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: |
|--|--------------------------|-----------------------|--|--|
| 29859 | | C3 | 4 | 3 |
| 6. Status: Approved Deni | ied 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 Seq# | 8c. Landowne | 7.5 % | Person IDAdd Seq# |
| MIKE & EVANGELYN NIG 1011 XX RD COPELAND, KS 67837 | GHTENGALE | | | |
| 8b. Landowner(s) New to system □ | Person ID | 8d. WUC New to sy | stem | Person ID Add Seq# |
| 8a | | 8a | | |
| 9. Documents and Enclosure(s): 🛛 DV | VR Meter(s) Date to Comp | ly: 12/31/2022 | N & P Date to | Comply: <u>3/1/2023</u> |
| ☐ Anti-Reverse Meter ☐ Meter | Seal Check Valve | ⊠ N & P Form | Water Tube □ □ | oriller Copy ☐ H & E Letter |
| ☐ Conservation Plan Date Requir | ed: Da | ite Approved: | Date to | o Comply: |
| 10. Use Made of Water From: | | To: _ | | _ |
| | | | Date Prepared: 6/16/ 2 Date Entered: | 2022 By: AM By: |

| File No. | 29859 | 9 | | 11. | County: | HS | Ва | sin: Cl | ROOK | ED C | REEK | | | Str | eam: | | | | | | | | rmation Co | ode: | Special Use: | |
|-------------------|--|--------|--------------|------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-------------|-----------|--------------|-----------|---------|-------------|-------|------------------|-------|
| 12. Poir | nts of Dive | ersion | ١ | | | | | | | | | | | | | | F | Rate an | nd Qua | ntity | | | | | | |
| MOD | DDI)/ | | | | | | | | | | | | | | | | | Au | thorize | ed | | Α | dditional | | | |
| DEL ENT | PDIV | Qı | ualifier | | S | Т | R | ID | | 'N | 'W | | Com | ment (/ | AKA L | ine) | | Rate gpm | Q | uantit af | у | Rate | | | Overlap PD Files | |
| СНК | 53038 | | | | | | | | | | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 13. Stora | age: Rate | · | | | N | ۱F | Quar | ntity | | | | | ac/ft | Ad | ditiona | al Rate | | | | | NF | Addi | tional Quar | ntity | | ac/ft |
| 14. Limit | ation: | | | | _ af/yr a | ıt | | | | gpm (_ | | | | cfs) wh | en cor | mbined | d with f | file nun | nber(s) | | | | | | | |
| Limi | tation: | | | | _ af/yr a | ıt | | | | gpm (_ | | | | cfs) wh | en cor | mbined | d with f | file nun | nber(s) | | | | | | | |
| 15. 5YR | Allocation | n: | Allocation | Туре | | Sta | rt Yeaı | | | 5 YR | Amou | nt | | Amou | unt Un | it | _ B | Base A | cres _ | | _ Co | mment . | | | | |
| 16. Plac | ce of Use | | | | | | NE | 1/4 | | | NV | 11/4 | | | sv | V¹/4 | | | 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 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | | | | | |
| MOD 2 | | | 28S31 | | | 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 | | | | | | | | | 31.25 | 31.25 | 31.25 | 31.25 | 31.25 | 31.25 | 31.25 | 31.25 | 250 | 8a | N | MULTIPLE | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Base Ac | Base Acres: Year: Minimum Reasonable Quantity: | | | | | | | | | | | | | | | | | | | | | | | | | |
| Comme | nts: OV I | ERL | APPIN | G F | ILES | ON F | LAC | ΕO | F US | SE 50 | 075; | 1413 | 35; 2 | 3383 | ; 284 | 4818 | 298 | 59 | TO | TAL | BAS | EAC | RES FO | R GR | OUP = 1274 A | CRES |



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.

| thar | | , or if pl | ace of | use wi | | | | | | | | | | | | | ized a | nd prop | very line is greater to osed point(s) | | | | |
|------|-----------------------|------------|---------|----------|----------|---------------|---|-------------------------------|-------------------------------|---------|----------------------------------|--------|--------|-------------------------------|--------|---------|--------|----------------|---------------------------------------|--|--|--|--|
| | | | | | | 1 | File No | o. <u>2985</u> | 59 | | | | | _ | | | | | 2022 | | | | |
| 1. | Applicati | on is he | ereby r | nade f | or app | roval c | of the (| Chief E | | | | | | | | | | | City Field Office Water Resources | | | | |
| | | | | | | ⊠ F | lace c | ace of Use Point of Diversion | | | | | | | | | | | | | | | |
| | under th | e water | right v | vhich is | s the s | ubject | of this | applio | ation i | n acco | ordanc | e with | the co | ndition | s desc | ribed I | below. | | | | | | |
| | The sou | rce of s | upply i | s: | | \boxtimes G | round | lwater | | | Surfa | ce wat | er | | | | | | | | | | |
| 2. | Name ar | nd addre | ess of | Annlic: | ant M | IIKF & | F\/AN | IGELY | N NIG | HTEN | GALE | | | | | | | | | | | | |
| | 1011 XX | | | | | | L V/ (1 | OLLI | 14 1410 | 1111214 | O/ILL | | | | | | | | | | | | |
| | Phone N | | | | | | | | Email | addre | ss: va | ngieni | ghteng | ale@h | notmai | .com | | | | | | | |
| | Name ar | nd addre | ess of | Water | Use C | orresp | onder | nt: SA | ME AS | ABO\ | /E | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | |
| | Phone N | lumber: | |) | | | | | Email | addre | ss: | | | | | | | | | | | | |
| 3. | The pres | | | | | | | | | | | | | | | | | | | | | | |
| | Owner o | | | | | | | | | | | | | | | | | | | | | | |
| | /IF II | | | ESS: | | | | | | | | | | | | | | | | | | | |
| _ | (If there is | more tr | ian one | landov | vner, at | tach su | Ipplem | ental sr | ieets as | neces | sary.) | | | | 11 | | | | | | | | |
| Se | c Twn | Range | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NW ¹ / ₄ NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ | | | SE1/4 | SW1/4 NE1/4 NW1/4 SW1/4 SE1/4 | | | SE1/4 NE1/4 NW1/4 SW1/4 SE | | | SE1/4 | TOTAL ACRES | | | | | |
| | c. Twp. | range | 14274 | 14474 | 01174 | OL74 | 14274 | 1447/4 | 0,174 | 02/4 | 14274 | 1447/4 | SVV/4 | 02/4 | 14274 | 144774 | 0774 | UL /4 | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | |
| 4. | If this ap Owner o | f Land - | N/ | | SEE A | TTAC | HMEN | | | | | | use be | | _ | | | | | | | | |
| | (If there is | | | | | | | ental sh | eets as | neces | sary.) | | | | | | | | | | | | |
| | | | | NF | Ξ1/4 | | | N\ | N ¹ / ₄ | | | SI | N1/4 | | | SI | E1/4 | | TOTAL | | | | |
| Se | c. Twp. | Range | NE1/4 | T | | SE1/4 | NE1/4 | | SW1/4 | SE1/4 | NE½ | T | SW1/4 | SE1/4 | NE1/4 | NW1/4 | T | SE1/4 | ACRES | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | |
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| | | | | - | | | | - | 1 | - | | | 1 | | | | | 1 | | | | | |
| | For Offi | ce Use | Only: | Code | | <i>F</i> e | e \$ <u>_</u> | 50.0 | O TR | # | | Re | eceipt | Date _ | 5/24 | 122 | Chec | :k# <u>1</u> (| 515 | | | | |

| 5. | Presently authorized point of dive | rsion: | | | | | | |
|-----|--|------------------------------|----------------|----------------------|--|-------------|--|--|
| | One in the | Quarter of the | | Quarter of the _ | | Quarter | | |
| | of Section | _, Township | | South, Range _ | | (W), | | |
| 1 | in County, | Kansas, fee | et North | feet West | of Southeast corner of | section. | | |
| | Authorized Rate A | Authorized Quantity | | Depth of well | (feet) | | | |
| | (DWR use only: Computer ID No. | GPS | | _ feet North | feet West) | | | |
| | ☐This point will not be changed ☐Th | nis point will be changed as | follows: N | o change, point bett | er described with GPS as | follows: | | |
| | Proposed point of diversion: (Con | | | | | | | |
| | One in the | | | | | | | |
| | of Section | | | | | | | |
| | in County, | Kansas,fee | et North | feet West | of Southeast corner of | section. | | |
| | Proposed Rate F | Proposed Quantity | | Proposed well dep | oth (feet) | · | | |
| L | This point is: Additional Well | Geo Center List other | water rights t | hat will use this po | oint | | | |
| _ | | | | | | | | |
| 6. | Presently authorized point of dive | | | | | | | |
| | One in the of Section | Quarter of the | | _ Quarter of the _ | | Quarter | | |
| | of Section | _, Township | | South, Range _ | | (W), | | |
| | in County, | | | | | | | |
| | Authorized Rate A | | | | | | | |
| | (DWR use only: Computer ID No. | | | | | | | |
| | ☐ This point will not be changed ☐ Th | | | | | | | |
| | Proposed point of diversion: (Con | | | | | | | |
| | One in the | | | | | | | |
| | of Section | | | | | (W), | | |
| | in County, | | | | | | | |
| | Proposed RateF | | | | | | | |
| L | This point is: Additional Well | Geo Center List other | water rights t | hat will use this po | oint | | | |
| 7. | The changes herein are desired for | | | | | | | |
| | (please be specific) MOVE ACRES AF BETTER FIT OPERATION. ALREADY | | 300 | | orth 0 100 200 3 | 300 | | |
| | OVERLAP W/ FILE 5075; 14135; 2338 | | Emil | | #mp-20011001001 | 3 | | |
| | | | | | | | | |
| 8. | If a well, is the test hole log attached? | ∐ Yes ⊠ No | 200 | A 1 + 1 - | = 1 + 1 + 1 - | 200 | | |
| 9. | The change(s) (was)(will be) complete | d by? | E/ | | \- | | | |
| | UPON APPROVAL | | 100 | + + - | | 100 | | |
| 10. | If the point of diversion is a well: | | # | | | | | |
| | (a) What are you going to do with the | old well? | West 0 [++1]1 | 1011 1111 1111 1111 | x | 0 East | | |
| | N / A | | # | | The second secon | | | |
| | (b) When will this be done? | | 100 | + + - | | 100 | | |
| | | | F\ | | = - /- | 3 | | |
| 11. | Groundwater Management District reco | ommendation attached? | 200 - | V 1 + 1 - | = + +/ - | 200 | | |
| | ☐ Yes ☐ No | | | | / | | | |
| 12 | Assisted by AM / GCFO | | E | | <u> </u> | | | |
| | | | 300 | | 0 100 200 3 outh Scale: 1 hashmark=10 | 300 ft | | |
| 13a | . If the proposed point of diversion will be | e relocated more than 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

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 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.)

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

FILE NO. 5075; 14135; 23383; 28481 & 29859

MAKE ADDITIONAL COPIES AS NECESSARY

| 3. C | ontinue wner of | d: The Land - | prese NA ADDRI | ME: | MIKE & | & EVA | NGEL' | YN NI | | | Ξ | | | | | | | | |
|------|--------------------|-----------------------|-------------------------|-------|----------|-------|--------|------------|-------------------------------|-------|-------|---------|--------------------------------------|--------|--------|--------|-----------|-------|----------------|
| - | | | | NE | =1/4 | | | NV | V ¹ / ₄ | | | SV | V ¹ / ₄ | | | SE | 1/4 | | TOTAL ACRES |
| Sec. | Twp. | Range | NE1/4 | NW¼ | SW1/4 | SE¼ | NE1/4 | NW¼ | SW1/4 | SE1/4 | NE1/4 | NW¼ | SW1/4 | SE1/4 | NE1/4 | NW¼ | SW1/4 | SE1/4 | |
| 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 |
| 0 | wner of | f Land - | NA ADDRI | | | | | | | | | | | | | | | | |
| | | | | NE | 1/4 | | | NV | V1/4 | 11/4 | | SV | V1/4 | | | SE | 1/4 | | TOTAL |
| Sec. | Twp. | Range | NE1/4 | NW¼ | SW1/4 | SE1/4 | NE1/4 | NW¼ | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE¼ | NW¼ | SW1/4 | SE1/4 | ACRES |
| 26 | 28S | 31W | | | | | 31.25 | 31.25 | 31.25 | 31.25 | | | | | | | | | 125 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| 0 | wner of | f Land - | NA ADDRI | | | | | | | | | | | | | | | | |
| | | | NE1/4 NW1/4 SW1/4 SE1/4 | | | | | | | | | TOTAL | | | | | | | |
| 0 | T | D | NIE1/ | | 5W1/4 | CE1/ | NE1/4 | NW¼ | SW1/4 | SE1/4 | NE1/4 | NW1/4 | | SE1/4 | NE¼ | NW1/4 | SW1/4 | SE1/4 | ACRES |
| Sec. | Twp. | Range | NE1/4 | NW1/4 | SVV74 | SE1/4 | INE 74 | 14 7 7 7 4 | 377/4 | SE/4 | INE/4 | 19/0//4 | 3 7 7 7 4 | JL/4 | INL/4 | 1400/4 | OVV/4 | OL/4 | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | ed: If th f Land - | | AME: | MIKE | & EVA | NGEL' | YN NI | GHTE | NGAL | | d that | the pla | ace of | use be | chanç | ged to: | | |
| | | | | NE | Ξ1/4 | | | NV | V1/4 | | | SI | N ¹ / ₄ | | SE¼ | | | | 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 | | | | | | | | | 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 | 28\$ | 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 | 500 |
| | | f Land · | N/ | AME: | MIKE | & EVA | NGEL | YN NI | GHTE | NGALI | | - | | | | | | | |
| | | | ADDR | ESS. | 10117 | (V KD | COPE | LANL | NS 0 | 1031 | | | | | 1 | | | | |
| | | | | N | E1/4 | | | NV | N ¹ / ₄ | | | SI | <i>N</i> ⁷ / ₄ | | | SI | Ξ1⁄4 Τ | | TOTAL ACRES |
| 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 | SE¼ | NE1/4 | NW1/4 | SW1/4 | SE1/4 | |
| 26 | 28S | 31W | - | | | | 31.25 | 31.25 | 31.25 | 31.25 | | | | | | | | - | 125 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | <u> </u> | | | | | | | | | | | | | | |
| 0 | wner o | f Land | NA | AME: | | | | | | | | | | | | | | | |
| | | | ADDR | ESS: | | | | | | | | | | | | | | | |
| | | | | NI | E1/4 | | | N/ | N1/4 | | | SI | N1/4 | | | SI | E1/4 | | TOTAL |
| Sec. | Twp | Range | NE1/4 | T | SW1/4 | SE1/4 | NE1/4 | | SW1/4 | SE1/4 | NE1/4 | NW1/4 | T | SE1/4 | NE1/4 | NW1/4 | | SE1/4 | ACRES |
| 300. | | 90 | 1 | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | 1 | | 1 | 1 | - | | | - | 1 | | | | | | | | |

Page _____

DWR 1-121-2 (Revised 5/1/2019)

File No. ____

| 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 author ☐ Yes ☐ No (If no, all owners must sign this application) | |
| (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 applic | |
| 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 true, correct and complete. | zed agent of the owner(s) to make this application on blication pertains. I further verify that the statements |
| Dated at, Kansas, this | 24 day of, 20_22. |
| Mike Wightensule (Delease Print) | Evangelyn Nightengale (Please Print) |
| (Owner) | (Spouse) |
| (Please Print) | (Please Print) |
| (Owner) | (Spouse) |
| (Please Print) | (Please Print) |
| State of Kansas) SS | |
| I hereby certify that the foregoing application was signed in roof JULIE JONES My Appointment Expires | my presence and sworn to before me this 24 th day |
| My Commission Expires December 15, 2022 | Notally 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 under forth in the schedule below: Make checks payable to: Kansas Departmet (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

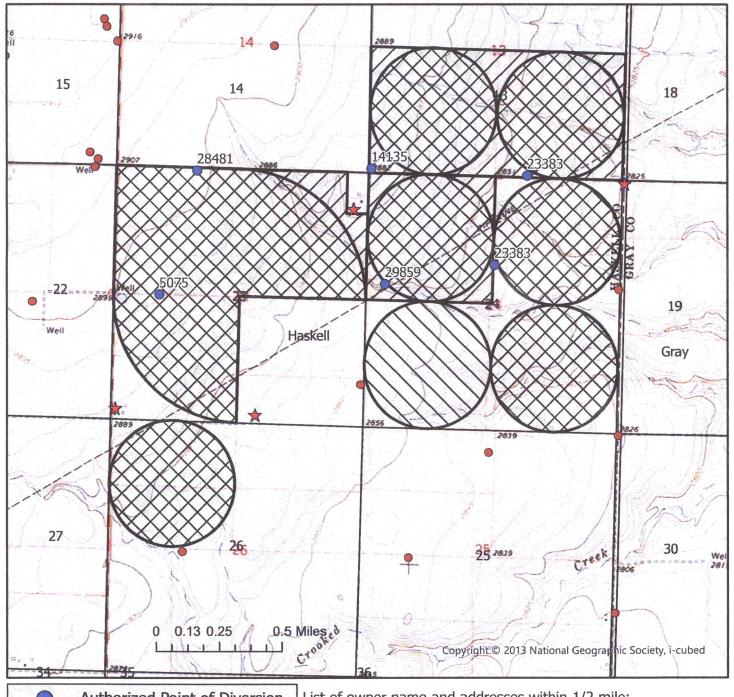
This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 29859 change application was received on _______ requesting that the place of us diversion authorized under the above-referenced file number be changed as described in the application. A change application was received on 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 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 feet from the previously ☐ Applicable Not Applicable authorized point(s) of diversion. 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 12.**, 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 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 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 ■ Not Applicable The completed well log shall be submitted with the required notice. ☐ Applicable Not 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 **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. Administrative Appeal and Effective Date of Order FOR OFFICE USE ONLY 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 Hustin days pursuant to K.S.A. 77-531. Any request for administrative (Print Name): 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, Date of Issuance: 16 Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Acknowledged before me on ENVID Notary Public TATE OF JULIE JONES NOTARY

My commission expires:

Publicary September 15, 2022

My Appointment Expires

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



Authorized Point of Diversion

Permitted Water Right

Domestic Well within 1/2 mile

Authorized Place of Use

Proposed Place of Use

List of owner name and addresses within 1/2 mile:



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

> Date AM/GCFO 1:24,000 Scale



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>5075, 14135, 233</u> | 83, 28481, 29859. | DW | R office: <u>GC</u> . |
|-----------------|-------------------------|---------------------------|------------------------|-----------------------|
| App filed to c | hange: Mike & Ev | angelyn Nightengale. | | |
| Is Landowner | (s) correct in WRIS | S: | | |
| If NO | , is documentation | included? | | |
| Is Water Use | Correspondent corr | ect in WRIS? . | | |
| If NO | , is documentation | included? | | |
| Regulation(s) | Reviewed: KAR 5- | -5-11 | | |
| | sion ID No(s) _ b | | | |
| | | | | |
| | ft. North | ft. West | | |
| Authorized I | PD | | | |
| Proposed PI |) | | | |
| Difference | 0 | 0 | | |
| a2 + b2 = c2 | 0 | 0 | 0 | |
| GPS for propo | osed PD: Lat:] | Long: | | |
| Is proposed Pl | D stacking on exist | ing WRs? No Change. | | |
| | | ting WRs? Maintain co | mplete overlap, but re | earrange acres. |
| | ertified well(s) not | | - | |
| Name | | | | |
| Address | | | | |
| Zip | | | | |
| Email: | Phone: | | | |
| Domestic well | l(s) notified: | | | |
| Name | | | | |
| Address | | | | |
| Zip | | | | |
| | | | | |
| Base Acres: _ | | | | |
| Perfected Acre | es: | | | |
| Irr. Return-Flo | ow% | | | |
| WRs are curi | rently completely | overlapped. | | |
| Combined au | thority on WRs: 2 | 2465AF | | |
| | | Current | Proposed | |
| 13-28-31 | S2 | 320acres | 250acres | -70 |
| 23-28-31 | NE, NW, SW | 439acres | 409acres | -30 |
| 24-28-31 | NE, NW, SE | 400acres | 500acres | +100 |
| 26-28-31 | NW | 125acres | 125acres | |
| | | 1284 Total | 1284acres | |
| Is a waiver ne | eded: No, stayed | within limits of the base | acres for the WRs. | |

Recommendation: After review of all available information, it appears current area rules are met. Staff therefore recommends approval of the applications.



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:



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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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

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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

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

Anti- Mille

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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Assistant Water Commissioner

AM: enclosures

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