

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, KS 66502
www.ksda.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**



State of Kansas

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. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
 Point of Diversion
 Use Made of Water

(Check one or more)

WATER RESOURCES
RECEIVED

NOV 27 2017
3.04

KS DEPT OF AGRICULTURE

File No. 36,740

2. Name of applicant: Nelson Farms Inc.

Address: PO Box 38

City, State and Zip: Long Island, KS 67647

Phone Number: (785)854-7611 E-mail address: terrynelson@ruraltel.net

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: Nelson Farms Inc

Address: PO Box 38

City, State and Zip: Long Island, KS 67647

Phone Number: (785)854-7611 E-mail address: terrynelson@ruraltel.net

3. The change(s) proposed herein are desired for the following reasons (please be specific): To change the authorized point of diversion to add an additional well. The use made of water will also be changed to allow for the dual use of water (IRR & STK). The place of use will be changed to cover a hog facility and several other IRR places of use to allow for the pumping of freshwater into the effluent lagoons so the effluent can be spread over several different tracks of land.

The change(s) (was) (will be) completed by 12/31/18.

(Date)

For Office Use Only:

F.O. 3 GMD 0 Meets K.A.R. 5-5-1 (YES / NO) Use IRR Source G/S County PL By LE Date 11/27/17
Code C3 Fee \$ 600 TR # _____ Receipt Date 11/27/17 Check # 023868

LT100Pr

12/4/17 DAW

Any use of water that is not as authorized by the water right or permit to authorize water **before** 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 \$100 nor more 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, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Lawrence, Kansas, this 24 day of November, 2017.

Nelson Farms Inc
(Owner)

Nelson Farms Inc
(Please Print)

(Owner)

(Please Print)

(Owner)

(Please Print)

Larry Nelson
(Spouse)

Terry Nelson
(Please Print)

(Spouse)

(Please Print)

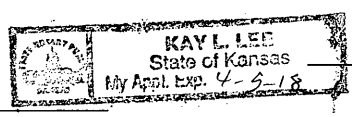
(Spouse)

(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 24th day of Nov, 2017.

My Commission Expires 4-5-18



[Signature]
Notary Public

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

1. The presently authorized place of use is:

Owner of Land — NAME: _____

ADDRESS: _____

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	

List any other water rights that cover this place of use. _____

Owner of Land — NAME: _____

ADDRESS: _____

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	

List any other water rights that cover this place of use. _____

(If there are more than two landowners, attach additional sheets as necessary.)

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2. It is proposed that the place of use be changed to: * **No claim to the water right.**

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Owner of Land — NAME: Craig & Genine Ingram Living Trusts

ADDRESS: 220 W 1100 Rd Long Island, KS 67647 KS DEPT OF AGRICULTURE

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	
7	1	19 W													15			35	50
18	1	19 W	36	18	34	30													118
18	1	19 W					Lot 1 32	Lot 2 35	Lot 2 26	Lot 1 4									97

List any other water rights that cover this place of use. 17871, 19478, 20824, 29620, 33786, 37170

Owner of Land — NAME: A. Lisa Quinn Etal * B. Bernard A. Van Kooten Trust #2 c/o Geraldine Van Kooten *

ADDRESS: 225 State Street Phillipsburg, KS 67661 217 W. 35th St. Hays, KS 67601

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	
A. 7	1	19 W														3	32		35
B. 18	1	19 W		10															10

List any other water rights that cover this place of use. 17871, 19478, 20824, 29620, 33786, 37170

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

NELSON FARMS, INC 12/4/17
PO BOX 38
LONG ISLAND, KS 67647

FILE COPY

RE: File No 36740

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:

- place of use PU/PD/UMW
 point of diversion
 use 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.

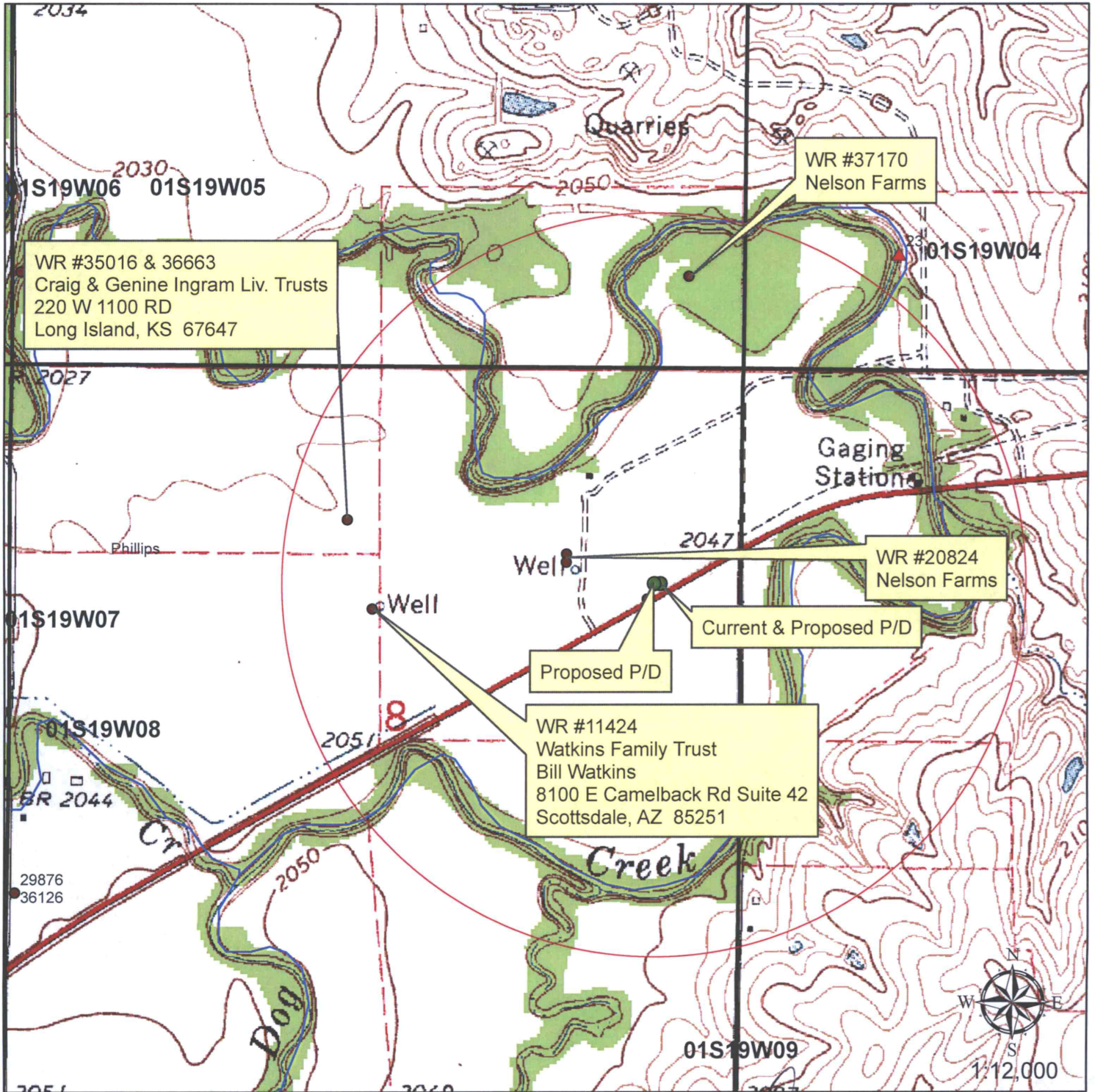
If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent Tourney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: DLW
pc: STOCKTON Field Office GMD

Application to Change the Point of Diversion
 Place of Use, & Use Made of Water
 For Water Right File # 36740



WR #35016 & 36663
 Craig & Genine Ingram Liv. Trusts
 220 W 1100 RD
 Long Island, KS 67647

WR #37170
 Nelson Farms

WR #20824
 Nelson Farms

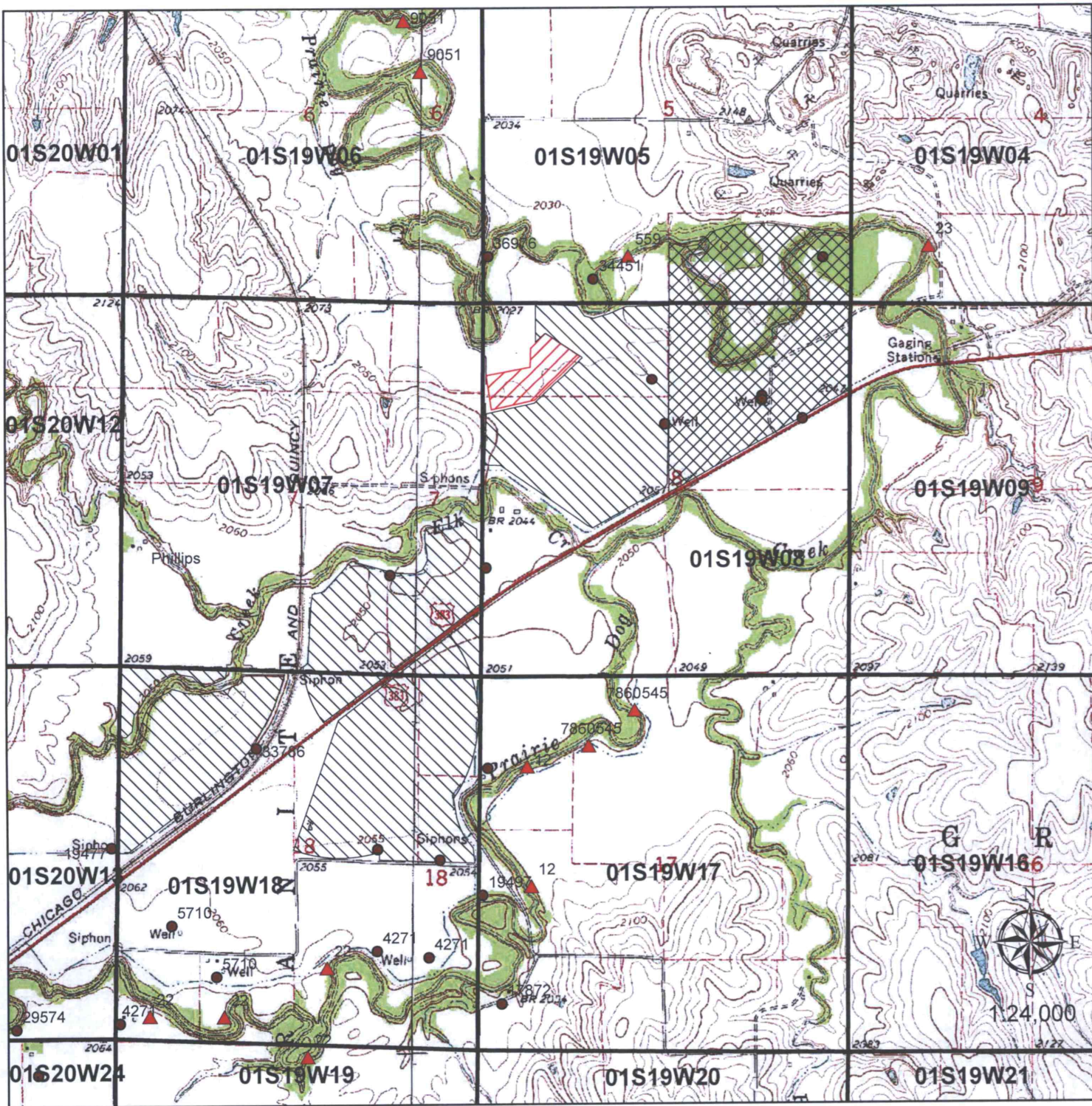
WR #11424
 Watkins Family Trust
 Bill Watkins
 8100 E Camelback Rd Suite 42
 Scottsdale, AZ 85251

- Authorized & Proposed P/D
- Other Points of Diversion
- 1/2 mile radius

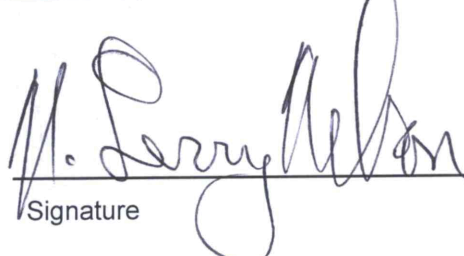
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Signature Required
[Handwritten Signature]
 By signing this I am stating that to the best of my knowledge that all wells within 1/2 mile of proposed well location are identified on this map.

Application to Change the Point of Diversion
 Place of Use, & Use Made of Water
 For Water Right File # 36740



Authorized IRR P/U
 Proposed IRR P/U
 Proposed Stockwater P/U


 Signature

11/24/17
 Date

WATER RESOURCES
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 NOV 27 2017
 KS DEPT OF AGRICULTURE