

Kansas Department of Agriculture / Division of Water Resources
Stockton Field Office

TO: HEADQUARTERS

RE Vested Right; Water Right; Appropriation of Water; Application

File No(s) PL16, PL17, D2, 219, 1970, 3130, 4005 County _____

Enclosed are the following checked items: 4304(RR), 7947, 8203, 26865, 27754, 30902(RR), 31484, 35648

A _____ FIR Full Partial Inspection Return to Field Office

Proposed Certificate to deliver to Certificate Unit

Meter Order: GMD#4

Lower Smoky

Other _____

A Compliance Check Inspection on _____

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 Approval to Change the place of use and/or point of diversion,

Filing Fee attached. Fee Sent 10-27-16

An Advanced copy of a change application and the filing fee, to be processed at the field office.

An original field office change application and the filing fee needing headquarters office review and further processing.

Other: _____

Veronica Bell
Assistant Water Commissioner

11-22-16
Date

CHECK SHEET Short Change

File No. 7,947

Field Office No. 3

GMD No. _____

1. **Plugging agreement obtained for GMD?** Yes No Non Applicable
2. **Is Landowner correct as currently shown in WRIS?** Yes No **Address Change?** NO
 If applicable, list Place of Use Overlap File Nos. PL16, PL17.D2, 219, 1970, 3130, 4005, 4304, 8203, 26865, 27754, 30902, 31484, 35648
3. **Is Water Use Correspondent correct as currently shown in WRIS?** Yes No **Address Change?** NO
 Name of Former WUC _____ Name of New WUC _____
4. a. **Point of diversion computer ID No(s).** n/a **for point(s) being changed.**
- b. **Show feet distances from the** _____ **SE** _____ **corner of the section for the new point(s) of diversion:**

| Action | PDIV ID | Geo Ctr? | Sec | Twp | Rng | 'N | 'W | County | Qualifiers |
|--------|---------|----------|-----|-----|-----|----|----|--------|------------|
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |

- c. **If multiple points of diversion exist and rates and quantities are individually assigned, show:**
- | Old PDIV ID | Authorized Rate | Additional Rate | Authorized Quantity | Additional Quantity |
|-------------|-----------------|-----------------|---------------------|---------------------|
| _____ | _____ gpm/cfs | _____ gpm/cfs | _____ af/mgy | _____ af/mgy |
| _____ | _____ gpm/cfs | _____ gpm/cfs | _____ af/mgy | _____ af/mgy |
| _____ | _____ gpm/cfs | _____ gpm/cfs | _____ af/mgy | _____ af/mgy |
- d. **Name of Drainage Basin** _____ **Is this correctly shown in WRIS?** Yes No
- e. **Formation Name & No.** _____ **Special Use Area** _____
5. **Distances from the previous/original p/d:** _____ ' S _____ ' W

6. WATER RIGHT ACTION TRAIL COMMENTS

10/27/2016 Change Application Received (date accepted for priority)

11/22/2016 Change Approved
 Notice and Proof by ____/____/____

____/____/____ Completion Requirement Removed (Change No. C____)

7. METER ACTION TRAIL COMMENTS

____/____/____ DWR Meter Required by ____/____/____

8. Base Acres _____ Year _____ Minimum Reasonable Quantity _____

Date Created **11/21/16** by **BILLINGER**
 Date Entered _____ by _____

CHECK SHEET ATTACHMENT

9. Changes to the place of use will be:

File Number 7,947

| Action | Owner Person ID | Place Use ID # | Sec. | Twp. | Range | | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES |
|--------|-----------------|----------------|------|------|-------|------------------|-----|-----|-----|-----|-----|-----|-------|-------|-----|-----|-----|-----|-----|------|------|-----|-------------|
| | | | | | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| NO CHG | 12683 | 59813 | 28 | 01S | 20W | Acres Authorized | | | | | | | | | | | | | | | 1 | 13 | 14 |
| | | | | | | New Acres | | | | | | | | | | | | | | | | | |
| NO CHG | 12683 | 23378 | 33 | 01S | 20W | Acres Authorized | 28 | 38 | 40 | 40 | 33 | 31 | 31 | 40 | | | | | 40 | 34 | 28 | 34 | 417 |
| | | | | | | New Acres | | | | | | | | | | | | | | | | | |
| MOD | 12683 | 10065 | 34 | 01S | 20W | Acres Authorized | | | | | | | 39 | 7 | 19 | 18 | 17 | 28 | | 17.5 | 22.5 | | 168 |
| | | | | | | New Acres | | | | | | | | | | | | | | | | | |
| NO CHG | 62512 | 59814 | 04 | 02S | 20W | Acres Authorized | | | | | | | LOT 1 | LOT 1 | | | | | | | | | 27 |
| | | | | | | New Acres | | | | | | | | | | | | | | | | | |

Names and Address:

| | | |
|---|---|----------------------|
| 1. Person ID # <u>12683</u> <u>NELSON FARMS INC</u> <u>BOX 38</u> <u>LONG ISLAND, KS 67647</u> | 2. Person ID # <u>62512</u> <u>NTN LP</u> <u>PO BOX 560</u> <u>NORTON, KS 67654-0560</u> | 3. Person ID # _____ |
|---|---|----------------------|

GENERAL INSTRUCTIONS

1. Give to Applicant:
 - a. Original application/approval
 - b. Original receipt (one for each application)
 - c. Information packet containing:
 - Notice and Proof form
 - Water Meter Specifications
 - Acceptable Meter list
 - Water level measurement tube specifications
 - Check Valve specifications
 - Pink Sheet - K.S.A. 82a-728 letter
 - Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)
2. Send to headquarters:
 - a. Good, microfilmable copy of application and/or approval and this check sheet
 - b. Original check and copy of receipt
 - c. Test hole log
 - d. GMD recommendation, if any
 - e. Map or aerial photograph, if any
3. Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well.
 1. Insert notice and proof date.
 2. Type or print applicant's/owner's name on line.
3. Complete notary statement.
4. Date stamp received and approved.
5. Complete ownership and WUC change information.

ADDITIONAL PHOTOCOPIES

CHECK SHEET SUPPLEMENTAL PAGE

File Number 7,947

9. Changes to the place of use will be:

| Action | Owner Person ID | Place Use ID # | Sec | Twp | Range | | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES |
|--------|-----------------|----------------|-----|-----|-------|------------------|-----|-----|-----|-----|-------------|-------------|-------------|------------|-----|-----|-----|-----|-----|-----|-----|-----|-------------|
| | | | | | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| NO CHG | 28567 | 50451 | 33 | 01S | 20W | Acres Authorized | | | | | | | | | 31 | 26 | 7 | 3 | | | | | 67 |
| | | | | | | New Acres | | | | | | | | | | | | | | | | | |
| NO CHG | 28567 | 13444 | 04 | 02S | 20W | Acres Authorized | | | | | LOT 2 19 | LOT 2 34 | LOT 1 10 | LOT 1 8 | | | | | | | | | 69 |
| | | | | | | New Acres | | | | | | | | | | | | | | | | | |
| NO CHG | 12683 | 59815 | 04 | 02S | 20W | Acres Authorized | | | | | | | | | | 3 | | | | | | | 3 |
| | | | | | | New Acres | | | | | | | | | | | | | | | | | |
| | | | | | | Acres Authorized | | | | | | | | | | | | | | | | | |
| | | | | | | New Acres | | | | | | | | | | | | | | | | | |
| | | | | | | Acres Authorized | | | | | | | | | | | | | | | | | |
| | | | | | | New Acres | | | | | | | | | | | | | | | | | |
| | | | | | | Acres Authorized | | | | | | | | | | | | | | | | | |
| | | | | | | New Acres | | | | | | | | | | | | | | | | | |
| | | | | | | Acres Authorized | | | | | | | | | | | | | | | | | |
| | | | | | | New Acres | | | | | | | | | | | | | | | | | |
| | | | | | | Acres Authorized | | | | | | | | | | | | | | | | | |
| | | | | | | New Acres | | | | | | | | | | | | | | | | | |

Names and Address:

| | | |
|---|--|---|
| 1. Person ID # <u>28567</u> <u>TERRY NELSON</u> <u>BOX 38</u> <u>LONG ISLAND, KS 67647</u> | 2. Person ID # <u>12683</u> <u>NELSON FARMS INC</u> <u>BOX 38</u> <u>LONG ISLAND KS 67647</u> | 3. Person ID # _____ _____ _____ _____ |
|---|--|---|



Stockton Field Office
820 S. Walnut
Stockton, Kansas 67669-0192
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

November 22, 2016

NELSON FARMS INC
BOX 38
LONG ISLAND KS 67647

Re: Vested Water Right and Water Rights, File Nos. PL-16; 219; & 3,130

Dear Mr. Nelson:

Enclosed are three (3) orders executed by David W. Barfield, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the terms, conditions, and limitations specified in these approvals for change. Also, the approval of the orders does require the installation of a water flow meter(s) on the point(s) of diversion authorized under the above file numbers by **December 31, 2017**. Please complete and return the enclosed Notice(s) of Completion of Diversion Works when a water flow meter has been installed. A copy of the Chief Engineer's specifications for the water flow meters is found in K.A.R. 5-1-4 through K.A.R. 5-1-12, along with a partial list of those flow meters found to be acceptable for installation in Kansas can be found on our website at the following web address: <http://agriculture.ks.gov/meters>

Please note that all meters must be installed and maintained in accordance with the specifications for water flow meters referenced above.

The abandoned water well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment (KDHE). If the well is to be retained by the landowner for other purposes, a copy of the legal transfer of responsibility for maintenance of the well must be forwarded to KDHE Geology Section, 1000 SW Jackson, Suite 420, Topeka, Kansas 66612, telephone number (785) 296-5524. More information is available online at: <http://kdheks.gov/waterwell>

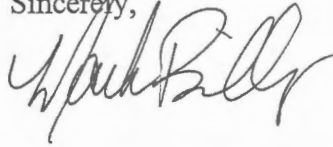
Since these orders modify the original certificates, they should be recorded with the Register of Deeds just as other legal documents affecting real estate. Such records are maintained at the Register of Deeds Office in the county wherein the place of use is located.

These documents are summary orders by this agency regarding this matter. These orders shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order.

(over)

If you have any questions, please feel free to contact this office at (785)425-6787. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Billinger". The signature is written in a cursive style with a large initial "M".

Mark Billinger
Assistant Water Commissioner

MB:rfh
Enclosures

CERTIFICATE OF SERVICE

On this 22nd day of November, 2016, I hereby certify that the attached SUMMARY ORDERS APPROVING APPLICATIONS FOR CHANGE in POINT OF DIVERSION for vested water right and water rights, File Nos. PL-16; 219; & 3,130, dated on the 22nd day of November, 2016, were mailed postage prepaid, first class, U.S. mail, to the following:

NELSON FARMS INC
BOX 38
LONG ISLAND KS 67647

Rebecca Kogeman
Staff



Stockton Field Office
820 S. Walnut
Stockton, Kansas 67669-0192
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

November 22, 2016

NELSON FARMS INC
BOX 38
LONG ISLAND KS 67647

Re: Vested Right & Water Rights, File Nos. PL-17.D2; 1,970; 4,005;
4,304 (IRR); 7,947; 8,203; 26,865; 27,754; 30,902 (IRR) 31,484; & 35,648

Dear Mr. Nelson:

Enclosed are eleven (11) orders executed by David W. Barfield, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the terms, conditions, and limitations specified in these approvals for change.

Since these orders modify the original certificates, they should be recorded with the Register of Deeds as other instruments affecting real estate.

These documents are summary orders by this agency regarding these matters. These orders shall become final if requests for hearings are not filed with the Chief Engineer within 15 days of the date of service of these orders.

If you have any questions, please feel free to contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Billinger".

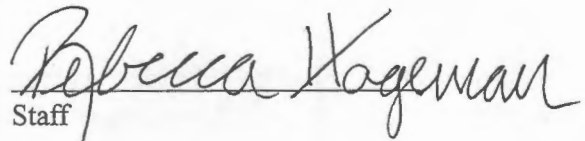
Mark Billinger
Assistant Water Commissioner

MB:rh
Enclosures

CERTIFICATE OF SERVICE

On this 22nd day of November, 2016, I hereby certify that the attached **SUMMARY ORDERS APPROVING APPLICATIONS FOR CHANGE in PLACE OF USE** for vested right and water rights, File Nos. PL-17.D2; 1,970; 4,005; 4,304 (IRR); 7,947; 8,203; 26,865; 27,754; 30,902 (IRR) 31,484; & 35,648 , dated on the 22nd day of November, 2016, were mailed postage prepaid, first class, U.S. mail, to the following:

NELSON FARMS INC
BOX 38
LONG ISLAND KS 67647


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
 APPLICATION COMPLETE
11/22/16
 Reviewer MB

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

OCT 27 2016
 10:35 a.m.
 Stockton Field Office
 Division of Water Resources

File No. 7,947

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: Nelson Farms Inc.

PO Box 38 Long Island, KS 67647

Phone Number: (785)854-7611

Email address: terrnelson@ruraltel.net

Name and address of Water Use Correspondent: Nelson Farms Inc.

PO Box 38 Long Island, KS 67647

Phone Number: (785)854-7611

Email address: terrnelson@ruraltel.net

3. The presently authorized place of use is:

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

ADDRESS: PO Box 38 Long Island, KS 67647

(If there is more than one landowner, attach supplemental sheets as necessary.)

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES |
|------|------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 28 | 1S | 20W | | | | | | | | | | | | | | | 1 | 13 | 14 |
| 33 | 1S | 20W | 28 | 38 | 40 | 40 | 33 | 31 | 31 | 40 | | | | | 40 | 34 | 28 | 34 | 417 |
| 34 | 1S | 20W | | | | | | | 39 | 7 | 19 | 18 | 17 | 27 | | | | | 127 |

4. 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: Nelson Farms Inc.

ADDRESS: PO Box 38 Long Island, KS 67647

(If there is more than one landowner, attach supplemental sheets as necessary.)

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES |
|------|------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-------------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 28 | 1S | 20W | | | | | | | | | | | | | | | 1 | 13 | 14 |
| 33 | 1S | 20W | 28 | 38 | 40 | 40 | 33 | 31 | 31 | 40 | | | | | 40 | 34 | 28 | 34 | 417 |
| 34 | 1S | 20W | | | | | | | 39 | 7 | 19 | 18 | 17 | 28 | | 17.5 | 22.5 | | 168 |

| |
|---|
| For Office Use Only: Code _____ Fee \$ _____ TR # _____ Receipt Date _____ Check # _____ |
|---|

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of the _____
 of Section _____, Township _____ South, Range _____ WEST,
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast 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 be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of the _____
 of Section _____, Township _____ South, Range _____ WEST,
 in _____ County, Kansas, _____ feet 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 water rights that will use this point _____

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of the _____
 of Section _____, Township _____ South, Range _____ WEST,
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast 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 be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of the _____
 of Section _____, Township _____ South, Range _____ WEST,
 in _____ County, Kansas, _____ feet 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 water rights that will use this point _____

7. Why do you need a new point of diversion? _____

8. If a well, is the test hole log attached? Yes No

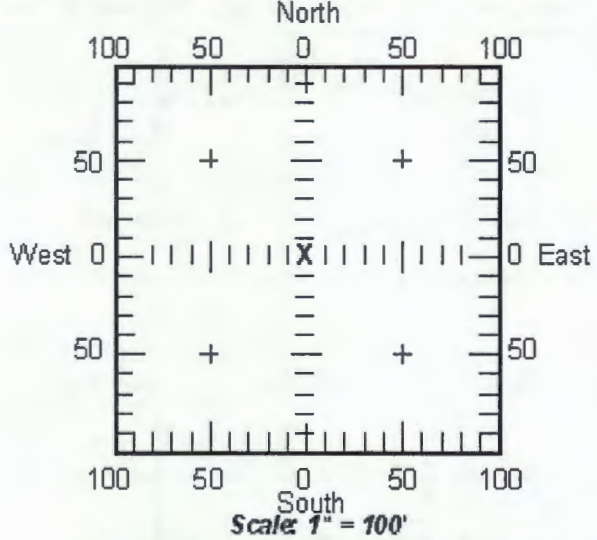
9. When do you propose to complete the new point of diversion?

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
 n/a
 (b) When will this be done? n/a

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by DLM-STKFO

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.

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?
 Yes No (If no, all owners must sign this application.)
- (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 (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 Island, Kansas, this 24 day of October, 2016.

Nelson Farms Inc
(Owner)

Nelson Farms Inc
(Please Print)

(Owner)

(Please Print)

(Owner)

(Please Print)

A. Jerry Nelson
(Spouse)

A. Jerry Nelson
(Please Print)

(Spouse)

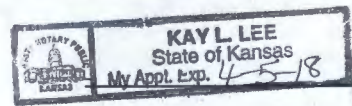
(Please Print)

(Spouse)

(Please Print)

State of Kansas }
County of Phillips } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 24th day of Oct, 2016.



[Signature]
Notary Public

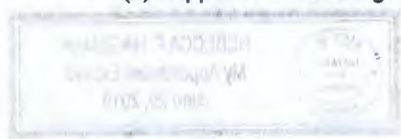
My Commission Expires 4-5-18

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
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200



RECEIVED

OCT 27 2016

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. 7947.

1. A change application was received on 10-27-16 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 Not 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 Not Applicable
4. The point(s) of diversion authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion. Applicable Not Applicable
5. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable Not 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. Applicable Not Applicable
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. Applicable Not Applicable
8. The completed well log shall be submitted with the required notice. Applicable Not Applicable
9. 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

FOR OFFICE USE ONLY
**APPLICATION APPROVED AND
SUMMARY ORDER ISSUED**

By: Mark Billinger
Duly Authorized Designee of the Chief Engineer

(Print Name): Mark Billinger
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: 11-22-16

State of Kansas)
County of Books) SS

Acknowledged before me on 11-22-16
by Mark Billinger

Signature: Rebecca Hageman
Notary Public

My commission expires: 6-29-19



(Notary Seal)

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

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES |
|------|------|-------|-----|-----|-----|-----|-----|-----|-------------|------------|-----|-----|-----|-----|-----|-----|-----|-----|-------------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 4 | 2S | 20W | | | | | | | Lot 1 22 | Lot 1 5 | | | | | | | | | 27 |
| | | | | | | | | | | | | | | | | | | | |

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

ADDRESS: PO Box 38 Long Island, KS 67647

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES | |
|------|------|-------|-----|-----|-----|-----|-------------|-------------|-------------|------------|-----|-----|-----|-----|-----|-----|-----|-----|-------------|----|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | | |
| 33 | 1S | 20W | | | | | | | | | | 31 | 26 | 7 | 3 | | | | | 67 |
| 4 | 2S | 20W | | | | | Lot 2 19 | Lot 2 34 | Lot 1 10 | Lot 1 6 | | | | | | | | | | 69 |

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

ADDRESS: PO Box 38 Long Island, KS 67647

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES | |
|------|------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------|---|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | | |
| 4 | 2S | 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

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES | |
|------|------|-------|-----|-----|-----|-----|-----|-----|-------------|------------|-----|-----|-----|-----|-----|-----|-----|-----|-------------|----|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | | |
| 4 | 2S | 20W | | | | | | | Lot 1 22 | Lot 1 5 | | | | | | | | | | 27 |

Owner of Land --- NAME: Terry Nelson

ADDRESS: PO Box 38 Long Island, KS 67647

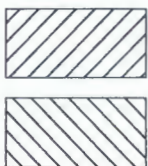
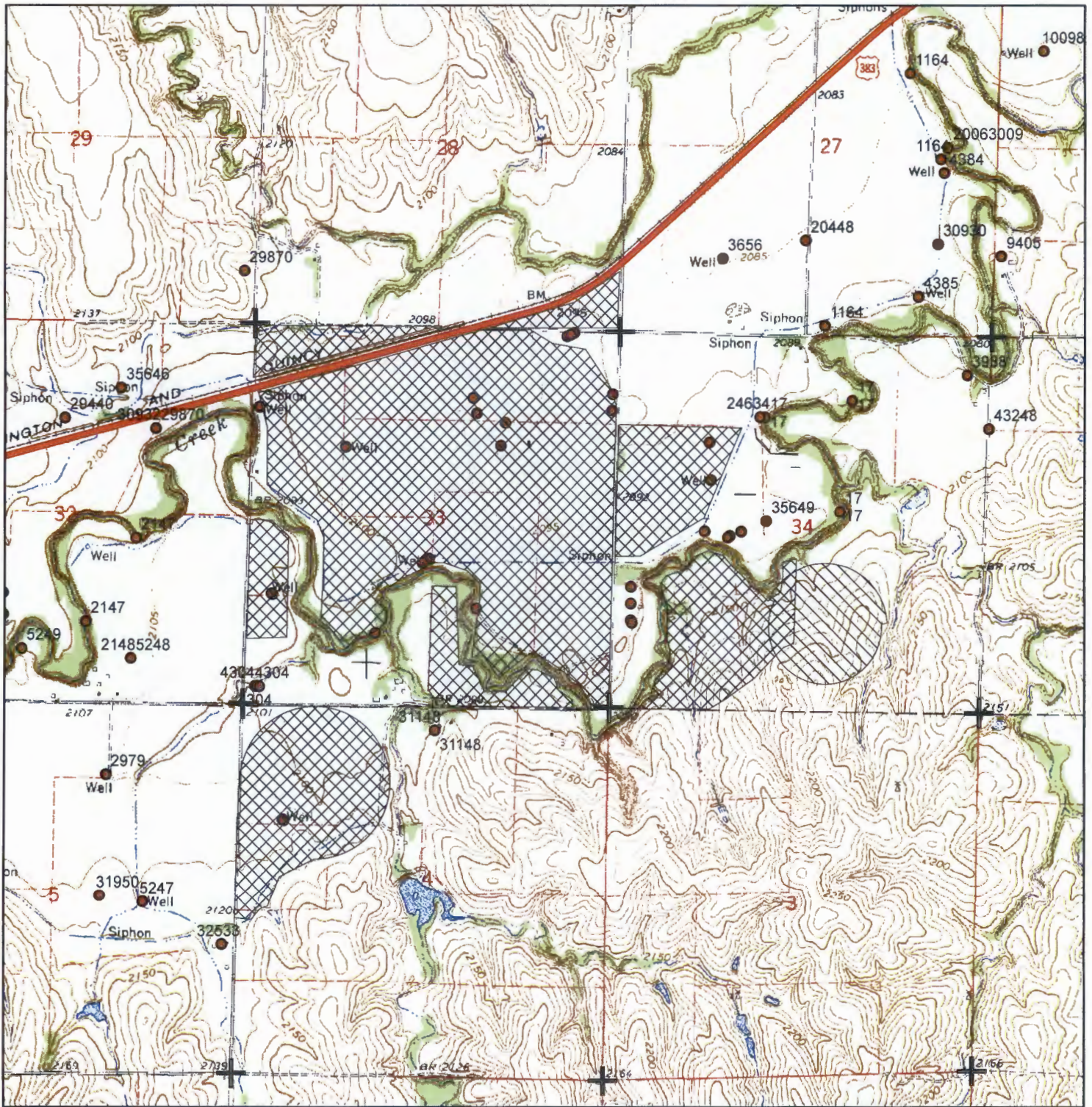
| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES | |
|------|------|-------|-----|-----|-----|-----|-------------|-------------|-------------|------------|-----|-----|-----|-----|-----|-----|-----|-----|-------------|----|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | | |
| 33 | 1S | 20W | | | | | | | | | | 31 | 26 | 7 | 3 | | | | | 67 |
| 4 | 2S | 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

| Sec. | Twp. | Range | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTAL ACRES | |
|------|------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------|---|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | | |
| 4 | 2S | 20W | | | | | | | | | | 3 | | | | | | | | 3 |

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



Authorized Place of Use

Proposed Place of Use

1:24,000

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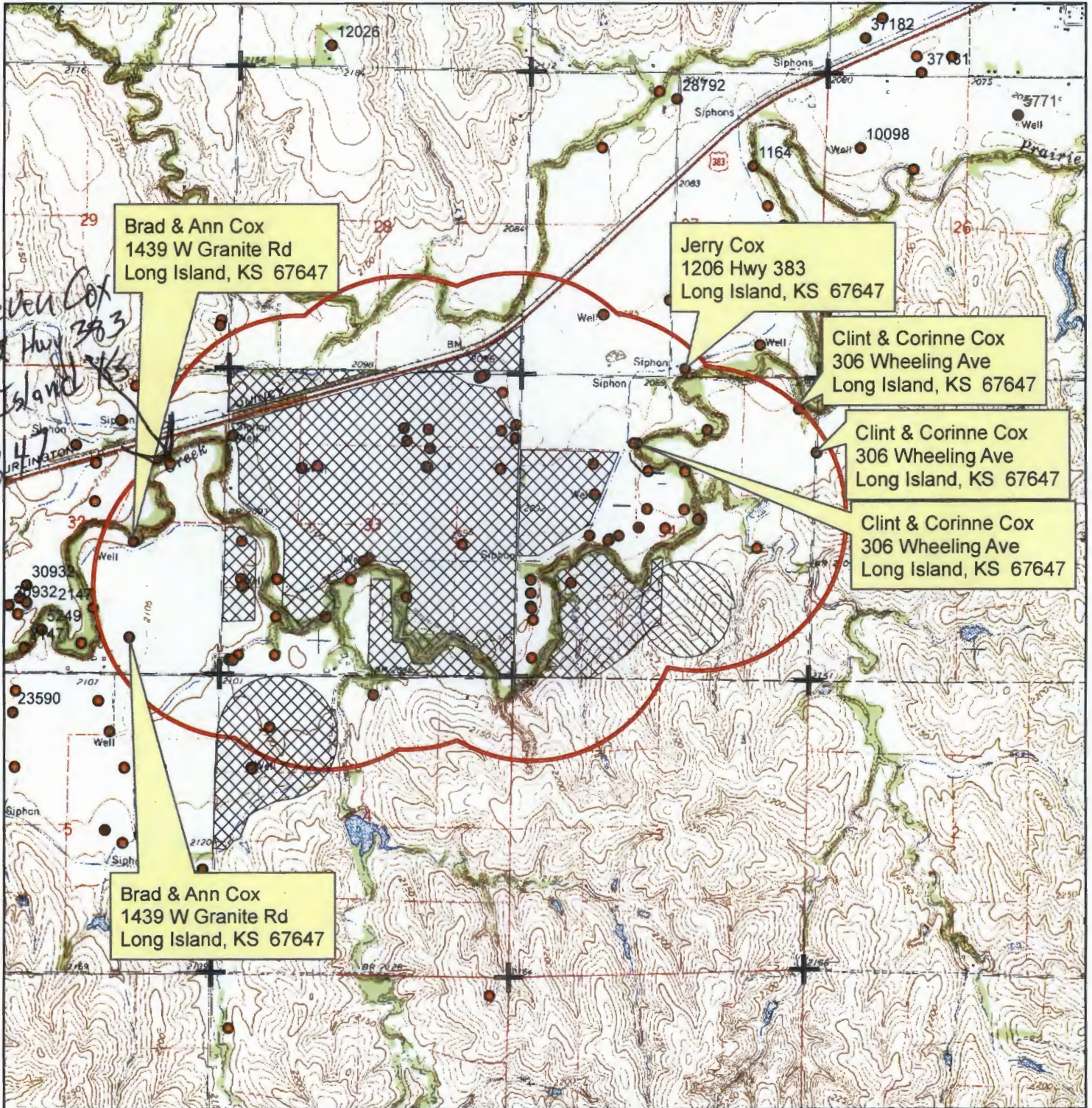


Stockton Field Office
Division of Water Resources

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

*Stockton Cox
 1479 Hwy 383
 Long Island, KS
 67647*



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

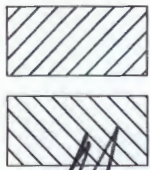
Jerry Cox
 1206 Hwy 383
 Long Island, KS 67647

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

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

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

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



Authorized Place of Use
 Proposed Place of Use

- Permitted Wells
- Completed wells (Domestic or other)

1:30,000



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Mr. Jerry Cox 10-24-2016

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