

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

Document Signature _____

1. File Number: 47585	2. Status Change Date: <i>8/9/2017</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) New to system <input type="checkbox"/> MATT BRACK 4001 E AVENUE G HUTCHINSON KS 67501-8280	Person ID 59218 Add Seq# <u>1</u>
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8c. Landowner(s) New to system <input type="checkbox"/> KIM E BRACK 4745 SW FAIRLAWN RD TOPEKA KS 66610	Person ID 65482 Add Seq# <u>1</u>
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8d. Landowner(s) New to system <input type="checkbox"/>	Person ID _____ Add Seq# _____
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8b. Landowner(s) New to system <input type="checkbox"/> HAROLD E SWANSON TRUST ET AL 5500 E AVE G HUTCHINSON KS 67501	Person ID 54904 Add Seq# <u>1</u>
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8e. WUC 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: <u>12/31/18</u> <input checked="" type="checkbox"/> N & P Date to Comply: <u>12/31/18</u>	
<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: 08/07/17 By: RAK Date Entered: <i>8/10/2017</i> By: <i>CLM</i>
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File No. **47585** 11. County: RN Basin: **COW CREEK (PLEASE CHANGE)** Stream: Formation Code: **EQUUS BEDS (190)** Special Use:

12. Points of Diversion

MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Rate and Quantity		Additional		Overlap PD Files
										Rate gpm	Quantity af	Rate gpm	Quantity af	
ENT	85137	SW¼ SW¼ SW¼	27	23S	5W	14	326	4754		800 g.p.m.	182 AF	800 g.p.m.	182 AF	49601
PD COMMENT GEO CTR														
DEL	77704	SW¼ SW¼ SW¼	27	23S	5W	13	100	4750						
PD COMMENT GEO CTR														
MOD	77700	SW¼ SW¼ SW¼	27	23S	5W	9	<u>124</u>	<u>4955</u>						<u>49601</u>
PD COMMENT BATT 1 OF 4 WELLS														
MOD	77703	SE¼ SW¼ SW¼	27	23S	5W	12	<u>128</u>	<u>4552</u>						<u>49601</u>
PD COMMENT BATT 1 OF 4 WELLS														
ENT	85140	SW¼ SW¼ SW¼	27	23S	5W	17	524	4955						<u>49601</u>
PD COMMENT BATT 1 OF 4 WELLS														
ENT	85141	SE¼ SW¼ SW¼	27	23S	5W	18	528	4552						<u>49601</u>
PD COMMENT BATT 1 OF 4 WELLS														

DEL 77701 SW¼ SW¼ SW¼ 27 23S 5W 10 100 4850 BATT 1 OF 4 WELLS - MIDDLE WEST WELL

DEL 77702 SW¼ SW¼ SW¼ 27 23S 5W 11 100 4650 BATT 1 OF 4 WELLS - MIDDLE EAST WELL

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

14. Limitation: _____
 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 _____

MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
MOD	61631	27	23	5W	2									32.50	32.50	32.50	32.50					130.00	8B & 8C	YES	<u>NO</u>

Comments: **NOTE - FILE NOS 47585 and 49601 overlap in the authorized PD but not the PU**

Reno County Property Data

General Information

Monday August 7 2017 4:47:14 PM

Subject Property

[Print](#)

[Click here to locate on Map](#)

[Click here for the photo](#)

[Click here for the PRC](#)

Parcel ID : 0781382700000004000

Owner Name : SWANSON, HAROLD E TRUST

Location : 00000 S YODER RD, Hutchinson, KS 67501.

Legal Desc : CLAY TOWNSHIP, S27, T23, R05W, ACRES 154, SW1/4 EXC RDWY RW.

The legal description displayed above is not adequate for use in legal documents

Owner Information

Owner :

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

Mailing Address :

5500 E AVENUE G HUTCHINSON, KS 67501-8264
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

Property Details

Property Type :
Agricultural Use

Property Status :
Active

Taxing Unit :
157

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 :	2017
Current Final Value (Agricultural) :	Land :	\$49,790
	Building :	\$0
	Total :	\$49,790

Deed Book/Page Historical

Book / Page List and Misc Legal Description Info :
Book/Page 283/ 208 529/ 380 529/ 381 529/ 382 529/ 383 589/ 499 06PR/ 38 596/ 441 596/ 442

Deed Book/Page Current Listing

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

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

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files
FROM: Richelle A. Krueger

DATE: August 8, 2017
RE: Application, File No. 49,601
Change Application, File No. 47,585

Matt Brack filed the referenced application to appropriate groundwater for irrigation use, requesting a quantity of 317.8 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 326 feet North and 4,754 feet West of the Southeast corner of Section 27, 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 No. 47,585 by a change in point of diversion application filed by Mr. Brack. No overlaps in the authorized places of use are proposed for the referenced files. The proposed acreage is owned by Harold E. Swanson Trust, Hal E. Swanson, Kim E. Brack, Guy S. Swanson Trust, and Harold E. and Donna J. Swanson Trust No. 2. File No. 49,601 will be limited to 800 gallons per minute when combined with File Nos. 47,585.

The referenced change application is not abandoned pursuant to K.S.A. 82a-718 and the perfection period for File Nos. 47,585 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 approximately 200 feet from the presently authorized geocenter.

WRIS indicates two batteries of irrigation wells authorized by Appropriation of Water, File Nos. 46,220 and 47,942 and three domestic wells within one-half mile of the proposed geocenter. The nearby well owners were notified of the referenced applications by letters dated June 8, 2016; no responses have been received as of today's date.

In letters dated February 6, 2017 with attachments, received May 18, 2017, 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. File No. 49,601 was recommended contingent upon the approval of the change application for File No. 47,585; the maximum rate is limited to 800 g.p.m. when combined with File No. 47,585; and provided the water meter for File No. 49,601 is installed in a manner so it only measures the water applied to the place of use of File 49,601, and metered separately from the place of use authorized by File No. 47,585.

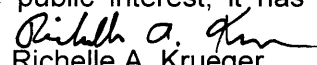
The total quantity available for irrigation use by File No. 49,601, 317.8 acre-feet, will irrigate the proposed 227 acres with 1.4 acre-feet per acre and is the maximum reasonable quantity allowed pursuant to K.A.R 5-3-24 in Reno County.

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 an August 3, 2017 e-mail, Jeff Lanterman, Water Commissioner, Stafford Field Office, recommended approval of the referenced applications.

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

August 11, 2017

FILE COPY

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

RE: Appropriation of Water, File Nos. 47,585 and 49,601

Dear Sir or Madam:

There is enclosed a permit (File No. 49,601) 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. 49,601 may be readily determined. The water flow meter must be installed in a manner so that it only measures the water applied to the place of use authorized by File No. 49,601, and is metered separately from the place of use authorized by Appropriation of Water, File No. 47,585. 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.

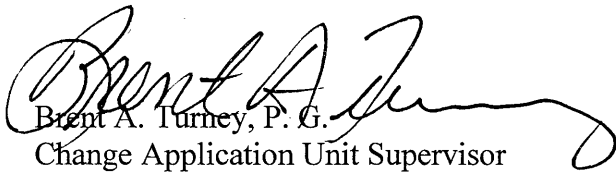
(OVER→)

In addition, enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under Appropriation of Water, File No. 47,585. Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval 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 diversion works and installation of the required meter 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
Matt and Valerie Brack
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. 47,585**

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, 67501-8280, 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 G, 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. 47,585, 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 Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 326 feet North and 4,754 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. 47,585, for permit to appropriate water for beneficial use, is as stated and set forth in the approval dated December 20, 2010.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

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

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

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

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

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

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

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

Ordered this 9th day of August, 2017, at 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 9th day of August 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 11th day of August 2017, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, File No. 47,585, dated August 9, 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 AND VALERIE BRACK
4001 E AVENUE G
HUTCHINSON KS 67501-8280

Stafford Field Office
Groundwater Management District No 2

Danielle Wilson
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.

WATER RESOURCES
RECEIVED

File No. 47585

MAR 28 2016

10:03

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: (620) 694 4018 Email address: _____

Name and address of Water Use Correspondent: same as owner

Phone Number: () _____ Email address: _____

3. The presently authorized place of use is: (*) Hal E Swanson, Guy S Swanson Trust

Owner of Land --- NAME: Harold E. Swanson Trust, Harold E & Pamela J Swanson Trust #2 / (*) Kim E Brack

ADDRESS: 5500 E Avenue G, Hutchinson, KS 67501 / 4745 SW Fairlump Rd

(If there is more than one landowner, attach supplemental sheets as necessary.) Topeka, KS 66610

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	14	23S	5	3	W														130

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 # 3016

DWR 1-121 (Revised 06/16/2014) Page 1 File No. 47585

() per Reno County Rural Search*

() per WRS + Appraisal dated 12/20/10*

** per WRS 4/19/16*

SCANNED
4/15/2016 *CM*

5. Presently authorized point of diversion: Geo Center - Battery of 4 wells (2 wells completed)

One in the SW Quarter of the SW Quarter of the SW Quarter of the SW Quarter of Section 27, Township 23 South, Range 5W (E/W), in RENO County, Kansas, 100 feet North 4750 feet West of Southeast corner of section.

Authorized Rate 800 GPM Authorized Quantity 182 AF Depth of well _____ (feet)

(DWR use only: Computer ID No. 13 GPS 126 feet North 4754 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) Geo Center Battery of 4 wells

One in the SW Quarter of the SW Quarter of the SW Quarter of the SW Quarter of Section 27, Township 23 South, Range 5W (E/W), in RENO County, Kansas, 326 feet North 4754 feet West of Southeast corner of section.

Proposed Rate 800 GPM Proposed Quantity 182 AF Proposed well depth (feet) _____

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

6. Presently authorized point of diversion: Battery of 4 wells - West well

One in the SW Quarter of the SW Quarter of the SW Quarter of the SW Quarter of Section 27, Township 23 South, Range 5W (E/W), in RENO County, Kansas, 100 feet North 5050 feet West of Southeast corner of section.

Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)

(DWR use only: Computer ID No. 9 GPS 124 feet North 4955 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) Battery of 4 wells

One in the SW Quarter of the SW Quarter of the SW Quarter of the SW Quarter of Section 27, Township 23 South, Range 5 (E/W), in RENO County, Kansas, 124 feet North 4955 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 49601

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?
4/1/2016 4/1/2017

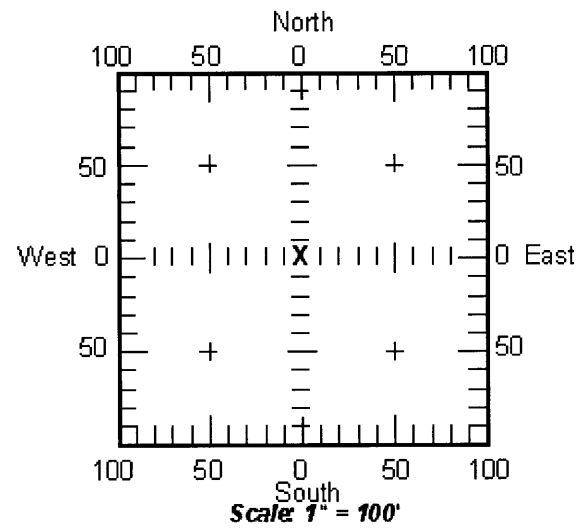
10. If the point of diversion is a well:
(a) What are you going to do with the old well?
NA
(b) When will this be done? 4/1/2016 4/1/2017

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by Steve Flaherty - GMD2

* per WAIS * Random 6/7/16
* per Application File No 49601
* RUCB - 6/1/16

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. 47585

Presently authorized point of diversion: *Batt 1 of 4 wells - East Well*

One in the SE Quarter of the SW Quarter of the SW Quarter of the _____ Quarter of Section 27, Township 23 South, Range 5W (E/W), in RENO County, Kansas, 100 feet North 4450 feet West of Southeast corner of section.

Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 12 GPS 128 feet North 4552 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 SW Quarter of the SW Quarter of the _____ Quarter of Section 27, Township 23 South, Range 5 (E/W) in Reno County, Kansas, 128 feet North 4552 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 49601

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 SW Quarter of the SW Quarter of the SW Quarter of the _____ Quarter of Section 27, Township 23 South, Range 5W WEST, in RENO County, Kansas, 524 feet North 4955 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 49601

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 SE Quarter of the SW Quarter of the SW Quarter of the _____ 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 _____ Proposed Quantity _____ Proposed well depth (feet) _____
This point is: Additional Well Geo Center List other water rights that will use this point 49601

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 _____ (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 _____

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 Helstead, Kansas, this 25 day of March, 2016.

[Signature]

 (Owner)
Matt Brack

 (Please Print)

 (Owner)

 (Please Print)

 (Owner)

 (Please Print)

Valerie Brack

 (Spouse)
Valene Brack

 (Please Print)

 (Spouse)

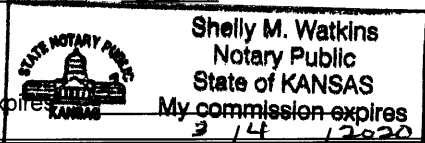
 (Please Print)

 (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

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

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 *et. seq.* With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. _____.

1. A change application was received on _____ requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a _____ foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. The point(s) of diversion authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion. Applicable Not Applicable
5. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable Not Applicable
6. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20____,** or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.
 Applicable Not Applicable
7. **Installation of the works for diversion of water shall be completed on or before December 31, 20____,** or within any authorized extension of time. By March 1, 20____ the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.
 Applicable Not Applicable
8. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
9. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
10. Additional Conditions are attached. Yes No
11. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

Administrative Appeal and Effective Date of Order

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the **Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Topeka, Kansas 66502**, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown on the Certificate of Service.

For Use by Register of Deeds

FOR OFFICE USE ONLY
**APPLICATION APPROVED AND
SUMMARY ORDER ISSUED**

By: _____
Duly Authorized Designee of the Chief Engineer

(Print Name): _____
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: _____

State of Kansas _____)
County of _____) SS

Acknowledged before me on _____

by _____

Signature: _____
Notary Public

My commission expires: _____
WATER RESOURCES RECEIVED (Notary Seal)

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 Hotchkiss, KS, Kansas, this 31st day of July, 2016.

[Signature]
(Owner)

Harold E. Swanson Trust
(Please Print)

Kim E. Brack
(Owner)

Kim E. Brack
(Please Print)

[Signature]
(Owner)

Guy S. Swanson
(Please Print)

[Signature], POA
(Spouse) (Owner)

Hal E. Swanson
(Please Print)

[Signature], Trustee
(Spouse) (Owner)

Harold E. Swanson Trust # 2
(Please Print)

(Spouse)

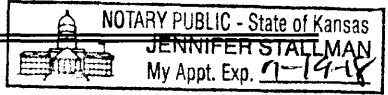
(Please Print)

State of Kansas }
County of Reno } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 31st day of July, 2016.

[Signature]
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

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**

Krueger, Richelle

From: Lanterman, Jeff
Sent: Thursday, August 3, 2017 4:09 PM
To: Krueger, Richelle
Cc: Conant, Cameron
Subject: FW: Request for Recommendation Matt Brack Harold Swanson newapp49601,47585chgpd
Attachments: newapp49601,47585chgpdmemgmd2.docx; 49601 & 47585 map.jpg

Richelle;

These look OK to approve. See Cameron's notes on the overlap and WRIS.

Jeff

From: Conant, Cameron
Sent: Wednesday, July 26, 2017 9:44 AM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Subject: FW: Request for Recommendation Matt Brack Harold Swanson newapp49601,47585chgpd

Jeff, WRIS needs fixed, there is NO overlap in place of use between the new app and the senior file no. 47585. The new application was revised to show no overlap in place of use. See attached very rough map, the circles aren't perfect, just meant to show you what is going on!

The p/d change on 47585 going from the currently authorized battery of 2 wells to a battery of 4 wells looks ok for approval.

The new application covering the same battery of 4 wells and providing an additional quantity of 317.8 AF on the proposed acreage in the N½ of the section is reasonable at 1.4 AF/acre. This will be limited to no more than 800gpm at any time.

Spacing is met in all cases, nearbys were notified and no comments were provided.

Nearby hydrographs shown below indicate a stable water level in the general area.

http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=380130097520501
http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=380050097494702
http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=380002097514502

GMD#2 recommended approval with additional wording that the separate places of use will be metered separately.

I don't like the fact that a single battery of 4 wells will be applying water to 3 different pivots, but I can think of nothing in regulation prevents this. I see potential for short water rights and difficulties with ownership changes in the future. That said, spacing, SY, ect is met and current area water levels appear stable.

I think this change and new app can be recommended for approval. Please pass on the recommendation to Richelle based on our review of these files (Richelle can you make sure Laura gets WRIS corrected).

Cameron

From: Krueger, Richelle

Sent: Wednesday, June 21, 2017 12:25 PM

To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>; Conant, Cameron <Cameron.Conant@ks.gov>

Subject: FW: Request for Recommendation Matt Brack Harold Swanson newapp49601,47585chgpd

Good Afternoon Jeff and Cameron,

This is just a friendly reminder on these, I haven't received a recommendation on these two.

Thanks,

Richelle

From: Krueger, Richelle

Sent: Thursday, May 18, 2017 5:01 PM

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

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

Subject: Request for Recommendation Matt Brack Harold Swanson newapp49601,47585chgpd

Hi Jeff,

Attached is a draft memo for the referenced new app and change app, do you recommend approval?

Thanks,

Richelle

Krueger, Richelle

From: Rebecca Wilson <rwilson@gmd2.org>
Sent: Monday, February 6, 2017 10:35 AM
To: Engelbrecht, Jessica; Krueger, Richelle
Subject: #47585 Application Approval Letters
Attachments: 47585 Change in Point of Diversion Approval Letter.pdf; 47585 Meter Installation Letter.pdf

Good Morning!

Attached is an Application Approval Letter and a Meter Installation Letter from Manager Tim Boese for #47585.

Please let me know if you have any difficulty opening the attachments!

Thanks!

Rebecca Wilson

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

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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

February 6, 2017

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

Re: Water Right No. 47585 Change in Point of Diversion Application – Matt Brack

Dear Ms. Krueger:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in point of diversion application on February 6, 2017, using the District's Revised Management Program (effective May 1, 1995) and Rules and Regulations K.A.R. 5-22-1 through 5-22-17.

The change application proposes to move the geocenter 200 feet north by adding two wells to the existing battery. The proposed geocenter is located 326 feet north and 4754 feet west of the apparent Southeast corner of Section 27, Township 23 South, Range 5 West, Reno County.

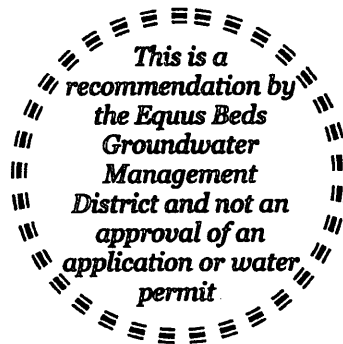
The District's review found that the change application complies with the District's Revised Management Program (effective May 1, 1995) and Rules and Regulations K.A.R. 5-22-1 through 5-22-17 and is therefore recommended for approval by the District.

A District decision may be appealed to the District Board of Directors by submitting a written petition to the District office within 30 days from date of this notification, pursuant to K.A.R. 5-22-12.

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager
TDB/STF

Pc: Matt Brack, Applicant
Harold E. Swanson Trust, Landowner
Jeff Lanterman, Division of Water Resources, Stafford



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FEB 06 2017

KS DEPT OF AGRICULTURE

SCANNED

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

1) Application No. 47585 Date filed: March 28, 2016
 2) Proposed maximum quantity: 182 acre-feet/year Rate: 800 GPM
 3) Proposed Use: Irrigation
 4) P/D location: SWSWSW 27-23S-5W Geo Center: North 326 ft, West 4754 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:

12) Reasonable rate for intended use? Yes No N/A
 13) Depth to water: 14 ft bls at observation well: EB239C

14) Date reviewed: January 2, 2017
 15) Reviewed by: S. Flaherty Title: Hydrogeologist *Reviewed 2-6-17*
 16) District recommendation: Approve Deny Other, see comment *TD*

17) Comments and Calculations:

Review completed for a change in point of diversion application submitted by Matt Brack for Irrigation use in Reno County.
 Proposed move is within 300 ft of currently authorized point of diversion
 Cannot be moved more than 2640 from originally authorized
 Geocenter is 1620 feet from non domestic wells/groundwater pits and 960 from domestic wells
 Wells completed within 300 feet of originally authorized and 150 feet of approved location
 Application proposes to add two wells to create a battery of four wells.
 Overlapping pd with 49601
 Notice of completion submitted before two of the four wells were drilled and on 1/27/12
 Change application 47585 not subject to safe yield
 Item # 11a - 182 acre feet of water per year / 130 acres of land = 1.4 acre feet per acre
 High salinity Arkansas river is over 1 mile to southwest
 Signed permission from owner/representative
 Last meter inspection on 3/7/2012
 Well is not in Special Use area or IGUCA
 Recommend approval, complies with K.A.R. 5-22-1 through 5-22-17

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



DIRECTORS:
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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

February 6, 2017

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

Re: Change in Point of Diversion Application No. 47585

Dear Mr. Brack:

The Equus Beds Groundwater Management District No. 2 made a recommendation to the Division of Water Resources that change in point of diversion application No. 47585 be approved. Pursuant to K.A.R. 5-22-4a, the well battery described in the application must be equipped with a District approved water flowmeter: The well battery geocenter is located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 27, Township 23 South, Range 5 West, Reno County.

The battery must be properly equipped with an approved meter within 30 days after the approved 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 flowmeter must be installed in a manner so that it only measures the water applied to the place of use authorized by No. 47585, and is metered separately from the place of use authorized by No. 49601.**

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. The water meter 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/STF

Enclosures

Pc: Harold Swanson Trust, Landowner
Jeff Lanterman, Division of Water Resources, Stafford

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FEB 06 2017

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KS DEPT OF AGRICULTURE

SCANNED

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

November 23, 2016

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


Re: Appropriation of Water, File No. 47,585
Application, File Nos. 49,601 and 49,602

Dear Stephen:

In accordance with your request received in this office on November 22, 2016, the Chief Engineer has extended until December 22, 2016, the time in which to submit your recommendations concerning the application to change the point of diversion under File No. 47,585 and Application, File Nos. 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

File No. 47585, 49601, 49602

Krueger, Richelle

From: Krueger, Richelle
Sent: Tuesday, November 22, 2016 2:46 PM
To: 'Steve Flaherty'
Subject: RE: Extension

WATER RESOURCES
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NOV 22 2016

KS DEPT OF AGRICULTURE

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

From: Steve Flaherty [mailto:sflaherty@gmd2.org]
Sent: Tuesday, November 22, 2016 2:29 PM
To: Krueger, Richelle
Cc: Equusbeds@gmd2.org
Subject: Extension

Richelle,

I just received the Bacon Applications and will be able to process 49601 and 49602 shortly. ⁴⁷⁵⁸⁵
Could I please have another 30 day extension on these applications (49601 and 49602)? + 47585

Thank you,

Steve Flaherty, Hydrogeologist
Equus Beds GMD No. 2
313 Spruce Street * Halstead, KS 67056
P: (316) 835-2224 * F: (316) 835-2225
www.gmd2.org

SCANNED



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

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

Jackie McClaskey, Secretary

Governor Sam Brownback

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

SCANNE

Krueger, Richelle

From: Rebecca Wilson <rwilson@gmd2.org>
Sent: Thursday, October 06, 2016 4:58 PM
To: Krueger, Richelle
Subject: Request for Extension - File No. 47585

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. 47585. 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
RECEIVED
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

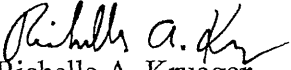
Re: Appropriation of Water, File Nos. 47,584; 47,585 and 47,601
Application, File Nos. 49,600; 49,601 and 49,602

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

Krueger, Richelle

From: Krueger, Richelle
Sent: Tuesday, July 26, 2016 7:29 AM
To: 'Stephen Flaherty'
Cc: Turney, Brent
Subject: RE: Extension

Good Morning Stephen,
I will get an extension out to you on those files. I will let Brent know about the advance copy request.
Have a good day!
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

WATER RESOURCES
RECEIVED

JUL 26 2016

KS DEPT OF AGRICULTURE

From: Stephen Flaherty [mailto:sflaherty@gmd2.org]
Sent: Monday, July 25, 2016 2:25 PM
To: Krueger, Richelle
Subject: Extension

Richelle,

Could I have an extension on 49601 and 47585?
I know Robert Bacon had filed in front of these two files and I have not received them yet.

Also, before I started here at the GMD, we used to get a copy of the application called the 'advance copy'. Who would we have to talk to in order to resume that practice?

Thanks,

Steve Flaherty, Hydrogeologist
Equus Beds GMD No. 2
313 Spruce Street * Halstead, KS 67056
P: (316) 835-2224 * F: (316) 835-2225
www.gmd2.org

SCANNED

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

July 26, 2016

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


Re: Appropriation of Water, File No. 47,585 and Application, File No. 49,601

Dear Stephen:

In accordance with your request received in this office on July 26, 2016, the Chief Engineer has extended until August 26, 2016, the time in which to submit your recommendations concerning the application to change the point of diversion under File No. 47,585 and Application, File No. 49,601.

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

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 1, 2016

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

Re: Application, File No. 49,601 and Appropriation of Water, File No. 47,585

Dear Tim:

We are enclosing a copy of Application, File No. 49,601 and a copy of the Application to Change the Point of Diversion for File No. 47,585.

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,

A handwritten signature in black ink that reads "Richelle A. Krueger".

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 (S½ SW¼) 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 (SW¼) 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 (N½ SW¼) 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

HAROLD E SWANSON TRUST
5500 E AVENUE G
HUTCHINSON KS 67501

RE: Appropriation of Water
File No. 47,585
Application
File No. 49,601

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. 49,601. File No. 49,601 proposes the appropriation of 317.8 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 Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 326 feet North and 4,754 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, one (1) application to change the point of diversion pursuant to Appropriation of Water, File No. 47,585. The applicant proposes to change the authorized point of diversion:

from: one (1) battery of four (4) wells with a geographic center located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 100 feet North and 4,750 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 Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 326 feet North and 4,754 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. 47,585 and 49,601

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

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

J STANLEY HILL
2402 KIPLING PL
HUTCHINSON KS 67502-2522

RE: Appropriation of Water
File No. 47,585
Application
File No. 49,601

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. 49,601. File No. 49,601 proposes the appropriation of 317.8 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 Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 326 feet North and 4,754 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, one (1) application to change the point of diversion pursuant to Appropriation of Water, File No. 47,585. The applicant proposes to change the authorized point of diversion:

from: one (1) battery of four (4) wells with a geographic center located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 100 feet North and 4,750 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 Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 326 feet North and 4,754 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. 47,585 and 49,601

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

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

CRAIG A & RUTH A GIBSON
4013 E ILLINOIS AVENUE
HUTCHINSON KS 67501

RE: Appropriation of Water
File No. 47,585
Application
File No. 49,601

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. 49,601. File No. 49,601 proposes the appropriation of 317.8 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 Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 326 feet North and 4,754 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, one (1) application to change the point of diversion pursuant to Appropriation of Water, File No. 47,585. The applicant proposes to change the authorized point of diversion:

from: one (1) battery of four (4) wells with a geographic center located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 100 feet North and 4,750 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 Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 326 feet North and 4,754 feet West of the Southeast corner of said section, in Township 23 South, Range 5 West, Reno County, Kansas.

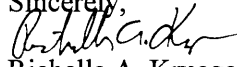
Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of these applications in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments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

OVER →

RE: File Nos. 47,585 and 49,601

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

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

RYAN K AND SAMANTHA L ALMQUIST
4003 E ILLINOIS AVENUE
HUTCHINSON KS 67501

RE: Appropriation of Water
File No. 47,585
Application
File No. 49,601

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. 49,601. File No. 49,601 proposes the appropriation of 317.8 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 Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 326 feet North and 4,754 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, one (1) application to change the point of diversion pursuant to Appropriation of Water, File No. 47,585. The applicant proposes to change the authorized point of diversion:

from: one (1) battery of four (4) wells with a geographic center located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 100 feet North and 4,750 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 Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 326 feet North and 4,754 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. 47,585 and 49,601

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

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

ELIZABETH M TERRY TRUST
3419 S YODER RD
HUTCHINSON KS 67501

RE: Appropriation of Water
File No. 47,585
Application
File No. 49,601

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. 49,601. File No. 49,601 proposes the appropriation of 317.8 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 Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 326 feet North and 4,754 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, one (1) application to change the point of diversion pursuant to Appropriation of Water, File No. 47,585. The applicant proposes to change the authorized point of diversion:

from: one (1) battery of four (4) wells with a geographic center located in the Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 100 feet North and 4,750 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 Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 27, more particularly described as being near a point 326 feet North and 4,754 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. 47,585 and 49,601

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

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. 47585

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

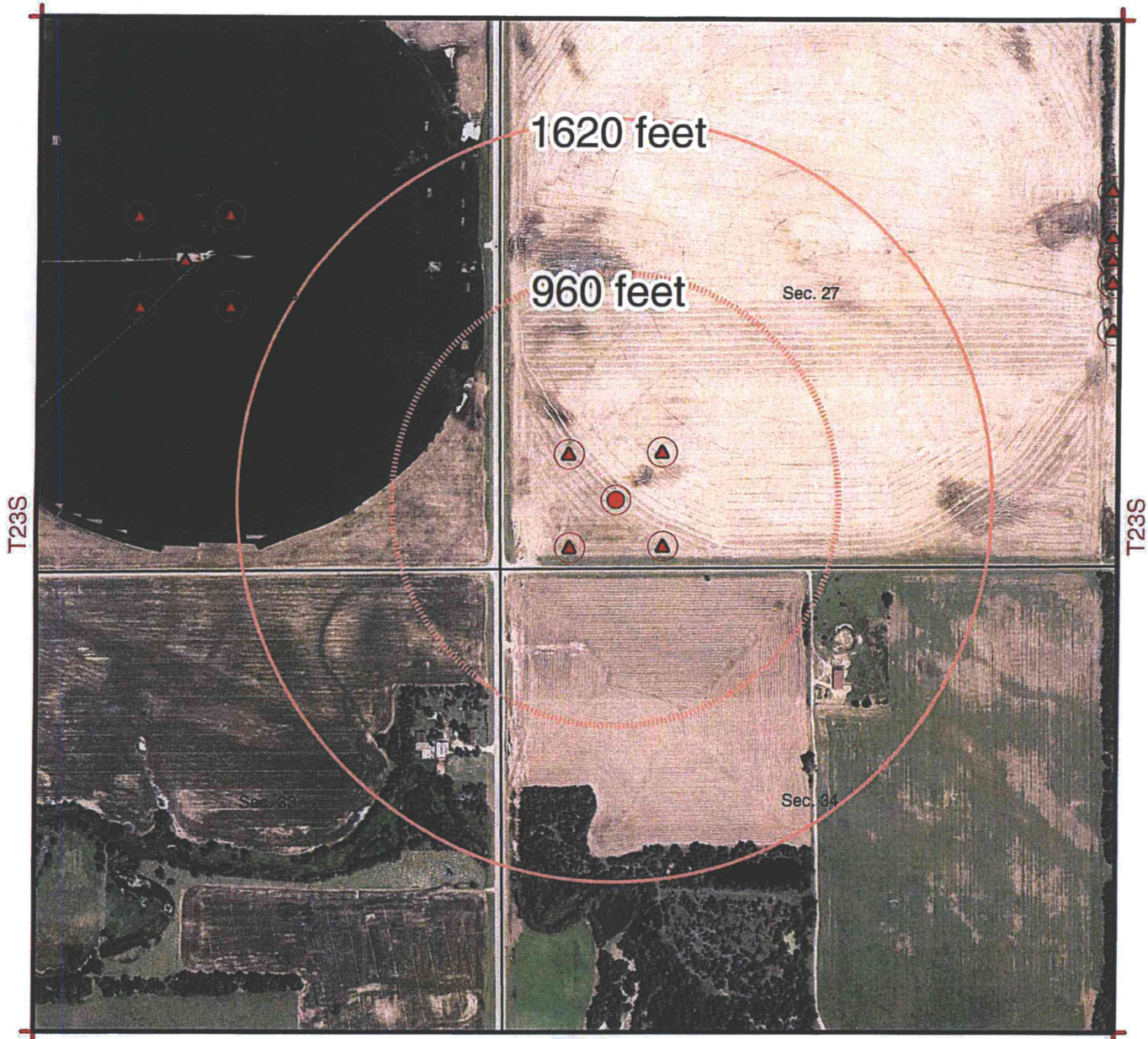
BAT: DLW
pc: STAFFORD Field Office GMD 2

SCANNED

Equus Beds Groundwater Management District No. 2

Spacing Evaluation for #47585
SWSWSW (326'N & 4754'W) 27-23S-05W, Reno County

Prepared By: Stephen Flaherty Date: 7/22/2016



R5W

0 165330 660 Feet

Map Legend

- Observation Well
- ▨ Proposed Place of Use
- Bedrock

- Proposed Point of Diversion
- ▲ Existing Points of Diversion

- Burton IGUCA
- Hollow Nickel SWQUA
- McPherson IGUCA
- Enhanced Well Spacing Area



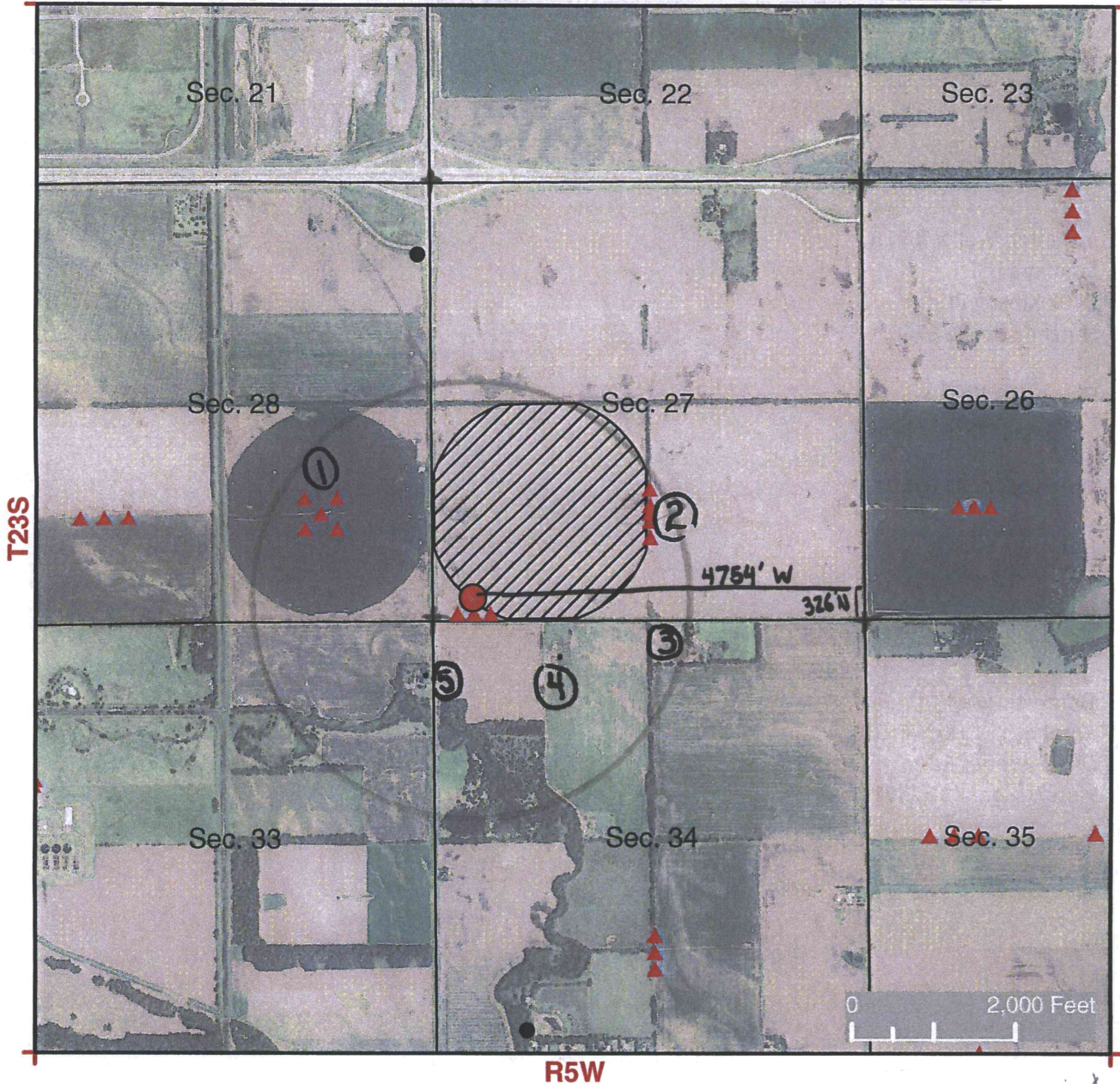
Equus Beds Groundwater Management District No. 2
313 Spruce Street, Halstead, KS 67056
316-835-2224, www.ebgsd.org

WATER RESOURCES
RECEIVED

FEB 06 2017

SCANNED
KS DEPT OF AGRICULTURE

Application Map #47585 for Matt Brack



A 1:24,000

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

New Application

Application No. 47585 To Change:

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

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

WATER RESOURCES RECEIVED

MAR 28 2016

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

* scale 1/2 mile circle, section corners added
* RAK/DW 6/1/16

KS DEPT OF AGRICULTURE

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

Wells Within ½ Mile

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

2. Irrigation Well #46220
Stanley J Hill
2402 Kipling Pl.
Hutchinson, KS 67502

3. Domestic Well
Craig A & Ruth A Gibson
4013 E Illinois Avenue
Hutchinson, KS 67501

4. Domestic Well
Ryan K & Samantha L Almgvist ~~1827~~
4003 E Illinois Avenue ~~1827~~
Hutchinson, KS 67501

5. Domestic Well
Elizabeth M Terry Trust
3419 S Yoder Rd.
Hutchinson, KS 67501