Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number:	umber: 2. Status Change Date: 3		4. Field Office:	5. GMD:		
27343D3	1-31-2024	C3	4	3		
6. Status: ☐ Approved ☐ Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:		
			vi	1/26/2024		
	n ID 40423	8c.		Person ID		
New to system ☐ Add S		New to sy	stem []	Add Seq#		
DAVID K & SHAWNA L N 1770 ROAD 70 LAKIN, KS 67860-6206	IICHOLS					
	† ▶					
8b. Landowner(s) New to system □	Person ID <u>55237</u> Add Seq#	8d. WUC New to sy	stem	Person ID 40423 Add Seq#		
FRED RITSEMA & YOKA TRUSTS Attn: LAKIN DAIRY PO BOX 389 LAKIN, KS 67860-0389	RODENHUIS	8a				
9. Documents and Enclosure(s): 🛛 DV	VR Meter(s) Date to Comp	ly: <u>12/31/2024</u>	N & P Date to	Comply:		
☐ Anti-Reverse Meter ☐ Meter	Seal	□ N & P Form	☐ Water Tube ☐ Dr	riller Copy		
☐ Conservation Plan Date Require	ed: Da	ite Approved:	Date to	Comply:		
10. Use Made of Water From:		To: _				
			Date Prepared: 1/31/2 Date Entered:	024 Ву: МАМ Ву:		

File No.	27343	3-D3		11. C	County:	KE	Ва	sin: AF	RKAN	SAS R	IVER			St	ream:				• •			Fo	ormation Code:	•	Special Use:	
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																								,		
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14. Limit	ation:				af/yr a	at				gpm (_				cfs) wh	en cor	nbined	with 1	file nur	nber(s)						
Limit	tation:				af/yr a	at				gpm (_				cfs) wh	en cor	mbined	l with 1	file nur	nber(s)						
15. 5YR	Allocation	n: Allo	cation T	ype		_ Sta	rt Year			5 YR	Amou	nt		Amoi	unt Un	it	_ =	Base A	cres _		_ Co	mment _		14		
CHK	ace of Use			NE1/4			1/4		NW1/4				SW1/4				SE1/4				Total Owner Cho			Overlap Files		
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ENT	64997	19 2	5 35\	W	6	34	34	34	34													136	8b	N	27343-D1	
СНК	29150	19 2	5 35V	N	1									34	L-3 34	L-4 34	34				74	136	8a 🧡	N	27343-D1	
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Base Ac	res: 13	6 Yea	ır:		Min	imum R	eason	able C	uantit	y:																

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,

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.

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						F	File No	. <u>2734</u>	3-D3					- 0.			JAN	20	2024
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						⊠ P	lace o	f Use			Point	of Dive	ersion						
ι	under the	water	right w	hich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with t	the cor	ndition	s desc	ribed b	oelow.		
	The sour	ce of su	apply is	s:		\boxtimes G	round	water			Surfac	ce wat	er						
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ı	Phone N	umber:)					Email	addre	ss:								
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-																			
	Phone N								Email	addre	ss:								
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((If there is	more th	an one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
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Sec.	258	35W					34	34	07	07	07	0-7	0.	0-1					
	•	35W					34	L-1	L-2	54		L-3	L-4	04					

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

FILE NO. <u>27343-D3</u>
MAKE ADDITIONAL COPIES AS NECESSARY

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19	25S	35W	34	34	34	34		-				-							136
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			<u> </u>				<u> </u>				<u></u>				JL				

Page ____

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

File No. _____

5.	Presently authorized po	oint of diversion:												
	One in the	Quarter of the		Quarter of the	Quarter									
- 1	of Section	, Township		South, Range	(W),									
- 1	in	County, Kansas,	feet North	feet West of	Southeast corner of section.									
- 1	Authorized Rate	Authorized Quantity _		Depth of well	(feet)									
	(DWR use only: Comp	ster ID No GP	s	feet North	feet West)									
- 1	☐This point will not be cha	anged This point will be change	d as follows:	No change, point better o	described with GPS as follows:									
- 1	Proposed point of dive	rsion: (Complete only if chang	e is requeste	d or if existing point is	better described by GPS)									
- 1	One in the	Quarter of the		Quarter of the	Quarter									
- 1	of Section	, Township		South, Range	(W),									
	in	County, Kansas,	_ feet North	feet West of	Southeast corner of section.									
- 1	Proposed Rate	Proposed Quantity		Proposed well depth	(feet)									
L	This point is: Addition	nal Well	ther water righ	ts that will use this point										
6.	Presently authorized po	oint of diversion:												
	One in the	Quarter of the		Quarter of the	Quarter									
	of Section	Quarter of the Township		South, Range	(W),									
- 1	in	County, Kansas,	feet North	feet West of	Southeast corner of section.									
	Authorized Rate	Authorized Quantity _		Depth of well	(feet)									
	(DWR use only: Compi	uter ID No GPS	S	feet North	feet West)									
		anged This point will be change												
		rsion: (Complete only if chang			\									
		Quarter of the												
		, Township												
	in	County, Kansas,	feet North	feet West of	Southeast corner of section.									
	Proposed Rate	Proposed Quantity		Proposed well depth	(feet)									
	This point is: Addition	al Well Geo Center List of	her water righ	ts that will use this point										
-														
7.		The changes herein are desired for the following reasons?												
	(please be specific) OVER		200	200 100 North	100 200 200									
	FILE NOS. 2/343-D1 & 2/	7343-D3	E1.	200 100 Notur	100 200 300									
			Ē.	1 1 ±										
8.	If a well, is the test hole log	g attached? 🗌 Yes 🛮 🖾 No	200		+ 1 200									
			200		1 + 1 + 1 = 200									
9.	The change(s) (was)(will b	e) completed by?	F	/ =	\ =									
	UPON APPROVAL		100	-1 + 1 + 1 =	+ + 100									
40	If the maint of all countries in		₽.											
10.	If the point of diversion is a													
	(a) What are you going to	o do with the old well?	West 0											
	N/A		<u>#</u>	-	1									
		-O.N. / A	100	-1 + 1 + 1 =	+ + 100									
	(b) When will this be done	9? <u>N/A</u>	E.	\ <u> </u>	/									
11	Croundwater Managemen	t District recommendation attaches	10 200											
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12.	Assisted by AM / GCFO		<u>_</u>	ոլումիուլու <u>միա</u> թու <u>դ</u> ո										
			300	200 100 0 South	100 200 300 Scale: 1 hashmark=10 ft									
13a	It the proposed point of divented but within 2 640 feet or	ersion will be relocated <u>more than 3</u>	300 ach 13h If the	proposed point of diversion	on will be relocated within a 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

3b. 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 th	ne proposed groundwater point of diversion is 300 or fewer feet fr	om the existing point of diversion, complete the following:
(a)	Does the undersigned represent all owners of the currently auth ☐ Yes ☐ No (If no, all owners must sign this appl	
(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 app	
(c)	If this application is not approved expeditiously, will there be sul ☐ Yes ☐ No (If no, all owners must sign this appli	
or a cha		a groundwater change in point of diversion greater than 300 feet, s of the currently authorized place of use, or their duly authorized
age an	d the owner, the spouse of the owner, or a duly author	nation and under penalty of perjury, that I am of lawful rized agent of the owner(s) to make this application on plication pertains. I further verify that the statements
Dated a	an Theres (Owner)	day of Javour, 20 25
_	(Please Print)	(Please Print)
	Fred RitsemA	(Spouse)
	(Please Print)	(Please Print)
	(Owner)	(Spouse)
State of	(Please Print)	(Please Print)
County	SS SS	
	eby certify that the foregoing application was signed in NOTARY PUBLIC - State of Kar NICOLA A WILKENIN	nsas
My Com	mission Expires 9.11.20 My Appt Expires 9.11.20	Notary Public
accurate		of the applicable portions of the application form must be completed with ppropriate owners' must be affixed to the application and notarized; and
forth in t	plication to change the place of use or the point of diversion undo the schedule below: Make checks payable to: Kansas Departm (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 nent of Agriculture \$100

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. 27343-D3 26,2024 January change application was received on <u>January 24,207</u> requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application. A change application was received on 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 \sum 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 _______ foot radius of the authorized point(s) of diversion.

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.

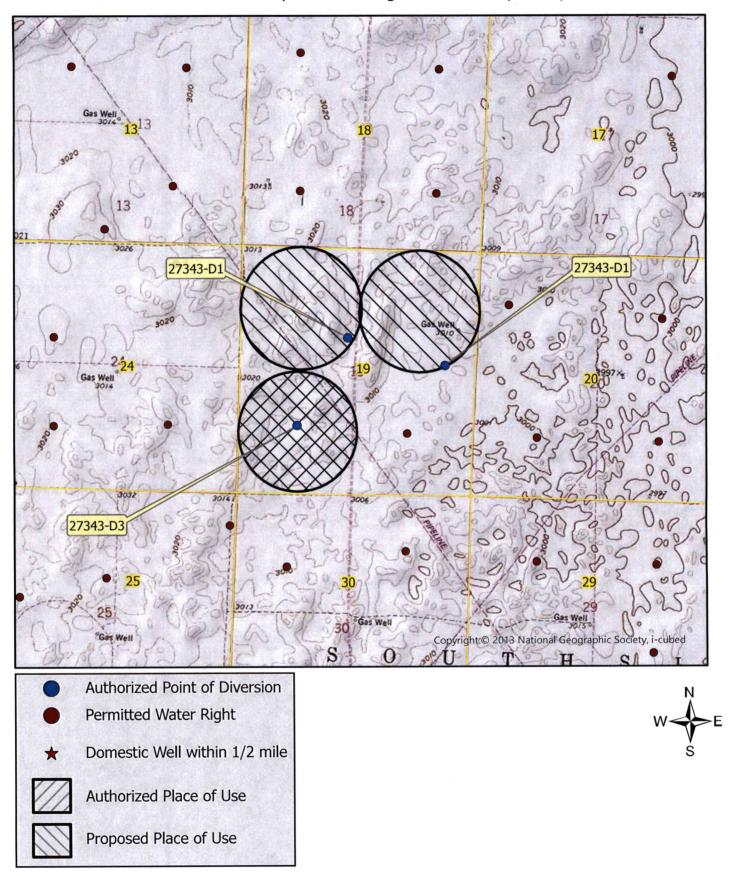
Applicable The point(s) of diversion authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion. ☐ Applicable Not Applicable As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute 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_27**, 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. ☐ 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. Not Applicable ☐ 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 \(\simega\) Not Applicable 11. Additional Conditions are attached. ☐ Yes No 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, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of SUMMARY ORDER ISSUED 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** days pursuant to K.S.A. 77-531. Any request for administrative MICHAELA-MOVE (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: 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: Notary Public STATE OF **JULIE JONES** My commission expires: NOTARY Notary Seal) PUBLIC .

December 15, 2026

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

Section 19 Township 25 South Range 35 West Kearny County



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 Divison of Water Resources

File No(s).: 27343D1	, 27343D3.		D	WR office: <u>GC</u> .
App filed to change:				
Is Landowner(s) corre	ect in WRIS:	David & Shav	vna Nichols	3.
	mentation incl			
Is Water Use Corresp	ondent correct	in WRIS?		
-	mentation incl	-	•	
Regulation(s) Review				
Point of diversion ID				
	_			
ft	. North ft.	West		
Authorized PD				
Proposed PD				
Difference	0	0		
a2 + b2 = c2	0	0	0	
GPS for proposed PD	: Lat:	Long:		
Is proposed PD stack	ing on existing	WRs? <u>No (</u>	Change .	
Is Proposed PU overl	apping existing	g WRs? Mal	cing a comp	olete overlap in acres.
Neighboring certified	well(s) notifie	ed:		
Name				
Address				
Zip				
Email: Phone	: <u>.</u>			
Domestic well(s) not	ified:			
Name				
Address				
Zip				
Base Acres:				
Perfected Acres:				
Irr. Return-Flow	%			
Kearney County				
27343D1 is authoriz	ed two PDs, a	ll in 19-25-35		
ID05: 260Al	F @ 800gpm, 3	3265N 2850W	7	
ID07: 260Al	F @ 800gpm, 2	2785N 730W		
Current Place of Us	e			
136 acres NV	V of 19			
136 acres NE	of 19			
27343D3 is authoriz	ed one PD in	19-25-35		
ID08: 260Al	F @ 800gpm,	1420N 3950W	V	
Current Place of Us	O			
136 acres SV	V 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: <u>After review of all available information</u>, it appears current area rules are met. Staff therefore recommends approval of the applications.

RECEIVED

JAN 30 2024

Garden City Field Office Divison 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,

Michael A. Meyer

Water Commissioner

MAM Enclosures