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). <u>PL-1/a: PL-7-D2;219;1970;3,130;</u> County <u>PL</u> Enclosed are the following checked items: <u>30;902;31,404;3564</u>
Enclosed are the following checked items: 203;26,865;27754;
Proposed Certificate to deliver to Certificate Unit
Meter Order: GMD#4 Lower Smoky 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 letter dated
A copy of an <u>Approval</u> 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 field office. #.023311 \$3,400.00
An original field office change <u>application</u> and the filing fee needing headquarters office review and further processing.
Other:
Kelly h Sterred 10.27-16
Water, Commissioner Date

Stockton Field Office 820 S. Walnut Stockton, Kansas 67669-0192 Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Kelly Stewart, Water Commissioner Kansas Department of Agriculture Division of Water Resources

Phone: (785) 425-6787 Fax: (785) 425-6842 www.agriculture.ks.gov Snm 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 <u>www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices</u> 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 Stockton Field Office 820 S. Walnut Stockton, Kansas 67669-0192

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Kelly Stewart, Water Commissioner



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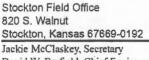
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Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Kelly Stewart, Water Commissioner



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October 28, 2016

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

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Kelly C. Stewart Water Commissioner

KCS:rfh pc: Steven Cox Jerry Cox Brad & Ann Cox Stockton Field Office 820 S. Walnut Stockton, Kansas 67669-0192

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Kelly Stewart, Water Commissioner Kansas Department of Agriculture Division of Water Resources

Phone: (785) 425-6787 Fax: (785) 425-6842 www.agriculture.ks.gov 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,

Un a Stein

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

								-											
							File No). <u>4,30</u> 4	4 (IRR)							C	OCT 2	7 2016
1. A	Applicati	on is he	ereby r	nade f	or app	roval o	of the (Chief E	nginee	er to ch	nange	the (ch	neck or	ne or b	oth):		Stor	Ckton F	joan
							lace o		Ū		-	of Dive			,	Γ	Divisio	n of Wa	ter Resource
L	under th	e water	right v	vhich i	s the s	ubiect	of this	applic	ation i	n acco	ordance	e with t	the cor	ndition	s desc	ribed I	below.		
	The sou		-					water				ce wat							
2. N	Name ar	nd addr	ess of	Applic	ant [.] N	elson	Farms	Inc											
	O Box						- carrie												
	hone N		-						Email	addre	ss: ter	rvnels	വ ത്രപ	raltel	net				
	Name ar					orresr	onder	nt: Nel				Tynolo	01100,10	ancon					
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						se is:	_		Lindi	addic	<u>. 101</u>	111015	omorid	in an con					
	The presently authorized place of use is: Owner of Land NAME: <u>Nelson Farms Inc.</u>																		
	owner o							sland,	KS 67	647									
(If there is										sary.)								
					=1/4				N1/4			SV	V1/4			SI	=1/4		TOTAL
Sec.	Twp.	Range	NE ¹ /4	NW1/4	SW1/4	SE1/4	NE ¹ /4	NW1/4		SE1/4	NE¼	NW1/4		SE¼	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
28	1S	20W															1	13	14
33	15	20W	28	38	40	40	33	31	31	40					40	34	28	34	417
34	15	20W							39	7	19	18	17	27					127
C	f this ap Owner o If there is	f Land	ADDR	AME: ESS: a landov	Nelso PO Bo	n Farm	is Inc. Long I	sland, ental sh	KS 67	647			use be	e chan	ged to		=1/4		TOTAL
Sec.	Twp.	Range	NE ¹ /4	NW1/4	SW1/4	SE1/4	NE ¹ /4	NW1/4		SE¼	NE¼	NW1/4		SE¼	NE ¹ /4			SE1/4	ACRES
28	1S	20W			1												1	13	14
33	15	201	28	38	40	40	33	31	31	40					40	34	28	34	417

For Office Use Only: Code	Fee \$	TR #	Receipt Date	Check #
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7

19

18

17

28

17.5

22.5

39

20W

34

1S

168

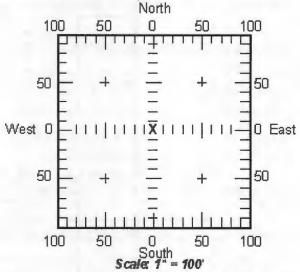
One in the	Quarter of the		Quarter of the	Quarter
of Section	, Township		South, Range	WEST
in	County, Kansas,	feet North	feet West of So	outheast corner of section.
Authorized Rate	Authorized Quar	ntity	Depth of well	(feet)
(DWR use only: Com	puter ID No	GPS	feet North	feet West)
This point will not	be changed 🗌 This point	t will be changed a	s follows:	
Proposed point of div	version: (Complete only if c	hange is requested	<u>(t</u>	
One in the	Quarter of the		Quarter of the	Quarter
	, Township			
	County, Kansas,			
	Proposed Quant			
	onal Well 🔲 Geo Center 1			
NEW SOUTH				· · · · · · · · · · · · · · · · · · ·
Presently authorized	point of diversion:			
One in the	Quarter of the		Quarter of the	Quarter
	, Township			
	County, Kansas,			
	Authorized Quar			
	puter ID No			
-	be changed			
	version: (Complete only if c			
	Overter of the			Quarter

Proposed point of di	version: (Complete only if cha	ange is requested	1	
One in the	Quarter of the		Quarter of the	Quarter
of Section	, Township		South, Range	WEST,
in	County, Kansas,	feet North	feet West of Southea	st corner of section.
Proposed Rate	Proposed Quantit	у	Proposed well depth (feet)	
This point is: 🗌 Addit	tional Well 🔲 Geo Center Lis	st other water rights	s that will use this point	

No No

7.	Why do y	ou need	a new	point of	diversion?	
	ting do j	04 11004	a non	point of	are or or or or it.	-

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

10. If the point of diversion is a well:

(a) What are you going to do with the old well?

If a well, is the test hole log attached? Ses

n/a

diversion?

8.

9.

- (b) When will this be done? n/a
- 11. Groundwater Management District recommendation attached?

When do you propose to complete the new point of

12. Assisted by DLM-STKFO

- 14. If the proposed groundwater point of diversion is 300 or fewer feet from 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? (If no, all owners must sign this application.) Yes No No
 - (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 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 regard 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 Long FS/and, Kansas, Moor Pars And Nelson Farms Fuc	this 24 day of Octoher , 20/16. A. Derry MDay (Spoulser MDay
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of Avillips SS	<i>U</i>
I hereby certify that the foregoing application was signed i	n my presence and sworn to before me this 24th day of KAY L LEE State of Kansas at and File State of Kansas
My Commission Expires 4-5-18	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
	Application to change a point of diversion more than 300 feet	
	Application to change the place of use	

RECEIVED

OCT 27 2016

Page 3

Stockton Field Office Division of Water Resources

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. 5-14-3 and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, K.A.R. 5-1-1 et.seq. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. <u>4,304 IRR</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
- 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

- 6. 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.
- 7. 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.
- 8. The completed well log shall be submitted with the required notice.
- 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
- 10. Additional Conditions are attached. Yes No
- 11. 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

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown on the Certificate of Service.

For Use by Register of Deeds

(Print Name): Division of Water Resources - H	Cansas Department of Agriculture
Date of Issuance:	frankran
State of Kansas)) SS
County of	,
Acknowledged before me on	
by	
Signature:	
	Notary Public

FOR OFFICE USE ONLY

APPLICATION APPROVED AND

SUMMARY ORDER ISSUED

My commission expires: _

(Notary Seal)

RECEIVED

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET FILE NO. 4,304 IRR MAKE ADDITIONAL COPIES AS NECESSARY

Stockton Field Office Division of Water Resources

OCT 27 2016

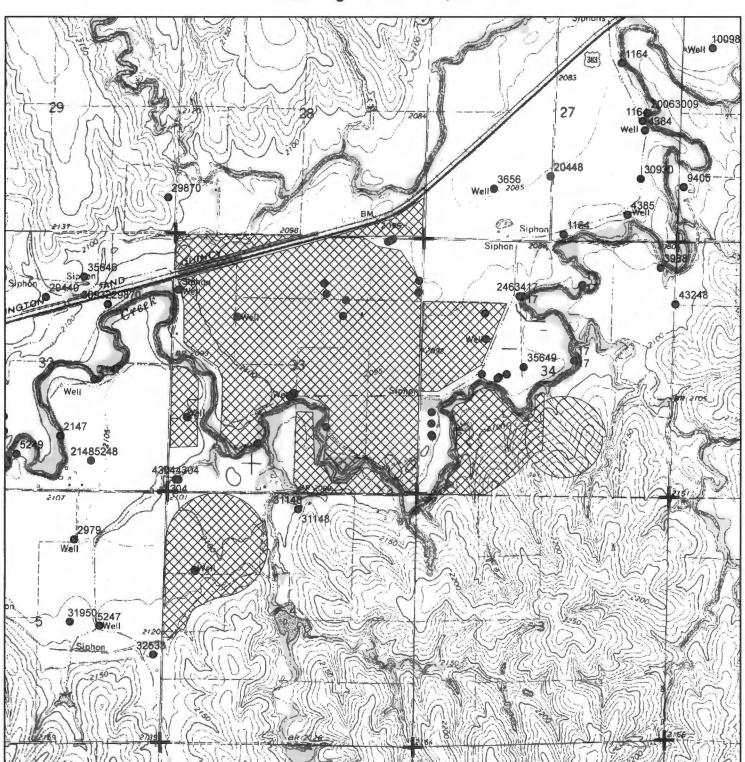
3. Continued: The presently authorized place of use is: Owner of Land ---- NAME: <u>NTN, LLP</u>.

Jaland KC 67647

				NE	Ξ¼			NV	V1/4			SV	V1/4			SE	1/4		TOTAL
Sec.	Twp.	Range	NE ¹ ⁄ ₄	NW1/4	SW1/4	SE¼	NE ¹ /4	NW1/4	SW1/4	SE¼	NE ¹ /4	NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE¼	ACRES
4	2S	20W							Lot 1 22	Lot 1 5									27
										10.1									
0	wner o	f Land -		ME: ESS:				sland,	KS 67	647									
					1/4				V1/4				V1/4				1/4		TOTAL
ec.	Twp.	Range	NE¼	NW1/4	SW1/4	SE¼	NE¼	NW1/4	SW1/4	SE¼	NE ¹ /4	NW1/4	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE¼	
33	1S	20W				_	Lot 2	Lot 2	Lot 1	Lot 1	31	26	7	3	_				67
4	28	20W					19	34	10	6									69
				-	=1/4	-			V1/4				V%		NEW		1/4	051/	TOTAL
				ESS:		x 30 l				047		SV	V1/4			SE	=1/4		TOTAL
						-				-					1.000		-	CE1/	ACRES
ec.	Twp.	Range	NE ¹ / 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	SE¼	
	Twp. 2S	Range 20W	NE¼	NW1/4	SW1/4	SE%	NE¼	NW1/4	SW1/4	SE¼	NE¼	NW1/4 3	SW1/4	SE%	NE%	NVV¼	SW%	SE%	3
			NE¼	NW1/4	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE¼	NE¼		SW¼	SE%	NE%	NVV%	SWV/4	SE%	3
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4 C(O) ecc. 4	2S continue wner o Twp. 2S	20W ed: If th f Land - / Range 20W	is app ADDR	NW%	n is for NTN, I 1304 V =% SW% SW% N. Ter PO Bo	a char LP. V Fox SE ¹ / ₄	Rd Lc	place o ong Isla NW%	of use, and, Ks v ¹ / ₄ SW ¹ / ₄ Lot 1 22 KS 67	it is pr <u>S 676</u> <u>SE½</u> Lot 1 5	ropose	3 ed that SV NW1/2	the pla	ace of	use be	chang SE NW1/4	ged to:	SE¼	TOTAL ACRES 27
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Owner of Land ---- NAME: <u>Nelson Farms Inc.</u> ADDRESS: <u>1361 W Granite Rd Long Island, KS 67647</u>

				NE	Ξ1/4			NV	V1/4			SV	V1/4		SE¼			TOTAL		
Sec.	Twp.	Range	NE ¹ / ₄	NW1/4	SW1/4	SE¼	NE¼	NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE¼	ACRES	
4	2S	20W										3							3	



Application to Change the Place of Use For Water Right File No. 4,304 IRR



w.5. . i

Authorized Place of Use

Proposed Place of Use

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

1:24,000

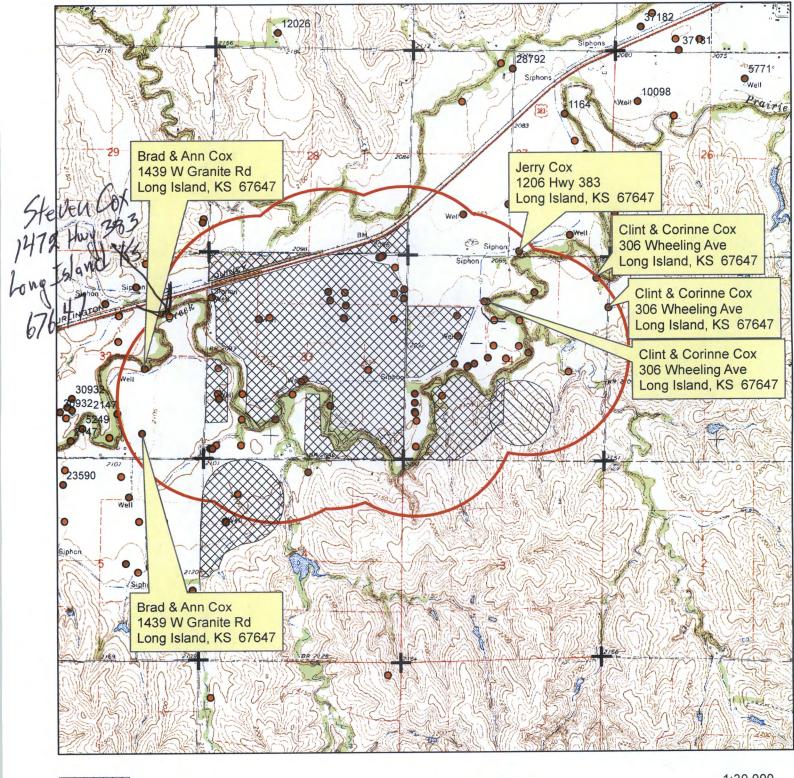


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Stockton Field Office Division of Water Resources

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



Authorized Place of Use	Permitted Wells
	Completed wells (Domestic or otherwise)
Broposed Place of Use	10-24-2016

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

1:30,000



OCT 27 2016

Stockton Field Office Division of Water Resources