

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/U WORKSHEET

Document Signature LPL

1. File Number: 16,958	2. Status Change Date: <i>10/30/2017</i>	3. Change Num: C1	4. Field Office: 2	5. GMD: 2
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 5/26/2017
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8a. Applicant(s) New to system <input type="checkbox"/> Person ID 65298 Add Seq# 1 SHARON M BLANK REV TRUST 116 E 108TH AVE HUTCHINSON KS 67502	8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
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8b. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____ 8a	8d. WUC New to system <input type="checkbox"/> Person ID _____ Add Seq# _____ 8a.
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9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: 12/31/2017 N & P Date to Comply: 12/31/2017

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter
 Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **10/11/2017** By: **AM**
 Date Entered: *10/31/2017* By: *UM*

File No. **16,958** 11. County: RN Basin: Cow Creek Stream: Formation Code: 190 Special Use:

12. Points of Diversion										Rate and Quantity					
MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Authorized		Additional		
ENT											Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
MOD			40402 SW Lot 1 NW NW 18 22S 6W 4					3997	5074		800	22	800	22	49,806

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

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

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
	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				
MOD DEL ENT	PUSE	S	T	R	ID															
DEL	35948	18	22S6W	2																
							Lot 1	Lot 2												
ENT	32567	18	22S6W	2		40	36	24.5	34.5								135	8a	41,316; 49,805; 49,806	

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: October 11, 2017

FROM: Austin McColloch

RE: Water Right,
File No. 16,958

Sharon Blank, has filed two applications for approval to change the place of use and two new applications to appropriate water for beneficial use, all for irrigation use. The files involved are Water Right, File Nos. 16,958 and 41,316 and New Application, File Nos. 49,805 and 49,806. The applications were received on May 26 & 27, 2017.

Change Application, File No. 16,958

The referenced file number do not appear to be abandoned as per K.S.A. 82a-718.

Water Right, File No. 16,958 is currently authorized 22 acre-feet of groundwater to be diverted at a maximum rate of 800 gallons per minute from one well located in the Southwest Quarter of the Northwest quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 18, more particularly described as being near a point 3,997 feet North and 5,074 feet West of the Southeast corner of said section, in Township 22 South, Range 6 West, Reno County, Kansas.

Upon further review of the point of diversion it was determined that a better description of the actual location of the point of diversion can be described as:

one well located in Lot 1 of the Northwest quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 18, more particularly described as being near a point 3,997 feet North and 5,074 feet West of the Southeast corner of said section, in Township 22 South, Range 6 West, Reno County, Kansas.

The place of use is currently 14.3 acres in the Northwest Quarter (NW $\frac{1}{4}$) of Section 18. This application for change in place of use proposes to add 120.7 acres located in the Northwest Quarter (NW $\frac{1}{4}$) of Section 18 bring the total to 135 acres. This will create an overlap in place of use with Water Right, File No. 41,316 and New Application, File Nos. 49,805 & 49,806. The additional acres will be covered by the quantity appropriated under all three junior files thus, there is no increase in consumptive use with the proposed change in place of use.

New Application, File No. 49,806 will overlap in point of diversion as well.

The applicant identified three nearby wells not owned by the applicant located within one-half mile of this existing well. Nearby letters were sent out on July 7, 2017 notifying about the proposed change in place of use and new applications. One call was received showing concern of the new appropriation but no formal opposition in writing was received.

The point of diversion is located within the boundaries of Equus Beds Groundwater Management District No. 2. In a letter dated September 25, 2017, Tim Boese, Manager, GMD No. 2, stated that the application complies with all rules and regulations of the GMD and recommended that the application be approved.

In an October 10, 2017, e-mail, Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the application.

Based on the above discussion, the change is reasonable, the application complies with consumptive use criteria, approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest. It is recommended that the referenced change application be approved to create a complete overlap with Water Right, File No. 41,316 and New Application, File Nos. 49,805 and 49,806.



Austin McColloch
Environmental Scientist



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

November 3, 2017

SHARON M BLANK REV TRUST
116 E 108TH AVE
HUTCHINSON KS 67502

FILE COPY

RE: Water Right, File Nos. 16,958 & 41,316

Dear Sir or Madam:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

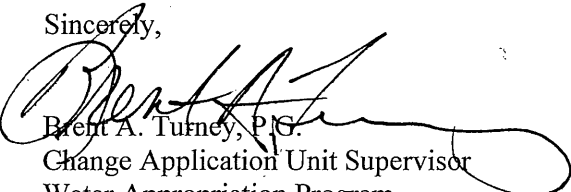
Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approval for change. A condition of these approvals is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

Since the orders for the referenced file numbers modifies the original documents referred to above they should be recorded with the Register of Deeds as other instruments affecting real estate.

Please be reminded that reports of water usage must be submitted to this office annually. Records indicating the amount of water used should be furnished to the Chief Engineer by March 1 following the end of the previous calendar year so that the continued use of water becomes a matter of record in this office. The owner, or his or her legally designated agent, is held responsible for submitting annual water use reports. Failure to file an accurate water use report is a violation of law which makes you subject to civil penalties.

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,


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

BAT:am
Enclosures

pc: Stafford Field Office
Groundwater Management District No. 2



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN PLACE OF USE AND
ORDER BETTER DESCRIBING THE LOCATION OF THE
AUTHORIZED POINT OF DIVERSION
WATER RIGHT
FILE NO. 16,958**

FILE COPY

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Sharon Blank, 116 East 108th Ave., Hutchinson, Kansas 67502, received in the office of the Chief Engineer on May 26, 2017, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the place of use shall be:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
18 22S 6W					40.0	Lot 1 36.0	Lot 2 24.5	34.5									135

a total of 135 acres in Section 18, Township 22 South, Range 6 West, Reno County, Kansas,

located substantially as shown on the topographic map accompanying the application to change the place of use and the location of the authorized point of diversion is better described as:

one (1) well located in the Southwest Quarter of Lot 1 (NW¼ NW¼) of Section 18, more particularly described as being near a point 3,997 feet North and 5,074 feet West of the Southeast corner of said section, in Township 22 south, Range 6 West, Reno County, Kansas.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 16,958, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated June 5, 2001.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

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.

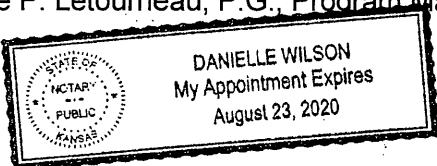
Ordered this 30th day of October, 2017, at Topeka, Shawnee County, Kansas.

Lane P. Letourneau

Lane P. Letourneau, P.G.
Program Manager
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 30th day of October, 2017, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

Notary Public

CERTIFICATE OF SERVICE

On this 3rd day November, 2017, I hereby certify that the attached Approval of Application for Change in Place of Use, Water Right, File No. 16,958 dated, October 30th, 2017 was mailed postage prepaid, first class, US mail to the following:

SHARON M BLANK REV TRUST
116 E 108TH AVE
HUTCHINSON KS 67502

With photocopies sent to:

Stafford Field Office

Groundwater Management District No. 2



Division of Water Resources

APPLICATION COMPLETE

10/10/17
Reviewer AM

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**



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
- (Check one or more) Point of Diversion
- Use Made of Water

WATER RESOURCES
RECEIVED
MAY 26 2017
11:34
KS DEPT OF AGRICULTURE

File No. 16958

2. Name of applicant: Sharon M. Blank Revocable Trust, c/o Sharon M. Blank, Trustee

Address: 116 E. 108th Ave

City, State and Zip: Hutchinson, KS 67502

Phone Number: (620)662-3543 E-mail address: _____

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

Name of water use correspondent: Sharon M. Blank Revocable Trust

Address: 116 E. 108th Ave

City, State and Zip: Hutchinson, KS 67502

Phone Number: (620) 662-3543 E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): Change place of use to the entire 135 acres owned by the applicant. Will form complete place of use overlap with Water Right No. 41316 and two new applications.

The change(s) (was) (will be) completed by 8/1/2017 (Date)

For Office Use Only:							
F.O. <u>2</u>	GMD <u>2</u>	Meets K.A.R. 5-5-1 (YES/NO) <u>(YES)</u>	Use <u>IRR</u>	Source <u>G/S</u>	County <u>Reno</u>	By <u>AM</u>	Date <u>5-26-17</u>
Code <u>CPD</u>	Fee \$ <u>200</u>	TR # _____	Receipt Date <u>5-26-17</u>	Check # <u>6022</u>			

4. The presently authorized place of use is:

Owner of Land — NAME: Sharon M. Blank Revocable Trust

ADDRESS: 116 E 108th Ave. Hutchinson, KS 67502

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	
18	22	6W						6		6.3									12.3

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

Owner of Land — NAME: Crosscreek Partners LLC, C/O Peoples Bank & Trust

ADDRESS: 601 E 30th St Hutchinson, KS 67502

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	
18	22	6W								2									2
																			14.3

List any other water rights that cover this place of use. none

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

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: Sharon M. Blank Revocable Trust

ADDRESS: 116 E 108th Ave. Hutchinson, KS 67502

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	
18	22	6W					40	38	24.5	35.5									138
								36		34.5									135*

List any other water rights that cover this place of use. Water Right No. 41316 and two new applications

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 MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

** Am per phone call w/ applicant on 10/24/17*

6. The presently authorized point(s) of diversion is One Well
(Provide description and number of points)

7. The proposed point(s) of diversion is One Well
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the SW Quarter of the NW Quarter of the NW Quarter of Section 18, Township 22 South, Range 6 W, in RENO County, Kansas, 3997 feet North 5074 feet West of Southeast corner of section.
 Authorized Rate 800 GPM Authorized Quantity 22 AF
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

9. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

WATER RESOURCES RECEIVED
 MAY 26 2017
 KS DEPT OF AGRICULTURE

10. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 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. NA

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

12. The presently authorized use of water is for IRRIGATION purposes.

It is proposed that the use be changed to NO CHANGE purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

Consumptive use will not be increased as proposed place of use will form complete overlap with Water Right No. 41316 and two new water permit applications for additional water. Total water to land ratio will be 1.4 acre-feet per acre.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to NO REDUCTION (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to NO REDUCTION gallons per minute (____ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

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 the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
- 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
- 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.

b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

Change in place of use will not impair existing water rights as authorized quantity and rate for this right are not being increased. The change will not result in a change in the local source of supply.

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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 Halstead, Kansas, this 24th day of March, 20 17.

Sharon M. Blank, Trustee
(Owner)

(Spouse)

Sharon M. Blank, Trustee of the Sharon M. Blank Rev. Trust
(Please Print)

(Please Print)

WATER RESOURCES
RECEIVED

(Owner)

(Spouse)

MAY 26 2017

(Please Print)

(Please Print)

KS DEPT OF AGRICULTURE

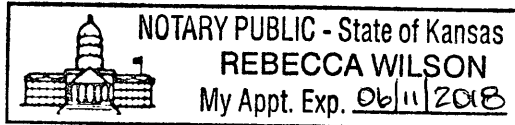
(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas)
County of HARVEY) SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 24th day of MARCH, 20 17.

Rebecca Wilson
Notary Public

My Commission Expires 06/11/2018

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.**

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 Hutchinson, Kansas, this 18 day of May, 2017.

[Signature]
(Owner)

Joel C. Thomson Crosscreek Partners LLC
(Please Print)

(Owner)

(Please Print)

(Owner)

(Please Print)

(Spouse)

(Please Print) **WATER RESOURCES RECEIVED**

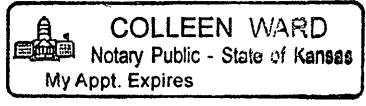
(Spouse) **MAY 26 2017**

(Please Print) **KS DEPT OF AGRICULTURE**

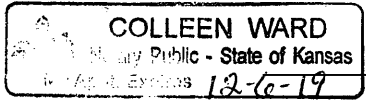
(Spouse)

(Please Print)

State of Kansas }
County of Reno } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 18th day of May, 2017.



[Signature]
Notary Public

My Commission Expires 12-6-19

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.**

McColloch, Austin

From: Lanterman, Jeff
Sent: Tuesday, October 10, 2017 3:30 PM
To: McColloch, Austin
Cc: Conant, Cameron
Subject: FW: Package Sharon Blank Change & New Apps
Attachments: 16958_Memo.doc; 41316_Memo.doc; 49805_Memo.doc; 49806_Memo.doc; 16958 & 49806 map.pdf; 41316 & 49805 map.pdf

Austin. This package of changes and new apps appears to be pretty safe. Luckily we have a measured well handy if we have any problems.

I recommend approval.

Thanks
Jeff

From: Conant, Cameron
Sent: Monday, October 9, 2017 10:12 AM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Subject: FW: Package Sharon Blank Change & New Apps

Jeff, here is a quick summary: 16958 is authorized only 14 acres and 22AF (2 owners). 41316 is authorized a different 105 acres and 99AF. The applicant is proposing p/u changes on both existing rights to completely overlap 138 acres owned by a single owner as well as new applications for additional rate and quantity from both existing wells to total a limited 1.4AF/acre. Both new apps propose 193.2 AF limited to 193.2 AF when combined with all the other files.

Per GMD#2 this meets spacing, SY, ect. It appears that all nearby wells were noted on the map. Please note that 16958 currently is located ~750' from a domestic well. Currently the well is authorized to pump 22AF @ 800gpm. This proposal would allow this well to pump 193.2AF @ 800gpm from this well (WRIS shows they do pump this well at near the full quantity of 22AF almost every year and report 550gpm).

http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=380825098015601 (this is the well authorized by 16958 & 49806) 50' deep. Pretty handy to have this on the network!!! Shows pretty stable water levels at this time (again, pumping 22AF from this well, not 193.2AF)

Nearby domestic wells appeared to be drilled from 37'-50' deep and are completed in medium sand. Other area wells appear to be drilled to 70-80' depth and are still in sand.

I think this whole package can be recommended for approval based on meeting all current regulations and requirements. Honestly, I don't like how close we are to the domestic well south of 16958 & 49806 simply b/c of the increased quantity that could be pumped from this well. I doubt they pump the full quantity from this well, likely it will be a split between the two wells, but if approved they have the legal ability to pump the full 193.4AF from that well. Do you want to request an OBS well 660' straight south of 16958, or with the current water level and annual measurement are you inclined to go with what we have? I would love to clean this whole thing up and dismiss the two senior files but we can't really request that be done. Once certified we will have odd quantities and rates on the junior and senior files but we (and they) are probably just going to have to live with that aspect.

Please pass on to Austin if you agree that both new apps and the p/u changes and the p/d location modification can be approved. If you want we can discuss additional conditions about a monitoring well.

Cameron

From: McColloch, Austin

Sent: Thursday, September 28, 2017 10:39 AM

To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>

Cc: Conant, Cameron <Cameron.Conant@ks.gov>

Subject: Package Sharon Blank Change & New Apps

Jeff and Cameron,

Attached are my draft memos for Change in PU Applications, File Nos. 16,958 & 41,316 and New Applications, File Nos. 49,805 & 49,806. They all will create a complete overlap in Place of Use. 49,806 will overlap in PD with 16,958; and 49,805 will overlap in PD with 41,316. Per GMD 2 review and GPS compliance check, File No. 41,316 (and New App 49,805) the actual PD should be 4227'N and 3774'W, and requested to be described better in the change order. Let me know if you have any questions.

Thanks,

Austin McColloch
Environmental Scientist
Ph: (785) 564-6643

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



DIRECTORS:
DAVID BOGNER
JOE PAJOR
DALE SCHMIDT
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 25, 2017

Chief Engineer, Division of Water Resources
Attn: Austin McColloch
1320 Research Park Drive
Manhattan, Kansas 66502

WATER RESOURCES
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SEP 27 2017

KS DEPT OF AGRICULTURE

Re: Place of Use Change Application, File No(s). 16958

Dear Mr. McColloch:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in place of use application on September 21, 2017, 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.

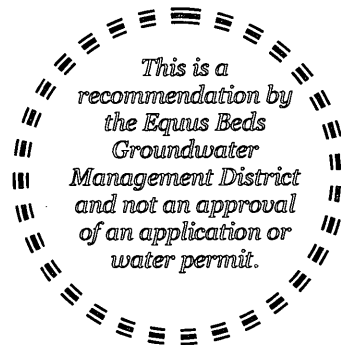
The change application proposes to increase the place of use from 14.3 acres to 138 acres and creates an identical place of use overlap with the change in place of use application filed on Water Right No. 41316, and new Application Nos. 49805 and 49806. The combined water to land ratio is 1.4 acre-feet per acre.

The District's review found that the change application complies with the Revised Aquifer Management program approved by the Chief Engineer and with the District's Rules and Regulations K.A.R. 5-22-1 through 5-22-17. Based upon the review, the application is recommended for approval by the Equus Beds Groundwater Management District No. 2, subject to the approval of Water Right No. 41316 change in place of use application and new Application Nos. 49805 and 49806.

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

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager
TDB/sf



pc: Sharon M. Blank Rev. Tr., Applicant and Landowner
Crosscreek Partners LLC., Landowner
Jeff Lanterman, Division of Water Resources, Stafford

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

1) Application No. 16958 Date filed: 5-26-17
 2) Applicant: Sharon M. Blank Revocable Trust County: Reno
 3) Proposed maximum quantity: 22 acre-feet/year Rate: 800 GPM
 4) Proposed Use: Irrigation
 5) P/D location: SW NW NW 18-22S-6W Geo Center: North 3997 ft, West 5074 ft
 6) Number and type of points of diversion listed on the application 1 Well

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) Overlapping PUFile No. 41316, 49805, 49806
 10) Overlapping PD File No. 49806
 11) Authorized Acres 14.3 Acres
 12) Base Acres _____ Acres

13) Meets Max Reasonable Quantity K.A.R. 5-22-14? Yes No N/A
 (a) Irrigation max quantity: 1.4* acre-feet / acre
 (b) Stockwater max quantity: _____ GPD _____ unit
 (c) Industry max quantity: _____ Acre
 Industry standard: _____
 14) Reasonable rate for intended use? Yes No N/A
 15) Depth to water: 8' bls at observation well: EB260C (Jan 2017)

16) Date reviewed: September 21, 2017
 17) Reviewed by: S. Flaherty Title: Hydrogeologist
 18) District recommendation: Approve Deny Other, see comment

19) Comments and Calculations:

Review complete for a change in place of use application submitted by Sharon M Blank Rev. Tr. For Irrigation Use in Reno County.

*Application proposes an increase in acres from 14.3 to 138 acres. Change in place of use application filed on No. 41316 to create identical place of use overlap. Two new applications also filed will create identical place of use overlap with proposed place of use. No. 49805 proposed PD overlaps No. 41316 PD. No. 49806 proposed PD overlaps No. 16958 PD
 Base acreage calculation not necessary due to overlapping place of use with No. 41316 change and new applications Nos. 49805 & 49806.

Total combined water to land ratio is 193.2 AF / 138 acres = 1.4 acre feet / acre

Meter inspection conducted on 8/13/2003

Complies with K.A.R 5-22-1 through 5-22-17. Recommend approval subject to the approval of 41316 ch/pl/use application & new application nos. 49805 and 49806

WATER RESOURCES
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SEP 27 2017

KS DEPT OF AGRICULTURE

INPUTS	
Target Section Definition	
Section	18
Township	22
Range	6
Range Direction	w
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-98.031720 NAD27
Target Latitude	38.140570

Load Data and Compute

Instructions

1. Enter values for section, township, range and range direction.
2. Enter **NAD27** or **NAD83** longitude and latitude of target point.
3. Click "Load Data and Compute" button.
4. Use feet distances corresponding to datum of target point.

Longitude changed

Latitude changed

Water Right No. 16958 well

UTM - NAD27

584853
4221649

8/24/2017

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	38.12995513	-98.03204057
NW	38.14448097	-98.03213160
NE	38.14429791	-98.01435476
SE	38.12960393	-98.01440086
Degrees Longitude per Foot		3.47663827E-06
Degrees Latitude per Foot		2.74602635E-06

Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	3866	-92
NW	-1424	-118
NE	-1358	4995
SE	3993	4982

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	38.12994400	-98.03170800
NW	38.14447000	-98.03179900
NE	38.14428700	-98.01402300
SE	38.12959300	-98.01406900
Degrees Longitude per Foot		3.47663775E-06
Degrees Latitude per Foot		2.74598553E-06

Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	3870	3
NW	-1420	-23
NE	-1354	5090
SE	3997	5077

Difference (NAD83 Minus NAD27)		
Corner	Corner Latitudes	Corner Longitudes
SW	0.00001113	-0.00033257
NW	0.00001097	-0.00033260
NE	0.00001091	-0.00033176
SE	0.00001093	-0.00033186

Difference (NAD83 Minus NAD27)		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	-4.11065972	-95.65849983
NW	-3.97374829	-95.66712493
NE	-3.95288932	-95.42627867
SE	-4.03972756	-95.45504010

WATER RESOURCES
RECEIVED

SEP 27 2017

KS DEPT OF AGRICULTURE

SCANNED



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

August 1, 2017

FILE COPY

EQUUS BEDS
GROUNDWATER MANAGEMENT DISTRICT #2
313 SPRUCE ST
HALSTEAD, KS 67056

Re: Change Application, File Nos. 16,958 & 41,316
New Application, File Nos. 49,805 & 49, 806

Dear Sir or Madam:

Enclosed are copies of the referenced applications, which were submitted by Sharon Blank and appear to be in proper form, for your review. The water is to be used for irrigation use.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning these applications. Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (785) 564-6643. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,

Austin McColloch
Environmental Scientist
Water Appropriation Program

Enclosures
pc: Stafford Field Office

SCANNED



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

July 7, 2017

FILE COPY

CROSSCREEK PARTNERS LLC
C/O PEOPLES BANK & TRUST
601 E 30TH ST
HUTCHINSON KS 67502

Re: New Application, File Nos. 49,805 & 49,806
Change Application, File Nos. 16,958 & 41,316

Dear Sir or Madam:

This is to advise you that Sharon Blank has filed the applications referred to above for permit to appropriate 193.2 acre-feet of water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute from two (2) **existing wells** located as follows:

one (1) well located near the center of the Northwest Quarter (NW $\frac{1}{4}$) of Section 18, more particularly described as being near a point 3,960 feet North and 3,900 feet West of the Southeast corner of said section, in Township 22 South, Range 6 West, Reno County, Kansas.


one (1) well located in the Southwest Quarter of the Northwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 18, more particularly described as being near a point 3,997 feet North and 5,074 feet West of the Southeast corner of said section, in Township 22 South, Range 6 West, Reno County, Kansas.

Sharon Blank has also filed with the Division of Water Resources, Kansas Department of Agriculture, applications to change the place of use pursuant to Water Right, File Nos. 16,958 & 41,316. The applicant proposes to change the authorized place of use to 138 acres in Section 18, Township 22 South, Range 6 West, Reno County, Kansas.

A copy of an aerial photograph depicting the location of the proposed points of diversion and place of use is also enclosed. 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(s) of the applicant's point(s) 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, please contact me at (785) 564-6643. If you call, please reference the file number so we can help you more efficiently.

Sincerely,


Austin J. McColloch
Environmental Scientist
Water Appropriation Program

Enclosure(s)

pc: Stafford Field Office
Groundwater Management District No. 2

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

July 7, 2017

GALEN MOORE REV TRUST
7517 N DEAN RD
NICKERSON KS 67561

Re: New Application, File Nos. 49,805 & 49,806
Change Application, File Nos. 16,958 & 41,316

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If you have any questions, please contact me at (785) 564-6643. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Austin J. McColloch
Environmental Scientist
Water Appropriation Program

Enclosure(s)

pc: Stafford Field Office
Groundwater Management District No. 2



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

July 7, 2017

MOORE TRUST
8115 N DEAN RD
NICKERSON KS 67561

Re: New Application, File Nos. 49,805 & 49,806
Change Application, File Nos. 16,958 & 41,316

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Sincerely,

Austin J. McColloch
Environmental Scientist
Water Appropriation Program

Enclosure(s)

pc: Stafford Field Office
Groundwater Management District No. 2



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

SHARON M BLANK REV TRUST
C/O SHARON M BLANK, TRUSTEE
116 E 108TH AVE
HUTCHINSON, KS 67502

May 30, 2017
FILE COPY

RE: File No 16958

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
- 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...

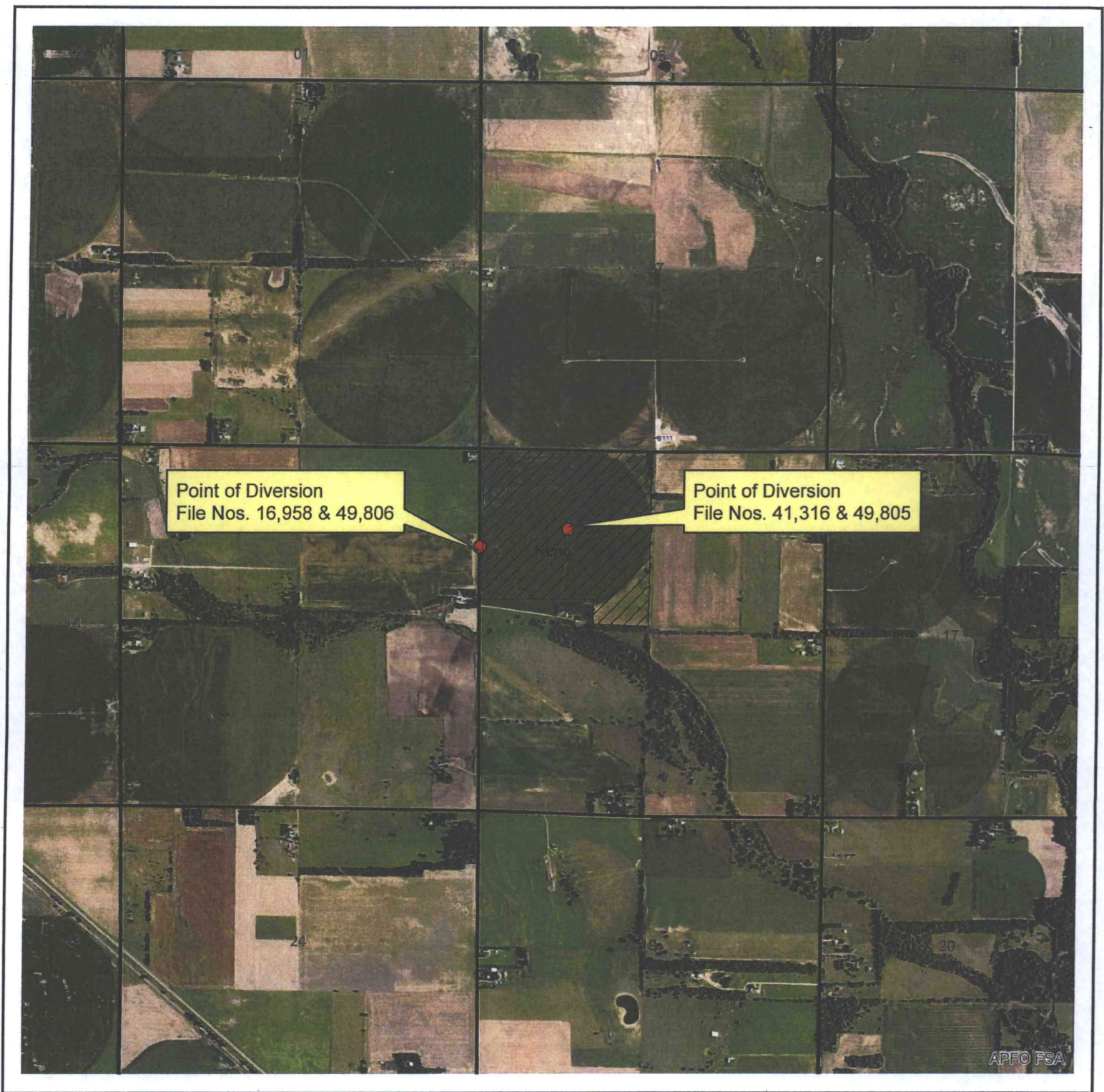
A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

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: STAFFORD Field Office GMD2



1:24,000



Legend

- Points of Diversion
- Place of Use

Section 18, Township 22 South, Range 6 West
Reno County, KS

New Application, File Nos. 49,805 & 49,806
Change Application, File Nos. 16,958 & 41,316

SCANNED

AM/DWR
Date: 7/3/2017

Wells Within ½ Mile

1. Domestic Well
Crosscreek Partners LLC
C/O Peoples Bank & Trust
601 E. 30th Street
Hutchinson, KS 67502
2. Domestic Well
Galen Moore Rev Trust
7517 N Dean Rd.
Nickerson, KS 67561
3. Domestic Well
Clinton Moore & Sons Inc.
7517 N Dean Rd.
Nickerson, KS 67561
4. Domestic Well
Moore Trust
8115 N Dean Rd.
Nickerson, KS 67561
5. Irrigation Well – Water Right No. 41316
Sharon M. Blank Revocable Trust
116 E. 108th Ave.
Hutchinson, KS 67502

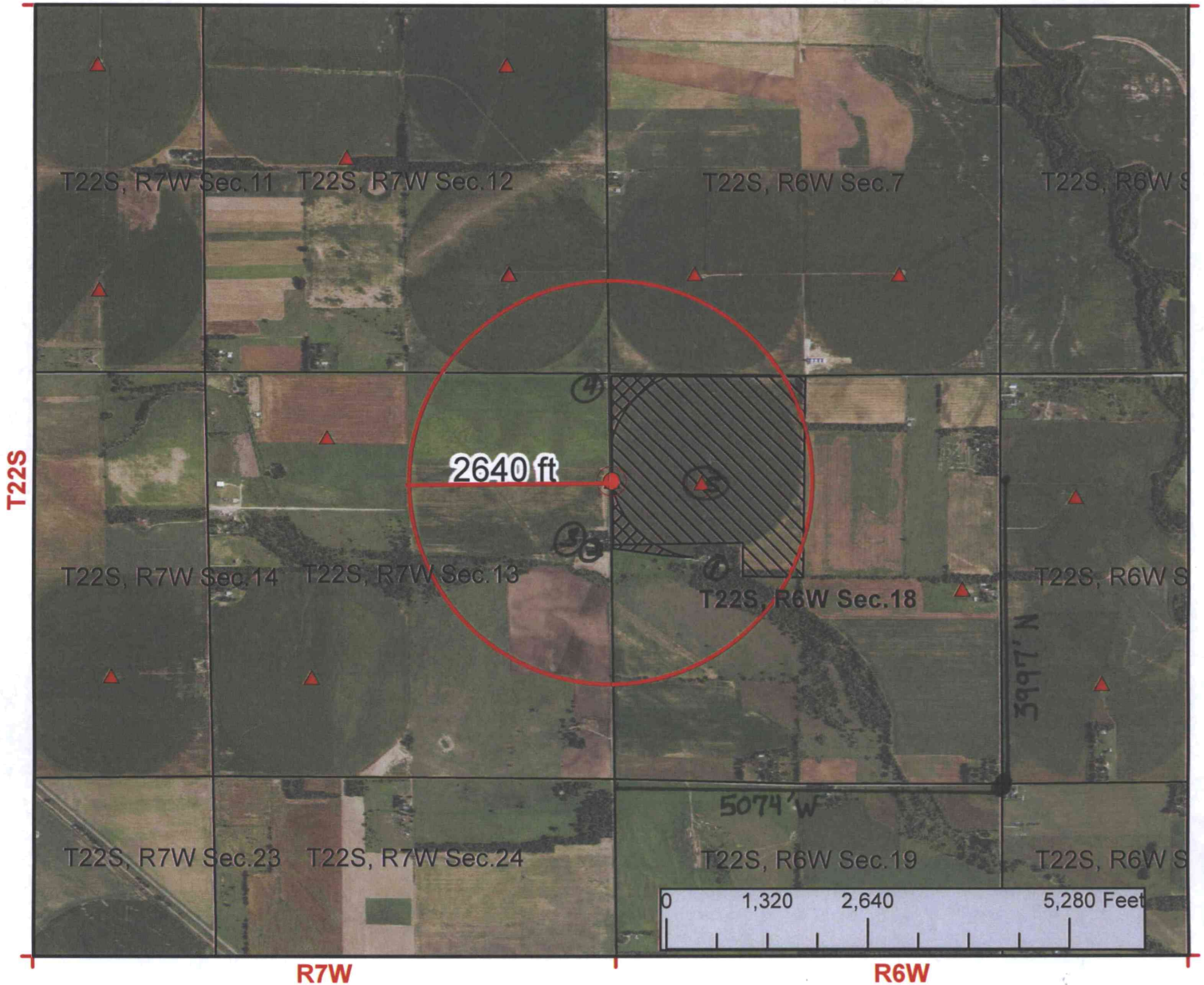
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KS DEPT OF AGRICULTURE

SCANNED

Change Application Map No. 16958



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.

Haron M. Blank
Signature

3-24-17
Date

- New Application
- Application No. To Change:

- Point of Diversion
- Place of Use
- Use Made of Water

WATER RESOURCES RECEIVED

MAY 26 2017

RS DEPT OF AGRICULTURE

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



See attached list for surrounding well owners

SCANNED