

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). 34809

County _____

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. Check # 25394 \$200.00

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: _____


Assistant Water Commissioner

9-4-2020
Date

Submit completed application to:
 Kansas Department of Agriculture
 Division of Water Resources
 Field Office for your area.
 Call for address:
 Topeka -- (785) 862-6300
 Stafford -- (620) 234-5311
 Stockton -- (785) 425-6787
 Garden City -- (620) 276-2901
 www.ksda.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.

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 3:05 PM
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 Stockton Field Office
 Division of Water Resources

File No 34,809

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: _____

Name and address of Water Use Correspondent: Same as above

Phone Number: () _____ Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: No Change in the Place of Use

ADDRESS: _____

(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		

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: No Change in the Place of Use

ADDRESS: _____

(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		

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

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 31st day of August, 2020.

NTW LP (Owner) _____ (Spouse) _____
(Please Print) (Please Print)

N. Terry Nelson - Manager Member (Owner) _____ (Spouse) _____
(Please Print) (Please Print)

N Terry Nelson (Owner) _____ (Spouse) _____
(Please Print) (Please Print)

_____ (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 31st day of August, 2020.

Kay L. Lee
Notary Public

My Commission Expires 4-5-22.

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

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Stockton Field Office
Division of Water Resources

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Lot 2 _____ Quarter
 of Section _____ 19 _____, Township _____ 2 _____ South, Range _____ 21 _____ WEST,
 in Norton _____ County, Kansas, _____ 1,343 _____ feet North _____ 3,974 _____ feet West of Southeast corner of section.
 Authorized Rate _____ 400 _____ Authorized Quantity _____ 117 _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 01 _____ 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 _____ Lot 2 _____ Quarter
 of Section _____ 19 _____, Township _____ 2 _____ South, Range _____ 21 _____ WEST,
 in Norton _____ County, Kansas, _____ 1,343 _____ feet North _____ 3,974 _____ feet West of Southeast corner of section.
 Proposed Rate _____ ~~400~~ 325 _____ Proposed Quantity _____ 87.5 _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point 35,720

6. **Presently authorized point of diversion:**
 One in the _____ SW _____ Quarter of the _____ NW _____ Quarter of the _____ NW _____ Quarter
 of Section _____ 30 _____, Township _____ 2 _____ South, Range _____ 21 _____ WEST,
 in Norton _____ County, Kansas, _____ 4,477 _____ feet North _____ 3,928 _____ feet West of Southeast corner of section.
 Authorized Rate _____ 200 _____ Authorized Quantity _____ 58 _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 02 _____ 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 _____ SW _____ Quarter of the _____ NW _____ Quarter of the _____ NW _____ Quarter
 of Section _____ 30 _____, Township _____ 2 _____ South, Range _____ 21 _____ WEST,
 in Norton _____ County, Kansas, _____ 4,477 _____ feet North _____ 3,928 _____ feet West of Southeast corner of section.
 Proposed Rate _____ ~~200~~ 275 _____ Proposed Quantity _____ 87.5 _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point None

7. Why do you need a new point of diversion? NA - this
application is simply shifting 29.5 a.f. from the single well
to the battery of two wells. No new wells.

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

9. When do you propose to complete the new point of diversion?
NA - all wells are already completed.

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
NA - all existing wells will continue to be used.

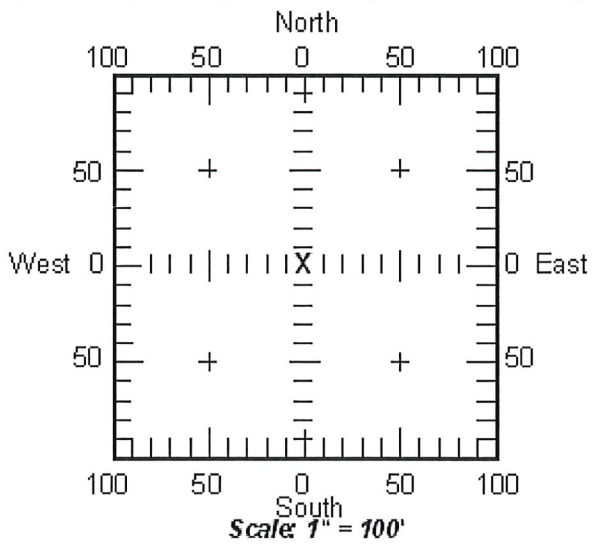
(b) When will this be done? as soon as approved.

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by Kelly C. Stewart

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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.

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 34,809

Presently authorized point of diversion:

One in the NW Quarter of the NE Quarter of the NW Quarter
of Section 30, Township 2 South, Range 21 W,
in Norton County, Kansas, 4,760 feet North 3,946 feet West of Southeast corner of section.

Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 03 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 Section _____, Township _____ South, Range _____ (E/W),
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 _____

Presently authorized point of diversion:

One in the SW Quarter of the NE Quarter of the NW Quarter
of Section 30, Township 2 South, Range 21 W,
in Norton County, Kansas, 4,194 feet North 3,910 feet West of Southeast corner of section.

Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 04 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 Section _____, Township _____ South, Range _____ (E/W),
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 _____

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Presently authorized point of diversion:

One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (E/W),
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 Section _____, Township _____ South, Range _____ (E/W),
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 _____

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Stockton Field Office
Division of Water Resources

Presently authorized point of diversion:

One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (E/W),
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)

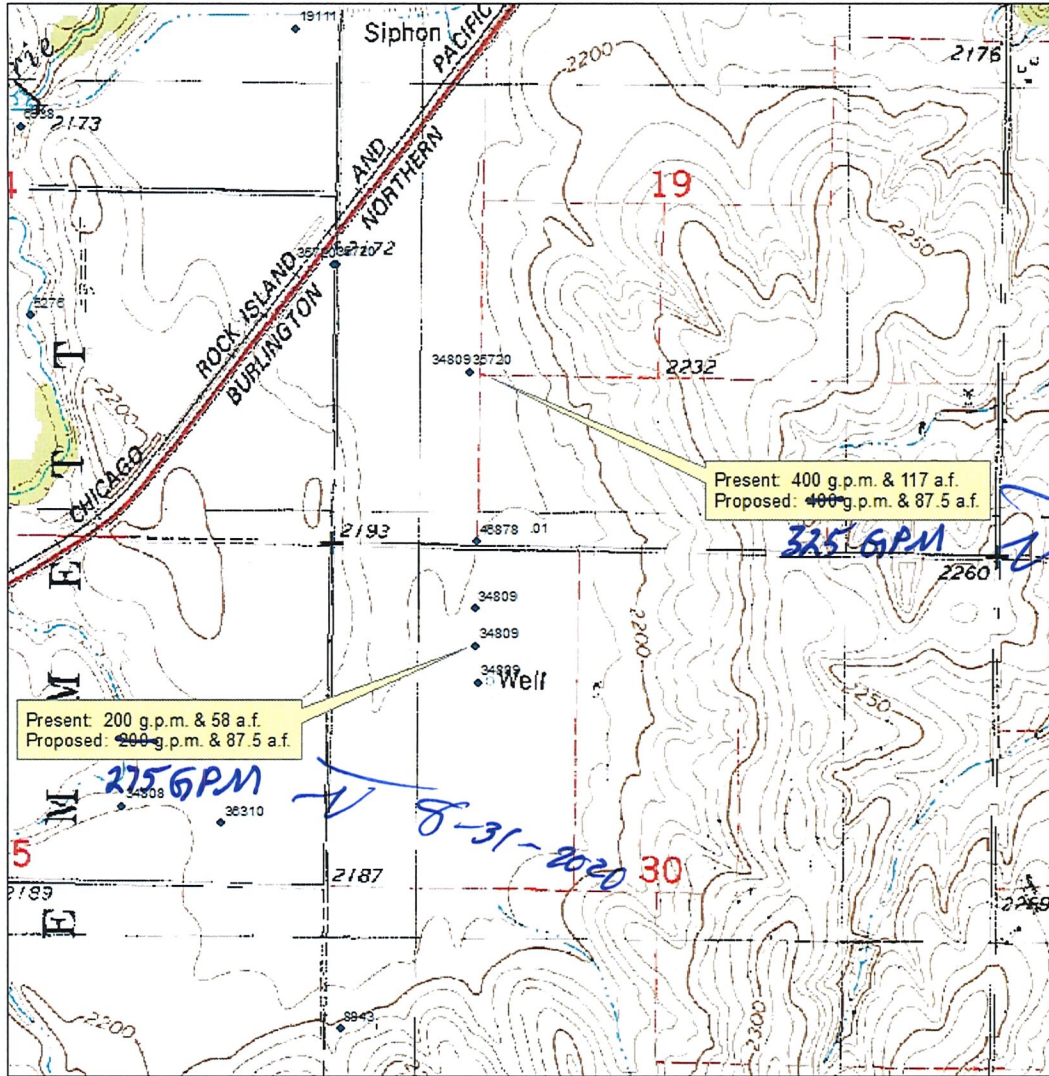
This point will not be changed This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (E/W),
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 _____

Application to Change the Points of Diversion,
Water Right, File No. 34,809



All wells within 1/2 mile of the proposed point of diversion are shown:

A. Perry Reber
Signature

Aug 31, 2020
Date



1:12,000

Stockton Field Office
Division of Water Resources

SEP 03 2020

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



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

Mike Beam, Secretary

Laura Kelly, Governor

September 4, 2020

LANCE & NIKI KINDERKNECHT
9484 RD E9
ALMENA, KS 67622

Re: Water Rights, File Nos. 34,809

Dear Mr. & Mrs. Kinderknecht:

This is to advise you that Nelson Farms Inc has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion the above referenced file numbers.

You are notified on this proposed change in point of diversion so that you may furnish this office with any comments or other information you may want to submit.

You can find the complete applications posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices 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,

Mark Billinger
Assistant Water Commissioner

MB: