# Kansas Department of Agriculture Division of Water Resources

## APPROVAL OF CHANGE APPLICATION WORKSHEET

1. File No.: <b>4020</b>	2. Status Change Date:		4. Field Office: 04 - Garden City GMD: 03 - Southwest Structures File No.:						
3. Package File No(s):		, š	Filing/Prid	rity Date: <b>04/10/2025</b> n Complete Date: <b>04/15/2025</b>					
5a. ☐ Applicant ☑ Owner ☑ WU ☐ Address Change  JANELL NICHOLS 2189 40TH RD COPELAND KS 67837	C Person ID 28863 Add Seq#	5b. Owner WUC Person ID Address Change Add Seq#							
5c. Owner WUC Address Change	Person ID Add Seq#	5d. Owner	□ WUC ss Change		rson ID d Seq#				
Previous UMW:  MDS Gauge: Active Admin?	☐ UMW Reasonable Q: n/Expiration Date:	7. Use of Water  ☑ Groundwater ☐ Surface Water  UMW: IRR-Irrigation  UMW:  UMW:							
8. Action Trail									
	rt Year: 5YR Quan	tity: Base Ac	cres:	<del> </del>					
11. Sand & Gravel Proj ID:	☐ Active ☐ Dredge	☐ IND Evap ☐	Jr Evap □	Other Diversion	☐ Rpt on Sr				
12. Waiver Rule ID: New D Applies: Rule No.: Rule Type: Rule SubType:	Date Requested:	Justification:							
Comments Lonnie Nichols deceased				Processed 04/17/2025 MAM	Entered				
			et	Reviewed					

File No. 4020 13. County: HS Basin: ARKANSAS RIVER Stream:																									
Stru	ıctur	es File	No:		A	quifer	Code:										Spec	ial Use	Area:						
14. F	Points	of Dive	rsion,	Rates &	Quantit	ies										01					0.1	0.1	-		
	PI	DIV	Quali	fier		S T	-	R	ID	'N	'W	Cor	mment	(ΔΚΔΙ	ine)	Aut	AF	.dd	Rate g	<b>pm</b> Add		torage Qty uth Ad		ge Rate	Overlaps
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СНК	3	5148																							
15.	Lim	itations	Ту	pe:	Q	uantity	:		Rate:		(	combir	ned wit	h file n	no(s):										
			Ту	pe:	Q	uantity	:		Rate:			combir													
16.	Met	ering	$\boxtimes$	Meterii	na Red	uired	ПА	Anti-Re	everse	Reauir	ed [	□ Sea	al Regu	uired	Comp	liance	Date:	12/31/2	2025						
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17. Place of Use					N	E1⁄4		NW1/4			SW1/4			SE1/4			Total	Owner(s)	Chg?	Overlaps					
	PU	SE S	T	R	ID	NE	NW	sw	SE	NE	NW	sw	SE	NE	NW	sw	SE	NE	NW	sw	SE				
ENT	15	12 34	27	31W	1									31.25	37.50	31.25	31.25					131.25	5a	$\boxtimes$	*
MOD	13	344 35	27	31W	1		-							31.25	31.25	40	31.25					133.75	5a	$\boxtimes$	*
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18.	Poir	nt of Div	ersio	n and P	lace of	Use C	verlap	s																	
*	738	7962												**											
+														++											
#														##											
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STA.

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

April 17, 2025

JANELL NICHOLS 2189 40TH RD COPELAND KS 67837

RE:

Filed Office Application for Change

Water Right, File Nos. 738, 4020, 7962

### Dear Madam:

Enclosed are orders executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above reference file numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced files number and meet current specifications.

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,

Michael A. Meyer

Water Commissioner

MAM Enclosures

pc: GMD3

## CERTIFICATE OF SERVICE

On this 17<sup>th</sup> day of April 2025, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 738, 4020, 7962 dated 17<sup>th</sup> day of April 2025 was mailed postage prepaid, first class, US mail to the following:

JANELL NICHOLS 2189 40TH RD COPELAND KS 67837

pc:

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.

thar	agraph In 100 fee iversion a	t, or if pla	ace of	use wi	t be c	omple	e <b>ted.</b> d, inclu	Compl ide a to	l <b>ete al</b> opogra	l other	r appli ap or	i <b>cable</b> detaile	portice d plat	ns. If showin	chang g the	ge in p author	oint of ized a	divers nd prop	ion is greater osed point(s)
		e 2000-ben 1697 - 1 <b>4</b>				F	ile No	. 4020				1	N N				F	REC 3:0 APR	EIVED 10 2025
1.	Applicat	ion is he	ereby n	nade fo	or app		f the C		nginee		- 5	the (ch		ne or b	oth):		Div	Sarden (	City Field Office Water Resources
	under th	e water	riaht w	hich is	the s			-0	ation i	-				nditions	s desc	ribed b	pelow.		
	The sou				anc o		round		ation			ce wate		i di di di	. 4000				
2.	. Name and address of Applicant: <u>JANELL NICHOLS</u> 2189 40 <sup>TH</sup> ROAD COPELAND KS 67837																		
	Phone N	lumber:	(620)	640-17	716				Email	addres	ss: wa	ylonni	chols5	@gma	il.com				A
	Name a	nd addre	ess of	Water	Use C	orresp	onden	t: <u>san</u>	ne no d	change	)		1. ,					477	
	Phone N	lumber:	(	)					Email	addre	ss:		464-14	.,					
3.	The pre	sently a	uthoriz	ed plac	ce of u	ise is:													
Owner of Land NAME: JANELL NICHOLS																			
		,	ADDRE	ESS:	2189 4	10TH F	ROAD	COPE	LAND	KS 6	7837								
	(If there i	s more th	nan one	landov	ner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								).
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Se	c. Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
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4.	If this ap	of Land -	NA ADDRI	ME:	JANEI 2189 4	LL NIC	HOLS	COPE	LAND	KS 6	7837	ace of	use be	e chan	ged to	: ′′			
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Se	c. Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4		SW1/4	SE1/4	NE1/4		SW1/4	SE1/4	NE1/4	NW1/4	T	SE1/4	ACRES
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Receipt Date 4-10-2025 Check # 15427

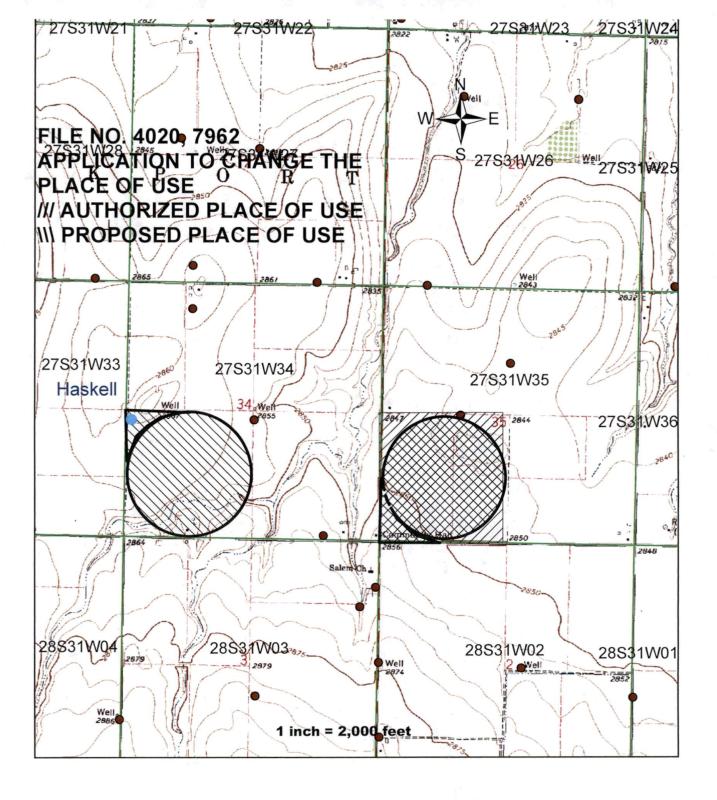
For Office Use Only: Code CP4 Fee \$200.00 TR #\_

5. <b>[</b>	Presently authorized point of diversion:	
		Quarter of the Quarter
	of Section, Township	South, Range (E/W),
		eet North feet West of Southeast corner of section.
	Authorized Rate Authorized Quantity	
	(DWR use only: Computer ID No GPS _	feet North feet West)
	This point will not be changed  This point will be changed a	s follows: No change, point better described with GPS as follows:
	Proposed point of diversion: (Complete only if change i	s 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), eet North feet West of Southeast corner of section.
	in County Kansas fo	eet 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	r water rights that will use this point
L	This point is. The authorial train a see series. Electeric	That is the same point.
, Г	Presently authorized point of diversion:	/
6.		Quarter of the Quarter
	one in the Quarter of the	Quarter of the Quarter South, Range (E/W),
	of Section, Township	South, Range(E/VV),
	in County, Kansas, f	eet North feet West of Southeast corner of section.
	Authorized Rate Authorized Quantity	Depth of well (feet)
	(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)
	One in the Quarter of the	Quarter of the Quarter
		South, Range (E/W),
	in County, Kansas, f	eet North feet West of Southeast corner of section.
	Proposed Rate Proposed Quantity	Proposed well depth (feet)
		r water rights that will use this point
_	3	
7.	The changes herein are desired for the following reasons?	
	(please be specific)	North 300 200 100 0 100 200 300
8.	If a well, is the test hole log attached?  Yes No	200
		200 - 1 - 1 - 1 - 1 - 1 - 200
9.	The change(s) (was)(will be) completed by?	E/ = - \frac{1}{3}
		100
10.	If the point of diversion is a well:	<b>E</b>
	(a) What are you going to do with the old well?	West 0 +
		<b>♣</b> <del>-</del>
		100 $+$ $+$ $+$ $+$ $=$ $+$ $+$ $+$ $+$ $100$
	(b) When will this be done?	
11.	Groundwater Management District recommendation attached?	200 - 1 + 1 + 1 = 1 + 1 + 1 = 200
	Yes No	
12.	Assisted by	500 200 100 0 100 200 300
120	If the prepared point of diversion will be releasted more than 20	South Scale: 1 hashmark=10 ft
ısa	. If the proposed point of diversion will be relocated more than 30 feet but within 2,640 feet of the existing point of diversion, attack	្ន n 13b.If the proposed point of diversion will be relocated <u>within a 30</u>
	a topographic map or aerial photograph. For groundwate	foot radius of the existing point of diversion, indicate its location
	sources, show all wells (including domestic) within one-half mill of the proposed point of diversion and the names and mailing	on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be locate
	addresses of the owners. For surface water sources, show the	e within the circle shown above. (PLEASE NOTE: The "X" i
	names and addresses of the landowner(s) one-half mile	e center of diagram above represents the present
	downstream and one-half mile upstream from your propert	y authorized point of diversion.)

14. If the proposed groundwater point of diversion is 300 or fewer feet fr	om the existing point of diversion, complete the follo	wing:							
(a) Does the undersigned represent all owners of the currently auth ☐ Yes ☐ No (If no, all owners must sign this appli									
<ul> <li>(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?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this application.)</li> </ul>									
(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 or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).									
I hereby verify, being first duly sworn upon my oath or affirm age and the owner, the spouse of the owner, or a duly author their behalf, in regards to the water right(s) to which this ap contained in this application are true, correct and complete.	rized agent of the owner(s) to make this app	lication on							
Dated at Garden (ity, Kansas, this	10th day of April , 2	25_							
Sanell Nichols	B: 2								
(Owner) Nichols (Please Print)	Baras (Spouse) (Please Print)								
(Owner)	(Spouse)								
(Please Print)	(Please Print)								
(Owner)	(Spouse)								
(Please Print) Nota	BRANDI SNEATH  Iry Public, State of Kansas (Please Print)								
State of Kansas County of Finney	y Appointment Expires								
I heraby certify that the foregoing application was signed in of, 20	my presence and sworn to before me this _	10thday							
	Brandi Snooth								
My Commission Expires 211128	Notary Public								
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate information; maps, if necessary, must be included; signatures of all the at the appropriate fee must be paid.	of the applicable portions of the application form must be appropriate owners' must be affixed to the application and r	completed with notarized; and							
FEE SCHED!	ULE								
Each application to change the place of use or the point of diversion und forth in 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	ent of Agriculture	. \$100 . \$200							

# SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

oro Wit	ovisions of the Kansas Water Appropriation Law, K.S.A. 82a-7	8b, as amended, and K.A.R. 5-5-1, et seq. and other applicable 701 et. seq., and rules and regulations promulgated thereunder, at this Summary Order does not change the terms, conditions and
1.	A change application was received on	requesting that the place of use and / or point of er be changed as described in the application.
2.	the topographic map accompanying the application to chan	
3.	The change in point of diversion shall not impair existing right previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion.   Applicable	ts and shall be limited to the same source or sources of water as y this summary order shall be located within a foot e Not Applicable
4.	The point(s) of diversion described herein is administrativel Positioning System (GPS), as described in the application.	ly corrected to be more accurately described using the Global Applicable Not Applicable
5.	The point(s) of diversion authorized herein shall not actually be authorized point(s) of diversion.	pe located more than feet from the previously by Applicable
3.	As required by K.A.R. 5-3-5d, if the works for diversion is a we or other device suitable for making water level measuremen K.A.R. 5-6-13.   Applicable Not Applicable	ell with a diversion rate of 100 gallons per minute or more, a tube nts shall be installed, operated and maintained in accordance with
7.	<b>December 31, 20 25,</b> or before the first use of water, wo operated and maintained in accordance with K.A.R. 5-1-4 th	perly install an acceptable water flow meter on or before whichever occurs first. The water flow meter shall be installed, hrough 5-1-12. As required by K.S.A. 82a-732, as amended, and the reading of the water flow meter and the total quantity of water ng the end of each calendar year.
3.	Installation of the works for diversion of water shall be cauthorized extension of time. By March 1, 20 26 the aworks for diversion has been completed, on the form provided Applicable Not Applicable	completed on or before December 31, 20 25, or within any applicant shall notify the Chief Engineer that construction of the ded by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the requir	red notice.   Applicable  Not Applicable
10.	with an in-line, automatic, quick-closing check valve capab	preign substance will be injected into the water shall be equipped ole of preventing pollution of the source of the water supply. The n accordance with K.A.R. 5-3-5c. Applicable Not Applicable
11.	. Additional Conditions are attached.  Yes  No	29.
12.	water appropriated under the above-referenced file number limitations, as amended and/or supplemented by this Summappropriation Law and the Rules and Regulations promule.	R. 5-5-14, all of the owners of the authorized place(s) of use of er are responsible for compliance with its terms, conditions and mary Order, and with applicable provisions of the <i>Kansas Water</i> gated thereunder. Failure to comply with these provisions may ended, and/or the suspension or revocation and dismissal of the ns authorized by law.
4	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
f yc	you are aggrieved by this order, pursuant to K.S.A. 82a-1901,	APPLICATION APPROVED AND
Agrilled adm day evi evi eg 665	u may request an evidentiary hearing before the Chief agineer or request administrative review by the Secretary of priculture. A request for hearing by the Chief Engineer must be adwithin 15 days of service of this Order and a request for ministrative review by the Secretary must be filed within 30 typs pursuant to K.S.A. 77-531. Any request for administrative view must state a basis for review pursuant to K.S.A. 77-527. The any request with Kansas Department of Agriculture, and Division, 1320 Research Park Drive, Manhattan, KS 1502. Failure to timely request a hearing or review may beclude review under the Kansas Judicial Review Act.	By:  Duly Authorized Designee of the Chief Engineer  (Print Name):  Division of Water Resources - Kansas Department of Agriculture  Date of Issuance:  State of Kansas )  SS
	For Use by Register of Deeds	County of Linney
		Acknowledged before me on April 17, 2025
		by Michael A Meyer
		Signature: Navon holsted
		My commission expires:    Notary Public   AARON T. HOLSTED   My Appointment Expires   My Appointment Expires   (Notary \$\frac{1}{2}\text{Main}\text{B}, 2027





## Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street Garden City, Kansas 67846

(620) 275-7147 phone www.gmd3.org

April 15, 2025

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. 738, 4020 & 7962

Dear Mike:

We have completed a review of the applications for the above-mentioned 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 while rearranging acres in 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

APR 15 2025

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

April 14, 2025

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 3 2009 E SPRUCE ST GARDEN CITY KS 67846

Re:

Request for Recommendation

Water Right,

File Nos. 738, 4020, 7962

Dear Mr. Norquest:

This is to advise you that Janell Nichols has filed applications 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 applications 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 DAY OF April 2025



MANAGEMENT OF THE PARTY OF THE

STATE OF KANSAS, HASKELL COUNTY This instrument was filed for record on April 7, 2025 1:30 PM and Recorded in Book 266 Page 71-71

SEAL

HASKELL COUNTY CLERK

Fees: \$21.00 202500237

Candy Huffine
Candy Huffine
, Register of Deeds

#### WARRANTY DEED

TDK FARMS, LLC

CONVEYS AND WARRANTS TO

JANELL NICHOLS

all the following described real estate in Haskell County, Kansas:

Southwest Quarter (SW1/4) of Section 35, Township 27 South, Range 31 West of the 6th P.M.

plus an irrigation well located within 300 feet of the South edge of the East Half (E½) of Section 34, Township 27 South, Range 31 West of the 6th P.M. which Grantor shall have full access and use of such well and Water Rights File Numbers 4020 and 7962, including the right to re-drill any well within a 400 feet circle of the current well, but not within the little circle on 34, and an easement for a water line along the south edge of Section 34 to the Southeast corner, then on a Northeast diagonal to the center pivot located on Section 35, together with an additional easement for a future water line along the South edge of Section 34 to the west then on a Northwest diagonal to the Grantor's land in the Southwest Quarter of (SW¼) of Section 34, Township 27 South, Range 31 West of the 6th P.M.

FOR THE SUM OF: \$10 and other valuable considerations

EXCEPT AND SUBJECT TO: Reservations, restrictions and rights of way of record.

DATED: 4/2 , 2025

TDK FARMS, LLC

By: Travis de Groot, Managing Member

STATE OF

COUNTY OF

BE IT REMEMBERED, that on

\_\_, 2025, before me, the

undersigned, a notary public in and for the County and State aforesaid, came **Travis de Groot**, **Managing Member of TDK Farms**, **LLC**, who is known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

10

My Term

KYLER KNOBBE My Appointment Expires

Notary Public

O PHADDE

SEND FUTURE TAX STATEMENTS TO:

Janell Nichols 2189 40th Rd. Copeland, KS 67837

KYLER G. KNOBBE
BO. BOX 937

CIMARRON, KANSAS 67835
(620) 855-3100

knobbe@ucom.net