

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). PL-110; PL-7-D2; 219; 1970; 3,130; County PL  
4005; 7947; 8203; 26,865; 27,754;  
30,902; 31,424; 35,648

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.

An Advanced copy of a change application and the filing fee, to be processed at the field office. \$ 023311

\$ 3,400.00

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

Other: \_\_\_\_\_

Kelly A. Stewart  
Water Commissioner

10-27-16  
Date



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

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 [www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices](http://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,

A handwritten signature in black ink that reads "Kelly C. Stewart". The signature is written in a cursive style.

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](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

October 28, 2016

Jerry Cox  
1206 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 [www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices](http://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,

A handwritten signature in black ink that reads "Kelly C. Stewart". The signature is written in a cursive style.

Kelly C. Stewart  
Water Commissioner

KCS:rfh  
pc:  
Steven 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](http://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

Dear Mr. & Mrs. 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 [www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices](http://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,

A handwritten signature in black ink, appearing to read "Kelly C. Stewart".

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](http://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

Dear Mr. & Mrs. 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 [www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices](http://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,

A handwritten signature in cursive script that reads "Kelly C. Stewart".

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.

File No. PL-016

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

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

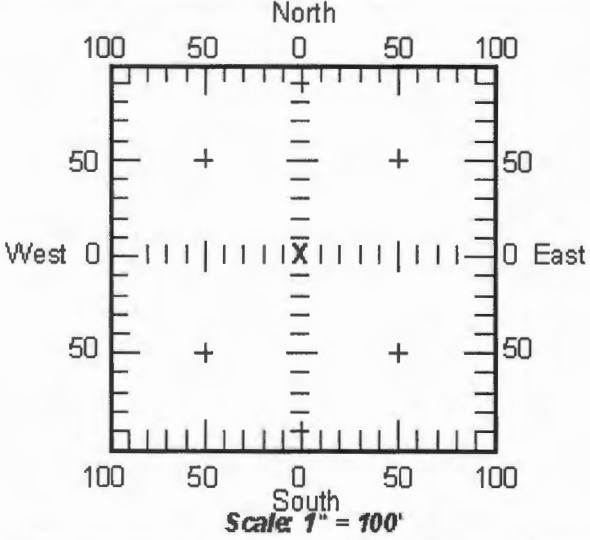
**For Office Use Only: Code \_\_\_\_\_ Fee \$ \_\_\_\_\_ TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # \_\_\_\_\_**

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 seperately.
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)  
Nelson Farms Inc  
 (Please Print)

[Signature]  
 (Spouse)  
[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





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 22	Lot 1 5									27

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

ADDRESS: PO Box 38 Long Island, KS 67647

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

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

ADDRESS: PO Box 38 Long Island, KS 67647

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

4. *Continued:* If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land --- NAME: NTN, LLP.

ADDRESS: 1304 W Fox Rd Long Island, KS 67647

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

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

ADDRESS: PO Box 38 Long Island, KS 67647

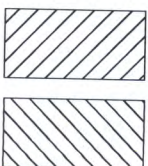
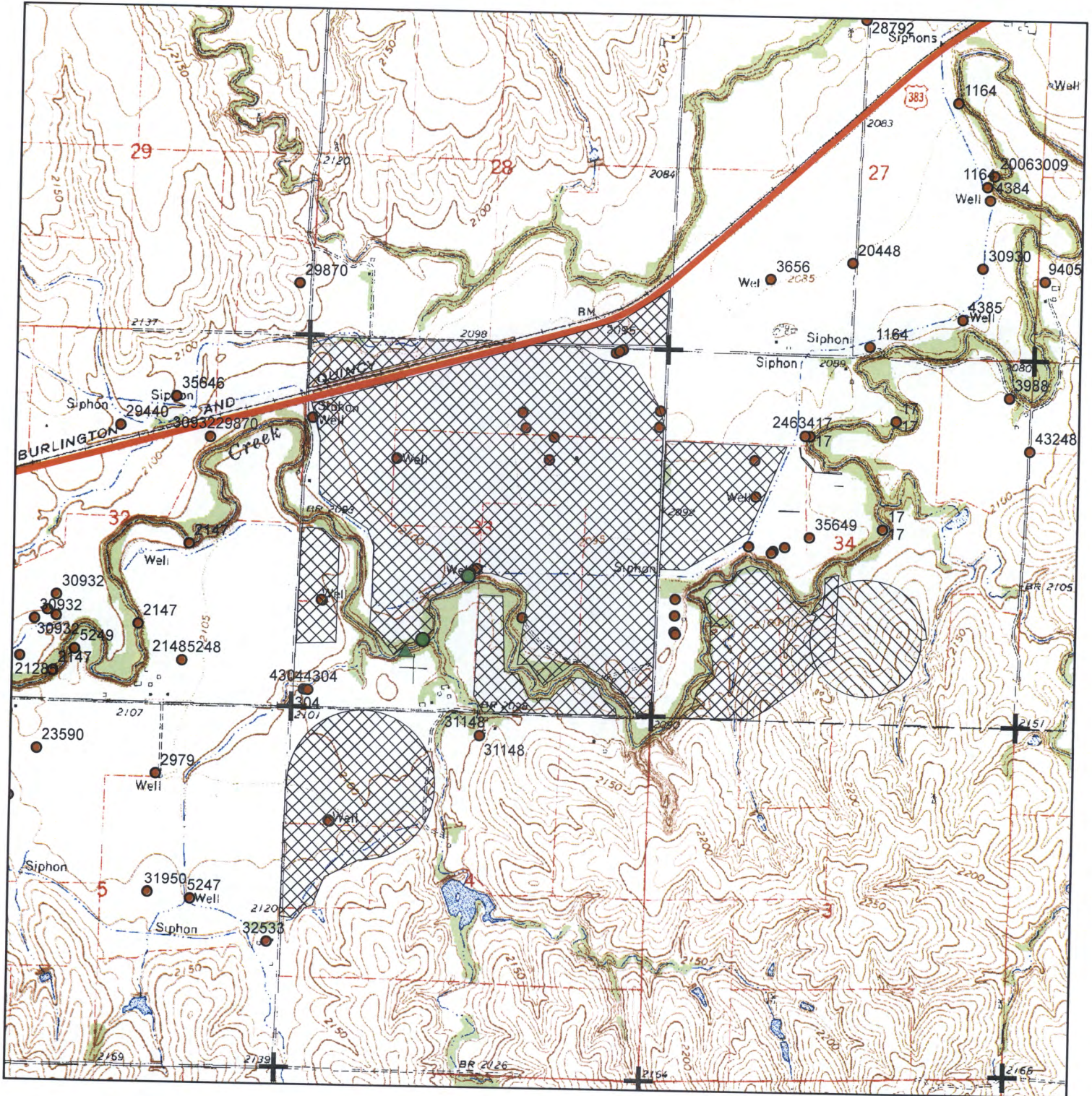
Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
33	1S	20W																	67
4	2S	20W					Lot 2 19	Lot 2 34	Lot 1 10	Lot 1 6									69

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

ADDRESS: PO Box 38 Long Island, KS 67647

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

# 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



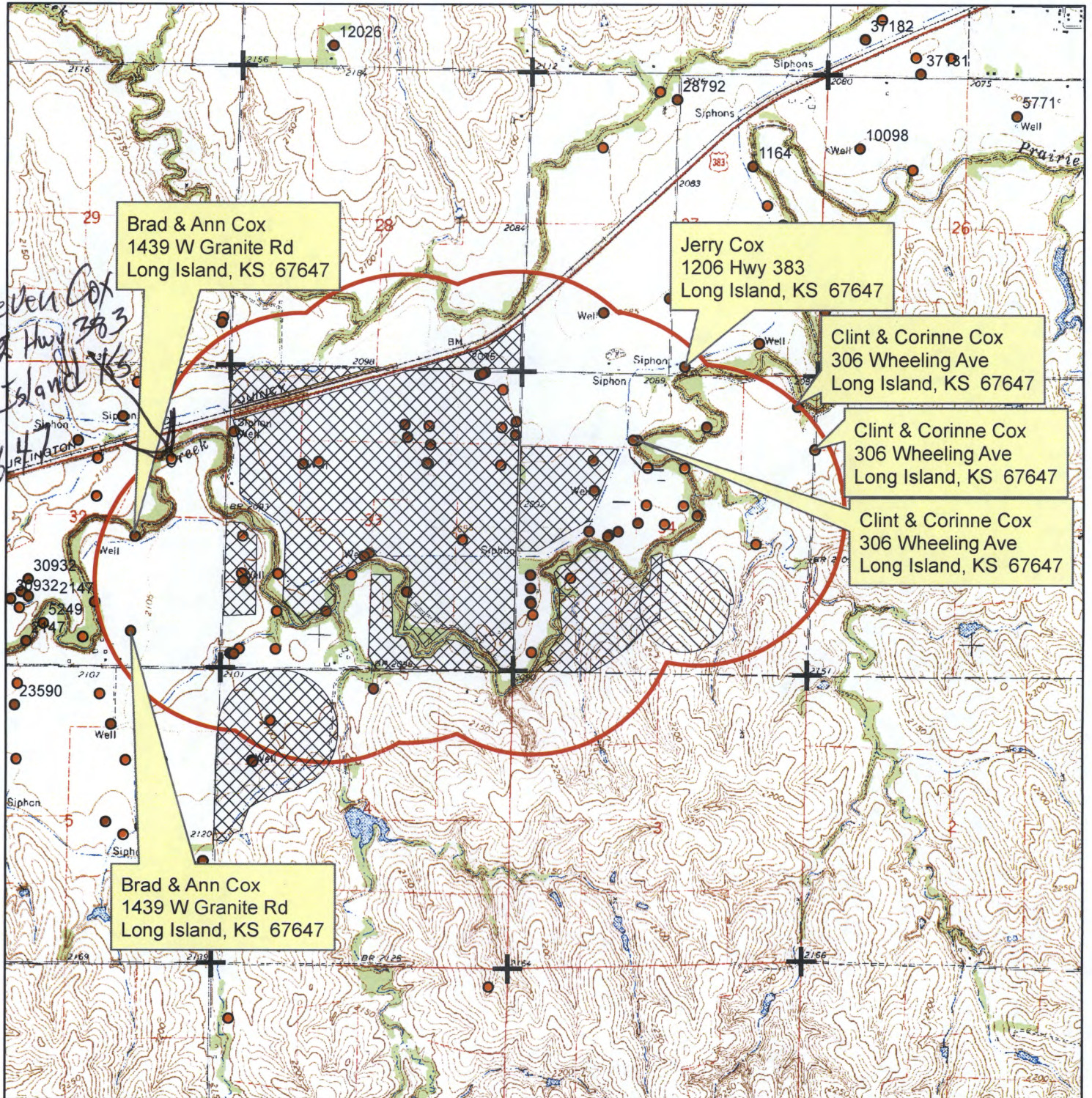
RECEIVED

OCT 27 2016

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

Stockton Field Office  
Division of Water Rights

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



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

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

*Mr. Jerry Cox* 10-24-2016

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