NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE, THE POINT OF DIVERSION OR THE USE MADE OF THE WATER UNDER AN EXISTING WATER RIGHT



Filing Fee Must Accompany the Application (Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1.	WATER RESOURCES RECEIVED Application is hereby made for approval of the Chief Engineer to change the											
1	✓ Place of Use ✓ JAN 0 8 2018											
	(Check one or more) Point of Diversion											
	Use Made of Water KS DEPT OF AGRICULTURE											
	File No. <u>28265.01</u>											
2.	Name of applicant: <u>Troy Nelson</u>											
	Address: Nelson Circles, 1566 210 th Ave											
	City, State and Zip: Lewis KS 67552											
	Phone Number: (620)324-5296 E-mail address:											
	What is your relationship to the water right; ⊠ owner □ tenant □ agent □ other? If other, please explain.											
Name of water use correspondent: Nelson Circles Inc												
	Address: Troy Nelson, 1566 210 th Ave											
	City, State and Zip: Lewis KS 67552											
	Phone Number: (620) 324-5296											
3.	The change(s) proposed herein are desired for the following reasons (please be specific): The intent of this change is to											
	modify the place of use to authorize an expansion to the current feed lot facility located in the W1/2 of the SW 1/4 of 21-26S											
	17W. An application has been submitted under File No. 14672 to authorize additional STK quantity in order to cover the											
	need for additional water. The proposed facility is expanding from 2,500 head to 5,000 head of cattle.											
	The change(s) (will be) completed by Spring 2018 (Date)											
F.(r Office Use Only: D. 2 GMD 5 Meets K.A.R. 5-5-1 (VE\$ / NO) Use <u>57 K</u> Source GVS County <u>FD</u> By A W Date 1/8/6 de County Fee \$ 260 TR # Receipt Date 1/8/18 Check # 518											

																	ē		
																File No	o. <u>282</u>	65.01	
. The	e prese	ently au	thorize	ed pla	ce of ı	use is:													
	Owne	er of La																	
			AD	DRES	S: <u>15</u>	66 21	O th Ave	e, Lew	is KS	67552									
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ist any	other	water r	ights t	that co	over th	is plac	ce of u	se											
	(If the	ere are	more	than t	vo lan	down	ers, at	tach a	dditior	nal she	eets a	s nece	ssary	.)					
. It is	s propo	sed tha	at the	place	of use	be ch	anged	to:											
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	- , -,,,,,,,								vis KS		2								
			NE% NW%					SW¼				SE¼			TOTAL				
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ist an	y other	water r	ights	that co	over th	is pla	ce of u	ıse. <u>14</u>	4672 8	3662	28.01							······································	
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List any other water rights that cover this place of use.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECEIVED

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					File No. <u>28265.01</u>									
6	The presently author	rized point(s) of diversion is One sto	ock well with div	version works										
٥.	The proporting dainer	nzoa pomito, or alvereign res <u>erve en</u>		(Provide description and num	nber of points)									
7.	The proposed point(s) of diversion are No Changes												
	(Provide description and number of points)													
ė,		uthorized point(s) of diversion:	·											
8.		ed point of diversion:												
	One in the	Quarter of the		Quarter of the	NC SW	Quarter								
		, Township												
		County, Kansas, <u>1318</u>			Southeast corner	of section.								
		lo Change Authorized Quantity			E 1,02,202	de.								
	7	omputer ID No. <u>1</u> G			57 feet We	st)								
	☑ This point will n	ot be changed 🔲 This point w	ill be changed	as follows:										
		diversion: (Complete only if char												
	One in the	Quarter of the		Quarter of the		Quarter								
	of Section	, Township		South, Range										
	in	County, Kansas,	feet North _	feet West of	Southeast corner	of section.								
		Proposed Quantity												
	This point is: Add	ditional Well 🔲 Geo Center List	other water righ	nts that will use this poin	t <u>14672 & 36628.</u>	<u>01</u>								
1														
9.		ed point of diversion:		0 1 5 1		0								
	One in the	Quarter of the		Quarter of the		Quarter								
		, Township												
		County, Kansas,			Southeast corner	or section.								
	Authorized Rate	Authorized Quantity	/	Established	Englisher	-45								
		omputer ID No G			reet vve	St)								
	☐ 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													
	One in the	Quarter of the		Quarter of the		Quarter								
	of Section	, Township												
	in County, Kansas, feet North feet West of Southeast corner of section													
	Proposed RateProposed Quantity													
	This point is: Additional Well Geo Center List other water rights that will use this point													
10.		ed point of diversion:		Óa.da		Ouerter								
	One in the	Quarter of the		Quarter of the		Quarter								
	of Section	, Township	e 250 at	South, Range	0.00.00.00.00.00.00	(E/VV),								
	1	County, Kansas,		Southeast corne	r of section.									
	Authorized Rate	Authorized Quantity	en a Ni e all'	é - cine-	- 4\									
	(DWR use only: Computer ID No GPS feet North feet West)													
	☐ This point will not be changed ☐ This point will be changed as follows:													
		diversion: (Complete only if char												
	One in the	Quarter of the		Quarter of the		Quarter								
	of Section	, Township		South, Range		(E/W),								
	ì	County, Kansas,		feet West of	Southeast corne	r of section.								
	Proposed Rate	Proposed Quantity												

This point is: Additional Well Geo Center List other water rights that will use this point

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used.

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				File No. <u>28265.01</u>
12.	The	pre	esently authorized use of water is for <u>Stockwater</u> purpo	oses.
	It is	pro	posed that the use be changed to <u>No Change</u>	purposes.
13.	If cl	nang	ging the place of use and/or use made of water, describe how the consumptive use	e will not be increased.
	Cor	sum	nptive use will be accounted for by the change application submitted under File No). 14672 (PD PU UMW).
			ed lot is proposing to expand from the currently permitted 2,500 head to 5500 head	
	will	use	approx 7,98 gal/head/day at maximum capacity. It is expected that the facility vines 100 gal/head/day; both of which are under the maximum reasonable quantity of 1	vill be run at approx. 80% capacity
				5 gai/nead/day for cattle as .
	(Ple	ase s	d in K.A.R. 5-3-22. show any calculations here.)	
14.	It is	req	uested that the maximum annual quantity of water be reduced to	(acre-feet or million gallons).
1.5.	It is	requ	uested that the maximum rate of diversion of water be reduced to	gallons per minute (c.f.s.).
16.	1:24 Kar Dist	4,00 nsas tanc uld a	plication must include either a topographic map or detailed plat. A U.S. Geologic 10, is available through the Kansas Geological Survey, 1930 Constant Avenue 66047-3726 (www.usgs.gov). The map should show the location of the presences North and West of the Southeast corner of the section must be shown. The also be shown. Identify the center of the section, the section lines and the section, township, and range numbers on the map. In addition the following information in	, University of Kansas, Lawrence, tly authorized point(s) of diversion. e presently authorized place of use a corners and show the appropriate
	a.	If a	change in the location of the point(s) of diversion is proposed, show:	
		1)	The location of the proposed point(s) of diversion. Distances North and West of must be shown. Please be certain that the information shown on the map agreement and 11 of the application.	the Southeast corner of the section rees with the information shown in
		2)	If the source of supply is groundwater, please show the location of existing domestic wells, within ½ mile of the proposed well or wells. Identify each well a mailing address of the property owner or owners. If there are no wells within ½ n	as to its use and furnish name and
		3)	If the source of supply is surface water, the names and mailing addresses of all and $\frac{1}{2}$ mile upstream from your property lines must be shown.	ll.landowner(s) ½ mile downstream
	b.	If a	a change in the place of use is desired, show the proposed place of use by cros rtain that the information shown on the map agrees with the information shown in F	sshatching on the map. Please be Paragraph No. 5 of the application.
17.	loc: wel	al so Il log	documentation to show the change(s) proposed herein will not impair existing wo burce of supply as to which the water right relates. This information may include gs, test hole logs, and other information as necessary information to show the ab below.	statements, plats, geology reports,
18.	ide req	ntify uest	roposed change(s) does not meet all applicable rules and regulations of the Kans the rules and regulations for which you request a waiver. State the reason what should be granted. Attach documentation showing that granting the request will prejudicially and unreasonably affect the public interest.	ny a waiver is needed and why the
	No	wai	vers anticipated	
	-			WATER RESOURCES RECEIVED

JAN 08 2018

File No. 28265.0	1
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Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executor, conservator), it will be necessary to attach proper documents showing such authority.

authorized to make this application on their behalf, and decla	of use as identified herein, or that I represent all such owners and re-further that the statements contained herein are true, correct, er to permanently reduce the quantity of water and/or rate of diver	and
Dated at Kans	as, this 5th day of Lover , 20 18	
Mas Vakon	J	
Tri) Welson	(Spouse)	
(Please Print)	(Please Print)	
aurelia de aurelia (Owner)	(Specise)	
(Please Print)	(Please Print)	
(Owner)	(Spouse)	
(Please Print)	(Please Print)	
State of Kansas County of SS I hereby certify that the foregoing application was signed BOBI CR Notary Public - Sta	OSS le of Kansas	of
My Commission Expires 8 12-20	Notary Public	
FEE	SCHEDULE	
Each application to change the place of use, the point of diversion o application fee set forth in the schedule below:	the use made of the water under this section shall be accompanied by	the
(2) Application to change a point of diversion more than 30	ss . \$100 0 feet . \$200 . \$200 . \$300	
Make check payable to Kansas Department of Agriculture.	WATER RESOURCES RECEIVED	

JAN 08 2018

1320 Research Park Drive Manhattan, Kansas 66502 (785) 564-6700



900 SW Jackson, Room 456 Topeka, Kansas 66612 (785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

TROY NELSON 1566 210TH AVE LEWIS. KS 67552 January 11, 2018

RE: File No 2826501

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

> PU place of use point of diversion luse made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor... A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent Tourney, L.G.

Change Applications Unit Supervisor

Water Appropriation Program

Sand A. Juney

BAT: DLW

pc: STAFFORD Field Office GMD5

