NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a. 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.

						F	ile No	. <u>1413</u>	5										
1.	Applicatio	on is he	ereby n	nade f	or appi		f the C lace o		nginee		-	the (ch of Dive		ne or b	oth):	Ga Divis	ion of	City Fi Water	eld Offi <mark>ce</mark> Resources
	under the	e water	right v	vhich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with t	the co	ndition	s desc	ribed b	pelow.		
	The sour	ce of su	upply is	S:		ØG	round	water			Surfac	ce wate	er						
2.	Name an	id addre	ess of	Applic	ant: <u>M</u>	IKE &	EVAN	GELY	N NIG	HTEN	GALE								
	<u>1011 XX</u>	RD CC	PELA	ND KS	6783	7													
	Phone N	umber:	(620)	272-2	068				Email	addres	ss: <u>va</u>	ngienig	ghteng	ale@h	otmail	.com			
	Name an	id addre	ess of	Water	Use C	orresp	onden	t: <u>SAN</u>	ME AS	ABOV	/E								
	Phone N	umber:	()					Email	addres	SS:								
3.	The pres	ently a	uthoriz	ed pla	ce of u	se is:													
	Owner of																		
	(If there is	more th	an one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
				NE	=1/4			NV	V1/4			SV	V1/4			SE	1/4		TOTAL
Se	ec. Twp.	Range	NE ¹ /4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE ¹ / ₄	NW1/4	SW1/4	SE1/4	NE ¹ ⁄4	NW1⁄4	SW1/4	SE1/4	ACRES
4.	If this app Owner of				•								use be		-				
		/	ADDRI	ESS:															
	(If there is	more th	an one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
				NE	Ξ1/4			NV	V1⁄4			SV	V1⁄4			SE	=1/4		TOTAL
Se	ec. Twp.	Range	NE1/4	NW1⁄4	SW1/4	SE1/4	NE ¹ /4	NW1/4	SW1/4	SE¼	NE ¹ /4	NW1/4	SW1/4	SE1/4	NE ¹ /4	NW1/4	SW1/4	SE ¹ /4	ACRES

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 5/24/22 Check # 10515

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. Continued: The presently authorized place of use is: Owner of Land ---- NAME: <u>MIKE & EVANGELYN NIGHTENGALE</u> ADDRESS: <u>1011 XX RD COPELAND KS 67837</u>

															T				
				NE¼				NV	V1/4			SV	V1⁄4			SE	1/4		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	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
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

Owner of Land ---- NAME: <u>MIKE & EVANGELYN NIGHTENGALE</u> ADDRESS: <u>1011 XX RD COPELAND KS 67837</u>

				NE	≡1⁄4			NW1/4				SV	V1⁄4			SE	=1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW1⁄4	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1⁄4	SE1/4	ACRES
26	28S	31W					31.25	31.25	31.25	31.25									125

				NE	Ξ1⁄4			NV	V1/4			SV	V1/4			SE	=1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE¼	NE¼	NW1⁄4	SW1⁄4	SE¼	NE1⁄4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
																			

 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: <u>MIKE & EVANGELYN NIGHTENGALE</u> ADDRESS: 1011 XX RD COPELAND KS 67837

				NE	Ξ1/4			NV	V1/4			SV	N1/4			SE	=1/4		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	SE¼	NE¼	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	28S	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	31.25	31.25	31.25	31.25	500

Owner of Land ---- NAME: <u>MIKE & EVANGELYN NIGHTENGALE</u> ADDRESS: <u>1011 XX RD COPELAND KS 67837</u>

				NE	Ξ1⁄4			NV	V1/4			SV	V1/4			SE	=1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE ¹ / ₄	NW1⁄4	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE¼	NE ¹ / ₄	NW1⁄4	SW1/4	SE1/4	ACRES
26	28S	31W					31.25	31.25	31.25	31.25									125

Owner of Land ---- NAME: _____

ADDRESS:

				NE	Ξ1⁄4			NV	V1⁄4			SV	V1/4			SE	=1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1⁄4	SW1/4	SE1/4	NE1/4	NW1/4	SW1⁄4	SE1/4	NE¼	NW1⁄4	SW1⁄4	SE¼	NE¼	NW1⁄4	SW1⁄4	SE1/4	ACRES

5.	Presently authorized point of diversion:		
	One in the Quarter of the	Quarter of theQuarter	r
		South, Range (W)	
	in County, Kansas, fe	et North feet West of Southeast corner of section.	
	Authorized Rate Authorized Quantity	Depth of well (feet)	
	(DWR use only: Computer ID No GPS	feet Northfeet West)	
	This point will not be changed This point will be changed as	s follows: 🗌 No change, point better described with GPS as follows:	
- 1	Proposed point of diversion: (Complete only if change is	s requested or if existing point is better described by GPS)	
	One in the Quarter of the	Quarter of the Quarter	r
	of Section, Township	South, Range (W)),
		et North feet West of Southeast corner of section.	
		Proposed well depth (feet)	
L	This point is: Additional Well Geo Center List other	water rights that will use this point	
-		<u></u>	
6.	Presently authorized point of diversion:		
	One in the Quarter of the	Quarter of the Quarter South, Range (W)	r
		et Northfeet West of Southeast corner of section.	
	Authorized Rate Authorized Quantity		
	(DWR use only: Computer ID No GPS		
		s follows: 🗌 No change, point better described with GPS as follows:	
		s requested or if existing point is better described by GPS)	
		Quarter of the Quarter	
	of Section, Township		· ·
		et North feet West of Southeast corner of section.	- 1
	Proposed Rate Proposed Quantity		.÷ [
L	This point is: Additional Well Geo Center List other	water rights that will use this point	\geq
7.	The changes herein are desired for the following reasons?		
1.	(please be specific) MOVE ACRES AROUND TO	North	
	BETTER FIT OPERATION. ALREADY COMPLETE	300 200 100 0 100 200 300	
	OVERLAP W/ FILE 5075; 14135; 23383; 28481; 29859	Emhanhanhanhanhanhanhanhanhanhanhan	
8	If a well, is the test hole log attached? 🗌 Yes 🛛 No		
0.			
9.	The change(s) (was)(will be) completed by?	\mathbb{E}/\mathbb{E} \ \mathbb{E}	
	UPON APPROVAL	$100 \boxed{10} + + + + \frac{1}{2} + + + \frac{1}{2} + \frac{1}{100}$	
10.	If the point of diversion is a well:		
	(a) What are you going to do with the old well?	West 0	
	<u>N / A</u>		
	(b) When will this be done?	$100 \left[+ \right] + \left[+ \right] = \left[+ \right] + \left[+ \right] + \left[\frac{1}{2} \right] 100$	
11	Groundwater Management District recommendation attached?		
11.	Yes X No		
12.	Assisted by AM / GCFO	51111111111111111111111111111111111111	
120	If the proposed point of diversion will be releasted more than 200	South Scale: 1 hashmark=10 ft	
134	. 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	13b.If the proposed point of diversion will be relocated within a 30	00
	a topographic map or aerial photograph. For groundwater	foot radius of the existing point of diversion, indicate its location	on
	sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing	on the diagram shown above in relation to the existing point diversion. The proposed point of diversion must be locate	ed
	addresses of the owners. For surface water sources, show the	within the circle shown above. (PLEASE NOTE: The "X"	in
	names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property	center of diagram above represents the present authorized point of diversion.)	лу

lines

• •

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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, Kan	sas, this <u>24</u> ^m day of <u>May</u> , 20 22.
Im phone a	Evangelyn Nightengale Evangelyn Nightengale
Mike Wight engele Please Print	Evangelyn Nightengale (Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas	
I hereby certify that the foregoing application was sign	ned in my presence and sworn to before me this $\underline{24}$ day
JULIE JONES My Commission Expires December 15, 2022	Notary Public

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

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. <u>14135</u>.

- 1. A change application was received on ______ 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.
- 2. 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 Not Applicable
- 3. 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
- 4. 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.
- 5. 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
- 7. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20_____, 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.
- 8. 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.
- 9. The completed well log shall be submitted with the required notice.

e 🗌 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

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 Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture**, **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.

For Use by Register of Deeds

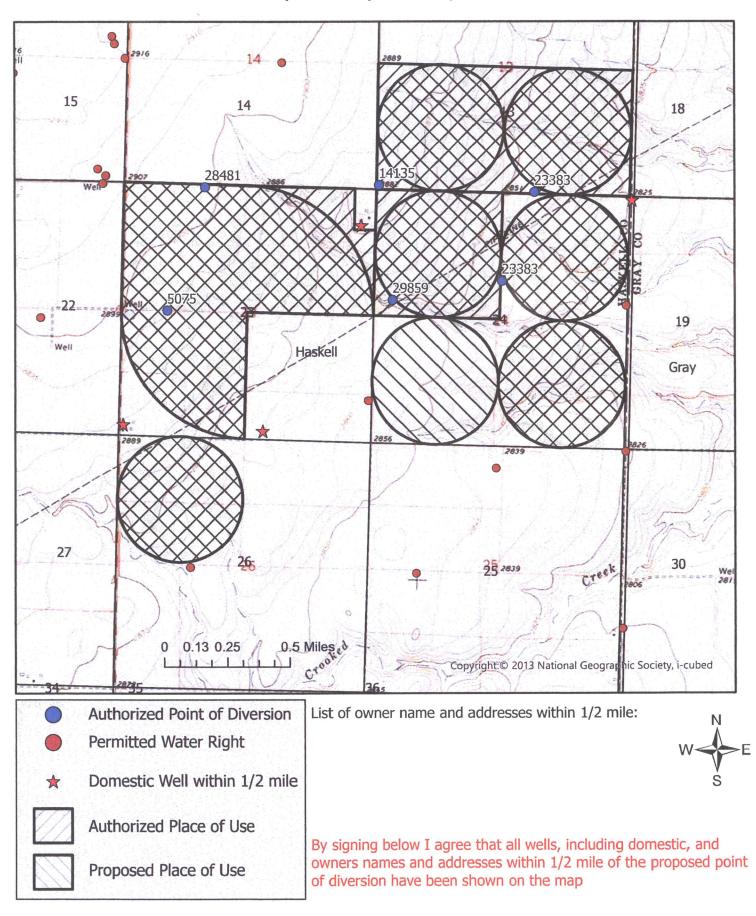
FOR OFFICE USE ONLY
APPLICATION APPROVED AND
SUMMARY ORDER ISSUED

Зу:
Duly Authorized Designee of the Chief Engineer
(Print Name): Division of Water Resources - Kansas Department of Agriculture
Date of Issuance:
State of Kansas)
) SS County of)
Acknowledged before me on
ру
Signature:Notary Public
My commission expires:

My commission expires:

(Notary Seal)

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



Mike Beam, Secretary



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

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,

into Mala

Austin J. McColloch Assistant Water Commissioner

AM: enclosures

GROUNDWATER MANAGEMENT DISTRICT NO. 3

Mike Beam, Secretary



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

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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Sincerely,

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Austin J. McColloch Assistant Water Commissioner

AM: enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

Mike Beam, Secretary



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

Laura Kelly, Governor

May 25, 2022

KENNETH & SHIRLEY NICKEL 2352 110TH RD COPELAND, KS 67837

> RE: Application for Change Water Right, File Nos. 5075; 14135; 23383; 28481 & 29859

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ant. Malles

Austin J. McColloch Assistant Water Commissioner

AM: enclosures

GROUNDWATER MANAGEMENT DISTRICT NO. 3

Mike Beam, Secretary



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

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 Assistant Water Commissioner

AM: enclosures

Mike Beam, Secretary



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

Laura Kelly, Governor

May 25, 2022

ROXIE JTUCKER TRUST 1005 BB RD COPELAND, KS 67837-8017

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Sincerely,

Austin J. McColloch Assistant Water Commissioner

AM: enclosures

GROUNDWATER MANAGEMENT DISTRICT NO. 3