

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.

File No. 3652

RECEIVED
 11:00 AM
 JUL 20 2022

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: JERRY & CHRISTY NICHOLS ETAL

1738 ROAD 70, SUBLETTE, KS 67877-8032

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: NO CHANGE

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: _____

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: _____

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 \$ 200.00 TR # _____ Receipt Date 7-20-22 Check # 1398

5. **Presently authorized point of diversion:**
 One in the SE Quarter of the SW Quarter of the SW Quarter of Section 13, Township 27 South, Range 32 W, in HS County, Kansas, 101 feet North 4365 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 04 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 SE Quarter of the SE Quarter of the SW Quarter of Section 13, Township 27 South, Range 32 W, in GY County, Kansas, 68 feet North 3208 feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) 802
 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) _____

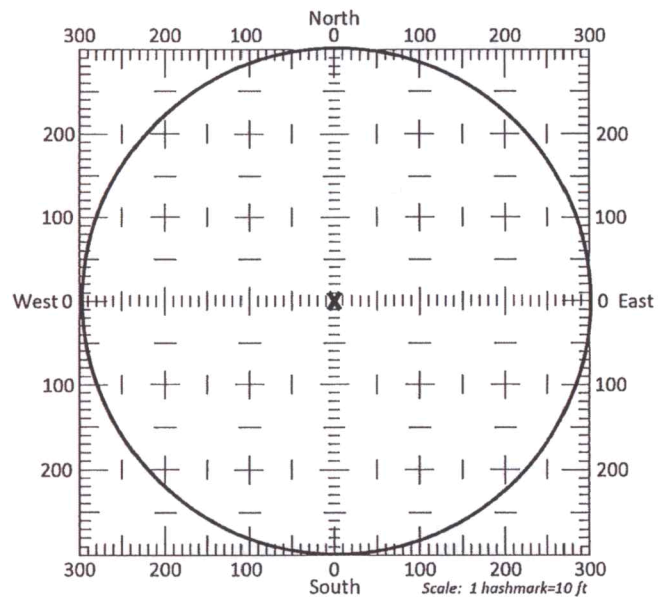
8. If a well, is the test hole log attached? Yes No

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

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

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by _____



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 Garden City, Kansas, this 20th day of July, 2022.

<p><u>Jerry Nichols</u> _____ (Owner)</p> <p><u>Jerry Nichols</u> _____ (Please Print)</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
(Spouse)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Owner)
(Please Print)	(Please Print)
(Owner)	(Owner)
(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 20th day of July, 2022.

My Commission Expires _____



Julie Jones

 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

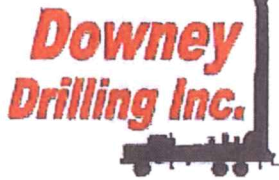
- Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**
- (1) Application to change a point of diversion 300 feet or less \$100
 - (2) Application to change a point of diversion more than 300 feet \$200
 - (3) Application to change the place of use \$200



COPY

WELL LOG

DATE: 6/17/2022



CUSTOMER NAME: JERRY NICHOLS

TH #3

LEGAL: SW 13-27S-32W

COUNTY: HASKELL CO, KS

GPS: 37.693081

-100.772619

DAY 1 6/16/22 600'

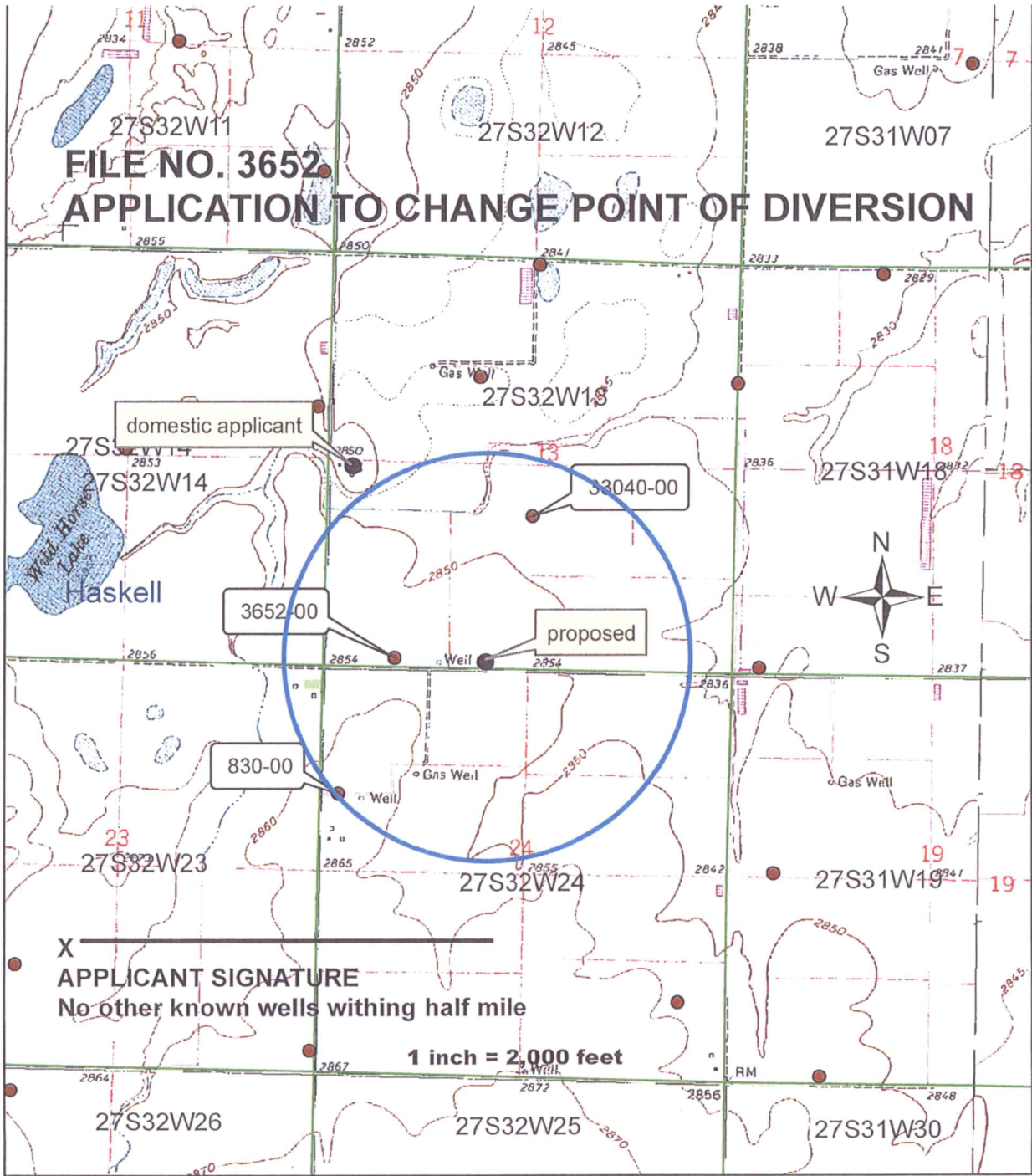
DRILLER: DIEGO V

WO: 21-1544

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
0	3		TOP SOIL	SOFT	BROWN	FAST		SMOOTH
3	14		BROWN SILTY CLAY	SOFT	BROWN	FAST		SMOOTH
14	20		FINE SAND W/ CALICHE	FIRM	WHITE	FAST		VIBRATION
20	45		SANDY CLAY	SOFT	TAN	FAST		SMOOTH
45	53		FINE-MED-COARSE SAND & SANDY CLAY	FIRM	TAN	FAST		CHOPPY & SMOOTH
53	60		FINE-MED-COARSE SAND W/ CEMENTED SAND & FINE GRAVEL	STIFF	WHITE	SEMI SLOW		CHATTER
60	70		FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
70	101		FINE-MED-COARSE SAND W/ FINE-MED GRAVEL	STIFF		FAST		FAST CHATTER
101	124		FINE-MED-COARSE SAND W/ LIME ROCK & GRAVEL	STIFF	WHITE	FAST		FAST CHATTER
124	131		BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
131	139		LIGHT GRAY CLAY	SOFT	LIGHT GRAY	FAST		SMOOTH
139	155		FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
155	165		BROWN STICKY CLAY	STICKY	BROWN	FAST		SMOOTH
165	166		FINE SAND	SOFT		FAST		VIBRATION
166	174		BLUE CLAY	SOFT	BLUE	FAST		SMOOTH
174	176		WEATHERED CLAY	SOFT	YELLOW & GRAY	SEMI SLOW		SMOOTH
176	196		FINE-MED-COARSE SAND	FIRM		FAST		FAST CHATTER
196	196		YELLOW CLAY	SOFT	YELLOW	FAST		SMOOTH
198	204		FINE-MED SAND	SOFT		FAST		CHOPPY
204	238		BLUE CLAY	SOFT	BLUE	FAST		SMOOTH
238	241		FINE BLUE SAND	SOFT	BLUE	FAST		VIBRATION
241	245		BLUE CLAY	SOFT	BLUE	FAST		SMOOTH
245	253		FINE-MED BLUE SAND	FIRM	BLUE	FAST		CHOPPY
253	284		FINE-MED-COARSE SAND W/ FINE GRAVEL & LIME ROCK	STIFF	WHITE	FAST		FAST CHATTER
284	329		FINE-MED-COARSE SAND W/ CEMENTED SAND & FINE-MED GRAVEL	STIFF	WHITE	SEMI SLOW		CHATTER
329	340		LIME ROCK W/ FINE-MED-COARSE SAND & FINE GRAVEL	STIFF	WHITE	FAST		FAST CHATTER
340	365		FINE-MED-COARSE SAND W/ LIME ROCK	STIFF	WHITE	FAST		FAST CHATTER
365	391		SANDY CLAY W/ FINE SAND & CEMENTED SAND	FIRM	TAN & WHITE	SEMI SLOW		SMOOTH & CHOPPY
391	400		SANDY CLAY W/ LIME ROCK & FINE SAND	FIRM	TAN & WHITE	FAST		SMOOTH & CHOPPY
400	415		BROWN STICKY CLAY	STICKY	BROWN	FAST		SMOOTH
415	434		FINE SAND W/ LIME ROCK & SANDY CLAY LAYERS	FIRM	WHITE & TAN	FAST		CHOPPY & SMOOTH
434	465		BROWN STICKY CLAY	STICKY	BROWN	FAST		SMOOTH
465	477		WEATHERED CLAY W/ BROWN ROCK & FINE SAND	FIRM	GRAY & YELLOW	SEMI SLOW		SMOOTH & CHOPPY
477	488		BROWN ROCK W/ FINE SAND	STIFF	BROWN	FAST		FAST CHATTER
488	505		SHALE	SOFT	BLUE	SLOW		SMOOTH

FILE NO. 3652

APPLICATION TO CHANGE POINT OF DIVERSION



domestic applicant

proposed

X _____
APPLICANT SIGNATURE
No other known wells withing half mile

1 inch = 2,000 feet

INPUTS	
Target Section Definition	
Section	13
Township	27
Range	32
Range Direction	w
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-100.772619
Target Latitude	37.693081

Load Data and Compute

- Instructions**
1. Enter values for section, township, range and range direction.
 2. Enter **NAD27** or **NAD83** longitude and latitude of target point.
 3. Click "Load Data and Compute" button.
 4. Use feet distances corresponding to datum of target point.

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	37.69294114	-100.77962827
NW	37.70768105	-100.77953724
NE	37.70746715	-100.76142362
SE	37.69289521	-100.76153057
Degrees Longitude per Foot		3.45613713E-06
Degrees Latitude per Foot		2.74623384E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	51	-2028
NW	-5316	-2002
NE	-5239	3239
SE	68	3208

Target point is In Section

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	37.69291700	-100.77919000
NW	37.70765700	-100.77909900
NE	37.70744300	-100.76098600
SE	37.69287100	-100.76109300
Degrees Longitude per Foot		3.45613601E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	60	-1901
NW	-5308	-1875
NE	-5230	3366
SE	76	3335

Target point is In Section

Difference (NAD83 Minus NAD27)		
Corner	Corner Latitudes	Corner Longitudes
SW	0.00002414	-0.00043827
NW	0.00002405	-0.00043824
NE	0.00002415	-0.00043762
SE	0.00002421	-0.00043757

Difference (NAD83 Minus NAD27)		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	-8.79562025	-126.80858799
NW	-8.27749699	-126.79991631
NE	-8.32095698	-126.62222446
SE	-8.82262437	-126.60774741

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

July 21, 2022

ROBERT M & CONNIE NIGHTENGALE TRUSTS
2225 50TH RD
COPELAND, KS 67837-7019

RE: Application for Change
Water Right, File No. 3652

Dear Sir or Madam:

This is to advise you that Jerry Nichols 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 applications. An irrigation well is proposed to be relocated to the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, Township 27 South, Range 32 West, Haskell County.

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 point of diversion (well) 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,

A handwritten signature in blue ink that reads "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc:
GROUNDWATER MANAGEMENT DISTRICT NO. 3

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

July 21, 2022

MILLER TRUST
Attn: % HENRY W MILLER, TRUSTEE
440 ROAD RR
SUBLETTE, KS 67877-8064

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Water Right, File No. 3652

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Sincerely,



Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc:
GROUNDWATER MANAGEMENT DISTRICT NO. 3