Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number: 15408	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
6. Status: ☐ Approved ☐ De	enied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: 1/24/2020
8a. Applicant(s) New to system ☑ TED SMITH 12453 E RD 8 ULYSSES KS 67880	Person ID Add Seq#	8c. Landowne New to sy		Person ID Add Seq#
8b. Landowner(s) New to system □ JERRELL D & ALFRED 7600 E ROAD 8 ULYSSES, KS 67880-80		8d. WUC New to sy	stem □	Person ID Add Seq#
		□ N & P Form	☐ Water Tube ☐	Driller Copy
10. Use Made of Water From:		To: _		
			Date Prepared: 1/27/ Date Entered:	/2020 ву: АМ Ву:

1.2 Storing of Diversion Authorized	FIIE NO. 13408																					;	opecial Ose.
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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

January 27, 2020

JERRELL D & ALFREDA P NIGHTINGALE 7600 E ROAD 8 ULYSSES, KS 67880-8043

RE:

Water Right, File Nos. 416 & 15408

Dear Sir or Madam:

Enclosed are the orders executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

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

Since the orders modify 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:

Ted Smith

GROUNDWATER MANAGEMENT DISTRICT NO. 3

CERTIFICATE OF SERVICE

On this 27th day of January, 2020, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 416 & 15,408 dated 27th day of January, 2020 was mailed postage prepaid, first class, US mail to the following:

JERRELL D & ALFREDA P NIGHTINGALE 7600 E ROAD 8 ULYSSES, KS 67880-8043

Pc:

TED SMITH
12453 E RD 8
ULYSSES, KS 67880

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.

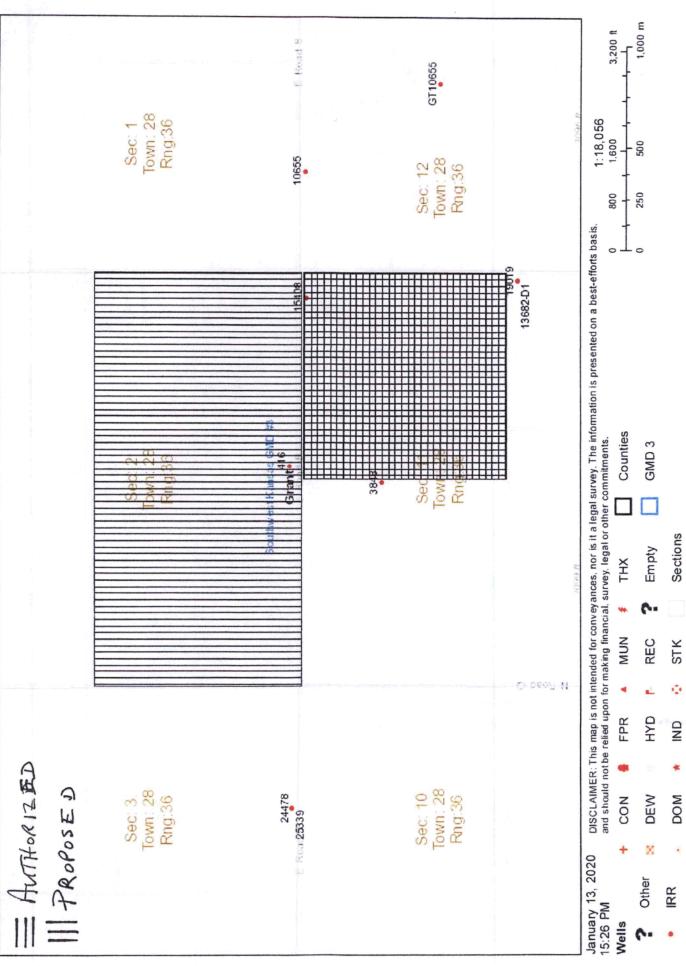
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5.	Presently authorized point of diversion:			
- 1	One in the Quarter of the \text{V}	Quar	er of the NE	Quarter
	of Section 11 , Township 2	28 South	, Range 36	W.
- 1	of Section 11 , Township 2 in Grant County, Kansas, 52\5 fee	t North 350	feet West of Southeast	comer of section.
- 1	Authorized Rate 670 Authorized Quantity	275 Depth of	of well	(feet)
- 1	(DWR use only: Computer ID No GPS	feet N	orth fe	et West)
	☑This point will not be changed ☐This point will be changed as			
	Proposed point of diversion: (Complete only if change is	The second secon		
1	One in the Quarter of the			
- 1	of Section, Township			
- 1	in County, Kansas, fee			
- 1	Proposed Rate Proposed Quantity	Propos	ed well depth (feet)	
	This point is: Additional Well Geo Center List other			
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6.	Presently authorized point of diversion:			
٠. ا	One in the Quarter of the	Quart	er of the	Quarter
- 1	of Section, Township	South	. Range	(E/W).
	of Section, TownshipinCounty, Kansas,fee	t North	feet West of Southeast	comer of section.
- 1	Authorized Rate Authorized Quantity	Depth o	of well	(feet)
	(DWR use only: Computer ID No GPS_	feet N	orth fe	et West)
- 1	☐This point will not be changed ☐This point will be changed as			
- 1	Proposed point of diversion: (Complete only if change is			
	One in the Quarter of the			
	of Section, Township	South	Range	(FW)
	in County, Kansas, fee	t North	feet West of Southeast	somer of section
	Proposed Rate Proposed Quantity	Propos	ed well denth (feet)	out of dodgon.
- 1	This point is: Additional Well Geo Center List other			
L	This point is. Additional Well Geo Center List other	water rights that will t	use this point	
7.	The changes herein are desired for the following reasons?			
	(please be specific) 100% place-of-use overlap		North	
		300 200	100 0 100 11111111111111111111111111111	200 300
		£,	ll <u>‡</u> lll.	
8	If a well, is the test hole log attached? Yes No	F T	T. E. T.	_ 3
0.	in a well, is the test hole log attached: res rec	200 - 1 + 1	+ = +	十 1 一
9.	The change(s) (was)(will be) completed by?	E -	_ = -	- =
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10.	If the point of diversion is a well:	E -	- <u>-</u> -	- 1
	(a) What are you going to do with the old well?	West 0 Hilling IIII	mlandar indamlandı	
		<u> </u>	_ = -	_ 4
		100 - 1 + 1	- - + 1 - 1 + 1 + 1 + 1 + 1	+ 1 = 100
	(b) When will this be done?	100 = 1 + 1	T ' = ' T '	1 1 1 200
		F -	_ = _	- -
11.	Groundwater Mapagement District recommendation attached?	200 = 1 + 1	+ = +	十 1 = 200
	✓ Yes No	E _	_ = _	_ 4
		Eministration		[
12.	Assisted by CL – GMD3	300 200	100 0 100	200 300
13a	.If the proposed point of diversion will be relocated more than 300			1 hashmark=10 ft
	feet but within 2.640 feet of the existing point of diversion, attach	13b.If the proposed po	oint of diversion will be rel	ocated within 300 feet
	a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile	of the existing p	oint of diversion, indicat above in relation to t	he existing point of
	of the proposed point of diversion and the names and mailing	diversion. (PLE	ASE NOTE: The "X" ii	n center of diagram
	addresses of the owners. For surface water sources, show the	above represe	nts the presently at	ithorized point of
	names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property	diversion.)		
	lines			

14. If the proposed groundwater point of diversion is 300 or fewer feet fro	om the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently authors Yes ☐ No (If no, all owners must sign this applied	orized place(s) of use identified in this application? cation.)
 (b) Will the ownership interest of any owner of the currently author 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 sub ☐ Yes ☐ No (If no, all owners must sign this applie	
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	a groundwater change in point of diversion greater than 300 feet, of the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirm age and the owner, the spouse of the owner, or a duly author their behalf, in regards to the water right(s) to which this appropriate in this application are true, correct and complete.	ized agent of the owner(s) to make this application on
Dated at 6 rant County , Kansas, this	24 day of January, 2020.
Title Michael POH (Owner)	(Spouse)
Todd Wichols (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	. (Please Print)
(Owner)	(Spouse)
State of Kansas Kansas Josi	(Please Print) H SULLIVAN Expires 1/04/3021
I hereby certify that the foregoing application was signed in of	my presence and sworn to before me this 24 day
My Commission Expires 1/04/2022.	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate information; maps, if necessary, must be included; signatures of all the a the appropriate fee must be paid.	of the applicable portions of the application form must be completed with ppropriate owners' must be affixed to the application and notarized; and
FEE SCHEDU	<u>JLE</u>
Each application to change the place of use or the point of diversion undeforth in the schedule below: Make checks payable to: Kansas Departmeter (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	ent of Agriculture

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	VISIONS Of the Kansas Water Appropriation I aw K.S.A. 82a-1	8b, as amended, and K.A.R. 5-5-1, <i>et seq</i> . and other applicable 701 et. seq., and rules and regulations promulgated thereunder, n, this Summary Order does not change the terms, conditions and
1.	A change application was received on	requesting that the place of use and / or point of per be changed as described in the application.
2.	On and after the effective date of this summary order, the aut the topographic map accompanying the application to char	horized place(s) of use shall be located substantially as shown on nge the place of use. Applicable Not Applicable
3.	The change in point of diversion shall not impair existing righ previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion. Applicable	its and shall be limited to the same source or sources of water as y this summary order shall be located within afoot le Not Applicable
4.	The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application.	ely corrected to be more accurately described using the Global . Applicable Not Applicable
5.	The point(s) of diversion authorized herein shall not actually to authorized point(s) of diversion. ☐ Applicable ☑ No.	be located more than feet from the previously of Applicable
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a w or other device suitable for making water level measurement K.A.R. 5-6-13. ☐ Applicable ☐ Not Applicable	rell with a diversion rate of 100 gallons per minute or more, a tube nts shall be installed, operated and maintained in accordance with
7.	December 31, 20 <u>o</u> , or before the first use of water, operated and maintained in accordance with K.A.R. 5-1-4 to	operly install an acceptable water flow meter on or before whichever occurs first. The water flow meter shall be installed, through 5-1-12. As required by K.S.A. 82a-732, as amended, and the reading of the water flow meter and the total quantity of watering the end of each calendar year.
8.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 the works for diversion has been completed, on the form provi Applicable Not Applicable	completed on or before December 31, 20, or within any applicant shall notify the Chief Engineer that construction of the ded by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the requi	red notice. Applicable Not Applicable
10.	with an in-line, automatic, quick-closing check valve capat	oreign substance will be injected into the water shall be equipped ble of preventing pollution of the source of the water supply. The in accordance with K.A.R. 5-3-5c. ☑ Applicable ☐ Not Applicable
11.	Additional Conditions are attached. ☐ Yes ☑ No	
12.	water appropriated under the above-referenced file numb limitations, as amended and/or supplemented by this Sum Appropriation Law and the Rules and Regulations promu	.R. 5-5-14, all of the owners of the authorized place(s) of use of ser are responsible for compliance with its terms, conditions and amary Order, and with applicable provisions of the Kansas Water algated thereunder. Failure to comply with these provisions may ended, and/or the suspension or revocation and dismissal of the ons authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
If vo	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,	APPLICATION APPROVED AND
you	may request an evidentiary hearing before the Chief	SUMMARY ORDER ISSUED
Agr	gineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be	By: Contri Molan
file	d within 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30	Duly Authorized Designee of the Chief Engineer
day	s pursuant to K.S.A. 77-531. Any request for administrative	(Print Name): Austra Wolfac A Division of Water Resources - Kansas Department of Agriculture
File	lew must state a basis for review pursuant to K.S.A. 77-527. any request with Kansas Department of Agriculture,	Date of Issuance: January 27, 2026
Leg	gal Division, 1320 Research Park Drive, Manhattan, KS 502. Failure to timely request a hearing or review may	State of Kansas
pre	clude review under the Kansas Judicial Review Act.) SS
	For Use by Register of Deeds	County of Jinney)
		Acknowledged before me on
		by Austin Michaelach.
		Signature: Sall Somes
		Part Control Public
		My commission expires My Appointment Expires
		(Notae/shealts, 2022
		e 4 File No 15 40 8
DW	/R`1-121 (Revised 04/5/2018) Pag	le 4



claw gWorks.



Southwest Kansas Groundwater Management District

2009 E. Spruce Street Garden City, Kansas 67846-6158 (620) 275-7147 phone (620) 275-1431 fax

www.gmd3.org

January 16, 2020

Mike Meyer Kansas Department of Agriculture Division of Water Resources 4532 W. Jones Avenue, Suite B Garden City, KS 67846

> RE: Application for Change in Place of Use

Water Right Files: 416 & 15408

Dear Mike,

We have completed a review of the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District. The changes in place of use are to create a complete overlap of irrigated acres in accordance with K.A.R. 5-5-11(b)(1). It is therefore recommended that the applications be approved at this 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

Asst. Manager