

1320 Research Park Drive  
Manhattan, Kansas 66502  
785-564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
785-296-3556

Secretary Jackie McClaskey

Governor Jeff Colyer, M.D.

February 6, 2018

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

Re: Water Right file number 6281

Dear Mr. Norquest;

Ken Nickels has applied to relocate the wells authorized by the above water right number. There are three 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 "Thomas P Makens", with a long horizontal flourish extending to the right.

Thomas P Makens

TPM:tpm  
enc

Submit completed application to:  
 Kansas Department of Agriculture  
 Division of Water Resources  
 Field Office for your area.

Call for address:

Topeka -- (785) 862-6300  
 Stafford -- (620) 234-5311  
 Stockton -- (785) 425-6787  
 Garden City -- (620) 276-2901  
[www.ksda.gov/dwr](http://www.ksda.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**  
 2:45 pm  
 JAN 19 2018

File No. 6281

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: KENNETH & SHIRLEY NICKEL

2356 110TH RD COPELAND KS 67837

Phone Number: (    )                      Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: KENNETH & SHIRLEY NICKEL

2356 110TH RD COPELAND KS 67837

Phone Number: (    )                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: KENNETH & SHIRLEY NICKEL and Johnny Klausner THAYNE SCHAFFER

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			

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

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 \$ <u>200</u>	TR # _____	Receipt Date <u>1/19/18</u>	Check # <u>7206</u>
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5. **Presently authorized point of diversion:**  
 One in the se Quarter of the se Quarter of the sw Quarter of Section 24, Township 27 South, Range 31 W, in Haskell County, Kansas, 80 feet North 3160 feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. 4 GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the sw Quarter of the se Quarter of the sw Quarter of Section 24, Township 27 South, Range 31 W, in Haskell County, Kansas, 90 feet North 3580 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:  
**Proposed point of diversion: (Complete only if change is requested)**  
 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. Why do you need a new point of diversion? \_\_\_\_\_  
old well needs to be replaced  
 \_\_\_\_\_

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

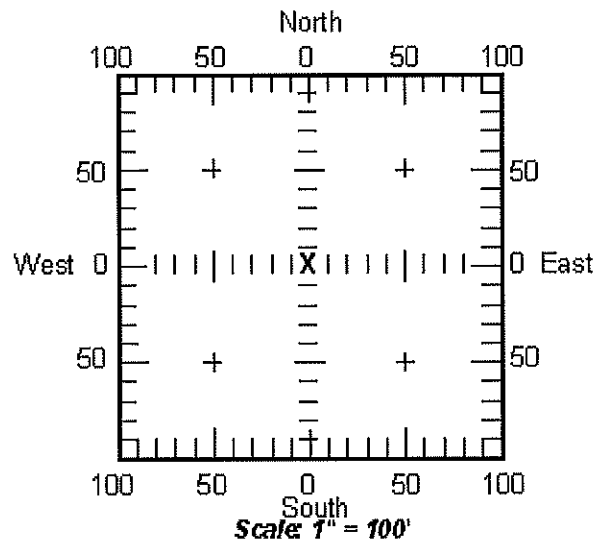
9. When do you propose to complete the new point of diversion?  
february 29, 2018

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 within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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 regard 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 Garden City, Kansas, this 19<sup>th</sup> day of January, 2018.

[Signature]  
(Owner)

\_\_\_\_\_  
(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas

County of Finney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 19<sup>th</sup> day of January, 2018



[Signature]  
Notary Public

My Commission Expires

**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

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

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Dated at Warden City, Kansas, this 23<sup>rd</sup> day of January, 2018.

<u>X</u> <u>Thayne Schafer</u> (Owner)	_____	(Spouse)
Thayne Schafer (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of Kansas }  
County of Finney } SS

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Sue Keeny  
Notary Public

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Dated at Copeland, Kansas, this 22nd day of January, 2018.

[Signature]  
 (Owner)  
Jonny Johnny Klaussen Klassen  
 (Please Print)

\_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Owner)  
 \_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Owner)  
 \_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)

State of Kansas }  
 County of Haskell } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 22nd day of January, 2018.

[Signature]  
 Notary Public

My Commission Expires Feb 9, 2018.

**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.

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Dated at Copeland, Kansas, this 22nd day of January, 20 18.

Shirley Nickel  
(Owner)

\_\_\_\_\_  
(Spouse)

SHIRLEY NICKEL  
(Please Print)

\_\_\_\_\_  
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }  
County of Haskell } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 22nd day of January, 20 18.

My Commission Expires Feb. 9, 2018.

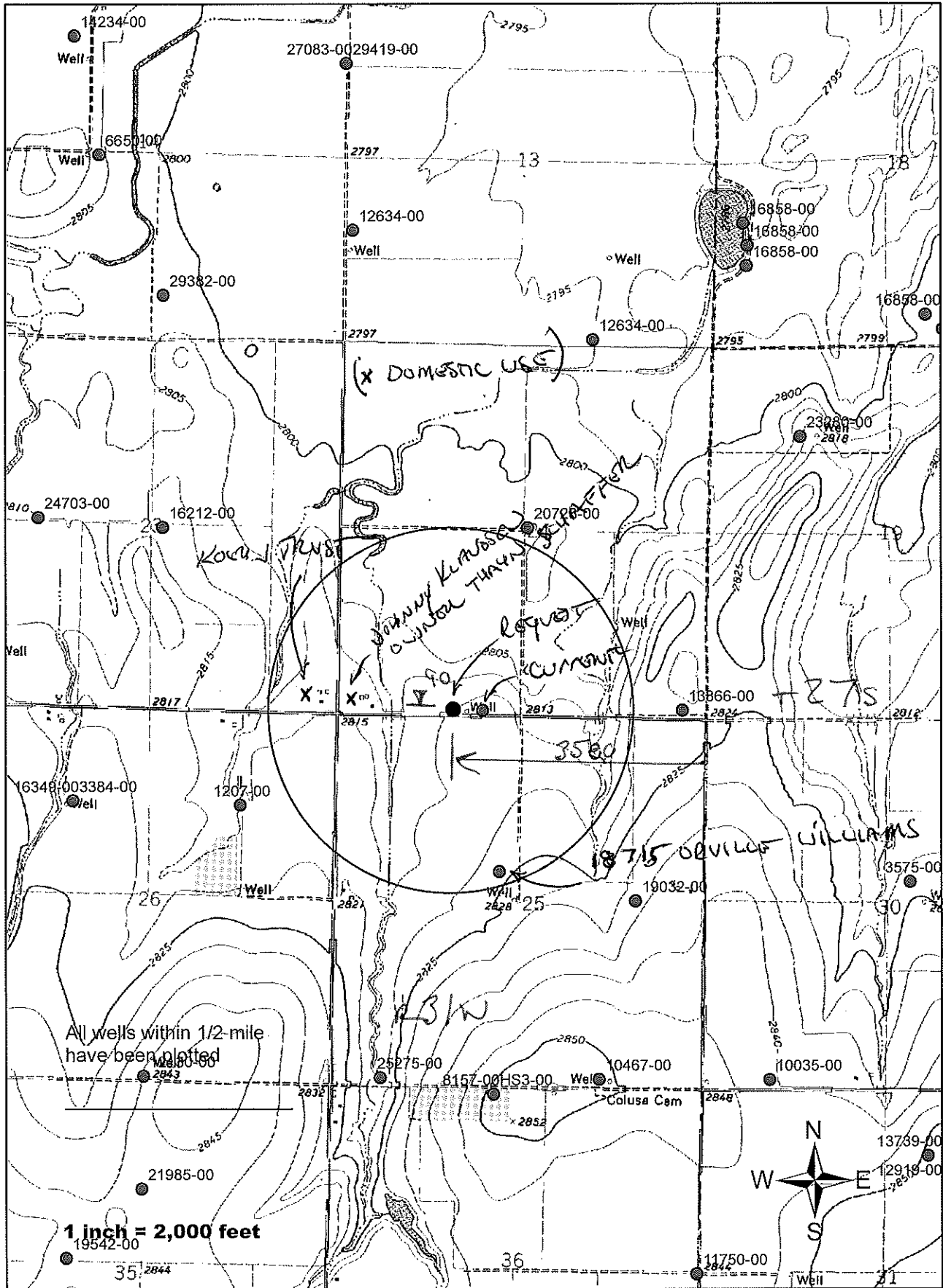
Shelly M. Downing  
Notary Public

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Garden City Field Office  
2508 Johns Street  
Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Michael A. Meyer, Water Commissioner

Phone: (620) 276-2901  
Fax: (620) 276-9315  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

January 22, 2018

John and Valetta Koehn Trust  
1849 Road 70  
Sublette KS 67877

RE: Water Right 6281

Dear Mr. & Mrs. Koehn;

This is to advise you that Ken Nickel has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced application.

You can find the complete application posted by water right file number as referenced above at [www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices)

You are notified on this proposed change in point of diversion so that you may furnish this office with any comments or other information you may 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 to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas P. Makens".

Thomas P. Makens  
Environmental Scientist III

pc: GMD#3



Garden City Field Office  
2508 Johns Street  
Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary  
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Phone: (620) 276-2901  
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[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

January 22, 2018

ORVILLE L WILLIAMS  
11304 BB RD  
MONTEZUMA KS 67867

RE: Water Right 6281

Dear Mr. Williams;

This is to advise you that Ken Nickel has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced application.

You can find the complete application posted by water right file number as referenced above at [www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices)

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Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Makens".

Thomas P. Makens  
Environmental Scientist III

pc: GMD#3

# WELL LOG

DATE: 1/17/2018



CUSTOMER NAME: KEN NICKEL

LEGAL: SW 24-27S-31W

COUNTY: HASKELL

GPS: 37 40' 42.3" N 37.678416

-100 39' 53.0" W 100.66472

DRILLER: RYAN

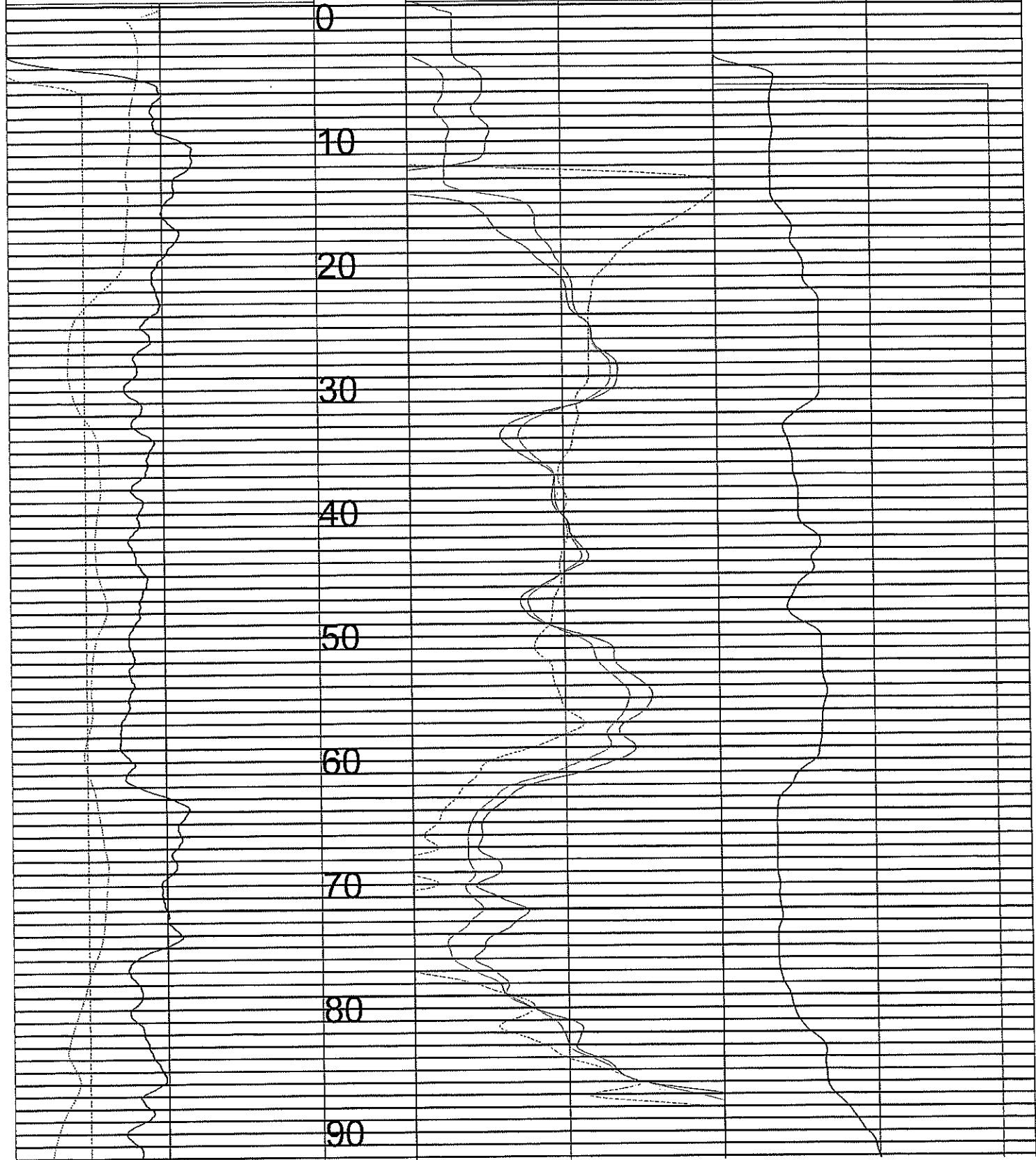
WO#: 18-034

Approx:  
Swl 257'

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	3	TOP SOIL	SOFT	BLACK	SLOW	NO	SMOOTH
	3	22	CLAY	FIRM	BROWN TAN / WHITE	SLOW	NO	SMOOTH
	22	85	SANDY CLAY, FINE-TRACE OF MEDIUM SAND, AND WHITE CLAY LAYERS	SOFT	WHITE	SLOW	NO	SLIGHT CHATTER
	85	101	FINE-MEDIUM-COARSE SAND	SOFT	RED	FAST	NO	CHATTER
	101	140	FINE-MEDIUM-COARSE SAND AND FINE-MEDIUM GRAVEL	SOFT	RED	FAST	NO	CHATTER
	140	181	FINE-MEDIUM-COARSE SAND AND FINE-MEDIUM-COARSE GRAVEL	SOFT	RED	FAST	NO	CHATTER
	181	276	FINE-MEDIUM-COARSE SAND, FINE-TRACE OF MEDIUM GRAVEL, FEW CEMENTED LENSES <i style="color: blue;">Swl 257'</i>	SOFT	RED	FAST	NO	CHATTER
	276	287	FINE-MEDIUM-COARSE SAND, W/ BROWN SILT/CLAY	SOFT	BROWN	FAST	NO	SMOOTH
	287	300	FINE-TRACE OF MEDIUM SAND, SANDY CLAY, AND TRACES OF WHITE CLAY	FIRM	BROWN / WHITE	SLOW	NO	SMOOTH
	300	347	CLAY, FINE SAND LENSE @ 318' - 323'	SOFT	BROWN / WHITE	SLOW	NO	SMOOTH
	347	365	FINE-MEDIUM-COARSE SAND AND BROWN ROCK	SOFT	RED / BROWN	FAST	NO	CHATTER
	365	374	BROWN ROCK, YELLOW & BROWN CLAY	FIRMER	BROWN / YELLOW	SLOWER	NO	SMOOTH
	374	392	VERY FINE TR FINE SAND	SEMI FIRM	GRAY	SLOW	NO	NOT AS SMOOTH
	392	397	GRAY AND TAN CLAY	FIRM	GRAY / TAN	SLOW	NO	SMOOTH
	397	406	VERY FINE - FINE SAND, FEW LIMESTONE LENSES	SOFTER	GRAY	SLOW	NO	SLIGHT CHATTER
	406	416	CLAY	FIRM	GRAY	SLOW	NO	SMOOTH
	416	450	FINE - MEDIUM SAND	SOFT	GRAY	FAST	NO	CHATTER
	450	477	GRAY-DARK GRAY SHALE WITH A TRACE OF RED SHALE	FIRM	GRAY / RED	SLOW	NO	SMOOTH
	477	502	GRAY SHALE, TRACE OF RED SHALE, AND LIMESTONE LAYERS	HARD	GRAY / RED	SLOW	X	CHOPPY

#6281

RES(FI)		FEET	LATERAL				
0	OHM-M		10	0	OHM-M	100	
	SP				RES(64N)		TEMP
-50	MV		50	0	OHM-M	10050	DEG_F
	GAMMA				RES(16N)		RES
0	API-GR	200	0	OHM-M	1000	OHM	
						100	



210

220

230

240

250

SWL 257'

260

270

280

290

300

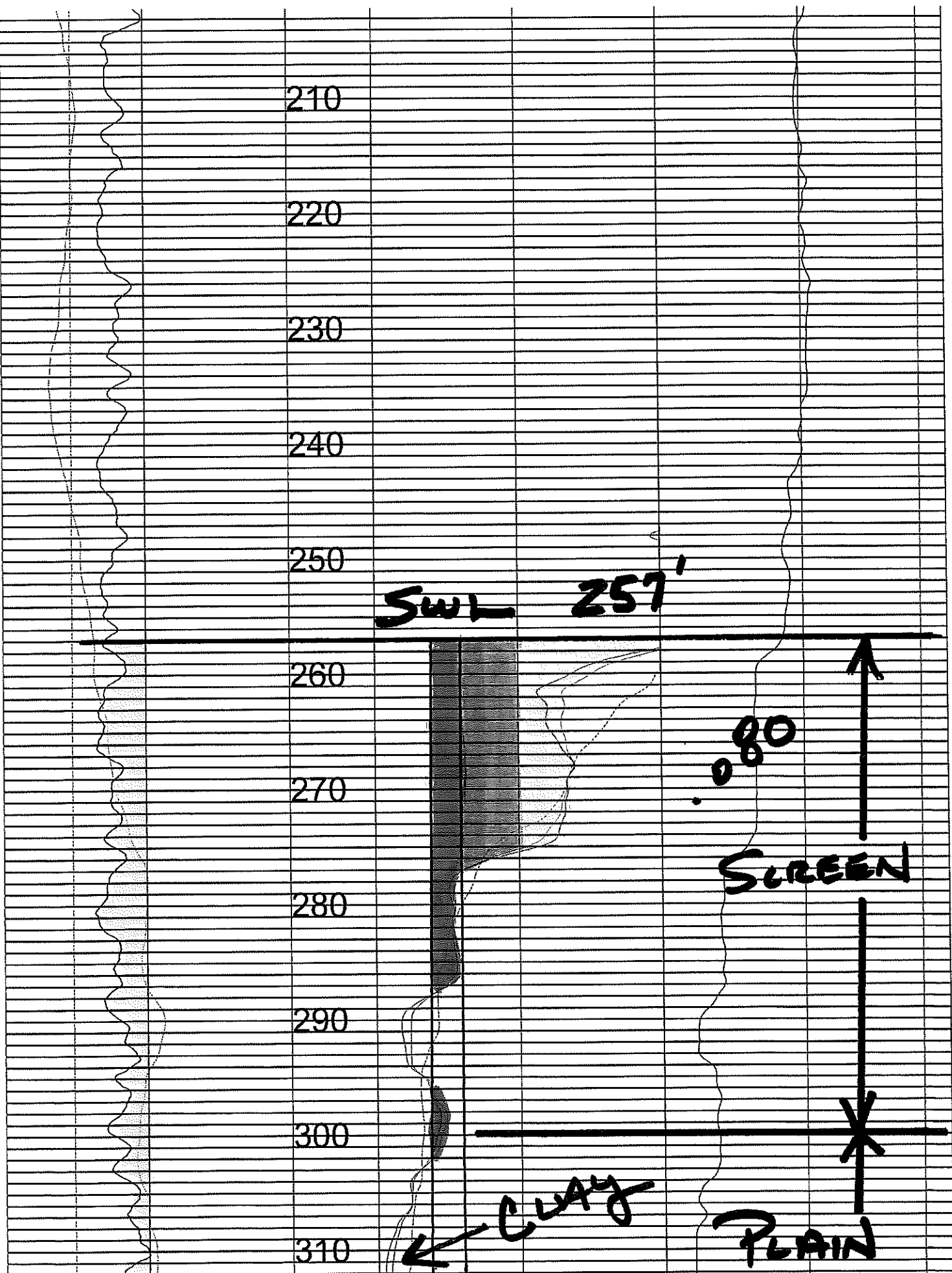
310

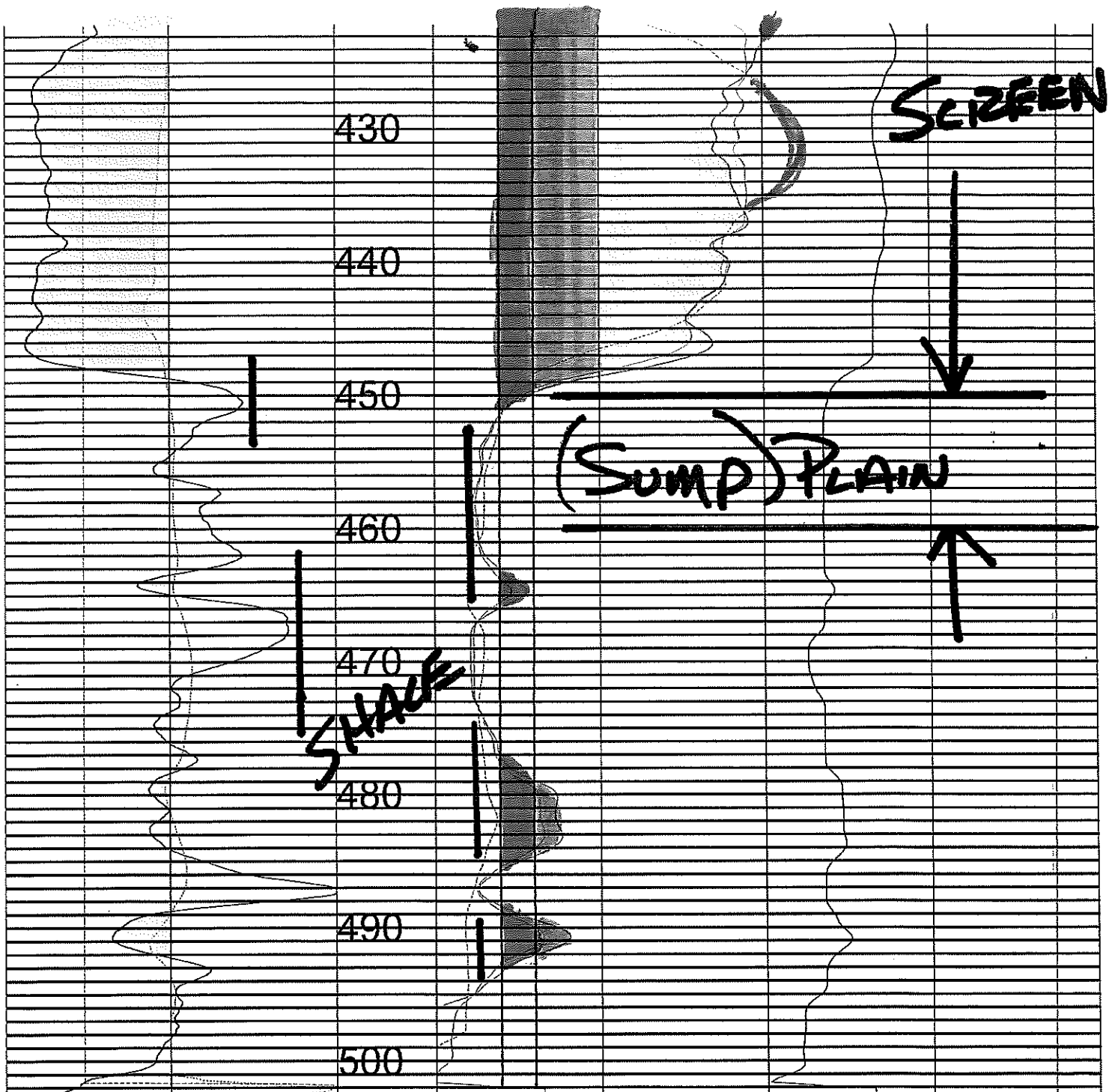
.080

SCREEN

CLAY

PLAIN





0	API-GR	200	0	OHM-M	1000	OHM	100
	GAMMA			RES(16N)		RES	
-50	MV	50	0	OHM-M	10050	DEG_F	60
	SP			RES(64N)		TEMP	
0	OHM-M	10	0	OHM-M	100		
	RES(FL)	FEET		LATERAL			