

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

Document Signature _____

1. File Number: 47584	2. Status Change Date: <i>5/4/2017</i>	3. Change Num: C1	4. Field Office: 02	5. GMD: 02
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6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 28-MAR-2016
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8a. Applicant(s) <input type="checkbox"/> New to system <input type="checkbox"/> MATT BRACK 4001 E AVENUE G HUTCHINSON KS 67501-8280 Person ID 59218 Add Seq# 1	8c. Landowner(s) <input type="checkbox"/> New to system <input type="checkbox"/> KIM E BRACK 4745 SW FAIRLAWN RD TOPEKA KS 66610 Person ID <i>65482</i> Add Seq# <i>1</i>
8b. Landowner(s) <input type="checkbox"/> New to system <input type="checkbox"/> HAROLD E SWANSON TRUST ET AL 5500 E AVE G HUTCHINSON KS 67501 Person ID 54904 Add Seq# 1	8d. Landowner(s) <input type="checkbox"/> New to system <input type="checkbox"/> Person ID _____ Add Seq# _____

8e. WUC <input type="checkbox"/> New to system <input type="checkbox"/> No change Person ID _____ Add Seq# _____
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9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/18 <input checked="" type="checkbox"/> N & P Date to Comply: 12/31/18 <input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

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

Date Prepared: 05/01/17 By: RAK Date Entered: <i>5/9/2017</i> By: <i>LLM</i>

File No. **47584** 11. County: RN Basin: ⁵⁶ COW CREEK (PLEASE CHANGE) Stream: Formation Code: **EQUUS BEDS (190)** Special Use:

12. Points of Diversion											Rate and Quantity					
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
ENT				85142 SE¼ NW¼ SW¼	28	23S	5W	9	1331	4060	GEO CTR	800 gpm	91 AF	800 gpm	91 AF	47601 and 49600
MOD				77697 SW¼ NE¼ SW¼	28	23S	5W	1	1331	3762	BATT 1 OF 4 WELLS BATT 1 OF 2 WELLS - EAST WELL					47601 and 49600
MOD				77698 SE¼ NW¼ SW¼	28	23S	5W	2	1331	4159	BATT 1 OF 4 WELLS BATT 1 OF 2 WELLS - WEST WELL					47601 and 49600
ENT				85144 SE¼ NW¼ SW¼	28	23S	5W	11	1331	3961	BATT 1 OF 4 WELLS					47601 and 49600
ENT				85146 SE¼ NW¼ SW¼	28	23S	5W	13	1331	4359	BATT 1 OF 4 WELLS					47601 and 49600
DEL				77699 NC SW¼	28	23S	5W	3	1300	3960	GEO CTR					

Battery ID # 2028

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

14. MOLimitation: _____
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			
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					
MOD				61340	28	23	5W	1							32.50	32.50					65.00	8B & 8C	YES	NO

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
MEMORANDUM

TO: Files
FROM: Richelle A. Krueger

DATE: May 1, 2017
RE: Application, File No. 49,600
Change Application, File Nos. 47,584 and
47,601

Matt Brack filed the referenced application to appropriate groundwater for irrigation use, requesting a quantity of 183.4 acre-feet and a limited diversion rate of 800 gallons per minute. The proposed point of diversion will be a battery of four (4) wells with a geographic center located 1,331 feet North and 4,060 feet West of the Southeast corner of Section 28, Township 23 South, Range 5 West, Reno County within the drainage basin of Cow Creek (Not Arkansas River as shown in WRIS & application). The proposed point of diversion will overlap the geocenter of the battery proposed for File Nos. 47,584 and 47,601 by change in point of diversion applications filed by Mr. Brack. No overlaps in the authorized places of use are proposed for any of the referenced files. The proposed acreage is owned by Harold E. Swanson Trust, Hal E. Swanson, Kim E. Brack, Guy S. Swanson Trust, Harold E. and Donna J. Swanson Trust No. 2. File No. 49,600 will be limited to 800 gallons per minute when combined with File Nos. 47,584 and 47,601.

The referenced change applications are not abandoned pursuant to K.S.A. 82a-718 and the perfection periods for File Nos. 47584 and 47,601 expired on December 31, 2016. The same local source of supply will not change for either file. The proposed change in point of diversion involves a move of 105 feet from the presently authorized geocenter.

WRIS does not indicate any non-domestic wells within one-half mile of the proposed geocenter other than the two irrigation wells under common ownership within the four-well battery authorized by Appropriation of Water, File No. 47,942. However, the application map indicates possibly two domestic wells, one under common ownership. The nearby domestic well owner was notified of the referenced application by letter dated June 8, 2016; no response has been received as of today's date.

In letter dated October 13, 2016 with attachments, Equus Beds Groundwater Management District No. 2 recommended the referenced applications be approved and indicated that the applications comply with K.A.R. 5-22-1 through K.A.R. 5-22-17.


The total quantity available for irrigation use by File No. 49,600, 183.4 acre-feet, will irrigate the proposed 131 acres with 1.4 acre-feet per acre and is the maximum reasonable quantity allowed pursuant to K.A.R. 5-3-24 in Reno County.

Two of the wells in the four well battery are existing wells so no test hole log was submitted with the pending new application. The source of supply was previously determined to be Equus Beds (190).

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. A water level measurement tube is required. The applicant signed, notarized, and returned a minimum desirable streamflow form to our office.

In a December 1, 2016 e-mail, Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the referenced applications. Jeff wants File No. 49,600 to be metered separately in order that the quantity of water perfected by File No. 49,600 may be readily determined; this will be mentioned in the transmittal letter.

Based on the above discussion, safe yield criteria are met, approval of the applications will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it has been recommended that the referenced applications be approved.


Richelle A. Krueger
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

May 9, 2017

MATT AND VALERIE BRACK
4001 E AVENUE G
HUTCHINSON KS 67501-8280

FILE COPY

RE: Appropriation of Water, File Nos. 47,584; 47,601 and 49,600

Dear Mr. and Mrs. Brack:

There is enclosed a permit (File No. 49,600) to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit. Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

Acceptable water flow meters must be installed on the diversion works in such a manner that the quantity of water perfected by File No. 49,600 may be readily determined. The quantity of water to be pumped to the authorized place of use of File No. 49,600 should be metered exclusively for perfection and compliance determinations. Please contact Jeff Lanterman, Water Commissioner of the Stafford Field Office, at (620) 234-5311 prior to construction of the diversion works to discuss how the referenced battery of wells should be metered.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right.

(OVER→)

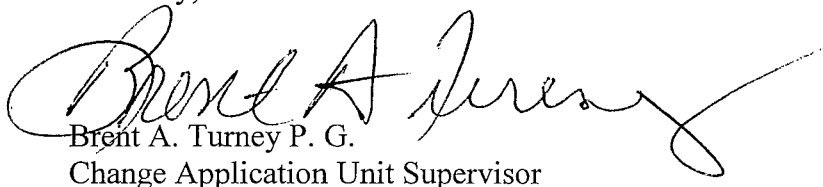
Matt and Valerie Brack
File Nos. 47,584; 47,601 and 49,600
Page 2

In addition, enclosed are orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under Appropriation of Water, File Nos. 47,584 and 47,601. Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals is that acceptable water flow meters must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the installation of the required meters as soon as these actions are completed.

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. G.
Change Application Unit Supervisor

BAT:rak

pc: Stafford Field Office
Groundwater Management District No. 2
Harold E. Swanson Trust Etal
Matt and Valerie Brack
Jean Anne Beal
Kim Brack



KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN
POINT OF DIVERSION
APPROPRIATION OF WATER
FILE NO. 47,584**

FILE COPY

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Matt and Valerie Brack, 4001 East Avenue G, Hutchinson, Kansas, 67501, Donna Swanson, Trustee, Guy S. Swanson, Trustee, and Guy S. Swanson, P.O.A., on behalf of the Harold E. Swanson Trust, Guy S. Swanson Trust, Hal E. Swanson, and Harold E. and Donna J. Swanson Trust No. 2, 5500 East Avenue, Hutchinson, Kansas 67501, and Kim E. Brack, 4745 Southwest Fairlawn Road, Topeka, Kansas, 66610, received in this office on March 28, 2016, for approval of a change in the location of the point of diversion under Approval of Application, File No. 47,584, for 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 point of diversion shall be:

a battery of four (4) wells with a geographic center located in the Southeast Quarter of the Northwest Quarter of the Southwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 28, more particularly described as being near a point 1,331 feet North and 4,060 feet West of the Southeast corner of said section,

in Township 23 South, Range 5 West, Reno County, Kansas,

located substantially as shown on the map accompanying the application to change the point of diversion.

The point of diversion described herein as a battery of four (4) wells is further limited such that the wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply and shall be limited to a maximum diversion rate not in excess of four hundred (400) gallons per minute (0.89 c.f.s.) per well.

Installation of the works for diversion of water shall be completed on or before December 31, 2018, or within any authorized extension of time. The water right owner shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

All wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this order shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

The water right owner shall submit to the Chief Engineer a copy of the well log required by the Kansas Department of Health and Environment under the authority of K.S.A. 82a-1212, currently form WWC-5, within 30 days following the drilling of the well at the location authorized herein.

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 Approval of Application, File No. 47,584, for permit to appropriate water for beneficial use, is as stated and set forth in the approval dated December 20, 2010.

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. Any person aggrieved by this Order may petition for administrative review, pursuant to K.S.A. 82a-708b(a) 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.

Ordered this 4th day of May, 2017 in Topeka, Shawnee County, Kansas.

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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 4th day of May, 2017 by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson
Notary Public

CERTIFICATE OF SERVICE

On this *9th* day of *May*, *2017*, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, File No. 47,584, dated *May 4, 2017* was mailed postage prepaid, first class, US mail to the following:

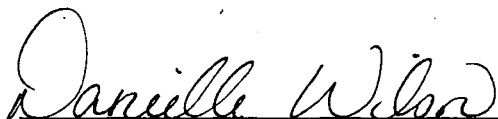
HAROLD E SWANSON TRUST ETAL
5500 E AVE G
HUTCHINSON KS 67501

With photocopies to:

KIM E BRACK
4745 SOUTHWEST FAIRLAWN ROAD
TOPEKA KS 66610

MATT BRACK
4001 E AVENUE G
HUTCHINSON KS 67501-8280

Stafford Field Office
Groundwater Management District No 2



Division of Water Resources

Submit completed application to:
 Kansas Department of Agriculture
 Division of Water Resources
 Field Office for your area.

Call for address:

Topeka -- (785) 296-5733
 Stafford -- (620) 234-5311
 Stockton -- (785) 425-6787
 Garden City -- (620) 276-2901
<http://agriculture.ks.gov/dwr>

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.
 Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

File No. 47584

WATER RESOURCES
RECEIVED

MAR 28 2016

10:01

KS DEPT OF AGRICULTURE

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: Matt Brack
4001 E ave. G Hutchinson, KS 67501

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: same as owner

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: Harold E. Swanson Trust

ADDRESS: 5500 E Avenue G, Hutchinson, KS 67501

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
28	23S	5W																	65

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

Owner of Land ---- NAME: no change

ADDRESS: _____

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

For Office Use Only: Code CLT Fee \$ 100 TR # _____ Receipt Date 3/28/16 Check # 3014

DWR 1-121 (Revised 06/16/2014) 4/13/17
 APPLICATION COMPLETE
 Receiver RAI

SCANNED File No. 47584

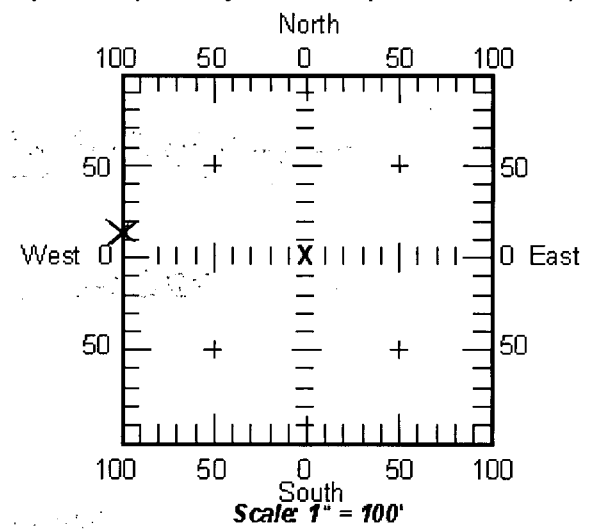
4/5/2016 CW

5. **Presently authorized point of diversion:** Geocenter Battery of 2 wells
 One in the _____ Quarter of the NC Quarter of the SW Quarter
 of Section 28, Township 23 South, Range 5W (E/W),
 in Reno County, Kansas, 1300 feet North 3960 feet West of Southeast corner of section.
 Authorized Rate 800 GPM Authorized Quantity 91 AF Depth of well _____ (feet)
 (DWR use only: Computer ID No. 3 PDVID 77699 GPS 1331 feet North 3961 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)** Geocenter Battery of 4 wells
 One in the SE Quarter of the NE NW Quarter of the SW Quarter
 of Section 28, Township 23 South, Range 5W (E/W),
 in RENO County, Kansas, 1331 feet North 4060 feet West of Southeast corner of section.
 Proposed Rate 800GPM Proposed Quantity 91 AF Proposed well depth _____ (feet)
 This point is: Additional Well Geo Center List other water rights that will use this point **47601 49600

6. **Presently authorized point of diversion:** Batt 1 of 2 wells East well
 One in the NW Quarter of the SE Quarter of the SW Quarter
 of Section 28, Township 23 South, Range 5W (E/W),
 in RENO County, Kansas, 1300 feet North 3670 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
 (DWR use only: Computer ID No. 1 PDVID 77697 GPS 1331 feet North 3762 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)** Batt 1 of 4 wells
 One in the SW Quarter of the NE Quarter of the SW Quarter
 of Section 28, Township 23 South, Range 5 (E/W)
 in Reno County, Kansas, 1331 feet North 3762 feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth _____ (feet)
 This point is: Additional Well Geo Center List other water rights that will use this point **47601 + 49600

7. Why do you need a new point of diversion? Adding 2 wells to battery
8. If a well, is the test hole log attached? Yes No
9. When do you propose to complete the new point of diversion?
4/1/2017
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
NA
 (b) When will this be done? 4/1/2017
11. Groundwater Management District recommendation attached? Yes No
12. Assisted by Steve Flaherty - GMD2

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines.

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 47584

Presently authorized point of diversion: Battery 1 of 2 wells - West well

One in the NE Quarter of the SW Quarter of the SW Quarter of Section 28, Township 23 South, Range 5W (E/W), in RENO County, Kansas, 1300 feet North 4250 feet West of Southeast corner of section.
Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 2 P11V1077698 GPS 1331 feet North 4159 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) Batt 1 of 4 Wells

One in the SE Quarter of the NW Quarter of the SW Quarter of Section 28, Township 23 South, Range 5 (E/W), in RENO County, Kansas, 1331 feet North 4159 feet West of Southeast corner of section.
Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
This point is: Additional Well Geo Center List other water rights that will use this point **47601 + 49600

Presently authorized point of diversion:

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____, in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(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) Batt 1 of 4 Wells

One in the NE SE Quarter of the SW NW Quarter of the SW Quarter of Section 28, Township 23 South, Range 5W WEST, in RENO County, Kansas, 1331 feet North 3961 feet West of Southeast corner of section.
Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
This point is: Additional Well Geo Center List other water rights that will use this point **47601 + 49600

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 _____ Depth of well _____ (feet)
(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) Batt 1 of 4 Wells

One in the NE SE Quarter of the SW NW Quarter of the SW Quarter of Section 28, Township 23 South, Range 5W WEST, in RENO County, Kansas, 1331 feet North 4359 feet West of Southeast corner of section.
Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
This point is: Additional Well Geo Center List other water rights that will use this point **47601 + 49600

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 _____ Depth of well _____ (feet)
(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 WATER RESOURCES (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
This point is: Additional Well Geo Center List other water rights that will use this point MAR 28 2016

14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
 - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
 - (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regard to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Hulstean, Kansas, this 25 day of March, 2016.

[Signature]

 (Owner)
Matt Brack

 (Please Print)

 (Owner)

 (Please Print)

 (Owner)

 (Please Print)

Valeri Brack

 (Spouse)
Valerie Brack

 (Please Print)

 (Spouse)

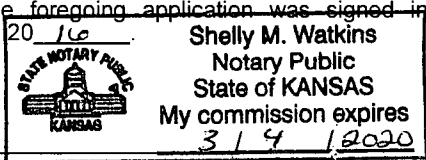
 (Please Print)

 (Spouse)

 (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 25 day of March, 2016.



[Signature]

 Notary Public

My Commission Expires _____

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200

WATER RESOURCES
 RECEIVED

MAR 28 2016

File No. 47584

KS DEPT OF AGRICULTURE
SCANNED

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 ~~City~~ Hutchinson, KS, Kansas, this 31st day of July, 2018.

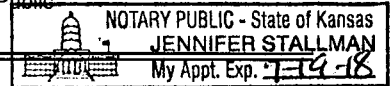
<u>Denma Swanson Trustee</u> (Owner)	<u>Amy Swanson, POA</u> (Spouse) (Owner)
<u>Harold E. Swanson Trust</u> (Please Print)	<u>Hal E. Swanson</u> (Please Print)
<u>Kim E. Brack</u> (Owner)	<u>Amy Swanson, Trustee</u> (Spouse) (Owner)
<u>Kim E. Brack</u> (Please Print)	<u>Harold E. Swanson Trust #2</u> (Please Print)
<u>Amy Swanson</u> (Owner)	 (Spouse)
<u>Guy S. Swanson</u> (Please Print)	 (Please Print)

State of Kansas }
County of Beno } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 31st day of July, 2018.

Jennifer Stallman
Notary Public

My Commission Expires 7-19-18



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.

WATER RESOURCES
RECEIVED

OCT 20 2016

KS DEPT 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 _____, Kansas, this _____ day of _____, 20_____.

_____	_____
(Owner)	(Spouse)
_____	_____
(Please Print)	(Please Print)
_____	_____
(Owner)	(Spouse)
_____	_____
(Please Print)	(Please Print)
_____	_____
(Owner)	(Spouse)
_____	_____
(Please Print)	(Please Print)

State of Kansas)
County of _____) SS

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

My Commission Expires _____ Notary Public

FEE SCHEDULE

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

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

Make check payable to Kansas Department of Agriculture.

WATER RESOURCES
RECEIVED
OCT 20 2016
KS DEPT OF AGRICULTURE

Submit completed application to:
 Kansas Department of Agriculture
 Division of Water Resources
 Field Office for your area.
 Call for address:
 Topeka -- (785) 296-5733
 Stafford -- (620) 234-5311
 Stockton -- (785) 425-6787
 Garden City -- (620) 276-2901
<http://agriculture.ks.gov/dwr>

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.
 Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

File No. 47584

WATER RESOURCES
RECEIVED

MAR 28 2016

10:01

KS DEPT OF AGRICULTURE

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: Matt Brack
4001 E ave. G Hutchinson, KS 67501

WATER RESOURCES
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Phone Number: () Email address: _____

Name and address of Water Use Correspondent: same as owner

OCT 20 2016

Phone Number: () Email address: _____

KS DEPT OF AGRICULTURE

3. The presently authorized place of use is:

Owner of Land ---- NAME: Harold E. Swanson Trust

ADDRESS: 5500 E Avenue G, Hutchinson, KS 67501

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
28	23S	5W																	65

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

Owner of Land ---- NAME: no change

ADDRESS: _____

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

For Office Use Only: Code CLT Fee \$ 100 TR # _____ Receipt Date 3/28/16 Check # 3014

4/5/2016 CW

5. **Presently authorized point of diversion:** Geocenter Battery of 2 wells
 One in the _____ Quarter of the NC Quarter of the SW Quarter
 of Section 28, Township 23 South, Range 5W (EW),
 in Reno County, Kansas, 1300 feet North 3960 feet West of Southeast corner of section.
 Authorized Rate 800 GPM Authorized Quantity 91 AF Depth of well _____ (feet)
(DWR use only: Computer ID No. 3 PDI 77679 GPS 1331 feet North 3961 feet West)
 This point will not be changed This point will be changed as follows:

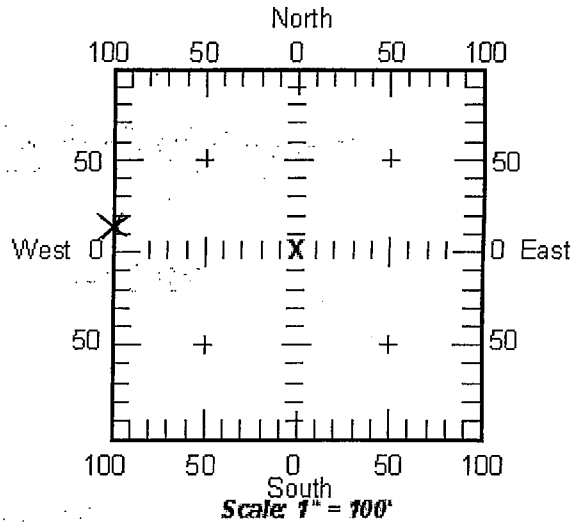
* **Proposed point of diversion: (Complete only if change is requested)** Geocenter Battery of 4 wells
 One in the SE Quarter of the NE NW Quarter of the SW Quarter
 of Section 28, Township 23 South, Range 5W (EW),
 in RENO County, Kansas, 1331 feet North 4060 feet West of Southeast corner of section.
 Proposed Rate 800GPM Proposed Quantity 91 AF Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

6. **Presently authorized point of diversion:** Batt 1 of 2 wells East Well
 One in the NW Quarter of the SE Quarter of the SW Quarter
 of Section 28, Township 23 South, Range 5W (EW),
 in RENO County, Kansas, 1300 feet North 3670 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 1 PDI 77677 GPS 1331 feet North 3762 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)** Batt 1 of 4 wells
 One in the SW Quarter of the NE Quarter of the SW Quarter
 of Section 28, Township 23 South, Range 5 (EW)
 in Reno County, Kansas, 1331 feet North 3762 feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

7. Why do you need a new point of diversion? Adding 2 wells to battery
8. If a well, is the test hole log attached? Yes No
9. When do you propose to complete the new point of diversion?
4/1/2017
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
NA
 (b) When will this be done? 4/1/2017
11. Groundwater Management District recommendation attached? Yes No
12. Assisted by Steve Flaherty - GMD2

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines.

* Modified per Application File No. 49600

* RAK/dmr 6/7/16

* per WRIIS

* RAK/dmr 6/7/16

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 47584

Presently authorized point of diversion: *Batt 1 of 2 wells - West well*
One in the NE Quarter of the SW Quarter of the SW Quarter of Section 28, Township 23 South, Range 5W (E/W), in RENO County, Kansas, 1300 feet North 4250 feet West of Southeast corner of section.
Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 2 PDLVTD 77698 GPS 1331 feet North 4159 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) *Batt 1 of 4 Wells*
One in the SE Quarter of the NW Quarter of the SW Quarter of Section 28, Township 23 South, Range 5 (E/W) in Reno County, Kansas, 1331 feet North 4159 feet West of Southeast corner of section.
Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
This point is: Additional Well Geo Center List other water rights that will use this point _____

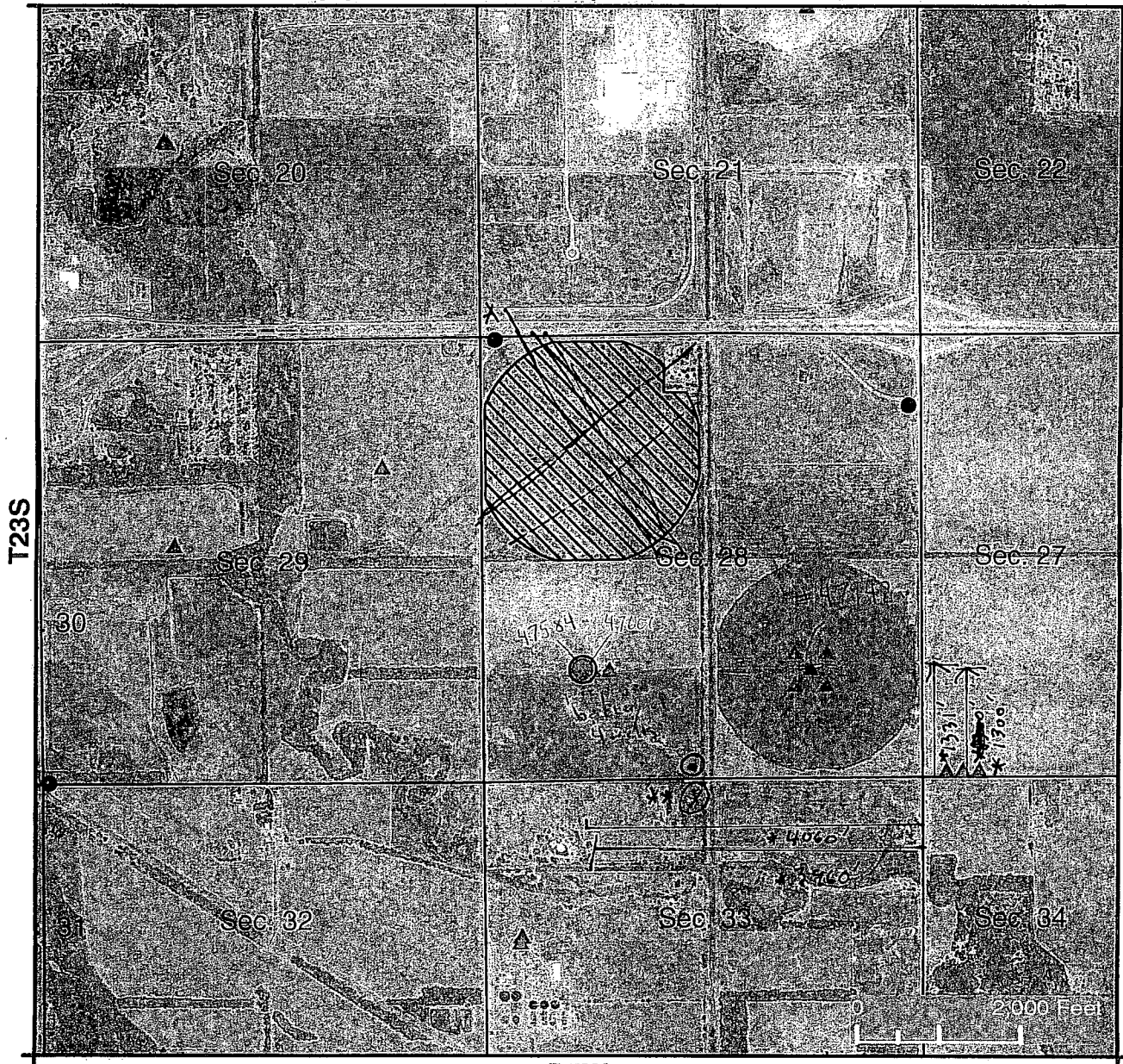
Presently authorized point of diversion:
One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____, in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(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) *Batt 1 of 4 Wells*
One in the NE SE Quarter of the SW NW Quarter of the SW Quarter of Section 28, Township 23 South, Range 5W WEST, in RENO County, Kansas, 1331 feet North 3961 feet West of Southeast corner of section.
Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
This point is: Additional Well Geo Center List other water rights that will use this point _____

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 _____ Depth of well _____ (feet)
(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) *Batt 1 of 4 wells*
One in the NE SE Quarter of the SW NW Quarter of the SW Quarter of Section 28, Township 23 South, Range 5W WEST, in RENO County, Kansas, 1331 feet North 4359 feet West of Southeast corner of section.
Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
This point is: Additional Well Geo Center List other water rights that will use this point _____

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 _____ Depth of well _____ (feet)
(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 OCT 20 2016 Quarter of Section _____, Township _____ South, Range WATER RESOURCES (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
This point is: Additional Well Geo Center List other water rights that will use this point MAR 28 2016

Application Map for Matt Brack

x.F.ile No 47584



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]
Signature

3-25-16
Date

* 1:24000

- New Application
- Application No. 47584 To Change:
 - Point of Diversion
 - Place of Use
 - Use Made of Water

- Domestic Well per WWC-5 * Modified per WARS or Par 5
- Proposed Point of Diversion * 2nd/1st 6/7/16
- Existing Points of Diversion
- ~~Proposed Place of Use~~ } PD change only
- ~~Authorized Place of Use~~

** Domestic Well
James R Wallsten
1419 E 5th Ave
Hutchinson KS 67501-2751

WATER RESOURCES RECEIVED

MAR 28 2016

See Attached for Points of Diversion within 1/2 mile of proposed point

* Domestic Well per Own Records 47584, 47601 + Reno Co Parcel Search

SCANNED DEPT OF AGRICULTURE
Completed By GMD2 Staff
S. Flaherty - 3/25/2016

14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
- (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regard to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Hulstond, Kansas, this 25 day of March, 2016.

[Signature]
 (Owner)
Math Brack
 (Please Print)

 (Owner)

 (Please Print)

 (Owner)

 (Please Print)

Valeri Brack
 (Spouse)
Valerie Brack
 (Please Print)

 (Spouse)

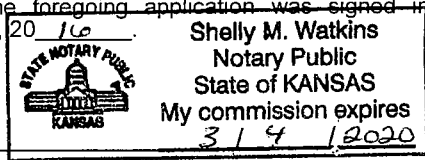
 (Please Print)

 (Spouse)

 (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 25 day of March, 2016.



[Signature]
 Notary Public

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FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

(1) Application to change a point of diversion <u>300 feet or less</u>	\$100
(2) Application to change a point of diversion more than 300 feet	\$200
(3) Application to change the place of use	\$200

WATER RESOURCES RECEIVED

MAR 28 2016

File No. 47584

KS DEPT OF AGRICULTURE
SCANNED

Reno County Property Data

Tuesday June 07 2016 8:34:47 AM

General Information

Subject Property

[Print](#)

[Click here to locate on Map](#)
[Click here for the photo](#)
[Click here for the PRC](#)

Parcel ID : 0781382800000006000
Owner Name : SWANSON, HAROLD E TRUST
Location : 00000 E ILLINOIS AVE, Hutchinson, KS 67501.
Legal Desc : CLAY TOWNSHIP, S28, T23, R05W, ACRES 77.7, S1/2 SW1/4 RD ROW.
The legal description displayed above is not adequate for use in legal documents

Owner Information

Owner :
SWANSON, HAROLD E TRUST
BRACK, KIM E
SWANSON, GUY S TRUST
SWANSON, HAL E
SWANSON, HAROLD E & DONNA J TRUST NO 2

Mailing Address :
5500 E AVENUE G HUTCHINSON, KS 67501-8264
4745 SW FAIRLAWN RD TOPEKA, KS 66610
5500 E AVENUE G HUTCHINSON, KS 67501-8264
5500 E AVENUE G HUTCHINSON, KS 67501-8264
5500 E AVENUE G HUTCHINSON, KS 67501-8264

Property Details

Property Type : Agricultural Use	Property Status : Active	Taxing Unit : 156	Neighborhood Code : 056.2	Tract / Tax ID : See Tax History
-------------------------------------	-----------------------------	----------------------	------------------------------	-------------------------------------

Market Land Details

Actual Width :	Eff Width :	Eff Depth :	Acres :	Square Feet :
----------------	-------------	-------------	---------	---------------

No Property Outbuildings or Improvements found.

No Permit Details found.

Value Details

	Year :	2016
Current Final Value (Agricultural) :	Land :	\$29,130
	Building :	\$0
	Total :	\$29,130

Deed Book/Page Historical

Book / Page List and Misc Legal Description Info :
Book/Page 463/ 74 589/ 497 589/ 499 06PR/ 38 596/ 441 596/ 442

Deed Book/Page Current Listing

Date :	Book :	Page :	Case :
11/5/2009	608	301	
1/27/2011	616	24	

No Sale Details found. (Please log in to view this data.)

Krueger, Richelle

From: Lanterman, Jeff
Sent: Thursday, December 01, 2016 3:35 PM
To: Krueger, Richelle
Cc: Conant, Cameron; Turney, Brent
Subject: RE: Request for Recommendation Application, File No. 49600 Change in PD File Nos. 47584 & 47601 Matt Brack

I don't think we need to give them more heads up on perfection of the seniors.

I do need a meter on 49600 exclusively for perfection and compliance though. Otherwise I have no way of knowing what is applied.

From: Krueger, Richelle
Sent: Thursday, December 1, 2016 2:49 PM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Cc: Conant, Cameron <Cameron.Conant@ks.gov>; Turney, Brent <Brent.Turney@ks.gov>
Subject: RE: Request for Recommendation Application, File No. 49600 Change in PD File Nos. 47584 & 47601 Matt Brack

Hi Jeff,

Thanks for the recommendation, I will put something in the transmittal letter about the metering. I talked about this with Brent and he said since we meter by point of diversion and not place of use, it would be difficult to put something in the approval documents. Cameron and I discussed that they are near the end of the perfection period on 47584 and 47601 (December 31, 2016), if I need to put another reminder in the transmittal letter about perfection extensions just let me know....I think Cameron was thinking they had perfected those rights.

Thanks,
Richelle

From: Lanterman, Jeff
Sent: Thursday, December 01, 2016 2:03 PM
To: Krueger, Richelle
Cc: Conant, Cameron
Subject: FW: Request for Recommendation Application, File No. 49600 Change in PD File Nos. 47584 & 47601 Matt Brack

Richelle;

I don't have any concerns with these applications and recommend approval. 49600 will need to be metered separately so we can certify it. If you can write that in the cover letter and permit somehow. So we can figure out what water goes where for perfection and certification.

Thanks!

From: Conant, Cameron
Sent: Thursday, December 1, 2016 1:36 PM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Subject: FW: Request for Recommendation Application, File No. 49600 Change in PD File Nos. 47584 & 47601 Matt Brack

Jeff, I've attached a rough site map. To sum it all up, there are 2 existing water rights with separate quantities (47584 & 47601) that each authorize 65 separate acres in the SW¼ for a total of 130 irrigated acres. Both of these files will continue to have the same as currently authorized place of use. They both have requested changes to the point of diversion to add 2 more wells to the battery for a total of 4 wells and the geo-center which will completely overlap the proposed battery of wells for 49600.

49600 is a new application that completely overlaps the proposed battery of wells and will authorize a totally separate, additional quantity of water and a totally separate place of use (130 acres in the NW¼) from the 2 junior files.

The GMD#2 SY analysis shows water is still available and they recommended approval with no additional conditions.

We will need to make sure both pivots are metered separately.

The perfection period under 47584 & 47601 ends on 12/31/16. Based on my quick look at the water use history in WRIS and a water use report, it does not appear the junior files have been fully perfected as they are often only reporting the watering of 60 acres (one time 130 was reported, but use was only 126AF). In our approval letter, we may want to include reminder language about the perfection period ending on 12/31/16. If they get the extension they have the benefit of using the new battery of 4 wells which we would prefer anyway since up to this point in the junior files history, they've only been authorized and operated as a battery of 2 wells. From what I can tell, it makes sense for several reasons for them to request an extension on the junior files.

Jeff, I think we can recommend approval of this packet...what is your take on requesting extensions on the junior files so they can fully perfect and actually use the battery of 4 wells that will be authorized going forward? Pass on to Richelle if you agree. (((Richelle, File No. 49,602 is the one Jeff was concerned about with regard to the remediation and discussing it with Don Koci.)))

Cameron

From: Krueger, Richelle

Sent: Wednesday, October 26, 2016 12:11 PM

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

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

Subject: Request for Recommendation Application, File No. 49600 Change in PD File Nos. 47584 & 47601 Matt Brack

Hi Jeff,

Attached is a draft memo for a new app and pd changes for File Nos. 47584,47601 and 49600 Matt Brack. WIMAS indicates these files are in Cow Creek drainage basin instead of Arkansas River as shown in WRIS and on application, if you disagree please let me know.

Also, were these ones you were going to notify Don Koci about the catcher's mitt remediation??

Do you recommend approval of this new application and pd change package?

Thanks,
Richelle

Richelle Krueger, Environmental Scientist

Kansas Department of Agriculture

Water Appropriation Program

(785) 564-6635

Richelle.Krueger@ks.gov (please note e-mail address change)

www.ksda.gov/dwr

Krueger, Richelle

From: Rebecca Wilson <rwilson@gmd2.org>
Sent: Friday, October 14, 2016 1:20 PM
To: Krueger, Richelle
Cc: Engelbrecht, Jessica
Subject: 47584, ⁴⁷⁶⁰¹49601 Change in Point of Diversion Approval
Attachments: 47584, ⁴⁷⁶⁰¹49601 Change in Point of Diversion Approval.pdf

Richelle,

Attached is documentation regarding the Approval of Change in Point of Diversion for 47584 and ⁴⁷⁶⁰¹49601.

Please let me know if you have any questions or difficulty opening the attachment.

Thanks!

Rebecca

Rebecca Wilson
Administrative Assistant
Equus Beds GMD2
313 Spruce Street
Halstead, KS 67056
316-835-2224
316-835-2225 Fax
rwilson@gmd2.org
www.gmd2.org

WATER RESOURCES
RECEIVED
OCT 17 2016
KS DEPT OF AGRICULTURE

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

October 13, 2016

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

Re: Change in Point of Diversion Applications - Water Permit Nos. 47584 & 47601 – Matt Brack

Dear Ms. Krueger:


The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in point of diversion applications on October 13, 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.

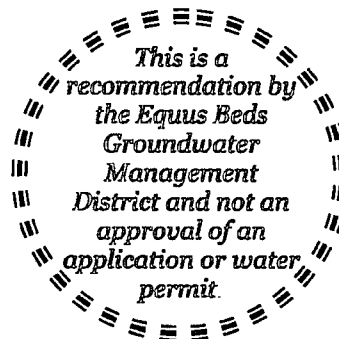
The change in point of diversion applications propose to add two wells to the existing battery of two wells, creating a battery four wells. The proposed geocenter is located 1331 feet north and 4060 feet west of the apparent Southeast corner of Section 28, Township 23 South, Range 5 West, Reno County.

The District's review found that the change applications comply with the District's Revised Management Program (effective May 1, 1995) and Rules and Regulations K.A.R. 5-22-1 through 5-22-17. Therefore the change applications are recommended for approval by the Equus Beds Groundwater Management District No. 2.

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.

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2


Tim Boese
Manager
TDB/SF



Pc: Matt Brack, Applicant
Harold E. Swanson Trust, Landowner – Water Permit No. 47584
Jean Anne Beal – Landowner – Water Permit No. 47601
Jeff Lanterman, Division of Water Resources, Stafford

WATER RESOURCES
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OCT 17 2016
KS DEPT OF AGRICULTURE

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

1) Application No. 47601 Date filed: March 30, 2016
 2) Proposed maximum quantity: 91 acre-feet/year Rate: 800 GPM
 3) Proposed Use: Irrigation
 4) P/D location: SENWSW 28-23S-5W Geo Center: North 1331 ft, West 4060 ft
 5) Number and type of points of diversion listed on the application 4 Well Battery

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(a) Safe yield analysis total existing appropriations: af/yr
 9(b) Safe yield total allowable appropriations: af/yr
 9(c) Total appropriations for small user exemptions: af/yr
 9(d) Total appropriations for non-consumptive use: af/yr
 9(e) Total appropriations for consumptive use: 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: >960 ft
 10(c) Non-Domestic well spacing interval: >1620 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: 8 ft b/s at observation well: EB274C

14) Date reviewed: 9/30/16

15) Reviewed by: S. Flaherty

Title: Hydrogeologist

Revised 10-13-2016
TD

16) District recommendation:

Approve Deny

Other, see comment

17) Comments and Calculations:

Review completed for a change in point of diversion application submitted by Matt Brack for Irrigation use in Reno County.
 Application proposes to add two wells to create a battery of four wells
 Overlapping point of diversion with 47584 and 49600
 47601 has no overlapping place of use
 Notice of completion filed before 12/31/12 and within 300 feet of originally authorized and 150 feet of approved location
 Notice of completion submitted before two of the four wells were drilled
 Application 47601 is not subject to safe yield.
 Item # 11a - 91 acre feet of water per year / 65 acres of land = 1.4 acre feet per acre
 Recommend approval, complies with K.A.R. 5-22-1 through 5-22-17

WATER RESOURCES
 RECEIVED
 OCT 17 2016
 KS DEPT OF AGRICULTURE

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

October 13, 2016

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

Re: Change in Point of Diversion Applications - Water Permit Nos. 47584 & 47601 – Matt Brack

Dear Ms. Krueger:


The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in point of diversion applications on October 13, 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.

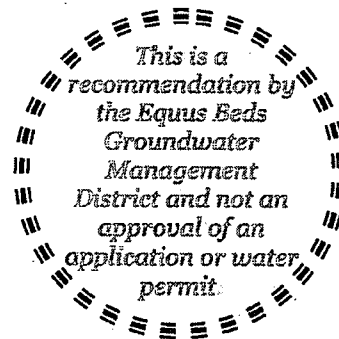
The change in point of diversion applications propose to add two wells to the existing battery of two wells, creating a battery four wells. The proposed geocenter is located 1331 feet north and 4060 feet west of the apparent Southeast corner of Section 28, Township 23 South, Range 5 West, Reno County.

The District's review found that the change applications comply with the District's Revised Management Program (effective May 1, 1995) and Rules and Regulations K.A.R. 5-22-1 through 5-22-17. Therefore the change applications are recommended for approval by the Equus Beds Groundwater Management District No. 2.

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.

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2


Tim Boese
Manager
TDB/SF



Pc: Matt Brack, Applicant
Harold E. Swanson Trust, Landowner – Water Permit No. 47584
Jean Anne Beal – Landowner – Water Permit No. 47601
Jeff Lanterman, Division of Water Resources, Stafford

WATER RESOURCES
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OCT 17 2016
KS DEPT OF AGRICULTURE



Equus Beds Groundwater Management District No. 2

SPACING EVALUATION No 47601 Matt Brack
 SENWSW (1331'N & 4060'W) 28-23S-05W, Reno County

Prepared By: Stephen Flaherty Date: 9/29/2016



R5W

0 240 480 960 Feet

Map Legend

- Observation Well
- Bedrock
- ▨ Authorized Place of Use
- ▩ Proposed Place of Use

- Proposed Point of Diversion
- ▲ Existing Points of Diversion

Burton IGUCA
 Hollow Nikkel SWQUA
 McPherson IGUCA
 Enhanced Well Spacing Area
 WATER RESOURCES
 RECEIVED



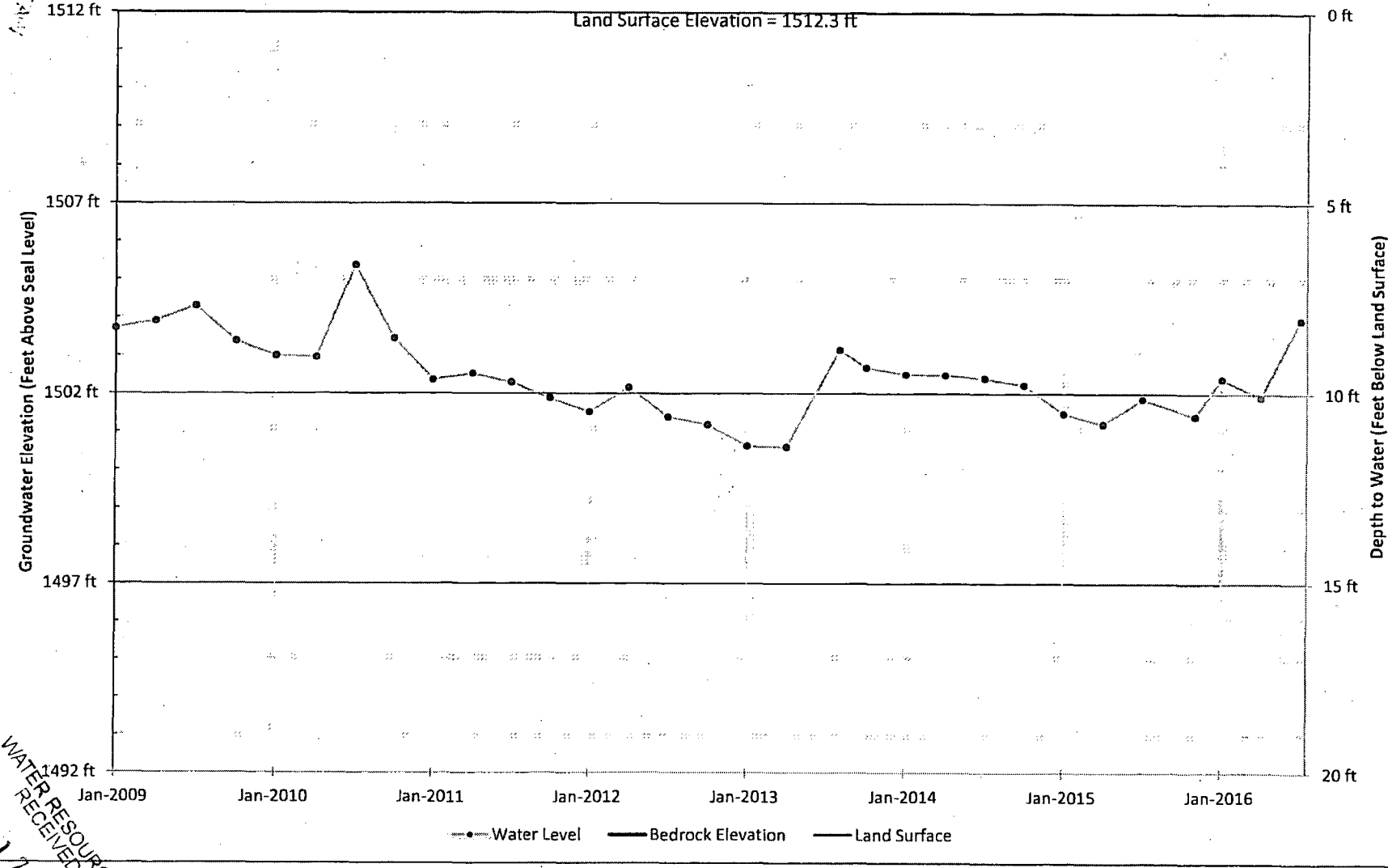
Equus Beds Groundwater Management District No. 2
 313 Spruce Street, Haxsteele, KS 67046
 316-835-2224 equusbeds@gmd2.org

SCANNED

KS DEPT OF AGRICULTURE

Hydrograph WELL: EB274C

Depth to Bedrock:
71 ft

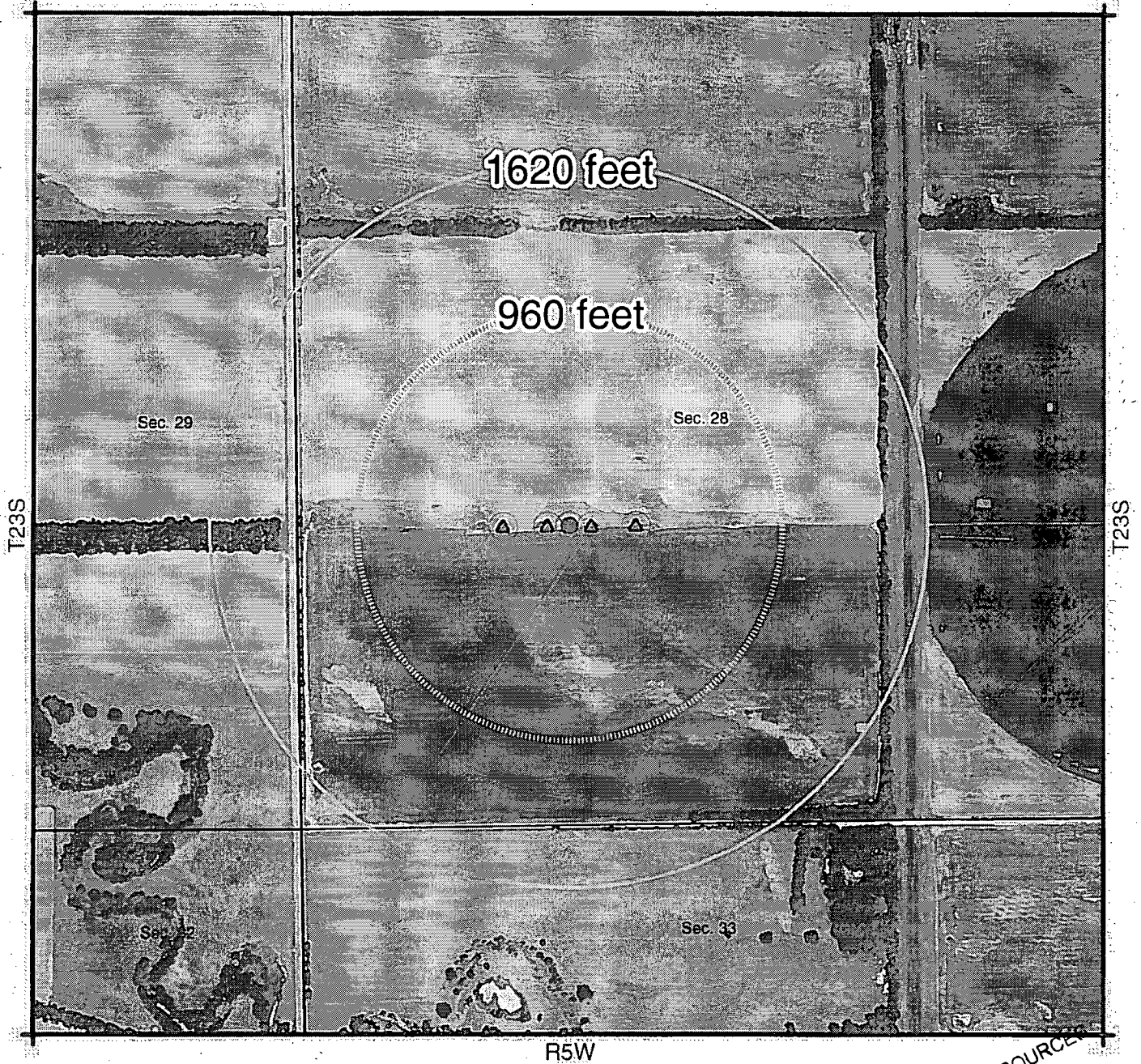


APR 28 2016 10:40 AM
WATER RESOURCES
RECEIVED
OCT 17 2016
KS DEPT OF AGRICULTURE

Equus Beds Groundwater Management District No. 2

SPACING EVALUATION No 47584 Matt Brack
 SENWSW (1331'N & 4060'W) 28-23S-05W, Reno County

Prepared By: Stephen Flaherty Date: 9/29/2016



Map Legend

- Observation Well
- Bedrock
- ▨ Authorized Place of Use
- ▩ Proposed Place of Use
- Proposed Point of Diversion
- ▲ Existing Points of Diversion

0 240 480 Feet

WATER RESOURCE RECEIVING

Burrton IGUCA 1
 Hollow Nikkel SWQUA
 McPherson IGUCA
 Enhanced Well Spacing Area

KS DIST OF AGRICULTURE

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

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

1) Application No. 47584 Date filed: March 28, 2016
 2) Proposed maximum quantity: 91 acre-feet/year Rate: 800 GPM
 3) Proposed Use: Irrigation
 4) P/D location: SENWSW 28-23S-5W Geo Center: North 1331 ft, West 4060 ft
 5) Number and type of points of diversion listed on the application 4 Well Battery

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(a) Safe yield analysis total existing appropriations: af/yr
 9(b) Safe yield total allowable appropriations: af/yr
 9(c) Total appropriations for small user exemptions: af/yr
 9(d) Total appropriations for non-consumptive use: af/yr
 9(e) Total appropriations for consumptive use: 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: >960 ft
 10(c) Non-Domestic well spacing interval: >1620 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: 8 ft bls at observation well: EB274C

14) Date reviewed: 9/29/16

15) Reviewed by: S. Flaherty

Title: Hydrogeologist

16) District recommendation:

Approve Deny

Other, see comment

Review 10-10-2016

17) Comments and Calculations:

Review completed for a change in point of diversion application submitted by Matt Brack for Irrigation use in Reno County.
 Application proposes to add two wells to create a battery of four wells
 Overlapping point of diversion with 47601 and 49600
 47584 has no overlapping place of use
 Notice of completion filed before 12/31/12 and within 300 feet of originally authorized and 150 feet of approved location.
 Notice of completion submitted before two of the four wells were drilled
 Application 47584 is not subject to safe yield.
 Item # 11a - 91 acre feet of water per year / 65 acres of land = 1.4 acre feet per acre
 Recommend approval; complies with K.A.R. 5-22-1 through 5-22-17

WATER RESOURCES
RECEIVED

OCT 17 2016

KS DEPT OF AGRICULTURE

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

October 13, 2016

Matt Brack
4001 E. Ave. G
Hutchinson, KS 67501

Re: Change in Point of Diversion Applications – Water Permit Nos. 47584 & 47601

Dear Mr. Brack:

The Equus Beds Groundwater Management District No. 2 made a recommendation to the Division of Water Resources that change Application Nos. 47584 & 47601 be approved. Pursuant to K.A.R. 5-22-4a, the well battery described in the applications must be equipped with a District approved water flow meter. The well battery is to be located in the Southeast Quarter of the Northwest Quarter of the Southwest Quarter of Section 28, Township 23 South, Range 5 West, Reno County.

The well battery must be properly equipped with an approved meter within 30 days after the approved well battery is operational and prior to its operation. If more time is needed to install the meter or modify an existing meter installation, you may request an extension of time. The request must be made to the District before the end of the 30-day period.

Please note that the water flow meter must be installed in such a manner to only measure the water being used on the place of use authorized by Water Permit Nos. 47584 & 47601, and must be metered separately from the water being used on the place of use authorized by Water Permit No. 49600.

Enclosed is a Flow Meter Installation form to be completed and returned to this office after completion of the meter installation or modifications. A copy of the Division of Water Resources' meter installation notification form (Notice and Proof of Completion of Works) may be substituted for the District form. Upon receiving the completed form, the District will inspect the installation.

Also enclosed is a copy of water meter and installation specifications. Water meters must meet these specifications and the list of certified water meters provided under K.A.R. 5-1-12, for District approval. The list of certified water meters can be obtained by contacting the District or at following link: <http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters>. If you have any questions about the District's metering program or the enclosed material, please contact the District for assistance.

Sincerely,

EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager

TDB/db

Enclosures

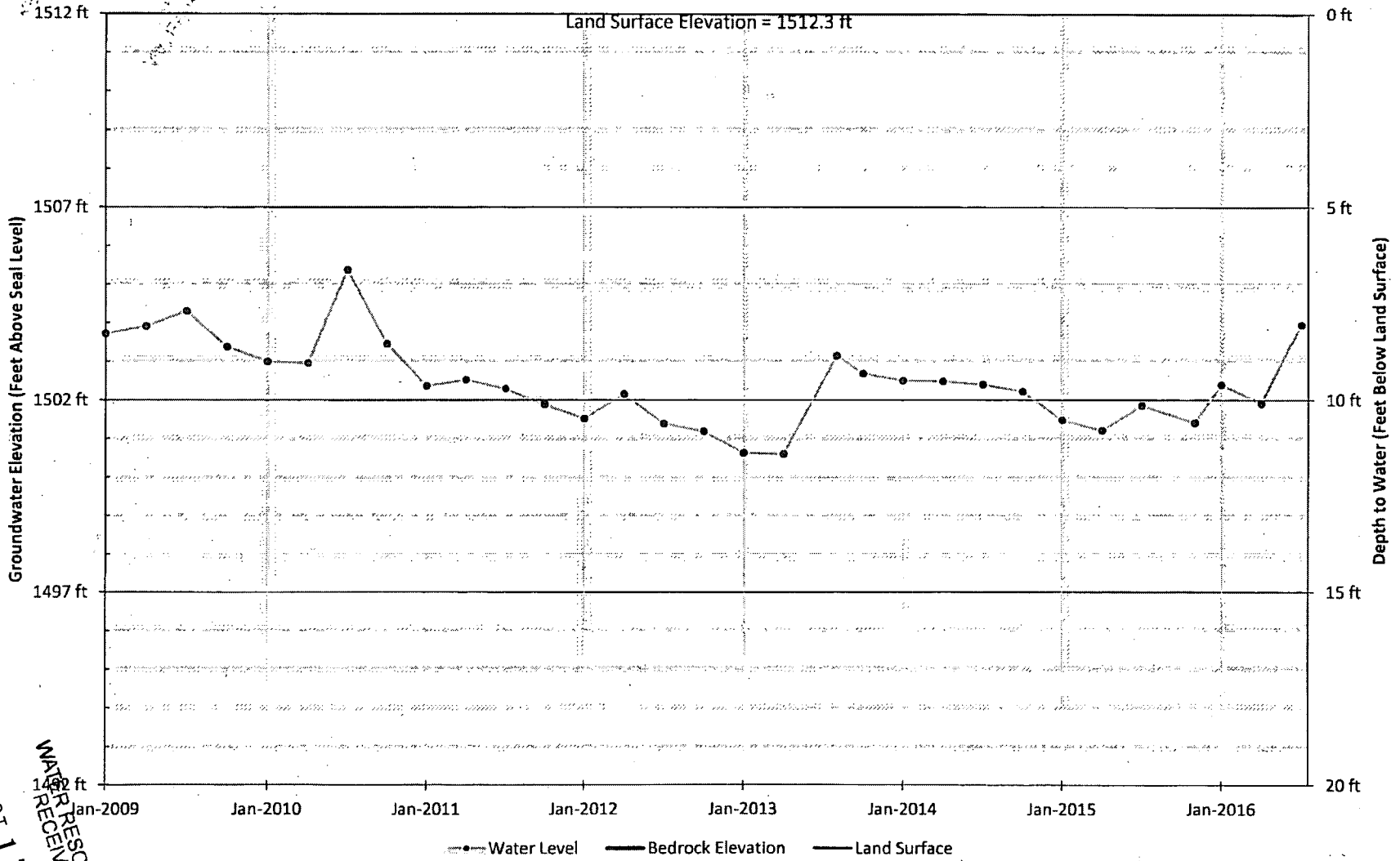
cc: Jeff Lanterman, Division of Water Resources, Stafford
Harold E. Swanson Trust, Landowner – Water Permit No. 47584
Jean Anne Beal – Landowner – Water Permit No. 47601

WATER RESOURCES
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OCT 17 2016
KS DEPT OF AGRICULTURE



Hydrograph WELL: EB274C

Depth to Bedrock:
71 ft



SCANNED
KS DEPT OF AGRICULTURE

OCT 17 2016
WATER RESOURCES
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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

October 10, 2016

EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO 2
ATTN STEPHEN FLAHERTY
313 SPRUCE ST
HALSTEAD KS 67056

FILE COPY

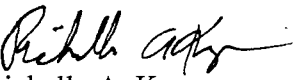
Re: Appropriation of Water, File Nos. 47,584; 47,585 and 47,601
Application, File Nos. 49,600; 49,601 and 49,602

Dear Stephen:

In accordance with your request received in this office on October 6, 2016, the Chief Engineer has extended until November 7, 2016, the time in which to submit your recommendations concerning the applications to change the point of diversion under File Nos. 47,584; 47,585 and 47,601, and Application, File Nos. 49,600; 49,601 and 49,602.

If you have any questions, please contact me at (785) 564-6635. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,


Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

Enclosures

pc: Stafford Field Office

SCANNED

Krueger, Richelle

From: Rebecca Wilson <rwilson@gmd2.org>
Sent: Thursday, October 06, 2016 4:43 PM
To: Krueger, Richelle
Subject: Request for Extension - File No. 47584

Richelle,

Steve Flaherty is requesting a 15 day extension from the date of this email to review the Change in Point of Diversion for File No. 47584. He apologizes for the delay, but he recently received numerous advanced copies, and he is now working each application in the order that it was filed.

Please let me know if you have any concerns or questions.

Thanks!

Rebecca

Rebecca Wilson
Administrative Assistant
Equus Beds GMD2
313 Spruce Street
Halstead, KS 67056
316-835-2224
316-835-2225 Fax
rwilson@gmd2.org
www.gmd2.org

WATER RESOURCES
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OCT 07 2016
KS DEPT OF AGRICULTURE

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 24, 2016

EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO 2
ATTN STEPHEN FLAHERTY
313 SPRUCE ST
HALSTEAD KS 67056

FILE COPY


Re: Appropriation of Water, File Nos. 47,584; 47,585 and 47,601
Application, File Nos. 49,600; 49,601 and 49,602

Dear Stephen:

In accordance with your request received in this office on August 23, 2016, the Chief Engineer has extended until September 24, 2016, the time in which to submit your recommendations concerning the applications to change the point of diversion under File Nos. 47,584; 47,585 and 47,601, and Application, File Nos. 49,600; 49,601 and 49,602.

If you have any questions, please contact me at (785) 564-6635. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,


Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

Enclosures

pc: Stafford Field Office

Krueger, Richelle

From: Krueger, Richelle
Sent: Tuesday, August 23, 2016 11:28 AM
To: 'Rebecca Wilson'
Subject: RE: Request for Extension - File No. 47601

Thanks Rebecca, I will get that extension in the mail to you.
Richelle

From: Rebecca Wilson [mailto:rwilson@gmd2.org]
Sent: Tuesday, August 23, 2016 11:25 AM
To: Krueger, Richelle
Subject: Request for Extension - File No: 47601

Richelle,

Steve Flaherty is requesting a 30 day extension from the date of this email to review the Change in Point of Diversion for File No. 47601. He apologizes for the delay, but he has been consumed with completing annual county assessments, which are due to each county by August 25, 2016.

Please let me know if you have any concerns or questions.

Thanks!
Rebecca Wilson
Equus Beds GMD2
313 Spruce, Halstead, KS 67056
316-835-2224
316-835-2225 Fax
rwilson@gmd2.org
www.gmd2.org

WATER RESOURCES
RECEIVED

AUG 23 2016

KS DEPT OF AGRICULTURE

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 28, 2016

EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO 2
ATTN STEPHEN FLAHERTY
313 SPRUCE ST
HALSTEAD KS 67056


Re: Appropriation of Water, File Nos. 47,584; 47,585 and 47,601
Application, File Nos. 49,600; 49,601 and 49,602

Dear Stephen:

In accordance with your request received in this office on July 27, 2016, the Chief Engineer has extended until September 1, 2016, the time in which to submit your recommendations concerning the applications to change the point of diversion under File Nos. 47,584; 47,585 and 47,601, and Application, File Nos. 49,600; 49,601 and 49,602.

If you have any questions, please contact me at (785) 564-6635. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,


Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

Enclosures

pc: Stafford Field Office

SCANNED

Krueger, Richelle

From: Krueger, Richelle
Sent: Wednesday, July 27, 2016 11:50 AM
To: 'Stephen Flaherty'
Cc: Turney, Brent
Subject: RE: Extension

Hi Stephen,
I will get those extensions in the mail.
Thanks,
Richelle

From: Turney, Brent
Sent: Wednesday, July 27, 2016 10:36 AM
To: Krueger, Richelle
Subject: FW: Extension

I think you to get this!

Brent A. Turney, P.G.
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan Kansas 66502
(785) 564-6645
Brent.Turney@kda.ks.gov
www.agriculture.ks.gov

From: Stephen Flaherty [<mailto:sflaherty@gmd2.org>]
Sent: Wednesday, July 27, 2016 10:28 AM
To: Turney, Brent
Subject: RE: Extension

Richelle,

Could I please have an extension on 49601, 49602, 47585, 49600, 47584, and 47601 until I receive the open records request Brent mentioned?

Thanks,
Steve

From: Turney, Brent [<mailto:Brent.Turney@ks.gov>]
Sent: Wednesday, July 27, 2016 10:00 AM
To: Stephen Flaherty
Cc: Pugh, Ginger; Krueger, Richelle
Subject: FW: Extension

Steve,

SCANNED

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

Kansas
Department of Agriculture
agriculture.ks.gov

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

Jackie McClaskey, Secretary

Governor Sam Brownback

July 1, 2016

EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO 2
ATTN TIM BOESE
313 SPRUCE ST
HALSTEAD KS 67056

Re: Application, File No. 49,600 and Appropriation of Water, File No. 47,584 and 47,601

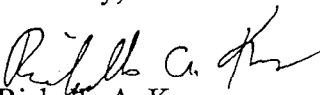
Dear Tim:

We are enclosing a copy of Application, File No. 49,600 and copies of Applications to Change the Point of Diversion for File Nos. 47,584 and 47601.

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.

If you have any questions, please contact me at (785) 564-6635. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,


Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

Enclosures

pc: Stafford Field Office



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

June 8, 2016

MATT BRACK
4001 E AVENUE G
HUTCHINSON KS 67501-8280

RE: Appropriation of Water, File Nos. 47,584; 47,585 and 47,601

Dear Mr. Brack,

Reference is made to the applications for approval of the Chief Engineer to change the point of diversion under the referenced file numbers which were received in the office of the Chief Engineer on March 28, 2016 and March 30, 2016. Upon review of the applications, we find that additional information is needed.

K.A.R. 5-5-5 *Signatures required on change applications* requires in part that if the extent of each owner's interest in the water right has not been legally determined, then all landowners holding an undetermined portion of the water right must sign the change application. Therefore we will need the notarized signatures of all landowners and spouses of the authorized place of use. Information in this office indicates that the following are owners of the authorized places of use:

File No. 47,584: 65 acres in the South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) of 28-23S-5W Reno Co. - Harold E. Swanson Trust; Kim E. Brack; Guy S. Swanson Trust; Hal E. Swanson; Harold E. and Donna J. Swanson Trust No. 2.

File No. 47,585: 130 acres in the Southwest Quarter (SW $\frac{1}{4}$) of 27-23S-5W Reno Co. - Harold E. Swanson Trust; Kim E. Brack; Guy S. Swanson Trust; Hal E. Swanson; Harold E. and Donna J. Swanson Trust No. 2.

File No. 47,601: 65 acres in the North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$) of 28-23S-5W Reno Co. - Jean Anne Beal (we need her spouse's notarized signature if applicable).

I am enclosing copies of the referenced change applications and additional signature forms so that you may obtain the original notarized signatures of all of the owners and spouses, if applicable. If this ownership information is not correct, please submit copies of the recorded deeds to clearly indicate the owners so that our records may be updated.


Please return the forms with the original notarized signatures of all owners and spouses at your earliest convenience so that I may continue with processing your applications.

Our staff at the Stafford Field office can provide assistance, if needed. If you would like assistance, please call (620) 234 -5311 to set an appointment time. We appreciate you making an appointment, as it will save you time and allows us to better serve you. If you do go to the field office for assistance, please take this letter and any attachments.

OVER →

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor, Brent Turney, 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,



Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK
Enclosures

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

June 8, 2016

JAMES R WALLSTEN
1419 E 5TH AVE
HUTCHINSON KS 67501-2751

RE: Appropriation of Water
File Nos. 47,584 and 47,601
Application
File No. 49,600

Dear Sir or Madam:

This is to advise you that Matt Brack has filed with the Division of Water Resources, Kansas Department of Agriculture, one(1) application for permit to appropriate water for beneficial use, identified as File No. 49,600. File No. 49,600 proposes the appropriation of 183.4 acre-feet of groundwater for irrigation use to be diverted at a diversion rate of 800 gallons per minute from:

one (1) battery of four (4) wells with a geographic center located in the Southeast Quarter of the Northwest Quarter of the Southwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 28, more particularly described as being near a point 1,331 feet North and 4,060 feet West of the Southeast corner of said section, in Township 23 South, Range 5 West, Reno County, Kansas.

Matt Brack and Harold E. Swanson Trust etal also filed with the Division of Water Resources, Kansas Department of Agriculture, two (2) applications to change the point of diversion pursuant to Appropriation of Water, File Nos. 47,584 and 47,601. The applicant proposes to change the authorized point of diversion

from: one (1) battery of two (2) wells with a geographic center located near the center of the Southwest Quarter (SW $\frac{1}{4}$) of Section 28, more particularly described as being near a point 1,300 feet North and 3,960 feet West of the Southeast corner of said section, in Township 23 South, Range 5 West, Reno County, Kansas,

to: one (1) battery of four (4) wells with a geographic center located in the Southeast Quarter of the Northwest Quarter of the Southwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 28, more particularly described as being near a point 1,331 feet North and 4,060 feet West of the Southeast corner of said section, in Township 23 South, Range 5 West, Reno County, Kansas.

Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of these applications 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.

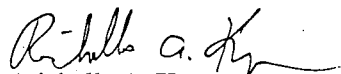
OVER →

RE: File Nos. 47,584, 47,601 and 49,600

Page 2

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Sincerely,



Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK

pc: Stafford Field Office
Groundwater Management District No. 2
Matt Brack



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

June 8, 2016

HAROLD E SWANSON TRUST
5500 E AVENUE G
HUTCHINSON KS 67501

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File Nos. 47,584 and 47,601
Application
File No. 49,600

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OVER →

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Sincerely,



Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK

pc: Stafford Field Office
Groundwater Management District No. 2
Matt Brack

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

MATT BRACK
4001 E AVE G
HUTCHINSON KS 67501

March 28, 2016

RE: File No. 47584

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 PD
- 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 A Turney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: DLW
pc: STAFFORD Field Office GMD 2

SCANNED

Application Map for Matt Brack

*File No 47584



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]
Signature
MB 3-25-16

3-25-16
Date

- New Application
- Application No. 47584 To Change:
 - Point of Diversion
 - Place of Use
 - Use Made of Water

- Domestic Well per WWC-5 * Modified per WATS or Per 5
- Proposed Point of Diversion * DAK/OW 6/7/16
- Existing Points of Diversion
- Proposed Place of Use > PD change only
- Authorized Place of Use

** Domestic Well
James R Wallsten
1419 E 5th Ave
Hutchinson KS 67501-2751

WATER RESOURCES RECEIVED

MAR 28 2016

See Attached for Points of Diversion within 1/2 mile of proposed point

* Domestic Well per own Records 47584, 47601 + Reno Co Parcel Search ** DAK/OW 6/7/16

SCANNED

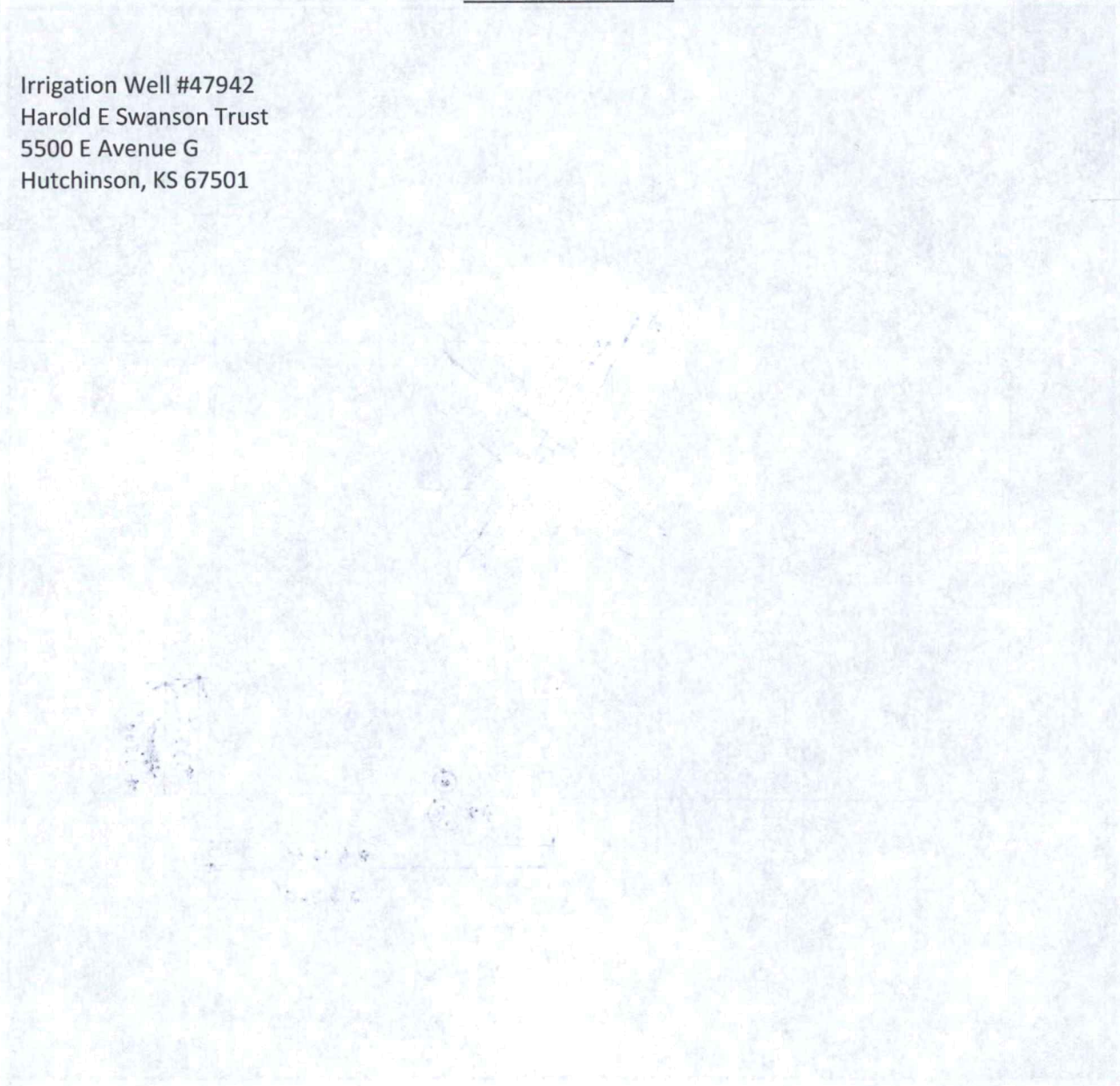
KS DEPT OF AGRICULTURE

Completed By GMD2 Staff S. Flaherty - 3/25/2016

48377 07 03 2008

Wells Within 1/2 Mile

1. Irrigation Well #47942
Harold E Swanson Trust
5500 E Avenue G
Hutchinson, KS 67501



[Faint, illegible handwritten notes and text, possibly describing well details or survey information.]

WATER RESOURCES
RECEIVED
KANSAS DEPARTMENT OF AGRICULTURE
SCANNED
KANSAS DEPARTMENT OF AGRICULTURE
WATER RESOURCES
RECEIVED