

TO: OKLAHOMA WATER RESOURCES BOARD

Planning & Management Division
Water Rights/Permitting Section
3800 North Classen Blvd
Oklahoma City, OK 73118

RE: Groundwater Permit Application # 20140546 filed by

Kevin Nightengale

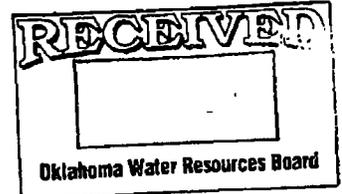
I, City of Clinton, am the surface owner of land located in
the NE $\frac{1}{4}$ of 36-11-19 and have a groundwater
well located in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of 36-11-19
that is located within 1,320 feet from the groundwater well site proposed by
Kevin Nightengale in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of S36-T11N-
R19WIM, Washita County.

I have no objection to the location of this proposed well.

Signed: _____

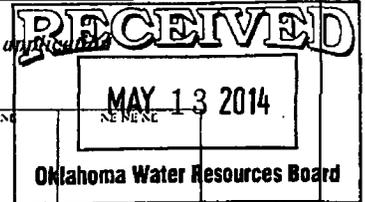
Date: _____

Oklahoma Water Resources Board Application Plat
(Instruction Sheet Provided)



Applicant Name Kevin Nightengale (20140546)

Note: Drawings must match the legal descriptions provided in questions #3 and #4 in the application and one copy of the plat must be filed with the application.



NW NW NW	NE NW NW	SW NE NW	NE NE NW	NW NW NE	NE NW NE	NW NE NE	NE NE NE
SW NW NW	SE NW NW	SW NE SW	SE NE NW	SW NW NE	SE NW NE	SW NE NE	SE NE NE
NW SW NW	NE SW NW	NW SE NW	NE SE NW	NW SW NE	NE SW NE	NW SE NE	NE SE NE
SW SW NW	SE SW NW	SW SE SW	SE SE NW	SW SW NE	SE SW NE	SW SE NE	SE SE NE
			4	NW NW SE	NE NW SE	NW NE SE	NE NE SE
SW NW SW	SE NW SW	SW NE SW	SE NE SW	SW NW SE	SE NW SE	SW NE SE	SE NE SE
NW SW SW	NE SW SW	NW SE SW	NE SE SW	NW SW SE	NE SW SE	NW SE SE	NE SE SE
SW SW SW	SE SW SW	SW SE SW	SE SE SW	SW SW SE	SE SW SE	SW SE SE	SE SE SE

4-16W-18W
Section - Township - Range

Uashita
County



Land Dedicated



Area of Use



Potential Well Location Area

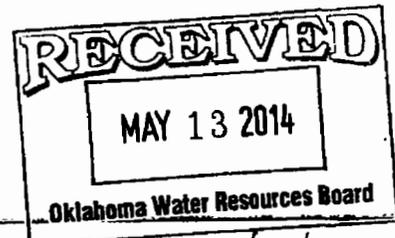
● Applicant's Wells

○ Other Existing Nearby Wells



Kevin Nightengale
Signature

5-11-14
Date

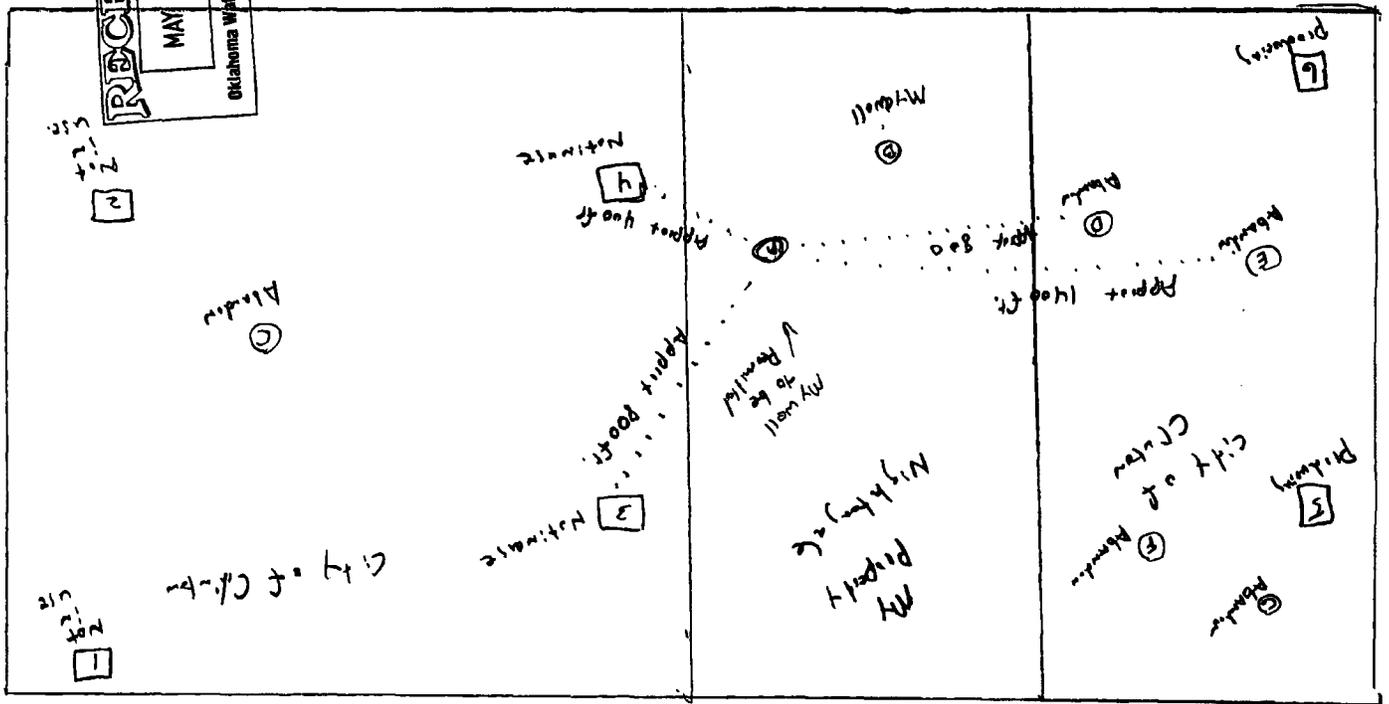


In your request you said there appears to be 3 wells permitted within 1320 ft. I'm only aware of 2 wells which are not being used & were drilled after my well. It appears to me if they used all of these wells they would be using more than their allotted amount of water. I have drawn a map which I hope will be helpful to you. I do not have any written agreements with the city of Clinton. Wells A-G were once used by the city in which they abandoned & released back to the land owners. Most of these wells have sanded in and are not useable. They also had wells ~~to~~ on the properties to the East which they released that are applying for permits also. If you any questions please call me at (580) 515-1241

Thank you

A handwritten signature in cursive script, appearing to read "John H. [unclear]".

RECEIVED
MAY 13 2014
Oklahoma Water Resources Board



○ - A-G Wells that were abandoned
 Wells A-G were drilled in the 70's or earlier.
 Wells 1-6 were drilled sometime in the late 80's early 90's
 Wells 1-4 have not been used in several years I was told that these wells are not any good.
 Wells 5-6 are the only wells city of Clinton is currently using.

RECEIVED

MAR 18 2015

Oklahoma Water Resources Board Surface Estate Owners Map
Oklahoma Water Resources Board (Instruction Sheet Provided)

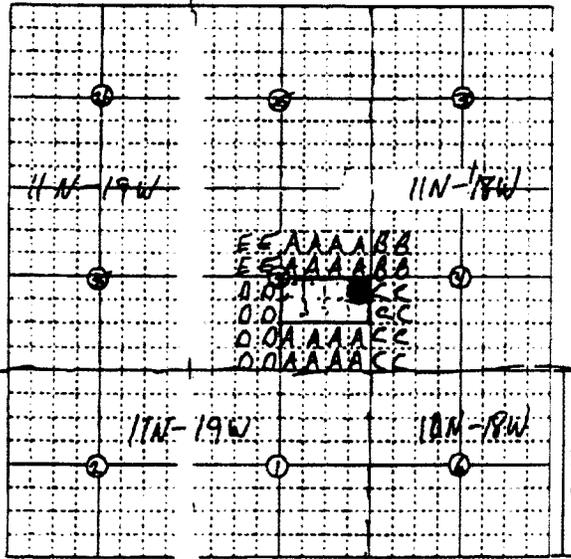
Applicant Name Kevin and Sherry Nightengale (20140546)

RECEIVED
Oklahoma Water Resources Board

The applicant must furnish names and mailing addresses of all surface estate owners of land located within one-half mile (1320') from the actual location of existing or proposed wells and/or from the outside boundaries of areas subject of this application, unless otherwise directed by the board. Mark the actual location of existing and proposed wells and shade all potential well location areas subject of the application.

RECEIVED
Oklahoma Water Resources Board

One copy of this form must be filed with the Groundwater application.



Plat Scale

Each smaller square represents a ten (10) acre tract (or 660 ft x 660 ft)

SURFACE ESTATE OWNERS OF LANDS LOCATED WITHIN 1320 FEET OF WELL LOCATIONS OR AREAS

- A. City of Clinton PO Box 689, Burns Flat, OK 73624
- B. City of Clinton PO Box 1177, Clinton OK 73601
- C. Wickster, Stacy & Litch, Peggy Box 85, Fay, OK 73646
- D. Litch, Kelli aka Litch, Peggy Box 85, Fay, OK 73646
- E. Newman, Jack & Luther Trust 10311 N. Airport Rd., Clinton OK 73601
- F. Mendocery, James & Charlotte 11170 Hwy 44, Fay, OK 73647
- G. _____
- H. _____
- I. _____

Page 4 of 5
[Signature]
Signature

3-15-15
Date

Attention: Kevin Nightengale

~~RR 2 Box 43~~ 21990 E1140 RD
Cordell, OK 73632



Date:

~~04/23/2015~~ Resent 07/22/15 - MC

The attached material is sent to you:

_____ In response to your request

_____ For your information

XXXX Additional Information Needed

by: Matt Cogburn
Planning and Management Division

OKLAHOMA WATER RESOURCES BOARD
3800 NORTH CLASSEN
OKLAHOMA CITY, OKLAHOMA 73118
PHONE (405) 530-8800
TELEFAX (405) 530-8900
mcogburn@owrb.ok.gov

Re: Adjacent Wells Within 1,320 feet - Well Spacing Exception
Groundwater Application # 20140546

Kevin,

On 03/18/2015, we received your additional application information submitted. Your application appears complete; however, OWRB Rules (785:30-3-6(b)), which are attached, require that a well location exception be requested to OWRB by you, and either the owners of the groundwater wells within 1,320 feet complete and sign the "No Objection" statement, or information be submitted showing how the well spacing requirement would be inequitable or unreasonable based upon your land dimensions, or the well to be permitted was drilled, completed and used prior to 11/09/1982.

If you have any questions or need any assistance, please call me at the number listed above. Once the additional information is received in our office, the application will be deemed complete and a notice for publication will follow.

Please Note: OAC 785:30-1-4 (d) states: If the application is defective as to form, the Board shall advise the applicant of the corrections, amendments, or changes required and 60 days shall be allowed for such corrections to be made. If the application is not corrected, amended or changed within the time required, the Board may inactivate the application. After six months or more, (without contact) OAC 785:30-3-3, states the application will be deemed withdrawn.

permit for swine production shall contain a statement that no known areas or facilities owned or operated as camps or recreational sites by nonprofit organizations exist within three miles of the swine animal feeding operation, or that written waivers have been obtained from owners or operators of such areas or facilities.

(f) In addition to other notice required by this Chapter of the rules, the applicant shall be required to provide notice by certified mail, return receipt requested, to all record owners or lessees of the surface estate of lands located wholly or partially within three miles of the outside boundary of the swine animal feeding operation. Evidence of such mailing shall be provided by an affidavit certifying such mailing and including a list of names and addresses of those persons to whom the notice was mailed. Return receipt cards shall be made available upon request of staff of the Board or the Hearing Examiner.

[Source: Added at 16 Ok Reg. 3235-3236, eff 7-12-99]

785:30-3-6. Well spacing

(a) **Spacing.** Within bedrock groundwater basins where the maximum annual yield has been determined, no new or proposed well(s) shall be drilled and completed within one thousand three hundred twenty feet (1320') of an authorized existing well or proposed well location on lands of another, provided that the well on lands of another is capable of taking water from the same basin. Within alluvium and terrace groundwater basins where the maximum annual yield has been determined, no new or proposed well(s) shall be drilled and completed within six hundred sixty feet (660') of an authorized existing well or proposed well location on lands of another, provided that the well on lands of another is capable of taking water from the same basin. These well spacing provisions shall not be applicable to plugged or abandoned wells or wells authorized pursuant to a provisional temporary permit if no regular, temporary, special or limited quantity permit application requesting authorization to use the same wells is filed.

(b) **Location exceptions.** A location exception shall be granted if the person requesting the exception shows and the Board determines in an individual proceeding that drilling or completing the new or proposed well at the location required to comply with the established well spacing set forth in subsection (a) of this section would be inequitable or unreasonable, and that notice, as set forth in 785:30-3-4, of the location exception request is provided. The following situations are examples to show that compliance with well spacing would be inequitable or unreasonable:

(1) No objection is received from any landowner having a well located within the established well spacing distance of the proposed well requested to be authorized.

(2) The amount or dimensions of the land dedicated to the permit precludes the drilling of a well in compliance with the spacing requirement set forth in (a) of this section.

(3) The well requested to be authorized is a well which was drilled, completed and used prior to the date of the maximum annual yield determination and which does not meet the spacing requirements of (a) of this section.

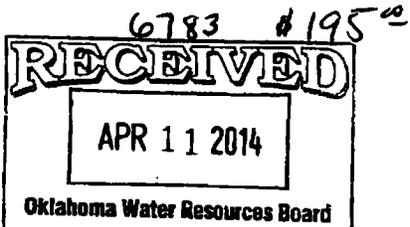
(4) The applicant presents substantial, competent evidence to the Board and the Board determines that the amount of groundwater available in locations that would meet spacing requirements is insufficient for the purposes to be authorized.

(c) **Well spacing within a sensitive sole source groundwater basin.**

(1) Within a sensitive sole source groundwater basin where the maximum annual yield has been determined:

(A) No new or proposed well shall be drilled and completed within a one thousand three hundred twenty feet (1320') radius of a spring that flows 50 or more gallons per minute, emanates from the basin and is identified in Appendix D to this Chapter;

(B) No new or proposed well shall be drilled and completed within a two (2)-mile radius of a spring that flows 500 or more gallons per minute, emanates from the basin and is identified in Appendix D to this Chapter, unless the Board first determines that the total



OFFICE USE ONLY
Application No. _____
Type of Permit _____
Groundwater Basin _____
Equal Proportionate Share _____

APPLICATION FOR A PERMIT TO USE GROUNDWATER

OKLAHOMA WATER RESOURCES BOARD
PLANNING & MANAGEMENT DIVISION
3800 North Classen Blvd., Oklahoma City, OK 73118
Phone: (405) 530-8800 Fax: (405) 530-8900
Website: www.owrb.ok.gov

APPLICATION FILING FEE

Amount of Water Requested	Fee
0 - 320 acre-feet.....	\$195.00
321 - 640 acre-feet.....	\$305.00
641 - 1500 acre-feet.....	\$380.00
Over 1500 acre-feet.....	\$380.00*

*Plus \$155.00 for each 500 acre-feet (or any increment thereof) over 1500 acre-feet. (Maximum Fee \$3,000.00)

Changed Applicant Name, Amount of Water, & Acres Owned Per A&C Ltr Rcvd 05/13/14 & 03/18/15 - MC - 10/29/2015

1. NAME & ADDRESS (Print the applicant's full name, as listed on the ownership documentation, and mailing address)

Applicant Name Kevin and Sherry Nightengale Phone (580) 745-8254
~~Kevin Nightengale~~ Fax () -
Address RR 2 Box 43 City Cordell State OK Zip 73632
Contact Name (if applicable) _____ Phone ~~(580) 821-2002~~
Address _____ City _____ State _____ Zip _____ Fax 580-515-1941

2. PURPOSE(S) FOR WHICH WATER WILL BE USED (List the purpose(s) for which the water will be used and the number of acre-feet for each purpose. Note: one acre-foot of water will cover one acre of land one foot deep and is equal to 325,851 gallons)

AMOUNT	PURPOSE
160 acre-feet of water will be used for	Oil & Gas Drilling
156 acre-feet of water will be used for	

OFFICE USE ONLY
SIC Codes

Irrigation Only: 0 acres will be irrigated. Proposed Crops N/A

3. OWNERSHIP & LEGAL DESCRIPTION OF LAND DEDICATED (List the legal description of all the lands to be dedicated. Please do not use city lot and block numbers or metes and bounds. If additional space is needed, list on a separate sheet of paper. Dedicated land must be drawn on attached plat.)

~~240~~ ¹⁵⁶ acres owned; 0 acres leased; _____ acres platted (municipal only) and dedicated to the application.

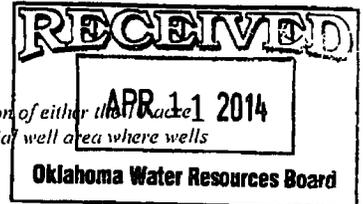
80 acres in 1/4 of N 1/2 of SE 1/4 of Section 36 Twp. 11 N S Rng. 19 WIM in Washita County
 ECM

78 ~~160~~ acres in 1/4 of 1/4 of SW 1/4 of Section 4 Twp. 10 N S Rng. 18 WIM in Washita County
 ECM

_____ acres in 1/4 of 1/4 of 1/4 of Section _____ Twp. _____ N S Rng. _____ WIM in _____ County
 ECM

_____ acres in 1/4 of 1/4 of 1/4 of Section _____ Twp. _____ N S Rng. _____ WIM in _____ County
 ECM

Water will be used in Washita County, Oklahoma



4. WELL INFORMATION (Please specify the number of wells requested and the legal description of either the tract of land where the well will be located. If the 10-acre tract is not known, please describe the potential well area where wells may be drilled. If additional space is needed, list on a separate sheet of paper.)

Changed Well
Legal Per A&C
Ltr Rcvd
05/13/14 - MC -
10/29/15

Water is to be withdrawn from ___ 1 ___ well(s) located in: Well locations must be drawn on attached plat
NE, NE, SE N EIM
~~NW 1/4 of NW 1/4 of SE 1/4~~ of Section 36 Twp. 11 S Rge. 19 WIM in Washita Existing Yes
 ECM County Well? No
___ 1/4 of ___ 1/4 of ___ 1/4 of Section ___ Twp. ___ N EIM
 S Rge. ___ WIM in ___ Existing Yes
 ECM County Well? No
___ 1/4 of ___ 1/4 of ___ 1/4 of Section ___ Twp. ___ N EIM
 S Rge. ___ WIM in ___ Existing Yes
 ECM County Well? No

For wells that are existing: Depth of Well(s) 125'; Pumping Rate(s) 90 gallons per minute

5. MUNICIPALITIES AND RURAL WATER DISTRICTS **ONLY**

If platted lands within the municipal boundaries are dedicated:

Will the municipality make water available to the platted lands area? Yes No
Will the well(s) be located not less than 600 feet within the boundaries of the municipal limits? Yes No
Will the well(s) be drilled on the platted lands dedicated? Yes No

6. SIGNATURES

Upon my oath or affirmation, I swear or affirm (1) that all information submitted to the Oklahoma Water Resources Board in connection with this application is true and accurate to the best of my knowledge; and (2) that I or the person or entity I represent will comply with all applicable laws and regulations of the State of Oklahoma or its agencies, and any lawful conditions imposed by the Oklahoma Water Resources Board, which apply or pertain to the use of fresh groundwater.

[Signature]
SIGNATURE OF APPLICANT
Kevin Nightengale
PRINT NAME

TITLE (IF APPLICABLE)

NOTARY
STATE OF Oklahoma)
COUNTY OF Washita) ss.
The foregoing instrument was acknowledged before
me this 9th day of April, 2014.

OKLAHOMA BAR ASSOCIATION NUMBER
(IF APPLICABLE)

Notary Public
My commission expires 2 27 16

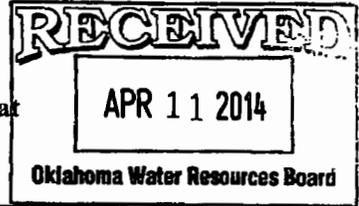
PAMELA J. HINES
NOTARY PUBLIC OKLAHOMA
WASHITA COUNTY
COMM. NO. 04001724 EXP

7. APPLICATION SUBMISSION AND PROCESSING

The submitted application must include:

- a. The appropriate filing fee (**if water has been used without first obtaining a permit, the filing fee is double the amount indicated on the first page**);
- b. The original application, typed or printed in ink, signed and notarized; and
- c. Deed(s), lease(s), and / or letter (s) of consent as required.
- d. Other documentation may be requested as needed to complete the application review.

Please note: Any incomplete or unresponsive answers may cause a delay in the processing of your application. In addition, Oklahoma Administrative Code (OAC) 785:30-1-4(d) states: "If the application is defective to as to form, the Board shall advise the applicant of the corrections, amendments, or changes required and sixty (60) days shall be allowed for the refiling thereof. If the application is not corrected, amended, or changed within the time required, the Board may inactivate the application. Furthermore, OAC 785:30-3-3(b) states: "If an applicant does not correct an application or publish notice as instructed by the Board, and no further proceedings are initiated by the applicant for six months or more after last contact with the Board, the application shall be deemed withdrawn. The Board shall provide notice to the applicant that the application has been deemed withdrawn."



Oklahoma Water Resources Board Application Plat
(Instruction Sheet Provided)

Applicant Name Kevin Nightengale

Note: Drawings must match the legal descriptions provided in questions #3 and #4 in the application and one copy of the plat must be filed with the application.

NW NW NW	NE NW NW	NW NE NW	NE NE NW	NW NW NE ① 37690	NE NW NE	NW NE NE	NE NE NE ① 37691
SW NW NW	SE NW NW	SW NE NW	SE NE NW	SW NW NE	SE NW NE	SW NE NE	SE NE NE 20958 ①
NW SW NW	NE SW NW	NW SE NW	NE SE NW	NW SW NE	NE SW NE	NW SE NE	NE SE NE
SW SW NW	SE SW NW	SW SE NW	SE SE NW	SW SW NE	SE SW NE	SW SE NE	SE SE NE
NW SW SW	NE NW SW	NW NE SW	NE NE SW	③ 36	SW NW SE ID# 37692 ①	NW SE SE Ex. Well →	NE NE SE ID# 37697 ① ID# 20959
SW NW SW	SE NW SW	SW NE SW	SE NE SW	SW NW SE	SE NW SE	SW NE SE	SE NE SE
NW SW SW	NE SW SW	NW SE SW	NE SE SW	NW SW SE	NE SW SE	NW SE SE	NE SE SE
SW SW SW 10# 269 ① 84246	SE SW SW	SW SE SW	SE SE SW	SW SW SE 37698 ①	SE SW SE 20965 ① 20967 ①	SW SE SE 20966 ①	SE SE SE 20964 ① 37699 ①

36-11N-19W

Section - Township - Range

Washita

County



Land Dedicated



Area of Use



Potential Well Location Area

● Applicant's Wells

⊙ Other Existing Nearby Wells

