NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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.

OI UIV	5131011 6	irid/Or pi	iace of	use.													R	ECE	EIVED
						F	File No	. 2338	33					-			N	1AY 2	7 Pm 4 2022
1. A	Application is hereby made for approval of the Chief Engineer to change the (check one or both):													Garden City Field Office					
						⊠ P	lace o	f Use			Point	of Dive	ersion			Di	Division of Water Resource		
u	nder th	e water	right v	vhich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with t	the co	ndition	s desc				
Т	he soui	ce of su	upply is	s:		\boxtimes G	Ground	water			Surfac	ce wat	er						
	Name and address of Applicant: MIKE & EVANGELYN NIGHTENGALE																		
_	1011 XX RD COPELAND KS 67837 Phone Number: (620) 272-2068 Email address: vangienightengale@hotmail.com																		
		umber:										ngieni	ghteng	ale@t	notmai	l.com			
Ν	Name and address of Water Use Correspondent: SAME AS ABOVE																		
P	hone N	umber:	()		_			Email	addre	ss:								
3. T	Phone Number: () Email address: The presently authorized place of use is:																		
C	Owner of Land NAME: SEE ATTAHCMENT																		
	ADDRESS:																		
(1	f there is	more th	ian one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
	NE1/4						NW1/4				SW1/4			SE1/4				TOTAL	
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
C	wner o		NA Addri	AME:	SEE A	TTAC	HMEN	Т				ace of	use be	e chan	ged to	:			
(1	f there is	more th	an one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
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F	or Offic	ce Use	Only:	Code		Fe	e \$ <u></u>	0.0	C TR	#		Re	ceipt	Date _	5/24	123	Chec	k# 10	515

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO. <u>5075</u>; <u>14135</u>; <u>23383</u>; <u>28481 & 29859</u> MAKE ADDITIONAL COPIES AS NECESSARY

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13	28S	31W									40	40	40	40	40	40	40	40	320	
23	28S	31W	34	40	40	40	40	40	40	40	40	36	13	36					439	
24	28S	31W	30	30	30	30	40	40	40	40					30	30	30	30	400	
C	Owner of Land NAME: MIKE & EVANGELYN NIGHTENGALE ADDRESS: 1011 XX RD COPELAND KS 67837																			
			ADDRI	ESS:	1011 >	(X RD	COPE	LAND	KS 6	7837										
				NE	=1/4			NV	V1/4			SV	V1/4			SE	E1/4		TOTAL ACRES	
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	TWP.	rtange	INL/4	1400/4	OVV/4	OL/4	IVL/4	1447/4	OVV/4	OL/4	14274	1447,5	01174	02/4	11274	111174	01174	02/4		
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			ADDRI	ESS:	1011 >	(X RD	COPE	ELAND	KS 6	7837										
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Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4		SW1/4		NE1/4		SW1/4		ACRES	
13	28S	31W						-		-			31.25		31.25	31.25	31.25	31.25	250	
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Sec. 26	Twp. 28S	Range 31W	NE1/4	NW1/4	SW1/4	SE¼	NE1/4	31.25			INE/4	1400/4	344/4	OL/4	INL/4	1400/4	OVV/4	OL/4	125	
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			II .	1	1	I	II.	1	1	1	II	1	I	I	II	I	l .	1		

5.	Presently authorized	point of diversion:			
	One in the	Quarter of the		Quarter of the	Quarter
		, Township			
1	in	County, Kansas,	feet North _	feet West of S	outheast corner of section.
		Authorized Quantity _			
	(DWR use only: Com	puter ID No GPS	S	feet North	feet West)
		hanged This point will be changed			
- 1	Proposed point of div	ersion: (Complete only if change	e is requeste	ed or if existing point is I	petter described by GPS)
	One in the	Quarter of the		Quarter of the	Quarter
		, Township			
	in	County, Kansas,	feet North _	feet West of S	outheast corner of section.
	Proposed Rate	Proposed Quantity		Proposed well depth (feet)
	This point is: Addition	onal Well Geo Center List of	her water righ	nts that will use this point _	
_					
6.	Presently authorized				
	One in the	Quarter of the , Township		Quarter of the	Quarter
	of Section	, Township		South, Range	(W),
	in	County, Kansas,	feet North _	feet West of S	outheast corner of section.
		Authorized Quantity _			
	(DWR use only: Com	puter ID No GPS	S	feet North	feet West)
	☐This point will not be c	hanged This point will be changed	d as follows:	No change, point better de	scribed with GPS as follows:
1	Proposed point of div	ersion: (Complete only if change	e is requeste	ed or if existing point is l	petter described by GPS)
		Quarter of the			
	of Section	, Township		South, Range	(W),
	in	County, Kansas,	feet North _	feet West of S	outheast corner of section.
- 1		Proposed Quantity			
L	This point is: Addition	onal Well	her water righ	ts that will use this point _	
_					
7.		e desired for the following reasons VE ACRES AROUND TO	?	81	
		ON. ALREADY COMPLETE	300	200 100 North	100 200 300
	OVERLAP W/ FILE 5075	5; 14135; 23383; 28481; 29859	E		
0	Manager II for the standards I				
8.	If a well, is the test hole I	log attached? Yes No	200	-1/+1 =	1 + 1 + 1 = 200
9.	The change(s) (was)(will	be) completed by?	E		_
			100	/ ₁ _ 1 _ 1 _ = 1	1 + 1 + 1 100
	OI OIV/II I NOVAL		100		1 1 1 1 1 1 1 100
10.	If the point of diversion is	s a well:	ŧ	y graduning sandrakkin magazinan anna Tunna	
	(a) What are you going	to do with the old well?	West 0 🔠	+dnuludodudos ž m	
	N. / A		1	capile Silvan Gallerian Galler	=
			100		1 + 1 + 1 \$\bullet\$ 100
	(b) When will this be do	ne?			
			E		
11.		ent District recommendation attached	? 200	-14 + =	1 + 1 - 200
	☐ Yes	⊠ No		-\-==	-/- =
12	Assisted by AM / GCFO		E.		
			300	200 100 0 South	100 200 300 Scale: 1 hashmark=10 ft
13a	. If the proposed point of d	iversion will be relocated more than 3	00		The second secon

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

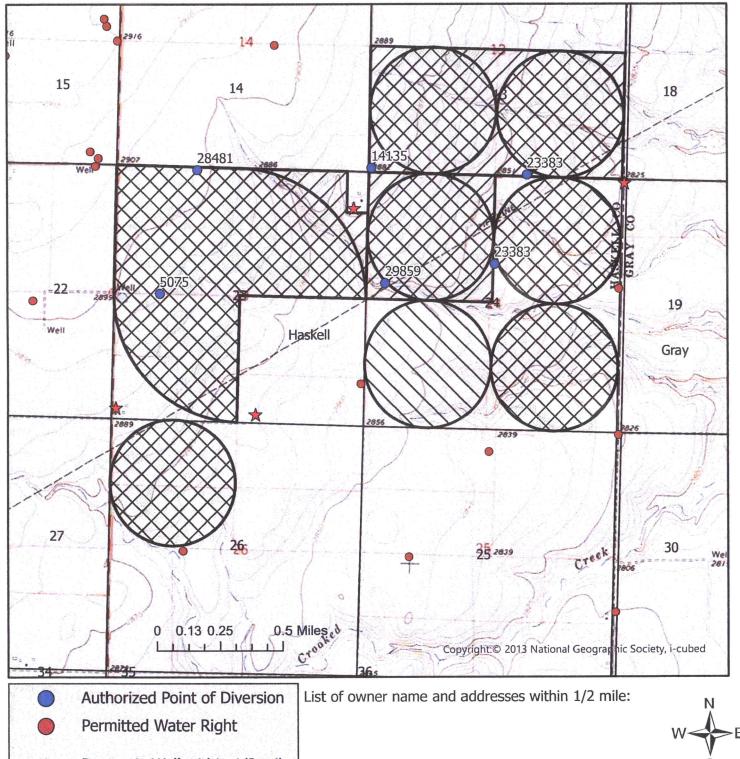
feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile on the diagram shown above in relation to the existing point of the existing point of the diagram shown above in relation to the existing point of the existing 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	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)	
 (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 applied	
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 plication pertains. I further verify that the statements
Dated at, Kansas, this	<u>a4th</u> day of <u>May</u> , 20 <u>aa</u> .
Management Country of the Country of	Evangelyn Dystingah (Spouse)
Mike Nightenggle (Please Print)	Evangelyn Nightengale (Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of SS	
I hereby certify that the foregoing application was signed in r	my presence and sworn to before me this A4 day
My Commission Expires My Commission Expires December 15, 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 appropriate fee must be paid.	of the applicable portions of the application form must be completed with oppropriate owners' must be affixed to the application and notarized; and
FEE SCHEDU	
Each application to change the place of use or the point of diversion unde 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	ent of Agriculture \$100 \$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	s Summary Order is issued under authority of K.S.A. 82a-7 visions of the <i>Kansas Water Appropriation Law, K.S.A.</i> 82a-7 h the exception of those conditions expressly contained here tations of File No. 23383	a-701 et. seg., and rules and regulati	ons promulgated thereunder,
1.	A change application was received on diversion authorized under the above-referenced file nur	requesting that the nber be changed as described in the a	place of use and / or point of application.
2.	On and after the effective date of this summary order, the at the topographic map accompanying the application to ch	uthorized place(s) of use shall be loca range the place of use.	ted substantially as shown on ble Not Applicable
3.	The change in point of diversion shall not impair existing rice previously authorized. The point of diversion authorized radius of the authorized point(s) of diversion. ☐ Application	by this summary order shall be locate	source or sources of water as d within a foot
4.	The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application	vely corrected to be more accurately on. Applicable Not Applicable	described using the Global
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. Applicable	y be located more thanNot Applicable	feet from the previously
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a or other device suitable for making water level measurem K.A.R. 5-6-13. Applicable Not Applicable	ients shall be installed, operated and n	ns per minute or more, a tube naintained in accordance with
7.	The owner of the authorized place(s) of use shall p December 31, 20, or before the first use of wate operated and maintained in accordance with K.A.R. 5-1-4 K.A.R. 5-3-5e, the owner shall maintain records and repo	r, whichever occurs first. The water 4 through 5-1-12. As required by K.S., ort the reading of the water flow meter	flow meter shall be installed, A. 82a-732, as amended, and
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 pro Applicable \[\sum \text{Not Applicable} \]	e applicant shall notify the Chief Eng	ineer that construction of the
9.	The completed well log shall be submitted with the req	uired notice.	☐ Not Applicable
10.	All diversion works into which any type of chemical or other with an in-line, automatic, quick-closing check valve cap check valve(s) shall be installed, operated and maintained	able of preventing pollution of the sou	irce of the water supply. The
11.	Additional Conditions are attached.		
12.	In accordance with K.S.A. 82a-708a, as amended, and K. water appropriated under the above-referenced file num limitations, as amended and/or supplemented by this Su Appropriation Law and the Rules and Regulations prom result in civil penalties pursuant to K.S.A. 82a-737, as a water or appropriation right or any other enforcement act	nber are responsible for compliance was many Order, and with applicable probable to compleated thereunder. Failure to compleanded, and/or the suspension or re-	with its terms, conditions and ovisions of the <i>Kansas Water</i> oly with these provisions may
	Administrative Appeal and Effective Date of Order	FOR OFFICE US	
If vo	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,	APPLICATION API	
you	may request an evidentiary hearing before the Chief lineer or request administrative review by the Secretary of	SUMMARY ORD	ER ISSUED
Agr	iculture. A request for hearing by the Chief Engineer must be	By: Duly Authorized Designed	
adn	d within 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30		
day revi	s pursuant to K.S.Á. 77-531. Any request for administrative ew must state a basis for review pursuant to K.S.A. 77-527.	(Print Name):	nsas Department of Agriculture
File	any request with Kansas Department of Agriculture, al Division, 1320 Research Park Drive, Manhattan, KS	Date of Issuance:	
665	02 . Failure to timely request a hearing or review may	State of Kansas)
pre	clude review under the Kansas Judicial Review Act. For Use by Register of Deeds	County of	SS
	, or see sy register or been		
		Acknowledged before me on	
		by	·
		Signature:N	
		My commission expires:	
			(Notary Seal)

CHANGE IN PLACE OF USE WATER RIGHT FILE NOS. 5075; 14135; 23383; 28481 & 29859



Domestic Well within 1/2 mile Authorized Place of Use

Proposed Place of Use



By signing below I agree that all wells, including domestic, and owners names and addresses within 1/2 mile of the proposed point of diversion have been shown on the map



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

Mike Beam, Secretary

Laura Kelly, Governor

May 25, 2022

HIGH PLAINS RANCH LLC 12225 E HIGHWAY 160 SATANTA, KS 67870

> RE: Application for Change Water Right, File Nos. 5075; 14135; 23383; 28481 & 29859

Dear Sir or Madam:

This is to advise you that Mike Nightengale has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use under the above referenced file numbers.

From: a total of 1,284 acres in Sections 13, 23, 24 and 26, all in Township 28 South, Range 31 West, Haskell County, Kansas,

To: a total of 1,284 acres Sections 13, 23, 24 and 26, all in Township 28 South, Range 31 West, Haskell County, Kansas,

You can find the complete applications posted by water right file number as referenced above at: www.Agriculture.ks.gov/DWRNotices

You are notified on this proposed change in the place of use so that you may furnish this office with any comments or other information you want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:



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

Mike Beam, Secretary

Laura Kelly, Governor

May 25, 2022

BARBARA RIPHAHN 2318 150TH RD COPELAND, KS 67837

> RE: Application for Change Water Right, File Nos. 5075; 14135; 23383; 28481 & 29859

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Assistant Water Commissioner

AM: enclosures

pc:



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

Mike Beam, Secretary

Laura Kelly, Governor

May 25, 2022

KENNETH & SHIRLEY NICKEL 2352 110TH RD COPELAND, KS 67837

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AM: enclosures

pc:



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

Mike Beam, Secretary

Laura Kelly, Governor

May 25, 2022

6-T FARMS Attn: NANCY DOTTS BOX 351 MONTEZUMA, KS 67867

> RE: Application for Change Water Right, File Nos. 5075; 14135; 23383; 28481 & 29859

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Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:



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

Mike Beam, Secretary

Laura Kelly, Governor

May 25, 2022

ROXIE JTUCKER TRUST 1005 BB RD COPELAND, KS 67837-8017

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Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc: