

Kansas Department of Agriculture
Division of Water Resources
 APPROVAL OF CHANGE APPLICATION WORKSHEET

1. File No.: 49601-D1	2. Status Change Date:	4. Field Office: 02 - Stafford GMD: 02 - Equus Beds Structures File No.: Filing Date: 05/06/2024
3. Package File No(s):		
5a. <input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Owner <input checked="" type="checkbox"/> WUC <input type="checkbox"/> Address Change MATT & VALERIE BRACK 4001 E AVENUE G HUTCHINSON, KS 67501-8280	Person ID 59218 Add Seq# 1	5b. <input checked="" type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change KIM E BRACK 4745 SW FAIRLAWN RD TOPEKA, KS 66610
5c. <input checked="" type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change HAROLD E & DONNA J SWANSON TRUST NO 2 3003 W 83RD TERR LEAWOOD, KS 66206	Person ID 61233 Add Seq# 1	5d. <input checked="" type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change HAL E SWANSON 5500E AVENUE G HUTCHINSON KS 67501-8264
5e. <input checked="" type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change GUY S SWANSON TRUST 5500E AVENUE G HUTCHINSON KS 67501	Person ID 1 Add Seq# 67332	5f. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID Add Seq#
6. Change No.: 2 <input checked="" type="checkbox"/> PD <input type="checkbox"/> PU <input type="checkbox"/> UMW Base Acres: --- Year: --- Min Reasonable Q: --- Previous UMW: Not changing MDS Gauge: --- Active Admin? <input type="checkbox"/> Completion Date:		7. Use of Water <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water UMW: IRR-Irrigation UMW: UMW:
8. Action Trail ---		
9. Special Conditions ---		
10. 5YR Allocation Type: Start Year: --- 5YR Quantity: --- Base Acres: --- Comment: ---		
11. Sand & Gravel Proj ID: --- <input type="checkbox"/> Active <input type="checkbox"/> Dredge <input type="checkbox"/> IND Evap <input type="checkbox"/> Jr Evap <input type="checkbox"/> Other Diversion <input type="checkbox"/> Rpt on Sr		
12. Waiver Rule ID: --- <input type="checkbox"/> New Date Requested: --- Applies: --- Rule No.: --- Rule Type: --- Rule SubType: --- Justification: ---		
Comments	Processed 07/26/24 JNE	Entered
	Reviewed	

File No. **49601-D1** 13. County: **RN** Basin: **56 - COW CREEK** Stream:
 Structures File No: Aquifer Code: **190 - EQUUS BEDS** Special Use Area: --- ---

14. Points of Diversion, Rates & Quantities											Qty AF		Rate gpm		Storage Qty		Storage Rate		Overlaps
PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Auth	Add	Auth	Add	Auth	Add	Auth/Add				
DEL	85137	SW SW SW	27	23S	5W	14	138	4762	GEO CTR	170.8	170.8	795	795			*			
MOD	77700	SW SW SW	27	23S	5W	9	135	4964	BATT 1 OF 4 WELLS							*			
MOD	77703	SW SW SW	27	23S	5W	12	142	4561	BATT 1 OF 4 WELLS							*			
ENT		SW SW SW	27	23S	5W		528	4552	BATT 1 OF 4 WELLS							*			
ENT		SW SW SW	27	23S	5W		135	4964	BATT 1 OF 4 WELLS							*			
ENT		SW SW SW	27	23S	5W		332	4758	GEO CTR	170.8	170.8	795	795			*			

15. Limitations Type: Quantity: AF Rate: gpm combined with file no(s):
 Type: Quantity: Rate: combined with file no(s):

16. Metering Metering Required Anti-Reverse Required Seal Required Compliance Date:

17. Place of Use		NE¼				NW¼				SW¼				SE¼				Total	Owner(s)	Chg?	Overlaps
PUSE	S T R ID	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
NO CHG	61631 27 23S 5W 3					30.0	26.0	32.0	34.0									122.0	5b, 5c, 5d, 5e	<input checked="" type="checkbox"/>	
																				<input type="checkbox"/>	
																				<input type="checkbox"/>	
																				<input type="checkbox"/>	
																				<input type="checkbox"/>	
																				<input type="checkbox"/>	

18. Point of Diversion and Place of Use Overlaps
 * PD Overlap with 47585 **
 + +++
 # ###
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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. 49601-D1

RECEIVED
 10:44
 MAY 06 2024
 Stafford Field Office
 DIVISION OF WATER RESOURCES

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

Place of Use Point of Diversion

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

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: Matt & Valerie Brack

4001 E Avenue G, Hutchinson KS 67501-8280

Phone Number: (620) 694-4018

Email address: brackv@gmail.com

Name and address of Water Use Correspondent: Matt & Valerie Brack

4001 E Avenue G, Hutchinson KS 67501-8280

Phone Number: (620) 694-4018

Email address: brackv@gmail.com

3. The presently authorized place of use is:

Owner of Land ---- NAME: *Hal E Swanson // *Harold E & Donna J Trust No. 2 // *Guy S Swanson Trust // **Kim E Brack

ADDRESS: * 5500 E Avenue G, Hutchinson KS 67501-8264 // ** 4745 SW Fairlawn Rd, Topeka, KS 66610

(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	
27	23S	5W									32.0	32.0	31.0	31.0					126.0

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: NO CHANGE

(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 \$ 100.00 TR # _____ Receipt Date _____ Check # 2698

5. **Presently authorized point of diversion: Geo Center**

One in the SW Quarter of the SW Quarter of the SW Quarter of Section 27, Township 23 South, Range 5 WEST, in Reno County, Kansas, 138 feet North 4762 feet West of Southeast corner of section. Authorized Rate 170.8 AF Authorized Quantity 795 GPM Depth of well --- (feet)

(DWR use only: Computer ID No. 14 GPS feet North feet West)

This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:

Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)

One in the SW Quarter of the SW Quarter of the SW Quarter of Section 27, Township 23 South, Range 5 WEST, in Reno County, Kansas, 332 feet North 4758 feet West of Southeast corner of section. Proposed Rate 168 AF Proposed Quantity 795 GPM Proposed well depth (feet) ---

This point is: Additional Well Geo Center List other water rights that will use this point 47585 & 49601-D2

6. **Presently authorized point of diversion: BATT 1 of 4 Wells (New Well) (NW Well)**

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: No change, point better described with GPS as follows:

Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)

One in the SW Quarter of the SW Quarter of the SW Quarter of Section 27, Township 23 South, Range 5 WEST, in Reno County, Kansas, 524 feet North 4955 feet West of Southeast corner of section. Proposed Rate See Geo Proposed Quantity See Geo Proposed well depth (feet) 30

This point is: Additional Well Geo Center List other water rights that will use this point 47585 & 49601-D2

7. The changes herein are desired for the following reasons? (please be specific) Adding a 3rd and 4th well to reduce stress on the current wells.

8. If a well, is the test hole log attached? Yes No

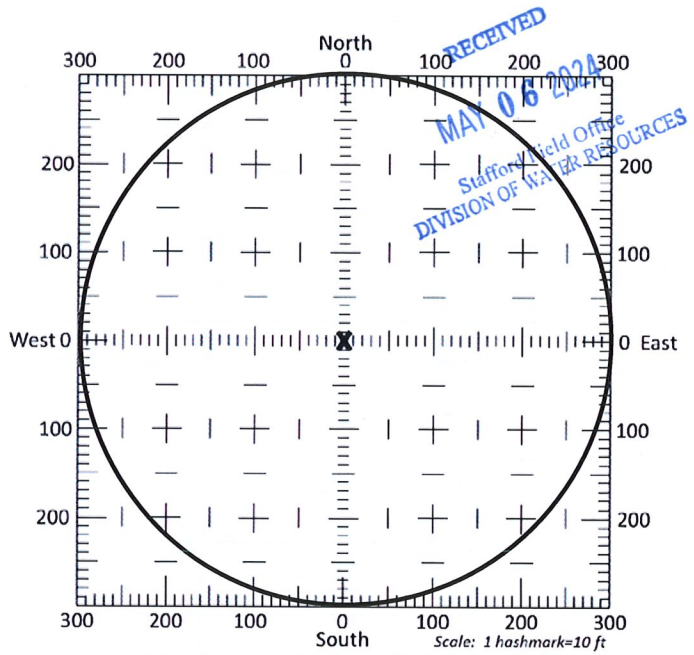
9. The change(s) (was)(will be) completed by? As soon as possible

10. If the point of diversion is a well:
 (a) What are you going to do with the old well? N/A Adding wells to the battery.
 (b) When will this be done? N/A

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by JNE // SFFO

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of 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



13b. If the proposed point of diversion will be relocated within a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. **(PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)**

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 49601-D1

Presently authorized point of diversion: BATT 1 of 4 Wells (New Well) (NE Well)

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: No change, point better described with GPS as follows:

Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)

One in the SW Quarter of the SW Quarter of the SW Quarter
of Section 27, Township 23 South, Range 5 WEST,
in Reno County, Kansas, 528 feet North 4552 feet West of Southeast corner of section.

Proposed Rate See Geo Proposed Quantity See Geo Proposed well depth (feet) 30

This point is: Additional Well Geo Center List other water rights that will use this point 47585 & 49601-D2

Presently authorized point of diversion: BATT 1 of 4 Wells (SW Well)

One in the SW Quarter of the SW Quarter of the SW Quarter
of Section 27, Township 23 South, Range 5 WEST,
in Reno County, Kansas, 135 feet North 4964 feet West of Southeast corner of section.

Authorized Rate See Geo Authorized Quantity See Geo Depth of well 30 (feet)

(DWR use only: Computer ID No. 9 GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:

Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (E/W),
in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.

Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____

This point is: Additional Well Geo Center List other water rights that will use this point 47585 & 49601-D2

Presently authorized point of diversion: BATT 1 of 4 Wells (SE Well)

One in the SW Quarter of the SW Quarter of the SW Quarter
of Section 27, Township 23 South, Range 5 WEST,
in Reno County, Kansas, 142 feet North 4561 feet West of Southeast corner of section.

Authorized Rate See Geo Authorized Quantity See Geo Depth of well 30 (feet)

(DWR use only: Computer ID No. 12 GPS _____ feet North _____ feet West)

This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:

Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (E/W),
in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.

Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____

This point is: Additional Well Geo Center List other water rights that will use this point 47585 & 49601-D2

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: No change, point better described with GPS as follows:

Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (E/W),
in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.

Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____

This point is: Additional Well Geo Center List other water rights that will use this point _____

RECEIVED
MAY 06 2012
Stafford Field Office
DIVISION OF WATER RESOURCES

14. If the proposed groundwater point of diversion is 300 or fewer feet from the 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 regards 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 Abbeville 5-2-24, Kansas, this 2 day of May, 2024.

[Signature]

 (Owner)

Valerie Brack

 (Spouse)

Matt Brack

 (Please Print)

Valerie Brack

 (Please Print)

 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

 (Owner)

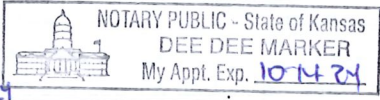
 (Spouse)

 (Please Print)

 (Please Print)

State of Kansas }
 County of Lebo } SS

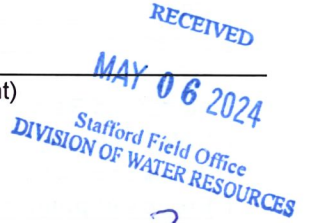
I hereby certify that the foregoing application was signed in my presence and sworn to before me this 2 day of May, 2024.



My Commission Expires 10-14-24

[Signature]

 Notary Public



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

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



Phone: 620-234-5311
Fax: 620-234-6900
www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

August 6, 2024

Matt & Valerie Brack
4001 E Avenue G
Hutchinson, KS 67501-8280

Re: Water Right, File No(s). 49601-D1

Dear Water Right Owner:

Enclosed is an order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the referenced file number(s).

Your attention is directed to the enclosures and to the terms, conditions and limitations specified in this approval for change. An acceptable water flow meter must be installed on your well before any water is applied as authorized under this change approval. A copy of the approved list of Certified Water Flowmeters as well as <http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters>. If you do not have access to the internet, please contact this office and we will send you a paper copy of the referenced information.

Since this order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

This order requires that a notice and completion of works form be submitted once the diversion works are completed, including a properly installed flowmeter. This form is available at the referenced website.

Any abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

Should you have any questions, please feel free to contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Lanterman".

Jeff Lanterman
Water Commissioner

Enclosures

pc: Water Rights Section
Groundwater Management District No. 2

CERTIFICATE OF SERVICE

On this **6th** day of **August, 2024**, I hereby certify that the attached Change in Point of Diversion for Water Right, File No. **49601-D1**, dated **August 6th, 2024** was mailed via First Class U.S. mail to the following:

Matt & Valerie
4001 E Avenue G
Hutchinson, KS 67501-8280

A copy of the letter was sent via electronic mail to the following:

GMD 2

Faith Curtis

Staff