Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
23383		C4	4	3
6. Status: Approved Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
				5/24/2022
8a. Applicant(s) New to system □	Person ID 32299 Add Seg#	8c. Landowne		Person ID Add Seg#
MIKE & EVANGELYN NIC 1011 XX RD COPELAND, KS 67837				
8b. Landowner(s) New to system □ 8a	Person IDAdd Seq#	8d. WUC New to sy	stem □	Person IDAdd Seq#
9. Documents and Enclosure(s): ☑ DV ☐ Anti-Reverse Meter ☐ Meter ☐ Conservation Plan Date Require	Seal 🛚 Check Valve	⊠ N & P Form	☑ Water Tube ☐ Di	Comply: 3/1/2023 riller Copy H & E Letter Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: 6/16/2 Date Entered:	By: AM By:

File No.	23383	3		11.	County:	HS	Ва	sin: CF	ROOK	ED CF	REEK			Str	eam:							Fo	rmation C	ode: 21	1 Special Use:	
12. Poir CHK MOD	nts of Dive	ersior	1														F	Rate ar Au	nd Qua			A	dditional			
DEL ENT	PDIV	Qı	ualifier		S	Т	R	ID	£	N	'W		Com	ment (/	AKA L	ine)		Rate gpm	Q	uantity af	1	Rate		antity af	Overlap PD Files	
СНК	65983																									
СНК	77618																									
13. Stora	age: Rate				N	IF	Quai	ntity _					ac/ft	Ad	ditiona	al Rate					NF	Addi	tional Qua	intity		_ ac/ft
14. Limit	14. Limitation: af/yr at gpm (cfs) when combined with file number(s)																									
Limi	tation:				_ af/yr a	t			(gpm (_				cfs) wh	en cor	mbined	d with f	file nur	nber(s							
15. 5YR	Allocation	1:	Allocation	Туре		Sta	rt Yea			5 YR	Amou	nt		Amou	unt Un	it	_ =	Base A	cres _		_ Cc	mment.				
16. Plac	ce of Use						NE	Ξ1/4			NW	I ¹ / ₄			SV	V ¹ / ₄			SE	=1/4		Total	Owner	Chg?	Overlap Files	
MOD DEL ENT	PUSE	S	T R		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 ¼	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4					
MOD 2			28S31		1	12	36	40	36	40	40	40	40	40	36	13	36					409	8a	N	MULTIPLE	
MOD 6	139	24	28S31	W	2	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	500	8a	N	MULTIPLE	
CHK 9	541	26	28S31	W	1					31.25	31.25	31.25	31.25									125	8a	N	MULTIPLE	
MOD 2	1706	13	28S31	W	3	ı								31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	250	8a	N	MULTIPLE	
	Base Acres: Year: Minimum Reasonable Quantity: Comments: OVERLAPPING FILES ON PLACE OF USE 5075: 14135: 23383: 28481& 29859 TOTAL BASE ACRES FOR GROUP = 1274 ACRES																									

Comments: UVERLAPPING FILES ON PLACE OF USE 50/5, 14135, 23303, 20401& 23053



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

Mike Beam, Secretary

Laura Kelly, Governor

June 16, 2022

MIKE & EVANGELYN NIGHTENGALE 1011 XX RD COPELAND, KS 67837

RE:

Filed Office Application for Change

Water Right, File Nos. 5075; 14135; 23383; 28481 & 29859

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 numbers.

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/or 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,

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

CERTIFICATE OF SERVICE

On this 16th day of June, 2022, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 5,075, 14,135, 23,383, 28,481 and 29,859 dated 16th day of June, 2022 was mailed postage prepaid, first class, US mail to the following:

MIKE & EVANGELYN NIGHTENGALE 1011 XX RD COPELAND, KS 67837

Pc:

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.

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, incl	ude a topographic map or detailed plat show	ving the authorized and proposed point(s)
of diversion and/or place of use.		

							Eilo No		2			_					R	ECE 4!!	IVED 7 2m 4 2022
						Г	·lie ivo	. <u>2338</u>	13								ſ,	1AY 2	4 2022
1. /	Applicati	ion is he	reby n	nade fo	or appr		f the Clace of		nginee		nange t Point			ne or b	oth):	Di	Garde vision	n City of Wate	Field Office er Resource
l	under th	ne water	right w	vhich is	s the s	ubject	of this	applic	cation i	n accc	ordance	e with t	the cor	ndition	s desc				Du un Ausen
-	The sou	rce of su	apply is	s:		⊠G	Ground	water			Surfac	ce wate	er						
Name and address of Applicant: MIKE & EVANGELYN NIGHTENGALE 1011 XX RD COPELAND KS 67837																			
F	Phone N	Number:	(620)	272-2	068				Email	addres	ss: <u>va</u>	ngienic	ghteng	ale@h	otmail	.com			
1	Name ar	nd addre	ess of \	Water	Use C	orresp	onden	t: SAM	ME AS	ABO\	/E								
-																			
		Number:	-						Email	addres	ss:								
		sently au					CNAEN												
(Jwner o	of Land -			SEE A		CIVIEIN	I											
	(If there is						nnleme	ental sh	neets as	neces	eary)								
	(If there is more than one landowner, attach supplemental sheets as necessary.)																		
0	_		NEW		=1/4	051/	NEW	T	N1/4					E1/4	OF1/	TOTAL ACRES			
Sec.	Twp.	Range	NE1/4	NVV '/4	SW1/4	SE1/4	NE1/4	NW1/4	SW ¹ / ₄	SE1/4	NE1/4	NVV 74	SVV /4	SE1/4	NE1/4	INVV 74	SW1/4	SE1/4	
									-										
									-							-			
4. I	f this an	plication	n is for	a cha	nae in	nlace	of use	it is p	ropose	ed that	the pla	ace of	use be	e chan	aed to				
		of Land -			-									inter contract					
(If there is	s more th	an one	landov	vner, at	tach su	ppleme	ental sh	ieets as	neces	sary.)								
				NE	Ξ1/4			N	N1/4			SV	N1/4			SI	E1/4		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
	For Offi	ice Use	Only:	Code		Fe	e \$ <u>2</u> (0.00	O TR	#		Re	ceipt	Date <u></u>	5/24	122	Chec	k # 10	515

5.	Presently authorized point of	of diversion:					
	One in the	Quarter of the		Quarter of the	Quarter		
	of Cootion	Tayyaahin		Courth Danses	(\A/\		
-	inC	ounty, Kansas,	feet North _	feet West of	Southeast corner of section.		
	Authorized Rate	Authorized Quantity		Depth of well	(feet)		
	(DWR use only: Computer I						
	☐This point will not be changed						
- 1	Proposed point of diversion	: (Complete only if change	ge is request	ed or if existing point is	s better described by GPS)		
	One in the	Quarter of the		Quarter of the	Quarter		
	of Section	, Township		South, Range	(W),		
	in C						
	Proposed Rate	Proposed Quantity _		Proposed well depth	(feet)		
	This point is: Additional W	ell 🗌 Geo Center List d	other water rig	hts that will use this poin	t		
_							
6. F	Presently authorized point of	of diversion:					
	One in the	Quarter of the		Quarter of the	Quarter		
	of Section	, Township		South, Range	Quarter (W),		
	in C	county, Kansas,	feet North	feet West of	Southeast corner of section.		
	Authorized Rate						
	(DWR use only: Computer I				feet West)		
	This point will not be changed						
- 1	Proposed point of diversion	: (Complete only if chan	ge is request	ed or if existing point is	s better described by GPS)		
	One in the	Quarter of the		Quarter of the	Quarter		
	of Section				(W),		
	in C						
	Proposed Rate	Proposed Quantity _		Proposed well depth	(feet)		
	This point is:	ell Geo Center List of	other water rig	hts that will use this poin	t		
7.	The changes herein are desire						
	(please be specific) MOVE ACF BETTER FIT OPERATION. ALF			Nort 0 200 100 0	h 100 200 300		
	OVERLAP W/ FILE 5075; 1413			Indumination #			
				/_ =	- \-		
8.	If a well, is the test hole log atta	ched? LYes No	200	-141+1=	1 + 1 = 200		
Q	The change(s) (was)(will be) co	mpleted by?					
٥.		impleted by:		/ =			
	UPON APPROVAL		100	1 + + =	1 + 1 + 1 100		
10.	If the point of diversion is a well	:		=			
	(a) What are you going to do w		West 0				
	(a) What are you going to do v	THE OIL WOIL	1				
	N / A			\ <u>=</u>	A. A.		
	(b) When will this be done?		100	1 + +	1 + 1 + 1 1 100		
				= \ - =	/=		
11.	Groundwater Management Distr	rict recommendation attache	ed? 200		1 + 1 + 1 = 200		
	☐ Yes ☐ No						
				IIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII			
12.	Assisted by AM / GCFO		30	0 200 100 0	100 200 300		
13a	.If the proposed point of diversion	will be relocated more than	300	Sout	h Scale: 1 hashmark=10 ft		
	foot but within 2 640 foot of the	victing point of diversion at	tach 12h If the	proposed point of divers	ion will be relocated within a 300		

<u>feet but within 2,640 feet</u> of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater <u>foot radius</u> of the existing point of diversion will be relocated <u>within a 300</u> <u>foot radius</u> of the existing point of diversion, indicate its location 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

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.)

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

FILE NO. <u>5075; 14135; 23383; 28481 & 29859</u>

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			ADDRI																	
				NE	Ξ1/4			NV	V1/4			SV	V1/4			SE	Ξ1/4		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	
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	
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		,	ADDRI	ESS:	1011 >	(X RD	COPE	ELAND	KS 67	7837					,					
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			1				II.		1											
	 Continued: 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: MIKE & EVANGELYN NIGHTENGALE 																			
	WITCH O		ADDR																	
				NE	Ξ1/4			NV	V1/4			SV	V1/4		SE1/4				TOTAL	
Sec.	Twp.	Range	NE1/4			SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	ACRES	
13	28S	31W									31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	250	
23	28S	31W	12	36	40	36	40	40	40	40	40	36	13	36					409	
24	28S	31W	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	500	
O	wner o										Ξ									
			ADDR	ESS:	1011 >	(X RD	COPE	ELAND	KS 6	7837										
				NI	E1/4			NV	N ¹ / ₄			SV	N ¹ / ₄			SI	Ξ1/4		TOTAL	
Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	ACRES	
26	28S	31W		-			31.25	31.25	31.25	31.25									125	
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Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4		
				-	-							-								
7									-											

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 are significantly and the currently authors applied to the currently authors applied to the currently authors are significantly as a significant to the currently authors are significantly as a significant to the currently authors are significantly as a significant to the currently authors are significantly as a significant to the currently authors are significantly as a significant to the currently authors are significantly as a significant to the currently authors are significantly as a significant to the currently authors are significantly as a significant to the currently authors are significantly as a significant to the currently authors are significantly as a significant to the currently authors are significantly as a significant to the currently authors are significantly as a significant to the currently authors are significantly as a significant to the currently action to th	
 (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 appl 	
(c) If this application is not approved expeditiously, will there be sub ☐ Yes ☐ No (If no, all owners must sign this application)	
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 affirm age 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 plication pertains. I further verify that the statements
Dated at, Kansas, this	ayth day of may, 20 aa.
Managowner)	Evangelyn) yttingali (Spouse)
Mike Nightengale (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 24 day
JULIE JONES My Appointment Expires Puello 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.	
Each application to change the place of use or the point of diversion undeforth 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	er this section shall be accompanied by the application fee set ent of Agriculture \$100 \$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

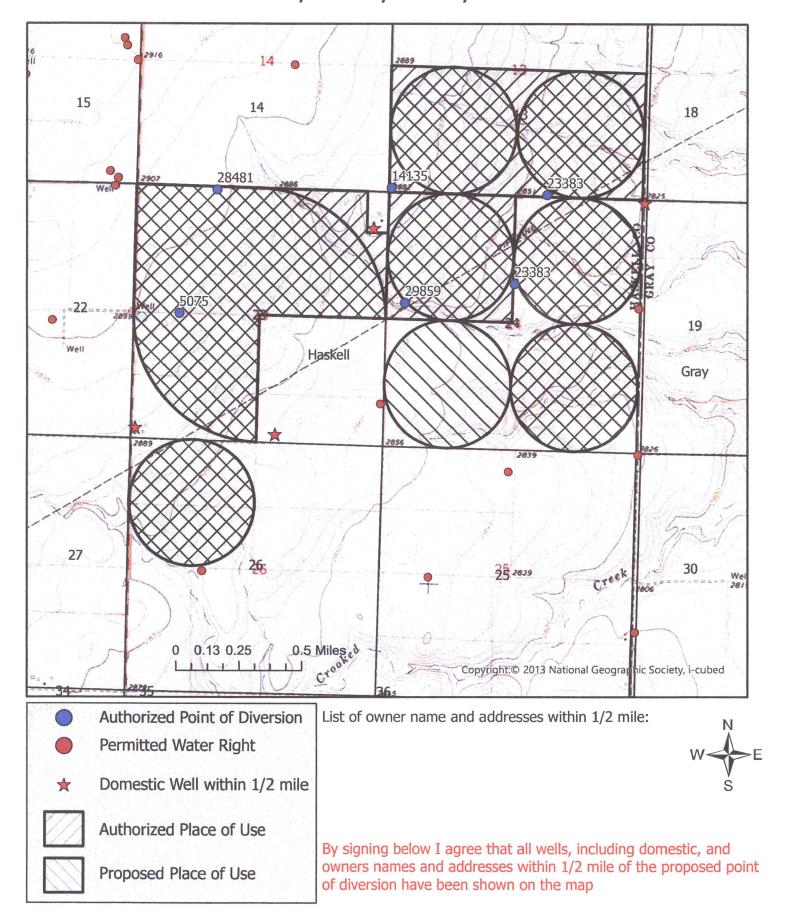
This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 23383 A change application was received on _______ requesting that the place of use diversion authorized under the above-referenced file number be changed as described in the application. requesting that the place of use and / or point of 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 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 ______radius of the authorized point(s) of diversion.

Applicable Not Applicable 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 The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion.

Applicable Not Applicable feet from the previously 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 The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before **December 31, 20 22**, 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 Installation of the works for diversion of water shall be completed on or before December 31, 20 ____, or within any authorized extension of time. By March 1, 20 3 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. ☐ Not Applicable Not Applicable The completed well log shall be submitted with the required notice. ☐ 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 X 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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 Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 (Print Name): 1405+in 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. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, 2021 Date of Issuance: 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. State of Kansas SS For Use by Register of Deeds County of Acknowledged before me on Signature: **JULIE JONES** NOTARY My commission expires: My Appointment Expires (Notar De Septe 15, 2022

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



Date AM/GCFO 1:24,000 Scale



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

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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

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

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.

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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

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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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

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

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Sincerely,

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:



Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street Garden City, Kansas 67846

(620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

June 14, 2022

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

RECEIVED

JUN 1 4 2022

Garden City Field Office Division of Water Resources

RE: Applications for Change in Place of Use

Water Right, File Nos. 5075, 14135, 23383, 28481 & 29859

Dear Austin:

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 No. 3 (GMD3). The proposed change in place of use will rearrange current acres to cover land that was not previously authorized and eliminate homesteads and pivot corners that are not watered. At the same time, the applications will keep a complete overlap in place of use in accordance with K.A.R. 5-5-11(b). 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 Assistant Manager

GMD3 Change Review

File No(s).: <u>50</u>	075, 14135, 23383, 2	<u> 28481, 29859</u> .	I	DWR office: <u>GC</u> .
App filed to cha	ange: Mike & Evange	elyn Nightengale.		
Is Landowner(s	correct in WRIS:			
If NO, i	is documentation inclu	ided?		
Is Water Use Co	orrespondent correct in	n WRIS?		
If NO, i	is documentation inclu	ided?		
Regulation(s) R	eviewed: KAR 5-5-11			
Point of diversion	on ID No(s) _ being	changed.		
	ft. North ft	t. West		
Authorized Pl)			
Proposed PD				Waster like the same to be a second
Difference	0	0		
a2 + b2 = c2	0	0	0	
GPS for propos	ed PD: Lat: Long	:		
Is proposed PD	stacking on existing V	VRs? No Change		
Is Proposed PU	overlapping existing V	WRs? Maintain c	omplete overlap, b	out rearrange acres.
Neighboring cer	rtified well(s) notified	:		
Name				
Address				
Zip				
Email:	Phone:			
Domestic well(s	s) notified:			
Name				
Address				
Zip				
Base Acres:	£			
Perfected Acres	s:			
Irr. Return-Flov	v%			
WRs are curre	ently completely over	lapped.		
Combined aut	hority on WRs: 2465.	AF		
		Current	Propose	
13-28-31	S2	320acres	250acre	
23-28-31	NE, NW, SW	439acres	409acre	
24-28-31	NE, NW, SE	400acres	500acre	
26-28-31	NW	125acres	125acre	
		1284 Total	1284acr	
	ded: No, stayed withi			
Recommendation	on: After review of a	ll available inform	ation, it appears c	urrent area rules are

met. Staff therefore recommends approval of the applications.

1



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

Mike Beam, Secretary

Laura Kelly, Governor

June 10, 2022

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

Re:

Request for Recommendation,

File No. 5075; 14135; 23383; 28481 & 29859

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Mike Nightengale 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,

Austin McColloch

Assistant Water Commissioner

Enclosure

pc: