

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/U WORKSHEET

1. File Number: 27343D3	2. Status Change Date: <i>1-31-2024</i>	3. Change Num: C3	4. Field Office: 4	5. GMD: 3
-----------------------------------	--	-----------------------------	------------------------------	---------------------

6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 1/26/2024
--	---

8a. Landowner, applicant, Person ID <u>40423</u> New to system <input type="checkbox"/> Add Seq# _____ DAVID K & SHAWNA L NICHOLS 1770 ROAD 70 LAKIN, KS 67860-6206	8c. Person ID _____ New to system <input type="checkbox"/> Add Seq# _____
---	---

8b. Landowner(s) Person ID <u>55237</u> New to system <input type="checkbox"/> Add Seq# _____ FRED RITSEMA & YOKA RODENHUIS TRUSTS Attn: LAKIN DAIRY PO BOX 389 LAKIN, KS 67860-0389	8d. WUC Person ID <u>40423</u> New to system <input type="checkbox"/> Add Seq# _____ 8a
--	---

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: 12/31/2024 N & P Date to Comply: _____

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: **1/31/2024** By: **MAM**
 Date Entered: _____ By: _____

File No. **27343-D3** 11. County: KE Basin: ARKANSAS RIVER Stream: Formation Code: Special Use:

12. Points of Diversion
 Rate and Quantity
 Authorized Additional
 Rate Quantity Rate Quantity
 gpm af gpm af Overlap PD Files

CHK	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
CHK					82021												

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ 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	MOD	DEL	ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
									NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
			ENT	21416	19	25	35W	3					34	L-1 34	L-2 34	34								136	8a	N	27343-D1	
			ENT	64997	19	25	35W	6	34	34	34	34											136	8b	N	27343-D1		
			CHK	29150	19	25	35W	1					34	L-3 34	L-4 34	34							136	8a	N	27343-D1		

Base Acres: **136** Year: Minimum Reasonable Quantity:
 Comments: CORRECTION LOTS

Garden City Field Office
4532 W. Jones, Suite B
Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

January 31, 2024

DAVID K & SHAWNA L NICHOLS
1770 ROAD 70
LAKIN, KS 67860-6206

RE: Field Office Application for Change
Water Right, File Nos. 27343-D1 & 27343-D3

Dear Sir:

Enclosed are orders 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. Conditions of these approvals are that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file numbers and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

Since the orders modify the original documents referred to above, they 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

Pc:
FRED RITSEMA & YOKA RODENHUIS TRUSTS (w/ encl)
GMD3

CERTIFICATE OF SERVICE

On this 31st day of January 2024, I hereby certify that the foregoing Approvals of Application for Change in Place of Use, Water Right, File Nos. 27,343-D1 & 27,343-D3 dated 31st day of January 2024 was mailed postage prepaid, first class, US mail to the following:

DAVID K & SHAWNA L NICHOLS
1770 ROAD 70
LAKIN, KS 67860-6206

Photocopies to:

FRED RITSEMA & YOKA RODENHUIS TRUSTS
Attn: LAKIN DAIRY
PO BOX 389
LAKIN, KS 67860-0389

GMD3



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.

RECEIVED
 2:04 pm
 JAN 26 2024

File No. 27343-D3

Garden City Field Office
 Division of Water Resources

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: DAVID K & SHAWNA L NICHOLS

1770 ROAD 70 LAKIN KS 67860 - 6206

Phone Number: () _____ Email address: _____

Name and address of Water Use Correspondent: SAME AS ABOVE

Phone Number: () _____ Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: DAVID K & SHAWNA L NICHOLS

ADDRESS: 1770 ROAD 70 LAKIN KS 67860 - 6206

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
19	25S	35W									34	34	34	34					136
												L-3	L-4						

4. 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: DAVID K & SHAWNA L NICHOLS

ADDRESS: 1770 ROAD 70 LAKIN KS 67860 - 6206

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
19	25S	35W					34	34	34	34	34	34	34	34					272
								L-1	L-2			L-3	L-4						

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 1-26-24 Check # 1810

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 27343-D3
MAKE ADDITIONAL COPIES AS NECESSARY

3. *Continued:* The presently authorized place of use is:

Owner of Land ---- NAME: _____
ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Owner of Land ---- NAME: _____
ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Owner of Land ---- NAME: _____
ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

4. *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: **FRED RITSEMA & YOKA RODENHUIS TRUSTS** ATTN: LAKIN DAIRY
ADDRESS: **PO BOX 389 LAKIN KS 67860 - 0389**

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
19	25S	35W	34	34	34	34													136

Owner of Land ---- NAME: _____
ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Owner of Land ---- NAME: _____
ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

7. The changes herein are desired for the following reasons?
 (please be specific) OVERLAP PLACE OF USE
FILE NOS. 27343-D1 & 27343-D3

8. If a well, is the test hole log attached? Yes No

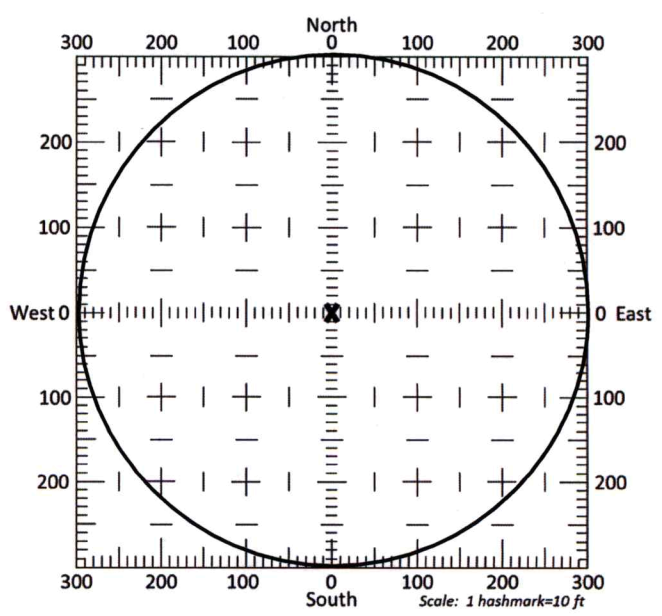
9. The change(s) (was)(will be) completed by?
UPON APPROVAL

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
N / A
 (b) When will this be done? N / A

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by AM / GCFO

13a. If the proposed point of diversion will be relocated more than 300 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 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



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.)**

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely 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 substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Wichita, Kansas, this 25 day of January, 2021

<p><u>Naw Nichols</u> (Owner)</p> <p><u>David Nichols</u> (Please Print)</p> <p><u>[Signature]</u> (Owner)</p> <p><u>Fred Ritsema</u> (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p>	<p><u>Shawna Nichols</u> (Spouse)</p> <p><u>Shawna Nichols</u> (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p>
---	---

State of Kansas }
County of Kearny } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 25th day of January, 2021.



[Signature]
Notary Public

My Commission Expires 9.11.26

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

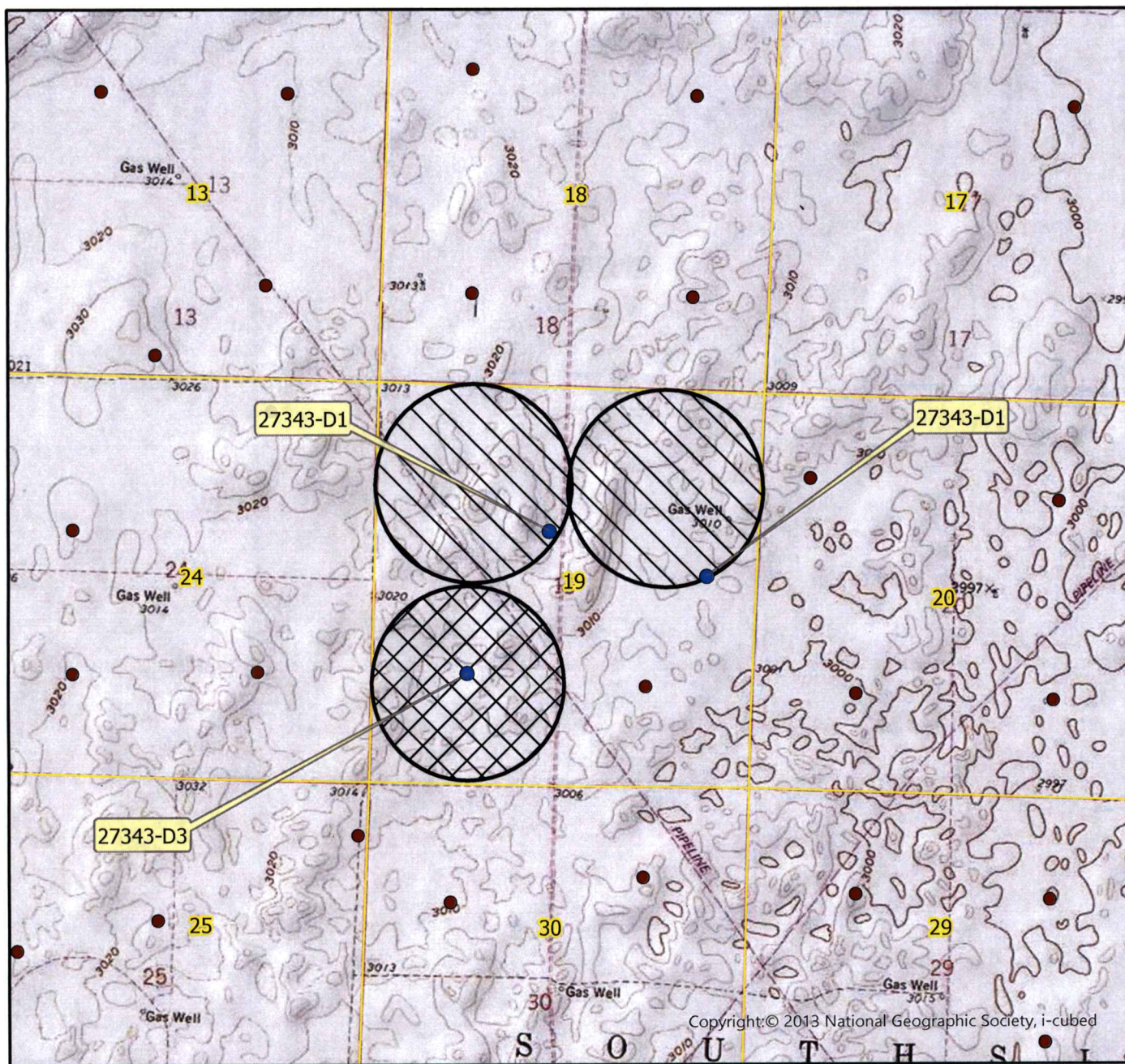
FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**






(1) Application to change a point of diversion 300 feet or less	\$100
(2) Application to change a point of diversion more than 300 feet	\$200
(3) Application to change the place of use	\$200

CHANGE IN PLACE OF USE WATER RIGHT, FILE NO. 27343-D3

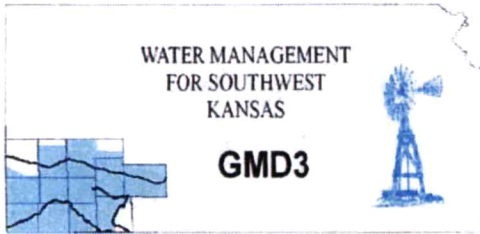
Section 19 Township 25 South Range 35 West Kearny County



Copyright © 2013 National Geographic Society, i-cubed

-  Authorized Point of Diversion
-  Permitted Water Right
-  Domestic Well within 1/2 mile
-  Authorized Place of Use
-  Proposed Place of Use





Southwest Kansas
Groundwater Management District No. 3
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone
www.gmd3.org

January 31, 2023

Michael A. Meyer
Division of Water Resources
4532 W Jones Ave., Suite B
Garden City, Kansas 67846

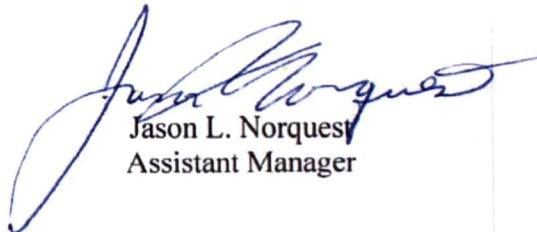
RE: Applications for Change in Place of Use
Water Right, File Nos. 27343 D1 & 27343 D3

Dear Mike:

We have completed a review of the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use will make a complete overlap in currently authorized 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

RECEIVED

JAN 30 2024

Garden City Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 27343D1, 27343D3.

DWR office: GC.

App filed to change: PU.

Is Landowner(s) correct in WRIS: David & Shawna Nichols.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? .

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-5-11

Point of diversion ID No(s) being changed.

	ft. North	ft. West	
Authorized PD			
Proposed PD			
Difference	0	0	
$a^2 + b^2 = c^2$	0	0	0

GPS for proposed PD: Lat: Long: .

Is proposed PD stacking on existing WRs? No Change.

Is Proposed PU overlapping existing WRs? Making a complete overlap in acres.

Neighboring certified well(s) notified: .

Name .

Address .

Zip .

Email: Phone: .

Domestic well(s) notified: .

Name .

Address .

Zip .

Base Acres: .

Perfected Acres: .

Irr. Return-Flow %

Kearney County

27343D1 is authorized two PDs, all in 19-25-35

ID05: 260AF @ 800gpm, 3265N 2850W

ID07: 260AF @ 800gpm, 2785N 730W

Current Place of Use

136 acres NW of 19

136 acres NE of 19

27343D3 is authorized one PD in 19-25-35

ID08: 260AF @ 800gpm, 1420N 3950W

Current Place of Use

136 acres SW of 19

GMD3 Change Review

**Proposed acres are all the acres currently listed, just making a complete overlap.
No new acres**

Is a waiver needed: No, proposing a complete overlap with no new acres that are not currently authorized by one of the water rights.

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



RECEIVED

JAN 30 2024

Garden City Field Office
Division of Water Resources

Garden City Field Office
4532 W. Jones, Suite B
Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

January 26, 2024

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO. 3
2009 E SPRUCE ST
GARDEN CITY KS 67846

Re: Request for Recommendation
Water Right, File Nos. 27343-D1 & 27343 D2

Dear Mr. Norquest:

This is to advise you that David Nichols has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use.

We are delaying action on the change application to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM
Enclosures