# 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-1/2; PL-17-D2; 219; 1970; 5,130; County PL  Enclosed are the following checked items: 30,902; 31,444; 35648
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:
☐ A Compliance Check Inspection on ☐ 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 file office. # 023311
\$ 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 <a href="www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices">www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices</a> 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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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.

than	100 fee	t, or if	place of	of use	will be	e char													ion is greater and proposed
point(	s) of div	ersion a	and/or	place	of use												F	RECE	EIVED
	,					F	ile No	. <u>7,947</u>	7								(	CT 2	7 2016
1. A	pplication	on is he	rehv n	nade fi	or ann	roval o	f the C	`hief F	naines	er to ch	ange '	the (ch	eck or	e or h	oth):		. (	0:3	Sam. Field Office
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	-dorth	water	-imbe s	يز طونوان	- 4h.o.o.	_			ation i					dition	daga		-	II OI TT	atti rices-
	nder the				ine s				auom					Million	Suesu	nueu i	eiow.		
- 1	he sour	ce ot su	ibbiy is	5:		KI G	round	water			Surfac	ce wat	er						
2. N	lame an	ıd addre	ess of	Applica	ant: N	elson l	Farms	Inc.											
	O Box						GILLIA	III.											
	hone N								Email	addre	ss: <u>ter</u>	rynels	on@ru	raltel.r	net				
	lame an					orresp	onden												
	O Box																		
Р	hone N	umber:	(785)	854-76	311				Email	addre	ss: <u>ter</u>	rrynels	on@ru	raltel.r	net				
3. T	he pres	ently au	uthoriz	ed pla	ce of u	se is:													
C	wner of	Land -	NA	ME:	Nelsor	ı Farm	s Inc.					,							
									KS 67										
(1	f there is	more th	an one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
				NE	=1/4			NV	N1/4			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
28	1S	20W															1	13	14
33	18	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	this appoint the thick the	f Land -	NA Addre	AME: .	Nelsor PO Bo	n Farm 0x 38 L	s Inc. ong Is	sland,	KS 67	647		ace of	use be	e chan	ged to	:			
· ·	1 (11010 12	111010	un 01.5				PPICITION				1	CI	44/			- cı	-1/		TOTAL
Sec.	Twp.	Range	NE1/4		5W1/4	SE1/4	NE1/4		N1/4 SW1/4	SE1/4	NF1/		V1/4 SW1/4	SF1/4	NE1/		SW1/4	SE1/4	TOTAL ACRES
28	1S	20W	INE.74	IMAAA	344/4	GE/4	INE/4	IAAAA	OV V /4	UL/4	141,74	146474	341/4	GL/4	INL/4	IAAAA	1	13	14
33	18	20W	28	38	40	40	33	31	31	40					40	34	28	34	417
34	1\$	20W							39	7	19	18	17	28		17.5	22.5		168
34	10	2000							1 00	,	10	1 10		20		17.0	22.0	الـــــــا	100
F	or Offic	e Use	Only:	Code		Fe	 e \$		TR	#		Re	eceipt	Date _			Chec	k#	

5.	Presently authorized point of diversion:			
	One in the Quarter of the			
	of Section , Township		South, Range	WEST,
	in County, Kansas,	feet North	feet West of So	outheast 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 b	e changed as	s follows:	
	Proposed point of diversion: (Complete only if change	is requested	)	
	One in the Quarter of the			
	of Section, Township		South, Range	WEST,
	in County, Kansas,			
	Proposed Rate Proposed Quantity			
	This point is: Additional Well Geo Center List other	er water rights	s that will use this point _	·
Г	B 4 4 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			
6.	Presently authorized point of diversion:		Overden of the	Overden
	One in the Quarter of the		Quarter of the	Quarter
	of Section, Township			
	in County, Kansas,			
	Authorized Rate Authorized Quantity			
- 1	(DWR use only: Computer ID No GPS			reet west)
	☐ This point will not be changed ☐ This point will b			
	Proposed point of diversion: (Complete only if change			0
	One in the Quarter of the			
	of Section, Township			
	in County, Kansas,			
	Proposed Rate Proposed Quantity This point is:  Additional Well Geo Center List other			
L	This point is	or water right	That will doe this point _	
7.	Why do you need a new point of diversion?	feet of the di (PLE)	of the existing point of dive	
8.	If a well, is the test hole log attached?   Yes   No		100 50 0	50 100
0	When do you propose to complete the new point of	£	F, T, Ŧ.	111111111111111111111111111111111111111
9.	When do you propose to complete the new point of diversion?	'	= =	
	,		50 - + -	+ - 50
			-	F
10.	If the point of diversion is a well:	107-	F <del></del> .	, , , , , , , , , , , , , , , , , , ,
	(a) What are you going to do with the old well?	vve:	st 0 -	0 East
	n/a		= =	=======================================
			50 - + -	+ = 50
	(b) When will this be done? n/a		= =	
			hillint	шин
11.	Groundwater Management District recommendation attached?  Yes No	1	100 50 0 South Scale 1"	50 100 n = <b>100</b> '
12.	Assisted by DLM-STKFO	100 divers For g withir name water lando	proposed point of diversic feet but within 1320 fee sion, attach a topographi roundwater sources, show n one-half mile of the proposes and mailing addresses sources, show the na	on will be relocated more than the treat from the existing point of comman or aerial photograph. It was all wells (including domestic) used point of diversion and the of the owners. For surface mes and addresses of the ownstream and one-half mile

14. If the proposed groundwater point of diversion is 300 or fewer feet from	m existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently autho ☐ Yes ☐ No (If no, all owners must sign this application)	
<ul> <li>(b) Will the ownership interest of any owner of the currently authorized affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this applied)</li> </ul>	
(c) If this application is not approved expeditiously, will there be subs	
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).	groundwater change in point of diversion greater than 300 feet, of the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirmating age and the owner, the spouse of the owner, or a duly authorize their behalf, in regard to the water right(s) to which this apple	zed agent of the owner(s) to make this application on
contained in this application are true, correct and complete.  Dated at 600 Kansas, this	24 day of October 20/6.
(Owner)	M. Jorry (Spouse)
Nelson /avus +nc (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas  County of Phillips SS	a u Ch
I hereby certify that the foregoing application was signed in my	presence and sworn to before me this 24 day of  KAY L LEE State of Kansas My Appl. Exp. 458
My Commission Expires 4-5-18	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all caccurate information; maps, if necessary, must be included; signatures of all the apthe appropriate fee must be paid.	of the applicable portions of the application form must be completed with propriate owners' must be affixed to the application and notarized; and
FEE SCHEDU	
Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Departmet (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
(a) the manner or an initial and broad at man tritter than the	RECEIVED
	OCT <b>27</b> 2016

Stockton Field Office Division of Water Resources File No. <u>7947</u>

## SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

prov K.A	s Summary Order is issued under authority of K.S.A. 82a visions of the <i>Kansas Water Appropriation Law, K.S.A.</i> 82a-R. 5-1-1 et.seq. With the exception of those conditions express, conditions and limitations of File No. 7947	701 et. seg., and rules and regulation	ns promulgated thereunder.
1.	A change application was received on diversion authorized under the above-referenced file number	requesting that the plate be changed as described in the application.	ace of use and / or point of cation.
2.	On and after the effective date of this summary order, the aron the topographic map accompanying the application to cha	uthorized place(s) of use shall be loca inge the place of use.   Applicable	ated substantially as shown  Not Applicable
3.	The change in point of diversion shall not impair existing right previously authorized. The point of diversion authorized by the radius of the authorized point(s) of diversion.   Applicable	his summary order shall be located wi	urce or sources of water as thin a foot
4.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion.   Applicable   Not	be located more than Applicable	feet from the previously
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	well with a diversion rate of 100 gal ments shall be installed, operated and	llons per minute or more, a d maintained in accordance
6.	The owner of the authorized place(s) of use shall proper December 31, 20, or before the first use of water, wo operated and maintained in accordance with K.A.R. 5-1-4 th K.A.R. 5-3-5e, the owner shall maintain records and report to diverted annually to the Chief Engineer by March 1 following Applicable    Not Applicable	vhichever occurs first. The water flo rough 5-1-12. As required by K.S.A. he reading of the water flow meter an	w meter shall be installed, 82a-732, as amended, and
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 provide Applicable  \[ \bigcup \text{Not Applicable} \]	completed on or before December pplicant shall notify the Chief Engined by the Chief Engineer, as required by	31, 20, or within any eer that construction of the by K.A.R. 5-8-4e.
8.	The completed well log shall be submitted with the requi	red notice.	Not Applicable
9.	All diversion works into which any type of chemical or other f with an in-line, automatic, quick-closing check valve capable check valve(s) shall be installed, operated and maintained in	e of preventing pollution of the source	e of the water supply. The
10.	Additional Conditions are attached.  Yes No		
11.	In accordance with K.S.A. 82a-708a, as amended, and K.A water appropriated under the above-referenced file numbe limitations, as amended and/or supplemented by this Sumr Appropriation Law and the Rules and Regulations promulg result in civil penalties pursuant to K.S.A. 82a-737, as ame water or appropriation right or any other enforcement actions	r are responsible for compliance wit nary Order, and with applicable provi pated thereunder. Failure to comply inded, and/or the suspension or revo	h its terms, conditions and isions of the <i>Kansas Water</i> with these provisions may
	Administrative Appeal and Effective Date of Order	FOR OFFICE U	SE ONLY
		APPLICATION AP	
befo Dep filed	have the right to a hearing in accordance with K.A.R. 5-14-3 ore this Summary Order becomes final action of the Kansas partment of Agriculture. Any request for a hearing must be with the Chief Engineer, Division of Water Resources, assas Department of Agriculture, 1320 Research Park	SUMMARY ORD	
Driv	ve, Manhattan, Kansas 66502, within 15 days after the date	By:Duly Authorized Designee	of the Chief Engineer
sho is n	wn on the Certificate of Service attached hereto. If a hearing of requested in accordance with K.A.R. 5-14-3, this Summary		
Ord	ot requested in accordance with K.A.R. 5-14-3, this Summary er will become effective on the 15 <sup>th</sup> day after the date shown the Certificate of Service.	(Print Name):	sas Department of Agriculture
0111	For Use by Register of Deeds	Date of Issuance:	
	, c. coo sy riogicio. c. social	State of Kansas	) ) SS
		County of	)
		Acknowledged before me on	
		by	
		Simo-Auga-	
		Signature:Not	ary Public
		1100	
		My commission expires:	
			(Notary Seal)

Page 4

File No. <u>7947</u>

DWR 1-121 (Revised 06/16/2014)

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

## **FILE NO. 7947**

MAKE ADDITIONAL COPIES AS NECESSARY

RECEIVED

OCT 27 2016

Stockton Field Office Division of Water Resources

3. Continued: The presently authorized place of use is:

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

ADDRESS: 1304 W Fox Rd Long Island, KS 67647

				NE	E1/4			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			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									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	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

4. 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	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
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

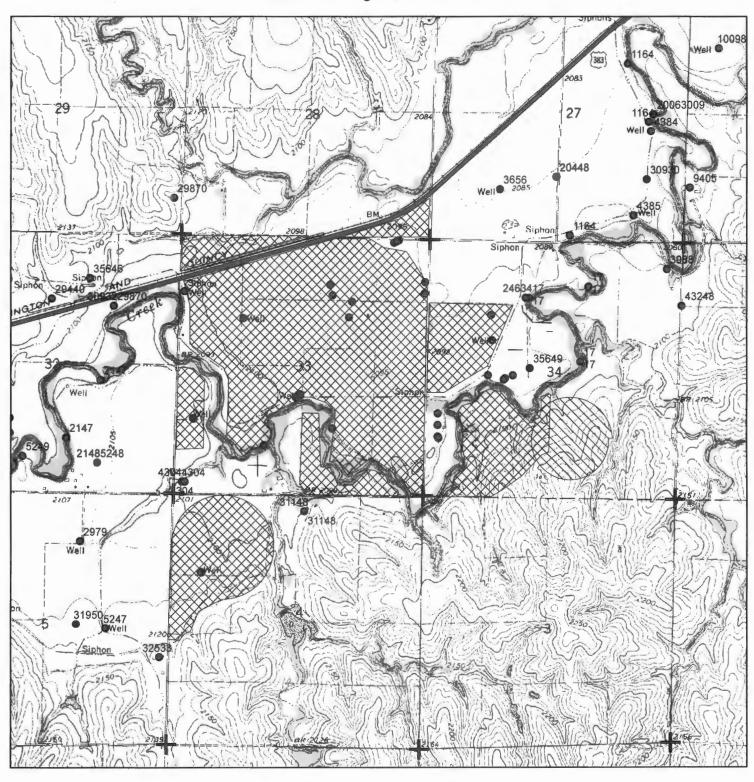
				NE	Ξ1/4			NV	V1/4			sv	V1/4			SE	1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
33	18	20W									31	26	7	3					67
4	28	20W					Lot 2 19	Lot 2 34	Lot 1 10	Lot 1 6									69

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

ADDRESS: 1361 W Granite Rd Long Island, KS 67647

NW1/4 SW1/4 SE1/4	NE¼ NW¼ SW¼ SE¼	NE1/4 NW1/4 SW1/4 SE1/4	NE14 NW14 SW14 SE14	ACRES
		3		3
†	NW/4 04/4 0E/4	NWA GWA GEA NEA NWA GWA GEA	3	NW¼ SW¾ SE¾ NE¾ NW¼ SW¾ SE¾ NE¾ NW¾ SW¼ SE¾ NE¾ NW¾ SW¾ SE¾ NE¾ NW¾ SW¾ SE¾ SE¾ SE¾

# Application to Change the Place of Use For Water Right File No. 7947





Authorized Place of Use

Proposed Place of Use

RECEIVED

OCT 27 2016

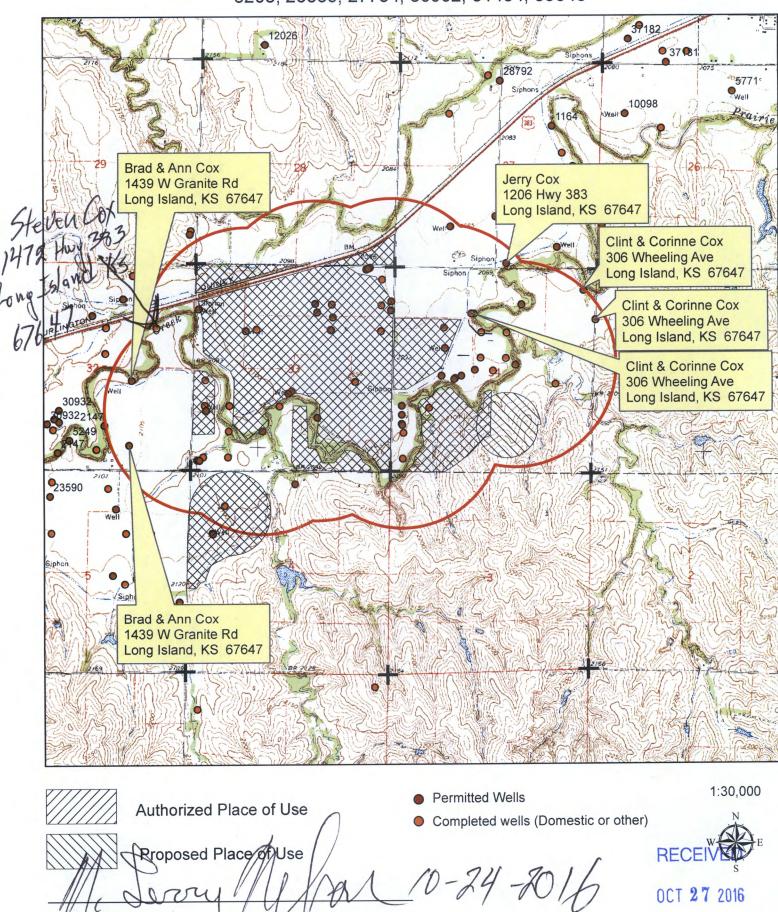
Stockton Field Office
Division of Water Resources

1:24,000



The names and addresses of the landowners 1/2 mile

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