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

1. File Number:	2. Status Change Date:	3. Field Office:	4. GMD:
49587	5/4/2017	**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) Person ID **58260**
New to system ☐ Add Seq# **1**

ROBERT A & SUSAN D BACON
3616 S MAYFIELD RD
HUTCHINSON KS 67501

7c. Landowner(s) Person ID **58264**
New to system ☐ Add Seq# **1**

JOHN S BACON REV TRUST
405 W FRONT ST APT # 305
WHEATON IL 60187-2333

Name Chg

7b. Landowner(s) Person ID **64922**
New to system ☐ Add Seq# **1**

ROBERT C BACON REV TRUST
JUANITA BACON
405 SUNNYDELL CIRCLE
SOUTH HUTCHINSON KS 67505-1726

update name & address

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

8. WUR Correspondent Person ID **58260**
New to system ☐ Add Seq# **1**
Overlap File (s) WUC ☐ Notarized WUC Form
Agree ☐ Yes ☐ No

ROBERT A & SUSAN D BACON
3616 S MAYFIELD RD
HUTCHINSON KS 67501

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: **12/31/2018** 11. Perfection Date: **12/31/2022** 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: **04/11/2017** By: **RAK**
Date Entered: 5/9/2017 By: UM

File No. **49,587** | 15. Formation Code: **190** | Drainage Basin: **ARKANSAS RIVER** | County: **RN** | Special Use: | Stream:

16. Points of Diversion

√ MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
√	85118	NW¼ SE¼ SE¼	35	23S	5W	8	1310	1310

17. Rate and Quantity

Authorized Rate gpm	Authorized Quantity af	Additional Rate gpm	Additional Quantity af	Overlap PD Files
800 g.p.m.	189 AF	800	189 AF	NO

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 **12/31/2018** Date Acceptable Meter Installed _____

21. Place of Use

√ MOD DEL ENT	PUSE	S	T	R	ID	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Total	Owner	Chg?	Overlap Files
MOD	67641	35	23S	5W	5															34.00	34.00	68.00	7b	NO	NO
MOD	67642	35	23S	5W	6													33.00	34.00			67.00	7c	NO	NO

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
MEMORANDUM

TO: Files **DATE:** April 25, 2017

FROM: Richelle A. Krueger **RE:** Application, File No. 49,587

Robert A. Bacon has filed the referenced application to appropriate groundwater for irrigation use, requesting a quantity of 189 acre-feet and a diversion rate of 800 gallons per minute. The proposed point of diversion will be one (1) well located 1,310 feet North and 1,310 feet West of the Southeast corner of Section 35, Township 23 South, Range 5 West, Reno County within the drainage basin of the Arkansas River Basin. No overlaps in the proposed point of diversion or place of use are proposed. The proposed acreage is owned by Robert C. Bacon Revocable Trust and John S. Bacon Revocable Trust.

WRIS indicates the only non-domestic well within one-half mile of the proposed well is a battery of two irrigation wells authorized by Appropriation of Water, File No. 45,359. The submitted application indicates there are three domestic wells within one-half mile of the proposed well. The nearby well owners were notified of the referenced application by letters dated October 25, 2016 sent by Erin McGrogan, former Environmental Scientist with the Permits Unit; no written responses have been received as of today's date.

In letter dated January 30, 2017 with attachments, Equus Beds Groundwater Management District No. 2 recommended the referenced application be approved and indicated that the application complies with K.A.R. 5-22-1 through K.A.R. 5-22-17.

The total quantity available for irrigation use by File No. 49,587, 189 acre-feet, will irrigate the proposed 135 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.

A test hole log was submitted with the pending new application. The source of supply appears 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 April 6, 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 application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it has been recommended that the referenced application be approved.

Richelle A. Krueger
Environmental Scientist

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

Kansas
Department of Agriculture
agriculture.ks.gov

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

Jackie McClaskey, Secretary

Governor Sam Brownback

FILE COPY

May 9, 2017

ROBERT A AND SUSAN D BACON
3616 S MAYFIELD RD
HUTCHINSON KS 67501

RE: Appropriation of Water, File Nos. 49,587; 49,588; 49,589; 49,590; 49,592; 49,593 and 49,594
Dismissal of Application, File No. 49,591

Dear Mr. and Mrs. Bacon:

Enclosed is the Findings and Order by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Application, File No. 49,591, for failure to meet safe yield criteria per K.A.R. 5-22-7(a).

In addition, enclosed are permits (File Nos. 49,587; 49,588; 49,589; 49,590; 49,592; 49,593 and 49,594) 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 locations specified in the permits, and to use it for the purpose and at the locations described in the permits.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these permits. Water meters are required and you must install them prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meters should be used to provide the information required on the annual water use reports.

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 these permits. Enclosed are forms which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

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 rights.

(OVER→)

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

pc: Stafford Field Office
Groundwater Management District No. 2
Clifford Eugene Strandberg
William C. Ellis Family Trust
Robert C. Bacon Rev. Trust, c/o Juanita Bacon
John S. Bacon Rev. Trust
Hannah Eldridge Trust, c/o Elaine Eldridge

THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

APPROVAL OF APPLICATION
and
PERMIT TO PROCEED

(This is not a Certificate of Appropriation)

FILE COPY

This is to certify that I have examined Application **File No. 49,587** of the applicant

ROBERT A BACON
3616 S MAYFIELD RD
HUTCHINSON KS 67501

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **March 23, 2016.**

2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	TOTAL
35	23S	5W													33.00	34.00	34.00	34.00	135.00

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one(1) well located in the Northwest Quarter of the Southeast Quarter of the Southeast Quarter (NW¼ SE¼ SE¼) of Section 35, more particularly described as being near a point 1,310 feet North and 1,310 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.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **800 gallons per minute (1.78 c.f.s.)** and to a quantity not to exceed **189 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2018** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of $400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of $100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2022** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of $100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit 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.

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit 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.

13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

17. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

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

Lane P. Letourneau

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

State of Kansas)
) SS
County of Riley)

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

Danielle Wilson

Notary Public

DANIELLE WILSON
My Appointment Expires
August 23, 2020

CERTIFICATE OF SERVICE

On this 9th day of May 2017, I hereby certify that the foregoing Approval of Application, File No. 49,587, dated May 4, 2017 was mailed postage prepaid, first class, US mail to the following:

ROBERT A BACON
3616 S MAYFIELD RD
HUTCHINSON KS 67501

With photocopies to:

ROBERT C BACON REV TRUST
JUANITA BACON
405 SUNNYDELL CIRCLE
SOUTH HUTCHINSON KS 67505-1726

JOHN S BACON REV TRUST
405 W FRONT ST APT # 305
WHEATON IL 60187-2333

Stafford Field Office
Groundwater Management District No. 2

Danielle Wilson

Division of Water Resources

WATER RESOURCES RECEIVED (1)
MAR 23 2016
4:14
KS DEPT OF AGRICULTURE

THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49,587
This item to be completed by the Division of Water Resources.

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): Robert A Bacon
   Address: 3616 S Mayfield Road
   City: Hutchinson State KS Zip Code 67501
   Telephone Number: (620) 662.4424

2. The source of water is: ☐ surface water in _____ (stream)
   OR ☒ groundwater in Arkansas River (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 189 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* IRR *Source* (G) S *County* RN *By* ASW *Date* 3/24/16
Code (LE2) *Fee $* 300 *TR #* 1603760 *Receipt Date* 3/23/16 *Check #* 1085

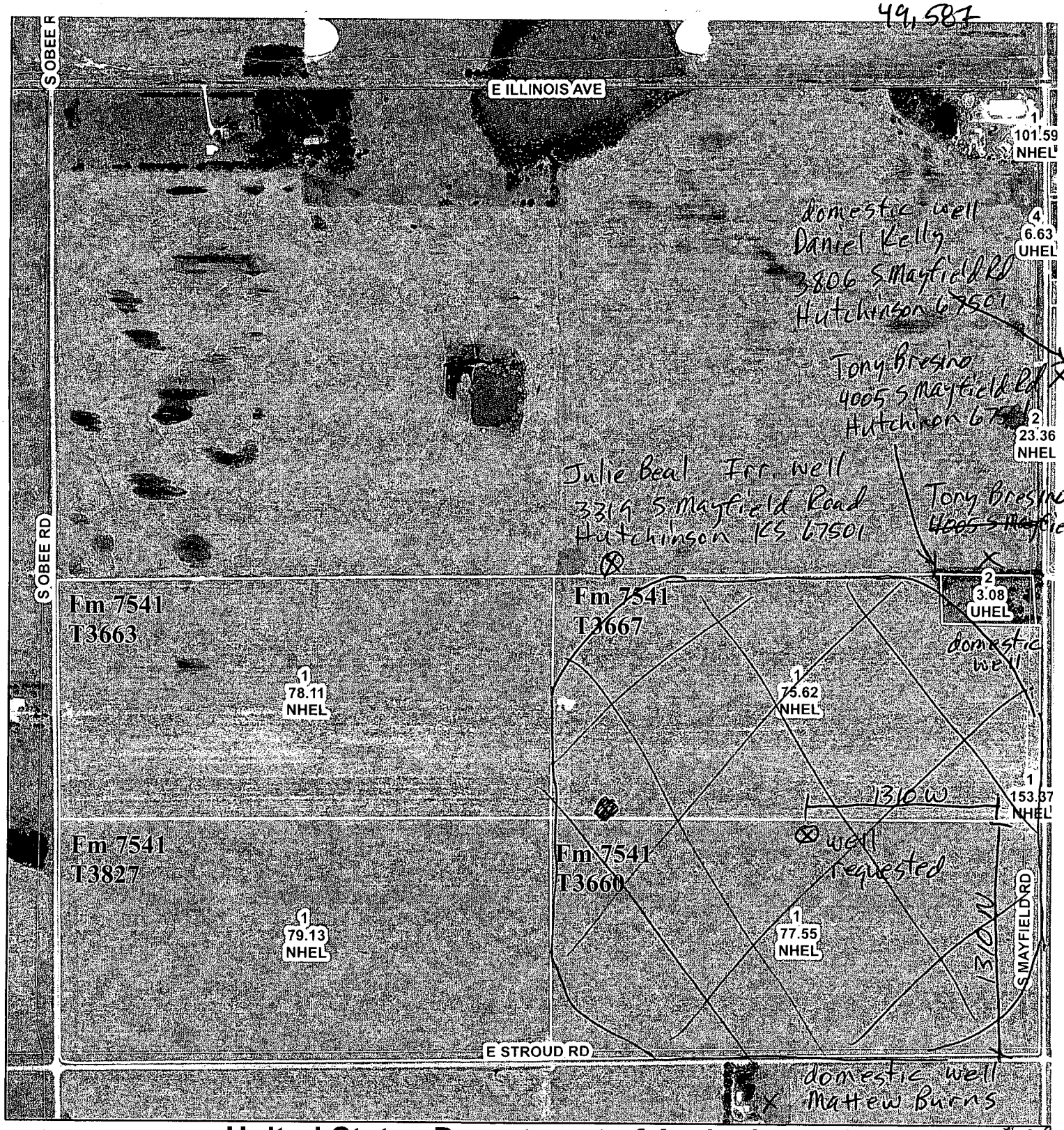
APPLICATION NUMBER
4/13/17
Reviewer DAC

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

SCANNED

3/29/2016 LLM

49,587



USDA

United States Department of Agriculture

Farm Service Agency

RENO COUNTY

35-23-5

March 25, 2010

FY

cy

5613 E Stroud Rd
Hutchinson KS
67501

Legend

fsa_gis_layers.SDE.wet_p_ks155

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

Legend

clu.SDE.clu_a_ks155

WATER RESOURCES
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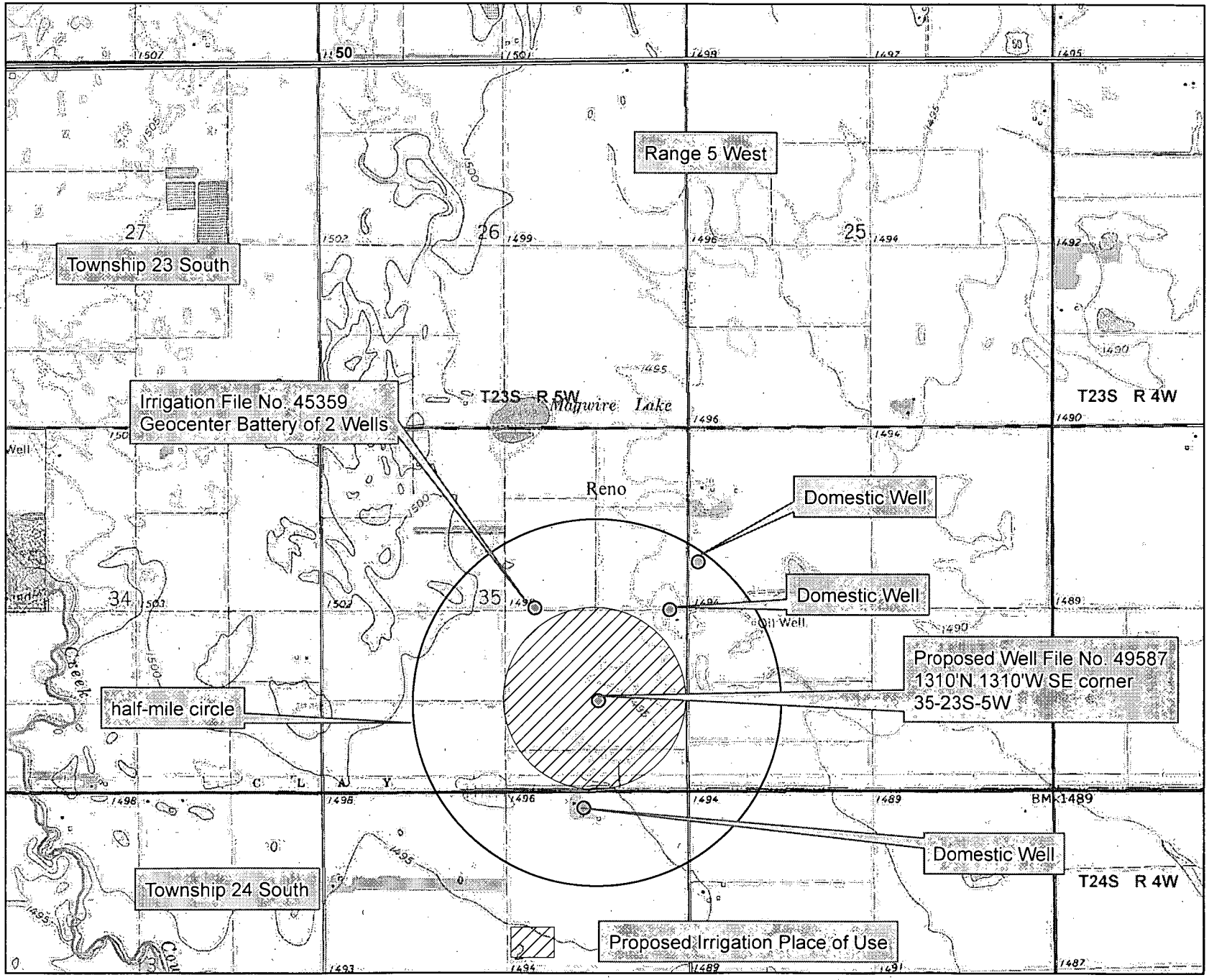
MAR 23 2016

KS DEPT OF AGRICULTURE

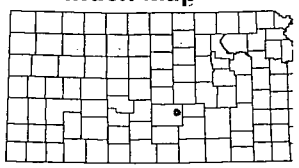
Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area.
Refer to your original dermination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

SCANNED

Application File No. 49587



Index Map



1:24,000

0 660 1,320 2,640 3,960 5,280 6,600 Feet

This map was created by WIMAS on 2/1/2017 10:52:51 AM

File No. 49,587

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 NW quarter of the SE quarter of the SE quarter of Section 35, more particularly described as being near a point ~~1320~~ 1310 feet North and 1310 feet West of the Southeast corner of said section, in Township 23 South, Range 5 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):

Robert C Bacon Trust c/o Juanita Bacon 620.662.2651
(name, address and telephone number)

405 Sunnydell Circle South Hutchinson KS 67505
(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 March 22, 2016. Robert A Bacon
> 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 well (number of wells, pumps or dams, etc.) and (was)(will be) completed (by) 4-1-17 (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 5/1/17 (Mo/Day/Year).

WATER RESOURCES RECEIVED

SCANNED

MAR 23 2016

KS DEPT OF AGRICULTURE

File No. 49,587

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

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

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

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

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

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

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. pivot point at well site

    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.

    NA

WEST CENTRAL

WATER RESOURCES
RECEIVED
MAR 15 2017
KS DEPT OF AGRICULTURE

3-13-17

Brent,

Thank goodness I took my wife's car to exercise class this morning. I found this envelope which she was going to mail for me. Grrrr.

Sorry

Bob

WESTCENTRALINC.COM

45,759

Application #49587

R Julie Beal Irrigation well ~~#45,539~~
3319 South Mayfield Road
Hutchinson KS 67501

Daniel Kelly Domestic well
3806 South Mayfield Road
Hutchinson KS 67501

R Tony Bresino Domestic well
4005 South Mayfield Road
Hutchinson KS 67501

R Matthew Burns Domestic well
5613 East Stroud Road
Hutchinson KS 67501

Application 49588

Ray Bartholomew Domestic well
4107 South Obee Road
Hutchinson KS 67501

R Julie Beal Two Irrigation wells
3319 South Mayfield Road
Hutchinson KS 67501

R Matthew Burns Domestic well
5613 East Stroud Road
Hutchinson KS 67501

App Robert Bacon Irrigation well File Number 47609
3616 South Mayfield Road
Hutchinson KS 67501

Application 49589

No wells within one half mile

Application 49590

R Julie Beal Domestic well
3319 South Mayfield Road
Hutchinson KS 67501

Anita Norton Domestic well
6809 East Illinois Avenue
Hutchinson KS 67501

R Tony Bresino Domestic well
4005 South Mayfield Road
Hutchinson KS 67501

49587 49588 49589
49590 49591 49592
49593 49594

Application 49590 continued

Daniel Kelly Domestic well
3806 South Mayfield Road
Hutchinson KS 67501

App. Robert Bacon Domestic well
3616 South Mayfield Road
Hutchinson KS 67501

Application 49591

Matt Brack Irrigation well File Number 48505 NW4 24-23-5
4000 East G Street Irrigation well on SE4 23-23-5
Hutchinson KS 67501

Judy Langley Domestic well
6818 East Blanchard
Hutchinson KS 67501

J. Bartholomew Domestic well
5815 East Blanchard Street
Hutchinson KS 67501

Mickey Strandberg Domestic well
1718 South Mayfield Road
Hutchinson KS 67501

Application Number 49592

Anita Norton Domestic well
6809 East Illinois Avenue
Hutchinson KS 67501

Application Number 49593

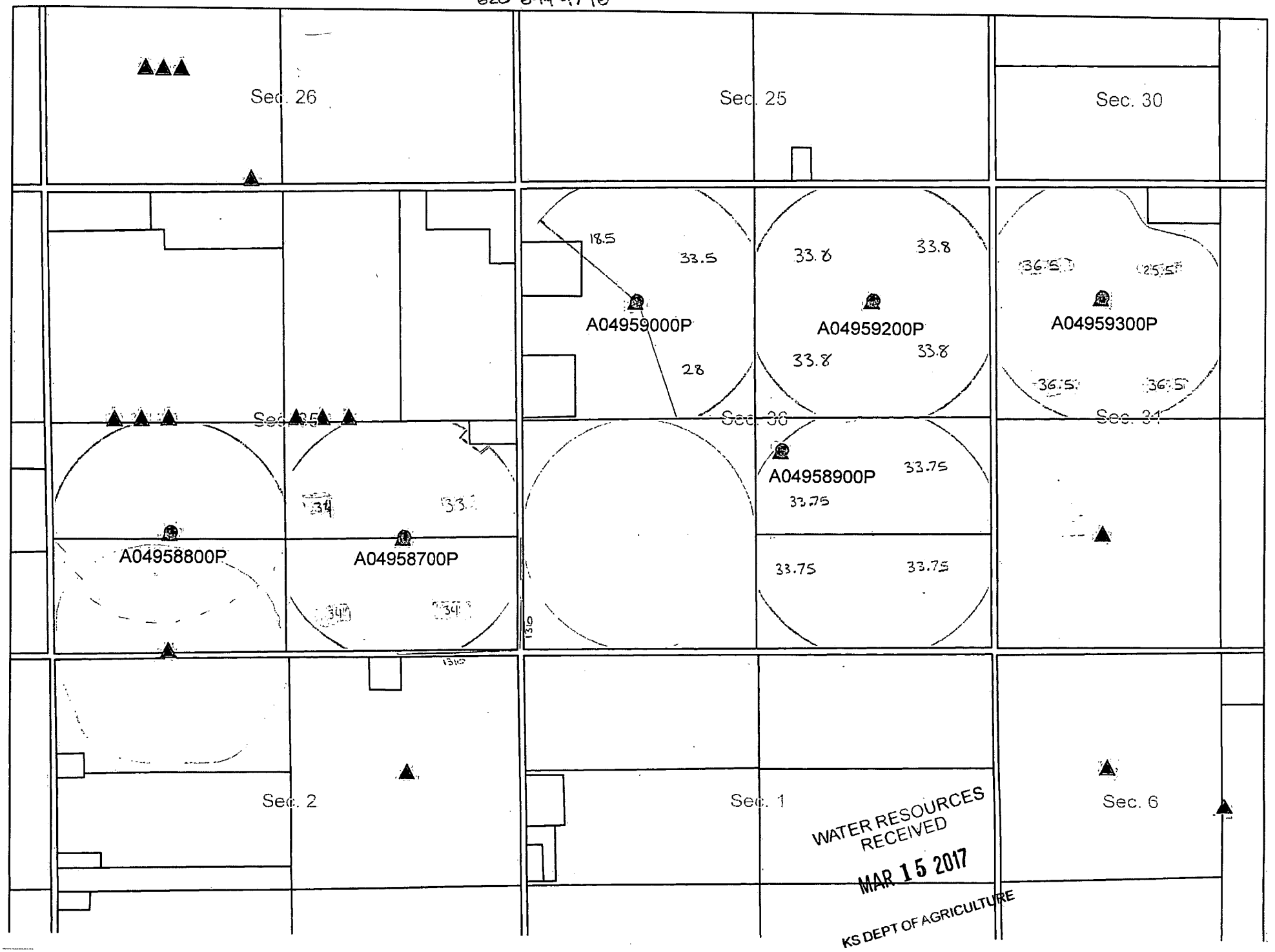
Bryan Ford Domestic well
7817 East Illinois Avenue
Hutchinson KS 67501

Application Number 49594 Stacking on top of File Number 48505 Use existing well.

Unknown occupant Domestic well
705 South Mayfield Road
Hutchinson KS 67501

Unknown occupant Domestic well
718 South Mayfield Road
Hutchinson KS 67501

Bacon36235@gmail.com
620 694 9746



WATER RESOURCES
RECEIVED
MAR 15 2017
KS DEPT OF AGRICULTURE

49,587

USDA United States Department of Agriculture
Natural Resources Conservation Service

Web Soil Survey

Search

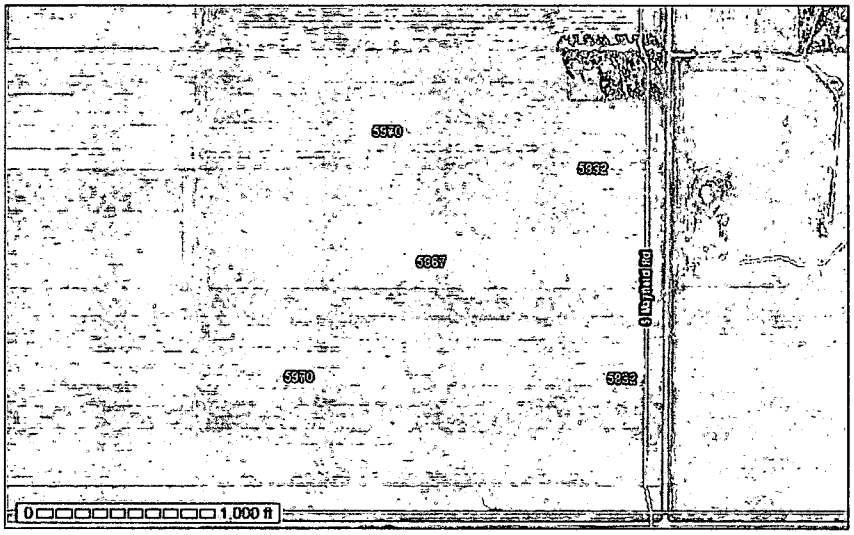
Map Unit Legend

Reno County, Kansas (KS155)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
5832	Punkin-Taver complex, 0 to 1 percent slopes	12.5	9.3%
5867	Avans loam, 0 to 1 percent slopes	89.5	66.5%
5970	Taver loam, 0 to 1 percent slopes	32.6	24.2%
Totals for Area of Interest		**134.6**	**100.0%**

Soil Map

Scale (not to scale)



Warning: Soil Map may not be valid at this scale.

You have zoomed in beyond the scale at which the soil map for this area is intended to be used. Mapping of soils is done at a particular scale. The soil surveys that comprise your AOI were mapped at 1:24,000. The design of map units and the level of detail shown in the resulting soil map are dependent on that map scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

IRRIGATION USE
SUPPLEMENTAL SHEET

File No. 49,587

Name of Applicant (Please Print): Robert A Bacon

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: Robert C. Bacon *Rev Trust c/o Juanita Bacon

ADDRESS: 405 Sunnydell Circle South Hutchinson Ks

S	T	R	NE¼				NW¼				SW¼				SE¼ (*)				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
✓ 35	23	5											33.75 34	34 33.75					67.5 (*) 68

** ~~67501~~ 67505-1726

* **Landowner of Record** NAME: John* S. Bacon Rev. Trust

ADDRESS: 405 W Front Street *AD# 305 Wheaton IL 60187-2333

S	T	R	NE¼				NW¼				SW¼				(*) SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
✓ 35	23	5													33.75 34 33 33.75				67.5 (*) 67
																			135 acres

(*) Acres modified per 2/28/17 e-mail & map Steve Flaherty GMD 2

Landowner of Record NAME: _____ (*) RAK/OWR 3/16/17

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	

* 9/29/2013 1.4 AF per acre Reno County 135 acres x 1.4 AF per acre = 189 AF

WATER RESOURCES RECEIVED MAR 23 2016 KS DEPT OF AGRICULTURE

SCANNED

DWR 1-100.23 (7-7-00) Page 1 of 2

** per Zip code lookup

** RAK/OWR 4/11/17

emc/DWR

*RAK/OWR 2/1/17

49,587

County	Tax year
Reno	2016

Section	Township	Range
35	23	05W

Legal
N1/2 SE1 EXC TR COM NE COR SE 1/4 S262 FT W560 FT N270.6 FT E560 FT TO POB & EXC RD ROW

Total Acres	Irrigated	Total Parcel
76	0	76.279999

Name and Address
BACON, JOHN S REV TRUST
405 W FRONT STAPT 305
WHEATON IL 60187-2333

Formatted address
405 W FRONT ST
#APT 305
WHEATON, IL 60187-2333

Property ID	Property number
26751	078-137-35-0-00-00-007.00-0

County	Tax year
Reno	2016

Section	Township	Range
35	23	05W

Legal
S1/2 SE1/4 LESS RDWY R/W

Total Acres	Irrigated	Total Parcel
77	0	77.190002

Name and Address
BACON, ROBERT C REV TRUST
405 SUNNYDELL CIR
SOUTH HUTCHINSON KS 67505-1726

Formatted address
405 SUNNYDELL CIR
SOUTH HUTCHINSON, KS 67505-1726

Property ID	Property number
26750	078-137-35-0-00-00-006.00-0

49,587

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

will get you this info.

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

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
see attachment		.5-2.0	
Total:	100 %		

b. Estimate the average land slope in the field(s): 0-1 %

Estimate the maximum land slope in the field(s): 3 %

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:

Inman Irr will supply pivot information

ii. For sprinkler systems:

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

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

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

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

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

corn, wheat, soybeans, milo, cover crops

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

Kevin Schoenhals is my crop consultant

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

March 23- 2016
(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: 49,587

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.

Robert A Bacon
Signature of Applicant

Robert A Bacon
(Print Applicant's Name)

State of Kansas)
) ss
County of Harvey)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 23 day of March, 20 16.

Notary Public

My Commission Expires:

Shelly M. Watkins
Notary Public
State of KANSAS
My commission expires
3/4/2020

WATER RESOURCES
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MAR 23 2016
KS DEPT OF AGRICULTURE

SCANNED

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

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

Darling Drilling Company

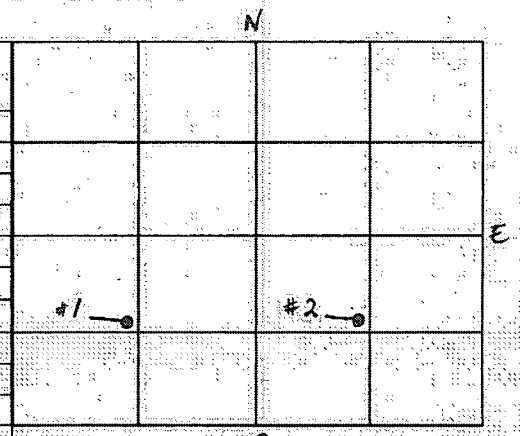
Telephone (620) 662-7901 3916 W. 56th Ave.
Hutchinson, Ks. 67501

DRILLER'S TEST LOG

Date: 11-15-2016
Name: Robert Bacon
Address:
County: Reno
Quarter: SW & SE **Section:** 35 **Township:** 23S **Range:** 5W

File # 44558

DRILLED FOOTAGE From	To	DESCRIPTION OF STRATA
0	3	Top Soil
3	11	Clay
11	30	Med. to coarse gravel
30	40	Med. to coarse gravel
40	45	Med. to coarse gravel & some river rock
	Test #1	Latitude: 38.00299
	SW ¼	Longitude: 097.84361



File # 44559

DRILLED FOOTAGE From	To	DESCRIPTION OF STRATA
0	3	Top soil
3	12	Clay
12	39	Med. sand & gravel to coarse-fine
39	39 ½	Tan clay
39 ½	45	Med. – coarse sand & gravel
	Test #2	Latitude: 38.00297
	SE ¼	Longitude: 097.83450

Static water level: 16'
Depth of well: 46'
Type & size of casing: 4'' 160#
Plain: 0 to 36'
Perf: 36' to 46'
Gravel pack intervals: 46' to 16'
Grout material: 16 to 0
Contamination: n/a
Direction from well:
Casing above surface:
Bore hole: 9 7/8''
Remarks:

SDK Laboratories
1000 Corey Road
P.O. Box 886
Hutchinson, KS 67504-0886
620-665-5661
FAX: 620-665-0559
TOLL FREE: 877-464-0623
www.sdklabs.com

Sample # 5930.16
Sample: Water
Other ID: Bacon SE 1/4 35-23-5W

Date Received: 11/15/2016 16:50:00
Date/Time Sampled: 11/15/2016 0:00:00
Date Reported: 11/23/2016
Total Fee: $ 35.00

DARLING DRILLING
3916 WEST 56TH
HUTCHINSON, KS 67502

ANALYSIS

	Result	Units	Date/Time Analyzed	Analyst
++pH - SM 4500-H+ B	8.15	s.u.	11/16/2016 10:12	SE
++Chloride - SM 4500-Cl B	175.00	mg/L	11/17/2016 13:10	PS
++Total Hardness - SM 2340B	298	mg/L		
++Nitrate-Nitrogen - SM 4500-NO3 D	6.58	mg/L	11/16/2016 14:35	SE
++Calcium - SM 3111B	90.80	mg/L	11/18/2016 10:45	HS
++Magnesium - SM 3111B	17.20	mg/L	11/18/2016 10:45	HS
++Sodium - SM 3111B	142.00	mg/L	11/18/2016 10:45	HS
++Sulfate - SM 4500 SO4 E	115.00	mg/L	11/17/2016 12:30	SE
% Sodium	57.00	%		
SAR-Sodium Absorption Ratio	3.572	s.u.		
++Electrical Conductivity - SM 2510B	1220	umhos/cm	11/17/2016 10:40	SE
TDS-Total Dissolved Solids - Calculated	865	mg/L		
Irrigation Quality Rating	AS FOLLOWS			
Light Soil -Salinity Hazard	Low			
Light Soil - Sodium Hazard	Low			
Medium Soil -Salinity Hazard	Medium			
Medium Soil -Sodium Hazard	High			
Heavy Soil -Salinity Hazard	Medium			
Heavy Soil -Sodium Hazard	High			
General Comment:	Permissible/Doubtful			

**Sample receipt temperature 26.8 degrees C
**Sample beyond hold time for pH.
**No sample time listed.

* Denotes analysis was subcontracted to another laboratory for state compliance - see attached.
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.
++Denotes NELAP/KDHE Accredited Method. Lab Certificate #E-10152. Results meet all requirementsof NELAC unless noted.

File # 49587

Approved By: Quality Assurance Officer
Matt Hogan

Copies

NELAP ACCREDITED TNI LABORATORY

The results reported pertain only to the samples as received by the laboratory.

File No. 49,587

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.

Request 60 days to furnish information

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 tenant.
(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):
Robert C Bacon Trust c/o Juanita Bacon 405 Sunnydell Circle South Hutchinson KS 67505
(name, address and telephone number)
John Bacon 405 Front street #305 Wheaton IL 60187-2333
(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 Hutchinson, Kansas, this 22 day of March (month), 2016 (year).

Robert A Bacon
(Applicant Signature)

By _____
(Agent or Officer Signature)

_____
(Agent or Officer - Please Print)

Assisted by _____ _____ Date: _____
(office/title)

SCANNED

Krueger, Richelle

From: Lanterman, Jeff
Sent: Thursday, April 6, 2017 3:23 PM
To: Krueger, Richelle
Cc: Conant, Cameron
Subject: FW: Request for Recommendation, Bacon New Applications File Nos. 49587; 49589; 49590; 49592; 49593 and 49594
Attachments: newapp49594newappmembattgmd2pdolap48505rev.docx; newapp49593newappmemgmd2.docx; newapp49592newappmemgmd2.docx; newapp49590newappmemgmd2.docx; newapp49589newappmemgmd2.docx; newapp49587newappmemgmd2.docx

Richelle,

Go ahead and approve these applications. I think they are good to go.

Jeff

From: Conant, Cameron
Sent: Thursday, April 6, 2017 2:41 PM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Subject: FW: Request for Recommendation, Bacon New Applications File Nos. 49587; 49589; 49590; 49592; 49593 and 49594

Jeff, this packet of applications are all in pretty close proximity of one another and located several miles SE of Hutchinson. They have all been reviewed and recommended for approval by GMD#2, so the SY and spacing must be good on all these as there were no board reviews, denials, or appeals on the 6 attached applications.

Here are some representative hydrographs. The area appears very stable. One test log show a DTW of 5.5'and stopped in a clay layer around 33' deep, I didn't find test logs for each application so I guess we have them but they aren't in docuware yet.

http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=380002097514503
http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=380002097514502
http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=380000097463003
http://hercules.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=380142097484001

I think you can pass these on to Richelle with a recommendation of approval.

Cameron

From: Krueger, Richelle
Sent: Wednesday, March 22, 2017 11:46 AM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Cc: Conant, Cameron <Cameron.Conant@ks.gov>; Turney, Brent <Brent.Turney@ks.gov>
Subject: Request for Recommendation, Bacon New Applications File Nos. 49587; 49589; 49590; 49592; 49593 and 49594

Hi Jeff,

Attached are draft memos for the referenced new applications . I resubmitted Application File No. 49588 to GMD 2 for another recommendation but thought maybe you would want to start reviewing some of this package. Application File No. 49591 was recommended for denial based on safe yield, I think it will be dismissed.

Do you recommend approval of the attached new applications?
Thanks,
Richelle

Krueger, Richelle

From: Turney, Brent
Sent: Tuesday, March 14, 2017 3:03 PM
To: Robert Bacon
Cc: Krueger, Richelle
Subject: FW: Bacon water applications

Mr. Bacon,
As per our last emails, you were going to print the maps and send them to this office. As soon as we receive them, we should be able to proceed with your applications.
Thank you,
Brent

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@ks.gov
www.agriculture.ks.gov

From: Robert Bacon [mailto:bacon36235@gmail.com]
Sent: Wednesday, March 1, 2017 7:44 AM
To: Turney, Brent <Brent.Turney@ks.gov>
Subject: RE: Bacon water applications

I will get that done this morning while it is chilly outside.

We are having to build more electric fence around rye now because the wheat is about to start jointing! The first of March. It will be a miracle if we don't lose this crop to weather.

On Mar 1, 2017 7:39 AM, "Turney, Brent" <Brent.Turney@ks.gov> wrote:

> Mr. Bacon,
>
> Could you please print the maps out, sign and date them. Once this is complete, could you forward the hard copies to me?
>
> Sorry for the inconvenience.
>
> Brent
>
> **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@ks.gov

www.agriculture.ks.gov

From: Robert Bacon [mailto:bacon36235@gmail.com]
Sent: Tuesday, February 28, 2017 4:46 PM
To: Turney, Brent <Brent.Turney@ks.gov>; Stephen Flaherty <sflaherty@gmd2.org>
Subject: Bacon water applications

Brent Turney

On application 49588 I have moved the point of diversion 200' east of what I applied for on my original application.

On application 49594 I believe we are back on track after notifying the other water users north of my proposed development that were omitted on the original application?

Thank you both for your time in getting this maps clarified.

Bob Bacon

Krueger, Richelle

From: Turney, Brent
Sent: Tuesday, February 28, 2017 10:44 AM
To: Krueger, Richelle
Subject: FW: Bacon Application Maps
Attachments: bacon pou acreage.pdf; 49587POU.pdf; 49588POU.pdf; 49589POU.pdf; 49590POU.pdf; 49592POU.pdf; 49593POU.pdf

With any luck, Bacon will print these off and send them in????

What about the last statement? Other applications?

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@ks.gov
www.agriculture.ks.gov

From: Steve Flaherty [mailto:sflaherty@gmd2.org]
Sent: Tuesday, February 28, 2017 10:32 AM
To: 'Robert Bacon' <bacon36235@gmail.com>
Subject: Bacon Application Maps

Robert,

I re drew the place of use maps for you and included a separate map with all of the acres I calculated in each quarter for application nos. 49587, 49588, 49589, 49590, 49592, and 49593.
If you agree with the acreages and maps then send them off to Brent Turney at DWR (Brent.Turney@ks.gov).
If there are any issues or if Brent thinks that you need place of use maps for your other applications then feel free to give me a call and I will help you out.

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
****

Krueger, Richelle

From: Turney, Brent
Sent: Tuesday, February 7, 2017 2:39 PM
To: Krueger, Richelle
Subject: FW: Application No. 49594

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@ks.gov
www.agriculture.ks.gov

From: Robert Bacon [mailto:bacon36235@gmail.com]
Sent: Tuesday, February 7, 2017 2:37 PM
To: Tim Boese <tboese@gmd2.org>
Cc: Turney, Brent <Brent.Turney@ks.gov>; Bacon Me <bacon36235@gmail.com>
Subject: Re: Application No. 49594

I believe the process has begun. I received a copy of a letter that went to a landowner who has a center pivot with wells in a battery and four or five entities that involve sandpit location.

If I have that wrong could Brent Turney can clarify the situation for me.

49588
Well batteries confuse this old farmer so I also ran afoul of regulations on the Appropriation Application No. 49588. I received a letter saying my application placed my proposed well less than 1,320 from my neighbors well.

It is true I am trying to place a well just over 1,300 feet from a well battery site found on Water Permit No. 45358. That well was never developed. Only the center site of the three was developed. I am 1,650 to 1,700 feet from an actual well. That site was developed in 2003.

Does this matter?

If the Water Permit holder notified you that no development of the proposed east well was planned and would forfeit that location, would that matter?

Can there be a variance from regulations in special circumstances?

Thanks for any and all clarifications about my two above situations.

45591

Oh yes, apparently I used incorrect data about existing and proposed consumptive appropriations when applying for water on Appropriation Application No. 49591. I will not appeal that denial.

On Feb 7, 2017 1:45 PM, "Tim Boese" <tboese@gmd2.org> wrote:

Robert – I received your telephone inquiry regarding Application No. 49594 and notification of nearby well owners. During our review of the application, we noted that it appears that there were nearby well owners who were not notified of the application, as the irrigation well authorized by Water Permit No. 48881, and the groundwater pit authorized by Water Permit No. 46863, were not identified on the application map you submitted with the application. As this is a Division of Water Resources' requirement and they send out the surrounding well owner notifications, I suggest you contact Brent Turney, DWR, to discuss on how to handle this. I have copied Brent with this email so you can email him or you can call him at 785-564-6645.

If I can be of assistance with a new application map, etc., please contact me.

Thanks.

Tim Boese, Manager

Equus Beds GMD2

313 Spruce, Halstead, Kansas 67056

316-835-2224

Fax: 316-835-2225

tboese@gmd2.org

www.gmd2.org

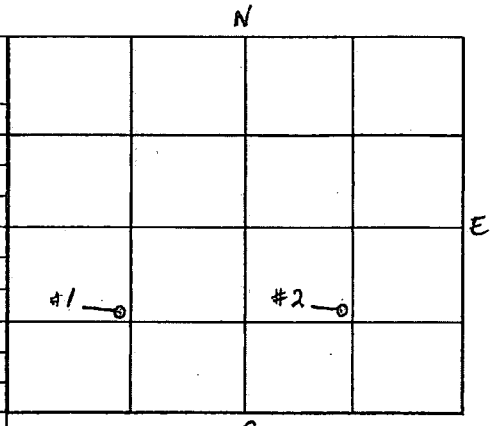
Darling Drilling Company

Telephone (620) 662-7901 3916 W. 56th Ave.
Hutchinson, Ks. 67501

DRILLER'S TEST LOG

Date: 11-15-2016
Name: Robert Bacon
Address:
County: Reno
Quarter: SW & SE **Section:** 35 **Township:** 23S **Range:** 5W

DRILLED FOOTAGE From	To	DESCRIPTION OF STRATA
0	3	Top Soil
3	11	Clay
11	30	Med. to coarse gravel
30	40	Med. to coarse gravel
40	45	Med. to coarse gravel & some river rock
	Test #1	Latitude: 38.00299
	SW ¼	Longitude: 097.84361
0	3	Top soil
3	12	Clay
12	39	Med. sand & gravel to coarse-fine
39	39 ½	Tan clay
39 ½	45	Med. – coarse sand & gravel
	Test #2	Latitude: 38.00297
	SE ¼	Longitude: 097.83450



Static water level: 16'
Depth of well: 46'
Type & size of casing: 4" 160#
Plain: 0 to 36'
Perf: 36' to 46'
Gravel pack intervals: 46' to 16'
Grout material: 16 to 0
Contamination: n/a
Direction from well:
Casing above surface:
Bore hole: 9 7/8"
Remarks:

File # 495564 88

File # 495564 88

SDK Laboratories

1000 Corey Road
P.O. Box 886
Hutchinson, KS 67504-0886
620-665-5661
FAX: 620-665-0559
TOLL FREE: 877-464-0623
www.sdklabs.com

Sample # 5930.16
Sample: Water
Other ID: Bacon SE 1/4 35-23-5W

Date Received: 11/15/2016 16:50:00
Date/Time Sampled: 11/15/2016 0:00:00
Date Reported: 11/23/2016
Total Fee: $ 35.00

DARLING DRILLING
3916 WEST 56TH
HUTCHINSON, KS 67502

ANALYSIS

	Result	Units	Date/Time Analyzed	Analyst
++pH - SM 4500-H+ B	8.15	s.u.	11/16/2016 10:12	SE
++Chloride - SM 4500-Cl B	175.00	mg/L	11/17/2016 13:10	PS
++Total Hardness - SM 2340B	298	mg/L		
++Nitrate-Nitrogen - SM 4500-NO3 D	6.58	mg/L	11/16/2016 14:35	SE
++Calcium - SM 3111B	90.80	mg/L	11/18/2016 10:45	HS
++Magnesium - SM 3111B	17.20	mg/L	11/18/2016 10:45	HS
++Sodium - SM 3111B	142.00	mg/L	11/18/2016 10:45	HS
++Sulfate - SM 4500 SO4 E	115.00	mg/L	11/17/2016 12:30	SE
% Sodium	57.00	%		
SAR-Sodium Absorption Ratio	3.572	s.u.		
++Electrical Conductivity - SM 2510B	1220	umhos/cm	11/17/2016 10:40	SE
TDS-Total Dissolved Solids - Calculated	865	mg/L		
Irrigation Quality Rating	AS FOLLOWS			
Light Soil -Salinity Hazard	Low			
Light Soil - Sodium Hazard	Low			
Medium Soil -Salinity Hazard	Medium			
Medium Soil -Sodium Hazard	High			
Heavy Soil -Salinity Hazard	Medium			
Heavy Soil -Sodium Hazard	High			
General Comment:	Permissible/Doubtful			

**Sample receipt temperature 26.8 degrees C
**Sample beyond hold time for pH.
**No sample time listed.

* Denotes analysis was subcontracted to another laboratory for state compliance - see attached.
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.
++Denotes NELAP/KDHE Accredited Method. Lab Certificate #E-10152. Results meet all requirementsof NELAC unless noted.

File # 49587

WATER RESOURCES
RECEIVED

FEB 06 2017

KS DEPT OF AGRICULTURE

Approved By: M. H. Hogan, Quality Assurance Officer
Matt Hogan

Copies

The results reported pertain only to the samples as received by the laboratory.

SCANNED

Krueger, Richelle

From:	Turney, Brent
Sent:	Tuesday, January 31, 2017 10:28 AM
To:	Krueger, Richelle
Subject:	FW: #49587 Application Approval Letters
Attachments:	49587 Application Approval Letter.pdf; 49587 Meter Installation Letter.pdf

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@ks.gov
www.agriculture.ks.gov

From: Rebecca Wilson [mailto:rwilson@gmd2.org]
Sent: Tuesday, January 31, 2017 10:24 AM
To: Turney, Brent <Brent.Turney@ks.gov>
Cc: Engelbrecht, Jessica <Jessica.Engelbrecht@ks.gov>
Subject: #49587 Application Approval Letters

Good Morning!

Attached is an Application Approval Letter and a Meter Installation Letter from Manager Tim Boese for #49587.

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

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

January 30, 2017

Robert A. Bacon
3616 S. Mayfield Rd.
Hutchinson, KS 67501

Re: Appropriation Application No. 49587

Dear Mr. Bacon:

The Equus Beds Groundwater Management District No. 2 made a recommendation to the Division of Water Resources that Appropriation Application No. 49587 be approved. Pursuant to K.A.R. 5-22-4a, the Well described in the application must be equipped with a District approved water flowmeter: The Well is located in the Northwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 35, Township 23 South, Range 5 West, Reno County.

The well must be properly equipped with an approved meter within 30 days after the approved well 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.

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: Robert C. Bacon Rev. Trust, Landowner
John S. Bacon Rev. Trust, Landowner
Jeff Lanterman, Division of Water Resources, Stafford

H:\NS\OFFICIALLETTERS\METER\New Application\49587_Bacon.docx

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

Kansas
Department of Agriculture
agriculture.ks.gov

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

Jackie McClaskey, Secretary

Governor Sam Brownback

FILE COPY

December 21, 2016

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

Re: Pending Application, File Nos. 49,587-49,594 (8 files)

Dear Mr. Boese:

In response to your correspondence by e-mail dated December 21, 2016, for an extension of time to review and submit revised recommendations regarding the referenced applications, the Chief Engineer has approved an extension of time of 30 days until **January 22, 2017.**

Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (785) 564-6640. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Erin McGrogan

Erin McGrogan
Environmental Scientist
Water Appropriation Program

pc: Stafford Field Office

SCANNED

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

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Department of Agriculture
agriculture.ks.gov

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

Jackie McClaskey, Secretary

Governor Sam Brownback

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

November 16, 2016 **FILE COPY**

Re: Pending Application, File Nos. 49,587; 49,588; 49,589; 49,590; 49,591; 49,592; 49,593,49,594

Dear Mr. Boese:

We are enclosing a copy of the applications referred to above which appear to be in proper form. All information submitted by the applicant for well logs, nearby well owners, and water quality samples are included.

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 recommendation concerning this application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (785) 564-6640. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Erin McGrogan

Erin McGrogan
Environmental Scientist
Water Appropriation Program

Enclosure
pc: Stafford Field Office

SCANNED

1320 Research Park Drive
Manhattan, Kansas 66502
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Department of Agriculture
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(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

October 25, 2016

DANIEL KELLY
3806 S MAYFIELD RD
HUTCHINSON KS 67501

FILE COPY

Re: Application File No. 49,587

Dear Sir or Madam:

This is to advise you that Robert Bacon has filed the application referred to above for a permit to appropriate 189 acre-feet of ground water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute, from one well at the following location:

> one (1) well located at the Northwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 35, Township 23 South, Range 5 West, Reno County, Kansas.

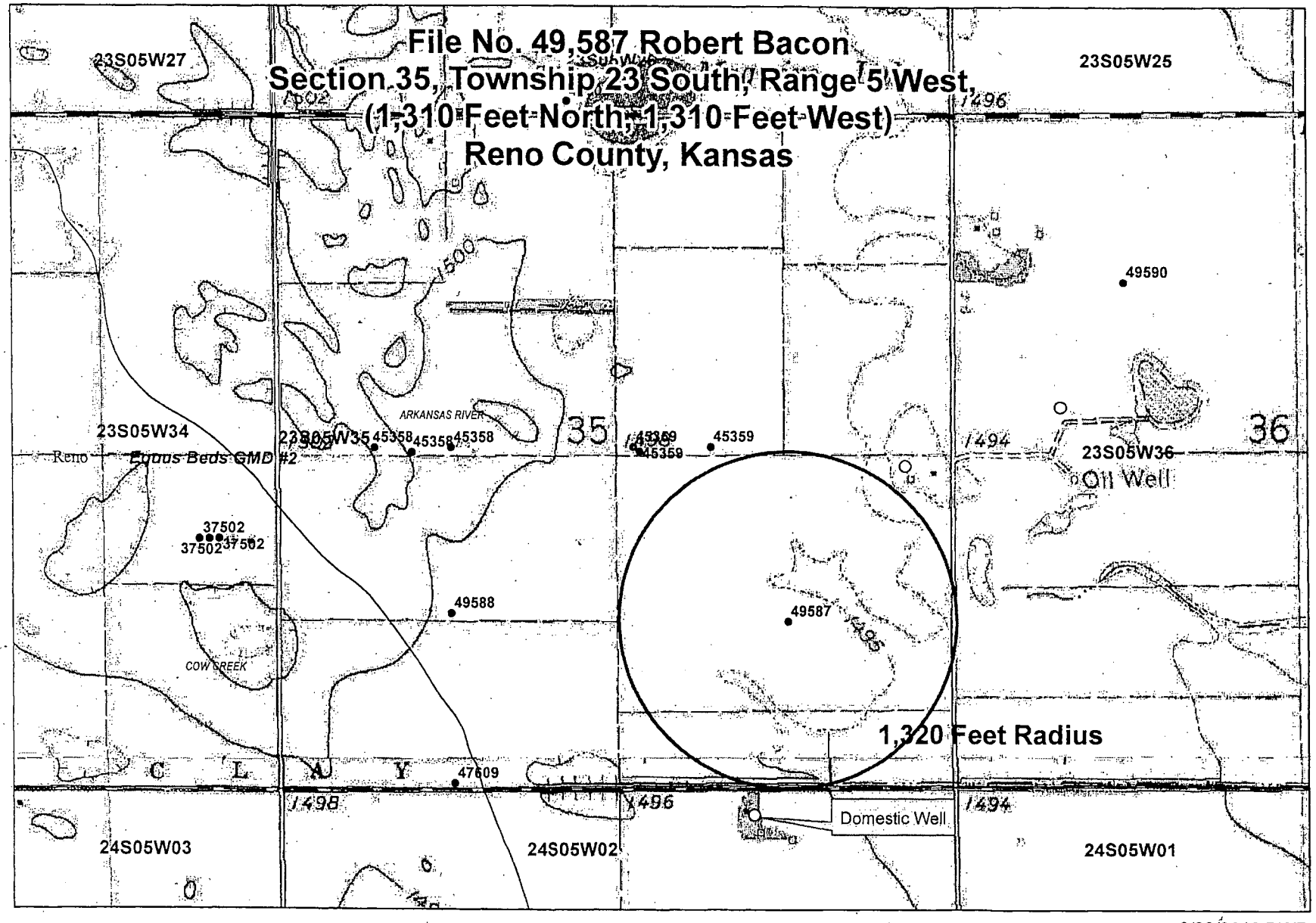
Records in this office indicate that you may have a well or wells in this vicinity and you are being notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to 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 about the referenced application, please contact me at 1-785-564-6640.

Sincerely,

Erin McGrogan

Erin McGrogan
Environmental Scientist
Permits Unit

Enclosure: emc
pc: Stockton Field Office
Robert Bacon


File No. 49,587 Robert Bacon
Section 35, Township 23 South, Range 5 West,
(1,310 Feet North, 1,310 Feet West)
Reno County, Kansas
23S05W27
23S05W25
23S05W34
23S05W35
23S05W36
24S05W03
24S05W02
24S05W01
ARKANSAS RIVER
COW CREEK
Reno
Equus Beds GMD #2
35
36
1500
1496
1494
1498
45358
45359
49590
37502
49588
49587
47609
Oil Well
1,320 Feet Radius
Domestic Well
0 410 820 1,640 2,460 3,280
Feet
Domestic Well
9/29/2016 DWR

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agriculture.ks.gov

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

Jackie McClaskey, Secretary

Governor Sam Brownback

October 25, 2016

FILE COPY

MATTHEW BURNS
5613 E STROUD RD
HUTCHINSON KS 67501

Re: Application File No. 49,587

Dear Sir or Madam:

This is to advise you that Robert Bacon has filed the application referred to above for a permit to appropriate 189 acre-feet of ground water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute, from one well at the following location:

> one (1) well located at the Northwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 35, Township 23 South, Range 5 West, Reno County, Kansas.

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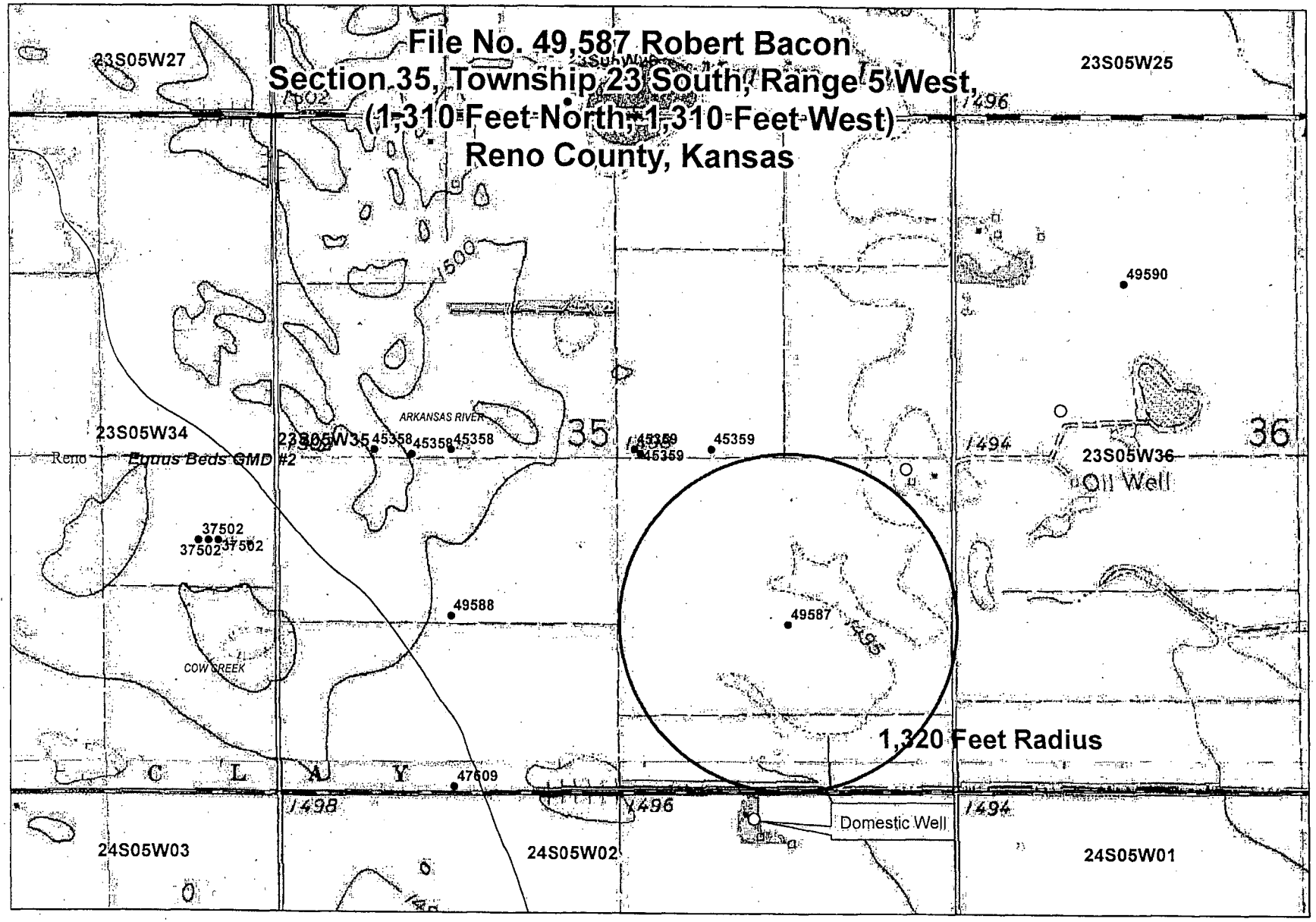
Sincerely,

Erin McGrogan

Erin McGrogan
Environmental Scientist
Permits Unit

Enclosure: emc
pc: Stockton Field Office
Robert Bacon

File No. 49,587 Robert Bacon
Section 35, Township 23 South, Range 5 West,
(1,310 Feet North, 1,310 Feet West)
Reno County, Kansas



0 410 820 1,640 2,460 3,280 Feet

○ Domestic Well

9/29/2016 DWR

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

Kansas
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agriculture.ks.gov

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

Jackie McClaskey, Secretary

Governor Sam Brownback

October 25, 2016

FILE COPY

TONY BRESINO
4005 S MAYFIELD RD
HUTCHINSON KS 67501

Re: Application File No. 49,587

Dear Sir or Madam:

This is to advise you that Robert Bacon has filed the application referred to above for a permit to appropriate 189 acre-feet of ground water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute, from one well at the following location:

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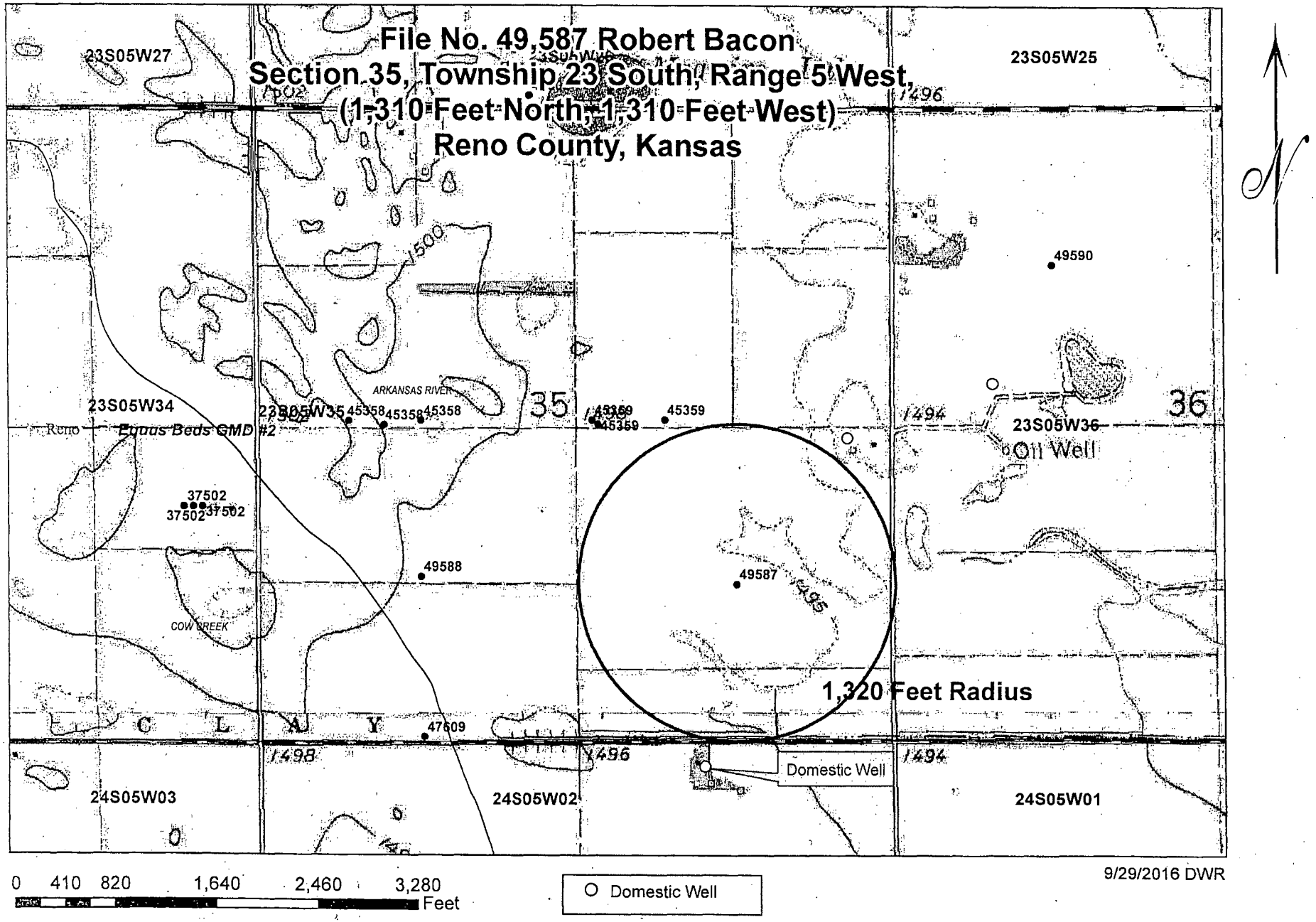
Sincerely,

Erin McGrogan

Erin McGrogan
Environmental Scientist
Permits Unit

Enclosure: emc
pc: Stockton Field Office
Robert Bacon


File No. 49,587 Robert Bacon
Section 35, Township 23 South, Range 5 West,
(1,310 Feet North, 1,310 Feet West)
Reno County, Kansas
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23S05W25
23S05W34
23S05W35
23S05W36
Reno
Equus Beds GMD #2
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COW CREEK
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36
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49587
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47609
Oil Well
1,320 Feet Radius
Domestic Well
24S05W03
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0 410 820 1,640 2,460 3,280
Feet
Domestic Well
9/29/2016 DWR

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(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

October 25, 2016

FILE COPY

JULIE BEAL
3319 S MAYFIELD
HUTCHINSON KS 67501

Re: Application File No. 49,587

Dear Sir or Madam:

This is to advise you that Robert Bacon has filed the application referred to above for a permit to appropriate 189 acre-feet of ground water per calendar year for irrigation use to be diverted at a maximum rate of 800 gallons per minute, from one well at the following location:

> one (1) well located at the Northwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 35, Township 23 South, Range 5 West, Reno County, Kansas.

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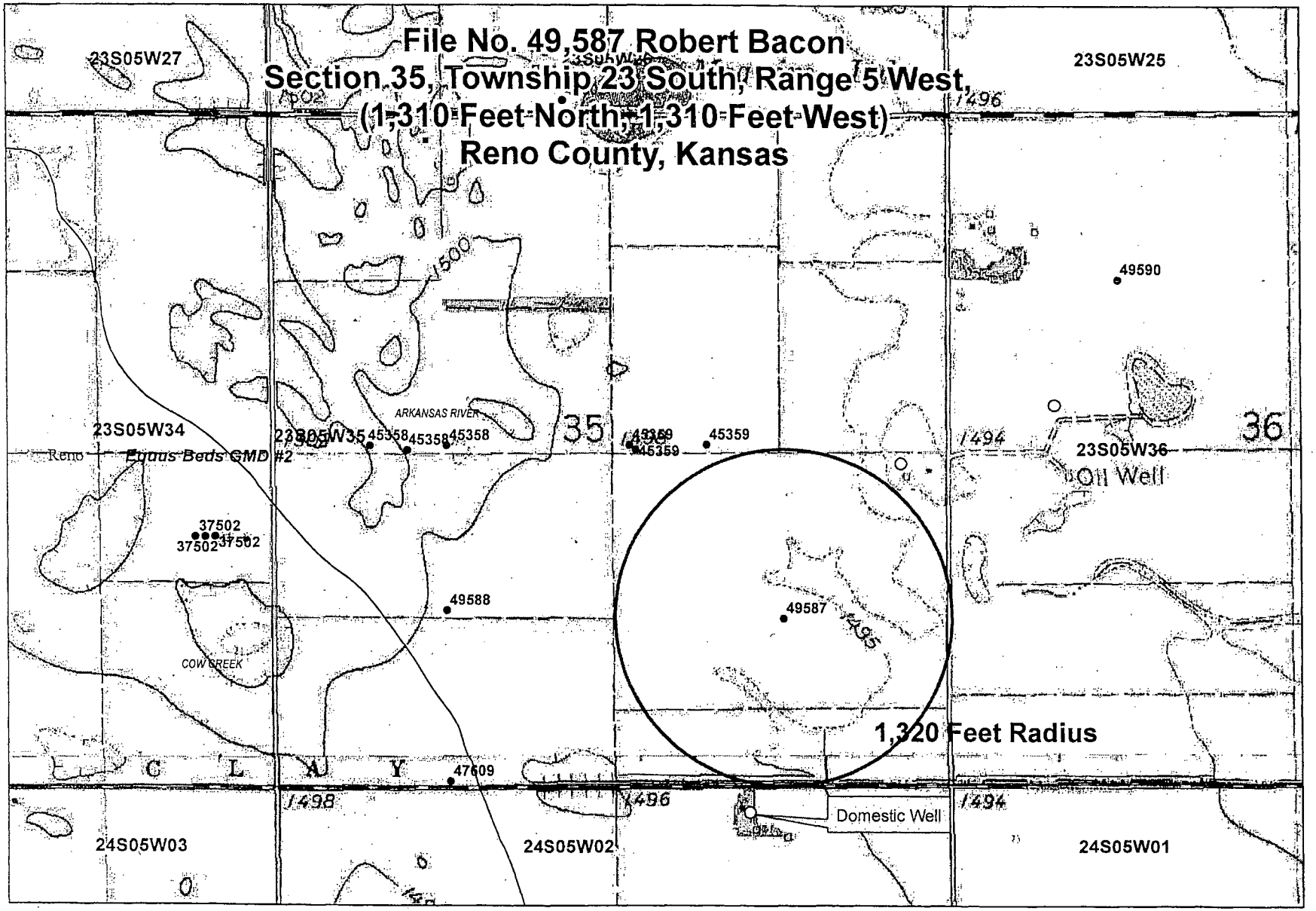
Sincerely,

Erin McGrogan

Erin McGrogan
Environmental Scientist
Permits Unit

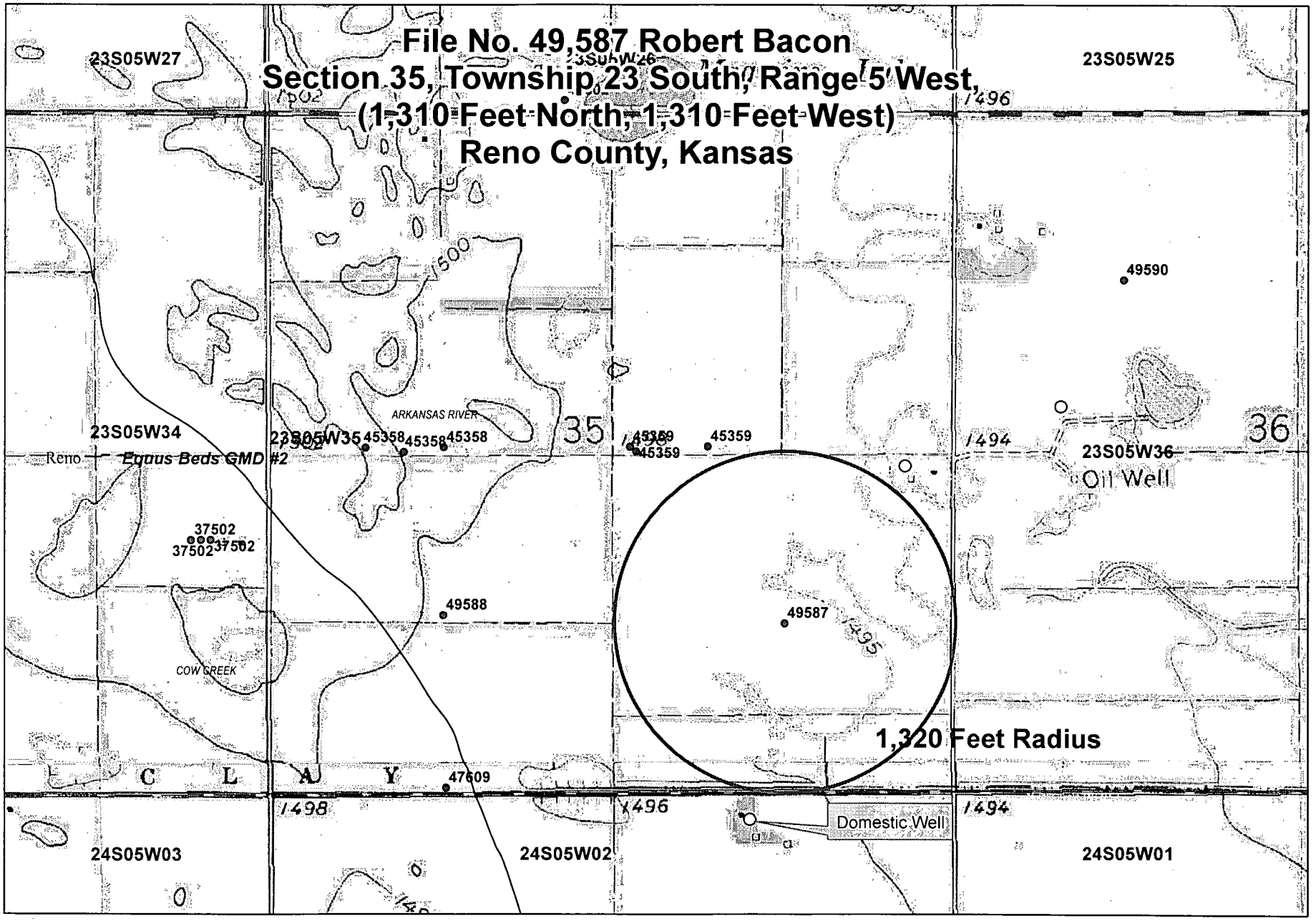
Enclosure: emc
pc: Stockton Field Office
Robert Bacon



0 410 820 1,640 2,460 3,280 Feet

○ Domestic Well

9/29/2016 DWR



0 410 820 1,640 2,460 3,280 Feet

O Domestic Well

9/29/2016 DWR

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

March 25, 2016

ROBERT A BACON
3116 S MAYFIELD ROAD
HUTCHINSON KS 67501

RE: Application
File No. 49587

Dear Sir or Madam:

Your application for permit to appropriate water in 35-23S-5W 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, . . . <u>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</u> 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) 564-6634. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

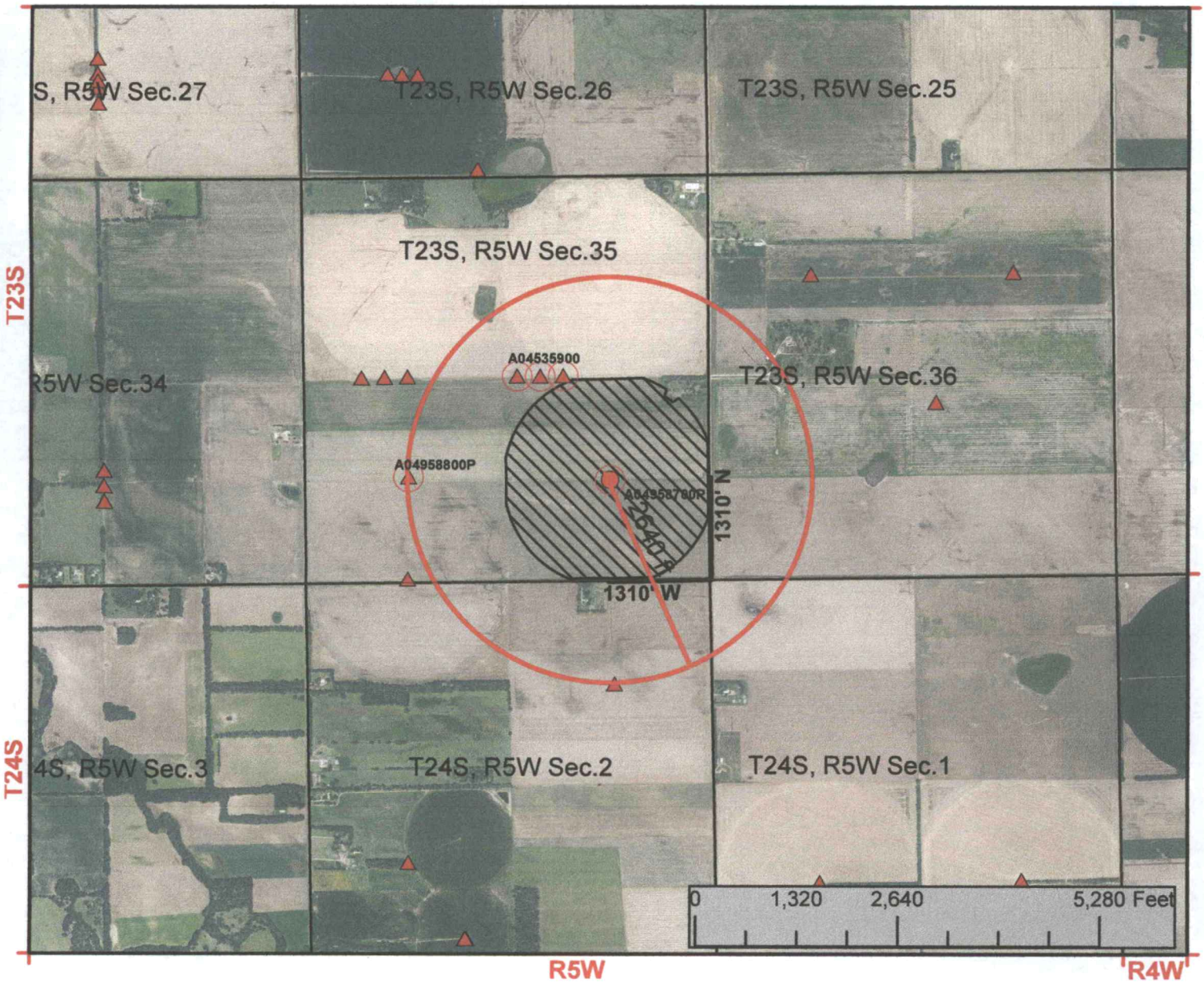
Sincerely,

Kenneth A. Kopp, P.G.
New Application Unit Supervisor
Water Appropriation Program

KAK: DLW
pc: STAFFORDField Office
GMD 2

SCANNED

New Application Map File No 49587



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.

N

Robert A Bacon
Signature

3-1-17
Date

WATER RESOURCES RECEIVED
MAR 15 2017
KS DEPT OF AGRICULTURE

- [x] **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

See attached list for surrounding well owners

SCANNED

Completed By GMD2 Staff

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

January 30, 2017

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

Re: Appropriation Application No. 49587 – Robert A. Bacon

Dear Mr. Turney:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced new application on January 30, 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 application complies with the Revised Aquifer Management program approved by the Chief Engineer and with the District's Rules and Regulations K.A.R. 5-22-1 through 5-22-17. Therefore, the application is recommended for approval by the Equus Beds Groundwater Management District No. 2.

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

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 an approval of an application or water permit.

Enclosure

pc: Robert A. Bacon, Applicant
Robert C. Bacon Rev. Trust, Landowner
John S. Bacon Rev. Trust, Landowner
Jeff Lanterman, Division of Water Resources, Stafford

H:\MSOFFICE\LETTERS\APP\NewApp\Recommendation\Approve\#49587_Bacon.docx

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

1) Application No. 49587 — Date filed: March 23, 2016
2) Applicant: Robert A Bacon — County: Reno
3) Proposed maximum quantity: 189 acre-feet/year — Rate: 800 GPM
4) Proposed Use: Irrigation
5) P/D location: NWSESE 35-23S-5W — Geo Center: North 1310 ft, West 1310 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: 4021.00 af/yr
   - (b) Total existing appropriations: 3682.4 af/yr
   - (c) Total small user exemptions: 0.00 af/yr
   - (d) Total non-consumptive use: 0.00 af/yr
   - (e) Total consumptive use: 3682.40 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: > 1320 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: 7ft bls at observation well: EB230C

---

13) Date reviewed: December 22, 2016
14) Reviewed by: S. Flaherty Title: Hydrogeologist
15) District recommendation: ☒Approve ☐Deny ☐Other, see comment

---

16) Comments and Calculations:

Reviewed 1-30-17 TD

No overlapping Place of Use
No overlapping Point of Diversion
Surrounding well owner notifications sent out
no nearby well owner inquiries
no Rate/Quantity Limitations
No Special Use Areas or IGUCAs

WATER RESOURCES RECEIVED
FEB 06 2017
KS DEPT OF AGRICULTURE

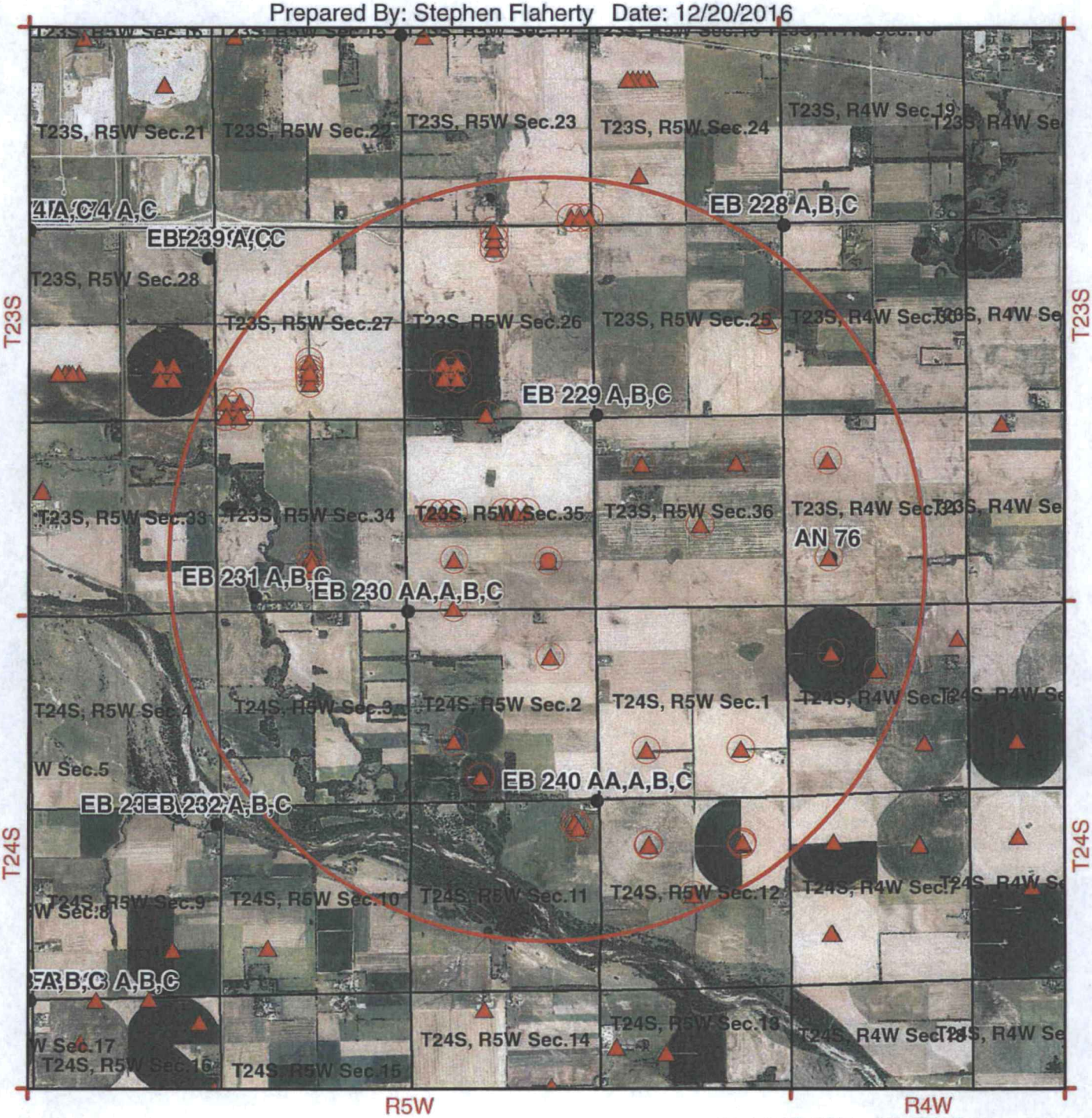
SCANNED

Equus Beds Groundwater Management District No. 2

Safe Yield Evaluation No. 49587

NWSESE (1310'N & 1310'W) 35-23S-05W, Reno County

Prepared By: Stephen Flaherty Date: 12/20/2016



0 1,320 2,640 5,280 Feet

Map Legend

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

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

SAFEYIELD EVALUATION No. 49587
LOCATION: NWSESE (1310'N & 1310'W) 35-23S-05W, Reno County
SPECIAL USE AREA: None
EVALUATION DATE:- 12/20/2016

Total Areas: 8,042 acres; Area in 3 inch discharge zone: 0 acres; Area in 6 inch discharge zone: 8,042 acres

FILE_ID	WELL_ID	TOWNSHIP	RANGE	SECTION	QUALIFIER	USE	AUTHQUANTITY
A02826100	738	24S	05W	2	6603310	IRR	0
A02826100	737	24S	05W	2	6603305	IRR	0
A02826100	735	24S	05W	2	6603290	IRR	0
A02826100	736	24S	05W	2	6603295	IRR	0
A02826100	4268	24S	05W	2	6603300	IRR	93
A02888100	2849	24S	05W	12	39601330	IRR	0
A02888100	1312	24S	05W	12	39911323	IRR	195
A02888100	2848	24S	05W	12	40221315	IRR	0
A02888200	1279	24S	05W	12	39653940	IRR	76
A02888200	1278	24S	05W	12	39653920	IRR	76
A02888200	1280	24S	05W	12	39353950	IRR	76
A02965900	296	24S	05W	2	16904020	IRR	49
A03223500	1869	24S	05W	11	46040599	IRR	124
A03223500	4218	24S	05W	11	46820655	IRR	0
A03223500	4219	24S	05W	11	45250542	IRR	0
A03839700	1554	24S	05W	12	25902700	IRR	30
A03901600	140	24S	04W	6	34152613	IRR	95
A03940800	1055	24S	04W	6	34152613	IRR	68.5
A04360100	2646	24S	05W	1	13361317	IRR	183
A04523900	3007	23S	05W	26	46802700	IRR	0
A04523900	2979	23S	05W	26	49302700	IRR	215.6
A04523900	3006	23S	05W	26	51802700	IRR	0
A04525300	2981	24S	05W	1	13363951	IRR	173
A04535800	3022	23S	05W	35	26784282	IRR	146.3
A04535800	3020	23S	05W	35	26784532	IRR	0
A04535800	3021	23S	05W	35	26783932	IRR	0
A04535900	3025	23S	05W	35	26782300	IRR	184.8
A04535900	3023	23S	05W	35	26782500	IRR	0
A04535900	3024	23S	05W	35	26781900	IRR	0
A04601900	3204	23S	05W	25	26000400	IRR	190.4
A04605800	3227	24S	04W	6	38263888	IRR	190
A04614000	3252	23S	04W	31	13203960	IRR	182
A04622000	3284	23S	05W	27	14002600	IRR	0
A04622000	3285	23S	05W	27	16002600	IRR	0
A04622000	3286	23S	05W	27	12002600	IRR	0
A04622000	3287	23S	05W	27	10002600	IRR	0
A04622000	3267	23S	05W	27	13002600	IRR	184.8
A04657600	3398	23S	05W	23	1940037	IRR	0
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A04657600	3395	23S	05W	23	1960285	IRR	147
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A04758500	3711	23S	05W	27	3264754	IRR	182
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A04758500	4883	23S	05W	27	5244955	IRR	0
A04758500	4884	23S	05W	27	5284552	IRR	0
A04758800	3688	23S	05W	26	13203960	IRR	182
A04758800	3689	23S	05W	26	15204160	IRR	0
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A04803400	3874	23S	05W	34	13202635	IRR	112
A04803400	3875	23S	05W	34	15202635	IRR	0
A04803400	3876	23S	05W	34	11202635	IRR	0
A04803400	3877	23S	05W	34	13202635	IRR	0
A04907000	4226	23S	05W	34	13202635	IRR	103.6
A04907000	4851	23S	05W	34	15202635	IRR	0
A04907000	4852	23S	05W	34	11202635	IRR	0
A04907000	4855	23S	05W	34	13202635	IRR	0
A04958700P	4904	23S	05W	35	13101310	IRR	189
A04958800P	4905	23S	05W	35	13803940	IRR	0
A04958900P	4906	23S	05W	36	22712345	IRR	0
A04959000P	4907	23S	05W	36	39603960	IRR	0
A04959200P	4909	23S	05W	36	39601320	IRR	0
A04959300P	4915	23S	04W	31	39803960	IRR	0
A04960100P	4885	23S	05W	27	3264754	IRR	0
A04960100P	4886	23S	05W	27	5244955	IRR	0
A04960100P	4887	23S	05W	27	5284552	IRR	0
A04960100P	4888	23S	05W	27	1244955	IRR	0
A04960100P	4889	23S	05W	27	1284552	IRR	0
A04960200P	4894	23S	05W	26	1112981	IRR	0
A04962600P	4906	24S	05W	2	39601320	IRR	0

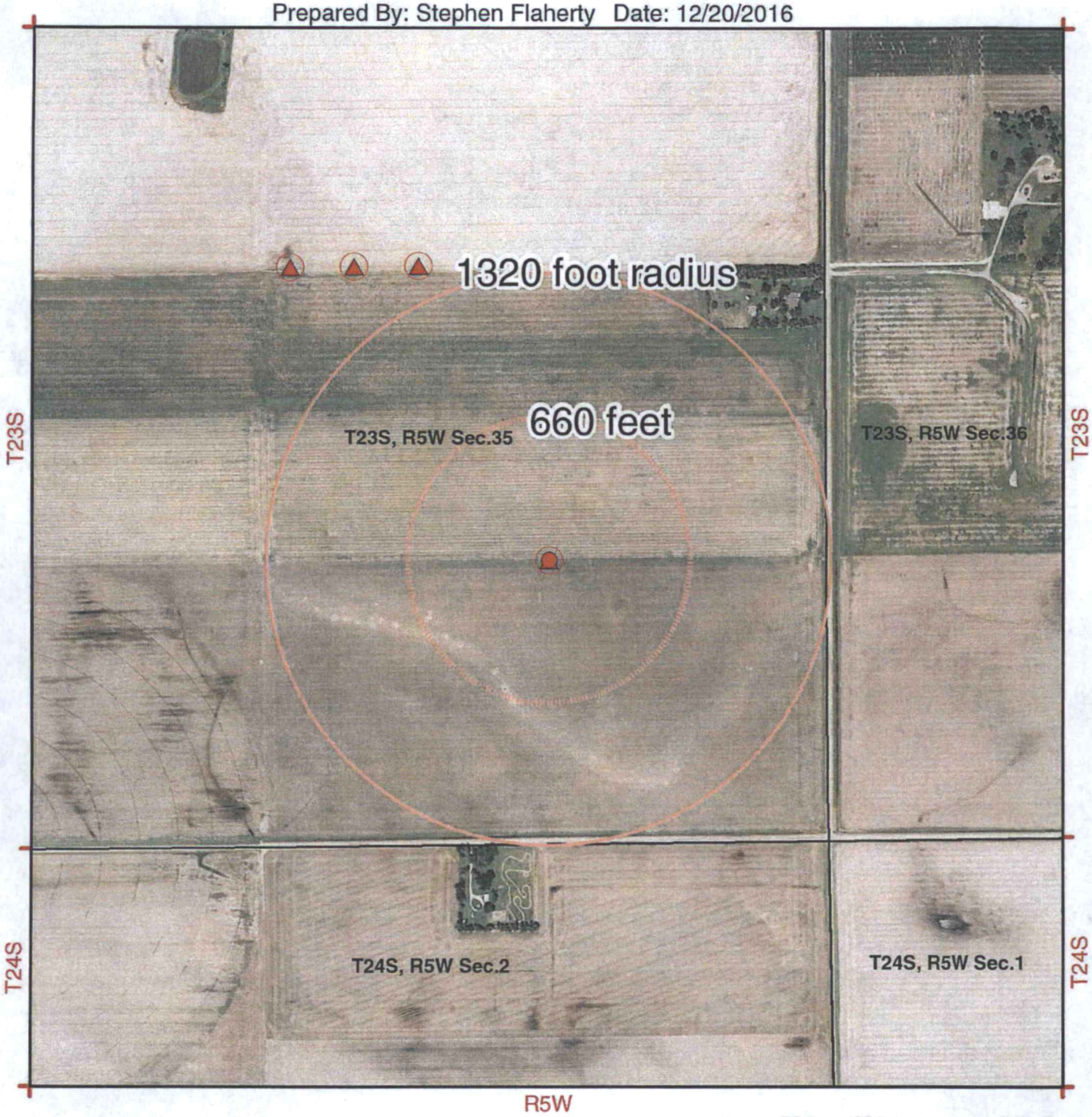
Allowable Appropriations	4,021.00	**Total Existing Appropriation**	3,682.40
Small User Quantity	0	**Non Consumptive Appropriations**	0
Remaining SUQ	45	**Consumptive Appropriations**	3,682.40
Note- Values are in acre-feet		**Available Appropriations**	338.60

Equus Beds Groundwater Management District No. 2

Spacing Evaluation No. 49587

NWSESE (1310'N & 1310'W) 35-23S-05W, Reno County

Prepared By: Stephen Flaherty Date: 12/20/2016



0 330 660 1,320 Feet

Map Legend

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

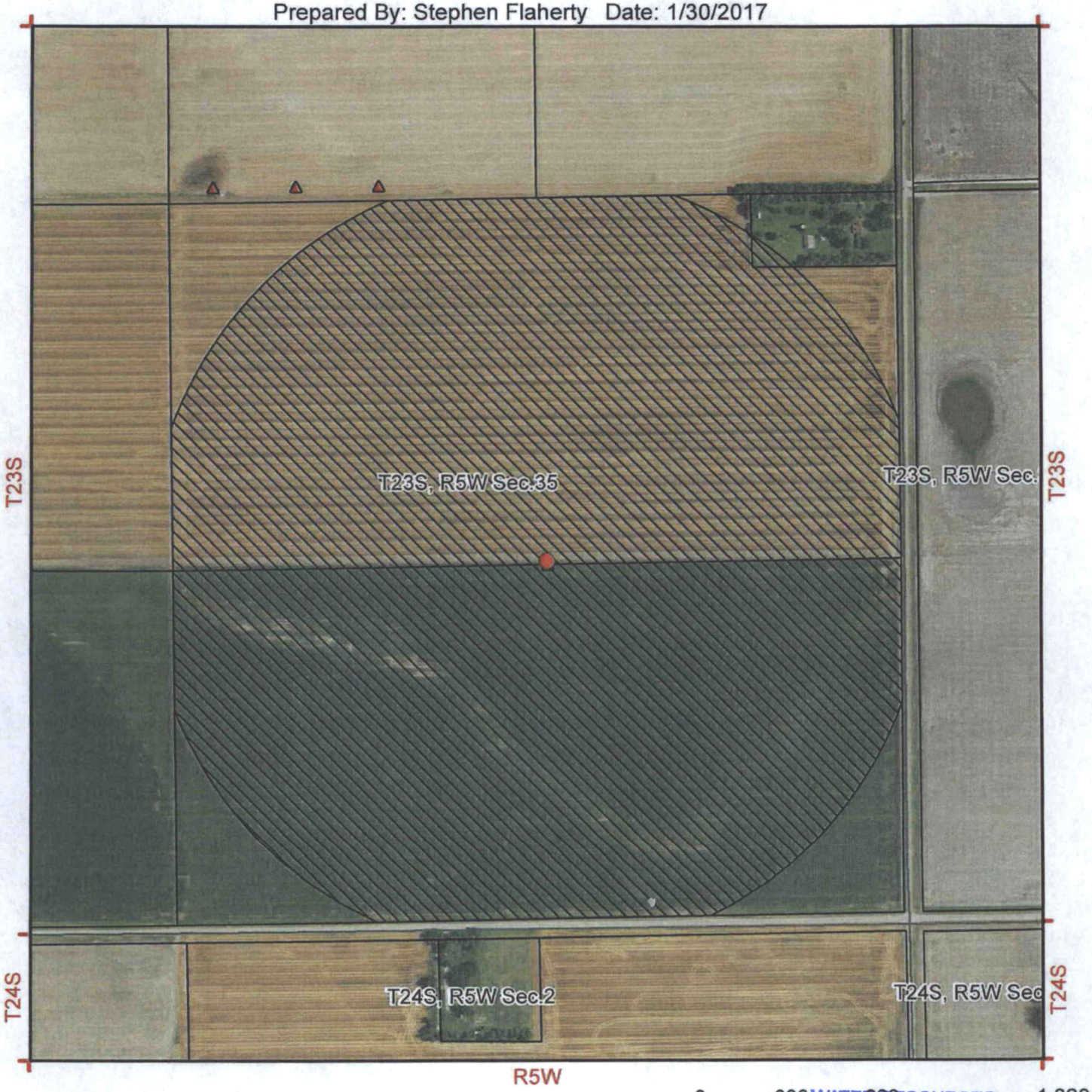
Equus Beds Groundwater Management District No. 2
313 Spruce Street, Halstead, KS 67056
316-835-2224, equusbeds@gmd2.org

Equus Beds Groundwater Management District No. 2

Estimated Place of Use for Application #49587

PD: NWSESE (1310'N & 1310'W) 35-23S-05W, Reno County

Prepared By: Stephen Flaherty Date: 1/30/2017



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- Application Suspension Area

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

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

313 SPRUCE STREET • HALSTEAD, KANSAS 67056-1925 • PHONE (316) 835-2224 • FAX (316) 835-2225 • equusbeds@gmd2.org • www.gmd2.org

January 30, 2017

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

Re: Appropriation Application No. 49587 – Robert A. Bacon

Dear Mr. Turney:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced new application on January 30, 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 application complies with the Revised Aquifer Management program approved by the Chief Engineer and with the District's Rules and Regulations K.A.R. 5-22-1 through 5-22-17. Therefore, the application is recommended for approval by the Equus Beds Groundwater Management District No. 2.

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

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 an approval of an application or water permit.

Enclosure

pc: Robert A. Bacon, Applicant
Robert C. Bacon Rev. Trust, Landowner
John S. Bacon Rev. Trust, Landowner
Jeff Lanterman, Division of Water Resources, Stafford

H:\MSOFFICE\LETTERS\APP\NewApp\Recommendation\Approve\#49587_Bacon.docx

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

1) Application No. 49587 Date filed: March 23, 2016
2) Applicant: Robert A Bacon County: Reno
3) Proposed maximum quantity: 189 acre-feet/year Rate: 800 GPM
4) Proposed Use: Irrigation
5) P/D location: NWSESE 35-23S-5W Geo Center: North 1310 ft, West 1310 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: 4021.00 af/yr
   (b) Total existing appropriations: 3682.4 af/yr
   (c) Total small user exemptions: 0.00 af/yr
   (d) Total non-consumptive use: 0.00 af/yr
   (e) Total consumptive use: 3682.40 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: > 1320 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: 7ft bls at observation well: EB230C

---

13) Date reviewed: December 22, 2016
14) Reviewed by: S. Flaherty Title: Hydrogeologist
15) District recommendation: ☒Approve ☐Deny ☐Other, see comment

---

16) Comments and Calculations:
No overlapping Place of Use
No overlapping Point of Diversion
Surrounding well owner notifications sent out
no nearby well owner inquiries
no Rate/Quantity Limitations
No Special Use Areas or IGUCAs

Reviewed 1-30-17 TD

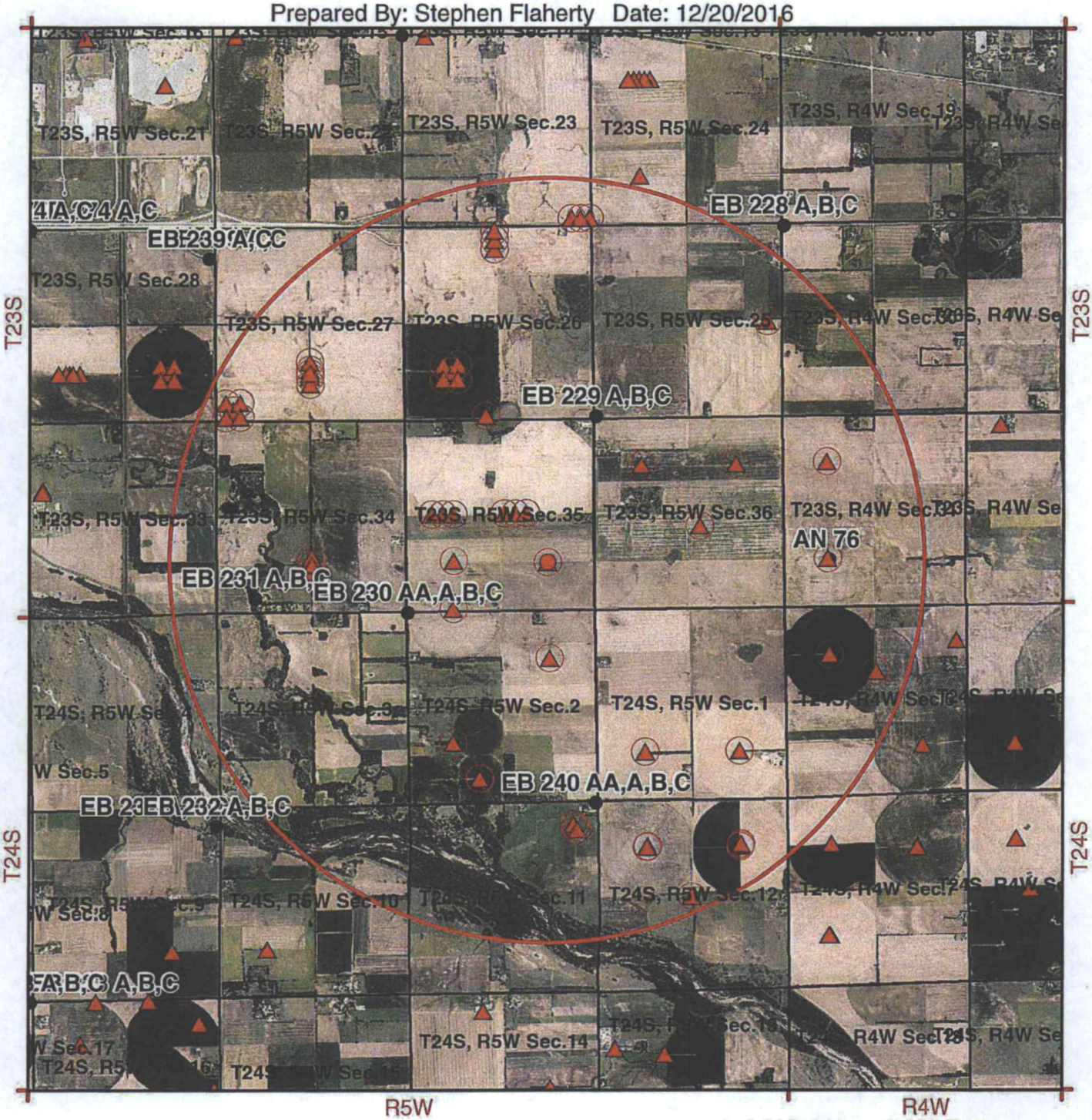
WATER RESOURCES RECEIVED
JAN 31 2017
KS DEPT OF AGRICULTURE

Equus Beds Groundwater Management District No. 2

Safe Yield Evaluation No. 49587

NWSESE (1310'N & 1310'W) 35-23S-05W, Reno County

Prepared By: Stephen Flaherty Date: 12/20/2016



0 1,320 2,640 5,280 Feet

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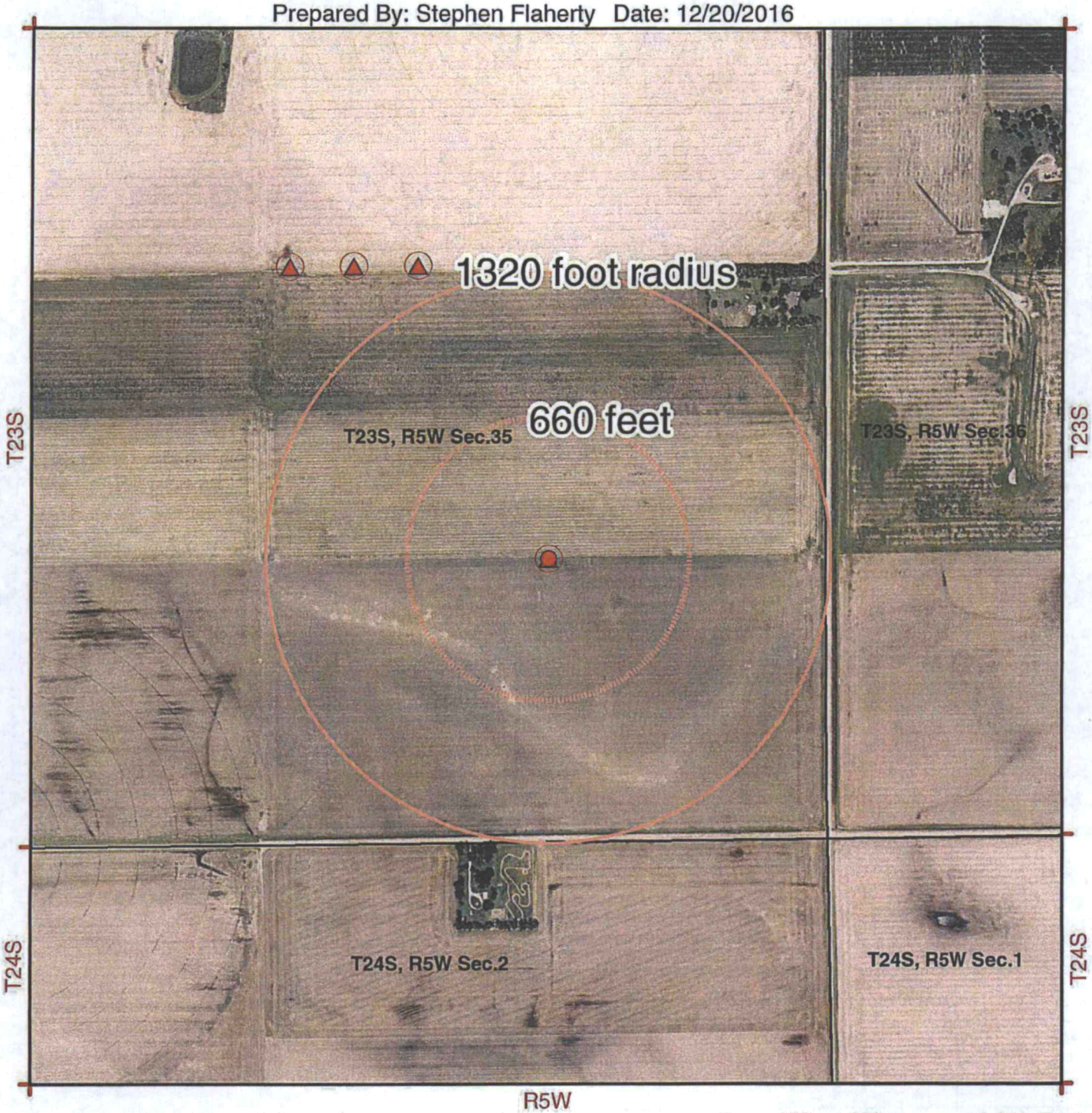
Allowable Appropriations	**4,021.00**	**Total Existing Appropriation**	**3,682.40**
Small User Quantity	**0**	**Non Consumptive Appropriations**	**0**
Remaining SUQ	**45**	**Consumptive Appropriations**	**3,682.40**
Note- Values are in acre-feet		**Available Appropriations**	**338.60**

Equus Beds Groundwater Management District No. 2

Spacing Evaluation No. 49587

NWSESE (1310'N & 1310'W) 35-23S-05W, Reno County

Prepared By: Stephen Flaherty Date: 12/20/2016



0 330 660 1,320 Feet

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313 Spruce Street, Halstead, KS 67056
316-835-2224 equusbeds@gmd2.org

Darling Drilling Company

Telephone (620) 662-7901 3916 W. 56th Ave.
Hutchinson, Ks. 67501

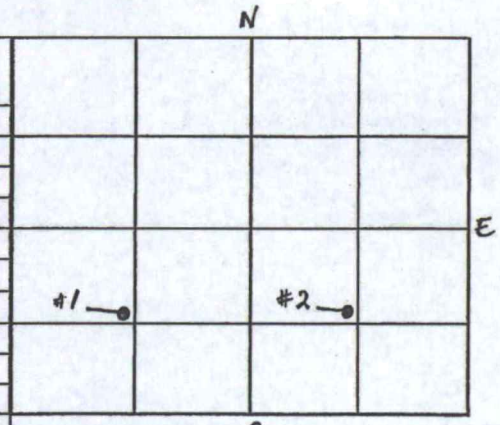
DRILLER'S TEST LOG

Date: 11-15-2016
Name: Robert Bacon
Address:
County: Reno
Quarter: SW & SE **Section:** 35 **Township:** 23S **Range:** 5W

88 Fi½ # 4955

87 Fi½ # 4955

DRILLED FOOTAGE From	To	DESCRIPTION OF STRATA
0	3	Top Soil
3	11	Clay
11	30	Med. to coarse gravel
30	40	Med. to coarse gravel
40	45	Med. to coarse gravel & some river rock
	Test #1	Latitude: 38.00299
	SW ¼	Longitude: 097.84361
0	3	Top soil
3	12	Clay
12	39	Med. sand & gravel to coarse-fine
39	39 ½	Tan clay
39 ½	45	Med. – coarse sand & gravel
	Test #2	Latitude: 38.00297
	SE ¼	Longitude: 097.83450



Static water level: 16'
Depth of well: 46'
Type & size of casing: 4" 160#
Plain: 0 to 36'
Perf: 36' to 46'
Gravel pack intervals: 46' to 16'
Grout material: 16 to 0
Contamination: n/a
Direction from well:
Casing above surface:
Bore hole: 9 7/8"
Remarks:

SDK Laboratories

1000 Corey Road
P.O. Box 886
Hutchinson, KS 67504-0886
620-665-5661
FAX: 620-665-0559
TOLL FREE: 877-464-0623
www.sdklabs.com

Sample # 5930.16
Sample: Water
Other ID: Bacon SE 1/4 35-23-5W

Date Received: 11/15/2016 16:50:00
Date/Time Sampled: 11/15/2016 0:00:00
Date Reported: 11/23/2016
Total Fee: $ 35.00

DARLING DRILLING
3916 WEST 56TH
HUTCHINSON, KS 67502

ANALYSIS

	Result	Units	Date/Time Analyzed	Analyst
++pH - SM 4500-H+ B	8.15	s.u.	11/16/2016 10:12	SE
++Chloride - SM 4500-Cl B	175.00	mg/L	11/17/2016 13:10	PS
++Total Hardness - SM 2340B	298	mg/L		
++Nitrate-Nitrogen - SM 4500-NO3 D	6.58	mg/L	11/16/2016 14:35	SE
++Calcium - SM 3111B	90.80	mg/L	11/18/2016 10:45	HS
++Magnesium - SM 3111B	17.20	mg/L	11/18/2016 10:45	HS
++Sodium - SM 3111B	142.00	mg/L	11/18/2016 10:45	HS
++Sulfate - SM 4500 SO4 E	115.00	mg/L	11/17/2016 12:30	SE
% Sodium	57.00	%		
SAR-Sodium Absorption Ratio	3.572	s.u.		
++Electrical Conductivity - SM 2510B	1220	umhos/cm	11/17/2016 10:40	SE
TDS-Total Dissolved Solids - Calculated	865	mg/L		
Irrigation Quality Rating	AS FOLLOWS			
Light Soil -Salinity Hazard	Low			
Light Soil - Sodium Hazard	Low			
Medium Soil -Salinity Hazard	Medium			
Medium Soil -Sodium Hazard	High			
Heavy Soil -Salinity Hazard	Medium			
Heavy Soil -Sodium Hazard	High			
General Comment:	Permissible/Doubtful			

**Sample receipt temperature 26.8 degrees C
**Sample beyond hold time for pH.
**No sample time listed.

* Denotes analysis was subcontracted to another laboratory for state compliance - see attached.
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.
++Denotes NELAP/KDHE Accredited Method. Lab Certificate #E-10152. Results meet all requirementsof NELAC unless noted.

File # 49587

WATER RESOURCES
RECEIVED

JAN 31 2017

KS DEPT OF AGRICULTURE

Approved By: M. H. Hogan, Quality Assurance Officer
Matt Hogan

Copies

The results reported pertain only to the samples as received by the laboratory.

NELAP ACCREDITED LABORATORY

SCANNED

Equus Beds Groundwater Management District No. 2

Estimated Place of Use for Application #49587

PD: NWSESE (1310'N & 1310'W) 35-23S-05W, Reno County

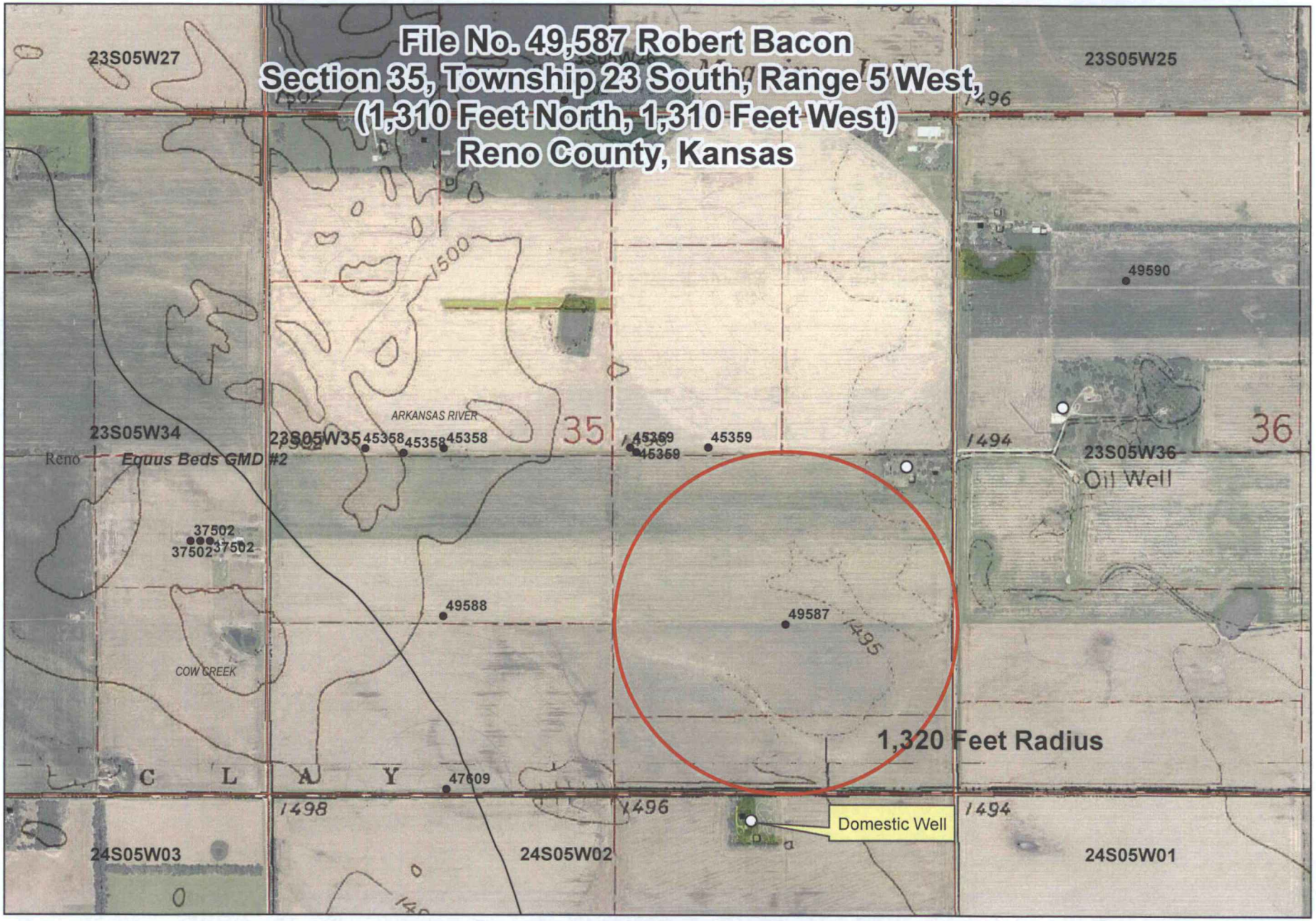
Prepared By: Stephen Flaherty Date: 1/30/2017

0 330 660 1,320

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



0 410 820 1,640 2,460 3,280 Feet

Domestic Well

9/29/2016 DWR