Kansas Department of Agriculture
Division of Water Resources
CLOSURE OF NEW APPLICATION WORKSHEET

1. File Number:	2. Status Change Date:	3. Field Office:	4. GMD:
49,120	5/26/2017	**02**	**02**

5. Status: ☐ Approved ☒ Denied by DWR/GMD ☐ Dismiss by Request/Failure to Return

6. Enclosures: ☐ Check Valve ☐ N of C Form ☐ Water Tube ☐ Driller Copy ☐ Meter

7a. Applicant(s) New to system ☐ Person ID **40817** Add Seq# _____

MILES G & JOYCE D HARTMAN
817 N HERREN RD
NICKERSON KS 67561-9027

7c. Landowner(s) New to system ☐ Person ID _____ Add Seq# _____

7b. Landowner(s) New to system ☐ Person ID _____ Add Seq# _____

7A

7d. Misc. New to system ☐ Person ID _____ Add Seq# _____

8. WUR Correspondent New to system ☐ Person ID _____ Add Seq# _____
Overlap File (s) WUC Agree ☐ Yes ☐ No Notarized WUC Form ☐

7b

9. Use of Water: Changing? ☐ Yes ☒ No
☒ Groundwater ☐ Surface Water
☒ IRR ☐ REC ☐ DEW ☐ MUN
☐ STK ☐ SED ☐ DOM ☐ CON
☐ HYD DRG ☐ WTR PWR ☐ ART RECHRG
☐ IND SIC: _____ ☐ OTHER: _____

10. Completion Date: _____ 11. Perfection Date: _____ 12. Exp Date: _____

13. Conservation Plan Required? ☐ Yes ☐ No Date Required: _____ Date Approved: _____ Date to Comply: _____

14. Water Level Measuring Device? ☐ Yes ☐ No Date to Comply: _____ Date WLMD Installed: _____

Date Prepared: **5/5/17** By: **MJM**
Date Entered: 6/1/2017 By: LM

File No. **49,120**	15. Formation Code:	Drainage Basin:	County:	Special Use:	Stream:

16. Points of Diversion T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	17. Rate and Quantity Authorized Rate gpm/cfs	Quantity af/mgy	Additional Rate gpm/cfs	Quantity af/mgy	Overlap PD Files
DEL	**83366**												**none**

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

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

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

20. Meter Required? ☐ Yes ☐ No To be installed by _____ Date Acceptable Meter Installed _____

21. Place of Use T MOD DEL ENT	PUSE	S	T	R	ID	NE¼ NE ¼	NE¼ NW ¼	NE¼ SW ¼	NE¼ SE ¼	NW¼ NE ¼	NW¼ NW ¼	NW¼ SW ¼	NW¼ SE ¼	SW¼ NE ¼	SW¼ NW ¼	SW¼ SW ¼	SW¼ SE ¼	SE¼ NE ¼	SE¼ NW ¼	SE¼ SW ¼	SE¼ SE ¼	Total	Owner Chg?	Overlap Files
DEL	**51245**																						**7b.**	**NO**

Comments: **Application fails Safe Yield and was recommended for denial by GMD#2**

Wris Shows PU overlap with File No. 43046 although should be no overlap

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files **DATE:** May 5, 2017

FROM: Matt Meier **RE:** Application, File No. 49,120

Miles Hartman filed the referenced application for a permit to appropriate water for beneficial use, proposing the appropriation of 208 acre-feet of groundwater for irrigation use. The proposed well was to be located near the center of the Southwest Quarter (NC SW¼) of Section 19, more particularly described as being near a point 1320 feet North and 4000 feet West of the Southeast corner of said section, in Township 24 South, Range 7 West, Reno County, Kansas within the boundaries of Equus Beds Groundwater Management District No. 2.

On March 2, 2017, a copy of the application was submitted to Equus Beds Groundwater Management District No. 2 for review. On March 31, 2017, a reply letter was received from Equus Beds Groundwater Management District No. 2 recommending denial of the application for failure to comply with Safe Yield Rule April 3, 2017 and giving a 30-day deadline (April 30, 2017) to consult with GMD#2 on the recommendation. No request for extension or notification of contact with GMD#2 was received from the applicant.

Therefore, based on the existing information, it is recommended that application File No. 49,120 be denied and dismissed for failure to meet safe yield criteria.

Matt Meier
Environmental Scientist
Permits Unit

1320 Research Park Drive
Manhattan, Kansas 66502
Jackie McClaskey, Secretary

Kansas
Department of Agriculture

Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

June 1, 2017

MILES HARTMAN
817 N HERREN RD
NICKERSON KS 67561-9027

FILE COPY

RE: Application, File No. 49,120

Dear Mr. Hartman:

Enclosed is the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 49,120, for failure to comply with the safe yield requirements of K.A.R. 5-22-7(a).

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer, or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. The applicant, if aggrieved by this Order, may petition for administrative review, pursuant to K.S.A. 82a-711(c) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

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

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

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

Enclosures
pc: Stafford Field Office
GMD#2

THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

FINDINGS AND ORDER IN THE MATTER OF THE DISMISSAL OF APPLICATION FILE NO. 49,120

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

FINDINGS

1. That on July 28, 2014, the Chief Engineer received an application from Miles Hartman for a permit to appropriate water for beneficial use, assigned File No. 49,120, proposing the appropriation of 208 acre-feet of groundwater for irrigation use. The proposed well was to be located near the center of the Southwest Quarter (NC SW¼) of Section 19, more particularly described as being near a point 1,320 feet North and 4,000 feet West of the Southeast corner of said section, in Township 24 South, Range 7 West, Reno County, Kansas.

2. That on March 2, 2017, a copy of the application was submitted to Equus Beds Groundwater Management District No. 2. GMD #2 recommended denial of the application in a letter received on April 3, 2017. They recommended denying the application because their review determined that the application did not comply with the District's Safe Yield regulation K.A.R. 5-22-7(a), as existing and proposed consumptive appropriations exceeded the maximum allowable.

3. That on April 3, 2017, a letter was sent to the applicant stating the decision of GMD#2 and that the applicant had until April 30, 2017 to appeal the decision.

4. That the applicant, has not submitted additional information for consideration, nor requested an extension of time.

5. That the application should be denied and dismissed and its priority forfeited for failure to comply with Safe Yield regulation K.A.R. 5-22-7(a).

ORDER

NOW, THEREFORE, It is the decision and order of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, that effective the date of this order, in accordance with the law, Application, File No. 49,120, is herewith dismissed and the priority assigned to it is considered to be forfeited.

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer, or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. The applicant, if aggrieved by this Order, may petition for administrative review, pursuant to K.S.A. 82a-711(c) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

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

Ordered this 26th day of May, 2017, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau, L.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 26th day of May, 2017, by Lane P. Letourneau, L.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.

DANIELLE WILSON
My Appointment Expires
August 23, 2020

Notary Public

CERTIFICATE OF SERVICE

On this 1st day of June, 2017, I hereby certify that the foregoing Dismissal of Application, File No. 49,120, dated May 26, 2017 was mailed postage prepaid, first class, US mail to the following:

MILES G & JOYCE D HARTMAN
817 N HERREN RD
NICKERSON KS 67561-9027

With photocopies to:

Stafford Field Office
Equus Beds Groundwater Management District No. 2

Danielle Wilson
Division of Water Resources

THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49120
This item to be completed by the Division of Water Resources.

WATER RESOURCES RECEIVED
JUL 28 2014
2:00
KS DEPT OF AGRICULTURE

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

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

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

1. Name of Applicant (Please Print): Miles Hartman

   Address: 817 N. Herron Rd.

   City: Nickerson State KS Zip Code 67561

   Telephone Number: (620) 664-2542

2. The source of water is: ☐ surface water in _____ (stream)

   OR ☒ groundwater in North Fork Ninnescah - Equus Beds Aquifer (drainage basin)

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

3. The maximum quantity of water desired is 208 acre-feet OR _____ gallons per calendar year, to be diverted at a maximum rate of 800 gallons per minute OR _____ cubic feet per second.

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

4. The water is intended to be appropriated for **(Check use intended):**

   (a) ☐ Artificial Recharge (b) ☒ Irrigation (c) ☐ Recreational (d) ☐ Water Power
   (e) ☐ Industrial (f) ☐ Municipal (g) ☐ Stockwatering (h) ☐ Sediment Control
   (i) ☐ Domestic (j) ☐ Dewatering (k) ☐ Hydraulic Dredging (l) ☐ Fire Protection
   (m) ☐ Thermal Exchange (n) ☐ Contamination Remediation

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

For Office Use Only:
F.O. 2 *GMD* 2 *Meets K.A.R. 5-3-1* (YES) NO) *Use* IR *Source* GW *County* RN *By* AGL *Date* 7-28-14
Code RE2 *Fee $* 300 *TR #* _____ *Receipt Date* 2-25-14 *Check #* 2608

DWR 1-100 (Revised 06/16/2014)

SCANNED

8/6/2014 CM

File No. _____

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

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

(A) One in the _____ quarter of the _____ quarter of the NC-SW quarter of Section 19, more particularly described as being near a point 1320 feet North and 4000 feet West of the Southeast corner of said section, in Township 24 South, Range 7 East/(West) (circle one), Reno County, Kansas.

(B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

(C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

(D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (¼) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

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

6. The owner of the point of diversion, if other than the applicant is (please print):
Miles and Joyce Hartman 817 N Herron Rd. Nickerson, KS 67561 (620) 664-2542
(name, address and telephone number)

_____
(name, address and telephone number)

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

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

Executed on 7-23, 2014. Miles Hartman
Applicant's Signature

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

7. The proposed project for diversion of water will consist of 1 (one) well
(number of wells, pumps or dams, etc.)
and (was)(will be) completed (by) 5/1/2015
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be 6/1/2014 2015.
(Mo/Day/Year)

File No. _____

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

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

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

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

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

    - If yes, show the Water Structures permit number here NA
    - If no, explain here why a Water Structures permit is not required NA

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

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

    (b) If the application is for groundwater, please show the location of any existing water wells of any kind within ½ mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within ½ mile, please advise us.

    (c) If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.

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

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

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

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

File No. _____

No test well available at this time

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

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

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled				
Total depth of well				
Depth to water bearing formation				
Depth to static water level				
Depth to bottom of pump intake pipe				

14. The relationship of the applicant to the proposed place where the water will be used is that of Owner (owner, tenant, agent or otherwise).

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):
Miles and Joyce Hartman 817 N Herron Rd. Nickerson, KS 67561 (620) 664-2542
(name, address and telephone number)

(name, address and telephone number)

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

Dated at Halstead, Kansas, this 23rd day of July (month), 2014 (year).

Miles Hartman
(Applicant Signature)

By _____
(Agent or Officer Signature)

_____
(Agent or Officer - Please Print)

Assisted by T. Boese GMD2 (office/title) Date: 7-23-14

FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	$200.00
101-320	$300.00
More than 320	$300.00 plus $20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	$200.00
More than 250	$200.00 plus $20.00 for each additional 250 acre-feet of storage or any part thereof.

   Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be $100.00 plus $200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

   Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of $400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of $200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

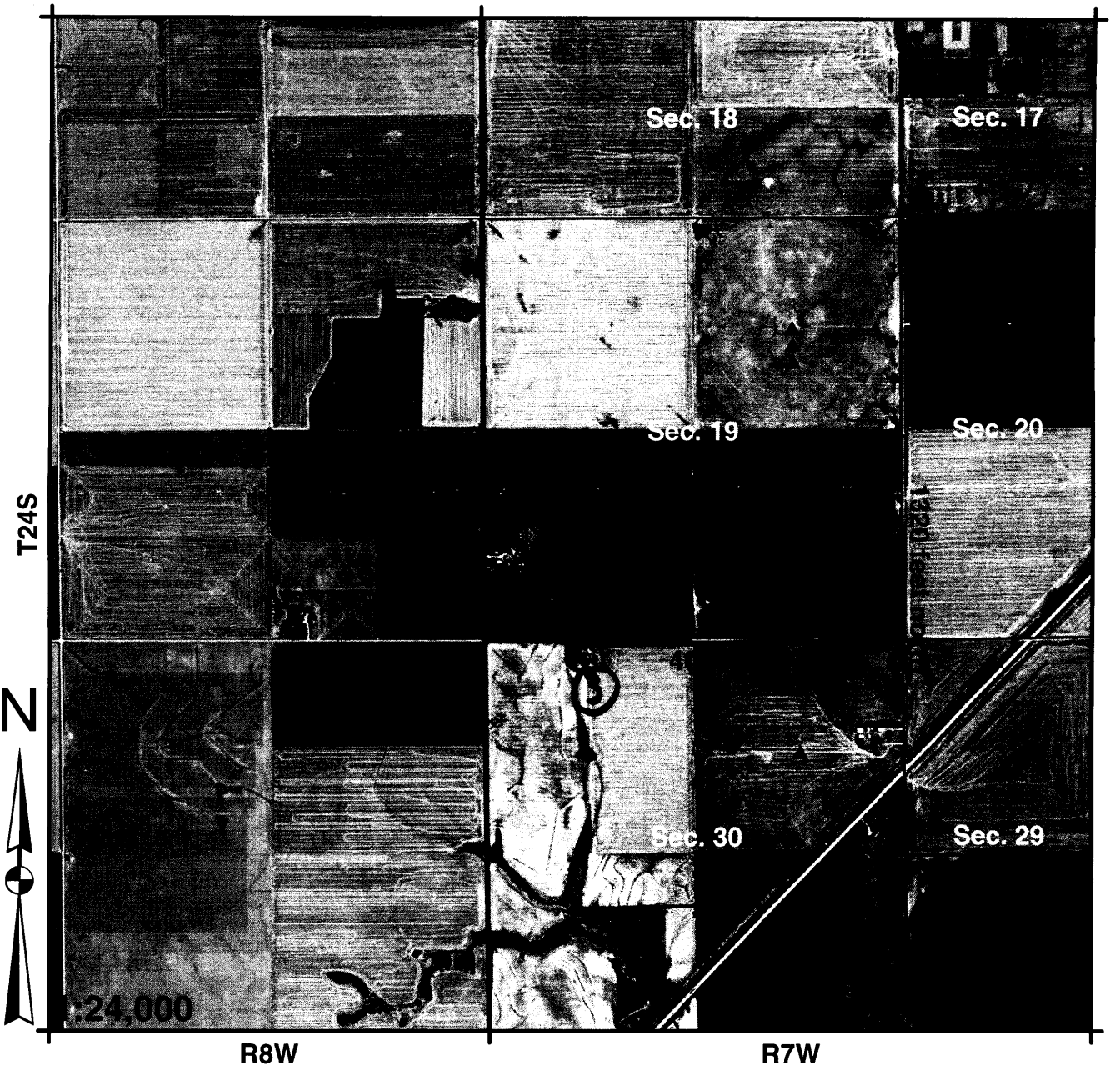
A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

Application Map - File No. _____



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.

Mike Hartman
Signature

7-23-14
Date

☒ **New Application**

☐ **Application No.** _____ **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 wells within 1/2 mile of proposed point of diversion include: (type use, owner, address)

1) See Attached

2)

3)

WATER RESOURCES RECEIVED
JUL 28 2014
KS DEPT OF AGRICULTURE

SCANNED

Completed By GMD2 Staff
T. Boese - 07/16/2014

Wells Within ½ Mile

1. Irrigation Well – Water Right No. 43046
   Miles and Joyce Hartman
   817 N Herron Rd.
   Nickerson, KS 67561

2. Domestic Well
   Beulah Nisly
   9512 S Salem Rd,
   Partridge, KS 67566.

3. Domestic Well
   Rexroad, Jack L & Virginia M Revocable Trust
   14105 W Red Rock RD,
   Partridge, KS 67566.

IRRIGATION USE
SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): Miles Hartman

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

Landowner of Record NAME: Miles and Joyce Hartman

ADDRESS: 817 N. Herron Rd. Nickerson, KS 67561

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19	24S	7W									39	38	32.6	39					148.6

Landowner of Record NAME: _____

ADDRESS: _____

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

Landowner of Record NAME: _____

ADDRESS: _____

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

WATER RESOURCES
RECEIVED

JUL 28 2014

KS DEPT OF AGRICULTURE

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

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

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
Carway and Carbika	10	0-.06	
Nalim loam	79	.2-.57	
Taver loam	11	0-.06	1
Total:	100 %		

b. Estimate the average land slope in the field(s): 0 to 2 %

Estimate the maximum land slope in the field(s): 0 to 2 %

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

X Center pivot	____ Center pivot - LEPA	____ "Big gun" sprinkler
____ Gravity system (furrows)	____ Gravity system (borders)	____ Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater: Will schedule and apply irrigation to eliminate run-off

ii. For sprinkler systems:

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

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

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

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

Not available at this time

e. Crop(s) you intend to irrigate. Please note any planned crop rotations: Corn, Soybeans, Wheat, Milo

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

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

7-23-14
(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
109 SW 9th Street, 2nd Floor
Topeka, Kansas 66612-1283

Re: Application
File No. _____

Minimum Desirable Streamflow

Dear Sir:

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

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

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

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

Signature of Applicant

State of Kansas)
) ss
County of Harvey)

Miles Hartman
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 23 day of July, 2014.

NOTARY PUBLIC STATE OF KANSAS
DORINDA D. BENTON
NOTARY PUBLIC
STATE OF KANSAS
My App. Exp. 1-3-18

Notary Public

My Commission Expires: 1-3-18

DWR 1-100.171 (Revised 03/27/2008)

SCANNED

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

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

Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River
Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River

Report Date Wednesday, February 8 2017

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

1320 ft N and 4000 ft W of the SE Corner of Section 19, T 24S, R 7W

#49120

Located at: 98.137452 West Longitude and 37.944757 North Latitude

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 16965 00	IRR	NK	G	8427	--	--	NC	NE	3969	1303	29	24	7W	2		133.00	133.00	AF
A__ 19235 00	IRR	NK	G	9317	--	--	NC	W2	2575	3960	31	24	7W	3		105.00	105.00	AF
A__ 27554 01	DOM	NK	G	10078	--	--	NW	SW	1875	5180	31	24	7W	6		6.72	6.72	AF
A__ 40633 00	STK	NK	G	10078	--	SE	NE	SW	1896	2798	31	24	7W	4	G 2	6.63	6.63	AF
Same				10073	--	SE	NE	SW	1896	2837	31	24	7W	5	B 2			
Same				10083	--	SE	NE	SW	1896	2759	31	24	7W	7	B 2			
A__ 41755 00	IRR	NK	G	7893	--	NW	SE	SW	834	3930	29	24	7W	3		185.00	185.00	AF
A__ 43045 00	IRR	NK	G	3580	--	NE	SW	NE	3733	1355	19	24	7W	1	G 2	160.00	160.00	AF
Same				3445	--	NE	SW	NE	3520	1349	19	24	7W	3	B 2			
Same				3722	--	--	NC	NE	3945	1361	19	24	7W	4	B 2			
A__ 43046 00	IRR	NK	G	2658	--	--	NC	SE	1361	1342	19	24	7W	2		180.00	180.00	AF
A__ 43096 00	IRR	NK	G	8024	--	NW	NW	NW	5028	5275	32	24	7W	1	G 2	222.00	222.00	AF
Same				7809	--	NW	NW	NW	5281	5272	32	24	7W	2	B 2			
Same				8241	--	NW	NW	NW	4775	5278	32	24	7W	3	B 2			
A__ 43607 00	IRR	NK	G	6850	--	SE	SE	NW	2861	2647	20	24	7W	1	G 2	195.00	195.00	AF
Same				6910	--	SE	SE	NW	3107	2648	20	24	7W	2	B 2			
Same				6798	--	SE	SE	NW	2615	2645	20	24	7W	3	B 2			
A__ 45894 00	IRR	LR	G	7761	--	SE	NW	SE	1500	1550	20	24	7W	4	G 3	134.00	134.00	AF
Same				7633	--	SE	NW	SE	1633	1683	20	24	7W	5	B 3			
Same				8034	--	SW	NE	SE	1663	1283	20	24	7W	6	B 3			
Same				7624	--	NE	SW	SE	1233	1683	20	24	7W	7	B 3			
A__ 47069 00	STK	NK	G	10078	--	SE	NE	SW	1896	2798	31	24	7W	4	G 2	3.83	3.83	AF
Same				10073	--	SE	NE	SW	1896	2837	31	24	7W	5	B 2			
Same				10083	--	SE	NE	SW	1896	2759	31	24	7W	7	B 2			
A__ 47301 00	IRR	LR	G	10344	--	NE	NW	SW	2454	4350	21	24	7W	7	B 3	182.00	182.00	AF
A__ 47374 00	IRR	LO	G	9566	--	--	NC	SE	1377	1300	29	24	7W	4		189.00	189.00	AF
A__ 47375 00	IRR	LO	G	10099	--	NE	NE	SE	2622	28	29	24	7W	5		189.00	.00	AF
A__ 48296 00	IRR	KE	G	4171	--	SE	SE	NE	2660	50	19	24	7W	5		182.00	22.00	AF
Permit A__ 48633 00	IRR	AY	G	3812	--	--	NC	NE	3940	1300	30	24	7W	1		137.20	137.20	AF
A__ 49120 00	IRR	AY	G	0	--	--	NC	SW	1320	4000	19	24	7W	6		208.00	208.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	345.20	.00
Total Permitted Amount (AF) =	22.00	.00
Total Inspected Amount (AF) =	505.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	1197.17	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2069.37	.00

An * after the source of supply indicates a pending application for change for the file number.

An * after the ID indicates a 15 AF exemption was granted for the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

98.137452 West Longitude and 37.944757 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

==========

File Number Use ST SR

A__ 16965 00 IRR NK G

> RONALD L POLTERA ET AL

>

> 17486 185TH DR

> WINFIELD KS 67156

>----------

A__ 19235 00 IRR NK G

> DALE A & KELLY A LOVE

>

> 14010 W LAKE CABLE RD

> PARTRIDGE KS 67566

>----------

A__ 27554 01 DOM NK G

> DALE A & KELLY A LOVE

>

> 14010 W LAKE CABLE RD

> PARTRIDGE KS 67566

>----------

A__ 40633 00 STK NK G

> DALE A & KELLY A LOVE

>

> 14010 W LAKE CABLE RD

> PARTRIDGE KS 67566

>----------

A__ 41755 00 IRR NK G

> A & B CATTLE LLC

>

> PO BOX 52

> PARTRIDGE KS 67566

>----------

A__ 43045 00 IRR NK G

> MILES G & JOYCE D HARTMAN

>

> 817 N HERREN RD

> NICKERSON KS 67561

>----------

A__ 43046 00 IRR NK G

> MILES G & JOYCE D HARTMAN

>

> 817 N HERREN RD

> NICKERSON KS 67561

>----------

A__ 43096 00 IRR NK G

> RYAN JACQUES

>

> 10919 S DEAN RD

> HUTCHINSON KS 67501

>----------

#49,120

A__ 43607 00 IRR NK G
> ERIC JACQUES
>
> 3002 W LAKE CABLE RD
> HUTCHINSON KS 67501
>----------

A__ 45894 00 IRR LR G
> KANSAS STATE UNIVERSITY
> AGRONOMY-SCKEF-FDN, DR PIERZYNSKI
> 2004 THROCKMORTON
> MANHATTAN KS 66506
>----------

A__ 47069 00 STK NK G
> DALE A & KELLY A LOVE
>
> 14010 W LAKE CABLE RD
> PARTRIDGE KS 67566
>----------

A__ 47301 00 IRR LR G
> JARED C & YOLANDA M OATNEY
>
> 11215 W LONGVIEW RD
> PARTRIDGE KS 67566
>----------

A__ 47374 00 IRR LO G
> GLENN L & LINDA K DEPEW
>
> 407 N DEAN RD
> HUTCHINSON KS 67501
>----------

A__ 47375 00 IRR LO G
> GLENN L & LINDA K DEPEW
>
> 407 N DEAN RD
> HUTCHINSON KS 67501
>----------

A__ 48296 00 IRR KE G
> MILES G & JOYCE D HARTMAN
>
> 817 N HERREN RD
> NICKERSON KS 67561
>----------

A__ 48633 00 IRR AY G
> TRAVIS HIRST
>
> 911 HIGH WILLOW DR
> PROSPER TX 75078
>----------

A__ 49120 00 IRR AY G
> MILES G & JOYCE D HARTMAN
>
> 817 N HERREN RD

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

Kansas
Department of Agriculture
Division of Water Resources

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

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Sam Brownback, Governor

February 8, 2017

Beulah Nisly
9512 S Salem Rd
Partridge, KS 67566

Re: Pending Application, File No. 49,120

Dear Sir:

This is to advise you that Miles Hartman has filed the application referred to above for a permit to appropriate 208 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,120 is one (1) well located as follows:

Near the Center of the Southwest Quarter of Section 19, Township 24 South, Range 7 West, Reno County, Kansas.

A map is enclosed indicating the location of the proposed well. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location 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.

If you have any questions or comments, you may also contact me at (620) 234-5311. If you call, please reference the file number so I can help you more efficiently. Mailed comments can be sent to the Stafford Field Office at 300 S. Main St. Stafford, KS 67578-1521.

Sincerely,

Matthew J Meier

Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

pc:

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

Kansas
Department of Agriculture
Division of Water Resources

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

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Sam Brownback, Governor

February 8, 2017

Jack & Virginia Rexroad Revocable Trust
14105 W Red Rock RD
Partridge, KS 67566

Re: Pending Application, File No. 49,120

Dear Sir:

This is to advise you that Miles Hartman has filed the application referred to above for a permit to appropriate 208 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,120 is one (1) well located as follows:

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Sincerely,

Matt Meier
Environmental Scientist
Water Appropriations Program

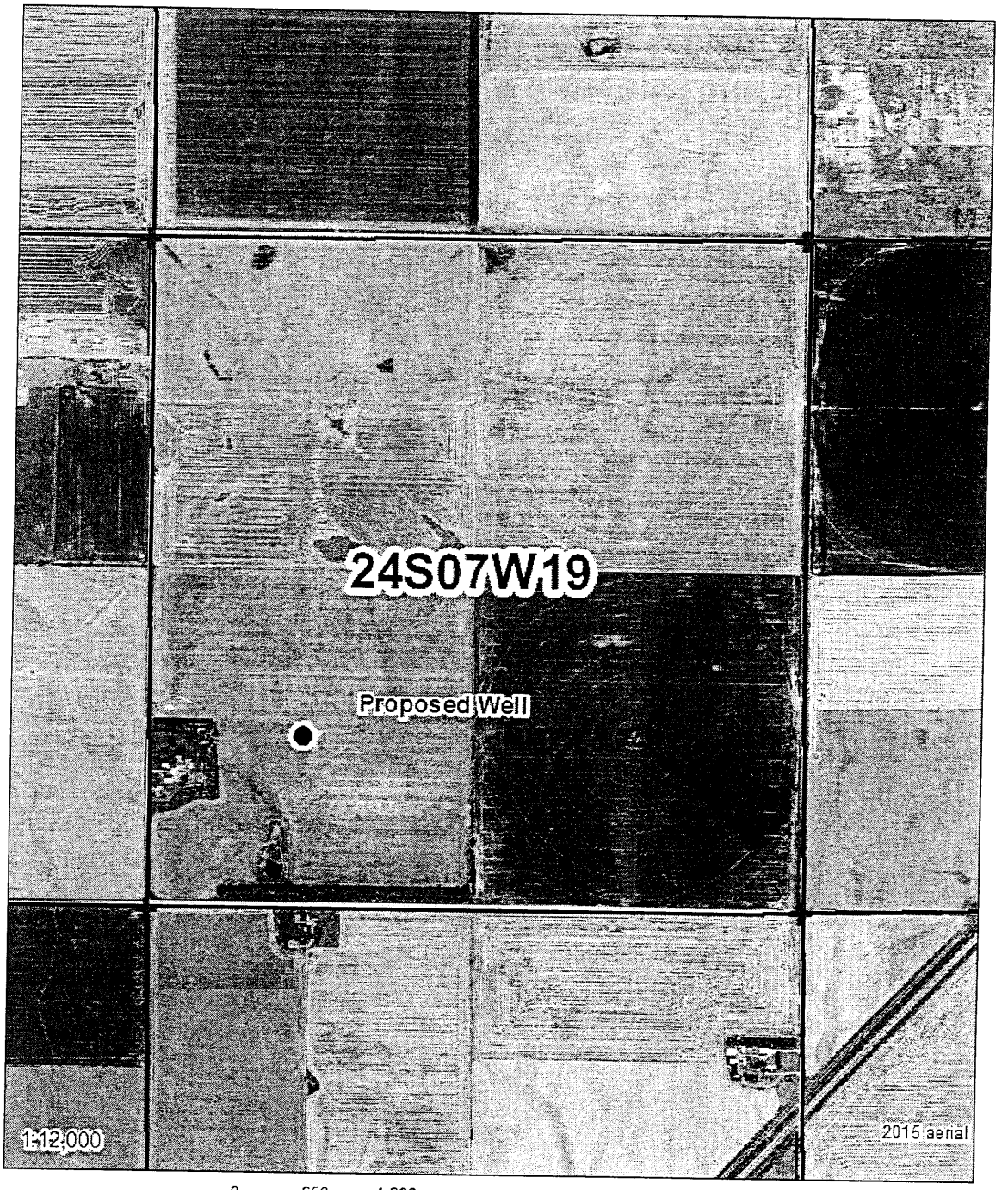
Enclosure

pc:

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521
Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Kansas
Department of Agriculture
Division of Water Resources

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor



MJM-DWR 2/8/17

Proposed Water Appropriation, File No. 49,120
19-24S-7W
Reno County

Meier, Matt

From: Meier, Matt
Sent: Thursday, February 16, 2017 8:17 AM
To: 'Bret Southards'
Subject: RE: pending application file no. 49,120 - documentation why we are against all wells now

Thank you Bret for providing the attached information. It has been printed out and will be added to the file for further review.

Matt Meier, Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources
Stafford Field Office
(620) 234-5311
Matt.Meier@ ks.gov
www.ksda.gov/dwr

-----Original Message-----
From: Bret Southards [mailto:btsouthards@benekeith.com]
Sent: Tuesday, February 14, 2017 9:09 AM
To: Meier, Matt <Matt.Meier@ks.gov>
Subject: pending application file no. 49,120 - documentation why we are against all wells now

Matt,

I have enclosed your letter, then all my father's letters to the then people who dealt with this, as well as water lab tests from 1998, before the well went in, then 3 years after well went in. He gave up after that, and passed away June, 2010. My mother still lives there and has the same problems , but worse as the years have gone by. But we talked about that yesterday.

I have more lab tests if you need them. But I did not want to overwhelm you by sending you 100 pages.

I thank you for your time yesterday, and get with me for any more documentation you might need.

Sincerely,

Bret Southards
Ben E. Keith Foods
620-200-0365

Your message is ready to be sent with the following file or link attachments:

img151

img150
img149
img148
img147
img146
img145
img144
img143
img142
img141
img140
img139
img138
img137
img136
img135
img134
img133

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

SDK Laboratories
1000 Corey Road
P.O. Box 886
Hutchinson, KS 67504-0886
316-665-5661
FAX 316-665-0559

SAMPLE #	111
SAMPLE	Water
OTHER ID	1/11/01 WELL 8AM

RECEIVED	01/11/2001
REPORTED	01/15/2001
TOTAL FEE	25.00

Copies

SOUTHARDS, BRUCE
14105 W. RED ROCK RD.
PARTRIDGE, KS 67566

	Dry Basis	As Received	
pH		7.52	s.u.
CHLORIDE		195.00	mg/L
CHLORIDE AS SALT		322.00	mg/L
TOTAL HARDNESS		230.00	mg/L
NITRATE-NITROGEN		1.63	mg/L
SULFATE		20.00	mg/L
CALCIUM		65.20	mg/L
MAGNESIUM		9.66	mg/L
SODIUM		110.00	mg/L
IRON		None detected	
TDS-TOTAL DISSOLVED SOLIDS		600.00	mg/L

KDHE Certificate #E-10152
Methods of analysis per EPA-600 or EPA SW-846, 3rd Ed., 1986 or Standard Methods for the Examination of Water and Wastewater, 18th Edition, 1992.

Date Completed: 01/15/2001

RECEI

FEB 15 2017

Staff
Division

Approved By:

ANALYTICAL RESULTS APPLY ONLY TO THE SUBMITTED SAMPLE AND MAY NOT REFLECT RESULTS OF SEEMINGLY IDENTICAL MATERIAL OR PRODUCTS.

SDK Laboratories
1000 Corey Road
P.O. Box 886
Hutchinson, KS 67504-0886
316-665-5661
FAX 316-665-0559

SAMPLE #	2537
SAMPLE	Water
OTHER ID	7/18/00 WELL 2:15PM

RECEIVED	07/18/2000
REPORTED	07/20/2000
TOTAL FEE	25.00

Copies:

SOUTHARDS, BRUCE
14105 W. RED ROCK RD.
PARTRIDGE, KS 67566

	Dry Basis	As Received	
pH		7.52	s.u.
CHLORIDE		189.00	mg/L
CHLORIDE AS SALT		312.00	mg/L
TOTAL HARDNESS		270.00	mg/L
SULFATE		20.10	mg/L
NITRATE-NITROGEN		2.71	mg/L
TDS-TOTAL DISSOLVED SOLIDS		710.00	mg/L
CALCIUM		76.00	mg/L
MAGNESIUM		10.00	mg/L
SODIUM		123.00	mg/L
IRON		None detected	

KDHE Certificate #E-10152
Methods of analysis per EPA-600 or EPA SW-846, 3rd Ed., 1986 or Standard Methods for the Examination of Water and Wastewater, 18th Edition, 1992.

Date Completed: 07/20/2000

Approved By:

ANALYTICAL RESULTS APPLY ONLY TO THE SUBMITTED SAMPLE AND MAY NOT REFLECT RESULTS OF SEEMINGLY IDENTICAL MATERIAL OR PRODUCTS.

Peterson Laboratories Inc.

P.O. Box 886
19 East 4th
Hutchinson, KS 67504-0886
(316) 665-5661
FAX (316) 665-0559

SAMPLE #: 243
SAMPLE: WELL DATE UNKNOWN
OTHER ID:

RECEIVED: 01/21/1998
REPORTED: 01/23/1998
TOTAL FEE: 20.00

COPIES:

BRUCE SOUTHARDS
14105 W. RED ROCK RD.
PARTRIDGE, KS 67566

	Dry Basis	As Received	
CHLORIDES		171	mg/L
HARDNESS, TOTAL		190	mg/L
pH		7.61	
CHLORIDES AS SALT		282	mg/L
SULFATE		22.7	mg/L
NITRATE-NITROGEN		1.17	mg/L
TOTAL DISSOLVED SOLIDS		464	mg/L
CALCIUM		54.0	mg/L
IRON		NONE DETECTED	
MAGNESIUM		8.00	mg/L
SODIUM		98.0	mg/L

KDHE CERTIFICATE #E-10152
METHODS OF ANALYSIS PER EPA-600 OR EPA SW-846, 3RD ED., 1986 OR STANDARD METHODS FOR THE EXAMINATION OF WATER AND WASTEWATER, 18TH EDITION, 1992.

DATE COMPLETED: 01/23/98

APPROVED BY:

January 29, 1999

Mr. Mike Dealy
Equus Beds
GMD #2
313 Spruce
Halstead, Ks.
67056

ATT; Mike Dealy,

This is a follow-up letter to my letter of concerns over irrigation wells in my area last year. The application numbers were #43045 and #43046 in Bruce Hartman's name.

Attached to this letter are copies of our lab results from our domestic water well. This year's dated January 22, 1999. As well as last year's dated January 21, 1998. I am sending both for comparison purposes as you asked.

On January 28,1999 I visited with John Munson for awhile, he then referred me to Bruce Falk in Stafford,Ks. who after visiting for a period of time, referred me to you. The topic of conversation was the lab results from our domestic water well. I was asked by all of you to put in writing any changes that we had noticed in our water. We first noticed an odor that was stronger than normal. Then my wife had to add more detergents as well as more water softening powders to the washing machine in order to get the clothes clean. This started after the near-by irrigation wells had been operating on a nearly continual basis.

On June 2,1998 our son was killed in an auto accident out in Colorado. We moved his wife, that was 6 months pregnant, and his little daughter of 15 months, home to live with us. On August 20, 1998 his second daughter was born. In September thru November of 1998 is when we had to change our clothes washing practices. We had been buying our drinking water from the time we moved them in, just as a safe measure. The odor is not as bad now, as it was in September thru November of 1998. Our daughter-in-law and our grand daughters have now moved into Hutchinson,Ks. to their own home, we sure miss them.

While talking to you about our lab results, you stated that Mr. Hartman's chlorides levels have been on a steady increase as has ours. My understanding is that when these levels are at 350 plus mg/L, irrigation can be harmful to the soil as well as to the crops. I hope his wells will be monitored on a regular basis for years to come. Do you ever talk to the irrigation farmers about the high levels of chlorides, and make suggestions on how much water should be put on crops in these cases?

Sincerely,
Bruce T. Southards

January 29, 1999

M. Bruce Falk
Water Commissioner
Divison of Water Resources
105 North Main Street
Stafford, Ks. 67578-0357

ATT; Bruce Falk,

This is a follow-up letter to my letter of concerns over irrigation wells in my area last year. The application numbers were #43045 and #43046 in Bruce Hartman's name.

Attached to this letter are copies of our lab results from our domestic well. This year's dated January 22, 1999. As well as last year's, dated January 21, 1998. I am sending both for comparison purposes as you asked.

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While talking to Mike Dealy about the lab results of our well, he stated that Mr. Hartman's chlorides levels has been on a steady increase as has ours. My understanding is that when the chlorides levels get to high, irrigation can be harmful to the soil as well as to the crops. I hope his wells will be monitored on a regular basis for years to come.

Sincerely,
Bruce T. Southards

January 29, 1999

Mr. John Munson
Divison of Water Resources
Dept. of Agricultural
Technical Services
901 South Kansas Ave.
Topeka, Kansas 66612

ATT; John Munson,

This is a follow-up letter to my letter of concerns over irrigation wells in my area last year. The application numbers were #43045 and #43046 in Bruce Hartman's name.

Attached to this letter are copies of our lab results from our domestic well. This year's dated January 22, 1999. As well as last year's, dated January 21, 1998. I am sending both for comparison purposes as you asked.

On January 28,1999 I visited with you by phone, you referred me to Bruce Falk in Stafford,Ks. Who referred me to Mike Dealy in Halstead,Ks. The topic of conversation was the lab results from our domestic well. I was asked by all of you to put in writing any changes that we had noticed in our water. We first noticed an odor that was stronger than normal. Then my wife had to add more detergents as well as water softening powders to the washing machine in order to get the clothes clean. This started after the near-by irrigation wells had been operating on a nearly continual basis.

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Sincerely,
Bruce T. Southards

Formerly Peterson Laboratories, Inc.

SDK Laboratories

1000 Corey Road
P.O. Box 886
Hutchinson, KS 67504-0886
316-665-5661
FAX 316-665-0559

SAMPLE #	243
SAMPLE	WELL WATER 1/22/99 1:15PM
OTHER ID	

COPIES:

RECEIVED	01/22/1999
REPORTED	01/26/1999
TOTAL FEE	20.00

BRUCE SOUTHARDS
14105 W. RED ROCK RD.
PARTRIDGE, KS 67566

	Dry Basis	As Received	
CHLORIDES		194	mg/L
HARDNESS, TOTAL		210	mg/L
pH		7.16	
CHLORIDES AS SALT		320	mg/L
SULFATE		16.3	mg/L
NITRATE-NITROGEN		7.45	mg/L
TOTAL DISSOLVED SOLIDS		550	mg/L
CALCIUM		66.0	mg/L
IRON		NONE DETECTED	
MAGNESIUM		8.00	mg/L
SODIUM		108	mg/L

KDHE CERTIFICATE #E-10152
METHODS OF ANALYSIS PER EPA-600 OR EPA SW-846, 3RD ED., 1986 OR STANDARD METHODS FOR THE EXAMINATION OF WATER AND WASTEWATER, 18TH EDITION, 1992.

DATE COMPLETED: 01/26/99

APPROVED BY: JH

January 29, 1999

M. Bruce Falk
Water Commissioner
Divison of Water Resources
105 North Main Street
Stafford, Ks. 67578-0357

ATT; Bruce Falk,

This is a follow-up letter to my letter of concerns over irrigation wells in my area last year. The application numbers were #43045 and #43046 in Bruce Hartman's name.

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Bruce T. Southards

Peterson Laboratories Inc.

P.O. Box 886
19 East 4th
Hutchinson, KS 67504-0886
(316) 665-5661
FAX (316) 665-0559

SAMPLE# 243
SAMPLE FOR WELL DATE UNKNOWN
OTHER ID

RECEIVED 01/21/1998
REPORTED 01/23/1998
TOTAL FEE 20.00

COPIES:

BRUCE SOUTHARDS
14105 W. RED ROCK RD.
PARTRIDGE, KS 67566

	Dry Basis	As Received	
CHLORIDES		171	mg/L
HARDNESS, TOTAL		190	mg/L
pH		7.61	
CHLORIDES AS SALT		282	mg/L
SULFATE		22.7	mg/L
NITRATE-NITROGEN		1.17	mg/L
TOTAL DISSOLVED SOLIDS		464	mg/L
CALCIUM		54.0	mg/L
IRON		NONE DETECTED	
MAGNESIUM		8.00	mg/L
SODIUM		98.0	mg/L

KDHE CERTIFICATE #E-10152
METHODS OF ANALYSIS PER EPA-600 OR EPA SW-846, 3RD ED., 1986 OR STANDARD METHODS FOR THE EXAMINATION OF WATER AND WASTEWATER, 18TH EDITION, 1992.

DATE COMPLETED: 01/23/98

APPROVED BY: D Hughes

March 31, 1998

Mr. John Munson
Divison of Water Resources
Dept. of Agricultural
Technical Services
901 South Kansas Ave.
Topeka, Kansas 66612

ATT; John Munson,

I am enclosing a copy of our laboratory results from our residential water well, as requested in our telephone conversation March 30,1998. You mentioned that the lab results may help in showing our concerns for our well water, with the pending applications of Bruce Hartman's #43045 and #43046 for Irrigation Permits just to the east of our residence.

My wife (Susan) and I, would like to thank you for sharing our concerns with the saturation of irrigation units in our area. When talking to you on the phone, the other day, your show of concern for the quality and quantity of our water, was greatly appreciated. I want to thank you for sharing your time and concerns in this matter, during our phone conversation.

We hope that your Dept. will take into consideration the number of existing irrigation wells in our area, and deny Bruce Hartman's applications, as well as, any other applications in this area. The number of irrigation wells need to be limited to the existing wells, in order to protect the Quality and Quantity of all the domestic wells in the area.

Sincerely,
Bruce T. Southards

Bruce T. Southards

WATER WELL RECORD Form WWC-5 KSA 82a-1212

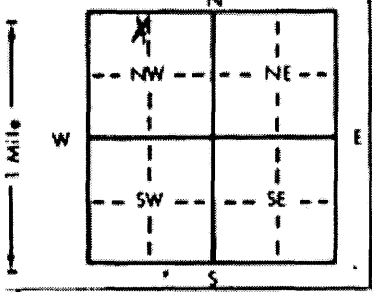
1 LOCATION OF WATER WELL:	Fraction	Section Number	Township Number	Range Number
County: Reno	NE ¼ NW ¼ NW ¼	30	T 24 S	R 7 E/W

Distance and direction from nearest town or city street address of well if located within city?
2 mi SW, 1 W of Partridge

2 WATER WELL OWNER: Bruce Seymond
RR#, St. Address, Box # : RT 1
City, State, ZIP Code : Partridge, KS 67566

Board of Agriculture, Division of Water Resources
Application Number:

3 LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX:



4 DEPTH OF COMPLETED WELL 52 ft. ELEVATION:
Depth(s) Groundwater Encountered 1. ft. 2. ft. 3. ft.
WELL'S STATIC WATER LEVEL 32 ft. below land surface measured on mo/day/yr 12-30-16
Pump test data: Well water was 38 ft. after 1 hours pumping 30 gpm
Est. Yield 50 gpm: Well water was ft. after hours pumping gpm
Bore Hole Diameter 10 in. to 60 ft., and in. to ft.
WELL WATER TO BE USED AS: 5 Public water supply 8 Air conditioning 11 Injection well
(1) Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)
2 Irrigation 4 Industrial 7 Lawn and garden only 10 Observation well
Was a chemical/bacteriological sample submitted to Department? Yes No X If yes, mo/day/yr sample was submitted
Water Well Disinfected? Yes X No

5 TYPE OF BLANK CASING USED: 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued X Clamped
1 Steel 3 RMP (SR) 6 Asbestos-Cement 9 Other (specify below) Welded
(2) PVC 4 ABS 7 Fiberglass Threaded
Blank casing diameter 6 in. to 48 ft., Dia in. to ft., Dia in. to ft.
Casing height above land surface +24 in., weight 3.25 lbs./ft. Wall thickness or gauge No. 160

TYPE OF SCREEN OR PERFORATION MATERIAL: (1) PVC 10 Asbestos-cement
1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 11 Other (specify)
2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE: 5 Gauzed wrapped (8) Saw cut 11 None (open hole)
1 Continuous slot 3 Mill slot 6 Wire wrapped 9 Drilled holes
2 Louvered shutter 4 Key punched 7 Torch cut 10 Other (specify)

SCREEN-PERFORATED INTERVALS: From 42 ft. to 52 ft., From ft. to ft.
From ft. to ft., From ft. to ft.
GRAVEL PACK INTERVALS: From 40 ft. to 60 ft., From ft. to ft.
From ft. to ft., From ft. to ft.

6 GROUT MATERIAL: (1) Neat cement 2 Cement grout 3 Bentonite 4 Other
Grout Intervals: From 3 ft. to 13 ft., From ft. to ft., From ft. to ft.

What is the nearest source of possible contamination:
(1) Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well
2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well
3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below)
13 Insecticide storage
Direction from well? NW How many feet? 70

FROM	TO	LITHOLOGIC LOG	FROM	TO	LITHOLOGIC LOG
0	8	Br Clay Silt			
8	22	Sandy Gravel			
22	34	F-C Sand			
34	52	Sand & Gravel			
52	60	Red Shale			

RECEIVED
FEB 15 2017
Stafford Field Office
Division of Water Resources

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 12-30-16 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 419 This Water Well Record was completed on (mo/day/yr) 2-15-17
under the business name of Miller Drilling by (signature)

INSTRUCTIONS: Use typewriter or ball point pen, PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Division of Environment, Environmental Geology Section, Topeka, KS 66620. Send one to WATER WELL OWNER and retain one for your records.

MILLER DRILLING

3107 E. 95th
HUTCHINSON, KANSAS 67502
Phone 543-2594

CUSTOMER'S ORDER NO.	PHONE	DATE
		1-23-98

NAME
ADDRESS Bruce Southard

SOLD BY	CASH	C.O.D	CHARGE	ON ACCT.	MDSE. RET'D	PAID OUT

QTY.	DESCRIPTION	PRICE	AMOUNT
1/2	Service Call		16 00
	Static water level on 1-22-98 was 30'		
	Ck# 6161		
		TAX	
RECEIVED BY		TOTAL	

7894

All claims and returned goods MUST be accompanied by this bill.

Thank You

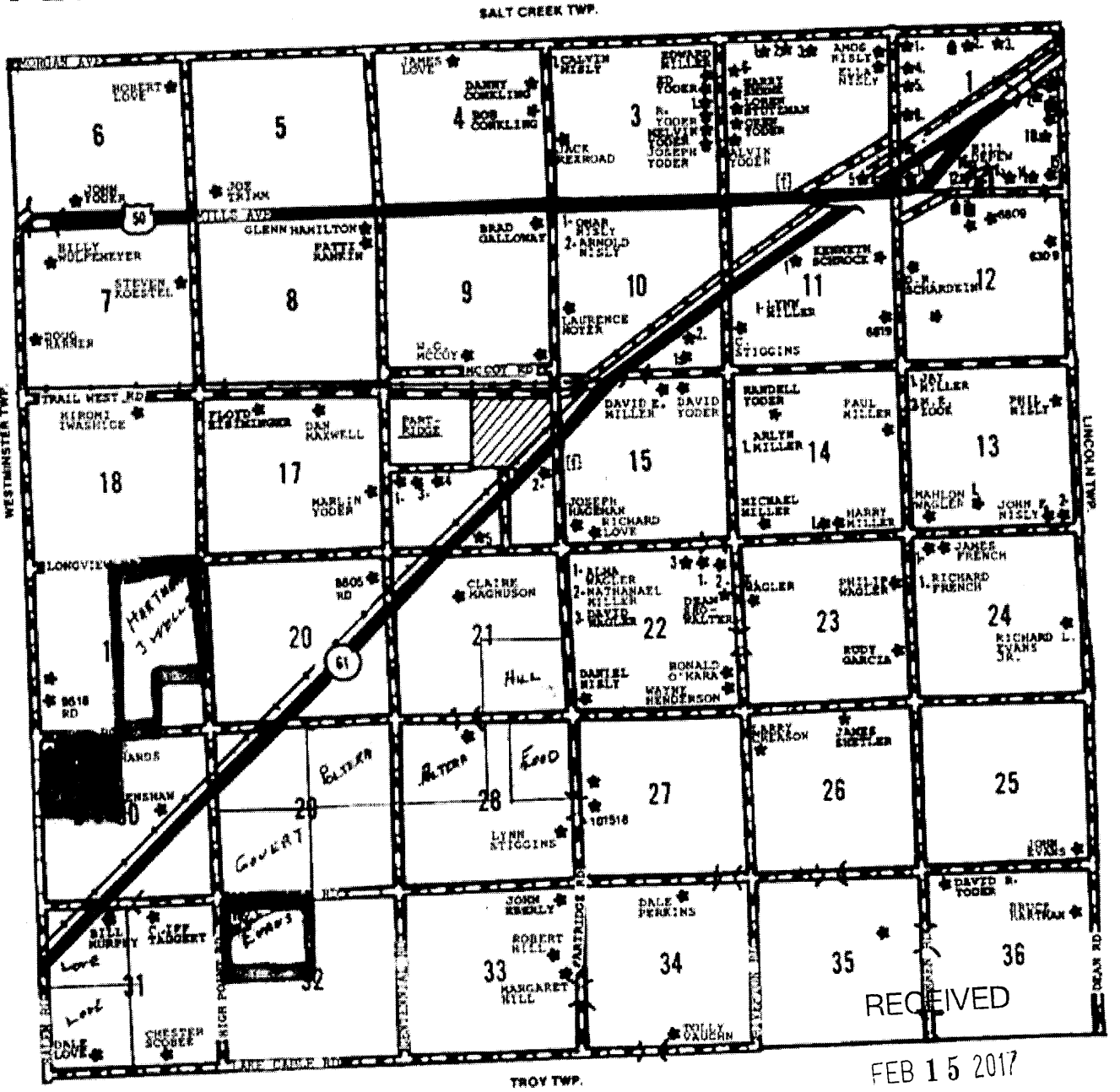
PRODUCT 6107 Wesco Inc. Salina Kans. 67401

RECEIVED

FEB 15 2017

Stafford Field Office
Division of Water Resources

T-24-S **CENTER DIRECTORY** **R-7-W**



See Pages 16-17 For Additional Names.

January 22, 1998

M. Bruce Falk
Water Commissioner
Divison of Water Resources
105 North Main Street
Stafford, Ks. 67578-0357

ATT; Bruce Falk,

My name is Bruce T. Southards,14105 W. Red Rock Rd., Partridge Kansas, 67566 in Center Township, 30-24-7W.

I am putting into writing, my concerns with all of the increase in the irrigation wells being applied for in my area. I am sending you a Plat of the Center Directory of my area. I have colored in my residence in pink, which is in section 30.

Bruce Hartman's application for irrigation wells are colored in yellow and outlined in pink, in section 19. His application numbers are #43046 and #43045. My understanding is, there will be 3 wells to service his irrigation units.

John Evans also has new irrigation units in section 32. I have also colored in yellow and outlined in pink, his units on the Plat. None of the above units have pumped any water yet. They are just being set up at this time. This will make 4 to 5 new wells in addition to the existing wells.

There are seven other irrigation units within an approximate two mile radius of my residence. One unit is in section 21, Two units are in section 28, Two units in section 29, and Two more units are in section 31. They are all colored in yellow on the Plat. This is to show the close proximity of the wells to my residence, and our Domestic well.

Attached to the copy of the Center Directory, you will find our well drillers log, as you requested. I hired the same well driller,(Ezra Miller), to return and measure the static water level of my well at the present,(measured on January 22, 1998), it is now at 30 feet. Mr. Miller stated the increase of water in the well is due to the wet year we have had. You will find a copy of his report accompanying this letter.

The reason for my great concern, is that 3 to 4 years ago my well had to be serviced. At that time I found the water level had dropped 10 to 12 feet during the very dry season we had that year. In my opinion the seven irrigation units, that were operating at that time, were most likely responsible for most of the dropping of the water level.

We hope you will take into consideration the residents of this area, and the residential wells, before approving any more well applications for irrigation units in our area. We feel that our area, has been developed enough for irrigation. Thank you for taking our concerns into consideration in this matter.

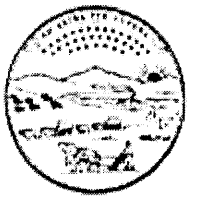
Sincerely,
Bruce T. Southards

Bruce T. Southards

STATE OF KANSAS

BILL GRAVES, GOVERNOR
Alice A. Devine, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David L. Pope, Chief Engineer-Director



STAFFORD FIELD OFFICE
M. Bruce Falk, Water Commissioner
105 North Main Street, Drawer F
Stafford, Kansas 67578-0357
(316) 234-5311 FAX (316) 234-6900

KANSAS DEPARTMENT OF AGRICULTURE

February 11, 1998

Bruce T Southards
14105 W Red Rock Road
Partridge KS 67566

RE: Application, File Nos. 43,045 & 43,046

Dear Mr. Southards:

This will acknowledge receipt of your letter dated January 22, 1998, in which you expressed comments concerning the proposed appropriation of groundwater by Bruce Hartman under the above referenced applications.

Your comments have been considered and approval of the applications, if granted, will authorize diversion of water only when it does not impair existing rights. If Application, File Nos. 43,045 & 43,046 are approved, and the diversion of water under these applications substantially impairs your earlier rights, you should notify this field office.

If an applicant without cause fails to comply with the provisions of the permit and its terms, conditions and limitations, it could result in the forfeiture of the priority date, revocation of the permit and dismissal of the applications.

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

Sincerely,

Jan S. Stryker
Environmental Scientist
Stafford Field Office

JAS:jmw
pc: Water Rights
GMD No. 2

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

313 SPRUCE • HALSTEAD, KANSAS 67056-1925 • equusbed@ink.org • VOICE (316) 835-2224 • FAX (316) 830-2210

February 6, 1998

David L. Pope, Chief Engineer
c/o M. Bruce Falk, Water Commissioner
Division of Water Resources, Stafford Field Office
105 North Main, Drawer F
Stafford, Kansas 67578-0357

Re: Application Nos. 43045 and 43046 - Bruce Hartman

Dear Mr. Pope:

The referenced applications were reviewed by the Equus Beds Groundwater Management District No. 2, February 6, 1998, using the District's Revised Management Program (effective May 1, 1995), District Standards and Policies, and Rules and Regulations K.A.R. 5-22-1 through 5-22-9 (effective March 7, 1994).

The applications complied with the standards and policies adopted by the Board of Directors and contained in the Revised Management program approved by the Chief Engineer. In addition, the applications complied with the District's rules and regulations K.A.R. 5-22-1 through 5-22-9.

The District's review found that: 1) the area's saturated thickness was minimal, less than 40 feet; 2) there was public concern regarding the applications' affect on the water quality and quantity of the aquifer and potential domestic well impairment; 3) an area of known saline contamination of the aquifer was located immediately upgradient of the application sites; and 4) the area has been subjected to a recent increase in groundwater development for non-domestic uses.

Based upon the District's review findings, the applications were recommended for approval subject to:

1) the installation of a water meter on each point of diversion pursuant to District Metering Policy 8103.5;

MILLER DRILLING

3107 E. 95th
HUTCHINSON, KANSAS 67502
Phone 543-2594

CUSTOMER'S ORDER NO.	PHONE	DATE
		1-22-98

NAME Bruce Southard

ADDRESS

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RET'D.	PAID OUT

QTY.	DESCRIPTION	PRICE	AMOUNT
1/2	Service Call		16 00
	Static water level		
	on 1-22-98 was 30'		
	Ck# 6161		
		TAX	
RECEIVED BY		TOTAL	

7894

All claims and returned goods MUST be accompanied by this bill.

Thank You

PRODUCT 610 2 Nicholas Inc Dixon Mass 01471

RECEIVED

FEB 15 2017

Stafford Field Office
Division of Water Resources

January 22, 1998

Mike Dealy
Equus Beds
GMD #2
313 Spruce
Halstead, Ks.
67056

ATT; Mike Dealy,

My name is Bruce T. Southards,14105 W. Red Rock Rd.,Partridge Kansas, 67566 in Center Township, 30-24-7W.

I am putting into writing,my concerns with all of the increase in the irrigation wells being applied for in my area. I am sending you a Plat of the Center Directory of my area. I have colored in my residence in pink, which is in section 30.

Bruce Hartman's application for irrigation wells are colored in yellow and outlined in pink,in section 19. His application numbers are #43046 and #43045. My understanding is, there will be 3 wells to service his irrigation units.

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The reason for my great concern, is that 3 to 4 years ago my well had to be serviced. At that time I found the water level had dropped 10 to 12 feet during the very dry season we had that year. In my opinion the seven irrigation units, that were operating at that time, were most likely responsible for most of the dropping of the water level.

We hope you will take into consideration the residents of this area, and the residential wells, before approving any more well applications for irrigation units in our area. We feel that our area has been developed enough for irrigation. Thank you for taking our concerns into consideration in this matter.

Sincerely,
Bruce T. Southards

Bruce T. Southards

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

Kansas
Department of Agriculture
Division of Water Resources

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

February 8, 2017

Jack & Virginia Rexroad Revocable Trust
14105 W Red Rock RD
Partridge, KS 67566

Re: Pending Application, File No. 49,120

Dear Sir:

This is to advise you that Miles Hartman has filed the application referred to above for a permit to appropriate 208 acre-feet of groundwater per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute. The proposed point of diversion for 49,120 is one (1) well located as follows:

Near the Center of the Southwest Quarter of Section 19, Township 24 South, Range 7 West, Reno County, Kansas.

A map is enclosed indicating the location of the proposed well. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location 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.

If you have any questions or comments, you may also contact me at (620) 234-5311. If you call, please reference the file number so I can help you more efficiently. Mailed comments can be sent to the Stafford Field Office at 300 S. Main St. Stafford, KS 67578-1521.

Sincerely,

Matthew J Meier

Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

pc: matt.meier@ks.gov

RECEIVED
FEB 15 2017
...ffice
...sources

Kansas
Department of Agriculture
Division of Water Resources

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

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

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Sam Brownback, Governor

March 2, 2017

GROUNDWATER MANAGEMENT DISTRICT NO 2
% TIM BOESE
313 SPRUCE ST
HALSTEAD KS 67056-1925

Re: Pending Application, File No. 49,120

Dear Mr. Boese:

We are enclosing a copy of the application referred to above which appears to be in proper form. Nearby well owner notification letters were sent out on February 8, 2017. A phone call and email (with attached documents) were received nearby well owner Bret Suthers (representing Susan Suthers) and they were extremely against approval of the application.

We are delaying any further action for a period of **30 days** from the date of this letter to allow you time to submit your recommendations concerning this application. Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (620) 234-5311. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Matthew J Meier

Matt Meier
Environmental Scientist
Water Appropriation Program

Enclosure

pc:

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

March 31, 2017

RECEIVED

APR 03 2017

Stafford Field Office
Division of Water Resources

Chief Engineer, Division of Water Resources
Attn: Matt Meier
300 S. Main St.
Stafford, KS 67578

Re: Appropriation Application No. 49120 – Miles Hartman

Dear Mr. Meier:

The Equus Beds Groundwater Management District reviewed the referenced application on March 31, 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 District's review found that the application does not comply with the District's Safe Yield Regulation K.A.R. 5-22-7(a), as existing and proposed consumptive appropriations exceed the maximum allowable.

Based upon the review findings, the application is recommended for denial by the Equus Beds Groundwater Management 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 the date of this notification, pursuant to K.A.R. 5-22-12. An appeal petition must state the basis for the appeal and must include information/documentation supporting the appeal.

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

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

T. Boese

Tim Boese,
Manager
TDB/STF

This is a recommendation by the Equus Beds Groundwater Management District and not a dismissal of an application or water permit.

Enclosures

pc: Miles Hartman, Applicant and Landowner, with copy of K.A.R. 5-22-12
Susan Southards, c/o Bret Southards, Nearby Well Owner

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

1) Application No. 49120 Date filed: 07/28/14
2) Applicant: Miles Hartman County: RN
3) Proposed maximum quantity: 208 acre-feet/year Rate: 800 GPM
4) Proposed Use: Irrigation
5) P/D location: NC SW 19-24S-7W Geo Center: North 1320 ft, West 4000 ft
6) Number and type of points of diversion listed on the application 1 Well

7) Meter required K.A.R. 5-22-4a or K.A.R. 5-22-8? ☒Yes ☐No, Why _____

8) Meets Safe Yield K.A.R. 5-22-7? ☐Yes ☒No ☐N/A
- (a) Total allowable appropriations: 769.67 af/yr
- (b) Total existing appropriations: 1925.46 af/yr
- (c) Total small user exemptions: 0.00 af/yr
- (d) Total non-consumptive use: 0.00 af/yr
- (e) Total consumptive use: 1925.46 af/yr
  (Total existing appropriations) – (Total non-consumptive use)
- (f) exempt from regulation? ☐Yes ☒No,
  Cite exemption: _____

9) Meets Well Spacing K.A.R. 5-22-2? ☒Yes ☐No ☐N/A
- (a) POD in enhanced well spacing area? ☒Yes ☐No
- (b) Domestic well spacing interval: >660 ft
- (c) Non-Domestic well spacing interval: >2640 ft

10) Meets Max Reasonable Quantity K.A.R. 5-22-14? ☒Yes ☐No ☐N/A
- (a) Irrigation max quantity: 1.4 acre-feet / acre
  application paragraph 3 value (acre-feet) / proposed acres = Q
- (b) Stockwater max quantity: _____ GPD _____ unit
- (c) Industry max quantity: _____ Acre
  Industry standard: _____
- (d) Municipal max quantity: _____ GCD
  Lesser of either 200 GCD or
  $1.10 * (X - Y) * 365\ d * (z + t)$
  X - Average of last three years usage in Gallons per Capita per Day (GCD)
  Y - water usage for industries that use over 200,000 gal/yr (GCD)
  Z - Projected population in 20 years
  T - Reasonable projected water use for industries that use over 200,000 gallons per year (GCD)
- (e) Pond max quantity is _____
  (Net evap + seepage)/12 x pond area + any initial fill
- (f) Groundwater pit max Q: _____
  Net evap * pit area/12

11) Reasonable rate for intended use? ☒Yes ☐No ☐N/A

12) Depth to water: 33 ft bls at observation well: SC 43046

13) Date reviewed: March 24, 2017 Reviewed 3-31-17
14) Reviewed by: S. Flaherty Title: Hydrogeologist
15) District recommendation: ☐Approve ☒Deny ☐Other, see comment

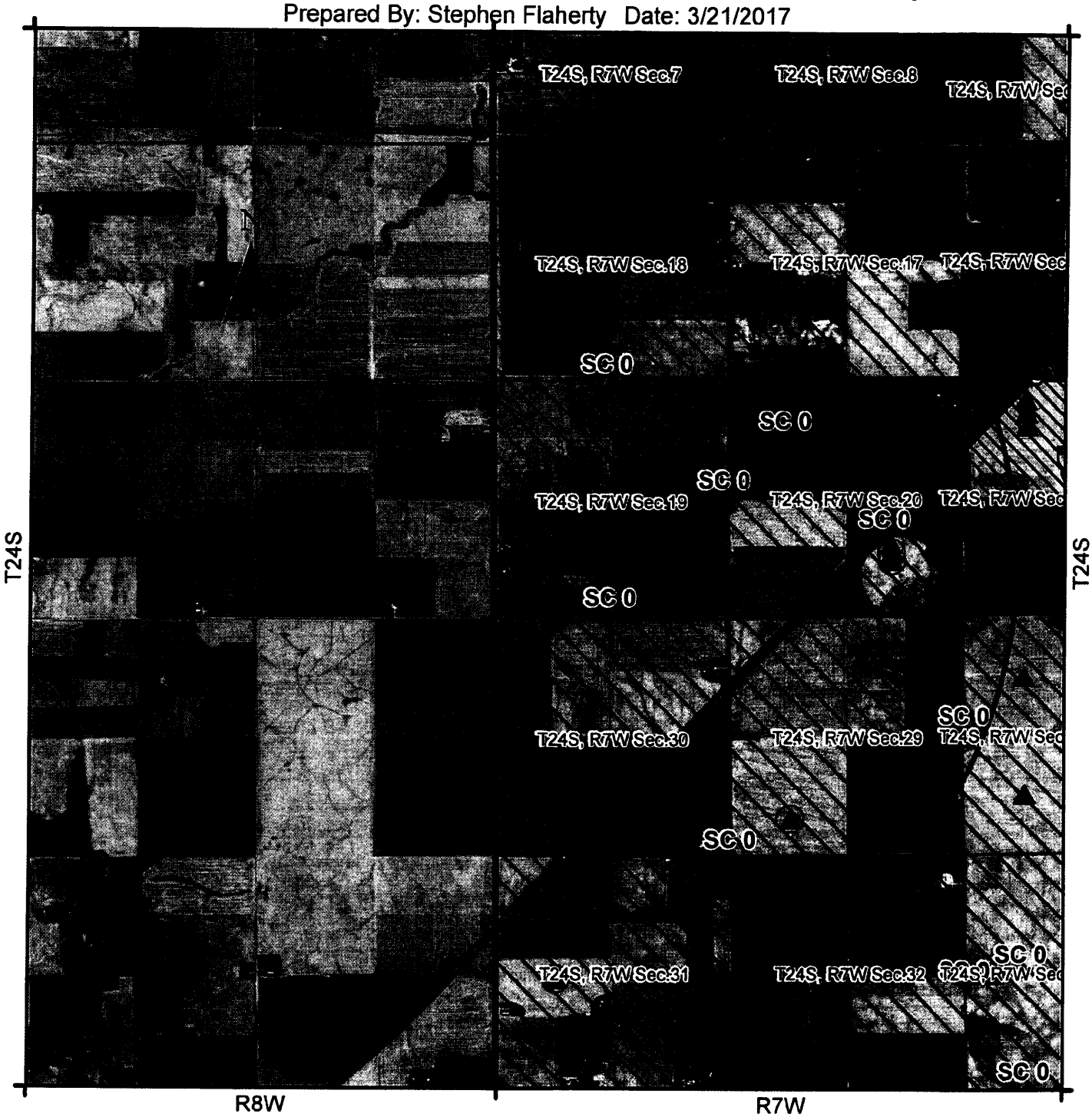
16) Comments and Calculations:
Review complete for a new application in the enhanced well spacing area submitted by Miles Hartman for Irrigation Use in Reno County.
No Overlapping Place of Use
No Overlapping Point of Diversion
Surrounding Well Owner Notifications Sent
One Nearby Well Owner Inquiry
No additional Rate/Quantity Limitations
Application is in the enhanced well spacin area
Recommend Denial, Application does not comply with the safe yield regulation K.A.R. 5-22-7.

Equus Beds Groundwater Management District No. 2

SAFEYIELD EVALUATION No. 49120

NCSW (1320'N & 4000'W) 19-24S-07W, Reno County

Prepared By: Stephen Flaherty Date: 3/21/2017



Map Legend

- Observation Well
- Bedrock
- Authorized Place of Use
- Proposed Place of Use
- Proposed Point of Diversion
- Authorized Location
- Burrton IGUCA
- Hollow Nikkel SWQUA
- McPherson IGUCA
- Enhanced Well Spacing Area
- Application Suspension Area

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

SAFEYIELD EVALUATION No. 49120

LOCATION: NCSW (1320'N & 4000'W) 19-24S-07W, Reno County

SPECIAL USE AREA: ENHANCED WELL SPACING AREA

EVALUATION DATE:- 3/21/2017

Total Areas: 0 acres; Area in 3 inch discharge zone: 0 acres; Area in 6 inch discharge zone: 0 acres

FILE_ID	WELL_ID	TOWNSHIP	RANGE	SECTION	QUALIFIER	USE	AUTHQUANTITY
A01696500	1819	24S	07W	29	39691303	IRR	133
A01923500	571	24S	07W	31	25753960	IRR	105
A04063300	219	24S	07W	31	18962759	STK	0
A04063300	2896	24S	07W	31	18962798	STK	6.63
A04063300	218	24S	07W	31	18962837	STK	0
A04175500	2138	24S	07W	29	8343930	IRR	185
A04304500	2504	24S	07W	19	39451361	IRR	0
A04304500	2505	24S	07W	19	37331355	IRR	160
A04304500	2506	24S	07W	19	35201349	IRR	0
A04304600	2507	24S	07W	19	13611342	IRR	180
A04309600	2522	24S	07W	32	50285275	IRR	222
A04309600	2523	24S	07W	32	52815272	IRR	0
A04309600	2524	24S	07W	32	47755278	IRR	0
A04360700	2647	24S	07W	20	28612647	IRR	195
A04360700	2654	24S	07W	20	31072648	IRR	0
A04360700	2655	24S	07W	20	26152645	IRR	0
A04589400	3188	24S	07W	20	12351627	IRR	0
A04589400	3179	24S	07W	20	14261644	IRR	134
A04589400	3180	24S	07W	20	16171661	IRR	0
A04706900	3506	24S	07W	31	18962798	STK	3.83
A04706900	3507	24S	07W	31	18962837	STK	0
A04706900	3508	24S	07W	31	18962759	STK	0
A04730100	3614	24S	07W	21	28934350	IRR	0
A04730100	3615	24S	07W	21	24544350	IRR	0
A04730100	3598	24S	07W	21	26004100	IRR	182
A04737400	3608	24S	07W	29	13771300	IRR	189
A04737500	3609	24S	07W	29	26200028	IRR	0
A04829600	4039	24S	07W	19	26600050	IRR	22
A04912000	4220	24S	07W	19	13204000	IRR	208

Allowable Appropriations	**769.67**	**Total Existing Appropriation**	**1,925.46**
Small User Quantity	**0**	**Non Consumptive Appropriations**	**0**
Remaining SUQ	**45**	**Consumptive Appropriations**	**1,925.46**
Note- Values are in acre-feet		**Available Appropriations**	**0**

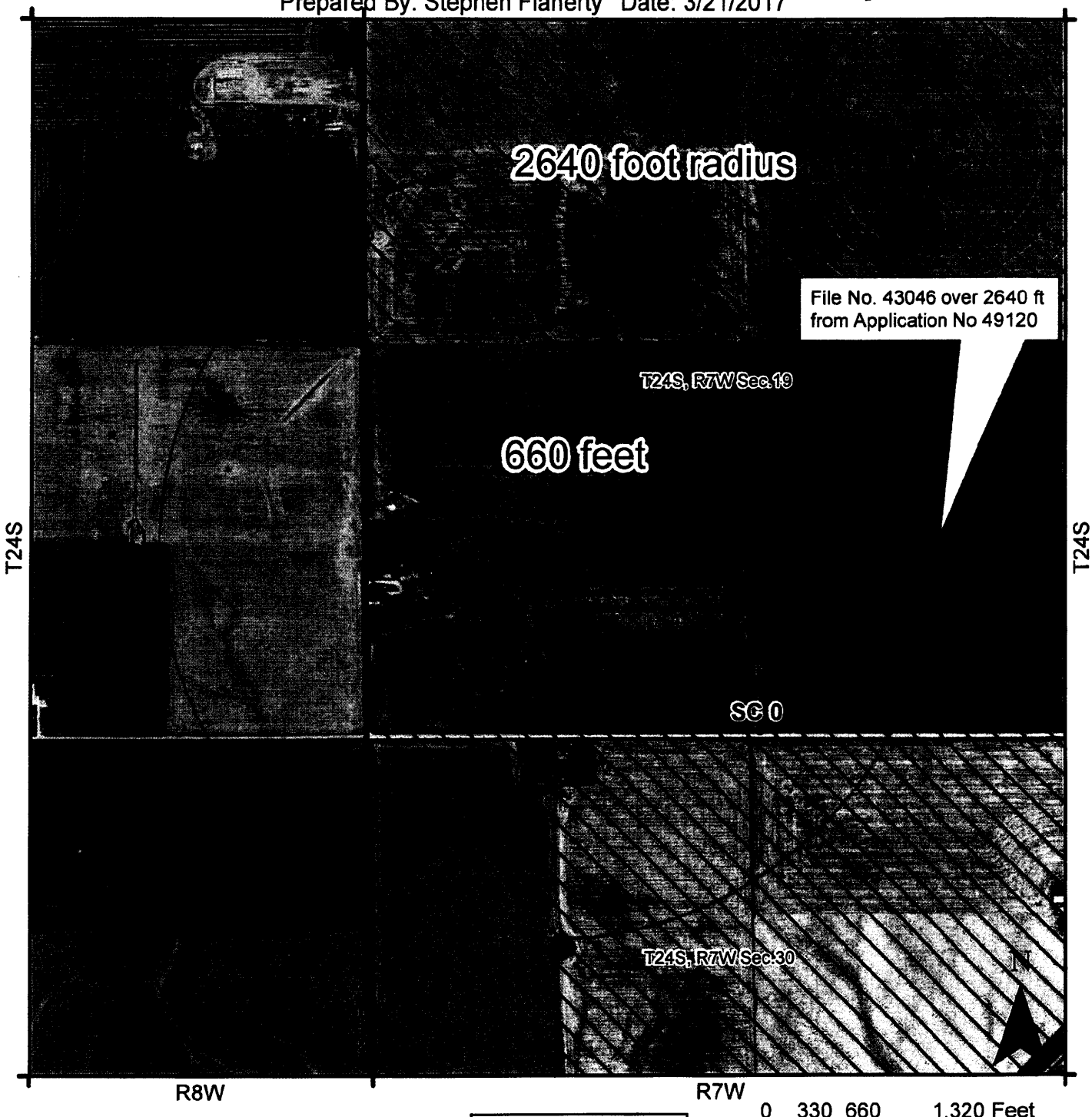
RECEIVED
APR 03 2017
Stafford Field Office
Division of Water Resources

Equus Beds Groundwater Management District No. 2

SPACING EVALUATION No. 49120

NCSW (1320'N & 4000'W) 19-24S-07W, Reno County

Prepared By: Stephen Flaherty Date: 3/21/2017



Map Legend

- Observation Well
- Bedrock
- Authorized Place of Use
- Proposed Place of Use
- Proposed Point of Diversion
- Authorized Location
- Burrton IGUCA
- Hollow Nikkel SWQUA
- McPherson IGUCA
- Enhanced Well Spacing Area
- Application Suspension Area

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

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

Kansas
Department of Agriculture
Division of Water Resources

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

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner
Sam Brownback, Governor

April 3, 2017

MILES HARTMAN
817 N HERREN RD
NICKERSON KS 67561-9027

RE: Pending Application, File No. 49,120

Dear Mr. Hartman:

On April 3, 2017, we received a recommendation from the Equus Beds Groundwater Management District No. 2 that the referenced Application for Permit to Appropriate Water for Beneficial Use be denied. This recommendation was based upon the groundwater management program adopted by the District and approved by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture. The application does not comply with and Safe Yield Rule and Regulation K.A.R. 5-22-7(a).

We are advising you of this recommendation in order to allow you an opportunity to consult with the District regarding their recommendation if you have not already done so. If you have already contacted the District regarding this recommendation, then we are allowing you this opportunity to submit any additional information you wish to have considered before the Chief Engineer.

We will delay any further action on the referenced application until **April 30, 2017**, at which time the application will be submitted to the Chief Engineer for a final decision.

If you have any questions, please contact me at (620) 234-5311, and please have the specific file number ready so that I may help you more efficiently.

Sincerely,

Matthew J Meier

Matt Meier
New Application Unit
Water Appropriation Program

pc: Groundwater Management District No. 2

1320 Research Park Drive
Manhattan, Kansas 66502
Jackie McClaskey, Secretary

Kansas
Department of Agriculture

Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

July 29, 2014

MILES HARTMAN
817 N. HERRON RD
NICKERSON KS 67561

RE: Application
File No. 49,120

Dear Sir or Madam:

Your application for permit to appropriate water in 19-24S-7W, in Reno County, was received and has been assigned the file number noted above.

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

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

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

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

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

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

Sincerely,

for Richard Rockel
New Application Unit Supervisor
Water Appropriation Program

DWS: al
pc: Stafford Field Office
GMD 2