

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 \_\_\_\_\_

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

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 Ser# 16-27-16

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: \_\_\_\_\_

Wendy Bell  
Assistant Water Commissioner

11-22-16  
Date

# CHECK SHEET Short Change

File No. PL16

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. PL17.D2, 219, 1970, 3130, 4005, 4304, 7947, 8203, 28865, 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).** 16, 1 **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 |
|--------|---------|----------|-----|-----|-----|------|------|--------|------------|
| DEL    | 3800    | N/A      | 33  | 01S | 20W | 990  | 3365 | PL     | NW SE SW   |
| ENT    | NEW     | N/A      | 33  | 01S | 20W | 838  | 3609 | PL     | NW SE SW   |
| DEL    | 24956   | N/A      | 33  | 01S | 20W | 1980 | 2705 | PL     | CE NE SW   |
|        |         |          |     |     |     |      |      |        |            |

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** PRAIRIE DOG CREEK **Is this correctly shown in WRIS?**  Yes  No

e. **Formation Name & No.** \_\_\_\_\_ **Special Use Area** RRC-PRAIRIE DOG CREEK

5. **Distances from the previous/original p/d:** 152 ' S 244 ' 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 12/31/2017  
  /  /   Completion Requirement Removed (Change No. C \_\_\_\_\_)

**7. METER ACTION TRAIL COMMENTS**

11/22/2016 DWR Meter Required by 12/31/2017

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 PL16

| 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        | 28  | 38  | 40  | 40  | 33  | 31  | 31          | 40         |     |     |     |     | 40  | 34   | 28   | 34  |             |    |
| MOD    | 12683           | 10065          | 34   | 01S  | 20W   | Acres Authorized |     |     |     |     |     |     | 39          | 7          | 19  | 18  | 17  | 28  |     | 17.5 | 22.5 |     | 168         |    |
|        |                 |                |      |      |       | New Acres        |     |     |     |     |     |     | 39          | 7          | 19  | 18  | 17  | 28  |     | 17.5 | 22.5 |     |             |    |
| NO CHG | 62512           | 59814          | 04   | 02S  | 20W   | Acres Authorized |     |     |     |     |     |     | LOT 1<br>22 | LOT 1<br>5 |     |     |     |     |     |      |      |     |             | 27 |
|        |                 |                |      |      |       | New Acres        |     |     |     |     |     |     | LOT 1<br>22 | LOT 1<br>5 |     |     |     |     |     |      |      |     |             |    |

Names and Address:

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

**GENERAL INSTRUCTIONS**

- |  |   |  |
|--|---|--|
| 1. Give to Applicant:<br>a. <u>Original</u> application/approval<br>b. Original receipt (one for <u>each</u> application)<br>c. Information packet containing:<br><ul style="list-style-type: none"> <li>● Notice and Proof form</li> <li>● Water Meter Specifications</li> <li>● Acceptable Meter list</li> <li>● Water level measurement tube specifications</li> <li>● Check Valve specifications</li> <li>● Pink Sheet - K.S.A. 82a-728 letter</li> <li>● Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)</li> </ul> | 2. Send to headquarters:<br>a. Good, <u>microfilmable</u> copy of application and/or approval and this check sheet<br>b. Original check and copy of receipt<br>c. Test hole log<br>d. GMD recommendation, if any<br>e. Map or aerial photograph, if any<br>3. Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well. <input type="checkbox"/> | 3. Complete notary statement.<br>4. Date stamp received and approved.<br>5. Complete ownership and WUC change information. |
|--|---|--|

CONDITIONS

1. Insert notice and proof date.
2. Type or print applicant's/owner's name on line.

ADDITIONAL PHOTOCOPIES

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CHECK SHEET SUPPLEMENTAL PAGE

9. Changes to the place of use will be:

File Number PL16

| 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        |     |     |     |     |             |             |             |            |     |     |     |     |     |     | 31  | 26  | 7           | 3 |    |
| NO CHG | 28567           | 13444          | 04  | 02S | 20W   | Acres Authorized |     |     |     |     | LOT 2<br>19 | LOT 2<br>34 | LOT 1<br>10 | LOT 1<br>6 |     |     |     |     |     |     |     |     |             |   | 69 |
|        |                 |                |     |     |       | New Acres        |     |     |     |     | LOT 2<br>19 | LOT 2<br>34 | LOT 1<br>10 | LOT 1<br>6 |     |     |     |     |     |     |     |     |             |   |    |
| NO CHG | 12683           | 59815          | 04  | 02S | 20W   | Acres Authorized |     |     |     |     |             |             |             |            |     |     | 3   |     |     |     |     |     |             | 3 |    |
|        |                 |                |     |     |       | New Acres        |     |     |     |     |             |             |             |            |     |     |     |     |     | 3   |     |     |             |   |    |
|        |                 |                |     |     |       | 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><br><u>TERRY NELSON</u><br><u>BOX 38</u><br><u>LONG ISLAND, KS 67647</u> | 2. Person ID # <u>12683</u><br><u>NELSON FARMS INC</u><br><u>BOX 38</u><br><u>LONG ISLAND KS 67647</u> | 3. Person ID # _____<br>_____<br>_____<br>_____ |
|---|--|---|



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](http://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>

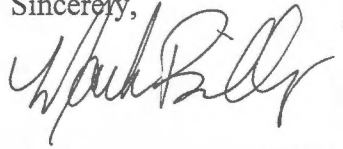
Since these orders modify the original certificates, they should be recorded with the Register of Deeds just as other legal documents affecting real estate. Such records are maintained at the Register of Deeds Office in the county wherein the place of use is located.

**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', written in a cursive style.

Mark Billinger  
Assistant Water Commissioner

MB:rfh  
Enclosures

CERTIFICATE OF SERVICE

On this 22<sup>nd</sup> 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 22<sup>nd</sup> 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 Hogeman*  
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](http://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

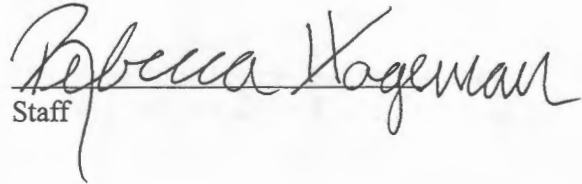
MB:rh  
Enclosures



CERTIFICATE OF SERVICE

On this 22<sup>nd</sup> 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 22<sup>nd</sup> 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**

**WATER METER REQUIRED**

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.

APPLICATION COMPLETE  
 11/22/14  
 Reviewer MB

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. PL-016

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         |

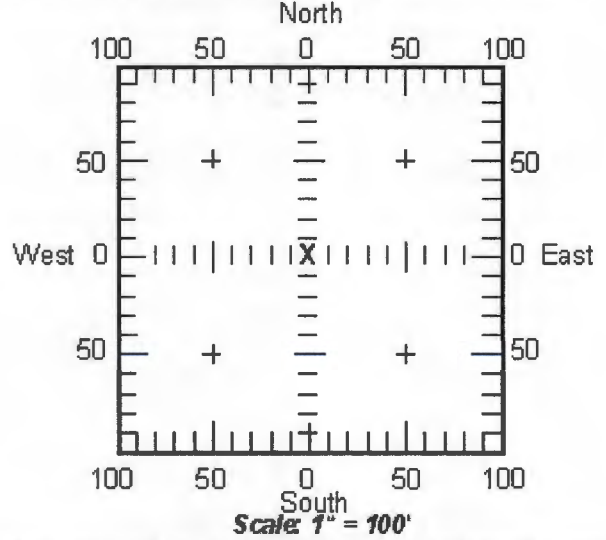
**For Office Use Only: Code \_\_\_\_\_ Fee \$ \_\_\_\_\_ TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # \_\_\_\_\_**

5. **Presently authorized point of diversion:**  
 One in the NW Quarter of the SE Quarter of the SW Quarter of Section 33, Township 1 South, Range 20 WEST, in Phillips County, Kansas, 990 feet North 3,365 feet West of Southeast corner of section. Authorized Rate 1,616 gpm Authorized Quantity 65 AF Depth of well n/a (feet)  
 (DWR use only: Computer ID No. 16 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 NW Quarter of the SE Quarter of the SW Quarter of Section 33, Township 1 South, Range 20 WEST, in Phillips County, Kansas, 838 feet North 3,609 feet West of Southeast corner of section. Proposed Rate 1,616 gpm Proposed Quantity 65 AF Proposed well depth (feet) n/a.  
 This point is:  Additional Well  Geo Center List other water rights that will use this point None.

6. **Presently authorized point of diversion:\***  
 One in the CE Quarter of the NE Quarter of the SW Quarter of Section 33, Township 1 South, Range 20 WEST, in Phillips County, Kansas, 1,980 feet North 2,705 feet West of Southeast corner of section. Authorized Rate 1,616 gpm Authorized Quantity 65 AF Depth of well n/a (feet)  
 (DWR use only: Computer ID No. 1 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) \*This P/D will no longer be used.**  
 One in the                      Quarter of the                      Quarter of the                      Quarter 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? Creating one  
pumpsite for PL16, so junior files (219 & 3130) can be  
operated separately.
8. If a well, is the test hole log attached?  Yes  No
9. When do you propose to complete the new point of diversion?  
already complete.
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)

[Signature]  
 (Spouse)

Nelson Farms Inc  
 (Please Print)

[Signature]  
 (Please Print)

\_\_\_\_\_  
 (Owner)

\_\_\_\_\_  
 (Spouse)

\_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Owner)

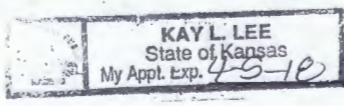
\_\_\_\_\_  
 (Spouse)

\_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (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 24<sup>th</sup> day of Oct, 2016.



[Signature]  
 Notary Public

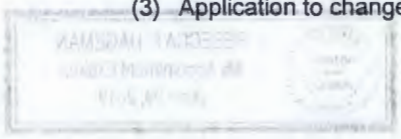
My Commission Expires 4-5-18

**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. PL-016.

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 300 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, 2017**, 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, 2017**, or within any authorized extension of time. By March 1, 2018 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 15<sup>th</sup> 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 ROOKS ) 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. PL-016**  
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<br>22 | Lot 1<br>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   |     |     |     |     |             |             |             |            |     |     |     |     |     |     |     |     | 67          |
| 4    | 2S   | 20W   |     |     |     |     | Lot 2<br>19 | Lot 2<br>34 | Lot 1<br>10 | Lot 1<br>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           |

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<br>22 | Lot 1<br>5 |     |     |     |     |     |     |     |     | 27          |

Owner of Land ---- NAME: Terry Nelson

ADDRESS: PO Box 38 Long Island, KS 67647

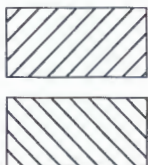
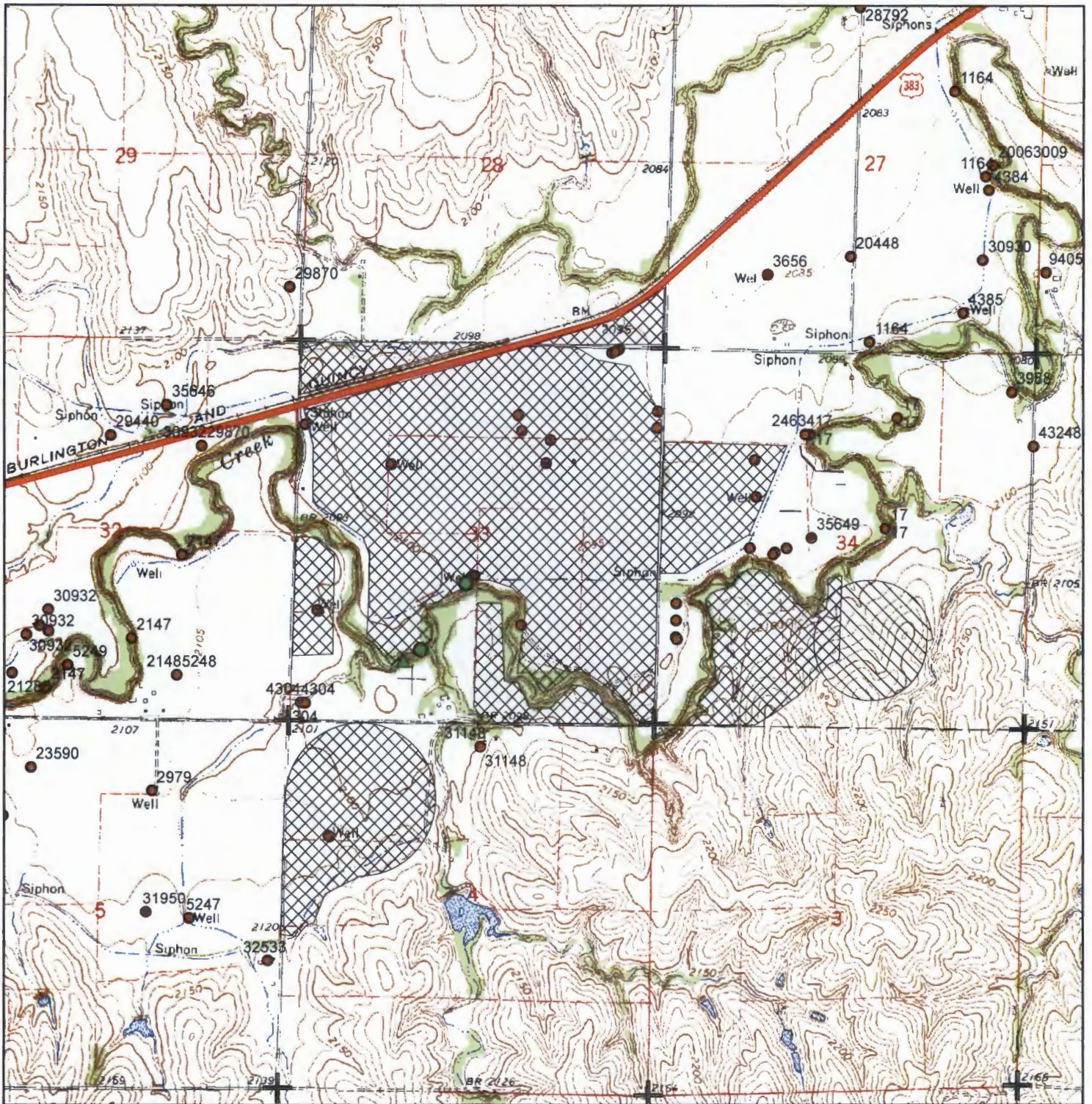
| Sec. | Twp. | Range | NE¼ |     |     |     | NW¼         |             |             |            | SW¼ |     |     |     | SE¼ |     |     |     | TOTAL ACRES |
|------|------|-------|-----|-----|-----|-----|-------------|-------------|-------------|------------|-----|-----|-----|-----|-----|-----|-----|-----|-------------|
|      |      |       | NE¼ | NW¼ | SW¼ | SE¼ | NE¼         | NW¼         | SW¼         | SE¼        | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |             |
| 33   | 1S   | 20W   |     |     |     |     |             |             |             |            |     |     |     |     |     |     |     |     | 67          |
| 4    | 2S   | 20W   |     |     |     |     | Lot 2<br>19 | Lot 2<br>34 | Lot 1<br>10 | Lot 1<br>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           |

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



Authorized Place of Use

Proposed Place of Use

● Currently Authorized P/D's

▲ Proposed P/D

1:24,000



**RECEIVED**

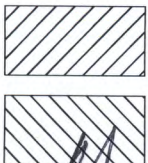
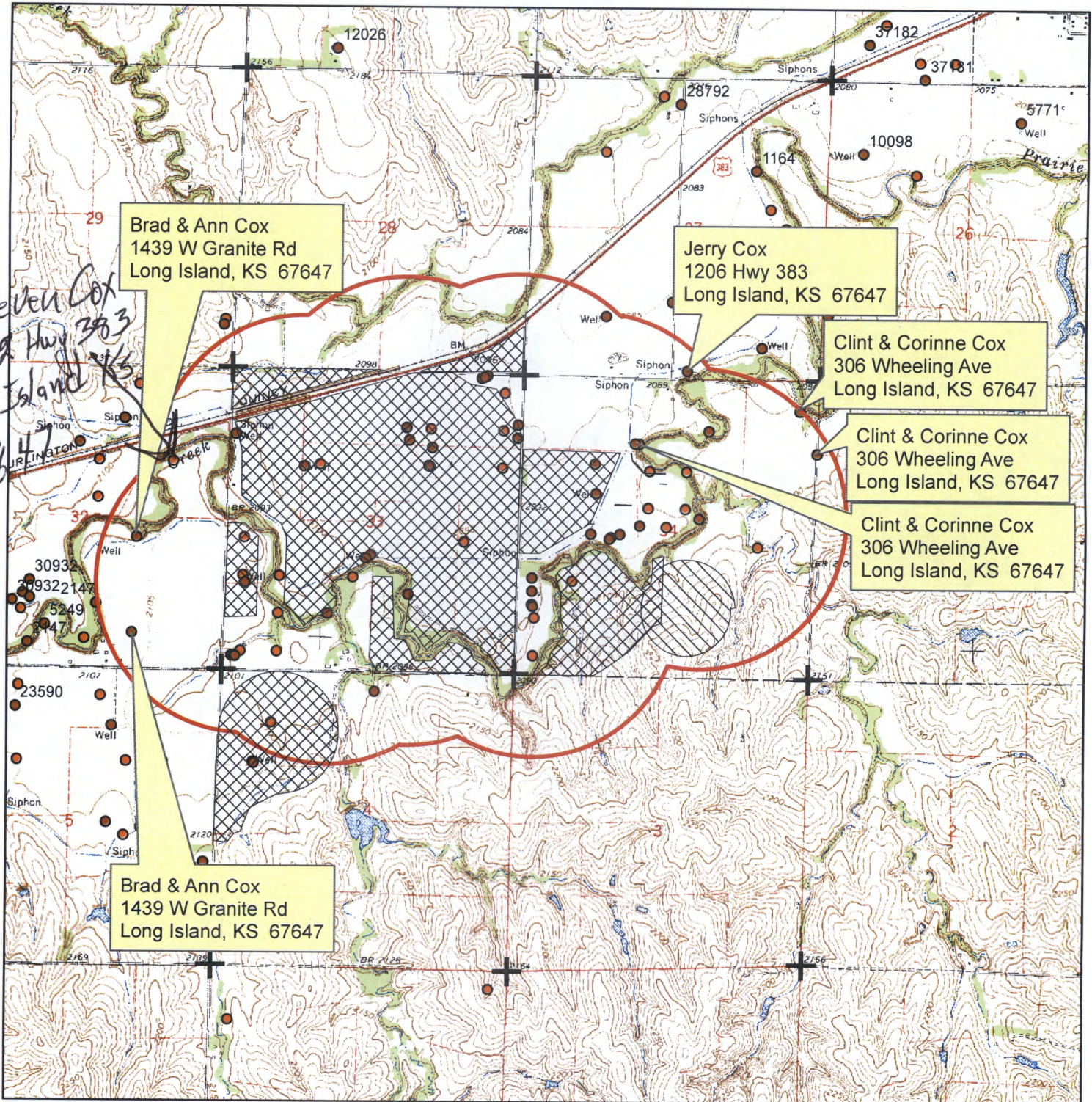
**OCT 27 2016**

Stockton Field Office

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

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



Authorized Place of Use

Proposed Place of Use

- Permitted Wells
- Completed wells (Domestic or other)

1:30,000



RECEIVED

OCT 27 2016

Stockton Field Office  
 Division of Water Resources

*Mr. Jerry [Signature]* 10-24-2016

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