Kansas Department of Agriculture Division of Water Resources

CHANGE: P/D WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:				
12481	4-8-2022	C2	4					
6. Status: ☐ Approved ☐ Deni	ed by DWR/GMD	Dismiss by Reques	miss by Request/Failure to Return 7. Filing Date of Cha					
				3/30/2022				
8a. Landowner, applicant, WUC New to system □	Person ID 12845 Add Seq#			PersonAdd Seq#				
DAN NICKELSON 820 S COUNTY ROAD 5 LEOTI, KS 67861-6243								
8b. Landowner(s), New to system □	Person IDAdd Seq#	8d. WUC New to sy	stem	Person IDAdd Seq#				
9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: N & P Date to Comply: 3/1/2023 Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter Conservation Plan Date Required: Date Approved: Date to Comply:								
10. Use Made of Water From:		To: _						
			Date Prepared: 4/08/2 Date Entered:	2022 By: MAM By:				

File No.	No. 12481 11. County: WH Basin: WHITEWOMAN CREEK				Stream:				Formation Code: 211 Special Use:															
12. Points of Diversion CHK MOD DEL PDIV															Rate and Quantity Authorized				Additional					
ENT		Qualifier	S	Т	R	ID		N	ʻW		Com	ment	(AKA I	_ine)		Rate		Quantity af		Rate gpm			Overlap PD Files	
MOD	13599	Lot 6 (NWS	SW) 6	20S	30W	02		2446	52	245						450		121		450	121		NONE	
ENT	45818	Lot 7 (SWS	SW) 6	20S	38W	01		545	52	225						190		49		190	49		NONE	
13. Stora	age: Rate			NF	Quan	tity _					ac/ft	A	ddition	al Rat	e				_ NF	Addi	tional Quant	ity		_ ac/ft
	14. Limitation: af/yr at gpm (cfs) when combined with file number(s)																							
Limitation: af/yr at gpm (cfs) when combined with file number(s)																								
15. 5YR Allocation: Allocation Type Start Year 5 YR Amount Amount Unit Base Acres Comment																								
CHK	e of Use				NE1/4			NW1/4			SW1/4				SE1/4				Total	Owner	Chg?	Overlap Files		
MOD DEL ENT	PUSE	STR	ID	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4					
снк																								
Base Ac		Year:	N	/ linimum	n Reaso	onable	Quar	itity:																

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

April 8, 2022

DAN NICKELSON 820 S COUNTY ROAD 5 LEOTI, KS 67861-6243

RE:

Field Office Application for Change

Water Right, File No. 12481

Dear Sir and Madam:

Enclosed is an 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. Conditions of these approvals are that an acceptable water flow meter must be installed on each of 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,

Michael A. Meyer

Water Commissioner

MAM enclosures

CERTIFICATE OF SERVICE

On this 8th day of April 2022, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 12,481 dated 8th day of April 2022 was mailed postage prepaid, first class, US mail to the following:

DAN NICKELSON 820 S COUNTY ROAD 5 LEOTI, KS 67861-6243

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.

										t de							R	EC	EIVED
						F	File No	1	2481									MAR	3 0 2022
1.	. Application is hereby made for approval of the Chief Engineer to change the (check one or both): □ Place of Use □ Point of Diversion □ Garden City Field Office □ Division of Water Resources																		
9	under th	e water	right w	vhich is	s the s	ubject	of this	applic	ation i	n acco	rdance	with t	the co	ndition	s desc	ribed b	elow.		
,	The sou	rce of s	upply is	s:		\boxtimes G	round	water			Surfa	ce wat	er						
2.	2. Name and address of Applicant: Dan Nickelson																		
	Phone N	lumber:	()					Email	addre	ss: 🛕	ick	elm	0	old	, 60	m		
	Phone Number: () Email address: nickelm@pld.com Name and address of Water Use Correspondent: NO CHANGE																		
	NO CHANGE																		
	Phone Number: () Email address:																		
	, and provide the second secon																		
	Owner of Land NAME: NO CHANGE ADDRESS: NO CHANGE																		
	(If there is							ental sh	eets as	neces	sary)								
	(If there is more than one landowner, attach supplemental sheets as necessary.) NE% NW% SW% SE% TOTAL																		
Sec	Two	Range	NE¼		SW1/4	SE1/4	NE1/4	NW1/4	Г	SE1/4	NE1/4		SW1/4	SE1/4	NE1/4	NW1/4	TOTAL ACRES		
	. rwp.	range	INL/4	1444/4	344/4	OL/4	INL /4	144474	341/4	OL/4	IVL/4	144474	OVVI	OL/4	142/4	1447/4	SW1/4	SE¼	
											/								
			JL					l-											
4.	If this ap	plicatio	n is for	a cha	nge in	place	of use	, it is p	ropose	ed that	the pl	ace of	use be	chan	ged to	:			
)	Owner o	f Land -	NA	AME:															
				ESS:					-/										
	(If there is	more th	an one	landov	ner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
				NE	1/4			NV	V1/4				V1/4				E1/4		TOTAL ACRES
Sec	. Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE¼	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE¼	AONEO
										-								\vdash	
						/				_									
					1	/													
	For Offi	ce Use	Only:	Code		<i>F</i> e	e \$ <u>.2(</u>	20.00	_ TR	#		Re	eceipt	Date _	3/30	22	Chec	k#_5	46

5.	Presently autho	rized point of div	ersion:			LOT6	
	One in the	NW	Quarter of the	NW	Quarter of the _ South, Range _	(NWSW)	Quarter
	of Section	6	, Township	20	South, Range	38	W,
	in WICHITA	County	, Kansas, <u>2446</u>	feet North	5245 feet West	of Southeast corner	of section.
	Authorized Rate	640 GPM	Authorized Quantity _	170 AF	Depth of well	2/5 (fee	t)
					feet North		
					☐ No change, point bette		
	Proposed point	of diversion: (Co	mplete only if chang	e is requeste	ed or if existing point	is better describe	d by GPS)
	One in the	NW	Quarter of the	NW	Quarter of the	ot (Nwsw)	Quarter
	of Section	6	, Township	20	South, Range _	38	W,
	in WICHITA	County	, Kansas, <u>2446</u>	_ feet North _	5245 feet West	of Southeast corner	of section.
					Proposed well dep		
L	This point is:	Additional Well [Geo Center List of	ther water righ	nts that will use this po	int	
6.	Presently autho	rized point of dive	ersion:				
	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	of Southeast corner	of section.
	Authorized Rate		Authorized Quantity _		Depth of well	(fee	:)
	(DWR use only:	Computer ID No	GPS	S	feet North	feet We	st)
	☐This point will no	ot be changed T	his point will be change	d as follows:	No change, point bette	r described with GPS	as follows:
					ed or if existing point		
	One in the	SW	Quarter of the	SW	Quarter of the <u></u>	077 (SW 5W)	Quarter
	of Section	6	, Township	20	South, Range _	38	W,
					5225 feet West of		
	Proposed Rate L	90140 GPM	Proposed Quantity	40 AF 4	Proposed well dep	th (feet)	
L					nts that will use this poi		
7.			the following reasons	?			
	(please be specific	5)		300		rth) 100 200	300
			-				
				E		- \-	=
8.	If a well, is the test	t hole log attached?	Yes No	200	-1/-1 + 1 -		200
0	The change(s) (we	as)(will be) complete	-d b./2	E		. ' ' ' '	100
9.	The change(s) (wa	as)(will be) complete	ed by?	E	=		
				100	+ + + + + =	- + + + +	100
10	If the point of diver	rsion is a well:		1			4
10.		going to do with the	old wall?	West 0		: Bootoodoodoodood	U+++ 0 Fast
	(a) What are you	going to do with the	old well?				1
				Ĭ.			7
	(b) When will this	be done?		100	\ + + =	- 1 + 1 +	100
	(-,			E	·\		/=
11.	Groundwater Mana	agement District rec	ommendation attached	l? 200 E	_ \		200
	□ Y			. 200 E	, , , ,		3200
							, =
12.	Assisted by JG/GO	CFO		300	200 100 0	100 200	300
13a	If the proposed poi	nt of diversion will b	e relocated more than 3		Soi		

feet but within 2,640 feet of the existing point of diversion, attach 13b. If the proposed point of diversion will be relocated within a 300 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

foot radius of the existing point of diversion, indicate within a soo 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.)

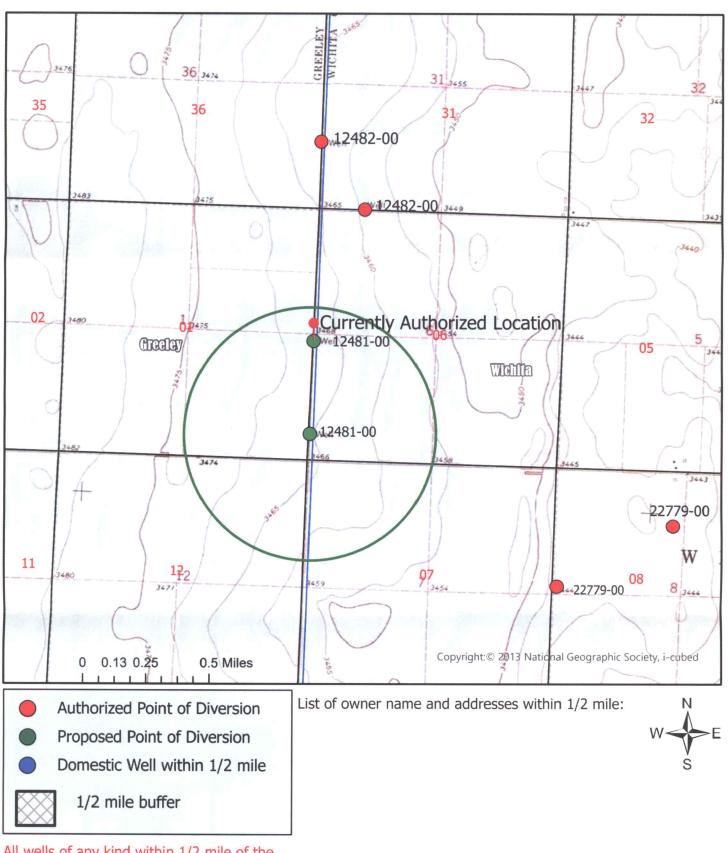
14. If the proposed groundwater point of diversion is 300 or fewer feet fro	m the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently author ☐ Yes ☐ No (If no, all owners must sign this applic	
 (b) Will the ownership interest of any owner of the currently author affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this applied) 	
(c) If this application is not approved expeditiously, will there be subsided in the subsided	
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).	
I hereby verify, being first duly sworn upon my oath or affirmage and the owner, the spouse of the owner, or a duly authoritheir behalf, in regards to the water right(s) to which this appropriate in this application are true, correct and complete.	zed agent of the owner(s) to make this application on
Dated at, Kansas, this _	30 day of March, 20 22.
Mike Nichel excuture	
(Owner)	(Spouse)
Mike Nickels on (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas	
County of Jinney SS	
I hereby certify that the foregoing application was signed in m	ny presence and sworn to before me this 30th day
My Commission Expires JULIE JONES My Appointment Expires December 15, 2022	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all caccurate information; maps, if necessary, must be included; signatures of all the apthe appropriate fee must be paid.	
FEE SCHEDU	<u>LE</u>
Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Departme (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	r this section shall be accompanied by the application fee set ent of Agriculture \$100 \$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

visions of the <i>Kansas Water Appropriation Law, K.S.A. 82a</i> - the exception of those conditions expressly contained hereintations of File No.	08b, as amended, and K.A.R. 5-5-1, et seq. and other applicable -701 et. seq., and rules and regulations promulgated thereunder, n, this Summary Order does not change the terms, conditions and						
A change application was received on diversion authorized under the above-referenced file num	requesting that the place of use and / or point of ber be changed as described in the application.						
On and after the effective date of this summary order, the author the topographic map accompanying the application to characteristics.	thorized place(s) of use shall be located substantially as shown on ange the place of use. Applicable Not Applicable						
The change in point of diversion shall not impair existing right previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion.	nts and shall be limited to the same source or sources of water as by this summary order shall be located within a foot ole Not Applicable						
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 n. Applicable Not Applicable						
The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. Applicable N	be located more than feet from the previously lot Applicable						
	well with a diversion rate of 100 gallons per minute or more, a tube ents shall be installed, operated and maintained in accordance with						
December 31, 20 or before the first use of water, operated and maintained in accordance with K.A.R. 5-1-4	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.						
Installation of the works for diversion of water shall be completed on or before December 31, 20 22, or within any authorized extension of time. By March 1, 20 23 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 \[\begin{array}{c} \text{Not Applicable} \]							
The completed well log shall be submitted with the requ	ired notice. Applicable Not Applicable						
with an in-line, automatic, quick-closing check valve capa	foreign 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 \(\bigcap \) Not Applicable						
Additional Conditions are attached. Yes No	`						
water appropriated under the above-referenced file numb limitations, as amended and/or supplemented by this Sun Appropriation Law and the Rules and Regulations promu	A.R. 5-5-14, all of the owners of the authorized place(s) of use of oper are responsible for compliance with its terms, conditions and nmary Order, and with applicable provisions of the <i>Kansas Water</i> ulgated thereunder. Failure to comply with these provisions may nended, 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						
u are aggrieved by this order, pursuant to K.S.A. 82a-1901	APPLICATION APPROVED AND						
may request an evidentiary hearing before the Chief	SUMMARY ORDER ISSUED						
	By: Mahul A.Man						
	Duly Authorized Designee of the Chief Engineer						
s pursuant to K.S.A. 77-531. Any request for administrative	(Print Name): MICHAEL A. MEYER						
any request with Kansas Department of Agriculture,	Division of Water Resources - Kansas Department of Agriculture Date of Issuance: ADDIL 8, 2022						
al Division, 1320 Research Park Drive, Manhattan, KS 02. Failure to timely request a hearing or review may	Date of Issuance: 4/0/0/1 8, 2 22 State of Kansas						
) SS						
Tor use by Negister or Deeds	County of January)						
	Acknowledged before me on April 8, 2022						
	by Michael A. Meyer.						
	Signature:						
	Notary Public						
	My commission expires: JULIE JONES My Appointment Expires Notary Seal						
	wisions of the Kansas Water Appropriation Law, K.S.A. 82a- th the exception of those conditions expressly contained herei tations of File No						

CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NO. 12481

SW 1/4 of Section 6 Township 20 South Range 38 West Wichita County



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

Mike Nickel excutric 2-27-22
(Signature)

Date

Date JG/GCFO 1:24,000 Scale

KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources Garden City Field Office

MEMORANDUM

TO: File

DATE: April 5, 2022

FROM: Michael A. Meyer

RE: Water Right, File No. 12481

Water Commissioner

An application to change the point of diversion, File No. 12481 has been filed on March 20, 2022, to "add" an authorized point of diversion. Historically the water right originally authorized two wells with separate diversion rates and quantities. In calendar year 2015, the landowner requested to combined these to wells to one single point of diversion (eliminate the south originally authorized well). The request was approved on June 10, 2015, for a combined diversion rate and quantity on the one currently authorized well.

The current proposal is to "unstack the wells" again and give authority to the south well with separate rates and quantities. The application meets all rules and regulations.