



File No. **49,885**      15. Formation Code:      Drainage Basin:      County:      Special Use:      Stream:

16. Points of Diversion											
T	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
		<b>DEL</b>		<b>86288</b>							

17. Rate and Quantity				
Authorized		Additional		
Rate	Quantity	Rate	Quantity	Overlap PD Files
gpm/cfs	af/mgy	gpm/cfs	af/mgy	
				<b>NONE</b>

18. Storage: Rate \_\_\_\_\_ NF      Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF      Additional Quantity \_\_\_\_\_ ac/ft

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

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

21. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
T	MOD	DEL	ENT	PUSE	S	T	R	ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼								
		<b>DEL</b>		<b>68498</b>																					<b>7a.</b>	<b>NO</b>	<b>NONE</b>		

Comments:

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**M E M O R A N D U M**

TO: Files

DATE: October 25, 2018

FROM: Doug Schemm

RE: Application, File No.  
49,885

Kent Bruna had filed the above referenced application to appropriate groundwater for irrigation use, and requested 60 days to locate the point of diversion. The application was returned to the applicant on October 10, 2017, providing 60 days to locate the specific point of diversion and provide additional information.

After multiple extensions of time, the final due date was October 10, 2018 (one year from posting of return). The original application was not returned by the deadline.

Based on the available information, that the application was not returned within the time allowed, it is recommended that the file be dismissed for failure to return, as provided by K.S.A. 82a-710.

Douglas Schemm  
Environmental Scientist  
Topeka Field Office

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

December 6, 2018

KENT BRUNA  
1007 N WALNUT  
BELOIT KS 67420

**FILE COPY**

RE: Application, File No. 49,885

Dear Mr. Bruna:

Enclosed is the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 49,885 for failure to return the application and provide the requested information, prior to the final deadline of October 10, 2018.

This is a final agency action. If you choose to appeal this decision or any finding or part thereof, you must do so by filing a petition for review in the manner prescribed by the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions (KJRA K.S.A. 77-601 et seq.) within 30 days of service of this order. Your appeal must be made with the appropriate district court for the district of Kansas.

The Chief Legal Counsel for the Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, is the agency officer who will receive service of a petition for judicial review on behalf of the Kansas Department of Agriculture, Division of Water Resources. If you have questions or would like clarification concerning this order, you may contact the Chief Engineer.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Brent A. Turney".

Brent A. Turney, P.G.  
Change Application Unit Supervisor  
Water Appropriation Program  
BT:dws

Enclosures

pc: Topeka Field Office



**KANSAS DEPARTMENT OF AGRICULTURE**  
Jackie McClaskey, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**  
David W. Barfield, Chief Engineer

**FINDINGS AND ORDER  
IN THE MATTER OF THE  
DISMISSAL OF APPLICATION  
FILE NO. 49,885**

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

**FINDINGS**

1. That on August 7, 2017, the Chief Engineer received an application from Kent Bruna for permit to appropriate ground water for beneficial use, assigned File No. 49,885, proposing the appropriation of 176 acre-feet of water, at a maximum requested diversion rate of 1,200 gallons per minute, for irrigation use. The applicant requested 60 days to locate the point of diversion within the Southwest Quarter of Section 21, in Township 2 South, Range 6 East, Marshall County, Kansas.
2. That on October 10, 2017, the original application was returned to the applicant, with a cover letter requesting that additional information be submitted in order to complete the application. The applicant was provided an initial deadline until December 10, 2017, the time in which to provide the requested information and return the application. The applicant was informed that the application would be dismissed if it was not returned by the December 10, 2017 deadline, or within any authorized extension of time.
3. That the applicant has been provided multiple extensions of time to return the original application, and the current, final deadline was October 10, 2018.
4. That the application was not returned by the October 10, 2018 deadline, and no further extensions of time are allowed.
5. That the application should be dismissed and its priority forfeited as provided by K.S.A. 82a-710, for failure to return the application.

**ORDER**

NOW, THEREFORE, It is the decision and order of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, that effective the date of this order, in accordance with the law, Application, File No. 49,885, is herewith dismissed and the priority assigned to it is considered to be forfeited.



STATE OF KANSAS



DEPARTMENT OF AGRICULTURE  
DIVISION OF WATER RESOURCES  
TOPEKA FIELD OFFICE  
6531 SE FORBES AVE., SUITE B  
TOPEKA, KS 66619

PHONE: (785) 296-5733  
FAX: (785) 296-8298  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

June 11, 2018

KENT BRUNA  
1007 N WALNUT  
BELOIT KS 67420

RE: Pending Application, File No. 49,885

Dear Mr. Bruna:

In response to your written request received in our office via electronic mail on June 8, 2018, the Chief Engineer is allowing an additional extension of time for sixty (60) days, in which to supply further information concerning the above referenced file. Your previous deadline was June 10, 2018 to return the original application and requested information. With this extension of time, the revised deadline is **August 10, 2018**.

Extension requests are evaluated on a case by case basis. Since it appears that no pending application would be adversely affected by granting an extension, you are being allowed this additional 60 days. If near the end of the current extension you determine that additional time will be needed, you may submit another request for an extension prior to the deadline given above. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

In order for the application to retain its priority of filing, the **original** application and attachments must be returned, with the requested information to this office on or before **August 10, 2018**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

\* Gave verbal extension until Oct. 10, 2018, one year after initial return. DWS/DWR

STATE OF KANSAS



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GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

May 10, 2018

KENT BRUNA  
1007 N WALNUT  
BELOIT KS 67420

RE: Pending Application, File No. 49,885

Dear Mr. Bruna:

The **original** application referred to above was returned to you for additional information on October 10, 2017, and with your current extension of time the required response date is June 10, 2018. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original application, and requested information, needs to be returned to this office on or before **June 10, 2018**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If an extension of time is necessary to supply the requested information, please request the extension of time, in writing, before **June 10, 2018**. Provide information on why the additional time is needed and how much additional time is requested. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Doug Schemm  
Environmental Scientist  
Topeka Field Office



STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
DIVISION OF WATER RESOURCES  
TOPEKA FIELD OFFICE  
6531 SE FORBES AVE., SUITE B  
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GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 10, 2018

KENT BRUNA  
1007 N WALNUT  
BELOIT KS 67420

RE: Pending Application, File No. 49,885

Dear Mr. Bruna:

In response to your written request received in our office via electronic mail on April 10, 2018, the Chief Engineer is allowing an additional extension of time for sixty (60) days, in which to supply further information concerning the above referenced file. Your current deadline is April 10, 2018 to return the original application and requested information. With this extension of time, the revised deadline is **June 10, 2018**.

Extension requests are evaluated on a case by case basis. Since it appears that no pending application would be adversely affected by granting an extension, you are being allowed this additional 60 days. If near the end of the current extension you determine that additional time will be needed, you may submit another request for an extension prior to the deadline given above. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

In order for the application to retain its priority of filing, the **original** application and attachments must be returned, with the requested information to this office on or before **June 10, 2018**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

DEPARTMENT OF AGRICULTURE  
DIVISION OF WATER RESOURCES  
TOPEKA FIELD OFFICE  
6531 SE FORBES AVE., SUITE B  
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STATE OF KANSAS



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GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 13, 2018

KENT BRUNA  
1007 N WALNUT  
BELOIT KS 67420

RE: Pending Application, File No. 49,885

Dear Mr. Bruna:

The **original** application referred to above was returned to you for additional information on October 10, 2017, and with your current extension of time the required response date is April 10, 2018. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original application, and requested information, needs to be returned to this office on or before **April 10, 2018**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If an extension of time is necessary to supply the requested information, please request the extension of time, in writing, before **April 10, 2018**. Provide information on why the additional time is needed and how much additional time is requested. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads 'Doug Schemm'.

Doug Schemm  
Environmental Scientist  
Topeka Field Office

  
Department of Agriculture  
Division of Water Resources

Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733  
Fax: (785) 296-8298  
www.agriculture.ks.gov

Sam Brownback, Governor

February 7, 2018

KENT BRUNA  
1007 N WALNUT  
BELOIT KS 67420

RE: Pending Application, File No. 49,885

Dear Mr. Bruna:

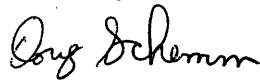
In response to your written request received in our office via electronic mail on February 7, 2018, the Chief Engineer is allowing an additional extension of time for sixty (60) days, in which to supply further information concerning the above referenced file. Your current deadline is February 10, 2018 to return the original application and requested information. With this extension of time, the revised deadline is **April 10, 2018**.

Extension requests are evaluated on a case by case basis. Since it appears that no pending application would be adversely affected by granting an extension, you are being allowed this additional 60 days. If near the end of the current extension you determine that additional time will be needed, you may submit another request for an extension prior to the deadline given above. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

In order for the application to retain its priority of filing, the **original** application and attachments must be returned, with the requested information to this office on or before **April 10, 2018**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

  
**Kansas**  
Department of Agriculture  
*Division of Water Resources*

Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

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Phone: (785) 296-5733  
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Sam Brownback, Governor

January 10, 2018

KENT BRUNA  
1007 N WALNUT  
BELOIT KS 67420

RE: Pending Application, File No. 49,885

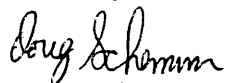
Dear Mr. Bruna:

The **original** application referred to above was returned to you for additional information on October 10, 2017, and with your current extension of time the required response date is February 10, 2018. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original application, and requested information, needs to be returned to this office on or before **February 10, 2018**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If an extension of time is necessary to supply the requested information, please request the extension of time, in writing, before **February 10, 2018**. Provide information on why the additional time is needed and how much additional time is requested. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Doug Schemm  
Environmental Scientist  
Topeka Field Office



Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733  
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www.agriculture.ks.gov

Sam Brownback, Governor

November 28, 2017

KENT BRUNA  
1007 N WALNUT  
BELOIT KS 67420

RE: Pending Application, File No. 49,885

Dear Mr. Bruna:

In response to your written request received in our office via electronic mail on November 28, 2017, the Chief Engineer is allowing an extension of time for sixty (60) days, in which to supply further information concerning the above referenced file. In our letter to you dated October 10, 2017, you were provided a deadline of December 10, 2017 to return the original application and requested information. With this extension of time, the revised deadline is **February 10, 2018**.

Extension requests are evaluated on a case by case basis. Since it appears that no pending application would be adversely affected by granting an extension, you are being allowed this additional 60 days. If near the end of the current extension you determine that additional time will be needed, you may submit another request for an extension prior to the deadline given above. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

In order for the application to retain its priority of filing, the **original** application and attachments must be returned, with the requested information to this office on or before **February 10, 2018**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If you have any questions, please contact me at (785) 296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script, appearing to read "Doug Schemm".

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

  
Kansas  
Department of Agriculture  
Division of Water Resources

Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733  
Fax: (785) 862-2460  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

November 13, 2017

KENT BRUNA  
1007 N WALNUT  
BELOIT KS 67420

RE: Pending Application, File No. 49,885

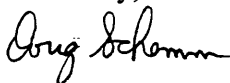
Dear Mr. Bruna:

The original application referred to above was returned to you for additional information on October 10, 2017, with a required response date of December 10, 2017. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original application, and requested information, needs to be returned to this office on or before **December 10, 2017**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed application and attachments, within the time allowed, shall constitute forfeiture of priority date and dismissal of the application.

If an extension of time is necessary to supply the requested information, please request the extension of time, in writing, before **December 10, 2017**. Provide information on why the additional time is needed and how much additional time is requested. Since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Doug Schemm  
Environmental Scientist  
Topeka Field Office

  
**Kansas**  
Department of Agriculture  
Division of Water Resources

Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733  
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Sam Brownback, Governor

October 10, 2017

KENT BRUNA  
1007 N WALNUT  
BELOIT KS 67420

RE: Pending Application, File No. 49,885

Dear Mr. Bruna:

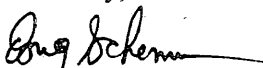
After reviewing your above referenced application for permit to appropriate water for beneficial use, the **original** application is being returned to you for additional information. As specified in K.A.R. 5-3-1, an application acceptable for filing shall show the source of water supply and either shall show a description of the location of the proposed point of diversion or shall request a 60-day period of time in which to establish the location of the proposed point of diversion within a limited area. In your original application, received in this office on August 7, 2017, you had requested a 60-day period of time in which to locate the specific point of diversion within a specified quarter section tract of land described as the Southwest Quarter of Section 21, Township 2 South, Range 6 East, Marshall County, Kansas.

In Paragraph No. 5 of the application please provide the description of the location of the well or the geographic center of the proposed well battery, and the location for each of the individual wells comprising the battery of wells, if applicable. The feet distances North and West from the Southeast corner of the section must be shown for each well. The location of the point of diversion (i.e. the well or geographic center of the proposed well battery) must be plotted on the enclosed topographic map. Per K.A.R. 5-3-4, the location of all water wells of every kind within one-half (1/2) mile of the point of diversion covered by the proposed appropriation must be plotted on the topographic map, identified as to its use, and include the name and mailing address of the well owner. Please verify this information is accurate once you have established your point of diversion for this file, and **sign the map where indicated**.

Paragraph No. 13 of the application requests well information so the source of supply of the proposed well may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of a well or test hole within 300 feet of the proposed point of diversion, unless the chief engineer has sufficient information to understand the lithology and determine the groundwater source formation. Please supply the indicated information and a test hole log or a driller's log with the returned application.

In order for the application to retain its priority of filing, the original application and attachments must be returned, with the requested information to this office on or before **December 10, 2017**, or within any authorized extension of time thereof. According to the law, default in the refile of the completed original application and attachments, within the time allowed, shall constitute forfeiture of the priority date and dismissal of the application. If you have any questions, please contact me at (785) 296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,



Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office



APPLICATION COMPLETE  
11/15/18  
Reviewer DWS

KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 49885  
This item to be completed by the Division of Water Resources.

WATER RESOURCES  
RECEIVED

AUG 07 2017  
1:08

KS DEPT OF AGRICULTURE

APPLICATION FOR PERMIT TO  
APPROPRIATE WATER FOR BENEFICIAL USE

Filing Fee Must Accompany the Application  
(Please refer to Fee Schedule attached to this application form.)

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,  
1320 Research Park Drive, Manhattan, Kansas 66502:

1. Name of Applicant (Please Print): Kent Bruna  
Address: 1007 N. Walnut  
City: Bebit State KS Zip Code 67420  
Telephone Number: (785) 406-0602

2. The source of water is:  surface water in \_\_\_\_\_ (stream)  
OR  groundwater in Big Blue River basin (drainage basin)

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

3. The maximum quantity of water desired is 176 acre-feet OR \_\_\_\_\_ gallons per calendar year, to be diverted at a maximum rate of 1200 gallons per minute OR \_\_\_\_\_ cubic feet per second.

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

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

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

For Office Use Only:  
F.O. 1 GMD 0 Meets K.A.R. 5-3-1 (YES/NO) Use IRR Source GDS County MS By AW Date 8/7/17  
Code RES Fee \$ 300 TR # \_\_\_\_\_ Receipt Date 8/11/17 Check # 1012

8/14/17 DWS



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

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

**APPLICANT REQUESTS 60 DAYS TO LOCATE POINT OF DIVERSION**

- (A) One in the \_\_\_\_ quarter of the \_\_\_\_ quarter of the SW quarter of Section 21, more particularly described as being near a point \_\_\_\_ feet North and \_\_\_\_ feet West of the Southeast corner of said section, in Township 2 South, Range 6 East, Marshall County, Kansas.
- (B) One in the \_\_\_\_ quarter of the \_\_\_\_ quarter of the \_\_\_\_ quarter of Section \_\_\_\_, more particularly described as being near a point \_\_\_\_ feet North and \_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_ South, Range \_\_\_\_ East/West (circle one), \_\_\_\_ County, Kansas.
- (C) One in the \_\_\_\_ quarter of the \_\_\_\_ quarter of the \_\_\_\_ quarter of Section \_\_\_\_, more particularly described as being near a point \_\_\_\_ feet North and \_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_ South, Range \_\_\_\_ East/West (circle one), \_\_\_\_ County, Kansas.
- (D) One in the \_\_\_\_ quarter of the \_\_\_\_ quarter of the \_\_\_\_ quarter of Section \_\_\_\_, more particularly described as being near a point \_\_\_\_ feet North and \_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_ South, Range \_\_\_\_ East/West (circle one), \_\_\_\_ County, Kansas.

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

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

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

Applicant  
 \_\_\_\_\_  
 (name, address and telephone number)

\_\_\_\_\_  
 (name, address and telephone number)

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

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

Executed on August 1, 2017. Kurt Brea  
 \_\_\_\_\_  
 Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of one well (or a well battery based on test drilling)  
 \_\_\_\_\_  
 (number of wells, pumps or dams, etc.)  
 and will be completed (by) upon approval  
 \_\_\_\_\_  
 (Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be upon approval.  
 \_\_\_\_\_  
 (Mo/Day/Year)

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9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?

Yes  No If "yes", a check valve shall be required.

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

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

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

~~• If yes, show the Water Structures permit number here \_\_\_\_\_~~

• If no, explain here why a Water Structures permit is not required \_\_\_\_\_

Groundwater application - No structure involved

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

(a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.

(b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.

~~(c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.~~

(d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.

(e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

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

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

None

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

Well location as shown in paragraph

No.

(A)

(B)

(C)

(D)

Date Drilled

\_\_\_\_\_

Total depth of well

\_\_\_\_\_

Depth to water bearing formation

\_\_\_\_\_

Depth to static water level

\_\_\_\_\_

Depth to bottom of pump intake pipe

\_\_\_\_\_

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

Owner

(owner, tenant, agent or otherwise)

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

Kent Bruna

(name, address and telephone number)

(name, address and telephone number)

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

Dated at Beloit, Kansas, this 1 day of August, 2017.  
(month) (year)

Kent Bruna

(Applicant Signature)

By \_\_\_\_\_

(Agent or Officer Signature)

(Agent or Officer - Please Print)

Assisted by Lloyd Hemphill

TFO/ESII

(office/title)

Date: 7-24-17

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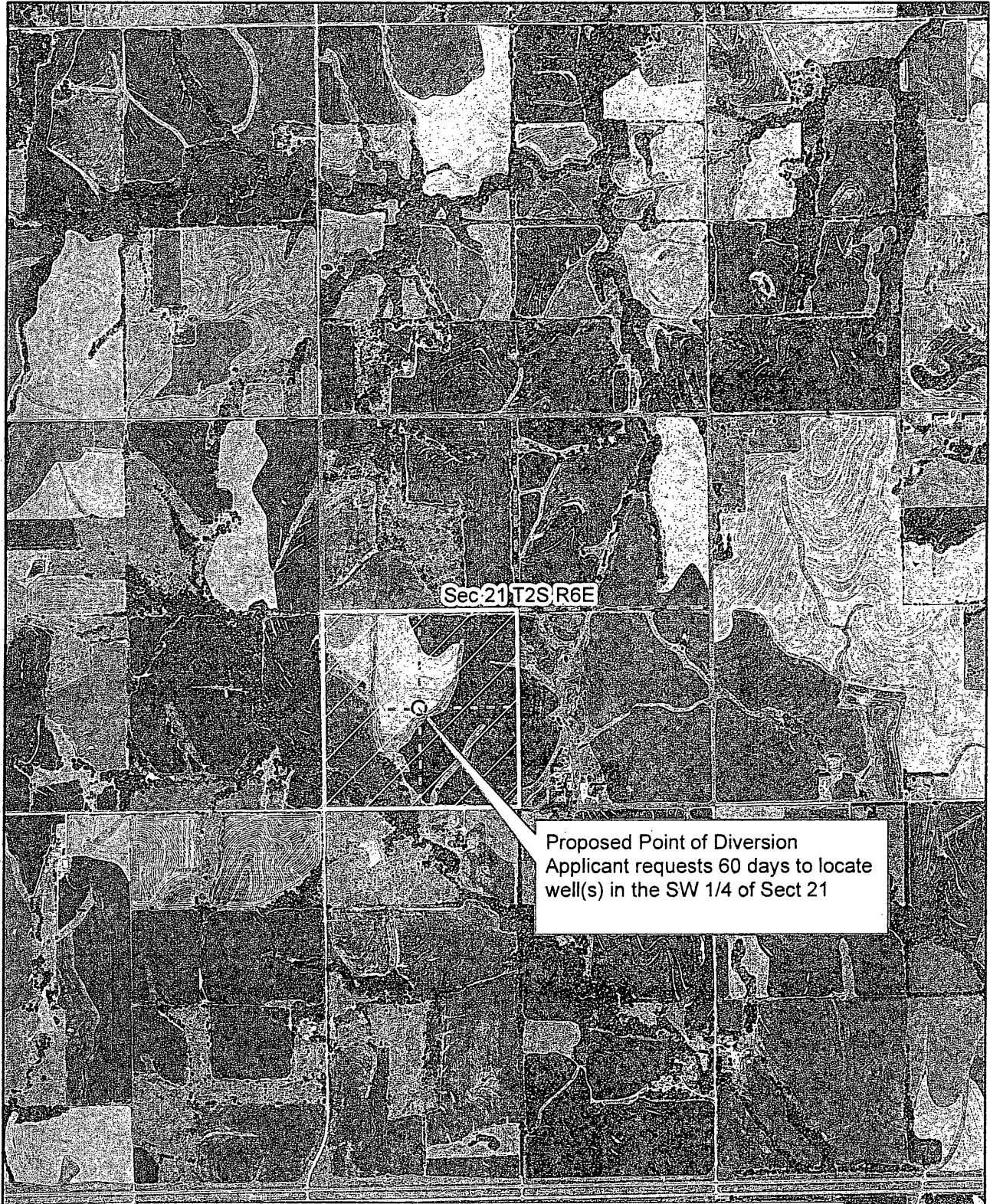
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KS DEPT OF AGRICULTURE

49885

# New Application - Kent Bruna



Sec 21, T2S, R6E

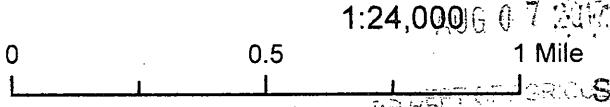
Proposed Point of Diversion  
 Applicant requests 60 days to locate  
 well(s) in the SW 1/4 of Sect 21

All known water wells within one half mile of the proposed point of diversion  
 have been located on this map.

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

Proposed Place of Use  
 Map Prepared by LHH/TFO 7-24-17



1:24,000 G 0 7 2007

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## IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49885

Name of Applicant (Please Print): Kent Bruna

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

**Landowner of Record** NAME: Kent Bruna

ADDRESS: 1007 N. Walnut Beloit KS 67420

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21	2S	6E									40	40	40	40					160

**Landowner of Record** NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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

**Landowner of Record** NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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

49 885

**Domestic Wells within ½ mile**

Well 1

Larry Dittmer

337 Jayhawk Rd.

Marysville, KS 66508

Well 2

Steve White

235 Jayhawk Rd.

Bremen, KS 66412

Well 3

Mike Wilson

370 Jayhawk Rd.

Marysville, KS 66508

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## Schemm, Doug

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**From:** Kent Bruna <kentbruna@live.com>  
**Sent:** Tuesday, November 28, 2017 1:31 PM  
**To:** Schemm, Doug  
**Subject:** Kent Bruna #49885

Doug,

Please allow a 60 day extension on my application in order for me to have a well test hole drilled. This will give me adequate time to get the application back to you.

Thanks,

Kent Bruna

49885

08/01/2017

(Date)

Kansas Department of Agriculture  
Division of Water Resources  
David W. Barfield, Chief Engineer  
1320 Research Park Drive  
Manhattan, Kansas 66502

Re: Application  
File No. 49,885

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Kent Bruna  
Signature of Applicant

State of Kansas )  
County of Mitchell ) ss

Kent Bruna  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 1st day of August, 2017.

Christine A. May  
Notary Public

My Commission Expires: 3/16/2021



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

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

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
<b>Total:</b>	<b>100 %</b>		

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

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

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

- Center pivot      \_\_\_\_\_ Center pivot - LEPA      \_\_\_\_\_ "Big gun" sprinkler  
 Gravity system (furrows)      \_\_\_\_\_ Gravity system (borders)      \_\_\_\_\_ Sideroll sprinkler

Other, please describe: \_\_\_\_\_

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

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

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

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

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

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

Corn, Grain Sorghum, soybeans, wheat, and cover crops

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

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

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

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

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

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

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KS DEPT OF AGRICULTURE

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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

August 8, 2017

**FILE COPY**

KENT BRUNA  
1007 N WALNUT  
BELOIT KS 67420

RE: Application  
File No. 49885

Dear Sir or Madam:

Your application for permit to appropriate water in 21-2S-6E in Marshall County, was received and has been assigned the file number noted above.

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

**Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.**

**(b) (1) The violation of any provision of this section by any person is a class C misdemeanor . . .**

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

If you have any questions, please contact 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,

A handwritten signature in cursive script that reads "Kristen A. Baum".

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: TOPEKA Field Office  
GMD

**SCANNED**

**Schemm, Doug [KDA]**

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**From:** Kent Bruna <kentbruna@live.com>  
**Sent:** Friday, June 8, 2018 8:37 PM  
**To:** Schemm, Doug [KDA]  
**Subject:** Water Application 49,885 Extension

Doug,

I am requesting an extension for the pending application with the file number 49,885. Hopefully this will be the last extension we need but we have not been able to find a time to get the well digger back to the farm. I meant to get you called earlier this week but ran out of time.

I also have a question about a pond I will try to call you about in the next couple of weeks.

If you have any questions give me a call at 8-406-0602.

Thanks,

Kent Bruna

**Schemm, Doug [KDA]**

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**From:** Kent Bruna <kentbruna@live.com>  
**Sent:** Tuesday, April 10, 2018 12:38 PM  
**To:** Schemm, Doug [KDA]  
**Subject:** Water Application 49,885 Extension

Doug,

I am requesting an extension for the pending application with the file number 49,885. We have drilled two test wells but have not got the information for the file filled out yet. We do not believe that we have hit enough water to irrigate straight from a well or battery of wells. We are considering other options of what we might be able to do and how that may affect our well location.

If you have any questions give me a call at 8-406-0602.

Thanks,

Kent Bruna