Kansas Department of Agriculture / Division of Water Resources <u>Stockton</u> Field Office

TO: HEADQUARTERS
RE 🛛 Vested Right; 💢 Water Right; 🔲 Appropriation of Water; 🔲 Application
File No(s). PL-1/0; PL-17-D2; 219; 1970; 5,130; County PL Enclosed are the following checked items: 30,902; 31,484; 35,648
Enclosed are the following checked items: 26,865,27,754,
A FIR Full Partial Inspection Return to Field Office
Proposed Certificate to deliver to Certificate Unit
Meter Order: GMD#4
☐ A Compliance Check Inspection on ☐ Other
☐ Meter Install ☐ New App ☐ Chg App ☐ Other
In Compliance Not in Compliance, why
Modify Point of Diversion No Yes, document attached
Indicate all overlapping p/d files
An application and judgment sheet with recommendation.
A memorandum dated
A request for an extension of time to perfect or complete.
A verified report.
A closure request.
A field investigation report—
Notice of Non-Compliance
Violation · Date
An ownership change (name(s) and address(es) below).
☐ A water use report for
A copy of an Approval to Change the place of use and/or point of diversion, Filing Fee attached.
An Advanced copy of a change application and the filing fee, to be processed at the filling fee, to be processed at the filling.
3, 400.00 An original field office change <u>application</u> and the filing fee needing headquarters offi review and further processing.
Other:
Lelly a Storms 10.27-16
Water Commissioner Date



Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Kelly Stewart, Water Commissioner Phone: (785) 425-6787 Fax: (785) 425-6842 www.agriculture.ks.gov

Sam Brownback, Governor

October 28, 2016

Steven Cox 1472 Hwy 383 Long Island, KS 67647

Re: Vested Right, File Nos. PL-16 & PL-17.D2, and Water Right File Nos. 219; 1,970; 3,130; 4,005; 4,304; 7,947; 8,203; 26,865; 27,754; 30,902; 31,484; & 35,648

Dear Mr. Cox:

This is to advise you that Terry Nelson has filed applications 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. For file numbers PL016, 219 and 3,130, the point(s) of diversion are also proposed to be moved.

You are notified of these proposed changes 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.

You can find the complete applications posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices 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,

Kelly C. Stewart Water Commissioner

KCS:rfh
pc:
Jerry Cox
Clint & Corinne Cox
Brad & Ann Cox



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Sam Brownback, Governor

October 28, 2016

Clint & Corinne Cox 306 Wheeling Ave. Long Island, KS 67647

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Sam Brownback, Governor

October 28, 2016

Brad & Ann Cox 1439 W. Granite Rd. Long Island, KS 67647

Re: Vested Right, File Nos. PL-16 & PL-17.D2, and Water Right File Nos. 219; 1,970; 3,130; 4,005; 4,304; 7,947; 8,203; 26,865; 27,754; 30,902; 31,484; & 35,648

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Sincerely,

Kelly C. Stewart Water Commissioner

KCS:rfh
pc:
Steven Cox
Clint & Corinne Cox
Jerry Cox

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.

RECEIVED

3		· ·				j. F	ile No	. 27,7	54								00	T 27	2016 am
. A	pplication	on is he	reby n	nade fo	or appr		f the Clace o		nginee		nange Point	•		ne or b	oth):	Di	Stock	ton Fie	eld Office er Resource
u	nder the	water	right w	hich is	s the su	ubject	of this	applic	ation i	n acco	ordance	e with t	the cor	ndition	s desc	ribed i	below.		
Т	he sour	ce of su	apply is	s:		⊠ G	iround	water			Surfac	ce wat	er						
N	lame an	d addre	ess of	Applica	ant: N	elson	Farms	Inc.											
P	O Box	38 Lon	g Islan	d, KS	67647														
P	hone N	umber:	(785)	854-76	311		<u></u>		Email	addre	ss: <u>ter</u>	rynels:	on@ru	raltel.ı	net				
N	lame an	d addre	ess of	Water	Use C	orresp	onden	t: Nel	son Fa	arms Ir	nc.								
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	hone N								Email	addre	ss: ter	rynels	on@ru	<u>raltel.</u>	net	***			
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				NE	1/4	5 / Y		· NV	V1/4			SV	N1/4			SI	Ε1/4		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	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
28	15	20W															1	13	14
33	18	20W	28	38	40	40	33	31	31	40					40	34	28	34	417
34	. 18	20W							39	7	19	18	17	27					127
	this app	f Land -	NA ADDRI	ME:	Nelson PO Bo	Farm x 38 l	s Inc. ong Is	sland,	KS 67	647		ace of	use be	e chan	ged to	:			
	f there is		NE%						N1/4			SV	N1/4			SI	E1/4		TOTAL
	f there is			NE	1/4						II								
(1	f there is	Range	NE1/4		5W1/4	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
(1			NE1/4			SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE1/4	
(I	Twp.	Range	NE1/4			SE1/4	NE1/4 33	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE¼	NE1/4 40	NW1/4			ACRES

5.	Presently authorized poi	nt of diversion:			
	One in the	Quarter of the		Quarter of the	Quarter
	of Section	, Township		South, Range	WEST,
	in	County, Kansas,	feet North	feet West of S	outheast corner of section.
	Authorized Rate	Authorized Quantit	у	Depth of well	(feet)
- 1	(DWR use only: Comput	er ID No.	GPS	feet North	feet West)
	☐ This point will not be	changed	vill be changed a	s follows:	
	Proposed point of divers	ion: (Complete only if cha	nge is requested	<u>1)</u>	
					Quarter Quarter
- 1					WEST,
		County, Kansas,			
1					eet)
	This point is: Additiona	I Well ☐ Geo Center Lis	t other water right	s that will use this point _	· .
٦	Presently authorized poi	nt of diversion:			
6.	One in the	Ouarter of the	The Stage	Quarter of the	Quarter WEST,
	of Section	Quarter of the		South Pange	WEST
	in Section	County Kanese	foot North	foot West of S	outhorst corner of section
- 1	111	Authorized Quantil	1CCL MOLLI	ICCL AACSI OLO	oddiedal comer of section.
		er ID No (
		changed			lest west/
		ion: (Complete only if cha			O. andrews
	of Castian	Quarter of the		Quarter of the	Quarter WEST,
- 1	or Section	, rownsnip	S-4 NI-44	South, Range	WEST,
	In	_ County, Kansas,	reet North	reet vvest or S	outheast corner of section.
					eet)
7.		,	feet of the d	of the existing point of div liagram below in relation to ASE NOTE: The "X" esents presently authoriz	•
8.	If a well, is the test hole log	attached? Yes No	and the state of	100 50 0	50 100
9.	When do you propose	to complete the new poir	nt of	E	3
	diversion?			F . =	. 3
				50 - + -	+ = 150
			•		
10.	If the point of diversion is a	well:	We	st 0 - III III I X	IIIIIII O East
	(a) What are you going to	do with the old well?		E	1
	mla .				
	n/a		_	50 - + -	+ = 50
	(b) When will this be done?	? <u>n/a</u>	_	E	<u>+</u>
11.	Groundwater Management attached? Yes		ation	100 50 0 Sout Scale 1	50 100 th = 100 '
12.	Assisted by <u>DLM-STKFO</u>		— 100 diver For g within name wate lande	feet but within 1320 fer sion, attach a topograph groundwater sources, show n one-half mile of the prop es and mailing addresses r sources, show the na	on will be relocated more than et from the existing point of ic map or aerial photograph. w all wells (including domestic) osed point of diversion and the s of the owners. For surface ames and addresses of the ownstream and one-half mile les.

14. If the proposed groundwater point of diversion is 300 or fewer fee	et from existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently a	
Yes No (If no, all owners must sign this a	
 (b) Will the ownership interest of any owner of the currently au affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this application) 	thorized place(s) of use identified in this application be adversely application.)
(c) If this application is not approved expeditiously, will there be ☐ Yes ☐ No (If no, all owners must sign this a	
If the application proposes a surface water change in point of diversion or a change in place of use, the application must be signed by all own agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or aff age and the owner, the spouse of the owner, or a duly autitheir behalf, in regard to the water right(s) to which this a contained in this application are true, correct and complete Dated at 1000 Great Print (Please Print)	norized agent of the owner(s) to make this application on application pertains. I further verify that the statements e.
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas)	
County of Phillips SS	160
I hereby certify that the foregoing application was signed in	my presence and sworn to before me this 24 day of
My Commission Expires 4-5-18 State of My Appl. Exp.	Kansas
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	
FEE SCHI	EDULE
Each application to change the place of use or the point of diversion use forth in the schedule below: Make checks payable to: Kansas Depa (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300	under this section shall be accompanied by the application fee set
	RECEIVED

OCT 27 2016

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro K.A	visions of the Kansas Water Appropriation Law, K.S.A. 82a-	a-708b, as amended, and K.A.R. 5-14-3 and other applicable -701 et. seq., and rules and regulations promulgated thereunder, ressly contained herein, this Summary Order does not change the
1.	A change application was received on diversion authorized under the above-referenced file number	requesting that the place of use and / or point of r be changed as described in the application.
2.	On and after the effective date of this summary order, the a on the topographic map accompanying the application to ch	authorized place(s) of use shall be located substantially as shown ange the place of use. Applicable Not Applicable
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.	hts and shall be limited to the same source or sources of water as this summary order shall be located within a foot ble Not Applicable
4.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. Applicable	be located more than feet from the previously of Applicable
5.	As required by K.A.R. 5-3-5d, if the works for diversion is a tube or other device suitable for making water level measure with K.A.R. 5-6-13. Applicable Not Applicable	a well with a diversion rate of 100 gallons per minute or more, a ements shall be installed, operated and maintained in accordance
6.	operated and maintained in accordance with K.A.R. 5-1-4 th	operly install an acceptable water flow meter on or before whichever occurs first. The water flow meter shall be installed, brough 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 the end of each calendar year.
7.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 the a works for diversion has been completed, on the form provided Applicable Not Applicable	completed on or before December 31, 20, or within any applicant shall notify the Chief Engineer that construction of the ed by the Chief Engineer, as required by K.A.R. 5-8-4e.
8.	The completed well log shall be submitted with the requ	ired notice.
9.	with an in-line, automatic, quick-closing check valve capab	foreign substance will be injected into the water shall be equipped le of preventing pollution of the source of the water supply. The naccordance with K.A.R. 5-3-5c. Applicable Not Applicable
10.	Additional Conditions are attached. Yes No	
11.	water appropriated under the above-referenced file number limitations, as amended and/or supplemented by this Sum Appropriation Law and the Rules and Regulations promule	A.R. 5-5-14, all of the owners of the authorized place(s) of use of the 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 sauthorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
	have the right to a hearing in accordance with K.A.R. 5-14-3	APPLICATION APPROVED AND
befo	ore this Summary Order becomes final action of the Kansas	SUMMARY ORDER ISSUED
filed	partment of Agriculture. Any request for a hearing must be with the Chief Engineer, Division of Water Resources,	
Kar	nsas Department of Agriculture, 1320 Research Park ve, Manhattan, Kansas 66502, within 15 days after the date	By: Duly Authorized Designee of the Chief Engineer
sho	wn on the Certificate of Service attached hereto. If a hearing of requested in accordance with K.A.R. 5-14-3, this Summary er will become effective on the 15 th day after the date shown	(Print Name): Division of Water Resources - Kansas Department of Agriculture
on t	he Certificate of Service.	Date of Issuance:
-	For Use by Register of Deeds	
		State of Kansas) SS County of)
		Acknowledged before me on
		by
		Signature:Notary Public
		Notary Public
		My commission expires:
		(Notary Seal)

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO. 27754

MAKE ADDITIONAL COPIES AS NECESSARY

RECEIVED

OCT 27 2016

Stockton Field Office Division of Water Resources

Continued: The presently authorized place of use is:

Owner of Land ---- NAME: NTN, LLP.

ADDRESS: 1304 W Fox Rd Long Island, KS 67647

			NE	=1/4			NV	V1/4			SV	V1/4			SE	1/4		TOTAL
Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
28	20W							Lot 1 22	Lot 1 5									27
																-	-	
_				Twp. Range NE% NW%		Twp. Range NE% NW% SW% SE%	Twp. Range NE½ NW½ SW½ SE½ NE½	Twp. Range NE% NW% SW% SE% NE% NW%	Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ Lot 1	Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ Lot 1 Lot 1	Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ Lot 1 Lot 1	Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW½ Lot 1 Lot 1	Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW½ SW½ SW½ SW½ SW½ SW½ SW½ SW½ SW½ SW½ S	Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW¾ SW¾ SE½ Lot 1 Lot 1	Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NE½ NW½ SW½ SE½ NE½	Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW¾ SW½ SE½ NW¾ SW¾ SE¾ NE½ NW¾	Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NE½ NW½ SW½ SE½ NW½ SW½ SE½ NE½ NW½ SW½ SW½ SE½ NE½ NW½ SW½	Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NE½ NW½ SW½ SE½ NE½ NW¾ SW½ SE½ NE½ NW¾ SW½ SE½ NW¾ SE½ NW¾ SW½ SE½

Owner of Land ---- NAME: N. Terry Nelson

ADDRESS: PO Box 38 Long Island, KS 67647

				NE	Ε1/4			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	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
33	15	20W									31	26	7	3					67
4	28	20W					Lot 2 19	Lot 2 34	Lot 1 10	Lot 1									69

Owner of Land ---- NAME: Nelson Farms Inc.

ADDRESS: PO Box 38 Long Island, KS 67647

				NE	=1/4			NV	V1/4			SV	V1/4			SE	1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	ACRES												
4	28	20W										3							3

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: NTN, LLP.

ADDRESS: 1304 W Fox Rd Long Island, KS 67647

				NE	=1/4			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	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
4	28	20W							Lot 1 22	Lot 1 5									27

Owner of Land ---- NAME: N. Terry Nelson

ADDRESS: PO Box 38 Long Island, KS 67647

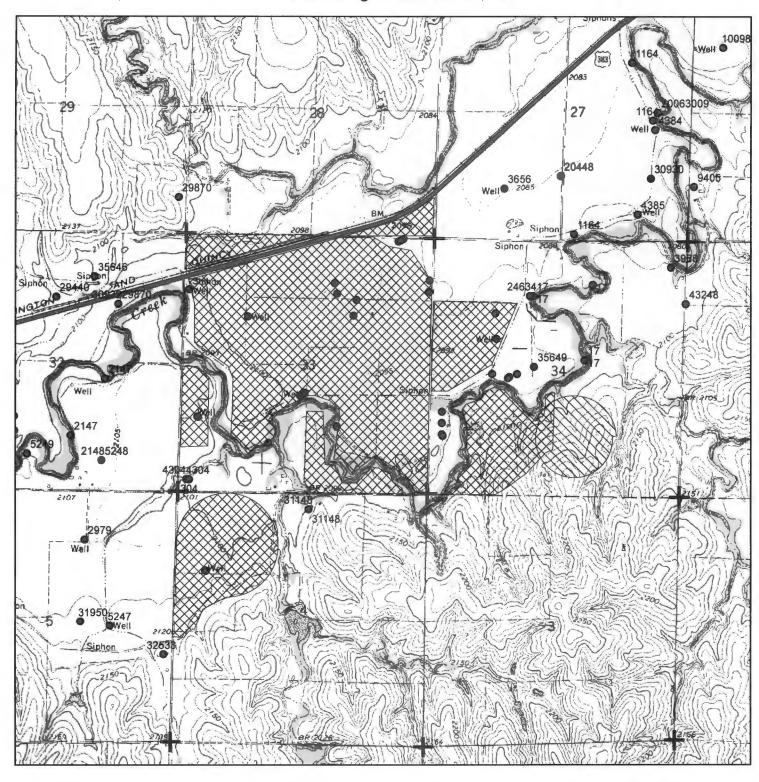
				NE	Ξ1/4			NV	V1/4			SV	V1/4			SE	E1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
33	15	20W									31	26	7	3					67
4	28	20W					Lot 2 19	Lot 2 34	Lot 1 10	Lot 1 6									69

Owner of Land ---- NAME: Nelson Farms Inc.

ADDRESS: 1361 W Granite Rd Long Island, KS 67647

		- 1		NE	Ξ1/4			NV	V1/4			SV	V1/4			SE	1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	ACRES												
4	25	20W										3							3

Application to Change the Place of Use For Water Right File No. 27,754





Authorized Place of Use

Proposed Place of Use

RECEIVED

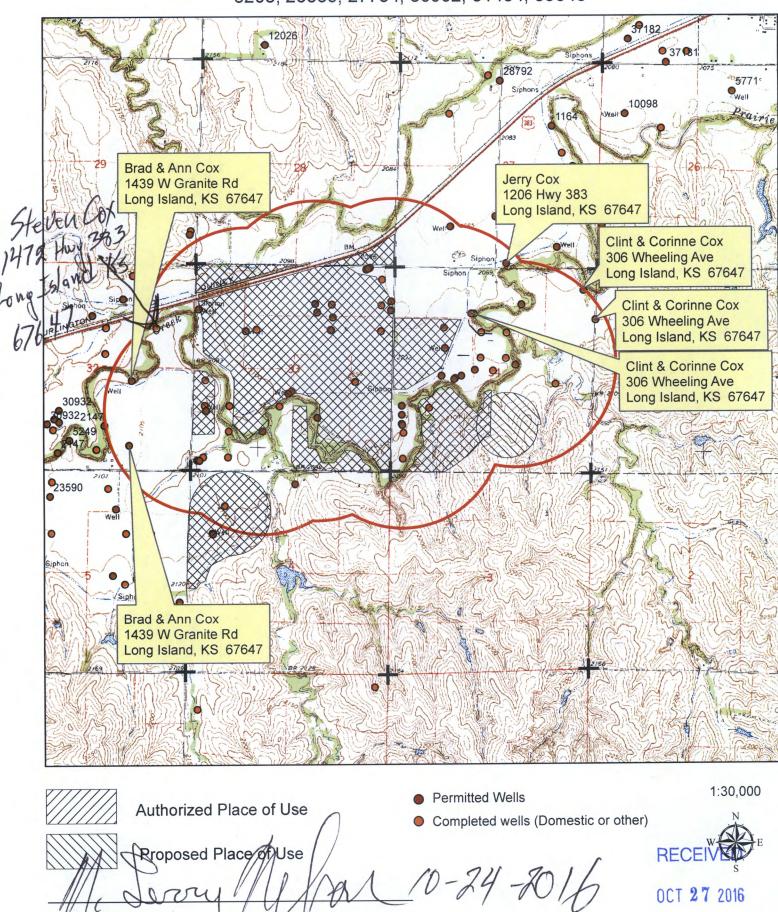
OCT 27 2016

Stockton Field Office Division of Water Resources 1:24,000



The names and addresses of the landowners 1/2 mile downstream and upstream from my property lines are shown.

Application to Change the Place of Use For Water Right File Nos. PL16, PL17.D2, 219, 1970, 3130, 4005, 4304, 7947, 8203, 26865, 27754, 30902, 31484, 35648



The names and addresses of the well owners 1/2 mile within the water rights proposed to be changed are shown.

Stockton Field Office Division of Water Resources