

DEPARTMENT OF AGRICULTURE  
DIVISION OF WATER RESOURCES  
GARDEN CITY FIELD OFFICE  
2508 JOHNS STREET  
GARDEN CITY, KS 67846-2804

STATE OF KANSAS



PHONE: (620) 276-2901  
FAX: (620) 276-9315  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

May 16, 2018

Southwest Kansas Groundwater  
Management District No 3  
409 Campus Drive, Suite 106  
Garden City KS 67846

Re: Water Right file number 32654

Dear Mr. Norquest;

Gilbert Nickel has applied to relocate the well authorized by the above water right number. There are no neighboring wells within ½ mile of the requested.

We are delaying action for 15 days on the change application to allow you time to review and provide a recommendation if you feel one is warranted.

Thank you and as always feel free to call or write us at any time.

Sincerely;

A handwritten signature in black ink, appearing to read "T P Makens", written over a horizontal line.

Thomas P Makens

TPM:tpm



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.

\_\_\_\_\_   
 File No. 32654

RECEIVED  
 2:02 pm  
 MAY 10 2018

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

Garden City Field Office  
 Division of Water Resources

2. Name and address of Applicant: GILBERT & LINDA L NICKEL  
405 Fox Run Trumann AR 72472  
 Phone Number: ( ) \_\_\_\_\_ Email address: \_\_\_\_\_  
 Name and address of Water Use Correspondent: CURTIS J & CAROL J KOEHN  
303 TICE ST COPELAND KS 67837  
 Phone Number: ( ) \_\_\_\_\_ Email address: \_\_\_\_\_

3. The presently authorized place of use is:  
 Owner of Land ---- NAME: GILBERT & LINDA L NICKEL  
 ADDRESS: 405 Fox Run Trumann AR 72472  
 (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 |             |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |

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: no change to acres irrigated  
 ADDRESS: \_\_\_\_\_  
 (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 |             |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |
|      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |  |

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 5/10/18 Check # 9848

5. **Presently authorized point of diversion:**  
 One in the     nw     Quarter of the     nw     Quarter of the     ne     Quarter of Section     25    , Township     28     South, Range     31     W, in Haskell County, Kansas,     4810     feet North     2565     feet West of Southeast corner of section. Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No.     5     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     ne     Quarter of the     ne     Quarter of the     ne     Quarter of Section     25    , Township     28     South, Range     31     W, in Haskell County, Kansas,     5233     feet North     84     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 \_\_\_\_\_ (E/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 \_\_\_\_\_ (E/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) old well needs to be replaced

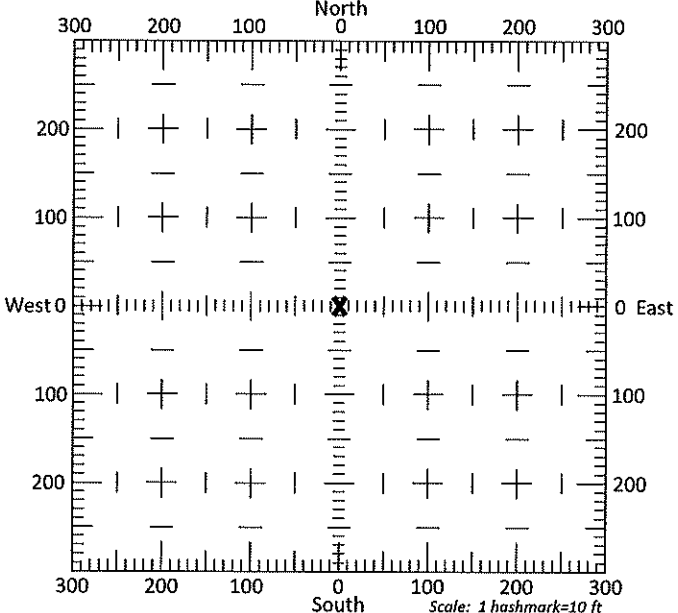
8. If a well, is the test hole log attached?  Yes  No

9. The change(s) (was)(will be) completed by?  
May 1, 2018

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
plug  
 (b) When will this be done? 2018

11. Groundwater Management District recommendation attached?  
 Yes  No

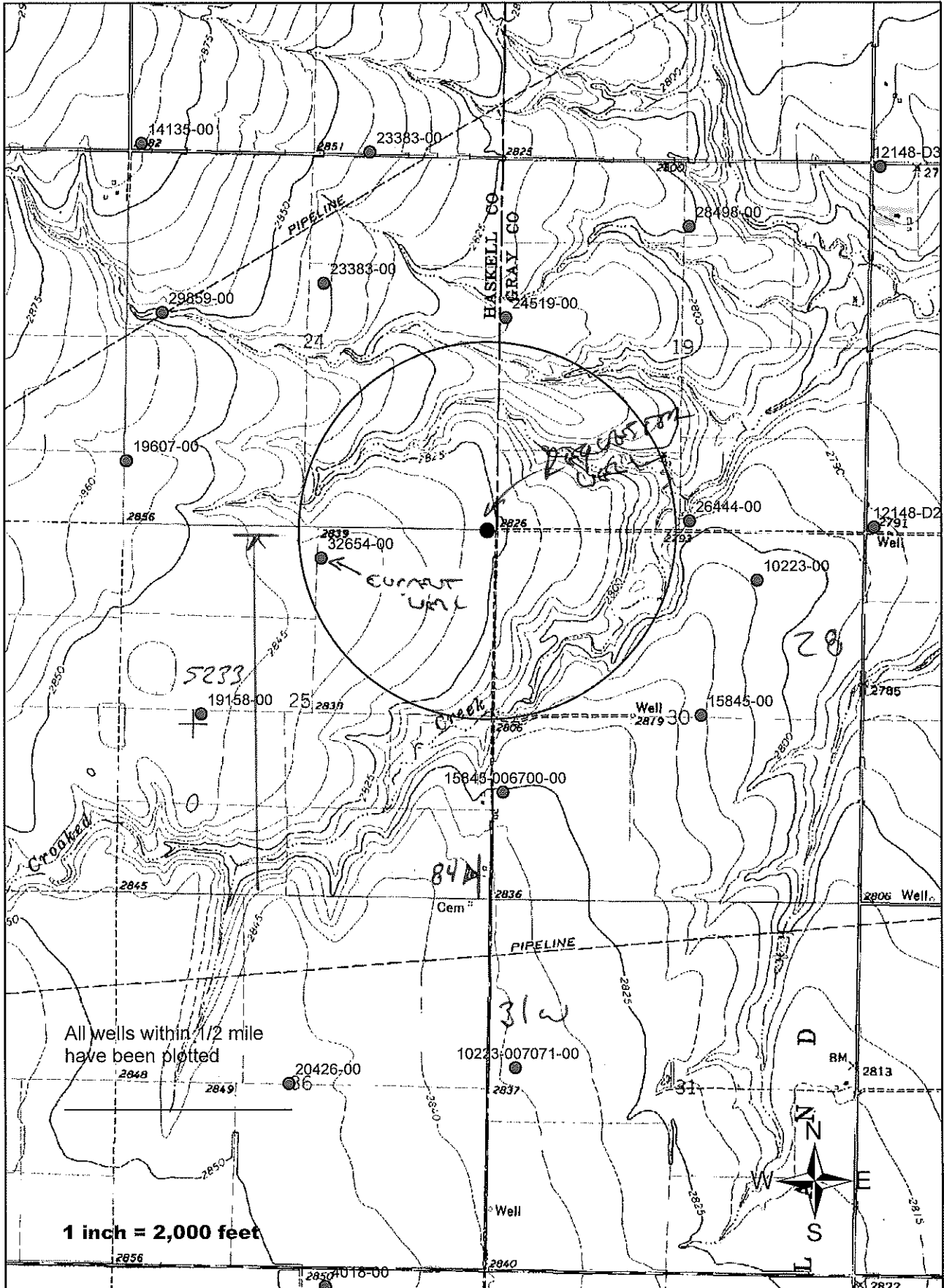
12. Assisted by tpm



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 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

32654





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 \_\_\_\_\_, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

X Gilbert Nickel  
 (Owner)

X Linda L Nickel  
 (Spouse)

GILBERT NICKEL  
 (Please Print)

LINDA L NICKEL  
 (Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

Arkansas  
 State of Kansas }  
 County of Poinsett } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 7<sup>th</sup> day of May, 2018.

Cynthia R Carter  
 Notary Public

My Commission Expires March 22, 2021.



**ONLY COMPLETE APPLICATIONS WILL BE PROCESSED.** To be complete, all of the appropriate information must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners must be on 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







