

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

1. File Number: <p style="text-align: center;"><b>49,618</b></p>	2. Status Change Date: <p style="text-align: center;"><i>12/6/2016</i></p>	3. Field Office: <p style="text-align: center;"><b>01</b></p>	4. GMD: <p style="text-align: center;"><b>0</b></p>
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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

<p>7a. Applicant(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID <b>64943</b> Add Seq# _____</p> <p><b>JONATHAN RINGEL</b> <b>24180 NEHRING BRANCH RD</b> <b>ALMA KS 66401</b></p>	<p>7c. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p>
<p>7b. Landowner(s) New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p>	<p>7d. Misc. New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p>

<p>8. WUR Correspondent New to system <input type="checkbox"/></p> <p style="text-align: right;">Person ID _____ Add Seq# _____</p> <p>Overlap File (s) WUC Agree <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: right;">Notarized WUC Form <input type="checkbox"/></p>	<p>9. Use of Water:    Changing?    <input type="checkbox"/> Yes    <input type="checkbox"/> No</p> <p style="padding-left: 40px;"><input type="checkbox"/> Groundwater            <input type="checkbox"/> Surface Water</p> <p><input type="checkbox"/> IRR            <input type="checkbox"/> REC            <input type="checkbox"/> DEW            <input type="checkbox"/> MUN</p> <p><input type="checkbox"/> STK            <input type="checkbox"/> SED            <input type="checkbox"/> DOM            <input type="checkbox"/> CON</p> <p><input type="checkbox"/> HYD DRG    <input type="checkbox"/> WTR PWR    <input type="checkbox"/> ART RECHRG</p> <p><input type="checkbox"/> IND SIC: _____    <input type="checkbox"/> OTHER: _____</p>
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10. Completion Date: \_\_\_\_\_      11. Perfection Date: \_\_\_\_\_      12. Exp Date: \_\_\_\_\_

13. Conservation Plan Required?  Yes  No    Date Required: \_\_\_\_\_    Date Approved: \_\_\_\_\_    Date to Comply: \_\_\_\_\_

14. Water Level Measuring Device?  Yes  No    Date to Comply: \_\_\_\_\_    Date WLMD Installed: \_\_\_\_\_

Date Prepared: **10/26/2016** By: **DWS**  
Date Entered: *12/7/2016* By: *LCM*

File No. **49,618**      15. Formation Code:      Drainage Basin:      County:      Special Use:      Stream:

16. Points of Diversion										
T	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W
	DEL	85210	SE SE SE		1	13	10E	1	330	660
	DEL	85211	NE NE SE		1	13	10E	2	2640	330

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

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

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

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

21. Place of Use							NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files		
T	MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
	DEL	67680			1	13	10E	1																		7a.	NO	NONE
	DEL	67681			6	13	11E	1																		7a.	NO	NONE

Comments:

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

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

TO: Files

DATE: October 26, 2016

FROM: Doug Schemm

RE: Applications, File Nos.  
49,618 and 49,619

Jonathan Ringel had filed the above referenced applications to appropriate surface water for irrigation use. Following further review, it was determined that additional information was required to complete the applications. Additional information was initially requested in a May 17, 2016 letter, but nothing was provided by the applicant.

Subsequently, the original applications were returned on September 19, 2016, requesting upstream and downstream landowners be identified, and the site maps be signed. In addition, the applicant was requested to review modifications to the Irrigation Use Supplemental Sheets for both applications. As required by statute, the applicant was provided 30 days to supply the requested information, with a due date of October 19, 2016. The applicant did not provide additional information, return the original applications, nor request additional time to respond.

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

Douglas Schemm  
Environmental Scientist  
Topeka Field Office

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

December 7, 2016

**FILE COPY**

JONATHAN RINGEL  
24180 NEHRING BRANCH RD  
ALMA KS 66401

Re: Applications, File Nos. 49,618 and 49,619

Dear Mr. Ringel:

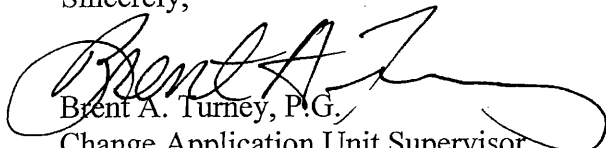
Enclosed are the Findings and Orders by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing Applications, File Nos. 49,618 and 49,619 for failure to return the original applications and provide the requested information, prior to the deadline of October 19, 2016.

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

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

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

Sincerely,

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

BAT:dws  
Enclosures

pc: Topeka Field Office



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

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

**FINDINGS AND ORDER  
IN THE MATTER OF THE  
DISMISSAL OF APPLICATION  
FILE NO. 49,618**

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

**FINDINGS**

1. That on April 11, 2016, the Chief Engineer received an application from Jonathan Ringel for permit to appropriate surface water for beneficial use, assigned File No. 49,618, proposing the appropriation of 100 acre-feet of water, at a maximum requested diversion rate of 1,200 gallons per minute, for irrigation use. The proposed points of diversion were two pump sites located as follows: one pump site in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 1, more particularly described as being near a point 330 feet North and 660 feet West of the Southeast corner of said section, and one pump site in the Northeast Quarter of the Northeast Quarter of the Southeast Quarter of Section 1, more particularly described as being near a point 2,640 feet North and 330 feet West of the Southeast corner of said section, both in Township 13 South, Range 10 East, Wabaunsee County, Kansas.
2. That on May 17, 2016 a letter was sent to the applicant, requesting additional information, including the names and addresses of upstream and downstream landowners. The applicant did not provide the requested information.
3. That on September 19, 2016, the original application was returned to the applicant, with a cover letter requesting that additional information be submitted in order to complete the application. The applicant was provided an initial deadline until October 19, 2016, the time in which to provide the requested information and return the application. The applicant was informed that the application would be dismissed if it was not returned by the October 19, 2016 deadline, or within any authorized extension of time.
4. That the application was not returned by the October 19, 2016 deadline, and no request for an extension of time was requested by the applicant.
5. That the application should be dismissed and its priority forfeited as provided by K.S.A. 82a-710, for failure to return the application.

**ORDER**

NOW, THEREFORE, It is the decision and order of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, that effective the date of this order, in accordance with the law, Application, File No. 49,618, is herewith dismissed and the priority assigned to it is considered to be forfeited.

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

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

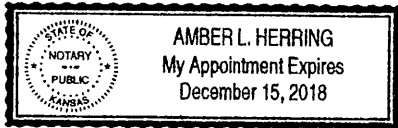
Ordered this 6<sup>th</sup> day of December, 2016, in Topeka, Shawnee County, Kansas.

*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 6<sup>th</sup> day of December, 2016, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



*Amber L. Herring*

Notary Public

**CERTIFICATE OF SERVICE**

On this 7<sup>th</sup> day of December, 2016, I hereby certify that the foregoing Dismissal of Application, File No. 49,618, dated December 6, 2016 was mailed postage prepaid, first class, US mail to the following:

JONATHAN RINGEL  
24180 NEHRING BRANCH RD  
ALMA KS 66401

With photocopies to:

Topeka Field Office

*Danielle Wilson*

Division of Water Resources

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

File Number 49,618  
This item to be completed by the Division of Water Resources.

WATER RESOURCES  
RECEIVED

APPLICATION FOR PERMIT TO  
APPROPRIATE WATER FOR BENEFICIAL USE

APR 11 2016

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

4:12  
KS DEPT OF AGRICULTURE

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): Jonathan King  
Address: 24180 Nehring Branch Rd  
City: Alma State KS Zip Code 66040  
Telephone Number: (785) 765-2405

2. The source of water is:  surface water in East Branch Mill Creek (Kansas)  
(stream)  
OR  groundwater in \_\_\_\_\_  
(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 100 acre-feet OR \_\_\_\_\_ gallons per calendar year,  
to be diverted at a maximum rate of 1200 gallons per minute OR \_\_\_\_\_ cubic feet per second.

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

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

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

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

For Office Use Only:							
F.O. Code	<u>GMD</u>	Meets K.A.R. 5-3-1	<u>(YES)</u> NO	Use	<u>I1212</u>	Source	<u>G/S</u> County
	<u>REG</u>	Fee \$	<u>200</u>	TR #		Receipt Date	<u>9/11/16</u>
						By	<u>AW</u> Date
						Check #	<u>1048</u>

SCANNED

4/18/2016 WJ

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.

pumpsites

- (A) One in the SE quarter of the SE quarter of the SE quarter of Section 1, more particularly described as being near a point 330 feet North and 660 feet West of the Southeast corner of said section, in Township 13 South, Range 10 East/West (circle one), Wabaunsee County, Kansas.
- (B) One in the NE quarter of the NE quarter of the SE quarter of Section 1, more particularly described as being near a point 2640 feet North and 330 feet West of the Southeast corner of said section, in Township 13 South, Range 10 East/West (circle one), Wabaunsee County, Kansas.
- (C) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.
- (D) One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.

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

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

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

Same as applicant  
 \_\_\_\_\_  
 (name, address and telephone number)

\_\_\_\_\_

(name, address and telephone number)

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

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

Executed on April 11<sup>th</sup>, 2016. [Signature]  
 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 Summer 2017 2 Pump sites  
 (number of wells, pumps or dams, etc.)  
 and (was)(will be) completed (by) \_\_\_\_\_  
 (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 \_\_\_\_\_  
 (Mo/Day/Year)



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 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

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

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

None

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**WATER RESOURCES  
RECEIVED**

**APR 11 2016**

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

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

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

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

Applicant  
(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):

Applicant  
(name, address and telephone number)

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

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

Dated at Manhattan, Kansas, this 11th day of April, 2016.  
(month) (year)

  
(Applicant Signature)

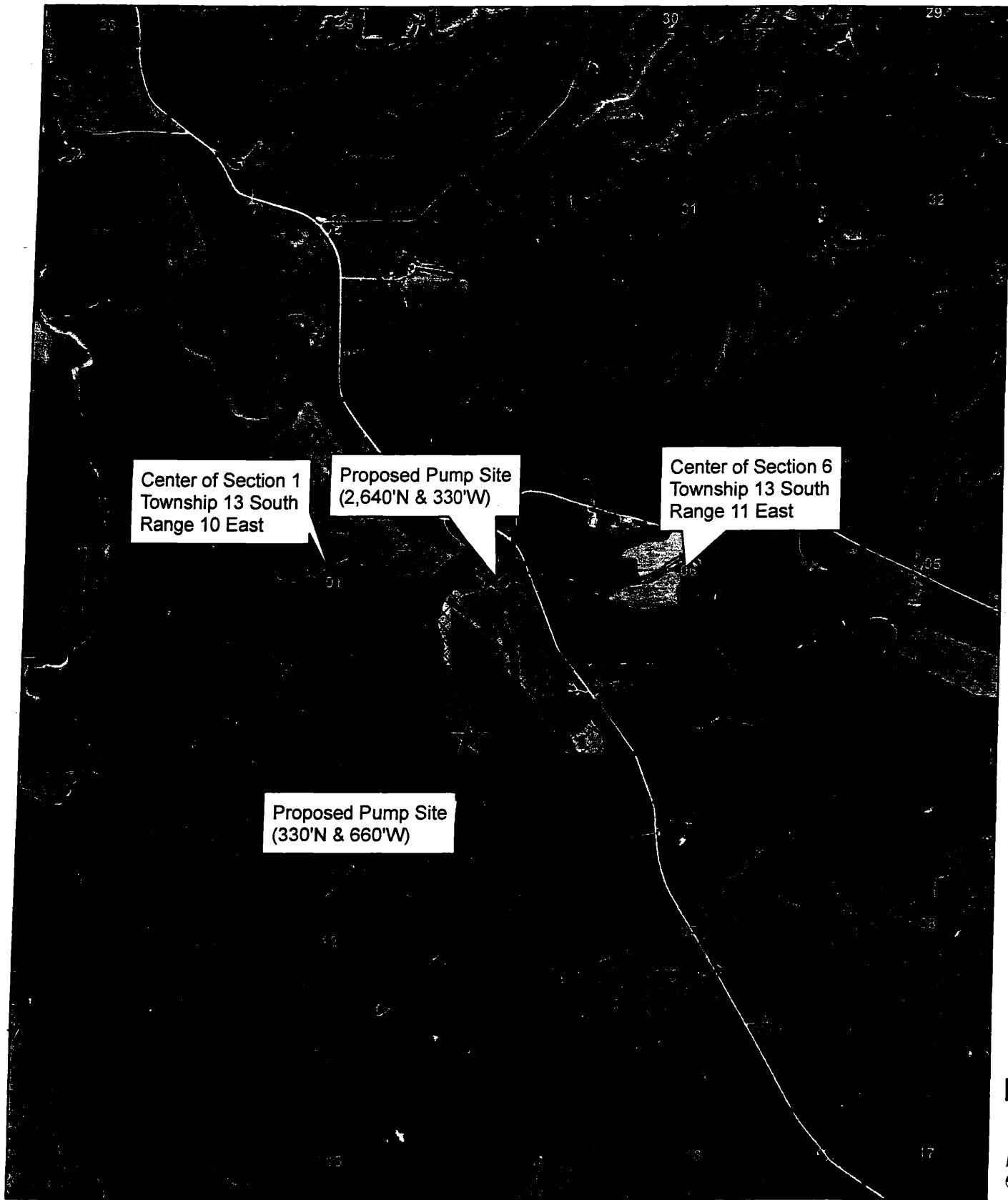
By \_\_\_\_\_  
(Agent or Officer Signature)

\_\_\_\_\_  
(Agent or Officer - Please Print)

Assisted by ADW/EMC \_\_\_\_\_ Date: 4/11/2016  
(office/title)

RECORDED & INDEXED  
APR 11 2016

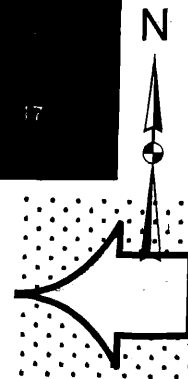
# FILE NO. 49,618 - JONATHAN RINGEL SITE MAP



All known landowners adjacent to the stream within  
one-half (1/2) mile of my property have been identified on this map.

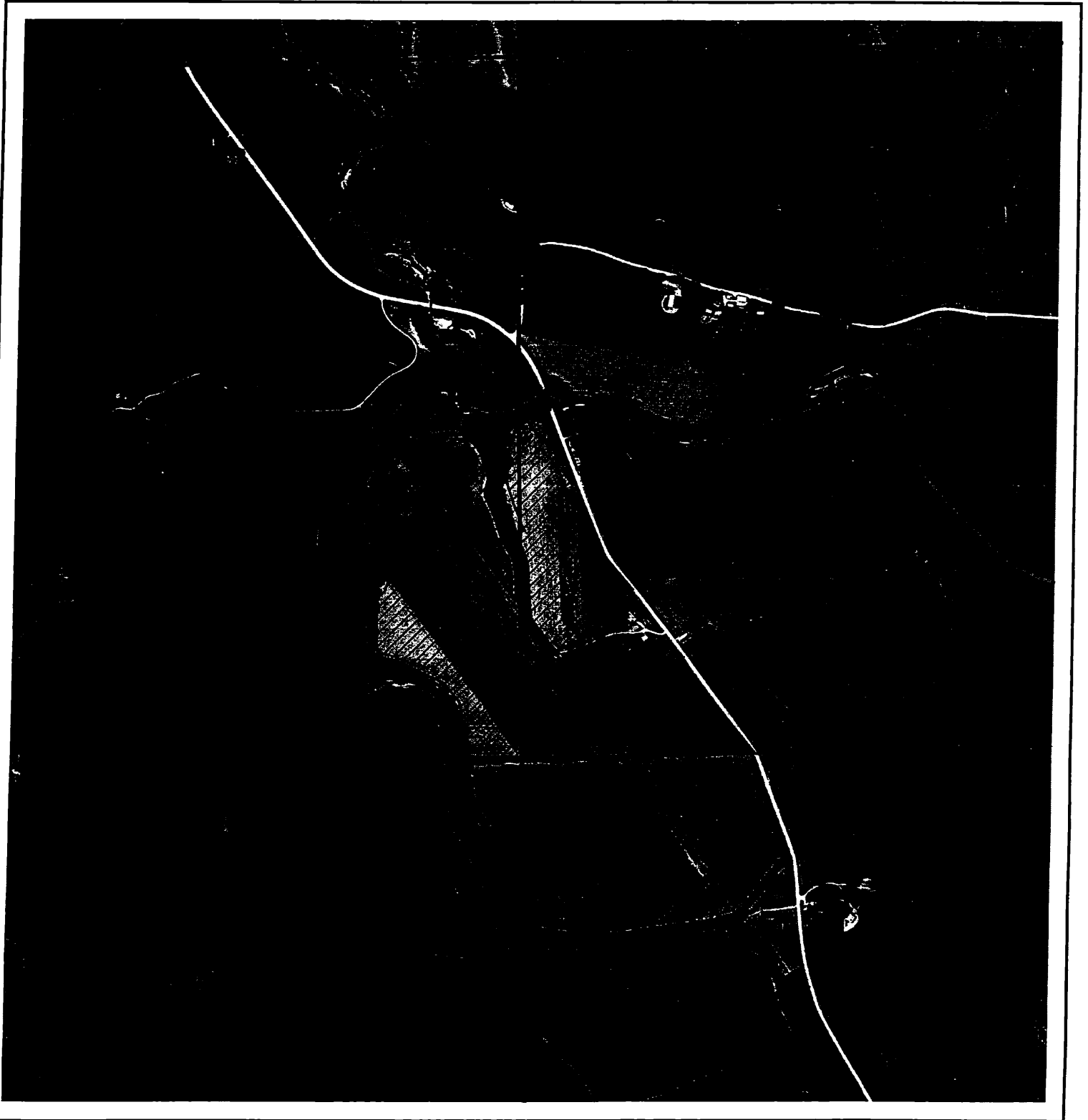
1:24,000



\_\_\_\_\_  
(Signature)



# Nehring Creek Project - Jonathan Ringel


49,618



-  Point of Diversion
-  Place of Use

I declare that the names and addresses of the landowners within 1/2 mile upstream and 1/2 mile downstream of the proposed point of diversion are shown.

Signature: \_\_\_\_\_

AJW/DWR  
Date: 4/12/2016  
  
**SCANNED**

**IRRIGATION USE  
SUPPLEMENTAL SHEET**

File No. 49,618

Name of Applicant (Please Print): Jonathan Ringel

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: Jonathan Ringel  
ADDRESS: 24180 Nehring Branch Road Alma, KS 66401

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
1	13S	10E															30			30	<del>54.96</del> 60
6	13S	11E											40								40

100

Landowner of Record NAME: Jonathan Ringel  
ADDRESS: 24180 Nehring Branch Road Alma, KS 66401

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
1	13S	10E															25			26	51
6	13S	11E									13	31	4								48

Total = 99 acres

Landowner of Record NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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

4/11/2016

(Date)

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

Re: Application File No. 49,018

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.

*J. Ringel*  
Signature of Applicant

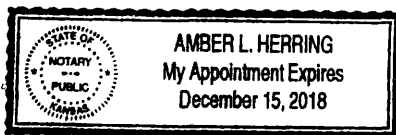
State of Kansas )  
County of Riley ) ss

Jonathan Ringel  
(Print Applicant's Name)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 11<sup>th</sup> day of April, 2016.

*Amber L. Herring*  
Notary Public

My Commission Expires:



WATER RESOURCES  
RECEIVED

APR 11 2016

KS DEPT OF AGRICULTURE  
SCANNED

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

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

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

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

RECEIVED  
WATER RESOURCES  
DIVISION

FOR FILING TO THE

Garloft

Aerial Map

49,618



©AgriData, Inc. 2012

Harveyville Seed Co.

785-589-2497

Maps provided by:



©AgriData, Inc. 2012  
www.AgriDataInc.com

6-13S-11E  
Wabaunsee County  
Kansas

map center: 38° 56' 45.16, 96° 14' 31.4

scale: 5483



4/11/2013

WATER RESOURCES  
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Field borders provided by Farm Service Agency as of 5/21/2008. Aerial photography provided by Aerial Photography Field Office.

APR 11 2016

KS DEPT OF AGRICULTURE  
SCANNED



4/11/2016

(Date)

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

Re: Application File No. 49,018

Minimum Desirable Streamflow  
Kansas River Assurance District  
Water Reservation Rights

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established, an Assurance District has been formed and established or a Water Reservation Right is held by the Kansas Water Office (**circle the appropriate item**) for the source of supply to which the above referenced application applies, namely the \_\_\_\_\_.

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, Assurance District or Water Marketing releases are being made from storage in Federal Reservoirs or when a Reservation Right upstream of a Federal Reservoir is being administered.

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.

*J. Ringel*  
Signature of Applicant

Jonathan Ringel  
Print Applicant Name

State of Kansas )  
County of Riley ) SS

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 11th day of April, 20 16.

*Amber L. Herring*  
Notary Public

My Commission Expires:



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APR 11 2016

49,618

**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

Assurance Districts have been formed on the following rivers:

Kansas River                      Marias des Cygnes River                      Neosho River

The Kansas Water Office has Water Reservation Rights for the following reservoirs:

Big Hill                                  Marion  
Clinton                                  Melvern  
Council Grove                          Milford  
Elk City                                  Perry  
Hillsdale                                  Pomona  
John Redmond                          Tuttle Creek

**WATER RESOURCES  
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**APR 11 2016**

**FEE SCHEDULE**

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

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

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

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

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

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

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

**MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE**

**ATTENTION**

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

**CONVERSION FACTORS**

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

**WATER RESOURCES  
RECEIVED**

**APR 11 2016**



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

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

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

September 19, 2016

JONATHAN RINGEL  
24180 NEHRING BRANCH RD  
ALMA KS 66401

RE: Pending Applications, File Nos. 49,618 and 49,619

Dear Mr. Ringel:

After further review, the above referenced **original** applications for permits to appropriate water for beneficial use are being returned to you for additional information. As you were informed in our May 17, 2016 letter, you must provide the names and addresses of the landowner(s) ½ mile downstream and upstream from your property lines, and sign each of the site maps when this information is provided. In addition, the "Irrigation Use Supplemental Sheet" for each of the applications was modified based on the depicted places of use on the site maps, and these must be returned with the original applications.

We are advising you of these requirements in order to allow you an opportunity to supply the requested information, as required. In order for the applications to retain their priority of filing, the original applications and attachments must be returned, with the requested information, to this office on or before **October 19, 2016**, or within any authorized extension of time thereof. According to the law, default in the refiling of the completed applications and attachments as outlined above, within the time allowed, shall constitute forfeiture of your priority date and dismissal of the applications.

Please return the original applications, site maps, and supplemental forms with the required landowner information to:

**KANSAS DEPARTMENT OF AGRICULTURE  
6531 SE FORBES AVENUE SUITE B  
TOPEKA KS 66619**

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

Sincerely,

A handwritten signature in cursive script that reads "Doug Schemm".

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

Enclosure



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

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

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

May 17, 2016

JONATHAN RINGEL  
24180 NEHRING BRANCH RD  
ALMA KS 66401

RE: Pending Applications, File Nos. 49,618 and 49,619

Dear Mr. Ringel:

Additional information is required in order to continue our review of the above referenced applications. For each application, please provide the names and addresses of the landowner(s) ½ mile downstream and upstream from your property lines, and sign each of the maps where indicated.

I have revised the "Irrigation Use Supplemental Sheet" for each of the applications based on their depicted places of use on the site maps. Please review the site map and the supplemental sheet for each of the applications to ensure that the information is correct. If you are in agreement, please initial both of the "Irrigation Use Supplemental Sheet" forms. In addition, for File No. 49,619, the description for one of the pump sites has been modified based on the site map to 20' North and 565' West of the Southeast corner.

Please submit the site maps and supplemental forms with the required landowner information to:

**KANSAS DEPARTMENT OF AGRICULTURE  
6531 SE FORBES AVENUE SUITE B  
TOPEKA KS 66619**

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

Sincerely,

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

Douglas W. Schemm  
Environmental Scientist  
Topeka Field Office

Enclosure



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

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

April 13, 2016

JONATHAN RINGEL  
24180 NEHRING BRANCH RD  
ALMA KS 66401

RE: Application  
File No. 49618

Dear Sir or Madam:

Your application for permit to appropriate water in 1-13S-10E in Wabaunsee County, was received and has been assigned the file number noted above.

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

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

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

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

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

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent A Turney, L.G.  
New Application Unit Supervisor  
Water Appropriation Program

KAK: DLW  
pc: TOPEKAField Office  
GMD

SCANNED