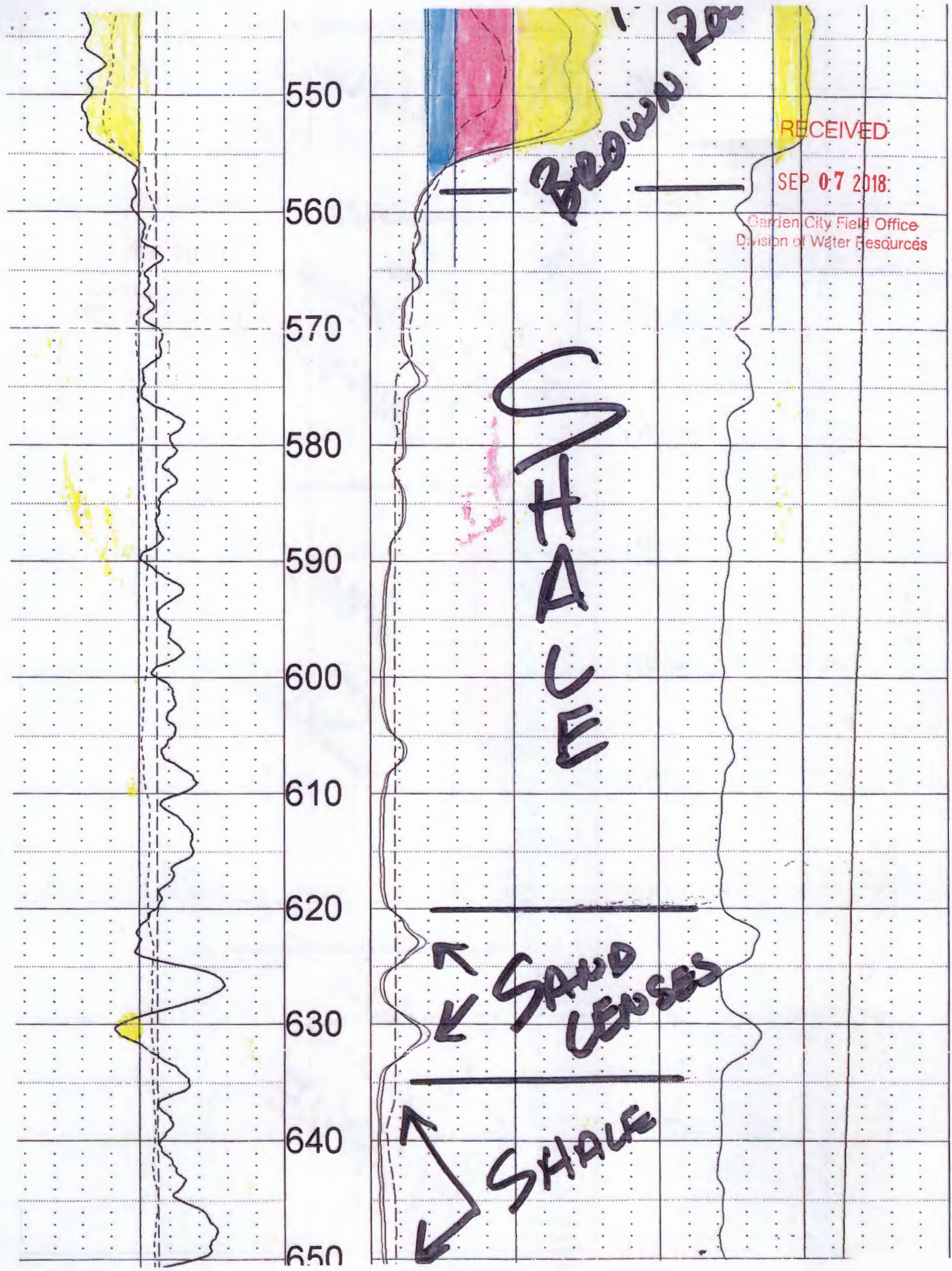
F. SAND

F. GRAVEL
OWN ROCK

RECEIVED
SEP 07 2018

Garden City Field Office
Division of Water Resources





550

560

570

580

590

600

610

620

630

640

650

Brown Zone

RECEIVED

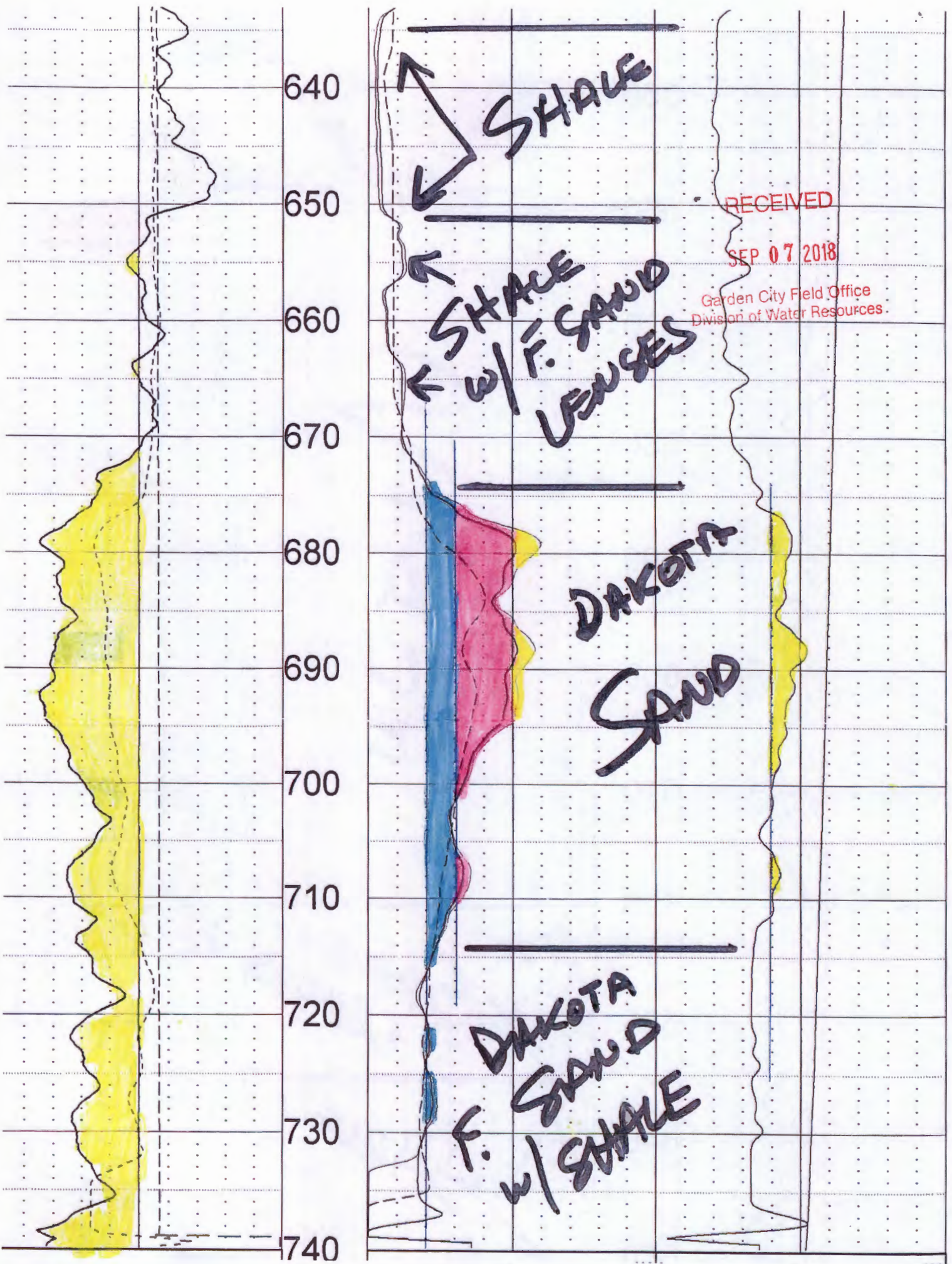
SEP 07 2018

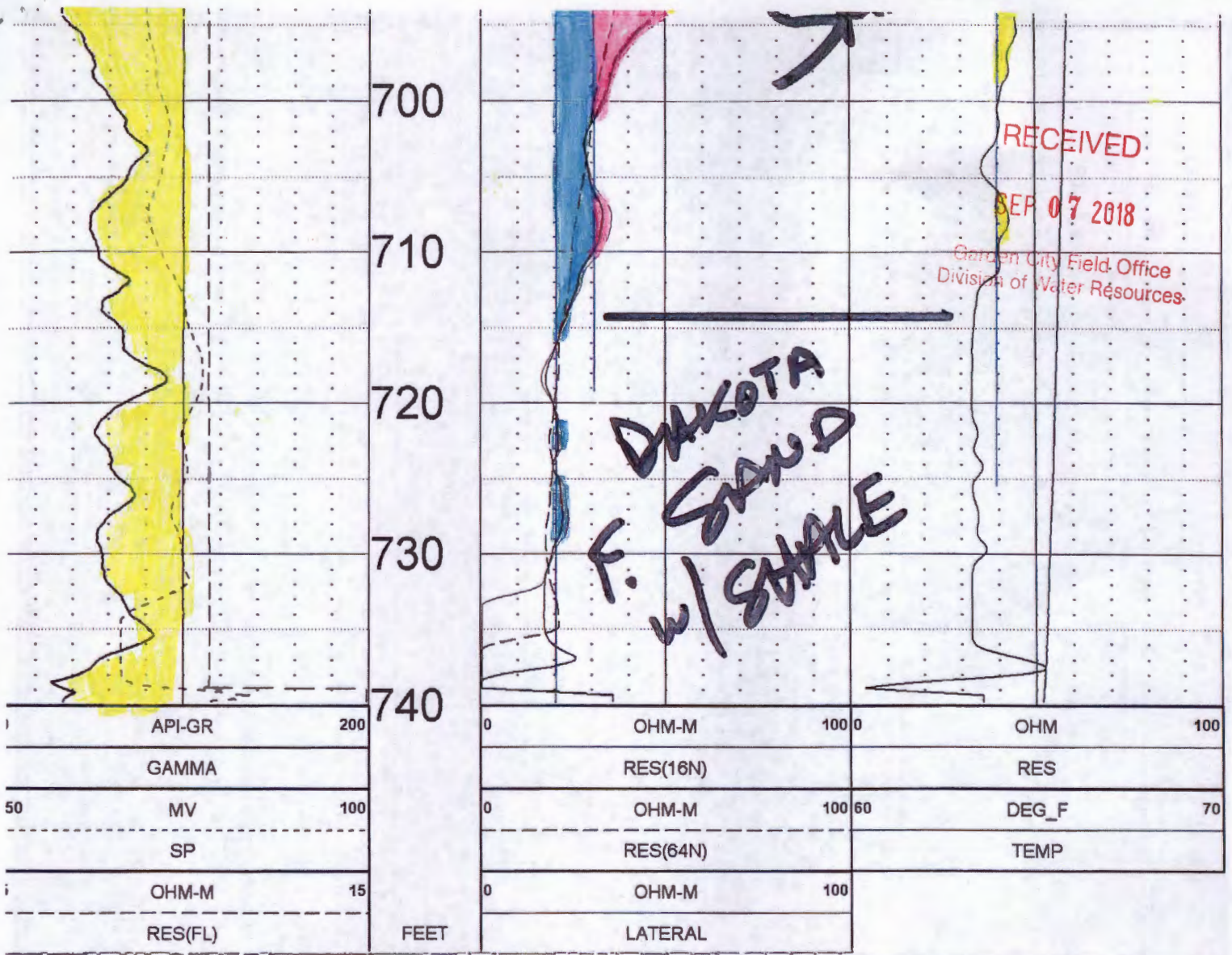
Garden City Field Office
Division of Water Resources

MECHANICAL

SAND LENSES

SHALE









TOOL CALIBRATION KEN NICKEL 12/20/17 18:39
TOOL 8144A TM VERSION 1
SERIAL NUMBER 365


| | DATE | TIME | SENSOR | STANDARD | RESPONSE |
|---|----------|----------|----------|-------------------|------------------|
| 1 | Oct18,17 | 20:36:52 | GAMMA | 1.000 [API-GR] | 4.000 [CPS] |
| | Oct18,17 | 20:36:52 | GAMMA | 340.000 [API-GR] | 290.000 [CPS] |
| 2 | Jul12,17 | 13:24:17 | RES(FI) | 1.330 [OHM-M] | 7595.000 [CPS] |
| | Jul12,17 | 13:24:17 | RES(FI) | 42.700 [OHM-M] | 64820.000 [CPS] |
| 3 | Jul12,17 | 13:24:23 | SP | 0.000 [MV] | 327520.000 [CPS] |
| | Jul12,17 | 13:24:23 | SP | 390.000 [MV] | 157140.000 [CPS] |
| 4 | Jul12,17 | 12:40:24 | RES(16N) | 0.000 [OHM-M] | 5210.000 [CPS] |
| | Jul12,17 | 12:40:24 | RES(16N) | 1955.000 [OHM-M] | 426837.000 [CPS] |
| 5 | Jul12,17 | 12:40:14 | RES(64N) | 0.000 [OHM-M] | 5350.000 [CPS] |
| | Jul12,17 | 12:40:14 | RES(64N) | 1989.700 [OHM-M] | 414870.000 [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 | Jul12,17 | 12:40:03 | RES | 0.000 [OHM] | 5320.000 [CPS] |
| | Jul12,17 | 12:40:03 | RES | 943.000 [OHM] | 163939.000 [CPS] |


Ken Nickel

Write a description for your map.

Legend

-  31
-  Feature 1
-  KS
-  Line Measure

 North Irrigation Well SWL 384' Elev. 2915'

 TH #1 Elev. 2912' Est. SWL 381'

1160' between

Co Rd 11

Google Earth

© 2017 Google



2000 ft

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 _____, Kansas, this _____ day of _____, 20_____.

X Kenneth Nickel
 (Owner)

X Shirley Nickel
 (Spouse)

KENNETH NICKEL
 (Please Print)

SHIRLEY NICKEL
 (Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
 County of Harold } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 21st day of September, 2018.

Shelly M. Downing
 Notary Public

My Commission Expires Feb. 9, 2022.

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. 3816

- 1. A change application was received on _____ 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.
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.
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.
5. The point(s) of diversion authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion.
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.
7. 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.
8. Installation of the works for diversion of water shall be completed on or before December 31, 2018, or within any authorized extension of time.
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.
11. Additional Conditions are attached.
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.

Administrative Appeal and Effective Date of Order

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within 15 days of service of this Order and a request for administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

For Use by Register of Deeds

FOR OFFICE USE ONLY
APPLICATION APPROVED AND
SUMMARY ORDER ISSUED

By: _____
Duly Authorized Designee of the Chief Engineer
(Print Name): _____
Division of Water Resources - Kansas Department of Agriculture
Date of Issuance: _____
State of Kansas)
County of _____) SS
Acknowledged before me on _____
by _____
Signature: _____
Notary Public
My commission expires: _____
(Notary Seal)