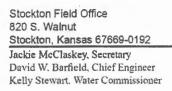
# Kansas Department of Agriculture / Division of Water Resources <u>Stockton</u> Field Office

TO: HEADQUARTERS
RE Vested Right; Water Right; Appropriation of Water; Application File No(s). <u>PL-1/a: PL-7-D2;219;1970;3130;</u> County <u>PL</u> Enclosed are the following checked items: 30;902;31,464;35646
Enclosed are the following checked items: 20,865,27754;
A FIR Full Partial Inspection Return to Field Office
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
<ul> <li>An application and judgment sheet with recommendation.</li> <li>A memorandum dated</li> <li>A request for an extension of time to perfect or complete.</li> </ul>
A verified report.
A closure request.
A field investigation report-
Violation Date An ownership change (name(s) and address(es) below). A water use report for
A copy of an <u>Approval</u> to Change the place of use and/or point of diversion, Filing Fee attached.
An Advanced <u>copy</u> of a change application and the filing fee, to be processed at the field office. # 02331
An original field office change <u>application</u> and the filing fee needing headquarters office review and further processing.
Other:
Vm roat
Water Commissioner Date





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 <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



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

October 28, 2016

Jerry Cox 1206 Hwy 383 Long Island, KS 67647

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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

Clint & Corinne Cox 306 Wheeling Ave. 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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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



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,

ly a Ste

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.

								_				_							
						F	File No	. <u>PL-0</u>	16								0	CT 2	7 2016
1.	Applicat	ion is he	ereby r	nade f	or app	roval o	of the C	Chief E	nginee	er to ch	nange	the (ch	eck or	ne or b	oth):		- 10	1:32	Da.M.
							lace o	f Use		$\boxtimes$	Point	of Dive	ersion			D	ivision	of Wat	ield Office er Resources
	under th	e water	right v	which is	s the s	ubject	of this	applic	ation i	n acco	ordance	e with t	the cor	ndition	s desc	nibed t	elow.		cr nesources
	The sou	rce of s	upply i	s:			Fround	water			Surfac	ce wate	er						
2.	Name a	nd addr	ess of	Applica	ant: <u>N</u>	elson	Farms	Inc.											
	PO Box	38 Lon	g Islan	d, KS	67647	7													
	Phone I	lumber:	(785)	854-76	511				Email	addre	ss: <u>ter</u>	rynels	on@ru	raltel.	net				
	Name a	nd addr	ess of	Water	Use C	orresp	onder	nt: <u>Nel</u>	son Fa	irms Ir	IC.								
	PO Box	38 Lon	g Islan	d, KS	67647	7													
	Phone I	lumber:	(785)	854-76	511				Email	addre	ss: ter	rynels	on@ru	raltel.	net				
3.	The pre	sently a	uthoriz	ed pla	ce of u	se is:													
	Owner o	of Land	N/	AME:	Nelsor	Farm	is Inc.												
			ADDR					sland.	KS 67	647									
	(If there	s more th	nan one	landov	vner, at	tach su	pplem	ental sh	eets as	neces	sary.)								
				NE	=1/4			N	N1/4			SV	V1/4			SE	1/4		TOTAL
S	ec. Twp.	Range	NE <sup>1</sup> /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
2	8 1S	20W															1	13	14
3	3 1S	20W	28	38	40	40	33	31	31	40					40	34	28	34	417
3	4 1S	20W							39	7	19	18	17	27					127
4.	If this ap Owner o	of Land		AME:	Nelson	Farm	ns Inc.				the pl	ace of	use be	e chan	ged to	:			
	(If there	s more th	nan one	landov	vner, at	tach su	pplem	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	SE¼	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	1S	20W	28	38	40	40	33	31	31	40					40	34	28	34	417
34	1S	20W				1			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:		and a second sec		
	One in the Quarter of the	SE	Quarter of the	SW	Quarter
	of Section 33, Township				
	in Phillips County, Kansas, 990	_ feet No	th 3,365 feet West	of Southeast co	rner of section.
	Authorized Rate 1,616 gpm Authorized Quantity				
	(DWR use only: Computer ID No. 16 GF	PS	feet North	feet	West)
	□ This point will not be changed  ☑ This point wil	l be chan	ged as follows:		
	Proposed point of diversion: (Complete only if change	ge is requ	ested)		
	One in the NW Quarter of the	SE	Quarter of the	SW	Quarter
	of Section 33, Township	1	South, Range	20	WEST,
	in Phillips County, Kansas, 838				
	Proposed Rate 1,616 gpm Proposed Quantity	65 A	F Proposed well de	pth (feet)	n/a
l	This point is: Additional Well Geo Center List of	other water	rights that will use this po	pint None.	
Г	Descention of the size of a line and the section of				
6.	Presently authorized point of diversion:*	ALC:	Question of the	0144	0
	One in the <u>CE</u> Quarter of the	NE	Quarter of the	SW	Quarter
	of Section33, Township	1	South, Range	20	WEST,
	in Phillips County, Kansas, <u>1,980</u>				
	Authorized Rate 1,616 gpm Authorized Quantity				
	(DWR use only: Computer ID No. 1 GF			feet	West)
	☐ This point will not be changed  ☐ This point wil				
	Proposed point of diversion: (Complete only if change			-	
	One in the Quarter of the		Quarter of the		Quarter
- 1	of Section, Township		South, Range		WEST,
	in County, Kansas,	_ feet No	th feet West	of Southeast co	rner of section.
	Proposed Rate Proposed Quantity		Proposed well de	pth (feet)	
L	This point is: Additional Well Geo Center List of	other wate	r rights that will use this po	pint	
7.	Why do you need a new point of diversion? <u>Creating one</u> pumpsite for PL16, so junior files (219 & 3130) can be operated seperately.		If the proposed point of di feet of the existing point of the diagram below in relati (PLEASE NOTE: The ' represents presently aut	of diversion, indic on to the existing 'X" in center of horized point of	ate its location of point of diversion f diagram below
8.	If a well, is the test hole log attached?  Yes No		100 50		100
				171111111	
9.	When do you propose to complete the new point	of	F	-	7
	diversion?		50 - +	- +	
	already complete.		E	_	
10.	If the point of diversion is a well:		E	_	-
	(a) What are you going to do with the old well?		West 0 -111   111	11 III III	I O East
			-	=	1
	n/a		50 - +	- +	
			E	_	-
	(b) When will this be done? <u>n/a</u>		Endu	. <del>.</del>	
4.4	Craushuster Management District		400 50		400
11.	Groundwater Management District recommendati attached? Yes No	ion	100 50	0 50 South	100
				e 1" = 100'	
12.	Assisted by <u>DLM-STKFO</u>	13b.	If the proposed point of di 100 feet but within 1320 diversion, attach a topog For groundwater sources, within one-half mile of the names and mailing addre water sources, show the landowner(s) one-half mi upstream from your proper	0 feet from the raphic map or show all wells (in proposed point o esses of the own e names and le downstream	existing point of aerial photograph noluding domestion f diversion and the ners. For surfact addresses of the

14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:

- (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 X 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?

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 Filed, Kansas, thi Auton Forms Fuc Welson Forms Fuc (Please Print)	s 24 day of October , 2016. M. Derry (Spoulse) (Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of <u>Phillips</u> SS I hereby certify that the foregoing application was signed in the Crt , 20 Le My Appt. Exp My Appt. Exp	my presence and sworn to before me this 24th day of

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

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>PL-016</u>.

- 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 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

- 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.
- 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 15<sup>th</sup> day after the date shown on the Certificate of Service.

For Use by Register of Deeds

By: Duly Authorized I	Designee of the Chief Engineer
(Print Name): Division of Water Resour	ces - Kansas Department of Agriculture
Date of Issuance:	
State of Kansas	) ) SS
County of	)
Acknowledged before me of	on
by	
Signature:	
	Notary Public

FOR OFFICE USE ONLY

APPLICATION APPROVED AND

SUMMARY ORDER ISSUED

My commission expires:

(Notary Seal)

File No. PL-016

### APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET FILE NO. PL-016

### RECEIVED

# OCT 27 2016

MAKE ADDITIONAL COPIES AS NECESSARY

#### Stockton Field Office Division of Water Resources

#### 3. Continued: The presently authorized place of use is: Owner of Land ---- NAME: NTN, LLP.

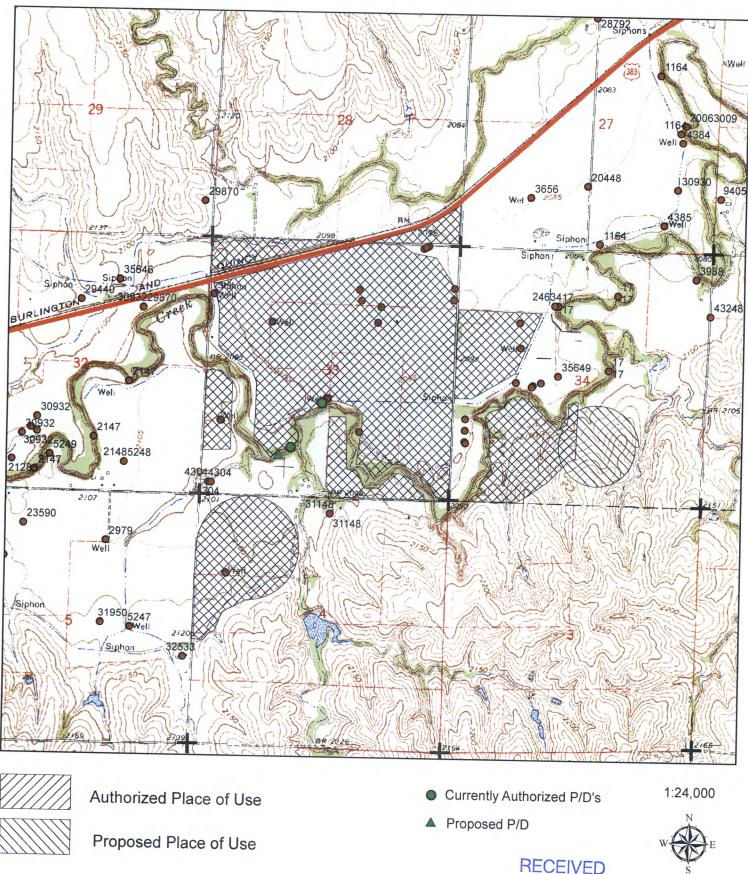
ADDRESS: 1304 W Fox Rd Long Island, KS 67647

				NE	E1/4			NV	V1/4			SV	V1/4	-		SE	Ξ1/4		TOTAL
Sec.	Twp.	Range	NE¼	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
4	2S	20W							Lot 1 22	Lot 1 5									27
	_		-											-					
Ov	vner o	f Land -			N. Ten PO Bo				KS 67	647						1			
					E <sup>1</sup> /4	<u>x 00 1</u>		NV				SV	V1/4			SE	=1/4		ΤΟΤΑΙ
Sec.	Twp.	Range	NE1/4	NW1/4		SE¼	NE1/4	NW1/4	SW1/4	SE¼	NE <sup>1</sup> / <sub>4</sub>	NW1/4	SW1/4	SE1/4	NE <sup>1</sup> /4	NW1/4		SE1/4	ACRES
33	1S	20W									31	26	7	3					67
4	2S	20W					Lot 2 19	Lot 2 34	Lot 1 10	Lot 1 6									69
					PO Bo	<u>x 30 l</u>	ong is	NV		047		SV	V1/4	_		0	=1/4	H	
		1											¥/4			30	- /4	H	TOTAL
Sec	Twp	Range	NE <sup>1</sup> ⁄ <sub>4</sub>			SE1/4	NE <sup>1</sup> /4		_	SE1/4	NE <sup>1</sup> / <sub>4</sub>		SW1/	SE1/4	NE%	NW1/	SW1/4	SE1/	
Sec.	Twp.	Range 20W	NE¼	NW1/4		SE¼	NE¼	NW1/4	SW1/4	SE¼	NE¼	NW1/4	SW1/4	SE¼	NE¼	NW1/4	SW1/4	SE¼	TOTAL ACRES
Sec. 4			NE¼			SE¼	NE¼		_	SE¼	NE¼	NW1/4	SW1/4	SE¼	NE¼	NW1/4	SW1/4	SE¼	ACRES
Sec. 4			NE¼			SE¼	NE¼		_	SE¼	NE¼	NW1/4	SW1/4	SE¼	NE¼	NW¼	SW¼	SE¼	ACRES
4 . Co	2S	20W	s appl	NW1/4	SW¼	a char	nge in	NW¼	SW¼	it is pr	opose	NW1/4 3							ACRES
4 . Co	2S	20W	s appl	NW%	sw½	a char	nge in	NW%	SW1/4	it is pr	opose	NW1/4 3							ACRES
4 . Co	2S	20W	s appl	NW%	sw% is for NTN, L 1304 V	a char	nge in	NW¼	SW1/4	it is pr	opose	NW% 3				chang			ACRES

4	25	20W							22	5						ļ			27
01	wrier o	f Land -																	
		,	ADDR		PO Bo	<u>x 38</u>	Long Is	sland, NV	KS 67	7647		SV	N1/4	-		S	E¼		TOTAL
Sec.	Twp.	Range	NE <sup>1</sup> /4	NW1/4	SW1/4	SE1/4	NE <sup>1</sup> / <sub>4</sub>	NW1/4	SW1/4	SE1/4	NE <sup>1</sup> /4	NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE1/4	ACRES
33	1S	20W									31	26	7	3					67

										-	 	 	 	 
4	25	20W				Lot 2	Lot 2 34	Lot 1 10	Lot 1 6					69
01	wher o	of Land	NAN	E: Ne	son Farm	is Inc.								•
			ADDRES	S: PO	Box 38	Long Is	sland.	KS 67	647					

				NE	=1/4			NV	V1/4			SV	V1/4			SE	=1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
4	25	20W							-			3							3



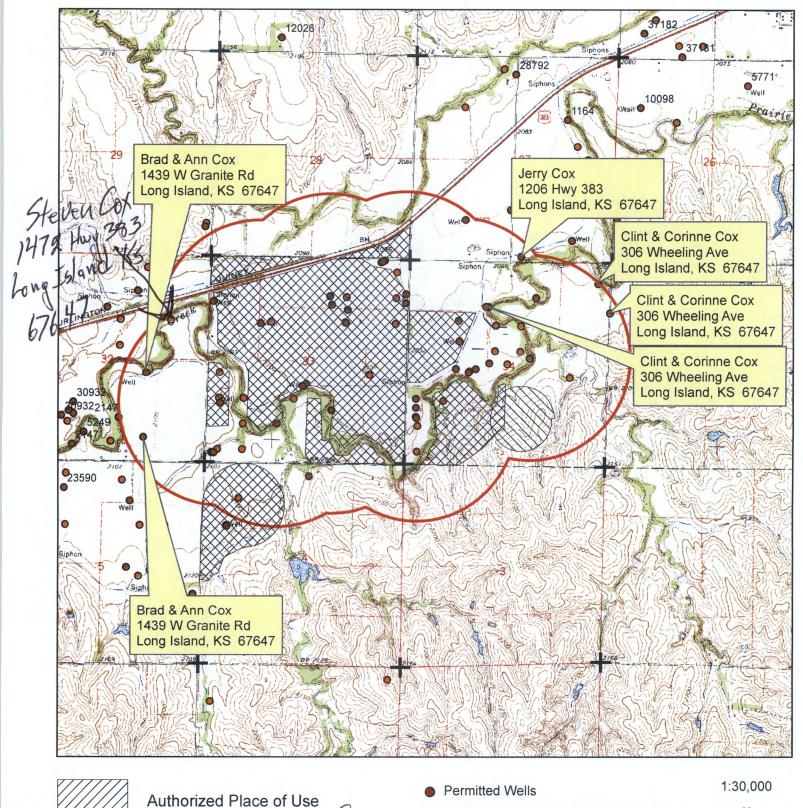
Application to Change the Place of Use and Point of Diversion For Vested Right File No. PL-016

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

Stockton Field Office

OCT 27 2016

## 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



Completed wells (Domestic or other)

-24-2016

RECEN

OCT 27 2016

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

Rroposed Place DUse

Stockton Field Office Division of Water Resources