

File No. **48,803** 15. Formation Code: Drainage Basin: County: Special Use: Stream:

16. Points of Diversion											
T	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W

17. Rate and Quantity				
Authorized		Additional		
Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	Overlap PD Files
				None

18. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

20. Meter Required? Yes No To be installed by _____ Date Acceptable Meter Installed _____

21. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files		
T	MOD	DEL	ENT	PUSE	S	T	R	ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼						
																														None	
																														7b.	No

Comments: **Application fails Safe Yield and was recommended for denial by GMD#2**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: November 1, 2016

FROM: Matt Meier

RE: Application, File No. 48,803

Marvin Miller filed the referenced application for a permit to appropriate water for beneficial use, proposing the appropriation of 182 acre-feet of groundwater for irrigation use. The proposed well was to be located in the Southeast Quarter of the Southwest Quarter of the Northeast Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 26, more particularly described as being near a point 2,900 feet North and 1,350 feet West of the Southeast corner of said section, in Township 24 South, Range 7 West, Reno County, Kansas within the boundaries of Equus Beds Groundwater Management District No. 2. There are no other water rights overlapping the proposed point of diversion and place of use. The application was located in the Pretty Prairie suspension area and had been held while Equus Beds Groundwater Management District No. 2 reviewed the District's Safe yield regulation and calculation methods.

On August 16, 2016 a copy of the application was submitted to Equus Beds Groundwater Management District No. 2 for review. On September 16, 2016 a reply letter was received from Equus Beds Groundwater Management District No. 2 recommending denial of the application for failure to comply with Safe Yield Rule and Regulation K.A.R. 5-22-7. The applicant was sent a letter explaining the denial recommendation on September 21, 2016 and given a 30-day deadline (October 14, 2016) to consult with GMD#2 on the recommendation. No request for extension or notification of contact with GMD#2 was received from the applicant.

Therefore, based on the existing information, it is recommended that application File No. 48,803 be denied and dismissed for failure to meet safe yield criteria.

Matt Meier
Environmental Scientist
Permits Unit



1320 Research Park Drive
Manhattan, Kansas 66502

Jackie McClaskey, Secretary

Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov

Sam Brownback, Governor

MARVIN MILLER
3 EAST AVE C
PARTRIDGE KS 67566

December 7, 2016

FILE COPY

RE: Application, File No. 48,803

Dear Mr. Miller:

Enclosed is the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 48,803, for failure to comply with the safe yield requirements of K.A.R. 5-22-7.

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer, or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. The applicant, if aggrieved by this Order, may petition for administrative review, pursuant to K.S.A. 82a-711(c) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777

If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent A. Turney, PG.
Change Application Unit Supervisor
Water Appropriation Program

Enclosures

pc: GREENFIELD ACRES INC
Stafford Field Office
GMD#2

**KANSAS DEPARTMENT OF AGRICULTURE**

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

**FINDINGS AND ORDER
IN THE MATTER OF THE
DISMISSAL OF APPLICATION
FILE NO. 48,803**

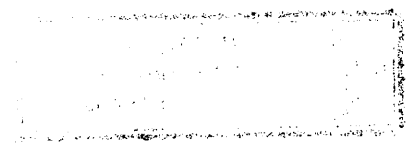
After due consideration, the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (hereinafter referred to as the "Chief Engineer"), makes the following findings and order:

FINDINGS

1. That on September 27, 2013, the Chief Engineer received an application from Marvin Miller for a permit to appropriate water for beneficial use, assigned File No. 48,803, proposing the appropriation of 182 acre-feet of groundwater for irrigation use. The proposed well was to be located in the Southeast Quarter of the Southwest Quarter of the Northeast Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 26, more particularly described as being near a point 2,900 feet North and 1,350 feet West of the Southeast corner of said section, in Township 24 South, Range 7 West, Reno County, Kansas.
2. That on August 16, 2016, a copy of the application was submitted to Equus Beds Groundwater Management District No. 2. GMD #2 recommended denial of the application in a letter received on September 16, 2016. They recommended denying the application because their review determined that the application did not comply with the District's Safe Yield regulation K.A.R. 5-22-7, as existing and proposed consumptive appropriations exceeded the maximum allowable.
3. A letter was sent to the applicant stating the decision of GMD#2 and that the applicant had 30 days (until October 14, 2016) to appeal the decision. No contact was received from the applicant.
4. That the applicant, has not submitted additional information for consideration, nor requested an extension of time, for Application, File No. 48,803, thus the application should be denied and dismissed and its priority forfeited for failure to comply with Safe Yield regulation K.A.R. 5-2-27.

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Handwritten signature/initials



CERTIFICATE OF SERVICE

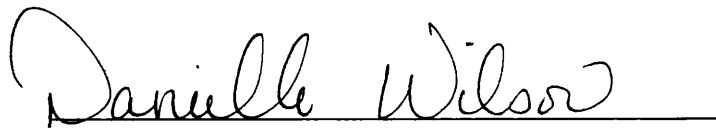
On this 7th day of December, 2016, I hereby certify that the foregoing Dismissal of Application, File No. 48,803, dated December 6, 2016 was mailed postage prepaid, first class, US mail to the following:

MARVIN MILLER
3 EAST AVE C
PARTRIDGE KS 67566

With photocopies to:

GREENFIELD ACRES INC
10815 S HERREN RD
PARTRIDGE KS 67566

Stafford Field Office
Equus Beds Groundwater Management District No. 2

A handwritten signature in cursive script that reads "Danielle Wilson". The signature is written in black ink and is positioned above a horizontal line.

Division of Water Resources

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Dale A. Rodman, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 48803
This item to be completed by the Division of Water Resources.

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE
Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

WATER RESOURCES RECEIVED
SEP 27 2013 12:51 PM
KS DEPT OF AGRICULTURE

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, 109 SW 9th Street, Second Floor, Topeka, KS 66612-1283:

1. Name of Applicant (Please Print): Marvin Miller
Address: 3 East Avenue C
City: Partridge State KS Zip Code 67566
Telephone Number: (620) 727-3926

2. The source of water is: [] surface water in (stream)
OR [x] groundwater in North Fork Ninnescah Drainage Basin - Equus Beds Aquifer (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 182 acre-feet OR gallons per calendar year, to be diverted at a maximum rate of 1000 gallons per minute OR cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can NOT be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):
(a) [] Artificial Recharge (b) [x] Irrigation (c) [] Recreational (d) [] Water Power
(e) [] Industrial (f) [] Municipal (g) [] Stockwatering (h) [] Sediment Control
(i) [] Domestic (j) [] Dewatering (k) [] Hydraulic Dredging (l) [] Fire Protection
(m) [] Thermal Exchange (n) [] Contamination Remediation

YOU MUST COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:
F.O. 2 GMD 2 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source GS County RN By RAB Date 9-27-13
Code REG Fee \$ 300 TR # 14008943 Receipt Date 9-27-13 Check # 1238

5. The location of the proposed wells, pump sites or other works for diversion of water is:

Note: For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

- (A) One in the SE quarter of the SW quarter of the NE quarter of Section 26, more particularly described as being near a point 2900 feet North and 1350 feet West of the Southeast corner of said section, in Township 24 South, Range 7 West, Reno County, Kansas.
- (B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

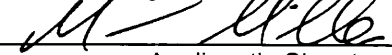
6. The owner of the point of diversion, if other than the applicant is (please print):

Greenfield Acres Inc., 10815 S. Herren Road, Partridge, KS 67566.
(name, address and telephone number)

(name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 25, 2013. 
Applicant's Signature

7. The proposed project for diversion of water will consist of One well
(number of wells, pumps or dams, etc.)

and will completed (by) 5/1/2014
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be 6/1/2014
(Mo/Day/Year)

- 9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
 Yes No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

- 10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources? Yes No

- If yes, show the Water Structures permit number here NA
 - If no, explain here why a Water Structures permit is not required NA
-
-

- 11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within ½ mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within ½ mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

- 12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

None

13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

* Information below is from: Test holes Well as completed Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	10-22-12	_____	_____	_____
Total depth of well	94 feet	_____	_____	_____
Depth to water bearing formation	22 feet	_____	_____	_____
Depth to static water level	18 feet	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

* Attached Driller's log is from a nearby stockwatering well owned by Greenfield Acres, Inc.

14. The relationship of the applicant to the proposed place where the water will be used is that of

Tenant
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

Greenfield Acres Inc., 10815 S. Herren Road, Partridge, KS 67566.
(name, address and telephone number)

(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at 9/25/13 Reno County, Kansas, this 25 day of September, 2013.
(month) (year)

3 East Acc
Partridge, KS 67566

[Signature]
(Applicant Signature)

509-15-8248
APPLICANT(S) SOCIAL SECURITY IDENTIFICATION NUMBER(S)

By _____
(Agent or Officer Signature)

and/or
APPLICANT(S) TAXPAYER I.D. NO.(S)

(Agent or Officer - Please Print)

Assisted by T. Boese GMD2/Manager Date: September 17, 2013
(office/title)

WATER RESOURCES RECEIVED
SEP 27 2013
KS DEPT OF AGRICULTURE
SCANNED

FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

WATER RESOURCES
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SEP 27 2013

KS DEPT OF AGRICULTURE **SCANNED**

IRRIGATION USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): Marvin Miller

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: Greenfield Acres Inc.

ADDRESS: 10815 S. Herren Road, Partridge, KS 67566.

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
26	24S	7W			6	12										20	37	28	27	130

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

WATER RESOURCES
RECEIVED

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
<u>Darlow-Elmer Complex</u>	<u>9</u>	<u>0.00-0.06</u>	<u>3</u>
<u>Avans Loam, 0-1%</u>	<u>15</u>	<u>0.60-2.00</u>	<u>7</u>
<u>Avans Loam, 1-3%</u>	<u>8.5</u>	<u>0.60-2.00</u>	<u>7</u>
<u>Ost Loam</u>	<u>29.5</u>	<u>0.20-0.60</u>	<u>7</u>
<u>Ost-Clark Loams</u>	<u>38</u>	<u>0.20-0.60</u>	<u>7, 9</u>
Total:	100 %		

b. Estimate the average land slope in the field(s): 1 %

Estimate the maximum land slope in the field(s): 2 %

c. Type of irrigation system you propose to use (check one):

Center pivot Center pivot - LEPA "Big gun" sprinkler

Gravity system (furrows) Gravity system (borders) Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater: Will schedule and apply irrigation to eliminate run-off

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: _____ psi

(2) What is the sprinkler package design rate? _____ gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

(4) Please include a copy of the sprinkler package design information.

NOT available at this time

e. Crop(s) you intend to irrigate. Please note any planned crop rotations: Soybeans, alfalfa, wheat

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation). Contract with crop consultant

You may attach any additional information you believe will assist in informing the Division of the need for your request.

WATER WELL RECORD

Form WWC-5

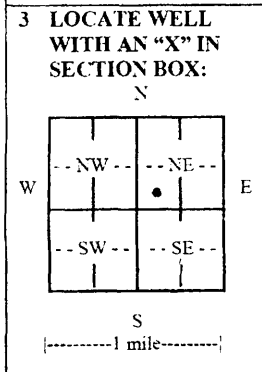
Division of Water Resources App. No.

1 LOCATION OF WATER WELL: County: <u>Reno</u>	Fraction <u>¼ SE ¼ SW ¼ NE ¼</u>	Section Number <u>26</u>	Township No. <u>T 24 S</u>	Range Number <u>R 7</u> <input type="checkbox"/> E <input checked="" type="checkbox"/> W
---	-------------------------------------	-----------------------------	-------------------------------	---

Street/Rural Address of Well Location; if unknown, distance & direction from nearest town or intersection: If at owner's address, check here .
From Partridge: 1 1/2 S. 2 E, 1/2 S. 1/4 W

Global Positioning System (GPS) information:
Latitude: (in decimal degrees)
Longitude: (in decimal degrees)
Elevation:
Datum: WGS 84. NAD 83. NAD 27
Collection Method:
 GPS unit (Make/Model:)
 Digital Map/Photo. Topographic Map. Land Survey
Est. Accuracy: <3 m. 3-5 m. 5-15 m. >15 m

2 WATER WELL OWNER: Joseph Hershberger
RR#, Street Address, Box #: 15015 W. 4th
City, State, ZIP Code : Nickerson, Kansas 67561



4 DEPTH OF COMPLETED WELL 94 ft.
Depth(s) Groundwater Encountered (1)..... ft. (2)..... ft. (3)..... ft.
WELL'S STATIC WATER LEVEL 18 ft. below land surface measured on mo/day/yr. 10-22-201.....
Pump test data: Well water was ft. after hours pumping gpm
EST. YIELD gpm. Well water was ft. after hours pumping gpm
Bore Hole Diameter 10 in. to 94 ft., and in. to ft.
WELL WATER TO BE USED AS: Public water supply Geothermal Injection well
 Domestic Feedlot Oil field water supply Dewatering Other (Specify below) stock
 Irrigation Industrial Domestic-lawn & garden Monitoring well
Was a chemical/bacteriological sample submitted to Department? Yes No
If yes, mo/day/yr sample was submitted.....
Water well disinfected? Yes No

5 TYPE OF CASING USED: Steel PVC Other
CASING JOINTS: Glued Clamped Welded Threaded
Casing diameter 5 in. to 74 ft., Diameter in. to ft., Diameter in. to ft.
Casing height above land surface 16 in., Weight 160 lbs./ft., Wall thickness or gauge No. 214
TYPE OF SCREEN OR PERFORATION MATERIAL:
 Steel Stainless Steel PVC Other (Specify)
 Brass Galvanized Steel None used (open hole)
SCREEN OR PERFORATION OPENINGS ARE:
 Continuous slot Mill slot Gauze wrapped Torch cut Drilled holes None (open hole)
 Louvered shutter Key punched Wire wrapped Saw cut Other (specify)
SCREEN-PERFORATED INTERVALS: From 74 ft. to 94 ft., From ft. to ft.
From ft. to ft., From ft. to ft.
GRAVEL PACK INTERVALS: From 94 ft. to 20 ft., From ft. to ft.
From ft. to ft., From ft. to ft.

6 GROUT MATERIAL: Neat cement Cement grout Bentonite Other
Grout Intervals: From 20 ft. to 0 ft., From ft. to ft., From ft. to ft.
What is the nearest source of possible contamination:
 Septic tank Lateral lines Pit privy Livestock pens Insecticide storage Other (specify below) none
 Sewer lines Cesspool Sewage lagoon Fuel storage Abandoned water well
 Watertight sewer lines Seepage pit Feedyard Fertilizer storage Oil well/gas well
Direction from well Distance from well

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHO. LOG (cont.) or PLUGGING INTERVALS
0	3	Top soil			
3	22	Brown and reddish brown clay			
22	76	Small to fine sand			
76	82	Reddish brown clay-sm. sand mix			
82	93	Small to fine sand			
93	94	Green shale			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was constructed, reconstructed, or plugged under my jurisdiction and was completed on (mo/day/year) 10-22-2012 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 134 This Water Well Record was completed on (mo/day/year) 10-31-2012 under the business name of Rosencrantz-Bemis Ent. by (signature) James Dabson

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks and check the correct answers. Send three copies (white, blue, pink) to Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367. Telephone 785-296-5524. Send one copy to WATER WELL OWNER and retain one for your records. Include fee of \$5.00 for each constructed well. Visit us at <http://www.kdheks.gov/waterwell/index.html>.

SEP 27 2013

SCANNED

**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

2900 ft N and 1350 ft W of the SE Corner of Section 26, T 24S, R 7W

Located at: 98.055050 West Longitude and 37.934630 North Latitude

#48803

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist	(ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 1412	00	IRR	NK	G	6363	NC	E2	W2	NE	3920	1710	23	24	7W	1		200.00	200.00	AF
A__ 2056	00	IRR	NK	G	10473	--	NE	NW	SW	2600	4300	13	24	7W	3		50.00	50.00	AF
A__ 29446	00	IRR	NK	G	8017	--	SE	NE	NE	3971	30	36	24	7W	1		96.00	96.00	AF
A__ 35960	00	IRR	NK	G	8919	--	NW	SE	SE	1283	1246	14	24	7W	6		132.00	132.00	AF
A__ 37431	00	IRR	NK	G	6363	NC	E2	W2	NE	3920	1710	23	24	7W	1		87.00	.00	AF
A__ 39137	00	IRR	NK	G	9498	--	NE	NE	NE	5230	75	28	24	7W	2		105.00	105.00	AF
A__ 39723	00	IRR	NK	G	2960	--	--	NC	NW	3960	3960	25	24	7W	2		88.00	88.00	AF
A__ 41930	00	IRR	NK	G	5139	--	NW	NW	SW	2631	5371	24	24	7W	1		244.00	244.00	AF
A__ 42111	00	IRR	NK	G	4386	--	--	--	NC	2642	2387	25	24	7W	3	G 2	123.00	123.00	AF
Same					4277	--	--	--	NC	2645	2496	25	24	7W	4	B 2			
Same					4503	--	--	--	NC	2638	2270	25	24	7W	6	B 2			
A__ 42162	00	IRR	NK	G	2775	--	--	NC	W2	2703	3999	25	24	7W	7		163.00	163.00	AF
A__ 42200	00	IRR	NK	G*	8124	--	NE	SW	NE	3790	1506	22	24	7W	20		152.00	152.00	AF
A__ 42363	00	IRR	NK	G	8351	--	NW	NW	NE	4997	2755	24	24	7W	2	G 2	201.00	201.00	AF
Same					8567	--	NW	NW	NE	5241	2752	24	24	7W	3	B 2			
Same					8138	--	NW	NW	NE	4753	2757	24	24	7W	4	B 2			
A__ 43292	00	IRR	NK	G	9247	--	--	NC	SW	1246	3898	14	24	7W	5		195.00	195.00	AF
A__ 43834	00	REC	LO	G	9498	--	NE	NE	NE	5230	75	28	24	7W	2		166.50	166.50	AF
A__ 44349	00	IRR	NK	G	5543	--	SW	NW	NE	4568	2679	36	24	7W	2		175.00	175.00	AF
A__ 44700	00	IRR	NK	G	6765	--	SW	SW	NE	3111	2756	24	24	7W	6	G 2	101.00	101.00	AF
Same					6925	--	SW	SW	NE	3311	2757	24	24	7W	7	B 2			
Same					6606	--	SW	SW	NE	2910	2755	24	24	7W	8	B 2			
A__ 44701	00	IRR	NK	G	4290	--	SW	NW	NE	4297	2671	25	24	7W	11	G 2	46.00	46.00	AF
Same					4218	--	SW	NW	NE	4025	2669	25	24	7W	8	B 2			
Same					4379	--	SW	NW	NE	4568	2672	25	24	7W	10	B 2			
A__ 44702	00	IRR	NK	G	4059	--	NE	SE	SW	922	3269	25	24	7W	9		113.00	113.00	AF
A__ 44875	00	IRR	NK	G	8017	--	SE	NE	NE	3971	30	36	24	7W	1		194.00	98.00	AF
A__ 45204	00	IRR	LR	G	2960	--	--	NC	NW	3960	3960	25	24	7W	2		88.00	88.00	AF
A__ 47779	00	IRR	LO	G	6933	--	NE	SW	NW	3900	4208	23	24	7W	2		89.60	89.60	AF
A__ 47882	00	IRR	KE	G	8048	--	NE	NE	SW	2030	2975	22	24	7W	10	G 4	212.80	212.80	AF
Same					7997	--	NE	NE	SW	2230	2775	22	24	7W	11	B 4			
Same					8326	--	NE	NE	SW	2230	3175	22	24	7W	12	B 4			
Same					8109	--	SE	NE	SW	1830	3175	22	24	7W	13	B 4			
Same					7771	--	SE	NE	SW	1830	2775	22	24	7W	14	B 4			
A__ 47883	00	IRR	KE	G	7848	--	SW	SE	SW	220	3660	22	24	7W	15	G 4	212.80	.00	AF
Same					8104	--	SW	SE	SW	420	3860	22	24	7W	16	B 4			
Same					7731	--	SW	SE	SW	420	3460	22	24	7W	17	B 4			
Same					7593	--	SW	SE	SW	20	3460	22	24	7W	18	B 4			
Same					7973	--	SW	SE	SW	20	3860	22	24	7W	19	B 4			
A__ 47924	00	IRR	KE	G	2761	--	NW	SW	SW	1160	4695	25	24	7W	12		99.40	99.40	AF
A__ 48145	00	IRR	KE	G	10473	--	NE	NW	SW	2600	4300	13	24	7W	3		182.00	132.00	AF
A__ 48150	00	IRR	KE	G	8919	--	NW	SE	SE	1283	1246	14	24	7W	6		224.00	92.00	AF
A__ 48803	00	IRR	AY	G	0	--	SE	SW	NE	2900	1350	26	24	7W	1		182.00	182.00	AF

=====
 Total Net Quantities Authorized: Direct Storage
 Total Requested Amount (AF) = 182.00 .00

48,803

Total Permitted Amount (AF) =	536.20	.00
Total Inspected Amount (AF) =	344.10	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	2282.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	3344.30	.00

An * after the source of supply indicates a pending application for change for the file number.
 An * after the ID indicates a 15 AF exemption was granted for the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

98.055050 West Longitude and 37.934630 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

=====
File Number Use ST SR

A__ 1412 00 IRR NK G

> JOSEPH HERSHBERGER

>

> 15015 W 4TH AVE

> NICKERSON KS 67561

>-----

A__ 2056 00 IRR NK G

> MICHAEL MILLER REVOCABLE TRUST

> MICHAEL & LOIS E MILLER TRUSTEES

> 8508 W LONGVIEW RD

> PARTRIDGE KS 67566

>-----

A__ 29446 00 IRR NK G

> RYAN JACQUES

>

> 10919 S DEAN RD

> HUTCHINSON KS 67501

>-----

A__ 35960 00 IRR NK G

> MICHAEL MILLER REVOCABLE TRUST

> MICHAEL & LOIS E MILLER TRUSTEES

> 8508 W LONGVIEW RD

> PARTRIDGE KS 67566

>-----

A__ 37431 00 IRR NK G

> JOSEPH HERSHBERGER

>

> 15015 W 4TH AVE

> NICKERSON KS 67561

>-----

A__ 39137 00 IRR NK G

> HAROLD E GHORMLEY ESTATE

> DAVID A GHORMLEY

> 4912 E GOVERNOR JOHN SEVIER HIGHWAY

> KNOXVILLE TN 37914

48,903

A__ 39723 00 IRR NK G
> CAMERON S PEIRCE
>
> 210 N RIDGE RD
> HUTCHINSON KS 67501

A__ 41930 00 IRR NK G
> ERIC JACQUES
>
> 3002 W LAKE CABLE RD
> HUTCHINSON KS 67501

A__ 42111 00 IRR NK G
> RYAN JACQUES
>
> 10919 S DEAN RD
> HUTCHINSON KS 67501

A__ 42162 00 IRR NK G
> JOHN R & GLORIA A EVANS REV TRUSTS
>
> 8754 MELROSE STREET
> OVERLAND PARK KS 66214

A__ 42200 00 IRR NK G
> LAVERNE E MILLER
>
> 13807 W ILLINOIS AVE
> PARTRIDGE KS 67566

A__ 42363 00 IRR NK G
> ERIC JACQUES
>
> 3002 W LAKE CABLE RD
> HUTCHINSON KS 67501

A__ 43292 00 IRR NK G
> MICHAEL MILLER REVOCABLE TRUST
> MICHAEL & LOIS E MILLER TRUSTEES
> 8508 W LONGVIEW RD
> PARTRIDGE KS 67566

A__ 43834 00 REC LO G
> HAROLD E GHORMLEY ESTATE
> DAVID A GHORMLEY
> 4912 E GOVERNOR JOHN SEVIER HIGHWAY
> KNOXVILLE TN 37914

A__ 44349 00 IRR NK G
> RYAN JACQUES
>

#44,803

> 10919 S DEAN RD
> HUTCHINSON KS 67501

A__ 44700 00 IRR NK G
> ERIC JACQUES

> 3002 W LAKE CABLE RD
> HUTCHINSON KS 67501

A__ 44701 00 IRR NK G
> RYAN JACQUES

> 10919 S DEAN RD
> HUTCHINSON KS 67501

A__ 44702 00 IRR NK G
> RYAN JACQUES

> 10919 S DEAN RD
> HUTCHINSON KS 67501

A__ 44875 00 IRR NK G
> JOHN R & GLORIA A EVANS REV TRUSTS

> 8754 MELROSE STREET
> OVERLAND PARK KS 66214

A__ 45204 00 IRR LR G
> CAMERON S PEIRCE

> 210 N RIDGE RD
> HUTCHINSON KS 67501

A__ 47779 00 IRR LO G
> JOSEPH HERSHBERGER

> 15015 W 4TH AVE
> NICKERSON KS 67561

A__ 47882 00 IRR KE G
> PHILLIP WAYNE BROWN

> 220 HICKORY CREST DRIVE NE
> CLEVELAND TN 37323

A__ 47883 00 IRR KE G
> PHILLIP WAYNE BROWN

> 220 HICKORY CREST DRIVE NE
> CLEVELAND TN 37323

A__ 47924 00 IRR KE G

#48803
1

> CAMERON S PEIRCE
>
> 210 N RIDGE RD
> HUTCHINSON KS 67501

A__ 48145 00 IRR KE G
> MICHAEL MILLER REVOCABLE TRUST
> MICHAEL & LOIS E MILLER TRUSTEES
> 8508 W LONGVIEW RD
> PARTRIDGE KS 67566

A__ 48150 00 IRR KE G
> MICHAEL MILLER REVOCABLE TRUST
> MICHAEL & LOIS E MILLER TRUSTEES
> 8508 W LONGVIEW RD
> PARTRIDGE KS 67566

A__ 48803 00 IRR AY G
> GREENFIELD ACRES INC
>
> 10815 S HERREN RD
> PARTRIDGE KS 67566

=====

Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

September 21, 2016

MARVIN MILLER
3 EAST AVE C
PARTRIDGE KS 67566

RE: Pending Application, File No. 48,803

Dear Mr. Miller:

On September 16, 2016, we received a recommendation from the Equus Beds Groundwater Management District No. 2 that the referenced Application for Permit to Appropriate Water for Beneficial Use be denied. This recommendation was based upon the groundwater management program adopted by the District and approved by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture. The application does not comply with and Safe Yield Rule and Regulation K.A.R. 5-22-7.

We are advising you of this recommendation in order to allow you an opportunity to consult with the District regarding their recommendation if you have not already done so. If you have already contacted the District regarding this recommendation, then we are allowing you this opportunity to submit any additional information you wish to have considered before the Chief Engineer.

We will delay any further action on the referenced application until **October 14, 2016**, at which time the application will be submitted to the Chief Engineer for a final decision.

If you have any questions, please contact me at (620) 234-5311, and please have the specific file number ready so that I may help you more efficiently.

Sincerely,



Matt Meier
New Application Unit
Water Appropriation Program

pc: Groundwater Management District No. 2
Greenfield Acres

SCANNED

FRED SEILER, PRESIDENT
VIN KISSICK, VICE PRESIDENT
JEFF WINTER, SECRETARY
MIKE MCGINN, TREASURER
TIM BOESE, MANAGER
THOMAS A. ADRIAN, ATTORNEY



DIRECTORS:
DAVID BOGNER
ALAN BURGHART
JOE PAJOR
BOB SEILER
DAVID STROBERG

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

313 SPRUCE STREET • HALSTEAD, KANSAS 67056-1925 • PHONE (316) 835-2224 • FAX (316) 835-2225 • equusbeds@gmd2.org • www.gmd2.org

September 14, 2016

Chief Engineer, Division of Water Resources
Attn: Matt Meier
Stafford Field Office
300 S. Main St.
Stafford, KS 67578-1521

Re: Appropriation Application No. 48803 – Marvin Miller

Dear Mr. Meier:

The Equus Beds Groundwater Management District reviewed the referenced application on September 14, 2016, using the District's Revised Management Program (effective May 1, 1995) and Rules and Regulations K.A.R. 5-22-1 through 5-22-17.

The District's review found that the application does not comply with the District's Safe Yield Regulation K.A.R. 5-22-7, as existing and proposed consumptive appropriations exceed the maximum allowable.

Based upon the review findings, the application is recommended for denial by the Equus Beds Groundwater Management District.

A District decision may be appealed to the District Board of Directors by submitting a written petition to the District office within 30 days from date of this notification, pursuant to K.A.R. 5-22-12. An appeal petition must state the basis for the appeal and must include information/documentation supporting the appeal.

Please contact the District should you have any questions regarding the review or recommendation.

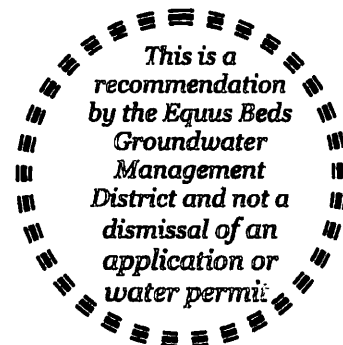
Sincerely,

Tim Boese, Manager
Equus Beds Groundwater
Management District No. 2

TDB/rsw

Enclosures

pc: Marvin Miller, Applicant, with copy of K.A.R. 5-22-12
Greenfield Acres, Inc., Landowner



RECEIVED

H:\MSOFFICE\LETTERS\APP\NewApp\Recommendation\Deny\48803_Mill\appx

SEP 16 2016



SCANNED

Stafford Field Office
Division of Water Resources

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2 FINAL APPLICATION REVIEW CHECKLIST

1) Application No. 48803 Date filed: September 27, 2013
 2) Proposed maximum quantity: 182 acre-feet/year Rate: 1000 GPM
 3) Proposed Use: Irrigation
 4) P/D location: SESWNE 26-24S-7W Geo Center: North 2900 ft, West 1350 ft
 5) Number and type of points of diversion listed on the application 1 Well

6) Is the well location on the app the same on the evaluation sheet? Yes No
 7) Meter required K.A.R. 5-22-4a or K.A.R. 5-22-8? Yes No, Why
 8) Meets change app requirements K.A.R. 5-22-8? Yes No N/A

9) Meets Safe Yield K.A.R. 5-22-7? Yes No N/A
 9(b) Safe yield total allowable appropriations: 1263 af/yr
 9(a) Safe yield analysis total existing appropriations: 3291.8 af/yr
 9(c) Total appropriations for small user exemptions: 0.00 af/yr
 9(d) Total appropriations for non-consumptive use: 0.00 af/yr
 9(e) Total appropriations for consumptive use: 3291.8 af/yr
 (total existing appropriations) - (non-consumptive appropriations)
 9(f) exempt from regulation? Yes No,
 Cite exemption:

10) Meets Well Spacing K.A.R. 5-22-2? Yes No N/A
 10(a) POD in enhanced well spacing area? Yes No
 10(b) Domestic well spacing interval: >660 ft
 10(c) Non-Domestic well spacing interval: >2640 ft

11) Meets Max Reasonable Quantity K.A.R. 5-22-14? Yes No N/A
 11(a) Irrigation max quantity: 1.4 acre-feet / acre
 application paragraph 3 value (acre-feet) / proposed acres = Q
 11(b) Stockwater max quantity: GPD unit
 11(c) Industry max quantity: Acre
 Industry standard:
 11(d) Municipal max quantity: GCD
 Lesser of either 200 GCD or
 $1.10 * (X - Y) * 365 d * (z + t)$
 X - Average of last three years usage in Gallons per Capita per Day (GCD)
 Y - water usage for industries that use over 200,000 gal/yr (GCD)
 Z - Projected population in 20 years
 T - Reasonable projected water use for industries that use over 200,000 gallons per year (GCD)
 11(e) Pond max quantity is
 (Net evap + seepage)/12 x pond area + any initial fill
 11(f) Groundwater pit max Q:
 Net evap * pit area/12

12) Reasonable rate for intended use? Yes No N/A
 13) Depth to water: 11 ft bls at observation well: SC 44701

14) Date reviewed: 9/2/16
 15) Reviewed by: S. Flaherty Title: Hydrogeologist *Reviewed 9-14-16*
 16) District recommendation: Approve Deny Other, see comment

17) Comments and Calculations:
 Review completed for a new application submitted by Marvin Miller for irrigation use in Reno County.
 Acceptable drillers log from former nearby drilling
 No point of diversion overlap
 No place of use overlap
 No responses from nearby well owners were received
 Requests over 401 gallons per minute. Subject to enhanced spacing of 2640ft.
 Item #11(a) - 182 acre-feet / 130 acres = 1.4 acre-feet / acre.
 Recommend denial, does not comply with Safe Yield Regulation K.A.R. 5-22-7(a)(5)(C)(II)

RECEIVED
 SCANNED
 H:\MSOFFICE\LETTERS\APP\NewApp\Checklist #48803 Miller.docx
 SEP 16 2016

Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

August 16, 2016

GROUNDWATER MANAGEMENT DISTRICT NO 2
% TIM BOESE
313 SPRUCE ST
HALSTEAD KS 67056-1925

Re: Pending Application, File No. 48,803

Dear Mr. Boese:

We are enclosing a copy of the application referred to above which appears to be in proper form. Nearby well owner notification letters were sent out on May 28, 2015. No response of any kind was received. The application's proposed point of diversion appears to fail spacing to a domestic well which is owned by Greenfield Acres, who are also listed as the owner of the proposed place of use.

We are delaying any further action for a period of **30 days** from the date of this letter to allow you time to submit your recommendations concerning this application. Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (620) 234-5311. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Matt Meier
Environmental Scientist
Water Appropriation Program

Enclosure

pc:

SCANNED

Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanternman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

June 17, 2015

GROUNDWATER MANAGEMENT DISTRICT NO 2
% TIM BOESE
313 SPRUCE ST
HALSTEAD KS 67056-1925

Re: Pending Application, File No. 48,803

Dear Mr. Boese:

We are enclosing a copy of the application referred to above which appears to be in proper form. Nearby well owner notification letters were sent out on May 28, 2015. No response of any kind was received. The application's proposed point of diversion appears to fail spacing to a domestic well which is owned by Greenfield Acres, who are also listed as the owner of the proposed place of use.

We are delaying any further action for a period of **30 days** from the date of this letter to allow you time to submit your recommendations concerning this application. Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (620) 234-5311. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Matt Meier
Environmental Scientist
Water Appropriation Program

Enclosure

pc:

Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

May 28, 2015

Harley Wagler
11001 S. Herren Rd
Partridge, KS 67566

Re: Pending Application, File No. 48,803

Dear Sir or Madam:

This is to advise you that Marvin Miller has filed the application referred to above for a permit to appropriate 182 acre-feet of groundwater per calendar year for Irrigation use to be diverted at a maximum rate of 1,000 gallons per minute. The proposed point of diversion for 48,803 is one well located as follows:

Southeast quarter of the Southwest quarter of the Northeast quarter of Section 26, Township 24 South, Range 7 West, Reno County, Kansas.

A map is enclosed indicating the location of the proposed well. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

If you have any questions or comments, you may also contact me at (620) 234-5311. If you call, please reference the file number so I can help you more efficiently. Mailed comments can be sent to the Stafford Field Office at 300 S. Main St. Stafford, KS 67578-1521.

Sincerely,



Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

pc:

Kansas

Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311

Fax: (620) 234-6900

www.agriculture.ks.gov

Sam Brownback, Governor



Legend

- Section Corners
- Place of Use
- Section Lines

MJM-DWR 5/28/15
1:12,000



Proposed Water Appropriation, File No. 48,803
26-24S-7W
Reno County




Department of Agriculture
Division of Water Resources

109 SW 9th Street, 2nd Floor
Topeka, Kansas 66612-1283

phone: (785) 296-3717
fax: (785) 296-1176
www.ksda.gov/dwr

Dale A. Rodman, Secretary
David W. Barfield, Chief Engineer

Sam Brownback, Governor

September 27, 2013

MARVIN MILLER
3 EAST AVENUE C
PARTRIDGE KS 67566

RE: Application
File No. 48,803

Dear Sir or Madam:

Your application for permit to appropriate water in 26-24S-7W, in Reno County, was received and has been assigned the file number noted above.

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. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. 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 our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,



Douglas W. Schemm
New Application Unit Supervisor
Water Appropriation Program

DWS: al
pc: Stafford Field Office
GMD 2

SCANNED

Application Map - File No. _____



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

Signature

Date

- New Application**
 Application No. _____ To Change:

- Point of Diversion
 Place of Use
 Use Made of Water

- Proposed Point of Diversion
 Existing Points of Diversion
 Proposed Place of Use
 Authorized Place of Use

WATER RESOURCES RECEIVED
 SEP 27 2013
 KS DEPT OF AGRICULTURE

Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address)

- 1) Domestic Stockwater well
Greenfield Acres Inc.
10815 S. Herren Rd
Partridge, KS 67566
- 2) Domestic wells
Greenfield Acres Inc.
10815 S. Herren Rd
Partridge, KS 67566
- 3) Domestic well
Harley Wagner
11001 S. Herren Rd
Partridge, KS 67566

SCANNED

Equus Beds Groundwater Management District No. 2

SAFETYIELD EVALUATION #48803

SESWNE (2900'N & 1350'W) 26-24S-07W, Reno County

Prepared By: Stephen Flaherty Date: 9/1/2016



Map Legend

- Observation Well
- Proposed Point of Diversion
- ▲ Existing Points of Diversion
- Bedrock
- Burton IGUCA
- Hollow Nikkel SWQA
- McPherson IGUCA
- Enhanced Well Spacing Area

RECEIVED
Equus Beds Groundwater Management District No. 2
313 Spruce Street, Halstead, KS 67056
316-835-2224, equusbeds@gmd2.org
SEP 16 2016

SAFEFIELD EVALUATION #48803 Applied 9/27/2013
LOCATION: SESWNE (2900'N & 1350'W) 26-24S-07W, Reno County
SPECIAL USE AREA: ENHANCED WELL SPACING AREA
EVALUATION DATE:- 9/1/2016

Total Areas: 0 acres; Area in 3 inch discharge zone: 0 acres; Area in 6 inch discharge zone: 0 acres

FILE_ID	WELL_ID	TOWNSHIP	RANGE	SECTION	QUALIFIER	USE	AUTHQUANTITY
A00141200	1527	24S	07W	23	39201710	IRR	200
A00205600	698	24S	07W	13	26004300	IRR	50
A02944600	1113	24S	07W	36	39710030	IRR	96
A03596000	93	24S	07W	14	12831246	IRR	132
A03743100	921	24S	07W	23	39201710	IRR	0
A03913700	1186	24S	07W	28	52300075	IRR	105
A03972300	1033	24S	07W	25	39603960	IRR	88
A04193000	2232	24S	07W	24	26315371	IRR	244
A04211100	2256	24S	07W	25	26422387	IRR	123
A04211100	2257	24S	07W	25	26452496	IRR	0
A04211100	2258	24S	07W	25	26382277	IRR	0
A04216200	2264	24S	07W	25	27033999	IRR	163
A04220000	2267	24S	07W	22	38221129	IRR	152
A04236300	2287	24S	07W	24	49972755	IRR	201
A04236300	2296	24S	07W	24	52412752	IRR	0
A04236300	2297	24S	07W	24	47532757	IRR	0
A04329200	2546	24S	07W	14	12463898	IRR	195
A04434900	2795	24S	07W	36	45682679	IRR	175
A04470000	2872	24S	07W	24	29902620	IRR	105
A04470000	2930	24S	07W	24	31902620	IRR	0
A04470000	2931	24S	07W	24	27902620	IRR	0
A04470100	3069	24S	07W	25	45682672	IRR	0
A04470100	3070	24S	07W	25	42972671	IRR	46
A04470100	2873	24S	07W	25	40252669	IRR	0
A04470200	2874	24S	07W	25	9223269	IRR	113
A04487500	2907	24S	07W	36	39710030	IRR	98
A04520400	2966	24S	07W	25	39603960	IRR	88
A04777900	3779	24S	07W	23	39004208	IRR	89.6
A04788200	3803	24S	07W	22	22302775	IRR	0
A04788200	3804	24S	07W	22	22303175	IRR	0
A04788200	3805	24S	07W	22	18303175	IRR	0
A04788200	3806	24S	07W	22	18302775	IRR	0
A04788200	3807	24S	07W	22	20302975	IRR	212.8
A04788300	3808	24S	07W	22	4203860	IRR	0
A04788300	3809	24S	07W	22	4203460	IRR	0
A04788300	3810	24S	07W	22	203460	IRR	0
A04788300	3811	24S	07W	22	203860	IRR	0
A04788300	3812	24S	07W	22	2203660	IRR	0
A04792400	3820	24S	07W	25	11604695	IRR	99.4
A04814500	3916	24S	07W	13	26004300	IRR	132
A04815000	3918	24S	07W	14	12831246	IRR	92
A04880300	4169	24S	07W	26	29001350	IRR	182
RR1	2376	24S	07W	35	50001800	BF	22
RR2	2377	24S	07W	35	46250550	BF	22
RR4	2379	24S	07W	36	21255100	BF	22
RR5	2380	24S	07W	36	16003875	BF	22
RR6	2381	24S	07W	36	9502725	BF	22
Allowable Appropriations		1,263.00			Total Existing Appropriation		3,291.80
Small User Quantity		0			Non Consumptive Appropriations		0
Remaining SUQ		45			Consumptive Appropriations		3,291.80
Note- Values are in acre-feet					Available Appropriations		0

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SCANNED
SEP 16 2016

Equus Beds Groundwater Management District No. 2

SPACING EVALUATION #48803

SESWNE (2900'N & 1350'W) 26-24S-07W, Reno County

Prepared By: Stephen Flaherty Date: 9/1/2016



R7W

0 460 920 1,840 Feet

Map Legend

- Observation Well
- Bedrock

- Proposed Point of Diversion
- ▲ Existing Points of Diversion

Burton IGUCA
Hollow Nikkel SWQUA
McPherson IGUCA
Enhanced Well Spacing Area



Equus Beds Groundwater Management District No. 2
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316-835-2224, equusbeds@gmd2.org

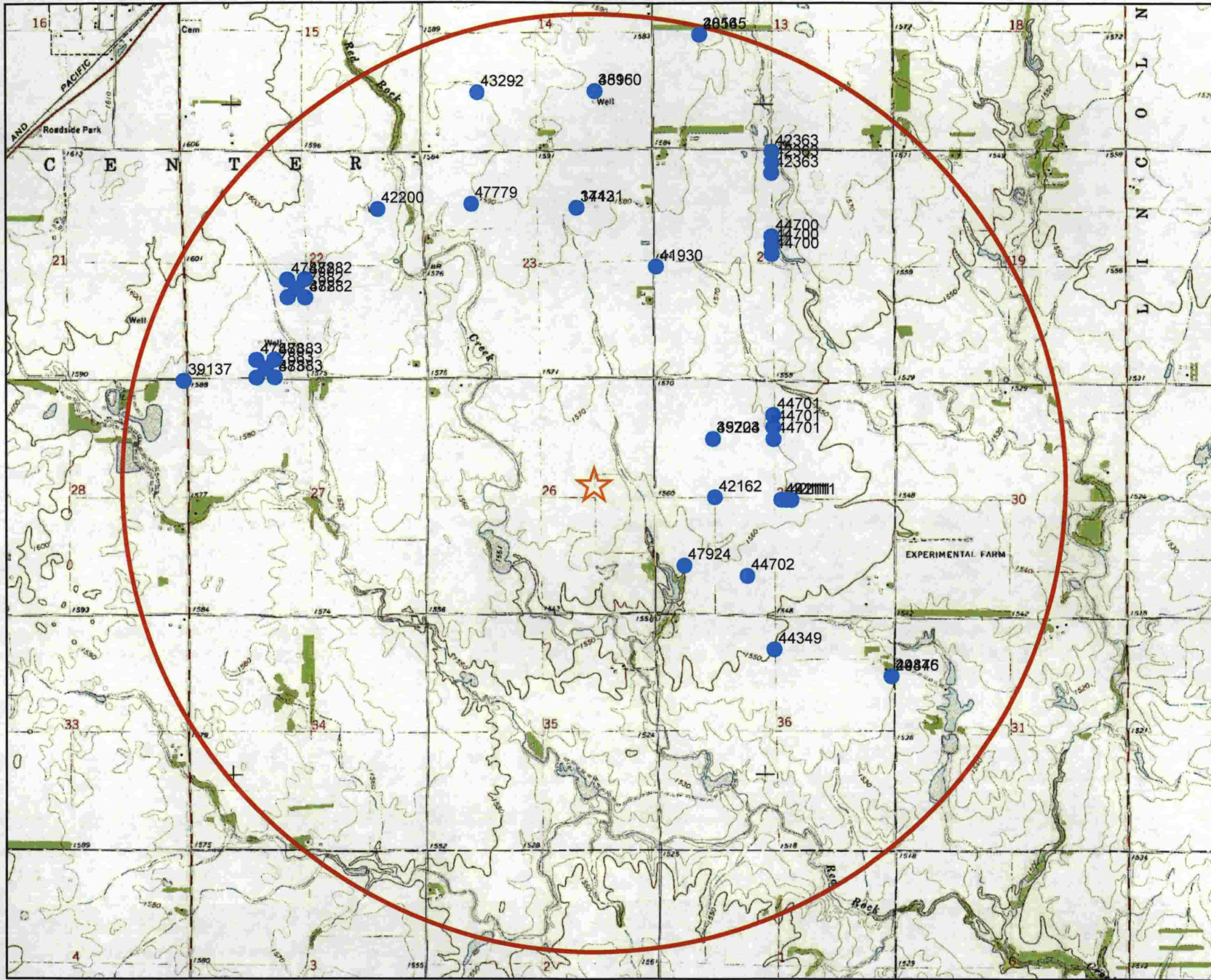
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SEP 16 2016

SCANNED

Stafford Field Office
Division of Water Resources

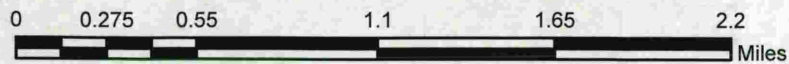
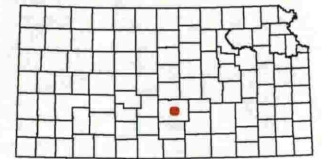
File # 48803 Safe Yield Map



Legend

- S_UMW
- G_IRR

Index Map



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